



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

**TOWN COUNCIL MEETING AGENDA  
THURSDAY, AUGUST 21, 2014  
Town Hall Council Chambers  
12:00 P.M.**

- I. CALL MEETING TO ORDER**
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. APPROVAL of MEETING MINUTES FROM AUGUST 5, 2014**
- IV. PUBLIC COMMENT – *Please sign in to make public comment***
- V. LIQUOR LICENSE**
  - 1. Liquor License Renewal – Super America LLC dba Everyday Stores at 300 E Pagosa St.**
  - 2. Special Events Liquor Permit – Seeds of Learning Little Black Dress Event October 10<sup>th</sup> and 11<sup>th</sup> at the Ross Aragon Community Center**
- VI. NEW BUSINESS**
  - 1. Ice Skate Pavilion Letter of Support**
  - 2. Ordinance 814, First Reading, Vacating a Portion of the 6<sup>th</sup>/7<sup>th</sup> Alley**
  - 3. Legal Research Solution for Municipal Court**
  - 4. Majestic Drive Paving Project Contractor Award**
  - 5. Town to Pagosa Lakes Trail Project Review and Update**
  - 6. Resolution 2014-12, Supporting GOCO Grant for Skate Park Addition**
  - 7. Resolution 2014-13, Appointing TTC Member**
- VII. OLD BUSINESS**
  - 1. Ordinance 813, Second Reading, Open Burning Requirements**
  - 2. Sales Tax Brief**
- VIII. DEPARTMENT HEAD REPORTS**
  - 1. Community Center Report**
  - 2. Parks and Recreation Report**
  - 3. Town Tourism Committee Report**
  - 4. Planning Department Report**
  - 5. Special Projects Manager Report**
  - 6. Town Manager Report**
- IX. APPROVAL OF JULY FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS**
- X. PUBLIC COMMENT – *Please sign in to make public comment***
- XI. COUNCIL IDEAS AND COMMENTS**
- XII. NEXT TOWN COUNCIL MEETING SEPTEMBER 2, 2014 AT 5:00PM**
- XIII. ADJOURNMENT**

**Don Volger  
Mayor**



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

**TOWN COUNCIL MEETING MINUTES  
TUESDAY, AUGUST 5, 2014  
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 Lattin, Council Member Patel, Council Member Schanzenbaker
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **APPROVAL of MEETING MINUTES FROM JULY 17, 2014** – Council Member Egan moved to approve the minutes, Council Member Bunning seconded, unanimously approved.
- IV. **PUBLIC COMMENT** – Mr. Jerry Smith with Pagosa Verde invited the Town Council to their 3<sup>rd</sup> Annual symposium. The presenters are from around the world to talk about renewable energy for community development. The 2<sup>nd</sup> day includes dynamic workshops for everyone. Mr. Jason Nichols said there have been fires in a town in Saskatchewan, Canada and the electric company has had to remove the smart meters there. He asked that the franchise agreement be made public for all to see prior to approval. Mayor Volger said the Town is working with LPEA to get a franchise agreement in place and the agreement will be open to the public. Mr. Bill Hudson said he is concerned about the CDC and the distinction between the casual group looking to change the CDC and the State registered entity.
- V. **LIQUOR LICENSE**
  1. **Liquor License Renewal – Overlook Mineral Springs Spa LLC dba Overlook Hot Springs Spa at 432 Pagosa Street**
  2. **Liquor License Renewal – Gringo Grill LLC dba Kip’s Grill & Cantina at 127 Pagosa St.**
  3. **Liquor License Renewal – Western Refining Southwest Inc dba Giant #6068 2537 W Hwy 160** – Council Member Lattin moved to approved the liquor license renewal for Overlook Mineral Springs Spa LLC dba Overlook Hot Springs Spa, Gringo Grill LLC dba Kip’s Grill & Cantina, and Western Refining Southwest Inc dba Giant #6068, Council Member Bunning seconded, unanimously approved.
  4. **Special Events Liquor Permit – Humane Society of Pagosa Springs Auction for the Animals August 22, 2014 at the Ross Aragon Community Center**
  5. **Special Events Liquor Permit – Pagosa Mountain Morning Rotary Club Roller Girls Fundraiser August 30, 2014 at South Pagosa Park on 8<sup>th</sup> Street** – Council Member Bunning moved to approved the special event liquor permit for Humane Society of Pagosa Springs Auction for the Animals and Pagosa Mountain Morning Rotary Club Roller Girls Fundraiser, Council Member Egan seconded, unanimously approved.
- VI. **DELEGATIONS**
  1. **Pagosa Springs Medical Center – Brad Cochennet** – Mr. Cochennet said the hospital is taking on a large addition in order to accommodate the increase in clientele. Several changes have created five years of positive growth and increased services. This 20 million dollar project is going to provide a large primary care facility for the entire community. [Pagosaspingsmedicalcenter.org](http://Pagosaspingsmedicalcenter.org) has the annual report to allow the community to review. Staff hopes to plan and fundraise for this addition over the next year, with hopes of have the funding in place by August in 2015.

## VII. NEW BUSINESS

1. **Appointment of Representatives to Boards of Region 9, Southwest Colorado Council of Governments (COG), and the Southwest Colorado Transportation Planning Region (TPR) -** The Town of Pagosa Springs has participated on several regional entities that address a variety of issues that are of material importance to the Town and the residents of our community. Region 9 Economic Development District of Southwest Colorado, Inc. is a non-profit, 501(c)6 public/private partnership that promotes and coordinates economic development efforts throughout southwest Colorado. The Southwest Colorado Council of Governments promotes regional cooperation and coordination among local governments and between levels of government for the geographic area comprising the Counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan. The TPR (Transportation, Planning Region) serves as an advisory body for CDOT Region 5 and also assists and approves in the programming of specific transportation planning funding for our region. The Town pays annual dues to be on these boards and representation by council and/or staff is suggested. Council Member Alley volunteered to serve on the Region 9 board, he and the town manager will act as the representatives for the Town. Council Member Egan volunteered to serve on the COG and TPR, he and the town manager will act as representatives. A discussion about compensation for the members on these boards will be discussed at the August 21<sup>st</sup> meeting.
2. **Leash Law in Public Parks -** Many pet owners state their pets deserve to run free. They argue that they have trained their dog(s) to respond to voice commands well enough that a leash is unnecessary. In contrast, other members of the public state that they have a right to walk in a public park, on a sidewalk or street without having to be concerned or confronted by an unknown dog. They would argue that not everyone is comfortable with an animal invading their personal space. The current Pagosa Springs Municipal Ordinance 4.1.4 Running at Large Prohibited states any owner or custodian of any animal shall not permit such animal to run at large within the Town. Running at large means any animal off or away from the property of the owner and not under control, by fence, cage, leash, or lead, of the owner or possessor of such animal. The Chief of Police recently asked the animal enforcement officer to patrol reservoir hill. Council Member Schanzenbaker received calls from residents who want to let their pets off leash in certain areas including reservoir hill. Council Member Bunning is only concerned with the Town's liability should something happen with a dog off the leash. Chief Rockensock said the language of the code could put the responsibility on the owner of the dog and posting of signage to educate the public of off leash areas to reduce Town's liability. Mayor Volger read several items from Archuleta County's code and agrees with several items. Council Members Schanzenbaker and Bunning will work with the Chief, a member of the parks and recreation commission, and the public to give the Council a recommendation regarding this issue. Mr. Mark Weiler said dogs in city limits should be on leash. This item will be brought back to council at the 1<sup>st</sup> September meeting.
3. **Ordinance 813, First Reading, Open Burning Requirements -** The adoption of Municipal Code 12.8.15 and amendment 11.1.3(12) is to clarify the process for obtaining an open burn permit, make the Pagosa Springs Fire District the licensing authority, and supplement the International Fire Code as adopted by the Town of Pagosa Springs. The Municipal Code currently fails to identify the licensing authority for obtaining a burn permit, how to obtain a permit, or set forth any exclusions or limitations upon obtaining a burn permit. The Fire District currently charges \$15 for a permit and a list of items that must be adhered to. Mr. Bob Goodman said the requirement to call in has given him an update on wind speed that he was unaware of. Mr. Bill Hudson asked about recreational fires, Chief Rockensock said recreation fire pits are not required to have a burn permit. Council Member Lattin moved to approve first reading of Ordinance 813, an ordinance of the Town adopting a new section 12.8.15 of Chapter 12 adding the offense of public burning and amending subsection 11.1.3(12) regarding nuisances with correction to numbering, Council Member Schanzenbaker seconded, unanimously approved.
4. **Amend Agreement 512, Geothermal Authority -** The original agreement heard by the Town Council on April 1, 2014 was approved with a change to include compensation for members. The County commissioners approve the agreement without this amended change, thereby voiding the agreement. The Town Council and County Commissioners discussed this agreement at their joint meeting July 22<sup>nd</sup>. Both agreed to approve the new agreement with the addition to read; Directors shall not receive compensation by the Authority for their services but may be compensated by the governing body (e.g. Town or County) that appointed them to the Authority Board. Council Member Schanzenbaker moved to approve the amended Pagosa Area Geothermal Water and

**VIII. OLD BUSINESS**

- 1. Consideration of Appointment of Town Manager with Possible Executive Session pursuant to Section 24-6-402(4)(e) C.R.S., to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators –**  
The town received 71 applications for the Town Manager position. Most of the town council members have reviewed the applications. Council Member Lattin moved to enter executive session pursuant to Section 24-6-402(4)(e) C.R.S., to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, with regards to the town manager appointment, Council Member Egan seconded, unanimously approved. Entered executive session at 7:25pm. Mayor Volger called the meeting back in regular session at 9:44pm. Council Member Bunning moved to have staff contact the top four applicants for the position of Pagosa Springs town manager and ascertain if the applicants are still interested in the position and if available for a phone interview. Upon receipt of affirmative responses from applicants, staff be directed to create and make public the list of finalist for the position of Pagosa Springs Town Manager, Council Member Egan seconded, unanimously approved.

**IX. PUBLIC COMMENT –** Ms. Phyl Deleski ask the Council to watch the smart meter DVD.

**X. COUNCIL IDEAS AND COMMENTS –** Council Member Egan asked the Chief about traffic slowing measures. Chief Rockensock said he would like to purchase a speed trailer and include it in the 2015 budget. The Town has a verbal message sign but it is currently not working. Chief Rockensock said traffic calming techniques are difficult on Hwy 160. Traffic officers are directed to be out patrolling traffic in the area. Town Planner, Dickhoff, said staff is working with CDOT to address calming options. Mr. Bob Goodman asked about cost sharing the mobile traffic unit with CDOT. Council Member Lattin asked about the raised downtown sidewalk planters, staff is looking into it. Council Member Schanzenbaker said the town legal costs have increased significantly in the last three years. He would like to discuss how the current structure of legal advice is being spent. The Town Clerk is directed to look into the legal costs for the 2015 budget and what other communities in the area do for their legal advice. The meeting recessed at 6:40pm. The meeting reconvened at 7:25pm.

**XI. NEXT TOWN COUNCIL MEETING AUGUST 21, 2014 AT 12:00PM**

**XII. ADJOURNMENT –** Upon motion duly made the meeting adjourned at 9:46pm.

**Don Volger  
Mayor**



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 MINUTES  
TUESDAY, AUGUST 5, 2014  
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 Lattin, Board Member Patel, Board Member Schanzenbaker
- II. **APPROVAL of MEETING MINUTES FROM JULY 17, 2014** – Council Member Bunning moved to approve the minutes, Council Member Lattin seconded, unanimously approved.
- III. **PUBLIC COMMENT** – None
- IV. **NEW BUSINESS**
  1. **Resolution 2014-02, Goodman Variance Request** - The owner, Haley Goodman, is requesting to be allowed to tap into the existing 4” sewer service line at 101 County Road 411 which currently is occupied by Dr. Yost as a vet clinic. According to Ms. Goodman, this sewer access to the property is much closer and not allowing the variance according to the regulations would cause an undue hardship on her home project. Sanitation supervisor suggests Ms. Goodman be required to install manholes along the Cemetery Road sewer line. Board Member Lattin would like to add that if changes to the two current connections would change use or additions, then a review would need to be made with possible changes. The district would take responsibility of the line when it enters the Juanita Street right-of-way. Before this point, Ms. Goodman and the owners of the Vet Clinic property will be the responsible for breakage or clogs in the line. Board Member Lattin moved to approve Resolution 2014-02, a Resolution approving a variance from section 6.2.3 the Pagosa Springs Sanitation Special Improvement District Rules and Regulations, allowing Haley Goodman to tie into the 4” privately owned sewer service line at 101 County Road 411. This approval requires written permission from the owner of record of 101 County Road 411 and also requires that ownership and maintenance of this line remain private until its intersection with the Juanita Street road right of way, Board Member Bunning seconded, unanimously approved.
- V. **OLD BUSINESS**
  - I. **TOWN/PAWSD Pipeline Update** – A construction meeting was held July 23<sup>rd</sup>. Archuleta County reminded everyone that the road repairs must be completed as soon as possible and were behind schedule based on what had been mentioned previously. Alpine Cascade has requested that all work on their affected property including re-vegetation be completed no later than August 15, 2014 as they will be moving cattle, the contractor thought that would not be a problem. There are 2 proposed change orders (PCO) in the queue both regarding the phase 2 locations on Bristlecone and Mariposa streets. According to the Project Manager, there are currently 2 deductive change orders (CO) which will be deducted from the contractor’s contract amount; 1) CO #1 in the amount \$43,022.14 for power at pump station #1 in phase 1; 2) CO #2 (in phase 2) will include the

following deductive amounts, Relocation of LS2-\$9,856.00, LS2 electrical costs-\$13,263.09, PAWSD standby time and equipment for 6/25/14 at LS18, \$700.72, Dichoso County labor ±\$7,116.80, 5 year weed treatment for uncertified straw \$500.00 quoted by PLPOA. No revisions to the constructions schedule have been submitted so the contract date for project completion remains the fall of next year. Interim Town Manager will be meeting with PAWSD to discuss flow of information between the engineer and the contractor. Blasting will begin August 11<sup>th</sup> for the large rock area. Staff explained the contract with Hammerlund states Trujillo Road will be returned to certain specifications, the County has been working with Hammerlund to determine the road specifications.

2. **Geothermal Repairs Update** - Parts have been ordered and are being installed for the elementary school and west side line. Excavation and repairs should begin in a few weeks. Board Member Schanzenbaker asked to discuss the current late fees and interest, staff will put it on the mid-month meeting.

**VI. NEXT BOARD MEETING AUGUST 21, 2014 AT 12:00PM**

**VII. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 7:25pm.



# AGENDA DOCUMENTATION

## NEW BUSINESS: VI.1

PAGOSA SPRINGS TOWN COUNCIL

AUGUST 21, 2014

FROM: JAMES DICKHOFF, PLANNING DEPARTMENT

---

**PROJECT: PAGOSA MULTI-PURPOSE PAVILION REQUEST FOR LETTER OF SUPPORT**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

---

### PURPOSE/BACKGROUND

The Pagosa Multi-Purpose Pavilion, hereafter referred to as "Pavilion" is an organization formed to serve the social, physical, spiritual and emotional needs of Pagosa Springs by building a community based/community involved recreational pavilion offering music, concerts, sports, arts and family friendly entertainment.

