

# CITY OF STEAMBOAT SPRINGS

## AGENDA

Regular Meeting NO. 2012-20  
Tuesday, November 13, 2012

5:05 PM

**MEETING LOCATION:** Citizens' Meeting Room, Centennial Hall;  
124 10<sup>th</sup> Street, Steamboat Springs, CO

**MEETING PROCEDURE:** Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items not scheduled on the Agenda will be heard under Public Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard following the presentation by Staff or the Petitioner. Please wait until you are recognized by the Council President.

With the exception of subjects brought up during Public Comment, on which no action will be taken or a decision made, the City Council may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion". It is City Council's goal to adjourn all meetings by 10:00 p.m.

**PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first).**

CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

---

**5:00PM SSRA MEETING.**

---

**ROLL CALL (5:05 PM)**

---

**PROCLAMATIONS**

1. **A proclamation recognizing November 15, 2012 as America Recycles Day in Steamboat Springs, Colorado. (5 minutes) (Yampa Valley Recycles)**

---

**COMMUNITY REPORTS/CITY COUNCIL DISCUSSION TOPIC:**

*There are no items scheduled for this portion of the agenda.*

---

**CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES FIRST READINGS**

ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. ANY MEMBER OF THE COUNCIL OR THE PUBLIC MAY WITHDRAW ANY ITEM FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION AT ANY TIME PRIOR TO APPROVAL.

2. **RESOLUTION: A resolution acknowledging appointments to the Golf Management Committee. (Franklin)**

---

**PUBLIC HEARING: ORDINANCE SECOND READINGS**

THE CITY COUNCIL PRESIDENT OR PRESIDENT PRO-TEM WILL READ EACH ORDINANCE TITLE INTO THE RECORD. PUBLIC COMMENT WILL BE PROVIDED FOR EVERY ORDINANCE.

3. **SECOND READING OF ORDINANCE: An ordinance adopting the budget and setting appropriations for the City of Steamboat Springs, Colorado, for and during the period beginning the first day of January, 2013, and ending the thirty-first day of December, 2013. (Weber)**
4. **SECOND READING OF ORDINANCE: An ordinance approving the Fourth Supplemental Budget Appropriation of 2012. (Weber)**
5. **EMERGENCY ORDINANCE: An emergency ordinance imposing a moratorium on the operation of marijuana establishments pursuant to Amendment 64; and providing an effective date. (Rae)**

---

**PUBLIC COMMENT: PUBLIC COMMENT WILL BE PROVIDED AT 7 P.M., OR AT THE END OF THE MEETING, (WHICHEVER COMES FIRST).**

CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.

---

## PLANNING COMMISSION REPORT

---

### CONSENT CALENDAR - PLANNING COMMISSION REFERRALS:

ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE OR NO COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. A CITY COUNCIL MEMBER MAY REQUEST AN ITEM(S) BE REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION. ALL ORDINANCES APPROVED BY CONSENT SHALL BE READ INTO THE RECORD BY TITLE.

**6. PROJECT: Gondola Square Condominiums (Mountain Waffle) #DP-12-09. (Keenan)**

**PETITION: A conditional use permit for outdoor sales in a mobile vending cart located at Gondola Square Condominiums.**

**LOCATION: 2305 Mt. Werner Circle and 608 Yampa Street.**

**APPLICANT: Mountain Waffle, C/O Joel Rosenberg, 700 South 10th Street #2A Philadelphia, PA 19147.**

**PLANNING COMMISSION VOTE: Planning Commission voted to approve on October 25, 2012; Vote: 7-0.**

---

### PUBLIC HEARING – PLANNING COMMISSION REFERRALS

PUBLIC HEARING FORMAT:

- Presentation by the Petitioner (estimated at 15 minutes). Petitioner to state name and residence address/location.
- Presentation by the Opposition. Same guidelines as above.
- Public Comment by individuals (not to exceed 3 minutes). Individuals to state name and residence address/location.
- City staff to provide a response.

*There are no items scheduled for this portion of the agenda.*

---

## REPORTS

### 7. City Council

### 8. Reports

a. Agenda Review: (Franklin)

1. Liquor Authority agenda for November 20, 2012.
2. City Council agenda for December 4, 2012.

## **9. Staff Reports**

- a. City Attorney's Update/Report. (Lettunich)
  - b. Interim Manager's Report: Ongoing Projects. (Hinsvark)
  - c. Boards and Commissions update. (Franklin)
- 

## **OLD BUSINESS**

### **10. Minutes (Franklin)**

- a. Regular Meeting 2012-18, October 16, 2012.
- 

## **ADJOURNMENT**

BY: JULIE FRANKLIN, CMC  
CITY CLERK

# AGENDA ITEM # 1.

## CITY COUNCIL COMMUNICATION FORM

---

**FROM:** Emily Rogers, Yampa Valley Recycles, 846-1024

**THROUGH:** Julie Franklin, City Clerk (Ext. 248)

**DATE:** November 13, 2012

**ITEM:** A proclamation recognizing November 15, 2012 as America Recycles Day in Steamboat Springs, Colorado.

**NEXT STEP:** Adopt the proclamation.

---

PROCLAMATION  
 INFORMATION

---

### **I. REQUEST OR ISSUE:**

Yampa Valley Recycles requests Council adoption of the attached proclamation recognizing November 15, 2012, as America Recycles Day 2012 in Steamboat Springs, Colorado.

### **II. RECOMMENDED ACTION/NEXT STEP:**

Yampa Valley Recycles recommends adoption of the attached proclamation to be officially presented to representatives of Yampa Valley Recycles (YVR) and Yampa Valley Sustainability Council (YVSC).

### **III. FISCAL IMPACTS:**

None.

### **IV. BACKGROUND INFORMATION:**

YVR will also present awards for "Outstanding Recycler" for 2012 to Lightworks of Steamboat, Leadership Steamboat 2012, Nancy Stahoviak, and Craig Schifter.

**V. LEGAL ISSUES:**

None.

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

This proclamation promotes recycling in the Yampa Valley thereby increasing public awareness of recycling and environmental issues. It also recognizes the outstanding public service of YVR and YVSC in our community and the awards for outstanding recyclers help promote recycling to local businesses and organizations. Staff does not foresee any conflicts with the adoption of this proclamation.

**VII. SUMMARY AND ALTERNATIVES:**

This proclamation acknowledges the City's continued support for environmental issues and efforts to educate the public on the benefits of recycling in our community. We also want to publicly acknowledge and say thank you to YVR and YVSC for their tremendous volunteer work as they continue to promote recycling and sustainability in our region.

If Council Members have any questions, please do not hesitate to contact Sonja Macys.

**A PROCLAMATION RECOGNIZING NOVEMBER 15, 2012 AS AMERICA RECYCLES DAY IN STEAMBOAT SPRINGS, COLORADO.**

**WHEREAS**, the City of Steamboat Springs is cognizant of the importance of conservation, encourages recycling our resources, and is sensitive to maintaining the health of our environment; and

**WHEREAS**, thanks to the dedication and commitment of Yampa Valley Recycles, many community recycling and resource conservation efforts are active and successful in Steamboat Springs; and

**WHEREAS**, through the efforts of the dedicated volunteers of Yampa Valley Recycles, citizens of the City of Steamboat Springs and Routt County have greater opportunities to recycle thereby saving energy, conserving valuable natural resources and protecting the environment; and

**WHEREAS**, the City Council of Steamboat Springs acknowledges and thanks the volunteers of Yampa Valley Recycles and Yampa Valley Sustainability Council for their tremendous dedication and ongoing efforts to expand, promote and educate the public on recycling in Steamboat Springs and the Yampa Valley.

***NOW, THEREFORE, BE IT PROCLAIMED***, by the City Council of the City of Steamboat Springs, Colorado, that November 15, 2012 is recognized as ***AMERICA RECYCLES DAY IN STEAMBOAT SPRINGS, ROUTT COUNTY***. With a renewed commitment to “Saving Our Resources Today,” the City Council recognizes the importance of personal, business and community recycling to protecting our environment.

**ADOPTED THIS** 13th day of November, 2012.

**Attest:**

\_\_\_\_\_  
Julie Franklin, CMC  
City Clerk

\_\_\_\_\_  
Bart Kounovsky, President  
Steamboat Springs City Council President

## AGENDA ITEM # 2.

### CITY COUNCIL COMMUNICATION FORM

---

**FROM:** Julie Franklin, CMC, City Clerk (Ext. 248)  
**THROUGH:** Deb Hinsvark, Interim City Manager (Ext. 240)  
**DATE:** November 13, 2012  
**RE:** A resolution acknowledging appointments to the Golf Management Committee.  
**NEXT STEP:** To approve the resolution.

---

RESOLUTION  
 MOTION  
 DIRECTION

---

#### **I. REQUEST OR ISSUE:**

To ratify the appointments to the Golf Management Committee as determined by City Council on October 30, 2012.

The following individuals have been selected by City Council to serve on the Golf Management Committee:

*John Vanderbloemen, Craig Seitz, and Barbara Robinson. Regular positions serving until October 31, 2015.*

#### **II. RECOMMENDED ACTION:**

Council to approve the resolution acknowledging appointments to the Golf Management Committee.

#### **III. FISCAL IMPACTS:**

None related to these appointments.



**V. LEGAL ISSUES:**

None.

**VII. SUMMARY AND ALTERNATIVES:**

Approve the appointments of the above mentioned Golf Management Committee.

**CITY OF STEAMBOAT SPRINGS, COLORADO**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ACKNOWLEDGING APPOINTMENTS TO THE GOLF MANAGEMENT COMMITTEE.**

**WHEREAS**, the City of Steamboat Springs appoints members to fill vacancies that occur due to resignations and other reasons; and

**WHEREAS**, the following committee has vacancies to be filled:

1. Golf Management Committee.

**WHEREAS**, the City of Steamboat Springs has advertised for and received applications from community members to serve on the above committee; and

**WHEREAS**, the applications have been reviewed by City Council and appointments have been determined.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO, THAT:**

Section 1. The following people have been appointed to fill the positions available on the above mentioned committee, effective November 13, 2012:

**1. Golf Management Committee:**

Regular positions/serving until October 31, 2015  
John Vanderbloemen, Barbara Robinson and Craig Seitz

**PASSED, ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**Bart Kounovsky, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, CMC  
City Clerk**

## AGENDA ITEM # 3.

### CITY COUNCIL COMMUNICATION FORM

---

**FROM:** Kim Weber, Director of Financial Services (Ext. 250)

**THROUGH:** Deb Hinsvark, Interim City Manager (Ext. 240)

**DATE:** November 13, 2012

**ITEM:** Second reading of an ordinance adopting the budget and setting appropriations for the City of Steamboat Springs, Colorado, for and during the period beginning the first day of January, 2013, and ending the thirty-first day of December, 2013.

**NEXT STEP:** Approve Ordinance.

---

INFORMATION  
 ORDINANCE

---

#### **I. REQUEST OR ISSUE:**

This communication form is to provide details of the few changes to the proposed 2013 budget as directed by City Council on October 2, 2012, and includes amendments made by council at the October 30<sup>th</sup>, 2012 first reading of the ordinance.

#### **II. RECOMMENDED ACTION:**

Adoption at first and second reading.

#### **III. FISCAL IMPACTS:**

Total budgeted revenues, all funds:	\$ 40,480,153
Total budgeted expenditures, all funds:	\$ 46,271,468
<i>(Detail Attached)</i>	

#### **IV. BACKGROUND INFORMATION:**

This ordinance reflects the City's 2013 Budget as presented to Council on October 2, 2012 and the proposed changes that have occurred since the budget was presented. The following are the changes from the original budget book that was presented:

- The budget was adjusted to reflect Council's vote for the Transit Department to remain at 2012 service levels in 2013. This increased General Fund expenditures by \$350,000. Additional revenue was also recognized to cover this cost.
- General Fund expenditures increased by \$25,000 for Chamber Tradeshow Marketing. This was added to City Council's community support budget. Additional revenue was also recognized to cover this cost.
- City Council's wages were reduced by 10% per the vote at the budget hearing.
- The \$150,000 expenditure for the Master Transportation Plan was removed from the Capital Projects Fund budget.
- The \$70,000 expenditure for the Howelsen Hill Multi-Season Recreation Plan was removed from the Capital Projects Fund budget.
- The tennis center court resurfacing project was reduced by \$52,600 for a total funding level of \$16,000 in the 2013 budget.
- There were some minimal changes to Recreation revenue, grant revenue, and corresponding expenditures based on updated information received.
- The total amount of the expenditures and revenues increased by \$1,151,112 because the Ski, Rodeo, Ice Arena, and Tennis Center Funds were removed from the General Fund summary and transfers were shown as requested by City Council. The net effect is zero.

In addition, this ordinance reflects amendments directed by council at the meeting on October 30, 2012 during the first reading of the ordinance. These include:

- Community Support of \$35,000 was added to City Council's budget for the US Pro Cycling Challenge.
- City Council's contingency budget was reduced by \$25,000.
- \$12,000 was added for janitorial services at the Howelsen Hill Ice Arena.
- \$86,000 was added for a Downtown Resource Officer (additional FTE).
- Sales tax revenue was increased by \$108,000.

- Capital Fund expenditures were reduced by \$68,600 due to an error in the first reading that did not reflect the reduction in the tennis center clay court resurfacing project accurately.

**V. LEGAL ISSUES:**

Annual budget for the City required by section 9.4 of the Home Rule Charter.

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

None noted.

**VII. SUMMARY AND ALTERNATIVES:**

Appropriations may be revised, deleted or approved.

If council wishes to add the two items identified in Additional Information, direction in the form of a motion is required.

**LIST OF ATTACHMENTS**

**Attachment 1 -** 2013 Budget summary by fund type

# Attachment 1

<b>CITY OF STEAMBOAT SPRINGS</b> <b>2013 BUDGET SUMMARY BY FUND TYPE</b>	<b>CITY OF STEAMBOAT SPRINGS</b> <b>2013 BUDGET SUMMARY BY FUND TYPE</b>
---	---

	2013 GOVERNMENTAL FUNDS												2013 ENTERPRISE FUNDS		MUNICIPAL	2013 INTERNAL	
	GENERAL	HOWELSEN SKI AREA	RODEO	HOWELSEN ICE ARENA	TENNIS CENTER	CAPITAL PROJECTS	COMMUNITY HOUSING	IRON HORSE	WASTEWATER	WATER	AIRPORT	GOLF	REHDER BUILDING	SERVICES	2013 INTERNAL SERV FUND	TOTAL	
<b>TOTAL REVENUES</b>	\$ 24,489,931	\$ 945,816	\$ 200,900	\$ 720,308	\$ 189,577	\$ 2,992,023	\$ -	\$ 842,993	\$ 2,941,500	\$ 2,091,697	\$ 1,674,750	\$ 1,699,125	\$ 350,000	\$ 39,138,620	\$ 1,341,533	\$ 40,480,153	
<b>TOTAL EXPENDITURES</b>	24,822,217	945,816	200,900	720,308	189,577	4,018,783	80,000	842,993	4,367,613	3,996,721	1,737,528	3,059,301	361,092	45,342,849	928,619	46,271,468	
<b>NET</b>	<u>\$ (332,286)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (1,026,760)</u>	<u>\$ (80,000)</u>	<u>\$ -</u>	<u>\$ (1,426,113)</u>	<u>\$ (1,905,024)</u>	<u>\$ (62,778)</u>	<u>\$ (1,360,176)</u>	<u>\$ (11,092)</u>	<u>\$ (6,204,229)</u>	<u>\$ 412,914</u>	<u>\$ (5,791,315)</u>	
<b>REVENUES</b>																	
TAXES AND ASSESSMENTS	\$ 18,416,198	\$ -	\$ -	\$ -	\$ -	\$ 1,167,400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 604,000	\$ -	\$ 20,187,598	\$ -	\$ 20,187,598	
LICENSES AND PERMITS	34,100	-	-	-	-	-	-	-	-	-	-	-	-	34,100	-	34,100	
INTERGOVERNMENTAL REVENUE	2,595,376	-	-	-	-	1,536,087	-	-	-	-	520,267	-	-	4,651,730	-	4,651,730	
CHARGES FOR SERVICES	1,356,297	183,900	23,000	618,725	57,864	-	-	376,000	2,928,000	2,026,000	1,001,560	1,089,000	-	9,660,346	1,341,533	11,001,879	
FINES AND FORFEITS	180,100	-	-	-	-	-	-	-	-	-	-	-	-	180,100	-	180,100	
OTHER REVENUE	666,347	10,000	-	-	-	75,000	-	-	13,500	65,697	500	6,125	350,000	1,187,169	-	1,187,169	
FINANCING	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
TRANSFERS FROM OTHER FUNDS	-	751,916	177,900	101,583	131,713	213,536	-	466,993	-	-	152,423	-	-	1,996,064	-	1,996,064	
OVERHEAD	1,241,513	-	-	-	-	-	-	-	-	-	-	-	-	1,241,513	-	1,241,513	
<b>TOTAL REVENUES</b>	<u>\$ 24,489,931</u>	<u>\$ 945,816</u>	<u>\$ 200,900</u>	<u>\$ 720,308</u>	<u>\$ 189,577</u>	<u>\$ 2,992,023</u>	<u>\$ -</u>	<u>\$ 842,993</u>	<u>\$ 2,941,500</u>	<u>\$ 2,091,697</u>	<u>\$ 1,674,750</u>	<u>\$ 1,699,125</u>	<u>\$ 350,000</u>	<u>\$ 39,138,620</u>	<u>\$ 1,341,533</u>	<u>\$ 40,480,153</u>	
<b>EXPENDITURES</b>																	
PERSONNEL COSTS	\$ 14,414,386	\$ 350,492	\$ 102,830	\$ 274,572	\$ 33,708	\$ -	\$ -	\$ 213,636	\$ 689,152	\$ 259,450	\$ 284,884	\$ 462,017	\$ -	\$ 17,085,127	\$ 288,318	\$ 17,373,445	
OPERATING EXPENSES	5,990,020	428,722	68,850	359,377	125,832	-	-	129,285	671,632	673,348	645,168	533,072	-	9,625,306	501,101	10,126,407	
CONTINGENCY	199,276	-	-	-	-	-	-	-	-	-	-	-	-	199,276	-	199,276	
EQUIPMENT	49,700	6,800	-	-	-	-	-	-	-	-	-	19,728	-	76,228	139,200	215,428	
CAPITAL OUTLAY	-	-	-	-	-	-	-	-	1,677,718	2,318,207	555,556	-	350,000	4,901,481	-	4,901,481	
COMMUNITY SUPPORT	1,385,816	-	-	-	-	-	80,000	-	-	-	-	-	-	1,465,816	-	1,465,816	
OVERHEAD	256,255	159,802	29,220	86,359	30,037	-	-	66,654	246,153	112,600	123,959	119,382	11,092	1,241,513	-	1,241,513	
DEBT SERVICE	530,700	-	-	-	-	-	-	433,418	1,082,958	633,116	127,961	1,925,102	-	4,733,255	-	4,733,255	
TRANSFERS	1,996,064	-	-	-	-	4,018,783	-	-	-	-	-	-	-	6,014,847	-	6,014,847	
<b>TOTAL EXPENDITURES</b>	<u>\$ 24,822,217</u>	<u>\$ 945,816</u>	<u>\$ 200,900</u>	<u>\$ 720,308</u>	<u>\$ 189,577</u>	<u>\$ 4,018,783</u>	<u>\$ 80,000</u>	<u>\$ 842,993</u>	<u>\$ 4,367,613</u>	<u>\$ 3,996,721</u>	<u>\$ 1,737,528</u>	<u>\$ 3,059,301</u>	<u>\$ 361,092</u>	<u>\$ 45,342,849</u>	<u>\$ 928,619</u>	<u>\$ 46,271,468</u>	
<b>BEGINNING FUND BALANCE/RESERVES</b>	\$ 18,237,525	\$ -	\$ -	\$ -	\$ -	\$ 2,626,857	\$ 1,037,184	\$ -	\$ 3,935,997	\$ 3,930,189	\$ 62,778	\$ 2,672,526	\$ 86,821	\$ 32,589,877	\$ 2,133,027	\$ 34,722,904	
<b>ENDING FUND BALANCE/RESERVES</b>	17,905,239	-	-	-	-	1,600,097	957,184	-	2,509,884	2,025,165	-	1,312,350	75,729	26,385,648	2,545,941	28,931,589	
<b>NET</b>	<u>\$ (332,286)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (1,026,760)</u>	<u>\$ (80,000)</u>	<u>\$ -</u>	<u>\$ (1,426,113)</u>	<u>\$ (1,905,024)</u>	<u>\$ (62,778)</u>	<u>\$ (1,360,176)</u>	<u>\$ (11,092)</u>	<u>\$ (6,204,229)</u>	<u>\$ 412,914</u>	<u>\$ (5,791,315)</u>	

