



551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
Phone: 970.264.4151
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**TOWN COUNCIL MEETING AGENDA
THURSDAY, FEBRUARY 19, 2015
Town Hall Council Chambers
5:00 P.M.**

- I. CALL MEETING TO ORDER**
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. PUBLIC COMMENT – *Please sign in to make public comment***
- IV. PRESENTATION – River Feature Power Point Presentation – Chris Pitcher**
- V. CONSENT AGENDA**
 - 1. Approval of February 3, 2015 Meeting Minutes**
 - 2. Approval of January Financial Statement and Accompanying Payments**
 - 3. Liquor Licenses**
 - a. Liquor License Transfer – H&R license transfer from El Carboncito Restaurant & Sports Bar LLC to Tavern Le Boeuf LLC at 27 B Talisman Drive #4**
 - b. Special Events Liquor Permit – St. Patrick’s Episcopal Church, Parade, March 14 & 15, 2015 at 225 S Pagosa Blvd**
 - c. Special Events Liquor Permit – Pagosa Mountain Morning Rotary Club, Relay for Life June 13, 2015 at the Town Park Athletic Field on Hermosa Street**
 - d. Special Events Liquor Permit – Town of Pagosa Springs, Brew Fest, April 11, 2015 at the Ross Aragon Community Center**
 - 4. Proclamation recognizing February 2015 as Teen Dating Violence Awareness and Prevention Month**
 - 5. Letter of Support for Scenic Byway Designation**
 - 6. Resolution 2015-04, Appointing Jon Johnson to the Town Tourism Committee**
- VI. REPORTS TO COUNCIL**
 - 1. Featured Department Head Reports**
 - a. Community Center**
 - b. Municipal Court**
 - 2. Sales Tax Brief**
 - 3. Lodgers Tax Brief**
- VII. NEW BUSINESS**
 - 1. Resolution 2015-05, Amending the 2015 Town Fee Schedule to Include a Fee For Extension of Previously Approved Preliminary Subdivision Plan Applications**
 - 2. MOU between County and Town regarding Lodgers Tax**

VIII. OLD BUSINESS

- 1. Ordinance 822, Second Reading, Metal Siding Allowances**
- 2. Ordinance 823, Second Reading, Preliminary Subdivision Plan Extension Application Process**
- 3. Ordinance 824, Second Reading, Extending Ordinance 796 Marijuana Business Prohibition**

IX. PUBLIC COMMENT – *Please sign in to make public comment*

- X. Executive Session per C.R.S. 24-6-402(4)(b) for Conference with Town Attorney for Purposes of Receiving Legal Advice and C.R.S. 24-6-402(4)(e) to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy or Instructing Negotiators, Regarding an Application for Water Rights, Case Number: 14CW30 in District Court Water Division 7**

XI. COUNCIL IDEAS AND COMMENTS

XII. NEXT TOWN COUNCIL MEETING MARCH 3, 2015 AT 5:00PM

XIII. ADJOURNMENT

**Don Volger
Mayor**



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**TOWN COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 3, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.**

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Lattin, Council Member Patel, Council Member Schanzenbaker
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **PUBLIC COMMENT** – Mr. Bill Hudson asked about the goals and objectives, he will wait for comment until then
- IV. **CONSENT AGENDA**
 1. **Approval of the January 22 & 27, 2015 Meeting Minutes**
 2. **Liquor Licenses**
 - a. **Liquor License Renewal** – Marilyn K Dach dba Silver Dollar Liquor Store at Hwy 160
 - b. **Special Events Permit** – Town of Pagosa Springs Dance April 24, 2015 at the Ross Aragon Community Center 451 Hot Springs Blvd.
 3. **Proclamation Recognizing Wolf Creek Ski Area 75th Anniversary** – Council Member Bunning moved to approve the consent agenda, Council Member Patel seconded, unanimously approved. Mayor Volger read the proclamation recognizing the community contribution of the Wolf Creek Ski Area, the Pitcher family and staff who has volunteered hours to the town and the river projects over the last several years consent agenda. Mr. Chris Pitcher accepted the proclamation on behalf of the Pitcher family and invites everyone to visit Wolf Creek.
- V. **NEW BUSINESS**
 1. **Approve the 2015 Goals and Objectives** - The Town Council has met several times in a work session format to develop goals and objectives to help the Council as a body to guide decisions and to set priorities for resource allocation. The Town Council arrived at 4 goals: 1) Define and foster Pagosa’s unique character and sense of place, 2) Recognize and value downtown as the community’s heart, 3) Promote a vital local economy by supporting economic development and tourism, and 4) Improve communication, encourage public engagement, and pursue cooperative relationships. Mr. Bill Hudson is happy with the work and priorities the public can review. He said the community wants to hear the success stories and problems the Town is running into. Council Member Schanzenbaker moved to approve the town council’s goals and objectives matrix for 2015, Council Member Lattin seconded, unanimously approved.
 2. **Ordinance 796 Marijuana Business Prohibition** – In 2013 the town council approved ordinance 796, prohibiting marijuana sales, cultivation, and operations and testing within town limits, this

ordinance expires March 1, 2015. Municipalities have the authority to allow or prohibit dispensaries, either by Town Council action, or by referring the question to the voters. Citizens may also initiate a measure. Municipalities that opt to allow medical marijuana facilities have broad latitude in creating a local licensing authority and licensees must obtain a local license before applying for the state license. Chief Rockensock said the trends of retail marijuana include problems with the amounts of THC levels in some products. He said he cannot determine how much extra time and manpower it will take to provide for these businesses. Town Attorney Cole said the council could refer the issue to the voters or move forward with prohibition or begin with a standard approach that can be very time consuming and costly. Attorney Cole says the town council needs to direct staff to bring an ordinance and extend this moratorium at this time. Ms. Sandy Lane, representing the school district, is the health and wellness director, she said that in 2013-2014, 45% of Archuleta County students have used marijuana, State average is 37%. She said the students the use in Archuleta County has increased 6-9% since 2006. Mr. Bill Hudson said the kids and adults are getting marijuana outside the stores. He said the industry is out of control and the council should put it in the control of the Town. Ms. Joanne Irons said the current owners of the shops have been a part of the process the county has gone through. She suggests keeping the shops out of downtown and away from the schools. Mr. Jason Werby, owner of Pagosa Organics, said the additional work will not be made up by the 1.5% tax collected from the State. He said there are a lot of issues to face and the Town should be ready if they move forward allowing businesses in Town limits. Mr. Jeremy Bonin, owner Pagosa Organics, said the large Denver based businesses have requested shipping their product into Pagosa and he would prefer not having that happen. Commissioner Michael Whiting said the county is available to assist the Town. He said the county has hashed out issues and learned from the industry. Council Member Schanzenbaker said the legalization includes businesses in Town. Location is a business' greatest need and the Town has the best locations. Mr. Morgan Murri said the business owners should be able select the best location for their business and they may be in the Town limits. Mayor Volger said the will of the people were to decriminalize marijuana, this has been completed with the vote. Denying the ability to have a shop on the main street is not denying the ability for the residents and visitors to access marijuana in our community. Council Member Alley said he needs more information to make a clear decision. Council Member Bunning does not see a need for a location within the Town limits when the county has allowed the sale of marijuana just outside the town limits. Council Member Schanzenbaker moved to approve as first reading an extension of Ordinance 796, an ordinance of the Town of Pagosa Springs amending chapter 6 of the Pagosa Springs Municipal Code by the addition thereto of a new article 5 prohibiting the sale and cultivation of medical marijuana, including medical marijuana centers, optional premises cultivation operations and medical marijuana-infused products manufacturing, and a new article 6 prohibiting the operation of marijuana clubs, marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores: which ordinance will automatically expire June 1, 2015 for the purpose of directing staff to bring back legislation to council for regulating and licensing marijuana businesses within town limits, Council Member Egan seconded, motion passed with three nay (Council Members Bunning and, Lattin, and Mayor Volger).

3. **Piedra Street Reconstruction Project** - Council has approved the reconstruction of Piedra Street in 2015. After preliminary review of various possible configurations by Town Streets Department, Planning Department, Special Project Manager and Town Manager, the unanimous recommendation is to reconstruct Piedra Street with the pedestrian sidewalk located on the North side of the street. The recommendation for the North side is based on site review by staff and recommendation of Project Engineer. Topographical conditions on the South side would require installation of a retaining wall along a considerable portion of the project resulting in increased project cost in addition to requiring acquisition of additional easements. Drainage and snow removal factors also favor the North side sidewalk configuration. Council Member Alley moved to direct staff to finalize the plans for reconstructing Piedra Street between South 8th Street and Old Durango Road with a sidewalk to be placed on the North side of Piedra Street and

- submit for bid and consider an asphalt sidewalk option in the bids, Council Member Schanzenbaker seconded, unanimously approved.
4. **Sawmill Place Preliminary Subdivision Plan Extension Request** - The applicant, Andrew Schlaefli of the Sawmill Place Development, has requested a one year extension for the Preliminary PUD Plan previously approved by Town Council on November 5, 2008. Mr. Schlaefli is sighting title work and phasing development improvement agreements issues. Council Member Schanzenbaker has concerns about approving an extension without the development having a CDOT permit. Council Member Egan moved to approve a one year extension for the previously approved Sawmill Place Subdivision Plan, Council Member Bunning seconded, unanimously approved.
 5. **Ordinance 822, First Reading, Metal Siding Allowances** - LUDC section 6.7.3.B.2.b, Building Design for Mixed-Use and Commercial (C) districts, currently prohibits metal-sided buildings, except for metal wainscoting not exceeding 4 feet in height, and allows for metal roofing. Ordinance 822 revises the LUDC to allow a wide range of exterior building siding materials, including but not limited to wood, brick, stone, (metal) and stucco. Metal may be used on the exterior of buildings for architectural features. Metal may be used as an architectural feature covering no more than Thirty Five percent (35%) of any building facade, unless the decision-making body determines that additional metal in the design creates a high-quality or unique building design that meets the purpose and intent of the standards in this section. Metal roofs are allowed and are exempt from the limitation on percentage of metal. Wainscoting is encouraged to be 3 feet but not to exceed 4 feet. Council Member Schanzenbaker would like to explore design standards, not simply the amount of metal on the building. Mr. Andre Redstone said the issue is design criteria that will make the building more appealing along the corridor, not the building material. The planning commission is working on the cargo container issue at their next meeting. Council Member Lattin said the planning commission wanted to allow architectural options with metal, not change the design criteria. Council Member Egan moved to table this item until the next meeting, Council Member Schanzenbaker seconded, motion failed with three nays (Council Members Bunning, Lattin, Patel, and Mayor Volger). Council Member Patel moved to approve first reading of Ordinance 822, an Ordinance of the Town of Pagosa Springs repealing and readopting section 6.7.3.b.2 of the Land Use Development Code to provide for allowances for metal siding in commercial and mixed use zoned districts, Council Member Bunning seconded, motion passed with one nay (Council Member Egan).
 6. **Ordinance 823, First Reading, Preliminary Subdivision Plan Extension Application Process** - The Planning Department receives annual requests for extensions of previously approved preliminary subdivision plans, however, there is not an actual application process outlined in the LUDC for such a process or fees associated with processing such requests. Town Councils approval of a preliminary plan is valid for one year, unless expressly approved by Town Council prior to expiration. Many if not most major subdivision projects can take more than one year after preliminary plan approval to create the final plans for submission to the Town. Ordinance 823 inserts language at the end of the LUDC section 2.4.3C.4.b (iv)(1) requiring an application for extension of major subdivision preliminary plan. Staff recommends amending the LUDC fee schedule to include an extension of major subdivision preliminary plan application fee of \$300. Council Member Schanzenbaker suggested more than one year extensions. Council Member Lattin said the one year allows the planning commission and staff to check in with the developer to make sure they are keeping up on payments and find out if there is something the town can assist with moving forward. Council Member Alley suggests the plans be granted three years, but that yearly the developer must update the check list with the planning commission and staff. Council Member Schanzenbaker moved to approve the first reading of Ordinance 823, an Ordinance of the Town of Pagosa Springs repealing and readopting section 2.4.3.C.4.b.(iv)(1) of the Land Use Development Code establishing a development application procedure for extending previously approved preliminary subdivision plans, Council Member Lattin seconded, unanimously approved.

- VII. COUNCIL IDEAS AND COMMENTS** - Council Member Lattin said Yamaguchi Park has not been plowed and would like the Parks & Recreation director to address clearing snow on the concrete. The Nordic Club is attempting to make a trail for the cross country ski club at the Yamaguchi Park trail. Town Manager Schulte said the finance 101 training will be scheduled with Jarrod Biggs from DoLA and other government entities will be invited to attend.
- VIII. NEXT TOWN COUNCIL MEETING FEBRUARY 19, 2015 AT 5:00PM**
- IX. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 8:00pm.

Don Volger
Mayor



A Proclamation by the Town Council of the Town of Pagosa Springs

PROCLAIMING FEBRUARY 2015 TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH

WHEREAS, females between the ages 16-24 are more vulnerable to intimate partner violence, experiencing abuse at a rate almost triple the national average; and

WHEREAS, one in three adolescent girls in the United States is a victim of physical, emotional or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth; and

WHEREAS, high school students who experience physical violence in a dating relationship are more likely to use drugs and alcohol, are at greater risk of suicide and are much more likely to carry patterns of abuse into future relationships; and

WHEREAS, young people victimized by a dating partner are more likely to engage in risky sexual behavior and unhealthy dieting behaviors and the experience may disrupt normal development of self-esteem and body image; and

WHEREAS, nearly half of teens who experience dating violence report that incidents of abuse took place in a school building or on school grounds; and

WHEREAS, only 33% of teens who are in an abusive relationship ever tell anyone about the abuse, and 81% of parents surveyed either believe teen dating violence is not an issue or admit they do not know if it is one; and

WHEREAS, by providing young people with education about healthy relationships and relationship skills and by changing attitudes that support violence, we recognize that dating violence can be prevented; and

WHEREAS, it is essential to raise community awareness and to provide training for teachers, counselors and school staff so that they may recognize when youth are exhibiting signs of dating violence; and

WHEREAS, the establishment of Teen Dating Violence Awareness and Prevention Month will benefit young people, their families, schools and communities regardless of socioeconomic status, gender, sexual orientation or ethnicity; and

WHEREAS, everyone has the right to a safe and healthy relationship and to be free from abuse.

NOW, THEREFORE, We, The Town of Pagosa Springs, do hereby proclaim February 2015, Teen Dating Violence Awareness and Prevention Month, throughout Pagosa Springs, Colorado. We urge all local officials, educators, Archuleta County Victims Assistance and parents to work toward ending teen dating

violence by empowering young people to develop healthier relationships, assisting victims in accessing the information and supportive services they need, creating better and more resources for young people in need, instituting effective intervention and prevention policies in schools and engaging in discussions with family members and peers to promote awareness and prevention of the quiet epidemic of teen dating violence.

Signed

Attest

Don Volger, Mayor
Pagosa Springs, Colorado

April Hessman, CMC
Town Clerk



AGENDA DOCUMENTATION

CONSENT AGENDA:V.5

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: LETTER OF SUPPORT FOR THE PROPOSED SCENIC BYWAY DESIGNATION FOR THE TRACKS ACROSS BORDERS (TABB) BYWAY

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

There is an effort to nominate a new scenic byway, called Tracks Across Borders Byway (TABB) as a scenic byway that is partially in southern Archuleta County. This proposed scenic byway follows the historic route of the Denver and Rio Grande Railroad, and connects the Cumbres & Toltec Scenic Railroad with the Durango & Silverton Railroad. These railroads served the mining, logging, and ranching industries of the San Juan Mountains. The proposed 110-mile byway connects Chama to Durango through southern Archuleta County. The approximate route is Chama to Dulce, Dulce to the state line via Jicarilla Route 9, then into Colorado and Archuleta County to Navajo Lake via CR 500. Then the route goes to Ignacio and Oxford and ending in Durango. Possible points of interest along the route include Juanita, Pagosa Junction, Arboles, and Chimney Rock National Monument.

The nomination is presently before the Colorado Scenic & Historic Byway Commission and a twin nomination if before the New Mexico Commission too. The entities that have submitted the byway nomination are the Southern Ute Nation, the Jicarilla Apache Nation, the Durango & Silverton Railroad, and the Cumbres and Toltec Scenic Railroad. The byway designation is believed to help preserve and promote some of the last surviving remnants of the historic narrow gauge rail route and will promote tourism and the resulting economic development in the communities along the route and nearby.

Furthermore, the nomination has support from the following organizations:

- Archuleta County, Colorado
- Rio Arriba County, New Mexico
- Durango Area Tourism Office
- Chimney Rock National Monument (both CRIA and USFS)
- Colorado State Parks & Wildlife (Navajo Lake State Park)
-

Town Tourism Committee(TTC)

At the Feb. 5th TTC, there was a unanimous vote to support the TABB scenic byway nomination and a recommendation to the Town Council to endorse the nomination.

