

# VAIL TOWN COUNCIL REGULAR MEETING

## Evening Agenda

### Town Council Chambers

6:00 PM, March 21, 2017



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#### Notes:

Times of items are approximate, subject to change, and cannot be relied upon to determine what time Council will consider an item.

Public comment will be taken on each agenda item.

Citizen participation offers an opportunity for citizens to express opinions or ask questions regarding town services, policies or other matters of community concern, and any items that are not on the agenda. Please attempt to keep comments to three minutes; time limits established are to provide efficiency in the conduct of the meeting and to allow equal opportunity for everyone wishing to speak.

#### 1. Citizen Participation

#### 2. Appointments for Boards and Commissions

- 2.1. DRB Appointments 5 min.

Presenter(s): Dave Chapin, Mayor

- 2.2. PEC Appointments 5 min.

Presenter(s): Dave Chapin, Mayor

#### 3. Consent Agenda

- 3.1. Resolution No. 9, Series of 2017, supporting the Live Well Colorado Healthy Eating and Active Living Cities and Towns Campaign recognizes the importance of health and physical activity to the Town of Vail's culture and community.

Background: The Live Well Colorado HEAL Campaign supports stated Town of Vail Values in the Vail 20/20 Strategic Action Plan and ongoing local programs such as actively green and the town's efforts to become a certified sustainable destination.

- 3.2. Resolution No. 11, Series of 2017, A Resolution Approving an Agreement Between the Town of Vail and Aspen Wireless Technologies, Inc. Concerning a Network Operating Agreement and Setting Forth Details in Regard Thereto

- 3.3. 2017 Vail Slurry Seal Project contract award

Presenter(s): Chad Salli, Project Engineer

Background: On March 10, 2017 staff received two bids for the 2017 Vail Slurry Seal project. This year's streets to receive a preventative maintenance slurry seal are Spraddle Creek Rd, Potato Patch Dr, Sandy

Lane, Beaver Dam Rd, Beaver Dam Cir, Forest Rd and Rockledge Rd. This project is budgeted within the Capital Streets Maintenance budget. Staff recommends Town Council authorize the Town Manager to enter into an agreement, in a form approved by the Town Attorney, with A-1 Chipseal in an amount not to exceed \$140,000.00.

#### **4. Town Manager Report**

#### **5. Presentations / Discussion**

##### **5.1. Open Lands Plan Update 30 min.**

Presenter(s): Kristen Bertuglia, Environmental Sustainability Manager; Tom Braun, Braun Associates

Action Requested of Council: Staff requests the Vail Town Council participate in the discussion and ask any pertinent questions, however as this is an update there is no formal action requested.

Background: The most recent step in the planning process for the update to the 1994 Open Lands Plan was an in-depth Community Workshop, held on February 22nd at the Grand View Room, where the facilitator provided background information on what has changed since the original Plan and context for the discussion. Participants were asked to work in small groups to develop a response on each of the topic areas: land acquisitions, trails, and use of town lands.

Staff Recommendation: As this is an update to the Vail Town Council on the process for the Open Lands Plan update, there is no staff recommendation at this time.

##### **5.2. Ford Park 2017 Summer Managed Parking Calendar 10 min.**

Presenter(s): Greg Hall, Director of Public Works & Transportation

Action Requested of Council: Request input and approval on the 2017 Ford Park Summer Managed Parking Calendar as prepared by staff and the Ford Park User Groups.

Background: Each spring the summer activities and events calendar is reviewed by the Ford Park User Groups, including representatives from Town of Vail, Vail Recreation District, Vail Valley Foundation (Gerald R. Ford Amphitheater), Betty Ford Alpine Gardens, Bravo! Vail and Walking Mountains Science Center (as operators of the Vail Nature Center). The group's proposed 2017 managed and paid parking program is attached. Similar parking operations and transit service as 2016 will be provided.

##### **5.3. Chamonix Vail – Home Buyer Lottery Selection Process Update 45 min.**

Presenter(s): George Ruther, Director of Community Development

Action Requested of Council: No action is required at this time.

Background: The purpose of this memorandum is to present the lottery selection process for home purchases at Chamonix Vail and provide an update on the lottery applications submitted following the March 17th application deadline.

#### **6. Action Items**

##### **6.1. Ordinance No. 1, Series of 2017, first reading, An Ordinance Amending 10 min.**

Title 3, Chapter 6, Section 8 of the Vail Town Code, Regarding Town Council Call Up of Commission on Special Events Funding Decisions

Presenter(s): Kelli McDonald, Economic Development Manager, Matt Mire, Town Attorney

Action Requested of Council: Approve, amend or deny Ordinance No. 1, Series of 2017 on first reading

Background: The Vail Town Council (the "Council") directed staff to amend Section 3-6-8(B) of the Vail Town Code to allow the Council to call up an appeal on a decision made by the Commission on Special Events within 60 days rather than 10 days.

Staff Recommendation: Approve, amend or deny Ordinance No. 1, Series of 2017 on first reading

## **7. Adjournment**

### **7.1. Adjournment at 8:05 p.m.**

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Meeting agendas and materials can be accessed prior to meeting day on the Town of Vail website [www.vailgov.com](http://www.vailgov.com). All town council meetings will be streamed live by High Five Access Media and available for public viewing as the meeting is happening. The meeting videos are also posted to High Five Access Media website the week following meeting day, [www.highfivemedia.org](http://www.highfivemedia.org).

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VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** DRB Appointments

**PRESENTER(S):** Dave Chapin, Mayor

**ATTACHMENTS:**

**Description**

**Memo DRB 032117**

To: Mayor and Town Council

From: Patty McKenny, Town Clerk

Date: March 21, 2017

Subject: Interview and Appointments to Design Review Board

**I. SUMMARY**

There are two vacancies on the Design Review Board as two members will finish their term at the end of March. Terms for the appointments to this board is two years, April 1, 2017 through March 31, 2019. The vacancy advertisement was posted earlier this month in the Vail Daily and the town's website. Interviews will be conducted during the afternoon meeting for the two people who are finishing their terms. The applicants for the **Design Review Board (DRB)** include:

1. Doug Cahill (would be his 2<sup>nd</sup> term)
2. Peter Cope (would be his 2<sup>nd</sup> term)

The current board members and terms are as follows:

Board Member	Term Expires
Bill Pierce, Chair	2018
Rollie Kjesbo, Co-Chair	2018
Andrew Forstl	2018
Doug Cahill	2017
Peter Cope	2017

The DRB meets the first and third Wednesdays of each month and are held at 3:00 p.m. in the Vail Municipal Building. Duties of the five-member DRB include reviewing the design of new structures, remodels, sign requests, landscaping plans and other architectural and aesthetic matters.

**Proposed DRB Interview Questions**

- The Town of Vail Design Review Board is charged with implementing Chapter 11, Design Review, of the Zoning Regulations and Title 14, Development Standards, of the Vail Town Code. On annual basis, the board reviews and takes action on more than 300 applications for design review. Applications range in scope from the redevelopment of a ski base area portal to a new sign or change in paint color of an existing single family home. Most importantly, the Design Review Board is responsible for maintaining a high standard of architectural design and high quality development throughout the Town.
- Given the prescribed role of the DRB, what makes you uniquely qualified to serve on the Board? Please provide an example from your past which demonstrates your qualifications and explain why you are interested in serving on the DRB?

- The DRB meets on the first and third Wednesdays of each month. Meetings begin with site visits at 1:00 pm and typically adjourn by 5:00 pm. DRB members shall be appointed to a 2 year term. Attendance at meetings is critical as it promotes a fair and equitable development review process.
  - Please describe your availability to attend DRB meetings for the duration of your term and identify any conflicts of interests that may arise as a result of your employment, personal and/or professional relationships, or financial interests in the Town of Vail.
  - The DRB almost always acts in a quasi-judicial role (like a judge) on design review applications. Decision making is guided by both quantitative and qualitative design standards and design guidelines adopted by the Town Council and prescribed in the Vail Town Code. Personal opinions or subjective decision making is not part of the design review process.
  - Vail is a small community and everyone seems to know each other in one form or another. Please describe your abilities to act in a quasi-judicial role and provide at least one example where you had to make and unpopular decision on an issued based upon a set of criteria or other certain considerations.
  - **Additional Potential Questions for DRB candidates**
- 
- Do you understand the role and time commitment to be on the PEC/DRB?
  - What skills do you possess that you think would be a benefit to your role if appointed?
  - Why are you interested in being appointed/reappointed to the PEC/DRB?
  - What impact do you believe you could have on the PEC/DRB if appointed?
  - What do you think the PEC/DRB is doing correctly?
  - What do you believe the PEC/DRB could improve upon?
  - What has been your most rewarding aspect of having served on the PEC/DRB?
  - What do you see as the future of the Town of Vail?
  - What impact are you hoping to have on the future of the Town of Vail?

**Attachments:**

- Letters of Interest / Resumes from Candidates

**Doug Cahill**

2855 Snowberry Drive

Vail, CO 81657

970-331-3462

vailcahills@comcast.net

March 12, 2017

Vail Town Council

Attn. Patty McKenny, Town Clerk

75 S. Frontage Rd., Vail, CO 81657

pmckenny@vailgov.com.

Dear Vail Town Council:

This Letter is to convey my interest to further serve on the Town of Vail, Design Review Board. I would like the opportunity to continue to serve our community by performing the duties entrusted in the DRB members. I have enjoyed serving on the DRB these past years and have felt I was able to contribute to the Town of Vail's continued success.

Thank you for your consideration for being part of Town of Vail's DRB Board.

Sincerely,

Doug Cahill

## Patty McKenny

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**From:** Cope <vandiemeninc@gmail.com>  
**Sent:** Monday, March 13, 2017 5:30 PM  
**To:** Patty McKenny  
**Subject:** DRB

Sent from my iPhone. Regarding my desire to continue to serve in the capacity as a member of Vail's DRB  
Sorry for this at the eleventh hour,

I would like to be considered to continue to serve on the board and can only hope that over the last two years I have been able to contribute to the overall effort as it pertains to seeing Vail's growth and development through the lens of quality buildings and spaces that are so important for our community. My time thus far has been a real learning experience whilst having an opportunity to get to know and understand the community development staff and process. I'm committed to Vail and its place as a resort, a hometown, a great place to raise kids along with all the natural assets that make this a great place to visit and an even better place to be from. As a contractor and having a real interest in architecture and structures as they relate to their environment and more importantly how they can augment the spaces they fill, led me to my initial interest in serving on this board. I hope my participation so far has been of some benefit and hope that I can continue to contribute in the future.