Constructed as a NHL regulation-sized ice surface for six winter months and a hard/roller floor for six months in summer, this configuration will allow the facility to offer a large array of sports, recreational and entertainment activities throughout the year to locals, visitors and surrounding residents. No other venue in Southern Colorado can provide all that the Pavilion will offer in one convenient, centrally-located facility. The Ice/Hockey/Roller surface will be regulation size (200 x 85) and the closest one to Pagosa would be Santa Fe, NM or Colorado Springs, CO. Final maximum allowable Occupancy is yet to be determined, but right now it appears that the viewing area should seat between a maximum of 800 and 1,000 people. This is intended to be a multi-purpose facility that will be able to host many events. The approximate project cost will be around \$2.5 million with expansion as needed.

As a 501c3 non-profit organization proceeds from the facility will be used to create Sports Scholarships for youth in our community. During summer months the Pavilion looks forward to being a concert venue for such events as Music in the Mountains and other touring musical groups from around the country. Sports activities include roller skating, arena soccer, inline hockey, group/private lessons and be the home rink for the Roller Girls in Pagosa Derby Team for practices and tournaments. Year-round, the Pavilion will be available for special events such as birthday parties, dances, music, conventions and private venues. Local public and on-line schools will be able to utilize the facility for physical education classes and after-school activities. Girl and Boy Scouts can attain various activity badges and Special Olympics will have a multi-purpose center for their athletes. Planned winter activities include hockey, figure skating, speed skating, broomball, curling, adult/youth classes, public sessions, leagues, competitions and ice shows.

Located in the resort community of Pagosa Springs, Colorado, the current proposed location is a 5 acre lot in Harman Park, an ideal location with underground utilities at property line, paved road with signal light access on US Hwy 160. The Pavilion will combine its wide variety of activities in an environmentally sound and beautiful facility housed in a pristine, majestic, mountain valley. Pagosa Springs boasts over 360,000 visitors a year who come for fun, stimulating recreation and entertainment. Utilizing this target market as a base for its attendance and participation, the Pavilion will be able to provide local residents with family-based rate discounts while providing a safe, exciting and healthy atmosphere.

The Pavilion will be managed and overseen by a highly experienced and knowledgeable staff encompassing management, hockey, figure skating, roller skating and operations maintenance.

### REQUEST

A few prospective donors from out of our area have specifically inquired as to who locally is in favor of this project. While the "Pavilion" is not requesting or soliciting any public funding from the Town, they would very much appreciate Town Council's support. **The Pagosa Multi-Purpose Pavilion would like to request a letter of support from Town Council**, to demonstrate to prospective donors the level of local support for this community project. A draft letter of support prepared by the "Pavilion" is expected as a starting point for the Town official letter of support. It is recommended that Town Council consider a motion and vote on providing a letter of support for the Pavilion.



# AGENDA DOCUMENTATION

## NEW BUSINESS: VI.2

PAGOSA SPRINGS TOWN COUNCIL

AUGUST 21, 2014

FROM: JAMES DICKHOFF, PLANNING DEPARTMENT

---

**PROJECT: FIRST READING OF ORDINANCE 814, AN ORDINANCE VACATING A PORTION OF THE 6<sup>TH</sup>/7<sup>TH</sup> ALLEY PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT BETWEEN NAVAJO STREET TO THE NE CORNER OF LOT 8X IN BLOCK 50 WITHIN THE CORPORATE LIMITS OF THE TOWN OF PAGOSA SPRINGS. (THIS IS A QUASI- JUDICIAL MATTER REQUIRING A PUBLIC HEARING)**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

---

### **PURPOSE/BACKGROUND**

On July 1, 2014, The applicant, Peter Adams, submitted a "ROW Vacation Application", requesting the Vacation of the 6<sup>th</sup>/7<sup>th</sup> Alley between Navajo Street north to the NE corner of Lot 8x. The applicant owns both sides of the proposed vacated Alley and is interested in developing his property, and would like the Vacation of the Alley so as to fully utilize his two properties and take advantage of the view shed from the top of the hill.

An official exhibit A will be created after approval of the second reading of a vacation ordinance. If Approved on second reading, the Vacation Exhibit A will be attached to the ordinance and include a complete legal description and map of the approved vacated ROW. For the purposes of considering Ordinance 814, the current included Exhibit A, is just a representation of the Alley proposed to be vacated.

The subject area and properties are zoned R-12, Medium Density Town Residential, which supports single family and multi-family housing up to 12 dwelling units per acre.

Regarding the Public Utility Easement associated with all Town ROW's, area Utility Providers have been contacted and have confirmed there are no installed utilities along the proposed ROW vacation, and there is no need to retain such utility easements along the proposed ROW vacation.

The applicant has not created development plans as of yet, as he prefers a determination on the possibility of vacating the Alley, prior to incurring the expense associated with creating development and design plans for submitting an application with the town.

State Statute requires that property associated with ROW vacations are divided down the middle and deeded to the adjoining properties.

South 6<sup>th</sup> Street is outside of the platted 6<sup>th</sup> Street ROW, and instead follows the river curve, through the applicants property. The applicant has stated he will work with the Town to formalize the 6<sup>th</sup> Street ROW, where the actual roadway exists. The Town currently has a Prescriptive Right (Easement) for the S. 6<sup>th</sup> Street alignment, however, this is very limiting on what can occur along this portion of 6<sup>th</sup> Street. Formalizing the 6<sup>th</sup> Street ROW will ensure the Town can fully utilize the ROW for all utilities, roadway improvements, future sidewalk/trails, ect.. This ROW dedication would come before TC as a separate matter at a future date. The applicant has proposed to transfer the land to the Town, from just east of the top of the shale cliff to his eastern boundary of his lot 1 in Block 50.

On July 29, 2014, the Planning Commission conducted a Public Hearing regarding this matter, and approved the following recommendation for Town Council's consideration "**APPROVE the vacation of the 6th/7th Alley Public Right-of-Way between Navajo Street and the NE corner of Lot 8X with the additional recommendation that Town Council move forward with the property owner to obtain a formalized agreement of property for the 6<sup>th</sup> Street road right-of-way from the cliff area down to 6<sup>th</sup> Street.**"

In addition, the Planning Commission directed Planning Department staff to research the status of a previous vacation of the Piedra Street ROW between 7<sup>th</sup> Street and the 6<sup>th</sup>/7<sup>th</sup> Alley, and if the remaining portion of the 6<sup>th</sup> / 7<sup>th</sup> Alley should also be vacated. Staff has conducted some research which shows the north half of Piedra Street as being vacated, however, we have not found a recorded vacation of the south half of the Piedra Street ROW between 7<sup>th</sup> Street and the 6<sup>th</sup>/7<sup>th</sup> Alley. Staff will conduct further research and bring their findings to the Planning Commission and Town Council.

### **ANALYSIS**

Below is LUDC section 2.4.3.D, outlining the application requirements and the approval criteria for considering an "Application for Vacation of ROW". 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 vacation appears to be consistent with the Comprehensive Plan and other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan. There are no trail routes identified along these ROW's or in the near vicinity in the adopted Downtown Master Plan or Comprehensive Plan.*

**(2) The land to be vacated is no longer necessary for the public use and convenience;**

Staff's Comments: *The alley ROW is not identified in any long range planning documents for a developed alley, trail segment or for utility lines. It appears unrealistic to consider a future Roadway improvement or Utility line installation given the severity of the terrain. Given the incredible views, A trail, however, maybe a possibility, though this is not an identified trail route in any of the Town's Long Range trail plans incorporated in the Downtown Master Plan or Comprehensive Plan.*

**(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: *All other adjoining parcels of land abutting the alley, have existing accesses from 7th Street. The Alley is currently un-improved and is not used for any access to any parcels of land, nor would the alley serve as a future access.*

**(4) The vacation will not leave any land-locked parcels; and**

Staff's Comments: *No parcel will be rendered land-locked by the proposed vacation of ROW.*

**(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 existing portions of the 6th / 7th Alley ROW being proposed for Vacation, are currently unimproved. The terrain accessing the ROW from Navajo Street and Piedra Street is very steep.*

#### **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: *No easements exist, other than the Town controlled ROW and Public Utility Easement.*

**(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: *No access will be negatively affected. The Alley contains no public utility installations.*

**(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:

- ~ Published in the Sun Newspaper 15 days prior to the PC and TC public hearings.
- ~ Posted on the property 15 days prior to the PC and TC public hearings.
- ~ Mailed to properties owners within 300 feet, 15 days prior to the PC and TC public hearings.
- ~ Posted at Town Hall 15 days prior to the PC and TC public hearings.

#### **ATTACHMENTS**

- ~ Ordinance 814, An Ordinance Vacating a Portion of the 6<sup>th</sup> / 7<sup>th</sup> Alley Public Right-of-Way and Public Utility Easement Between Navajo Street and the NE Corner of Lot 8X in Block 50, within the Corporate Limits of the Town of Pagosa Springs, with Preliminary Exhibit A.

## **PUBLIC COMMENTS**

Public comments received include the following:

- \* Peter Hurley, owner of 311 S. 7th Street called and has no issues with the vacation request.
- \* Jeff & Danielle Posey, owners of 326 S 7<sup>th</sup> Street submitted an email response on 4/23/14 supporting the vacation.
- \* Franklin Anderson, 303 S 7<sup>th</sup> – Opposes the vacation request. He is concerned about the cut into hill and the aesthetic issues with a continued cut along the ridge. He felt that the removal of dirt will create issues with future flooding and added water into the nearby river, the approval would destroy the historical topographic feature of Pagosa Springs, and the alleyway should be retained for the Town for future trail system.
- \* Greg Giehl, 740 Navajo Street- expressed questions about width of the 6<sup>th</sup> Street road access. He agreed with Mr. Anderson that a trail should be installed and connected to an existing trail. He also commented that the areas should not be for apartments but an area for single-family dwellings. He felt that there were drainage issues and concerns with high density construction, water and sewer main issues, and concerns with cutting down the hill because the project south of the building site removed approximately 14' of grade.
- \* Baltazar Gallegos, 418 S 7<sup>th</sup> Street – expressed concerns with installation of a trail and felt that the improvement would create privacy and access issues for his property that abuts the alleyway and streets. He had no objections to the vacation request.
- \* Maria Martinez-Gallegos, 418 S 7<sup>th</sup> Street – expressed no issues with vacation – she prefers that the original request be granted with vacating entire 6<sup>th</sup> & 7<sup>th</sup> alleyway and a portion of Navajo Street. She felt that the area is not a public hill and should remain private – wants to maintain privacy and concerns with edge of hill and liability. She is opposed to any trail system for liability reasons to the Town and has issues with public access for 4<sup>th</sup> of July and balloon events – heavier traffic already exists due to existing homes and nearby schools – high density is appropriate for area as allowed in other areas, private ownership should be allowed to build on owned property - endorses right of owners to absorb the vacated land onto their existing properties.
- \* Jerry Leroy Lucero, 302 S 7<sup>th</sup> Street– supports vacation but feels that the entire area should be vacated, privacy fencing for safety of children should be installed and the power pole should be removed from his property if it is not being utilized.

## **RECOMMENDATION**

Staff recommends that Town Council consider the recommendation from the Planning Commission, Public Comments and the facts as presented for the ROW vacation application as it relates to the LUDC approval criteria for a decision. Possible considerations may include, but are not limited to:

- 1) "APPROVE the First Reading of Ordinance No. 814, Vacating a Portion of the 6<sup>th</sup> / 7<sup>th</sup> Alley Public Right-of-Way and Public Utility Easement Between Navajo Street to the NE Corner of Lot 8X in Block 50 within the Corporate Limits of the Town of Pagosa Springs”.
- 2) "APPROVE the First Reading of Ordinance No. 814, Vacating a Portion of the 6<sup>th</sup> / 7<sup>th</sup> Alley Public Right-of-Way and Public Utility Easement Between Navajo Street to the NE Corner of Lot 8X in Block 50 within the Corporate Limits of the Town of Pagosa Springs, with the following conditions of approval.....”
- 3) "DENY the First Reading of Ordinance No. 814, Vacating a Portion of the 6<sup>th</sup> / 7<sup>th</sup> Alley Public Right-of-Way and Public Utility Easement Between Navajo Street to the NE Corner of Lot 8X in Block 50 within the Corporate Limits of the Town of Pagosa Springs”.

**TOWN OF PAGOSA SPRINGS, COLORADO**

**ORDINANCE NO. 814  
(SERIES 2014)**

**AN ORDINANCE VACATING A PORTION OF THE 6<sup>TH</sup> / 7<sup>TH</sup> ALLEY PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT BETWEEN NAVAJO STREET TO THE NE CORNER OF LOT 8X IN BLOCK 50 WITHIN THE CORPORATE LIMITS OF THE TOWN OF PAGOSA SPRINGS**

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 in 2012 (“Charter”); and

WHEREAS, pursuant to Sections 43-2-303(1)(a) and 43-2-303(2)(c), C.R.S., the Town may divest itself of all of its right, title or interest in and to any roadway upon the vacation of such roadway by ordinance; and

WHEREAS, on July 01, 2014, the Town’s planning department received an application for Vacation of Public Right-of-Way and Public Utility Easements (the “Application”), for the vacation of the portion of the 6<sup>th</sup>/7<sup>th</sup> Alley north of Navajo Street extending to the NE corner of Lot 8X in Block 50; 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 Application on July 29, 2014; and

WHEREAS, the Town Council hereby finds that pursuant to Section 2.3.6 of the LUDC, all public notice requirements for the July 29, 2014 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 July 10, 2014, 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 proposed vacation of the portion of the 6<sup>th</sup>/7<sup>th</sup> Alley Public Right-of Way, property owners within 300 feet of the subject property, and any other person who made a written request for such notice, on July 08, 2014, which was no less than 15 days prior to the public hearing.
- c. On July 02, 2014, Public Notice was physically posted at the NW corner of the intersection of Navajo Street and S. 7<sup>th</sup> Street, in close proximity to the proposed right-of-way vacations.
- d. Public notice was also posted at Town Hall on July 02, 2014; and

WHEREAS, on July 29, 2014, the Planning Commission approved a recommendation to the Town Council to “Approve the vacation of the 6th/7th Alley Public Right-of-Way between Navajo Street and the NE corner of Lot 8X of Block 50, with the additional recommendation that Town Council move forward with the property owner to obtain a formalized agreement for the 6th Street road Public Right-of Way from the cliff area down to and including 6th Street.,” 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 August 21, 2014 at 12 noon; and

WHEREAS, the Town Council hereby finds that pursuant to Section 2.3.6 of the LUDC, all public notice requirements for the August 21, 2014 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 July 10, 2014, which was at least 15 days prior to the scheduled August 21, 2014 public hearing.
- b. Written notice was mailed to the record owners of land immediately adjacent to the proposed vacation of the portion of the 6<sup>th</sup>/7<sup>th</sup> Alley Public Right-of Way, property owners within 300 feet of the subject property, and any other person who made a written request for such notice, on July 08, 2014, which was at least 15 days prior to the scheduled August 21, 2014 public hearing.
- c. On July 02, 2014, Public Notice was physically posted at the NW corner of the intersection of Navajo Street and S. 7<sup>th</sup> Street, in close proximity to the proposed right -of-way vacations. On August 12, 2014, staff noticed the posted sign was no longer on site, and re-posted the sign for the Town Council Public Hearing on August 21, 2014 and September 03, 2014.
- d. Public notice was also posted at Town Hall on July 02, 2014; 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 right-of-way 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 portion of 6<sup>th</sup>/7<sup>th</sup> Alley being vacated is identified in the Comprehensive Plan as Medium Density Residential which defines the primary use as single family and multi-family residences. Vacation of the public right-of-way, and the utility easements therein will not negatively affect vehicular transportation, public safety, public services, or accessibility in the surrounding area.*
- b. *The land to be vacated is no longer necessary for the public use and*

*convenience.* There is no longer a need, public use, convenience or beneficial public use for the Public ROW.