ATTACHMENTS

~ Draft letter of support

RECOMMENDATION

Staff recommends that Town Council consider authorizing the Mayor to sign a letter of support for the Track Across Borders Byway Scenic Byway Nomination.

Tracks across Borders Byway (TABB)

Request

The official nomination for the first new scenic byway in ten years, called the Tracks across Borders Byway (TABB) was presented to the Colorado Scenic & Historic Byway Commission on January 6, 2015 and the New Mexico nomination was also officially submitted January 22, 2015. The anticipated designation date is late spring of 2015.

Community letters of support are needed to ensure CDOT approval for the TABB.

Byway definition and purpose

Scenic byway designations are intended to encourage travelers to use the nation's existing scenic but often less-traveled roads, promote tourism and economic development in remote areas and to preserve and protect these unique roadways. Each byway must have a unique theme and appeal.

Byway designation is expected to have direct beneficial economic impacts on visitor traffic, visitor expenditures and total retail sales – all important in rural communities like Pagosa Springs.

What is the Tracks across Borders Byway?

The proposed byway follows the historic route of the Denver and Rio Grande Railroad (D&RG), and connects the Cumbres & Toltec Scenic Railroad with the Durango & Silverton Railroad, the last two surviving segments of the original narrow gauge rail route that tapped the mining, logging and ranching industries of the San Juan Mountains. Both railroads are National Historic Landmarks. The automobile byway will use existing public roads that people can drive today.

Located in southwest Colorado and northern New Mexico, the route traces the narrow gauge right-of-way of the Denver and Rio Grande Railroad (D&RG). The Byway's primary feature is one of Colorado's greatest stories - the creation and development of the state's first, and ultimately the nation's largest, narrow gauge railroad system.

Unlike many of Colorado's existing scenic byways, the TABB emphasizes HISTORY—the narrow gauge railroad, the opening of the southwest to exploration and native cultures—and offers beautiful scenery—in fact, a section of the route in New Mexico has already been designated as a scenic byway for the last 25 years.

Route

Travel from Durango, CO to Chama, NM via Hwy 160, Hwy 172, Hwy 151, to Archuleta CR 500 to Jicarilla 9 then Hwy 64. Because the road is primitive from Pagosa Junction (Gato) through Juanita to the Colorado-New Mexico border and 10 miles beyond and would not be suitable for most travelers or in all seasons until it is improved, byway travelers will be encouraged to add a spur to visit Chimney Rock National Monument and also to travel to Pagosa Springs via Trujillo

Road (CR 500) or Hwy 151/160 then on to Chama. This presents an opportunity for Pagosa Springs to directly benefit.

See map in Figure 1 and 2 below:

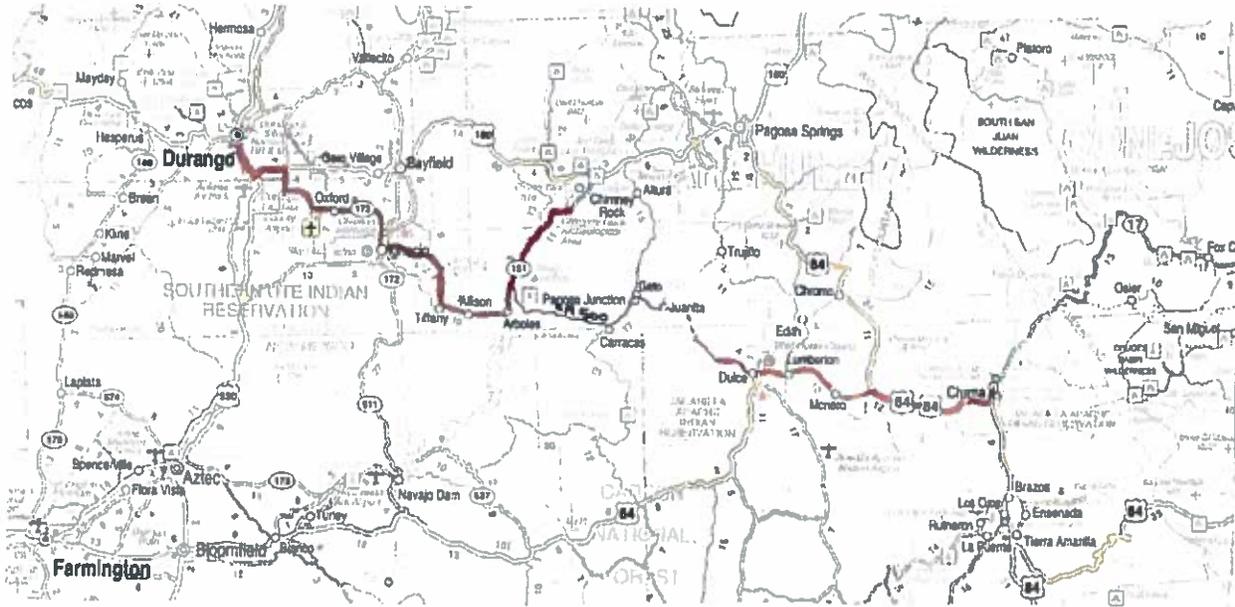


Figure 1 - The Entire Byway Route

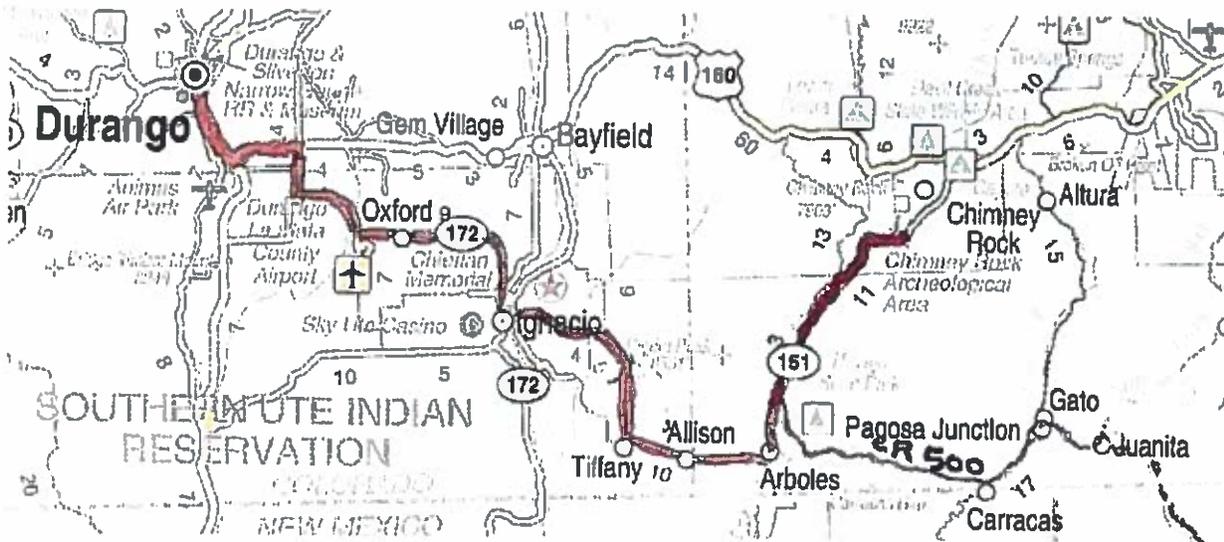


Figure 2 - The Colorado Portion of the Byway

Timeline

The TABB nomination has already been submitted and the Colorado Scenic and Historic Byways Commission of CDOT have already toured the route with many of the Charter Commission members and the TABB Charter Commission.

The nomination is currently under review by CDOT, though letters of support from key constituencies are being requested.

Approval is anticipated in April 2015 or shortly thereafter.

Once approved, the Charter Commission will be responsible for the TABB business plan—including roles & responsibilities, leadership, governance, marketing, identification of improvements, community engagement and financing. **The “Conceptual Plan” submitted with the Nomination outlines the process and scope.**

Benefits for Archuleta County/Pagosa Springs

- **Byway travel via Pagosa Springs brings more tourism-related revenue opportunities** and it is synergistic with our marketing efforts. Because the TABB passes through a remote, region of Archuleta County with very few services and tourist amenities such as restaurants and lodging, Pagosa Springs is a complimentary destination. The byway could be promoted as an additional activity in Pagosa Springs’ marketing.

- **Byway themes are complimentary to other tourism attractions in Pagosa Springs.**
 - **Historical** - Thousands of years of history create an extremely rich environment for a unique place-based experience along this Byway, from the early explorers to the Native American history and culture, to the heyday of the narrow gauge railroad and beyond. Scenic views take in the pastoral beauty of miles of working agricultural landscapes with farming towns, historic sheep ranches and railroad settlements along the corridor, all of which contribute to a broad understanding of the centuries of human habitation in harmony with the land along this route over the energy-rich San Juan Basin.
 - **Cultural** - The Byway offers opportunities to enjoy, learn about and appreciate the natural and cultural history of the sovereign nations of the Southern Ute Indian Tribe and the Jicarilla Apache Nation, and of the early pioneers of southwestern Colorado and northwestern New Mexico.
 - **Scenic** - From the sweeping San Juan Mountains and mesa panoramas to wild, lush riparian ecosystems along the San Juan and Navajo Rivers, the Tracks Across Borders Byway accesses one of Colorado's least traveled regions.
 - **Educational** - Numerous educational opportunities – both guided and through self-discovery – are available for travelers across this Byway ranging from archaeological and native cultures to natural sciences, history, transportation, western settlement patterns and industrial heritage.
 - **Geological** - The Tracks Across Borders Byway traverses the northern section of the great San Juan Basin, an ancient geologic structural basin lying in the southeastern part of the Colorado Plateau that has long been recognized as a source of varied natural resources. The tectonic evolution of the basin is extensive and complex, a veritable mixing-bowl of geology. Over 2,500 papers, reports and studies have been written and/or published on the Basin.

- Wildlife - Travelers on the Tracks Across Borders Byway have an opportunity to view, encounter and learn about an abundant variety of native wildlife found throughout the multiple ecosystems along the route. Ornithologists and hobbyist bird watchers will discover herons, hawks, eagles, migrating birds, song birds, Canada geese, cliff swallows and owls among the myriad bird community—many viewable from the Navajo State Park, the Watchable Wildlife Viewing Area. Conservationists will appreciate the comprehensive Wildlife Conservation Strategy developed for the San Juan River watershed. The southern Rocky Mountains are home to many plant species and alpine ecosystems not found elsewhere in the United States.
- Recreational - Dozens of recreational opportunities exist throughout the Byway corridor. Walking, biking, hiking, climbing, jeep tours, river sports, winter sports, and recreational facilities are in abundant supply. Navajo State Park is marketed as “Colorado's Answer to Lake Powell.” The reservoir extends for 20 miles south into New Mexico. Boaters and campers enjoy the park year-round. Sailors, house boaters and other power boaters cruise some of the 15,000 surface-acres of the reservoir.
- Chimney Rock National Monument - is an essential thematic feature of national significance on the Byway. The round-trip spur provides access and increased exposure to one of America's newest National Monuments. Chimney Rock is one of the highest elevation Ancestral Puebloan sites. Chimney Rock holds spiritual significance for many tribes including the Southern Utes.
- Other Significant Points of Interest include Navajo Lake and Navajo State Park, the Southern Ute Cultural Center and Museum, Jicarilla Culture Center, the ghost towns of Pagosa Junction (Gato) and Juanita.

More information is available

- The Colorado Byway nomination package.
- The TABB Conceptual Plan (byway governance and administrative business plan).
- TABB Charter Commission list, including constituencies represented.



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February 19, 2015

COLORADO SCENIC & HISTORIC BYWAY COMMISSIONERS

c/o Lenore Bates, Program Manager
Colorado Scenic and Historic Byways, CDOT
4201 E Arkansas Ave, Shumate Bldg.
Denver CO 80222
lenore.bates@state.co.us

Re: The Tracks Across Borders Byway Nomination

Byway Commissioners:

On behalf of the Town Council of Pagosa Springs, I am delighted to send you this letter that supports designation of the Tracks Across Borders Scenic & Historic Byway. We recognize and appreciate the opportunity afforded by this project for improving the overall knowledge of the heritage of the area. The objectives of the project are in sync with our own interest in promoting tourism and fostering historic awareness within the Town of Pagosa Springs and our surrounding area.

The designation of the TABB is important to economic development in a region that is extremely dependent on tourism and critically needs additional economic drivers.

We recognize and appreciate the funding commitments for the Nomination from both the Cumbres & Toltec Scenic Railroad and the Durango & Silverton Railroad. Additionally, the TABB Charter Commission and steering committee members have expressed their commitment to continuing support, including necessary fund-raising efforts and operational plan to ensure the byway's long-term success.

Along with these financial commitments, the Pagosa Springs Town Tourism Committee will promote the newly designated byway through its continuous efforts to market Pagosa as a tourism destination, in part by highlighting the significant historical elements in Pagosa Springs and the surrounding region. Further, because the TABB passes through a region of Archuleta County with very few services and tourist amenities, such as restaurants and lodging, Pagosa Springs is a complimentary destination along the way. The byway could be promoted as an additional activity in Pagosa Springs' tourism marketing efforts.

We ask you to conduct a thorough and objective evaluation and vote in favor of designating the Tracks Across Borders Scenic & Historic Byway as Colorado's newest byway.

Sincerely,

Don Volger, Mayor
Town of Pagosa Springs



AGENDA DOCUMENTATION

CONSENT AGENDA:V.6

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19, 2015

FROM: JENNIFER GREEN, TOURISM DIRECTOR

PROJECT: RESOLUTION 2015-04, APPOINTING JON JOHNSON TO THE TOWN TOURISM COMMITTEE
ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

The Town Tourism Committee had a seat come open recently and a letter of interest from Jon Johnson, a local realtor, was received for the open seat. During the February 5th TTC meeting, the Board considered the application from Mr. Johnson and, in light of Mr. Johnson's past service to the TTC, voted unanimously to recommend Jon Johnson to the open at large seat. With his appointment, the TTC will have 11 board members.

ATTACHMENT(S):

- Resolution 2015-04

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 2015-04, Appointing Jon Johnson to the Town Tourism Committee for a two (2) year term.

TOWN OF PAGOSA SPRINGS, STATE OF COLORADO

RESOLUTION NO. 2015-04

A RESOLUTION OF THE TOWN OF PAGOSA SPRINGS,
COLORADO APPOINTING JON JOHNSON 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 presently 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 Jon Johnson 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.** Jon Johnson is hereby appointed to serve as an at large member of the Town Tourism Committee for a two (2) year term, commencing on February 19, 2015 and concluding on February 19, 2017.
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 19th DAY OF FEBRUARY, 2015, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, BY A VOTE OF ____ IN FAVOR, ____ AGAINST.

TOWN OF PAGOSA SPRINGS

By: _____
Don Volger, Mayor

ATTEST:

By: _____
April Hessman, Town Clerk



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI.1A

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19, 2014

FROM: SHANE LUCERO, COMMUNITY CENTER DIRECTOR

PROJECT: COMMUNITY CENTER UPDATES
ACTION: UPDATE AND DISCUSSION

UPCOMING EVENTS

Feb. 13, RACC will partner with the Pagosa Springs Chamber of Commerce to host Chilly Bowl from 5-7pm as part of the Winterfest activities. All proceeds will go towards local food banks.

Feb. 20th, RACC will be hosting a dance from 7-11pm featuring local band Los Mitotitos.

Feb. 24th and 25th, RACC staff will be helping the Middle School with their Courage and Kindess Retreats, as part of our youth prevention work.

March 20th, RACC will be hosting the "Wild Marimbas" concert from 7-9pm. There will also be a free Marimba music clinic from 10am-noon on Saturday March 21st.

CENTER UPDATES

The existing floor at the community center is failing. Staff has been looking at many floor options and will be coming to council to make a decision between a poured floor and a wood floor. A trip to see the floors at the Middle School is being planned so that council and look at and make comparisons for each type of floor.

RACC is currently offering 13 free programs to the community.

RACC room rentals are already at 50% of what room rentals were for 2014.

The gym is currently being used 4 nights a week for town basketball.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI.2B

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19, 2015

FROM: CANDACE DZIELAK, COURT ADMINISTRATOR

PROJECT: MUNICIPAL COURT DEPARTMENT REPORT
ACTION: UPDATE

IN-COURT ACTIVITY UPDATE AND SUPERVISION CASELOAD UPDATE

COURT SESSIONS ~ Three (3) court sessions were conducted in January 2015.

