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**TOWN COUNCIL MEETING AGENDA
TUESDAY, JULY 7, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.**

- I. **CALL MEETING TO ORDER**
- II. **PUBLIC COMMENT** – *Please sign in to make public comment*
- III. **CONSENT AGENDA**
 - 1. **Approval of the June 15, 2015 Meeting Minutes**
 - 2. **American Tower Sub-Lease Approval**
 - 3. **SBA Tower Sub-Lease Approval**
 - 4. **DoLA GGP Contract Approval**
 - 5. **Liquor Licenses**
 - a. **Liquor License Renewal – Pagosa Peak Partners LLC dba Higher Grounds Coffee at 189 Talisman Drive A**
- IV. **NEW BUSINESS**
 - 1. **Pickleball Paint Stripes Request for New Gym Floor**
 - 2. **Geothermal Project Advance Funding Reduction to \$125,000**
 - 3. **Town Investment Sub-Committee – CD Investment Approval**
 - 4. **Trujillo Road Change Order**
 - 5. **Resolution 2015-10, Re-Appointing Ron Maez to the Planning Commission**
- V. **OLD BUSINESS**
 - 1. **Second Reading, Ordinance 829 Vacating Public Utility Easements between Lots 6 & 7 in Paradise Mesa.**
- VI. **PUBLIC COMMENT** – *Please sign in to make public comment*
- VII. **COUNCIL IDEAS AND COMMENTS**
- VIII. **NEXT TOWN COUNCIL MEETING JULY 23, 2015 AT 5:00 PM**
- IX. **ADJOURNMENT**

**Don Volger
Mayor**



551 Hot Springs Boulevard
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TOWN COUNCIL SPECIAL MEETING MINUTES
MONDAY, JUNE 15, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Patel, Council Member Schanzenbaker
- II. **PUBLIC COMMENT** – Ms. Heidi Moller thanked the town and the parks and recreation department for allowing the pickle ball group to use the community center and the S 8th Street Park. She would like a nice pickle ball facility to hold a tournament. She said the group would like the new wood gym floor to be marked with pickle ball courts. Mr. Mark Kimmel said there are on average 20 people interested in playing Monday, Wednesday, and Fridays each week. Mr. Al Pfister said pickle ball is a growing sport. Mr. Will Dunbar said the youngest player is 14 and tourist come to play as well. Ms. Linda Reed said the tape makes the pickle ball seem temporary; she would like to make the court look like it was made for pickle ball. Mr. Larry Olan said the council needs to consider maintenance of the wood floor, he said this is a great growing sport. Mr. David Spitler said people are moving to San Carlos, New Mexico for the 17 pickle ball courts they have built.
- III. **CONSENT AGENDA**
 1. **Approval of the June 2, 2015 Meeting Minutes**
 2. **Approval of May Financial Statement and Accompanying Payments**
 3. **Liquor Licenses**
 - a. **Liquor License Renewal – Farrago Market Café & Back Room Wine Bar at 175 Pagosa St.**
 - b. **Liquor License Renewal – Alley House Grill at 214 Pagosa St.**
 - c. **Liquor License Renewal – Plaza Liquor at 511 San Juan St.**
 - d. **Special Events Liquor Permit – St Patrick’s Episcopal Church Festival August 8, 2015 at 225 S. Pagosa Blvd.**
 - e. **Special Events Liquor Permit – Pagosa Mountain Morning Rotary Club Pagosa Wrestlers Fundraiser July 11, 2015 at Town Park Athletic Field on Hermosa St. – Council Member Alley moved to approve the consent agenda, Council Member Egan seconded, unanimously approved.**
- IV. **REPORTS TO COUNCIL**
 1. **Featured Department Head Reports**
 - a. **Special Projects Department** – The Special Projects department has provided back-up support to the Town Building Official by performing numerous inspections in a timely manner, including inspections requests. The Town has received \$319,000.00 in reimbursement for work on Majestic Drive, and is pursuing an additional \$75,000.00 in CMAQ funds and de-icer funds. As a result of completion of the 6th Street Pedestrian Bridge in a satisfactory manner, the Town has been invited to submit an application for the Colorado Lottery Starburst Award, *recognizing Project/ Program Excellence in the use of Lottery Funds*. The Piedra Street project started on schedule but has suffered some delays because of unmarked or improperly marked utilities. Hart Construction is doing a good job

working through the difficulties. LPEA is in receipt of the franchise agreement after modified by Town Attorney Bob Cole to allow for the possibility of other entities selling electric power in the Town's jurisdiction with LPEA having first right of refusal. This provision was required to prevent any possible conflicts with future geothermal energy production. The community center flooring project is on schedule. Due to the new floor steps will be taken to protect the new floor from damage when using the man-lift, stage, bleachers etc. It was strongly recommended by the Town Facility Manager that future events be required to have a staff member present and that damage deposits be held in the event of damage by carelessness. Council Member Bunning would like law enforcement attention to the speed limit on Majestic Dr.

- b. Community Center Department** – The Community Center and Foundation for Archuleta County Education hosted the Garden Gala Fashion Show. The Community Center currently offers 14 free programs for the community. The basketball backboards will be replaced and a new scoreboard is being installed. Town Manager Schulte said the Town Council needs to determine the direction of the community center and philosophical discussion for the future of the community center.
- 2. Sales Tax Brief** – Sales tax received in June for April 2015 sales shows a good increase of **+19.5%** compared to April 2014. Total sales revenue for April 2015 for the Town was \$259,478, in April 2014, the total amount received was \$217,095. The growth rate in 2015 is approximately 9% over 2014.
- 3. Lodgers Tax Brief** – Collections for the year have incomplete with payments missing from February and April. New camping, heritage and hiking brochure available, with a biking brochure in production. The “5 ways to explore Pagosa” campaign was extremely successful matching state tourism grant dollars. Although Pagosa did not win the “best town in America” contest, Outside Magazine will be featuring Pagosa as one of the best small towns in their upcoming issue. The new lure brochure is being sent at a reduced cost to those who request information. The group travel focus is moving in a positive direction. Council Member Alley said if the short term rental properties step up in paying, lodger's tax will show a huge increase in receipts. Council Member Bunning said his closing company could hand out requirements for vacation rentals for the homeowners who are purchasing home as second homes and income producers.

V. NEW BUSINESS

- 1. Appointment to the Geothermal Greenhouse Partnership Board** – At the June 2nd meeting John Egan had volunteered to represent the Town Council as a liaison to the GGP board. Council Member Bunning moved designate Council Member Egan as the Town liaison to the GGP board, Council Member Alley seconded, unanimously approved.
- 2. Appointment to the Community Development Corporation Board** – At the June 2nd meeting CK Patel volunteered to represent the Town Council on the CDC board. Council Member Bunning moved to designate Council Member Patel as the Town liaison to the CDC board, Council Member Egan seconded, unanimously approved.
- 3. Ordinance 829, Vacating Public Utility Easement between Lots 6 and 7 in Paradise Mesa** – The Town has received an application for a lot consolidation of Lots 6 and 7 of the Paradise Mesa Subdivision in order to build a single family residence on the consolidated lot. As part of the lot consolidation, the perimeter Public Utility Easements (PUE) between Lots 6 and 7 are requested to be vacated. Council Member Egan moved to approve the first reading of Ordinance No. 829, an Ordinance of the Town of Pagosa Springs vacating the Public Utility Easements between Lots 6 and 7 in the Paradise Mesa Subdivision as shown on the Paradise Mesa Subdivision Plat #441A, with conditional approval that staff come back to council with where the building will be built on the conjoined lots, Council Member Alley seconded, unanimously approved.
- 4. Resolution 2015-08, Appointing Greg Giles to the Planning Commission** – The planning commission currently has five members although the by-laws recommend five permanent and two alternate. Mr. Greg Giles has submitted interest to serve on the planning commission. Council Member Alley moved to approve Resolution No. 2015-08, a resolution of the Town of Pagosa Springs, appointing Mr. Greg Giles to the planning commission as an alternate member for a four (4) year term commencing on July 1, 2015 and concluding on July 1, 2019, Council

Member Bunning seconded, unanimously approved.

VI. OLD BUSINESS

1. Ordinance 826, Second Reading, Revising Tourism By-Laws – In conjunction with an MOU with Archuleta County, the TTC by-laws have been modified to include a name change from Town Tourism Committee to the Pagosa Springs Area Tourism Board, reduction of board members from 11 to 9 with a representative from Archuleta County sitting on the board, and approval of annual budgets by both entities. Council Member Schanzenbaker moved to approve the second reading of Ordinance 826, repealing and readopting Section 16.4.12 of the Municipal Code, Council Member Egan seconded, unanimously approved.

VII. PUBLIC COMMENT – Mr. Morgan Murri said the CDC members recently attended a broadband presentation; they would like to bring to council in July.

VIII. COUNCIL IDEAS AND COMMENTS – Council Member Patel would like the road painted again, he said Hot Springs Blvd paint recently applied was quickly washed away. Council Member Egan thanked Thad McCain for his efforts at the EOC in keeping the public officials advised. He would like another speed trailer for the 2016 year to put at each end of town. He would like a cross walk at 1st and Hwy 160. Council needs to update the action items for the goals and objectives, the town manager will select a date and time in July.

IX. NEXT TOWN COUNCIL MEETING JULY 7, 2015 AT 5:00 PM

X. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 6:57pm.

**Don Volger
Mayor**



AGENDA DOCUMENTATION

CONSENT AGENDA: III.2

PAGOSA SPRINGS TOWN COUNCIL
JULY 7, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: AMERICAN TOWER CORPORATION TOWER SUB-LEASE
ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE / BACKGROUND

The town of Pagosa Springs has 4 leases for cell towers on Reservoir Hill and one is held by Verizon Communications, Inc. (Verizon). The lease with Verizon is \$650 per month with escalation clauses and goes to November 2028.