- c. *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.* The adjoining lands will maintain current accesses to public roads.
- d. *The vacation will not leave any land-locked parcels.* No parcel will be land-locked and all parcels will have access to a public right-of-way.
- e. *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 right-of-way and utility easement vacation will not adversely affect or impact the health, safety, or welfare of the general community, or the quality of public facilities or services provided, and there will be no adverse effect to police/fire protection or access; and

WHEREAS, the Town wishes to formally and expressly vacate such roadway and utility easements 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 Roadway and Utility Easements.** Pursuant to Sections 43-2-303(1)(a) and 43-2-303(2)(c), C.R.S., the Town hereby divests itself of all of its right or interest in and to the public right-of-way for the portion of the 6th/7th Alley Public Right-of-Way between Navajo Street and the NE corner of Lot 8X of Block 50, and the utility easements therein, within the corporate limits of the Town, see Exhibit A.

**SECTION 3 – Vesting of Title.** In accordance with the provisions of Section 43-2-302, C.R.S., title to the lands included within the roadway hereby vacated shall vest in the owner of the abutting property or properties, subject to the same encumbrances, liens, limitations, restrictions, and estates as the land to which it accrues.

**SECTION 4 - Recording.** In accordance with the requirements of Section 43-2-303(2)(f), C.R.S., this ordinance vacating the roadway designated herein shall be recorded in the office of the Clerk and Recorder of Archuleta County.

**SECTION 5 – 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 6 – Effective Date.** This Ordinance shall become effective and be in force immediately upon final passage at second reading.

[THE REST OF THIS PAGE INTENTIONALLY BLANK]

INTRODUCED, READ, AND ORDERED PUBLISHED 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 \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

TOWN OF PAGOSA SPRINGS,  
COLORADO

By: \_\_\_\_\_  
Don Volger, Mayor

Attest:

\_\_\_\_\_  
April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED 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 \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

TOWN OF PAGOSA SPRINGS,  
COLORADO

By: \_\_\_\_\_  
Don Volger, Mayor

Attest:

\_\_\_\_\_  
April Hessman, Town Clerk

**CERTIFICATE OF PUBLICATION**

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 814 (Series 2014) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2014, and was published by title only, along with a statement that the full text of the Ordinance, including any amendments, is available for public inspection at the office of the Town Clerk at Town Hall, on the Town's official website, on \_\_\_\_\_, 2014, 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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
April Hessman, Town Clerk

(S E A L)

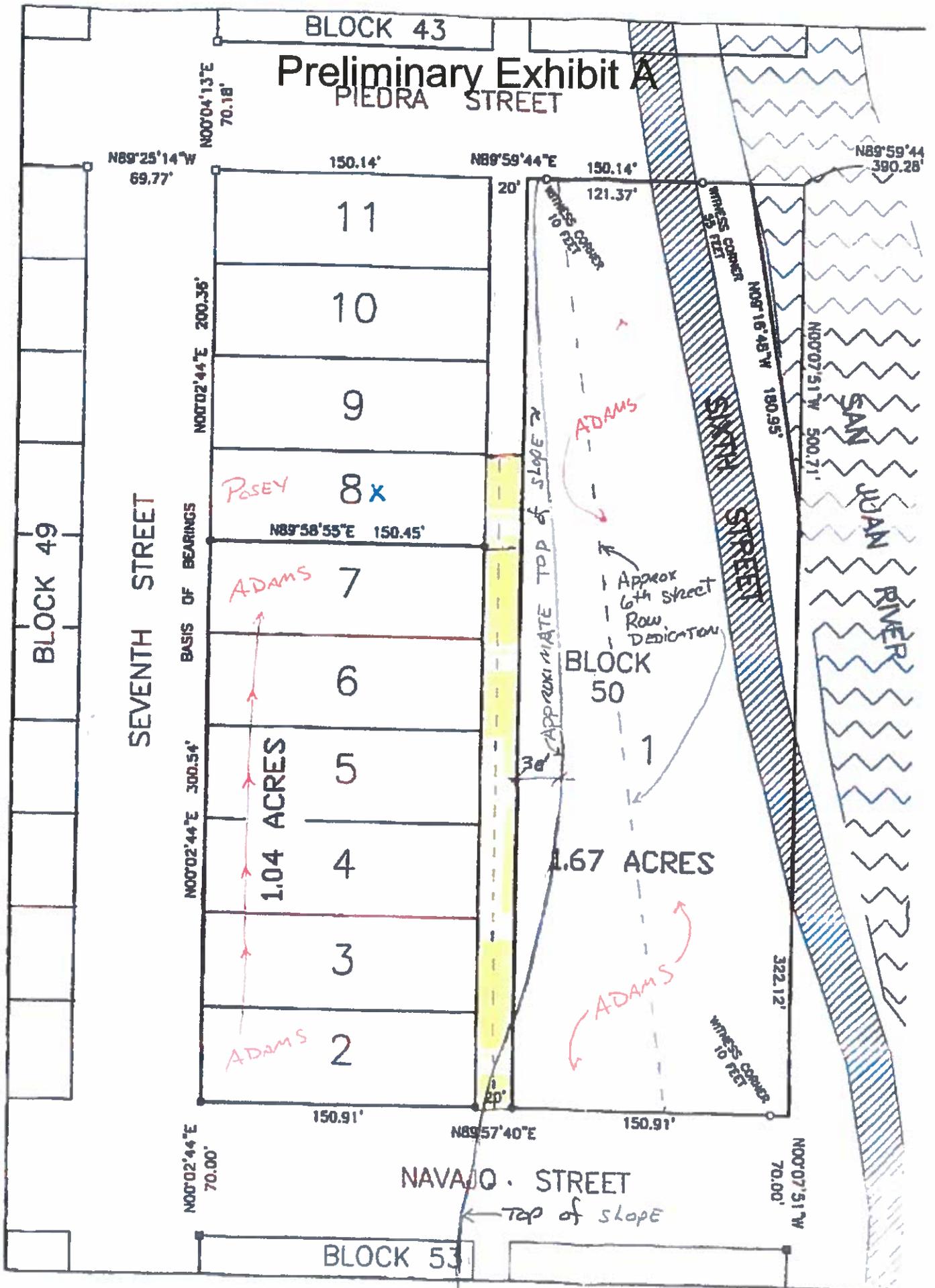
I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 814 (Series 2012) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2014, 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 \_\_\_\_\_, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
April Hessman, Town Clerk

(S E A L)

# Preliminary Exhibit A





## AGENDA DOCUMENTATION

### NEW BUSINESS: VI.3

PAGOSA SPRINGS TOWN COUNCIL

AUGUST 21, 2014

**FROM: CANDACE DZIELAK, COURT ADMINISTRATOR**

---

**PROJECT: LEGAL RESEARCH SOLUTION FOR THE MUNICIPAL COURT OF THE TOWN OF PAGOSA SPRINGS, COLORADO**

**ACTION: PUBLIC HEARING, DISCUSSION, AND POSSIBLE ACTION**

---

#### PURPOSE/BACKGROUND

On April 8, 2014, Town voters approved Ballot Question #2 which amended the Town of Pagosa Springs' Home Rule Charter to grant the Municipal Court authority to hear and try all matters arising under the Charter, the Town ordinances, and other enactments of the Town.

Municipal Court, as the court of original jurisdiction, requires the acquisition of an online legal research solution to adequately implement the requirements of Ballot Question #2. A comprehensive and reliable legal research solution will ensure Municipal Court Judges and Municipal Court staff effectively facilitate the filing of civil cases and expand their knowledge of the Colorado Rules of Civil Procedure.

#### ATTACHMENT(S):

**WestlawNext Legal Solutions Option 1 and Option 2  
WestlawNext Database Brochures**

#### FISCAL IMPACT

For the 4<sup>th</sup> quarter of 2014, Municipal Court will absorb the expense of \$2,039 in already encumbered funds. In 2015, Municipal Court will request an annual encumbrance of \$8,500.

#### RECOMMENDATION

It is the recommendation of the Court Administrator that the Town Council, by motion,

**Approve the acquisition of WestlawNext as the legal research solution for Municipal Court.**



# AGENDA DOCUMENTATION

## NEW BUSINESS: VI.4

PAGOSA SPRINGS TOWN COUNCIL, AUGUST 21, 2014

FROM: SCOTT FROST, SPECIAL PROJECT MANAGER

---

**PROJECT: MAJESTIC DRIVE PAVING PROJECT CONTRACTOR AWARD**

**ACTION: UPDATE AND POSSIBLE ACTION**

---

### PURPOSE/BACKGROUND

As early as 2009, Majestic Drive has been identified as qualifying for special funding through the Community Multi-Scale Air quality Act (CMAQ). This funding has been used throughout Archuleta County to provide dust control on unpaved roads by means of application of Mag-Chloride, and in some cases, such as Majestic Drive, the funding has been applied to actually paving previously unpaved roads. The Majestic Drive project has been in the works for several years now and is currently poised to begin construction upon approval of awarding the contract to the low bidder, with completion due within 90 days of notice to proceed.

### ANALYSIS

Paving Majestic Drive is a high priority project that has had the support of Town Council for quite some time, as evidenced by the council's support of applying for funding and providing matching funds to facilitate the project. In addition, the Special Projects Managers office has received numerous phone calls and visits from residents of Majestic Drive expressing support for the project and hopes that it can be accomplished this construction season.

To date, all Engineering, Environmental Studies, Easement Issues, Utility Locates and other preparatory work has been satisfactorily accomplished and a contract with CDOT to provide funding is on file. The project went out to advertisement in the Pagosa Springs Sun on July 17<sup>th</sup> and 24<sup>th</sup>, with additional notification sent to potential bidders electronically.

It is noteworthy that no local bidders showed up for the pre-bid meeting on July 27<sup>th</sup> and only two bids were received in the Davis Engineering office and opened on August 7<sup>th</sup>. The two companies submitting valid bids were **Russell Sand and Gravel Inc.** based in Los Ojos NM, and **Oldcastle SW Group, Inc. DBA Four Corners Materials.** The low bidder was Oldcastle with a bid of \$529,532.82 this is within the budget currently allocated for this project, although substantially over the original engineer's estimate of \$426,510.00. The greatest areas of discrepancy between the engineers estimate and both bids were in the categories of Mobilization and Traffic Control; resulting in some discussion that it might be in the Towns interest to re-bid this project with a spring 2015 start date in hopes of attracting more local bidders. (Resulting, potentially, in lower bids in these two categories) While this reasoning has merit, it is in no way a guarantee of savings to the Town, as there is no way to predict which companies might choose to bid on the project or what their bids might be. Additionally, the potential ramifications to the Town must be considered, such as how re-bidding this project in hopes of attracting local companies might appear to other companies in the future.

### Attachments:

Bid Abstract Project code 18457

### Fiscal Impact

The Low Bid is \$529,532.82

Of this amount, \$319,000.00 is available from CMAQ, with a TOPS 17.21% match of \$66,312.00 = \$385,312.00

This leaves a deficit of \$144,210.82

The total due by the town including matching funds and non-CMAQ qualifying items would be \$210,522.82  
The Town has budgeted \$250,000.00 for this project

**Recommendations**

- 1) Award the Contract to the Low bidder for \$529,532.82, utilizing \$210,522.82 of the currently budgeted \$250,000.00
- 2) Refuse the current bids and re-bid the project as currently specified with a spring 2015 start date in hopes of attracting both more bidders and more local bidders with the prospect of getting a lower price, closer to the original engineers estimate.
- 3) Decrease the scope of the project, perhaps by shortening the length of the section to be paved or reducing the thickness of the asphalt specification, re-bid.

**Town of Pagosa Springs - Majestic Drive Reconstruction**  
**Bid Abstract 08/07/14**

Project No.: STE M016-026  
 Project Code: 18457

**CMAQ Funding Eligible Items**

Item	Description	Quantity	Unit	Engineer's Estimate		Old Castle SW Group, Inc.		Russell Sand & Gravel Co., Inc.	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
202-00220	Removal of Asphalt Mat	104	s.y.	\$3.00	\$312.00	\$6.05	\$629.20	\$22.70	\$2,360.80
203-00100	Muck Excavation	25	c.y.	\$15.00	\$375.00	\$37.45	\$936.25	\$75.00	\$1,875.00
208-00002	Erosion Log (12 Inch)	280	l.f.	\$4.00	\$1,120.00	\$4.73	\$1,324.40	\$5.00	\$1,400.00
208-00004	Silt Berm	1,000	l.f.	\$3.00	\$3,000.00	\$0.70	\$700.00	\$8.00	\$8,000.00
208-00020	Silt Fence	1,160	l.f.	\$3.00	\$3,480.00	\$1.50	\$1,740.00	\$2.50	\$2,900.00
208-00206	Erosion Control Supervisor	90	days	\$50.00	\$4,500.00	\$215.00	\$19,350.00	\$250.00	\$22,500.00
210-04010	Adjust Manhole	3	ea.	\$500.00	\$1,500.00	\$480.00	\$1,440.00	\$1,500.00	\$4,500.00
210-04050	Adjust Valve Box	3	ea.	\$250.00	\$750.00	\$600.00	\$1,800.00	\$1,000.00	\$3,000.00
304-06007	Aggregate Base Course (Class 6)	2,180	c.y.	\$45.00	\$98,100.00	\$53.10	\$115,758.00	\$68.65	\$149,657.00
403-34721	Hot Bituminous Pavement (Grading SX) (75) (PG 58-28)	1,340	tons	\$145.00	\$194,300.00	\$126.30	\$169,242.00	\$125.00	\$167,500.00
411-10255	Emulsified Asphalt (Slow-Setting)	310	gal.	\$5.00	\$1,550.00	\$6.85	\$2,123.50	\$5.00	\$1,550.00
506-01020	Geogrid Reinforcement	75	s.y.	\$4.00	\$300.00	\$5.10	\$382.50	\$35.00	\$2,625.00
626-00000	Mobilization	1	l.s.	\$15,000.00	\$15,000.00	\$55,400.00	\$55,400.00	\$95,000.00	\$95,000.00
626-01000	Public Information Services	1	l.s.	\$5,000.00	\$5,000.00	\$3,600.00	\$3,600.00	\$2,500.00	\$2,500.00
627-00005	Epoxy Pavement Marking	35	gal.	\$500.00	\$17,500.00	\$120.00	\$4,200.00	\$425.00	\$14,875.00
630-XXXXX	Construction Zone Traffic Control	1	l.s.	\$12,500.00	\$12,500.00	\$50,400.00	\$50,400.00	\$4,500.00	\$4,500.00
				<b>Sub Total</b>	<b>\$359,287.00</b>		<b>\$429,025.95</b>		<b>\$484,742.80</b>