**CITY OF STEAMBOAT SPRINGS, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING THE BUDGET AND SETTING APPROPRIATIONS FOR THE CITY OF STEAMBOAT SPRINGS, COLORADO, FOR AND DURING THE PERIOD BEGINNING THE FIRST DAY OF JANUARY, 2013, AND ENDING THE THIRTY-FIRST DAY OF DECEMBER, 2013.**

**WHEREAS**, in accordance with Section 9.4 of the Home Rule Charter of the City of Steamboat Springs, the City Manager has presented the City Council with a complete financial plan of all City funds and activities, and which covers all proposed expenditures of the City for the fiscal year beginning January 1, 2013, and ending December 31, 2013; and

**WHEREAS**, said budget shows as definitely as possible each of the various funds for which appropriations are made in the budget, and the estimated amount of money carried in the budget for each such fund; and

**WHEREAS**, said budget has been filed with the City Clerk and is available for public inspection; and

**WHEREAS**, said budget serves a valid public purpose in that it sets a financial plan for the 2013 fiscal year; and

**WHEREAS**, notice of the public hearing on the proposed annual budget, stating the date, time, place and subject matter of said public hearing was given as required by Section 9.5 of the Home Rule Charter of the City of Steamboat Springs.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:**

Section 1. **APPROPRIATION:** That out of current and probable revenues of the City of Steamboat Springs, Colorado, for and during the year beginning the first day of January 2013, there is hereby appropriated the following sums of money or that portion necessary for the purposes herein named:

General Fund (including HH Ski Area, Rodeo, Ice Arena, & Tennis)	\$26,878,818
Capital Projects Fund	4,018,783
Fleet Services Fund	928,619

Water Fund	3,996,721
Utility Fund	4,367,613
Airport Fund	1,737,528
Golf Fund	3,059,301
Rehder Building Fund	361,092
Community Housing Fund	80,000
Iron Horse Fund	<u>842,993</u>
 Total Appropriations	 <u>\$46,271,468</u>

Section 2. That the budget herein summarized above, for the year stated, be approved and adopted as the budget of the City of Steamboat Springs, Colorado.

Section 3. The budget herein approved and adopted shall be signed by the City Council President and attested to by the City Clerk and made a part of the public records of the City.

Section 4. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 5. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof, to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

Section 6. The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety, and that it serves a valid public purpose.



Section 7. This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6(h) of the Steamboat Springs Home Rule Charter.

**INTRODUCED, READ AND ORDERED PUBLISHED**, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**Bart Kounovsky, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, CMC  
City Clerk**

**FINALLY READ, PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Bart Kounovsky, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, CMC  
City Clerk**

## AGENDA ITEM # 4.

### CITY COUNCIL COMMUNICATION FORM

---

**FROM:** Kim Weber, Finance Director (ext. 250)  
**THROUGH:** Deb Hinsvark, Interim City Manager (ext. 240)  
**DATE:** November 13, 2012  
**ITEM:** Second reading of an ordinance approving the Fourth Supplemental Budget Appropriation of 2012.  
**NEXT STEP:** Approve ordinance.

---

INFORMATION  
 ORDINANCE

---

**I. REQUEST OR ISSUE:**

This communication form is to approve the appropriation of funds for a Bridge Loan to Routt County Habitat for Humanity in the amount of \$50,000.

**II. RECOMMENDED ACTION:**

Approval at first and second readings.

**III. FISCAL IMPACTS:**

*Revenues:*

Community Housing Fund Reserves	\$50,000
---------------------------------	----------

*Expenditures:*

Community Housing Fund – Bridge Loan	\$50,000
--------------------------------------	----------

**IV. BACKGROUND INFORMATION:**

This is a secured loan to Routt County Habitat for Humanity. Habitat for Humanity has grant contracts in the amount of \$50,000 but will not receive reimbursement until after the Certificate of Occupancy is issued, so the City's bridge loan will assist in the cash flow timing issues. The duplex is located at Lot 1 Habitat Honeysuckle Subdivision. The loan will be paid in two \$25,000 payments with repayment to the City 5 business days from when they receive their grant payments. The payment will be no later than March 31, 2013.

The loan agreement, promissory note, and deed of trust is attached.

**V. LEGAL ISSUES:**

Supplemental Appropriations allowed per section 9.10 of the Home Rule Charter.

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

None Noted.

**VII. SUMMARY AND ALTERNATIVES:**

Appropriations may be revised, deleted or approved.

**LIST OF ATTACHMENTS**

- Attachment 1 -** Affordable Housing Bridge Loan Agreement
- Exhibit A -** Deed of Trust
- Exhibit B -** Secured Promissory Note

# Attachment 1

## AFFORDABLE HOUSING BRIDGE LOAN AGREEMENT

This Affordable Housing Bridge Loan Agreement (the "Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 2012 by and between Routt County Habitat for Humanity, Inc., (hereafter "Habitat") a Colorado nonprofit corporation that meets the requirements of Internal Revenue Code Section 501(c)(3) and the City of Steamboat Springs, a Colorado home rule municipal corporation (the "City").

**WHEREAS**, Habitat was formed for the purpose of providing affordable housing for low income families in Routt County, Colorado; and

**WHEREAS**, Habitat is engaged in the construction of a duplex located at Lot 1 Habitat Honeysuckle Subdivision (the "Project"), upon completion of which Habitat will sell the two resulting dwelling units to low income families and provide purchase price financing to the purchasers; and

**WHEREAS**, Habitat intends to reimburse itself for its Project construction costs with grant funds Habitat expects to receive from Habitat for Humanity International, the receipt of which is contingent upon completion of the Project and issuance of a certificate of occupancy for the two dwelling units; and

**WHEREAS**, Habitat intends to finance its land acquisition costs with a loan Habitat expects to receive from the United State Department of Agriculture,

**WHEREAS**, Habitat needs additional funding in the amount of \$50,000 to complete the Project and requests that the City provide a bridge loan to fund remaining construction costs; and

**WHEREAS**, Habitat will repay the bridge loan with the proceeds of its Habitat for Humanity International grant funding and will execute a deed of trust to the Routt County Public Trustee in favor of the City as security for repayment of the bridge loan.

**NOW, THEREFORE**, in consideration of the following mutual covenants and promises, the parties agree as follows:

**1. Loan.** Subject to the terms and conditions of this Agreement, the City shall lend Habitat a sum not to exceed \$50,000 ("City Loan") to be paid in one or more payments upon request by Habitat. Habitat shall repay the loan upon the earlier of a) 5 business days after Habitat's receipt of its grant funding from Habitat for Humanity International or b) March 31, 2013. Habitat shall use loan funds provided by the City for the sole purpose of completing construction of the Project. Habitat acknowledges that the City

Loan is bridge funding only; that Habitat bears any risk of its nonreceipt of grant funding; and that Habitat's obligation to repay the City Loan is not contingent on Habitat's receipt of its grant funding.

**2. Promissory Note.** Habitat shall make, execute, and deliver to the City a promissory note in the form attached hereto as Exhibit "A" ("Promissory Note") prior to the release of any funds to Habitat from the City Loan.

**3. Security.** Habitat shall secure its obligation to repay the City Loan by executing a deed of trust in favor of the Routt County public trustee in substantially the form attached hereto as Exhibit "B" ("Deed of Trust").

**4. Warranty of Title.** Habitat shall prior to receipt of any City Loan funds provide the City with a copy of the title commitment commissioned in connection with Habitat's sale of Lot 2 Habitat Honeysuckle Subdivision to the City (the "Title Commitment"). Habitat warrants that Habitat owns and has the right to grant, convey and encumber Lot 1 Habitat Honeysuckle Subdivision (the "Property") subject only to the encumbrances shown in the Title Commitment.

**5. Subordination.** City shall execute such documents as may be necessary to subordinate the lien of its deed of trust to the lien securing Habitat's United States Department of Agriculture loan.

**6. Release.** City shall release the lien of its deed of trust upon Habitat's repayment of the City Loan in accordance with the provisions of the Promissory Note.

**7. Default.** In the event Habitat fails to comply with any provision of this Agreement then, notwithstanding any contrary provision in the Promissory Note or Deed of Trust, the City shall have the right to declare a default and require immediate repayment of the City Loan. Prior to exercising this right, City shall give Habitat written notice of the occurrence of an event of default. Habitat shall have thirty days in which to cure such default. If the default is not cured within the thirty day cure period, City shall have the right to declare a default and require immediate repayment of the City Loan by written notice to Habitat. Repayment shall be due upon the date of such notice notwithstanding the provisions of Section 1 of this Agreement.

**8. Notices.** Any notice required under this Agreement may be personally delivered or mailed in the United States mails, first class postage prepaid to the party to be served at the following addresses:

Habitat:

City: Office of the City Manager  
137 10<sup>th</sup> St.  
P.O. Box 775088  
Steamboat Springs, CO 80477

Notices personally served shall be deemed served on the date of delivery. Notice mailed shall be deemed served the next business day following the date of mailing if mailed in the State of Colorado, otherwise on the date that is two business days following the date of mailing.

**9. Integration/Amendment.** This Agreement, the Promissory Note, and the Deed of Trust constitute the entire agreement between the parties concerning the City Loan. This Agreement shall not be amended except by a written document executed by both parties hereto.

**10. Choice of Laws/Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. The parties agree that venue in any action to enforce or interpret this Agreement shall be in the District Court for the Fourteenth Judicial District of the State of Colorado.

CITY OF STEAMBOAT SPRINGS

---

Debra Hinsvark, Interim City Manager

ATTEST:

---

Julie Franklin, City Clerk

HABITAT FOR HUMANITY OF ROUTT  
COUNTY, INC.

---

# Exhibit A

## DEED OF TRUST

This deed of trust is made this \_\_\_\_ day of \_\_\_\_\_, 2012, between the Routt County Habitat for Humanity, Inc., a Colorado nonprofit corporation (“Trustor”), whose address is \_\_\_\_\_, Steamboat Springs, Colorado 80487 and the Public Trustee of Routt County, Colorado (“Trustee”) for the benefit of the City of Steamboat Springs, Colorado (“Beneficiary”) whose address is P.O. Box 773598, Steamboat Springs, Colorado 80487.

Trustor hereby grants and conveys to Trustee in trust, with full power of sale, the following described real property located in the Town of Steamboat Springs, County of Routt, State of Colorado:

Lot 1 Habitat Honeysuckle Subdivision, Steamboat Springs, Colorado.

Which has the address of \_\_\_\_\_, Steamboat Springs, Colorado, together with all its appurtenances and the rents, issues, profits and proceeds there from (the “Property”).

This deed of trust is given to secure full and faithful performance by Trustor of all its obligations (the “Obligations”) owing to the Beneficiary under that certain Secured Promissory Note (the “Promissory Note”) dated as of \_\_\_\_\_, 20\_\_ in the principal amount of \$ \_\_\_\_\_ made by Trustor in favor of Beneficiary or under that certain Affordable Housing Bridge Loan Agreement (the “Loan Agreement”) dated \_\_\_\_\_, 2012, between Trustor and Beneficiary and this deed of trust is given pursuant to the terms of the Loan Agreement. All capitalized terms used herein not otherwise defined herein shall have the meanings given them in the Loan Agreement.

Trustor further covenants and agrees as follows:

1. Trustor covenants to Trustee and Beneficiary that Trustor owns and has the right to grant, convey and encumber the Property, warrants title to the same, subject to general real estate taxes for the current year, easements of record or in existence, and recorded declarations, restrictions, reservations and covenants, if any, as of this date and warrants that this deed of trust, when executed and delivered to Beneficiary, shall constitute a lien on the Property.
2. Trustor shall pay all taxes, assessments and other charges, fine and impositions attributable to the Property which are or may become a lien having priority over this deed of trust when and as due and payable. The foregoing notwithstanding, Trustor shall not be required to make payments otherwise required by this paragraph if Trustor, after written notice to Beneficiary, shall in good faith contest such obligation by, or defend

enforcement of such obligation in, legal proceedings which operate to prevent the enforcement of the obligation or forfeiture of the Property or any part thereof.

3. Trustor shall, at all times, maintain the following insurance on the Property: \_\_\_\_\_ . All such insurance is referred to hereinafter as the "Property Insurance".

The insurance carrier providing the Property Insurance shall be qualified to write such Property Insurance in Colorado and shall be chosen by Trustor subject to Beneficiary's right to reject the chosen carrier for reasonable cause. All insurance policies and renewals shall include a standard mortgage clause in favor of Beneficiary, and shall provide that the insurance carrier shall notify Beneficiary in writing at least thirty (30) days prior to cancellation, termination or any material change of coverage. Insurance policies or certificates shall be delivered to Beneficiary at the same time as the delivery of this deed of trust to Beneficiary. Beneficiary shall have the right to hold the policies and any renewals thereof.

In the event of loss, Trustor shall give prompt notice to the insurance carrier and Beneficiary. Beneficiary may make proof of loss if not promptly made by Trustor.

Insurance proceeds shall be applied to restoration or repair of the Property damaged, provided such restoration or repair is economically feasible and the security of this deed of trust is not thereby impaired. If such restoration or repair is not economically feasible or if the security of this deed of trust would be impaired, the insurance proceeds shall be applied to satisfy the Obligations which are secured by this deed of trust with the excess, if any, paid to Trustor.

If the Property is abandoned by Trustor, or if Trustor fails to respond to Beneficiary within thirty (30) days from the date notice is given in accordance with paragraph 11 hereof by Beneficiary to Trustor that the insurance carrier offers to settle a claim for insurance benefits, Beneficiary is authorized to collect and apply the insurance proceeds, at the Beneficiary's option, either to restoration or repair of the Property or to the Obligations.

Notwithstanding anything else herein to the contrary, if under paragraph 13 the Property is acquired by Beneficiary, all right, title and interest of Trustor in and to any insurance policies and in and to the proceeds thereof resulting from damage to the Property prior to the sale or acquisition shall pass to Beneficiary to the extent of the Obligations outstanding immediately prior to such sale or acquisition.

4. Trustor shall keep the Property in good repair and shall not commit waste or permit impairment or deterioration of the Property. Trustor shall perform all of Trustor's obligations under any declarations, covenants, by-laws, rules or other documents governing the use, ownership or occupancy of the Property.