On February 5, 2015, Verizon entered into an agreement with American Tower Corporation ("American Tower") regarding a portion of Verizon's tower portfolio including the right for American Tower to manage and operate the Portfolio. The Town's Lease and the site associated with the lease are part of the Portfolio.

American Tower and Verizon expect the initial transactions contemplated under the Agreement ("Transaction") to close on or before May 1, 2015. As part of the Transaction, Verizon's affiliate party to the Ground Lease will: (i) sublease the Lease to American Tower or one of its affiliates and (ii) leaseback a portion of the Site from American Tower or one of its affiliates and retain certain rights to continue using such portion of the Site.

The lease agreement provides that the Town must consent to the sub-lease but upon the advice of legal counsel, "consent" doesn't really mean much more than notification because the Town's consent cannot be unreasonably withheld. Valid reasons to withhold consent would include if the Town has a history with American Tower Corporation and they have violated other agreements or not paid rent, etc., or if we have some reason to believe that they are not a financially stable company and will not be able to make payments. None of that is the case, so the advice is to the sublease and assignment.

FISCAL IMPACT

As the agreed upon rent will continue to be paid and the lease term does not change, there is no fiscal impact as a result of this action.

RECOMMENDATION

Possible actions by the Town Council include:

- 1) ***"MOVE TO APPROVE AUTHORIZING THE MAYOR TO EXECUTE THE CONSENT DOCUMENTS."***
- 2) ***"MOVE TO DISAPPROVE AUTHORIZING THE MAYOR TO EXECUTE THE CONSENT DOCUMENTS."***
- 3) ***DIRECT STAFF.***



AGENDA DOCUMENTATION

CONSENT AGENDA:III.3

PAGOSA SPRINGS TOWN COUNCIL
JULY 7, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: SBA MEMORANDUM OF LEASE AGREEMENT
ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE / BACKGROUND

The Town of Pagosa Springs has 4 leases for cell towers on Reservoir Hill and one of the four was held by Alamosa Properties. The lease with Alamosa Properties is \$20,000 per year with escalation clauses annually. The lease goes to 2030.

The Town and Alamosa Properties, LP ("Original Lessee") entered into a Ground Lease Agreement, dated October 14, 2005 (herein the "Lease Agreement") whereby, the Town leased to Alamosa Properties a site up on Reservoir Hill. Alamosa Properties assigned its interest under the Lease Agreement to SBA Communications pursuant to a certain Assignment and Assumption of Lease, dated February 27, 2009 (the "Assignment").

The lease agreement provides that the Town must consent to the assignment but upon the advice of legal counsel, "consent" doesn't really mean much more than notification because the Town's consent cannot be unreasonably withheld. Valid reasons to withhold consent would include if the Town has a history with SBA Communications and they have violated other agreements or not paid rent, etc., or if we have some reason to believe that they are not a financially stable company and will not be able to make payments. None of that is the case, so the advice is to consent to the sublease and assignment.

FISCAL IMPACT

As the agreed upon rent will continue to be paid and the lease term does not change, there is no fiscal impact as a result of this action.

RECOMMENDATION

Possible actions by the Town Council include:

- 1) ***"MOVE TO APPROVE AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF LEASE DOCUMENTS."***
- 2) ***"MOVE TO DISAPPROVE AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF LEASE DOCUMENTS."***
- 3) ***DIRECT STAFF.***



AGENDA DOCUMENTATION

CONSENT AGENDA: III.4

PAGOSA SPRINGS TOWN COUNCIL
JULY 7, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: GEOTHERMAL GREENHOUSE PROJECT DOLA GRANT CONTRACT APPROVAL
ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE / BACKGROUND

The GGP has spent considerable time in the past two years in organizing as a 501(c)3 entity and seeking funding for the development and the initial design and planning work for the construction of the geothermal greenhouses. The GGP currently has secured approximately \$125,000 consisting of the following commitments:

- \$ 25,000 Town of Pagosa Springs
- \$ 25,000 Laura Jean Musser Foundation
- \$ 25,000 San Juan Basin Roundtable
- \$ 50,000 Colorado Water Conservation Board

DoLA Energy and Mineral Impact Assistance Funds

In December 2014, the Town, with Council's approval, submitted an Energy Impact grant application in the amount of \$301,800. Staff presented to the DoLA panel in March and we were notified of the award in early April. The grant award was in the amount of \$275,000. After notification of the award, staff worked with the GGP Board to revise the scope of work to match the reduced award amount of \$275,000. By re-working the scope of work and getting additional In-kind donations, we were able to match the grant funding with the contemplated improvements.

From a process standpoint, after the notification of the award a contract agreement was prepared by the DoLA staff and is now being presented to Town Council for approval. In the event the Town Council authorizes the Mayor to sign the agreement and accept the grant funds, it will then be forwarded to DoLA for signatures by DoLA and the State Controller. After that, the funds are available for expenditure.

FISCAL IMPACT

At the May 21st Town Council meeting, the Council unanimously approved the following motion:

"APPROVE THE APPROPRIATION OF \$350,000 FROM GENERAL FUND RESERVES TO SERVE AS FUNDING FOR PHASE 1 CONSTRUCTION COSTS FOR THE GEOTHERMAL GREENHOUSE PROJECT TO BE REIMBURSED BY DOLA ENERGY IMPACT AND CWCB GRANTS FUNDS TOTALING \$350,000."

This motion also included \$75,000 to serve as advance funding for the CWCB grant awarded to the GGP.

RECOMMENDATION

Possible actions by the Town Council include:

- 1) "MOVE TO APPROVE AUTHORIZING THE MAYOR TO EXECUTE CONTRACT DOCUMENTS RELEVANT TO DOLA EIAF GRANT #7735."
- 2) "MOVE TO DISPROVE AUTHORIZING THE MAYOR TO EXECUTE CONTRACT DOCUMENTS RELATED TO DOLA EIAF GRANT #7735."
- 3) DIRECT STAFF.



AGENDA DOCUMENTATION

CONSENT AGENDA:III.5.A

PAGOSA SPRINGS TOWN COUNCIL

JULY 7, 2015

FROM: **BILL ROCKENSOCK, POLICE CHIEF**

PROJECT: LIQUOR LICENSE RENEWALS

ACTION: DISCUSSION AND POSSIBLE DECISION

PURPOSE/BACKGROUND

Businesses granted liquor licenses by the State of Colorado and the Town of Pagosa Springs are required to renew their liquor license annually. The Town Council, as the Local Licensing Authority, has requested that the Police Department provide them with information on police contacts with these businesses in consideration of their renewal application.

Annually, the Police Department works with the Colorado Liquor Enforcement Division to conduct compliance checks on businesses within the Town of Pagosa Springs holding liquor licenses throughout the year, Officers do perform random checks/walk thru of businesses selling liquor in the town limits.

The vendors listed below have requested a renewal of their liquor license. Based upon a local records check, the Police Department has found the following:

Pagosa Peak Partners LLC, dba Higher Grounds Coffee – Since July 1, 2014, there were no documented liquor violations at the Higher Grounds Coffee, located at 189 Talisman Dr. #A.

ATTACHMENT(S)

None

RECOMMENDATION

It is the recommendation of the Police Chief that the Town Council:

- **Consider the above information when determining approval of liquor license renewals**



AGENDA DOCUMENTATION

NEW BUSINESS:IV.1

PAGOSA SPRINGS TOWN COUNCIL

JULY 7, 2015

FROM: GREGORY J. SCHULTE , TOWN MANAGER

PROJECT: PICKLEBALL STRIPING REQUEST FOR THE NEW GYM FLOOR IN THE COMMUNITY CENTER

ACTION: DISCUSSION AND POSSIBLE DECISION

BACKGROUND

On March 19, 2015 Council directed staff to pursue installation of a Hardwood Sports Floor in the Community Center. After considering current use of the space by various groups, a Specification Sheet was developed and the project was advertised for RFP. The bid opening was May 1st and the contract was awarded to Benchmark Wood Floors. Included in the bid specifications was paint striping for basketball and volleyball.

Recreation and Community Center staff have been in periodic communication with members of the group playing pickleball at the Community Center and they presently use the gym to play several days a week and have requested to have permanent striping for pickleball courts painted on the new hardwood gym floor.

Staff is not supportive of this request for the following reasons:

1. The gym floor space is already constrained with both the basketball and volleyball striping and while the pickleball striping presently uses temporary tape, it does add to the confusion of which lines are which for both players (particularly youth sports) and referees.
2. Pickleball is not a Town-sponsored recreation program, unlike basketball and volleyball, which are administered by the Town Recreation staff and fees are collected from the participants. The pickleball players do not presently pay anything for the use of the facility, although this is also true of many other users too (Zumba, yoga, etc.) Staff believes pickleball players do not have standing as a Town program to have permanent striping on the gym floor.
3. By allowing the pickleball players to have permanent stripes, it raises a possibly problematic policy question as to which groups are entitled to have "their" striping on the floor.
4. When researching possible floor types, staff reviewed the different floors in town and in other locations and it was discerned that when painting stripes, one has to plan for possibly decades of use. For example, the middle school wood floor has been maintained with a new layer of urethane each year, but in the 30-40 years of use, it has never needed to be sanded all the way down to the wood, thereby necessitating new paint stripes. The stripes remain for decades whether in use or not.
5. Since this was not anticipated in the bid, it would be considered a Change Order to the project and based upon an estimate from Benchmark Woods, it is estimated to cost an additional \$640.00 to paint 2 pickleball courts.

FISCAL IMPACT

The fiscal impact to granting the request is limited to the cost of the paint and labor for the additional striping which is estimated at \$640.00.