Pagosa Springs Municipal Court January 2015 Offender Characteristics				Pagosa Springs Municipal Court Current Supervision Caseload February 6, 2015		
Total Offenders Docketed	49				Total	% of Caseload
Traffic	12			Cases Under Supervision	59	—
Adults		12		Juveniles	19	32.20%
Juveniles		0		Adults	40	67.80%
Criminal	37			Males	37	62.71%
Adults		27		Females	22	37.29%
Juveniles		10				

COMMUNITY AND REGIONAL COLLABORATION UPDATE

- The Court Administrator submitted an application to join the Core Services Therapeutic and Life Skills Committee. This committee reviews Core Services available within the Sixth Judicial District, identifies service gaps, provides information on local strengths, and approves the annual Core Services Plan. Core Services, offered through the regional Departments of Human Services are in place to assure access to alternatives to out-of-home placements for families with children at imminent risk of out-of-home placements and to prepare a plan for provision of services. Core Services include, but are not limited to, the Day Treatment Programs in area schools, and providing families with access to a Home-Based Therapist, Life Skills, and Substance Abuse services. (Attachment Provided)
- January 21, 2015~The Court Administrator attended the monthly Child Protection Team (CPT) staffings facilitated by the Archuleta County Department of Human Services.
- January 30, 2015 ~ The Court Administrator attended a Student Attendance Review Board (SARB) at Pagosa Springs High School.

2015 BUDGET

Court Security ~ Court security, provided by PSPD Officers, is continuing. Judge Anderson and the court staff appreciate the availability of PSPD officers. (Attachment Provided)



Pagosa Springs Municipal Court
551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, Colorado 81147
Phone 970.264.4151 Extensions 247 or 248
Fax 970.264.4076

February 4, 2015

Town of Pagosa Springs
Attention: Mayor, Town Council, and Town Manager
Post Office Box 1859
Pagosa Springs, Colorado 81147

Gentlepeople,

I thank you for approving and providing security for the Municipal Court. It is greatly appreciated by myself and the staff.

We will never know how necessary the security is now that we have it, but it will prevent the kind of tragedies we frequently read about in the news. It also defuses potentially heated and disruptive situations in the courtroom.

THANK YOU!

Sincerely,

A handwritten signature in blue ink that reads "Bill".

William J. Anderson
Municipal Court Judge



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI.2

PAGOSA SPRINGS TOWN COUNCIL

FEBRUARY 19, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: DECEMBER 2014 SALES TAX REVENUE REPORT

ACTION: DISCUSSION AND POSSIBLE ACTION

CURRENT MONTH SALES TAX & LODGERS TAX REVENUE

As noted at the Town Council Meeting in January, we reported for two months: October and November 2014. October was down almost -15% (-14.98%), but the variance was partially due to collection timing issues and about \$42,000 was received after the timing cutoff. Had that amount been reported before the cutoff, the drop would have been a little more than -8% (-8.24%) compared to October 2013. Better news occurred for November with a small increase of 2.3%.

The December 2014 sales tax revenue showed an increase of +12.85% compared to December 2013. Total sales revenue for December 2014 was \$353,558, with that divided equally between the General Fund and the Capital Improvement Fund (\$176,279 going to each). In December 2013, the total amount received was \$312,400.

Lodgers' tax is covered separately in the report given by Jennie Green, Executive Director of the Town Tourism Commission.

2014 YEAR END SALES TAX INFORMATION

Compared to 2013 Actual

The December figures are the capstone of fiscal year 2014. For the calendar year 2014, the Town received a total of \$3,583,519. As indicated above, the total amount is split equally between the General Fund and the Capital Improvement Fund (each receiving \$1,791,760). In 2013, the total sales revenue received was \$3,344,378. Compared to 2013, sales tax increased by 7.2% in 2014.

Compared to 2014 Budget

The initial budgeted amount of sales tax for 2014 was \$3,374,192 in total for both Funds. The total amount actually received was \$3,583,519, or an increase of 6.20%. The actual percentage increase compares favorably to the year-end projection of 6.0%. The dollar amount increase in actual revenue compared to budget is \$209,326. Please see Exhibit A.

Compared to 2015 Budget

The sales tax projection for the adopted 2015 budget is a total of \$3,791,242 and represents a 6% increase over what the expected year-end sales tax figure of \$3,576,644. The 2014 actual was \$3,583,519. Since the dollar difference between the estimated 2014 year end and the 2014 actual is \$6,875 (only a 0.002% difference), we are almost exactly where we projected to be at year end.

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:

Application of Resolution 2014-01:

	<u>2012</u>	<u>2013</u>	<u>Avg.</u>	<u>2014</u>	<u>% Change</u>
October	298,425	307,778	303,101	261,673	- 13.67%
November	247,850	249,725	248,788	255,427	+ 2.67%
December	327,667	312,400	320,034	353,558	+ 10.05%

The average sales tax collections over the past two months is positive $[2.67\% + 10.05\%]/2 = 6.36\%$. The average sales tax collections over the past three months is negative $[- 13.67\% + 2.67\% + 10.05\%]/3 = 0.32\%$. Application of paragraphs 5 and 5(b) of the Council’s policy calls for **NO** reduction of budgeted expenditures since the reduction is not more than 5%

ATTACHMENT(S)

Exhibit A

RECOMMENDATION

Informational, no action required.

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

<u>Month</u>	<u>2014 Estimated</u>	<u>2014 Actual</u>	<u>Variance</u>	<u>10 Year Ave. % Collection</u>
January	113,035	123,998	10,963	6.7%
February	107,974	107,180	(794)	6.4%
March	124,845	146,689	21,844	7.4%
April	104,600	108,547	3,947	6.2%
May	123,158	132,826	9,668	7.3%
June	158,587	172,449	13,862	9.4%
July	205,826	189,083	(16,743)	12.2%
August	158,587	178,354	19,767	9.4%
September	160,274	197,804	37,530	9.5%
October	138,342	130,836	(7,506)	8.2%
November	124,845	127,714	2,869	7.4%
December	167,023	176,279	9,256	9.9%
TOTAL	1,687,096	1,791,759	104,663	100.0%
 Percent Ahead of Estimate	 6.20%			



AGENDA DOCUMENTATION REPORTS TO COUNCIL:VI.3

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19TH, 2015

JENNIFER GREEN
DIRECTOR, TOWN TOURISM COMMITTEE

PROJECT: LODGING TAX UPDATE
ACTION: DISCUSSION AND POSSIBLE ACTION

TTC MEETING ACTIVITY

The Town Tourism Committee held its February meeting on Thursday, February 5th at 4pm at the Visitor Center. The March TTC meeting will be held on Tuesday, March 9th at 4pm at the Visitor Center. Draft minutes from the February meeting have been included in the packet.

TTC FINANCIAL REPORT

December 2014 was down 6.39%, or \$2,806, over December 2013, with a few small payments still outstanding. 2014 ended with a 14.59% increase over 2013, or \$64,856.03. A complete report has been included in the packet for review.

VISITOR CENTER UPDATE

The visitor center enhancements are almost complete. A 2nd touch screen PC was added in January, after two additional brochure racks were removed. Brochure racks have been reorganized and information is now in permanent locations. Electrical outlets are being added on floor near brochure racks to allow photo / video rotation. 4 new smart TVs have been purchased and will be installed on brochure racks once electrical is added. Board of Realtors will have a TV with current MLS listings on display. A new custom painting, featuring view looking upstream from new 6th street pedestrian bridge, was completed and donated to the visitor center. The new piece hangs above the main entrance doors. The VC entrance sign on Hot Springs Blvd is being installed any day.

SOCIAL MEDIA UPDATE

- Facebook - www.facebook.com/visitpagosasprings Facebook: 10,319 fans
- Instagram - www.instagram.com/visitpagosa: 1,196 followers (large increase in followers due to successful takeover of @visitcolorado instagram channel Dec
- Twitter - www.twitter.com/visitpagosa - 737 followers

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

	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
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	1,617	1,498	1,118	1286	783**	25,475
2015	1,756												

** The last week of January, colorado.com once again began requiring address field on leads; leads spiked significantly as a result

PRESS / MEDIA UPDATES

Upcoming writers:

-
- **David McKay Wilson**; Tues, February 17th & Wed, 18th - one room, 2 nights; Veteran ski writer on assignment with online magazine, Everett Potter's Travel Report. <http://www.everettpotter.com/?s=david+mckay+wilson>
- **George Koch (writer) / Scott Smith (photographer)** ; 2 rooms, two nights - Tues, Feb 17th & Wed, 18th; On assignment with Ski Canada and Ski Magazine of France, and the road-trip will take in four destinations. The stories will be feature length, so each resort / town will get good exposure.
- **Morgan Tilton** - February 18th - 21st - 5280, Encompass, Elevation Outdoors, MTN Town Magazine, Colorado Life
- **Claudia Carbone** - Feb 27th - Mar 1st - (Denver Performing Arts Examiner, Women's Travel Examiner, SheKnows.com, City Guides
- **Colin Bane** - one room, 2 nights Fri, Mar 13th - Sat, 14th; Veteran travel writer pitching to ESPN.com, Westword, Outside magazine and the Washington Post magazine

Group FAM trips:

- **Japanese FAM** - post Go West Summit - February 14th - 7 tour operators; overnight stay, hosted dinner and hot springs tour
- **German FAM** - post Go West Summit - February 15th - 13 tour operators; lunch, overview of Pagosa and hot springs tour

GROUP TRAVEL UPDATE

Go West Summit was held in Colorado Springs Feb 10th - 13th. TTC Director and CK Patel had 60 pre scheduled appointments. At the time of this report, 3/4 of the appointments have been conducted. Overall, the show has been extremely productive. Three of the appointments were with companies that we first met at NTA, two of which are planning site visits to Pagosa Springs in the next few months. Many of the appointments have been held with participants of the two FAMs that will route through Pagosa Feb 14th and 15th. The 2-page overview for Pagosa is translated in Chinese, Japanese, Spanish, French and German. The translations have been extremely well received and based on feedback, translated very well. The week of Feb 16th will be focused on post-show follow up.

NEW LURE PIECE / TRAVEL PLANNER

Based on responses to the RFP, the TTC selected a vendor (IDP out of Grand Junction) to develop the new travel planner / lure piece that will be mailed out to all requests for information via first class mail. Staff wrote content and collected photos for consideration. TTC Director will meet with the vendor in Grand Junction on Feb 23rd. The project has an accelerated timeline, as we hope to have the new piece available to mail out by the end of March.



DRAFT Minutes

Pagosa Springs Town Tourism Committee

Thursday, February 5th, 2015

Pagosa Springs Visitor Center

4 pm

Meeting called by: Chirag Patel

Attendees: Voting Members; Chirag Patel, Larry Fisher, Jim Smith, Bob Kudelski, Stephen Durham, Nick Tallent, Steve McKain

Absences: Matt Sprowls, Criselda Montoya

Non Voting Attendees; Jennifer Green, Greg Schulte, Clint Alley, Steve Wadley

Please review: January Meeting Minutes

Please bring: Agenda, Committee reports

1. Call to Order
2. Determination Of Quorum (5)
3. Approval of Minutes - January
 - a. Stephen Durham, Steve McCain seconded, all approved
4. Chair Report – Chirag K. Patel
 - a. John Egan spoke to the Board regarding Archuleta County Transportation Summit on Thursday, February 26th at Quality Resort from 9am – 11am; considering trips to Durango; John invited the TTC to attend the meeting (Clint Alley joined the meeting after John left)
 - b. Subcommittee Overview

- i. Please review subcommittee overview; During the March meeting, we will determine chairs and Board members for all subcommittees

c. Summer Field Trip

- i. CK suggested a 2-day field trip to see other CO destinations. We will aim for early to mid June to check out other destinations and what they are doing for tourism – visitor centers, activities, amenities, signage, etc

- ii. Letter of Interest from Jon Johnson

- 1. Steve McCain motioned to recommend Jon Johnson as an at large member of the TTC, Jim Smith seconded, all approved

d. Letter of Support for Tracks Across Borders Byway (TABB)

- i. Jennie explained that the TABB effort was seeking letters of support; no funding is being requested, the application has been submitted to CDOT and the new byway would route through Pagosa Junction

- 1. Jim Smith writing a letter of support for the new byway, Bob Kudelski seconded, all approved

5. Treasurers Report – Stephen Durham

a. Monthly Town Lodging Receipts report – Update

- i. Jennie provided update – lack of winter is impacting numbers; December 2014 was down 6% over 2013; 2013 had set a record
- ii. Greg pointed out that despite the decline in December 2014 reflected a 14% increase in lodging tax – the largest growth in a calendar year

b. Current finances

6. Subcommittee Reports

a. Budget – Update provided by Jennie Green

- i. All bills being processed and paid

b. Fulfillment – Jim Smith

- i. Update on Lure Piece / Travel Planner

1. IDP from Grand Junction selected as vendor by subcommittee; they were the 2nd lowest bidder and provided examples of previous work that were similar to what the TTC had in mind for the new lure piece / travel planner
 - a. Jim Smith motioned to approve IDP as the vendor; Bob Kudelski seconded, all approved
2. Jennie provided an update on the overall project - content is drafted, photos have been collected; kick off call, assuming Board approved vendor is Friday, February 6th; expect designs

ii. Lodging Charts in Sun's Visitor Guide

1. Group discussed paying to have lodging chart in Sun's guide; guide will be distributed at regional visitor centers and locally; new lure piece will be mailed out and will also include lodging directory
2. Bob Kudelski motioned to include lodging chart, jim Smith seconded, 4 approved, 3 voted against
3. Jennie will coordinate with the Sun on a deadline

c. Marketing - Chirag Patel

i. NTA - New Orleans Feedback

1. Jennie provided update - show went well; Jennie has 21 one on one appointments, materials available for show were well received

ii. Go West Summit is next week in Colorado Springs - both CK and Jennie have appointments - over 50 combined

d. Events & Events Infrastructure - Larry Fisher

i. February 25th is TTC ski day at Wolf Creek; group asked Jennie to make sure we had more snow; 25th is local day - \$41 lift tickets

i. 2016 Cowboy Fast Draw National Championships

1. Jennie explained the deadline for 2016 national championship bids was in the next week; explained the San Juan Shootists sought marketing support and funds for sanctioning fees

2. Larry Fisher motioned to authorize TTC Director to write letter of support on behalf of the TTC specifying \$4,500 in financial support from 2016 budget for sanctioning fees and marketing support for the events; Steve McKain seconded, all approved

e. Special Projects – Jim Smith

- i. Jim Smith suggested we find someone to produce a movie / show featuring Pagosa Springs
- ii. Greg mentioned inviting Four Corners Film Commission; Jennie explained that she had discussed it with Christine Funk, Board member of FCFC, who expressed interest in attending
- iii. CK reminded group that Film Commission had presented to Board previously
- iv. TTC Director will invite Film Commission to attend March or April TTC meeting

f. Wayfinding and Signage – Steve McKain

- i. Visitor Center street sign should be installed any day; it was supposed to be installed in the last few weeks
- ii. Subcommittee meeting scheduled for Wednesday, March 4th at 10am at Visitor Center; TTC Director will reach out to James Dickhoff, Scott Frost, Jon Johnson and others to participate

g. Visitor Center subcommittee

- i. Jennie provided update on recent efforts:
 1. New monitors / screens being investigated for MLS loop (Board of Realtors will purchase monitor) and additional photo / video rotation
 - a. Brief trip to Best Buy Santa Fe yielded mixed results; Jennie and CK will go to Best Buy in Colorado Springs to continue discovery process to ensure products being purchased handle current and as many future needs as possible

h. Tax Compliance

- i. Greg provided update; a few years ago, Town and County hired Erin Neer / Sweetbooks to handle tax compliance effort; Greg and Jennie to meet with Bentley Henderson and Larry Walton to

get County engaged; need County's support to provide Erin with proper data to make efforts more effective

- ii. Compliance effort levels playing field and provides more money to promote the community

8. TTC Director Report - Jennie Green

- a. TTC Director is juggling many, many different projects; asked board if they had any questions based on the report provided
 - i. No questions
- b. Website redesign in progress - moving to responsive site; Jennie pushing website vendors to complete by end of February
- c. Media Writers - hosting many writers and FAM trips in next few weeks; Japanese FAM on Feb 14th, German / French FAM Feb 15th; TTC Director will host 3 media writers overlapping Feb 17th - 21st - hosted dinners Feb 17th, 18th and 19th
- d. TTC Director will take a few days off Feb 20th - 23rd; first days off, weekends included, in a few months

9. Old Business

- a. None

10. New Business

- a. Public Comment
 - i. Given there were two town council members in attendance, Jim Smith asked about clean up on town streets; mechanized side walk sweeper, etc; Jim wants to focus more on tidying town up, since we spend so much money to bring people to town
- b. TTC Board Ideas and Comments
 - i. All ideas discussed in other areas; no new ideas presented

11. Adjournment

- a. Nick Tallent motions to adjourn at 5pm, Bob Kudelski seconded, all approved



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL, FEBRUARY 19, 2015

FROM: ZACH RICHARDSON, TOWN BUILDING OFFICIAL

PROJECT: BUILDING DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

BUILDERS COMMITTEE UPDATE

The Builders' Committee meets weekly on Wednesday in the Town Hall conference room. The meeting begins at 3:00 PM and usually last two hours. The meetings are open to all contractors and the general public.

The Builders' Committee is currently working toward recommending a uniform contractor licensing, where the requirements would be the same for both the Town and County.

The Building Department actively works with the Builders' Committee on building code updates. To date, we have completed the review of all the updates of the 2009 through 2015 International Residential Code (IRC). The Committee is now preparing to review the updates and revisions of the International Building Code (IBC).