5. If Trustor fails to perform the covenants and agreements contained in this deed of trust, the Promissory Note or the Loan Agreement, or if a default occurs with respect to an obligation which is secured by a lien prior to the lien of this deed of trust, or if any action or proceeding is commenced which, if decided, would adversely affect Beneficiary's interest in the Property, then Beneficiary, at Beneficiary's option, with notice to Trustor if required by law, may make such appearances, disburse such sums and take such action as Beneficiary deems reasonably necessary to protect Beneficiary's interest in the Property, including, without limitation, disbursement of attorney fees and entry on the Property to make repairs. Trustor hereby assigns to Beneficiary any right Trustor may have by reason of any prior encumbrance on the Property or by law or otherwise to cure any default under said prior encumbrance.

Any amounts disbursed by Beneficiary pursuant to this paragraph 5, together with interest thereon at the maximum legal rate from the date of disbursement by Beneficiary until paid, shall become additional Obligations of Trustor secured by this deed of trust and shall be immediately due and payable to Beneficiary upon demand. In the event such sums are not paid to Beneficiary by Trustor within five (5) days after demand by Beneficiary, Beneficiary may commence suit to collect such sums. Nothing contained in this paragraph 5 shall require Beneficiary to incur any expense or take any action hereunder.

6. Beneficiary may make or cause to be made reasonable entries upon and inspection of the Property, provided that Beneficiary shall give Trustor notice prior to any such inspection specifying reasonable cause therefore related to Beneficiary's interest in the Property.

7. The proceeds or any award or claim for damages, direct or consequential, in connection with any condemnation or other taking of the Property, or any part thereof, or for conveyance in lieu of condemnation are hereby assigned and shall be paid to Beneficiary as herein provided.

In the event of a total taking of the Property, the proceeds shall be applied to the Obligations secured by this deed of trust with the excess, if any, paid to Trustor. In the event of a partial taking of the Property, the proceeds shall be divided between payment of the Obligations, if any then due, and payment to Trustor, in the same ratio as the amount of the Obligations of Trustor bears to Trustor's equity in the Property immediately prior to the date of taking. Trustor's equity means the fair market value of the Property less the Obligations.

If the Property is abandoned by Trustor, or if Trustor fails to respond to Beneficiary within thirty (30) days from the date notice is given in accordance with paragraph 11 hereof by Beneficiary to Trustor that the condemnor offers to make an award or settle a claim for damages, Beneficiary is authorized to collect and apply the proceeds, at the Beneficiary's option, either to restoration or repair of the Property or to the Obligations.

8. Any forbearance by Beneficiary in exercising any right or remedy hereunder, or otherwise afforded by law, shall not be a waiver or preclude the subsequent exercise of any such right or remedy.
9. Each remedy provided in the Promissory Note, the Loan Agreement or in this deed of trust is distinct from and cumulative to all other rights or remedies under the Promissory Note, the Loan Agreement and this deed of trust or afforded by law or equity and may be exercised concurrently independently or successively.
10. The covenants and agreements herein contained shall bind, and the rights hereunder shall inure to, the respective successor and assigns of Trustor and Beneficiary. All covenants and agreements of the Trustor shall be joint and several.
11. Except for any notice required by law to be given in another manner, (a) any notice to Trustor provided for in this deed of trust shall be in writing and shall be given and effective upon (1) delivery to Trustor or (2) mailing such notice by certified mail, return receipt requested, addressed to Trustor at Trustor's address stated herein or at such other address as Trustor may designate by notice to Beneficiary as provided herein, and (b) any notice to Beneficiary shall be in writing and shall be given and effective upon (1) delivery to Beneficiary or (2) mailing such notice by certified mail, return receipt requested, to Beneficiary's address stated here or to such other address as Beneficiary may designate by notice to Trustor as provided herein. Any notice provided for in this deed of trust shall be deemed to have been given to Trustor or Beneficiary when given in any manner designated herein.
12. The Promissory Note, the Loan Agreement, and this deed of trust shall be governed by and interpreted in accordance with the laws of the State of Colorado. In the event that any provision or clause in this deed of trust or the Promissory Note or the Loan Agreement conflicts with such law, such conflict shall not affect other provisions of this deed of trust, the Promissory Note or the Loan Agreement which can be given effect without the conflicting provisions and to this end the provisions of this deed of trust, the Promissory Note and the Loan Agreement are declared to be severable.
13. Except as provided in paragraph 14, upon Trustor's breach of any covenant or agreement of Trustor in this deed of trust, in the Promissory Note or in the Loan Agreement, or upon any default in a prior lien upon the Property, at Beneficiary's option all of the Obligations of Trustor shall be immediately due and payable (hereinafter "Acceleration"). To exercise this option Beneficiary may invoke the power of sale and any other remedies permitted by law. Beneficiary shall be entitled to collect all reasonable costs and expenses incurred in pursuing the remedies provided in this deed of trust, including, without limitation, all attorney fees actually incurred.

If Beneficiary invokes the power of sale, Beneficiary shall give written notice to Trustee of such election. Trustee shall give such notice to Trustor of Trustor's rights as is provided by law. Trustee shall record a copy of such notice as required by law. Trustee shall advertise the time and place of the sale of the Property, for not less than four weeks

in a newspaper of general circulation in the county in which the Property is situated, and shall mail copies of such notice of sale to Trustor and other persons as prescribed by law. After the lapses of such time as may be required by law, Trustee, without demand on Trustor shall sell the Property at public auction to the highest bidder for cash at the time and place (which may be on the Property or any part thereof as permitted by law) in one or more parcels as the Trustee may think best and in such order as the Trustee may determine. Beneficiary or Beneficiary's designee may purchase the Property at any sale. It shall not be obligatory upon the purchaser at any such sale to see to the application of the purchase of money.

Trustee shall apply the proceeds of the sale in the following order: (2) to all reasonable costs and expenses of the sale, including, without limitation, reasonable Trustee's and attorney's fees and costs of title evidence; (b) to all Obligations secured by this deed of trust; and (c) the excess, if any, to the person or persons legally entitled thereto.

14. Whenever foreclosure is commenced for nonpayment of any sums due hereunder, the owner of the Property or parties liable hereon shall be entitled to cure said defaults by paying all delinquent amounts as of the date of cure, costs, expenses, late charges, attorney's fees and other fees all in the manner provided by law. Upon such payment and the performance of all other Obligations owing hereunder, this deed of trust and the Obligations shall remain in full force and effect as though no Acceleration had occurred and the foreclosure proceedings shall be discontinued.

15. As additional security hereunder, Trustor hereby assigns to Beneficiary the rents, issues and profits for the Property; however, Trustor shall, prior to Acceleration under paragraph 13 hereof or abandonment of the Property, have the right to collect and retain such rents, issues and profits as they become due and payable.

Beneficiary or the holder of the Trustee's certificate of purchase shall be entitled to a receiver for the Property after Acceleration under paragraph 13 hereof, and shall also be so entitled during the time covered by foreclosure proceedings and the period of redemption, if any; and shall be entitled thereto as a matter of right without regard to the solvency or insolvency of the Trustor or of the then owner of the Property, and without regard to the value thereof. Such receiver may be appointed by any court of competent jurisdiction on ex parte application and without notice, notice being hereby expressly waived.

Upon Acceleration pursuant to paragraph 13, abandonment of the Property as specified in the Promissory Note or the Loan Agreement, Beneficiary, in person, by agent or by judicially-appointed receiver, shall be entitled to enter upon, take possession of and manage the Property and to collect the rents of the Property including those past due. All rents collected by Beneficiary or the receiver shall be applied first to payment of the costs of preservation and management of the Property, second, to payments due upon prior liens, and then to the Obligations. Beneficiary and the receiver shall be liable to account only for those rents actually received by Beneficiary or the receiver as the case may be.



# Exhibit B

## SECURED PROMISSORY NOTE

U.S. \$50,000.00

Steamboat Springs, Colorado  
\_\_\_\_\_, 20\_\_

For value received, the Routt County Habitat for Humanity, Inc., a Colorado nonprofit corporation (the "Borrower") promises to pay to the City of Steamboat Springs, Colorado (the "Note Holder"), or to order the principal sum of Fifty Thousand and No One Hundredths (\$50,000.00). The principal sum shall bear no interest if paid when due. Any amount not paid when due shall thereafter bear interest at the rate of one percent per month until paid in full. Unless due earlier under the terms of an Affordable Housing Bridge Loan Agreement (the "Loan Agreement") dated as of \_\_\_\_\_, 2012, between Borrower and Note Holder, all sums due hereunder shall be due and payable on March 13, 2013. Payments made under this Promissory Note shall first be applied to any interest due and then to principal.

If any payment required by this Note is not paid when due, or if any default under any Deed of Trust or other security instrument securing this Note occurs, the entire principal amount outstanding and accrued interest thereon shall at once become due and payable at the option of the Note Holder ("Acceleration"). The Note Holder shall be entitled to collect all reasonable costs and expenses of collection and legal action, including, but not limited to reasonable attorneys' fees.

Borrower may prepay the principal amount outstanding under this Note, in whole or in part, at any time without penalty.

Borrower hereby waives presentment, notice of dishonor and protest, and hereby agrees to any extensions of time of payment before, at, or after maturity.

Any notice to Borrower provided for in this Note shall be in writing and shall be given and be effective upon (1) delivery to Borrower or (2) mailing such notice by first-class U.S. mail, addressed to Borrower at Borrower's address for notice set forth in the Loan Agreement, or to such other address as Borrower may designate by written notice to the Note Holder at the address for the Fund Holder set forth in the Loan Agreement.

The indebtedness evidenced by this Note is or may be secured by a Deed of Trust dated \_\_\_\_\_, 20\_\_, as well as other security and, until released said Deed of Trust and the other security instruments contain additional rights of the Note Holder. Such rights or other provisions of the Loan Agreement may cause Acceleration of the indebtedness evidenced by this Note. Reference is made to said Deed of Trust, the other security instruments and the Loan Agreement for additional terms. Said Deed of Trust grants rights in the property identified as:

Lot 1 Habitat Honeysuckle Subdivision

---

ROUTT COUNTY HABITAT FOR HUMANITY,  
A Colorado nonprofit corporation

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**CITY OF STEAMBOAT SPRINGS, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING THE FOURTH SUPPLEMENTAL BUDGET APPROPRIATION OF 2012.**

**WHEREAS**, Routt County Habitat for Humanity has requested a Bridge Loan in the amount of \$50,000; and

**WHEREAS**, the Community Housing Fund has funds available for the requested loan; and

**WHEREAS**, the City Council believes that such an appropriation is important to the economic health and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:**

Section 1. Supplemental Appropriation. That pursuant to Section 9.10 (a) of the City of Steamboat Springs Home Rule Charter, the City Council hereby appropriates the following sums of money or that portion necessary for the purposes herein named:

Community Housing Fund Habitat for Humanity Bridge Loan      \$ 50,000

Section 2. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 3. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof, to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

Section 4. The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 5. This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6(h) of the Steamboat Springs Home Rule Charter.

**INTRODUCED, READ AND ORDERED PUBLISHED**, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**Bart Kounovsky, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, CMC  
City Clerk**

**FINALLY READ, PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**Bart Kounovsky, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, CMC  
City Clerk**



## AGENDA ITEM # 5.

### CITY COUNCIL COMMUNICATION FORM

---

**FROM:** Joel Rae, Director of Public Safety (ext. 113)

**THROUGH:** Deb Hinsvark, Interim City Manager (ext. 240)  
Anthony B. Lettunich, City Attorney (879-0100)

**DATE:** November 13, 2012

**RE:** An emergency ordinance imposing a moratorium on the operation of marijuana establishments pursuant to Amendment 64; and providing an effective date.

---

DIRECTION  
 INFORMATION  
 ORDINANCE

---

#### **I. REQUEST OR ISSUE:**

The voters of the State of Colorado on November 6, 2012 approved a ballot initiative known as Amendment 64, which amends the Colorado State Constitution to authorize the operation of marijuana establishments, which are defined as marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores notwithstanding contrary provisions of Colorado statute, whether criminal or civil. Amendment 64 requires the Department of Revenue to adopt regulations governing the operation of marijuana establishments no later than July 2013; requires local governments to adopt regulations identifying the entity within the local government responsible for processing license applications for marijuana establishments no later than October 1, 2013; authorizes local governments to adopt licensing procedures and regulations governing certain aspects of the operation of marijuana facilities; and authorizes local governments to prohibit the operation of marijuana establishments by adoption of an ordinance or through an initiated or referred measure. Amendment 64 permits the operation of marijuana establishments only pursuant to a license issued by the Department of Revenue and/or a local government and does not require the Department of Revenue or local governments to begin processing license applications until October 1, 2013. Marijuana establishments

may not operate lawfully until the adoption of licensing regulations.

The moratorium imposed by this emergency ordinance is intended to prevent the operation of recreational marijuana establishments prior to the adoption of the regulatory framework contemplated by Amendment 64; to ensure that prospective operators and owners of marijuana establishments are able to make business and investment decisions with sufficient knowledge of local regulations; and to ensure that any local regulations or prohibition can be enforced in a fair and equitable manner.

Adoption of this ordinance is an emergency measure and is necessary in order that the ordinance will take immediate effect and preclude the operation of marijuana establishments in the City of Steamboat Springs in violation of the provisions of Amendment 64.

Due to the fact that City of Steamboat Springs Emergency Ordinances expire 90 days after adoption, a regular Ordinance through adoption of a first and second reading will be proposed prior to the expiration of this emergency ordinance.

The moratorium will expire at such time that an ordinance is adopted which regulates and identifies the local licensing entity and adopts regulations governing all other aspects related to recreational marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores.

The adoption of this ordinance will not affect a person's right to possess recreational marijuana under Amendment 64 and it will have no effect on our current regulations governing Medical Marijuana Centers.

**II. RECOMMENDED ACTION/NEXT STEP:**

Adopt the attached Emergency Moratorium.

**III. FISCAL IMPACTS:**

None.

**IV. BACKGROUND INFORMATION:**

In addition to the issue and background in Section I, the City of Steamboat Springs experienced medical marijuana "dispensaries" that were operational prior to the adoption of local licensing and regulations. This moratorium ordinance will prevent this from happening under the recreational umbrella and provide enforceability at a local level. In addition, it provides the City time to determine what types of facilities will be allowed, the number of facilities allowed, zoning regulations, prohibited areas of sale, advertising restrictions and any other regulations related to recreational marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and

retail marijuana stores.

**V. LEGAL ISSUES:**

None. Under the language in Amendment 64, adopting a moratorium at this time will not interfere or conflict with the Amendment.

In the event City Council adopts a moratorium by first and second reading, with an indefinite expiration or sunset date, it will be necessary to replace the moratorium with an Ordinance that identifies the entity within the City of Steamboat Springs responsible for processing license applications for marijuana establishments by October 1, 2013. It is recommended that the City of Steamboat Springs have in place all regulations governing recreational marijuana facilities by October 1, 2013.

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

None

**VII. SUMMARY AND ALTERNATIVES:**

1. Motion to approve the attached Emergency Moratorium on recreational related marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores.
2. Emergency Ordinance dies without a motion.

**LIST OF ATTACHMENTS**

**Attachment 1 -** Comment regarding Amendment 64/emergency moratorium

Dear City Council President and Members

Please see the comment regarding Amendment 64 and the proposed emergency moratorium below.

I have also included Val in this e-mail so she has it for Tuesday's agenda packet.

Anja

---

**From:** Anja Tribble

**Sent:** Wednesday, November 07, 2012 10:11 AM

**To:** 'kevin'

**Subject:** RE: Anja- Please forward to City Council members

Dear Kevin

Thank you for your comment. Your e-mail has been forwarded to City Council and the appropriate staff members.

Sincerely,

Anja Tribble-Husi

Executive Assistant

City of Steamboat Springs, Colorado

(970) 871-8228

[atribble@steamboatsprings.net](mailto:atribble@steamboatsprings.net)

---

**From:** [kevin2476@gmail.com](mailto:kevin2476@gmail.com) [<mailto:kevin2476@gmail.com>] **On Behalf Of** kevin

**Sent:** Wednesday, November 07, 2012 10:03 AM

**To:** Anja Tribble

**Subject:** Anja- Please forward to City Council members

Council Members-

As you are all likely aware, Amendment 64 legalizing the recreational use, possession, cultivation and retail sale of cannabis was passed by the voters of Colorado yesterday. This is a truly historic event. The citizens of our state have made it clear that they will no longer support the criminalization of their neighbors for using cannabis.

Now, so far as the retail model put forth pertains to Steamboat...I will be in attendance at Tuesday's Council meeting. It is my understanding that an emergency moratorium prohibiting the commercial sale of marijuana will be considered. In the near-term I would support such a moratorium. However, as we receive guidance from the federal government on how they will address 64, my position may change. If they treat it much like they have the MMJ issue, I will vigorously advocate an ordinance similar to that which council passed regulating the sale of MMJ.

You are, as a local authority, given the same option to ban recreational sales as you were MMJ. However, it is important to note that the will of voters in Routt County is to allow our businesses to proceed. The breakdown in our county on 64 was 63% for and 37% against. That is nearly identical to the referendum vote last year on MMJ sales. There can be no argument this time around that commercial sales were not the voters' intent, as that paradigm is included in the amendment. I would suggest that when considering this issue, council members acknowledge 64's language giving preferential status to businesses already licensed as MMC's. Most MMC's, providing there are no particularly damning overtures expressed by the feds, will opt to go the recreational route. We three MMC's in Steamboat have proven to be understanding and responsible partners with our town and its citizens. We voluntarily participate in what amounts to a ban on public advertising and operate wholly in compliance with state law without too much fanfare. It is my hope that if given leeway by the feds, Council will endorse our participation in the recreational sale of cannabis.