RECOMMENDATION

Possible actions by the Town Council are:

- 1) **"Move to approve the request of having permanent pickleball striping on the new gym floor and direct staff to execute a Change Order with Benchmark Wood Floors, Inc. in the amount of \$640.00.**
- 2) **"Move to affirm the current bid specifications for basketball and volleyball striping on the new gym floor."**

To the Town Council of Pagosa Springs

We, the pickleball players of Pagosa Springs, would like to work with the Town of Pagosa Springs to establish this community as a top-rate destination for pickleball players, as well as an enjoyable year-round location for our local pickleball players.

To do this we would like to continue to have pickleball courts in the Community Center, and have those courts available for play three mornings per week plus one evening per week.

To facilitate this, we would like to have painted pickleball court lines on the floor of the Community Center.

In addition we would like to continue to use the pickleball courts at South Pagosa Park for play in the mornings and evenings when weather permits.

As has been the case over the past 5 years, we will continue to supply nets, balls and paddles for those who play.

We are hereby requesting the Town Council to 1) authorize such actions as are necessary to facilitate the continuation of pickleball in Pagosa Springs for the benefit of local residents, and 2) allow visiting pickleball players to tout Pagosa Springs as, "a great place to play pickleball."

PICKLEBALL IN PAGOSA SPRINGS

At the Community Center

Began: August 13, 2010

Now an average of 20 people play 3 times, 3 hr. a day 49 weeks a year (3 weeks for the CC programs)

8,820- hours of play in a year

At South Pagosa Park

Began: Sept. 2014 – lines applied on concrete

10-15 people play 3 times a week during nice weather

NO COST TO TOWN OF PAGOSA SPRINGS: Nets, paddles, and balls supplied by players

PICKLEBALL IN THE U.S.

USAPB Association

150,000 players in North America

3297 places to play – 9863 courts

Started in 1965 in the state of Washington

PICKLEBALL IS THE FASTEST GROWING SPORT IN THE U.S.

PICKLEBALL IN OTHER COMMUNITIES

Albuquerque (paid by city)

- 6 community centers – all have painted lines for pickleball
- 3-Day Tournament – 114 participants – 40 out of town -- \$15,000 spending

Tierra Amarillo (paid by town)

2 outside courts -- Park and Recreation Department are smoothing the surface, painting lines and fencing the area

Durango (paid by town)

- 6 indoor courts at Rec. Center – 3 painted
- Tournament draws from wide area

Cambria CA (paid by town)

6 new dedicated courts for Pickleball

Morro Bay, CA (paid by town)

6 new dedicated courts for Pickleball

Pickleball tournaments sponsored by Alpine Bank in Durango, Gunnison, Glenwood Springs, Grand Junction, Montrose and Delta.

Thank you for considering our request.

Sky Rocket Pickleball Club



AGENDA DOCUMENTATION

NEW BUSINESS:IV.2

PAGOSA SPRINGS TOWN COUNCIL

JULY 7, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: REVISED PAGOSA AREA GEOTHERMAL WATER AND POWER AUTHORITY DOLA GRANT BRIDGE FUNDING REQUEST

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

In April 2014, the Town of Pagosa Springs and Archuleta County executed the Pagosa Area Geothermal Water and Power Authority (Authority) Agreement that created the Authority with the purpose of exploring for geothermal resources and possible development of those resources, if they were found to be viable. The project is being funded from three sources, as follows:

- \$4 million in federal Department of Energy (DOE) Funds
- \$2 million in state of Colorado Department of Local Affairs (DOLA) Energy Impact Funds
- \$520,000 in County and Town funds

The DOLA grant was initially secured by Archuleta County and then subsequently conveyed to the Authority. The DOLA grant was secured to assist with funding the exploratory drilling for geothermal water and is considered by the DOE as matching funds for their \$4 million in grant funds. State Energy Impact grants are normally administered on a reimbursement basis, that is to say the expenditures occur first and the grant funding is reimbursed subsequently.

As the drilling progressed, it surfaced that the Authority needed funding to pay for the initial costs and then be reimbursed subsequently by the DOLA grant. On March 3, 2015 the Town Council approved advancing up to \$250,000 to the Authority for drilling expenses to be reimbursed by the DOLA grant. The County also approved advancing up to \$250,000 but was accompanied by a Promissory Note that expired on June 1, 2015. The Town serves as the fiscal agent for the grant and a check for \$250,000 was written to the County to fulfill the Promissory Note.

On May 6th, the PAGWAPA Board met to discuss the present status of the drilling and whether advance funding was still needed from the Town and County. It was concluded that additional funding was still needed to take advantage of the DOLA funding, but given the short period for drilling time left, only half the original amount would be needed, or \$125,000 from each entity. A request for continued funding was passed unanimously by all members present (4-0).

FISCAL IMPACT

Since the request for funding is half of the present commitment, this will only benefit the Town's financial position. Since this funding is considered "bridge funding" and is reimbursed by the DOLA Grant, any eligible amounts advanced will be fully reimbursed.

RECOMMENDATION

It is the recommendation of the Pagosa Area Geothermal Water and Power Authority Board that the Town Council, by motion:

"Approve continued advance funding, appropriated from General Fund reserves, an amount not to exceed \$125,000, matching a \$125,000 contribution from Archuleta County, for the purpose of providing bridge funding for expenses related to test geothermal drilling. Any funding advanced is to be reimbursed by the Department of Local Affairs Energy Impact Grant awarded to the Pagosa Area Geothermal Water and Power Authority."



AGENDA DOCUMENTATION

NEW BUSINESS:IV.3

PAGOSA SPRINGS TOWN COUNCIL

JULY 7, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER AND APRIL HESSMAN, TOWN CLERK

PROJECT: ESTABLISHMENT OF TOWN INVESTMENT SUB-COMMITTEE

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

The Town of Pagosa Springs has maintained several Certificate of Deposits (CD) over the years which have invested funds from both the General Fund and the Sanitation Fund. The approach to investing the funds in the CDs may be characterized as "passive." As the terms for the CDs have matured, the approach has been typically to allow them to "roll over" for another period of time. In the low interest environment that has prevailed for the past several years, it may have not been as important to take a more forward thinking approach to investing, but staff believes circumstances have changed whereby a more proactive approach needs to be taken in regards to investing the public funds.

To ensure there is accountability, staff recommends the establishments of a Town Investment Sub-Committee that would consist of the following individuals:

- 2 Town Council Members
- Town Manager
- Town Clerk acting as Finance Director

Any investment recommendations from the Sub-Committee would come back to the full Council for approval.

FISCAL IMPACT

Presently, the Town has 5 CDs with three different banks. They earn interest ranging from 0.15% to 0.5%. The total amount of funds invested in CDs are:

- \$425,544 in the General Fund (3CDs)
- \$252,984 in the Sanitation Fund (2 CDs)

After some preliminary research as to available rates, the Town could be earning a minimum interest of 0.55% and ranging up to 1.65% for a 36 month CD.

RECOMMENDATION

Possible actions by the Town Council in this matter include:

1. ***"Move to approve establishing a Town Investment Sub-Committee to assist staff in providing recommendations to the full Town council for investment of Town funds."***
2. ***"Move to disapprove establishing a Town Investment Sub-Committee to assist staff in providing recommendations to the full Town council for investment of Town funds."***
3. ***Direct Staff.***



AGENDA DOCUMENTATION

NEW BUSINESS:IV.4

PAGOSA SPRINGS TOWN COUNCIL

JULY 7, 2015

FROM: SCOTT T. FROST SPECIAL PROJECTS MANAGER

PROJECT: TRUJILLO ROAD CONSTRUCTION CHANGE ORDER

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

Pursuant to the 2015 County Road Plan, the County Public Works Department intends to reconstruct a significant portion of the paved section of Trujillo Road (County Road 500). The Town was invited to “piggy back” on the project in order to pave the 1,900 linear feet of Trujillo Road that lies within Town Boundaries.

At Town staff’s request, a cost estimate was provided to perform the extra work. In addition, there was an additional 600 linear feet segment added to get additional pavement from about S. 10th Street to the west concrete connector at S. 8th Street and Apache Street. In conversations with Town Street staff, it is believed to be advantageous to resurface Trujillo all the way to S. 8th Street and Apache Street. The estimated cost for the additional 1,900 linear feet of roadwork was \$340,835 which included a 10% contingency. Since the time the estimate was prepared, the project has gone out to bid and the lowest bid came in 16% higher than estimated.

The New Project Budget is estimated as follows:

Construction: \$331,193.03

Engineering: \$37,000.00

Project Total \$368,193.03

ATTACHMENTS

- Bid Abstract
- Engineering Cost Estimate

FISCAL IMPACT

This project is not a budgeted item. However, the council approved using the \$217,000 originally budgeted in the 5 Year Street Maintenance line item for resurfacing S. 10th Street and defer that project until a subsequent year to take advantage of the County being mobilized to do Trujillo in 2015.

The balance of approximately \$151,000 would be supplied from \$111,000 unobligated impact fees funds originally budgeted for Piedra Street and fund reserves. By combining the funds from the 5 Year Street Maintenance account with the anticipated surplus from the Piedra Street Project, the amount required from the fund reserves for the Trujillo Road Project is approximately \$40,000.

