



TOWN OF AVON MEETINGS FOR TUESDAY, JUNE 28, 2016
AVON LIQUOR AUTHORITY MEETING BEGINS AT 5:00 PM
REGULAR MEETING BEGINS AT 5:05 PM
AVON TOWN HALL, ONE LAKE STREET

AVON LIQUOR LICENSING AUTHORITY MEETING BEGINS AT 5:00 PM (SEE SEPARATE AGENDA PAGE 3)
REGULAR MEETING BEGINS AT 5:05 PM

- 1. CALL TO ORDER & ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. PUBLIC COMMENT – COMMENTS ARE WELCOME ON ITEMS NOT LISTED ON THE FOLLOWING AGENDA**
- 4. PRESENTATION**
 - 4.1. UNITED STATES FOREST SERVICE PRESENTATION (AARON MAYVILLE, ACTING DISTRICT RANGER)
- 5. ACTION ITEMS**
 - 5.1. **PUBLIC HEARING** SOUND PERMIT APPLICATION FOR POP UP STRINGS & ART ON THE MAIN STREET MALL JULY 8, 2016 (DIRECTOR OF FESTIVALS & SPECIAL EVENTS DANITA DEMPSEY)
 - 5.2. REVIEW AND ACTION ON MR. PAUL EGAN'S APPEAL OF THE DENIAL OF A REAL ESTATE TRANSFER TAX REFUND (ASSISTANT TOWN MANAGER SCOTT WRIGHT)
 - 5.3. **PUBLIC HEARING** AND MOTION ON RESOLUTION 16-16, APPROVING THE MEZA PUD AMENDMENT FOR LOT 110, BLOCK 1, WILDRIDGE SUBDIVISION - CONTINUED FROM THE JUNE 14, 2016 COUNCIL MEETING (PLANNING DIRECTOR MATT PIELSTICKER)
- 6. WORK SESSION**
 - 6.1. REVIEW AND DIRECTION REGARDING PROPOSED LAND SWAP/ACCESS EASEMENT FOR THE DEVELOPMENT OF LOT 39 AND TRACT O, BLOCK 4, WILDRIDGE SUBDIVISION (TOWN ATTORNEY ERIC HEIL)
 - 6.2. REVIEW AND DIRECTION REGARDING XCEL/PUBLIC SERVICE COMPANY GAS LINE CHARGES IN WILDRIDGE (TOWN ATTORNEY ERIC HEIL)
- 7. ACTION ITEMS**
 - 7.1. RESOLUTION 16-19 ADOPTING THE TOWN OF AVON 2017-18 STRATEGIC PLAN (TOWN MANAGER VIRGINIA EGGER)
- 8. CONSENT AGENDA**
 - 8.1. BUTLER SNOW ENGAGEMENT LETTER (ASSISTANT TOWN MANAGER SCOTT WRIGHT)
 - 8.2. MINUTES FROM JUNE 14, 2016 MEETING (TOWN CLERK DEBBIE HOPPE)
 - 8.3. MINUTES FROM JUNE 14, 2016 RETREAT (EXECUTIVE ASSISTANT TO THE TOWN MANAGER PRESTON NEILL)
- 9. WRITTEN REPORTS**
 - 9.1. MONTHLY FINANCIAL REPORT (BUDGET ANALYST KELLY HUITT)
 - 9.2. GIFT REPORTING – 2016 REDS, WHITES & BREWS FESTIVAL, COVERROCK FESTIVAL & BEAVER CREEK RODEO SERIES VIP TICKETS (EXECUTIVE ASSISTANT TO THE TOWN MANAGER PRESTON NEILL)

MEETING AGENDAS & PACKETS ARE FOUND AT: [HTTP://WWW.AVON.ORG](http://www.avon.org)
AGENDAS ARE POSTED AT AVON TOWN HALL, RECREATION CENTER, & AVON PUBLIC LIBRARY
IF YOU HAVE ANY SPECIAL ACCOMMODATION NEEDS, PLEASE, IN ADVANCE OF THE MEETING,
CALL TOWN CLERK DEBBIE HOPPE AT 970-748-4001 OR EMAIL DHOPPE@AVON.ORG WITH ANY SPECIAL REQUESTS.



TOWN OF AVON MEETINGS FOR TUESDAY, JUNE 28, 2016

AVON LIQUOR AUTHORITY MEETING BEGINS AT 5:00 PM

REGULAR MEETING BEGINS AT 5:05 PM

AVON TOWN HALL, ONE LAKE STREET

10. COMMITTEE MEETING UPDATES: COUNCILORS AND MAYOR

10.1. ECO TRAILS & TRANSIT (MAYOR PRO TEM JAKE WOLF)

10.2. UERWA (COUNCILOR SARAH SMITH HYMES)

10.3. EAGLE COUNTY CLIMATE ACTION TASK FORCE (COUNCILOR SARAH SMITH HYMES)

11. MAYOR & COUNCIL COMMENTS

12. EXECUTIVE SESSION: PURSUANT TO COLORADO REVISED STATUTE 24-6-402(4)(F) FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS

13. ADJOURNMENT

MEETING AGENDAS & PACKETS ARE FOUND AT: [HTTP://WWW.AVON.ORG](http://www.avon.org)

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CALL TOWN CLERK DEBBIE HOPPE AT 970-748-4001 OR EMAIL DHOPPE@AVON.ORG WITH ANY SPECIAL REQUESTS.



TOWN OF AVON, COLORADO
TOWN OF AVON MEETINGS FOR TUESDAY, JUNE 28, 2016
AVON LIQUOR AUTHORITY MEETING BEGINS AT 5:00 PM
AVON TOWN HALL, ONE LAKE STREET

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF AGENDA

3. PUBLIC COMMENT

4. RENEWAL OF LIQUOR LICENSES

4.1. APPLICANT: Y&Z, INC. D/B/A NOZAWA SUSHI & KITCHEN

LOCATION: 240 CHAPEL PLACE

TYPE: HOTEL & RESTAURANT

MANAGER: JENNIFER BROSCHE

5. PUBLIC HEARING SPECIAL EVENTS PERMIT

5.1. APPLICANT NAME: VAIL VALLEY CHARITABLE FUND, INC.

EVENT NAME: LAKESIDE SUNDAY'S

EVENT DATES: JULY 17, 2016, AUGUST 14, 2016 & SEPTEMBER 11, 2016

EVENT TIME: 4:00 P.M. UNTIL 7:00 P.M.

LOCATION: NOTTINGHAM PARK PAVILION

EVENT MANAGER: LAUREN EMENAKER

PERMIT TYPE: MALT, VINOUS & SPIRITUOUS LIQUOR

5.2. APPLICANT NAME: EAGLE VALLEY HUMANE SOCIETY

EVENT NAME: POP-UP STRINGS

EVENT DATES: JULY 8, 15 & 22, 2016

EVENT TIME: 5:00 P.M. UNTIL 8:00 P.M.

LOCATION: MAIN STREET MALL, LETTUCE SHED LANE (VENUE A) / POSSIBILITY PLAZA (VENUE B)

EVENT MANAGER: CHAR GONSENICA

PERMIT TYPE: MALT, VINOUS & SPIRITUOUS LIQUOR

6. MINUTES FROM JUNE 14, 2016

7. ADJOURNMENT



LIQUOR AUTHORITY REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council
From: Debbie Hoppe, Town Clerk
Meeting Date: May 24, 2016
Agenda Topic: Renewal Application–Nozawa Sushi & Kitchen

PROPOSED MOTION

I move to approve (or deny stating the reasons for denial) the Renewal Application for Y&Z, Inc. d/b/a Nozawa Sushi & Kitchen.

ACTION BEFORE COUNCIL

The Town Council serving as the Avon Liquor Licensing Authority will consider the following Liquor License Application for renewal at its Board meeting next week:

RENEWAL OF LIQUOR LICENSE

Applicant: Y&Z, Inc. d/b/a Nozawa Sushi & Kitchen
Location: 240 Chapel Place
Type: Hotel & Restaurant
Manager: Jennifer Brosch

BACKGROUND

Colorado Liquor Code, 12-47-302, provides for guidelines related to liquor licensing renewals; applications for the renewal of an existing license shall be made to the local licensing authority. The Town Clerk, Town Attorney, and Police Department have reviewed the application submitted and referenced above and the materials are in order. The Police Report results show the following information:

Y&Z, Inc. d/b/a Nozawa Sushi & Kitchen:

There have been no concerns or violations during the past year.

The owner/manager has been invited to attend the Liquor Board meeting.

During the liquor license renewal process, the Liquor Authority has broad discretion to consider any character issues related to the licensee holder at renewal in the same manner as granting a license. If there have been various types of behavior, such as failure to pay taxes and fraud, the courts have held these behaviors as a valid reason to find the applicant does not possess character. The Colorado Liquor Code §12-47-302 sets forth the local authority's ability to hold a hearing on the application for renewal. It is also noted that a "yes or no action" only is required on renewals; there are no conditions that can be mandated in this process.

Attachments:

- ✓ State of Colorado Renewal Application Form
- ✓ Avon Police Department Summary Reports

Submit to Local Licensing Authority

Fees Due	
Renewal Fee	500-
Storage Permit \$100 X _____	\$
Optional Premise \$100 X _____	\$
Amount Due/Paid	\$500-

Retail Liquor or 3.2 License Renewal Application

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name Y&Z inc, inc		DBA Nozawa Sushi and Kitchen	
Liquor License # 15549990002	License Type Hotel/Club/LyL	Sales Tax License # 01554999-0002	Expiration Date 12/31/2014
Business Address 240 Chapel Place unit #115		Due Date 7/1/2016	
Mailing Address Pobox 218 Vail Co 81657		Phone Number 970 949-0330	
Operating Manager Jennifer Beach	Date of Birth [REDACTED]	Home Address 2480 Chamomix K4 Vail CO 81657	Email nozawa.sushi@yahoo.com
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Are the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* If rented, expiration date of lease _____	
2. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Affirmation & Consent			
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.			
Type or Print Name of Applicant/Authorized Agent of Business Jennifer Beach		Title Manager	
Signature [Signature]		Date 6/7/2016	
Report & Approval of City or County Licensing Authority			
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S.			
Therefore this application is approved.			
Local Licensing Authority For Town of Avon		Date	
Signature	Title	Attest	

**Avon Police Department
Liquor License Application**

Individual Name(s): Jennifer E. Brosch

Name of Business: Y&Z, inc. d/b/a Nozawa Sushi and Kitchen

Type of License: ☒ Hotel & Restaurant
☐ Special Event Permit

Event Name: n/a
Date of Event: n/a

Location of Business: 240 Chapel Place, BC 115
Avon, Colorado 81620

Date Received: June 16, 2016

Photographs/Fingerprints: ☒ On File
☐ Special Event – N/A

Investigation by:

☐ Detective Jonathan Lovins
☒ Detective Jeremy Holmstrom

Date: June 23, 2016

CBI Criminal Investigation: Nothing in the past 12 months

Local Criminal Investigation: No Problems

Comments:

Liquor Code Violations in the past calendar year: ☐ Yes ☒ No

If yes, explain: _____

Smoking violation in the past calendar year: ☐ Yes ☒ No

If yes, explain: _____

☒ Background investigation conducted with no problems and or areas of concern.

N.C.I.C. database not accessed on this applicant.

Investigation Time: 2 hours.

Administration Time: 1 hour.





LIQUOR LICENSING AUTHORITY REPORT

To: Avon Liquor Licensing Authority
From: Debbie Hoppe, Town Clerk
Meeting Date: June 28, 2016
Agenda topic: SPECIAL EVENTS PERMIT APPLICATION – PUBLIC HEARING

ACTION BEFORE COUNCIL

The Town Council serving as the Local Liquor Licensing Authority will consider a Special Events Permit Application for the upcoming Lakeside Sunday's event. A public hearing is required before final action is taken.

Applicant Name: Vail Valley Charitable Fund, Inc.
Event Name: Lakeside Sunday's
Event Dates: July 17, 2016, August 14, 2016 & September 11, 2016
Event Time: 4:00 p.m. until 7:00 p.m.
Location: Nottingham Park Pavilion
Event Manager: Lauren Emenaker
Permit Type: Malt, Vinous & Spirituous Liquor

PROPOSED MOTION

I move to approve or deny the Special Events Permit application for the upcoming Lakeside Sunday's event.

SUMMARY

The applicant has submitted the appropriate materials required by the State of Colorado Liquor Enforcement Division and all materials are in order. Vail Valley Charitable Fund, Inc. is applying for malt, vinous, spirituous liquor permit to serve/sell beverages at the Lakeside Sunday's event on July 17, 2016, August 14, 2016 and September 11, 2016. The Nottingham park premise has been posted with notice of the public hearing for this application. The event manager will be present to answer question about the application. There are local liquor licensing fees associated with the special event permit; the applicant has submitted the appropriate local fees.

BACKGROUND

Special Events permits are issued by the Liquor Enforcement Division and the Local Licensing Authority to allow particular types of organizations, municipalities, and political candidates to sell, serve or distribute alcohol beverages in connection with public events. Because of their temporary nature, needs and desires (reasonable requirements of the neighborhood) are not considered by the licensing authorities as a condition of issuance. Applications are made directly with the local licensing authority having jurisdictions over the place of the event. Article 48 of Title 12 regulates the issuance of special events permits. Note that these permits may only be issued for prescribed hours during the day and for not more than 15 days in any one calendar year.

SPECIAL EVENTS PERMIT APPLICATIONS ATTACHMENTS:

The applicants for the special events permit have submitted the following materials:

- ✓ Application for a Special Events Permits (State form DR 8439)
- ✓ Alcohol Management Plan
- ✓ Diagram where liquor will be served
- ✓ Certificate of Good Standing
- ✓ Proof of Insurance
- ✓ Police Report on Background Checks

LAKESIDE SUNDAY'S ALCOHOL MANAGEMENT PLAN

Submitted June 16, 2016

Event Date – July 17, August 14 and September 11, 2016

THE EVENT OVERVIEW

Event Overview: Lakeside Sunday's is a program designed by The Town of Avon to provide guests the opportunity to enjoy the lake, some music and cocktails on the event terrace of Avon's performance pavilion. The event will be held three Sundays throughout the summer from 4-7pm. There will be music provided by the Town of Avon and alcohol will be available for purchase from The Vail Valley Charitable Fund (VVCF). The VVCF has submitted the liquor license and we will be providing and serving beer and wine. Proceeds from the event will benefit the Vail Valley Charitable Fund, an organization that provides grants to locals of the Vail Valley that are experiencing financial stress due to a medical crisis or long term illness.

Venue:

The venue area will be held on the back patio area of the stage with a bar selling alcohol to guests over the age of 21. The bar will be staffed by TIPS certified volunteers from The Vail Valley Charitable Fund. The area capacity is 250 people and will be open from 4-7pm. Guests may purchase alcohol during this time.

LICENSED PREMISE

The liquor license perimeter will be the backstage patio area of the performance pavilion.

ENTRANCE / EXITS

There will be one entrance & exit for festival patrons located at the southeast corner of the park. Security will be provided by the Town of Avon and will be located at the southeast corner as well. Local law enforcement will be hired to assist in the security, if deemed necessary by the Town of Avon. At the entrance there will be signs posted stating no alcohol out or in through the gate as well as our right to refuse service.

STAFFING

There will be two staff of the VVCF to serve alcohol that are TIPS certified.

CONTROL OF THE PREMISES

The area is secured by permanent fencing around the patio. We will be checking IDs and banding guests 21 and over. Brightly colored "21+" wristbands will be applied to each patron upon inspection/approval of ID. No one without a wristband will be served alcohol.

Venue wristbands will be distributed to persons that have government-issued identification that proves that they are twenty-one (21) years or older. We will request identification from anyone wanting a wristband regardless of how old they appear to be. Such wristbands will be required to consume and even hold alcohol. There will be a zero-tolerance policy for underage drinking and underage drinkers that are encountered by security personnel will be turned over to local law enforcement personnel for processing.

Personnel serving alcoholic beverages have the right to refuse service to any patron. In such cases it is recommended that the patron's wristband be removed and that a black "X" is placed on the top of each hand in permanent marker to prevent the patron from attempting to get another wristband. Security personnel are also empowered to determine that a patron may not consume any more alcohol and to take the aforementioned actions. Patrons refusing to comply with the refusal of service or acting in contravention of a refusal of service may be subject to ejection from the event.

Security will be provided by the Town of Avon and positioned around the perimeter and will be patrolling the venue constantly, monitoring the customers. Security will be equipped with radios to keep in constant contact with each other, servers and management.

If we deem someone has had too much to drink we will take the following steps: STOP SERVING the person, contact management, offer free food and water, determine if the patron is driving, find them a friend that can safely take care of them and/or a ride home via bus or taxi, and alert local authorities.

DAYS AND HOURS OF OPERATION

Alcohol will be served on Sunday, July 17th, August 14 and September 11 from 4-7 p.m.

INSURANCE

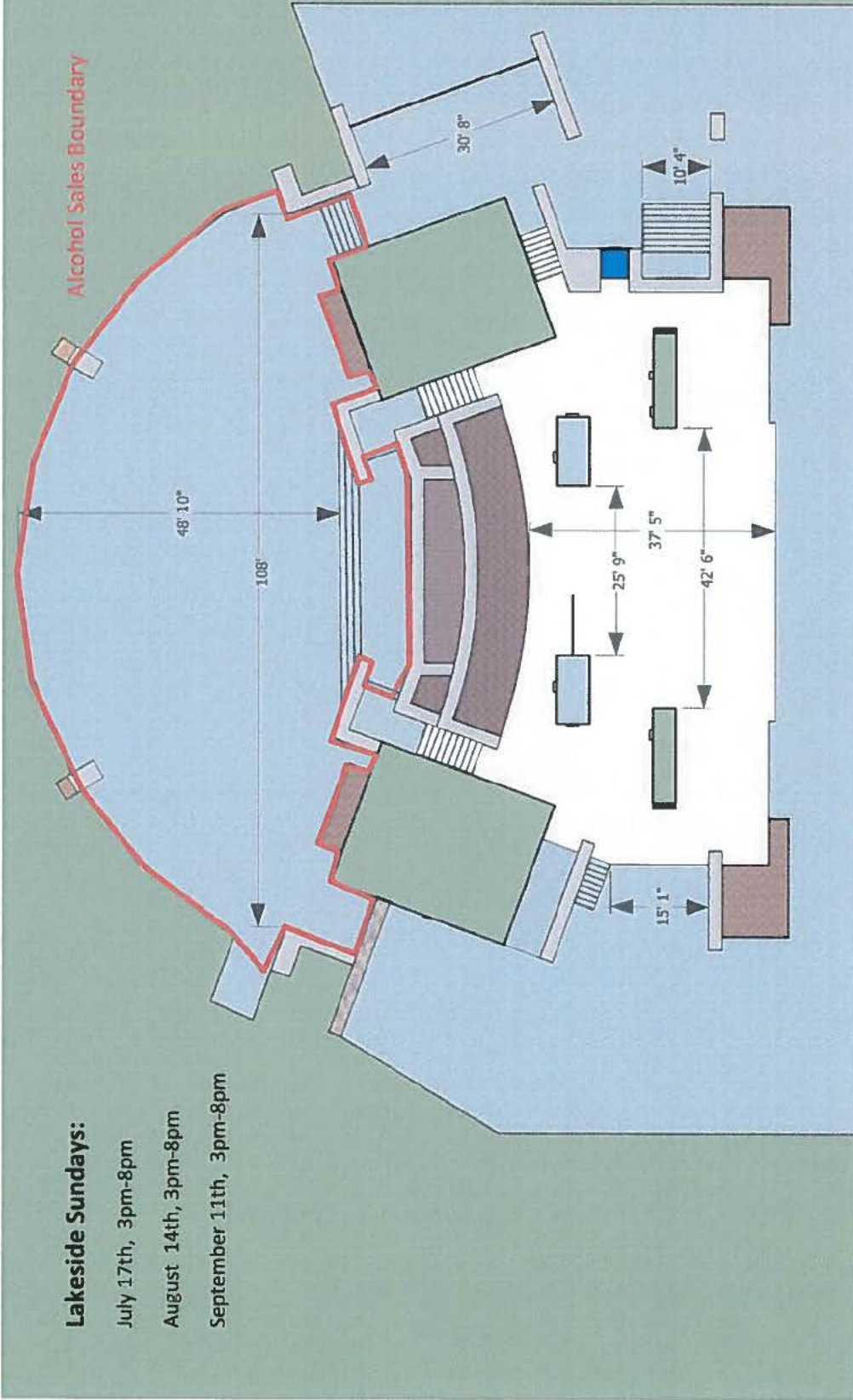
Local carrier Brill Insurance will insure the event. Proof of liability insurance is attached.

Lakeside Sundays:

July 17th, 3pm-8pm

August 14th, 3pm-8pm

September 11th, 3pm-8pm



OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

VAIL VALLEY CHARITABLE FUND, INC.

is a **Nonprofit Corporation** formed or registered on 09/30/1996 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19961127841.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/17/2015 that have been posted, and by documents delivered to this office electronically through 06/18/2015 @ 11:33:37.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 06/18/2015 @ 11:33:37 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9222254.



Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us>; click Business Center and select "Frequently Asked Questions."



Policy Number: 60482-23-34

Date Entered: 05/12/2016

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/12/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Brill Insurance Agency 150 E Beaver Creek Blvd A-203 P.O. Box 1498 Avon, CO 81620	CONTACT NAME: Debbie Brill	
	PHONE (A/C, No, Ext): (970) 845-8910	FAX (A/C, No): (970) 845-8460
INSURED Vail Valley Charitable Fund Michelle Maloney PO Box 2307 Edwards, CO 81632	E-MAIL ADDRESS: dbrill@farmersagent.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Truck Insurance Exchange	
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		
NAIC #		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	60482-23-34	06/08/2015	06/08/2017	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 Liquor Liability \$2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	<input checked="" type="checkbox"/>	60482-23-34	06/08/2015	06/08/2017	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Bec Tri
August 6, 2016

Certificate Holder is additional insured for the above listed event.

CERTIFICATE HOLDER**CANCELLATION**

The Town of Avon
Its employees and officers
PO Box 975
Avon, CO 81620

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2014/01)

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**Avon Police Department
Liquor License Application**

Individual Name(s): Michelle Maloney
Lauren Emenaker

Name of Business: Vail Valley Charitable Fund, Inc.

Type of License: ☐ Hotel & Restaurant
☒ Special Event Permit

Event Name: Lakeside Sundays
Date of Event: July 17th, August 14th, and September 11th 2016
4:00pm to 7:00pm

Location of Business: Nottingham Park Pavillion
Avon, Colorado 81620

Date Received: June 16th 2016

Photographs/Fingerprints: ☐ On File
☒ Special Event – N/A

Investigation by: ☐ Detective Sergeant Jonathan Lovins
☒ Detective Jeremy Holmstrom

Date: June 23rd 2016

CBI Criminal Investigation (attached): Clear

Local Criminal Investigation: No Problems noted

Comments:

Liquor Code Violations in the past calendar year: ☐ Yes ☒ No
If yes, explain: _____
Smoking violation in the past calendar year: ☐ Yes ☒ No
If yes, explain: _____

☒ Background investigation conducted with no problems and or areas of concern.

N.C.I.C. database not accessed on this applicant.

Investigation Time: 2 hours.
Administration Time: 1 hour.





LIQUOR LICENSING AUTHORITY REPORT

To: Avon Liquor Licensing Authority
From: Debbie Hoppe, Town Clerk
Meeting Date: June 28, 2016
Agenda topic: SPECIAL EVENTS PERMIT APPLICATION – PUBLIC HEARING

ACTION BEFORE COUNCIL

The Town Council serving as the Local Liquor Licensing Authority will consider a Special Events Permit Application for the upcoming Pop-Up Strings event. A public hearing is required before final action is taken.

Applicant Name: Eagle Valley Humane Society
Event Name: Pop-Up Strings
Event Dates: July 8, 15 & 22, 2016
Event Time: 5:00 p.m. until 8:00 p.m.
Location: Main Street Mall, Lettuce Shed Lane (Venue A) / Possibility Plaza (Venue B)
Event Manager: Char Gonsenica
Permit Type: Malt, Vinous & Spirituous Liquor

PROPOSED MOTION

I move to approve or deny the Special Events Permit application for the upcoming Pop-Up Strings event.

SUMMARY

The applicant has submitted the appropriate materials required by the State of Colorado Liquor Enforcement Division and all materials are in order. Eagle Valley Humane Society is applying for malt, vinous, spirituous liquor permit to serve/sell beverages at the Pop-Up Strings event on July 8, 15th & 22 2016. The main street mall premise has been posted with notice of the public hearing for this application. The event manager will be present to answer question about the application. There are local liquor licensing fees associated with the special event permit; the applicant has submitted the appropriate local fees.

BACKGROUND

Special Events permits are issued by the Liquor Enforcement Division and the Local Licensing Authority to allow particular types of organizations, municipalities, and political candidates to sell, serve or distribute alcohol beverages in connection with public events. Because of their temporary nature, needs and desires (reasonable requirements of the neighborhood) are not considered by the licensing authorities as a condition of issuance. Applications are made directly with the local licensing authority having jurisdictions over the place of the event. Article 48 of Title 12 regulates the issuance of special events permits. Note that these permits may only be issued for prescribed hours during the day and for not more than 15 days in any one calendar year.

SPECIAL EVENTS PERMIT APPLICATIONS ATTACHMENTS:

The applicants for the special events permit have submitted the following materials:

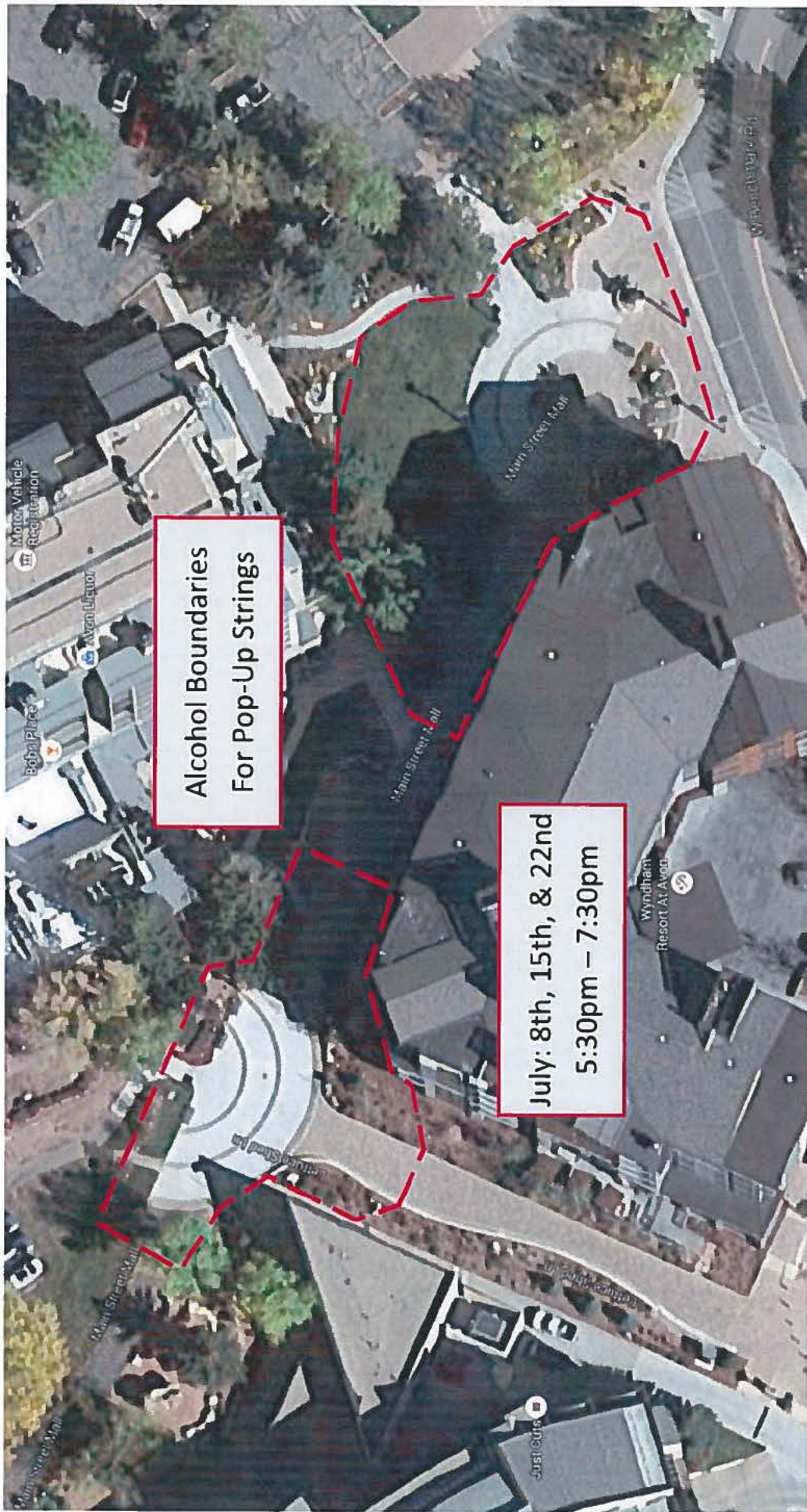
- ✓ Application for a Special Events Permits (State form DR 8439)
- ✓ Alcohol Management Plan
- ✓ Diagram where liquor will be served
- ✓ Certificate of Good Standing
- ✓ Proof of Insurance
- ✓ Police Report on Background Checks

Alcohol Management Plan

At 7:30 p.m. alcohol sales will stop and the remaining alcohol will be loaded into a secure vehicle for transportation away from the event.

Event perimeter will have "No Alcohol Beyond This Point" signs posted as patrons arrive and depart the event.

Alcohol and ID Check: We will have 2 volunteers, those volunteers serving alcohol will be TIPS trained and will only serve two (2) beverages at a time to one (1) individual.



Alcohol Boundaries
For Pop-Up Strings

July: 8th, 15th, & 22nd
5:30pm - 7:30pm

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

EAGLE VALLEY HUMANE SOCIETY

is a

Nonprofit Corporation

formed or registered on 06/19/1974 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871274371 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/13/2016 that have been posted, and by documents delivered to this office electronically through 06/16/2016 @ 11:05:13 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 06/16/2016 @ 11:05:13 in accordance with applicable law. This certificate is assigned Confirmation Number 9699631 .



A handwritten signature in blue ink that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



Policy Number: 604830002

Date Entered: 06/16/2016

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/16/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Brill Insurance Agency 150 E Beaver Creek Blvd A-203 P.O. Box 1498 Avon, CO 81620	CONTACT NAME: Debbie Brill	
	PHONE (A/C, No, Ext): (970) 845-8910 FAX (A/C, No): (970) 845-8460	
	E-MAIL ADDRESS: dbrill@farmersagent.com	
INSURED Eagle Valley Humane Society PO Box 4105 Eagle, CO 81631	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Truck Insurance Exchange	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	<input checked="" type="checkbox"/>		604830002	07/02/2015	07/02/2017	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$2,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$Included Liquor Liab \$2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y / N	<input type="checkbox"/> N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is recognized as Additional Insured for the above listed event:

CERTIFICATE HOLDER**CANCELLATION**Town of Avon, its officers and employees
PO Box 975
Avon, CO 81620

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Debbie Brill

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ACORD 25 (2016/03)

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**Avon Police Department
Liquor License Application**

Individual Name(s): Char Gonsenica
William Loper

Name of Business: Eagle Valley Humane Society

Type of License: ☐ Hotel & Restaurant
☒ Special Event Permit

Event Name: Art and Strings
Date of Event: July 8, 15, & 22, 2016 5:00pm to 8:00pm

Location of Business: Main Street Mall
Avon, Colorado 81620

Date Received: June 16th 2016

Photographs/Fingerprints: ☐ On File
☒ Special Event – N/A

Investigation by: ☐ Detective Sergeant Jonathan Lovins
☒ Detective Jeremy Holmstrom

Date: June 23, 2016

CBI Criminal Investigation (attached): Clear from application for Salute.

Local Criminal Investigation: No problems noted

Comments:

Liquor Code Violations in the past calendar year: ☐ Yes ☒ No

If yes, explain: _____

Smoking violation in the past calendar year: ☐ Yes ☒ No

If yes, explain: _____

☒ Background investigation conducted with no problems and or areas of concern.

N.C.I.C. database not accessed on this applicant.

Investigation Time: 2 hours.

Administration Time: 1 hour.





TOWN OF AVON, COLORADO
AVON LIQUOR LICENSING AUTHORITY MEETING MINUTES FOR TUESDAY, JUNE 14, 2016
AVON TOWN HALL, ONE LAKE STREET

1. CALL TO ORDER AND ROLL CALL

Start Time 00:00:01

Chairman Fancher called the meeting to order at 5:06 p.m. A roll call was taken and Board members present were Sarah Smith Hymes, Megan Burch, and Jake Wolf. Buz Reynolds, Matt Gennett and Scott Prince were absent. Also present were Town Manager Virginia Egger, Town Attorney Eric Heil, Interim Police Chief Greg Daly, Recreation Director John Curutchet, Planning Director Matt Pielsticker, Executive Assistant to the Town Manager Preston Neill and Town Clerk Debbie Hoppe.

2. APPROVAL OF AGENDA

There were no changes to the agenda.

3. PUBLIC COMMENT – COMMENTS ARE WELCOME ON TOPICS NOT ON THE AGENDA

No public comments made.

4. RENEWAL OF LIQUOR LICENSES

4.1. Applicant: YERF, LLC d/b/a Ticino Italian Restaurant

Location: 100 W. Beaver Creek Blvd. #127

Type: Hotel & Restaurant

Manager: Charles Frey

Vice Chairman Wolf moved to approve the renewal application for YERF, LLC d/b/a Ticino Italian Restaurant; Board member Burch seconded the motion and it passed unanimously by those present. Board member Reynolds, Board member Gennett and Board member Prince were absent.

5. PUBLIC HEARING SPECIAL EVENTS PERMIT

5.1. Applicant Name: Team Evergreen Bicycling Club

Event Name: Triple Bypass Bicycle Ride

Event Dates: July 9, 2016; 11:00 a.m. until 8:00 p.m.

Location: Nottingham Lake Park – Upper Soccer Field

Event Manager: Jennifer Anderson

Permit Type: Malt, Vinous & Spirituous Liquor

The application was presented with no concerns. Chairman Fancher opened the public hearing and no comments were made. Board member Smith Hymes moved to approve the Special Event Permit for the Triple Bypass Bicycle Ride event; Vice Chairman Wolf seconded the motion and it passes unanimously by those present. Board member Reynolds, Board member Gennett and Board member Prince were absent.

5.2. Applicant Name: Bright Future Foundation for Eagle County

Event Name: Cover Rock Music Festival

Event Dates: June 25 & 26, 2016; 10:00 a.m. until 11:00 p.m.

Location: Nottingham Lake Park

Event Manager: Casey Angel



TOWN OF AVON, COLORADO
AVON LIQUOR LICENSING AUTHORITY MEETING MINUTES FOR TUESDAY, JUNE 14, 2016
AVON TOWN HALL, ONE LAKE STREET

Permit Type: Malt, Vinous & Spirituous Liquor

The application was presented with no concerns. Chairman Fancher opened the public hearing and Kathy Ryan commented. Board member Burch moved to approve the Special Event Permit for the Cover Rock Music Festival; Board member Smith Hymes seconded the motion and it passes unanimously by those present. Board member Reynolds, Board member Gennett and Board member Prince were absent. Vice Chairman Wolf abstained from the vote.

5.3. Applicant Name: Samantha Remington Angel Heart Foundation

Event Name: Reds, Whites & Brews

Event Dates: June 17, 2016; 6:00 p.m. until 8:00 p.m.

June 18, 2016; 2:00 p.m. until 7:00 p.m

Location: Nottingham Park

Event Manager: Jen Radueg

Permit Type: Malt, Vinous & Spirituous Liquor

The application was presented with no concerns. Chairman Fancher opened the public hearing and no comments were made. Vice Chairman Wolf moved to approve the Special Event Permit for the Reds, Whites & Brews event; Board member Smith Hymes seconded the motion and it passes unanimously by those present. Board member Reynolds, Board member Gennett and Board member Prince were absent.

6. MINUTES FROM MAY 24, 2016

Vice Chairman Wolf moved to approve the Minutes from May 24, 2016; Board member Smith Hymes seconded the motion and it passed unanimously by those present. Board member Reynolds, Board member Gennett and Board member Prince were absent.

7. ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 5:14 p.m.

RESPECTFULLY SUBMITTED:

Debbie Hoppe, Town Clerk

APPROVED:

Jennie Fancher

Jake Wolf

Matt Gennett

Megan Burch

Albert "Buz" Reynolds

Scott Prince

Sarah Smith Hymes



TOWN COUNCIL REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council
From: Preston Neill, Executive Assistant to the Town Manager
Date: June 28, 2016
Agenda Topic: United States Forest Service Presentation

SUMMARY:

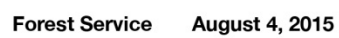
Aaron Mayville, Acting District Ranger for the Eagle-Holy Cross Ranger District of the United States Forest Service, will be present at Tuesday's meeting to provide an update on the Eagle-Holy Cross Ranger District and discuss Fire Operations.

ATTACHMENTS:

2015 Fire Budget Report
Eagle-Holy Cross Ranger District – By the Numbers



Effects on the Forest Service's Non-Fire Work



The Rising Cost of Fire Operations: Effects on the Forest Service's Non-Fire Work

Overview

Over 100 years ago, President Theodore Roosevelt established the U.S. Forest Service to manage America's 193-million acre national forests and grasslands for the benefit of all Americans. Today, that mission is being consumed by the ever-increasing costs of fighting fires.

This report documents the growth over the past 20 years of the portion of the Forest Service's budget that is dedicated to fire, and the debilitating impact those rising costs are having on the recreation, restoration, planning, and other activities of the Forest Service.

In 1995, fire made up 16 percent of the Forest Service's annual appropriated budget—this year, for the first time, more than 50 percent of the Forest Service's annual budget will be dedicated to wildfire.¹ Along with this shift in resources, there has also been a corresponding shift in staff, with a 39 percent reduction in all non-fire personnel. Left unchecked, the share of the budget devoted to fire in 2025 could exceed 67 percent, equating to reductions of nearly \$700 million from non-fire programs compared to today's funding levels. That means that in just 10 years, two out of every three dollars the Forest Service gets from Congress as part of its appropriated budget will be spent on fire programs.

As more and more of the agency's resources are spent each year to provide the firefighters, aircraft, and other assets necessary to protect lives, property, and natural resources from catastrophic wildfires, fewer and fewer funds and resources are available to support other agency work—including the very programs and restoration projects that reduce the fire threat.

The depletion of non-fire programs to pay for the ever-increasing costs of fire has real implications, not only for the Forest Service's restoration work that would help prevent catastrophic fires, but also for the protection of watersheds and cultural resources, upkeep of programs and infrastructure that support thousands of recreation jobs and billions of dollars of economic growth in rural communities, and support for the range of multiple uses, benefits and ecosystem services, as well as research, technical assistance, and other programs that deliver value to the American public.

The Forest Service has continually worked to do more with less, seeking to provide for the forests' multiple uses with fewer resources and staff. The Forest Service has also worked to appropriately allocate firefighting resources and improve risk management to use those resources safely and efficiently.

However, the agency is at a tipping point.

Climate change has led to fire seasons that are now on average 78 days longer than in 1970. The U.S. burns twice as many acres as three decades ago and Forest Service scientists believe the acreage burned may double again by mid-century. Increasing development in fire-prone areas also puts more stress on the Forest Service's suppression efforts.

While the Forest Service and its firefighting partners are able to suppress or manage 98 percent of fires, catastrophic mega-fires burn through the agencies resources: 1–2 percent of fires consume 30 percent or more of annual costs. Last year, the Forest Service's 10 largest fires cost more than \$320 million dollars. The cost of fire suppression is predicted to increase to nearly \$1.8 billion by 2025. This trend of rising fire suppression costs is predicted to continue as long as the 10-year average serves as the funding model and presents a significant threat to the viability of all other services that support our national forests.

¹ Preparedness, Suppression, FLAME, and related programs.