The Builders' Committee for Pagosa Springs and Archuleta County began nearly twenty years ago. A group of local builders began meeting regularly to discuss common issues and generate solutions. As an advisory committee, the builders present information and facts to the Town and County for improved processes that benefit the entire community.

WALMART

Walmart has completed all structural portions of their building project. The mechanical and fire sprinkler systems are nearly complete. Also, the refrigeration coolers are nearing completion. All interior partition walls are built and the drywall finish and painting stages are in process. Overall, the project is moving ahead of schedule from their estimate when they actually started construction and are looking to get a temporary Certificate of Occupancy (TCO) sometime in mid-February. The TCO would allow them to not open but start setting up parts of the store in stages as they complete other items to the project.

STAFF VACATIONS AND TRAINING

Margaret will be taking vacation from February 9 to February 18. James Dickhoff will be filling in for Margaret. Margaret was able to attend the Saving Places Historic Preservation Conference February 4th-7th, and was able to conduct research for old Pagosa Photos while in Denver for upcoming Historic Preservation Projects.

Zach will be attending Fire Code and Mechanical Code training sessions in Denver and Bayfield.

VIOLATIONS

The Department officially began working with the Town's Legal Prosecutor Brett VanWinkle and Town attorney Bob Cole to strategize on how to successfully deal with outstanding violations of the Municipal Code and Land Use and Development Code.

MECHANICAL CONTRACTOR TRAINING

The Town Building Department is working with the County to provide a training seminar to train local residential mechanical contractors and Town and County Building Department staff members. Details will be announced soon.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL

FEB. 19, 2015

FROM: DENNIS FORD, MAINTENANCE SUPERVISOR

PROJECT: MAINTENANCE DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

MAINTENANCE UPDATE

In addition to routine maintenance duties associated with the upkeep of Town Hall and the Community Center, the department has plowed and shoveled the municipal parking lots when needed.

In addition, staff is finishing up an office-space remodel in Town Hall, which should be completed by the end of the week.

Working along with staff to determine recommended options for the Community Center multi-purpose room floor, the current floor has been failing and patches are only a temporary fix.

Staff continues to monitor the geothermal plant facility on a daily basis.

...



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL

FEB. 19, 2015

FROM: TOM CAROSELLO, PARKS AND RECREATION DIRECTOR

PROJECT: PARKS AND RECREATION DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

PARKS AND RECREATION COMMISSION UPDATE

The latest meeting of the Parks and Recreation Commission was held Tuesday, Feb. 10. The minutes from this meeting will be provided when available. The minutes from the January PRC meeting are included for your review. The next Parks and Recreation Commission (PRC) meeting will be held Tuesday, March 10 at 5:30 p.m. in Town Hall.

RECREATION PROGRAMS UPDATE

Registration for this year's youth volleyball program began Feb. 2 and will run through the end of the month. The season will run from mid-March through late April.

The youth basketball program for ages 9-12 continues through the second week of March; registration for this year's second session of gymnastics for ages 3 and up will begin in early March.

PARKS UPDATE

In addition to routine duties, the parks crew has rebuilt/reinforced the wooden fishing dock at the River Center ponds and recently cleaned the geothermal fountain drainage systems at the overlook parking lot.

The crew has also been working to keep the skate pond open, but it is likely that the pond will be closed for the season before the end of the month as a result of higher temperatures and deteriorating ice conditions over the past few weeks.

CAPITAL IMPROVEMENT PROJECTS UPDATE

RESERVOIR HILL THINNING PROJECT: Due to inadequate snow coverage and soft soil conditions, this project has been postponed until spring. If feasible, the project will begin in April and concluded before the annual Folk and Bluegrass Festival. If the ground is too soft in April, the project will have to wait until late fall.

RIVERWALK REPAVING PROJECT: The portion of the riverwalk behind the River Center is tentatively slated for repaving this spring. Once all of the details have been finalized, an RFP will be issued and, if bids fit the budgeted amount for the project, the intent will be to have the project begin in late April or early May.

Town of Pagosa Springs Parks and Recreation Commission
Minutes from Wednesday, January 14, 2015

The chair, Mike Musgrove, called the meeting of the Town of Pagosa Springs Parks and Recreation Commission to order at 5:30p.m. The following were present:

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

Staff: Tom Carosello, and Jim Miller

Announcements: Commissioner John Perea announced that after 23 years on the parks and Recreation Commission, he had decided to step down. He mentioned that he had in that time missed only two meetings and been late once, and that his focus had always been on the welfare of the youth of the community. The other Commissioners were unanimous in their thanks for Mr. Perea's service.

The minutes of the November 12, 2014 Parks and Recreation Commission meeting were reviewed. A motion to approve the minutes from Commr. Perea received a second from Commr. Miller. It passed unanimously.

Department Head Reports

Tom Carosello reported that youth basketball in the 9-10 and 10-11 age groups was continuing through early March, and that the 2nd week of gymnastics was underway, to conclude at the end of the month. He stated that no adult basketball would occur this year due to lack of gym space. In response to a question from Commissioner Miller, Mr. Carosello said that an open gym night might be established by the players themselves to provide an alternative to the Town-sponsored program. Then Jim Miller gave the Parks report, discussing the successes and challenges of the Friends of the Pavilion, who were operating the skating rink in Town Park.

New Business

Tom Carosello began a discussion with the Commissioners about the necessity of setting meeting times and dates for the New Year. He also stated that Commission officers were due for election. After some discussion a motion was received from Commr. Miller that the Parks and Recreation Commission meetings be held on the second Tuesday of each month at the Pagosa Springs Town Hall at 5:30pm. That motion got a second from Commr. Simpson and passed unanimously. A second motion was received from Commissioner Miller that Mike Musgrove be retained as Chair of the Commission. It received a second from Commr. High and passed unanimously. Then Commr. Musgrove requested that a search for another Commission member be undertaken in order to bring the number of members to seven. Tom Carosello replied that he would begin the process of advertising for letters of interest from the public.

Old Business

Commr Musgrove briefly discussed the news that GOCO had declined to fund the second phase of the skatepark. He stated that the Skaters Coalition would wait until at least the Fall, 2015 grant cycle to re-apply. Commr. High reported that the Energy Impact Assistance Grant that the Geothermal Greenhouse Partnership was seeking was in a very competitive pool, and that the awards would be announced in April.

Other Business

Tom Carosello stated that the school district had requested funds from the Town to help upgrade playground equipment at the Elementary School. He also mentioned a committee the school district had formed to investigate the possible use of the Town's cable tow for a proposed school ski team.

At 6:25p.m. a motion was received from Commissioner Perea that the meeting be adjourned. It received a second from Commissioner High 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 February10, 2015 at the Pagosa Springs Town Hall.

Mike Musgrove, Chair



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL, FEBRUARY 19, 2015

FROM: JAMES DICKHOFF, TOWN PLANNING DIRECTOR

PROJECT: PLANNING DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

HISTORIC PRESERVATION BOARD (HPB) UPDATE

The February 11, 2015 DRAFT meeting minutes are attached for TC's review. Unless signed by the board chair, these minutes are in DRAFT form and have not yet been reviewed and approved by the HPB.

At the February 11, 2015 regular meeting, The HPB:

- ~ Considered a Sign Permit Application for the Lost Cajun Restaurant at 438 Pagosa Street, and determined the applicant should resubmit with colors more consistent with the intent of the historic district design guidelines.
- ~ Approved a Sign Permit Application for the PS FroYo Frozen Yogurt Shop at 459 Lewis Street.
- ~ Approved an Exterior Alteration Certificate for PS FroYo Frozen Yogurt Shop at 459 Lewis Street.
- ~ Considered allowing additional colors within the Historic District and on Locally Listed Landmarks. The HPB determined that the matter needed to be tabled until the next regularly scheduled meeting, on March 10, 2015.
- ~ Considered a recommendation to Town Council for issuing a letter of support for a new scenic and Historic Byway route in Archuleta County, and determined a special meeting should be held to consider the matter further before issuing a letter of support.

The Next HPB meeting is on February 17th noon-1pm and then on March 10, 2015 at 5:15pm in Town Hall.

PLANNING COMMISSION (PC) UPDATE

The February 10, 2015 DRAFT meeting Minutes are attached for TC's review. Unless signed by the board chair, these minutes are in DRAFT form and have not yet been reviewed and approved by the PC.

The February 10, 2015 meeting did not have any decision matters for consideration. The PC moved into a work session following the meeting to discuss Message Center Signs and Cargo Shipping Containers. It was determined that an additional work session should be held for each matter. On March 2nd, the PC will hold a work session beginning at 3pm in Town Hall to discuss Cargo Shipping Containers.

The Next Regularly Scheduled Planning Commission meeting on February 24, 2015 at 5:30pm has been cancelled.

PIEDRA STREET 2015 REPAVING PROJECT

Final plans are being developed with advertisement for construction bids expected in March. Construction will be coordinated during school summer break.

6TH STREET PEDESTRIAN BRIDGE

The Bridge is expected to be open to the public by March 30th. A ribbon cutting event will be coordinated.

WALL MART

Staff has recently reached out to WalMart for an update on anticipated opening date. They are currently anticipating opening on April 22, 2015. The Town Planning Department is working with WM for compliance with the Town's LUDC exterior lighting regulations. Staff continues to work with Walmart to remedy line of sight issues from an existing residence to the south loading dock, thus far WM is in agreement to participate in the proposed solution.



- I. **Call to Order / Roll Call:** Chair Brad Ash called the meeting to order at 5:20 pm. Present were Board Members Brad Ash, Peggy Bergon, Chrissy Karas, Judy James, Andre Redstone and Planning Director James Dickhoff.
- II. **Announcements: None**
- I. **Call to Order / Roll Call**
- II. **Announcements:**
- III. **Approval of Minutes:**
Approval of January 14, 2015 HPB Regular Meeting Minutes. HPB member Bergon motioned to approve the minutes, with James seconding the motion, which was unanimously approved.
- IV. **Public Comment:**
- V. **Sign Review:**
 - A. *New Sign Proposal at 438 Pagosa Street, The Lost Cajun Restaurant.*
Staff presented the proposed sign with the Applicant providing additional details. In general, the HPB discussed the sign colors as they relate to the HPB design criteria. The HPB found the sign colors exceeded the allowable up to 3 colors and that the colors are not consistent with the approved color palette or in line with a muted color scheme, as is intended in the design criteria. The HPB provide some options for the applicant and suggested a temporary sign could be used while the applicant develops another proposal to consider. A few public comments were taken, generally supporting the business and their proposed sign. HPB member Redstone motioned to deny the application directing the applicant to resubmit the sign application with a muted color scheme, Chrissy Karas seconded and the motion was unanimously approved.
 - B. *New Sign Proposal for 459 Lewis Street, The Froyo Yogurt Shoppe.*
Staff presented the application with the applicant providing additional information. After some discussion, Redstone motioned to approve the proposed FroYo Projecting sign and text on the proposed awnings as submitted, finding the signs were in substantial compliance with the Historic District Design Criteria. James Seconded the motion which was unanimously approved.
- VI. **Landmark Designations:**
- VII. **Alteration Certificate Review:**
 - A. *Alteration Certificate Application for 459 Lewis Street, The Froyo Yogurt Shoppe.*
Staff presented the application with the applicant, Ryan Searle, providing additional information. The applicant is proposing alterations that include: Removing landscaping along the street side and installing a paver stone patio for seating, installing two new awnings, installing new doors and windows along the south side of the structure, installing a roof vent and replacing the hand rail on the access

ramp. The applicant also presented his wish to also install exterior lighting. The HPB discussed the application with a few questions for the applicant. Redstone motioned to Approve the Alteration Certificate application as submitted, including the exterior lighting fixtures proposed, finding the application to be in substantial compliance with the Historic District Design Guidelines. Chrissy Karas seconded the motion, which was unanimously approved.

VIII. Tax Credit Review:

IX. Project Review:

A. Historic Preservation Month Theme, Activities and Ideas.

Staff reviewed a template with dates and details needing to be added. Karas and Redstone volunteered to work with the Liberty Theater for movie showings. Brag Ash volunteered to check on the poster contest with the school and to coordinate with Riff raff for holding an awards ceremony for Riff Raff and the Devore house 2014 alterations. Staff will reach out to Patrick at the state to coordinate a public presentation. Redstone volunteered to contact KWUF radio for an opportunity to help promote historic preservation month. Judy James offered to look into conducting a historic district walking tour.

B. Public Presentation Forum.

Staff will coordinate this effort with State staff members. The HPB decided on the Theme "Benefits of Historic Preservation and Heritage Tourism.

C. Alteration Certificate Recognition Awards.

Ash will coordinate a date with Jason Cox. Brad will work with Margaret for the actual awards.

D. Water Treatment Plant Restoration Project.

Staff recommended finding a professional to conduct the survey and develop a plan so that we can submit a April 2015 construction grant application.

E. Mary Fisher Statue and Interpretive Project.

Staff mentioned that there is no grant funding available for statues. Local fund raising will be necessary. Ash stated that the Parks and Recreation Department should also be partners on this project. Staff will look in this suggestion.

X. Decision Items:

A. Discussion and Possible Decision on Allowable Exterior Paint Colors within the Historic District and for Locally Listed Landmarks.

The HPB briefly discussed this matter and decided to table the discussion and possible decision until the March 11, 2015 HPB meeting.

B. Recommendation for TC to Provide Letter of Support for a New Scenic and Historic Byway route in Archuleta County.



Muriel Eason presented a request for a letter of support for the Tracks Across Borders Byway project. The HPB discussed the matter at length with many questions about the project and the coordination with all eligible stakeholders. Redstone motioned to table the discussion until a special meeting on February 17th. Karas seconded the motion which was unanimously approved.

XI. Discussion Items:

XII. Public Comment:

XIII. Reports and Comments:

A. Planning Department.

Staff briefly reviewed the monthly staff report.

B. Historic Preservation Board Discussion and Ideas.

None discussed.

XIV. Adjournment:

By: Brad Ash, Historic Preservation Board Chair



Town of Pagosa Springs
Planning Commission, Board of Adjustments & Design Review Board
Regular Scheduled Meeting Minutes
February 10, 2015

Town Hall, Council Chambers, 551 Hot Springs Boulevard, Pagosa Springs, Colorado 81147

- I. **Call to Order / Roll Call:** Commission Chair Ron Maez called the meeting to order at 5:30 PM. Commissioners Kathie Lattin, Peter Adams, Heidi Martinez were present with Cameron Parker arriving at 5:45pm. Alternate Planning Commissioner Natalie Woodruff was absent. Also present were Planning Director James Dickhoff, Community Members, Linda Erskine, Dwayne Baird, Larry Fisher and James VanLeir.

- II. **Announcements:** None.

- III. **Approval of Minutes:** Approval of Minutes was tabled until the next PC meeting.

- IV. **Public Comment:** None Received.

- V. **Board of Adjustments:** NA.

- VI. **Planning Commission:** NA.

- VII. **Design Review Board:** NA.

- VIII. **Public Comment:** None Received.

- IX. **Reports and Comments:**
 - A. **Town Manager** – None.
 - B. **Planning Department Report** –Planning Department Director Dickhoff reviewed his Department Report.
 - C. **Planning Commission** – None
 - D. **Upcoming Scheduled Town Meetings** are as follows:
 - Next Scheduled PC Meetings:
 - ~ Tuesday, February 24, 2015 @ 5:30pm in Town Hall, Regular Meeting.
 - ~ Tuesday, March 10, 2015 @ 5:30pm in Town Hall, Regular Meeting.
 - Next Regular Scheduled Historic Preservation Board meetings:
 - ~ Wednesday, February 11, 2015 at 5:15pm in Town Hall.
 - ~ Wednesday, March 11, 2015 at 5:15pm in Town Hall.
 - Next Regular Town Council Meetings:
 - ~ Thursday, February 19, 2015 at 5pm in Town Hall.
 - ~ Tuesday, March 3, 2015 at 5pm in Town Hall.
 - Next Regular Parks and Recreation Board Meeting:
 - ~ Tuesday, February 10, 2015 at 5:30 pm in Town Hall.
 - ~ Tuesday, March 10, 2015 at 5:30 pm in Town Hall.

- X. **Adjournment**- Upon motion duly made, the meeting adjourned at 7:20 PM.

Ron Maez, Planning Commission Chair



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL

FEBRUARY 19, 2015

FROM: WILLIAM ROCKENSOCK, CHIEF OF POLICE

PROJECT: POLICE DEPARTMENT REPORT

ACTION: UPDATE

POLICE DEPARTMENT INCIDENT REPORTING

The Pagosa Springs Police Department Statistics for January 2015

Officers responded to 302 calls for service.
Officers responded to 37 agency assist calls for service
Officers completed 50 incident action reports
Officers completed 12 accident investigation reports.

OFFICER TRAINING UPDATE

January 2015

Chief Rockensock attended Colorado Chiefs of Police conference on Marijuana Public health and Safety.