RECOMMENDATION(S)

Possible motions for consideration by Council include:

- 1.) *“Move to APPROVE the Town’s participation in the County’s Trujillo Road Project to reconstruct 1,900 linear feet at the estimated cost of \$368,193 with \$217,000 in funding coming from the 5 Year Maintenance Plan line item, \$111,000 coming from unobligated funds from the Piedra Street Construction Project, and the balance of \$40,000 coming from Fund Reserves.”*
- 2.) *“Move to DECLINE the Town’s participation in the County’s Trujillo Road Project.”*
- 3.) *Direct staff*

**TRUJILLO ROAD (CR 500) RESURFACING PROJECT
ARCHULETA COUNTY, COLORADO**

Low Bidder - Town of Pagosa Springs and Archuleta County Breakdown
6/11/2015

Item	Description	Engineer's Overall Estimate				Engineer TOPS		Strohecker TOPS		Engineer County		Strohecker County	
		Quantity	Units	Unit Price	Extension	Quantity	Extension	Unit Price	Extension	Quantity	Extension	Unit Price	Extension
1	Clearing, Grubbing, and Earth Berm	1	l.s.	\$4,000.00	\$4,000.00	0.2175	\$870.00	\$30,000.00	\$6,525.00	0.7825	\$3,130.00	\$30,000.00	\$23,475.00
2	Road Pulverization, 8" deep (incl. Class 6 ABC)	25,500	s.y.	\$1.00	\$25,500.00	5,546	\$5,546.00	\$2.15	\$11,923.90	19,954	\$19,954.00	\$2.15	\$42,901.10
3a	Excavation & Embankment	571	c.y.	\$8.00	\$4,568.00	190	\$1,520.00	\$19.50	\$3,705.00	381	\$3,048.00	\$19.50	\$7,429.50
3b	Subgrade Preparation - Roadways	25,200	s.y.	\$1.00	\$25,200.00	5,481	\$5,481.00	\$2.05	\$11,236.05	19,719	\$19,719.00	\$2.05	\$40,423.95
3c	Subgrade Preparation - Drives	2,400	s.y.	\$1.25	\$3,000.00	990	\$1,237.50	\$2.75	\$2,722.50	1,410	\$1,762.50	\$2.75	\$3,877.50
4a	ABC, Class 6 - Roadways	3,400	c.y.	\$40.00	\$136,000.00	786	\$31,440.00	\$36.50	\$28,689.00	2,614	\$104,560.00	\$36.50	\$95,411.00
4b	ABC, Class 6 - Drives	300	c.y.	\$45.00	\$13,500.00	123	\$5,535.00	\$45.00	\$5,535.00	177	\$7,965.00	\$45.00	\$7,965.00
5a	ACSC - Roadway, 5" thick	6,200	tons	\$105.00	\$651,000.00	1,349	\$141,645.00	\$107.00	\$144,343.00	4,851	\$509,355.00	\$107.00	\$519,057.00
5b	ACSC - Drives, 3" thick	225	tons	\$115.00	\$25,875.00	92	\$10,580.00	\$115.00	\$10,580.00	133	\$15,295.00	\$115.00	\$15,295.00
6a	Subgrade Stabilization - Aggregate	300	c.y.	\$50.00	\$15,000.00	65	\$3,250.00	\$50.00	\$3,250.00	235	\$11,750.00	\$50.00	\$11,750.00
6b	Subgrade Stabilization - Clean Aggregate	50	c.y.	\$60.00	\$3,000.00	11	\$660.00	\$100.00	\$1,100.00	39	\$2,340.00	\$100.00	\$3,900.00
6c	Subgrade Stabilization - Geogrid	900	s.y.	\$4.00	\$3,600.00	195	\$780.00	\$4.75	\$926.25	705	\$2,820.00	\$4.75	\$3,348.75
7a	C.M.P., 12" Diameter	367	l.f.	\$36.00	\$13,212.00	140	\$5,040.00	\$49.65	\$6,951.00	227	\$8,172.00	\$49.65	\$11,270.55
7b	C.M.P., 15" Diameter	38	l.f.	\$45.00	\$1,710.00	-	\$0.00	\$56.25	\$0.00	38	\$1,710.00	\$56.25	\$2,137.50
7c	C.M.P., 18" Diameter	270	l.f.	\$54.00	\$14,580.00	88	\$4,752.00	\$61.45	\$5,407.60	182	\$9,828.00	\$61.45	\$11,183.90
7d	C.M.P., 30" Diameter	50	l.f.	\$90.00	\$4,500.00	-	\$0.00	\$82.40	\$0.00	50	\$4,500.00	\$82.40	\$4,120.00
7e	C.M.P., 66" Diameter	40	l.f.	\$250.00	\$10,000.00	-	\$0.00	\$261.55	\$0.00	40	\$10,000.00	\$261.55	\$10,462.00
7f	HDPE, 12" Diameter ADS N-12	133	l.f.	\$40.00	\$5,320.00	133	\$5,320.00	\$49.70	\$6,610.10	-	\$0.00	\$49.70	\$0.00
7g	HDPE, 15" Diameter ADS N-12	50	l.f.	\$50.00	\$2,500.00	50	\$2,500.00	\$56.25	\$2,812.50	-	\$0.00	\$56.25	\$0.00
7h	Metal End Section, 12" Pipe	19	ea.	\$250.00	\$4,750.00	5	\$1,250.00	\$270.70	\$1,353.50	14	\$3,500.00	\$270.70	\$3,789.80
7i	Metal End Section, 15" Pipe	2	ea.	\$275.00	\$550.00	-	\$0.00	\$278.55	\$0.00	2	\$550.00	\$278.55	\$557.10
7j	Metal End Section, 18" Pipe	13	ea.	\$300.00	\$3,900.00	3	\$900.00	\$287.70	\$863.10	10	\$3,000.00	\$287.70	\$2,877.00
7k	Metal End Section, 30" Pipe	2	ea.	\$400.00	\$800.00	-	\$0.00	\$1,046.25	\$0.00	2	\$800.00	\$1,046.25	\$2,092.50
7l	Metal End Section, 66" Pipe	2	ea.	\$2,500.00	\$5,000.00	-	\$0.00	\$5,885.20	\$0.00	2	\$5,000.00	\$5,885.20	\$11,770.40
7m	HDPE End Section, 12" Pipe	1	ea.	\$250.00	\$250.00	1	\$250.00	\$359.65	\$359.65	-	\$0.00	\$359.65	\$0.00
7n	HDPE End Section, 15" Pipe	1	ea.	\$275.00	\$275.00	1	\$275.00	\$359.65	\$359.65	-	\$0.00	\$359.65	\$0.00
7o	Remove C.M.P., 12" Diameter	237	l.f.	\$12.00	\$2,844.00	103	\$1,236.00	\$4.50	\$463.50	134	\$1,608.00	\$4.50	\$603.00
7p	Remove C.M.P., 15" Diameter	85	l.f.	\$15.00	\$1,275.00	44	\$660.00	\$4.90	\$215.60	41	\$615.00	\$4.90	\$200.90
7q	Remove C.M.P., 18" Diameter	373	l.f.	\$18.00	\$6,714.00	146	\$2,628.00	\$5.25	\$766.50	227	\$4,086.00	\$5.25	\$1,191.75
7r	Remove C.M.P., 30" Diameter	59	l.f.	\$30.00	\$1,770.00	-	\$0.00	\$6.55	\$0.00	59	\$1,770.00	\$6.55	\$386.45
7s	Remove C.M.P., 66" Diameter	47	l.f.	\$66.00	\$3,102.00	-	\$0.00	\$30.00	\$0.00	47	\$3,102.00	\$30.00	\$1,410.00
8a	Riprap, 9" Median Stone Size	35	c.y.	\$75.00	\$2,625.00	5	\$375.00	\$175.00	\$875.00	30	\$2,250.00	\$175.00	\$5,250.00
8b	Geotextile Filter Fabric	85	s.y.	\$2.00	\$170.00	12	\$24.00	\$3.50	\$42.00	73	\$146.00	\$3.50	\$255.50
9a	Curb & Gutter, 18" pan, 6" curb	162	l.f.	\$25.00	\$4,050.00	162	\$4,050.00	\$34.05	\$5,516.10	-	\$0.00	\$34.05	\$0.00
9b	Catch Basin w/Frame & Grate	2	ea.	\$2,500.00	\$5,000.00	2	\$5,000.00	\$3,750.00	\$7,500.00	-	\$0.00	\$3,750.00	\$0.00
9c	Concrete Manhole Collars	2	ea.	\$1,000.00	\$2,000.00	2	\$2,000.00	\$1,200.00	\$2,400.00	-	\$0.00	\$1,200.00	\$0.00
10	Imported Topsoil	770	c.y.	\$30.00	\$23,100.00	141	\$4,230.00	\$24.50	\$3,454.50	629	\$18,870.00	\$24.50	\$15,410.50
11	Grading of Shoulders and Ditches	17,274	l.f.	\$0.75	\$12,955.50	3,758	\$2,818.50	\$1.05	\$3,945.90	13,516	\$10,137.00	\$1.05	\$14,191.80
12a	Seeding and Fertilizing	2	acres	\$1,500.00	\$3,000.00	0.44	\$660.00	\$1,450.00	\$638.00	1.56	\$2,340.00	\$1,450.00	\$2,262.00
12b	Mulching	2	acres	\$1,500.00	\$3,000.00	0.44	\$660.00	\$1,750.00	\$770.00	1.56	\$2,340.00	\$1,750.00	\$2,730.00
13a	Traffic Control Signs, New	19	ea.	\$250.00	\$4,750.00	10	\$2,500.00	\$500.00	\$5,000.00	9	\$2,250.00	\$500.00	\$4,500.00
13b	Traffic Control Signs, Return	3	ea.	\$50.00	\$150.00	1	\$50.00	\$250.00	\$250.00	2	\$100.00	\$250.00	\$500.00
13c	Traffic Control Signs, Reset	2	ea.	\$100.00	\$200.00	2	\$200.00	\$325.00	\$650.00	-	\$0.00	\$325.00	\$0.00
14a	Pavement Marking, Yellow	58	gal.	\$100.00	\$5,800.00	13	\$1,300.00	\$115.00	\$1,495.00	45	\$4,500.00	\$115.00	\$5,175.00
14b	Pavement Marking, White	58	gal.	\$100.00	\$5,800.00	13	\$1,300.00	\$115.00	\$1,495.00	45	\$4,500.00	\$115.00	\$5,175.00
15	Maintenance of Traffic	1	l.s.	\$30,000.00	\$30,000.00	0.2175	\$6,525.00	\$88,000.00	\$19,140.00	0.7825	\$23,475.00	\$88,000.00	\$68,860.00
16a	Construction Fence	500	l.f.	\$3.00	\$1,500.00	109	\$327.00	\$3.75	\$408.75	391	\$1,173.00	\$3.75	\$1,466.25
16b	Silt Fence	500	l.f.	\$4.00	\$2,000.00	109	\$436.00	\$6.25	\$681.25	391	\$1,564.00	\$6.25	\$2,443.75
16c	Straw Wattles, 9" Diameter	2,500	l.f.	\$6.00	\$15,000.00	550	\$3,300.00	\$5.25	\$2,887.50	1,950	\$11,700.00	\$5.25	\$10,237.50
16d	Erosion Control Supervisor	1	l.s.	\$8,000.00	\$8,000.00	0.2175	\$1,740.00	\$9,750.00	\$2,120.63	0.7825	\$6,260.00	\$9,750.00	\$7,629.38
17	Mobilization & Demobilization	1	l.s.	\$40,000.00	\$40,000.00	0.2175	\$8,700.00	\$70,000.00	\$15,225.00	0.7825	\$31,300.00	\$70,000.00	\$54,775.00
				Totals	\$1,162,395.50		\$279,551.00		\$331,193.03		\$882,844.50		\$1,039,748.33