I am the board chair of the MMJ industry's most influential lobby group, MMIG. We partnered with members of our state legislature in the drafting of HB 10-1284, HB 11-1043 and their associated rules. These are the laws currently governing the operation of our MMJ system. I will again be at the forefront as 64 develops at the State Capitol. The timeline dictated by 64 requires that our state and local governments pass regulations governing the retail sale of marijuana by Oct 1, 2013 and that licenses for operation be issued by Jan 1, 2014. Please feel free to contact me at any time with questions regarding this issue. I look forward to seeing you all on Tuesday.

--  
Kevin Fisher

[kevin@rockymountainremedies.com](mailto:kevin@rockymountainremedies.com)

This e-mail and any attachments contain information from RK Enterprises, LLC, and are intended solely for the use of the named recipient or recipients. This e-mail may contain privileged patient communications or work product. Any dissemination of this e-mail by anyone other than an intended recipient is strictly prohibited. If you are not a named recipient, you are prohibited from any further viewing of the e-mail or any attachments or from making any use of the e-mail or attachments. If you believe you have received this e-mail in error, notify the sender immediately and permanently delete the e-mail, any attachments, and all copies thereof from any drives or storage media and destroy any printouts of the e-mail or attachments.

**CITY OF STEAMBOAT SPRINGS, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN EMERGENCY ORDINANCE IMPOSING A MORATORIUM ON THE OPERATION OF MARIJUANA ESTABLISHMENTS PURSUANT TO AMENDMENT 64; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the voters of the State of Colorado on November 6, 2012 approved a ballot initiative known as Amendment 64, which amends the Colorado State Constitution to authorize the operation of marijuana establishments, which are defined as marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores notwithstanding contrary provisions of Colorado statute, whether criminal or civil; and

**WHEREAS**, Amendment 64 requires the Department of Revenue to adopt regulations governing the operation of marijuana establishments no later than July 2013; requires local governments to adopt regulations identifying the entity within the local government responsible for processing license applications for marijuana establishments no later than October 1, 2013; authorizes local governments to adopt licensing procedures and regulations governing certain aspects of the operation of marijuana facilities; and authorizes local governments to prohibit the operation of marijuana establishments by adopt of an ordinance or through an initiated or referred measure; and

**WHEREAS**, Amendment 64 permits the operation of marijuana establishments only pursuant to license issued by the Department of Revenue and/or a local government and does not require the Department of Revenue or local governments to begin processing license applications until October 1, 2013; and

**WHEREAS**, marijuana establishments may not operate lawfully until the adoption of licensing regulations; and

**WHEREAS**, the moratorium imposed by this emergency ordinance is intended to prevent the operation of marijuana establishments prior to the adoption of the regulatory framework contemplated by Amendment 64; to ensure that prospective operators and owners of marijuana establishments are able to make business and investment decisions with sufficient knowledge of local regulations; and to ensure that any local regulations or prohibition can be enforced in a fair and equitable manner; and

**WHEREAS,** adoption of this ordinance as an emergency measure is necessary in order that the ordinance will take immediate effect and preclude the operation of marijuana establishments in the City of Steamboat Springs in violation of the provisions of Amendment 64; and

**WHEREAS,** the City Council of the City of Steamboat Springs finds it necessary to the public health, safety, and welfare to adopt this emergency ordinance imposing a moratorium on the operation of marijuana establishments pending adoption by the Department of Revenue of licensing regulations and the issuance of licenses pursuant to Amendment 64; adoption of regulations relating to the operation and licensing of marijuana establishments by the City Council; and/or pending a determination whether the operation of marijuana facilities should be prohibited, whether by ordinance or an initiated or referred measure.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:**

Section 1. During the effective term of this emergency ordinance no person shall operate a marijuana establishment, as defined in Amendment 64, in the corporate limits of the City of Steamboat Springs. No City Department shall accept or process an application for a sales tax license, land use approval, building permit, or any other license or permit relating to the operation of a marijuana establishment.

Section 2. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith. This ordinance shall not be interpreted to repeal or to apply in any way City ordinances regarding the operation of medical marijuana centers, medical marijuana cultivation facilities, or medical marijuana infused products manufacturers pursuant to HB 10-1284.

Section 3. This ordinance shall take effect immediately upon passage, as provided by Section 7.7 of the City of Steamboat Springs Home Rule Charter, and shall be posted or published immediately after passage. This ordinance shall be effective for a term of ninety (90) days.

Section 4. The City Council hereby finds, determines and declares that this ordinance is necessary for the immediate preservation of the public peace, health, and safety.

**INTRODUCED, READ, FINALLY PASSED AND APPROVED, AND ORDERED**  
published, as provided by law, by the City Council of the City of Steamboat  
Springs, at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2012.

---

**Bart Kounovsky, President  
Steamboat Springs City Council**

**ATTEST:**

---

**Julie Franklin, CMC  
City Clerk**



To: City Council Members

From: Kathi Meyer, Planning Commissioner

Date: Nov 7, 2012

Re: Planning Commissioner Report

During the last few months, the Planning Commission and Planning Staff have been working on the next phase of the CDC update, specifically modifying the PUD process to a parcel specific PUD zone district. The goal is to increase predictability, get an earlier response to requests to vary from adopted zoning, reduce up-front costs, both for the applicant and City staff( time), thereby getting an greater quality development through an improved process.

After spending several months this summer in Public work sessions and Public hearings, then recommending a change to the thresholds of dimension standards that could be varied before having a project deemed to require a PUD, we have moved on this Fall to get input from the Public and the CDC User Advisory Group towards examining the actual PUD process itself.

One of the biggest changes proposed by staff is to refocus the PUD process away from requiring an “extraction of value” from an applicant in trade towards granting several variances. The new concept significantly changes the “Public benefit” definition to one that is more flexible which should encourage superior overall design. We currently have a system where 3 small variances, such as minor setbacks requests or snow storage design requirements put a development into the PUD process. The new proposal would tie the PUD to a request for as little as one variance request, if the request is deemed significant.

Example: Casey’s Pond was purchased under a Resort Residential-1 zone district, then petitioned for a rezone to Multi Family -3. This change in zoning introduced a maximum Floor Area Ratio restriction. Had this new PUD designation been available, the parcel could have been identified as being appropriate for a larger structure(s), with the approval to run with the land, then reducing any future uncertainty over this one issue.

Planning Commission is scheduled to have another public work session on Nov 15<sup>th</sup>, to look at draft Code language. It is our hope that we can have a final recommended version of the changes to Council at one of its January, 2013 meetings.

There are several other phases left in this review process. We anticipate that an overall adoption by city Council of all of the proposed changes will not occur until mid to late 2013.

Respectfully submitted,

Kathi Meyer

## AGENDA ITEM # 6.

### CITY COUNCIL COMMUNICATION FORM

---

**FROM:** Bob Keenan, Senior Planner (Ext. 260)  
Tyler Gibbs, AIA, Director of Planning and Community  
Development (Ext. 244)

**THROUGH:** Deb Hinsvark, Interim City Manager, (Ext. 240)

**DATE:** November 13, 2012

**ITEM:** Gondola Square Condominiums (Mountain Waffle)  
#DP-12-09.

**NEXT STEP:** If City Council approves this application then the applicant  
can proceed with the outdoor sales use.

---

**ORDINANCE**  
 **RESOLUTION**  
 **MOTION**  
 **DIRECTION**  
 **INFORMATION**

---

**PROJECT NAME:** Gondola Square Condominiums (Mountain Waffle); #DP-12-09.

**PETITION:** A conditional use permit for outdoor sales in a mobile vending cart  
located at Gondola Square Condominiums.

**APPLICANT:** Mountain Waffle, C/O Joel Rosenberg, 700 South 10th Street #2A  
Philadelphia, PA 19147.

**PC ACTION:** Planning Commission voted to approve on October 25, 2012; Vote:  
7-0.

**EXECUTIVE SUMMARY:**

The applicant is proposing outdoor sales in a mobile food cart at 2305 Mount Werner Circle or Gondola Square Condominiums. Gondola Square Condominiums are located at the heart of the Steamboat base area and incorporates parts of both the Gondola Transit Center and Gondola Square. The applicant is proposing to locate the food cart selling Belgian style waffles in the large paver area at Gondola Transit Center.

Conditional uses are those uses that are generally in keeping with the purpose and intent of the zone district yet may have more impacts to surrounding properties and the community than uses by right or uses with criteria. Conditions may be placed upon these uses as deemed appropriate in order to avoid or mitigate potential impacts.

*Please see attached Planning Commission Staff Report for more detailed information and attachments.*

**1. Planning Commission Discussion:**

The Planning Commission discussion on this item was very brief with no significant questions or concerns.

*Please see attached meeting minutes for more information.*

**2. Public Comment:**

There was no public comment on this item.

**3. Recommended Motion:**

On October 25th, with a vote of 7-0, the Planning Commission recommended approval of the outdoor sales conditional use for the Mountain Waffle outdoor sales use and mobile structure.

**LIST OF ATTACHMENTS:**

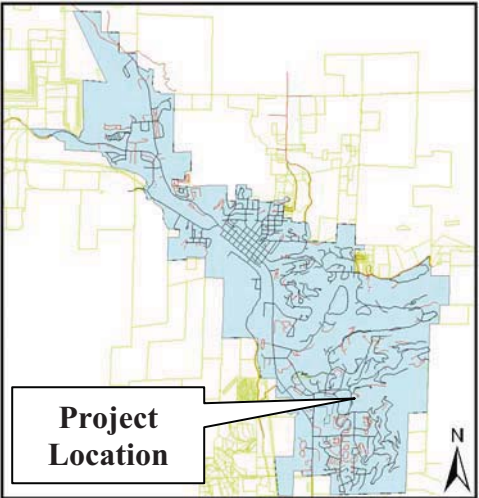
- Attachment 1** - Planning Commission Staff Report
- Attachment 2** - Planning Commission Draft Meeting Minutes

# Attachment 1



## DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

<b>PLANNING COMMISSION AGENDA ITEM # 2:</b>	
<b>Project Name:</b>	Gondola Square Condominiums (Mountain Waffle) #DP-12-09
<b>Prepared By:</b>	Bob Keenan, Senior Planner (ext. 260)
<b>Through:</b>	Tyler Gibbs, AIA, Director of Planning and Community Development (Ext 244)
<b>Planning Commission (PC):</b>	October 25, 2012
<b>City Council (CC):</b>	November 13, 2012
<b>Zoning:</b>	Gondola - Two (G-2)
<b>Applicant:</b>	Mountain Waffle C/O Joel Rosenberg 700 South 10 <sup>th</sup> Street #2A Philadelphia, PA 19147
<b>Request:</b>	A conditional use permit for outdoor sales in a mobile vending cart located at Gondola Square Condominiums.



**Project Location**  
**2305 Mount Werner Circle**

<b>Staff Report - Table of Contents</b>		
<b>Section</b>		<b>Pg</b>
I.	CDC –Staff Analysis Summary	2-2
II	Project Description	2-3
III	Principal Discussion Items	2-3
IV	Project Analysis	2-3
V	Staff Findings & Conditions	2-4
VI	Attachments	2-4

**I. COMMUNITY DEVELOPMENT CODE (CDC) – STAFF ANALYSIS SUMMARY**

**CDC - SECTION 26-65 (E):** NO DEVELOPMENT PLAN SHALL BE APPROVED UNLESS THE PLANNING COMMISSION AND CITY COUNCIL FIND THAT THE PLAN MEETS ALL OF THE FOLLOWING CRITERIA:

Subsection	Consistent			Notes
	Yes	No	NA	
1) Complete Application	<input checked="" type="checkbox"/>			
2) Conformity with Community Plan	<input checked="" type="checkbox"/>			
3) Consistency with Surrounding Uses	<input checked="" type="checkbox"/>			
4) Minimize Adverse Impacts	<input checked="" type="checkbox"/>			
5) Access	<input checked="" type="checkbox"/>			
6) Minimize Environmental Impacts	<input checked="" type="checkbox"/>			
7) Phasing			<input checked="" type="checkbox"/>	<b>One Phase</b>
8) Compliance With Other Standards	<input checked="" type="checkbox"/>			
9) Variance Criteria			<input checked="" type="checkbox"/>	<b>No variance requested</b>

**Staff Finding:** Staff finds that the outdoor sales application to operate a food cart at Gondola Square Condominiums (Transit Center) is consistent with the required findings for approval of a Conditional Use Permit.

.... (Detailed project analysis is located in Section IV; Staff Findings and Conditions are in Section V)

**Project Location Map: 2305 Mount Werner Circle**



## II. PROJECT DESCRIPTION

The applicant is proposing outdoor sales in a mobile food cart at 2305 Mount Werner Circle or Gondola Square Condominiums. Gondola Square Condominiums is located at the heart of the Steamboat base area and incorporates parts of both the Gondola Transit Center and Gondola Square. The applicant is proposing to locate the food cart selling Belgian style waffles and in the large paver area at Gondola Transit Center (see attachment 1).

Conditional uses are those uses that are generally in keeping with the purpose and intent of the zone district yet may have more impacts to surrounding properties and the community than uses by right or uses with criteria. Conditions may be placed upon these uses as deemed appropriate in order to avoid or mitigate potential impacts.

## III. PRINCIPAL DISCUSSION ITEMS

*Are outdoor sales in a mobile vending cart an appropriate use in the G-2 Zone District in Gondola Square?*

Planning staff finds that this is an appropriate use in this pedestrian oriented plaza area at the Gondola Transit Center. However, staff believes that with the help of the local business interest group there could be some kind of plan for location and aesthetics for these food carts and kiosks. This would also be appropriate for the downtown area.

## IV. PROJECT ANALYSIS

### A) CRITERIA FOR APPROVAL

**CDC - Section 26-65 (e): No development plan shall be approved unless the planning commission and city council find that the plan meets all of the following criteria:**

The following section provides staff analysis of the application as it relates to key sections of the CDC. It is intended to highlight those areas that may be of interest or concern to planning commission, city council, staff or the public. For a comprehensive list of standards and requirements applicable to this proposal please refer to the CDC or contact the staff planner.

#### **CDC - Section 26-65(e)(1): Complete Application**

*Staff Analysis:* **Consistent;** The Development Plan application and supporting materials for the proposed outdoor sales are complete.

#### **CDC - Section 26-65(e)(2): Conformity with Community Plan**

*Staff Analysis:* **Consistent;** The proposed use furthers the following Community Plan goals and policies:

- Goal ED-2: Steamboat Springs will support the maintenance and expansion of local businesses.
- Policy ED-2.1: Support opportunities to expand and increase the number of local businesses in Steamboat Springs.

**CDC – Section 26-65 (e)(3): Consistency with Surrounding Uses**

*Staff Analysis:* **Consistent;** The proposed outdoor sales in the mobile vending cart is consistent with adjacent commercial uses in this pedestrian oriented plaza within the Steamboat base area.

**CDC – Section 26-65 (e) (4) Minimize Adverse Impacts**

*Staff Analysis:* **Consistent;** Staff finds that the proposed use will minimize adverse impacts on the surrounding uses in the area. The activity generated by a mobile vending cart is consistent with the activity generated by the other commercial uses in the area.

**CDC – Section 26-65 (e) (5) Access**

*Staff Analysis:* **Consistent;** Staff finds that the existing development provides adequate access for pedestrians and vehicles.

**CDC – Section 26-65 (e) (6) Minimize Environmental Impacts**

*Staff Analysis:* **Consistent;** The proposed use minimizes adverse impacts on the natural environment. The applicant must receive approval from Routt County Environmental Health to operate a mobile vending cart.

**CDC – Section 26-65 (e) (7) Phasing**

*Staff Analysis:* **NA;** The project will be developed in one phase.

**CDC – Section 26-65 (e) (8) Compliance with other Standards:**

*Staff Analysis:* **Consistent;** Staff finds that the proposed use complies with all other applicable requirements of the CDC.