**Non-CMAQ Funding Eligible Items**

201-00001	Clearing & Grubbing	0.61	acre	\$5,000.00	\$3,050.00	\$15,100.00	\$9,211.00	\$10,670.00	\$6,508.70
202-00033	Removal of Pipe	4	ea.	\$820.00	\$3,280.00	\$890.00	\$3,560.00	\$1,500.00	\$6,000.00
203-00010	Unclassified Excavation	1,535	c.y.	\$5.00	\$7,675.00	\$11.50	\$17,652.50	\$10.00	\$15,350.00
203-00060	Embankment	1,174	c.y.	\$12.00	\$14,088.00	\$13.50	\$15,849.00	\$12.00	\$14,088.00
207-00205	Topsoil	490	c.y.	\$10.00	\$4,900.00	\$7.60	\$3,724.00	\$9.00	\$4,410.00
207-00210	Stockpile Topsoil	490	c.y.	\$8.00	\$3,920.00	\$3.80	\$1,862.00	\$12.00	\$5,880.00
208-00810	Reset Ground Sign	4	ea.	\$250.00	\$1,000.00	\$180.00	\$720.00	\$500.00	\$2,000.00
212-00006	Native Seeding	1.64	acres	\$1,500.00	\$2,460.00	\$1,130.00	\$1,853.20	\$1,500.00	\$2,460.00
212-00032	Soil Conditioning	1.64	acres	\$1,500.00	\$2,460.00	\$953.00	\$1,562.92	\$1,000.00	\$1,640.00
213-00003	Mulching (Weed Free)	1.55	acres	\$1,500.00	\$2,325.00	\$1,110.00	\$1,720.50	\$1,500.00	\$2,325.00
213-00061	Mulch Tackifier	310	lbs	\$3.00	\$930.00	\$4.85	\$1,503.50	\$5.00	\$1,550.00
216-00042	Soil Retention Blankets (Biodegradable Straw - Coconut)	415	s.y.	\$3.00	\$1,245.00	\$4.25	\$1,763.75	\$5.00	\$2,075.00
240-00000	Wildlife Biologist	10	hr.	\$75.00	\$750.00	\$102.00	\$1,020.00	\$150.00	\$1,500.00
304-02005	Aggregate Base Course (Class 2)	100	c.y.	\$35.00	\$3,500.00	\$58.25	\$5,825.00	\$75.00	\$7,500.00
603-10180	18 Inch Corrugated Steel Pipe	308	l.f.	\$30.00	\$9,240.00	\$73.70	\$22,699.60	\$40.00	\$12,320.00
603-30018	18 Inch Steel End Section	14	ea.	\$400.00	\$5,600.00	\$680.00	\$9,520.00	\$250.00	\$3,500.00
607-11525	Fence (Plastic)	200	l.f.	\$4.00	\$800.00	\$2.30	\$460.00	\$5.00	\$1,000.00
				<b>Sub Total</b>	<b>\$67,223.00</b>		<b>\$100,506.97</b>		<b>\$90,106.70</b>
				<b>Total</b>	<b>\$426,510.00</b>		<b>\$529,532.82</b>		<b>\$574,849.50</b>



# AGENDA DOCUMENTATION

## NEW BUSINESS: VI.5

PAGOSA SPRINGS TOWN COUNCIL

AUGUST 21, 2014

FROM: JAMES DICKHOFF, PLANNING DEPARTMENT

---

**PROJECT: TOWN TO PAGOSA LAKES TRAIL PROJECT HISTORY, REVIEW AND UPDATE**

**ACTION: PRESENTATION AND DISCUSSION**

---

### PURPOSE/BACKGROUND

Pagosa Springs is fortunate to have many involved residents and property owners that participated in public input meetings and work sessions. During the development of all of the following planning documents, many well attended open public input work sessions were conducted resulting in very extensive and comprehensive plans that incorporated public insight, concerns, recommendations and ideas. The following progression of planning processes, demonstrates the development of the Town to Pagosa Lakes Trail project.

~ *A 2004 "Pagosa Springs Community Survey"* was conducted by RRC Associates in an effort to provide key data to guide decisions related to planning, marketing and economic development. The top objectives identified through this survey included *"Expanding Bike Paths and Walkways"*.

~ *A 2006 "Pagosa Springs Parks & Recreation Survey and Research"* was conducted by RRC Associates, commissioned by TOPS, Archuleta County and the School District, receiving 459 responses from property owners and residents within Pagosa Springs and Archuleta County with the second highest ranking priority being *"The Trail/Bike path from downtown to uptown"*.

~ *The "Town of Pagosa Springs Comprehensive Plan"* was adopted by TOPS in 2006, which identifies *"Goal T-3: Pagosa Springs will support convenient, connected and efficient transportation for all modes of travel"*; *"Policy T-3(c): Pagosa Springs aims to maintain and expand the existing trail system to connect our neighborhoods, schools, civic centers and shopping areas and to connect east and west Pagosa Springs as shown on the trails plan (figure 11-3 of comp plan)"* and *"Policy T-3(d) Trails System Connected: The town will continue to maintain and build on the existing trails system and expand the system to include trails as shown the trails plan map, including east -west town connections."*

~ *A 2007 "Parks, Recreation and Open Space and Trails (PROST) Master Plan"* was commissioned by TOPS, Archuleta County, School District and partially funded by GOCO. The PROST Master Plan was completed in the fall of 2007 utilizing a participatory planning methodology that involved residents, a specially constituted technical review committee, public open house meetings and an internet-based public opinion survey. Ultimately the Master Plan was adopted by the TOPS, Archuleta County and the Archuleta County School District. The PROST master plan has served as one of our guiding documents for future prioritization of recreation and trail improvements for the entire community.

~ *The "Town of Pagosa Springs Downtown Master Plan"* was created and adopted by TOPS in 2007 which included a *"Pedestrian Circulation Framework Map"* displaying the TTLT connection from downtown to the Pagosa Lakes area.

~ *The "Town to Lakes Trail Master Plan"* was commissioned by Archuleta County in 2010, partially funded by a Colorado State Trails planning grant, awarding Greenways, Inc. as the consultant to prepare the conceptual master trail plan. Using the adopted PROST Master Plan as a platform, Town Council approved the prioritization of a hard surfaced Commuter Trail along the Hwy 160 corridor, as the best initial trail construction phase using the following criteria:

- \* Immediate opportunity where logical, usable connections can be made with current or readily available resources.
- \* Availability of rights-of-way and permitting.
- \* Availability of funding and/or grants to build and maintain improvements.
- \* Projects that can be completed using volunteers or in-kind labor and resources.
- \* Segments that offer an exceptional experience and/or are highly visible to the public.

## CURRENT STATUS

Subsequent to the above progression of planning and direction from Town Council, Town Staff began coordinating efforts for defining potential phases for the commuter trail route, and worked with Archuleta County, PLPOA, State Trails, GOCO and CDOT for securing funding. We have begun specific preliminary and final trail planning and funding for trail segments beginning on both ends of the community. Current funded phases of the TTPL Commuter Trail include the East Phase and the West Phase.

**The East phase** extends between S. 8<sup>th</sup> Street and S. 10<sup>th</sup> Street along the south side of Hwy 160. This phase is currently estimated to cost \$329,000, and is fully funded with \$261,000 in Awarded CDOT enhancement funds and \$68,000 in Town Matching funds.

**The West phase** extends between the Village Drive trail termination at Pinon Causeway and Village Drive, extends south crossing the Hwy at the Pinon Causeway lighted intersection, then heading east along the south side of Hwy 160, skirting along the western boundary of the Parell Office building, connecting with Aspen Village Drive, where the Town currently has on-street bike lanes and sidewalks. This phase is estimated to cost up to \$700,000 and is fully funded with \$200,000 of CDOT enhancement funds awarded to Archuleta County, \$45,000 from PLPOA, \$200,000 in awarded State Trails Funding, \$200,000 in County PROST funds, and \$35,000 from the Town.

**The Harman Hill phase** is the next commuter trail phase staff is working on. This portion of the commuter trail will begin at the Cornerstone Drive Cul-de-Sac in front of the Centerpoint Church, and extend east up Harman Hill, providing a pedestrian crosswalk, crossing Hwy 160 at Piedra Road. This trail segment has been broken into two phases as a means to apply for CDOT TAP funds, recently applied for in September 2014. The estimated cost for both phases is \$1,100,000.00, due to the extent of the elevation difference and required ramp structures to climb the hill.

**Remaining Portion of Commuter Trail:** A Topography Mapping Fly Over is the next phase of planning staff recommends the Town pursue. This phase would provide 1-2 foot interval topo mapping for trail alignment planning, as a means to identify the needed trail easements that will require negotiations with private property owners. The estimated lineal footage of Commuter trail between Piedra Road and S. 10<sup>th</sup> Street is approximately 13,000 lineal feet of trail.

## TRAIL CONSTRUCTION DESIGN OPTIONS

Town Council has recently briefly discussed the potential for constructing non-hard surfaced portions of the commuter trail, as a means to possibly accommodate funding the trail project completion faster with Town funds instead of utilizing restrictive and more complicated grant funding options. For comparison, staff has worked with Davis Engineering to compile estimated costs for varying trail construction designs. The below cost estimates include design, engineering and construction, however, do not include site specific conditions like steep slopes, wetland mitigation, environmental clearances, hard rock excavation, easement acquisition, ect...

**Trail maintenance** Periodic maintenance of the concrete surface would include; trail sweeping, snow plowing, weed control, litter, sign repair, ect... Other than the general periodic maintenance just described, Specific annual maintenance for each option below is based on 13,000 lineal feet for comparison.

### **~ 10 foot wide Concrete trail:** \$125/lineal foot

In this design, a minimum 20 foot wide easement is desired, includes drainage facilities, 12-14 foot wide raised trail bed with a 10 foot wide concrete travel surface and 1-2 foot gravel shoulders.

Expected useful life of a concrete surfaced trail is 20-40 years. Minimal annual surface maintenance costs are anticipated with Concrete, that would include repairing/filling cracks and minimal surface failures, \$500 per year.

### **~ 10 foot wide Asphalt trail:** \$100/lineal foot

In this design, a minimum 20 foot wide easement is desired, includes drainage facilities, 12-14 foot wide raised trail bed with a 10 foot wide asphalt (3") travel surface and 1-2 foot gravel shoulders.

Expected useful life of an asphalt surfaced trail is 10-20 years. Annual maintenance would include

repairing/filling cracks at approximately \$1,000 the 1st year and increasing to \$2,000 in year 3. Surface sealing would occur every 4-5 years at \$12,500.

**~ 10 foot wide Gravel trail:** \$70/lineal foot

In this design, a minimum 20 foot wide easement is desired, includes drainage facilities, 12-14 foot wide raised trail bed with a 10 foot wide crushed rock travel surface. This option would be constructed in such a manner that a Hard Surface treatment could be applied over the built up gravel trail bed a later date. The additional cost of applying a hard trail surface at a later date: Concrete would be \$80/lineal foot and Asphalt would be \$50/lineal foot. These prices also include the build-up of the gravel shoulder to the same elevation as the hard trail surface. Annual Gravel trail maintenance would include surface repair and drainage maintenance at \$1,500 - \$2,500 per year.

**~ 10 foot wide Rustic trail:** \$40/lineal foot

In this design, a minimum 20 foot wide easement is desired, includes minimal drainage facilities, with a 10 foot wide native dirt travel surface. No imported materials are included. Trail surface would not be raised and be in a natural/rustic state. Water ponding will occur on the trail surface with mud and washouts expected. This option **would not** accommodate a hard surface application at a later date. Annual maintenance costs could be \$1,000 - \$2,000 per year.

**FUNDING OPTIONS**

Current identified Grant Funding entities for Trail Projects include:

- ~ CDOT TAP grant funds.
- ~ GOCO trail grant funds.
- ~ State Trails grant funds.
- ~ DOLA Community Infrastructure funds.

**TRAIL PLANS**

Hard Copies of the Town to Pagosa Lakes Trail Master Plan are being printed and will be available at the Town Council meeting.



# AGENDA DOCUMENTATION

## NEW BUSINESS: VI.6

PAGOSA SPRINGS TOWN COUNCIL,  
AUGUST 21, 2014

FROM: SCOTT FROST, SPECIAL PROJECT MANAGER

---

**PROJECT: RESOLUTION 2014-12, YAMAGUCHI SKATE PARK PHASE 2**  
**ACTION: REVIEW, DISCUSS, POSSIBLE ACTION**

---

### PURPOSE/BACKGROUND

On June 19, 2014 Town council approved setting aside \$32,000 towards funding the Yamaguchi Skate Park Phase 2. This amount includes a contingency as required by the GOCO Grant Application Process. The current resolution is to approve the use of \$17,000 as cash match for the current grant request in the 2015 budget.

### ANALYSIS

The Yamaguchi Skate Park is a highly regarded feature of the Town of Pagosa Springs Parks Network. The Yamaguchi Bowl feature as proposed in Phase 2 will provide for a significant increase in required skill set, attracting a larger number of advanced users to the area, while encouraging continued use by beginning and mid-level skaters who will have local opportunity to advance their abilities.

The completion of phase 2 has widespread support among local agencies including Archuleta County PROST, Springs Resort and numerous private donors. The Town will be greatly benefitted by the addition of this feature to the Skate Park, which is currently not available to Skaters within at least a 50 mile Radius of Pagosa Springs.

### FISCAL IMPACT:

Town will be required to budget up to \$32,000 cash match in 2015. This can come from \$15,000 from Conservation Trust and \$17,000 from Capital Fund.

Town will be required to include this feature in regular maintenance (Nominal)

### RECOMMENDATION:

- A) Approve Resolution 2014-12 budgeting in 2015 up to \$17,000 cash match; and up to an additional \$15,000 for contingency for GOCO Grant
- B) Disapprove Resolution 2014-12 for current funding cycle to allow time for further fundraising, thereby increasing match percentage.