**TOWN OF PAGOSA SPRINGS
PIEDRA STREET AND TRUJILLO ROAD PROJECTS**

Piedra Street

Budget

- Capital Fund	100,000
- Trust Account	400,000
Subtotal	<u>500,000</u>

Costs

- Apparent Low Bid*	351,000
- Engineering	38,000
Subtotal	<u>389,000</u>

Difference 111,000

Trujillo Road

Budget

- 5 yr Capital Plan 217,000

Costs

- Town Portion** 345,000

Difference (128,000)

Available from Piedra 111,000

Amount Still Needed (17,000)

Notes

* Include 10% Contingency

** Includes 10% Contingency and all Engineering Costs



April 1, 2015

Mr. Ken Feyen, Public Works Director
Archuleta County
P.O. Box 1507
Pagosa Springs, CO 81147

Re: Trujillo Road – Change Order No. 1 Proposal

Dear Ken:

The purpose of this correspondence is to present Change Order No. 1 information for services in addition to those outlined in our proposal titled “Preliminary, Design, & Construction Engineering Services Proposal For the Reconstruction of a Portion of Trujillo Road (CR 500)” dated February 4, 2015. It is understood that the Town of Pagosa Springs (TOPS) desires to join with Archuleta County in the reconstruction project so that their portion of roadway is also addressed.

In the original proposal, we accounted for providing services for a portion of the road which is the responsibility of TOPS, amounting to approximately 1,300 feet. An additional 600 feet of roadway exists outside of that which was covered to get the improvements to the concrete intersection at Apache Street and Eight Street. The Change Order No. 1 request will be for the additional work, but we will also total the amount associated with the TOPS portion of the roadway.

The general project approach and work items will be the same as indicated in the original proposal, with a couple of exceptions. First, as we are tying into existing concrete structures which will not be modified (Apache Street and LPEA driveway), we will need to construct the entire road section in these areas. This will include excavation, removal, and import of the full section of road base, which is generally not the case for the remainder of the road. This will require some red top staking, which has been included in the miscellaneous layout work item. Second, while it appears that there is existing right-of-way for the County portion of the road being improved, there appear to be issues on the TOPS portion. It is our understanding that TOPS does not plan to clean-up or pursue right-of-way acquisition. We will indicate our understanding of the property boundaries in the areas on the plans, but have not allocated any time or fees to performing complete boundary surveys or preparing boundary or right-of-way plats. Correspondingly, it is understood that TOPS proposes to utilize “prescriptive rights” for the roadway improvements, and they should confirm with their attorney that it is appropriate.

The proposed Change Order amount to include the additional 600 feet of roadway to tie into the concrete intersection at Apache Street and Eighth Street is broken down as follows:

<i>Additional PRELIMINARY ENGINEERING</i>	
Service Item	Contract Budget
Site Survey/Mapping	2,750.00
Prelim. Rd. Analyses & Cost Est.	500.00
Add. Prelim. Engineering	\$ 3,250.00

<i>Additional DESIGN ENGINEERING</i>	
Service Item	Contract Budget
Road Design	1,500.00
Drainage Design	500.00
Final Bid Documents	300.00
SWMP and Permit App.	250.00
Meetings/Correspondence	150.00
Add. Design Engineering	\$ 2,700.00

<i>Additional CONSTRUCTION ENGINEERING</i>	
Service Item	Contract Budget
Offset Staking	750.00
Blue Top Staking	1,000.00
Calcs./Misc.Layout/Replacement	2,000.00
Materials Testing	2,000.00
Construction Review	1,500.00
Contract Administration	500.00
As-Builts/Closeout	250.00
Add. Const. Engineering	\$ 8,000.00

Therefore, the total Change Order No. 1 amount for additional preliminary, design, and construction engineering services is Thirteen Thousand Nine Hundred Fifty dollars and Zero cents (\$13,950.00).

The portion of the engineering services which should be assigned to TOPS is tabulated as follows:

<i>TOPS PRELIMINARY ENGINEERING</i>	
Service Item	Contract Budget
Geotechnical Investigation	350.00
Site Survey/Mapping	8,750.00
Prelim. Rd. Analyses & Cost Est.	600.00
TOPS Prelim. Engineering	\$ 9,700.00

TOPS DESIGN ENGINEERING	
Service Item	Contract Budget
Road Design	1,800.00
Drainage Design	900.00
Contract/Specifications	700.00
Final Bid Documents	900.00
Final Cost Estimate	200.00
SWMP and Permit App.	600.00
Meetings/Correspondence	400.00
TOPS Design Engineering	\$ 5,500.00

TOPS CONSTRUCTION ENGINEERING	
Service Item	Contract Budget
Bid Process	600.00
Offset Staking	2,250.00
Blue Top Staking	2,750.00
Calcs./Misc.Layout/Replacement	4,100.00
Materials Testing	5,600.00
Construction Review	4,500.00
Contract Administration	1,300.00
As-Builts/Closeout	550.00
TOPS Const. Engineering	\$ 21,650.00

Therefore, the total portion of the preliminary, design, and construction engineering services associated with Trujillo Road in the Town of Pagosa Springs (approximately 1,900 linear feet) is Thirty Six Thousand Eight Hundred Fifty dollars and Zero cents (\$36,850.00).

Two Original Change Order No. 1 request forms have been included for execution. You will note these are a change to the overall contract with the County, which also includes Cloud Cap and the Asphalt Maintenance projects. Please return a signed copy of the change order to us for our records. We have also included a preliminary project cost estimate of the TOPS portion of Trujillo Road, as requested. Let me know if you have any questions or need any additional information.

Sincerely,

Michael M. Davis

Encl.: Change Order No. 1 (Two Originals)
Cost Est. TOPS portion of Trujillo Road



AGENDA DOCUMENTATION

NEW BUSINESS: IV.5

PAGOSA SPRINGS TOWN COUNCIL

JULY 07, 2015

FROM: JAMES DICKHOFF, PLANNING DEPARTMENT

PROJECT: RESOLUTION 2015-10, A RESOLUTION OF THE TOWN OF PAGOSA SPRINGS, COLORADO, RE-APPOINTING MR. RON MAEZ TO THE PLANNING COMMISSION.

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

Mr. Ron Maez has served the last 4 years on the Planning Commission as a regular member. His 4 year term expires on July 1, 2015. Mr. Maez has expressed interest in continuing his service on the Planning Commission at the discretion of Town Council. Mr. Maez currently serves as the PC Chair.

ANALYSIS:

The Planning Commission eligibility requirements from LUDC section 2.5.2.B.1:

B. Members and Terms of Office

1. The Planning Commission shall consist of five (5) regular members and two (2) alternate members, who shall be appointed by the Town Council by resolution. All members shall be either (a) a Town Resident; or (b) an owner of a business located within the Town which business or owner also owns real property within the Town, and which owner is a resident of Archuleta County, (c) the Chair or Co-Chair of the Archuleta County Planning Commission. An owner of a business includes a sole proprietor and the majority owner of a business entity such as a corporation, a limited liability company or a partnership. Non-Town residents shall be limited to two members at any one time. (AMENDED by ORDINANCE 757)

The Planning Commission currently consists of:

- Ron Maez (chair): Regular member term expires on July 01, 2015 (Resolution 2011-08).
- Heidi Martinez (Co-Chair): Regular member term expires on July 01, 2017 (Resolution 2013-15).
- Peter Adams: Regular member term expires on July 01, 2017 (Resolution 2013-14).
- Kathie Lattin: Regular member term expires July 01, 2018 (Resolution 2014-04).
- Natalie Woodruff : Alternate member term expires July 01, 2018 (Resolution 2014-05).
- Greg Giles: Regular Member term expires on July 1, 2019 (Resolution 2015-08).

Mr. Ron Maez is an Archuleta County Resident and owns real property within Town Boundaries and owns/operates a business located within the Town. Mr. Maez is eligible to serve pursuant to LUDC 2.5.2.B.1.(b), as one of two allowable non-town residents who are an owner of a business and owner of real property within the Town County and also being an Archuleta County resident.

ATTACHMENT(S):

Resolution No. 2015-10, a Resolution of the Town of Pagosa Springs, Re-Appointing Mr. Ron Maez to the Planning Commission.

RECOMMENDATION

It is the recommendation of the Planning Director and the Planning Commission that the Town Council by motion:

Approve Resolution No. 2015-10, A Resolution of the Town of Pagosa Springs, Re-Appointing Mr. Ron Maez to the Planning Commission for an additional four (4) year term commencing on July 01, 2015 and concluding on July 01, 2019.