Regards. Peter Cope.





VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** PEC Appointments

**PRESENTER(S):** Dave Chapin, Mayor

**ATTACHMENTS:**

**Description**

**Memo PEC 032117**



## Memorandum

To: Mayor and Town Council

From: Patty McKenny, Town Clerk

Date: March 21, 2017

Subject: Interviews and Appointments to Planning and Environmental Commission (PEC)

### I. SUMMARY

Town Council will have an opportunity to interview applicants for four vacancies on the PEC during the March 21 afternoon meeting. The formal appointments are scheduled for the evening meeting. The terms of three appointments begin April 1, 2017 and expire on March 31, 2019 (two year terms). The term of one appointment ends March 31, 2018 and will fill a recent resignation by Henry Pratt.

The applicants for the **PEC** are listed below; the applicants have met the requirements of Vail residency and voter registration within the Town of Vail.

- 1 Brian Gillete
- 2 Kirk Hansen
- 3 Pamela Hopkins
- 4 Lorrie Johnson
- 5 John-Ryan Lockman
- 6 Bart Longworth
- 7 Karen Marie Perez

The current make up of the PEC Board include:

Board Member	Term Expires
Henry Pratt	2018
John Rediker	2018
Ludwig Kurz	2018
Brian Stockmar	2018
Brian Gillette	2017
Kirk Hansen	2017
John Ryan Lockman	2017

Duties of the seven-member PEC include review and determination of requests for variances and conditional use permits, and recommendation to Town Council on special development districts, subdivisions, rezonings, various Town of Vail proposed plans and other community matters per the Town Charter and ordinances.

The attached materials provide the letters of interest and resumes. The position vacancies were advertised with a public notice in the Vail Daily and posted on the Town of Vail website the last few weeks.

▪ **SUGGESTED PEC INTERVIEW QUESTIONS**

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- Section 3-2-6 of the Vail Town Code prescribes the function of the PEC. According to the Town Code, The PEC shall have the following function and duties:
  - Make and adoption of master plans for approval by the Town Council,
  - Review and recommend zoning regulations and subdivision regulations to the Town Council,
  - Review and approve environmental impact reports and mitigation measures as required by the Zoning Regulations, review and comment on programs and studies of environmental issues,
  - Conduct research of environmental issues,
  - Make recommendations to the Town Council for control of pollution and the protection of the environment, Advise the Town Council on appropriate actions when air and water quality standards are violated, and
  - Consider other matters pertaining to the Commission and to act in an advisory role to the Town Council.
  
- Given the prescribed role of the PEC, what makes you uniquely qualified to serve on the Commission? Please provide an example from your past which demonstrates your qualifications and explain why you are interested in serving on the PEC?
  
- The PEC meets on the second and fourth Mondays of each month. Meetings begin at 1:00 pm and typically adjourn by 5:00 pm. PEC members shall be appointed to a 2 year term. Attendance at meetings is critical as it provides a broad representation on matters before the PEC and promotes a fair and equitable development review process.
  
- Please describe your availability to attend PEC meetings for the duration of your term and identify any conflicts of interest that may arise as a result of your employment, personal and/or professional relationships or financial interests in the Town of Vail.
  
- The PEC is often asked to act in a quasi-judicial (like a judge) on development applications. Decision making is guided by review criteria and findings of fact. The review criteria are prescribed by the Vail Town Code.
  
- Vail is a small community and everyone seems to know each other in one form or another. Please describe your abilities to act in a quasi-judicial role and provide at least one example where you had to make an unpopular decision on an issue based upon a set of criteria or other certain considerations.

**Attachments:**

- Letters of Interest / Resumes from Candidates

**GILLETTE** LLC  
CONSTRUCTION

March 13, 2017

Patty McKenny  
Vail Town Clerk  
75 South Frontage Road  
Vail, Colorado 81657

RE: Vail Seeks Community Members to Fill Board Vacancies

Dear Patty McKenny:

I am writing to express my interest in filling a seat on the Planning and Environmental Commission.

Please find a brief description of my experience below:

BRIAN GILLETTE graduated from the University of Colorado at Boulder with a Bachelor of Science degree in Business Administration in 1994. Gillette started with George Shaeffer Construction Company in 1995 as a carpenter. Quickly advancing to the position of site superintendent, Brian constructed a number of homes throughout the valley. Many close relationships with subcontractors and vendors were developed over these years. Gillette was serving in the capacity of both site superintendent and project manager by 2003, responsible for the buyout, budget management, scheduling, and quality control of each project. Gillette was chosen to head Shaeffer's preconstruction service efforts in 2003. He was responsible for their marketing, initial client contact and contract negotiation. Gillette worked closely with the various architects on estimating, value engineering, and job cost accounting. Additionally, Brian supervised staffing, information technology, insurance procurement, and other duties relating to Shaeffer's operations. Gillette left George Shaeffer in November 2006 to start Gillette Construction and is currently engaged in the construction of single family residences within the Town of Vail. Brian lives with his family in Vail, Colorado.

I served on the Town of Vail Design Review Board from May of 2007 to April of 2015. I have served on the Planning and Environmental Commmsion since April of 2015. My term expires this month.

I appreciate the Council's consideration.

Sincerely,

GILLETTE LLC



Brian Gillette  
Voice: (970) 390-7981  
brian\_gillette@gillettellc.com

cc: Chris Neubecker

## **Patty McKenny**

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**From:** Kirk Hansen <kirkjhansen@msn.com>  
**Sent:** Monday, March 13, 2017 9:16 AM  
**To:** Patty McKenny; Chris Neubecker  
**Cc:** Kirk Hansen  
**Subject:** PEC Letter of Interest from Kirk Hansen - March 13, 2017

March 13, 2017

Hello Patty,

Please accept this letter/email as a letter of interest in serving on the Town of Vail's PEC for another term. It is an honor for me to serve on this committee. I'm impressed with the level of expertise and commitment from the Vail Town Council, the Town's Community Development Staff and Vail's PEC toward Vail's mission, goals and objectives.

I look forward to continuing to share my applicable experience in architecture, engineering, building, planning, and real estate in helping the community to move forward.

Sincerely yours,

Kirk Hansen

[kirkjhansen@msn.com](mailto:kirkjhansen@msn.com)

303.718.7140

March 2, 2017

Vail Town Council

Attn: Patty McKenny

Vail Town Clerk

75 South Frontage Road

Vail, Colorado 81657

RE: PEC Application due March 13, 2017

Dear Patty

Please accept this letter as my application to apply for a position on the PEC Board. I have worked as a Partner with Snowden and Hopkins Architects for thirty-nine years and then upon my partners retirement founded Hopkins Architecture LLC. I have been on the PEC from 1985 to 1989 and 2013 to 2016, the AIPP Board for eight years ending in 2012 and on the Colorado State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors for 6 years from 2010 to 2016. My resume is included with this letter.

I was involved in the Vail's Master Planning and am interested in becoming involved with next stages of Vail's Re-development. I have lived in town for 40 years, raised my family and had a successful architectural practice. My heart is in Vail and I know that I could contribute to the future of Vail.

I would enjoy continuing to work with the Town of Vail as a member of the PEC board and hope to contribute to the continuing successful renovation and reinvention of the town.

Thank you for your consideration,

*Pamela W. Hopkins*

Pamela W. Hopkins, AIA, LEED AP

Principal

Hopkins Architecture, LLC  
P.O. Box 3333, Vail, CO 81656  
970-376-6469  
[www.hopkinsarchitecture.com](http://www.hopkinsarchitecture.com)



## QUALIFICATIONS

### DESCRIPTION OF FIRM

Hopkins Architecture LLC is a new firm, founded in 2015, coming from Snowdon & Hopkins Architects when Pam Hopkins's partner, Craig Snowdon, retired. Snowdon & Hopkins Architects had been practicing architecture for more than 38 years. From their office in Vail, Colorado, they designed custom residences, libraries, commercial, and civic buildings throughout the western United States. 80% of their projects were residential in nature.

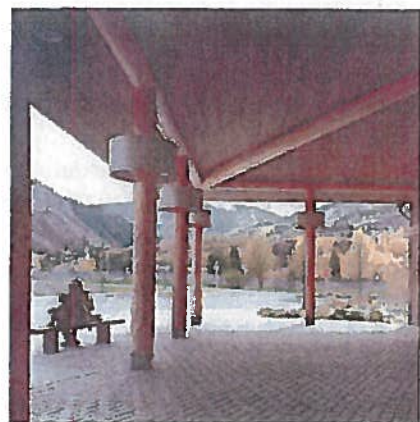
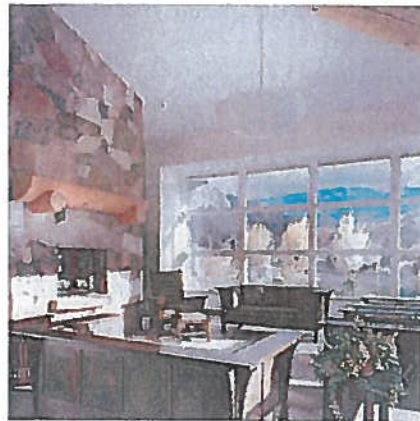
Pam Hopkins took this extensive experience with her and joined her daughter, Whitney Hopkins, who has years of product design experience to found a new firm to tackle issues of sustainability and liveability and design a better world.

We recently pioneered a new kind of interdisciplinary design process to combine ecological field science with anthropological-based design research to inform our architecture. By grounding design in solid science and observation, our designs are aimed to better fit into the environment where they sit and better serve the people who use our spaces. Informed design is the key to the Hopkins Architecture process.