**TOWN OF PAGOSA SPRINGS, STATE OF COLORADO**

**RESOLUTION NO. 2014-12**

**A RESOLUTION OF THE TOWN OF PAGOSA SPRINGS, COLORADO SUPPORTING AND  
AUTHORIZING THE SUBMITTAL OF A GREAT OUTDOORS COLORADO GRANT  
APPLICATION FOR THE CONSTRUCTION OF THE YAMAGUCHI BOWL FEATURE IN  
YAMAGUCHI PARK**

**WHEREAS**, the Town of Pagosa Springs strongly supports the submittal of a 2014 Great Outdoors Colorado (GOCO) Grant Application for the PAGOSA SPRINGS YAMAGUCHI SKATE PARK PHASE 2, and if the grant is awarded, the Town of Pagosa Springs supports the completion of the project ;  
and

**WHEREAS**, the Town of Pagosa Springs is requested grant funding up to \$102,790.00 from the GOCO LPOR Grant Program to construct an addition to the existing Skate Park in the form of a Bowl feature to be called the YAMAGUCHI BOWL;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS,

- Section 1: The Town Council of Pagosa Springs strongly supports the submittal of a 2014 GOCO LPOR Grant for the amount of \$102,790.00, and has approved the expenditure of \$17,000.00 for matching cash funds, to ensure the \$153,417.00 estimated Skate Park Addition project is fully funded for completion.
- Section 2: Town Council has included the Yamaguchi Skate Park Phase 2 into the Town's Capital Improvement Plan, and has committed to funding current project to completion.
- Section 3: If the GOCO LPOR Grant is awarded, the Town Council of the Town of Pagosa Springs strongly supports and will prioritize the completion of the awarded grant project.
- Section 4: The Town Council of the Town of Pagosa Springs authorizes staff to expend appropriated funds necessary to meet the terms and obligations of an awarded grant.
- Section 5: The properties associated with the developed recreational components of this project are owned by the Town of Pagosa Springs and will remain under the Town's control for at least 25 years or the useful life of the project.
- Section 6: The Town of Pagosa Springs will continue to maintain the developed recreational components in a high quality condition and will continue to appropriate funds for maintenance in its annual budgets.
- Section 7: The Town of Pagosa Springs has the ability to complete all proposed elements of this project by December 31, 2015 and has demonstrated the ability to complete grant funded projects in a timely fashion in a number of previous successful awarded projects.
- Section 8: If the grant is awarded, The Town Council of The Town of Pagosa Springs authorizes either the Town Manager or Mayor, to sign the grant agreement with Great Outdoors Colorado.
- Section 9: This resolution is to be in full force and effect from and after its passage and approval.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS,  
BY A VOTE OF \_\_\_\_ IN FAVOR, \_\_\_\_ AGAINST. TOWN OF PAGOSA SPRINGS

ATTEST:  
By: \_\_\_\_\_  
April Hessman, Town Clerk

By: \_\_\_\_\_  
Don Volger, Mayor



## AGENDA DOCUMENTATION

### NEW BUSINESS: VI.7

PAGOSA SPRINGS TOWN COUNCIL  
AUGUST 21ST, 2014

**FROM: GREG SCHULTE, TOWN MANAGER  
JENNIFER GREEN, DIRECTOR**

**PROJECT: CONSIDERATION OF RESOLUTION 2014-13, APPOINTING ONE MEMBER TO THE TOWN TOURISM COMMITTEE**

**ACTION: REVIEW, PUBLIC COMMENT, AND POSSIBLE ACTION**

#### PURPOSE/BACKGROUND

The Town Tourism Committee recently advertised an open at large seat. One letter of interest was received for the open seat. Criselda Jay Montoya, Marketing Manager at Wyndham, submitted a letter of interest. During the August TTC meeting, the Board interviewed Ms. Montoya. She is extremely interested in marketing and events. The Town Tourism Committee voted unanimously to recommend Criselda Montoya to the open at large seat. With her appointment, the TTC will have 11 board members.

#### ATTACHMENT(S):

- Letter of Interest
- Resolution 2014-13

#### FISCAL IMPACT

There is no direct fiscal impact appointing members to the Town Tourism Committee

#### RECOMMENDATION

It is the recommendation of the Town Manager and the TTC Chairman, that the Town Council, by motion

**Approve Resolution 2014-13, Appointing Criselda Jay Montoya to the Town Tourism Committee for a two (2) year term.**

Jennie, I would like to officially submit my letter of interest for the Town Tourism Committee seat. I have a wealth of marketing, public relations and event planning experience and I feel I will be an asset to the board. I am so glad to live in a town as beautiful as Pagosa Springs and I would like to share it with the world.

I am currently the Marketing Manager for Wyndham Pagosa and would be honored to represent Wyndham on the board.

I would welcome the opportunity to interview for the seat and I appreciate the consideration.

Best,

Criselda

Criselda Jay Montoya  
In-House Marketing Manager  
Wyndham Vacation Ownership  
42 Pinon Causeway  
Pagosa Springs, CO 81147  
970-731-8012 ph  
469-442-8789 cell  
criselda.montoya@wyn.com

Wyndham Vacation Ownership, A Wyndham Worldwide Company  
[www.WyndhamWorldwide.com](http://www.WyndhamWorldwide.com)

TOWN OF PAGOSA SPRINGS, STATE OF COLORADO

RESOLUTION NO. 2014-13

A RESOLUTION OF THE TOWN OF PAGOSA SPRINGS,  
COLORADO APPOINTING CRISELDA JAY MONTOYA TO THE  
TOWN TOURISM COMMITTEE.

WHEREAS, Town Ordinance No. 678 creates bylaws for the Town Tourism Committee; and

WHEREAS, Section 16.4.12(2)(a) of the municipal code requires the appointment of eleven (11) members of the committee representing the different sectors of the community; and

WHEREAS, the Town of Pagosa Springs Town Tourism Committee recommends the appointment of Criselda Jay Montoya to an at large seat as a member of the Town Tourism Committee for a two (2) year term; and

THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS,

1. **Appointment of Town Tourism Committee Member.** Criselda Jay Montoya is hereby appointed to serve as an at large member of the Town Tourism Committee for a two (2) year term, commencing on August 21st, 2014 and concluding on August 21st, 2016.
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 \_\_\_\_ DAY OF \_\_\_\_\_, 2014, 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: VII.1

PAGOSA SPRINGS TOWN COUNCIL  
AUGUST 21<sup>ST</sup>, 2014

FROM: WILLIAM ROCKENSOCK, CHIEF OF POLICE

---

**PROJECT: ORDINANCE 813, SECOND READING, ADOPTION OF A NEW SECTION OF MUNICIPAL CODE 12.8.15  
AND AMENDMENT OF SUBSECTION 11.1.3(12)**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

---

### PURPOSE / BACKGROUND

The adoption of Municipal Code 12.8.15 and amendment 11.1.3(12) is to clarify the process for obtaining an open burn permit, make the Pagosa Springs Fire District the licensing authority, and supplement the International Fire Code as adopted by the Town of Pagosa Springs.

Currently ordinance 11.1.3(12) makes, the burning of any trash, lumber, leaves, straw, or any other combustible material within the town a violation of the nuisance ordinance, **unless expressly authorized by an appropriate permit.**

The Municipal Code currently fails to identify the licensing authority for obtaining a burn permit, how to obtain a permit, or set forth any exclusions or limitations upon obtaining a burn permit.

The Town of Pagosa Springs adopted the International Fire Code ("IFC") pursuant to ordinance 2013-795. The Pagosa Springs Fire District utilizes the IFC and has an established application process for an open burn permit.

In response to questions regarding Ordinance 813, staff has created a fact sheet explaining when an open burn permit is required and defining Bonfires, Recreational Fires, and Portable Outdoor fireplaces. This sheet will be distributed by the Pagosa Springs Fire District for any permit request in the Town limits.

Additionally the fact sheet will be made available to the public at town hall and will be posted on the Town of Pagosa Springs website.

### ATTACHEMENTS

Ordinance 813  
Open Burning Facts and Definitions sheet.

### RECOMMENDATION

Staff recommends the Town Council by motion; approved second reading of Ordinance 813, clearly defining the process and limitations of obtaining an open burn permit for use by the residents of Pagosa Springs.

**TOWN OF PAGOSA SPRINGS, COLORADO**

**ORDINANCE NO. 813  
(SERIES 2014)**

**AN ORDINANCE OF THE TOWN OF PAGOSA  
SPRINGS ADOPTING A NEW SECTION 12.8.15 OF  
CHAPTER 12 OF THE MUNICIPAL CODE ADDING  
THE OFFENSE OF PUBLIC BURNING AND  
AMENDING SUBSECTION 11.1.3(12) OF THE  
MUNICIPAL CODE REGARDING NUISANCES**

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; and

WHEREAS, pursuant to Subsection 11.1.3(12) of the Town of Pagosa Springs Municipal Code (“Code”), public burning without an appropriate permit is a nuisance; and

WHEREAS, pursuant to Ordinance No. 2013-795, the Town has adopted the 2009 International Fire Code (“IFC”); and

WHEREAS, the Fire District has an established application process for obtaining an open burning fire permit; and

WHEREAS, the Town Council hereby finds and determines that it is appropriate and necessary to the function and operation of the Town to further clarify the process for obtaining an open burning fire permit from the Fire District and to make burning without a permit, or in violation of a permit, a municipal offense.

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

**Section 1.** Amendment of Section 11.1.3(12) of the Municipal Code. Section 11.1.3(12) of the Code is hereby amended by the addition of the following double-underlined and capitalized words:

(12) OPEN Burning. The burning of any trash, lumber, leaves, straw, or any other combustible material within the Town, unless expressly authorized by an appropriate permit PURSUANT TO SECTION 12.8.15 OF THIS CODE. ALL OPEN BURNING IN VIOLATION OF SECTION 12.8.15 OF THIS CODE

SHALL CONSTITUTE AN EMERGENCY PURSUANT TO SECTION 11.2.2  
HEREIN.

**Section 2.** Adoption of a new Section 12.8.15. A new Section 12.8.15 of the Code is hereby adopted as follows:

**ARTICLE 8. RELATING TO PROPERTY**

**Sec. 12.8.15. Open Burning.**

- (1) Offense and Public Nuisance. Any person who burns any trash, lumber, leaves, straw, or other combustible material within the Town (“open burning”) in violation of this Section commits a municipal offense. Violation of this Section shall also be a public nuisance pursuant to Chapter 11 of the Town Code.
- (2) Permit. An Open Burning Fire Permit shall be obtained from the Pagosa Springs Fire Protection District prior to an open burning. Application for such approval shall only be presented by and a Permit issued to the owner of the land upon which the fire is to be kindled. Permit holders shall comply with all conditions and requirements of the Permit and this Section 12.8.15.
- (3) Offensive Burning Prohibited. Open burning shall be prohibited when it is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fire hazardous, regardless of whether a Permit has been obtained.
- (4) Other Regulations. When required by State or local law or regulations, open burning shall only be permitted with prior approval from the State or local air and water quality management authority, provided that all conditions specified in the authorization are followed.
- (5) Extinguishment. The Pagosa Springs Fire Protection District Fire Code Official is authorized to order the extinguishment of the fire. Failure to comply with any such order of the Fire Code Official is a separate municipal offense.
- (6) Location. The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure, with the following exceptions:
  - (a) Fires in approved containers that are not less than 15 feet from a structure.
  - (b) The minimum required distance from a structure shall be 25 feet where the pile size is 3 feet or less in diameter and 2 feet or less in height.

(7) **Bonfires.** A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a barbeque pit. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

(8) **Recreational fires.** Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

(9) **Portable Outdoor Fireplaces.** Portable outdoor fireplaces, except those used at one and two-family dwellings, shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible.

(10) **Attendance.** Open burning, bonfires, recreational fires, and use of portable outdoor fireplaces, shall be constantly attended by a competent adult with a working telephone until 30 minutes after all flames are extinguished. A minimum of one portable fire extinguisher or other approved on-site fire extinguishing equipment such as dirt, sand, water barrel, garden hose, or water truck, shall be available for immediate utilization.

(11) **International Fire Code.** This Section 12.8.15 is intended to supplement, and not replace any portion of the International Fire Code as adopted by Section 6.13.6 of this Code and all provisions of the International Fire Code related to open burning are hereby incorporated into this Section 12.8.15.

**Section 3. Public Inspection.** The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

**Section 4. 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 5. Effective date.** This Ordinance shall become effective and be in force immediately upon final passage at second reading.

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 \_\_\_\_ DAY OF \_\_\_\_, 2014.

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 \_\_\_\_ DAY OF \_\_\_\_, 2014.

TOWN OF PAGOSA SPRINGS,  
COLORADO

By: \_\_\_\_\_  
Don Volger, Mayor

Attest:

\_\_\_\_\_  
April Hessman, Town Clerk

**CERTIFICATE OF PUBLICATION**

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 813 (Series 2014) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2014, and was published by title only, along with a statement indicating that a violation of the Ordinance is subject to enforcement and punishment pursuant to Article 3, Chapter 1 of the Pagosa Springs Municipal Code, and specifically Section 1.3.3 which provides for a fine not exceeding \$2,650 or incarceration not to exceed one year, or both, and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on \_\_\_\_\_, 2014, 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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
April Hessman, Town Clerk

(S E A L)

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 813 (Series 2014) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2014, 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 \_\_\_\_\_, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this \_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
April Hessman, Town Clerk

(S E A L)



## **Open burning information for property within the Town of Pagosa Springs**

All **open burning** within the Town of Pagosa Springs is prohibited without first obtaining a permit through the Pagosa Springs Fire Protection District application process.

The permit holder must agree to and comply with all permit restrictions and requirements as defined in the Pagosa Springs Fire Protection District agreement.

The permit holder must comply with all regulations pursuant to Pagosa Springs Municipal code 11.1.3(12) and MC Sec 12.8.15

**Open Burning does not include Recreational Fires or Portable Fireplaces.**

**Recreational Fires:** an outdoor fire burning materials other than rubbish in a constructed fire pit limited to a 2X2X2 foot cube, and shall not be conducted within 25 feet of a structure or combustible material.

**Portable Fireplaces:** a portable outdoor solid fuel burning fireplace which may be constructed of steel, concrete, clay, or other noncombustible material. A portable outdoor fireplace maybe open in design, or may be equipped with a small hearth opening and a short chimney, and shall not be operated within 15 feet of a structure or combustible material.

**An open burning permit is not required for Recreational Fires or Portable Fireplaces.**

Copies of the relevant Municipal Code may be obtained at the Pagosa Springs Town Hall or online at [www.townofpagosasprings.com](http://www.townofpagosasprings.com)



# AGENDA DOCUMENTATION

## OLD BUSINESS: VII.2

PAGOSA SPRINGS TOWN COUNCIL

AUGUST 21, 2014

FROM: GREGORY J. SCHULTE, INTERIM TOWN MANAGER

---

**PROJECT: AUGUST SALES TAX REVENUE ANALYSIS**

**ACTION: DISCUSSION AND POSSIBLE ACTION**

---

### CURRENT MONTH SALES TAX & LODGERS TAX REVENUE

In August the Town of Pagosa Springs' sales tax revenue increased by **8.22%** or **+\$26,187** compared to August 2014 (base on June 2014 retail sales). Total collections for both the Town and the County for the month equals \$689,798 and the Town of Pagosa Springs portion is half, or \$344,899. The Town further splits its portion equally between the General Fund and the Capital Improvement Fund with each receiving \$172,449.

Beginning with this month's report, the focus will be on sales tax. Lodgers' tax will be covered separately in the report given by Jennie Green, Executive Director of the Town Tourism Commission.

### HISTORIC SALES TAX & LODGERS TAX REVENUE

As noted above, the monthly sales tax for our community continues to increase. A review of historical records reveals that \$344,899 is largest amount received since December 2006 and the second highest amount ever based upon available records dating to 2004. For the current year, we are also seeing an overall increase and, in fact, for year to date in 2014, sales tax revenue is now up **4.99%** or **\$75,200** compared to the same period in 2013 (\$1,583,378 has been collected to date in 2014 and \$1,508,158 for the same period in 2013).