Officer Gholson completed radar certification.

Daily training bulletins are administered to each officer by Lexipol.

The Police Department is hosting a training provided free of charge by Homeland Security in May 2015.

RECRUITING UPDATE

The police department currently has two full time opening(s) for patrol officer. The department recently held first phase of testing for the open positions. Only one remaining candidate was selected to continue to the second phase of testing.

The department has accepted several applications of candidates who were unable to attend the recent testing process. A second testing process will be held in the near future.

CAPITAL IMPROVEMENTS UPDATE

MOBILE RADAR SPEED TRAILER: The police department MRS has been purchased and the department is waiting for its delivery.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL
Feb 19, 2015

FROM: SCOTT FROST SPECIAL PROJECTS MANAGER

PROJECT: SPECIAL PROJECTS DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

LPEA Franchise agreement: we are awaiting a draft of agreement from LPEA to forward to legal counsel for review.

Riverwalk Phase 2: a crack in one section of concrete has been identified as a warranty item and will be repaired when weather permits.

Majestic Drive: The second payment is being processed by Davis Engineering.

Riverwalk Phase 3 The handrail is moving forward, the welding should be complete within the next two weeks, weather permitting.

Piedra Street reconstruction Davis Engineering has been instructed to proceed with final plans for the project with the sidewalk on the Northside of the street. They are preparing cost estimates for both concrete and asphalt sidewalk.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL

FEB. 19, 2015

FROM: CHRIS GALLEGOS, PUBLIC WORKS SUPERINTENDENT

PROJECT: STREETS AND GEOTHERMAL REPORT

ACTION: UPDATE AND DISCUSSION

STREETS DEPARTMENT UPDATE

The streets department has had a few plowing days, replacing faded street signs, straightening signs and reflector poles. We have also filled pot holes, cleaned drainages, worked on the street lights on Lewis Street, and have been working on the parking lot on Reservoir Hill behind the post office. The sweeper has been busy keeping up with street cleaning. The streets crew helped with the sanitation lift station by the visitor center, and did maintenance around the shop.

GEOTHERMAL UPDATE

This month has been good so far, we have had one leak that was on the customer's side. We met with students from Del Norte who are in a STEM (science, technology, engineering, and mathematics) program. We gave them a tour of the geothermal facilities and knowledge of how the geothermal system heats our town businesses and residences.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL

FEBRUARY 19, 2015

FROM: APRIL HESSMAN, CMC, TOWN CLERK

PROJECT: TOWN CLERK DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

CLERK'S OFFICE UPDATE

Staff worked to complete the final approved 2015 budget document with the Town Manager budget message, department goals and accomplishments, and finance spreadsheets. This document has been submitted and accepted by DoLA as is required annually. The completed budget has been uploaded to the Town website for public access. Our auditor, Michael Branch, is working to complete the 2014 audit. An audit presentation by Mr. Branch to the Town Council is forthcoming.

The Town Clerk's Department received 28 applications for the new Human Resources/Records Clerk position. Four were selected for interviews and Kathy Harker was offered the position. She will begin March 2, 2015 and will work closely to fill her current position in the Police Department. The Town Clerk's Department is very excited to have Kathy's expertise in human resources as well as her familiarity with government record keeping. She has been a dedicated employee with the Town since 2008 and has been assisting with several of the Town Clerk's duties including reporting accidents and claims through CIRSA and Pinnacol Insurance, and updating the Town's website. She is going to be a huge asset with updating the personnel handbook and implementing town policy.

Town departments trained February 5th with Sue Holmstead on the new Xpress Billpay online processing program. The Town is now on the same processing application as PAWSD making it more convenient to pay utility bills online. We are still working on the recreation sign up forms, the online business license applications, and lodger's tax forms. The new processor to provide improved services to the town residents and town departments.



AGENDA DOCUMENTATION

REPORT TO COUNCIL:VI

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: TOWN MANAGER'S REPORT

ACTION: UPDATE AND DISCUSSION

Southwest Colorado Transportation Planning Region (TPR) Meetings

The last TPR meeting was held on February 6th with Greg Schulte and Council Member John Egan in attendance. The notable items of interest to the Council were the following items:

- The TPR was contemplating whether to support having the two tribes vote at the State Transportation Advisory Commission (STAC). It is generally believed that the interests of the tribes are most often aligned with the other local southwestern jurisdictions and could be of a benefit to us all. To accomplish this, however, it would take state legislation accomplish it.
- 2 CFR Part 200 was published by the Federal OMB and the main intent was to reduce the amount of time a project could extend out the completion date in order to get reimbursement. There is a general problem of having projects extend out for years and the Federal government not being able to get projects closed and off the books. The main impact for the locals is once a project end date is established, then reimbursement can no longer occur 90 days after that end date. This will trigger a need for local jurisdictions to be more specific and timely in getting projects completed and billed out.
- Two notable projects coming up are, of course, the McCabe Creek Project which will go to advertisement in Sept. 2015 and also there will be a surface treatment project between Bayfield and the bottom of Yellow Jacket all summer of 2015.

Civil Prosecutions

As the Council may recall, due to Ballot Question #2 in April 2014, the jurisdiction for civil prosecutions shifted to the Municipal Courts. In addition, last Fall the Town Council approved an independent contractor agreement, to have Brett Van Winkle serve as the Special Legal Counsel for civil Municipal Court prosecutions. Since then, staff has been working with Brett to go through a back log of potential cases for potential prosecution. We are nearing the point of filing our first summons to initiate our first prosecution. A more complete briefing is scheduled for the mid-month meeting in March.

Security at the School Campuses

Staff has been in contact with representatives of the school district to discuss providing enhanced security for the schools. Last year, the school district engaged in a contract with a group called Rocky Mountain Guardian Angels (RMGA) to provide additional security at schools and hasn't quite worked out according to plan and due to various policy and liability reasons, the Town police officers and County sheriff deputies are not able to provide the staffing the RMGA model. However, we continue to search for another model that might serves everyone's purposes, and remain within the Town's existing policy and liability requirements.



AGENDA DOCUMENTATION

NEW BUSINESS:VII.1

PAGOSA SPRINGS TOWN COUNCIL, FEBRUARY 19, 2015

FROM: JAMES DICKHOFF, TOWN PLANNING DEPARTMENT

PROJECT: RESOLUTION 2015-05, A RESOLUTION OF THE TOWN OF PAGOSA SPRINGS COUNCIL AMENDING THE ADOPTED 2015 TOWN FEE SCHEDULE TO INCLUDE A \$300 APPLICATION FEE FOR PRELIMINARY PLAN EXTENSION APPLICATIONS.

ACTION: DISCUSSION AND POSSIBLE DECISION

PURPOSE / BACKGROUND

On February 3, 2015, the Town Council *“Approved the First Reading of Ordinance 823, an Ordinance of the Town of Pagosa Springs Repealing and Readopting section 2.4.3.C.4.b.(iv)(1) of the Land Use Development Code Establishing A Development Application Procedure for Extending Previously Approved Preliminary Subdivision Plans.”*

If the Second Reading of Ordinance 822 passes on February 19th, staff and the Planning Commission recommends the Town Council approve Resolution 2015-05, adopting a \$300 application fee for Preliminary Plan Extension Applications.

On January 27, 2015, The PC approved a recommendation to town Council to:

*Approve an ordinance revising LUDC section 2.4.3.C.4.b.(iv)(1) to insert the following language:
The applicant shall submit an application for “Extension of Major Subdivision Preliminary Plan” prior to the previous Preliminary Plan Approval date. Such extension application shall be considered by the Town Council.*

AND

Further recommend the Town Council approve a resolution adopting an “Extension of Major Subdivision Preliminary Plan” Application Fee of \$300.

The Planning Department receives annual requests for extensions of previously approved Preliminary Subdivision Plans, however, there is not an actual application process outlined in the LUDC for such a process or fees associated with processing such requests.

ANALYSIS:

There is currently no fee required in submitting a request for Extension of Preliminary Plans. The process of researching the status of the project and preparing documents for Town Councils consideration can take a few hours. A small fee of \$300 will cover staff’s time for processing such extension applications.

ATTACHMENT(S):

~ Resolution 2015-05, *“Amending the Town’s Adopted 2015 Fee Schedule to include a \$300 application Fee for processing requests for Preliminary Plan Extension applications.”*

~ Amended 2015 Fee Schedule.

FISCAL IMPACT

None expected.

RECOMMENDATION

The Planning Commission and Planning Director recommends that Town Council approve Alternative Action #1 below.

- 1) APPROVE Resolution 2015-05, Amending the Town’s Adopted 2015 Fee Schedule to include a \$300 application Fee for processing requests for Preliminary Plan Extension applications.
- 2) Direct staff otherwise.....



TOWN OF PAGOSA SPRINGS, COLORADO

RESOLUTION 2015-05

**A RESOLUTION OF THE TOWN OF PAGOSA SPRINGS COUNCIL
AMENDING THE ADOPTED 2015 FEE SCHEDULE
TO INCLUDE A \$300 APPLICATION FEE FOR
PRELIMINARY PLAN EXTENSION APPLICATIONS**

WHEREAS, the Pagosa Springs Municipal Code establishes rules and regulations for operations of the Town and provides for the establishment of fees for various Town services;

WHEREAS, the Pagosa Springs Council has approved Resolution 2015-02, adopting the 2015 Town fee schedule;

WHEREAS, the Pagosa Springs Council passed Ordinance No. 823 on February 19, 2015, approving a new Land Use Application process for Extension of Previously Approved Preliminary Subdivision Plan;

WHEREAS, the Pagosa Springs Council wishes to amend the adopted fee schedule to include an application fee for Extension of Previously Approved Preliminary Subdivision Plan Applications;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
PAGOSA SPRINGS, COLORADO THAT:**

SECTION 1 – Fee Schedule. The Pagosa Springs Town Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings. The Town Council hereby approves the Amended Fee Schedule for operations of the Town of Pagosa Springs.

SECTION 2 – Severability. If any part or provision of this Resolution is judged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Council's intention that the various provisions hereof are severable.

SECTION 3 – Conflicting Acts. All acts, orders, and resolutions, or parts thereof, of the Council, which are inconsistent or in conflict with this Resolution, are hereby repealed to the extent only of such inconsistency or conflict. The Preliminary Plan Extension Application fee shall become effective on February 19, 2015.

SECTION 4 – Effective Date. This Resolution, shall be effective immediately upon its passage, and shall be recorded in the official records of the Town kept for that purpose and shall be authenticated by the signatures of the Mayor and the Town Clerk. A copy of the Fee Schedules will be available for inspection by the public at Town Hall during normal business hours.

ADOPTED THIS 19th DAY OF FEBRUARY 2015, BY THE TOWN COUNCIL OF THE
TOWN OF PAGOSA SPRINGS, COLORADO, BY A VOTE OF _____ IN FAVOR, _____
AGAINST.

By: _____
Don Volger, Mayor

ATTEST:

April Hessman, Town Clerk

PAGOSA SPRINGS MUNICIPAL CODE PER DIEM AND FEE SCHEDULE

Adopted on January 6, 2015 and Amended on February 19, 2015

Type of Fee	Code Section	Description	Amount	Last Date Adopted
PARK & RECREATION FACILITIES USE FEES				
Application Fee		One change permitted	\$25.00	
Special Event Rental		Rate per park	\$100/day	
Private Party Rental		Rate per park	\$25/day	
Reservoir Hill Meadow Rental	14.2.4	0-50 People	\$150	
		51-100 People	\$200	
		101-150 People	\$250	
		*151+ People	\$500	
		Weddings	\$500	
Damage Deposit	14.2.4	0-50 People	\$100	
		51-100 People	\$200	
		101-150 People	\$300	
		*151+ People	\$500	
		Weddings on Reservoir Hill	\$500	
<i>*151+ People may require a special use permit and negotiated fees w/ deposit</i>				
Other Rentals and Fees				
Cleaning			\$30/cleaning	
Trash Pick up and Removal			\$30/hour	
Rut Removal		Ruts left in park by cars, etc.	\$75/hour	
General Labor			\$25/hour	
Safety Vest			\$3 each	
Safety Cones			\$2.50 each	
Free Standing Traffic Signs			\$16 each	
Barricade Delivery and Pick up			\$50/day	
Field Prep and Line			\$50	
Electricity Usage Fee		All Parks	\$35/day	
Late Tear Down Fee		Equipment left in park 24 hrs after tear down date	\$100/day	
<i>All fees are forfeited if a cancellation occurs with less than 2 weeks notice. Application fees are non-refundable.</i>				
GEO THERMAL SYSTEM FEES				
System Use Rates	19.1.3		Flat Rate based on average use	2014
LAND USE FEES				
Road Cut Permit	6.6.3	Asphalt	\$50 + \$1,000 Bond	
		Gravel	\$50 + \$500 Bond	
		Road Bore	\$25 + \$500 Bond	
Land Use Decision Appeal	2.4.13	X	\$100	
Planned Development (PD) Overlay Application	2.4.2(D)	PD Overlay	\$1,000	
Zoning Map Amendments	2.4.2	General Re-Zoning	\$250	
Minor Subdivision/Plat Amendment	2.4.3(B)	X	\$500	
Major Subdivision, Sketch Plan	2.4.3(C)(3)	Sketch Plan	\$500	
Major Subdivision, Preliminary Plan	2.4.3(C)(4)	Preliminary Plan	\$500 + \$100 per lot/unit	
Major Subdivision Sketch/Preliminary Plan Extension		Extension	\$300	
Major Subdivision, Final Plan	2.4.3(C)(6)	Final Plan	\$500 + \$100 per lot/unit	
Vacation of Right of Way or Public Easements	2.4.3(D)	X	\$250	
Condominium Subdivision/Conversion	2.4.3E	X	\$500	
Conditional Use Permits	2.4.4	X	\$100	
Large Retail Development Permit	2.4.5	X	\$500	
Design Review (Administrative)	2.4.6	X	\$50	
Design Review (Major)	2.4.6	X	\$200	
Redevelopment Permit	2.4.7	X	\$500	
Flood Plain Development Permit	2.4.8	X	n/a	
Sign Permit Application/Comp Sign Program	2.4.9	X	\$25 per sign/\$75 CSP	
Temporary Sign Permit Application	2.4.9	X	\$10 + \$50 deposit	
Temporary Use Permit Application	2.1.10	X	\$50 per month base plus 5 cents per sq ft of floor area	
Variance	2.4.11	Any Type	\$300	
Minor Modification	2.4.12	X	\$25	
Comprehensive Plan Amendments	2.4.15	X	\$100	
Open Space/Land Dedication In-Lieu Fee		X	n/a	
SIGN PERMIT FEES				
Permanent Sign Permit Application	2.4.9		\$25	
Sign Permit Alteration	2.4.9		\$25	
Temporary Sign Permit Application	2.4.9		\$10 + \$50 deposit	
Hot Springs Blvd Banner Application	2.4.9	4'x20' / 4'x40'	\$50/\$100	
Sign Permit With Comprehensive Sign Program	2.4.9		\$75	

Type of Fee	Code Section	Description	Amount	
IMPACT FEES				
Road Impact Fee	8.1	Lodging	\$1,887 per 1,000 sq ft	2013
		Retail	\$4,336 per 1,000 sq ft	
		Office/Industrial	\$1,694 per 1,000 sq ft	
		Single-Family Res	\$975 per dwelling unit	
		Multi-Family Res	\$702 per dwelling unit	
Regional Public Building Impact Fee	8.1	All Residential	\$127 per dwelling unit	
		Non Residential	\$159 per 1,000 sq ft	
Regional Recreation Facilities Impact Fee	8.1	All Residential	\$863 per dwelling unit	
Park Impact Fee	8.1	All Residential	\$368 per dwelling unit	
Trail Impact Fee	8.1	All Residential	\$652 per dwelling unit	
Emergency Service Provider Impact Fee	8.1	All Residential	\$574 per dwelling unit	
		Non-Residential	\$741 per 1,000 sq ft	
Water Storage Impact Fee	8.1	All Residential	n/a	
		Non Residential	n/a	
School Fees in Lieu of Public Land Dedication	8.12	All Residential	\$283 per dwelling unit	
ANNEXATION FEES				
Annexation Administration Fees	11.1	0-5 Acres	\$250	
	11.1	5-30 Acres	\$500	
	11.1	30 or more Acres	\$1,000	
BUSINESS REGULATION FEES				
Business License Application Fee	6.1.9(1)		Waived (\$25)	
Class 1 Business License Fee	6.1.9(1)	0-10 Employees	\$25	2006
Class 2 Business License Fee	6.1.9(1)	11-20 Employees	\$40	
Class 3 Business License Fee	6.1.9(1)	21+ Employees	\$50	
Class 4 Business License Fee	6.1.9(1)	Seasonal Business	\$20	
Pawnbroker License Fee	6.2.4		\$100	
Special Event Vendor License Fee	6.3.3		\$25	
Class A Contractor's License Fee	6.4.6(2)	Construction, alteration, or repair of any type of permitted structure	\$150	
Class B Contractor's License Fee	6.4.6(2)	Construction, alteration, or repair of single or two-family residences of 2 stories or less	\$100	
Class C Contractor's License Fee	6.4.6(2)	Contracting for labor or for labor and material involving specialized trades	\$50	
BUILDING DEPARTMENT FEES				
Building Permit and Inspection Fees	108.2 International Building Code 2006	All construction requiring permit	Based on project valuation & table 1-A Uniform Building Code 1997	
Commercial Plan Review Fee	108.2 International Building Code 2006	All projects submitted under the IBC 2006	50% of building permit fee per table 1-A UBC 1997	
Mechanical Permit and Inspection Fees	106.5.2 International Mechanical Code 2006	Mechanical work requiring permit not included in a building permit	Table 1-A Uniform Mechanical Code 1997	
CLERK FEES				
Photocopies	C.R.S. 24-72-205	Standard page	0.25	2014
Photocopies - not standard size	C.R.S. 24-72-205	not standard size	actual cost	
Fax Copies	C.R.S. 24-72-205		1.25	
Duplication of Audio Tapes	C.R.S. 24-72-205		\$30	
Verbatim Transcripts of Proceedings	C.R.S. 24-72-205			
Non-refundable Deposit (payable in advance)			\$125	
Transcription			actual cost	
Certification			\$40	
Documentation Certification	C.R.S. 24-72-205		\$2	
Document Notarization	C.R.S. 24-72-205		\$2	
Research and Retrieval, Manipulation of Data, Creation of a Privilege Log	C.R.S. 24-72-205	Time for actual time spent, in excess of one hour	\$30	
Transmission Costs	C.R.S. 24-72-205		actual cost	
Cemetery Plot		Hilltop Cemetery	\$200	
Non-Sufficient Funds/Check Return			\$0	
Credit Card Transaction Fee			\$0	