### STAFFING

Hopkins Architecture consists of a mother-daughter team who have joined their skills together. As a small, two-person firm, we rely extensively on assembling talented teams from our network of professionals to deliver high-quality projects to our clients.

We enjoy working in collaboration with the client and the team of design, building, and engineering consultants throughout the process. We encourage clients to share their needs, their desires, and their practical requirements. The result is a project that fully satisfies the owners' goals in creating a building that is unique for them, their site, and their needs. We take great pride in crafting our clients' dreams. We are delighted to say that they have many repeat clients and excellent references from Pam's time as principal of Snowdon & Hopkins.



Avon Public Library

## **PAMELA W. HOPKINS, LEAD ARCHITECT**

*Hopkins Architecture Founding Principal, AIA*

With over 40 years of experience, Pam is a leading architect in the mountain west. Pam started working in Sydney, Australia, designing high-rises and residential projects. She then moved on to one of Chicago's largest architecture firms working on public library and school projects. A founding partner of Snowden Hopkins Architects, PC, she won prestigious awards like the AIA American Library Award for excellence. She has been a leader in sustainable design, building the largest green roof west of the Mississippi in the 1980s on the Vail Library. As a leader in the architecture community, she served on the board of the Colorado Dept. of Regulatory Agencies (DORA) overseeing architectural registration.



### **QUALIFICATIONS**

**Bachelor of Architecture**, U. of Colorado  
**Registered Architect**, State of Colorado (B1165)  
**LEED AP** for New Construction, since 2008

Secretary 2012-13, Board Member 2010-16 of  
State of Colorado Board of Licensure (DORA)  
American Institute of Architects (AIA)  
Member, Eagle Valley Sustainability Alliance  
Member, U.S. Green Building Council (USGBC)  
Town of Vail Sustainability Advisory Committee,  
2011  
Member, Town of Vail Waste Diversion & Recycling  
Advisory Committee, 2009  
Member, Vail's Arts in Public Places Commission,  
2004-2012  
Member, Planning and Environmental Commission,  
Town of Vail, 1985-1989, 2011-2015  
Board of Trustees, Vail Mountain School, 1986-  
2000

### **JURY AND AWARDS**

**AIA Colorado West Citizen Architect Award** -  
2013  
Jury, Biennial AIA/ALA National Design Competition,  
1987  
**AIA/ALA Award of Excellence** - Vail Library, 1985  
**AIA Western Mountain Region Award of Merit** -  
Vail Library, 1984

### **PROJECTS**

**Pitkin County Library**, Aspen, CO, 2015.  
**Castle Peak Senior Care Community**, Eagle  
County, CO, 2011.  
**Town of Vail Public Library**, CO, 2012.  
**LEED Certified Silver Residence**, Cordillera  
Ranch, CO, 2010.  
**Game Creek Club**, Vail Village location, CO, 2010.  
**Diamond Building**, Riverwalk, Edwards, CO,  
2009.  
**Gilpin County Public Library**, CO, 2009.  
**Eagle Public Library**, CO, 2008.  
**FirstBank of Vail and FirstBank of Avon**, CO,  
2007 and 2009.  
**Inn at Beaver Creek**, CO, 2006.  
**Ski Club Vail**, Vail, CO, 2000.  
**Eagle Public Library**, Eagle, CO, 1997.  
**Avon Public Library**, Avon, CO, 1995.  
**Vail Mountain School Library**, Vail, CO, 1995.  
**Vail Police Department and Municipal Complex**,  
Vail, CO, 1994.  
**Gilpin County Public Library**, CO, 1995.  
**Emerald Acres Office Complex**, Avon, CO, 1995.  
**Garden of Gods Hotel/Condo**, Vail, CO, 1994.  
**Eugene Field Public Library**, Denver, CO, 1993.  
**Inn at Beaver Creek**, Beaver Creek, CO, 1990.  
**Flagstaff Public Library**, Flagstaff, AZ, 1987.  
**Vail Public Library**, Vail, CO, 1983.  
**65+ Custom Residences**

### **REFERENCE**

Charlyn Canada, 970-476-3905



## Patty McKenny

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**From:** Lorrie Johnson <ljohnson@goblusky.com>  
**Sent:** Friday, March 03, 2017 12:04 PM  
**To:** Patty McKenny  
**Subject:** PEC Committee Application  
**Attachments:** Lorrie Johnson CV.docx

Good afternoon Patty,

I would like to apply for one of the vacant spots on the Planning and Environmental Commission Committee.

Attached to this email, you will find my CV. In this document you can see that I have been a community member of the Vail Valley for the past 4 years, and in that time I have worked for amazing organizations and businesses that serviced our community in a variety of ways. Additionally, under the community and committee involvement section of my CV, you can see that I am heavily engaged in my community and have devoted a great deal of time and efforts toward building a better tomorrow for our greater good.

As a PEC committee volunteer I would look forward to the opportunity to continue my efforts in service to my community and its folks.

Please let me know if there is other information that may need to be provided to officially submit my application for the committee.

Warmest regards,  
Lorrie

[ljohnson@goblusky.com](mailto:ljohnson@goblusky.com)

970-230-1535

1265 N. Frontage Road West #3103  
PO Box 2034  
Vail CO 81657

**Lorrie Johnson** | Business Development Manager  
**BluSky Restoration Contractors, LLC** | [www.goblusky.com](http://www.goblusky.com)  
665 Lindbergh Dr. - Box 1380 | Gypsum, CO 81637  
T 970.328.2223 | C 970.230.1535 | F 970.328.2333



restoration | renovation | environmental | roofing



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## Lorrie Johnson Business Development Manager

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Lorrie is the Business Development Manager for BluSky Restoration Contractors in their Rocky Mountain region. Lorrie is part of a team of experienced and professional experts in the construction field specializing in restoration, renovation, environmental, and roofing services. Prior to Lorrie moving into the Vail Valley in 2013, she lived in Wichita, KS and graduated from Wichita State University and University of Phoenix earning her Master's degree in Business Administration. Additionally, Lorrie spent over 10 years in the non-profit sector building community relationships focused on collaboration, education, and sustainable funding. Through her experience and education, Lorrie has developed a deep understanding and passion for relationship building and community engagement.

### EDUCATION

Wichita State University, Bachelor of Arts, Women's Studies, 2006

University of Phoenix, Master of Business Administration, 2009

### PROFESSIONAL EXPERIENCE

**BluSky Restoration Contractors, LLC** - *Business Development Manager* - Gypsum, CO (2015-Present)

- Nurture and expand existing business relationships to increase lead generation and average job size
- Maintain membership and involvement in targeted associations and achieve significant committee, community and leadership positions
- Prepare and present sales proposals and BluSky contingency plans
- First Aid Agreement set up, administration and implementation
- Design and implement advertising strategies including content selection and budgeting for local office needs
- Represent BluSky in tradeshow, tournaments, and promotional events
- Plan and organize marketing functions; including golf tournaments, charitable events, sports outings, and other networking and social activities
- Partner with sales team on the creation and planning of BluSky University educational seminars and lunch & learns

**Vail Valley Partnership** - *Membership Manager* - Avon, CO (2014-2015)

- Developed and implemented all programs, projects, and activities designed to increase and retain membership
- Responsible for all membership dues and AR tracking
- Conducted and managed all new member orientation programs and services
- Organized and managed all networking events and calendar
- Assisted in facilitating and managing Leads Groups
- Worked with Group Sales department to promote lodging members

### **Roundup River Ranch Camp - Individual Giving Manager - Avon, CO (2013-2014)**

- Cultivated, solicited and stewarded million dollar Family Foundation donation in my first year of work
- Promoted and managed Recognition Societies, Monthly Giving Program, and Bequest & Planned Giving Program
- Partnered with Special Events team to ensure support for individual donors at signature and cultivation events
- Coordinated and managed Young Professional Group (Friends of Camp)
- Managed and planned online and direct mail annual appeals
- Supported and coordinated the Development and Advisory Committees to achieve annual and major gifts fundraising goal
- Assisted in organizing and engaging Board of Director in fundraising and cultivating activity
- Responsible for writing and stewarding family foundations, grants, and major gift proposals.

### **University of Colorado - Domestic Violence Specialist - Denver, CO (2010-2013)**

- Coordinated and collaborated community engagement processes and meetings
- Enhanced and supported the provisions of services for victims and children effected by domestic violence
- Continuously booked year-round for speaking engagements within national conferences and K-12 schools, with audiences of up to 600 in attendance
- Consistently received a 99% effective speaker rating on feedback surveys
- Developed prevention education curriculum and trained K-12 school staff members in Denver Public Schools

### **Project PAVE - Violence Prevention Coordinator - Denver, CO (2011-2013)**

- Coordinated the operations of Project PAVE's teen dating violence prevention programs, leading prevention educators, volunteers and interns
- Redesigned PAVE-sponsored student clubs for sustainability and growth
- Trained, mentored and directed staff, interns and volunteers in program implementation

### **Catholic Charities Harbor House - Violence Prevention Specialist - Wichita, KS (2007-2010)**

- Conducted and coordinated violence prevention presentations for classrooms, workshops and professional conferences
- Grant wrote and supported fundraising initiatives on high level corporate sponsorships
- Designed promotional materials and strategic plans for various programming and services
- Wrote and received million dollar grant from the Robert Wood Johnson Foundation
- Assisted in the development and implementation of research and data collection systems
- Collaborated on statewide comprehensive prevention plan
- Planned and coordinated youth summer camp and bi-yearly youth workshops with over 300 attendees.