As discussed at the July mid-month Town Council meeting, an analysis is being provided to estimate how the sales tax collections are compared to the budgeted amount for 2014. The annual budgeted amount of sales tax for both the General Fund and the Capital Fund is \$1,687,096. Based upon a 10 year analysis of sales tax collections, it can be estimated what percentage of the whole will occur in each month. For example, the data shows that regardless of the total amount received annually, the Town can expect that approximately 12.2% of that total amount will occur in the month of July.

Year to date through June, the Town has received \$791,689 for the General Fund. Premised upon the 10 year monthly average, the expectation is the Town should have received about \$730,898 based upon the budgeted annual amount of \$1,684,096. The variance is \$60,791 or 8% higher than budget. For more detail, please see Exhibit A.

### ANALYSIS

Resolution 2014-01 mandates 2014 expenditure reductions if sales tax revenues decline from the average revenue of the past two years. The application of the Resolution requires a monthly analysis that averages several months/years of revenue, to smooth out the impact of significant swings in sales tax collections:

August Sales Tax Analysis

August 21, 2014

Page 2

Application of Resolution 2014-01:

	2012	2013	Avg.	2014	% Change
<b>June</b>	213,498	201,856	207,677	217,095	+ 4.53%
<b>July</b>	242,268	252,306	247,287	265,652	+ 7.43%
<b>August</b>	213,498	318,712	266,105	344,899	+ 29.61%

The average sales tax collections over the past two months is positive  $[4.53\% + 7.43\%]/2 = +5.98\%$ . The average sales tax collections over the past three months is positive  $[4.53\% + 7.43\% + 29.61\%]/3 = +13.86\%$ .

Application of paragraphs 5 and 5(b) of the Council's policy calls for **no** reduction of budgeted expenditures.

Note: For every seven percent (7%) reduction in expenditures, \$236,193 must be trimmed from the budget (\$118,097 from the General Fund and \$118,097 from the Capital Improvement Fund).

**ATTACHMENT(S)**

Exhibit A

**RECOMMENDATION**

Informational, no action required.

**Town of Pagosa Springs  
2014 Sales Tax Estimate  
General Fund**

**Exhibit A**

<u>Month</u>	<u>2014 Estimated</u>	<u>2014 Actual</u>	<u>Variance</u>	<u>10 Year Ave. % Collection</u>
January	112,834	123,998	11,164	6.7%
February	107,782	107,180	(602)	6.4%
March	124,623	146,689	22,066	7.4%
April	104,414	108,547	4,133	6.2%
May	122,939	132,826	9,887	7.3%
June	158,305	172,449	14,144	9.4%
July	205,460			12.2%
August	158,305			9.4%
September	159,989			9.5%
October	138,096			8.2%
November	124,623			7.4%
December	166,726			9.9%
<b>TOTAL</b>	<b>1,684,096</b>	<b>791,689</b>	<b>60,791</b>	<b>100.0%</b>
Jan - June 2013:	730,898			
Percent Ahead:	8%			



# AGENDA DOCUMENTATION

## DEPARTMENT HEAD REPORT: VIII.1

PAGOSA SPRINGS TOWN COUNCIL  
AUGUST 21, 2014

**FROM: SHANE LUCERO**  
**COMMUNITY CENTER**

---

**PROJECT: COMMUNITY CENTER UPDATES**  
**ACTION: UPDATE AND DISCUSSION**

---

### UPCOMING EVENTS

August 22<sup>nd</sup>, The 20<sup>th</sup> Annual Humane Society Auction for the animals will be held in the multi-purpose room. There is estimated to be 200 people in attendance.

August 27<sup>th</sup>, the RACC will host its second movie night in the multi-purpose room. We will be showing "The Sandlot." Doors open at 6 and the movie starts at 6:30pm

September 13<sup>th</sup> is the annual rummage sale at RACC.

### CENTER UPDATES

July 30<sup>th</sup> we had our first movie night. We showed "The Goonies." 63 people were in attendance.

Girls Circle came to an end on August 7<sup>th</sup>. The program was a great success. We had 15-30 participants from grades 6-12 twice a week for 8 weeks. We are looking forward to offering it again later in the year.

August 9<sup>th</sup> RACC hosted the first annual Summer Sizzler. The Summer Sizzler was a kickball, volleyball and ladder ball tournament followed by a dance held at Yamaguchi Park. There were 17 volleyball teams, 5 kickball teams and 6 ladder ball teams making a total of over 100 participants. There were teams from Ignacio, Durango, Santa Fe, Seattle, Boulder, Los Lunas, Albuquerque and of course Pagosa Springs. It was a huge success and teams are excited for next year.

There are 12 programs currently being offered at RACC

Planning has started on Halloween events and also for Festival of Trees.



# AGENDA DOCUMENTATION

## DEPARTMENT HEAD REPORT: VIII.2

PAGOSA SPRINGS TOWN COUNCIL  
AUG. 21, 2014

**FROM: TOM CAROSELLO, PARKS AND RECREATION DIRECTOR**

---

**PROJECT: PARKS AND RECREATION DEPARTMENT REPORT**

**ACTION: UPDATE AND DISCUSSION**

---

### PARKS AND RECREATION COMMISSION UPDATE

The latest Parks and Recreation Commission (PRC) meeting was held Wednesday, Aug. 13; the minutes from this meeting will be provided as soon as they are available. The minutes from July are attached for your review. The next PRC meeting will be held Wednesday, Sept. 10 at 5:30 p.m. in Town Hall.

### RECREATION PROGRAMS UPDATE

This year's soccer season begins the first week of September and will consist of at least 210 local participants (up 15 from last year's total) ages 5-12, plus an additional three teams from Dulce, N.M. (45 participants ages 5-12). Games will be played Monday through Thursday at the elementary and Yamaguchi Park soccer fields, and the season will conclude in mid-October.

Adult softball ended without incident last week, and registration for gymnastics for ages 3 and up will begin later this month. The session will be held at the junior high school and begin in late September.

### PARKS UPDATE

In addition to routine parks maintenance, the parks crew has been heavily engaged in assisting Folk West with preparations for the annual Folk Festival on Reservoir Hill.

The crew will also be hauling slash and mulch from various sites on Reservoir Hill which were recently thinned for fire mitigation and improved trail access.

### CAPITAL IMPROVEMENT PROJECTS UPDATE

**RESERVOIR HILL OBSERVATION DECK:** The foundation piers have been poured; construction on the remainder of the deck should be completed by late fall.

**RESTROOMS:** The restrooms have finally cleared state inspection and are due to arrive the morning of Aug. 21. Installation will be handled by the manufacturer (CXT) and should be completed the same day.

Town of Pagosa Springs Parks and Recreation Commission  
Minutes from Wednesday, July 16, 2014

The chair, Mike Musgrove, called the meeting of the Town of Pagosa Springs Parks and Recreation Commission to order at 5:34p.m. The following were present:

*Commission Members:* Maddie Beserra, Mat deGraaf, Sally High, Mike Le Roux, Scott Miller, Mike Musgrove, John Perea, and John Steinert. Ed Simpson was absent.

*Staff:* Tom Carosello, Jim Miller, and Greg Schulte

*Town Trustees:* Clint Alley, Tracy Bunning, Kathie Lattin, CK Patel, and David Schanzenbaker

*Members of the Public:* Pauline Benetti, Brian Collabolletta, Mike Davis, Kathy Keyes, Mark Kimmel, Heidi Moeller, and Jeff Quinn.

*Announcements:* Commission Chair began by requesting thoughts from the members of the Town Council in attendance on how the meeting should proceed to best take advantage of their presence. Trustee Bunning stated that the council members would discuss, listen and participate in the meeting. He asked the Parks and Rec Commissioners to be thinking about their mission statement, and about changes to the budget for the Parks and Recreation Department as deliberations begin for drafting the 2015 budget.

The minutes of the June 11, 2014 Parks and Recreation Commission meeting were reviewed. A motion to approve the minutes was received from Commr. Perea which received a second from Commr. Beserra. It passed unanimously.

#### **Department Head Reports**

Tom Carosello reported that adult softball would be ending soon, and that the next program would be youth soccer. He stated that the second session of tennis had been cancelled due to required court maintenance. He also mentioned that the gymnastics program would be resuming in September when school was back in session. Then Jim Miller briefly reported on Parks issues, concluding by saying that the turf around the new Gazebo on Reservoir Hill was healing nicely, thanks in large part to the recent monsoonal moisture.

#### **New Business**

Brian Collabolletta presented a request that Friends of the Pavilion be allowed to put a newly-acquired hockey rink in Town Park. A discussion of potential damage to the turf, scheduling conflicts and infrastructure needs, liability and benefits to youth of the community resulted in a motion from Commr. deGraaf that staff analyze the site with the Friends and send a recommendation to the Town Council to approve the request on a one-year trial basis. Commr. High provided a second to the motion, and it passed with unanimity. Then Heidi Moeller requested permission from the Commissioners that her group be allowed to paint lines on the basketball courts in South Pagosa Park to allow Pickle ball to be played there. A discussion among the Commissioners resulted in a consensus without dissent to allow the striping to take place.

#### **Old Business**

Commr. High gave an update on the Geothermal Greenhouse Project and asked for a resolution of support from the Commission for a grant application the GGP intends to submit to the Energy Impact Assistance Board. A lengthy discussion resulted in a motion from Commissioner Beserra to endorse the grant application. It received a second from Commr. Steinert and passed with unanimous consent. Then Commr. Musgrove presented news regarding the second phase of the Yamaguchi Park skatepark. He said the PROST committee had issued a recommendation to the BOCC that \$25,000 be dedicated to the matching funds for the project grant application. New developments on Reservoir Hill were also reviewed, which included a projected timeline for the new bathroom construction, the observation platform completion, trail signage installation, and a forestry grant acquisition. Trustee Bunning asked if there were a master plan for the hill. Mr. Carosello responded that a recent Parks and Rec survey conducted by the Town had listed priorities that very similar to what was taking place at this time.

#### **Other Business**

Trustee Bunning asked what the Parks and Rec Commission thought about the possibility of using less expensive materials for the completion of some of the trails around the area. Tom Carosello noted that funders like GOCO require a concrete surface. Mike Davis gave an approximation of potential savings, but cautioned that the user group of the trail needed to be taken into consideration. Then Trustee Lattin said that she hoped the Parks and Rec Commission would state its priorities and wishes directly to Council. Commissioners expressed their thanks to the Trustees who had attended the meeting and their hope that such improved communication would continue.

At 7:50p.m. a motion was received from Commissioner deGraaf that the meeting be adjourned. It received a second from Commissioner Steinert and passed with unanimous consent. The next regularly-scheduled meeting of the Town of Pagosa Springs Parks and Recreation Commission will be at 5:30p.m. on August 13th, 2014 at the Pagosa Springs Town Hall.



# AGENDA DOCUMENTATION

## DEPARTMENT HEAD REPORT: VIII.3

PAGOSA SPRINGS TOWN COUNCIL  
AUGUST 21ST, 2014

JENNIFER GREEN  
DIRECTOR, TOWN TOURISM COMMITTEE

**PROJECT: TOWN TOURISM COMMITTEE**  
**ACTION: DISCUSSION AND POSSIBLE ACTION**

### TTC MEETING ACTIVITY

The Town Tourism Committee held its August meeting on Tuesday, August 12th at 4pm at Quality Resort. Draft minutes have been included for review. The September TTC meeting has been changed to a Budget Retreat. The Retreat will be held on Tuesday, September 9th, beginning at 11am at Quality Resort.

### TTC FINANCIAL REPORT

June 2014 lodging tax collections reflected a 17.14% increase over 2013, or an increase of \$7,569, with a few small payments outstanding. Year to date, tax collections are up 19.57% over the same period in 2013, or \$36,613.56. The included document shows the history of tax collections since 2007.

### VISITOR CENTER UPDATE

- Complete brochure inventory completed; staff working on reorganizing brochures
- 12-month schedule of volunteer training tours and appreciation events being developed
- August training tour consists of campgrounds / RV parks (Wed, Aug 27th) with Appreciation Dinner hosted at the View on Thursday, August 28th
- New Signage has been drafted; TTC Director will seek variance from Planning Commission on August 26th

### WAYFINDING / SIGNAGE

- Meeting held in July to review priorities for next 12-18 months: Landscaping at Entrance / Gateway signs, Interpretive signage at River Overlook, Vehicular Directional Signs at Piedra Road
- New for 2015 - addition of flowers along downtown bridges (Hot Springs Blvd, Pedestrian Bridges); potentially adding more hanging baskets throughout town

### BROCHURES

- Enhanced Hiking / Driving brochure (with improved map, more trails / drives, photos and more) will be printed soon; Forest Service has reviewed and will also distribute new brochures; additionally, quantities will be printed to allow area businesses, as well as visitor center distribute
- New Reservoir Hill brochure being developed with map, disc golf scorecard, etc.; brochures will be available at trailheads, area businesses and visitor center
- New Heritage Brochure being created, to include: Chimney Rock National Monument, Mesa Verde, Chaco Canyon, Debs Schoolhouse, Pagosa Junction, San Juan Museum, Fred Harman Museum, trains and regional map showing locations of historic sites

**LEAD COLLECTION (VISITOR GUIDE REQUESTS)**

History of Leads / Visitor Guide Requests by month:

	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
2010	1984	2413	3171	2601	3330	3221	2533	3110	1959	1436	1622	1279	28,659
2011	1443	2255	1657	4255	3684	2092	1945	1789	1518	995	1160	921	23,714
2012	2111	2704	2690	1730	2010	4445	3998	2624	3157	1435	1575	1392	29,871
2013	5322	3281	2658	4357	3626	3537	4372	3040	2791	995	1158	1356	36,491
2014	2,074	2,672	3,857	2,909	2,358	3,118	2,185						19,178

**SOCIAL MEDIA UPDATE**

- Facebook - [www.facebook.com/visitpagosasprings](http://www.facebook.com/visitpagosasprings) Facebook: 9,368 fans
- Instagram - [www.instagram.com/visitpagosa](http://www.instagram.com/visitpagosa): 865 followers
- Twitter - [www.twitter.com/visitpagosa](http://www.twitter.com/visitpagosa) - 612 followers

**PR / SOCIAL UPDATES**

- Kicking off fall and the prime "leaf-peeping" season, we will launch the #FallForPagosa "Selfie Scavenger Hunt" Showoff on Facebook, Twitter and Instagram. Taking advantage of the existing visitor draw to Pagosa Springs to experience the fall foliage, fall events and fall adventures, #FallForPagosa will encourage visitors, followers and fans of Pagosa Springs to share their Pagosa Springs adventures for a chance to win various prizes, including entry into a Choose Your Own Adventure Get-away package. The #FallForPagosa Selfie Scavenger Hunt will identify a list of 10 - 20 landmarks in and around Pagosa Springs, that scavenger hunt participants will have to take a "selfie" next to, and upload and share via Facebook, Twitter and Instagram with the hashtag #FallForPagosa. This campaign will launch after Labor Day and continue through mid-November
- Upcoming media writers to be hosted: (1) Dan Leeth - 2015 summer AAA feature (focused on fishing), (2) CTO Belgian writer focused on hot springs, local breweries
- Hosted writer / photographer for Globetrotter Travel Guide - Japanese publication - hosted writer /
- photographer Jul 31st for inclusion in 2015 book; \*\*Direct result from Japanese CTO FAM hosted in July