This unsustainable problem is made worse because in many years, fighting fires costs more than was planned for that year, requiring mid-season transfers of additional dollars from already depleted accounts to pay for firefighting: a practice referred to as “fire transfer.” In some cases, the agency is forced to divert money away from the same forest restoration projects that prevent or lessen the impacts of future wildfire. While Congress typically provides supplemental resources to replenish the Forest Service budget after fire transfers, transfers remain extremely problematic as they disrupt seasonal work, frustrate partners, and delay vital work.

The Escalating Cost of Fire Suppression

Wildland fire suppression activities are currently funded entirely within the U.S. Forest Service budget, based on a 10-year rolling average. Using this model, the agency must average firefighting costs from the past 10 years to predict and request costs for the next year. When the average was stable, the agency was able to use this model to budget consistently for the annual costs associated with wildland fire suppression. Over the last few decades, however, wildland fire suppression costs have increased as fire seasons have grown longer and the frequency, size, and severity of wildland fires has increased.

Changing climatic conditions across regions of the United States are driving increased temperatures—particularly in regions where fire has not been historically prominent. This change is causing variations and unpredictability in precipitation and is amplifying the effects and costs of wildfire. Related impacts are likely to continue to emerge in several key areas: limited water availability for fire suppression, accumulation at unprecedented levels of vegetative fuels that enable and sustain fires, changes in vegetation community composition that make them more fire prone, and an extension of the fire season to as many as 300 days in many parts of the country.

These factors result in fires that increasingly exhibit extreme behavior and are more costly to manage. The six worst fire seasons since 1960 have all occurred since 2000. Moreover, since 2000, many western states have experienced the largest wildfires in their state’s history.

In addition, more and more development is taking place near forests—an area referred to as the Wildland-Urban Interface (WUI). Increasing densities of people and infrastructure in the WUI makes management more complex and requires more firefighting assets to ensure an appropriate, safe, and effective response that protects lives and property.

Funding for non-fire programs has not kept pace with the increased cost of fighting fire. The growth in fire suppression costs has steadily consumed an ever-increasing portion of the agency’s appropriated budget. Between last fiscal year and this year, for example, the suppression budget grew by \$115 million and non-fire programs were reduced by that amount, requiring the agency to forego opportunities to complete vital restoration work and meet public expectations for services. Those non-fire activities are often those that improve the health and resilience of our forested landscapes and mitigate the potential for wildland fire in future years.

Over the last few decades, wildfire costs have increased as a percent of the Forest Service’s budget as fire seasons have grown longer and more costly. The projected continued growth in the 10-year average cost of fire suppression through 2025 is rising to nearly \$1.8 billion. This amounts to a nearly \$700 million decrease in non-fire program funding in the next 10 years.

Figure 1: The Cost of Wildland Fire (Preparedness, Suppression, FLAME, and related programs) as a Percentage of the Forest Service's Annual Budget

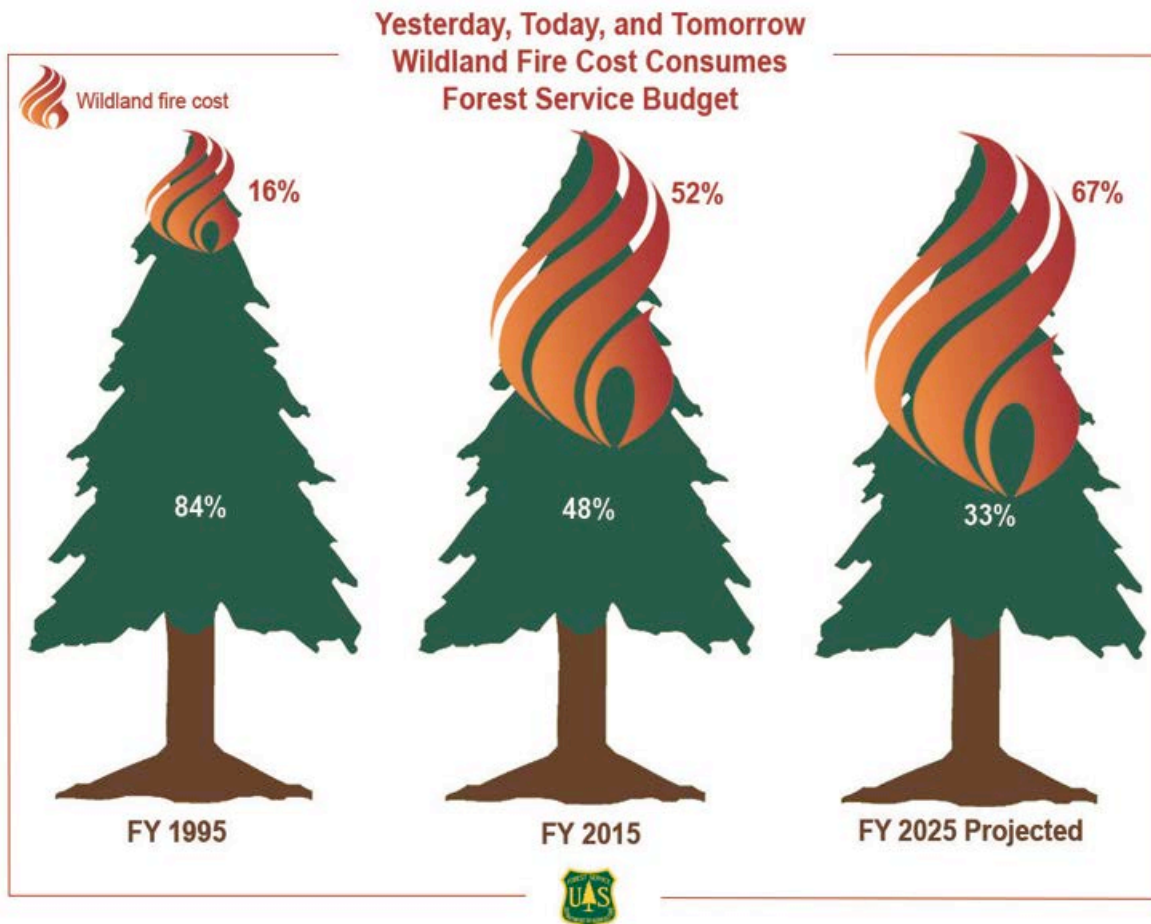
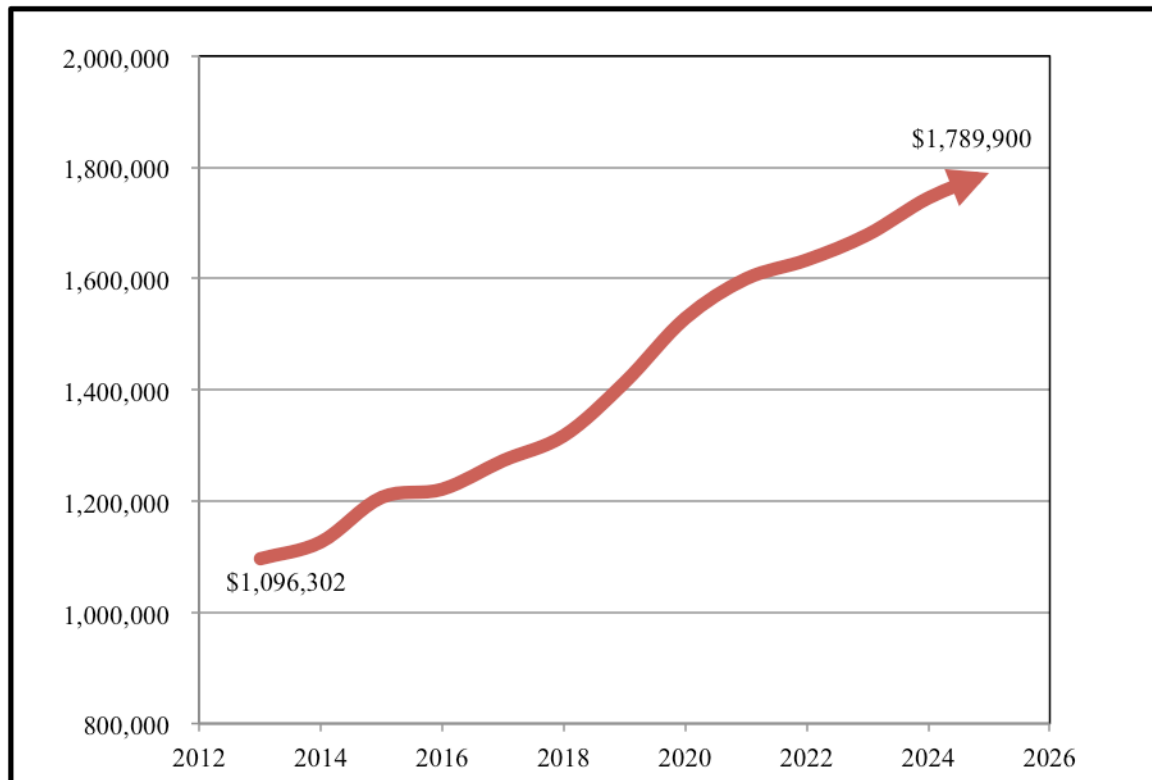


Figure 2: Projected Growth of the 10-Year Average Cost of Fire Suppression (in \$1000s) Through 2025²



² This projection was developed by Forest Service researchers and is based on similar methodologies currently used for suppression cost expenditures that are required within FLAME Act provisions.

Impacts to Forest Service Program Areas and Staff

The following charts show that from 1995 to 2015, the Wildland Fire Management appropriation (Preparedness, Suppression, FLAME, and related programs) has more than tripled in its portion of the Forest Service budget from 16 percent to 52 percent, reducing National Forest System funding by nearly \$475 million in 2015 dollars (32 percent reduction in real dollars), and also impacting other program areas.

Figure 3: Forest Service FY 1995 Appropriations by Fund

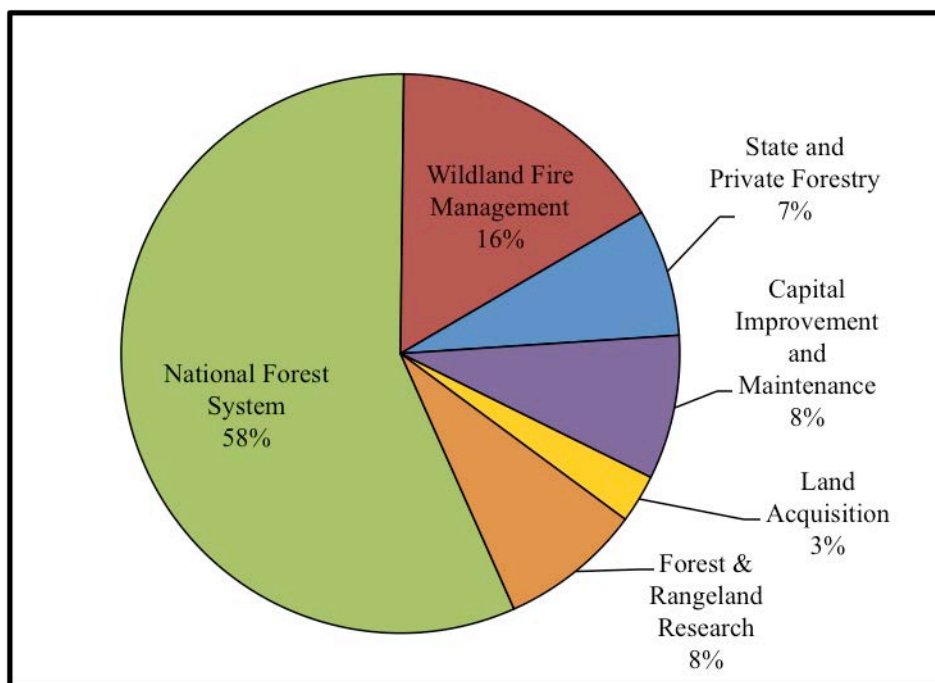
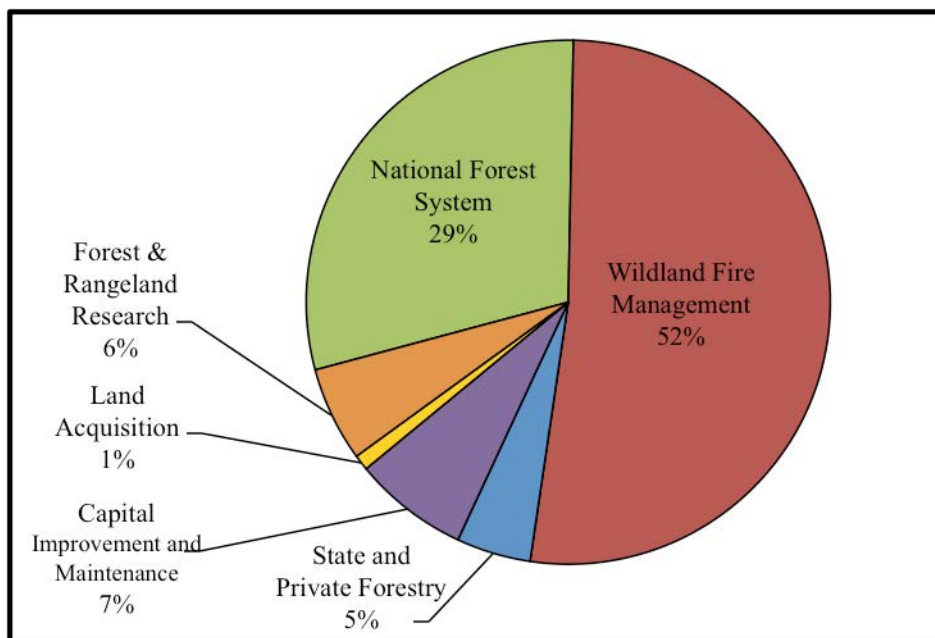


Figure 4: Forest Service FY 2015 Appropriations by Fund



At the same time, increasing the portion of the budget dedicated to fire has reduced the Forest Service's ability to sustain staffing in vital non-fire program areas, which negatively impacts the Forest Service's ability to deliver work on the ground, including forest restoration and management, recreation, research, watershed protection, land conservation, and other activities.

Since 1998, fire staffing within the Forest Service has increased 114 percent, from around 5,700 employees in 1998 to over 12,000 in 2015. Over the same period, staffing levels for those dedicated to managing National Forest System lands has decreased by 39 percent—from approximately 18,000 in 1998 to fewer than 11,000 in 2015.

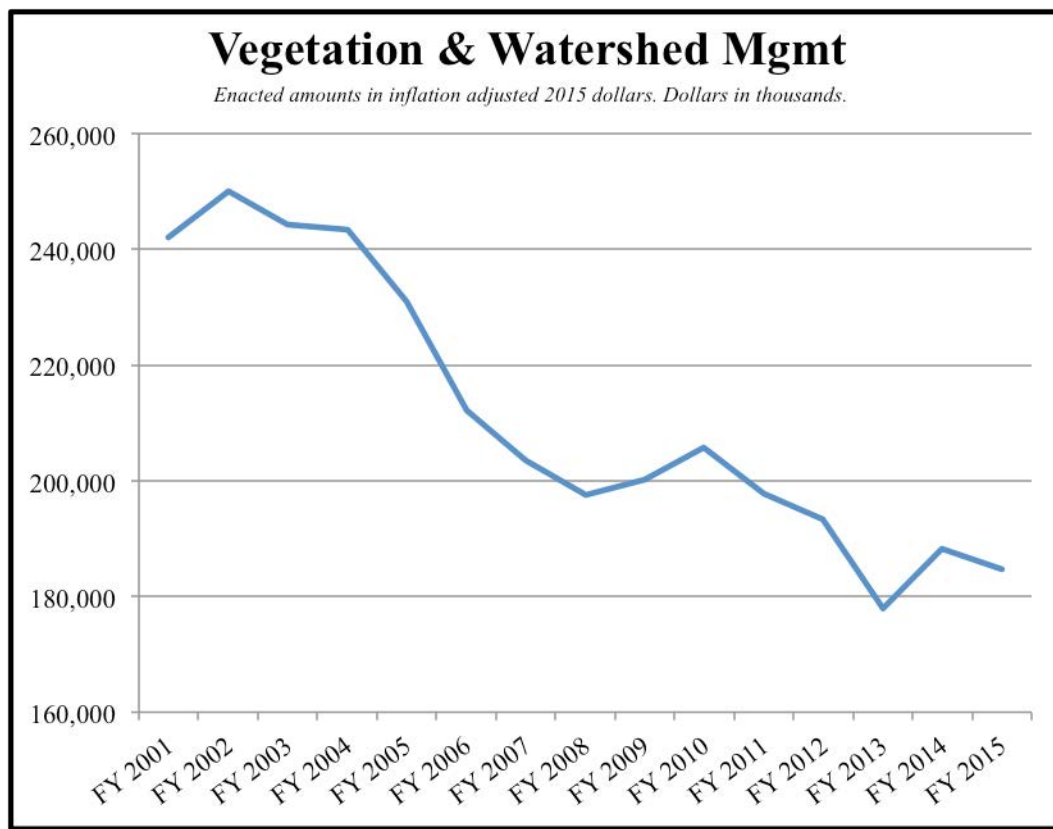
Figure 5: Forest Service staffing 1998 to 2015



Impacts on Individual Programs

Funding trends for the past 15 years for individual programs used to manage the National Forest System are shown below.³ This section illustrates the significant declines in these programs and describes the resulting impacts as a result of the shift of financial and human resources away from management of the National Forest Systems and to the Wildland Fire Management accounts, within the agency's constrained annual budget.⁴

Vegetation & Watershed Management—24% Reduction



The Vegetation and Watershed Management Program is the cornerstone for forest, rangeland, soil and water restoration and enhancement activities on National Forest System (NFS) lands and plays a key role in post-fire restoration. These programs are necessary for the agency to effectively support resource restoration projects that achieve multiple values, develop external partnerships to sustain healthy watersheds and ecological communities, and provide an array of benefits for current and future generations.

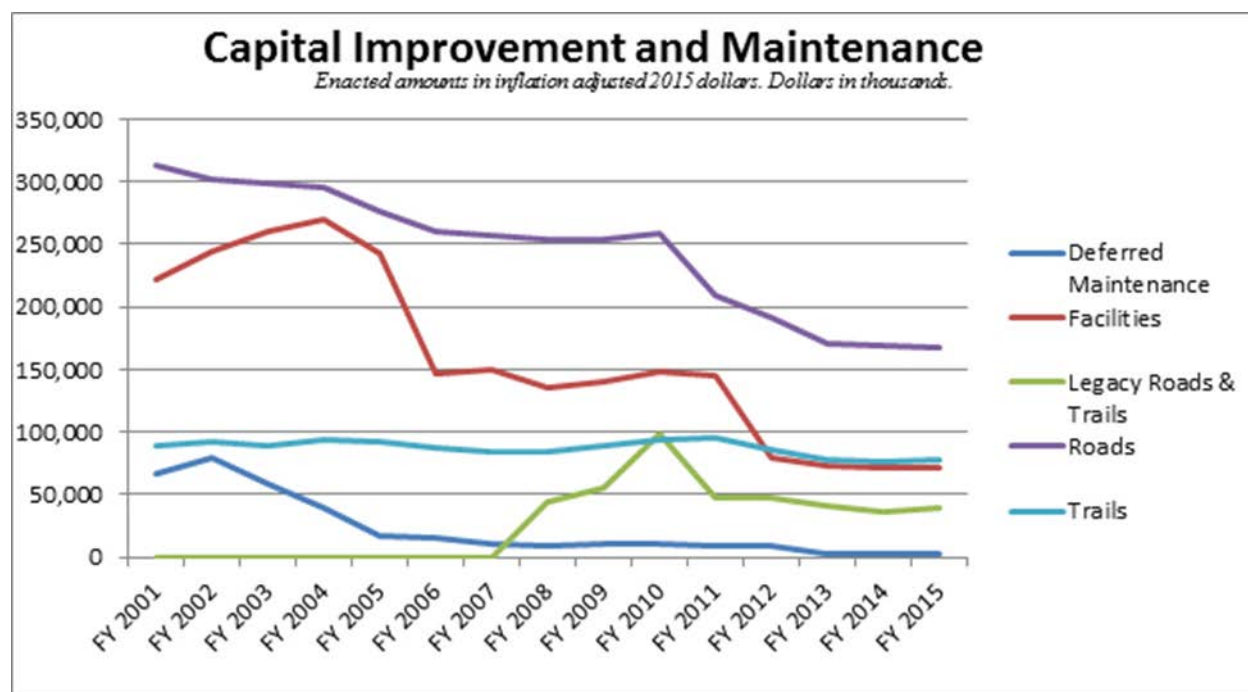
³ These charts start at 2001 rather than 1995 because many of the programs (BLIs) have changed over the years, and FY 2001 to FY 2015 represents a time period over which the following programs remained consistent and therefore provide for an analogous comparison year over year.

⁴ Appropriation numbers were adjusted for inflation to constant FY 2015 dollars. The deflators are from the [Office of Budget and Management Fiscal Year 2015 Historical Tables, Table 10.1](http://www.whitehouse.gov/sites/default/files/omb/budget/fy2015/assets/hist.pdf) (<http://www.whitehouse.gov/sites/default/files/omb/budget/fy2015/assets/hist.pdf>).

Benefits include: improved water quality and quantity, healthy forests and rangelands that provide a variety of products, a reduction of risks associated with wildfires, and greater resistance to establishment and spread of invasive species.

Reduced funding since 2001 has decreased the rate of restoration that the agency could have achieved across all NFS landscapes had funding levels been maintained. The agency has been less able to engage in watershed improvement activities as well as overall restoration activities occurring within priority watersheds. The reductions have limited the agency's ability to prevent and limit the spread of invasive species; to decrease the backlog of deforestation and young stand management needs; and to lessen the severity and extent of insect, disease, and fire-prone forest stands.

Capital Improvement and Maintenance



Facilities—68% Reduction

The facilities program supports maintenance and capital improvement on approximately 21,600 recreation sites and 23,100 research and other administrative buildings. More than half of all administrative facilities need improvement, with approximately 41 percent in poor condition needing major repairs or renovation, approximately 12 percent in fair condition needing some minor repair, and 47 percent of the facilities in good condition.

Due to the significant decrease in facilities funding, the agency has had to scale down or defer most decommissioning and disposal projects that would reduce our square footage. Projects that implement sustainability best practices to conserve energy and water have been deferred. Reduced funding has jeopardized the agency's ability to address basic facility operational and maintenance needs and many of our safety issues such as those associated with water and septic systems. The overall effect is an increase in public health and safety concerns, and liability for the federal government. The only action national forests can take to reduce the government liability is to close recreation facilities, thereby impacting the outdoor recreation opportunities that drive many rural tourism economies.

Because of a lack of funding, the Forest Service has lost opportunities for new office construction to replace administrative facilities at the end of their design life, resulting in office closure and moves into leased facilities. Deferred maintenance has increased resulting in more expensive future repairs or possible loss of facility investments. Projects to decommission buildings and reduce the square feet have been deferred. Projects that would have helped the agency make its buildings more sustainable and reduce the costs of maintaining recreation facilities have also been deferred.

Concurrently, additional fire facilities have been added to meet increased suppression needs. This has required a shift in spending from capital improvements for national priority projects to projects critical for fire readiness. For example, Air Tanker Bases need pavement improvements to handle the newer aircraft which are being added to the fleet, these projects will be phased in over several years, increasing costs.

Roads—46% Reduction

The National Forest Road System is an integral part of the rural transportation network. It provides access for recreational, administrative, resource management, and commercial purposes. It also provides access to and between rural and gateway communities, contributing to community vitality and economic development. Maintaining this system is necessary to continue to provide this access, to meet Highway Safety Act requirements, emergency response, and to protect the quality of critical water supplies provided by National Forest System lands to communities.

As our transportation infrastructure ages or is damaged by natural events, some roads and bridges have become unsafe for public travel. The Forest Service has had to restrict traffic on or close those roads and bridges until funds are available for maintenance and repairs. Thirteen percent of our bridges are currently structurally deficient and the average age of all bridges is 50 years old. Without needed replacement or repairs, structurally deficient bridges would first be load-restricted and ultimately closed as deficiencies progress.

Road restoration and decommissioning efforts, a critical component of watershed restoration, has progressed but not at the accelerated pace necessary to achieve watershed protection and other management objectives. Action to replace road and stream crossings for aquatic organism passage and to improve aquatic habitat and resilience to catastrophic natural disasters has also suffered. Reducing these activities increases the severity and frequency of environmental impacts like catastrophic failure from natural disasters, adverse effects to water quality, and deterioration of aquatic and terrestrial habitat. Our ability to support accelerated watershed restoration continues to be severely affected.

As a lack of funds forces the Forest Service to delay needed maintenance and improvements on many roads and bridges, access will become more restricted, environmental impacts will increase rapidly, and vulnerability to catastrophic failure from natural disasters will greatly increase. It will become more difficult for the public to access communities reached only by traveling through NFS lands, as well as recreational areas, and other natural resource areas. Firefighting ability could also decline significantly as road access restrictions increase, putting our resources and the public at risk.

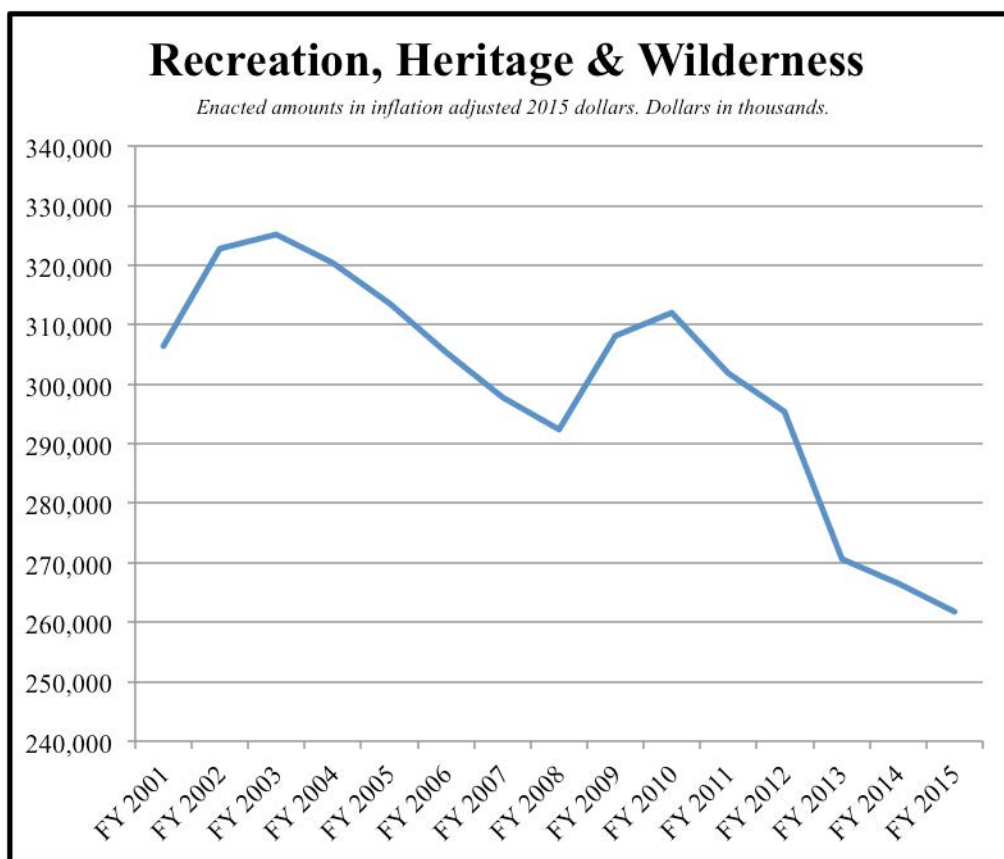
Deferred Maintenance—95% Reduction

The Deferred Maintenance and Infrastructure Improvement program addresses serious public health and safety concerns associated with the agency's backlog in maintenance needs. This program funds high-priority national projects, focusing on areas that are heavily used by the public and agency employees. These projects include critical maintenance and repairs to dams; correcting health and safety deficiencies in buildings, campgrounds, and water and wastewater systems; and renovating recreation structures.

In FY 2001, the Deferred Maintenance funding supported approximately 400 major projects. In FY 2014 the funding supported three major projects. In FY 2013 and FY 2014, 21 projects were deferred to future years, including sewer system repairs, water system improvements, dam repairs, and wastewater system rehabilitation.

Forest Service assets currently have a deferred maintenance backlog of over \$5.1 billion and many are 30 to 50 years old or more. The near elimination of funding for this program has prevented the Forest Service from making a dent in this backlog and has forced the agency to shift more of the deferred maintenance work to other capital improvement programs, further reducing our ability to improve the long-term sustainability of our facilities, roads, and trails.

Recreation, Heritage and Wilderness—15% Reduction



The Recreation, Heritage and Wilderness programs offer a diverse range of recreational opportunities across NFS lands, connecting people with nature in an unmatched variety of settings and activities. The decrease in funding resulting from increased fire costs has limited the agency's ability to provide vital recreational opportunities on NFS lands, which jeopardizes the thousands of jobs that are part of a growing recreational economy.

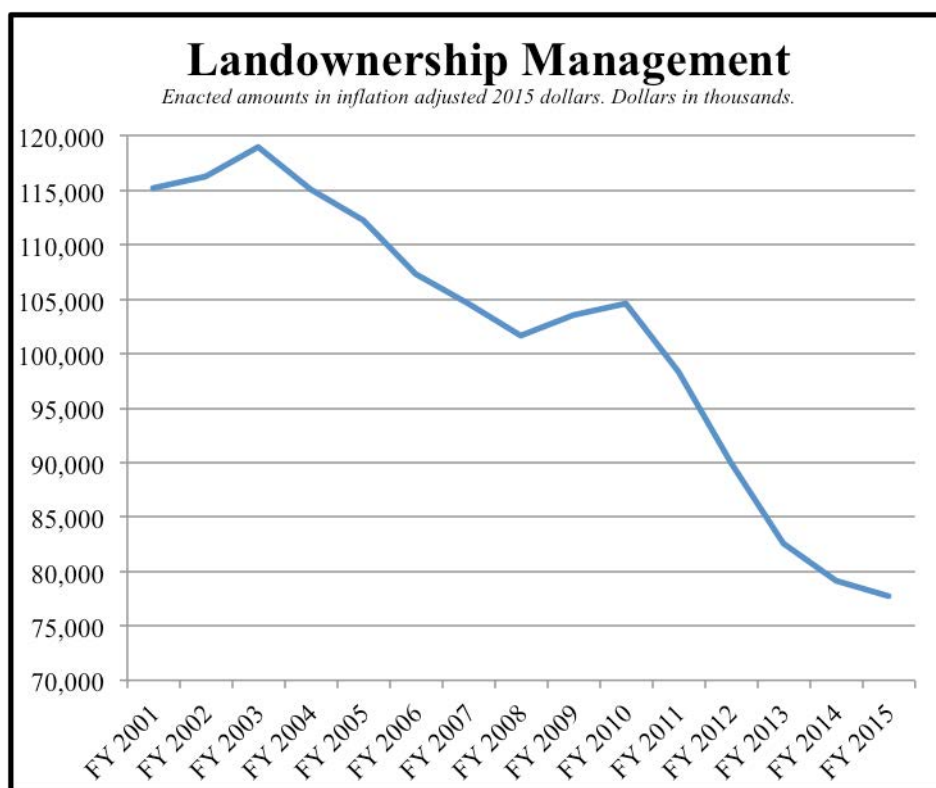
The agency has been unable to more fully implement sustainable Recreation, Heritage, Volunteer Services and Wilderness and Wild & Scenic Rivers programs to provide consistent, quality recreation opportunities to the public. Reductions in recreation funding have a direct impact on local economies supported by these activities, including many small outfitter and guide businesses that depend on recreation sites and programs on NFS lands. Additionally, the Forest Service's ability to leverage funds

and implement projects with partners and volunteers is constrained by the reductions in funding and staff, substantially affecting services.

The reductions in funding have also affected the Forest Service's capacity to manage the permits needed for outfitters and guides and other recreation-focused small businesses to use the public land. This impacts the presence and stability of permittees and small business in nearby tourism-oriented communities.

Services to youth have also suffered. A higher sustained level of funding would increase the capability of the Forest Service to engage youth in the outdoors and support increased employment opportunities for youth and veterans through programs such as the 21st Century Conservation Service Corps.

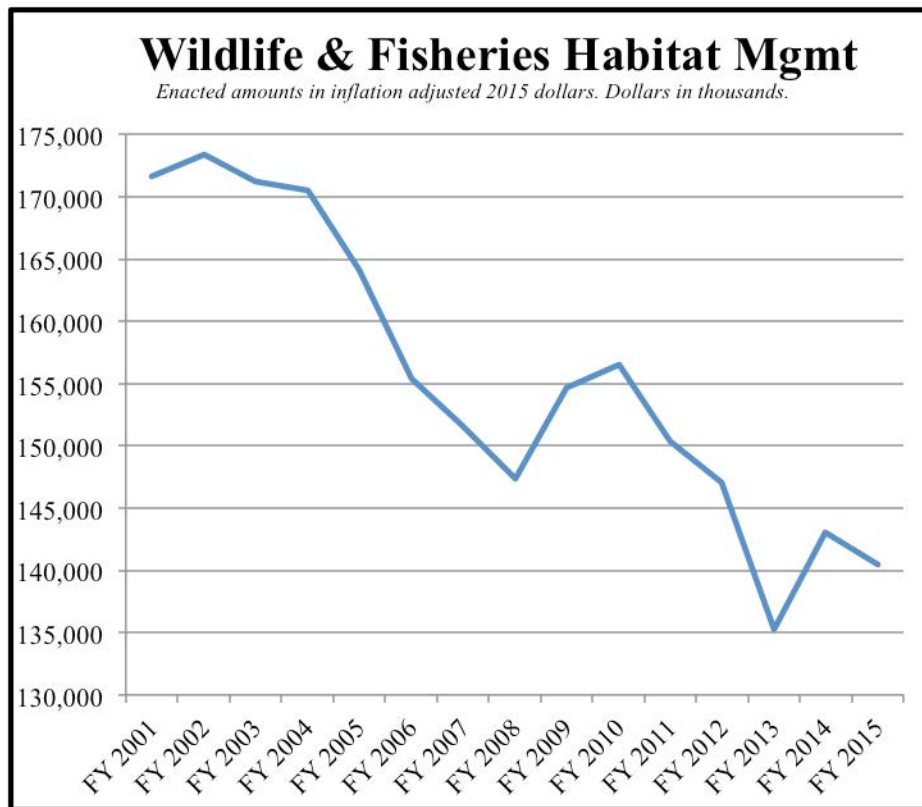
Landownership Management—33% Reduction



A 33 percent decrease in funding to Landownership Management has impaired the agency's ability to respond to demands that are growing in number and complexity in the lands special use permits program, which supports critical projects involving energy pipelines, geothermal, electric transmission, hydropower, telecommunication infrastructure, including cellular towers and traditional line service and broadband facilities.

These special use projects provide community development and growth that directly supports job creation. Reductions in funding have limited the agency's ability to keep up with title claims and encroachments, each of which can cost the agency thousands of dollars to investigate and resolve, or can lead to even more costly lawsuits.

Wildlife & Fisheries Habitat Management—18% Reduction



The reduction in funding to Wildlife and Fisheries compromises, for example, recovery efforts for threatened and endangered species (TES). The Forest Service has been unable to fulfill all of the required monitoring associated with previous Endangered Species Act (ESA) consultation commitments, reducing the agency's ability to implement projects in the future and jeopardizing current projects because ESA consultation requirements cannot be met. The agency has had to forego many projects critical to TES recovery and conservation efforts and offsetting the impacts of climate change.

The reduction in operating funds has limited the agency's ability to support existing partnerships. These partnerships often bring in as much as four-to-one return in partner contributions. This has resulted in the loss of significant dollars that could have been leveraged and has further reduced the agency's impact on key restoration objectives.

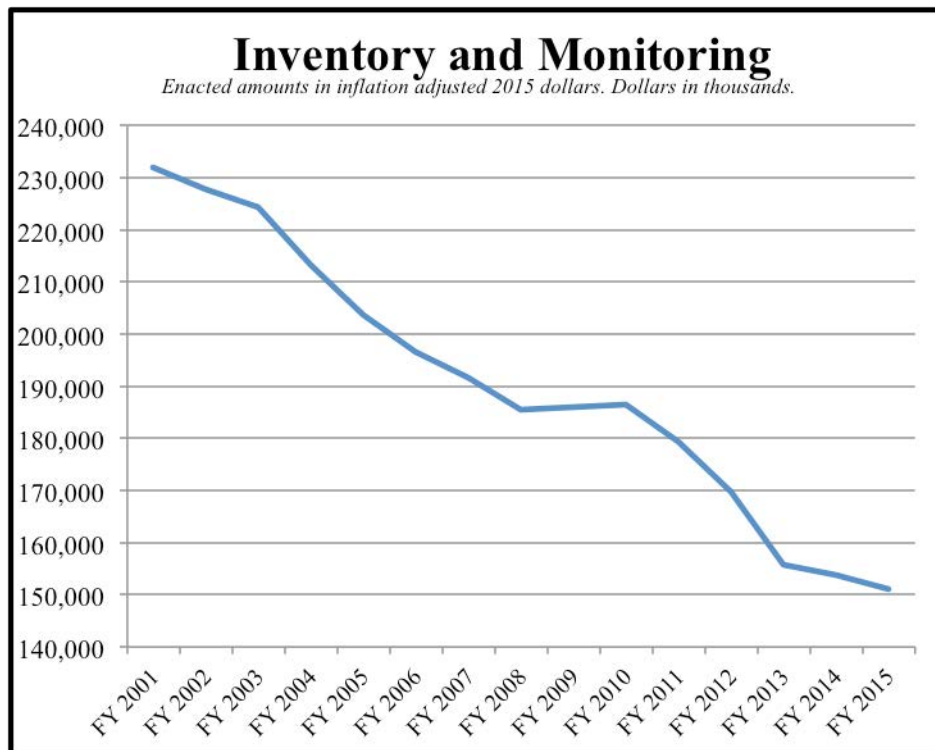
Land Management Planning—64% Reduction



Reductions in Land Management Planning have had a significant impact on the Forest Service's ability to reduce the backlog of forest plans requiring revision. The National Forest Management Act requires that each unit of the NFS have a Land Management Plan (LMP) that is formally revised every 10 to 15 years to address changing conditions and new information related to natural resources, management goals, and public use. The agency has only been able to meet this revision requirement on about 46 percent of its 125 LMPs.

The updated LMPs are essential for providing current, broad guidance for identifying, prioritizing, and implementing the programs and projects that move an NFS unit towards achieving desired conditions and achieving agency objectives. Reduced funding has had a significant effect on our ability to engage with the public and partners to address management issues and opportunities that have emerged since the original plans were developed. These efforts are essential for garnering public support and reducing appeals and litigations, which impacts our ability to implement key restoration efforts and increases implementation *costs*.

Inventory & Monitoring—35% Reduction



Reductions in Inventory and Monitoring have reduced the agency's ability to collect essential inventory and monitoring information, which has further delayed our ability to revise forest management plans. This reduced funding has hampered the Forest Service's ability to plan and execute projects for adapting and mitigating the effects of changing climate conditions, including completing watershed condition assessments, developing strategies for addressing needs for specific wildlife species and roadless area evaluations, as well as ensuring abundant clean water, providing recreation opportunities, restoring and maintaining forest and rangeland ecosystems, and improving priority watersheds across larger landscapes. Without current and adequate planning and monitoring, our ability to effectively deliver restoration treatments, recreation and special use permitting, and other economic activities on NFS lands has been adversely affected.

Conclusion

As documented in this report, the rising cost of fire suppression coupled with the current budgeting model is significantly impacting all non-fire program and staff areas.

The dramatic underlying shift of funding and human capacity from non-fire programs to support fire programs has real implications on the ground, including for restoration work that would help prevent catastrophic fires, protect watersheds that provide clean drinking water to tens of millions of people, protect irreplaceable cultural resources, and provide the infrastructure and programming that supports the \$646 billion outdoor recreation economy and jobs and economic growth in hundreds of rural communities.

To solve this problem, we must change the way we pay for wildfire. Instead of treating catastrophic wildfires as a normal agency expense, we must treat them more like other natural disasters, such as tornadoes or hurricanes. And any solution must confront both parts of the funding quandary: it must limit

or reverse the runaway growth of firefighting costs, and it must address the compounding disruption of fire transfers.