TOWN OF PAGOSA SPRINGS, STATE OF COLORADO

RESOLUTION NO. 2015-10

**A RESOLUTION OF THE TOWN OF PAGOSA SPRINGS,
COLORADO, RE-APPOINTING MR. RON MAEZ
TO THE TOWN PLANNING COMMISSION.**

WHEREAS, Town Ordinance No. 745 adopting the Land Use Development Code which establishes powers and duties, qualifications, and terms for members of the Planning Commission; and

WHEREAS, Section 2.5.2.B.1 (amended on January 4, 2011) of the Town of Pagosa Springs Land Use Development Code states that the "The Planning Commission shall consist of five (5) regular members and two (2) alternate members, who shall be appointed by the Town Council by resolution. All members shall be either (a) a Town Resident; or (b) an owner of a business located within the Town which business or owner also owns real property within the Town, and which owner is a resident of Archuleta County; or (c) the Chair or Co-Chair of the Archuleta County Planning Commission. An owner of a business includes a sole proprietor and the majority owner of a business entity such as a corporation, a limited liability company or a partnership. Non-Town residents shall be limited to two members at any one time."

WHEREAS, each member of the planning commission shall serve for terms of (4) years;
THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS,

1. Re-Appointment of Town Planning Commissioner. Ron Maez is hereby re-appointed to continue to serve as a regular member of the Town Planning Commission to an additional four (4) year term, commencing on July 1, 2015 and concluding on July 1, 2019.
2. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.
3. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Town Council.

ADOPTED THIS 07th DAY OF JULY, 2015, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, BY A VOTE OF ____ IN FAVOR, ____ AGAINST.

TOWN OF PAGOSA SPRINGS

By: _____
Don Volger, Mayor

ATTEST:

By: _____
April Hessman, Town Clerk



AGENDA DOCUMENTATION

OLD BUSINESS: V.1

PAGOSA SPRINGS TOWN COUNCIL

JULY 07, 2015

FROM: JAMES DICKHOFF, PLANNING DIRECTOR

**PROJECT: SECOND READING OF ORDINANCE 829, AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS
VACATING THE PUBLIC UTILITY EASEMENTS BETWEEN LOTS 6 AND 7 OF THE PARADISE MESA
SUBDIVISION AS SHOWN ON THE PARADISE MESA SUBDIVISION PLAT #441A**

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

The Town has received an application for a Lot Consolidation for Lots 6 and 7 of the Paradise Mesa Subdivision. The applicant proposes to build a single family residence on the consolidated lot. As part of the Lot Consolidation, the perimeter Public Utility Easements (PUE) between Lots 6 and 7 are being requested to be vacated. This is a typical request for lot consolidations, which accommodates the entire lot as developable with no interior easements to build around, if PUE's are not already installed.

As part of processing plat amendment applications, all public utility providers are requested to provide comments on the proposed plat amendment. Comments received from all public utility providers indicate that there are NO public utilities installed within the PUE's being requested for vacation. The new Consolidated Lot is required to provide perimeter PUE's for the general installation of public utilities by Town approved public utility provider.

Lot Consolidations and Plat Amendments are administratively reviewed and approved by the Planning Director. The Town has historically vacated PUE's with no installed utilities, with a Plat Note on the Plat Amendment, however, this practice has been challenged by some utility providers and from a few surveyors. The challenge is that the Utility Companies believe they own the easement and they should be required to approve and quit claim deed the easement. The Town's attorney disagrees, as the Town in essence controls the PUE's because the Town approves which utility providers operate and install public utilities within Town boundaries. Though the Town's attorney has supported the Plat Note vacation in the past, after further review and the challenge from some utility providers, it is now suggested the Town Vacate PUE's under the same process as vacating Town Rights-of-Way. This vacation process requires the Planning Commission to hold a Public Hearing, and make a recommendation to Town Council for their consideration in approving a vacation with two readings of an Ordinance, at public hearings.

The Planning Commission heard this matter at a public hearing on May 26, 2015, and approved a recommendation that Town Council ***"Approve Vacating the Public Utility Easements between lots 6 and 7 in the Paradise Mesa Subdivision."***

Town Council approved the first reading of Ordinance 828 on June 15, 2015, and directed staff to provide a site plan showing the location of the proposed residential home, which is attached.

ANALYSIS

Below is LUDC section 2.4.3.D, outlining the application requirements and the approval criteria for considering an "Application for Vacation of Public Easements". Please note "APPROVAL CRITERIA" set forth below in section 2.4.3.D.2.b.(ii)

LUDC 2.4.3.D. Vacation of Right-of-Way and Other Public Easements

1. Applicability

This Section shall apply to all requests to vacate all rights, interests, or title of the Town in and to any right-of-way (street, road, alley, or other public way), access easement, or other easement located within the Town. Title to vacated roadways shall vest in accordance with C.R.S. Section 43-2-302, as may be amended from time to time.

2. Procedure

Figure 2.4-8 shows the steps of the common development review procedures that apply in the review of applications for vacations. The common procedures are described in Section 2.3. Specific additions and modifications to the common review procedures are identified below.

a. Step 7: Town Holds Public Hearing(s)

(i) Planning Commission Hearing, Review, and Recommendation:

Following a public hearing, the Planning Commission shall consider the comments and evidence presented at the hearing and the Staff Report and recommendation of the Director and recommend that the Town Council approve, conditionally approve, or deny the vacation, based on the criteria in Step 8 below.

(ii) Town Council Public Hearing, Review, and Decision:

Following a public hearing, the Town Council shall consider the comments and evidence presented at the hearing and the Staff Report and recommendations from the Planning Commission and the Director, and approve, conditionally approve, or deny the vacation, based on the criteria in Step 8 below. The Town Council shall have the right, in its discretion, to vacate only a portion of the total area requested for vacation. Rights-of-way or easements may be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for ditches and canals and similar appurtenances, and for electric, telephone, and similar lines and appurtenances.

b. Step 8: Town Issues Decision/Findings (i) Approval and Recording:

The Town Council shall approve the vacation by ordinance. The ordinance shall be recorded in the Office of the Archuleta County Clerk and Recorder. A signed copy with the reception number shall be retained by the Town. The recording fee shall be paid by the developer.

LUDC 2.4.3.D.2.b.(ii) Approval Criteria

The Town Council may approve a right-of-way or public easement vacation if it finds that all of the following have been met:

(1) The vacation is consistent with the Comprehensive Plan and other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan; **Staff's Comments: The Public Utility Easement vacation does not affect the intent of the Comprehensive Plan or other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan.**

(2) The land to be vacated is no longer necessary for the public use and convenience; **Staff's Comments: The subject Public Utility Easements are no longer necessary for the public use and convenience because there will be a perimeter public utility easements dedicated on the Lot Consolidation Plat, ensuring Public Utility Access to the lots adjoining to the west and south of the subject properties.**

(3) The vacation of a roadway that exists by right of usage shall occur only if the land adjoining said roadways is left with an established public road or private access easement connecting said land with another established public road; **Staff's Comments: This condition is not applicable.**

(4) The vacation will not leave any land-locked parcels; and **Staff's Comments: No parcel will be rendered land-locked from access to all available Public Utility service.**

(5) The vacation will not adversely impact the health, safety and/or welfare of the general community, or reduce the quality of public facilities or services provided to any parcel of land, including but not limited to police/fire protection, access, and utility service. **Staff's Comments: The new Consolidated Lot perimeter Public Utility Easements will provide the adjoining properties with access to all available public utility service.**

LUDC 2.4.3.D.2.b.(iii) Conditions of Approval

The approval of a right-of-way or public easement vacation shall be conditioned upon:

(1) The holders of any and all easements granted by the original platting of the subdivision conveying to the petitioner all interest in those easements. **Staff Comments:** The current Public Utility Easements are controlled by the Town of Pagosa Springs. Town Councils approval of an ordinance vacating the subject Public Utility Easement, formalizes the release of the previously platted Public Utility Easements.

(2) Such vacation shall not eliminate rights-of-way or easements serving or potentially serving adjoining properties, unless alternate means of access or another easement crossing the property can serve adjoining properties. **Staff Comments:** The new dedicated perimeter Public Utility Easements created as part of the Lot Consolidation Process, provide Public Utility Easements serving adjoining properties.

(3) If the vacation is a roadway constituting the boundary line of the Town, the Archuleta County Board of Commissioners has taken action to vacate the roadway. **Staff Comments:** This condition is not applicable.

FISCAL IMPACT

There is no fiscal Impact to the Town. All expenses associated with this application are the responsibility of the applicant.

PUBLIC NOTIFICATION

Consistent with LUDC table 2.3-1, Notice Requirements, Public Notice was:

- 1) Published in the Sun Newspaper on May 21, 2015, at least 15 days prior to the PC/TC public hearing.
- 2) Posted on the property on May 21, 2015, at least 15 days prior to the PC/TC public hearing.
- 3) Mailed to properties owners within 300 feet, on May 21, 2015, at least 15 days prior to the PC/TC public hearing.
- 4) Posted at Town Hall on May 21, 2015, at least 15 days prior to the PC/TC public hearing.

ATTACHMENTS

- 1) Ordinance 829, An Ordinance of the Town of Pagosa Springs Vacating Public Utility Easements between lots 6 and 7 of the Paradise Mesa Subdivision, as shown on the Paradise Mesa Subdivision Plat #441A.
- 2) Site Plan for proposed residential home.