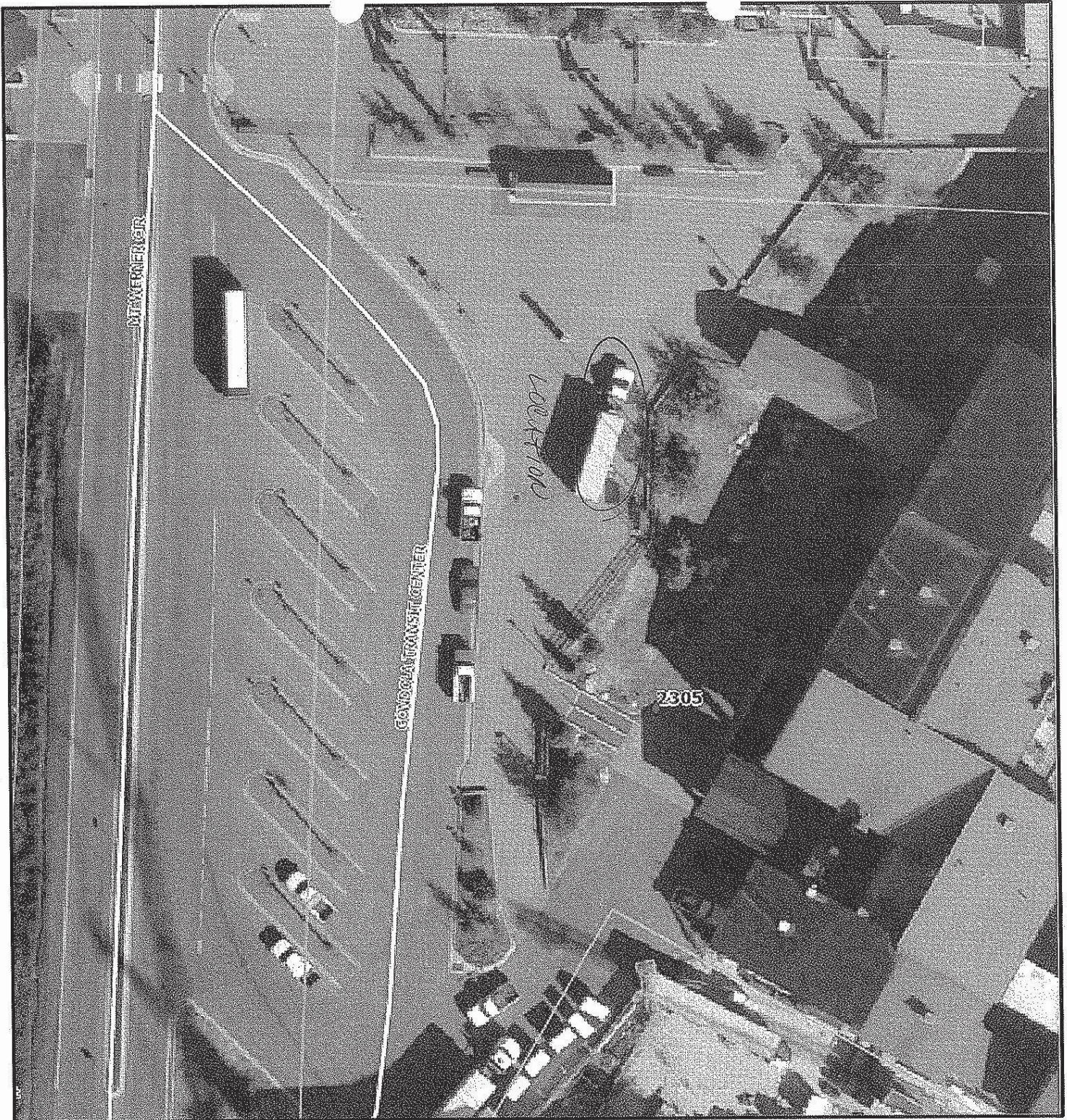
**V. STAFF FINDING & CONDITIONS**

**Staff Finding**

Staff finds that the application to conduct outdoor sales in a mobile vending cart at Gondola Square Condominiums (transit center) is consistent with the required findings for approval of a Conditional Use Permit.

**VI. ATTACHMENTS**

Attachment 1 – Site Plan and supporting material



Map

# Steamboat Springs

This Map should be used for reference purposes only



Printed: Oct 04, 2012

City of  
Steamboat Springs   
GIS Services







10/25/12

**DRAFT**  
**Attachment 2**

**STEAMBOAT SPRINGS PLANNING COMMISSION MINUTES**  
**October 25, 2012**

The special meeting of the Steamboat Springs Planning Commission was called to order at approximately 5:00 p.m. on Thursday, October 25, 2012, in the Citizens' Meeting Room, Centennial Hall, 124 10th Street, Steamboat Springs, Colorado.

Planning Commission members in attendance were Jason Lacy, Kathi Meyer, Rich Levy, Brian Hanlen, Troy Brookshire, Norbert Turek and Michael Buckley.

Staff members present were Tyler Gibbs, Director of City Planning and Bob Keenan, CFM, Senior Planner.

---

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

None.

**Mountain Waffle #DP-12-09**

Discussion on this agenda item started at approximately 5:02 p.m.

Chairman Lacy- Moving on to Mountain Waffle DP #12-09.

Keenan- Tonight before you is a conditional use application for outdoors sales at 2305 Mount Werner Circle, which is more specifically Gondola Transit Center. It is for a food cart. Community Development Code requires that outdoor sales be processed as a conditional use. These types of uses, may or may not be allowed based on the impacts on the community. Planning staff finds that there are no negative impacts to this project and we are recommending approval. I am available to answer any questions. I believe the applicant may have a brief presentation.

Chairman Lacy- Great. Thank you.

Joel Rosenberg- I'm with Mountain Waffle. We are looking forward to opening here in Gondola Square. I brought a little video of our store in Cherry Hill, New Jersey to give you an idea of the product that we sell. We will be selling the same product here at Gondola Square. They say a picture can tell a thousand words, and this video should tell some more. Here we go.

(Video Presentation).

Sorry I didn't bring any samples tonight; next time. Again we are going to hope to open up in Gondola Square on December 1, if everything goes well. I am happy to answer questions that you folks have or anyone in the audience.

10/25/12

**DRAFT**

Chairman Lacy- O.K. Let's go to Bob.

Keenan- Some of the notices that also went out, included that originally the applicant was thinking about doing a location on Yampa Street. And they backed out of that idea for now and they are just proceeding with Gondola Square/ Transit Center. And i just wanted to comment on that because notice did go out for both locations. Thank you.

Chairman Lacy- Thanks. Any questions from Planning Commissioners? Rich?

Commissioner Levy- Any restrictions on hours of operation or overnight storage. Or keeping it there overnight. I know that when we had the cookie shack there, that he stayed there all the time.

Keenan- There is no restriction. They can stay overnight.

Commissioner Levy- O.K. Ski Corps has no problem with the snow removal.

Keenan- They are the co-applicant on this.

Commissioner Levy- O.K. No other questions on this.

Chairman Lacy- Norbert?

Commissioner Turek- Yes, the picture that was shown in the application was of the Mountain Mama cart. Is that what is going to be used for this, or do you have a different cart.

Joel Rosenberg- Yes, we are going to be using that, but we are going to refurbish the entire thing.

Commissioner Turek- O.K.

Commissioner Meyer- My only question is that on our map, attachment one, it shows a location in the Gondola Transit Center. Are you going to be able to move it if you decide that that location isn't the best within the gondola area.

Joel Rosenberg- We are going to be putting it right in that area and we've talked with Ski Corps that if we want to move it one way...

Commissioner Meyer- My concern is that what we approving; not that exact location on the map.

Keenan- We are approving this location, but we can say that if the applicant wants to move it to another nearby location, just to run it by staff so that there is no pedestrian conflicts...

10/25/12

**DRAFT**

Commissioner Meyer- But it is going to be in Gondola Square adjacent to the Transit Center, that is what we are approving that general area.

Keenan- That is correct.

Chairman Lacy- Any other questions right now? Is there any public comment on this agenda item?

Jim Schneider- Vice President of Resort Services, Ski Corp. We have been working with David Salomon and Joel on this for quite some time. David is the principal and Joel is the President of that company. They are great guys and we would like to put something in the Transit Center as people arrive and we have thought about it for awhile. We were approached and they made a pretty good pitch. I've had the product and it is really good and we think that they have a good chance of being successful at it. We have also said and it was a great question by Kathi Meyer. If that location is not producing the results that they need then, we can look at some other possibilities. But we are supportive of the program.

Chairman Lacy- Any other public comment? Alright. Anything else or any other questions from anyone? Troy?

Commissioner Brookshire- It talks about giving the permit for environmental health. I don't know if that should be a condition. Because if they don't get the permit from environmental health then they don't need the COD to operate.

Joel Rosenberg- I think the question had to do with if we have received our permits from environmental health and we've put our application in and it has been approved and we have the letter of approval from environmental health.

Chairman Lacy- Thank you. Any other questions? Anything else from staff? We will close the public hearing and come back to commissioners for deliberation and a motion.

**MOTION**

Commissioner Levy moved to approve #DP-12-09. Commissioner Meyer seconded the motion.

**VOTE**

Vote: 7; 0

Voting for approval of motion: Jason Lacy, Kathi Meyer, Troy Brookshire, Norbert Turek, Brian Hanlen, Rich Levy and Michael Buckley

AGENDA ITEM # 7.

**CITY COUNCIL UPDATES**

*This is a discussion item only*

AGENDA ITEM # 8.

**\*\*\*TENTATIVE – AGENDA\*\*\***

CITY OF STEAMBOAT SPRINGS  
LIQUOR LICENSE AUTHORITY

**AGENDA**

REGULAR MEETING NO. LLA-2012-06  
TUESDAY, NOVEMBER 20, 2012  
5:00 P.M.

**MEETING LOCATION:** Citizens' Meeting Room, Centennial Hall;  
124 10<sup>th</sup> Street, Steamboat Springs, CO

**MEETING PROCEDURE:** A Steamboat Springs Liquor License Authority meeting packet is available for public review in the lobby of City Hall, 137 10<sup>th</sup> Street, Steamboat Springs, CO.

---

**A. ROLL CALL**

---

**B. LIQUOR LICENSE AUTHORITY PUBLIC HEARING**

1. **Maddie Dog Masterpieces, LLC; dba Splat Canvas and Wine; New Tavern Liquor License. (Franklin)**

---

**C. APPROVAL OF MINUTES**

2. **MINUTES**
  - a. **Regular Meeting LLA-2012-05, October 16, 2012. (Franklin)**

---

**D. ADJOURNMENT**

**BY: JULIE FRANKLIN, CMC**  
CITY CLERK

**\*\*\*\*\*TENTATIVE AGENDA FOR TUESDAY, DECEMBER 4, 2012\*\*\*\*\***  
This agenda is tentative and the information is subject to change until the agenda is finalized.

## CITY OF STEAMBOAT SPRINGS

# **AGENDA**

## REGULAR MEETING NO. 2012-22

### TUESDAY, DECEMBER 4, 2012

5:00 P.M.

**MEETING LOCATION:** Citizens' Meeting Room, Centennial Hall;  
124 10<sup>th</sup> Street, Steamboat Springs, CO

**MEETING PROCEDURE:** Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard **following** the presentation by Staff or the Petitioner. Please wait until you are recognized by the Council President. With the exception of subjects brought up during Public Comment, on which no action will be taken or a decision made, the City Council may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion". It is City Council's goal to adjourn all meetings by 10:00 p.m.

A City Council meeting packet is available for public review in the lobby of City Hall, 137 10<sup>th</sup> Street, Steamboat Springs, CO, or on our website at [http://steamboatsprings.net/city\\_council/council\\_meetings](http://steamboatsprings.net/city_council/council_meetings). The e-packet is typically available by 1pm on the Friday before the meeting.

**PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first).** CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

---

**A. ROLL CALL**

---

**B. COMMUNITY REPORTS/CITY COUNCIL DISCUSSION TOPIC:**

**1.**



**\*\*\*\*\*TENTATIVE AGENDA FOR TUESDAY, DECEMBER 4, 2012\*\*\*\*\***  
This agenda is tentative and the information is subject to change until the agenda is finalized.

---

**C. CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES FIRST READINGS**

ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. ANY MEMBER OF THE COUNCIL OR THE PUBLIC MAY WITHDRAW ANY ITEM FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION AT ANY TIME PRIOR TO APPROVAL.

- 2. FIRST READING OF ORDINANCE:** An ordinance approving the Fifth Supplemental Budget Appropriation of 2012. (Weber)
  - 3. FIRST READING OF ORDINANCE:** Ordinance to amend the building code adoption to the 2009 versions. (Carl Dunham, Routt County Building Department)
- 

**D. PUBLIC HEARING: ORDINANCE SECOND READINGS**

THE CITY COUNCIL PRESIDENT OR PRESIDENT PRO-TEM WILL READ EACH ORDINANCE TITLE INTO THE RECORD. PUBLIC COMMENT WILL BE PROVIDED FOR EVERY ORDINANCE.

- 4. SECOND READING OF ORDINANCE:** An ordinance approving the Fourth Supplemental Budget Appropriation of 2012. (Weber)
- 

**E. PUBLIC COMMENT: Public Comment will be provided at 7 p.m., or at the end of the meeting, (whichever comes first).** CITY COUNCIL WILL MAKE NO DECISION NOR TAKE ACTION, EXCEPT TO DIRECT THE CITY MANAGER. **THOSE ADDRESSING CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME AND ADDRESS. ALL COMMENTS SHALL NOT EXCEED THREE MINUTES.**

---

**F. PLANNING COMMISSION REPORT**

---

**G. CONSENT CALENDAR - PLANNING COMMISSION REFERRALS:**  
ITEMS ON THE CONSENT CALENDAR GENERALLY REQUIRE LITTLE OR NO COUNCIL DELIBERATION AND MAY BE APPROVED WITH A SINGLE MOTION. A CITY COUNCIL MEMBER MAY REQUEST AN ITEM(S) BE REMOVED FROM THE CONSENT CALENDAR FOR FURTHER DISCUSSION. **ALL ORDINANCES APPROVED BY CONSENT SHALL BE READ INTO THE RECORD BY TITLE.**

- 5. PROJECT:  
PETITION:**

**\*\*\*\*\*TENTATIVE AGENDA FOR TUESDAY, DECEMBER 4, 2012\*\*\*\*\***  
This agenda is tentative and the information is subject to change until the agenda is finalized.

LOCATION:  
APPLICANT:  
PLANNING COMMISSION VOTE:

---

**H. PUBLIC HEARING – PLANNING COMMISSION REFERRALS**

**PUBLIC HEARING FORMAT:**

- **Presentation by the Petitioner (estimated at 15 minutes). Petitioner to state name and residence address/location.**
- **Presentation by the Opposition.** Same guidelines as above.
- **Public Comment by individuals (not to exceed 3 minutes). Individuals to state name and residence address/location.**
- **City staff to provide a response.**

**6. SECOND READING OF ORDINANCE:**

---

**I. REPORTS**

**7. City Council**

**8. Reports**

- a. Agenda Review (Franklin):
  - 1.) City Council agenda for December 18, 2012.
  - 2.) City Council agenda for January 8, 2013.

**9. Staff Reports**

- a. City Attorney's Update/Report. (Lettunich)
  - b. Interim Manager's Report: Ongoing Projects. (Hinsvark)
- 

**J. OLD BUSINESS**

**10. Minutes (Franklin)**

- a. Regular Meeting 2011-21, November 13, 2012.
  - b. Regular Meeting 2011-22, November 20, 2012.
- 

**K. ADJOURNMENT**

**BY: JULIE FRANKLIN, CMC  
CITY CLERK**

AGENDA ITEM # 9.

**STAFF REPORTS:**

City Attorney's Update/Report

*The above is a discussion item only*

Interim Manager's Report: Ongoing Projects

Boards and Commissions Update

*Materials following this page*

## AGENDA ITEM # 9b.

Interim City Manager Report

November 13, 2012

- Management Team has devised a few strategies for keeping all City buildings open on Fridays. We will be presenting those at the next Council meeting.
- The contract with Big Agnes for the sale of the Yampa property is underway. It should also come back to you in December.
- There is interest in purchasing the Iron Horse property. It might be beneficial to open a period of interest on that property and see what offers are presented. That could be done before the debt issue is resolved, and the amount offered on the property could drive the final decision made on the disposition of the debt.
- Friends of the Yampa have asked the City to provide them funds to match a grant they wish to apply for that would create boat put-in/take-out points at the River Creek Park and Bear River Park. We have responded to them that we did not budget funds to match this grant (the request came in after the budget process), and that we have plans to build a River Creek Park access, but there are no plans for vehicle access of the river at Bear Creek Park.
- Sequestration is a political/financial hot topic these days. The National League of Cities asks that municipal governments contact legislators to request:
  - Congress and the Administration stop the budget sequestration from going into effect.
  - Any deficit reduction plan should balance spending cuts with revenue enhancements.

- Spending cuts should not come from domestic discretionary programs alone – all options should be considered.
  - The interest exemption on municipal bonds should be maintained – it is not a tax loophole.
- City staff assisted GOCO with their 20<sup>th</sup> anniversary celebration which was held on Sunday, November 4 at the Library with over 90 people in attendance. GOCO board member Phil James noted that Routt County has received over \$38 million from GOCO over the past 20 years.

# AGENDA ITEM # 9c.

## CITY COUNCIL COMMUNICATION FORM

---

**FROM:** Valerie Dietrich, Staff Assistant (Ext. 225)  
**THROUGH:** Julie Franklin, City Clerk (Ext. 248)  
**DATE:** October 30, 2012  
**ITEM:** Boards and Commissions update.  
**NEXT STEP:** Review applications and provide direction.

---

DIRECTION  
 INFORMATION  
 ORDINANCE  
 MOTION  
 RESOLUTION

---

### **I. BACKGROUND INFORMATION:**

Positions are open on the following Commissions/Boards:

Board of Adjustment:	One regular opening and one alternate opening.
Planning Commission:	One alternate opening.
Parks & Recreation Commission:	One alternate opening.
Ice Rink Advisory Committee:	One regular opening.
Yampa Valley Housing Authority:	Four regular openings.

The City of Steamboat Springs has advertised for and received applications from community members to serve on the above commissions/committees. Staff is seeking direction from Council regarding the applicants listed below.

Board of Adjustment:	One applicant, Theo Dexter.
Planning Commission:	One applicant, Jerry Burns.
Parks & Recreation Commission:	One applicant, Chrissy Lynch.
Ice Rink Advisory Committee:	Two applicants, Jeremy Behling

Yampa Valley Housing Authority:

and H. Brent Pearson.  
Three applicants, Kathi Meyer,  
Trish Sullivan (Kathi and Trish  
currently serve on this board) and  
Tom Leeson.

The appointments made to the Yampa Valley Housing Authority will be appointed jointly by the Steamboat Springs City Council and the Routt County Board of Commissioners. Staff seeks only recommendations at this point from Council.