Bipartisan legislation that offers a more rational approach to funding wildfire, the Wildfire Disaster Funding Act, has already been introduced in the House and Senate. It is mirrored by a similar option in the President's 2016 Budget. This proposal provides a fiscally responsible mechanism to treat wildfires more like other natural disasters, end transfers, and partially replenish agency capacity to restore resilient forests and protect against future fire outbreaks.

USDA and the Forest Service look forward to working with Congress to take action to address the growth of fire costs that is crippling the agency's ability to conserve the nation's forests and grasslands and to provide the multiple uses and values for which the agency was created.



the EAGLE-HOLY CROSS RANGER DISTRICT

by the numbers...



Communities Served:

8 COMMUNITIES
4 COUNTIES

Number of Employees:

28 PERMANANT
38 SEASONAL



Total Acreage:

652,303



Administrative Facilities:

25 (45,000 SQ. FT.)

RECREATION

370
MILES OF HIKING & HORSE TRAILS

12
CAMPGROUNDS

Vail and Beaver Creek
ski areas see over

2.5
million
skier visits per winter

315 MILES
OF MOUNTAIN BIKE TRAILS

400
MILES OF ROAD

210,000 acres of Wilderness

32%
of the district

3 WILDERNESS AREAS

EAGLE'S NEST

since 1976

HOLY CROSS

since 1980

FLAT TOPS

since 1975



HANGING LAKE SEES
150,000
VISITORS PER YEAR

2 NATIONAL HISTORIC
REGISTER SITES

2
RENTAL CABINS

3 SCENIC
OVERLOOKS

VAIL PASS RECREATION AREA

35,000
VISITORS PER YEAR



RANGE & INVASIVES



Percent of the district covered
by active grazing allotments

70%

22 ALLOTMENTS
21 PERMITEES



14,040 sheep

1,000 acres

weeds treated
annually



3,696 cattle

TIMBER

1,082 CHRISTMAS TREES SOLD

CORDS OF FUELWOOD 1,055

10,608 CCF FOREST PRODUCTS SOLD

ACTIVE TIMBER SALES 2-4

(Timber numbers reported per year)



301
SPECIAL USE PERMITS





TOWN COUNCIL REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council

From: Danita Dempsey, Director of Festivals & Special Events

Meeting Date: June 28, 2016

Agenda Topic: **PUBLIC HEARING** SOUND PERMIT APPLICATION FOR POP- UP STRINGS EVENT ON THE MAIN STREET MALL

ACTION BEFORE COUNCIL

The Town Council is asked to consider approving an Amplified Sound Permit on June 28, 2016, as requested by the Town of Avon for the Pop-Up Strings Event.

PROPOSED MOTION

I move to approve (or approve with conditions or deny) the Amplified Sound Permit for Pop-Up Strings on Friday, July 8, 2016.

OVERVIEW

A **public hearing** is required on Outdoor Use of Amplified Sound for events that will be using acoustic or amplified sound systems before 8:00 a.m. or after 10:00 p.m. in the Main Street Mall (Avon Municipal Code Chapter 5.24.020). The start time of the Pop-Up Strings will be 6:00 p.m. and end time is 7:30 p.m.

Due to a staff oversight, a public notice was not published in the *Vail Daily* announcing the public hearing on June 28, 2016. In consultation with Town Attorney Heil, he recommended posting the evening's music throughout the event venue area and specifically noticing any individual or business, who staff knew has an interest in sound permits on the mall. This work was completed.

While the application is for subsequent concerts as well, there is sufficient time to place the public notice for Council action on July 12, 2016. A requested motion following the public hearing is for approval of a sound permit for the July 8, 2016 evening only.

BACKGROUND

Ordinance 15-07 amending AMC 5.24, Section 9.12.080 provides the framework for issuing this type of permit.

The Council, in making its decision to issue the Amplified Sound Permit, may consider the following:

- 1.1. Comments by the public.
- 1.2. Necessity of the permit for the cultural, historical or social benefit of the community.
- 1.3. Proximity of the proposed location to residential neighborhoods.
- 1.4. Proposed direction of sound projection.
- 1.5. Screening of sound from neighboring properties.
- 1.6. Compatibility with other uses and activities in the vicinity.

The Town Council may prescribe any conditions or requirements deemed necessary to minimize adverse effects upon the community or surrounding neighborhood.

ATTACHMENTS

- ✓ Application for Outdoor Use of Amplified Sound Equipment
- ✓ Diagram of Event in Main Street Mall showing location of sound projections

Town of Avon
PO Box 975 Avon, CO 81620
970.748.4032



PERMIT APPLICATION FOR
OUTDOORS USE OF SOUND AMPLIFICATION SYSTEM

1. NAME OF APPLICANT David Slavens
 2. REPRESENTING BUSINESS/ORGANIZATION Town of Avon
ADDRESS AND/OR MAILING ADDRESS:
1 Lake St. Avon, CO 81620
 3. ADDRESS OF PREMISE OR LOCATION WHERE SOUND IS TO BE PRODUCED
Main Street Mall - Possibility Plaza & Lettuce Shed Lane
 4. TELEPHONE NUMBER 970 748 4065
 5. EMAIL ADDRESS Dslavens@avon.org
 6. PURPOSE FOR OUTDOOR USE OF SOUND AMPLIFICATION SYSTEM
Pop-up Strings #177
DATE/S OF PROPOSED USE July 8th, 15th, & 22nd
TIME/S OF PROPOSED USE 6pm - 7:30pm
 7. ATTACH A MAP OR DIAGRAM DEPICTING THE PROPOSED LOCATION OF SOUND AMPLIFICATION EQUIPMENT, DIRECTION OF SOUND PROJECTION AND POTENTIAL SOUND PROJECTION DISTANCE.
 8. DESCRIPTION OF SOUND AMPLIFYING EQUIPMENT Acoustic (string instruments) no electronic devices
- SIGNATURE OF APPLICANT [Signature] DATE 6-8-16

THE PERMIT APPLICATION IS APPROVED BY THE TOWN OF AVON AS NOTED BY THE SIGNATURES BELOW. THE APPLICANT MUST COMPLY WITH CHAPTER 5.24 OF THE AVON MUNICIPAL CODE AS OUTLINED ON THE BACK OF THIS APPLICATION.

TOWN CLERK [Signature]
DIRECTOR OF FESTIVALS & SPECIAL EVENTS [Signature]
AVON POLICE CHIEF OR DESIGNEE [Signature]

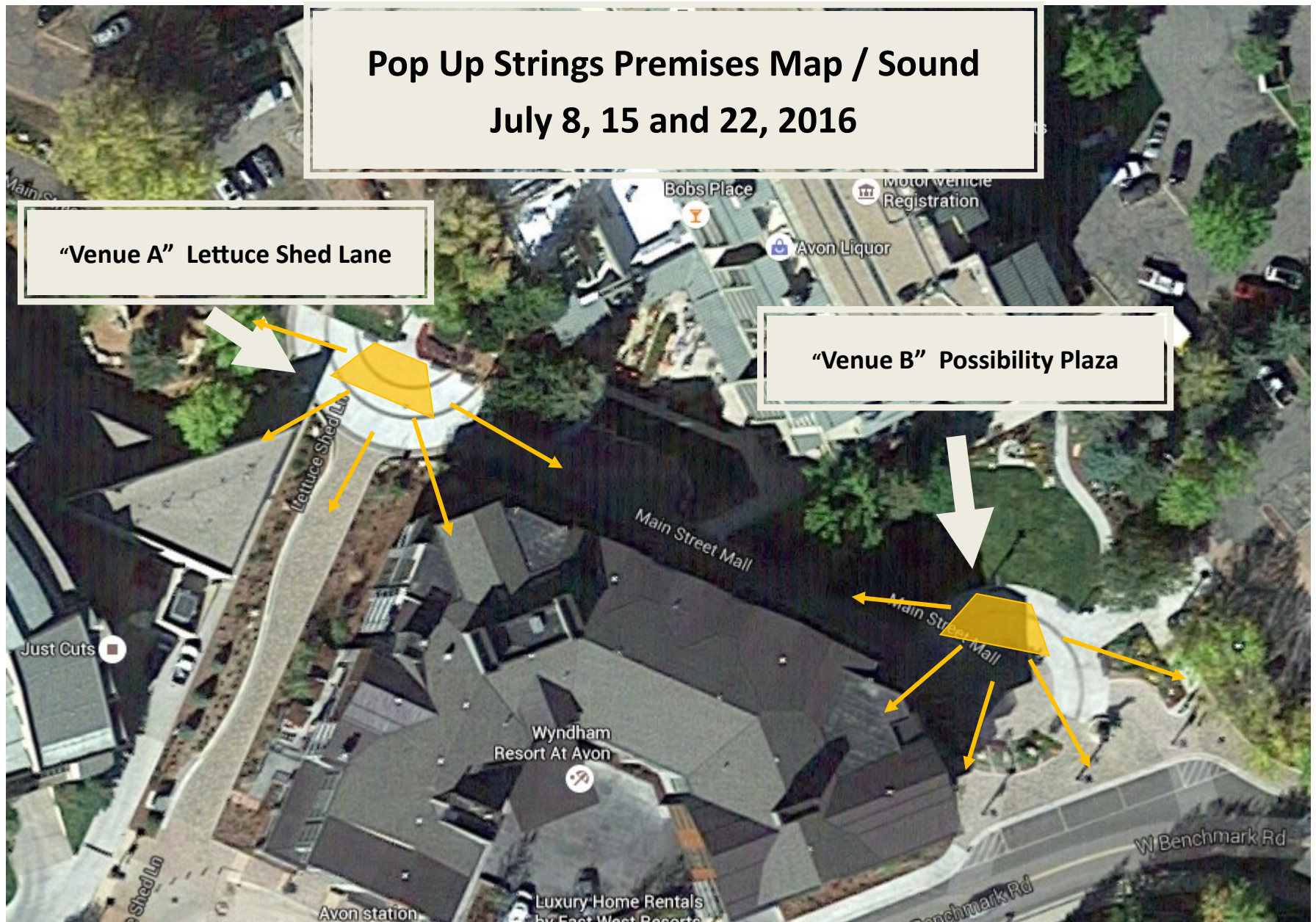
DATE 6/1/16
DATE 6/2/2016
DATE 6/7/16
DATE

Pop Up Strings Premises Map / Sound

July 8, 15 and 22, 2016

“Venue A” Lettuce Shed Lane

“Venue B” Possibility Plaza





TOWN COUNCIL REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council
From: Kelly Huitt, Budget Analyst

Meeting Date: June 28, 2016

Agenda

Topic: Review and Action on Mr. Paul Egan's Appeal on the Denial for a Real Estate Transfer Tax Refund

ACTION BEFORE COUNCIL

Action on Mr. Paul Egan's appeal on the denial for a real estate transfer tax refund

PROPOSED MOTION(s)

- "I move to approve Mr. Paul Egan's appeal for the refund of real estate transfer tax paid in error"
- OR
- "I move to deny Mr. Paul Egan's appeal for the refund of real estate transfer tax paid in error"

SUMMARY

Attached is an appeal of the Town's denial of Mr. Paul Egan's request for a refund of real estate transfer tax. Mr. Egan applied for and received a primary residence exemption on the 6/5/2015 purchase of Grandview Unit #103, located at 690 Nottingham Rd. Mr. Egan subsequently realized that he was eligible for a full exemption from real estate transfer tax under section 3.12.060(14) of the Town of Avon Municipal Code. Mr. Egan requested a refund for the \$1,600 of tax that was paid within the one year timeframe stipulated in section 3.12.140. However, section 3.12.070(a) states that "an application for exemption for low and moderate income housing projects pursuant to Section 3.12.060(14) must be submitted and approved prior to the transfer of real property and no such application for exemption pursuant to Section 3.12.060(14) may be received or approved after the transfer of real property." The relevant sections of the Municipal Code have been copied below:

3.12.060 - Exemptions.

Unless the method of transfer is contrived for the purpose of evading the real property transfer tax imposed by this Chapter, the real property transfer tax shall not apply to the situations described below:

(14) Any sale or conveyance of real property or improvements for the purpose of constructing or providing low or moderately priced housing units for sale or lease to low or moderate income persons; provided, that the parties to the transaction shall apply to the Town Manager for the exemption prior to the occurrence of the transaction from which exemption is sought, and the parties shall agree to appropriately restrict the future use of the property to low and moderately priced housing units by recorded agreement, deed restriction, covenants, declarations or similar instruments as may be required by the Town Manager;

3.12.070 - Application for exemption—appeal.

(a) Application required. No transfer of real property shall be exempt from the imposition of the real estate transfer tax imposed in Section 3.12.030 unless a complete application for exemptions is filed with the Town and such application is approved by the Town. An application may be filed no more than seventy-five (75) days prior to a transfer of real property or within seventy-five (75) days after the transfer of real property. No application for exemption from real property transfer tax shall be received and no such application shall be approved if submitted to the Town more than four (4) months after the date of transfer, unless the Finance Director finds good cause exists for a later filing. Notwithstanding the foregoing, an application for exemption for low and moderate income housing projects pursuant to Section 3.12.060(14) must be submitted and approved prior to the transfer of real property and no such application for exemption pursuant to Section 3.12.060(14) may be received or approved after the transfer of real property.

3.12.140 - Refund of tax paid in error.

A transferee who has paid a real estate transfer tax, or portion thereof, in error may apply for a refund. Any such application for refund must be filed within one (1) year after the day of recording of the deed causing the transfer. The failure to file an application for exemption from a real estate transfer tax within the timeframes established in Section 3.12.070 shall not constitute the payment of a real estate transfer tax in error. Any person whose application is denied may appeal to the town council in accordance with Subsection 3.12.070(b) of this chapter.

Staff Response: Mr. Egan's application for a primary residence exemption was approved by staff based on the exemption noted on the application. Staff does not research property addresses on primary residence applications for deed restricted status. The Town has previously approved full exemptions from real estate transfer tax based on section 3.12.060(14) of the Municipal Code when applied for before closing.

ATTACHMENTS

Paul Egan Appeal

Paul Egan RETT Exemption Application

Dear Town of Avon,

My name is Paul Egan, and I am a resident at the Grandview apartments. I am emailing you to appeal section 3.12.060 (d) of the Town of Avon Municipal Code and request a refund for the real estate transfer tax. While applying for the exemption, I notated section 3.12.060 of the code of my application; therefore, I did everything I should have done in applying for the exemption. The Town is responsible to allow deed restricted properties full exemption, and because I did everything in my power to apply for the exemption, I believe the Town made an error by not identifying my apartment as deed restricted.

Furthermore, upon reviewing a more recent application form, it became apparent that the Town of Avon has updated their forms in June 2015 to include a section where an applicant marks a choice for the type of exemption they are applying. With this addition, my selection as a deed restricted property would have been clearer. However, I applied with a simpler, older form that I was provided, which did not have such an option.

"There are very few deed restricted properties in the Town of Avon and they are in complexes that also have units that are not deed restricted. The sale of deed restricted units in the Town is very rare and only happens about once a year. To address this issue Kelly Huitt has asked the Community Development department to alert her when someone is approved to purchase a deed restricted unit and communicate to them that they should speak with her regarding the exemption of the real estate transfer tax. The town has exempted these transactions in the past, this one just slipped through inadvertently.

I believe this alteration to the form is part of the reason why the Town did not grant me the transfer tax exemption it intends to give to deed restricted owners.

As I have conveyed above, I have overpaid my transfer tax based on the Town's code at a time when updates were being made to clarify the Town's forms. I would greatly appreciate your time and effort in reconsidering my case.

I look forward to hearing from you.

Regards,
Paul Egan

Sent from my iPhone

**TOWN OF AVON
APPLICATION FOR EXEMPTION
FROM REAL PROPERTY TRANSFER TAX**

Grantee(s) (Buyer(s)): PAUL EGAN

Mailing Address of Grantee: P.O. Box 3393 Avon, Co, 81620

Phone Number of Grantee: 970-376-7852

E-mail Address of Grantee: Paul.Egan9@gmail.com

Date of Closing or Conveyance: June 6th 2015 Amount of Consideration: \$240,000.00

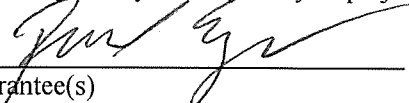
Legal Description: Unit 103 Grand view, Avon, Co, 81620

Address of Property: ~~690 Nottingham Rd. Unit 103 Avon, Co, 81620~~ 690 Nottingham Rd. Unit 103

The undersigned hereby applies for exemption of the above real estate transaction from the payment of the Real Property Transfer Tax, imposed by Chapter 3.12 of the Municipal Code of the Town of Avon. The basis of the application for exemption is as follows (*cite specific exemption in Section 3.12.060 and attach explanation, supporting documents, affidavit and promissory note if necessary*):

Primary exemption 3.12.060(15)

I hereby certify under penalty of perjury that the foregoing statements are true and correct.

 4/13/15 _____
Grantee(s) Date Grantee(s) Date

The above described transfer of real property is exempted from the payment of the Avon Real Property Transfer Tax under Chapter 3.12, section 3.12.060 of the Municipal Code of the Town of Avon.

 4/28/15
Town Manager or Designee Date

Return copy of application to: _____

Please Allow Up to 30 Days for Processing

**REAL ESTATE TRANSFER TAX EXEMPTION
PROMISSORY NOTE AND AFFIDAVIT
FOR PRIMARY RESIDENCE EXEMPTION**

~~purchase price~~
\$ 3200 .00 DOLLARS

Date: 4/13, 2015

1. This Promissory Note ("Note") is executed by the undersigned "**Borrower**" (or Borrowers) as a condition of granting a conditional exemption from the Town of Avon Real Estate Transfer Tax as permitted for the acquisition of a residential property for use as a primary residence as set forth in Avon Municipal Code Sections 3.12.060(15) and (16), for the property described as:

Lot _____, Block _____, Subdivision _____

Complex Name Grandview Building/Unit 103

Street Address 690 Nottingham Rd., the "**Property**".

2. FOR VALUE RECEIVED, the undersigned Borrower promises to pay the Town of Avon, a home rule municipal corporation of the State of Colorado ("**Note Holder**"), the principal sum of Thirty-two hundred dollars DOLLARS (U.S. \$ 3200 .00), immediately due in one installment, if, within one year from the property acquisition date of June 6th 2015 Borrower ceases to use the Property as a primary residence.

3. AFFIDAVIT: Borrower swears that the Property has been purchased, or will be purchased, for use as a primary residence by Borrower and not for investment or resale.

4. The Town shall terminate, extinguish and release the Borrower from any obligation or liability under this Note no sooner than one year after the date of that Borrower acquires the Property if the Borrower provides evidence that the Property is used as a primary residence by Borrower, which evidence shall include voter registration and driver's license or state identification indicating the Property as the residence of the Borrower or Borrower provides other evidence of continuous use of the property as a primary residence which evidence is acceptable to the Town.

5. The principal amount shall bear interest at the rate of twelve percent (12%) per annum from the date that Borrower acquired the Property until the date paid. Principal and interest shall be payable at One Lake Street, P.O. Box 975, Avon, Colorado, 81620, or such other place as Note Holder may designate.

6. Note Holder shall be entitled to collect all reasonable costs and expense of collection and/or suit, including, but not limited to reasonable attorneys' fees.

7. In the case of multiple Borrowers, the term "Borrower" shall include the plural "Borrowers" and Borrowers' liability shall be joint and several under this Note.

8. This Note shall constitute a lien on the Property and shall be subordinate to any first mortgage or deed of trust of record on the Property. Town may collect the amount due under this Note as a delinquent tax in accordance with Colorado Revised Statutes Section 31-20-105 by certifying the amount due to the treasurer of Eagle County.

id
32.00
10

Borrower's Signature

[Signature]

Date

4/13/15

STATE OF

Colorado)

COUNTY OF

Adams) ss:

The foregoing instrument was acknowledged before me this

13

day of

April

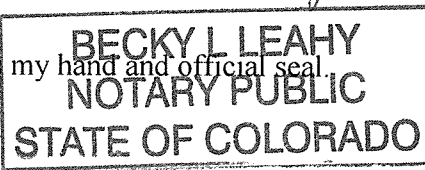
201

5

, by

Paul Agan

Witness my hand and official seal.



My commission expires:

3/21/2019

Notary Public

[Signature]

SECOND BORROWER'S SIGNATER (Use only if there is more than one Borrower)

Borrower's Signature

Date

STATE OF

_____)

COUNTY OF

_____) ss:

The foregoing instrument was acknowledged before me this _____ day of _____,

201

____,

by _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public



TOWN COUNCIL REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council
From: David McWilliams, Town Planner
Meeting Date: June 28, 2016
Agenda Topic: **Public Hearing** Resolution 16-16, Approving the MEZA PUD Amendment for Lot 110, Block 1, Wildridge Subdivision

ACTION BEFORE COUNCIL

Action on Resolution 16-16, a Resolution approving a Minor PUD Amendment to the Meza PUD.

PROPOSED MOTION

"I move to approve Resolution 16-16, A Resolution approving File #PUD16003, an Application for a Minor PUD Amendment to the Meza PUD."

SUMMARY

Dominic Mauriello, the Applicant, representing Volorale Wildridge One LLC, the Property Owner, is requesting a Planned Unit Development (PUD) Amendment (the Application) to modify the allowed building type for Lot 110, Block 1, Wildridge Subdivision (the Property). Currently, two (2) dwelling units in the form of one (1) single-family-detached structure or one (1) duplex structure are permitted by right. The Application is requesting to amend the zoning to change the allowed building type to construct two (2) single-family-detached structures on a re-subdivided lot.

BACKGROUND

The Property is currently undeveloped, zoned PUD and is included in the Wildridge Subdivision. The Wildridge Subdivision and PUD Plat contains a Land Use Summary table indicating the number of units entitled for each individual lot. Lot 110 is shown as entitled for two (2) units in the form of either one (1) single-family-detached structure or one (1) duplex structure.

The Application includes a narrative, response to the mandatory review criteria, and preliminary site and building design plans showing a likely development scenario. This Application is requesting to create two (2) separate lots of record that each would be permitted one (1) single-family-detached structure:

Lot	Lot Size	Building Height	Footprint Limit	Livable Area	Garage Area	Max Area w/ Garage
Lot 110A	0.71 acres or 31,030 sf	35 ft.	2,600 max	4,460 sf max	900 sf max	5,360 sf max
Lot 110B	0.48 acres or 21,058 sf	35 ft.	2,032 max	3,607 sf max	900 sf max	4,500 sf max
TOTAL	1.2 acres or 52,288 sf	N/A	4,902 max	8,067 sf max	1,800 sf max	9,860 sf max

Approval of this request would supersede the existing entitlement of a duplex on the lot and would only one (1) single-family-detached structure on each new lot.

The Application proposes to keep standard Wildridge easements: ten (10) foot front Snow Storage, Maintenance Easement, and seven and one-half (7.5) foot side yard drainage and utility Easements. Setbacks would also be consistent with the current PUD standards: 1) twenty-five (25) foot front setback and ten (10) foot side and rear setback. The internal lot line setback between structures would also be maintained at ten (10) feet, which would maintain a minimum of twenty (20) feet between the two structures. The application was modified since last review to increase the setback on the south side of the property from ten (10) feet to thirty (30) feet.

PROCESS

Minor PUD Amendment Process

According to the Avon Development Code, a proposed PUD amendment is considered minor if it meets the following criteria for decision and has been determined as such by the Director:

- (A) The PUD amendment does not increase density, increase the amount of nonresidential land use or significantly alter any approved building scale and mass of development.*
- (B) The PUD amendment does not change the character of the development and maintains the intent and integrity of the PUD.*
- (C) The PUD amendment does not result in a net decrease in the amount of open space or result in a change in character of any of the open space proposed within the PUD.*

This application is processed under §7.16.060(h), *Amendments to a Final PUD*, AMC. Subsection (1)(ii), sets forth criteria for a Minor Amendment, while subsection (2)(ii) sets forth the review procedures for the same process.

✓ The application, as submitted, meets the criteria for a Minor Amendment.

Public Notification

In compliance with the Public Hearing and noticing requirements, a mailed notice was provided to all property owners within 300' of the property. Additionally, a notice was published in the Vail Daily newspaper on March 25, 2016.

PUD REVIEW CRITERIA

Pursuant to §7.16.060(e)(4), *Review Criteria*, AMC, the PZC shall consider the following criteria when forming the basis of a recommendation:

(i) The PUD addresses a unique situation, confers a substantial benefit to the Town, and/or incorporates creative site design such that it achieves the purposes of this Development Code and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards.

Such improvements in quality may include, but are not limited to: improvements in open space provision and access; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; or increased choice of living and housing environments.

(ii) The PUD rezoning will promote the public health, safety, and general welfare.

(iii) The PUD rezoning is consistent with the Avon Comprehensive Plan, the purposes of this Development Code, and the eligibility criteria outlined in §7.16.060(b);

(iv) Facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

(v) Compared to the underlying zoning, the PUD rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

(vi) Compared to the underlying zoning, the PUD rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and

(vii) Future uses on the subject tract will be compatible in scale with uses or potential future uses on other properties in the vicinity of the subject tract.

Staff Response: The Applicant is not requesting any special privilege, variance or zoning beyond a residential classification containing development rights of two (2) units, unchanged from the current entitlement. The proposed PUD amendment solely requests a change from attached dwelling units to detached dwelling units and self-imposes restrictions in doing so.

Compared with maximized development of this property, this PUD Amendment acts to preserve sight lines, maintains views of open space, and prevents continuous building massing along Wildridge Road. Proposed building footprints and livable square footage maximums complement existing building footprints in the area. Adjacent properties are better protected from encroachment with the setback conditions included by the Planning and Zoning Committee.

ATTACHMENTS

Resolution 16-16

PZC Report, dated June 7, 2016



**TOWN OF AVON
RESOLUTION NO. 16-16**

**A RESOLUTION APPROVING FILE #PUD16003, A MINOR PUD AMENDMENT TO THE
MEZA PUD, TOWN OF AVON, EAGLE COUNTY, STATE OF COLORADO**

WHEREAS, a Minor PUD Amendment Application (“Application”), was submitted to the Community Development Department of the Town on March 1, 2016 by Dominic Mauriello (“Applicant”) to modify the allowed building type to construct two (2) single-family-detached structures on a re-subdivided lot; and

WHEREAS, the Application was reviewed as a “Minor PUD Amendment” pursuant to code section 7.16.060(1)(ii), Avon Development Code.

WHEREAS, the Planning and Zoning Commission held a public hearing on June 7, 2016 after posting notice of such Public Hearing in accordance with the requirements of Section 7.16.020(d), *Step 4: Notice*, Avon Municipal Code, and considered all comments provided; and

WHEREAS, after holding a Public Hearing the Planning and Zoning Commission made a unanimous recommendation that the Town Council approve the Application; and

WHEREAS, the Avon Town Council held a public hearing on June 28, 2016, and after posting notice as required by law, considered all comments, testimony, evidence and staff report prior to taking action on the Application; and

WHEREAS, the Avon Town Council has examined the review criteria set forth in §7.16.060(e)(4) and made the following findings regarding the Application:

- (1) The Application better promotes the public health, safety and welfare over that of the existing development rights for a duplex because the Applicant is imposing stricter standards than the existing development standards; and,
- (2) Approval of the Application will result in consistency of building sizes found in the vicinity; and,
- (3) The Application will not result in adverse impacts upon the natural environment, wildlife, vegetation, noise or air; and,
- (4) The Application is in conformance with policy recommendations in the Avon Comprehensive Plan, including “siting buildings of varying sizes along the street to maximize sun exposure, protect views, be compatible with surrounding development, and break up building bulk.”

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF AVON, that PUD16003, a Minor PUD Application for the Meza PUD, Town of Avon, State of Colorado, is hereby approved.

ADOPTED June 28, 2016, **AVON TOWN COUNCIL**


By: _____
Jennie Fancher, Mayor

Attest: _____
Debbie Hoppe, Town Clerk

Staff Report – Minor PUD Amendment

June 7, 2016 Planning & Zoning Commission Meeting



Project File	Case #PUD16003
Legal description	Lot 110, Block 1, Wildridge Subdivision
Zoning	PUD (2 Units)
Address	3087 Wildridge Road
Owner	Valorale Wildridge One LLC
Prepared By	Matt Pielsticker, Planning Director 

Introduction

Dominic Mauriello, the Applicant, representing Valorale Wildridge One LLC, the Property Owner, is requesting a Planned Unit Development (PUD) Amendment (the Application) to modify the allowed building type for Lot 110, Block 1, Wildridge Subdivision (the Property). Currently, two (2) dwelling units in the form of one (1) single-family-detached structure or one (1) duplex structure are permitted by-right. The Application is requesting to amend the zoning to change the allowed building type to construct two (2) single-family-detached structures on a re-subdivided lot.

This file and public hearing was heard and continued from the April 5, 2016 PZC meeting. Since the last public meeting meeting the application was revised with the following changes: reduced maximum building footprint sizes, revised site design between structures with less bridging, two curb cuts instead of one, and increased distance between the neighboring property to the south.

Process

Minor PUD Amendment Process

According the Avon Development Code, a proposed PUD amendment is considered minor if it meets the following criteria for decision and has been determined as such by the Director:

- (A) *The PUD amendment does not increase density, increase the amount of nonresidential land use or significantly alter any approved building scale and mass of development.*
- (B) *The PUD amendment does not change the character of the development and maintains the intent and integrity of the PUD.*
- (C) *The PUD amendment does not result in a net decrease in the amount of open space or result in a change in character of any of the open space proposed within the PUD.*

This application is processed under §7.16.060(h), *Amendments to a Final PUD*, AMC. Subsection (1)(ii), sets forth criteria for a Minor Amendment, while subsection (2)(ii) sets forth the review procedures for the same process.

☒ The application, as submitted, meets the criteria for a Minor Amendment.

Public Notification

In compliance with the Public Hearing and noticing requirements, a mailed notice was provided to all property owners within 300' of the property. Additionally, a notice was published in the Vail Daily newspaper on March 25, 2016.

Public Hearings

The April 5, 2016 and June 7, 2016 meetings complete the public hearing requirements for PZC review. As noted, the Council will make the final decision on this Application after holding one more public hearing and acting on a Resolution. The Town Council hearing is scheduled for June 14, 2016.

Proposed PUD Amendment

The Property is currently undeveloped, zoned PUD and is included in the Wildridge Subdivision. The Wildridge Subdivision and PUD Plat contains a Land Use Summary table indicating the number of units entitled for each individual lot. Lot 110 is shown as entitled for two (2) units in the form of either one (1) single-family-detached structure or one (1) duplex structure.

The Application includes a narrative, response to the mandatory review criteria, and preliminary site and building design plans showing a likely development scenario. This Application is requesting to create two (2) separate lots of record that each would be permitted one (1) single-family-detached structure:

Lot	Lot Size	Building Height	Footprint Limit	Livable Area	Garage Area	Max Area w/ Garage
Lot 110A	0.71 acres or 31,030 sf	35 ft.	2,600 max	4,460 sf max	900 sf max	5,360 sf max
Lot 110B	0.48 acres or 21,058 sf	35 ft.	2,032 max	3,607 sf max	900 sf max	4,500 sf max
TOTAL	1.2 acres or 52,288 sf	N/A	4,902 max	8,067 sf max	1,800 sf max	9,860 sf max

Approval of this request would supersede the existing entitlement of a duplex on the lot and would only allow one (1) single-family-detached structure on each new lot.

The Application proposes to keep standard Wildridge easements: ten (10) foot front Snow Storage, Maintenance Easement, and seven and one-half (7.5) foot side yard drainage and utility Easements. Setbacks would also be consistent with the current PUD standards: 1) twenty-five (25) foot front setback and ten (10) foot side and rear setback. The internal lot line setback between structures would also be maintained at ten (10) feet, which would maintain a minimum of twenty (20) feet between the two structures. The application was modified since last review to increase the setback on the south side of the property from ten (10) feet to thirty (30) feet.

Staff Analysis

The current development rights allow a single duplex structure. The proposal is analyzed in comparison with a maximized development of the property to better determine the scenario most beneficial to the neighborhood and adjacent properties. Staff finds there are several advantages of the proposed Lot 21 PUD Amendment that mitigate the potential consequences of constructing a large duplex, including:

- Decreased building footprint through self-imposed restrictions resulting in increased open space/undevelopable area between and below the structures
- Livable square footage maximums, which ensure compatibility with size of neighboring structures
- Increased building separation between property to south with newly platted 30' setback line.

The Applicant is not requesting any special privilege, variance or zoning beyond a residential classification containing development rights of two (2) units, unchanged from the current entitlement. The proposed PUD amendment solely requests a change from attached dwelling units to detached dwelling units and self-imposes restrictions in doing so. To conclude, the proposed development scenario is advantageous to adjacent neighbors who will be impacted by any development of the

property. The Applicant has proactively contacted or been contacted by neighbors to address any potential concerns.

PUD Review Criteria

Pursuant to §7.16.060(e)(4), Review Criteria, AMC, the PZC shall consider the following criteria when forming the basis of a recommendation:

(i) The PUD addresses a unique situation, confers a substantial benefit to the Town, and/or incorporates creative site design such that it achieves the purposes of this Development Code and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards. Such improvements in quality may include, but are not limited to: improvements in open space provision and access; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; or increased choice of living and housing environments.

Staff Response: The stated purposes of §7.04, Development Code, AMC, and §7.16.060, PUD, AMC, includes statements regarding the implementation of the Comprehensive Plan; regulating intensity of use; avoiding increased demands on public services and facilities; and providing for compatibility with the surrounding area, among other statements. The proposed 3087 Residences PUD amendment does not increase demands on public services, and provides compatible building layouts with the surrounding area. It should be noted that other applicable development standards (parking, design standards, access requirements) would remain intact, or be superseded with stricter standards as outlined in the attached PUD submittal. The request for two curb cuts on Wildridge Road, however, it results in less site disturbance between the structures by keeping the homes closer to the road and less need for bridging.

(ii) The PUD rezoning will promote the public health, safety, and general welfare;

Staff Response: Staff finds that the Application better promotes the public health, safety and welfare over that of the existing development rights for a duplex because the Applicant is imposing stricter standards than the existing development standards. The inclusion of single-family structures on the Property is compatible with the adjacent residential uses which are a mix of single-family, duplex, and fourplex buildings. Furthermore, the application does not propose to change from the existing residential designation.

(iii) The PUD rezoning is consistent with the Avon Comprehensive Plan, the purposes of this Development Code, and the eligibility criteria outlined in §7.16.060(b);

Staff Response: The proposed PUD amendment is part of an established PUD, and is therefore not subject to the eligibility criteria or Public Benefit requirements outlined in §7.16.060(b). Consistency with the Comprehensive Plan is required and analysis is provided below. The Comprehensive Plan includes this property within District 24: Wildridge Residential District. The planning principals specific to this property include the following:

- *Site buildings of varying sizes along the street to maximize sun exposure, protect views, be compatible with existing surrounding development, and break up building bulk.*

The majority of the Wildridge District planning principles involve enhancing and promoting open space connectivity. This property is located adjacent to a large open space tract and does not impact that area of the subdivision. Approval of this Application would result in consistency of building sizes

found in the vicinity. The break from a single duplex structure into two structures has the potential to maximize light and air and decrease overall massing.

(iv) Facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

Staff Response: This PUD amendment does not change the current development rights to construct two residential units; therefore the existing services can adequately serve the property.

(v) Compared to the underlying zoning, the PUD rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Staff Response: When compared to the existing duplex zoning, the proposed Minor PUD Amendment will not result in any adverse impacts upon the natural environment, wildlife, vegetation, noise, or air. Storm water management may be improved with more opportunities for storm water runoff between the buildings and underneath the supporting cantilevered design (if that conceptual development plan is pursued).

(vi) Compared to the underlying zoning, the PUD rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and

Staff Response: Approval of this PUD amendment may result in a lesser overall impact to neighboring properties since the proposed development standards are stricter than the existing development standards.

(vii) Future uses on the subject tract will be compatible in scale with uses or potential future uses on other properties in the vicinity of the subject tract.

Staff Response: Single-family-detached residential use is compatible in scale with current and potential uses on other properties in the vicinity of the Property.

Staff Recommendation

☒ Staff is recommending approval of the Application. The PZC shall conduct a public hearing, consider public comments, and approve Findings of Fact, Record of Decision, and Recommendation to Council pursuant to Section 7.16.020(f)(3), *Findings*.

Recommended Motion:

“I move to recommend approval of Case #PUD16003, an application for a Minor PUD Amendment for Lot 110, Block 1, Wildridge Subdivision together with the findings of fact noted in Staff’s report”

The following Findings may be applied should PZC make a favorable recommendation to Council:

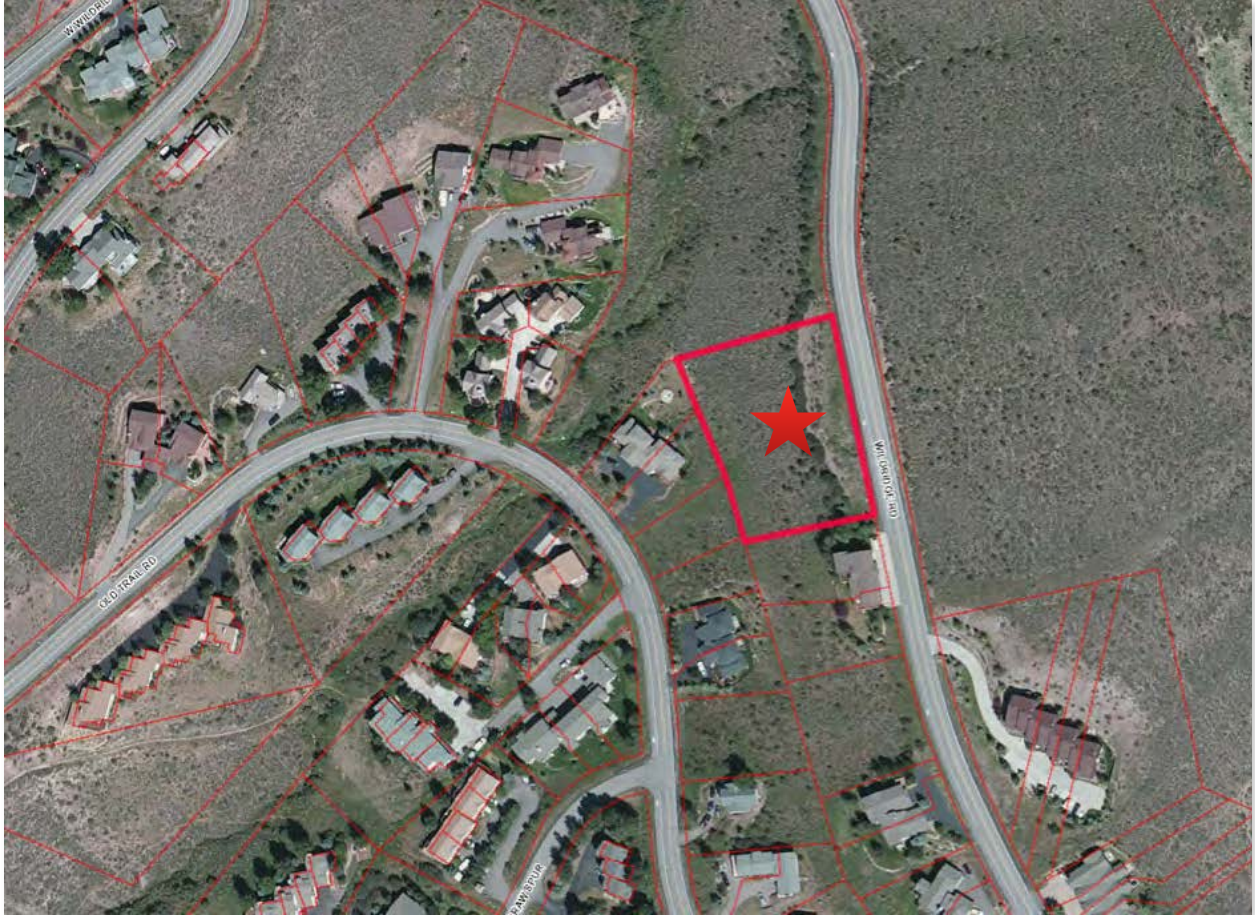
1. The 3087 Residences application meets the eligibility requirements for a Minor PUD Amendment by not increasing density, increasing the amount of nonresidential land use, or significantly alter any approved building scale and mass of the development.
2. The 3087 Residences PUD Amendment does not change the character of the development and maintains the intent and integrity of the PUD with two residential dwelling units on the Property.