### **Big Brothers Big Sisters - Case Manager / Trainer - Wichita, KS (2006-2007)**

- Public speaker at recruitment events involving large companies and community groups with over 100 attendees
- Conducted one-on-one interviews and trainings of high profile volunteers and supervised school representatives
- Oversaw 100+ matches, providing on-going support to ensure a positive BBBS experience



## PROFESSIONAL AFFILIATIONS

Colorado Hotel and Lodging Association  
Community Associations Institute  
TEDxVail  
Vail Valley Partnership  
Vail and Edwards Rotary  
Vail Valley Young Professional Association  
Vail Valley Business Women Association

## COMMUNITY & COMMITTEE INVOLVEMENT

Colorado Mountain College Advisory Council - 2016- Present  
Rural Resort Area Workforce Development Board - 2016 - Present  
Habitat for Humanity: Carpenters' Ball Planning Committee - 2016 - Present  
TEDxVail Co-Director & Volunteer - 2015 to Present  
Vail Rotary Club Member - 2014 to 2015  
CAI Mountain Conference Committee Member - 2015 to Present  
CAI Mountain Education Committee Member - 2015 to Present  
Vail Valley Young Professional Association Member - 2015 to Present  
Vail Valley Business Woman Association Member - 2014 to Present  
Vail Valley Partnership Ambassador - 2015 to Present  
University of Colorado Hiring Board Member - 2011  
Campbell Arms Association HOA Board - 2010 to 2013  
YMCA Child Care and Camping Board - 2007 to 2010  
Take Back the Night Committee Member - 2007 to 2010  
Sexual Exploitation Roundtable Committee Member - 2007 to 2010  
Big Brothers Big Sisters Bowl for Kid's Sake Board Member - 2007 to 2010  
The American Red Cross, Assistant to the Executive Natural Disasters Director - 2006

John-Ryan Lockman  
1763 Alpine Drive  
Vail, CO 81657  
706-338-8798  
jrlockman@gmail.com

March 13, 2017

Vail Town Council  
Attn: Patty McKenny, Town Clerk  
75 S. Frontage Road  
Vail, CO 81657  
Re: PEC Vacancy

Patty,

Please accept this as my "Letter of Interest" for the Planning and Environmental Commission. I have been a local Town of Vail resident since October of 2008 and I am currently employed as the Energy Programs Director at the Walking Mountains Science Center. I am passionate about environmental sustainability in my community as well as thoughtful and meaningful planning for future development in Vail.

I have served for the past 2 years on the Planning and Environmental Commission for the Town of Vail. During the past 2 years I have gained valuable experience and hope to be able to continue to serve on the PEC for another 2 years.

A handwritten signature in black ink, appearing to read 'John-Ryan Lockman', with a stylized, flowing script.

John-Ryan Lockman

## Patty McKenny

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**From:** Bart Longworth <bart@10thwhiskey.com>  
**Sent:** Thursday, March 16, 2017 2:50 PM  
**To:** Patty McKenny  
**Cc:** Chris Neubecker  
**Subject:** Re: PEC Committee  
**Attachments:** image001.jpg

Hello,

I am attaching a print out of my voter registration which also verifies my address and residence in Vail. I have been in Vail almost 4 years at this point. I can drop the paper copy at the village office if need be.

Most of my experience that relates to this job is related to the community activities I have been involved in while living in various cities. I have lived in Atlanta, Chicago, Portland OR, Denver and now here. I have held many different jobs while living in these cities and have volunteered on many levels.

My first involvement in Vail was tied to the plastic bag which I was totally in favor of and helped hand out re-usable bags with Mark Holbitzal. I currently manage 10th Mountain Whiskey and Spirits in Bridge in Vail Village. I am a very active member of the community, playing softball, doing the trail running series, working to get us actively green certified and many other things. I am just turning 40 and have the ear of people young and old. I am in a unique position that I get to talk to so many people everyday about how great Vail is. My passion is to get more involved so we can build Vail into a community that is active, sustainable and envied by people near and far.

Thankyou for your consideration.

Enjoy your day!

1101 Vail View Drive

## **Karen Marie Perez**

980 Vail View Drive, Unit A104, Vail, Colorado 81657, Telephone: (720) 838-0564, Email: karen@perezlegalassociates.com

March 13, 2017

**Via Email: PMcKenny@vailgov.com**

Ms. Patty McKenny  
Town Clerk  
Town of Vail, Colorado  
75 S. Frontage Road  
Vail, Colorado 81657

Ms. McKenny:

I am writing to express my interest in a vacant seat on the Planning and Environmental Commission (PEC) for the Town of Vail, Colorado that is currently posted on the Town's website. I am a somewhat new resident to Vail, and it is with pleasure that I am pursuing this opportunity become more involved in my community.

I am a native of Colorado and have over eighteen years of commercial real estate law experience. I am licensed to practice law both in Colorado and California. Additionally, I have had several mayoral appointments as a former resident of Denver, Colorado. These appointments and public service include:

1. four years as a Board Member on the Planning Board for the City and County of Denver, Colorado ("Denver Planning Board");
2. four years as a Board Member on the Lowry Economic Redevelopment Authority ("LRA"); and
3. two years as a Board Member on the Lowry Community Land Trust ("LCLT").

During my time on the Denver Planning Board, I was on the committee which redrafted the entire Denver Zoning Code which switched the City from traditional zoning districts to form-based zoning. This involved much work with drafting, interpreting, and implementing regulations, in addition to public meetings and hearings.

The LRA was formed as an intergovernmental agreement between the City and County of Denver, and the City of Aurora to redevelop over 900 acres on the former Lowry Air Force Base. A component of the redevelopment was including a component of affordable housing which included low-income housing and work-force housing which I implemented through the LCLT.

As a real estate attorney, a portion of my practice includes low-income housing tax credit transactions aimed at addressing housing shortages and providing affordable options while working with communities and municipalities to add value. In fact, I was part the legal team which developed the Middle Creek Village project in Vail, as well as two similar developments in Aspen, Colorado. My

practice extends to representing housing authorities for Denver, Pueblo, Boulder, Loveland, and Estes Park. Additionally, I represent developers (private/entrepreneurial, for profit, non-profit, governmental, and quasi-municipal), lenders, borrowers, municipalities and water districts (as general counsel), and tax credit investors in complex real estate developments.

This experience enables me to understand the perspective of all involved. I believe that the PEC and those attempting to transact business within the Town can benefit from my ability to find creative solutions to problems which meet the needs of all parties. Equally, important is that I have the ability to learn, to listen, and to adapt to a new environment and code.

My resume is included in this submittal.

Thank you for your consideration. I look forward to hearing from you!

Best regards,

*Karen M. Perez*

Enclosure

cc: Chris Neubecker *via email (cneubecker@vailgov.com)*

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VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** Resolution No. 9, Series of 2017, supporting the Live Well Colorado Healthy Eating and Active Living Cities and Towns Campaign recognizes the importance of health and physical activity to the Town of Vail's culture and community.

**BACKGROUND:** The Live Well Colorado HEAL Campaign supports stated Town of Vail Values in the Vail 20/20 Strategic Action Plan and ongoing local programs such as actively green and the town's efforts to become a certified sustainable destination.

**ATTACHMENTS:**

Description

Memo

Resolution



## Memorandum

To: Vail Town Council

From: Community Development Department

Date: March 21, 2017

Subject: Resolution No. 9, Series of 2017, A Resolution in support of the Live Well Colorado Healthy Cities and Towns Campaign

### I. PURPOSE

The purpose of this presentation is to introduce Resolution No. 9, Series of 2017, in support of the Live Well Colorado Healthy Eating and Active Living (HEAL) Cities and Towns Campaign.

### II. BACKGROUND

At the March 7<sup>th</sup>, 2017 meeting of the Vail Town Council, representatives from Live Well Colorado presented information to the Vail Town Council on the HEAL Cities and Towns Campaign. This campaign is a partnership with the Colorado Municipal League to encourage healthy eating and active living across the state. The Vail Town Council directed staff to return with a resolution in support of the campaign at this meeting.

Campaign information was also presented to the Planning and Environmental Commission on January 23, 2017. The commissioners voted unanimously to recommend the Vail Town Council adopt a resolution in support of Live Well Colorado's HEAL Cities and Towns Campaign. Joining the Live Well Colorado HEAL Cities and Towns Campaign does not obligate the town to any action or require town funding. This resolution and campaign provide a great opportunity for the Town of Vail to be recognized for outstanding work already completed in support of active living and healthy eating.

### III. STAFF RECOMMENDATION

Staff recommends the Vail Town Council approve Resolution No. 9, Series of 2017 in support of the Live Well Colorado HEAL Cities and Towns Campaign. The free resources available to campaign participants can aid in efforts to grow a balanced community where people can live, work, play, and grow old. The campaign supports the stated community values in the Vail 20/20 Strategic Action Plan and ongoing local programs such as Actively Green, Health Links Colorado, and Eagle County's Aging Well initiative.

### IV. ATTACHMENTS

1. Resolution No. 9, Series of 2017.

## **RESOLUTION NO. 9**

**Series of 2017**

### **A RESOLUTION RECOGNIZING THE IMPORTANCE OF HEALTH AND PHYSICAL ACTIVITY TO THE TOWN OF VAIL'S CULTURE AND COMMUNITY IN ORDER TO JOIN THE LIVE WELL COLORADO HEALTHY EATING AND ACTIVING LIVING CITIES & TOWNS CAMPAIGN**

WHEREAS, the Colorado Municipal League's Vision Statement acknowledges the importance of sustaining strong, healthy and vibrant cities and towns;

WHEREAS, 58 percent of Colorado adults and a quarter of our children are overweight or obese;

WHEREAS, In Eagle County, 46% of adults are overweight or obese, and approximately 15% of children are overweight or obese;

WHEREAS, the annual cost to Colorado—in medical bills, workers compensation and lost productivity— for overweight, obesity, and physical inactivity exceeds \$1.6 billion;

WHEREAS, cities and towns have the ability to impact opportunities for healthy eating and active living;

WHEREAS, The Town of Vail has partnered with the Eagle County Healthy Communities Coalition on the Plan4Health grant program and the Town of Vail received a comprehensive policy scan of town planning documents as they pertain to healthy eating and active living and found the town to be a leader in providing residents and visitors access to recreation facilities and healthy food;

WHEREAS, The Town of Vail has a long history of addressing community health needs as part of an effort to continually grow a balanced community and maintain its status as the premiere international mountain resort community;

WHEREAS, the Campaign aligns and further supports existing Town of Vail priorities such as environmental sustainability and economic vitality;

WHEREAS, The Town of Vail continues to encourage and support the health and wellness of its staff by providing a healthy workplace through our comprehensive wellness programming and in our partnership with Health Links Colorado from whom we have received the Healthy Business Leader Certification; and,

WHEREAS, by joining the Campaign, the Town of Vail will receive benefits such as free technical assistance on healthy eating and active living initiatives, access to free webinars and trainings, marketing and public relations resources, recognition at Colorado Municipal League events, recognition on the campaign's website, and an invitation to participate in the annual summit.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE  
TOWN OF VAIL, COLORADO:**

Section 1. The Vail Town Council hereby recognizes that access to healthy food sources and active living is an important component to creating a balanced community and the wellness of the residents and guests of the Town of Vail.