**2015 CTO MARKETING MATCH GRANT**

- The Town Tourism Committee will partner with Chimney Rock NM to apply for the 2015 marketing match grant, through the Colorado Tourism Office; grant applications due in October

**PAGOSA'S 125TH ANNIVERSARY**

- Pagosa Springs was incorporated on March 18th, 1891 - in 2016, it will be Pagosa's 125th anniversary; TTC Director has begun engaging with various groups to begin planning celebrations for 2016 to promote; we have 18 months to pull together efforts

**Town of Pagosa Springs Monthly Lodgers Tax Collections**

	2007	2008	2009	2010	2011	2012	2013	2014	2014 % Change vs 2013
January	\$ 22,904.43	\$ 23,544.00	\$ 24,228.00	\$ 27,295.00	\$ 26,943.65	\$28,916.00	\$32,499.75	\$35,303.65	8.63%
February	\$ 20,543.13	\$ 17,002.00	\$ 19,360.78	\$ 21,960.24	\$ 21,824.65	\$26,003.00	\$25,510.87	\$31,149.00	22.10%
March	\$ 33,516.00	\$ 31,216.00	\$ 29,925.00	\$ 34,928.74	\$ 37,350.40	\$43,034.00	\$40,383.00	\$49,092.65	21.57%
April	\$ 15,879.04	\$ 12,500.00	\$ 15,186.00	\$ 15,765.00	\$ 16,830.71	\$16,911.65	\$17,607.00	\$23,811.75	35.24%
May	\$ 20,590.00	\$ 19,276.00	\$ 21,949.00	\$ 21,049.00	\$ 21,758.00	\$24,283.00	\$26,942.73	\$32,631.00	21.11%
June	\$ 31,803.61	\$ 29,041.00	\$ 32,622.11	\$ 37,539.26	\$ 36,091.00	\$40,508.45	\$44,148.14	\$51,717.00	17.14%
July	\$ 43,728.00	\$ 44,693.00	\$ 50,124.71	\$ 51,931.50	\$ 57,316.65	\$52,571.99	\$56,190.71		0.00%
August	\$ 35,610.05	\$ 38,092.00	\$ 42,307.85	\$ 41,714.00	\$ 44,944.49	\$49,948.65	\$52,182.92		0.00%
September	\$ 36,500.00	\$ 32,363.75	\$ 35,610.05	\$ 41,333.05	\$ 44,019.85	\$42,499.79	\$42,515.00		0.00%
October	\$ 25,264.55	\$ 22,041.46	\$ 25,764.55	\$ 28,857.93	\$ 30,661.54	\$27,482.50	\$35,267.65		0.00%
November	\$ 14,866.00	\$ 16,232.00	\$ 19,815.65	\$ 21,348.00	\$ 27,542.05	\$23,180.44	\$27,311.00		0.00%
December	\$ 31,652.00	\$ 31,934.69	\$ 35,456.65	\$ 40,197.65	\$ 41,931.00	\$40,345.00	\$43,835.00		0.00%
<b>Total</b>	\$332,856.81	\$317,935.90	\$352,350.35	\$383,919.37	\$407,213.99	\$415,684.47	\$444,393.77	\$223,705.05	19.57%
<b>\$\$ Difference (over previous year)</b>		\$(14,920.91)	\$ 34,414.45	\$ 31,569.02	\$ 23,294.62	\$ 8,470.48	\$ 28,709.30	\$36,613.56	
<b>% Difference</b>		-4.48%	10.82%	8.96%	6.07%	2.08%	6.91%	19.57%	

**\$187,091.49**



# Minutes

## Pagosa Springs Town Tourism Committee

Tuesday, July 8th, 2014

Ross Aragon Community Center

4 pm

Meeting called by: Bob Kudelski

Attendees: Voting Members; Larry Fisher, Chirag Patel, Jim Smith, Bob Kudelski, Stephen Durham, Carla Shaw, Nick Tallent, Matthew Boyle, Steve McKain, Matt Sprowls

Non Voting Attendees; Jennifer Green, Greg Schulte, Mark Weiler, Bill Delaney, Bill Hudson, Ed Fincher, Cynda Green, John Egan, Greg Schulte, Kathie Lattin, Clint Alley, Don Volger, David Schanzenbaker

Please review: June Meeting Minutes, Subcommittee Minutes

Please bring: Agenda, Committee reports

1. Call to Order
  - a. Meeting was called to order at 4:01pm
2. Determination Of Quorum (6)
3. Approval of Minutes - June
  - a. Steve McKain motioned to approve June minutes, Bob Kudelski seconded, all approved
4. Chair Report - Bob Kudelski
  - a. Town Council Update
    - i. Everyone introduced themselves, as there was a large number of attendees present
    - ii. Bob Kudelski provided overview of goals and areas of focus, providing an update of discussions during the April TTC retreat

- iii. John Egan asked for the differentiation of the roles between TTC and Chamber
  1. Jennie Green explained that the TTC focuses on visitors, Chamber of Commerce focuses on businesses and the CDC focuses on bring new businesses to the community
  2. Group discussed; it was determined as the visitor center transition continues, the roles are being more clearly defined
- iv. John Egan asked for the mission statement of the TTC
  1. Jennie Green read the mission of the Town Tourism Committee: It is the mission of the Town Tourism Committee to raise awareness of Pagosa Springs as a vacation destination and improve visitor experience. The result is a solid, growing tourism industry that generates economic prosperity for the residents of Pagosa Springs.
  2. Chirag Patel read the Chamber mission statement, according to their website: It is the mission of the Pagosa Springs Area Chamber of Commerce to assist the members of our business community with development opportunities, resources, advocacy, services and education.
- v. Bob Kudelski asked about County Lodging Tax and their efforts to bring visitors to Pagosa
  1. Greg Schulte explained how the County lodging tax has been distributed and indicated the potential for opportunity to collaborate
  2. Discussion ensued on visitor center funding; Greg indicated that formal agreement with the County will need to be solidified
- vi. Both John Egan and David Schanzenbaker asked about the annual budget
  1. Jennie Green explained that the annual collections were approximately \$440,000, the annual budget has been based on a projected modest growth in lodging tax
  2. Needed reserves was estimated by Mike Branch for Lodgers tax at 10% of annual revenue; TTC currently has approximately 35% in reserves

vii. David Schanzenbaker inquired about economic incentives and whether enough was being done to promote the availability of 50% lodging tax rebate

1. Jennie Green explained that the lodging tax economic incentives were passed by Town Council 5 years ago, including in the Town's economic incentive program
2. David asked whether enough had been done to promote the availability of the rebates
  - a. Jennie explained that information has been shared with Lodging Association many times and promoted through Town's promotion of the incentives

viii. David Schanzenbaker asked about whether TTC could determine busy times based on advanced reservations to help area businesses know when to expect more people

1. Group discussed how it would be difficult to discern; Central Reservation System is a pass-through to lodging property's inventory system, the information would need to be collected from the various properties and compiled
2. Group discussed ways to notify more businesses to anticipated busy times, such as bike races
  - a. Jennie explained additional collaboration with local media could assist, and also informed audience that she would host a monthly radio show, beginning this Thursday on KWUF
3. John Egan asked who determined the marketing plan
  - a. Jennie Green explained that based on board discussions, staff compiled a plan, subcommittee reviews in detail and it is approved by the TTC Board; any changes, new additions, new opportunities are reviewed with the marketing subcommittee as needed
  - b. John asked if the TTC had ever considered an agency to handle all of the marketing efforts
    - i. Jennie Green explained that in 2007, Barnhart Communications was hired to handle everything (placement, ad development,

PR, etc) and well over \$175,000 was spent and lodging tax dropped in 2008; Jennie Green was hired in 2009, the TTC works with various agencies to assist, based on their specialty located through bidding process – such as a graphic design firm, PR agency, etc.

- ix. Various discussions on signage, event infrastructure, etc
  - x. Town Council members left at 5:25pm to attend their next meeting
- b. Recreational marijuana businesses – visitor center / website listings
- i. TTC Staff is seeking policy decision from TTC Board on promotion of retail marijuana on website and in visitor center
    - 1. CK Patel asked if the TTC allowed all tourism-related businesses currently on website
      - a. Jennie Green explained that yes, as long as they are in the “region” – requests from nearby communities are granted if the activity is not offered in Pagosa, such as historic trains
    - ii. Town Council has a moratorium in place until 2015 for retail and medical marijuana and cultivation; Town currently permits according to state statute on personal use and possession
    - iii. Jim Smith asked if Town was comfortable with advertising marijuana given federal restrictions in place
    - iv. Larry Fisher motioned to table the discussion until the August TTC meeting in order to give Board members a chance to review the various aspects of the situation, Matt Sprowls seconded, all approved
- c. Open at large seats (1)
- i. Letter of Interest from Criselda Jay Montoya
  - ii. Jennie Green suggested a “governance” subcommittee to review Board procedure, assist in nomination process and help create charters for subcommittees to guide future Board members
  - iii. Group discussed option of asking Town Council to reduce Board seats from 11 to 9, as the last 6–9 months staff has con-

stantly advertised new seats and assisted new Board members with understanding goals, direction, etc

1. Group determined to schedule interview with Ms. Montoya and await potential discussions with Town and County to recommend changes to TTC Board

5. Treasurers Report – Carla Shaw

a. Monthly Town Lodging Receipts report – Update

- i. May Lodging tax was up at least 12.5%, with multiple payments outstanding – TTC Director anticipates May to be at least 20% above 2013, based on previous payments

b. Current finances

- i. Bills are being processed

6. Subcommittee Reports

a. Budget – Carla Shaw

- i. No update

b. Fulfillment – Jim Smith

- i. No update
- ii. TTC Director will meet with Jim to review discussion from last marketing subcommittee meeting regarding digital guide needs versus enhancement of itinerary builder

c. Marketing – Chirag Patel

- i. Jennie Green provided update
- ii. Jennie will forward report for Town Council to TTC later this week with all of the recent marketing results
- iii. Continuous work with ad placement, creative development
- iv. CSG Communications approved to hire during last marketing subcommittee meeting for remainder of year; TTC Director has begun to discuss plans with them
- v. New and updated brochures in development for visitor center and area businesses – goal is to make visitor information as consistent as possible for visitors in the area
- vi. Multiple media writers through town in next few weeks

vii. Everything is trending well – social media, etc

d. Events & Events Infrastructure –Larry Fisher

i. Infrastructure use

1. Group discussed requests from event organizers that did not apply for funds in the 2014 process and whether they could utilize infrastructure items this year

a. Group determined to only allow event organizers that applied for use / funding in 2013 for 2014. Subcommittee will revisit for 2015, with input from Charlie at A&P tents

ii. Security Deposit

1. The TTC tried to work with event organizers on an honor system for 2014, however, damage has incurred

2. TTC Director has worked with town staff to determine recommended security deposits for Town Council approval

e. Special Projects – Jim Smith

i. No update

f. Wayfinding and Signage – Steve McKain

i. Subcommittee reviewed various potential projects:

1. landscaping at entrance signs (underway / previously approved)

2. river overlook enhancements

3. banners on hot springs blvd

4. signage at Piedra Rd

5. flag posts at entrance signs

6. forest service signs at visitor center

7. Parks & Rec / Res Hill signage

8. signage at clock / bell tower

9. Visitor Center signage

- ii. Subcommittee will meet in next few weeks to determine 18–24 month plan, based on above and present to Town Council for their review

g. Visitor Center subcommittee – Carla Shaw

i. Visitor Center Hours:

1. Monday – Friday: 8am – 5pm
2. Saturday: 9am – 3pm
3. Sunday: 9 – 3pm (expanded Sunday hours beginning 4th of July weekend until at least Labor Day)
4. Considering extending summer M–F hours until 6pm

ii. Volunteers:

1. 20 active volunteers, with at least 60 hours of volunteer time scheduled each week
2. 2 active outdoor ambassadors, with 4–6 hours of volunteer time each week
3. Held 1st Monthly “Thank You” Social on Tuesday, June 17th at 5:30pm at visitor center. The July monthly social will hopefully be a brewery tour (TTC cannot purchase alcohol). Event was well received, volunteers had a chance to mingle with other volunteers. Pizzas were ordered from Marconi’s, Pagosa Peak and DSP (different vendors will be chosen for future pizza parties!)

iii. Updates:

1. Town Council approved 2nd reading of ordinance to purchase Visitor Center building from the Chamber on Tuesday, July 1st
2. Hired part time visitor center coordinator, Gail Vollmer. Gail’s first day was July 1st. She will work 25 hours each week – summer hours are Friday (12–5), Sat (9–3), Sun (9–3) and Monday (8–5) – Gail
3. Phone lines will be switched by mid July, so that Visitor Center receives visitor-related calls; TTC Director cell phone receives all visitor inquiries through Town phone system (for tourism, press ??) – this will be directed to VC once phones are transferred.

4. New brochure organization in place, thanks to Liz – volunteers love it, as it is very simple to locate brochure in storage room with empty slot in lobby
5. Inventory has been removed – visitor center is not currently selling anything; investigating selling maps, given lack of option to purchase topi maps on Sundays in the summer

#### h. Catch & Release

- i. First public meeting was held last month to seek public input on Catch & Release
  1. Audience was mainly 20+ catch and release supporters
  2. Additional meetings will be held to engage larger audience and more diverse feedback
- ii. Formal designation through Parks & Wildlife will be a slow, uphill battle
- iii. Option for Town to consider “voluntary” catch & release
  1. Larry Fisher indicated he was not aware that Parks & Wildlife has only designated “wild”
- iv. Larry Fisher suggested, in the short term, using portion of 2014 funds designated for stocking to add signage along river on catch & release practices / proper handling of fish
  1. Parks & Wildlife indicated that they were willing to let Town use their verbiage for signs

#### 7. TTC Director Report – Jennie Green

- a. Jennie Green explained CADMO (Colorado Association of Destination Marketing Organizations) meetings attended at end of June – meetings are extremely informative and great information share of destinations in Colorado regarding best practices, board governance, etc. Goal of group is to strengthen destinations with best practices, provide input to Colorado Tourism Office, and grow tourism in the state in a collective effort
  - i. Meeting attended by 27 destinations in CO, including regional partners, such as Durango, Montrose, Ouray and Alamosa

#### 8. Old Business

- a. None

9. New Business

- a. Public Comment

- i. Mark Weiler spoke in support of the efforts of the Town Tourism Committee, felt Town Council did not fully understand the economic impact of tourism to the community and also that the TTC Director was a gem and should be appreciated

- b. Any other new business to come before the Committee

- i. Nick Tallent mentioned that the Chamber's Renaissance and Pirate Festival was cancelled for 2014, as of a few hours prior to the meeting

10. Adjournment

- a. Meeting adjourned at 6:36pm; Steve McKain motioned to approve, Stephen Durham seconded, all approved



# AGENDA DOCUMENTATION

## DEPARTMENT HEAD REPORT: VIII.4

PAGOSA SPRINGS TOWN COUNCIL, AUGUST 21, 2014

FROM: JAMES DICKHOFF, TOWN PLANNING DIRECTOR

---

**PROJECT: PLANNING DEPARTMENT REPORT**

**ACTION: UPDATE AND DISCUSSION**

---

### HISTORIC PRESERVATION BOARD (HPB) UPDATE

At the August 13, 2014 HPB meeting,

- 1) The HPB considered and approved a sign permit application for 408 Pagosa street, the Rose Restaurant, to replace their projecting sign with a wall sign.
- 2) The HPB will hold a work session regarding creating content and layout for a Heritage Web Page presence. The work session is scheduled on August 27, 2014 at 5:30pm in Town Hall. The HPB further discussed opportunities to further collaborate with the TTC.
- 3) The HPB discussed participating with the TTC in the creation of a Pagosa Heritage Brochure for local distribution.
- 4) The HPB discussed the proposed tree thinning project on Reservoir Hill and inquired about the scope of the project and the repurposing of some of sawlogs that would be harvested for Town projects.
- 5) The HPB discussed moving forward with an Oral History project as a means to gather verbal accounts of History from some of the community's long standing residents. These stories will help define Pagosa's History and can attract much attention from Visitors.