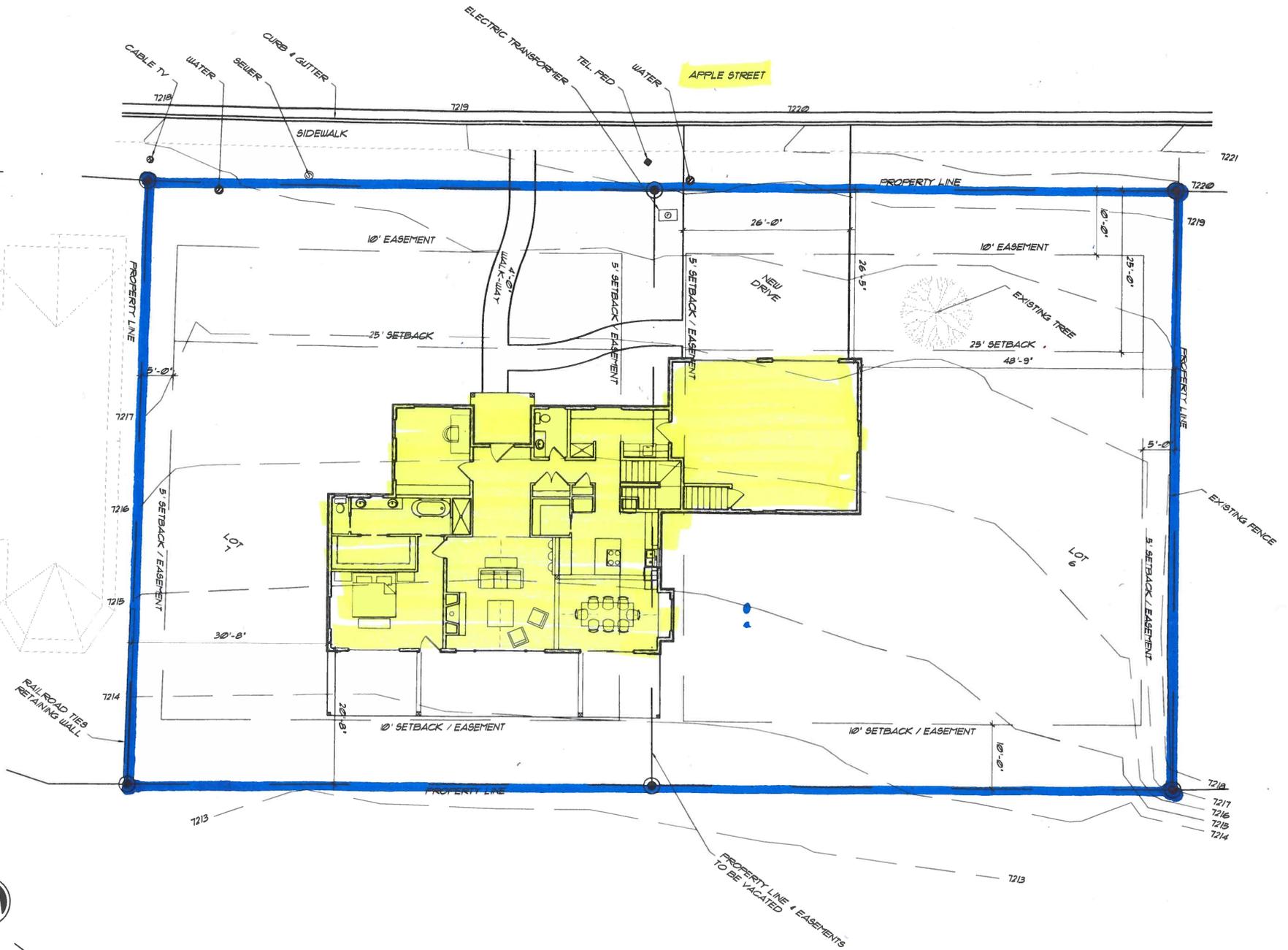
PUBLIC COMMENTS

- 1) All Town approved Public Utility Providers have been contacted, and have provided comments demonstrating that there are no public utilities installed within the requested PUE vacations.
- 2) No General Public Comments have been received as of the creation of this staff report.
- 3) Any comments received prior to the TC Public Hearing will be presented at that such public hearing.

RECOMMENDATION

Staff recommends the Town Council consider the comments and evidence presented at the public hearing, the Staff Report and recommendations from the Planning Commission and the Director, and approve, conditionally approve, or deny the vacation. Below are three alternate actions for consideration, though Town Council is not limited to these options:

- 1) **Approve the Second Reading of Ordinance No. 829, An Ordinance of the Town of Pagosa Springs Vacating the Public Utility Easements Between Lots 6 and 7 in the Paradise Mesa Subdivision as shown on the Paradise Mesa Subdivision Plat #441A.**
- 2) Approve the Second Reading of Ordinance No. 829, An Ordinance of the Town of Pagosa Springs Vacating the Public Utility Easements Between Lots 6 and 7 in the Paradise Mesa Subdivision as shown on the Paradise Mesa Subdivision Plat #441A, with the following additional conditions of Approval (as set forth by the Town Council)
- 3) DENY the Second Reading of Ordinance No. 829, An Ordinance of the Town of Pagosa Springs Vacating the Public Utility Easements Between Lots 6 and 7 of the Paradise Mesa Subdivision.



NORTH

ARCHITECT

TOWN OF PAGOSA SPRINGS, COLORADO

**ORDINANCE NO. 829
(SERIES 2015)**

**AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS
VACATING PUBLIC EASEMENTS BETWEEN LOTS 6 AND 7
OF THE PARADISE MESA SUBDIVISION AS SHOWN ON
THE PARADISE MESA PLAT #441A**

WHEREAS, the Town of Pagosa Springs (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, as amended on April 3, 2012, April 23, 2013 and April 22, 2014 (the “Charter”); and

WHEREAS, on April 14, 2015, concurrent with the application to approve the Town of Pagosa Springs plat (“Amended Plat”), consolidating lots 6 and 7 in the Paradise Mesa subdivision, the Town’s planning department received an application for Vacation of Public Utility Easements from Chamil and Tatiana Baigildin (the “Application”) for the vacation of an easement for public utilities (the “Easement”) between lots 6 and 7, which was created by dedication as shown on the Paradise Mesa plat previously approved by the Town and recorded as Plat # 441A, at Reception No.1996006775 of the records of the Archuleta County Clerk and Recorder (the “Plat”); and

WHEREAS, if the Application and Amended Plat are approved, the Amended Plat will be recorded without the Easement being depicted; and

WHEREAS, pursuant to Section 2.4.3.D.2.a(i) of the Land Use Development Code (“LUDC”), the Planning Commission held a public hearing on the vacation Application on June 9, 2015; and

WHEREAS, the Town Council hereby finds that pursuant to Section 2.3.6 of the LUDC, all public notice requirements for the June 9, 2015 public hearing before the Town Planning Commission, were met, as follows:

- a. Public Notice was published in the Sun Newspaper, a newspaper of general circulation in the Town, on May 21, 2015, which was at least 15 days prior to the scheduled hearing.
- b. Written notice of the hearing was mailed to the record owners of land immediately adjacent to the Easement, property owners within 300 feet of the Easement and any other person who made a written request for such notice, on May 21, 2015, which was no fewer than 15 days prior to the public hearing.

- c. On May 21, 2015, Public Notice was physically posted at 209 Harman Park Drive, and remained on the property for a period of at least 15 days prior to the public hearing.
- d. While not required by the LUDC, public notice was also posted at Town Hall on May 21, 2015; and

WHEREAS, pursuant to Section 2.4.3.D.2.a(ii) of the LUDC, a public hearing before the Town Council on the Application was held on June 15, 2015 at 5 p.m.; and

WHEREAS, the Town Council hereby finds that pursuant to Section 2.3.6 of the LUDC, all public notice requirements for the public hearing before the Town Council, were met, as follows:

- a. Public Notice was published in the Sun Newspaper, a newspaper of general circulation in the Town, on May 21, 2015, which was at least 15 days prior to the scheduled hearing.
- b. Written notice was mailed to the record owners of land immediately adjacent to the Easement, property owners within 300 feet of the subject property, and any other person who made a written request for such notice, on May 21, 2015, which was no fewer than 15 days prior to the public hearing.
- c. On May 21, 2015, Public Notice was physically posted on the property at 209 Harman Park Drive and remained on the property for a period of at least 15 days prior to the public hearing.
- d. Although not required by the LUDC, public notice was also posted at Town Hall On May 21, 2015; and

WHEREAS, the Town Council hereby finds that the criteria of Section 2.4.3.D.2.b(ii) of the Town's Land Use Development Code for vacation of a public easement have been met, as follows:

- a. *The vacation is consistent with the Comprehensive Plan and other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan. **The Public Utility Easement vacation maintains the intent of the Comprehensive Plan or other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan.***
- b. *The land to be vacated is no longer necessary for the public use and convenience. **The subject Public Utility Easements are no longer necessary for the public use and convenience because there will be a perimeter public utility easements dedicate on the Lot Consolidation Plat, ensuring Public Utility Access to the lots adjoining the subject property.***
- c. *The vacation will not leave any land-locked parcels. **No parcel will be rendered land-locked from access to all available Public Utility service.***

- d. *The vacation will not adversely impact the health, safety and/or welfare of the general community, or reduce the quality of public facilities or services provided to any parcel of land, including but not limited to police/fire protection, access, and utility service. **The new Consolidated Lot perimeter Public Utility Easements will provide the adjoining properties with access to all available public utility service.***

WHEREAS, the Town wishes to formally and expressly vacate such Easement within the corporate limits of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

Section 1. Incorporation of Recitals and Findings. The above Recitals and Findings of the Town Council are hereby incorporated into this Ordinance.

Section 2. Vacation of Public Easement. The Town hereby divests itself of all of its right or interest in and to the Easement as shown on the Plat, within the corporate limits of the Town, Exhibit A.

Section 3. Recording. In accordance with the requirements of Section 2.4.3.D.2.b(i) of the Town's Land Use Development Code, this ordinance vacating the public easement designated herein shall be recorded in the office of the Clerk and Recorder of Archuleta County.