3. The 3087 Residences PUD Amendment promotes the public health, safety and welfare over that of the existing development rights for a duplex because the Applicant is imposing stricter standards than the existing development standards.
4. The Application is in conformance with §7.16.060(e)(4), *Review Criteria*, AMC, and compared to the underlying zoning, the Minor PUD Amendment is not likely to result in significant adverse impacts upon the natural environment or neighboring properties.

Attachment

A: Application Narrative. Rev. June 1, 2016

3087 Residences



PUD Amendment

3087 Wildridge Road
Lot 110, Block 1, Wildridge Subdivision

Submitted:
March 1, 2016
Rev. June 1, 2016



A. INTRODUCTION

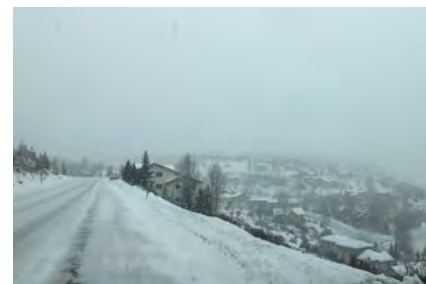
The applicant, Valorale Wildridge One LLC, represented by Mauriello Planning Group, is requesting a Minor PUD Amendment for 3087 Wildridge Road / Lot 110, Block 1, Wildridge Subdivision. The Wildridge PUD currently in effect identifies Lot 110 as a two unit lot, allowing for a total of two dwelling units in the form of a duplex on the property. The applicant is requesting the Town of Avon allow for two single family dwelling units on the property, maintaining the existing density allowed by the Wildridge PUD. Because the lot is located within the Wildridge PUD, a minor amendment to the PUD is required. The lot is proposed to be platted to create two single-family lots by a future subdivision application should the PUD Amendment be approved. Lot 110A is proposed at 0.68 acres / 29,660 sq. ft. and Lot 110B is proposed at 0.51 acres / 22,428 sq. ft.

The property is a total of 1.2 acres / 52,088 sq. ft. There are existing homes to the south and west, with Town of Avon open space to the north and across the street to the east. The lot is very steep, and the design of the proposed homes respond to the site by running parallel to the grades. The homes are located as close as possible to the road, limiting disturbance to the remainder of the lot but still in compliance with adopted setbacks.

The applicant has revised the plans since the previous review by the Planning and Zoning Commission, to respond both the the Commission's concerns and comments from neighboring property owners. The plans have been revised to show 30 ft. to the property line of the the neighbor to the south. It was previously approximately 16 ft. from this property line. In addition, the applicant has minimized the driveway bridge structure by providing two curb cuts. The bridge structures reduces grading.

The applicant is proposing additional limitations to further restrict development of this site, making development here more sympathetic to the neighborhood and the original design philosophy of the developer including the following:

- **Footprint Limitation:** There is no footprint limitation currently for the site. The applicant is proposing a footprint limitation of 2,600 sq. ft. (8.3%) on Lot 110A and 2,032 sq. ft. (9.6%) on Lot 110B for a overall building footprint of 5,022 sq. ft. or 9.4% of the entire property.
- **Livable Area Limitation:** There is no limitation currently on the site for livable area. The applicant is proposing a limit of of 4,460 sq. ft. (14%) on Lot 110A and 3,600 sq. ft. (17%) on Lot 110B for an overall livable area limitation of 8,060 sq. ft. or 15% of the entire property. Garages for each lot are proposed to be limited to 900 sq. ft.
- **Non-developable Zone:** The applicant is proposing a non-developable area of 30,120 sq. ft, or 58% of the entire site.



Winter and Summer Conditions at
3087 Wildridge Road / Lot 110,
Block 1, Wildridge Subdivision

These limitations provide a benefit to the neighborhood by ensuring that development on this lot will be significantly less than what could be developed under current regulations. It eliminates the future opportunity to construct a coast-to-coast duplex, which is common in this area of Wildridge. It allows for a greater separation between the buildings, improved privacy for owners, open space, better light and air, and reduced appearance of bulk and mass.

Below is a conceptual design of the lot layout and elevations:



B. BACKGROUND

The Town of Avon was incorporated in 1978 and Benchmark Properties created the Wildridge and Wildwood Subdivisions shortly thereafter. The Wildridge Subdivision was subsequently completely replatted in 1981. Lot 110 was platted as 1.20 acres / 52,272 sq. ft. as indicated on a portion of the 1981 plat provided below:



C. ZONING ANALYSIS

Development Standard	Existing	Proposed
Lot Size:	1.20 acres / 52,272 sq. ft.	Lot 110A - 0.71 acres / 31,030 sq. ft. Lot 110B - 0.48 acres / 21,058 sq. ft.
Density:	2 units (in duplex format)	2 units (in single family format)
Setbacks:	Front - 25 ft. Side - 10 ft. Rear - 10 ft.	Front - 25 ft. Side - 10 ft., 30 ft. to the southern property line Side - 10 ft. (internal between units) Rear - 10 ft.
Height:	35 ft.	35 ft.
Footprint:	No limitation	Lot 110A - 2,600 sq. ft. (8.3%) Lot 110B - 2,032 sq. ft. (9.6%) Total: 4,902 sq. ft. (9.4%)
Livable Floor Area:	No limitation	Lot 110A - 4,460 sq. ft. (14%) Lot 110B - 3,600 sq. ft. (17%) Total - 8,060 sq. ft. (15%)
Garage Area:	No limitation	Lot 110A - 900 sq. ft. Lot 110B - 900 sq. ft. Total - 1,800 sq. ft.
Non-developable Zone:	No requirements	30,120 sq. ft. (58%)

D. CRITERIA FOR REVIEW

Section 7.16.060.4 establishes the criteria for review of a PUD amendment. Section 7.16.060.4 states:

Review Criteria. The PZC and Town Council shall consider the following criteria as the basis for a recommendation or decision to rezone a property to PUD Overlay, and approve a preliminary PUD plan, or process a PUD amendment:

- (i) The PUD addresses a unique situation, confers a substantial benefit to the Town, and/or incorporates creative site design such that it achieves the purposes of this Development Code and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards. Such improvements in quality may include, but are not limited to: improvements in open space provision and access; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; or increased choice of living and housing environments.***

Applicant Response: The proposed amendment to the Wildridge PUD to allow for two single family homes provides a structure for a creative site design that is an improvement over the existing duplex development scenario. It allows for a greater separation between the buildings, additional green space and reduced appearance of bulk and mass. Furthermore, the additional restrictions proposed by the applicant provide a substantial benefit to the Town. The proposed siting of homes as proposed is consistent with the recommendations found in the original design guidelines. The homes will each be benched into the hillside to conform to the slope. The proposed roof lines run with the slope of the land. The structures are linear due to the steep grade. Buildings are being articulated in response to slope to reduce building scale and create spatial variety. Finally, the separation of the units and the limitations placed on the floor area provide for increased choice of living opportunities. More than a third of the development in Wildridge is multiple family including Wildwood which is part of the Wildridge subdivision. One of the least available housing formats in all of Avon is single-family and this application addresses this showing choice while also limiting the floor area in perpetuity.

- (ii) The PUD rezoning will promote the public health, safety, and general welfare;***

Applicant Response: The applicant is proposing two units in a single-family format, while the current regulations would require the two units in a duplex format. Because there is no increase in the number of proposed dwelling units, there is no increase in the estimated number of vehicular trips generated by the units. The homes have been sited with sensitivity to views and openness of the neighbors. As indicated in this analysis, the proposal promotes the public health, safety, and general welfare.

- (iii) The PUD rezoning is consistent with the Avon Comprehensive Plan, the purposes of this Development Code, and the eligibility criteria outlined in §7.16.060(b);***

Applicant Response: The Avon Land Use Map indicates the property as Residential - Low Density as indicated on the map below:



The Comprehensive Plan defines “Residential-Lot Density” as follows:

Areas designated for residential low density are intended to provide sites for single-family, duplex, and multi-family dwellings at a density no greater than 7.5 dwelling units per acre.

The proposal complies with the density as recommended by the Comprehensive Plan. The purpose of the Development Code is provided in Section 7.04.030 Purposes of the Avon Development Code:

The Development Code is intended to promote and achieve the following goals and purposes for the Avon community, including the residents, property owners, business owners and visitors:

- (a) Divide the Town into zones, restricting and requiring therein the location, erection, construction, reconstruction, alteration and use of buildings, structures and land for trade, industry, residence and other specified uses; regulate the intensity of the use of lot areas; regulate and determine the area of open spaces surrounding such buildings; establish building lines and locations of buildings designed for specified industrial, commercial, residential and other uses within such areas; establish standards to which buildings or structures shall conform; establish standards for use of areas adjoining such buildings or structures;*
- (b) Implement the goals and policies of the Avon Comprehensive Plan and other applicable planning documents of the Town;*
- (c) Comply with the purposes stated in state and federal regulations which authorize the regulations in this Development Code;*
- (d) Avoid undue traffic congestion and degradation of the level of service provided by streets and roadways, promote effective and economical mass transportation and enhance effective, attractive and economical pedestrian opportunities;*
- (e) Promote adequate light, air, landscaping and open space and avoid undue concentration or sprawl of population;*
- (f) Provide a planned and orderly use of land, protection of the environment and preservation of viability, all to conserve the value of the investments of the people of the Avon community and encourage a high quality of life and the most appropriate use of land throughout the municipality;*
- (g) Prevent the inefficient use of land; avoid increased demands on public services and facilities which exceed capacity or degrade the level of service for existing residents; provide for phased*

development of government services and facilities which maximizes efficiency and optimizes costs to taxpayers and users; and promote sufficient, economical and high-quality provision of all public services and public facilities, including but not limited to water, sewage, schools, libraries, police, parks, recreation, open space and medical facilities;

(h) Minimize the risk of damage and injury to people, structures and public infrastructure created by wild fire, avalanche, unstable slopes, rock fall, mudslides, flood danger and other natural hazards;

(i) Achieve or exceed federal clean air standards;

(j) Sustain water sources by maintaining the natural watershed, preventing accelerated erosion, reducing runoff and consequent sedimentation, eliminating pollutants introduced directly into streams and enhancing public access to recreational water sources;

(k) Maintain the natural scenic beauty of the Eagle River Valley in order to preserve areas of historical and archaeological importance, provide for adequate open spaces, preserve scenic views, provide recreational opportunities, sustain the tourist-based economy and preserve property values;

(l) Promote architectural design which is compatible, functional, practical and complimentary to Avon's sub-alpine environment;

(m) Achieve innovation and advancement in design of the built environment to improve efficiency, reduce energy consumption, reduce emission of pollutants, reduce consumption of non-renewable natural resources and attain sustainability;

(n) Achieve a diverse range of attainable housing which meets the housing needs created by jobs in the Town, provides a range of housing types and price points to serve a complete range of life stages and promotes a balanced, diverse and stable full time residential community which is balanced with the visitor economy;

(o) Promote quality real estate investments which conserve property values by disclosing risks, taxes and fees; by incorporating practical and comprehensible legal arrangements; and by promoting accuracy in investment expectations; and

(p) Promote the health, safety and welfare of the Avon community.

As demonstrated within this document, the proposal is consistent with and in substantial compliance with the purpose of the Development Code by not increasing the number of dwelling units.

The eligibility criteria for a PUD are outlined in Section 7.16.060(b) and state the following:

(1) Property Eligible. All properties within the Town of Avon are eligible to apply for PUD approval.

(2) Consistency with Comprehensive Plan. The proposed development shall be consistent with the Avon Comprehensive Plan.

(3) Consistent with PUD Intent. The proposed development shall be consistent with the intent and spirit of the PUD purpose statement in §7.16.060(a).

(4) Compatibility with Existing Uses. The proposed development shall not impede the continued use or development of surrounding properties for uses that are permitted in the Development Code or planned for in the Avon Comprehensive Plan.

(5) Public Benefit. A recognizable and material benefit will be realized by both the future residents and the Town as a whole through the establishment of a PUD, where such benefit would otherwise be infeasible or unlikely.

(6) Preservation of Site Features. Long-term conservation of natural, historical, architectural, or other significant features or open space will be achieved, where such features would otherwise be destroyed or degraded by development as permitted by the underlying zoning district.

(7) Sufficient Land Area for Proposed Uses. Sufficient land area has been provided to comply with all applicable regulations of the Development Code, to adequately serve the needs of all permitted uses in the PUD projects, and to ensure compatibility between uses and the surrounding neighborhood.

As demonstrated within this document, the proposal is consistent with the eligibility criteria for a PUD. The proposal is consistent with the Avon Comprehensive Plan and compatible with existing uses, which are of a similar density as the proposal.

(iv) Facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

Applicant Response: The applicant is proposing the same number of units as currently allowed by the Town of Avon, and as a result, all facilities and services are available and adequate to serve the development. There is no increase in demand as a result of the proposal, and therefore the proposal maintains adequate levels of service to existing development.

(v) Compared to the underlying zoning, the PUD rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Applicant Response: The proposal will have beneficial impacts on wildlife and vegetation as a result of the proposed non-developable zone, limiting development to specific areas on the lot. The remaining area will remain generally in its natural state, creating opportunities for wildlife and vegetation. The proposal is entirely located within a previously platted subdivision, with no increase in the allowable density, and as a result will not have any additional adverse impacts on the above-referenced criteria.

(vi) Compared to the underlying zoning, the PUD rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and

Applicant Response: As there is no increase in allowable density for the properties, there is no increase to impacts upon other property in the vicinity. The proposal is consistent with the allowable density for surrounding properties and will be smaller in scale than many of the existing homes in the neighborhood. The following photos provide some idea of the character and size (from Eagle County Assessors) of the existing homes in the vicinity:



2470 Old Trail Road #B
3,031 sq.ft.



2470 Old Trail Road #A
2,617 sq.ft.



3083 Wildridge Road A & B
1,814 sq. ft. & 2021 sq.ft.



2490 Old Trail Road #A
2,106 sq.ft.



2490 Old Trail Road #B
2,684 sq.ft.



3121 Wildridge Road #B
3,304 sq.ft.



3165 Wildridge Road #A
3,646 sq.ft.

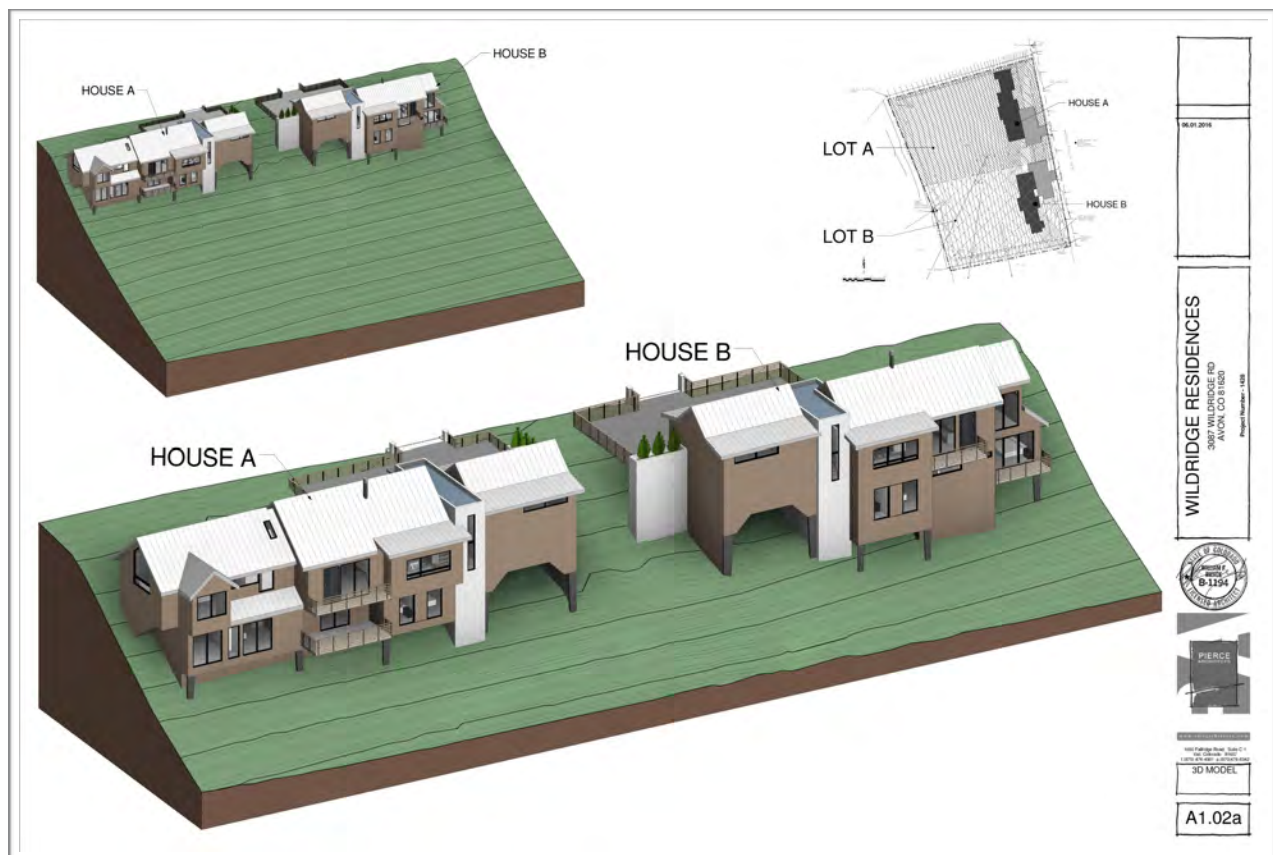
(vii)Future uses on the subject tract will be compatible in scale with uses or potential future uses on other properties in the vicinity of the subject tract.

Applicant Response: The Wildridge neighborhood is developed with a mix of single-family homes, duplexes, and multiple family dwellings. The majority of the lots in the neighborhood are allowed a minimum of two dwelling units (534 units or 267 lots out of the 849 units originally proposed). Homes in the neighborhood vary greatly in size, with some small single-family residences under 3,000 sq. ft., to larger duplexes with some up to 7,000 sq. ft. As a neighborhood that has developed slowly over the past 35 years, architectural style and unit size have changed as a reflection of trends over that same period. The demands for floor area in the 1980s and what is deemed more acceptable today are significantly different.

Many of the duplexes built over the last two decades in Wildridge departed from the general design principles that this application promotes:

- Structures that conform to the natural landform, stepping with grade, and roof sloping in the direction of the grades (steep slopes);
- Articulated building massing, with small building forms to create a more additive appearance; and
- Building materials (stucco, wood, stone) and colors (natural earth tones) that blend with the natural landscape.

The character of the architecture for the proposed units will also be compatible with the neighborhood. The proposed homes have been sited to be responsive to the site, stepping with the natural grade and stepping down on the front and sides to anchor the buildings to the ground. Building massing is consistent with the neighborhood and both units are below the maximum height limitation. While the final materials have not been identified, the proposed materials will be those that are prevalent throughout Wildridge and consistent with the design guidelines, such as wood siding, stucco, and stone. The conceptual design for the project is provided below, though it is important to note that these have yet to go through the Design Review process:

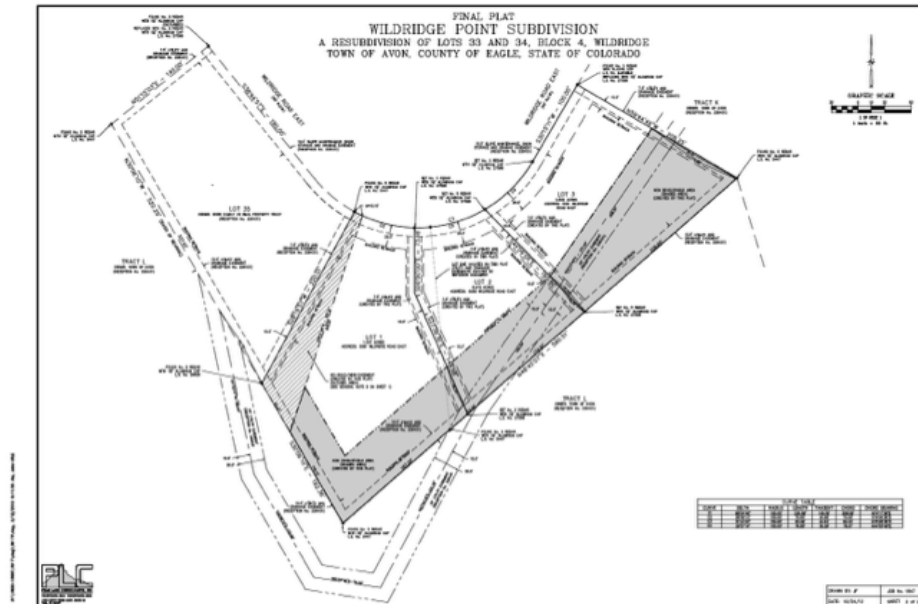


E. PREVIOUS APPLICATIONS BY MAURIELLO PLANNING GROUP

Mauriello Planning Group has processed several similar applications which have allowed for single family homes where duplexes were previously allowed. In all cases, the applications have resulted in limitations on development that are responsive to the topography, bulk and mass, and considerate of neighboring uses. In just about every case, the neighbors were ultimately supportive of the proposals.

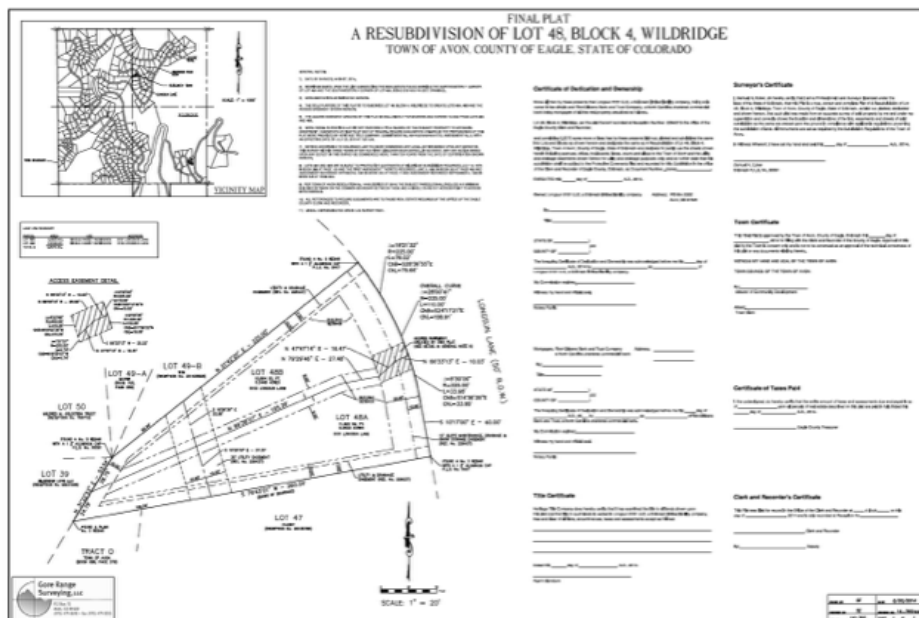
Wildridge Point

- Two duplex lots converted to three single-family lots
- Building footprint limited on Lot 2 to 3,000 sq. ft. or 12% of the lot area
- Building footprint limited on Lot 3 to 2,500 sq. ft. or 7% of the lot area



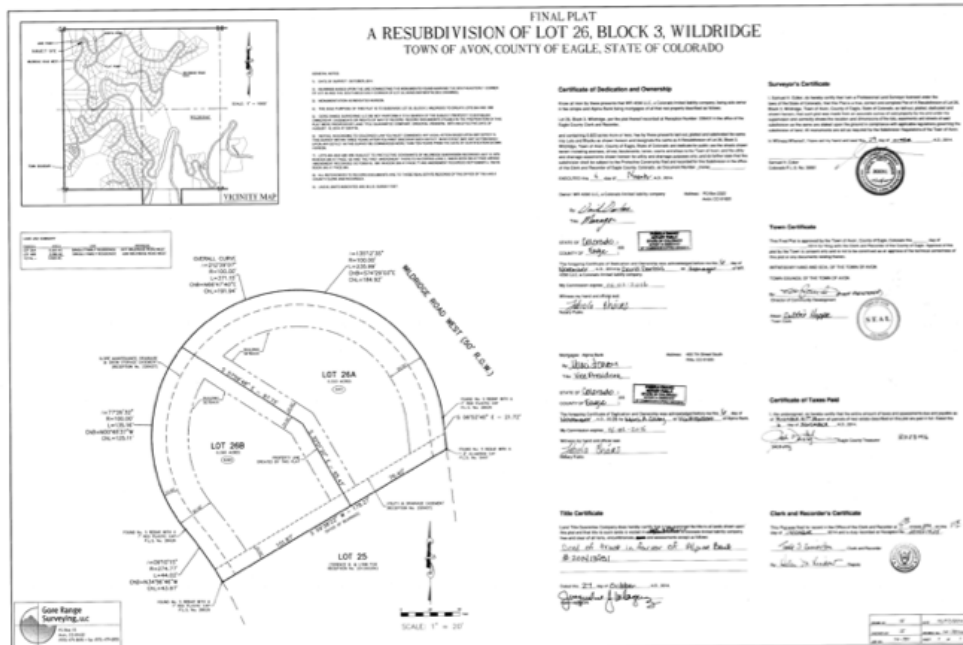
5151 Longsun Lane

- Duplex divided into two single family homes



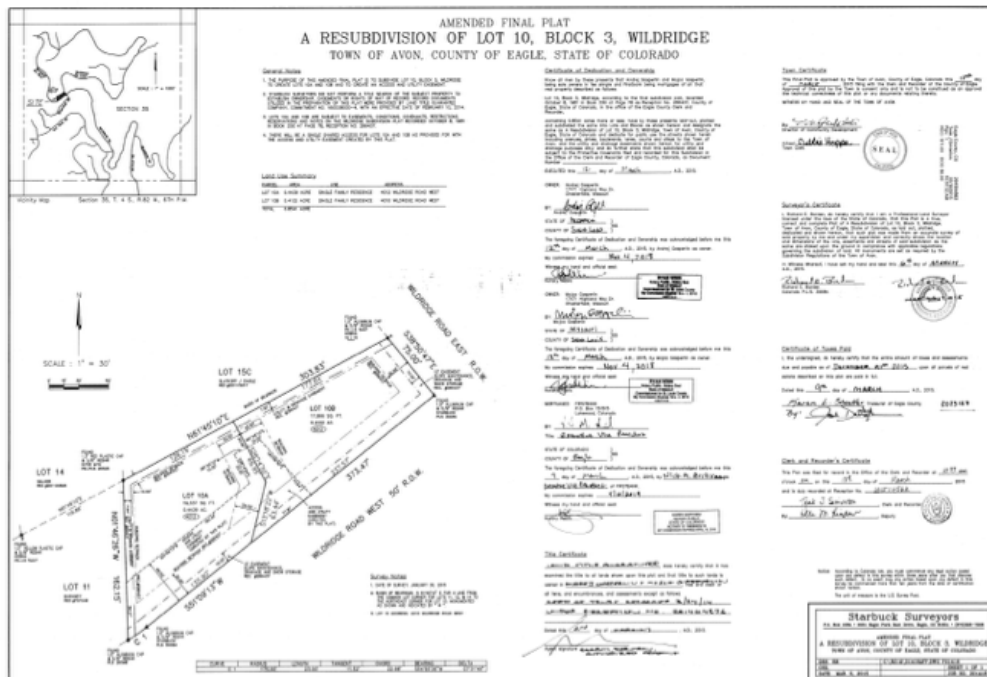
4290 Wildridge Road West

- Duplex divided into two single family homes
- Footprints limited to 2,400 sq. ft. on each lot



4010 Wildridge Road West (Gasperlin Residences)

- Duplex divided into two single family homes
- Building footprint limited to 2,900 sq. ft. for each lot
- Livable area limited to 4,000 sq. ft. for each lot



- Duplex divided into two single family homes
- Limited height to 33 ft. (south) and 30 ft. (north)
- Created building envelopes
- Foot print limitation of 2,900 sq. ft. (south) and 2,500 sq. ft. (north)
- Livable are limited to 3,900 sq. ft. for each unit



F. CONCLUSIONS

The applicant has shown that this lot can be developed with two single-family homes in a manner that is consistent with the Town's review criteria and comprehensive plan policies. Further, this applicant has provided additional restrictions and benefits that will ensure that future homes developed on the subject properties will be respectful of topography and sympathetic to the neighborhood. The site planning for these two lots is a significant improvement over that of a duplex structure on this property even with dwelling units of the same or similar size.

We hope you will agree that this proposal, considered independently from other similar proposals on other properties, meets the review criteria and is an enhancement over the existing zoning restrictions on the property.

G. ADJACENT ADDRESSES (within 300 Feet)

TOWN OF AVON
PO BOX 975
AVON, CO 81620-0975

BLOCK, JONATHAN ALEXANDER & DANIELLE ELKIN
PO BOX 1555
AVON, CO 81620-1555

FRED & FLORA HILLER LIVING TRUST
12950 N HIGH HAWK DR
MARANA, AZ 85658-4239

GROW, STEVEN M. & MARGARET S.
8 MANETTE RD
MORRISTOWN, NJ 07960-6344

SHERMAN, CHARLES M. - PETERS, PEGGY L.
PO BOX 1044
AVON, CO 81620-1044

LANE, LAWRENCE
PO BOX 3117
AVON, CO 81620-3117

HARRISON, KEITH
PO BOX 536
VAIL, CO 81658-0536

JONES, SHARON S. - SAMSON, GREG M.
PO BOX 7685
AVON, CO 81620-7685

WALKER, J. KIM & MARYJO
9848 SE SANDPINE LN
HOBE SOUND, FL 33455-6399

SHERMAN, SHEILA M.
1734 BLUEBELL DR
BRIGHTON, CO 80601-6787

MEINTJES, LEIGH P. - WILDE, SEAN WJ
6725 ROXBURY TRCE
ALPHARETTA, GA 30005-1753

JOHN C. BUCHER DECLARATION OF TRUST
29025 N SPOON CT
MUNDELEIN, IL 60060-5311

PETROWSKI, DAVID S. & HILARY W.
PO BOX 1178
AVON, CO 81620-1178

NELSON, LINDSEY ALLAN
PO BOX 8751
AVON, CO 81620-8709

GREENE, RICHARD & LINDA
3300 E DELHI RD
ANN ARBOR, MI 48103-8858

RAUB, SCOTT
PO BOX 2999
EDWARDS, CO 81632-2999

GROSS, LAURA F. & ROBERT C.
4011 SAN FELICE PT
COLORADO SPRINGS, CO 80906-5900

BECKER-PEREZ, STEPHANIE M. - PEREZ, JASON S.
PO BOX 833
AVON, CO 81620-0833

JONES, JAMES D.
2399 N FRONTAGE RD W
VAIL, CO 81657-4285

BRAINARD, DAVID A. - ABBEY, DONNA R.
7773 KRYPTONITE LN
CASTLE ROCK, CO 80108-3112

PINES OF WILDRIDGE TOWNHOME ASSOC INC
PO BOX 1593
VAIL, CO 81658-1593

CRAINE, LORI J.
PO BOX 1732
LEADVILLE, CO 80461-1732

BURTON, BRET A. & CARRYN
PO BOX 8623
AVON, CO 81620-8619

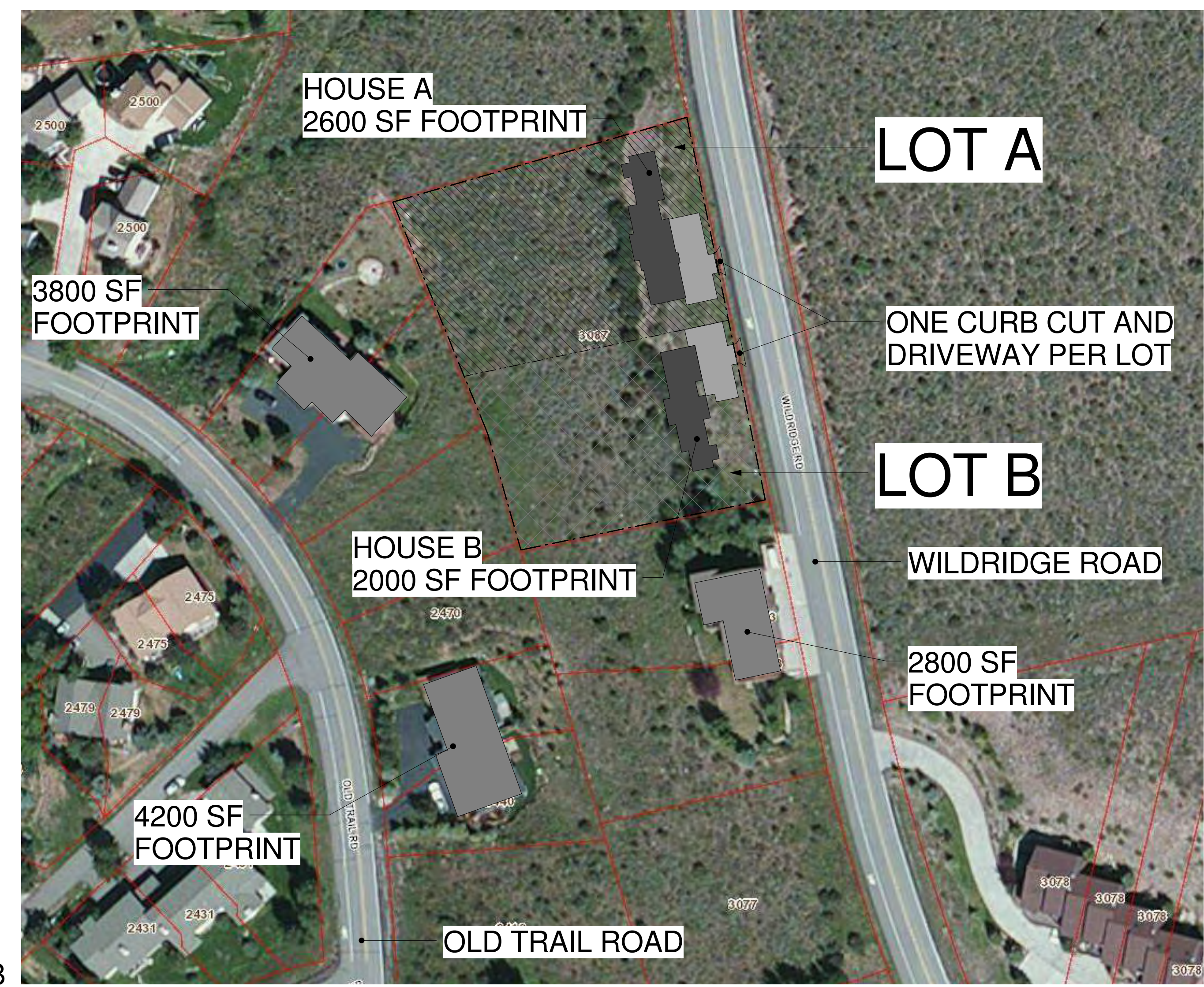
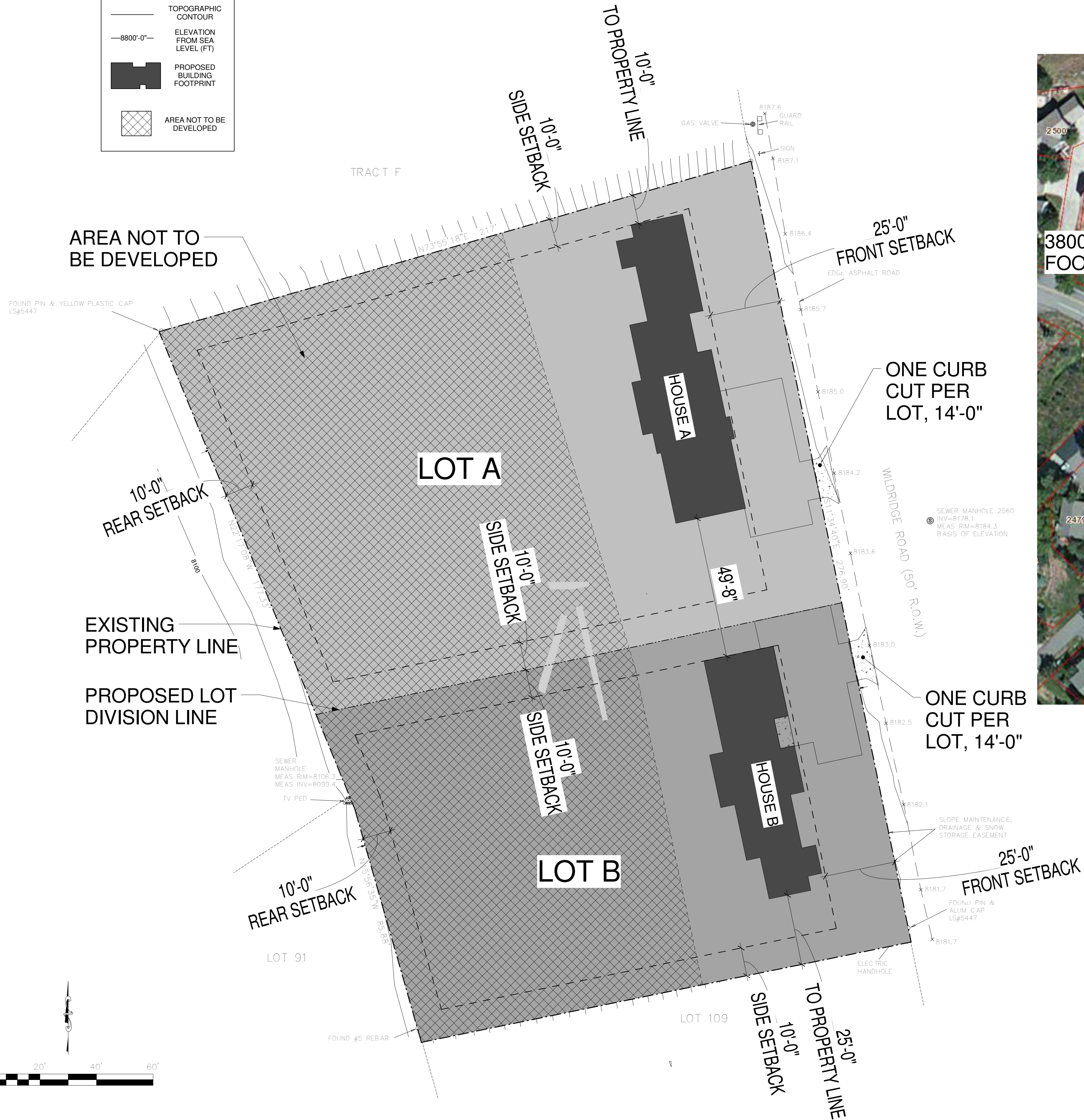
DEAN, JENNIFER L.
PO BOX 2001
AVON, CO 81620-2001

VOSS, GEOFFREY E. & JENNIFER L.
PO BOX 3612
AVON, CO 81620-3612

ROMANIN, MELISSA G.
PO BOX 4138
EAGLE, CO 81631-4138

EXISTING TOPOGRAPHIC LEGEND

- TOPOGRAPHIC CONTOUR
- ELEVATION FROM SEA LEVEL (FT)
- PROPOSED BUILDING FOOTPRINT
- AREA NOT TO BE DEVELOPED



2 SITE PLAN - SATELLITE VIEW
1" = 60'-0"

PROPOSED LOT DIVISION FOR 1628 WILDRIDGE RD AVON, CO 81620	
EXISTING TOTAL SQUARE FOOTAGE	52,088 SF, 1.2 ACRES
UNDEVELOPABLE SQUARE FOOTAGE	30,700 SF, 59% OF LOT
PROPOSED LOT A SQUARE FOOTAGE	31,030 SF, 60% OF LOT
PROPOSED LOT B SQUARE FOOTAGE	21,058 SF, 40% OF LOT
PROPOSED LOT A STRUCTURE SQUARE FOOTAGE	2,600 SF FOOTPRINT, 4,320 SF TOTAL
PROPOSED LOT B STRUCTURE SQUARE FOOTAGE	2,032 SF FOOTPRINT, 3,357 SF TOTAL