Type of Fee	Code Section	Description	Amount	
LIQUOR PERMIT FEES				
			Local Fee	2010
Application for New License	C.R.S. 12-47-505		\$775	
Application for New License w/ Concurrent Review	C.R.S. 12-47-505		\$800	
Application for Transfer of Ownership	C.R.S. 12-47-505		\$650	
Annual Fee for License Type				
Art License	C.R.S. 12-47-505		\$41.25	2010
Beer & Wine License	C.R.S. 12-47-505		\$48.75	
Brew-Pub License	C.R.S. 12-47-505		\$75.00	
Hotel & Restaurant License	C.R.S. 12-47-505		\$75.00	
Liquor Licensed Drugstore	C.R.S. 12-47-505		\$22.50	
Optional Premise License	C.R.S. 12-47-505		\$75.00	
Resort Complex License	C.R.S. 12-47-505		\$75.00	
Retail Liquor Store License	C.R.S. 12-47-505		\$22.50	
Tavern License	C.R.S. 12-47-505		\$75.00	
Related Fees and Permits				
Annual Renewal Application	C.R.S. 12-47-505		\$75.00	2010
Art Gallery Application	C.R.S. 12-47-505		\$100.00	
Art Gallery Permit	C.R.S. 12-47-505		\$3.75	
Bed & Breakfast Permit	C.R.S. 12-47-505		\$25.00	
Change of Location Fee	C.R.S. 12-47-505		\$750.00	
Corporate/LLC Change	C.R.S. 12-47-505	Per person	\$100.00	
Hotel/Tavern Manager's Registration	C.R.S. 12-47-505		\$75.00	
Late Renewal Application Fee	C.R.S. 12-47-505		\$500.00	
Mini Bar Permit w/ Hotel/Restaurant License	C.R.S. 12-47-505		\$325.00	
Special Events Permit	C.R.S. 12-47-505	Per event	\$100.00	
Temporary Permit	C.R.S. 12-47-505	Good for 90 days	\$100.00	
Retail 3.2% Beer Off Premises	C.R.S. 12-47-505		\$3.75	
POLICE DEPARTMENT FEES				
Vehicle Identification Number Verification	Resolution 2009-03		\$10	
Fingerprinting	Resolution 2009-03		\$5/card	
Accident Reports	Resolution 2009-03	Up to 5 pages	\$2.50	
		\$ 25 per page over 5		
Official Action/Criminal Justice Reports	Resolution 2009-03	Up to 5 pages	\$5	
		\$ 25 per page over 5		
Digital Recordings			\$15/CD	
Sex Offender Registration (Initial)	15.7.6	Initial	\$25	Res 2011-07
Sex Offender Re-Registration	15.7.6	Annually or Quarterly	\$20	Res 2011-07
MUNICIPAL COURT FEES				
Plaintiff, Petitioner, Administrative Hearings	Judicial Order 2014-1		\$179.00	
Intervenor	Judicial Order 2014-1	adds new party	\$178.00	
Defendant, Respondent	Judicial Order 2014-1	Answers only	\$126.00	
Third Party Plaintiff	Judicial Order 2014-1		\$178.00	
Defendant, Respondent Filing a Cross or Counter Claim or both and an Answer Fee Previously Paid	Judicial Order 2014-1		\$178.00	
Defendant Filing an answer and a Cross or Counter Claim or both	Judicial Order 2014-1		\$301.00	
Defendant Filing an Answer and Also Filing Third Party Complaint but not Filing Cross or Counter Claim	Judicial Order 2014-1		\$301.00	
Defendant Filing an answer and a Cross or Counter Claim and a Third Party Complaint	Judicial Order 2014-1		\$479.00	
Rule 69 Docket Fee; Judgment Creditor	Judicial Order 2014-1		\$56.00	
Foreign Judgment	Judicial Order 2014-1		\$133.00	
Defendant's Motion to Dismiss for Failure to File Complaint	Judicial Order 2014-1		\$44.00	
Appellant	Judicial Order 2014-1		\$130.00	
Appellee			\$126.00	
Appeal from County or Municipal Court of Record	Judicial Order 2014-1		\$56.00	
Petition to Seal Criminal Record	Judicial Order 2014-1		\$179.00	
Petition to Seal Criminal Conviction	Judicial Order 2014-1		\$179.00	
Jury Demand Fee	Judicial Order 2014-1		\$152.00	

Type of Fee	Code Section	Description	Amount
Additional Fee Against Judgment Debtors **Over \$5,000, not more than \$10,000 **Over \$10,000, not more than \$20,000 **Over \$20,000, not more than \$30,000 **Over \$30,000, not more than \$50,000 **Over \$50,000	Judicial Order 2014-1		\$8.00 \$24.00 \$40.00 \$72.00 \$72.00 + \$1.00 for each \$1,000 over \$50,000
Court Costs	Judicial Order 2014-2		\$35.00
Probation Fee	Judicial Order 2014-2		\$85.00
Community Service Fee	Judicial Order 2014-2		\$50.00
Drug Testing Fee	Judicial Order 2014-2		\$25.00 per test
Warrant Fee	Judicial Order 2014-2		\$50.00
Financial Affidavit Fee	Judicial Order 2014-2		\$40.00
Jury Fee for Criminal Matters	Judicial Order 2014-2		\$90.00
Juror Fee	Judicial Order 2014-2		\$15.00
Witness Fee	Judicial Order 2014-2		\$5.00
Mileage Rate	Judicial Order 2014-2		\$0.56
Issuing and Docketing an Execution	Judicial Order 2014-2		\$40.00
Certificate of Dismissal or No Suit Pending	Judicial Order 2014-2		\$10.00
Certificate of Satisfaction of Judgment	Judicial Order 2014-2		\$10.00
Certifying a Copy of any Record, Proceeding, or Paper on File	Judicial Order 2014-2 Judicial Order 2014-2		\$10.00
Preparing and Issuing Transcript of Judgment	Judicial Order 2014-2		\$20.00
Certificate of Exemplification of any Record, Proceeding, or Paper on File	Judicial Order 2014-2 Judicial Order 2014-2		\$10.00
Writ of Garnishment	Judicial Order 2014-2		\$40.00
Writ of Attachment	Judicial Order 2014-2		\$60.00
Returned Check 'Insufficient Funds'	Judicial Order 2014-2		\$40.00
Transcription Deposit	Judicial Order 2014-2		\$25.00
Transcription Fee	Judicial Order 2014-2		\$2.35 per page
Jail Costs	Judicial Order 2014-2		\$55.00 per day
Copy Fee	Judicial Order 2014-2 Judicial Order 2014-2	Single sided Double sided	\$.50 per page \$1.00 per page
Fax Fee	Judicial Order 2014-2		\$.50 per page
Scanning Fee	Judicial Order 2014-2		\$.50 per page
Forms	Judicial Order 2014-2 Judicial Order 2014-2	Single sided Double sided	\$.50 per page \$1.00 per page
CD Transcript Duplication	Judicial Order 2014-2		\$35.00
Court-Sponsored Drug & Alcohol Education	Judicial Order 2014-2		\$80.00 per 8 hour session
ROSS ARAGON COMMUNITY CENTER FEES			
Room Rental Fees			
Multi-Purpose Room		Capacity	
	Non-Profit/Govt. Private	450 (300 chairs) 450 (300 chairs)	\$50/hr \$500/day flat \$60/hr \$600/day flat
Lobby (included in Multi-purpose room rental)	Non-Profit/Govt. Private	50 50	\$5 \$8
	Non-Profit/Govt. Private	80 80	\$20 \$25
South Conference Room	Non-Profit/Govt. Private	65 65	\$15 \$20
	Non-Profit/Govt. Private	20 20	\$6 \$8
East Conference Room	Non-Profit/Govt. Private	40 40	\$10 \$23
	Non-Profit/Govt. Private	72 72	\$25 \$30
North Conference Room	Non-Profit/Govt. Private	10 10	\$13 Free with MPR Rental

Type of Fee	Code Section	Description	Amount	
Other Fees				
Set-Up Multi-purpose Room			\$150	
Set-Up Other Rooms			\$25	
Take-Down Multi-purpose Room			\$150	
Take-Down Other Rooms			\$25	
Clean-Up Multi-purpose Room			\$300	
Clean-Up Additional Rooms			\$15/room	
Clean-Up South Conference Room			\$25	
Clean-Up West Conference Room				
Clean-Up East Conference Room			\$25	
Clean-Up East Tile Room			\$25	
Clean-Up North Conference Room			\$50	
Clean-Up Entire Building			\$400	
Refundable Damage Deposit				
Multi-Purpose Room			\$1,000	
All Other Rooms			\$100	
Audio, Visual, Telecommunications				
Overhead Projector		5,000 Lumens-Ceiling Mount	\$50	
Projector Screen		Extra Large - Wall Mount	\$15	
PA System		w/ hand held & lapel wireless	\$45	
Projector and Screen			\$50	
TV/VCR/DVD/Stand			\$10	
Meeting Accessories				
Easel			\$5	
Speaker Telephone			\$5	
Décor, Props and Accessories				
Tinsel Chandelier		8 available	\$15 each	
Sequin Chandelier		4 available	\$15 each	
Ceiling Canopy		Wine or silver	\$200	
Mirror Ball and Lights			\$30	
DJ lighting		stands w/4 colored or white light	\$25	
Lattice		White 4'x7'	\$2 each	
Table Number Holders			\$.25 each	
Crowd control stanchion poles		black	\$3 each	
Candle Holder -glass- square cube			\$1.50 each	
Candle Holder- glass votive			\$1.25 each	
Candle Holder - crystal- round			\$1.25 each	
Mirrors - Square		square 1'x1'	\$1.50 each	
Wood Blocks		Black 4"	\$.25 each	
Wood Blocks		Black 6"	\$.25 each	
Wood Blocks		Black 8"	\$.25 each	
Beverage and Food				
Beverage Dispenser -Glass- w/spout		2 gallon	\$10	
Beverage Dispenser- Plastic- w/spout		3 gallon	\$5	
Beverage Holder- w/rollers		110 can capacity	\$5	
Beverage Tub		Hammered Silver -6"x9" Oval	\$2	
Ice Chest		Large 110 can capacity	\$3	
Ice Chest		Small 12 can capacity	\$2	
Chafing Dish - Stainless Steel		Round 6 quart	\$5	
Chafing Dish- Stainless Steel		Rectangle 8 quart	\$10	
Chafin Fuel Sterno			\$3	
Coffee Pot		12 cup capacity	\$5	
Coffee Urn		60 cup capacity	\$10	
Portable Bar			\$30	
Linen Options				
Banquet Tablecloths			\$12	
Round Tablecloths		120"	\$15	
Rectangle Tablecloths			\$4	
Overlays			\$4	
Runners			\$2	
Chair Covers			\$2	
Chair Sashes			\$1	
Tables and Chairs				
Round-Folding Leg- Plastic		Seats 8-10	\$5	
Rectangle-Folding Leg-Plastic		Seats 6-8	\$5	
Banquet Tables			\$5	
High Top Bar Tables			\$5	
Cushioned Folding Chairs		Black w/ black vinyl seat	\$1	
Bar Stools		7 available	\$2	
Bench w/Back		Wood, brown	\$5	

Type of Fee	Code Section	Description	Amount	
Stage				
Stage section		4'x8'	\$20	
Full stage package with 2 sets of stairs		288 square foot	\$150	
Dance Floor				
Full Dance Floor		80 sections 720 square foot	\$150	
Dance Floor Sections		3'x3'	\$2	

PAGOSA SPRINGS SANITATION DISTRICT FEE SCHEDULE

Type of Fee	Code Section	Description	Amount	Last Date Adopted
SANITATION DISTRICT FEES				
Sewer Fees	Resolution 2010-02	Monthly	\$ 37.50 per EU	2010
Delinquency Charges	Resolution 2010-02	Monthly	\$15 or 5% per month	2010
Interest Annual Percentage Rate	Resolution 2010-02	Monthly	18%	2010
Plant Investment Fee	Resolution 2010-02	Per EU	\$4,400	2010
Connection Materials Fee			\$100/residential, others at actual cost	
Non-Sufficient Funds/Check Return			\$0	
Credit Card Transaction Fee			\$0	



AGENDA DOCUMENTATION

NEW BUSINESS:VII.2

PAGOSA SPRINGS TOWN COUNCIL

FEBRUARY 19, 2014

FROM: GREGORY J. SCHULTE, TOWN MANAGER

AND

JENNIE GREEN, TOWN TOURISM DIRECTOR

PROJECT: APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) REGARDING TOWN AND COUNTY LODGERS TAX.

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

Both the Town and County receive Lodgers Tax and in late summer and early fall of 2014, there were discussions about joining efforts for promotion of tourism. The idea was to join funding efforts, but to also invite the County to be part of the governance that has overseen the tourism promotional efforts for our community.

The proposed MOU outlines the new structure to oversee the tourism promotional efforts and details the transfer of Lodgers Tax funding from the County to the Town for the identified joint efforts. The MOU also specifies the safeguards and reporting requirements that is meant to ensure the County's Lodgers Tax is spent in a productive way. The measures include:

- The County and Town will approve an annual budget for the tourism entity, prior to the end of each fiscal year for the following fiscal year.
- The tourism entity will provide written tourism status reports to the County and Town monthly, with verbal presentations provided at the desired frequency of each entity. Reports will be provided to other entities as requested and directed by the Town and County.
- The tourism entity shall comply with the Town's procurement and administrative policies currently in effect and as they may be amended from time to time.
- The staff shall be Town employees and will report to the tourism entity board and be supervised by the Town Manager.
- The Tourism Board shall appoint subcommittees, as needed, to provide necessary focus to all areas that tourism impacts in the community.
- County agrees to remit to Town, on a quarterly basis, the County's Lodging Tax within thirty (30) days of receipt from the State of Colorado.

In their January formation meeting, the Board of County Commissioners designated Commissioner Steve Wadley as the County representative to the tourism entity.

FISCAL IMPACT

The Town is projected to receive approximately \$540,000 in Lodgers Tax and the County is estimated to receive about \$85,000 in Lodgers Tax for 2015.

TOWN TOURISM COMMITTEE (TTC) ACTION

The TTC is supportive this initiative to combine efforts and funding for the promotion of tourism, as is the Pagosa Springs Lodgers Association.

RECOMMENDATION

Possible actions by the Town Council include:

- 1) "APPROVE THE A MEMORANDUM OF UNDERSTANDING BETWEEN ARCHULETA COUNTY AND THE TOWN OF PAGOSA SPRINGS REGARDING THE ADMINISTRATION OF LODGING TAX FUNDING ."
- 2) "DENY THE A MEMORANDUM OF UNDERSTANDING BETWEEN ARCHULETA COUNTY AND THE TOWN OF PAGOSA SPRINGS REGARDING THE ADMINISTRATION OF LODGING TAX FUNDING .".
- 3) DIRECT STAFF.

**A MEMORANDUM OF UNDERSTANDING BETWEEN
ARCHULETA COUNTY AND THE TOWN OF PAGOSA SPRINGS
REGARDING THE ADMINISTRATION OF LODGING TAX FUNDING IN A
COOPERATIVE EFFORT TO PROMOTE PAGOSA SPRINGS AS A
TOURISM DESTINATION.**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") between Archuleta County (hereinafter "County") and the Town of Pagosa Springs, Colorado (hereinafter "Town") is entered into as of the date set forth below. The Town and County are hereinafter referred to individually as a "Party" and collectively as the "Parties."