The Next Regular HPB meeting is on September 10, 2014 at 5:15pm in Town Hall.

Approved Historic Preservation Board Meeting minutes are posted on the Town's web Page Staff has not been providing hard copies of PC Minutes to the TC. Approved minutes are available on the Town's Web Page. If directed to do so, Staff can provide copies of minutes in the Town Council packet if the future.

### PLANNING COMMISSION (PC) UPDATE

At the August 12, 2014 PC meeting:

- 1) The Planning Commission approved a variance allowing a reduction of the minimum density requirements require within the R-18 zone district, for Lot B in Block 19.
- 2) The PC will be discussing the following matters further and present their initial finding to the TC for direction to pursue these issues further.
  - a. The current prohibition of metal sided buildings in commercially zoned properties, and the possibility of allowing metal sided buildings.
  - b. The current minimum density regulations in the R-18 Zoning District and the possibility of allowing less density.
  - c. The current minimum lot size for single family lots in residential zone districts and the possibility of allowing smaller lots that would be consistent with the existing maximum density standards.
  - d. Limiting the location and use of Cargo Containers.
  - e. Prohibiting or limiting the use of LED Variable Message Signs
- 3) The PC directed staff to advertise for the open Regular Seat recently vacated by Mr. Cappy White.

The Next Planning Commission meeting is on August 26, 2014 at 5:30pm.

Approved Planning Commission Meeting minutes are posted on the Town's web Page Staff has not been providing hard copies of PC Minutes to the TC. Approved minutes are available on the Town's Web Page. If directed to do so, Staff can provide copies of minutes in the Town Council packet if the future.



# AGENDA DOCUMENTATION

## DEPARTMENT HEAD REPORT: VIII.5

PAGOSA SPRINGS TOWN COUNCIL, AUGUST 21, 2014

FROM: SCOTT FROST, SPECIAL PROJECT MANAGER

---

**PROJECT: SPECIAL PROJECTS DEPARTMENT REPORT**

**ACTION: UPDATE AND DISCUSSION**

---

### 6<sup>TH</sup> STREET RIVERWALK EXTENSION PHASE 3, PEDESTRIAN BRIDGE

A Pre-Bid inspection meeting was held at 2:00 PM on August 7 at Davis Engineering with a site visit immediately after. In attendance were:

Myron Stretton, Mike Davis, Travis Phillips & Clifton Lee representing Davis Engineering

Scott Frost, representing Town of Pagosa Springs

Laurie Medina, representing UCAL; D. Cotton, representing Concrete Connection; Alan Matthews, representing Crossfire;

Troy Rakes, representing F&M Construction; Bob Hart, representing Hart Construction; Bryan Farmer, representing Russell Sand & Gravel

Bid Opening is scheduled for August 19 at Davis Engineering

### TOWN TO PAGOSA LAKES, WEST PHASE, HARMAN HILL

A TAP (Transportation Alternatives Program) Grant Application was submitted electronically on Friday, August 1, 2014. 5 hard copies were then hand delivered to CDOT district 5 regional office by council member Tracy Bunning on Monday, August 4. The funding request was for design and construction (in two phases) of the Harman Hill portion of the Town to Pagosa Lakes Commuter Trail. The proposed construction involves a 10' wide concrete trail from the Cul-de-Sac on cornerstone drive to the intersection of Piedra road and highway 160, to include pedestrian crosswalk equipment. This portion was identified as high priority for TAP funding because of the complexity of design and construction involved due to the grade and terrain that includes crossing a small section of wetland, and the imminent Wal-Mart opening that will greatly increase traffic in the area.

### 6<sup>TH</sup> STREET RIVER WALK EXTENSION PROJECT

The construction project has been substantially completed. A post-construction walk-through was conducted by Scott Frost, TOPS Project Manager, and Allison Rohwer, of Ecosphere Environmental. During the walk-through, several small patches of undesirable vegetation were identified, along with recommendations being made for additional sediment control measures. The portion of responsibility that fell upon TOPS Parks and Recreation department has been addressed at this time and will continue to be addressed as weather conditions allow for application of herbicide to control noxious weeds.

On August 13, Scott Frost met with Contact Administrator Myron Stretton of Davis Engineering to discuss correction of unsatisfactory re-vegetation along the trail, sediment control, and schedule repair of a portion of the trail that has failed due to cracking. Those issues will be addressed in coming weeks.

### 6<sup>TH</sup> STREET PEDESTRIAN BRIDGE GRANT

The approved Grant agreement arrived in the special Projects office on July 24, 2014, is on file.

### MAJESTIC DRIVE CMAQ PAVING PROJECT

Bid Opening was held in Davis Engineering Office on Tuesday August 7.

Scott Frost attended representing TOPS. (This is an agenda item for August 21 meeting)

## **GRANT FUNDING OPPORTUNITIES**

Yamaguchi Bowl addition to Skate Park:

TOPS Special Project Manager Scott Frost is currently working with TOPS Parks and Recreation Director Tom Carosello to submit a GOCO grant application for construction of the bowl feature. (A resolution for this is on agenda for August 21 meeting) Pre-Submission conversations with GOCO representative Luke Bolinger indicated that current open grants with GOCO, including the grant for the 6<sup>th</sup> street Bridge, would not negatively affect this application, provided that substantial work on the bridge has been accomplished by December 2014 when this grant application would be considered for award. A significant factor affecting this grant is the reduction in matching funds from 40% to 33% due to the full amount requested from PROST by the organizing entity (Skaters Coalition for Concrete) not being awarded

Fishing is Fun:

Final reimbursement documentation for this project is being prepared by TOPS Special Project Manager.

Riverwalk Extension:

Final reimbursement documentation for this project is being prepared by TOPS Special Project Manager.

## **REQUEST FOR PROPOSAL**

The following requests for Proposal are being drafted by TOPS Special Project Manager in Conjunction with respective departments:

- 1) Sanitation District Supervisor Gene Tautges has requested an RFP be prepared for:
  - A- Repair of vault and installation of lift station pump at Hot Springs Boulevard near visitor center,
  - B- Repair of manhole piping at 458 Loma street
  - C- Repair of manhole piping at location behind 210 N 6<sup>th</sup> street
  - D- Budgetary proposal for State Award pricing on replacement truck for Sanitation District.
- 2) Tourism Director Jenny Green and Parks department supervisor Jim Miller have requested an RFP be prepared for: Design and Construction of landscaping feature for new welcome signs on East and West sides of Town.

The landscaping features will include-

  - A- Installation of 500 gallon cisterns at each location for the purpose of irrigating proposed vegetation.
  - B- Installation of photo-voltaic (solar) drip irrigation at both locations.
  - C- Design proposals for planting of combination of low-maintenance trees, shrubs and perennial plants at both locations.
  - D- A planter at east location.



# AGENDA DOCUMENTATION

## DEPARTMENT HEAD REPORT: VIII.6

PAGOSA SPRINGS TOWN COUNCIL  
AUGUST 21, 2014

FROM: GREGORY J. SCHULTE, INTERIM TOWN MANAGER

---

**PROJECT: TOWN MANAGER'S REPORT**

**ACTION: UPDATE AND DISCUSSION**

---

### GEOTHERMAL WATER AND POWER AUTHORITY BOARD OF DIRECTORS FORMATION

As reported in the last Town Manager's Report, the Town and County continue to make progress in the formation of the Geothermal Water and Power Authority (Authority). The Town appointed Mayor Volger and Councilmembers Schanzenbaker and Egan as their 3 designated representatives to the Authority. The Board of Directors met on July 14<sup>th</sup> and August 11<sup>th</sup>. Accomplishments to date:

1. Agreeing upon Board Meeting logistics (time, place, agenda and minutes responsibilities, etc)
2. Advertisement and selection of the 7th Board member (Mike Alley)
3. Administration items for the Authority, including the securing of a FEIN, DUNS, and filing of the formation papers with DoLA.

On July 22<sup>nd</sup>, several members of the Authority as well as staff and Jerry Smith made a presentation to the DoLA Energy Impact Review Panel in Durango for the proposed \$1.9 million grant to fund the exploratory drilling. As of this writing, we have not received formal notification, but the early indications are favorable for receipt of funding.

### FRANCHISE AGREEMENT WITH LA PLATA ELECTRIC ASSOCIATION (LPEA)

At the most recent Town Council meetings, there has been public comment and concerns expressed about the current implementation of smart meters by LPEA in the Town of Pagosa Springs and in the unincorporated area of Archuleta County. There were several members of the public that suggested the Town should control the implementation of the smart meters, primarily through our franchise agreement with LPEA. That raised the question if the Town could control the implementation of smart meters. Town Attorney Bob Cole asserted that it was his opinion the Town could regulate smart meters through the franchise agreement if it so chose to. As a consequence, both Town and LPEA staff searched their respective files to secure a copy of the franchise agreement and it could not be found at either location. Therefore, we have concluded that one does not exist. I have been in contact with Steve Gregg, Interim CEO of LPEA to begin the process of composing a draft franchise agreement for consideration by the Town Council.

On a related note on franchise agreements, USA Communications will be coming forward to propose a slight request to modify their franchise agreement related to the timing of the renewal of the required bond. The insurance companies that issue the bonds renew them annually and it is requested to have that reflected in the franchise agreement.

### PAGOSA SPRINGS COMMUNITY DEVELOPMENT CORPORATION UPDATE

On July 10<sup>th</sup>, at the invitation of Ed Morlan and Laura Lewis of Region 9, representatives from the Town (Mayor Volger and Interim Town Manager Greg Schulte, were invited to attend a brainstorming session with the goal of strategizing on how an economic development entity could be re-energized. Since the Pagosa Springs Community Development Corporation (PSCDC) Board of Directors has had recent operational challenges, it was discussed how to possibly utilize the current PSCDC structure for a new organization. In addition, Region 9

personnel have agreed to serve as staff during an interim transitional period. However, it was felt that much was needed to be done to assess the desires of the community as well as the viability of getting a new organization going. A 2<sup>nd</sup> meeting was held on August 4<sup>th</sup> and the Town continues to be represented at these meetings.

#### **JOINT TOWN AND COUNTY MEETING AND ISSUES**

The most recent joint Town and County meetings have centered on possible advisory questions for the November 2014 ballot measure and the future collaboration of the Town and County on lodgers tax initiatives. Two subcommittees were formed to address the details of both issues with representatives from both elected bodies as well as staff representatives. Both subcommittees met on August 13<sup>th</sup>. Draft ballot questions were composed and a suggested strategy for collaboration on the lodgers tax was developed at these subcommittee meetings. Both will be presented at the next joint Town and County meeting on August 22<sup>nd</sup>.

#### **2015 BUDGET PREPARATION AND PERSONNEL ISSUES**

Town Manager and Department Heads have begun planning efforts for preparation of the 2015 budget. A Proposed Budget Calendar for fiscal year 2015 was distributed to staff and at the Town Council meeting of July 17<sup>th</sup>. Staff has completed the initial budget worksheets and, as of this writing, the Town Manager and Town Clerk have met with all Departments to review the initial submittals. As indicated by the budget calendar, the proposed 2015 budget will be presented to the Town Council at the September 2<sup>nd</sup> Town Council meeting.

Furthermore, at the Department Head level, staff has begun an effort to review the benefit package for Town employees and how that compares to other nearby and/or similar size jurisdictions. Staff has conferred with Benefit Health Advisors to gather information comparing medical insurance benefits. Staff has also gathered information regarding other benefits (e.g. vacation, holidays, retirement, etc.). This will also be presented to the Council in September 2014.



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  
THURSDAY, AUGUST 21, 2014  
Town Hall Council Chambers  
12:00 P.M.**

- I. CALL MEETING TO ORDER**
- II. APPROVAL of MEETING MINUTES FROM AUGUST 5, 2014**
- III. PUBLIC COMMENT – *Please sign in to make public comment***
- IV. OLD BUSINESS**
  - 1. PAWSD/Pipeline Update**
- V. DEPARTMENT HEAD REPORT**
  - 1. District Report**
- VI. APPROVAL OF JULY FINANCIAL STATEMENT AND ACCOMPANYING PAYMENTS**
- VII. NEXT BOARD MEETING SEPTEMBER 2, 2014 AT 5:00PM**
- VIII. ADJOURNMENT**



# AGENDA DOCUMENTATION

## OLD BUSINESS:IV.1

PAGOSA SPRINGS SANITATION BOARD OF DIRECTORS  
AUGUST, 2014

**FROM: GENE TAUTGES, SANITATION SUPERVISOR**

---

**PROJECT: TOWN/PAWSD PIPELINE UPDATE**

**ACTION: DISCUSSION**

---

### Town/PAWSD Pipeline Update

Interim Town Manager Greg Schulte has met with PAWSD District Manager Ed Winton to request better communications regarding progress and change order requests on the pipeline project and he should be able to give you an update on the outcome of that meeting.

Payment has been requested, and approved for the month of July to the Engineering firm of Bartlett & West in the amount of \$1,925.00.

Also pay application #5 to the contractor, Hammerlund Construction, has been requested and approved in the amount of \$294,777.64.

Work on both the phase one and phase two portions of the pipeline continues with blasting on the Trujillo Road portion in progress.

Respectfully submitted,  
Gene Tautges, Sanitation Supervisor



# AGENDA DOCUMENTATION

## DEPARTMENT HEAD REPORT: V.1

PAGOSA SPRINGS SANITATION BOARD OF DIRECTORS  
AUGUST 21, 2014

**FROM: GENE TAUTGES, SANITATION SUPERVISOR**

---

**PROJECT: DEPARTMENT HEAD REPORT**

**ACTION: DISCUSSION**

---

### **Administrative**

I am working with Hayley Goodman to finish the administrative tasks in accordance with the resolution passed at the last meeting. I anticipate that connection and the connection for the Fireside Inn to be completed by the end of August.

### **Wastewater Treatment Plant**

The average daily effluent flow rate for July was .226 million gallons per day.

### **Collection System**

We are seeing some infiltration of precipitation into the collection system as shown on our monthly flow monitoring devices, but it is not unreasonable considering the age of the collection system. Delivery of the new Chamber of Commerce pumping station has been delayed some, but I am working with the manufacturer to get the best date possible.

### **Geothermal**

Excavation of the leak on the western loop of the geothermal system has begun and the repair will be made as soon as parts arrive. Staff plans to be in attendance at the Pagosa Verde symposium this month as we are a partner in the monitoring of existing wells as progress on the joint project progresses.