06.01.2016

WILDRIDGE RESIDENCES
3087 WILDRIDGE RD
AVON, CO 81620
Project Number - 1428

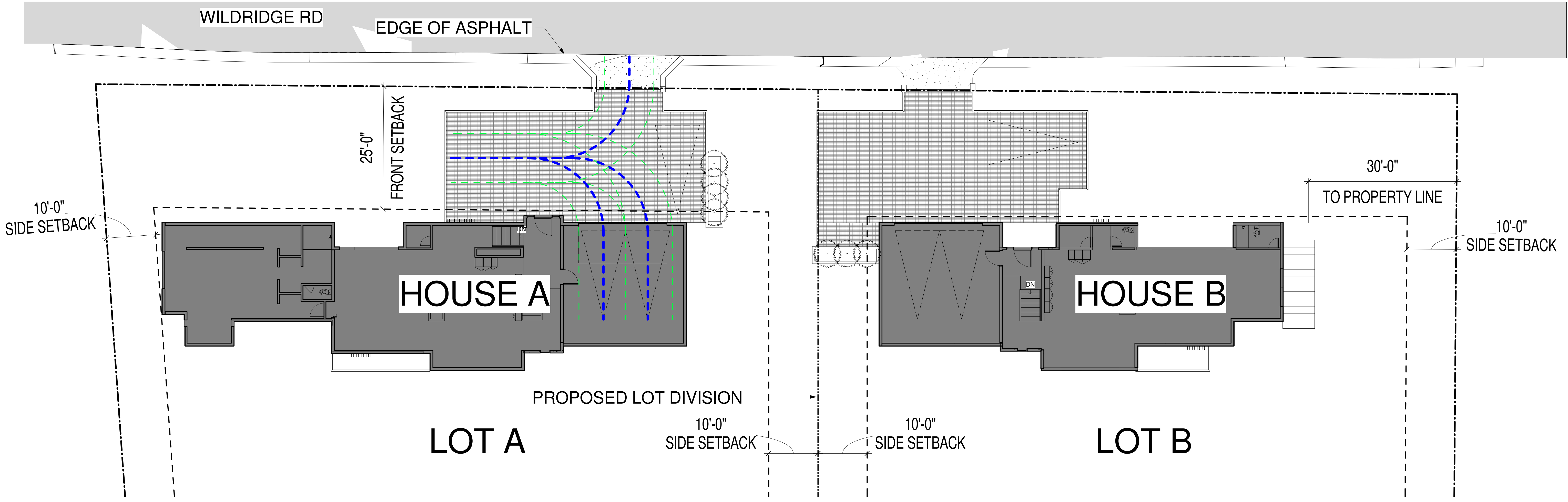


www.vailarchitects.com

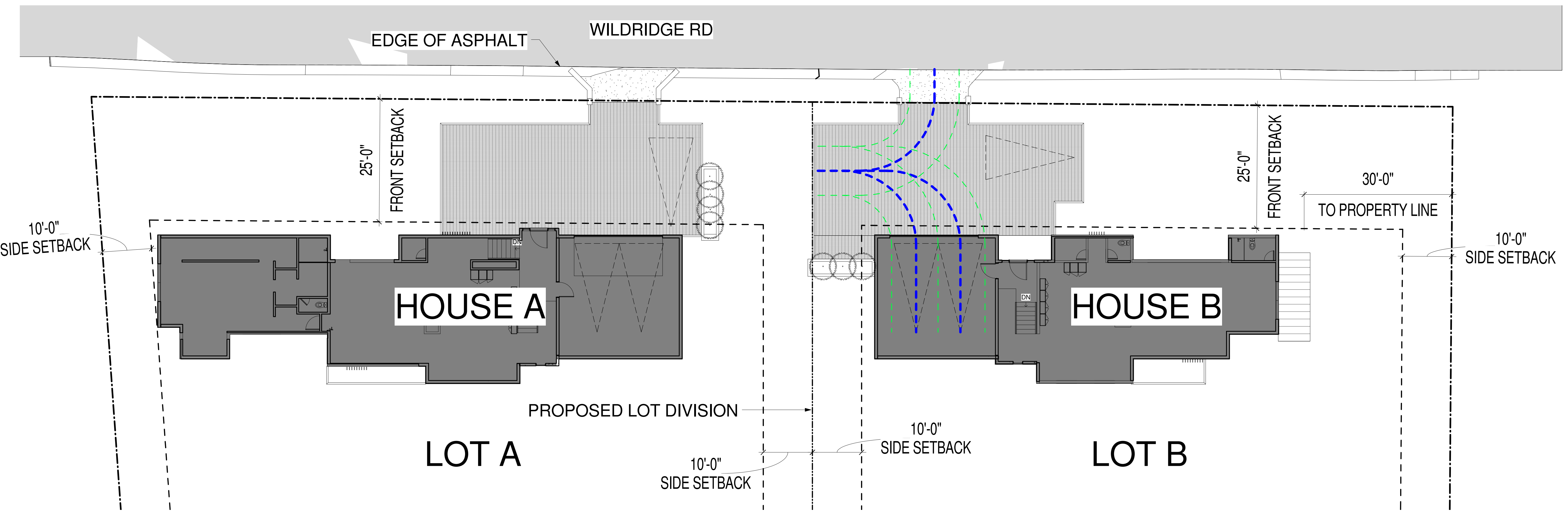
1650 Fallridge Road, Suite C-1
Vail, Colorado 81657
t.(970) 476-4901 p.(970) 476-6342

LOT DIVISION

A1.00a



② PARKING CIRCULATION - HOUSE A
1" = 10'-0"



① PARKING CIRCULATION - HOUSE B
1" = 10'-0"

06.01.2016

WILDRIDGE RESIDENCES

3087 WILDRIDGE RD
AVON, CO 81620

Project Number - 1428

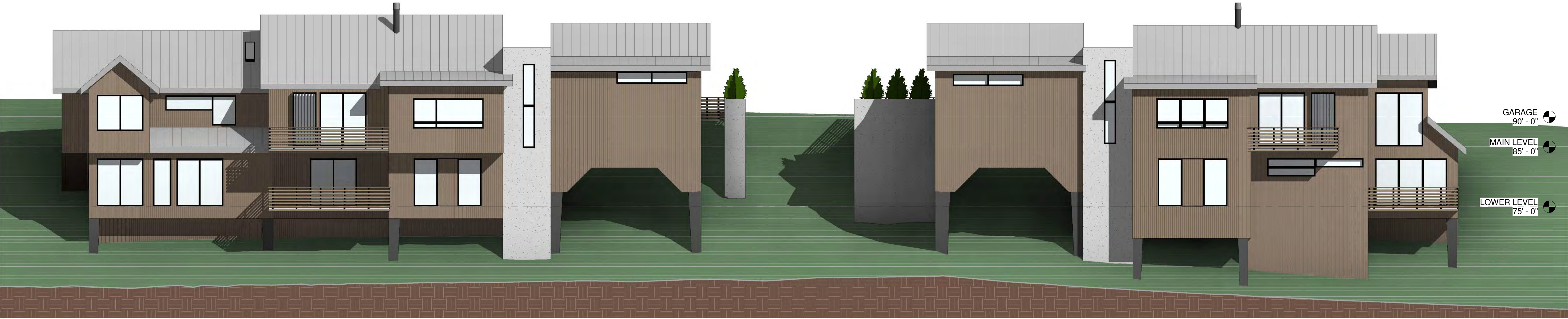


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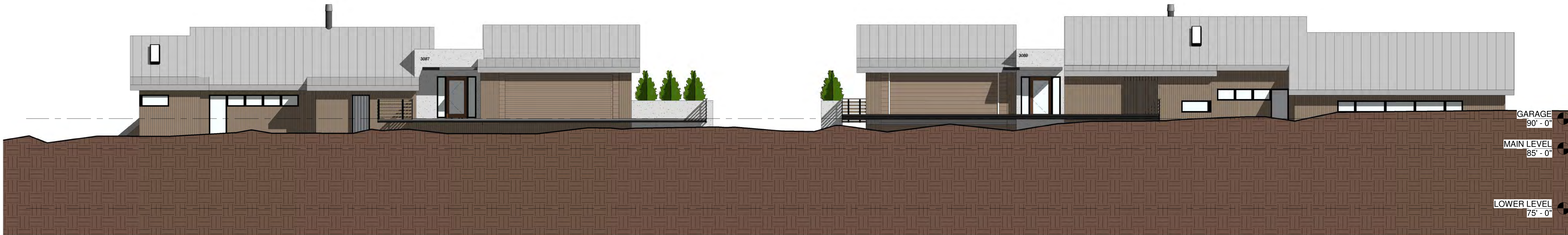
1650 Fallridge Road, Suite C-1
Vail, Colorado 81657
t.(970) 476-4901 p.(970) 476-6342

PARKING
CIRCULATION

A1.00b



① WEST ELEVATION
1/8" = 1'-0"



② EAST ELEVATION
1/8" = 1'-0"



③ SOUTH ELEVATION
1/8" = 1'-0"



④ NORTH ELEVATION
1/8" = 1'-0"

06.01.2016

WILDRIDGE RESIDENCES

3087 WILDRIDGE RD
AVON, CO 81620

Project Number - 1428

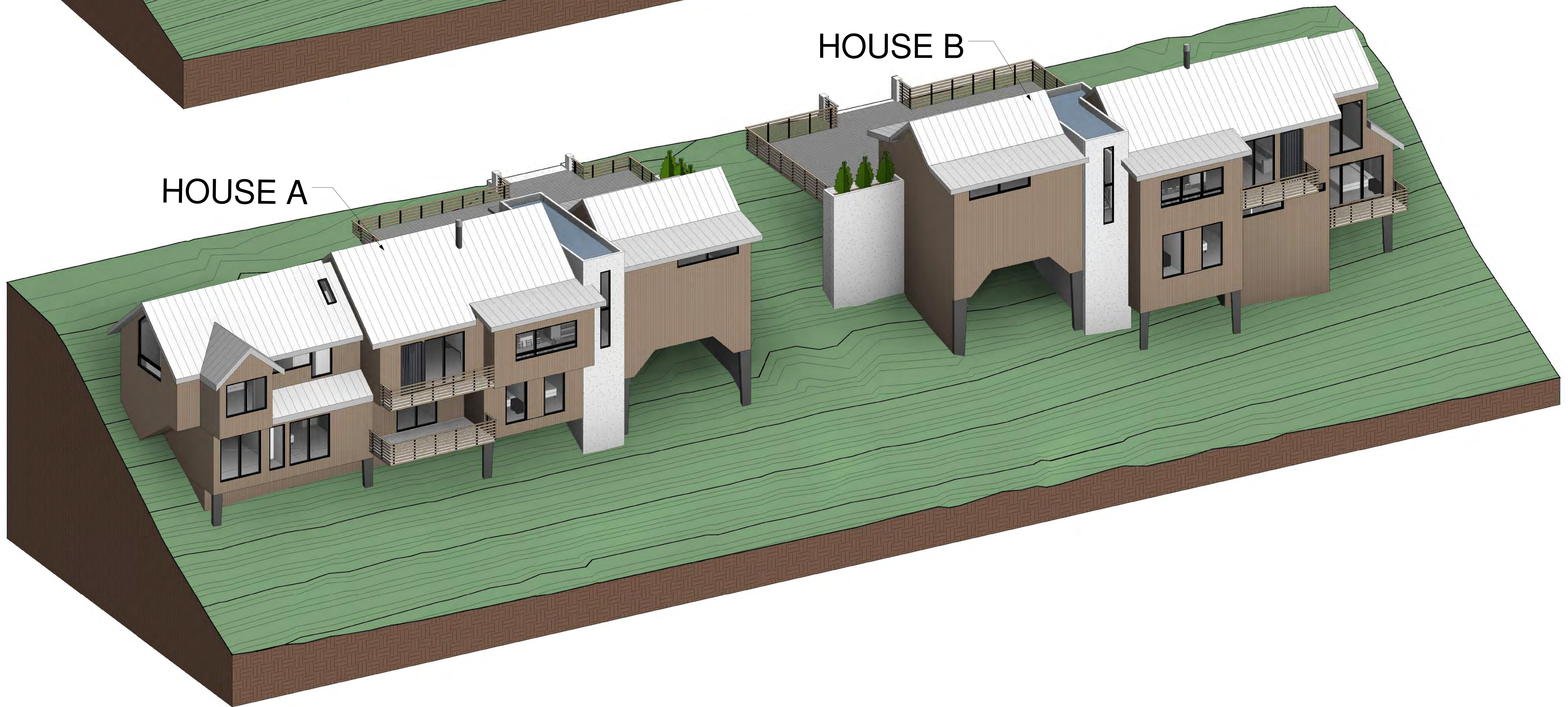
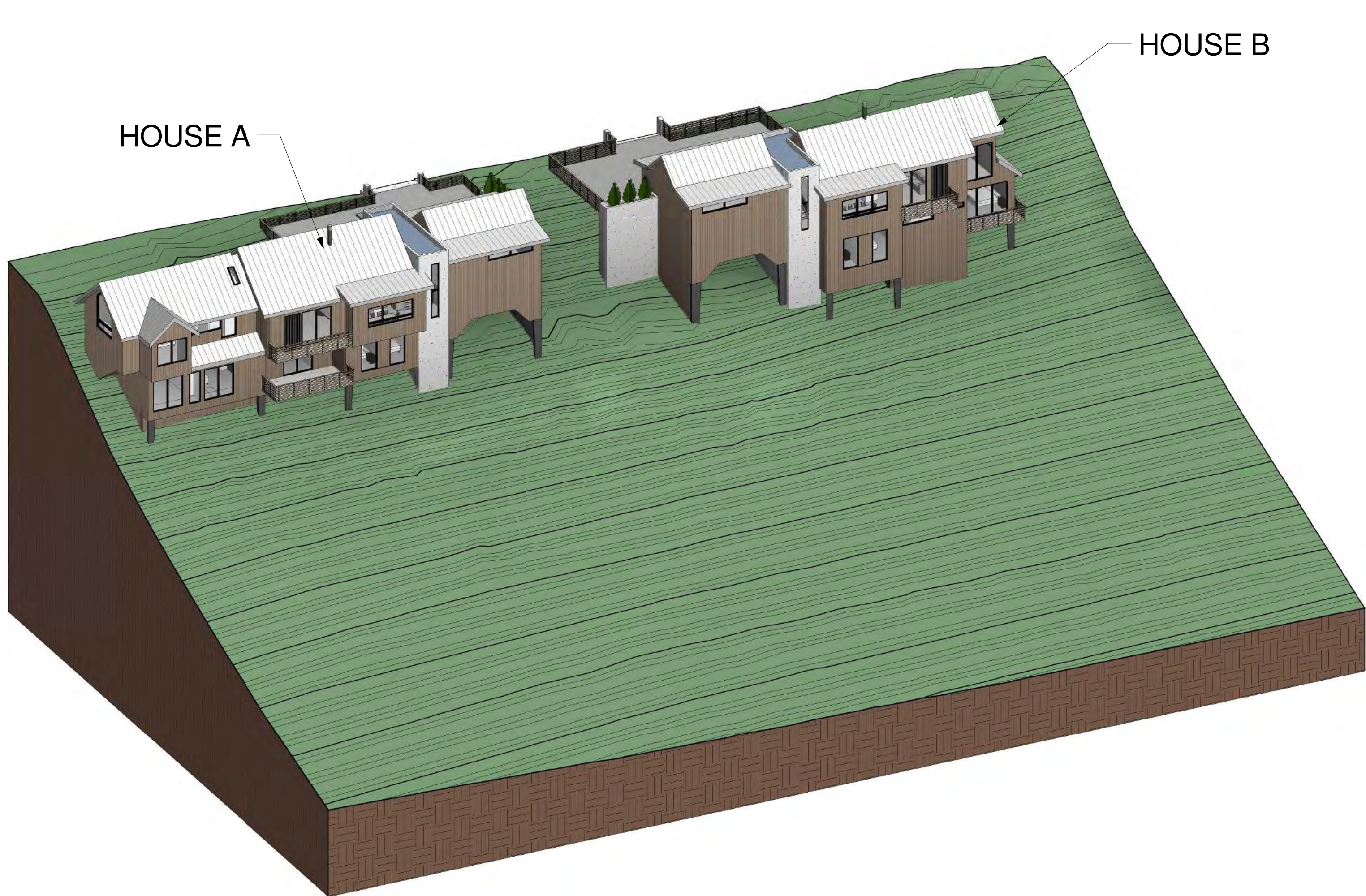


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Vail, Colorado 81657
t.(970) 476-4901 p.(970) 476-6342

ELEVATIONS

A1.01a



06.01.2016

WILDRIDGE RESIDENCES

3087 WILDRIDGE RD
AVON, CO 81620

Project Number - 1428



PIERCE
ARCHITECTS

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Vail, Colorado 81657
t.(970) 476-4901 p.(970) 476-6342

3D MODEL

A1.02a



② STREET VIEW 1A



① STREET VIEW 2A

06.01.2016

WILDRIDGE RESIDENCES

3087 WILDRIDGE RD
AVON, CO 81620

Project Number - 1428



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Vail, Colorado 81657
t.(970) 476-4901 p.(970) 476-6342

3D VIEWS

A1.03a

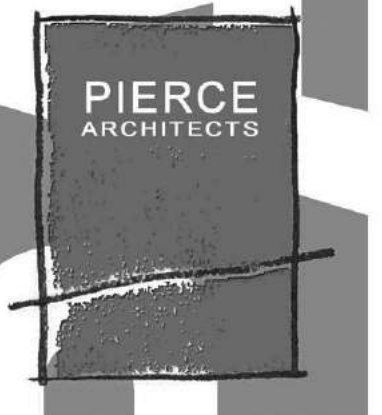


06.01.2016

WILDRIDGE RESIDENCES

3087 WILDRIDGE RD
AVON, CO 81620

Project Number - 1428

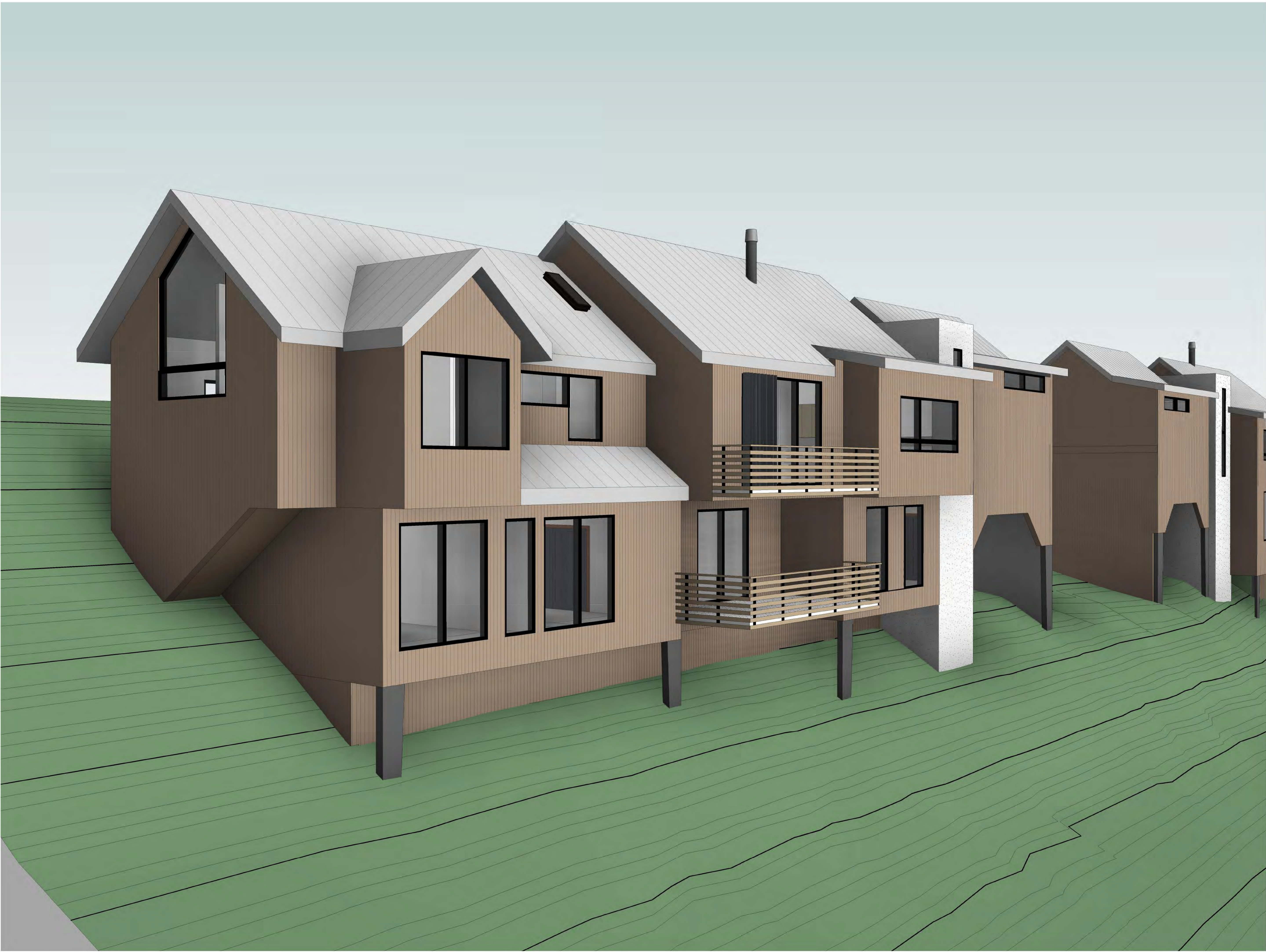


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1650 Fallridge Road, Suite C-1
Vail, Colorado 81657
t.(970) 476-4901 p.(970) 476-6342

3D VIEWS

A1.04a



06.01.2016

WILDRIDGE RESIDENCES

3087 WILDRIDGE RD
AVON, CO 81620

Project Number - 1428



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1650 Fallridge Road, Suite C-1
Vail, Colorado 81657
t.(970) 476-4901 p.(970) 476-6342

3D VIEWS

A1.05a

TO: Honorable Mayor Fancher and Town Council members
FROM: Eric J. Heil, Town Attorney
RE: Lot 39 and Tract O Land Exchange Request
DATE: June 23, 2016

Summary: The Reynolds Corporation desires to construct duplexes on Lot 39 and is proposing to swap a portion of Lot 39 with the lower portion of Tract O to facilitate the design of the access driveway. A water storage tank is currently located on the upper portion of Tract O. The driveway access would also serve as future access for the development of a duplex on Lot 38. Attached is a narrative from RAL Architects. The Avon Planning Commission took action to recommend approval of the land swap as proposed by the owner of Lot 39. The Upper Eagle River Water Authority provided a letter and diagram requesting certain restrictions and acknowledgements about a future water storage tank as well as a request for additional area of Lot 39 to be added to Tract O to facilitate a future replacement water storage tank. The Authority has no immediate plans to construct a replacement water storage tank, but values the designation of suitable areas for future construction of a replacement water storage tank.

Proposed Motion: "I move to approve to the conceptual land exchange between Lot 39 and Tract O as proposed by RAL Architects, with the incorporation of the requests by the Upper Eagle River Water Authority, and direct Town staff to work with the owner and representative of Lot 39 to prepare and review such deeds, easements and agreements as deemed appropriated for Council approval."

Land Exchange: The owner has proposed to convey a portion of Lot 39 in exchange for a driveway and utility access easement. It may be possible for the Town Council to convey the requested portion of Tract O by fee simple deed without an election under Section 18.3 of the Avon Home Rule Charter because that portion of Tract O is not "... real property in use for public purposes ...". There are several pros and cons for the Town to providing a driveway and utility access versus a fee simple conveyance because the Town needs to retain a drainage easement across this portion of Tract O. These considerations will be analyzed further by Town staff before bringing an ordinance to approve the land exchange between Lot 39 and Tract O.

It is not common for the Town to provide Town land for access to facilitate development; however, the proposed land exchange would result in a public benefit by providing a suitable future site for the replacement of the existing water storage tank.

ATTACHMENTS: Narrative from RAL Architects, Inc., July 7, 2016
Letter from Eric Jorgenson, attorney for Eagle River Fire Protection District, dated June 21, 2016
Site Plan from UERWA depicting desired portion of Lot 39.

Thank you, Eric

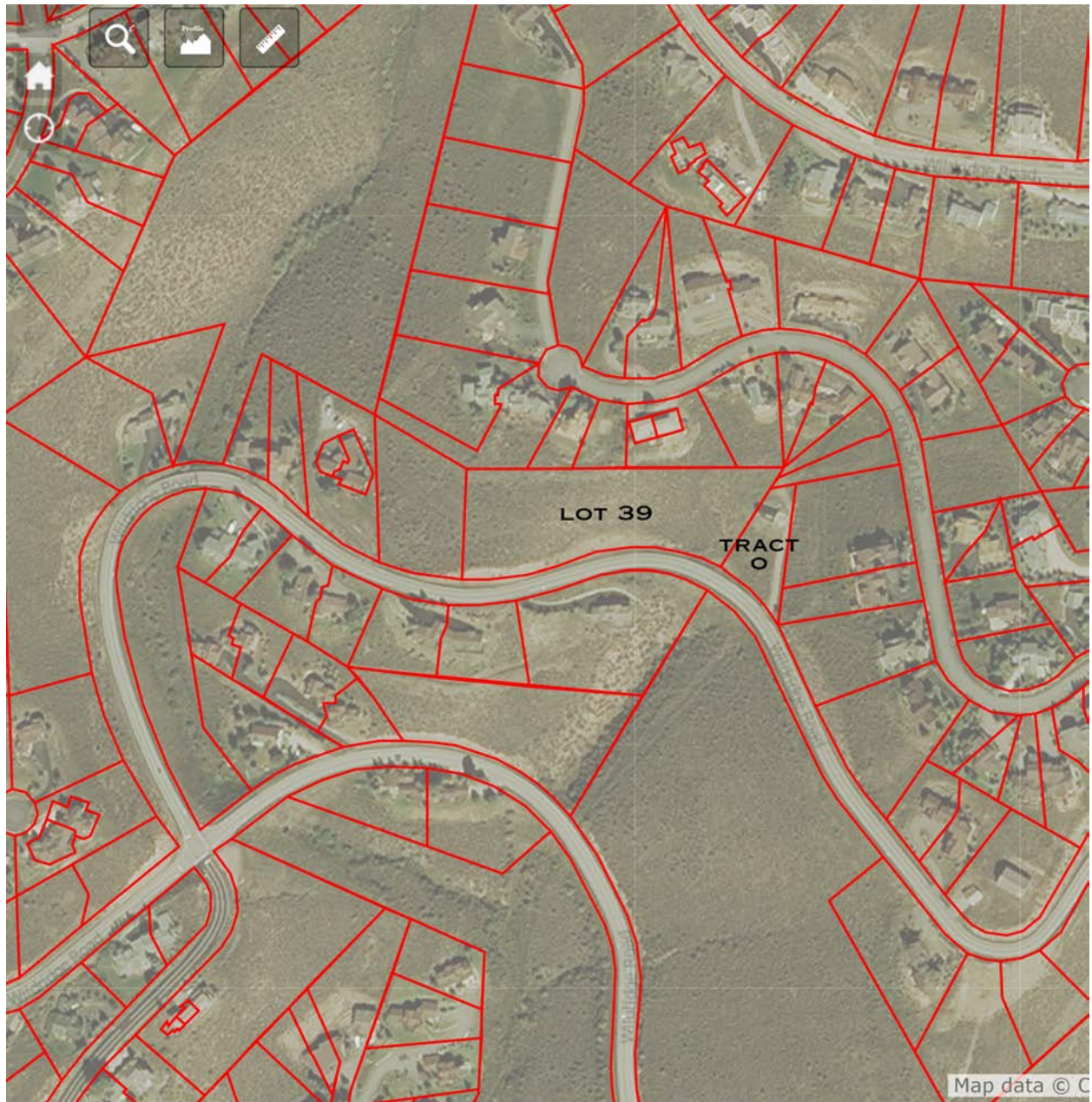
5032-5040 Wildridge LLC

**Proposed Land Swap/Access Easement
Lot 39 and Tract O
Block 4
Wildridge Subdivision
Town of Avon, Colorado**

June 7, 2016



Vicinity Map



Introduction

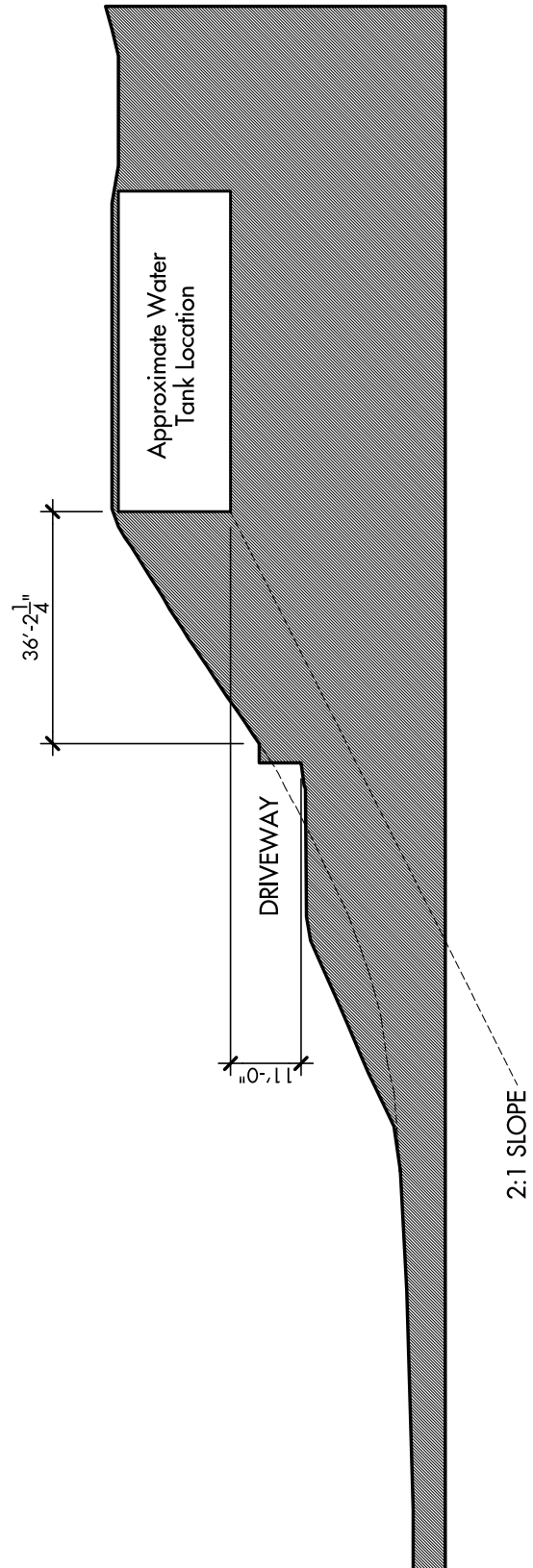
Lot 39 sits on the north side of Wildridge Road East soon after the four way intersection that signifies the split of Wildridge Road East and West. Lot 39 is approximately 2.463 acres and abuts Town of Avon property Tract O, including an encroachment from the building and water tank located upon it. The properties are very steep with extremely limiting grades and building siting areas. There are small pockets of manageable grades and slopes mostly situated on the upper and western portion of the lots. The areas of the lots that abut Wildridge Road East are extremely steep and limiting for site access, with there in reality being only one reasonable area for site access on the far Eastern edge of Lot 39 and on to Tract O.

Our proposal entails conveying a portion of Lot 39 to the Town of Avon to be incorporated onto Tract O so that the ERWSD water tank and associated pump house building will be contained entirely on Tract O and no longer encroach on the adjacent property. In exchange for the this land conveyance, we are requesting that an access and utility easement be granted across the bottom of Tract O for use in constructing a driveway to access Lot 39 and in the future Lot 38 through the Tract O property.

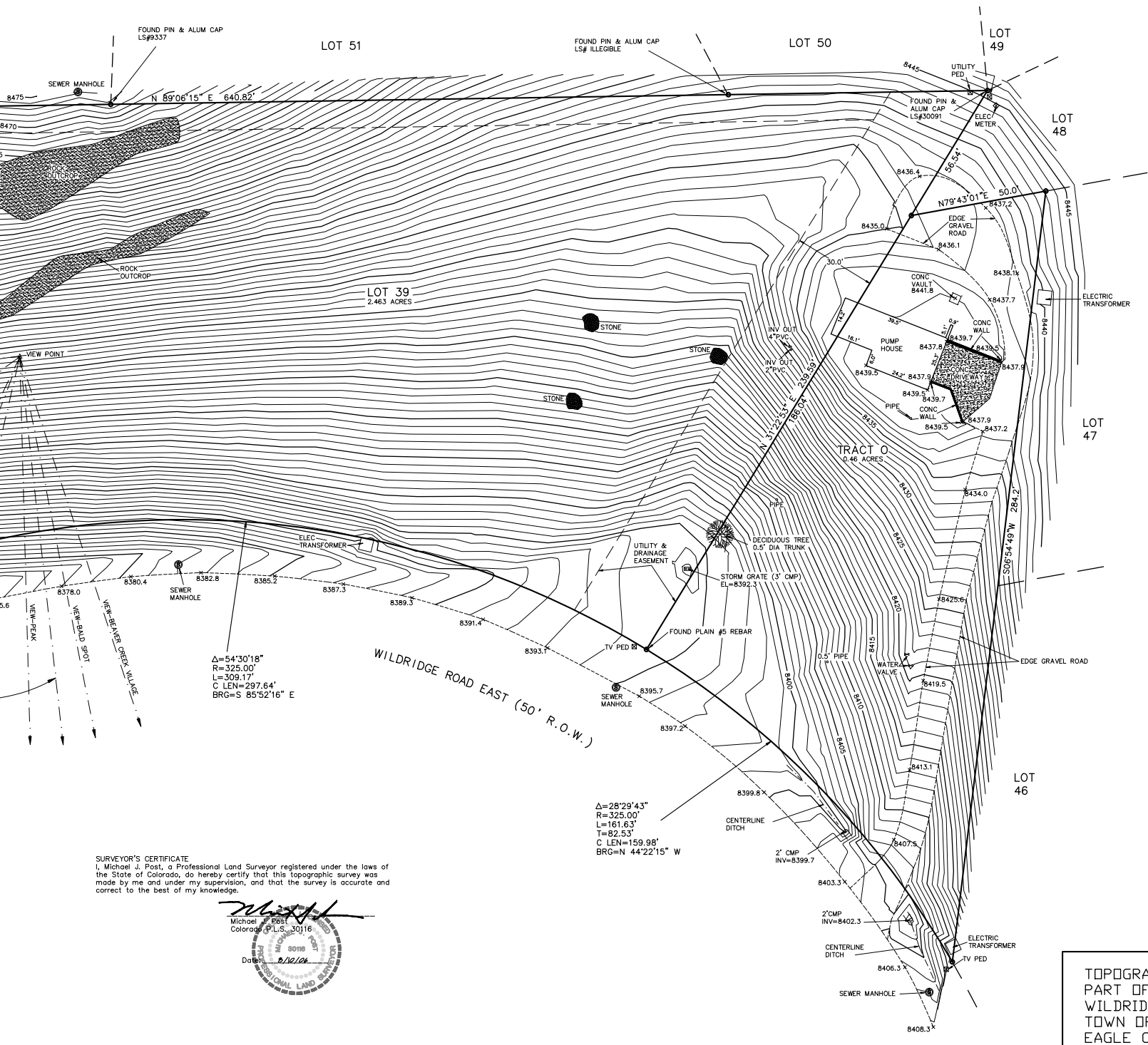
It is our opinion that this exchange offers a benefit to all parties involved. For the Town of Avon, the newly acquired land would ensure control of the area surrounding the water tank and pump house to eliminate the risk that adjacent construction on Lot 39 could potentially cause structural instability by disturbing and undermining the hillside that supports the water tank and pump house. The pump house, water tank, and immediate surrounding area would be completely located on Tract O ensuring control over those structures. The additional land would also allow for more flexibility for future water service improvements and adjustments. For 5032-5040 Wildridge LLC, the benefit revolves around the construction of the driveway. Lot 39 is extremely steep and any driveway access onto the property will be difficult. The easement through Tract O would allow the driveway to start at a higher elevation along Wildridge Road as the road rises as it continues to the east in front of Tract O. The driveway would also now be longer which would help to achieve a greater elevation once on to the property allowing for better building siting, decreased retaining wall height, and decreased property disturbance. Accessing the site at a higher point from the proposed driveway through Tract O also benefits the future access to Lot 38. Designing the driveway to accommodate this access greatly decreases the disturbance that would occur if Lot 38 was access directly from Wildridge Road. By the time the driveway through Tract O and Lot 39 gets to Lot 38, there is no longer a need for retaining walls and that lot can be accessed simply with some grading adjustments to the existing site. The overall site concept is demonstrated in the site concept plan along with some site sections attached to the end of this narrative. While these factors are a benefit to the development of Lots 38 and 39, they are also benefits for the Town of Avon as the final constructed solution on the property would be less overwhelming, with less disturbance, and a greater degree of harmony with the surrounding neighborhood. The majority of the driveway and retaining areas will be located behind the residences and screened from adjacent properties by the structures below and the hillside above.

We have met with ERWSD to review this proposed swap, and at their May 26, 2016 Board of Directors meeting, they unanimously approved supporting this land swap proposal. During the process of working with them, we reviewed the driveway at its closest point to the water tank and had that section analyzed by a structural engineer to determine the viability of the retaining

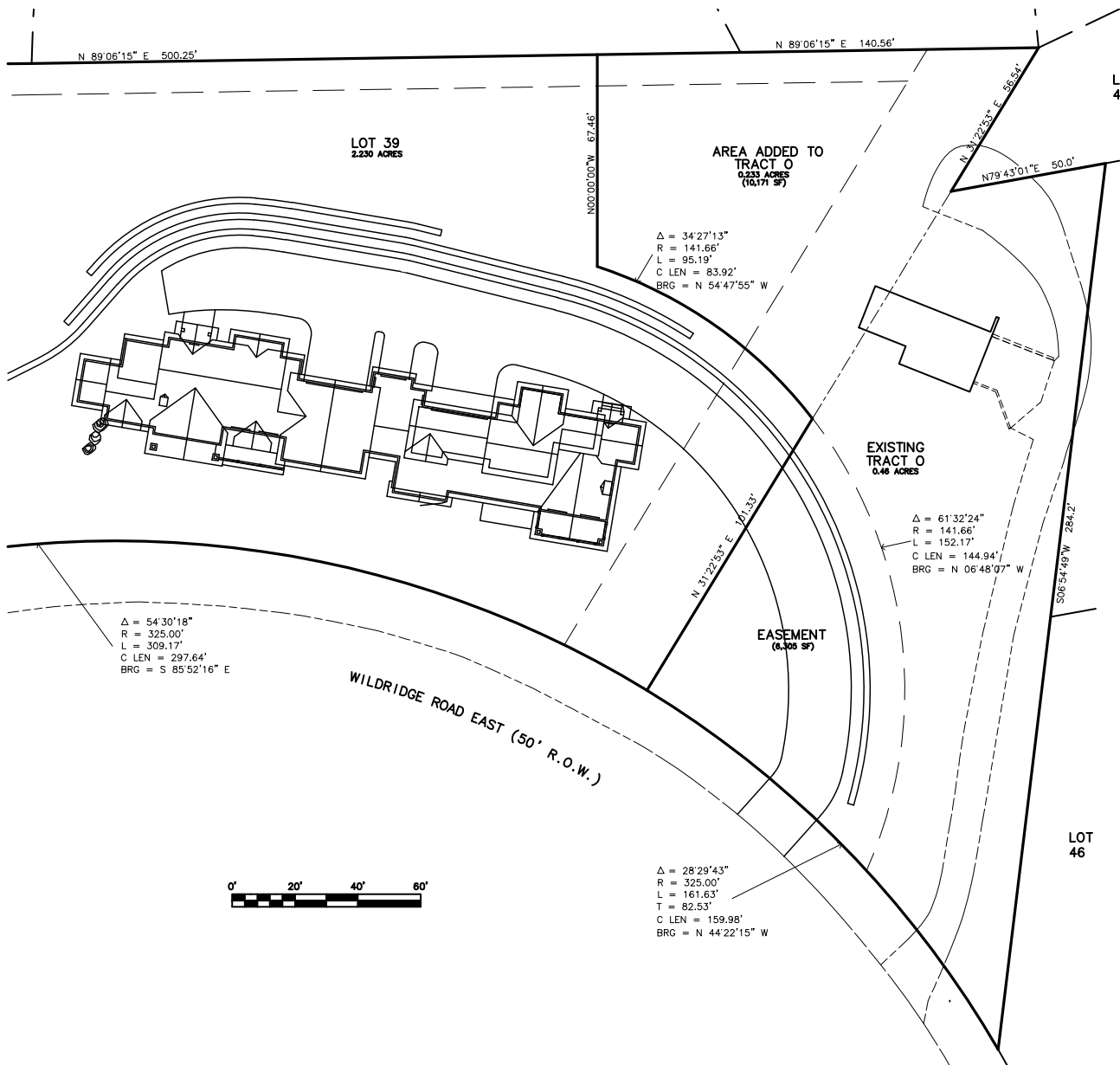
wall construction along the driveway and any risk that would pose to the water tanks stability. The engineers letter is also attached to this narrative. The site section reviewed is as follows:



The current configuration of Lot 39 and Tract O are as depicted in the following survey:



The proposed land conveyance and subsequent easement to be granted are described in the following attached image:



Lot Areas and Dimensions

Existing

Lot 39	2.463 acres
Tract O	0.46 acres

Proposed

Lot 39	2.230 acres
Tract O	0.693 acres

Land conveyed to Tract O - .233 acres (10,171sf)

New easement on Tract O - 6,305sf

Proposed Design

The proposed design for the driveway and subsequent first duplex on Lot 39 is attached to this narrative. This design was reviewed and approved by the Avon Planning and Zoning Commission at their April 19, 2016 meeting, contingent upon the land swap/easement being approved by the Avon Town Council. The design depicted in this submittal is greatly improved by the driveway access through Tract O. Last year, the Avon Planning and Zoning Commission approved a duplex design for Lot 39 that did not propose accessing the property through Tract O. The improvement to the building design through this new proposed access was noted at the April 2016 meeting through the following comments and observations:

1. The bulk of the retaining walls are located behind the house blocking them from view off of the site.
2. The vertical scale of the house is greatly improved from the previous design by the new driveway configuration accessing the site at a higher point than before. The maximum height of the design is greatly reduced and is well below the maximum allowable height of 35'
3. The amount of cut and disturbance on the lot is greatly reduced by the new driveway configuration accessing the site at a higher point than before.
4. The new driveway configuration provides a more desirable house configuration with a main level entry on the garage level.
5. The garage doors and parking areas are behind the house and screened from view off site.
6. The higher driveway will facilitate better access to the rest of the lot with less disturbance and retaining for the second duplex permitted to be constructed on Lot 39 by current zoning as well as the possibility of accessing the adjacent Lot 38 from the same driveway with much less disturbance than would be required by accessing the Lot directly from Wildridge Road and with no additional retaining walls required.