Section 2. The Town of Vail will consider the recommendations of the Plan4Health Policy scan as it moves forward in planning efforts and policy decisions and focus on strategies that encourage healthy eating and active living such as:

- Healthy food access
- Active transportation and public transit
- Community design and land use
- Community engagement

Section 3. Staff is directed to take any additional steps necessary and appropriate to enroll the Town of Vail in the Live Well Colorado HEAL Cities and Towns Campaign and report back to the Vail Town Council for any additional actions that need to be taken.

Section 4. Effective Date of Resolution:

This Resolution shall be effective immediately on adoption.

INTRODUCED, READ, APPROVED AND ADOPTED on this 21<sup>st</sup> day of March 2017.

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Dave Chapin, Mayor, Town of Vail

ATTEST:

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Patty McKenny, Town Clerk



## VAIL TOWN COUNCIL AGENDA MEMO

### **ITEM/TOPIC:**

Resolution No. 11, Series of 2017, A Resolution Approving an Agreement Between the Town of Vail and Aspen Wireless Technologies, Inc. Concerning a Network Operating Agreement and Setting Forth Details in Regard Thereto

### **ATTACHMENTS:**

#### **Description**

**Staff Aspen Wireless Memorandum**

**Resolution No. 11, Series of 2017**



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## Memorandum

To: Mayor and Town Council

From: Ron Braden, Information Technology Director

Date: March 16, 2017

Subject: **Resolution 11 Series 2017**

**Resolution 11 Series 2017** is a Network Operating Agreement between the Town of Vail and Aspen Wireless Technologies. It allows for non-exclusive use of our surplus/unused fiber to provide retail broadband to the consumer in Vail. This service is meant to supplement services already offered by CenturyLink and Comcast to reach unserved and underserved areas of the Town. There are performance and service metrics which have to be met in order to continue the use of the fiber lines. Additionally, if the surplus fiber is needed by the Town of Vail for future use, it can be pulled with twelve months notice.

### **Background:**

As we discussed at the October 2016 council meeting, we have been working with Aspen Wireless testing new wireless equipment capable of providing enterprise class broadband to the consumer. The proof of concept phase (summer/fall 2016) was very successful and we are now entering into a formal agreement with Aspen Wireless for the use of our fiber. The network is already in place at most locations, so the buildout will be quick.

The Town of Vail has been working with Aspen Wireless since 2005. Aspen Wireless was hired by Crown Castle as the General Contractor to build the oDAS cellular system in 2014. They also installed and manage the retrofitted public Wi-Fi system in place now. This public Wi-Fi network [SSID:vailwifi] has exceeded a million users and is served by a Gigabit Comcast Internet circuit.

Jim Selby from Aspen Wireless will be at the meeting to answer any questions council may have.

**RESOLUTION NO. 11**  
**Series of 2017**

**A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE TOWN OF VAIL AND ASPEN WIRELESS TECHNOLOGIES, INC. CONCERNING A NETWORK OPERATING AGREEMENT AND SETTING FORTH DETAILS IN REGARD THERETO.**

WHEREAS, the Town of Vail (the "Town"), in the County of Eagle and State of Colorado is a home rule municipal corporation duly organized and existing under the laws of the State of Colorado and the Town Charter (the "Charter");

WHEREAS, the members of the Town Council of the Town (the "Council") have been duly elected and qualified;

WHEREAS, the Aspen Wireless Technologies Inc., ("Aspen Wireless") currently operates and maintains the Town's public WiFi system using existing fiber optic lines owned or controlled by the Town and using facilities owned or operated by third-party Crown Castle Towers 06-02, LLC ("Crown Castle"), including a communications tower located in the Town;

WHEREAS, Aspen Wireless plans to construct, operate, and maintain a retail wireless broadband internet network in and around the Town to improve un-served and under-served areas of the Town, to foster new wireless applications, and to introduce new methods of delivering high speed wireless internet broadband at their sole cost;

WHEREAS, The Town owns other infrastructure, which the Town desires to license to Aspen Wireless on a non-exclusive basis for Aspen Wireless's placement of certain facilities that are a part of the Network;

WHEREAS, Upon construction of the Network, Aspen Wireless desires to provide the Town with a license to use the Network, at no cost, for Town use for Town purposes; and

WHEREAS, The Town desires Aspen Wireless to operate, maintain, and upgrade the Network to industry standards as such standards may change from time-to-time for ten years, plus an additional optional ten-year period.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO:**

1. The Council hereby approves the Agreement and authorizes the Town Manager to enter into the Agreement on behalf of the Town in substantially the same form as attached hereto as Exhibit A and in a form approved by the Town Attorney.
2. This Resolution shall be effective immediately upon adoption.

INTRODUCED, READ, APPROVED AND ADOPTED this 21st day of March, 2016.

\_\_\_\_\_  
Dave Chapin, Mayor, Town of Vail

ATTEST:

\_\_\_\_\_  
Patty McKenny, Town Clerk

## **EXHIBIT A**

### **NETWORK OPERATING AGREEMENT**

THIS NETWORK OPERATING AGREEMENT (the "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2017 (the "Effective Date"), by and between the Town of Vail, a Colorado home rule municipality with an address of 75 South Frontage Road, Vail, Colorado 81657 (the "Town"), and Aspen Wireless Technologies, Inc., a Michigan S Corporation with an address of 1920 W. Burnley Lane, Maple City, MI 49664 ("Operator") (each individually a "Party" and collectively the "Parties").

### **RECITALS**

A. Operator currently operates and maintains the Town's public WiFi system using existing fiber optic lines owned or controlled by the Town and using facilities owned or operated by third-party Crown Castle Towers 06-02, LLC ("Crown Castle"), including a communications tower located in the Town;

B. Operator, at Operator's sole cost, plans to construct, operate, and maintain a retail wireless broadband internet network in and around the Town to improve un-served and under-served areas of the Town, to foster new wireless applications, and to introduce new methods of delivering high speed wireless internet broadband, (the "Network," as described and defined in **Exhibit A**, attached hereto);

C. Operator intends to charge a fee to retail customers in the Town for service over the Network;

D. The Town has a direct interest in improving the quality of life of its citizens through improvements to essential infrastructure and services within its boundaries and recognizes that improved access to high-speed wireless internet broadband services provides substantial value to the Town and its citizens.

E. The Town owns or has the rights to fiber-optic transmission lines with surplus capacity, which the Town desires to license to Operator on a non-exclusive basis for Operator's use in constructing, operating, and maintaining the Network, provided the Town shall retain the right upon three hundred sixty five (365) days' notice to terminate the license or reduce the quantity/capacity of fiber optic lines available for Operator's use if the Town determines it is necessary for Town purposes;

F. The Town owns other infrastructure, which the Town desires to license to Operator on a non-exclusive basis for Operator's placement of certain Operator facilities that are a part of the Network;

G. Operator intends to use other facilities owned by third-parties, including Crown Castle, and Operator acknowledges that it shall be Operator's sole responsibility to obtain all rights necessary from third-parties;



H. Upon construction of the Network, Operator desires to provide the Town with a license to use the Network, at no cost, for Town use for Town purposes;

I. The Parties desire Operator to operate, maintain, and upgrade the Network to industry standards as such standards may change from time-to-time for ten years, plus an additional optional ten-year period; and

J. Operator has held itself out as being skilled in the marketing, sales, customer service, construction, and daily operation of broadband networks and applications of the same nature as the Network and Operator, and will use those skills in constructing, operating, maintaining and marketing the Network.

NOW THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

## **I. NON-EXCLUSIVITY**

The rights provided to Operator by the Town are non-exclusive. The Town may offer similar arrangements to other providers of broadband services in the Town's sole discretion.

## **II. DEFINITIONS**

A. "Errors" means any deviations from the Specifications and any deviations from commonly accepted standards for normal and correct operation of wireless broadband internet networks of a similar nature, even if not explicitly mentioned in the Specifications, such as any cases where the Network abnormally ceases functioning, produces incorrect or misleading results, and similar deviations.

B. "Network" means the auxiliary broadband system providing primary and/or redundant broadband services throughout the Town, which is based upon Operator's proven capabilities as more fully described in Exhibit A, attached hereto and incorporated herein by this reference.

C. "Specifications" means the description of the Network and its current and future capabilities in Exhibit A.

## **III. OPERATOR OBLIGATIONS**

A. At no cost to the Town, Operator shall construct, operate, maintain, and upgrade the Network and shall perform all work set forth and reasonably implied from Exhibit A. The operation, capabilities and performance of the Network shall be as described in the Specifications.

B. Upon notice from Operator that the Network is complete, complies with the Specifications, and that all materials required or reasonable implied by Exhibit A have been delivered, the Town shall have thirty (30) days to review, test, and perform all other inquiries

deemed appropriate to determine whether Operator has complied with its obligations set forth herein (the "Network Review Period"). The Town shall provide notice of any deficiencies within the Network Review Period. Upon receipt of any such notice from the Town, Operator shall proceed with due diligence and shall use its best efforts to remedy the deficiency as expeditiously as possible. If Operator disagrees with the Town's notice regarding a deficiency or failure of Operator to comply with Operator's obligations, Operator shall provide a detailed written response within fifteen (15) days of receipt of the Town's notice. The Parties shall cooperate to resolve the issue, but if no mutually agreeable resolution can be reached, the Parties may avail themselves of all remedies available at law or equity. If the Town does not provide notice of any deficiency within the Network Review Period, the Town shall be deemed to have agreed the Network meets the Specifications.