The Routt County Board of Commissioners is recommending reappointment of Kathi and Trish as well as the appointment of Tom Leeson to the Authority (Term will be for 3 years beginning January 1, 2013 until December 31, 2015). They also recommend re advertising for the fourth open position for one more month on the City Page with the intention of receiving more applicants.

## **II. SUMMARY AND ALTERNATIVES:**

Council can select new appointments from the current pool of applicants.

Council can choose to re run the advertisement inviting citizens to serve on the above mentioned boards, committees and commissions for another month.

Council can administer a combination of the above mentioned alternatives.

Schedule interviews for any of the above mentioned applicants.

## **LIST OF ATTACHMENTS**

- Attachment 1** - Current status of openings/applicants
- Attachment 2** - BOA applicants: Theo Dexter
- Attachment 3** - Planning Commission applicants: Jerry Burns
- Attachment 4** - Parks & Recreation applicants: Chrissy Lynch
- Attachment 5** - IRAC applicants: Jeremy Behling, H. Brent Pearson
- Attachment 6** - YVHA applicants: Kathi Meyer, Trish Sullivan and Tom Leeson

<b><u>Board/Commission</u></b>	<b><u>Number of openings</u></b>	<b><u>Applicants</u></b>
Board of Adjustment	One reg. opening One alt. opening	One applicant -Theo dexter
Planning Commission	One alt. opening	One applicant -Jerry Burns
Parks & Rec Commission	One alt. opening	One applicant -Chrissy Lynch
Ice Rink Adv. Committee	One reg. opening	Two applicants - Jeremy Behling, Brent Pearson
Yampa Valley Housing	Four reg. openings	Three applicants - Kathi Meyer, Trish Sullivan, Tom Leeson



# Attachment 2

## City of Steamboat Springs

### APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS

DEADLINE TO SUBMIT APPLICATION TO CITY CLERK:

Please type or print with black ink. If you have questions or need more information, contact Julie Franklin, Interim City Clerk at 871-8248. Return completed application to City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477. Fax 879-8851

BOARD/COMMISSION APPLYING FOR: Board of Adjustment

NAME: Theo Dexter (legal name: Edward M Dexter III)

RESIDENCE ADDRESS: 797 Spring Creek Circle

MAILING ADDRESS: PO Box 772090

HOME PHONE: 846-2668

WORK PHONE: 879-4889

FAX: 871-1474

E-MAIL ADDRESS: loneoak@springssps.com

HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS?

Since 1985

CURRENT OCCUPATION/EMPLOYER:

Sign Contractor, Lone Oak Studio Inc., Owner

PREVIOUS WORK EXPERIENCE:

'85-'88 Manager, Sore Saddle Cyclery bicycle shop  
'80-'85 Asst. Manager Pedal Pushers Cyclery, Boulder CO  
'79-'80 ~~SAE~~ Circuit Board Printer, SAE " "  
1979 Wares Cycles, Milwaukee WI

**APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:**

Horizons Spec. Services ~1992 to present - Ski Program  
Kiwanis Club of SS. ~1991 to present (w/hiatus), twice president  
Partners in Roatt County, Senior Partner ~1999-2003  
Knights of Columbus 4462 / Special Olympics Bowling Program, current head

**SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:**

- 1977 Bachelor of Fine Arts degree from University of Colorado at Boulder. While there I enrolled in the maximum number of undergraduate courses related to architecture history. PLUS  
↓  
Young Tracks  
B.O.D. 2011 - Present
- Dyslexia (yes I am a dyslexic signmaker), yields a side effect of better than average capability to envision ideas in 3 dimensions

**WHY DO YOU WANT TO SERVE ON THE Board of Adjustment?**

(Board or commission applying for)

- I find creative problem solving fascinating and think this can be very helpful to the BOA in that regard
- Life in Steamboat Springs has been good to me, and I want to give back.
- When my father passed away I vowed to be the same kind of volunteer he had been during his lifetime, for the rest of my lifetime. Serving on boards and commissions was a big part of his volunteer life; I want to continue in his honor.

WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES FACING THE CITY OF STEAMBOAT SPRINGS RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

- Due to current economic conditions there are pressures from struggling merchants to waive, or ignore, rules related to creating greater exposure for their businesses.
- There is a general distrust of government in all forms these days. Trust must be restored through fairness and open dealing in relation to all citizen interactions with government
- Planning staff can devote little time to code enforcement, outside of responding to complaints, due to budget concerns. Citizens may be more likely to flaunt the rules.

OTHER COMMENTS:

On behalf of clients I have twice presented sign variance requests before the BOA. One was denied, one was approved. Going through the process helps me to understand the nature of hardship in relation to applications for variance.

Please attach any documentation that would enhance your application.

All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office

Teo Pero  
Signature

9/27/12  
Date

# Attachment 3

## City of Steamboat Springs

### APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS

Please type or print with black ink. If you have questions or need more information, contact Julie Franklin, City Clerk at 871-8248. Return completed application to City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477.

BOARD/COMMISSION APPLYING FOR: PLANNING COMMISSION

NAME: JERRY BURNS

RESIDENCE ADDRESS: 777 MOUNTAIN VISTA CIR. S.S. 80487

MAILING ADDRESS: SAME

HOME PHONE: 970.846.0463 WORK PHONE: 970.870.3230

FAX: 855.531.8820 E-MAIL ADDRESS: JERRY@BURNS-API.COM

HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS? 4 1/2 yrs.

CURRENT OCCUPATION/EMPLOYER:  
ARCHITECT - OWNER OF BURNS ARCHITECTS

PREVIOUS WORK EXPERIENCE:  
LAST 12 YRS: OWNER OF ARCHITECT FIRM  
20+ YEARS IN DESIGN & CONSTRUCTION FIELD

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:  
BOARD MEMBER :: ROUTT COUNTY HABITAT FOR HUMANITY

SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:

MY EXPERIENCE AS AN ARCHITECT, I BELIEVE, WOULD BRING A CERTAIN PERSPECTIVE TO THE COMMISSION.

WHY DO YOU WANT TO SERVE ON THE PLANNING COMMISSION?  
(Board or commission applying for)

IN MY CAREER I HAVE HAD THE OPPORTUNITY TO BE INVOLVED IN THE DESIGN AND CONSTRUCTION OF PROJECTS IN MULTIPLE STATES. THESE PROJECTS HAVE OFTEN REQUIRED WORKING WITH NUMEROUS PLANNING & ZONING AGENCIES. I'M INTERESTED IN USING THIS EXPERIENCE TO CONTRIBUTE TO OUR COMMUNITY.

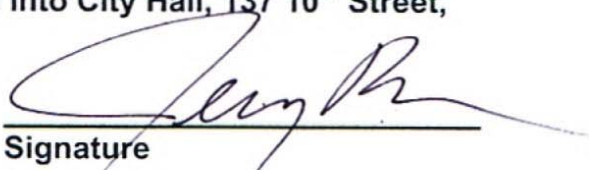
WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES FACING THE CITY OF STEAMBOAT SPRINGS RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

1. STEAMBOAT AREA COMMUNITY PLAN - PLANNING FOR THE FUTURE
2. DEVELOPMENT STANDARDS - ENCOURAGE QUALITY INNOVATIVE DESIGN
3. PLANNING REVIEW PROCEDURES - IMPROVE PROCESS

OTHER COMMENTS:

Please attach any documentation that would enhance your application.

All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office

  
\_\_\_\_\_  
Signature

10.24.12  
\_\_\_\_\_  
Date

# Attachment 4

## City of Steamboat Springs

### APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS

Please type or print with black ink. If you have questions or need more information, contact Julie Franklin, City Clerk at 871-8248. Return completed application to City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477.

**BOARD/COMMISSION APPLYING FOR:** Parks & Recreation Commission

**NAME:** Chrissy Lynch

**RESIDENCE ADDRESS:** 458 Blue Sage Cir, Steamboat, CO 80487

**MAILING ADDRESS:** - same -

**HOME PHONE:** 871-7378      **WORK PHONE:** 846-3219

**FAX:** \_\_\_\_\_      **E-MAIL ADDRESS:** cllynch001@yahoo.com

**HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS?** 14 years

**CURRENT OCCUPATION/EMPLOYER:**

*Recently left Yampa Valley Medical Associates, P.C.  
as the Practice & Financial Administrator*

**PREVIOUS WORK EXPERIENCE:**

*Please see resume attached*

**APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:**

*National Nordic Foundation Treasurer 2011-Present  
High School Cross Country Ski Coach 2006-2009  
Strawberry Park and Steamboat Springs Middle School  
Parent Information Committee President 2001-2007*

**SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:**

I have over 26 years of business experience in a variety of industries. As a Certified Public Accountant with a Masters in Business Administration, I have successfully managed all administrative functions including accounting and financial operations, marketing, and human resources. In addition, I have practical knowledge of the outdoor recreation environment having grown up in Colorado and the ski industry plus spending many years training and competing on the U.S. Ski Team.

**WHY DO YOU WANT TO SERVE ON THE Parks & Recreation Commission  
(Board or commission applying for)**

I am an avid outdoor enthusiast who believes there can be synergy between creating a financially successful city-run parks + recreation operation with promoting, maintaining, preserving, and developing the remarkable recreation and open space opportunities Steamboat Springs has to offer.



**WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES FACING THE CITY OF STEAMBOAT SPRINGS RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?**

1. Continue + ensure proper funding and support for all City operated Parks, Open Space, & Recreational facilities.
2. Management + Maintenance  
Specifically:
  - Trails are eroding. By utilizing community support, maintain trail system. (E.g., a reputable Steamboat excavator has offered his time + equipment to assist with this project.)
  - Provide a product more people would like to utilize versus opting to raise fees.
3. Water issues: Balancing recreational needs (ball fields, golf course, snowmaking, + ice) with environmental needs + water law issues.

**OTHER COMMENTS:**

I was born and raised in Colorado and I fondly remember my parents' stories of staying at the Harbor Hotel and skiing at Howelsen Hill during their high school vacations. For decades, my family + I have taken advantage of all the parks, Open Space, & Recreational facilities the City of Steamboat has to offer. From hours at each City park with my children and biking the core trail, to, golfing, hiking, skiing + ice skating on almost a daily basis depending on the time of year. Steamboat is a jewel and I am eager to keep it this way.

Thank you for your consideration

**Please attach any documentation that would enhance your application.**

**All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office**

Christy Smith  
Signature

10-25-12  
Date

**EXPERIENCE**

- 2/07 to 7/12     **Yampa Valley Medical Associates, PC**, Steamboat Springs, Colorado  
Practice & Financial Administrator  
Job included broad responsibilities for all administrative functions of the medical group, including operations, marketing, finance, third party contracting, physician compensation and reimbursement, human resources, medical and business information systems, and planning and development. Oversight of supervisor personnel and reported to the YVMA shareholders. Specific operational duties included responsibility for compliance with insurance plans and government requirements and regulations. Developed financial policies and oversaw their implementation. Financial activities included budgeting, analysis, financial statement preparation, practice management reports, payroll, billing, payer contracting, collections and preparation of corporate and sales tax returns in addition to developing and implementing pricing policies. Human resource functions included recruitment and employment, personnel records, employee relations, job evaluations, compensation management, benefit administration including overseeing the YVMA retirement plan and compliance and organization development and training. Responsible for understanding YVMA's software programs and equipment such as the electronic health records and the practice management system.
- 12/02 to 2/07     **Fox Construction Inc.**, Steamboat Springs, Colorado  
Finance Manager  
Oversee all accounting functions. Financial statement and tax analysis review and preparation. Manage all bonding and insurance matters. Assist in preparing commercial construction proposals and AIA client contracts. Handle all cash management and banking functions. Administrator for retirement plan, profit sharing plan and health insurance plan. In charge of all audits including financial audits, workers compensation audits, and tax audits. Manage vehicle leasing company. Revised employee handbook.
- 9/99 to 12/02     **Tredway Henion & Kerr PC**, Steamboat Springs, Colorado  
CPA in public accounting firm  
Work with a wide variety of individuals, corporations and not-for-profits preparing Federal and state tax returns, financial statement reviews, compilations, monthly and quarterly reports. Also prepared retirement and profit sharing plan returns and year end census data. Resolve and respond to IRS notifications. Responsible for client service and satisfaction.
- 8/96-6/98         **Atlas Air Inc.**, Golden, Colorado  
Tax Manager  
Responsible for all tax issues related to this airline company including Federal and multi-state income tax returns, sales and use tax returns, multi-state property tax returns. Also maintained fixed asset system, researched payroll and employee benefit issues. Assisted in numerous industry projects such as: aircraft buy/lease analysis, prepared U.S. Department of Commerce statistical reports, and analyzed property lease documents in various states. Managed and responded to IRS questions during a two year income tax examination. Worked with all levels of management.
- 6/89-3/97         **BetaWest, Inc.**, Denver, Colorado  
Contract Services, 7/92-3/97  
Services rendered primarily for the preparation of partnership and corporate federal, state, and local tax returns. Prepared partnership and corporate financial statements. Assisted in special projects as needed.

Assistant Tax Manager, 6/89-7/92

Responsible for tax issues related to 48 commercial real estate partnerships, including federal, state, and local tax returns and research projects. Prepared corporate quarterly estimates, state and federal tax returns, and monthly tax accounting entries.

6/86-6/89 **Arthur Andersen & Co.**, Denver, Colorado

Staff Accountant, Tax Division, 11/87-6/89

Prepared tax returns for corporate, partnership, fiduciary, and individual clients. Responsible for research documentation, client relations and supervising new staff.

Staff Accountant, Audit Division, 6/86-11/87

Assisted in the preparation of financial statements and special reports for various public and private companies in the retail, manufacturing, T.V. cable, oil and gas, and banking industries. Worked integrally with clients and other Arthur Andersen personnel. Assisted in the preparation and evaluation of two major litigation support projects.

1978-1984 **United States Ski Team**, Park City, Utah

U.S. Women's Cross Country Ski Team,

World Cup Cross-Country Ski Team

World University Games Cross-Country Ski Team

U.S. National Cross-Country Ski Team

NCAA Cross-Country Ski Team

Collegiate All-American

World Junior Cross-Country Ski Team

Middlebury College Cross-Country Ski Team

Junior National Cross-Country Ski Champion

Colorado Sports Women Hall of Fame: inducted in 1984

## COMMUNITY ACTIVITIES & INTERESTS

- National Nordic Foundation Treasurer 2011 - present
- High School Cross-Country Ski Coach 2006 - 2009
- SSWSC Nordic Coach of the Year 2007 - 2008
- Strawberry Park and Steamboat Springs Middle School Parent Information Committee President 2001 - 2007
- Avid outdoor person.

## EDUCATION

1990-1993 University of Denver, MBA, August 1993  
1988 Certified Public Accountant, Certificate Awarded  
1983-1986 University of Denver, B.S. Accounting, March 1986  
1979-1981 Middlebury College, Middlebury, Vermont

## REFERENCES

Available upon request

# Attachment 5

## City of Steamboat Springs

### APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS

Please type or print with black ink. If you have questions or need more information, contact Julie Franklin, City Clerk at 871-8248. Return completed application to City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477.

**BOARD/COMMISSION APPLYING FOR:** Ice Arena Advisory Committee

**NAME:** jeremy D. Behling

**RESIDENCE ADDRESS:** 1766 Brome Dr. Steamboat Springs, CO

**MAILING ADDRESS:** Po Box 880428 SBS 80488

**HOME PHONE:** 970-741-9689

**WORK PHONE:** 970-870-7423

**FAX:** \_\_\_\_\_

**E-MAIL ADDRESS:** jeremybehling@alpinebank  
\_\_\_\_\_  
.com

**HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS?** \_\_\_\_\_

**CURRENT OCCUPATION/EMPLOYER:**

4 years

Vice President of Alpine Bank

#### **PREVIOUS WORK EXPERIENCE:**

I have spent all 7 years of my post collegiate career as a lender for Alpine Bank. Prior to being in Steamboat Springs I was worked for the Bank in the Vail Valley

#### **APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:**

Though not all applicable I serve as a board member or rep for the following organizations:

Yampatika

Emerald Mountain School

Human Resource Funding Committee (City and County Funding).

**SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:**

My background in finance and management allows me to offer insight into budget management, implementation of strategic goal setting and effective communication between multiple parties to ensure clear understanding of a vision and mission.

**WHY DO YOU WANT TO SERVE ON THE IRAC ?  
(Board or commission applying for)**

As a recreational hockey athlete and avid member of this community I believe that I can offer gainful insight into the strategic management and effective advancement of the Ice Arena as a community asset that is available to not only local's but also tourists. I believe that the Ice Arena is a crucial part of the overall Steamboat brand and the long term sustainability of the the Ice Arena is in the best interest of all users of the facility as well as the City of Steamboat Springs.

**WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES FACING THE CITY OF STEAMBOAT SPRINGS RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?**

1. Fiscal responsibility
2. Long term revenue generation
3. Opportunities for growing the facility and the programs that are offered to the community while managing ice time for all parties involved.

**OTHER COMMENTS:**

I take great pride in Steamboat Springs and it's amenities. As a frequent user of the ice rink I would greatly appreciate the opportunity to provide any assistance I can offer to the rink and it's long term success.

**Please attach any documentation that would enhance your application.**

**All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office**

Jeremy D.  
Behling

Digitally signed by Jeremy D. Behling  
DN: cn=Jeremy D. Behling, o=Alpine Bank,  
ou=Steamboat Springs,  
email=jeremybehling@alpinebank.com, c=US  
Date: 2012.09.28 11:12:08 -06'00'

---

**Signature**

September 28, 2012

---

**Date**

RECEIVED

OCT 24 2012

City of Steamboat Springs

APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS

Please type or print with black ink. If you have questions or need more information, contact Julie Franklin, City Clerk at 871-8248. Return completed application to City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477.