KRM CONSULTANTS, INC.
structural engineering and design

May 10, 2016

Bobby Ladd
RAL Architects, Inc.
P.O. Box 1805
Edwards, CO 81632

Re: Lot 39 Retaining Wall

As requested, I have reviewed the proposed site wall, which will be necessary for driveway access to the area to be developed at 5040 Wildridge Road East, which is adjacent to the water tank on Tract O.

I have reviewed a section through this location, and it appears that the nearest edge of the tank is approximately a 17° slope to the base of the proposed retaining wall (at the nearest point). This is based on the section, which shows the bottom of the water tank at an approximate elevation of 8,420 feet. The base of the wall is shown as approximately 36 feet away from the tank and an 11' drop.

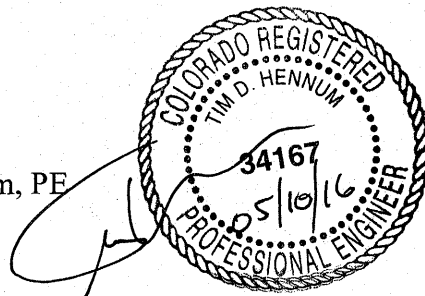
The soils report (provided by HP Geotech) for this lot indicates a maximum slope of 26 degrees (2:1) for stability. Therefore, it does not appear that the new cut for the drive will affect the slope stability at the adjacent water tank.

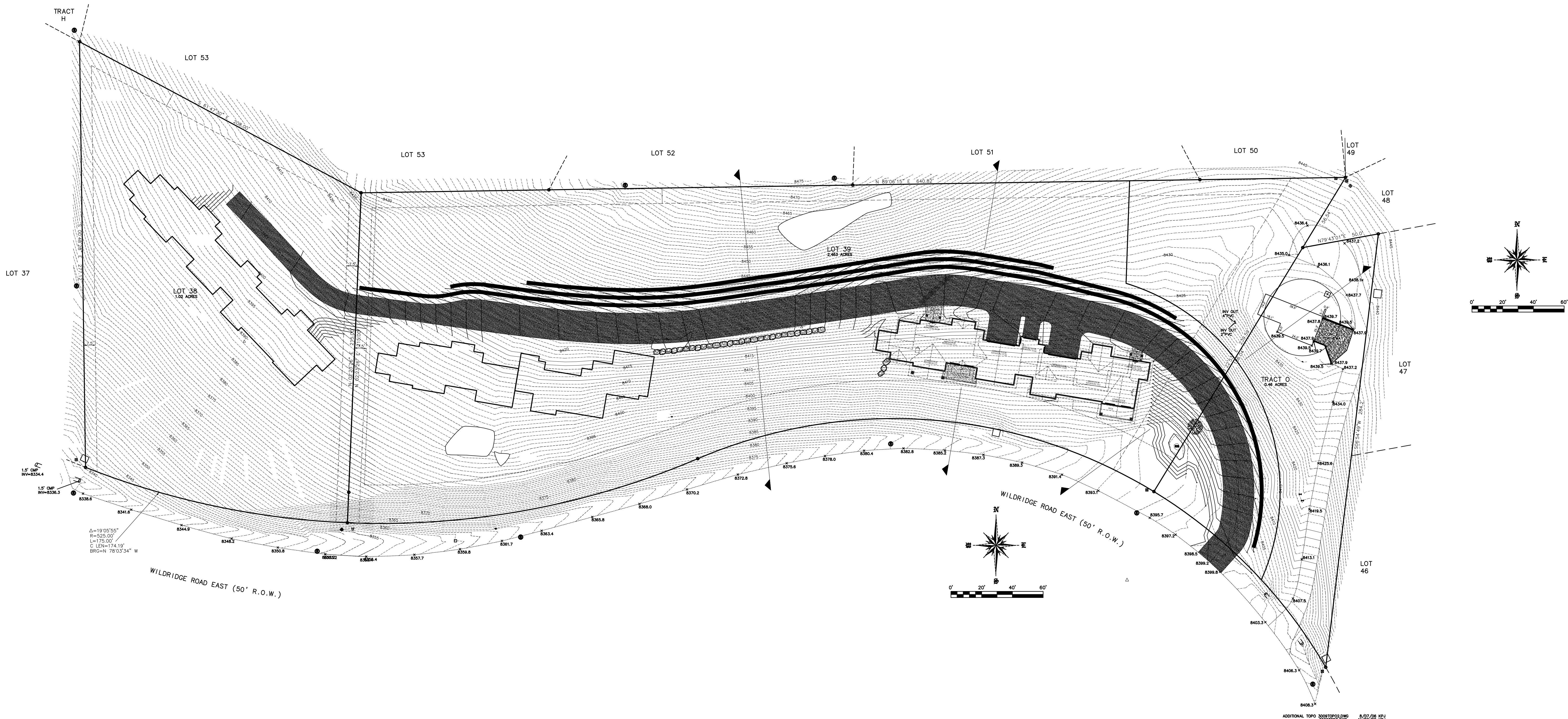
Please do not hesitate to contact us if you have any questions about this report, or if we can be of further service.

Sincerely,

KRM Consultants, Inc.
Structural Engineering and Design

Tim D. Hennum, PE





ARCHITECT

RAI Architects, inc.
Architecture • Planning • Interior Design
P.O. Box 1805
Edwards, Colorado 81632
Phone - 970.374.4227
email - lobby@raich.com

STRUCTURAL

LANDSCAPE

NOTES

ISSUES

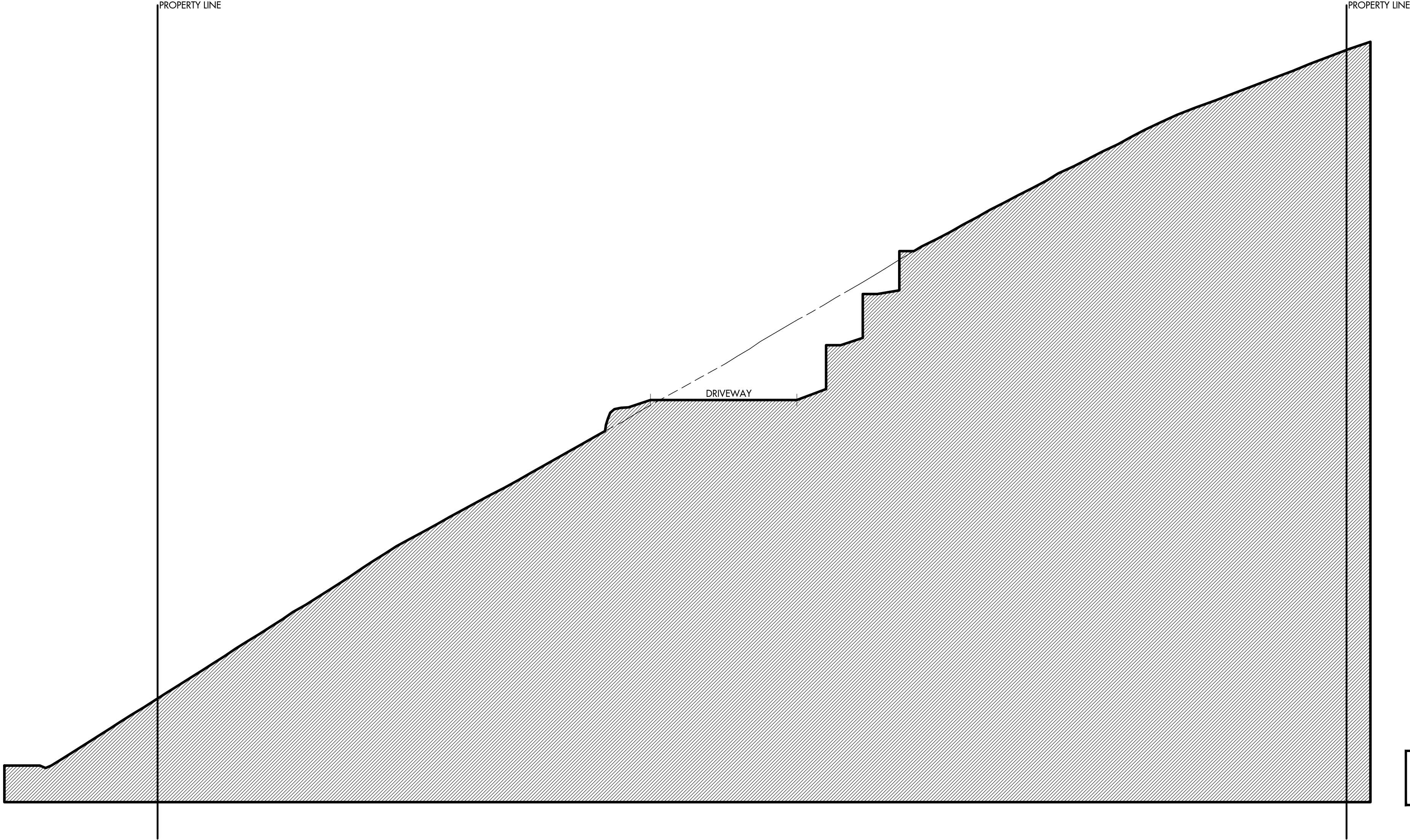
NO.	DESCRIPTION	DATE
A	Council Review	06.06.16

5032 Wildridge Road
5040 Wildridge Road

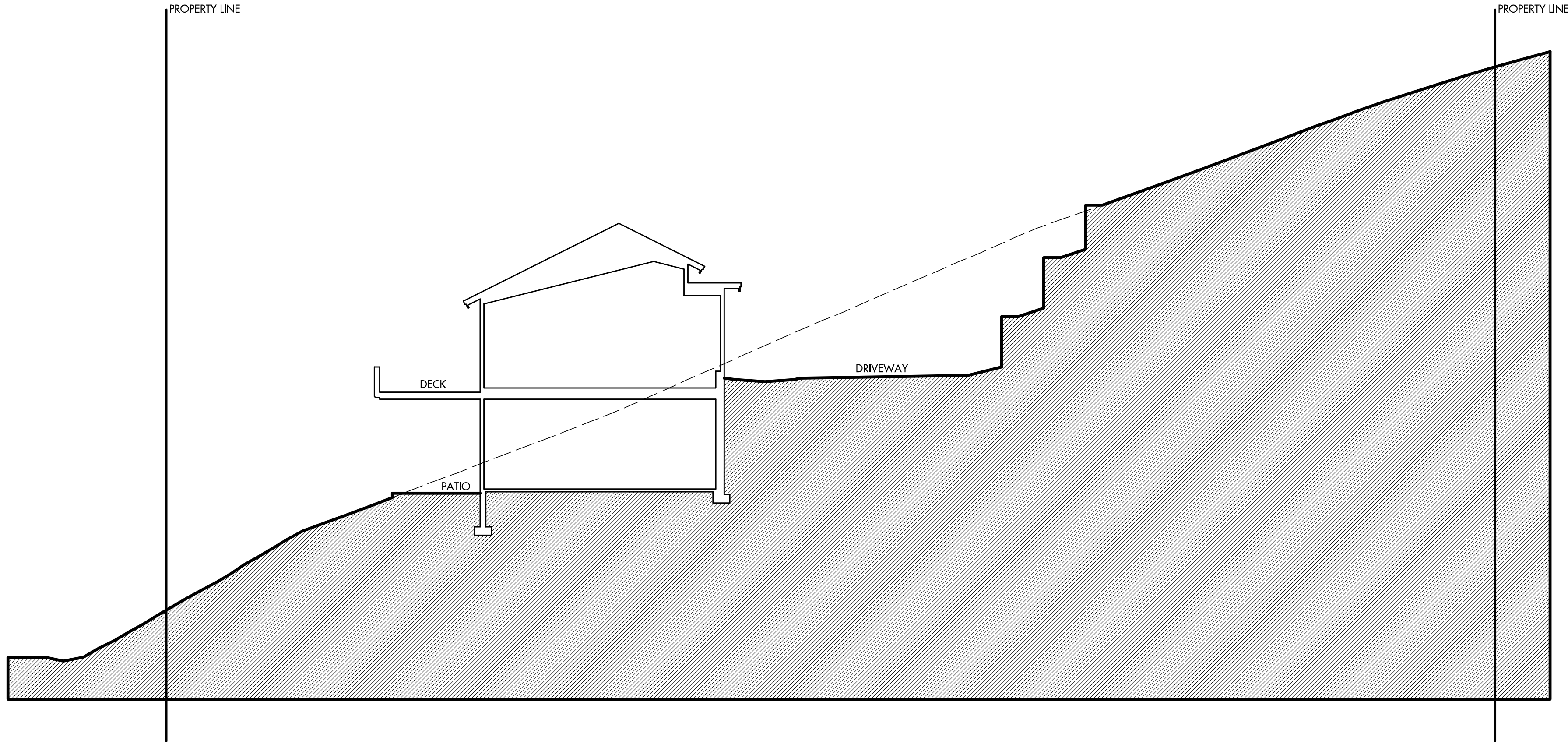
Lots 38 & 39
Block 4
Wildridge PUD
Avon, CO 81620

Overall
Site
Plan

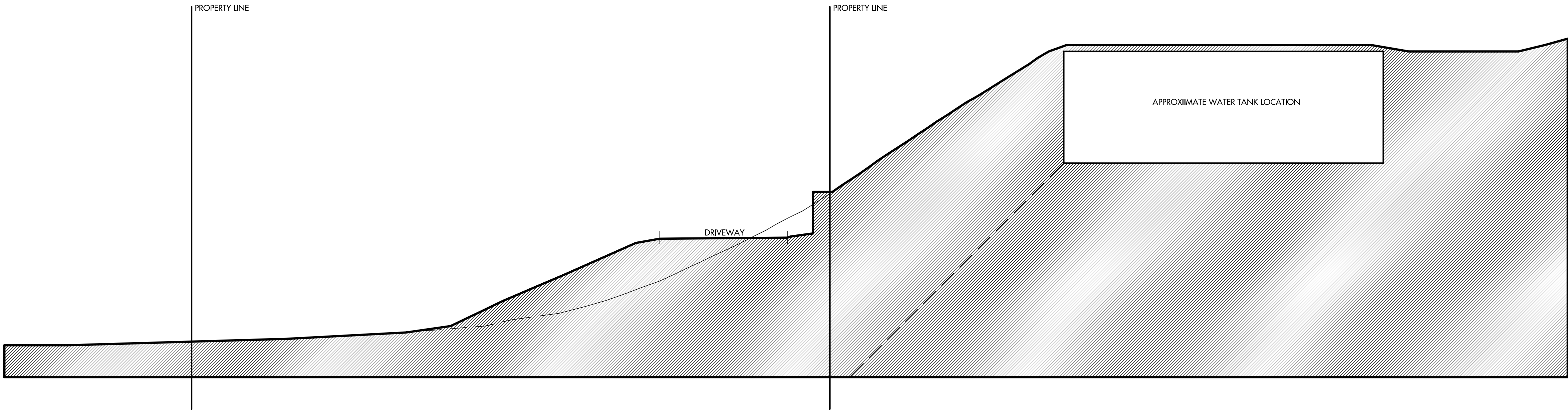
PROJECT NO:	15-221A	A 0.1
DATE:	June 6, 2016	
DRAWN BY:	TD	
SCALE:	1" = 30'	
SHEET OF:	4	



3 Site Cross Section at Driveway
SCALE: 1" = 10'



2 Site Cross Section at Residence
SCALE: 1" = 10'



1 Site Cross Section at Driveway
SCALE: 1" = 10'

ARCHITECT

R**A****I****Architects, inc.**
Architecture • Planning • Interior Design
P.O. Box 1805
Edward, Colorado 81632
Phone - 970.374.4227
email - lobby@redarch.com

STRUCTURAL

LANDSCAPE

NOTES

I S S U E S		
NO.	DESCRIPTION	DATE
A	Council Review	06.06.16

5032 Wildridge Road
5040 Wildridge Road

Lots 38 & 39
Block 4
Wildridge PUD
Avon, CO 81620

Site
Cross
Sections

PROJECT NO:	15-221A	A 0.2
DATE:	June 6, 2016	
DRAWN BY:	JDL	
SCALE:	1" = 10'	
SHEET 01 OF 1		

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PAUL R. COCKREL
JAMES P. COLLINS
ROBERT G. COLE
TIMOTHY J. FLYNN
EVAN D. ELA
LINDA M. GLESNE
DAVID A. GREHER

ATTORNEYS AT LAW
390 UNION BOULEVARD, SUITE 400
DENVER, COLORADO 80228-1556

TELEPHONE: 303-986-1551
TOLL FREE: 800-354-5941
FACSIMILE: 303-986-1755

www.cccfirm.com

ASSOCIATES
KATHRYN G. WINN
CHRISTOPHER M. PRICE
JOSEPH W. NORRIS

OF COUNSEL
ERIC C. JORGENSEN
JOAN M. FRITSCH

DIRECT E-MAIL
ejorgenson@cccfirm.com
DIRECT DIAL
303-218-7203

June 21, 2016

VIA E-MAIL

Eric J. Heil, Town Attorney
Heil Law & Planning LLC
1022 Summit Drive
Dillon, CO 80435

Re: Land Swap, Town of Avon / Reynolds Corporation

Dear Eric:

After being briefed on the proposal by the Owner (Reynolds Corporation) of Lot 39 in the Wildridge Subdivision to acquire a portion of Tract O on which the Upper Eagle Regional Water Authority has constructed and operates Wildridge Tank 2 in exchange for a portion of Lot 39 in the Northeast Corner of Lot 39 as shown in blue on the copy of the Architectural Site Plan that is enclosed, the Authority Board of Directors has requested that the following restrictive covenant be included by the Town in any deed adding this property to Tract O:

NOTICE is hereby given that Wildridge Tank 2 now located on a portion of Tract O may be replaced in the future and the replacement facility may be constructed either above ground or below ground on the property hereby conveyed to become a part of Tract O. The rights to design, construct, operate, maintain, repair or replace any such water storage tank anywhere on Tract O are hereby reserved and granted to the Upper Eagle Regional Water Authority, its successors and assigns. The rights so reserved and granted shall be perpetual and run with this land. This covenant has been included in the Deed to the property for recording as notice of these rights and the encumbrance hereby created.

COLLINS COCKREL & COLE

Eric J. Heil, Town Attorney
June 21, 2016
Page 2

Please send us a copy of the deed of conveyance as drafted for approval in advance of this conveyance. It would also be appreciated if a copy of the recorded deed could be provided to us for our file once this transaction is closed. I leave it to your judgment to determine whether a similar provision should be included in the deed adding a portion of Tract O to Lot 39.

In addition, I am advised that two drainage easements need to be reserved on the property taken from Tract O and conveyed to Reynolds by the Town and on Lot 39, if such a conveyance is approved by the Town Council.

1. A drainage easement must be reserved from the tank drain/overflow discharge point on Tract O to an existing storm drain inlet north of Wildridge Road so that this drainage is not cut off or impaired by the proposed driveway and retaining walls. The driveway design needs to be approved by the Authority before construction of the driveway and retaining walls to assure that Wildridge Tank 2 can be drained, if necessary.
2. There is an additional drain/overflow from the tank foundation drain or the booster pump station that is similarly cut off by the driveway design and retaining wall which requires a drainage easement on Lot 39 for piping to the existing inlet.

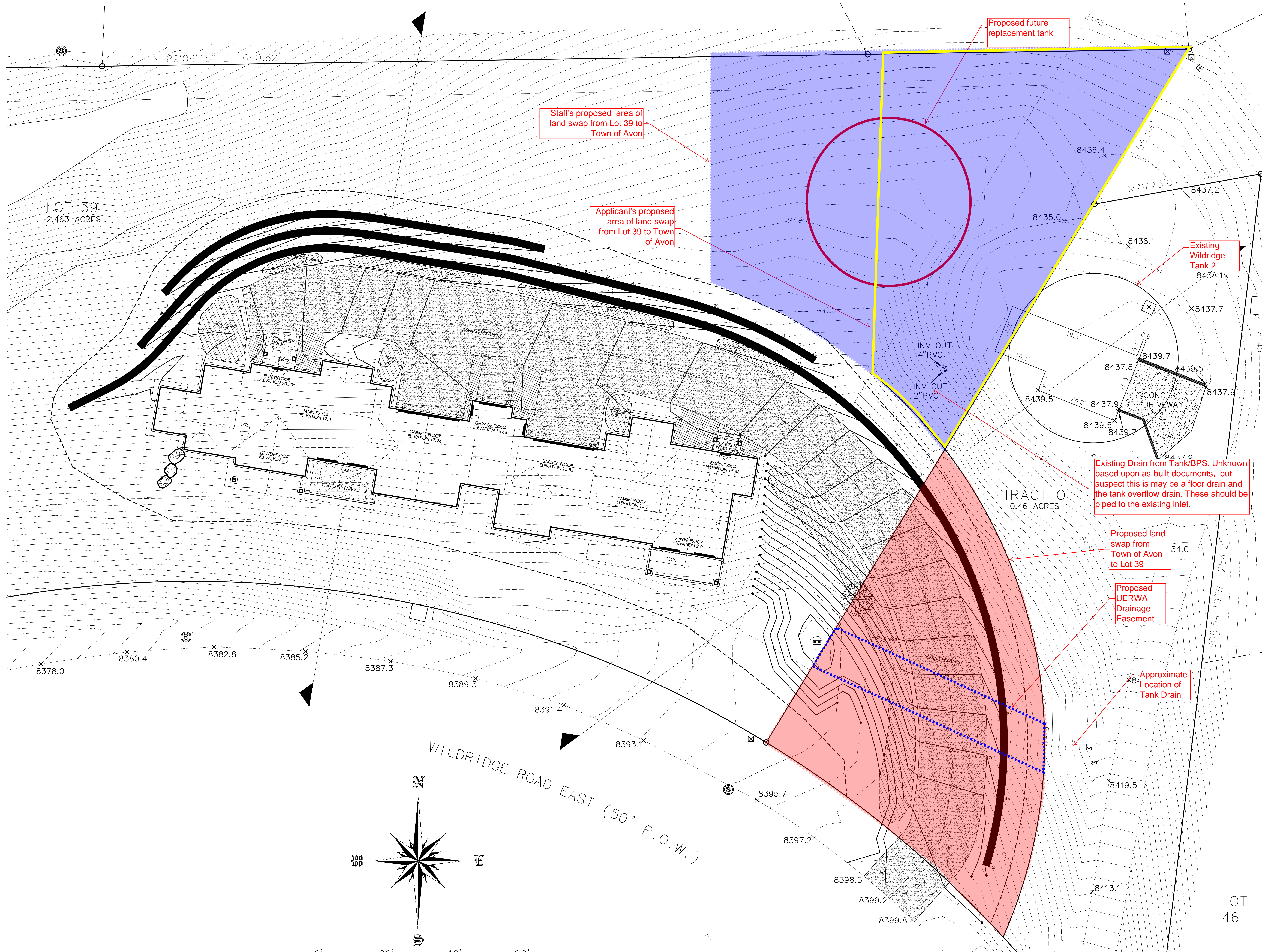
Jason has illustrated the prospective location of these drainage easements on the attached Architectural Site Plan. Obviously, these drainage easements need to be surveyed, legal descriptions and easements exhibits need to be prepared and approved as part of this transaction. The Authority's position is that Reynolds should be required to bear all of the expense of securing these drainage easements as part of this land swap. The Authority reserves the right to approve the final plan and these drainage easements.

Please call if you have any questions or concerns.

Sincerely,


Eric C. Jorgenson

cc: Jason Cowles, P.E.
James P. Collins, Esq., General Counsel



ARCHITECT

RAI Architects, Inc.
Architecture • Planning • Interior Design
P.O. Box 1805
Edward, Colorado 81632
Phone - 970.374.4227
email - lobby@raich.com

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LANDSCAPE

NOTES

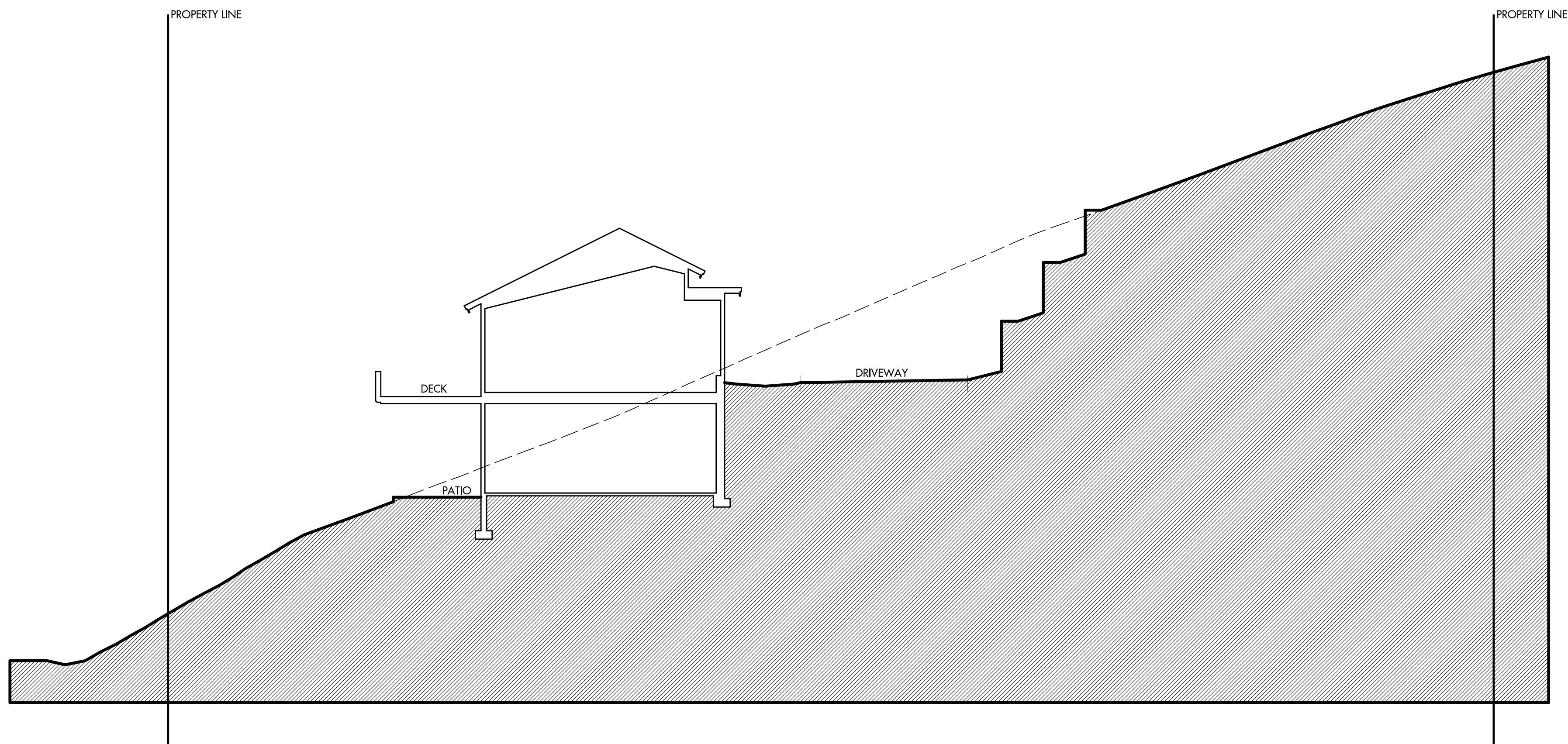
ISSUES

NO.	DESCRIPTION	DATE
A	PNZ Submittal	04.01.16

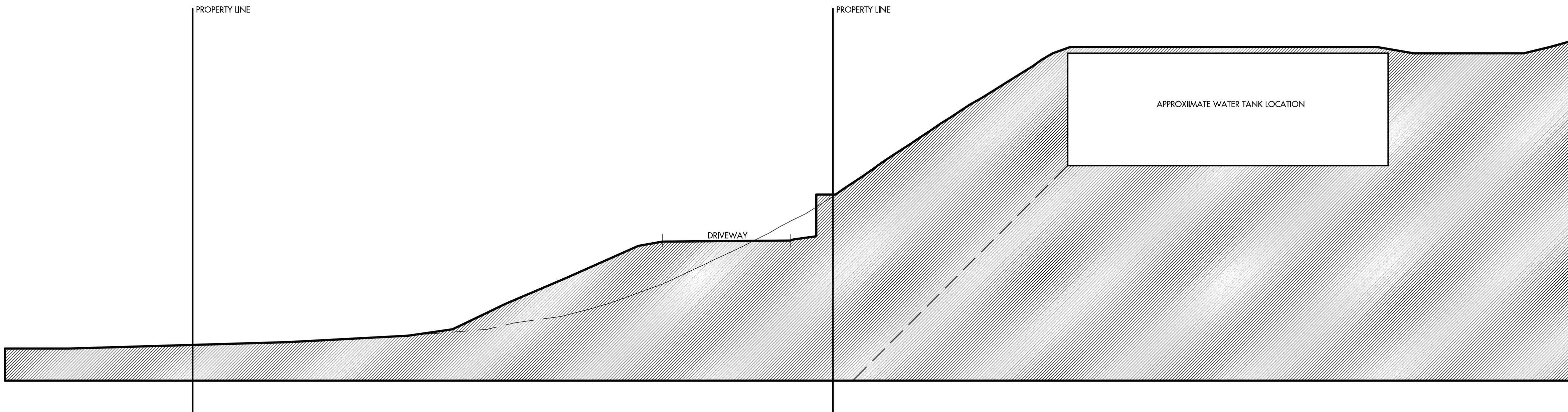
5040 Wildridge Road
Duplex A
Lot 39
Block 4
Wildridge PUD
Avon, CO 81620

Architectural
Site
Plan

PROJECT NO.	15-221A	A 0.2
DATE	April 1, 2016	
DRAWN BY	TD	
SCALE	1" = 10'	



1 Site Cross Section at House
SCALE: 1" = 10'



2 Site Cross Section at Driveway
SCALE: 1" = 10'

ARCHITECT

RArchitects, inc.
Architecture • Planning • Interior Design
P.O. Box 1805
Edward, Colorado 81632
Phone - 970.374.4227
email - lobby@redarch.com

STRUCTURAL

LANDSCAPE

NOTES

ISSUES

NO.	DESCRIPTION	DATE
A	PNZ Submittal	04.01.16

5040 Wildridge Road
Duplex A

Lot 39
Block 4
Wildridge PUD
Avon, CO 81620

Site
Cross
Sections

PROJECT NO:	15-221A	A 0.4
DATE:	April 1, 2016	
DRAWN BY:	JDB	
SCALE:	1" = 10'	
SHEET OF 1		=

TO: Honorable Mayor Fancher and Town Council members
FROM: Eric J. Heil, Town Attorney
RE: Public Service Company Gas Line Charges in Wildridge
DATE: June 23, 2016

SUMMARY: Buz Reynolds raised concerns about charges by Public Service Company ("PSCO") for natural gas line installation in Wildridge. The charges were just under \$7,000 for 2 service lines connections of a combined length of approximately 200' where the property owner dug the trench. The Town of Avon entered into an agreement with PSCO, dated July 10, 1990, to extend a natural gas main to Wildridge to provide service ("**1990 PSCo Agreement**"). Avon formed a special improvement district to pay for the gas line and cable line extensions and assessed all property owners in Wildridge for the cost of such utility line extensions. Paragraph 5.2 of the 1990 PSCo Agreement states, "*5.2 PSCo shall not collect any amounts from its customers due to connections to the distribution facilities being constructed pursuant to this Agreement.*"

I sent a letter last fall to request information to determine if the gas line connection charges by PSCO are limited to the actual cost of a service line connection or whether a portion of the charges exceed the costs of the service line connection and constitute charges for connection to the distribution facility constructed under the 1990 PSCo Agreement. Although I have had several conversations with Julie Stencel, legal counsel for PSCO, since sending the letter, PSCO has not provide any information to demonstrate that the service line charges are limited to the actual cost of the service line installation. It is not possible to determine if PSCO is in breach of the 1990 PSCo Agreement without the requested information of the actual cost of service line connections.

If the Council desires to pursue this further then the next recommended step is to file an "informal complaint" with the Public Utilities Commission ("**PUC**"). The PUC expects that it would respond to an informal complaint within 2-3 weeks. If this step did not result in obtaining information from PSCO to verify the service line connection charges then the Town could pursue a formal complaint with the PUC. I do recommend working through the PUC first to obtain information related to billing and costs for gas line connections in Wildridge before considering any action under the 1990 PSCo Agreement.

REQUESTED ACTION: Authorize filing an informal complaint with the PUC to obtain information related to the cost of service gas line connections in Wildridge.

ATTACHMENTS: Letter to PSCO, dated October 5, 2015

Thank you, Eric



October 5, 2015

Public Service Company of Colorado
Sent VIA E-Mail: inquire@xcelenergy.com

RE: Gas Line Connection Charges in Wildridge Subdivision, Avon, Colorado

To whom it may concern:

I represent the Town of Avon, Colorado as its Town Attorney. It has come to the attention of the Town of Avon that property owners in the Wildridge Subdivision located in Avon, Colorado have been charged connection fees for connecting to the Wildridge gas distribution facility. The Town of Avon entered into an **Agreement for Financing the Construction of Gas Distribution Facilities between the Town of Avon (Avon) and Public Service Company of Colorado (PSCO)**, dated July 10, 1990, whereby the Town of Avon paid slightly over \$1 Million dollars to finance the installation of natural gas line and PSCO agreed to not charge for connection to the gas distribution facilities (see paragraph 5.2). Attached is an example invoice whereby PSCO charged \$6,927 for connection the PSCO gas line.

I look forward to discussing this matter further and understanding PSCO billing practices in the Wildridge Subdivision in Avon, Colorado.

Sincerely,



Eric J. Heil, Esq., A.I.C.P.
Avon Town Attorney



TOWN COUNCIL REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council
From: Virginia C. Egger, Town Manager
Date: June 28, 2016
Agenda Topic: Action on Resolution 16-19 Adopting the Town of Avon 2017-18 Strategic Plan

Please find attached proposed Resolution 16-19 *Adopting the Town of Avon 2017-18 Strategic Plan*. The *Plan* summarizes the purpose of developing a strategic plan and Vision Statement, and then lists future priorities and strategies to meet the objectives of the Vision Statement. The document is the culmination of your direction at the June 14, 2016, Council Retreat work session.

- I have placed the strategies into prioritized “tiers” as I best understood your priorities at the Retreat, and, as such, are subject to your review.
- Since the Retreat, Councilor Sarah Smith Hymes requested that identification of one or more dog parks be included in the plan, and I have made that addition.

Priority work for the balance of 2016, as reviewed at the Retreat, follows this cover memo. Strategies, which have been completed to date in 2016, have been moved to the RECENT SUCCESSES section of the proposed 2016-17 *Strategic Plan*.

Once the *Strategic Plan* is adopted, I, with my staff, will prepare and recommend budgets to you to implement the strategies. Once the budget is approved, respective staff prepares work plans which detail the timing and approaches to complete the work.

Recommended Motion

Once Council has finalized its review and provided any modifications, the appropriate motion to be considered is:

I move to approve Resolution 16-19 *Adopting the Town of Avon 2017-18 Strategic Plan*.

Attachment

Resolution 16-19

Town Council Strategic Priorities Fiscal Year 2016

REPORT ON STATUS OF 2016 COUNCIL STATED PRIORITIES FROM THE COUNCIL RETREAT OF JUNE 14, 2016

SUPPORT A STRONG COMMUNITY, BUILDING ON STRENGTHS AS A YEAR-ROUND MOUNTAIN RESORT COMMUNITY

Tier 1 Priorities

- **Proposed Completion Date: December 31, 2016**
Update the comprehensive plan, including demographic data update and consideration of policy support for the millennial generation and seniors
- **Proposed Completion Dates: December 31, 2016**
Develop diverse options for local working housing through public - private partnerships; study successful models in other resort communities
 - Develop an IGA with The Valley Store to manage all Avon deed restricted housing properties
 - Participate in Eagle County's evaluation of forming a multi-jurisdictional housing authority
 - Continue to pursue private-public partnerships
- **Proposed Completion Dates: October 18, 2016**
Invest in multi-modal improvements prioritizing walkability and bicycle use on streets, with transit, parking and wayfinding
 - Complete E-WBC Boulevard walkability/bike-ability test
 - Finalize E-WBC Boulevard walkability/bike-ability design for bid
- **New Strategy; Proposed Planning Dates: September 15, 2016 – September 15, 2017**
Retain qualified consultant services to assist in the preparation of master land use plans for Tract G, Lot 5 and Swift Gulch, building on the Stan Clauson Associates, November, 2015, initial plan. The planning will be an inclusive process with the greatest civic engagement.