#### **IV. LICENSE AND PROPRIETARY RIGHTS**

A. Upon acceptance of the Network by the Town, Operator shall own all equipment, facilities, and material (including software and hardware) installed by Operator to create the Network; provided the Town shall retain ownership of all Town infrastructure, including without limitation, the Town Property (which includes all fiber optic lines licensed to Operator by the Town), as defined in Exhibit A. Operator is hereby granted a non-exclusive license for the term of this Agreement, and any renewals thereto, to use the Town Property to host and locate the equipment necessary to construct, operate and maintain the Network; provided it does not interfere with the Town's use of the Town Property as determined by the Town in its sole discretion. This license shall be revocable by the Town at the Town's will if the Town determines in its sole discretion that any element of Town Property is needed by the Town and Operator's use of the Town interferes with the Town's use of that element. The Town shall provide Operator with reasonable notice prior to terminating Operator's right to use an element of Town Property, and the Town use reasonable efforts to find a suitable replacement option for Operator's use from other Town Property.

B. For the term of this Agreement, and any renewals thereto, Operator hereby grants the Town an irrevocable perpetual license to use the Network, at no cost, for the Town's municipal purposes. All services, applications, and other services created or performed by the Town using the Network shall be the sole property of the Town.

#### **V. REPRESENTATIONS AND WARRANTIES**

Operator represents and warrants to the Town that: (1) the Network will be original and will not infringe upon any patent, copyright, trade secret or other proprietary rights of others; (2) Operator is the sole and exclusive owner of all rights in the Network subject only to the rights herein granted to the Town; (3) Operator has not previously granted and will not grant any rights in the Network to any third party that are inconsistent with the rights granted to the Town herein; and (4) Operator has full power to enter into this Agreement, to carry out its obligations herein contained and to grant the rights herein granted to the Town.

#### **VI. INDEMNIFICATION**

Operator shall indemnify and defend the Town for, and hold it harmless from, any loss, expense (including reasonable attorneys' fees), damage or liability arising out of any claim, demand or suit resulting from a breach or claimed breach of this Agreement by Operator, including without limitation, of any of Operator's representations or warranties. The Town shall promptly inform Operator in writing of any such claim, demand or suit of which the Town gains knowledge, and Operator shall fully cooperate in the defense thereof.

## **VII. INSURANCE**

A. Operator agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Operator pursuant to this Agreement. At a minimum, Operator shall procure and maintain, and shall cause any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.

1. Worker's Compensation insurance as required by law.

2. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$1,000,000 general aggregate. The policy shall be applicable to all premises and operations, and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision, and shall include the Town and the Town's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.

3. Professional liability insurance with minimum limits of \$1,000,000 each claim and \$1,000,000 general aggregate, including but not limited to Technology Errors and Omissions and Operating Errors and Omissions covering products, services, and work performed by Operator under this Agreement. A claims made policy is acceptable providing there is no lapse in coverage during the term of this Agreement and the policy will be in full force and effect 3 years after the expiration or termination of this Agreement.

B. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be canceled, terminated or materially changed without at least 30 days prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees, or its contractors shall be excess and not contributory insurance to that provided by Operator. Operator shall be solely responsible for any deductible losses under any policy.

C. Operator shall provide to the Town a certificate of insurance as evidence that the required policies are in full force and effect. The certificate shall identify this Agreement.

## **VIII. TERM AND TERMINATION**

A. The term of this Agreement shall commence on the Effective Date and shall continue for ten (10) years (the “Initial Term”). Provided Operator is not in breach of any of the terms of this Agreement, Operator may renew this Agreement for an additional ten (10) years by providing written notice of renewal to the Town prior to expiration of the Initial Term.

B. In the event of a breach by Operator which is not cured within one hundred twenty (120) days after written notice thereof by the Town, the Town may terminate this Agreement and shall be entitled to the remedies set forth herein.

## **IX. MISCELLANEOUS**

A. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado, except that any claims based on federal law may be brought in the United States District Court for the District of Colorado.

B. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. Integration. This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

D. Third Parties. There are no intended third-party beneficiaries to this Agreement.

E. Notice. Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class United States Mail to the party at the address set forth on the first page of this Agreement.

F. Severability. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. Modification. This Agreement may only be modified upon written agreement of the Parties.

H. Assignment. Neither this Agreement nor any of the rights or obligations of the Parties hereto shall be assigned by either Party without the written consent of the other. Sale of Operator’s rights to the Network shall not be deemed a justification to withhold consent, provided that the purchasing party demonstrates to the reasonable satisfaction of the Town that it has the financial and technical capability to develop, maintain, update, and operate the Network as contemplated herein.

I. Governmental Immunity. The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers or employees.

J. Rights and Remedies. If Operator is in breach of this Agreement, the Town shall have the right to suspend or terminate the license provided to Operator to use the Town Property (including the surplus fiber). If Operator fails to construct or maintain the Network as required by the Agreement, the Town shall have the right to purchase all facilities, equipment, hardware and software, owned or controlled by Operator for use in the Network for the price of one dollar (\$1.00), and Operator agrees to execute all documents necessary to transfer such ownership to the Town. The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

K. Subject to Annual Appropriation. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

L. Time of the Essence. Time is of the essence in this Agreement and each of its terms. Operator's failure to comply with the terms of this Agreement, including without limitation performance of the obligations set forth in Exhibit A, pursuant to Schedule 1, shall constitute a material breach of this Agreement.

*[Remainder of page intentionally left blanks. Signatures on following page.]*

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date first set forth above.

**TOWN OF VAIL, COLORADO**

\_\_\_\_\_  
Stan Zemler, Town Manager

ATTEST:

\_\_\_\_\_ Patty McKenny, Town Clerk

**ASPEN WIRELESS, INC.**

By: \_\_\_\_\_

Jim Selby, President

STATE OF COLORADO     )  
                                          )  
COUNTY OF EAGLE        )

The foregoing instrument was subscribed, sworn to and acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2017, by Jim Selby, as President of Aspen Wireless, Inc.

My commission expires: (S E A L)

\_\_\_\_\_ Notary Public



## EXHIBIT A

### OPERATOR OBLIGATIONS

Operator shall perform the following duties and produce the following deliverables, pursuant to the schedule attached hereto as **Schedule 1**. Failure to perform any the following deliverables as set forth herein shall constitute a material breach of the Agreement.

1. Operator shall construct and deliver a new fully-operational locally-focused wireless broadband network capable of delivering high-speed broadband internet access to all areas of the Town identified in the Broadband Needs Assessment (as defined below) using state-of-the-art technology, which shall use the Town's surplus fiber capacity and last mile wireless technology, and which shall deliver speeds varying from 25-1000+ Mbps depending on the specific needs of customers being served (the "Network").

2. The Network shall provide redundant critical communications, and shall not use incumbent cable or telecommunications infrastructure for the Network's last mile (commonly referred to as redundant facilities based infrastructure).

3. Immediately upon execution of the Agreement, Operator shall conduct a broadband needs assessment to determine where wireless broadband internet access is un-served / underserved in the Town ("Broadband Needs Assessment"). Operator shall provide the Broadband Needs Assessment to the Town for review and approval, and shall cooperate with the Town on the design of the Network to ensure the Network delivers service to all areas of the Town based on the Broadband Needs Assessment.

4. Operator shall construct the Network using, in part, Town-owned real property (including surplus fiber optic transmission line, certain buildings, utility infrastructure, signage, light standards, and other improvements) (the "Town Property"). The Parties will identify the Town Property to be used in the Network at a later date after Operator has completed the Broadband Needs Assessment and designed the Network; provided that the Town retains sole discretion over which elements of the Town Property are used the Network. The Parties shall establish a written list of the Town Property used in the Network, which shall detail how the Town Property may be used by Operator and any limitations on that use.

5. Operator shall, in coordination with the Town, evaluate and depending on the results of the evaluation, use next generation services in the Network, including but not limited to:

- a. Internet Of Things (IOT) and Machine to Machine (M2M) Networks
- b. Smart City Initiatives
- c. Public Safety / Camera Networks



- d. FTTX and Hybrid Fiber/Wireless FTTX
- e. Location Based Services
- f. Digital Signage

6. Upon completion of the Network, Operator shall deliver to the Town a network coverage map to the Town, showing the areas served by the Network. The Network shall serve areas identified in the Broadband Needs Assessment.

7. Operator shall develop and provide all ongoing marketing, sales and customer services reasonably required to advertise, market, and promote the Network to Town residents, businesses, and visitors.

8. Maintenance/Investment.

a. Operator shall maintain the Network to ensure it remains fully functional in accordance with the Specifications, and shall upgrade the Network as reasonably necessary for it to continue to provide state-of-the-art functionality. The Town Of Vail may decide to commit additional funds in the future if warranted in the Town's sole discretion.

b. On or before January 1, 2018 and every ninety (90) days thereafter, Operator shall furnish to the Town's IT Director a verified statement of network coverage and performance.

c. Operator shall establish and maintain accurate coverage maps, network capabilities and service records satisfactory to the Town and the Town shall have access to such records upon reasonable notice during regular business hours of Operator.

## **SCHEDULE 1**

1. On or before May 1, 2017 - Completion of Broadband Needs Assessment.
2. On or before June 1, 2017 – Completion of Network design.
3. On or before December 31, 2017 – Completion of fully operational Network and delivery of service.



## VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** 2017 Vail Slurry Seal Project contract award

**PRESENTER(S):** Chad Salli, Project Engineer

**BACKGROUND:** On March 10, 2017 staff received two bids for the 2017 Vail Slurry Seal project. This year's streets to receive a preventative maintenance slurry seal are Spraddle Creek Rd, Potato Patch Dr, Sandy Lane, Beaver Dam Rd, Beaver Dam Cir, Forest Rd and Rockledge Rd. This project is budgeted within the Capital Streets Maintenance budget. Staff recommends Town Council authorize the Town Manager to enter into an agreement, in a form approved by the Town Attorney, with A-1 Chipseal in an amount not to exceed \$140,000.00.

VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** Open Lands Plan Update

**PRESENTER(S):** Kristen Bertuglia, Environmental Sustainability Manager; Tom Braun, Braun Associates

**ACTION REQUESTED OF COUNCIL:** Staff requests the Vail Town Council participate in the discussion and ask any pertinent questions, however as this is an update there is no formal action requested.

**BACKGROUND:** The most recent step in the planning process for the update to the 1994 Open Lands Plan was an in-depth Community Workshop, held on February 22nd at the Grand View Room, where the facilitator provided background information on what has changed since the original Plan and context for the discussion. Participants were asked to work in small groups to develop a response on each of the topic areas: land acquisitions, trails, and use of town lands.

**STAFF RECOMMENDATION:** As this is an update to the Vail Town Council on the process for the Open Lands Plan update, there is no staff recommendation at this time.

**ATTACHMENTS:**

**Description**

**Open Lands Plan Update Memorandum**

**Open Lands Plan Update - Presentation**



## Memorandum

TO: Vail Town Council  
FROM: Community Development Department  
DATE: March 21, 2017  
SUBJECT: Comprehensive Open Lands Plan Update

### I. PURPOSE

The purpose of this agenda item is to inform the Town Council on the progress being made on the update to the 1994 Comprehensive Open Lands Plan.

### II. BACKGROUND

In December, 2016, the Town authorized an update to the 1994 Comprehensive Open Lands Plan (the Plan). The process for updating the Plan involves revisiting the existing Plan to identify initiatives that have been addressed (and those that have not); evaluating via a community engagement process the goals, objectives and initiatives of the existing Plan; and drafting an updated plan with goals, objectives and initiatives identified during the process to address the community's needs.

One of the first steps in the process was to host three (3) Community Scoping Sessions. The purpose of these meetings was to inform the community about the existing plan and to understand what is on the community's mind with regard to the Open Lands Plan. No formal presentations were made. Rather, participants were asked to visit a number of stations, each of which provided information about the existing Plan and Town-owned lands.

The next step in the process was a more in-depth Community Workshop, held on February 22<sup>nd</sup> at the Grand View Room, where the facilitator provided background information on what has changed since the original Plan and context for the discussion. Participants were asked to work in small groups to develop a response on each of the topic areas:

#### 1. Land Acquisitions

- a. Protection of Environmental Resources
- b. Housing
- c. USFS Land Swap

#### 2. Trails

- a. General/User Groups
- b. Wildlife and Environmental Considerations
- c. Neighborhood Connectors

#### 3. Use of Town Lands

- a. RETT
- b. Designated Open Space

c. Public Facilities

### III. WORKSHOP DISCUSSION AND COMMUNITY FEEDBACK

Brief summaries of the workshop group discussion follow.

#### **Land Acquisition:**

##### ***a.) Protection of Environmental Resources***

Participants were asked to provide parameters for environmental resources (e.g., what should be protected, how to prioritize lands for this purpose, etc.).

Consensus amongst groups was reached that the maintenance of open lands should be included as a top priority as well as the “acquisition, preservation, and protection of natural open space”. Sensitive environmental resources were defined as follows.

- Gore Creek ecosystem, corridor, and water quality
- Wildlife and wildlife habitat
- Wildlife corridors to allow for the free and safe movement of wildlife through town, to the creek, and sensitive seasonal zones. This discussion included wildlife crossovers for I-70

#### **Community Suggestions**

- Minimize wildlife/human interactions (e.g. wildlife-resistant containers, education).
- Minimize pesticides or use organic/natural fertilizers and pest management options wherever possible.
- Explore possibility of controlled burns for weed control and habitat restoration.
- Town of Vail should purchase 1602 Matterhorn Circle for wildlife corridor and access to Gore Creek.
- Further minimize and consider use of Mag Chloride when possible- or find safer alternatives.
- The Plan should seek to maintain, encourage, and protect native biodiversity both in animal and plant life.
- Use Plan to help mitigate and treat stormwater runoff where appropriate.
- Noise pollution- both I-70 and loud vehicles.
- Designate the Middle Bench of Donovan Park Open Space.

##### ***b.) Housing***

Participants were asked what role housing should play in the Plan, and under what circumstances is housing appropriate on town land.

A general consensus was reached that the Plan should not focus on housing. However, with respect to available lands within the town, the group agreed that it depended on the parcel; open land should stay open land, preferring infill or redevelopment opportunities for housing. The group was in favor of re-development of existing housing, especially in seasonal employee neighborhoods to increase density in those locations.

#### **Community Suggestions**

- Housing is only appropriate if the Town can acquire new developable / re-developable land and there is no impact on sensitive environmental resources.
- Housing should be addressed by the private sector or through public-private partnerships with the Town. It's not primary a Town responsibility. It's considered the "cost of doing business."
- "Housing should be encouraged on Safeway parking lot."
- Research/implement additional phases/opportunities at Buzzard Park.

### **c.) USFS Land**

Participants were asked to identify the circumstances under which they would support a land swap with the USFS.

There was no support for a land swap with the USFS, unless the land was threatened by other development (i.e., if the USFS was given the authority to sell land to private entities and began doing so).

## **Trails**

### **a.) General Trail Use**

Participants were asked for their feedback on whom trails should serve, types, wildlife and environmental considerations, how to reduce user group conflicts and community needs.

In general participants were in favor of trails and not opposed to expansion of trails (with the exception of the Vail Trail, which several opposed), provided they are properly constructed and managed with concern for wildlife. They preferred the terminology of *rec paths* over *bike path* (Gore Valley Trail).

#### **Community Suggestions**

- Improve existing trails (e.g. signage and maintenance at trailheads).
- Accessibility - improve access for wheelchairs and other accessible devices, (not necessarily pavement, but proper grading, widths, etc. to provide fair access to a growing number of disabled and elderly).
- Research directional or one-way trails to minimize conflict.
- Need for soft surface connections to the west (make Davos/Buffalo Ridge/Triple Trespass legal trails with easements, property purchases, etc.).
- Dual trails- i.e. Eagle single tract side walks, soft surface and paved to allow for slower speeds and more traffic. Cross-country skiing v.s. snowshoeing trails at Nordic center
- Reduce pressure on valley-floor trails by improving trails on Vail Mountain.
- Research alternate day use on certain trails.
- Add a speed limit on the recreation paths.
- Paved recreation paths need to be extended to complete connection through town instead of simply widening shoulders for bike lanes.
- Mitigate impact of "groups" from rental stores, tours, etc. taking up whole recreation path.

### **b.) Trails, wildlife and environmental impacts**

Participants agreed that wildlife and environmental considerations were critical for trail development. Though suggestions were varied, participants agreed that trails should be

constructed properly to discourage cutting of corners, braiding, widening, and limit or do not develop trails where a high probability of wildlife interaction exists.

#### Community Suggestions

- To manage dog interactions- certain areas must be on-leash required.
- Improve signage for wildlife concerns and education.
- Use best available research to determine proper users, seasonal closures, and explore possibility of time of day closures (dusk to dawn, etc.).
- Create a “trail host program” for enforcement and education on wildlife ethic, trail ethic, and user programs.
- Create a variety of trail types based on location- some should be paved, while others should be narrow and overgrown.
- Further use of bike shops and outdoor shops for trail education.

### ***c.) Neighborhood Connector Trails***

#### Community Suggestions

- Inventory existing trails, identify needs.
- Improve or decommission social trails (e.g. Intermountain-Stephens Park to Vermont road, or back to Intermountain water tower, etc.)
- Create easements in areas to ensure trail access is maintained (e.g. connection to North Trail from the end of Garmisch Drive).
- Research the creation of easements to ensure trail access.

### **Use of Town Lands**

Participants were asked to discuss land purchased with Real Estate Transfer Tax (RETT), Designated Open Space, and to anticipate future needs for public facilities or public uses. Participants raised questions about how, when, and should land that was purchased with RETT dollars be changed, and what constitutes designated open space.

### ***A.) Land Purchased with Real Estate Transfer Tax (RETT)***

#### Community Suggestions

- Further research using the Eagle Valley Land Trust or conservation easements for protected areas.
- Middle Bench of Donovan should be Designated Open Space.
- 1602 Matterhorn Circle should be purchased and also designated open space.
- The land between the East Vail Interchange and Katsos Ranch Road/VMS should be designated open space to protect big horn winter habitat.
- Purchase land and designate as open space for expanded habitat protection- especially for moose.

### **Public Facilities**

#### Community Suggestions

- The Town should discontinue convention center discussions- there is enough capacity in hotels and the town shouldn't compete with businesses for convention space.
- There is a need for a performing arts center or concert center. The old CMC theater should be purchased.



- There is a need for another ice rink in the winter.
- There is a need for a public pool.
- Safety structures are needed to keep vehicle accidents on I-70, prevent vehicles from coming off I-70 and onto the Frontage road.

#### **IV. NEXT STEPS**

The next step in the planning process is to conduct further research based upon the feedback at the workshop on additional parcels, easements, trail development, wildlife and environmental impacts, and additional parcels for protection or other purposes. An analysis of all Town-owned lands and the formation of a Technical Expert Group are also ongoing.

The next Community Meeting which will involve a more in-depth discussion of specific parcels will take place on April 25th in the Grand View Room at Lionshead. After the second Community Meeting, another update on the planning process will be presented to Town Council, currently scheduled for May 16<sup>th</sup>.

# Town Council Project Update #2

## March 21, 2017



# Open Lands Plan Project Update #2

1. Summary of Community Meeting #1
2. Current Work Program
3. Community Meeting #2
4. Project Schedule



# Why the Update

The OLP is 22 years old

Plan Accomplishments

Things have changed since '94 . . . .