Section 4. Amended Plat. All remaining rights and easements shown on the Plat and not vacated hereby, whether public or private, are shown on the Amended Plat, to be recorded with this Ordinance.

Section 5. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

Section 6. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 7. Effective date. This Ordinance shall become effective and be in force immediately upon final passage at second reading and after the recordation of the subject lot consolidation plat deeding perimeter public utility easements on the new consolidated lots for the installation of public utilities for adjoining properties.

INTRODUCED, READ, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 15th DAY of JUNE 2015.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: _____
Don Volger, Mayor

Attest:

April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 7th DAY JULY 2015.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: _____
Don Volger, Mayor

Attest:

April Hessman, Town Clerk

CERTIFICATE OF PUBLICATION

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 829 (Series 2015) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the 15th day of JUNE, 2015, and was published by title only, and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2015, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this __ day of _____, 2015.

April Hessman, Town Clerk

(S E A L)

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 829 (Series 2015) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the 7th day of July, 2015, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this __ day of _____, 2015.

April Hessman, Town Clerk

(S E A L)



551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
Phone: 970.264.4151
Fax: 970.264.4634

**PAGOSA SPRINGS SANITATION GENERAL
IMPROVEMENT DISTRICT MEETING AGENDA
TUESDAY, JULY 7, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 P.M.**

- I. **CALL MEETING TO ORDER**
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **PUBLIC COMMENT** – *Please sign in to make public comment*
- IV. **CONSENT AGENDA**
 1. **Approval of June 15, 2015 Meeting Minutes**
- V. **REPORTS TO BOARD**
 1. **PAWSD/Pipeline Update Report**
- VI. **NEW BUSINESS**
 1. **Resolution 2015-02, Authorizing Certification of Delinquent Accounts for Collection by the County Treasurer**
- VII. **NEXT BOARD MEETING JULY 23, 2015 AT 5:00PM**
- VIII. **ADJOURNMENT**



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Pagosa Springs, CO 81147
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Fax: 970.264.4634

**PAGOSA SPRINGS SANITATION GENERAL
IMPROVEMENT DISTRICT SPECIAL MEETING MINUTES
MONDAY, JUNE 15, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 P.M.**

- I. **CALL MEETING TO ORDER** – Board President Volger, Board Member Alley, Board Member Bunning, Board Member Egan, Board Member Patel, Board Member Schanzenbaker
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **PUBLIC COMMENT** – None
- IV. **CONSENT AGENDA**
 1. **Approval of June 2, 2015 Meeting Minutes**
 2. **Approval of May Financial Statement and Accompanying Payments** – Board Member Egan moved to approve the consent agenda, Board Member Patel seconded, unanimously approved.
- V. **REPORTS TO BOARD**
 1. **Sanitation District Report** – On June 1st, staff met with the Small Communities Grant Program Director Tawnya Reitz and received training on how to handle the paperwork for reimbursement of the \$363,000 grant. Staff will be making the first quarterly draw in July for the entire grant amount. Cleaning, televising and some lining of the collection system for this year were completed by our subcontractor on June 6th. Numerous crack and holes in the collection system piping were repaired as well as some particularly stubborn root balls up on Mesa Drive.
 2. **PAWSD/Pipeline Update Report** – The pipeline installation on School District property is progressing well and is expected to reach the wetlands at the bottom of the hill on Wednesday June 10th. At the last construction meeting a punch list was created for areas of the pipeline that are essentially completed which contains several small items the contractor needs to address before substantial completion.
- VI. **NEXT BOARD MEETING JULY 7, 2015 AT 5:00PM**
- VII. **ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 5:07pm.



AGENDA DOCUMENTATION

REPORTS TO BOARD:V.1

PAGOSA SPRINGS SANITATION BOARD OF DIRECTORS

JUNE 7, 2015

FROM: GENE TAUTGES, SANITATION SUPERVISOR

PROJECT: PAWSD/PIPELINE UPDATE REPORT

ACTION: DISCUSSION

ADMINISTRATIVE

At the biweekly construction meeting held on June 25th, we were introduced to Keith Bowhan the new project manager for Hammerlund Construction and discussion centered around the project timeline and critical benchmarks on the project to meet that timeline. The contractor is committed to completing the project on time but is aware that long lead time components and weather are factors to be considered. Progress on both pump stations are moving along well and installation of the approximately 7,000 feet of force main and 300 feet of gravity pipe will start this week. I will be meeting with the contractor to discuss de-commissioning options of the old lagoons in the near future. Substantial completion per the construction contract is scheduled for October 1st, with final completion scheduled for November 1st.

Pay application #14 for both segments of the project was approved and processed on 6/24/2015. PS 1/FM1 in the amount of \$9,201.74 and PS2 /FM 2 for \$20,197.88 for a total payment of \$29,399.62. Also an invoice from Ecosphere Environmental for inspections on the sewer and water line project has been received in the amount of \$1987.00. I am waiting for confirmation from them that 50% of that total should be attributable to the water line and be the responsibility of PAWSD before processing.

Additionally, a quarterly report is due on the Small Community Grant program. I have taken progress photos and will be completing the narrative this week and submit it to the state in a timely fashion. Since the \$363,000 grant will be used entirely to offset construction costs on the project, it should be a one-time payment and the project close out should also occur shortly thereafter.

On a related note, I have finished my analysis of the data received from PAWSD and submitted the annual eligibility survey to the state just ahead of the deadline. Per the IGA signed by both parties, the PSSGID will be responsible on a percentage basis for future upgrades to the Vista treatment facility caused by our flow and organic contribution. It is anticipated that an upgrade to the PAWSD Vista WWTP will be required well within the 20 year planning period. In addition to the \$6.6 million dollars previously requested for collections system and lift station upgrades, I have requested an additional \$3 million dollars for anticipated upgrades to the PAWSD Vista facility due to organic loading increases and the new Regulation 85 nutrient removal rules we anticipate to take effect in the next few years. I would be happy to provide you with a copy of the survey submittal at your request.

Respectfully submitted,

Gene Tautges

Sanitation Supervisor



AGENDA DOCUMENTATION

NEW BUSINESS:VI.1

PAGOSA SPRINGS SANITATION BOARD OF DIRECTORS

JULY 7, 2015

FROM: APRIL HESSMAN, SECRETARY

PROJECT: RESOLUTION 2015-02, CERTIFYING DELINQUENT SANITATION ACCOUNTS

ACTION: REVIEW AND POSSIBLE ACTION

PURPOSE/BACKGROUND

The District regulations allow the certification of delinquent sewer fees to the County Treasurer for collection with property taxes. This process has been a great success in the District's ability to collect delinquent fees. One customer has been delinquent in paying their account over the last several months. The certification to the County Treasurer guarantees the District will recoup the service fees the properties have been provided along with any penalties.

ATTACHMENT(S):

Resolution 2015-02 (Exhibit A)

FISCAL IMPACT

The Sanitation District will receive delinquent fees and charges within one year of certifying the amount due to the County Treasurer.

RECOMMENDED ACTIONS

It is the recommendation of Sanitation District Secretary that the Board of Directors, by motion

Approve Resolution 2015-02, Certifying delinquent wastewater fees and charges to the County Treasurer

TOWN OF PAGOSA SPRINGS
SANITATION GENERAL IMPROVEMENT DISTRICT
RESOLUTION NO. 2015-02

**A RESOLUTION AUTHORIZING CERTIFICATION OF DELINQUENT
ACCOUNTS FOR COLLECTION BY THE COUNTY TREASURER**

WHEREAS, the Town of Pagosa Springs (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s home rule charter; and

WHEREAS, the Town of Pagosa Springs Sanitation General Improvement District (“Sanitation GID”) was organized to provide sanitary sewer service; and

WHEREAS, on behalf of the Sanitation GID, the Town Council, acting as the ex officio Board of Directors (“Sanitation GID Board”) has the power to manage, control and supervise all the business and affairs of the Sanitation GID, and pursuant to Section 31-25-611 (1)(k), C.R.S., to fix and from time to time to increase or decrease rates, tolls, and charges for services furnished by the Sanitation GID; and

WHEREAS, the Town is authorized by Section 31-20-105, C.R.S., and the Sanitation GID’s Rules and Regulations to collect such delinquent fees and charges by certification to the County Treasurer; and

WHEREAS, proper notice of the public meeting at which this Resolution is being adopted has been given to the property owner or owners and all affected parties; and

WHEREAS, the adoption of this Resolution will serve a public purpose and promote the health, safety and general welfare of the inhabitants of the District and the people of the State of Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Town Council, acting as the ex officio Board of Directors of the Town of Pagosa Springs Sanitation General Improvement District, Archuleta County, Colorado that:

Section 1. The Town hereby certifies to the Archuleta County Treasurer that the delinquent accounts listed on Exhibit A (as attached hereto and incorporated herein by this reference) are fees, rates, tolls, penalties, charges or assessments levied solely for sewer service, including availability of such service, if applicable, and that each account has been delinquent for at least six (6) months and is in excess of \$150 per account.

Section 2. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Section 3. **Effective Date.** This Resolution shall take effect and be enforced immediately upon its approval by the Sanitation GID Board.

ADOPTED this 7th day of July, 2015.

TOWN OF PAGOSA SPRINGS
SANITATION GENERAL IMPROVEMENT
DISTRICT

By _____
Don Volger, Board President

Attest:

April Hessman, Secretary

EXHIBIT A

1. **OWNER:** Boyle, Matthew (4.546.3)
 PROPERTY: PS WESTERN ADD Tract: 4 PS W
 ADD Sec: 14 Twn: 35 Rng: 2W ,
 Archuleta County, Colorado.
 Also known as 1300 W US Hwy 160.
 AMOUNT: \$647.50