Tier 2 Priorities

- **MOVE to 2017:** Map railroad right-of-way and Town easements to evaluate transportation options
- **Move to 2017:** Work with local merchants on a bike sharing program
- **Delete from Strategies:** Evaluate the pros and cons of zoning Wildridge
- **Move to 2017 as an element of a comprehensive transit planning**
Conduct a survey in the Wildridge development to assess interest in transit ridership, including but not limited to days and hours of operation

On-going

- Maintain a strong partner relationship with our business community, developers, Vail Valley Partnership and the Vail Leadership Institute
- Throughout the year, Liaison Appointees and Town Manager will meet with respective principals for developments in the Town of Avon to discuss current issues, development needs and opportunities

PRESERVE & ENHANCE THE NATURAL ENVIRONMENT

Tier 1 Priorities

- **Move to 2017:** Amend the Town's landscape code to more effectively replace vegetation which has been removed

Tier 2 Priorities

- **Proposed Completion Date: December 31, 2016**
Process Annexation and Zoning applications, including surveying and public notification requirements, for the 85.99 acre "Village Parcel" deeded to Town through the Eagle Valley Land Exchange of 2013
- **On-going**
Evaluate climate action plan/adaptation needs for public and private properties
 - Once Eagle County completes its *Climate Action Plan*, place on the Town Council agenda for direction.
- **Move Specific Actions to 2017:** Evaluate waste reduction options
- **Proposed Completion Date: July 12, 2016**
Resolve Avon Drinking Water Facility fenced area for ownership and/or lease to the Water Authority; and, in the interim, remediate liability concerns
- **Move to 2017:** Assess the Town's public tree stock in the park and in right-of-ways for timely replacement

On-going

- Participate as a member of the Urban Run-off Group to evaluate and support, as appropriate, needed Eagle River improvements

DEVELOP INCLUSIVE & DIVERSE ECONOMIC, EDUCATIONAL & CULTURAL OPPORTUNITIES

Tier 1 Priorities

- **On-going:** Fund a diverse program of vibrant arts, educational, cultural and recreational offerings at the Pavilion & Mall
 - Report to Town Council in late September or early October on all 2016 events and festivals for direction regarding mix, size and prominence
- **Move to 2017:** Upgrade and relocate the Nottingham Park Playground, prioritizing this project for a 2016 GOCO grant application
- **Proposed Completion Date: August 9, 2016**
Update the *Avon Trails Plan* to provide a comprehensive, prioritized soft and hard trails plan, including trail connectivity
 - After plan adoption, Council will provide direction regarding trail development priorities
 - Pursue grants

Tier 2 Priorities

- **Proposed Completion Date: November 1, 2016**
Provide needed improvements to Whitewater Park, its parking and access
- **On-going:** Support regional World Class events and the Walking Mountains School
- **Move to 2017:** Build photo monuments around the commercial core to memorialize Avon's history
- **Proposed Planning Dates: September 15, 2016 – September 15, 2017**
Revised: Help support the formation of a citizen committee, who will evaluate keeping the Hahnewald Barn, Blacksmith Barn and Cabin in the Town of Avon, as a stakeholder group, during the Tract G planning process

On-going

- As appropriate, share the results of the *Community Survey* with potential business interests in terms of types of businesses and services desired in Avon
- Maximize the grant resources available through potential sources available such as through the Office of Economic Development and International Trade, including its new Outdoor Industry Recreation Office; a Scientific & Cultural Facilities District, and Department of Local Affairs

PROVIDE A RESPONSIVE, CUTTING-EDGE & EFFECTIVE GOVERNMENT STRATEGIES

Tier 1 Priorities

- **Updated: Planning & Construction Dates: June 28, 2016 – December 1, 2017**
 - Complete pricing and construction of the new Police Station at the Public Safety Facility
 - With Design Committee oversight, complete planning of the New Town Hall, with Town Council approval of the final layout recommendation; bid and manage construction
 - Plan relocations of all employees in a seamless manner
- **On-going**
Maintain Town infrastructure, including all buildings, roads, parks, preserves and trails; appropriating deferred maintenance funds as required, and seeking long term debt approval, when appropriate
- **New Strategy – Proposed Completion Date: December 15, 2016**
Implement Marketing *Plan's* 2016 priorities, including updating of the website and social media policy
- **New Strategy – Proposed Completion Date: November 1, 2016**
Execute RFP for a comprehensive community swim program at the Avon Recreation Center, select provider(s) and implement. Establish a goal for 100% of Avon residents to Learn to Swim, if not already skilled at a level to utilize the Nottingham Lake. Provide for free-to-reduced fees for populations who will require a subsidy to participate in the Learn to Swim sessions.

Tier 2 Priority

- **Move to 2017**
In a collaborative work group, with Eagle County, its municipalities and major metropolitan districts, review Eagle County's revenues and expenditures apportionment

On-going

- Provide strategic Council leadership, consistently practicing open and transparent government
- Maintain and consistently evaluate a strong civic engagement program, including ad hoc committees, a bi-annual community survey, volunteerism program, etc.
- Maintain fund balances, contingency and reserves to guarantee a fiscal position that is resilient to economic fluctuations; transfer surplus funds to capital projects
- Continue to develop annual department work plans, which are measurable and maintain accountability
- Hold annual or bi-annual sessions in joint meeting settings with government partners

TOWN OF AVON, COLORADO
RESOLUTION 16-19

ADOPTING THE TOWN OF AVON 2017-18 STRATEGIC PLAN

WHEREAS, the Avon Town Council participated in a Retreat on June 14, 2016, in order to discuss and identify the priorities, strategic work and future direction for the Town over the next two years; and

WHEREAS, the Avon Town Council has set forth its direction in the attached *Town of Avon 2017-18 Strategic Plan*; and

WHEREAS, the Avon Town Council has reviewed this document at its regular Town Council meeting on June 28, 2016, in order to provide opportunities for the public to comment on the proposed vision and strategies; and

WHEREAS, the Town Council has committed to quarterly progress reviews of the *Town of Avon 2017-18 Strategic Plan*, to evaluate success, and to consider any needed amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF AVON, COLORADO, that the Avon Town Council adopts the attached *Town of Avon 2017-18 Strategic Plan*, as a critical implementation tool to help guide the Town in achieving a successful and vibrant vision for the growth and development of Avon.

ADOPTED AND APPROVED by the Avon Town Council this 28th day of June, 2016.

By: _____
Jennie Fancher, Mayor

Attest: _____
Debbie Hoppe, Town Clerk

TOWN OF AVON 2017-2018 STRATEGIC PLAN



Adopted by the Avon Town Council

Resolution 16-19, Series of 2016
June 28, 2016

Purpose of the *Strategic Plan*

The *Strategic Plan* is developed and adopted to guide decision-making and provide the structure for ensuring investments and programs reflect Council priorities in achieving the vision and adopted plans of the Town of Avon. This work of the Council has been done since 2013, when the Town's first *Strategic Plan* was developed and adopted at regular Council meetings, with meeting notice.

In July of 2015, the Town Council provided the opportunity for residents and businesses to identify the most important issues in the Town through civic engagement outreach at open houses. The outreach was specific to the development of a community survey, which was distributed to all residential households and businesses in Avon on August 3, 2015. Results were presented to Council on September 22, 2015. The results have aided the Council in identifying priorities over the next several years and have provided information as to other methods to engage the public in the vision and strategic planning of the Town.

The *Strategic Plan* is updated each year to reflect dynamic change, as may be needed, and to present to the Avon community the important work planned by the Town over the planning period.

- The following section presents the *Strategic Plan* Vision, which provides a dynamic overview describing the way of life in Avon, the values the community holds and serves as a comprehensive statement regarding the focus and directed outcomes of the Town's work.
- From the *Strategic Plan* Vision, four key outcomes have been identified to set the prioritized work of the Town. The four outcomes, with successes, challenges and strategies to achieve each vision are detailed, resulting in a *Strategic Plan*.
- Once the *Strategic Plan* is adopted, a budget is prepared to meet the multi-year program, followed by each department submitting a business work plan to the Town Manager identifying the timing and process for implementing each strategy. Progress on the work plans are monitored to ensure outcomes are met.

Strategic Plan Vision

“... To provide a high quality of life, today and in the future, for a diversity of people and interest, and to promote their ability to live, work, visit and recreate in the community.”

TOWN OF AVON COMPREHENSIVE PLAN, REVISED MARCH - 2008

The Town of Avon, surrounded by natural beauty, is today **a strong community, which will maintain a focus on families and workers, and that will build on its strengths** to become a nationally and internationally recognized **year-round mountain resort community**. Committed to providing a high level of municipal services for our citizens and visitors, and the **stewardship of our natural resources**, Avon will **expand its cultural, recreational and educational offerings** in partnership with our broader community and regional public and private sector agencies, thereby ensuring **sustained economic vitality and a vibrant community experience**.

Recent resort-oriented accommodations projects in Avon are of a higher standard than the Town attracted at its founding and in its early years. **It is this superior level of quality development** that Avon believes will be its **comparative advantage in the future**, and, therefore, will work to attract and promote these types of developments by ensuring Town **plans and incentives are constructed in a manner which provides the development community clear and timely information**; and by steadfastly maintaining a professional and solution-oriented municipal business.

The Town will continue to **value and support our full-time and part-time resident population by providing an exceptional level of municipal services** and by working to **retain existing businesses** as the Town seeks to **expand its retail and commercial base**, while fostering our sense of community through both our spirit and the built environment. The importance of vibrancy and activity within the Town will be supported by **attracting an array of new and diverse cultural and recreational events to Avon which are in concert with the values of our community** and serve to nurture a cohesive sense of place and public.

It is the Town of Avon’s elected officials and staff **commitment to fiduciary responsibility**, effectiveness and efficiency in providing government services and a practiced belief in **open and transparent governance** that will lead the successful implementation of this vision for the growth and development of Avon.

Strategic Plan

Fiscal Years 2017-18

SUPPORT A STRONG COMMUNITY, BUILDING ON STRENGTHS AS A YEAR-ROUND MOUNTAIN RESORT COMMUNITY

The Town will continue to value and support our community through a strong and diverse economy, attentive to business retention and proactively partnering with the private sector to expand Avon's retail and commercial base. The Town's commitment to planning for future growth; openness to new community development trends; and, recognition of private property interests and the costs of doing business with the Town, sets forth a dynamic relationship for the successful construction of the built environment and business growth.

RECENT SUCCESSES

MEDICAL OFFICE BUILDING TCO/CO - ELEMENTARY SCHOOL STREET SAFETY IMPROVEMENTS - DEVELOPMENT OF E/WBC BLVD WALKABILITY DESIGN TEST & FINAL PLAN - WAYFINDING SIGNAGE - BUS SHELTER CONSTRUCTION – MARKETING PLAN COMPLETED – WILDRIDGE LOT SPLIT REGULATION UPDATE

CURRENT CHALLENGES

SHORTAGE OF AFFORDABLE LOCAL HOUSING FOR WORKERS & SENIORS - FEW HOUSING OWNERSHIP OPPORTUNITIES - CHANGING DEMOGRAPHICS OF THE SKI INDUSTRY & INCREASED COMPETITION

STRATEGIES

Tier 1 Priorities

- Develop a Town of Avon Housing Guideline, including but not limited to an employee housing resident goal
- Develop diverse options for local working housing through public –private partnerships
- Invest in multi-modal improvements prioritizing walkability and bicycle use on streets, with transit, parking and wayfinding
 - Bid and construct approved E/WBC Boulevard walkability plan in one or two phases depending on cost
 - Complete walkability plan for the remainder of the Avon core as an initial phase of the development of a comprehensive parking and multi-modal transportation plan
 - Fully support Avon transit as a key element of a walkable community, including funding of a Town late night transit loop; testing taxi, dial-a-ride or transportation network company (e.g., Uber) services for low-ride routes, including Wildridge; stay attentive to the potential role of autonomous cars
 - Determine funding for a Town of Avon internal late night bus
 - Participate in ECO initiatives such as late night bus service to serve workers, a Topsy Taxi program, and transit consolidation
- With consultant services, prepare master land use plans for Tract G, Lot 5 and Swift Gulch, building on the Stan Clauson Associates, November, 2015, initial plan. In the Tract G planning, evaluate expansion of the Recreation Center and a parking garage. Engage a citizen committee to serve as a stakeholder group for consideration of the relocation of the Hahnwald Barn, Blacksmith Shop and Cabin in the Town of Avon. The planning will be an inclusive process with the greatest civic engagement from the initial

meetings through Planning and Zoning Commission recommending action and Council adoption hearings.

- Evaluate the tiers of the Avon water tap fee to ensure that the fee accounts fairly for residential home sizes.

Tier 2 Priorities

- Analyze the current Real Estate Transfer Tax primary exemption of \$160,000 as a mechanism to increase affordable opportunities for homeownership in Avon to support employee housing shortages for Avon businesses.
- Evaluate the formation of a special improvement district to improve the facades of the Avon Center, Comfort Inn, First Bank, and other properties along E/W Beaver Creek Boulevard, including development of public spaces
- Map railroad right-of-way and Town easements to evaluate transportation options
- Work with local merchants on a bike sharing program

On-going

- Work proactively with the owners of vacant commercial property to find leaseholders and/or redevelopment projects and, when appropriate, 1) Utilize Urban Renewal Authority tax increments generated from the existing district or in a potential new Urban Renewal Authority district, and/or 2) Other economic development incentives including tax rebates, zoning amendments, etc.
- Maintain a strong partner relationship with the Avon business community, developers, Vail Valley Partnership and the Vail Leadership Institute/Vail Centre
- Throughout the year, Liaison Appointees and Town Manager will meet with respective principals for developments in the Town of Avon to discuss current issues, development needs and opportunities

Strategic Plan

Fiscal Years 2017-18

PRESERVE & ENHANCE THE NATURAL ENVIRONMENT

Maintaining a strong foundation for the stewardship of Avon's natural resources is a top commitment by the Town. Avon will promote sustainability through the funding of programs and projects to protect the Town's and the regions clean waters and clean air.

RECENT SUCCESSES

UERWA UNALLOCATED POLICY ADOPTED – WATER ORIENTATON FOR TOWN COUNCIL – WILDFIRE COORDINATION WITH ERFPD FOR HOMEOWNER OUTREACH – MOUNTAIN STAR FUNDING AGREEMENT -

CURRENT CHALLENGES

POTENTIAL COLORADO WATER COMPACT CALLS & SHORTAGES - WILDFIRE POTENTIAL - POTENTIAL LONG-TERM DROUGHT IMPACTS - EAGLE RIVER PROTECTION - CLIMATE CHANGE - RESOURCE COST ESCALATION

STRATEGIES

Tier 1 Priorities

- Evaluate all Town projects to the greatest extent possible under an objective of climate change mitigation, considering financial feasibility of cost reductions and beneficial impact to the environment
- Amend the Town's landscape code to more effectively replace vegetation which has been removed
- With the expertise of the UERWA, develop outdoor landscape guidelines/regulations to reduce water use and off-site impacts, such as fertilizer run-off, which can affect the Eagle River
- Assess the Town's public tree stock in the park and in right-of-ways for timely replacement
- Proactively ensure trees on public and private property do not host and spread viruses; remove dead trees with a well-developed landscape program
- In planning for the new Police Station and Town Hall, adopt a paperless strategy to reduce waste and support files, etc.

Tier 2 Priorities

- Consider adopting a "pay-as-you-throw" refuse system and evaluate franchise agreements for waste haulers
- Consider legislation to end the use of plastic bags by retailers in the Town of Avon
- Take the lead role in working with the UERWA to assess and potentially partner with the Aspens Mobile Home Village to improve and/or replace the property's water distribution system to eliminate water loss
- Develop a plan to improve the visual gateway and corridor along I-70

On-going

- Partner with Eagle County and its political jurisdictions to implement the *Eagle County Climate Action Plan*
- Participate as a member of the Urban Run-off Group to evaluate and support, as appropriate, needed Eagle River improvements

Strategic Plan

Fiscal Years 2017-18

DEVELOP INCLUSIVE & DIVERSE ECONOMIC, EDUCATIONAL & CULTURAL OPPORTUNITIES

The importance of vibrancy and activity within the Town will be supported by partnering with existing special events and attracting an array of new and diverse cultural, educational and recreational events to Avon, which meet the Town's brand and are in concert with the values of our community and serve to nurture a cohesive sense of place and public.

RECENT SUCCESSES

MAIN STREET MALL/PAVILION DIVERSE EVENT & FESTIVAL ACTIVATION - MAIN STREET MALL COMPLETION & ACTIVATION COMPLETION OF REGIONAL TRAIL AND METCALF CLIMBING LANE - EXPANSION OF MOBILE CART PROGRAM AND FOOD TRUCK PROGRAM AT NOTTINGHAM PARK - PLAYGROUND DESIGN COMPLETED WITH CITIZEN COMMITTEE - MARKETING PLAN COMPLETED - TRAILS MASTER PLAN UPDATED

CURRENT CHALLENGES

IDENTIFYING & NURTURING A DIVERSE & SUSTAINABLE YEAR-ROUND SCHEDULE OF CULTURAL EVENTS - SUMMER REVENUE, WHEN MEASURED BY SALES TAX, LAGS WINTER RECEIPTS

STRATEGIES

Tier 1 Priorities

- Prepare, with consultant services, a GOCO grant to relocate and upgrade the Harry A. Nottingham Park Playground; with successful funding and grant match construct the new *Destination Jump, Splash, Learn* playground
- Continue to solicit, develop and fund, in partnership with qualified producers, a diverse program of vibrant arts, educational, cultural and recreational offerings at the Pavilion & Mall, as directed through the annual Town Council review of all offerings. In particular, seek to add live theater as a desired multi-day or evening festival. Expand use of the Pavilion in shoulder seasons to local band productions, which are low key and low budget, such as a battle-of-the-bands or open mike nights.
- Implement the adopted *Avon Recreational Trails Plan* as prioritized and adopted by the Avon Town Council, as soon as possible; pursue construction grants

Tier 2 Priorities

- Build photo monuments around the commercial core to memorialize Avon's history
- Evaluate a Scientific and Cultural District to provide funding to Walking Mountains educational programming and Avon's cultural activities
- Identify locations for the installation of outdoor percussion instruments and fund in the Capital Projects Fund, when feasible

On-going

- When approving Town funded or supported festivals and events which offer alcoholic libations, require that the sponsoring non-profit is an Avon community grant recipient or locally based nonprofit.
- Support regional World Class events and the Walking Mountains School
- As appropriate, share the results of the *Community Survey* with potential business interests in terms of types of businesses and services desired in Avon
- Maximize the grant resources available through potential sources available such as through the Office of Economic Development and International Trade, including its new Outdoor Industry Recreation Office; a Scientific & Cultural Facilities District, and Department of Local Affairs

Strategic Plan

Fiscal Years 2017-18

PROVIDE A RESPONSIVE, CUTTING-EDGE & EFFECTIVE GOVERNMENT

Ensure that Town government is managed and operated as a “competitive” business and in a manner which is client-focused and solution-oriented, meeting the highest standards of fiduciary responsibility, implementing best practices, and using Town resources effectively and efficiently in each department. Provide for the development of capital projects, which support the community-resort economy, and promote the Town brand through a five-year capital investment plan, utilizing appropriate funding mechanisms such as pay-as-you-go, new mill levy and/or current tax receipt long-term debt. Support a work culture that is flexible, innovative and resilient to change

RECENT SUCCESSES

COUNCIL STRATEGIC PLAN ADOPTED – POLICE STATION DESIGNED & BALLOT ISSUE FOR FUNDING APPROVED – PURCHASE OF NEW TOWN HALL - BALANCED BUDGETS/RESERVES MAINTAINED - CIVIC ENGAGEMENT PROGRAMS - EXPENDITURE SAVINGS - DEFERRED MAINTENANCE FUNDING

CURRENT CHALLENGES

CIVIC ENGAGEMENT OUTREACH CHALLENGES - LABOR FORCE COMPETITION - COMPETING FOR GRANTS FOR PUBLIC PROJECTS

STRATEGIES

Tier 1 Priorities

- Complete construction of the new Police Station at the Public Safety Facility and staff relocation
- With Design Committee oversight, complete construction of the new Town Hall and staff relocation
- Expand the participation in the Second Annual Town Clean-up Day with earlier marketing and community picnic after the completion of the clean-up
- Implement the Marketing Plan's 2017 priorities: 1) Pool marketing resources among departments for cross promotion and integrated communication; 2) Develop partnerships with local and regional businesses to keep these entities updated on Town priorities and activities; 2) Continue Town Council festival booth outreach, host coffee chats and create stand-alone displays; 3) Evaluate 2016 wayfinding investments and expand for the visitor/resident experience; 4) Create a regional media strategy; 5) Focus social media by audience; and 6) Rebrand transit
- Monitor and adjust as needed the comprehensive community swim program initiated on November 1, 2016 at the Avon Recreation Center
- Participate in the Mountain Connect broadband community; develop a program to ensure fiber is proactively developed in Avon as growth occurs
- Identify location(s) and cost(s) for the development of one or more dog parks in Avon or nearby in partnership with Eagle-Vail

Tier 2 Priorities

- In a collaborative work group, with Eagle County, its municipalities and major metropolitan districts, review Eagle County's revenues and expenditures apportionment
- Plan and budget for the development of Lot 5, in the Five Year Capital Improvements Plan, including adding a reserve line item for an equipment and vehicle storage facility and future office space
- Seek a short-term title sponsor for the Avon Performance Pavilion.

On-going

- Maintain Town infrastructure, including all buildings, roads, parks, preserves and trails; appropriating deferred maintenance funds as required, and seeking long term debt approval, when appropriate
- Provide strategic Council leadership, consistently practicing open and transparent government
- Maintain and consistently evaluate a strong civic engagement program, including ad hoc committees, a bi-annual community survey, volunteerism program, etc.
- Maintain fund balances, contingency and reserves to guarantee a fiscal position that is resilient to economic fluctuations; transfer surplus funds to capital projects
- Continue to develop annual department work plans, which are measurable and maintain accountability
- Hold annual or bi-annual sessions in joint meeting settings with government partners



TOWN COUNCIL REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council
From: Scott Wright, Asst. Town Manager
Date: June 28, 2016
Topic: Dee Wisor Engagement Letter

Action Before Council

Action on an engagement letter with Butler Snow for Bond and Disclosure Counsel services.

Proposed Motion

"I moved to approve the engagement letter dated June 6, 2016, with Butler Snow."

Summary

Attached is an engagement letter with Dee Wisor of Butler Snow to provide public financing advise and serve as bond counsel for the Certificates of Participation financing to construct the joint public safety facility. The engagement letter is in similar form to past engagement letters presented by Dee Wisor. Mr. Wisor has provided public finance advice and served as bond counsel for many years. The Avon Home Rule Charter requires the Town Council to approve the retention of attorneys that represent the Town.

Attachments:

A – Butler Snow engagement letter dated June 6, 2016

June 6, 2016

VIA E-MAIL

Town Council
Town of Avon
Avon, CO 80104

Attn: Eric Heil, Town Attorney

Re: Bond and Disclosure Counsel Services – Town of Avon

Dear Eric:

We are pleased to confirm our engagement as counsel to Town of Avon (the “Town”). We appreciate your confidence in us and will do our best to continue to merit it.

In establishing our attorney-client relationship, current practice standards dictate that we set forth in writing (and in some detail) the elements of our mutual understanding. While some of the matters covered in this engagement letter will never be relevant or of concern between us, we hope you will understand that as attorneys and counselors it is our natural function to try to make communication clear and complete, and to anticipate and resolve questions before they arise. We also believe that the performance of our services may require your effort and cooperation. Consequently, the better we each understand our respective roles, responsibilities and contributions, the more efficient, effective and economical our work for you can be.

Personnel

This letter sets forth the role we propose to serve and the responsibilities we propose to assume as bond and disclosure counsel to the Town in connection with the a lease purchase agreement financing in the approximate principal amount of \$6,500,000, including the issuance of related certificates of participation (collectively, the “Obligations”). Dee Wisor will be principally responsible for the work performed by Butler Snow LLP on your behalf. Where appropriate, certain tasks may be performed by other attorneys or paralegals. At all times, however, Dee Wisor will coordinate, review, and approve all work completed for the Town.

Scope of Employment

Bond Counsel is engaged as a recognized expert whose primary responsibility is to render an objective legal opinion with respect to the authorization of securities like the Obligations. As your bond counsel, we will: examine applicable law; consult with the parties

1801 California Street
Suite 5100
Denver, CO 80202

DEE P. WISOR
720.330.2357
dee.wisor@butlersnow.com

T 720.330.2300
F 720.330.2301
www.butlersnow.com

to the transaction prior to the execution of the Obligations; prepare customary authorizing and operative documents, and closing certificates; review a certified transcript of proceedings; and undertake such additional duties as we deem necessary to render the opinion. Subject to the completion of proceedings to our satisfaction, we will render our opinion relating to the validity of the Obligations, the enforceability of the security for the Obligations, and the exclusion of the interest on the Obligations (subject to certain limitations which may be expressed in the opinion) from gross income for federal income tax purposes and for Colorado income tax purposes.

We are also being retained by you to act as special counsel to the Town in connection with the Official Statement for the Obligations (the "Official Statement"). As such, we will provide advice to the Town on the applicable legal standards to be used in preparing the Official Statement and meeting the Town's disclosure responsibilities. At the conclusion of the transaction we will deliver a letter to you stating that we have assisted the Town in the preparation of the Official Statement, and that in the course of such assistance, nothing has come to the attention of the attorneys in our firm rendering legal services in connection with our representation which leads us to believe that the Official Statement, as of its date (except for the financial statements, other statistical data and statements of trends and forecasts, and information concerning the bond insurer, if any, and information concerning The Depository Trust Company ("DTC") provided by DTC contained in the Official Statement and its Appendices, as to which we express no view), contains any untrue statement of material fact or omits to state any material fact necessary to make the statements in the Official Statement, in light of the circumstances under which they were made, not misleading.

In delivering our opinion and letter, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation. Our opinion and letter will be addressed to the Town and will be executed and delivered by us in written form on the date the Obligations are exchanged for their purchase price (the "Closing"). The opinion and letter will be based on facts and law existing as of their date.

Our services are limited to those contracted for explicitly herein; the Town's execution of this letter constitutes an acknowledgment of those limitations. Specifically, but without implied limitation, our responsibilities do not include any representation by Butler Snow LLP in connection with any IRS audit, SEC enforcement action or any litigation involving the Town or the Obligations, or any other matter. Neither do we assume responsibility for the preparation of any collateral documents (*e.g.*, environmental impact statements) which are to be filed with any state, federal or other regulatory agency. Nor do our services include financial advice (including financial advice about the structure of Obligations) or advice on the investment of funds related to the Obligations.

Representation of the Town

In performing our services, the Town will be our client and an attorney-client relationship will exist between us. We will represent the interests of the Town rather than the Town Council or its individual members. We will work closely with the Town's general counsel and will rely on the opinion of the general counsel with regard to specific matters, including pending litigation. We assume that other parties to the transaction will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction.

Conflicts of Interest

Our firm sometimes represents, in other unrelated transactions, certain of the financial institutions that may be involved in this transaction, such as underwriters, credit enhancers, and banks. We do not believe that any of these representations will materially limit or adversely affect our ability to represent the Town in connection with the Obligations, even though such representations may be characterized as adverse under the Colorado Rules of Professional Conduct (the "Rules"). In any event, during the term of our engagement hereunder, we will not accept a representation of any of these parties in any matter in which the Town is an adverse party. However, pursuant to the Rules, we do ask that you consent to our representation of such parties in transactions that do not directly or indirectly involve the Town. Your execution of this letter will signify the Town's prospective consent to such representations in matters unrelated to the Town while we are serving as bond counsel hereunder.

Fee Arrangement

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing, (ii) the duties we will undertake pursuant to this letter, (iii) the time we anticipate devoting to the financing, and (iv) the responsibilities we assume, we estimate that our fee for this engagement will be \$65,000. Such fee may vary: (i) if the principal amount of the Obligations actually issued increases significantly, (ii) if material changes in the structure of the financing occur, (iii) if unusual or unforeseen circumstances arise which require a significant increase in our time or our responsibilities or (iv) the Obligations are not delivered by December 31, 2016. If, at any time, we believe that circumstances require an adjustment of our original fee estimate, we will consult with you.

Our fees are usually paid at Closing out of proceeds of the Obligations. We customarily do not submit any statement until the Closing, unless there is a substantial delay in completing the financing. We understand and agree that our fees will be paid at Closing out of proceeds. If the financing is not consummated, we understand and agree that we will not be paid. If, for any reason, the financing is completed without our opinion as bond counsel, we will expect to be compensated at our normal hourly rates (currently ranging from

\$100 to \$650 depending on personnel) for time actually spent on your behalf, plus disbursements.

Termination of Engagement

The Town may terminate our engagement, with or without cause, upon 5 days' written notice to us. We may terminate this engagement, upon 45 days' written notice to the Town.

Our fees for this engagement contemplate compensation for usual and customary services as bond and disclosure counsel as described above. Upon delivery of the opinion, our responsibilities as bond and disclosure counsel will terminate with respect to this financing, and our representation of the Town and the attorney-client relationship created by this engagement letter will be concluded. Specifically, but without implied limitation, we do not undertake to provide continuing advice to the Town or to any other party to the transaction. Many post-issuance events may affect the Obligations, the tax-exempt status of interest on the Obligations, or liabilities of the parties to the transaction. Such subsequent events might include a change in the project to be financed with proceeds, a failure by one of the parties to comply with its contractual obligations (e.g., rebate requirements, continuing disclosure requirements), an IRS audit, an SEC enforcement action, or a change in federal or state law. Should the Town seek the advice of bond counsel on a post-closing matter or seek other, additional legal services, we would be happy to discuss the nature and extent of our separate engagement at that time.

Document Retention

At or within a reasonable period after Closing, we will review the file to determine what materials should be retained as a record of our representation and those that are no longer needed. We will provide you with a copy of the customary transcript of documents after Closing and will return any original documents obtained from you (if a copy is not included in the transcript). Our document retention policy is attached hereto.

Approval

If the other foregoing terms of this engagement are acceptable to you, please so indicate by returning a copy of this letter signed by the officer so authorized, keeping a copy for your files.

We appreciate this opportunity to serve as your bond counsel and disclosure counsel and look forward to a mutually satisfactory and beneficial relationship.

BUTLER SNOW LLP

By: Dee P. Wilson

ACCEPTED AND APPROVED:

TOWN OF AVON

By: _____

Title: _____

Date: _____

DPW/jw
Enclosure

**NOTICE TO CLIENTS OF BUTLER SNOW'S
RECORD RETENTION & DESTRUCTION POLICY FOR CLIENT FILES**

Butler Snow maintains its client files electronically. Ordinarily, we do not keep separate paper files. We will scan documents you or others send to us related to your matter to our electronic file for that matter and will ordinarily retain only the electronic version while your matter is pending. **Unless you instruct us otherwise, once such documents have been scanned to our electronic file, we will destroy all paper documents provided to us.** If you send us original documents that need to be maintained as originals while the matter is pending, we ordinarily will scan those to our client file and return the originals to you for safekeeping. Alternatively, you may request that we maintain such originals while the matter is pending. If we agree to do that, we will make appropriate arrangements to maintain those original documents while the matter is pending.

At all times, records and documents in our possession relating to your representation are subject to Butler Snow's Record Retention and Destruction Policy for Client Files. Compliance with this policy is necessary to fulfill the firm's legal and ethical duties and obligations, and to ensure that information and data relating to you and the legal services we provide are maintained in strict confidence at all times during and after the engagement. All client matter files are subject to these policies and procedures.

At your request, at any time during the representation, you may access or receive copies of any records or documents in our possession relating to the legal services being provided to you, excluding certain firm business or accounting records. We reserve the right to retain originals or copies of any such records or documents as needed during the course of the representation.

Unless you instruct us otherwise, once our work on this matter is completed, we will designate your file as a closed file on our system and will apply our document retention policy then in effect to the materials in your closed files. At that time, we ordinarily will return to you any original documents we have maintained in accordance with the preceding paragraph while the matter was pending. Otherwise, we will retain the closed file materials for our benefit and subject to our own policies and procedures concerning file retention and destruction. Accordingly, if you desire copies of any documents (including correspondence, e-mails, pleadings, contracts, agreements, etc.) related to this matter or generated while it was pending, you should request such copies at the time our work on this matter is completed.

You will be notified and given the opportunity to identify and request copies of such items you would like to have sent to you or someone else designated by you. You will have 30 days from the date our notification is sent to you to advise us of any items you would like to receive. You will be billed for the expense of assimilating, copying and transmitting such

records. We reserve the right to retain copies of any such items as we deem appropriate or necessary for our use. Any non-public information, records or documents retained by Butler Snow and its employees will be kept confidential in accordance with applicable rules of professional responsibility.

Any file records and documents or other items not requested within 30 days will become subject to the terms of Butler Snow's Record Retention and Destruction Policy for Client Files and will be subject to final disposition by Butler Snow at its sole discretion. Pursuant to the terms of Butler Snow's Record Retention and Destruction Policy for Client Files, all unnecessary or extraneous items, records or documents may be removed from the file and destroyed. The remainder of the file will be prepared for closing and placed in storage or archived. It will be retained for the period of time established by the policy for files related to this practice area, after which it will be completely destroyed. This includes all records and documents, regardless of format.

While we will use our best efforts to maintain confidentiality and security over all file records and documents placed in storage or archived, to the extent allowed by applicable law, Butler Snow specifically disclaims any responsibility for claimed damages or liability arising from damage or destruction to such records and documents, whether caused by accident; natural disasters such as flood, fire, or wind damage; terrorist attacks; equipment failures; breaches of Butler Snow's network security; or the negligence of third-party providers engaged by our firm to store and retrieve records.



TOWN OF AVON, COLORADO
AVON MEETING MINUTES FOR TUESDAY, JUNE 6, 2016
AVON TOWN HALL, ONE LAKE STREET

1. CALL TO ORDER & ROLL CALL

Mayor Fancher called the meeting to order at 5:15 p.m. A roll call was taken and Council members present were Jake Wolf, Megan Burch, and Sarah Smith Hymes. Buz Reynolds, Matt Gennett and Scott Prince were absent. Also present were Town Manager Virginia Egger, Town Attorney Eric Heil, Interim Police Chief Greg Daly, Planning Director Matt Pielsticker, Recreation Director John Curutchet, Executive Assistant to the Town Manager Preston Neill, and Town Clerk Debbie Hoppe.

2. APPROVAL OF AGENDA

There were no changes to the agenda.

3. PUBLIC COMMENT

START TIME: 00:09:17

Alan Himelfarb, Michael Holton, Craig Brue, Kim Saalfeld and Kathy Ryan commented.

Scott Prince arrived at 5:35 p.m.

Buz Reynolds arrived at 5:45 p.m.

4. WORK SESSION

START TIME 00:11:32

4.1 DESTIMETRICS PRESENTATION (RALF GARRISON, PRESIDENT, DESTIMETRICS)

Mayor Pro Tem Wolf left the meeting at 6:03 p.m.

5. ACTION ITEMS

START TIME 01:07:

5.1. FIRST READING ORDINANCE 16-13, APPROVING REZONING OF LOTS 1, 2A, 2B, 2C, 3 AND 5, MOUNTAIN VISTA RESORT SUBDIVISION, FROM PUD TO TOWN CENTER ZONE DISTRICT (PLANNING DIRECTOR MATT PIELSTICKER)

Councilor Prince moved to approve Ordinance 2016-13 (Exhibit A), thereby first reading of an application to rezone Lots 1, 2A, 2B, 2C, 3 and 5, Mountain Vista Resort Subdivision, from PUD to TC zone districts, setting second reading for July 12, 2016; Councilor Smith Hymes seconded the motion and it passed unanimously by those present. Mayor Pro Tem Wolf and Councilor Gennett were absent.

5.2. FIRST READING ORDINANCE 16-14, APPROVING REZONING LOT 4, MOUNTAIN VISTA RESORT SUBDIVISION, FROM PUD TO PUBLIC FACILITIES ZONE DISTRICT (PLANNING DIRECTOR MATT PIELSTICKER)

Council provided direction to staff to look at amending the Town Center Zone District to include government offices/uses and the Public Facilities Zone District to allow for workforce housing. Council did not vote on First Reading and therefore, it did not pass. Mayor Pro Tem Wolf and Councilor Gennett were absent.

5.3. FIRST READING ORDINANCE 16-11, AMENDING AVON MUNICIPAL CODE SECTIONS 5.12.090, 110, AND 120 CONCERNING VEHICLE IMPOUNDMENT (TOWN ATTORNEY ERIC HEIL)

Nick Antuna, Heather S., Andrei Litviakou, Rich Nelly and Judge Buck Allen commented.



TOWN OF AVON, COLORADO
AVON MEETING MINUTES FOR TUESDAY, JUNE 6, 2016
AVON TOWN HALL, ONE LAKE STREET

Councilor Reynolds moved to table Ordinance No. 16-11 Amending Avon Municipal Code Sections 5.12.090, 110 and 120 Concerning Vehicle Impoundment; Councilor Burch seconded the motion and it passed unanimously by those present. Mayor Pro Tem Wolf and Councilor Gennett were absent.

5.4. FIRST READING ORDINANCE 16-12, AMENDING AVON MUNICIPAL CODE TITLE 15 TO REQUIRE CERTAIN INFORMATION PROVIDED TO THE TOWN PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE (ASSISTANT TOWN MANAGER SCOTT WRIGHT)

Dave Dantas commented.

Council took no action on Ordinance 16-12, Amending Avon Municipal Code Title 15 Building and Construction to Enact Section 15.03 Required Supplier Information. Mayor Pro Tem Wolf and Councilor Gennett were absent.

5.5. **PUBLIC HEARING** AND MOTION TO CONTINUE RESOLUTION 16-16, APPROVING THE MEZA PUD AMENDMENT FOR LOT 110, BLOCK 1, WILDRIDGE SUBDIVISION TO JUNE 28, 2016 - CONTINUED FROM THE MAY 24, 2016 COUNCIL MEETING (PLANNING DIRECTOR MATT PIELSTICKER)

Mayor Fancher opened the Public Hearing and no comments were made. Mayor Fancher moved to continue the Public Hearing and Resolution No. 2016-16 – A Resolution Approving the Meza PUD Amendment application for Lot 110, Block 1, Wildridge Subdivision, to the June 28, 2016, Town Council meeting; Councilor Sarah Smith Hymes seconded the motion and it passed unanimously by those present. Mayor Pro Tem Wolf and Councilor Gennett were absent.

5.6. **PUBLIC HEARING** SECOND READING OF ORDINANCE 16-10 AUTHORIZING THE ACQUISITION OF A REAL PROPERTY INTEREST IN LOT 1B, BUCK CREEK SUBDIVISION, TOWN OF AVON (TOWN ATTORNEY ERIC HEIL)

Mayor Fancher opened the Public Hearing and no comments were made. Councilor Burch moved to approve Ordinance No. 16-10 Authorizing the Acquisition of a Real Property Interest in Lot 1B, Buck Creek Subdivision, Town of Avon, on second and final reading; Councilor Reynolds seconded the motion and it passed unanimously by those present. Mayor Pro Tem Wolf and Councilor Gennett were absent.

5.7. APPROVAL OF THE MINUTES FROM MAY 24, 2016 MEETING (DEPUTY TOWN CLERK BRENDA TORRES)

Councilor Burch moved to approve the minutes from the May 24, 2016 meeting; Councilor Smith Hymes seconded the motion and it passed unanimously by those present. Councilor Reynolds abstained from the vote. Mayor Pro Tem Wolf and Councilor Gennett were absent.

6. WORK SESSION

START TIME 04:31:34

6.1. REVIEW OF COMMUNITY GRANTS POLICY & PROCEDURES FOR SOLICITATION, EVALUATION & FUNDING (EXECUTIVE ASSISTANT TO THE TOWN MANAGER PRESTON NEILL)

Michael Cacioppo commented.

Mayor Pro Tem Wolf returned to the meeting at 9:48 p.m.



TOWN OF AVON, COLORADO
AVON MEETING MINUTES FOR TUESDAY, JUNE 6, 2016
AVON TOWN HALL, ONE LAKE STREET

7. WRITTEN REPORTS

8. COMMITTEE MEETING UPDATES: COUNCILORS AND MAYOR

START TIME 04:48:29

8.1. AFFORDABLE HOUSING BOARD (COUNCILOR MEGAN BURCH)

Michael Cacioppo commented.

9. MAYOR & COUNCIL COMMENTS

10. EXECUTIVE SESSION: PURSUANT TO COLORADO REVISED STATUTE 24-6-402(4)(F) FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS RELATED TO THE ANNUAL PERFORMANCE REVIEW OF THE TOWN MANAGER

Mayor Fancher moved to meet in Executive Session for the purpose of Discussing Personnel Matters related to the Annual Performance Review of the Town Manager.

The time was 10:06 p.m.

Executive session began at 10:17 p.m.

Executive session ended at 11:57 p.m. Council reconvened into regular session at 11:58 p.m.

Councilor Prince moved to approve that the Town Manager's Employment Agreement be changed to include an annual salary of \$170,000.00 effective December 1, 2015; a housing/car allowance of \$1,070 per month be paid effective June 1, 2016; and that performance review criteria for the Town Manager position be as established in 2016 to again be used with any changes provided to the Town Manager not later than June 30, 2016; Councilor Burch seconded the motion and it passed with Mayor Fancher, and Councilors Smith Hymes, Councilor Burch, Councilor Reynolds and Councilor Prince voting yes and Mayor Pro Tem Wolf voting no. Councilor Gennett was absent.