BOARD/COMMISSION APPLYING FOR: IRAC

NAME: H. Brent Pearson

RESIDENCE ADDRESS: 805 Coniter Circle, SS. CO 80487

MAILING ADDRESS: Po 771759 SS CO 80477

HOME PHONE: 970-879 6613 WORK PHONE: 970 819 0275

FAX: 970 879 2775 E-MAIL ADDRESS: bpearson@resortventureswest.com

HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS? 7yrs

CURRENT OCCUPATION/EMPLOYER:

Self employed

**PREVIOUS WORK EXPERIENCE:**

CFO various companies (CMA) professional corporate accountant  
Cordillera Group of Companies.  
Intrawest Retail Group, LLC.  
Whistler / Blackcomb  
Whistler Resort Association

**APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:**

- Head Coach Mites Hockey since 2010-11 season to present.
- Executive Board of Strings Music Festival since 2008 to present
- Urban Renewal Authority Advisory Committee for the Base Area from 2009 to present.
- Various ad hoc committees in the development community

**SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:**

- participated in various authorities and boards
- served on various executive goal setting teams
- financial professional
- played high level hockey and have been involved in hockey for 45 years.

**WHY DO YOU WANT TO SERVE ON THE IRAC ?**  
(Board or commission applying for)



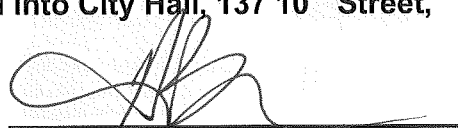
WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES FACING THE CITY OF STEAMBOAT SPRINGS RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?

1. Balance between ice time, for youth, adult programs and tourists and the financial requirements to provide this resource.
2. Competition for municipal resources and the ability to secure resources in this environment.
3. The need to ~~to~~ allocate ice time at Howelsen to create the most financially viable model going forward so as to create a platform for future growth in our programs and our facility.

OTHER COMMENTS:

Please attach any documentation that would enhance your application.

All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office

  
\_\_\_\_\_  
Signature

10/16/12  
\_\_\_\_\_  
Date

# Attachment 6

## City of Steamboat Springs

### APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS

DEADLINE TO SUBMIT APPLICATION TO CITY CLERK:

**October, 2012**

Please type or print with black ink. If you have questions or need more information, contact Julie Jordan, City Clerk at 871-8231. Return completed application to City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477.

**BOARD/COMMISSION APPLYING FOR:** Yampa Valley Housing Authority

**NAME:** Kathi Meyer

**RESIDENCE ADDRESS:** 28 Valley View Court, Steamboat Springs, Co 80488

**MAILING ADDRESS:** PO Box 883234, Steamboat Springs, Co 80488

**HOME PHONE:** 870-8976 **WORK PHONE:** 870-8976

**FAX:** n/a **E-MAIL ADDRESS:** kathimeyer@comcast.net

**HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS?**

17 years

**CURRENT OCCUPATION/EMPLOYER:** Retired

**PREVIOUS WORK EXPERIENCE:** Held several executive positions with various banks and other financial institutions, specializing in residential and commercial real estate lending during a 25 year career.

**APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:**

**Yampa Valley Housing Authority Board, 6 years**  
(served as President, and Treasurer)

**Routt County Habitat for Humanity, President, 3 years**

**Regional Affordable Living Foundation (RALF), President/Treasurer 10 years**

**Steamboat Springs Planning Commission, 12 years**  
**Area Plan Co-ordinating Committee (APCC), 8 years**

**SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:**

Extensively participated and approved the following Planning Documents:  
Steamboat Springs Area Community Plan (May, 2004)  
West Steamboat Springs Area Plan (Nov., 1999)  
West Steamboat Springs Area Plan Update (June, 2006)  
Mountain Town Sub-Area Plan (1999)  
Mountain Town Sub-Area Plan Update (Nov., 2005)  
Rewrite of the Community Development Code (1997 until adoption, July 2001)  
Various Amendments to the CDC, since July 2001

Other Qualifications: Ability to read blueprints, plats, etc.  
Held a Colorado Real Estate Brokers license for 10 years, therefore familiar with Colorado Real Estate law and practices.

**WHY DO YOU WANT TO SERVE ON THE YVHA?**

I'd like to:

- 1) Act as a liason between the YVHA and Habitat. Work to expand the partnerships and complementary relationships within the community.
- 2) Continue to work solving the affordable housing problem in the valley.

**WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES FACING THE CITY OF STEAMBOAT SPRINGS AND ROUTT COUNTY RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?**

- 1) Short and long term financial health of the YVHA.
- 2) Work to dispel the myth that since housing prices have dramatically declined that there is not an affordable housing problem in the Valley.
- 3) Implement the YVHA's current Strategic Plan.
  - a. Make sure that the two primary assets of the YVHA (Hillside Village Apartments and Fish Creek Mobile Home Park) are efficiently maintained, therefore ensuring that this important housing stock remains affordable for the 123 households that live there.
  - b. The Elk River Village debt must be renegotiated.
  - c. Down payment loan program must be re-vitalized.

**OTHER COMMENTS:**

I want to do all I can to help the YVHA survive in these tough times so it can be ready to expand and re-energize when conditions improve. I was on the Board and very involved in the planning, development and construction of Fox Creek Village Condominiums. Therefore, I know that quality affordable housing can be built by the Housing Authority.

**Please attach any documentation that would enhance your application.**

**All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office**

\_\_\_\_\_ Katherine Meyer

\_\_\_\_\_ **Signature**

\_\_\_\_\_ October 22, 2012

**Date**

## **City of Steamboat Springs**

### **APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS**

Please type or print with black ink. If you have questions or need more information, contact Julie Franklin, City Clerk at 871-8248. Return completed application to *City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477.*

**BOARD/COMMISSION APPLYING FOR: Yampa Valley Housing Authority**

**NAME: Trish Sullivan**

**RESIDENCE ADDRESS: 1725 Fish Creek Falls Rd., Steamboat Springs, CO 80487**

**MAILING ADDRESS:**

**HOME PHONE: 970-846-1518      WORK PHONE: 970-871-5131**

**FAX: E-MAIL ADDRESS: tsullivan@steamboat.com**

**HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS?**

**24 years**

**CURRENT OCCUPATION/EMPLOYER:**

**Vice President – Human Resources  
Steamboat Ski & Resort Corporation**

**PREVIOUS WORK EXPERIENCE:**

**3 yrs. with Occidental Petroleum Corporation, Grand Junction, CO**

**APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:**

**YVHA Board since 2004; previously on Regional Affordable Living Foundation for 3 years**

**Integrated Community Board of Directors**

**Steering Committee Member, LiveWell Northwest Colorado**

**Colorado Workforce Development Council Member, representing Northwest Colorado/Hospitality and Tourism**

**SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:**

**Community member for 24 years  
Officer at large employer  
Human resource professional resource for YVHA**

**WHY DO YOU WANT TO SERVE ON THE YVHA?  
(Board or commission applying for)**

**As an officer at Steamboat Ski & Resort Corporation, I have the opportunity to interact with many staff members, both year-round and seasonal, on housing related matters and understand the challenges our workforce faces with regard to the attainability and affordability of housing. By serving on the YVHA board, it provides me with the opportunity to have a voice and advocate for this important issue, as well as give back to the community. Also, with my human resources background, I'm able to provide a resource to the YVHA on HR related matters when needed.**

**WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES  
FACING THE CITY OF STEAMBOAT SPRINGS RELATIVE TO THE  
BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?**

**Availability of affordable rental properties  
Sustainability of YVHA  
Fish Creek Mobile Home Park Infrastructure Improvements**

**OTHER COMMENTS:**

**I've enjoyed serving on the YVHA board since 2004. Though economic conditions have changed in our community, affordable housing will continue to be an important issue for our valley. I hope to continue to assist our community by serving on this board. Thanks for your consideration.**

**Please attach any documentation that would enhance your application.**

**All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office**

**Signature:**

A handwritten signature in black ink, appearing to read "Josh Allen". The signature is written in a cursive style with a horizontal line at the end.

**Date: 10/23/12**

**City of Steamboat Springs**

**APPLICATION FOR BOARDS/COMMITTEES/COMMISSIONS**

Please type or print with black ink. If you have questions or need more information, contact Julie Franklin, City Clerk at 871-8248. Return completed application to City Clerk's Office, City Hall, 137 10<sup>th</sup> Street, Post Office Box 775088, Steamboat Springs, CO 80477.

BOARD/COMMISSION APPLYING FOR: Yampa Valley Housing Authority

NAME: Tom Leeson

RESIDENCE ADDRESS: 215 Huckleberry Lane

MAILING ADDRESS: Po Box 770507

HOME PHONE: 846-2133 WORK PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ E-MAIL ADDRESS: teleeson@gmail.com

HOW LONG HAVE YOU BEEN A RESIDENT OF STEAMBOAT SPRINGS? 12 years

CURRENT OCCUPATION/EMPLOYER:  
Land planning and real estate development Consultant at  
Leesona Consulting, Inc.

PREVIOUS WORK EXPERIENCE:  
Director of Planning at city of Steamboat Springs

APPLICABLE COMMUNITY ACTIVITIES/VOLUNTEER WORK:



**SPECIAL QUALIFICATIONS APPLICABLE TO THE BOARD/COMMISSION:**

- Strong understanding of affordable housing issues and programs.
- expertise in real estate development + finance
- " " asset management
- possess a strong professional network both locally and statewide

**WHY DO YOU WANT TO SERVE ON THE YVHA ?**  
(Board or commission applying for)


I am a strong advocate for affordable housing and feel it is a critical component in the city's basic infrastructure. I feel that with my professional and educational background I can add a lot to the organization. I very much want to see the YVHA thrive as an organization and become financially independent. I feel strongly that in order for the YVHA to grow as an organization it must partner with other private and public entities, and with my background and expertise I can help accomplish that goal.

**WHAT, IN YOUR OPINION, ARE THE THREE MOST PRESSING ISSUES FACING THE CITY OF STEAMBOAT SPRINGS RELATIVE TO THE BOARD/COMMISSION FOR WHICH YOU ARE APPLYING?**

- ① Although property values have decreased dramatically as a result of the Great Recession, affordable housing remains a critical issue in Steamboat Springs. There continues to be a need for a strong organization dedicated to providing affordable housing in this community.
  - ② Education! There needs to be a much greater effort on part of the city and the YVHA to educate the community about the benefits of providing affordable housing. A new strategy to accomplish this goal must be evaluated.
  - ③ The whole concept of home ownership is being re-evaluated as a result of the economic downturn. Affordable rentals must become a higher priority of the YVHA and the community.
- OTHER COMMENTS:**

Please attach any documentation that would enhance your application.

All applications must be turned into City Hall, 137 10<sup>th</sup> Street,  
Attn: City Clerk's Office

  
\_\_\_\_\_  
Signature

10/23/12  
\_\_\_\_\_  
Date

# AGENDA ITEM # 10.

CITY OF STEAMBOAT SPRINGS

Regular Meeting NO. 2012-18

Tuesday, October 16, 2012

City Council Members present: City Council President Pro Tem Myller, Council Member Hermacinski, Council Member Kaminski, Council Member Macys, Council Member Magill, Council Member Reisman, and City Council President Kounovsky.

Staff Members present: Jon Roberts, City Manager; Deb Hinsvark, Deputy City Manager; Anne Small, Director of Internal Services; Tony Lettunich, City Attorney; Kim Weber, Director of Financial Services; Julie Franklin, City Clerk; Jason Peasley, City Planner; Mel Stewart, Fire Chief; Winnie DelliQuadri, Government Programs Manager; Chris Wilson, Director of Parks, Recreation and Open Space Services; Joel Rae, Director of Public Safety; Chuck Anderson, Director of Public Works.

## **LIQUOR LICENSE AUTHORITY MEETING 5:00PM**

### **ROLL CALL (5:02 PM)**

### **PROCLAMATIONS:**

- 1. PROCLAMATION: A proclamation recognizing October, 2012 as Domestic Violence Awareness Month in Steamboat Springs, Colorado.**

Council Member Reisman read the proclamation into the record.

Ms. Diane Moore, Advocates for Peaceful Communities, was present to accept the proclamation. She thanked all for the support and stated that we have a supportive and aware community. However, we still have a long way to go. They hope to increase awareness and make the community a safer place.

- 2. PROCLAMATION: A proclamation recognizing October 11, 2012 as the Day of the Girl in Steamboat Springs, Colorado.**

Council Member Macys read the proclamation into the record.

Ms. Heidi Berend was present to accept the proclamation on behalf of Girls to Women, a local program that empowers 8th grade girls and helps them look at all careers and philanthropy.

**COMMUNITY REPORTS/CITY COUNCIL DISCUSSION TOPIC:**

**3. Yampa Valley Data Partners Update and next steps.**

Ms. Kate Nowak provided a two year report from the Colorado Energy Office Grant and noted that the final report was submitted. She stated that 22 community members from three different counties got together to develop a Regional Energy Plan. They had five goals and completed 26 out of 30 strategies. She noted that Mr. Steve Hoots was a critical member of the Steering Committee.

Two outcomes of the plan are the carpool initiative, over three counties which helps build a community and is good for the environment; and the Northwest Colorado Energy Diet Checklist which includes tips to track and cut down on energy usage.

She noted that the Community Indicators Project vision statement has not been recently updated in the four areas of economic, civic, environmental and social. She approached the Vision 2030 group to see if they wanted Yampa Valley Data Partners to do the measurements for this, which they agreed. They will be using the "Tasmania together.com" model to do this.

Council Member Magill asked if she works with Northwest Colorado Council of Governments (NWCCOG) on the weatherization program. Ms. Nowak stated that she does not. Council Member Magill stated that they do weatherization with some state funds and he wondered about consolidation. Ms. Nowak stated that NWCCOG handles the implementation for the Governor's Energy Office northwest weatherization program and there are funds to continue the weatherization. Her report contains data about homes in Routt County that received weatherization.

Council Member Hermacinski asked why after the initial meeting in 2010 with the three counties and municipalities did only Routt and Rio Blanco County proceeded with compressed natural gas? Ms. Nowak stated that it was much due to the tough economic time, Moffat county felt that they could not focus on buying new compressed natural gas (CNG), or justify converting their existing fleet to CNG. Routt County thought it was too early for the technology for CNG. Rio Blanco has 80% of economy from oil and gas and they felt they could get it from the pipeline right there it would make sense. The Northern Clean Cities is an organization developing a program on CNG and there is a group on the western slope focusing on CNG that she has connected the City with.

Council Member Hermacinski asked why some of the data shows increased energy use? Ms. Nowak stated that this unfortunately happened at a time of recession. Yampa Valley Electric Association (YVEA) stated that in 2009 people were being cut off and not using much electricity. As the economy improved so did the usage.

**4. Request to Council to “name” a conference room in the Small Business Center at Colorado Mountain College. The cost would be \$15,000.**

Mr. Matt Spencer, Chief Executive Officer of the Colorado Mountain College (CMC) Foundation, provided a review of the college and the campaign.

He provided a PowerPoint presentation highlighting the following: unique and multi-purpose; growing and evolving; significant in size and spread; CMC's service area; role of the CMC Foundation; campaign to sustain the "miracle on the mountain"; campaign case for support; justification for the \$2.8 million campaign; achievements to date; images from the Grand Opening; the proposal; how the commitment will help; location on the naming opportunity; and thanks for consideration.

Council Member Magill suggested taking the \$15,000 from Council's 2012 contingency budget.

Council Member Macys asked about the Boettcher Foundation match? Mr. Spencer stated that they have not specified their match, but have made it clear that when considering grants in rural areas they look for a demonstration of philanthropic support by local government.

He also stated that some of their financial commitments come by way of multi-year pledges, for example over five years. This is an option.

Council Member Magill supports a commitment over two years totaling \$15,000.

City Council President Kounovsky stated that the last time Council met it discussed CMC's commitment to the yellow line. He asked if any meetings have taken place with CMC. Council Member Macys stated that she is going to meet with CMC, but has not arranged that yet. However she and Anderson are working on a strategy.

**MOTION:** Council Member Kaminski and Council Member Magill seconded to approve 15,000 over two years for naming rights.

Discussion during the motion:

Council Member Magill noted that it would be nice to see some partnership on the yellow line and wondered if this item should be postponed to November 13, 2012.

Council Member Hermacinski suggested a letter of support including an estimate of how much the City spends running the yellow line. Mr. Spencer stated that this would help. The Boettcher Foundation looks at philanthropic support. The grant submission deadline is the end of this month and as he writes the grant he would like to include the

## STEAMBOAT SPRINGS CITY COUNCIL MINUTES

Regular Meeting NO. 2012-18

Tuesday, October 16, 2012

City's decision. Council Member Hermacinski supports staff writing a letter of support with back up documentation of how much the City is supporting CMC every year.

Council Member Kaminski stated that the yellow line does not only go to CMC and there is a gray area that may get translated wrong.

Council Member Reisman is not inclined to tie this request to the yellow line. It is a question of whether Council wants to make a statement that we are connected to the college. He believes the \$15,000 sponsorship is worthy of the relationship. He supports the motion.

Council Member Macys agrees with keeping the yellow line issue separate. She also prefers to do the \$15,000 at one time, due to the administrative time involved and the need to make a statement to CMC. If Council is going to do this, it should be all at once.

Council Member Hermacinski does not support the motion but agrees that if Council approves the money it should be all at once.