WHEREAS, the Town and County each collect a tax on vacation lodging within their respective jurisdictions (each, the "Lodging Tax")

WHEREAS, the Parties agree to fund the Pagosa Springs Area Tourism Board (hereinafter "Tourism Board") through Lodging Tax collections for the purpose of promoting Pagosa Springs and Archuleta County as a tourism destination.

WHEREAS, the County and Town have determined that tourism is an integral part of the local economy and fully support the marketing of Pagosa Springs as a tourism destination.

WHEREAS, the County and Town have each budgeted their respective Lodging Tax collections to support the efforts of tourism promotion in accordance with existing ballot language.

WHEREAS, the County and Town agree that combining funding and marketing efforts in a collaborative manner will better serve the community.

WHEREAS, the County and Town will designate one individual from each entity to serve on the Pagosa Springs Area Tourism Board.

NOW, THEREFORE, the County and Town agree as follows:

1. The Tourism Board will consist of nine (9) Board members including one member of the County Commissioners or other individual appointed by the County and the following members appointed by the Town:
 - a. 1 County Commissioner (or an appointee of the Commissioners)
 - b. 1 Town Council Member (or an appointee of the Council)
 - c. 1 Lodging Association Member
 - d. 1 Chamber of Commerce Member
 - e. 1 Board of Realtors Member
 - f. 4 at-large members from the general public of Archuleta County
2. The Tourism Board will be administered as outlined below:
 - a. The County and Town will approve an annual budget for the Tourism Board, prior to the end of each fiscal year for the following fiscal year.
 - b. The Tourism Board will provide written tourism status reports to the County and Town monthly, with verbal presentations provided at the desired frequency of each entity. Reports will be provided to other entities as requested and directed by the Parties.

- c. The Tourism Board shall comply with the Town's procurement and administrative policies currently in effect and as they may be amended from time to time.
- d. The staff shall be Town employees and will report to the Tourism Board and be supervised by the Town Manager.
- e. The Tourism Board shall appoint subcommittees to provide necessary focus to all areas that tourism impacts in the community.

3. County agrees to remit to Town, on a quarterly basis, the County's Lodging Tax within thirty (30) days of receipt from the State of Colorado.

4. This MOU will commence on January 01, 2015 and shall continue until December 31, 2015 and shall automatically extend for additional one year terms unless either party gives written notice to the other party at least ninety (90) days prior to the end of the then-current term.

5. The obligations of the parties are subject to the annual appropriation of fund by their respective governing bodies.

6. No Third Party Beneficiaries. This MOU is not intended to, and will not be construed to, confer a benefit or create any right on a third party, or the power of right to bring an action to enforce any of its terms.

7. This MOU may be amended only by written instrument duly signed and executed by the County and Town.

8. The persons executing this Agreement on behalf of the Parties hereto affirmatively represent that each has the requisite legal authority to enter into this MOU on behalf of their respective Party and to bind their respective Party to the terms and conditions of this Agreement and understand that all Parties are relying upon these representations in entering into the MOU.

9. The provisions of this MOU are severable and the adjudicated invalidity of any provision or portion of this MOU shall not in and of itself affect the validity of any other provision or portion of this MOU, and the remaining provisions of this MOU shall remain in full force and effect. If a Court of competent jurisdiction were to determine that a provision of this MOU is invalid or unenforceable then the Parties agree to promptly use good faith efforts to amend this MOU or reflect the original intent of the parties in accordance with the applicable law. This MOU shall be construed and enforced in accordance with the laws of the United States and the State of Colorado.

(a) This MOU constitutes the entire agreement between the County and Town, and supersedes all prior negotiations, representations or other agreements, whether written or oral.

(b) In the event of a dispute between the parties as to the language of this MOU or the construction or meaning of any term hereof, this MOU will be deemed to have been drafted by the parties in equal parts so that no presumptions or inferences concerning its terms or interpretation may be construed against any party to this MOU.

IN WITNESS WHEREOF, the parties have executed this MOU as of JANUARY 01, 2015.

Board of County Commissioners:	Town of Pagosa Springs:
Date: _____	Date: _____
By: _____	By: _____
Clifford Lucero, Chairman, Board of County Commissioners	Don Volger, Mayor, Town of Pagosa Springs



AGENDA DOCUMENTATION

OLD BUSINESS: VIII.1

PAGOSA SPRINGS TOWN COUNCIL, FEBRUARY 19, 2015

FROM: JAMES DICKHOFF, TOWN PLANNING DEPARTMENT

PROJECT: SECOND READING OF ORDINANCE 822, AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS REPEALING AND READOPTING SECTION 6.7.3.B.2 OF THE LAND USE DEVELOPMENT CODE TO PROVIDE FOR ALLOWANCES FOR METAL SIDING IN COMMERCIAL AND MIXED USE ZONED DISTRICTS

ACTION: DISCUSSION AND POSSIBLE DECISION

PURPOSE / BACKGROUND

On February 2, 2015, The Town Council approved the First Reading of Ordinance No. 822, *"An Ordinance of the Town of Pagosa Springs Repealing and Readopting section 6.7.3.b.2 of the Land Use Development Code to Provide for allowances for Metal Siding Commercial and Mixed Use Zoned Districts"*.

LUDC section 6.7.3.B.2.b, Building Design for Mixed-Use and Commercial (C) districts, **currently prohibits metal-sided buildings**, except for metal wainscoting not exceeding 4 feet in height, and allows for metal roofing. Mixed-Use districts include Mixed-Use Residential (MU-R), Mixed-Use Town Center (MU-TC) and Mixed-Use Corridor (MU-C).

The current prohibition of Metal Siding in all Commercial and Mixed-Use districts has generally been questioned by developers, Town Council, Planning Commission and the Historic Preservation Board. All have generally supported the development of Building Design Criteria instead of a general prohibition.

There has been support to consider allowing the use of Metal siding if the use of other siding materials are also incorporated into the building design. Other materials may include but are not limited to; Wood, Brick, Stone, and Stucco, as currently stated in LUDC section 6.7.3.B.2.a, which also encourages the use of materials derived from the local natural setting such as timbers and native stone.

As previously mentioned, staff believes the current prohibition was adopted as a means to prohibit the construction of a typical industrial looking metal building along the Hwy 160 corridor.

At the January 13, 2015 PC meeting, the PC discussed a number of considerations for revising the LUDC regarding the current prohibition of Metal Siding in Commercial and Mixed-Use districts. The PC confirmed the LUDC contains sufficient Building Design Criteria and directed staff to revise the previous staff recommended LUDC revisions to include:

- 1) The allowance of up to 35% of the façade to be metal siding.
- 2) include the discretion of the Design Review Board for approving architectural Features that may exceed such 35% limitation.

ANALYSIS:

As discussed at the February 2, 2015 TC meeting, staff's original direction was the need to develop specific Building Design Criteria, if the Town was going to allow metal siding in the commercial and mixed-use districts. After further review of the 15 pages of Building Design Criteria in the Town's LUDC, staff has determined and recommended, that there is not a need to develop additional design criteria, thus the proposed language change is a simple allowance for metal siding in commercial and mixed-use districts.

Staff has conducted research into regulations other Colorado Communities have adopted and/or have considered for this matter, as has been discussed and presented to the Planning Commission. Many progressive Colorado mountain/tourism towns have very similar limits or a prohibition on metal sided buildings. Those towns that provided comments, expressed

that Pagosa should not change their current prohibition, but if the town was going to do so, limiting the amount of metal siding was highly recommended.

The current LUDC language provides fairly clear site design requirements for Mixed-Use, Commercial, Multi-Family and Townhome Residential developments. Single family homes development is not addressed in the LUDC, except for the major subdivision requirements addressed in LUDC articles 6 & 7.

The LUDC provides direction on building design considerations in section 6.7.3.B for Mixed Use and Commercial districts, and section 6.8.4. for Multi-Family and Townhome Residential developments.

ATTACHMENT(S):

Ordinance 822, an Ordinance of the Town of Pagosa Springs, Repealing and Readopting section 6.7.3.b.2 of the Land Use Development Code to Provide for allowances for Metal Siding Commercial and Mixed Use Zoned Districts.

FISCAL IMPACT

Recordation of the Ordinance with the Archuleta County Clerk is approximately \$75.

RECOMMENDATION

The Planning Commission and Staff recommends that Town Council approve Alternative Action #1 below.

- 1) APPROVE the Second Reading of Ordinance 822, an Ordinance of the Town of Pagosa Springs Repealing and Readopting section 6.7.3.b.2 of the Land Use Development Code to Provide for allowances for Metal Siding Commercial and Mixed Use Zoned Districts.
- 2) Determine the current LUDC prohibition on Metal siding is appropriate and DENY recommending LUDC revisions to allow metal siding.

TOWN OF PAGOSA SPRINGS, COLORADO

**ORDINANCE NO. 822
(SERIES 2015)**

**AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS
REPEALING AND READOPTING SECTION 6.7.3.B.2 OF
THE LAND USE AND DEVELOPMENT CODE TO
PROVIDE FOR ALLOWANCES FOR METAL SIDING IN
COMMERCIAL AND MIXED USE ZONED DISTRICTS**

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

WHEREAS, pursuant to Section 1.4 A) of the Charter, the Town has all power of local self-government and home rule and all power possible for a municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to Article XX, Section 6 of the Colorado Constitution and Section 11.2 of the Charter the Town has the power to adopt and amend land use and development ordinances; and

WHEREAS, the Town Council has, by Ordinance, adopted the Pagosa Springs Land Use and Development Code, including Article 6 regarding “Development and Design Standards”; and

WHEREAS, the Town Council hereby determines that for the protection of the health, safety and welfare of the Town, it is in the best interest of the residents and visitors of the Town to Repeal and Readopt Section 6.7.3.B.2 of the Land Use and Development Code to establish allowances for the use of metal on the exterior of buildings within the Commercial and Mixed Use Zone Districts.

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

Section 1. Repeal and Re-adoption of Land Use and Development Code Section 6.7.3.B.2, Exterior Building Materials. Land Use and Development Code Section 6.7.3.B.2, Exterior Building Materials is hereby Repealed and Readopted in its entirety as follows:

LUDC Section 6.7.3.B.2. Exterior Building Materials:

- a. Unless otherwise provided in this Land Use Code, a wide range of exterior building siding materials is acceptable, including but not limited to wood, brick, stone, (metal) and stucco.
- b. Materials appearing to derive from local natural settings, such as timber and native stone, are strongly encouraged.
- c. The use of multiple exterior siding materials, siding textures and/or architectural wall features is required.
- d. Metal may be used on the exterior of buildings for architectural features. Metal may be used as an architectural feature covering no more than Thirty Five percent (35%) of any building facade, unless the decision-making body determines that additional metal in the design creates a high-quality or unique building design that meets the purpose and intent of the standards in this section. Metal roofs are allowed and are exempt from the limitation on percentage of metal.
- e. Wainscot treatments are encouraged and should generally be a minimum of three feet in height, not to exceed four feet in height.
- f. Vinyl and Plastic may be considered for sign letters only.

Section 2. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

Section 3. 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 4. 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 ____, 2015.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: _____
Don Volger, Mayor

Attest:

April Hessman, Town Clerk

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

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. 822 (Series 2015) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the ___ day of _____, 2015, 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 \$1,000 or incarceration for 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 _____, 2015, which date was at least ten (10) days prior to the date of Town Council consideration on second reading..

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

April Hessman, Town Clerk

(S E A L)

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 822 (Series 2015) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the ___ day of _____, 2015, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2015.

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

April Hessman, Town Clerk

(S E A L)



AGENDA DOCUMENTATION

OLD BUSINESS:VIII.2

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19, 2015

FROM: JAMES DICKHOFF, TOWN PLANNING DEPARTMENT

PROJECT: SECOND READING OF ORDINANCE 823, AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS REPEALING AND READOPTING SECTION 2.4.3.C.4.b.(iv)(1) OF THE LAND USE AND DEVELOPMENT CODE ESTABLISHING A DEVELOPMENT APPLICATION PROCEDURE FOR EXTENDING PREVIOUSLY APPROVED PRELIMINARY SUBDIVISION PLANS.

ACTION: DISCUSSION AND POSSIBLE DECISION

PURPOSE / BACKGROUND

On February 3, 2015, the Town Council *"Approved the First Reading of Ordinance 823, an Ordinance of the Town of Pagosa Springs Repealing and Readopting section 2.4.3.C.4.b.(iv)(1) of the Land Use Development Code and Establishing A Development Application Procedure for Extending Previously Approved Preliminary Subdivision Plans."*

The Planning Department receives annual requests for extensions of previously approved Preliminary Subdivision Plans, however, there is not an actual application process outlined in the LUDC for such a process or fees associated with processing such requests.

In general, when a developer seeks to create a major subdivision (Dividing a parcel into 3 lots or more), they are required to go through the Major Subdivision Sketch Plan and Preliminary Plan application process. This is a Public Hearing application process heard first by the Planning Commission and then the Town Council for final determination. Many preliminary Plan approvals have conditions of approval that must be satisfied at the time they submit their Final Subdivision Plan/Plat. The Final Subdivision Plan/Plat application process is administratively approved by the Planning Director, ensuring all previous approvals and conditions are satisfied. The Final Plan approval includes an executed Development Improvement Agreement (DIA), requiring the developer to install public and private infrastructure improvements.

Town Councils approval of a Preliminary Plan is valid for one year, unless expressly approved by Town Council prior to expiration. Many if not most Major Subdivision projects can take more than one year after preliminary Plan Approval to create the Final Plans for submission to the Town.

The Current *LUDC section 2.4.3.C.4.b.(iv)(1)* requires:

"The applicant shall submit an application for "Extension of Major Subdivision Preliminary Plan" prior to the previous Preliminary Plan Approval date. Such extension application shall be considered by the Town Council."

Staff is recommending inserting language at the end of the above section requiring an application for "Extension of Major Subdivision Preliminary Plan". Staff also recommends amending the LUDC fee schedule to include an "Extension of Major Subdivision Preliminary Plan" Application Fee of \$300.

ANALYSIS:

Projects can experience many changes over time including; changing project details, changes in property ownership, changes in the actual developer, changes in current property tax balance status, new mortgages and loans, ect... An application process would ensure that any changes are identified and presented for consideration.

All LUDC applications have a checklist to assist the applicant with understanding what is required for a complete application submittal. The relative application submittal requirements for an "Extension of Major Subdivision

Preliminary Plan" Application would include:

- 1) Completed Land use Application (cover sheet) and relative application fees.
- 2) Evidence of good title.
- 3) An Agreement for payment of fees (agreement to reimburse the Town for any expenses associated with processing their application).
- 4) General Development Information (Full explanation of the status of all approval contingencies and anticipated submission of Final Plan).
- 5) Taxes and List of taxing entity's (verification/status of property tax balance).

There is also no current fee charged for extension requests, however, there is a number of town staff hours involved with reviewing the original file, creating staff documentation and presenting the request to the Planning Commission and Town Council for their respective consideration. Staff would like to recommend an addition to the LUDC and adopted Fee Schedule to address these concerns. If Town Council approves the first reading of Ordinance 823, staff will bring a resolution to consider adopting a \$300 application fee for this application process, after the approval at second reading of ordinance 823.

ATTACHMENT(S):

- ~ Ordinance 823.
- ~ Major Subdivision Preliminary Plan Extension Application Checklist.

FISCAL IMPACT

Recordation of the Ordinance with the Archuleta County Clerk is approximately \$75.

RECOMMENDATION

The Planning Commission and Planning Director recommends that Town Council approve Alternative Action #1 below.

- 1) APPROVE the Second Reading of Ordinance 823, an Ordinance of the Town of Pagosa Springs Repealing and Readopting section 2.4.3.C.4.b.(iv)(1) of the Land Use Development Code Establishing A Development Application Procedure for Extending Previously Approved Preliminary Subdivision Plans.
- 2) Determine that the current LUDC non-application extension request process is sufficient and that LUDC revisions are NOT needed.

TOWN OF PAGOSA SPRINGS, COLORADO

**ORDINANCE NO. 823
(SERIES 2015)**

**AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS
REPEALING AND READOPTING
SECTION 2.4.3.C.4.b.(iv)(1) OF THE LAND USE AND
DEVELOPMENT CODE ESTABLISHING A
DEVELOPMENT APPLICATION PROCEDURE FOR
EXTENDING PREVIOUSLY APPROVED PRELIMINARY
SUBDIVISION PLANS**

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

WHEREAS, pursuant to Section 1.4 (A) of the Charter, the Town has all power of local self-government and home rule and all power possible for a municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to Article XX, Section 6 of the Colorado Constitution and Section 11.2 of the Charter the Town has the power to adopt and amend land use and development ordinances; and

WHEREAS, the Town Council has, by Ordinance, adopted the Pagosa Springs Land Use and Development Code, including Article 2 regarding “Administration”; and

WHEREAS, the Town Council hereby determines that for the protection of the health, safety and welfare of the Town, it is in the best interest of the residents and visitors of the Town to Repeal and Readopt Section **2.4.3.C.4.b.(iv)(1)** of the Land Use and Development Code to establish an application procedure for Extending Previously Approved Preliminary Subdivision Plans.