TOWN OF AVON, COLORADO
AVON MEETING MINUTES FOR TUESDAY, JUNE 6, 2016
AVON TOWN HALL, ONE LAKE STREET

11. ADJOURNMENT

There being no further business to come before the Council, the regular meeting adjourned at 12:00 a.m.

RESPECTFULLY SUBMITTED:

Debbie Hoppe, Town Clerk

APPROVED:

Jennie Fancher

Jake Wolf

Matt Gennett

Megan Burch

Albert "Buz" Reynolds

Scott Prince

Sarah Smith Hymes



TOWN OF AVON, COLORADO

TOWN COUNCIL RETREAT MEETING MINUTES FOR TUESDAY, JUNE 14, 2016

AVON REGIONAL TRANSPORTATION FACILITY, 500 SWIFT GULCH ROAD

1. CALL TO ORDER & ROLL CALL

Mayor Fancher called the meeting to order at 12:07 a.m. A roll call was taken and Council members present were Megan Burch, Jake Wolf, Scott Prince, Sarah Smith Hymes and Jennie Fancher. Buz Reynolds and Matt Gennett were absent. Also present were Town Manager Virginia Egger, Town Attorney Eric Heil, Assistant Town Manager Scott Wright and Executive Assistant to the Town Manager Preston Neill.

2. WORK SESSION

2.1. DEVELOPMENT OF THE 2017/18 STRATEGIC PLAN (MAYOR JENNIE FANCHER)

2.1.1. REVIEW OF ADOPTED 2016/17 STRATEGIC PLAN

2.1.2. RECOMMENDED NEW STRATEGIES FROM THE TOWN OF AVON LEADERSHIP TEAM

2.1.3. WORKER HOUSING DISCUSSION

2.1.3.1. NEW TOWN HALL OPTION – 4TH AND/OR 5TH FLOORS DEVELOPMENT & POTENTIAL USES

2.1.3.2. SWIFT GULCH UPPER BENCHES

2.1.3.3. LOT 5 WITH PUBLIC WORKS

2.1.3.4. DEED RESTRICTED HOUSING – OPTION TO CONTRACT WITH THE VALLEY STORE FOR MANAGEMENT

2.1.3.5. FORMATION OF A MULTI-JURISDICTIONAL HOUSING AUTHORITY

2.1.4. COUNCIL DISCUSSION OF OTHER STRATEGIES FOR THE 2017/18 STRATEGIC PLAN

2.1.5. PRIORITIZATION OF STRATEGIES

2.2. REVIEW OF CRITERIA & PROCEDURE FOR PRIORITIZATION OF THE FIVE YEAR CAPITAL IMPROVEMENTS PLAN (ASSISTANT TOWN MANAGER SCOTT WRIGHT)

2.3. NEW TOWN HALL – 1ST FLOOR POSSIBILITIES FOR COMMUNITY ACTIVATION/VIBRANCY (MAYOR JENNIE FANCHER)

3. EXECUTIVE SESSION PURSUANT TO COLORADO REVISED STATUTE 24-6-402 (4)(F) FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS RELATED TO THE HIRING OF THE AVON POLICE CHIEF.

Mayor Fancher moved to meet in Executive Session at 4:13 p.m. Executive Session began at 4:14 p.m.

Executive Session ended at 4:46 p.m.



TOWN OF AVON, COLORADO
TOWN COUNCIL RETREAT MEETING MINUTES FOR TUESDAY, JUNE 14, 2016
AVON REGIONAL TRANSPORTATION FACILITY, 500 SWIFT GULCH ROAD

4. ADJOURNMENT

There being no further business to come before the Council, the retreat adjourned at 4:46 p.m.

RESPECTFULLY SUBMITTED:

Preston Neill, Executive Assistant to the Town Manager

APPROVED:

Jennie Fancher	_____
Jake Wolf	_____
Matt Gennett	_____
Megan Burch	_____
Albert "Buz" Reynolds	_____
Scott Prince	_____
Sarah Smith Hymes	_____



FISCAL YEAR 2016 FINANCIAL REPORT

June 28, 2016

-
1. Fiscal Year 2016 Financial Report Cover Memo
 2. Sales and Accommodations Tax Reports – April 2016
 3. Real Estate Transfer Tax Report and Monthly Detail – May 2016
 4. Recreation Center Admissions – May 2016
 5. General Fund Year-To-Date Expenditures - May 2016
 6. Fleet Maintenance Fund Year-To Date Expenditures - May 2016
 7. Transit Fund Year-To Date Expenditures - May 2016



TOWN COUNCIL REPORT

To: Honorable Mayor Jennie Fancher and Avon Town Council
From: Kelly Huitt, Budget Analyst

Meeting Date: June 28, 2016

Agenda
Topic: Fiscal Year 2016 Financial Report –April/May

SUMMARY

Revenues

SALES TAX

- Sales tax revenue for the month of April is up \$34,638 or 8.58% compared to April 2015, and up 6.21% compared to the budget. This year-over-year increase includes \$23,656 from new businesses, and after adjusting for new business growth, 2.72% is the growth in revenue from existing business for the month. Year to date sales tax collections are up 2.44% compared to 2015 and 2.54% compared to the budget.
- April sales tax collections show considerable increases for the Home/Garden category at 46.33%, Accommodations at 73.58%, and Other businesses which increased 17.70% compared to April 2015. Miscellaneous Retail, Sporting Goods Rental/Retail, and Service Related businesses declined -23.93%, -26.05% and -56.09% respectively. The large decrease in the Service Related category is due to wide variances in returns from interior design and architecture businesses. The decrease in existing business growth from Miscellaneous Retail can be partially attributed to two entities being re-categorized. The decline in the Sporting Goods category is from an overall decrease in collections from all payers. The increase in the Other business category is related to the construction of the Buck Creek Medical Plaza. Approximately \$6,050 in April sales tax from new business can be attributed to this project. Home/Garden saw a large increase from online sales while sales tax from Accommodations had a large jump due to an unexpected supplemental rebate received by one lodging establishment.

Sales Tax Monthly Totals - April 2016			
Category	2015/2016	Growth	Growth
	Variance	Existing Business	New Business
Home/Garden	16,145.78	26.73%	19.60%
Grocery, Specialty, Health	6,638.61	1.84%	3.82%
Liquor Stores	766.66	4.18%	0.00%
Sporting Goods Retail/Rental	(9,381.97)	-28.51%	2.45%
Miscellaneous Retail	(4,888.91)	-23.93%	0.00%
Accommodations	25,949.29	68.12%	5.46%
Restaurants/Bars	4,157.13	1.05%	4.41%
Other	7,630.40	3.38%	14.32%
Service Related	(12,379.23)	-56.09%	0.00%
Total	\$34,637.76	2.72%	5.86%

ACCOMMODATIONS TAX

- Accommodations tax revenue for April is up \$26,091, or 74.92% compared to April 2015, and up 74.40% compared to the monthly budget.
- April 2016 accommodations tax collections increased 97.11% for Hotels, 19.43% for Timeshares and 94.18% for Vacation Rentals compared to April 2015.
- A portion of the increase to April accommodations tax collections is related to an unexpected supplemental rebate received by one lodging establishment.

REAL ESTATE TRANSFER TAX

- 2016 real estate transfer tax collections for May equal \$184,987.10, which is a (\$52,984) decrease over May 2015.
- Year-to-date RETT collections are on track at 41.64% of the 2016 annual budget.
- \$9,628 of May RETT is from April sales at the Wyndham. A total of \$78,930 in RETT has been received from the Wyndham in 2016.

RECREATION CENTER ADMISSIONS

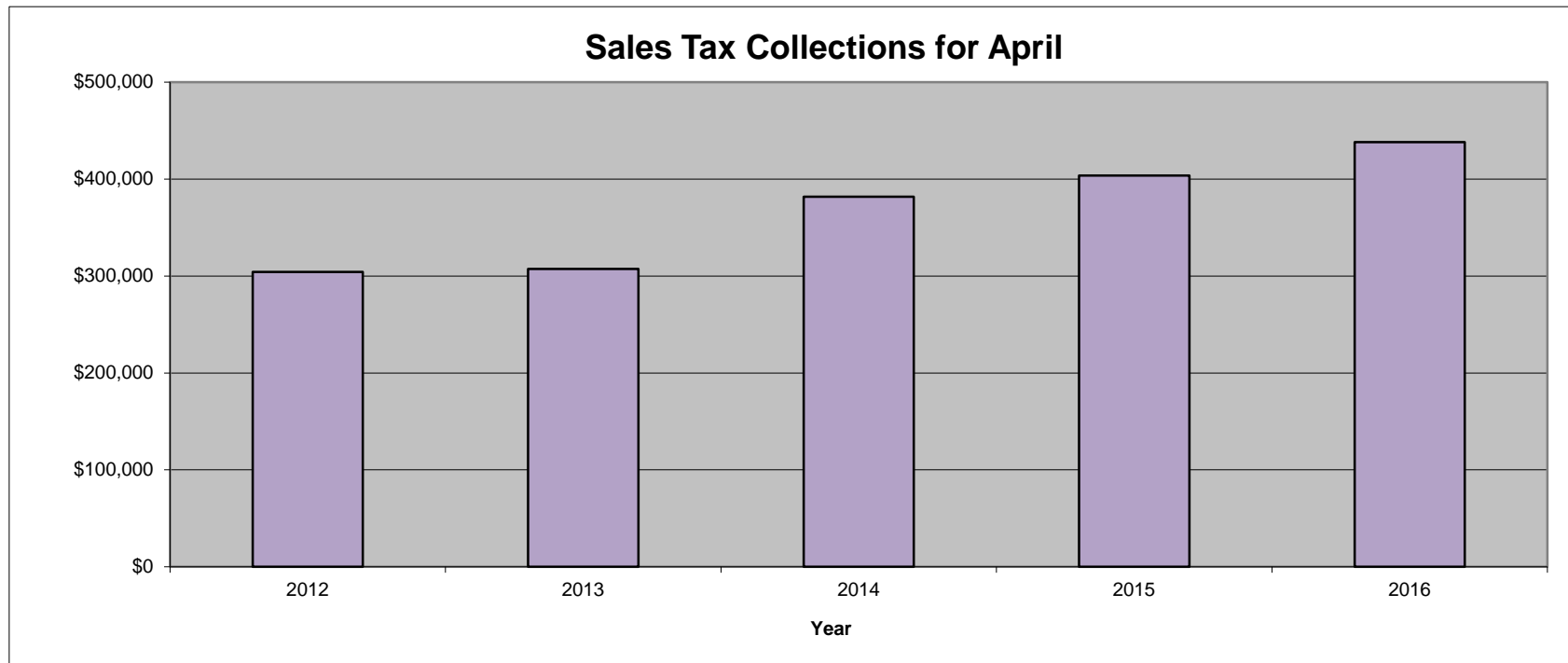
- May admissions fees at the ARC total \$54,337, an 8.53% increase over May 2015. Year-to-date admissions are 11.97% above 2015, and \$45,163 over the estimated annual budget.

Expenditures

- General Fund expenditures through May 2016 total 45.67% of the 2016 annual budget. These expenditures include the Town's annual insurance premium, \$252,000 toward signature event seed funding, \$144,710 spent for community grants, as well as a large encumbrance for the Town Attorney.
- Fleet expenditures for May are at 36.91% of the total budget. These costs include blanket encumbrances for stock parts and ongoing expenditures such as regularly purchased shop supplies and monthly copier charges.
- Transit funds are 43.85% expended compared to the 2016 budget. These expenditures include a \$135,000 expenditure for the 2015 people mover bus purchase, as well as \$176,000 for the Town's half of the 2016 gondola operations.

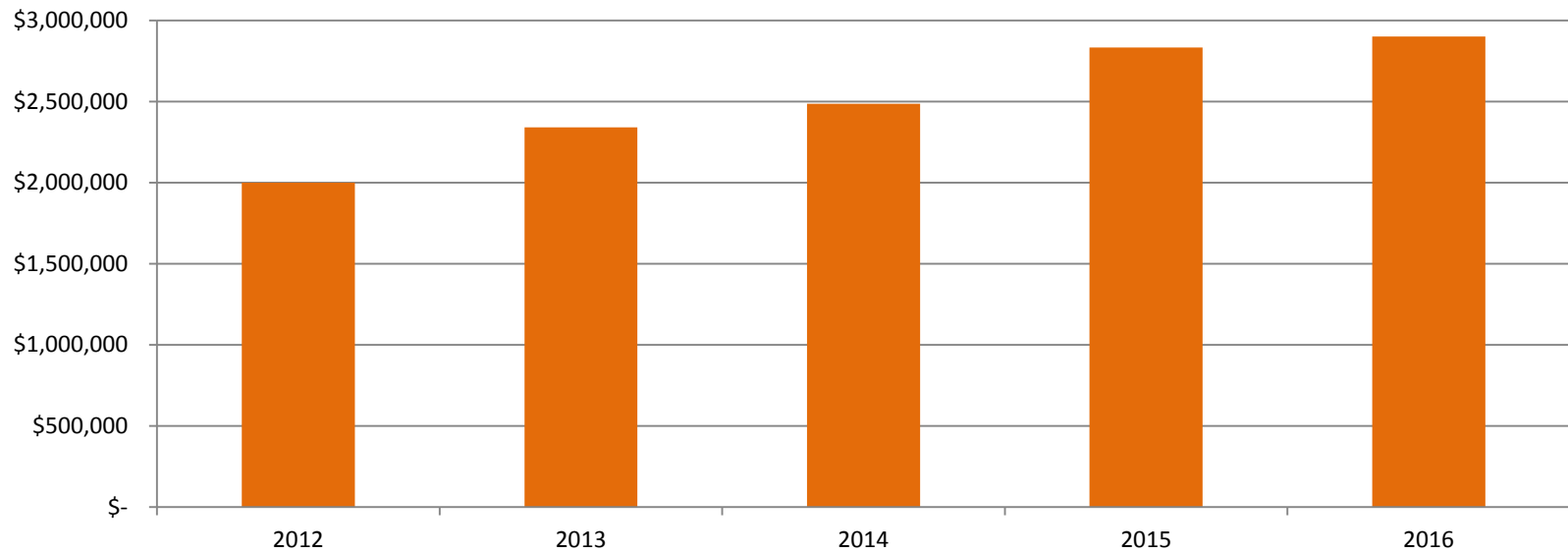
**TOWN OF AVON
SALES TAX
2016 Actual vs. Budget**

	Actual Collections					Budget	YTD Collections	Budget	% of change
	2011	2012	2013	2014	2015	2016	2016	Variance	from 2015
January	\$ 511,040.76	\$ 519,784.89	\$ 677,943.78	\$ 638,863.27	\$ 765,195.68	\$ 754,412	\$ 743,689.78	\$ (10,722.17)	-2.81%
February	532,903.25	533,546.48	636,702.27	673,722.03	788,999.06	767,268	774,754.00	7,486.36	-1.81%
March	665,532.70	643,910.29	720,267.31	793,301.96	875,499.53	896,356	945,795.71	49,440.00	8.03%
April	305,269.73	304,220.84	307,407.13	381,839.56	403,560.42	412,562	438,198.18	25,636.50	8.58%
May	236,424.93	270,082.79	309,938.72	340,332.28	353,840.11	366,107			
June	406,828.27	430,588.57	490,329.18	538,517.31	570,424.51	590,545			
July	452,873.44	472,215.40	537,479.66	570,959.86	601,516.82	638,618			
August	419,977.29	455,439.86	504,332.25	547,085.80	572,647.57	605,764			
September	391,546.49	424,793.75	475,362.88	546,016.59	595,235.68	589,641			
October	299,193.35	341,711.43	356,925.96	417,921.46	423,701.53	445,802			
November	301,407.41	336,060.63	362,460.94	397,935.36	438,315.55	445,009			
December	921,815.61	852,868.64	981,917.79	1,221,263.98	1,159,160.45	1,244,988			
Total	<u>\$ 5,444,813.23</u>	<u>\$ 5,585,223.57</u>	<u>\$ 6,361,067.87</u>	<u>\$ 7,067,759.46</u>	<u>\$ 7,548,096.91</u>	<u>\$ 7,757,072</u>	<u>\$ 2,902,437.67</u>	<u>\$ 71,840.69</u>	<u>2.44%</u>

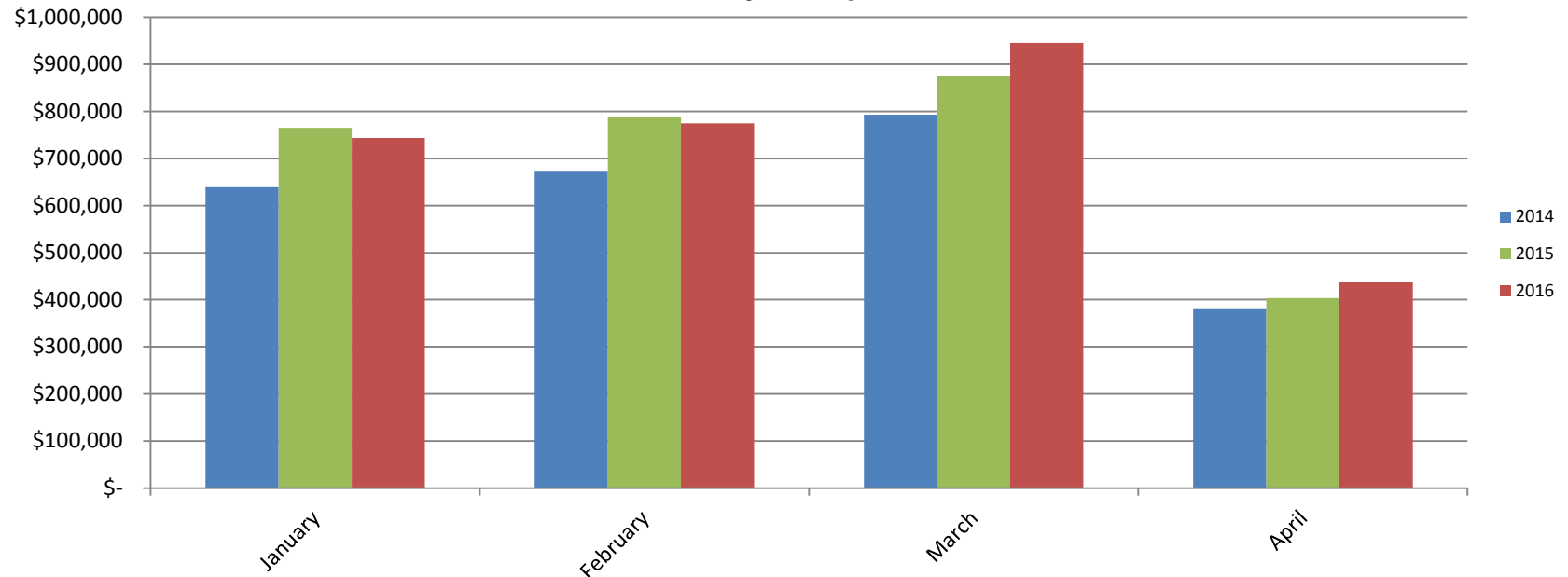


**TOWN OF AVON
SALES TAX
2016 Actual vs. Budget**

YTD Sales Tax Comparison January - April

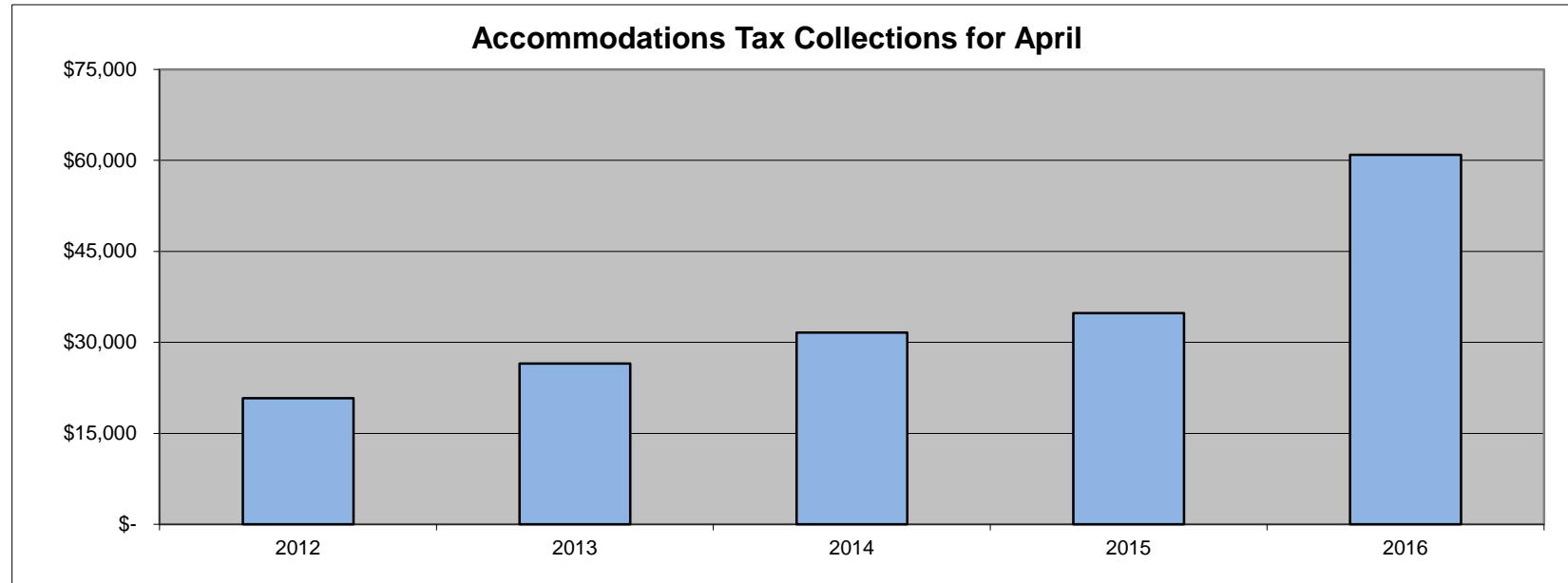


Sales Tax Monthly Comparison 2014-2016



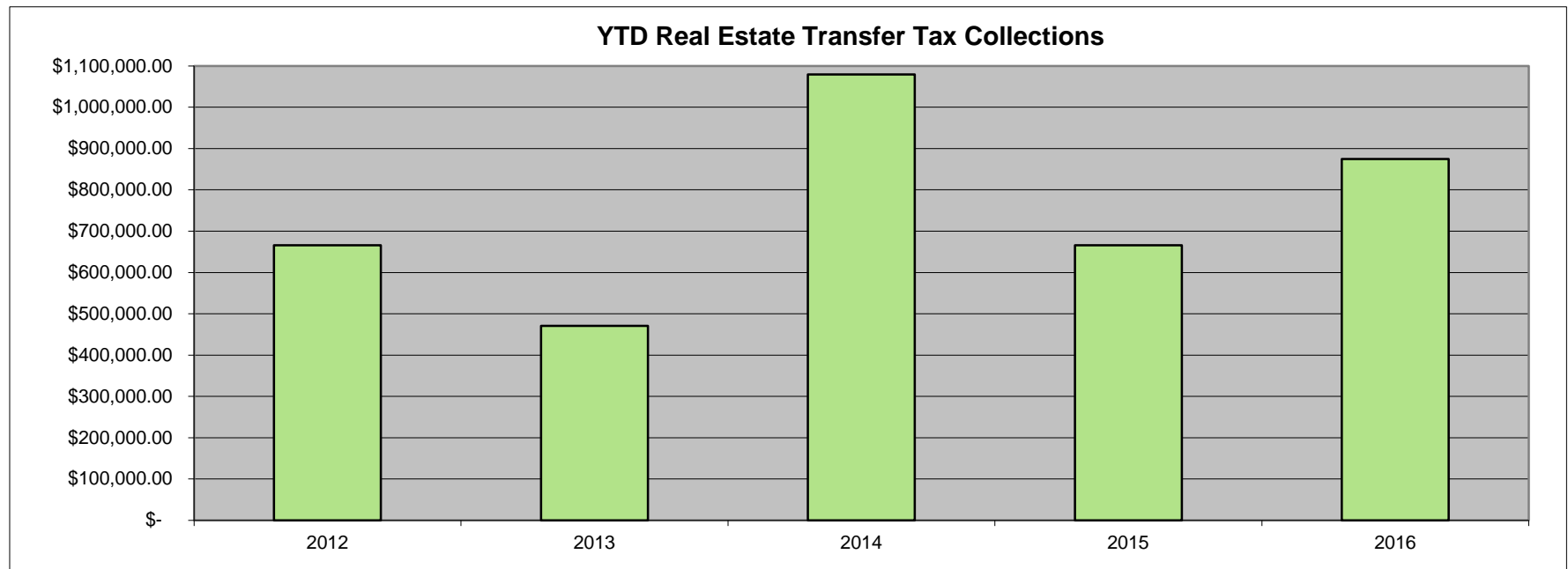
**TOWN OF AVON
ACCOMMODATIONS TAX
2016 Actual vs. Budget**

	Actual Collections					Budget	YTD Collections	Budget	% change
	2011	2012	2013	2014	2015	2016	2016	Variance	2015
January	\$ 85,233.73	\$ 90,118.88	\$ 108,508.43	\$ 129,851.78	\$ 164,361.04	\$ 144,277	\$ 168,424.63	\$ 24,147.30	2.47%
February	114,035.90	106,016.32	137,503.61	150,317.06	175,056.31	170,447	185,370.53	14,923.11	5.89%
March	122,145.16	115,043.42	153,208.80	168,597.39	183,650.29	185,351	217,387.54	32,036.06	18.37%
April	26,214.58	20,786.24	26,494.49	31,626.02	34,825.13	34,928	60,916.55	25,988.31	74.92%
May	15,152.82	16,664.44	24,527.17	21,961.97	28,002.56	26,533			
June	49,999.66	56,012.17	66,578.91	54,232.23	53,397.46	69,938			
July	62,928.07	66,726.73	73,008.92	81,083.01	86,301.22	92,358			
August	52,037.55	58,358.93	67,688.07	71,044.33	75,107.71	80,924			
September	35,521.81	42,245.24	44,661.37	50,840.16	60,417.74	58,324			
October	21,801.56	25,879.51	27,154.53	34,977.59	38,706.72	37,068			
November	24,971.33	22,786.42	28,171.04	32,064.02	34,328.47	35,521			
December	135,984.00	112,759.02	131,361.43	168,944.85	198,421.26	186,556			
Total	<u>\$ 746,026.17</u>	<u>\$ 733,397.32</u>	<u>\$ 888,866.77</u>	<u>\$ 995,540.41</u>	<u>\$ 1,132,575.91</u>	<u>\$ 1,122,226</u>	<u>\$ 632,099.25</u>	<u>\$ 97,094.79</u>	<u>13.30%</u>



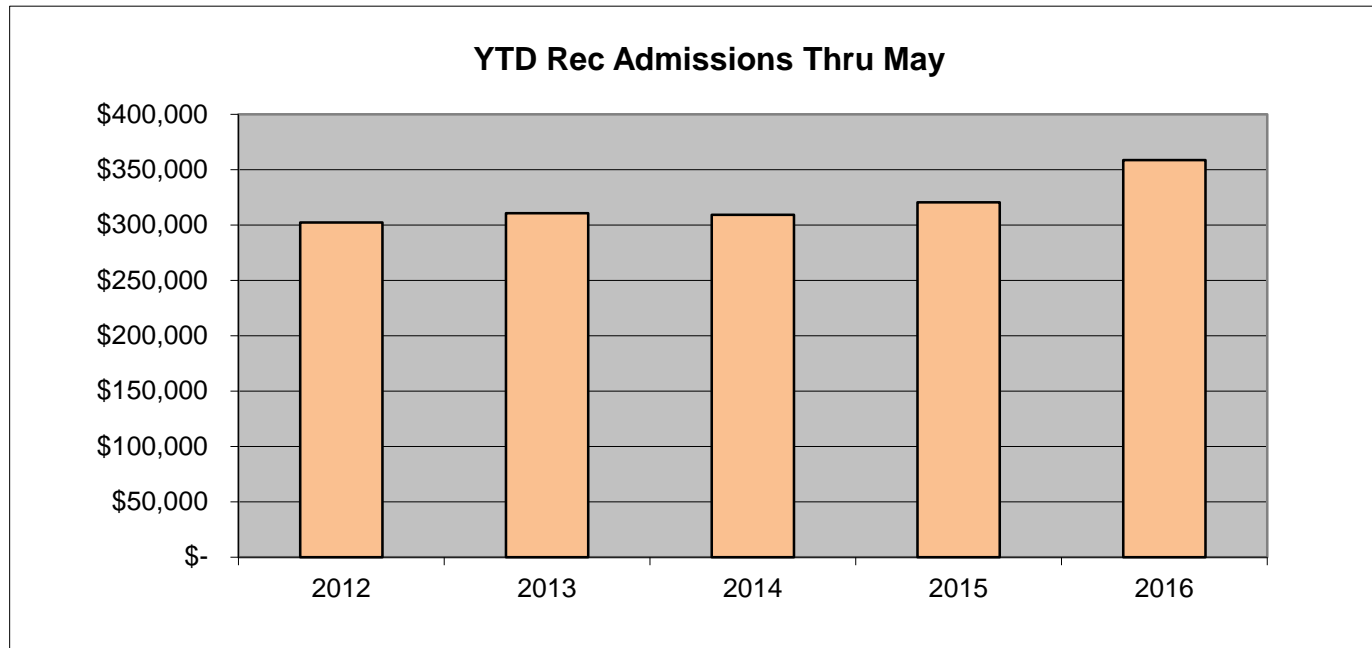
Town of Avon
Real Estate Transfer Tax
2016 Actual vs. Budget

	Actual Collections					Budget 2016	YTD Collections 2016	\$ Change 2015	% of Change 2015
	2011	2012	2013	2014	2015				
January	\$ 57,540.00	\$ 50,204.00	\$ 22,535.00	\$ 85,126.74	\$ 48,640.40	\$ 50,308	\$ 64,422.00	\$ 15,781.60	32.45%
February	230,705.50	41,750.07	55,872.69	562,219.70	85,479.08	185,960	200,850.86	115,371.78	134.97%
March	187,099.47	84,760.49	125,927.64	50,375.06	168,744.22	117,537	265,061.65	96,317.43	57.08%
April	249,482.30	219,195.80	144,437.80	197,656.36	125,266.30	178,341	159,046.06	33,779.76	26.97%
May	187,668.62	270,170.12	121,784.12	183,745.60	237,971.08	190,782	184,987.10	(52,983.98)	-22.26%
June	49,606.58	169,040.47	90,309.74	220,009.15	294,434.84	156,880			
July	46,707.37	71,057.40	386,434.78	141,051.52	396,838.68	198,546			
August	106,785.21	232,505.93	97,579.70	154,032.32	152,380.93	141,616			
September	140,876.56	96,389.34	157,010.67	267,886.92	291,223.61	181,646			
October	64,005.33	176,889.62	169,839.80	178,044.24	172,855.22	145,112			
November	98,057.44	150,549.86	112,491.82	122,582.66	169,328.38	124,416			
December	198,448.03	145,134.57	83,382.60	1,598,062.92	225,862.90	428,856			
Total	\$ 1,616,982.41	\$ 1,707,647.67	\$ 1,567,606.36	\$ 3,760,793.19	\$ 2,369,025.64	\$ 2,100,000	\$ 874,367.67	\$ 208,266.59	31.27%
Budget							2,100,000.00		
Variance, Favorable (Unfavorable)							\$ (1,225,632.33)		



TOWN OF AVON
RECREATION CENTER ADMISSION FEES
2016 Actual vs. Budget

	2011	2012	2013	2014	2015	Budget 2016	YTD Collections 2016	Budget Variance	% of change from 2015
January	\$ 76,386	\$ 66,113	\$ 70,040	\$ 62,607	\$ 64,723	\$ 67,526	\$ 74,674	\$ 7,148	15.37%
February	72,997	78,782	68,578	63,838	68,506	70,075	86,342	16,267	26.04%
March	78,985	62,670	72,616	77,902	81,664	74,275	76,023	1,748	-6.91%
April	59,991	49,982	64,370	61,760	55,452	57,927	67,398	9,471	21.54%
May	47,368	44,880	35,064	43,119	50,067	43,809	54,337	10,528	8.53%
June	49,850	49,442	46,194	55,052	58,431	51,452			
July	70,839	73,067	71,491	61,472	66,400	68,201			
August	68,324	67,510	57,329	63,233	66,389	64,131			
September	40,822	38,141	43,829	36,846	44,719	40,602			
October	52,476	41,588	48,803	75,818	61,167	55,602			
November	93,746	94,044	93,822	29,570	71,384	76,009			
December	80,985	72,059	69,258	77,672	112,201	81,892			
Total	\$ 792,769	\$ 738,277	\$ 741,394	\$ 708,889	\$ 801,102	\$ 751,500	\$ 358,774	\$ 45,163	11.97%



General Fund

May 2016 Expenditures to Date

Department Expenditure Summaries

Dept./Div. Number	Description	2016 Budget	Encumbrances Outstanding	Year To Date Expenditures	Available Balance	YTD/Budget
General Government:						
111	Mayor and Town Council	\$ 211,907	\$ 278	\$ 92,957	\$ 118,672	44.00%
112	Boards and Commissions	15,300	-	4,237	11,063	27.69%
113	Town Attorney	130,000	92,498	36,526	976	99.25%
115	Town Clerk	158,811	13,652	54,293	90,866	42.78%
121	Municipal Court	124,826	11,319	33,387	80,120	35.81%
131	Town Manager	367,267	200	133,510	233,557	36.41%
133	Community Relations	149,897	3,457	55,440	91,000	39.29%
Total General Government		1,158,008	121,404	410,350	626,254	45.92%
Human Resources Department:						
132	Human Resources	412,319	7,099	161,448	243,772	40.88%
Finance & IT Department:						
141	Finance	819,334	15,603	302,117	501,614	38.78%
143	Information Systems	388,494	18,943	166,415	203,136	47.71%
149	Nondepartmental	401,231	45,645	267,071	88,515	77.94%
Total Finance & IT		1,609,059	80,191	735,603	793,265	50.70%
Total General Gov't Departments		3,179,386	208,694	1,307,401	1,663,291	47.69%
Community Development:						
212	Planning	317,767	15,596	56,491	245,680	22.69%
213	Building Inspection	146,758	3,350	53,121	90,287	38.48%
214	Economic Development	65,600	-	20,000	45,600	30.49%
215	Town Produced Events	335,502	63,689	65,112	206,701	38.39%
216	Signature Event Seed Funding	400,000	-	252,250	147,750	63.06%
217	Community Grants	230,150	2,500	144,710	82,940	63.96%
Total Community Development		1,495,777	85,135	591,684	818,958	45.25%
Police Department:						
311	Administration	658,759	22,008	236,948	399,803	39.31%
312	Patrol	2,331,166	32,833	1,113,294	1,185,039	49.17%
313	Investigations	263,742	-	99,132	164,610	37.59%
Total Police		3,253,667	54,841	1,449,374	1,749,452	46.23%
Public Works:						
412	Engineering	273,664	6,947	105,524	161,193	41.10%
413	Roads and Bridges	1,612,864	213,350	538,600	860,914	46.62%
415	Parks	1,133,005	63,328	346,969	722,708	36.21%
418	Buildings & Facilities	1,124,910	151,046	420,580	553,284	50.82%
Total Public Works		4,144,443	434,671	1,411,673	2,298,099	44.55%
Recreation Department:						
514	Administration	245,396	22,630	96,690	126,076	48.62%
515	Adult Programs	58,827	-	20,213	38,614	34.36%
516	Aquatics	427,447	8,876	166,872	251,699	41.12%
518	Fitness	132,740	-	90,176	42,564	67.93%
519	Guest Services	292,090	4,865	111,146	176,079	39.72%
521	Youth Programs	132,412	1,891	35,915	94,606	28.55%
Total Recreation		1,288,912	38,262	521,012	729,638	43.39%
TOTAL OPERATING EXPENDITURES		\$ 13,362,185	\$ 821,603	\$ 5,281,144	7,259,438	45.67%

Fleet Maintenance Enterprise Fund

May 2016 Expenditures to Date

Expenditure Summary

Dept./Div. Number	Description	2016 Budget	Encumbrances Outstanding	Year To Date Expenditures	Available Balance	YTD/Budget
EXPENDITURES						
Public Works:						
434	Fleet Maintenance	\$ 1,817,945	\$ 51,867	\$ 619,076	\$ 1,147,002	36.91%
	Total Operating Expenditures	<u>1,817,945</u>	<u>51,867</u>	<u>619,076</u>	<u>1,147,002</u>	<u>36.91%</u>
	TOTAL EXPENDITURES	<u>\$ 1,817,945</u>	<u>\$ 51,867</u>	<u>\$ 619,076</u>	<u>\$ 1,147,002</u>	<u>36.91%</u>

Transit Enterprise Fund

May 2016 Expenditures to Date

Expenditure Summary

Dept./Div. Number	Description	2016 Budget	Encumbrances Outstanding	Year To Date Expenditures	Available Balance	YTD/Budget
EXPENDITURES						
431	Transit Administration	\$ 240,052	\$ 25,063	\$ 103,174	\$ 111,815	53.42%
432	Transit Operations	1,684,207	2,570	729,713	951,924	43.48%
435	Wash Bay	159,486	8,027	45,181	106,278	33.36%
Total Operating Expenditures		2,083,745	35,660	878,068	1,170,017	43.85%
TOTAL EXPENDITURES		<u>\$ 2,083,745</u>	<u>\$ 35,660</u>	<u>\$ 878,068</u>	<u>\$ 1,170,017</u>	<u>43.85%</u>



TOWN COUNCIL REPORT

To: Honorable Mayor and Town Council
From: Preston Neill, Executive Assistant to the Town Manager
Date: June 28, 2016
Agenda Topic: Town Code Requirement for Gift Reporting and Disclosure Report

The Town Code of Ethics requires disclosure of any gifts received which exceed \$50 in value. "Gifts" includes any present, or offer of future, individual gift, favor, loan, service or thing of value in excess of \$50.00 and such gift is offered due to such person's status as a Town Officer then such Officer shall report such gift and the estimated value to the Town Clerk. The Avon Municipal Code requires the Town Clerk to disclose through a report any gifts offered to any Town Officer per Section 2.30.170 of the Town Code of Ethics.

Please find attached the Town Clerk Gift Reporting Disclosure Report for June 2016, which lists 1) Fourteen (14) VIP passes to the *Reds, Whites & Brews Festival* on June 18th, and 2) Fourteen (14) VIP passes to the *CoverRock Music Festival* on June 25th and 26th, and 3) Fourteen (14) VIP passes to the 15th *Annual Beaver Creek Rodeo Series* this summer.

Town Council is not required to take any action; however, any Town Council member may request Council consideration of a reported gift to determine whether such gift constitutes a conflict of interest.

Town of Avon

Town Clerk Disclosure Report



In accordance with §7, Article XXIX of the Colorado Constitution and Section 2.30.170, Chapter 2.30 Avon Town Code of Ethics of the Avon Municipal Code, and any other applicable Avon Home Rule Charter provision, ordinance or resolution adopted by the Town of Avon, I, Debbie Hoppe, Town Clerk for Town of Avon, submit the following list of such gifts reported to be received by officers of the Town of Avon:

1. 2016 Reds, Whites & Brews Festival VIP Tickets – The Town Council received fourteen (14) VIP passes to the *Reds, Whites & Brews Festival* on June 18th. Each member of the Council received two (2) passes, one provided for the purpose of reviewing the event for production and for any future funding request, and the second provided as a gift for a guest. Each pass is valued at \$75.00.
2. 2016 CoverRock Music Festival VIP Tickets – The Town Council received fourteen (14) two-day VIP passes to the *CoverRock Music Festival* on June 25th and 26th. Each member of the Council received two (2) passes, one provided for the purpose of reviewing the event for production and for any future funding request, and the second provided as a gift for a guest. Each pass is valued at \$189.00.
3. 15th Annual Beaver Creek Rodeo Series VIP Passes – The Town Council received fourteen (14) VIP passes to the 15th *Annual Beaver Creek Rodeo Series* this summer. Each member of the Council received two (2) passes, one provided for the purpose of reviewing the event for any future funding request, and the second provided as a gift for a guest. With individual VIP tickets valued at \$27.00 and there being seven (7) total rodeo events scheduled, the total value of each pass is \$189.00.

Submitted to the Avon Town Council on June 28, 2016.

Debbie Hoppe, Town Clerk