Council Member Macys added a **FRIENDLY AMENDMENT** to the motion that was accepted by Council Members Kaminski and Magill: make the donation one time at \$15,000.

The motion carried 5/2. Council Members Hermacinski and Kounovsky opposed.

**UNANIMOUS CONSENT:** City to send a Letter of support that demonstrates the City's contribution by way of providing the Yellow line.

### 5. Discussion on Police/Fire Facility Relocation.

Ms. Hinsvark began the PowerPoint presentation speaking to the issues at hand.

Mr. Rae continued with: Fire/Police building; history; site map of options; property search; Insurance Service Office (ISO) ratings; two final plans; pros of combining at Stockbridge; cons of combining at Stockbridge; pros of separate locations; and cons of the Iron Horse site.

Ms. Hinsvark spoke to: source of funds for Police and Fire at Stockbridge; Fire at Stockbridge; Police at Iron Horse; unassigned fund balance cash flow; Iron Horse; plan to remove the Iron Horse from the City's assets; sell the Yampa Street property to Big Agnes/Honey Stinger/BAP; an economic development transaction; clawback provisions; and timing.

Discussion commenced on ISO ratings and how that affects insurance rates.

PUBLIC COMMENT:

Mr. Steve Lewis stated that the City does not know about Iron Horse easements and without those it can't sell the public safety building on Yampa because it doesn't have its "ducks in a row". This is the wrong time to do this because the budget is challenged and the City is cannibalizing other City properties to do this. The Iron Horse is riverfront property and police and fire is not a good use for this building. Lastly he feels that this is moving too fast.

Mr. Bill Jameson stated that this is "not ready for primetime", though he agrees that the City needs a new police and fire station. In regards to Iron Horse he feels that the City is ignoring land costs. He suggested taking the Iron Horse off the table. With respect to Stockbridge he does not support giving up the City's transportation modal center because it will then need to be replaced. He does not support the sale of the property on Yampa because the City is selling too low. He suggested holding on to it until the market comes back.

Mr. Tom Kern, Steamboat Springs Chamber Resort Association, stated that the outdoor recreation industry employs 315 people locally and is the only sector that has grown since 2008. There are obstacles for this industry like workforce development, access to capital, and broadband hurdles. He supports finding a solution so that BAP/Big Agnes can stay and grow in Steamboat Springs.

Council Member Macys stated that these are large decisions, and there are three questions. The question of the sale to BAP which is driven by timing. If we do sell, then we need to find a location for Police and Fire. The third is the Iron Horse which has its own set of issues, many of which don't need to be related to this discussion. Council needs to consider do we sell? If so, does Council decide where Police and Fire will move today? If the Iron Horse is not a part of the second piece, when will that discussion happen?

Council Member Hermacinski agrees that Council needs to first answer first question.

Ms. Hinsvark stated that we own the debt and can't buy back the certificates. If we try to defease it will cost \$7 million. **DIRECTION:** Council Member Hermacinski wants staff to investigate re-collateralizing those bonds. She would like to see them placed in a special account and used for a principal payment.

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES**  
**Regular Meeting NO. 2012-18**  
**Tuesday, October 16, 2012**

Council Member Reisman is not confident that we have a great handle on what we can do with the Iron Horse because information has changed since staff's last report. Ms. Hinsvark stated that in every incidence with certificates of participation (COP) the City could never have shut the doors at the Iron Horse. However, in a recent discussion with the City's bond Counsel she was told that the City can shut the doors if we keep the building in operating condition, as if it would be opened the next day.

City Council President Pro Tem Myller stated that in defense of staff, these opportunities do grow and change as you go; he understands why the facts changed. He is ready to say that he likes the Stockbridge site and that selling the fire station is a good move. The City may be able to wait for the market to recover and get more money; however he compared this situation to The Industrial Company (TIC) and wonders what Council may have done to keep them in town. Additionally, Big Agnes is more "core to our being" than a construction company.

Council Member Magill asked how many square feet TIC is leasing. Ms. Hinsvark stated that they are leasing just over 11,000 square feet for 18 months.

City Council President Kounovsky stated that staff and Council have put a lot of work into this and he supports the overall plan to pay for something out of savings that helps with Yampa Street and economic development activity. In addition the plan helps a company stay in Steamboat that many a community would love to have. He is not in favor of locating the Police Department at the Iron Horse. He stated that the first question to answer is whether the City is going to sell the Yampa Street building to BAP?

City Council President Pro Tem Myller spoke to the promenade and how it sparked other improvements at the base area. He thinks this is the right thing to do on Yampa Street.

Council Member Reisman stated that the sale to BAP makes sense to him; however it does not make sense to relocate emergency services to the Iron Horse. Stockbridge feels better to him but he is still concerned with parking.

Mr. Rae stated that the railroad schedule is subject to change, but can be flexible to service that lot. Staff does not know how much bus service will be needed at Stockbridge and there are other bus stops located very close.

Council Member Reisman asked if Police is moved to Stockbridge, will there be a satellite office downtown? Mr. Rae stated no, staff thinks that Stockbridge's proximity to downtown is good. Additionally, most of the Police Departments "walk-ins" are there



**STEAMBOAT SPRINGS CITY COUNCIL MINUTES**

**Regular Meeting NO. 2012-18**

**Tuesday, October 16, 2012**

for a specific need or purpose and that will not change if they move to Stockbridge.

**GENERAL PUBLIC COMMENT:**

No one appeared for General Public Comment.

Return to the Police/Fire location discussion.

Council Member Magill stated that staff has done a good job and has put a lot of work into this. However, for the community this seems fast. He does not support the Iron Horse location and would like to formally remove it from the discussion tonight. The sale of the Yampa Street property is about economic development. However he does not believe that the City should be the first "spur" on Yampa Street; he would like to see some private movement. He does support the sale of the Yampa Street property.

Council Member Macys agrees that the Iron Horse should be removed from the discussion. Council Member Hermacinski agrees but does not want to limit the options and therefore default to the Stockbridge location.

**MOTION:** Council Member Macys moved and Council Member Hermacinski seconded to remove the Iron Horse from the police station options and bring it back as a separate agenda item.

The motion carried 7/0.

Council Member Reisman asked if staff has looked at lease options beyond 18 months. Ms. Hinsvark state no, but TIC is a possible alternative for an indefinite period.

Mr. Rae spoke to equipment movement and storage. The City needs to have a ladder truck downtown it does not fit in the Search and Rescue barn; therefore the City would have to lease a bay. YVEA would not commit to a long term bay lease; this is concerning.

Council Member Kaminski clarified for the audience that Council is not making a decision tonight, there still needs to be two readings of an ordinance.

**MOTION:** Council Member Myller moved and Council Member Reisman seconded to approve the sale of the Yampa Street property to Big Agnes under the terms proposed.

Discussion during the motion:

Council Member Hermacinski wondered if Council Member Macys had a valid point about not enough people having the opportunity to put in an offer on the building. She suggested taking another 30 days and putting this to the community. City Council

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES**

**Regular Meeting NO. 2012-18**

**Tuesday, October 16, 2012**

President Kounovsky warned that that could go both ways.

Council Member Hermacinski wonders if BAP investors are wavering on doing business here and if this will be a constant battle that we should spend tax dollars on. Being in Steamboat Springs is a lifestyle decision; how long will BAP want to be here?

Mr. Lettunich spoke to the clawback provision noting that there would be a covenant, if certain things happened there would be a restriction on the property. If the sale moves ahead then staff will enter into negotiations and see where this goes.

Ms. Hinsvark spoke to Council's economic development goals and policies. The City wanted to spur activity on the mountain so it put money into infrastructure. It did the same by creating an enterprise zone for Copper Ridge. If Council wants to see Yampa "take off" then the opportunity exists to put money into this and spur development that is bound to happen on Yampa Street.

Council Member Macys thanked staff and the public for the input. She supports the outdoor recreation industry and believes that it is important to support these businesses. She is concerned with the lack of public bids on this property and believes that the project did not get adequate public notice. She is also concerned with selling the property under the assessed value. She would like to see more information and numbers on what sales tax will be generated by locating BAP on Yampa. There is partnership and risk with this transaction; she asked do we want to enter into a partnership with BAP? It is a question of do we want to partner and take on the risk.

Council Member Kaminski stated another concern he has heard is why is government spurring the activity on Yampa Street? He stated that he has met with the Yampa Street redevelopment group and they are aware that there needs to be a lot of private partnership for this. He believes that it is time to get the ball rolling. There is a risk but it is time to move on this.

Council Member Reisman clarified that the City is not the one spurring activity on Yampa, there has already been a lot of private development.

The motion carried 5/2. Council Members Magill and Hermacinski opposed.

Council Member Macys stated that there is a lot of information on the Stockbridge location, but not much on the other options. She would like to place this item on the next agenda and see what ideas come up. Council Member Hermacinski agrees but noted the need to give staff direction. **DIRECTION:** Staff to look into leasing space; moving Fire across the street and bay issue; look at the bus barn; and involve Search and Rescue in the process. Staff to report back on the October 30, 2012.

**CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES FIRST READINGS**

6. **FIRST READING OF ORDINANCE:** An ordinance vacating utility easements located in Airport Meadows, Filing 1, Lots 1 and 2, and providing an effective date and setting a hearing date.

City Council President Kounovsky read the ordinance title into the record.

Council Member Magill stepped down.

**MOTION:** Council Member Hermacinski moved and City Council President Pro Tem City Council President Pro Tem Myller seconded to approve an ordinance vacating utility easements located in Airport Meadows, Filing 1, Lots 1 and 2, and providing an effective date and setting a hearing date.

The motion carried 6/0. Council Member Magill stepped down.

Council Member Magill returned to the meeting.

7. **FIRST READING OF ORDINANCE:** An ordinance authorizing the City Manager to impose and lift fire restrictions; repealing all conflicting ordinances; and providing an effective date.

City Council President Kounovsky read the ordinance title into the record.

**MOTION:** Council Member Reisman moved and Council Member Macys seconded to approve an ordinance authorizing the City Manager to impose and lift fire restrictions; repealing all conflicting ordinances; and providing an effective date.

The motion carried 7/0.

**PUBLIC HEARING: ORDINANCE SECOND READINGS**

*There were no items scheduled for this portion of the agenda.*

**PLANNING COMMISSION REPORT**

**CONSENT CALENDAR - PLANNING COMMISSION REFERRALS:**

8. **FIRST READING OF ORDINANCE:** An ordinance amending the International Building Code 2006 Edition in Chapter 5, Article 1, Section 5-3: International Building Code-Amendments and Deletions

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES**

**Regular Meeting NO. 2012-18**

**Tuesday, October 16, 2012**

**to add an exception to allow a boarding house to comply with the International Residential Code.**

City Council President Kounovsky read the ordinance title into the record.

**MOTION:** Council Member Kaminski moved and City Council President Pro Tem Myller seconded to approve an ordinance amending the International Building Code 2006 Edition in Chapter 5, Article 1, Section 5-3: International Building Code-Amendments and Deletions to add an exception to allow a boarding house to comply with the International Residential Code.

The motion carried 7/0.

**9. PROJECT: Ski Ranches, Filing 5, Lot 22 #DP-12-05.**

City Council President Kounovsky read the project title into the record.

Council Member Magill stepped down.

**MOTION:** Council Member Hermacinski moved and City Council President Pro Tem Myller seconded to approve conditional uses permit for a bed and breakfast located at 2415 Val d'Isere Circle, Ski Ranches, Filing 5, Lot 22 #DP-12-05.

The motion carried 6/0. Council Member Magill stepped down.

Council Member Magill returned to the meeting.

**PUBLIC HEARING – PLANNING COMMISSION REFERRALS**

*There were no items scheduled for this portion of the agenda.*

**REPORTS**

**10. City Council**

Council Member Magill:

1. Attended the Rodeo Board retreat and noted attendance was up 7%, moving forward with Master Plan, new score board coming, that there was good attendance.
2. Also attended an Historic Routt County meeting.
3. Had a constituent ask about the Fire Prevention schedule/office hours for building review. **DIRECTION:** Staff to provide a report.
4. Asked about the City's involvement with YVEA, and what their plans are for Yampa and for the Overlook. He would like to try to get a little more dialog with them.

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES**

**Regular Meeting NO. 2012-18**

**Tuesday, October 16, 2012**

5. **DIRECTION:** Requested a report on the Eaglenet meeting.

6. **DIRECTION:** Would like to hear more about the bus wrap idea.

Council Member Reisman:

1. Noted that iCast is close to launching their retro-fitting for energy efficiency services, in partnership with the Yampa Valley Sustainability Council. He would like to see if Council will donate money (\$2,400-4,800) from the Council contingency budget for this program that certifies local contractors on retro-fit. Council Member Hermacinski asked why the group did not go through the environmental coalition. Council Member Reisman stated that they are just trying to be facilitators, it is not their program. Council Member Hermacinski stated that the Coalitions spend days vetting these requests and voiced concern with Council taking this request out of the process. Council Member Macys stated that she has been involved with iCast and wonders if this is more of an economic development micro-grant request.

City Council President Pro Tem Myller:

1. Noted the need to discuss what Council will do with the rest of their contingency budget. He suggested giving it to the Coalitions.
2. Attended a Historic Preservation Commission meeting and noted that the historic building assessments have been completed for the national program and were well received.

City Council President Kounovsky:

1. Noted that the First Impressions Annual meeting is October 24, 2012 from 11:00 to 1:00pm.

Council Member Kaminski:

1. Has received some public safety concerns about the crossing at 8th and Oak. That crossing is getting a lot of youth foot traffic and vehicles are not always yielding. **DIRECTION:** Mr. Rae to look into this.
2. Offered his condolences to former long time City employee Janet Dunham, whose husband Jack passed away last night.

Macys:

1. Stated that it is great to get email comments from the Community. She appreciates the input but would love to get it earlier so that Council isn't rushing

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES**

**Regular Meeting NO. 2012-18**

**Tuesday, October 16, 2012**

to read it right before the meeting.

2. Will have a Yellow line meeting with Mr. Anderson to talk about reaching out to partners and pursuing some opportunities.
3. Noted that Yampa Valley Recycles and Yampa Valley Sustainability Council have merged and recently had a very successful recycling event.
4. Spoke to YVEA perhaps an “unsung hero” of our partners and she is interested to see what is going to happen with their move, their building and the lot on 20 Mile Road .She would like to keep an eye on it.
5. Stated that the Butcherknife power line issue is very challenging and unfortunately is not a Council decision. However the City does have some money for underground. She would like to keep this on Council’s radar.
6. Also received questions from constituents about the Fire Prevention schedule.

**11. Reports**

**a. Agenda Review:**

1. **City Council agenda for October 30, 2012.**
2. **City Council agenda for November 13, 2012.**

Council reviewed the above agendas.

**12. Staff Reports**

**a. City Attorney’s Update/Report.**

Mr. Lettunich had no report.

**b. Manager’s Report: Ongoing Projects.**

Mr. Roberts had no report.

**1. Director's Response.**

There was no report.

**2. Council Contingency.**

A written report was provided.

**OLD BUSINESS**

**13. Minutes:**

**a. Regular Meeting 2012-15, September 4, 2012.**

**MOTION:** Council Member Magill moved and Council Member Macys seconded to approve the September 4, 2012 minutes.

The motion carried 7/0.

**b. Regular Meeting 2012-16, September 18, 2012.**

**MOTION:** Council Member Magill moved and Council Member Macys seconded to approve the September 18, 2012 minutes.

The motion carried 7/0.

**c. Regular Meeting 2012-17, October 2, 2012.**

**MOTION:** Council Member Magill moved and Council Member Hermacinski seconded to approve the October 2, 2012 minutes.

The motion carried 7/0.

**14. City Manager Contract: Discussion**

Mr. Roberts stated that over the past five months he and his wife Lianne have been reflecting on their professional and personal lives. He is exceedingly proud of what he has achieved. He is also very proud of cadets they have “sheeparded” at the Air Force Academy. However, they believe it is time to move on. He will be resigning as of 5:30pm tomorrow, subject to approval of the resignation agreement before Council tonight. He values his relationship with all employees and Council. Together they have met a number of challenges, major cuts in expenses, the completion of the promenade, Biketown and Yampa Street redevelopment. He will miss the friendships and wishes all well.

City Council President Pro Tem Myller thanked Mr. Roberts; he stated that he appreciates all the work he did for this community.

**MOTION:** Council Member Myller moved and Council Member Kaminski seconded to approve the resignation agreement agreed upon by Mr. Roberts and Council.

The motion carried 7/0.

City Council President Kounovsky thanked Roberts. The City Manager job is a difficult one and it has been a trying 4 years. He thanked Mr. Roberts for the leadership and

**STEAMBOAT SPRINGS CITY COUNCIL MINUTES**

**Regular Meeting NO. 2012-18**

**Tuesday, October 16, 2012**

wished him all the best.

Mr. Roberts stated that he has the greatest respect for City Council.

**MOTION:** City Council President Pro Tem Myller moved and Council Member Hermacinski seconded to appoint Ms. Hinsvark as the Interim City Manager.

Discussion during the motion:

Ms. Hinsvark stated that she is willing to take on the Interim role, though she wishes it were under different circumstances.

The motion carried 7/0.

**ADJOURNMENT**

**MOTION:** Council Member Kaminski moved and Council Member Macys seconded to adjourn Regular Meeting 2012-18 at approximately 7:55pm.

The motion carried 7/0.

**MINUTES PREPARED, REVIEWED AND RESPECTFULLY SUBMITTED BY:**

\_\_\_\_\_  
Julie Franklin, CMC  
City Clerk

**APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**