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

Section 1. Repeal and Re-adoption of Land Use and Development Code Section 2.4.3.C.4.b.(iv)(1), Preliminary Plat, Step 10, Lapse of Approval. Land Use and Development Code Section 2.4.3.C.4.b.(iv)(1), Preliminary Plat, Step 10, Lapse of Approval is hereby Repealed and Readopted in its entirety, to now read as follows:

LUDC Section 2.4.3.C.4.b.(iv)(1), Step 10, Lapse of Approval:

(1) Approval or Conditional Approval of a Preliminary Plat Shall be Effective for One Year Unless Expressly Approved by the Town Council Prior to Expiration. The applicant shall submit an application for "Extension of Preliminary Subdivision Plan" prior to the previous Preliminary Plan Approval expiration date. Such extension application shall be considered by the Town Council.

Section 2. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

Section 3. 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 4. 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 ____, 2015.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: _____
Don Volger, Mayor

Attest:

April Hessman, Town Clerk

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

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. 823 (Series 2015) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the ___ day of _____, 2015, 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 \$1,000 or incarceration for 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 _____, 2015, which date was at least ten (10) days prior to the date of Town Council consideration on second reading..

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

April Hessman, Town Clerk

(S E A L)

I, the duly appointed, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 823 (Series 2015) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the ___ day of _____, 2015, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2015.

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

April Hessman, Town Clerk

(S E A L)

Major Subdivision Preliminary Plan Extension Application Checklist and Submittal Requirements

For procedural and administrative related information see the Land Use and Development Code, Section 2.4.3, Subdivision.

Preliminary Plan/Plat (Subdivision): Materials submitted for a preliminary plan extension application shall meet the following requirements and technical standards.

Approximate Timeline: 1-2 months

Submittal Requirements Checklist....

Completed Land Use Application (a)	<input checked="" type="checkbox"/>	Evidence of Good Title/Legal Description (g)	<input checked="" type="checkbox"/>
Land Use Application Fees (e) [\$300]	<input checked="" type="checkbox"/>	Taxes & List of Taxing Entities (h)	<input checked="" type="checkbox"/>
Agreement of Payment of Fees (f)	<input checked="" type="checkbox"/>	General Development Information (m)	<input checked="" type="checkbox"/>

Submittal Requirement Checklist Definitions

(a) **Land Use Application Form:** This form is attached and within Section 7 of the LUDC User's Manual.

(e) **Land Use Application Fees:** All land use application fees are determined by Town Council. A current fee schedule is included in Section 5 of the LUDC user's manual. Fees are non-refundable and shall be cashed by the Town at the time of determination of application completeness, see LUDC, Section 2.3.4.

(f) **Agreement for Payment of Fees:** This form is attached and shall be submitted and signed by the owner of record and accompany all land use application submittals.

(g) **Evidence of Good Title:** A current report providing evidence that the applicant owns the subject property, acceptable examples include: title commitment, title policy, ownership & encumbrance report and mortgage certificate. Reports shall include a legal description of the property and be dated no more than thirty (30) days from the date of application submittal.

(h) **Taxes & List of Taxing Entities:** Certification from the Archuleta County Treasurer's Office that all ad valorem taxes and assessments due and owing have been paid. In addition, the certification shall include a list of all special districts and taxing entities serving the property. Reports shall be dated no more than thirty (30) days from the date of application submittal.

(m) **General Development Information:** Provide a written description explaining the status of all contingencies of the original Preliminary Plan approval and subsequent Extension approvals. The narrative shall also explain the current proposed timeline for submitting the required Final Plan/Plat. Any changes or revisions shall be prepared and submitted with this application.



AGENDA DOCUMENTATION

OLD BUSINESS:VIII.3

PAGOSA SPRINGS TOWN COUNCIL
FEBRUARY 19, 2015

FROM: JAMES DICKHOFF, PLANNING DIRECTOR

PROJECT: ORDINANCE 824, SECOND READING, EXTENDING ORDINANCE 796 MARIJUANA BUSINESS PROHIBITION UNTIL JUNE 1, 2015

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE

On October 01, 2013, Town council approved the second reading of Ordinance 796;

"An Ordinance of the Town of Pagosa Springs amending Chapter 6 of the Pagosa Springs Municipal Code by the addition thereto of a new Article 5 Prohibiting the Sale and Cultivation of Medical Marijuana, including Medical Marijuana centers, Optional Premises Cultivation Operations and Medical Marijuana- Infused Products Manufacturing, and a new article 6 Prohibiting the Operation of Marijuana Clubs, Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities and Retail Marijuana Stores; which Ordinance will automatically expire on March 01, 2015, unless extended or readopted."

At the February 3, 2015 Town Council meeting, the Council approved extending Ordinance 796 until June 1, 2015 in order to give staff time to present options to the Town Council for licensing marijuana businesses in Town limits.

The second reading of Ordinance 824 retains the current prohibition of Ordinance 796 until June 1, 2015.

FISCAL IMPACT

Fiscal Impacts may include:

- ~ An Ordinance recordation fee (approximately \$75).
- ~ Sales Taxes: Currently Archuleta County shares half of all sales taxes collected at the current permitted marijuana businesses within Archuleta County.
- ~ Legal Fees associated with drafting an ordinance or regulations.
- ~ Staff time for research and drafting documentation and regulations.

ATTACHMENTS

- ~ Ordinance 824

ALTERNATE RECOMMENDATIONS

Staff recommends that Town Council provide direction to staff as to how to proceed. Actions to consider may include:

- 1) Approve the second reading of Ordinance 824, extending Ordinance 796 until June 1, 2015
- 2) Direct Staff to an alternative direction

TOWN OF PAGOSA SPRINGS, COLORADO

**ORDINANCE NO. 824
(SERIES 2015)**

**AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS
EXTENDING ORDINANCE NO. 796 (SERIES 2013) AMENDING
CHAPTER 6 OF THE PAGOSA SPRINGS MUNICIPAL CODE BY
THE ADDITION THERETO OF A NEW ARTICLE 5
PROHIBITING THE SALE AND CULTIVATION OF MEDICAL
MARIJUANA, INCLUDING MEDICAL MARIJUANA CENTERS,
OPTIONAL PREMISES CULTIVATION OPERATIONS AND
MEDICAL MARIJUANA-INFUSED PRODUCTS
MANUFACTURING, AND A NEW ARTICLE 6 PROHIBITING
THE OPERATION OF MARIJUANA CLUBS, MARIJUANA
CULTIVATION FACILITIES, MARIJUANA PRODUCT
MANUFACTURING FACILITIES, MARIJUANA TESTING
FACILITIES AND RETAIL MARIJUANA STORES; WHICH
ORDINANCE WILL AUTOMATICALLY EXPIRE ON JUNE 1,
2015, UNLESS EXTENDED OR READOPTED**

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, on November 7, 2000, the voters of the state of Colorado approved Amendment 20 enacted as Article XVIII, Section 14 of the Colorado Constitution (“Amendment 20”), which authorizes, subject to certain limitations, the medical use of marijuana by patients who have been advised by their physician, in a bona fide physician-patient relationship, that the patient might benefit from the medical use of marijuana in connection with the patient’s debilitating medical condition; and

WHEREAS, Amendment 20 further provides such patients and their primary caregivers an affirmative defense, subject to certain limitations, to a state law charge regarding the use and possession of marijuana; and

WHEREAS, the Colorado Legislature has adopted and the Governor has signed into law, legislation that in pertinent part adds a new Article 43.3 to Title 12 of the Colorado Revised Statutes, to be known as the Colorado Medical Marijuana Code (“CMMC”); and

WHEREAS, C.R.S. Section 12-43.3-103(2)(a) of the CMMC, provides that municipalities such as the Town may adopt and enforce an ordinance prohibiting the cultivation or sale of medical marijuana; and

WHEREAS, C.R.S. Section 12-43.3-106 of the CMMC establishes a local option allowing a municipality, by a majority of the members of the governing body, to vote to prohibit the operation of medical marijuana centers, optional premises cultivation operations and medical marijuana-infused product manufacturing “based on local government zoning, health, safety and public welfare laws for the distribution of medical marijuana that are more restrictive than this article”; and

WHEREAS, the Town Council has carefully considered the provisions of the CMMC, Amendment 20, and the impact of medical marijuana centers, optional premises cultivation operations, medical marijuana-infused products manufacturers and the operation of primary care-givers and hereby finds and declares that it is necessary to the preservation and furtherance of the health, safety and welfare of the citizens of the Town to exercise its local land use authority to prohibit the operation of medical marijuana centers, optional premises cultivating operations and medical marijuana-infused products manufacturers and the cultivation and sale of medical marijuana within the Town, except as required by C.R.S. §25-1.5-106; and

WHEREAS, any primary care-giver who sells medical marijuana or charges for providing primary care-giver services is operating a business and shall be required to obtain a business license from the Town; and

WHEREAS, the Town Council wishes to conform the Pagosa Springs Municipal Code to the requirements of Amendment 20 and C.R.S. § 25-1.5-106, as the same may be amended from time to time, regarding patients and primary care-givers, subject to the Town’s business license and zoning regulations; and

WHEREAS, on November 6, 2012, the voters of the state of Colorado approved Amendment 64 enacted as Article XVIII, Section 16 of the Colorado Constitution (“Amendment 64”), which requires the Town to allow the use and possession of one ounce of marijuana or less and cultivation of up to six plants by adults 21 of age and older, and allows the Town to authorize or prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores (collectively, “marijuana establishments”); and

WHEREAS, the Town Council has carefully considered the provisions of Amendment 64 and the impact of the operation of marijuana establishments on the health, safety and welfare of the Town and the inhabitants thereof, and has determined, as an exercise of its local land use authority and authority under Amendment 64, that such marijuana establishments shall not be located within the corporate limits of the Town; and

WHEREAS, Amendment 64 also provides in part that the consumption of marijuana shall not be conducted openly and publicly; and

WHEREAS, the Town Council finds that the personal use of marijuana within the meaning of Amendment 64 does not contemplate the open and public consumption of marijuana for personal use in a place of assembly that allows members, their guests, and any other person to consume marijuana; and

WHEREAS, the Town Council on October 2, 2013 adopted Ordinance No. 796 (Series 2013) amending Chapter 6 of the Pagosa Springs Municipal Code to adopt a new Article 5 titled “Medical Marijuana” and Article 6, titled “Retail Marijuana Establishments”, which automatically expires on March 1, 2015; and

WHEREAS, the Town Council finds and declares that it is necessary to the preservation and furtherance of the health, safety and welfare of the citizens of the Town to prohibit the operation of marijuana establishments within the Town of Pagosa Springs and extend the adoption of Ordinance No. 796 (Series 2013) to June 1, 2015.

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

I. Repeal and Readoption of Section 5.5.7 of the Municipal Code. Section 5.5.7 of the Town of Pagosa Springs Municipal Code is repealed and readopted in its entirety to read as follows:

Section 5.5.7 Automatic Repeal

This Article 5 shall be automatically repealed as of June 1, 2015, unless extended or readopted by subsequent Ordinance validly adopted.

II. Repeal and Readoption of Section 6.6.5 of the Municipal Code. Section 6.6.5 of the Town of Pagosa Springs Municipal Code is hereby repealed and readopted in its entirety to read as follows:

Section 6.6.5 Automatic Repeal

This Article 6 shall be automatically repealed as of June 1, 2015, unless extended or readopted by subsequent Ordinance validly adopted.

III. Amendment of Section VI of Ordinance No. 796 (Series 2013). Section VI of Ordinance No. 796 (Series 2013) is amended to replace the date “March 1, 2015” with “June 1, 2015”.

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

V. 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.

VI. Effective date. This Ordinance shall become effective and be in force immediately upon final passage at second reading.

VII. Termination. This Ordinance shall automatically terminate and the provisions of the Pagosa Springs Municipal Code adopted hereby shall be automatically repealed as of June 1, 2015 unless extended or readopted by subsequent Ordinance validly adopted.

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 3RD DAY OF FEBRUARY, 2015.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: _____
Don Volger, Mayor

Attest:

April Hessman, Town Clerk

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

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. 824 (Series 2015) was

approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the 3rd day of February, 2015, 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 (P.S.M.C.), and specifically Section 1.3.3, which provides for a fine not exceeding \$2,650 or incarceration not to exceed one year, or both, that violation of the ordinance constitutes a public nuisance that may be abated pursuant to Article 2, Chapter 11 of the P.S.M.C., that the Town may seek injunction, abatement, or restitution in case of violation, and any other remedies provided by law or equity, and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2015, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

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

April Hessman, Town Clerk

(S E A L)

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 824 (Series 2015) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the 19th day of February, 2015, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 2015.

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

April Hessman, Town Clerk

(S E A L)



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

**PAGOSA SPRINGS SANITATION GENERAL IMPROVEMENT
DISTRICT MEETING AGENDA
THURSDAY, FEBRUARY 19, 2015
Town Hall Council Chambers
5:00 P.M.**

- I. **CALL MEETING TO ORDER**
- II. **PUBLIC COMMENT** – *Please sign in to make public comment*
- III. **CONSENT AGENDA**
 1. **Approval of February 3, 2015 Meeting Minutes**
 2. **Approval of January Financial Statement and Accompanying Payments**
- IV. **REPORTS TO BOARD**
 1. **Sanitation District Report**
 2. **PAWSD/Pipeline Update Report**
- V. **NEXT BOARD MEETING MARCH 3, 2015 AT 5:00PM**
- VI. **ADJOURNMENT**



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, FEBRUARY 3, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 P.M.**

- I. **CALL MEETING TO ORDER** – Board Chair Volger, Board Member Alley, Board Member Bunning, Board Member Egan, Board Member Lattin, Board Member Patel, Board Member Schanzenbaker
- II. **PUBLIC COMMENT** – None
- III. **CONSENT AGENDA**
 1. **Approval of January 22, 2015 Meeting Minutes** – Board Member Egan moved to approve the consent agenda, Board Member Bunning seconded, unanimously approved.
- IV. **REPORTS TO BOARD**
 1. **PAWSD/Pipeline Update Report** – Hammerlund has shut down the pipeline conveyance project for the winter as of Friday January 30, 2015. They anticipate re-mobilizing sometime in April. At that time pump station work will resume and as soon as Archuleta County allows work in road right of ways, and an agreement between the entities involved in the pipeline project can be reached, installation of the pipeline can continue as well. Hart construction finished the portion of the pipeline that Hammerlund hired them to complete.
- V. **NEXT BOARD MEETING FEBRUARY 19, 2015 AT 5:00PM**
- VI. **ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 5:05pm.



AGENDA DOCUMENTATION

REPORTS TO BOARD:IV.1

PAGOSA SPRINGS SANITATION BOARD OF DIRECTORS

FEBRUARY 19, 2015

FROM: GENE TAUTGES, SANITATION SUPERVISOR

PROJECT: DEPARTMENT HEAD REPORT

ACTION: DISCUSSION

Administrative

Staff anticipates being contacted by CDPHE the week of 2/16/15 regarding the Small Communities Grant Program and will schedule the on site visit with them before the contract negotiations begin.

Business license reviews continue and analysis of flow monitoring data at six different locations within the collection system is being entered onto a spreadsheet to determine where rehabilitation work needs to be done.

Wastewater Treatment Plant

The average daily effluent flow rate for January was .193 million gallons per day with no violations reported for the month.

Collection System

I have been closely watching several of the trouble spots where root intrusion into the sewer pipes has been an issue. There is a spot on Mesa Drive that will require excavation later this summer to resolve.



AGENDA DOCUMENTATION

REPORTS TO BOARD:IV.2

PAGOSA SPRINGS SANITATION BOARD OF DIRECTORS

FEBRUARY 19, 2015

FROM: GENE TAUTGES, SANITATION SUPERVISOR

PROJECT: TOWN/PAWSD PIPELINE UPDATE

ACTION: DISCUSSION

Town/PAWSD Pipeline Update

Invoice # 7051 from Trautner Geotech for \$894.99 was received and approved for geotechnical work on Phase A (PS #1) of the project. A Bartlett & West's invoice # 730049789 was received with the amount of \$96.25 charges to the engineering contract. That brings us to 99.3 % of their contract amount of \$192,500.00 with approximately 8 months of the project remaining. Another amount totaling \$971.00 of additional fees was listed for structural detailing for beams. Staff has requested further explanation of this charge and why it isn't included under the contract before approval.

The emergency power generators for both pump stations will be set in place in the next two weeks as the electricians finish roughing in the required conduits as well as some concrete work.

A construction meeting was held on 2/12/15 to discuss questions and progress relating to the project.

Respectfully submitted,
Gene Tautges, Sanitation Supervisor