- Population growth
- Growth in summer visitation
- Gore Creek listed as *Impaired*
- Housing challenges
- Development of regional recreation facilities
- Increase in types of trail use

***What else has changed that affect OLP decisions?***

# COMMUNITY MEETING #1

February 23<sup>rd</sup>

## Purpose of meeting

- +/-50 participants
- Presentations on 3 main elements of Plan:
  - Action Plan/Land Acquisitions
  - Trails
  - Use of Town Lands
- Provided questions/prompts to facilitate discussions
- Small group discussions
- Groups reports



# Action Plan/Land Acquisitions

## Protection of sensitive environmental resources

### What are we evaluating

- Defining parameters for “sensitive environmental resources”
- Bio-diversity
- Potential land acquisitions to further environmental protection

### What we heard . . . .

- Continued acquisition of lands for protection/preservation should be top priority
- Maintenance/management of open space lands should be top priority
- Gore Creek, Gore Creek, Gore Creek, stormwater runoff
- Wildlife habitats and movement corridors
- Lot next to Middle Bench of Donovan Park
- Manage lands for bio-diversity

# Action Plan/Land Acquisitions

## Housing

### What we are evaluating

- Suitability of housing on town-owned lands
- Role of undeveloped privately owned lands

### The questions we are asking

- Given the new housing plan, what role does housing play in OLP?
- Under what circumstances is housing on town lands appropriate?

### What we heard . . . . .

- Housing is best addressed by private sector
- OK for Plan to addressing housing . . . . . only to acquire lands that do not have value for environmental protection
- RETT land purchases . . . . . Not for housing

# Action Plan/Land Acquisitions

## USFS lands

### What we are evaluating

- Future evaluation by Town Council

### The questions we are asking

- Are there any circumstances under which you would support a land exchange?

### What we heard . . . . .

- No support for USFS land exchange to develop lands
- Only support for USFS land exchange would be to:
  - Preempt land exchange by others
  - Facilitate trail/trailhead improvements
  - Acquire land the TOV could better manage





## Trails in General/User Groups

### The questions we are asking

- Who should Vail's trail system target/what types of trails benefit community?
- Ideas for reducing user group conflicts?
- How can interface with Vail Resort or Eagle County trails help address community needs

### What we heard . . . . .

- Improve existing trails, signage, maintenance, accessibility
- Trail use, user conflicts
- Trail opportunities on Vail Mountain
- Complete recreation paths through town
- Inventory existing trails, define opportunities and needs

## Wildlife and Environmental Considerations

### What we are evaluating

- Input from USFS and Colorado Parks and Wildlife
- Need for additional consultants
- Defining standards (trail width and grades, impacts on vegetation and terrain, erosion control, etc.)
- Parameters for wildlife and environmental impacts

### The questions we are asking

- What specific wildlife or environmental considerations should be evaluated with any new trails?

### What we heard . . . . .

- Dogs
- Wildlife education/outreach, trail “hosts”, role of bike shops, etc.
- Understand wildlife/environmental goals and impacts

## Neighborhood Connectors

### '94 Open Lands Plan

Concept Plan identifies series of connecting trails that link neighborhoods throughout town

Town of Vail

Comprehensive Open Lands Plan

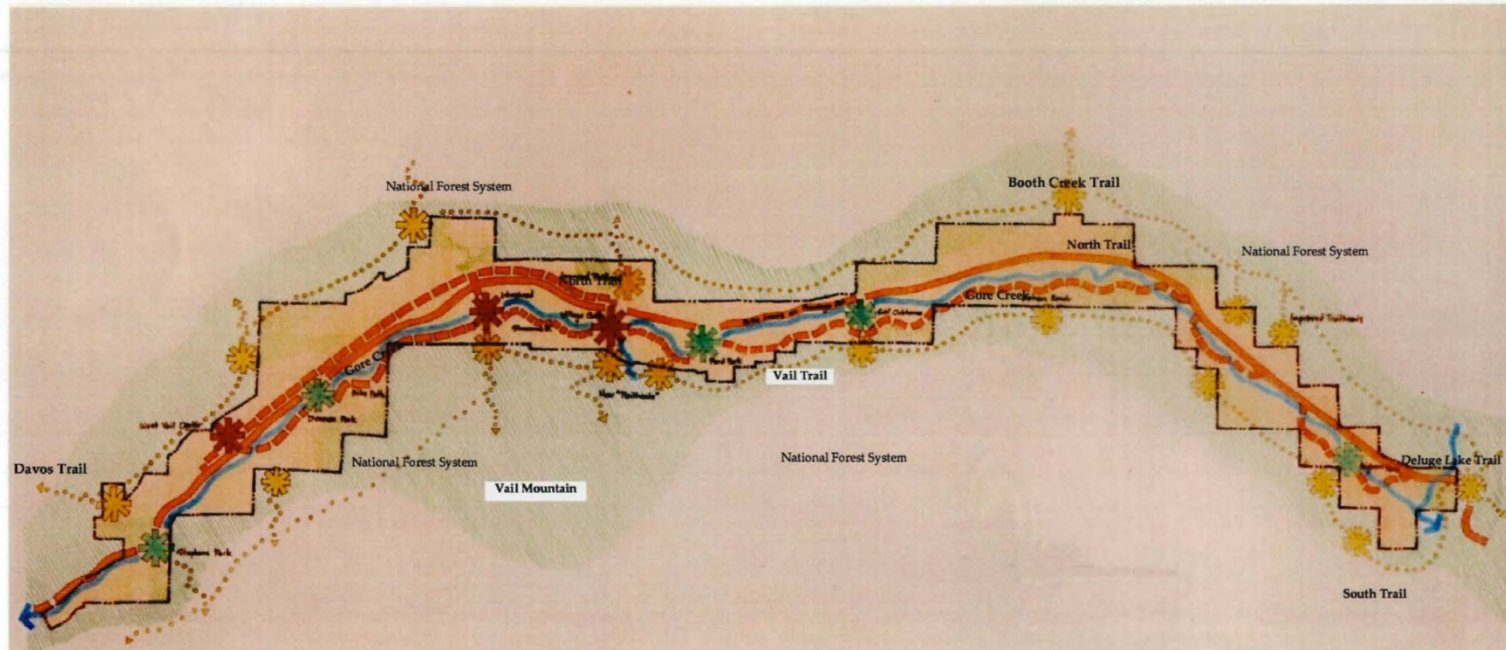


Exhibit 3  
Concept Plan

## Neighborhood Connectors

### What we are evaluating

- Discussing feasibility with USFS and CPW
- Neighborhood trail connection points, types, alignments, etc.

### The questions we are asking

- What else should we be considering with this idea?
- Where are neighborhood trails needed? What informal trails exist?

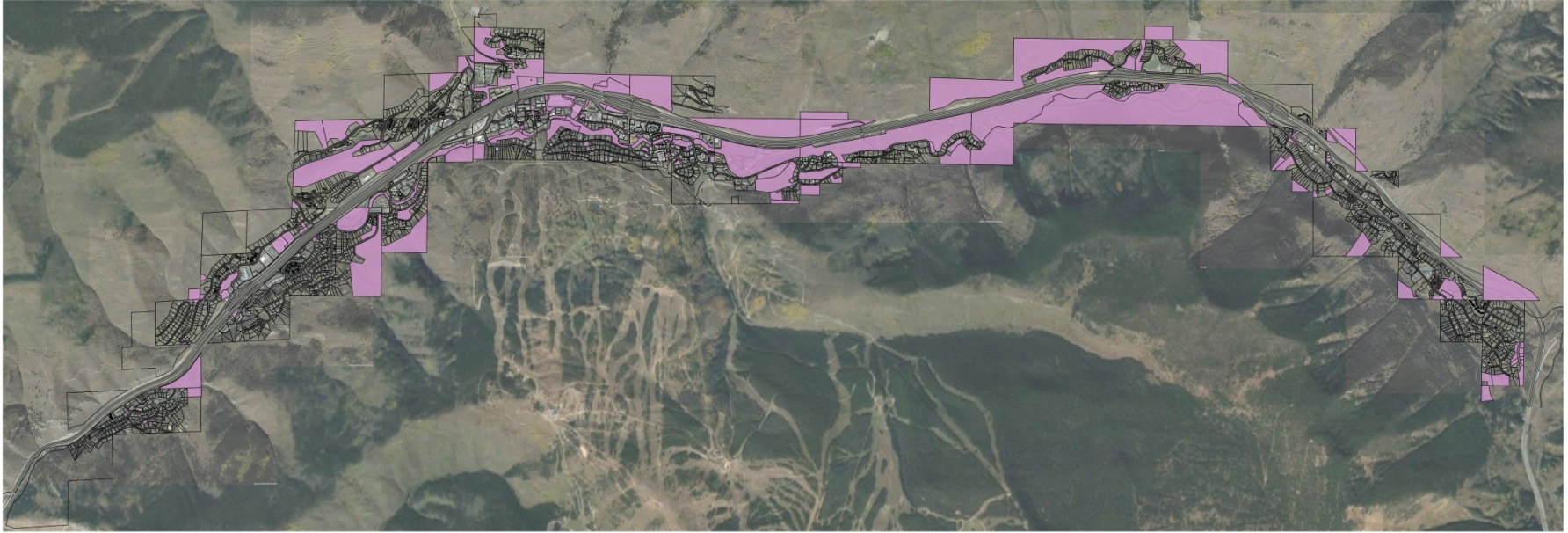
### What we heard . . . . .

- Better understand feasibility of concept
- Define wildlife/environmental impacts
- Address informal social trails
- Easements



# Use of Town Lands

## Recommendations of Use of Town Lands



TOWN OWNED - PARCELS

# Use of Town Lands

## Recommendations of Use of Town Lands



### TOWN OWNED PARCELS EXCLUDING:

- DEVELOPED LANDS
- PARKS / GOLF COURSE
- "OPEN SPACE DESIGNATED LANDS"
- ENVIRONMENTAL CONSTRAINT LANDS



# Use of Town Lands

## Lands Purchased with RETT

Transfer Tax Ordinance adopted in 1979

- 1% tax on land sales to purchase lands for *“for parks, recreation, open space”*

Amended in 1987

- No increase to tax amount without approval of voters
- RETT funds may only be spent within Town of Vail
- RETT funds to “be used for the improvements”

Amended in 1992/2006

- Tax proceeds within 1 mile of Town boundary
- Added recreation paths to uses funded by RETT
- Added “sustainable environmental practices” to uses funded by RETT



# Use of Town Lands

## Open Space Designation

### What we are evaluating

Potential role of Eagle Valley Land Trust and Eagle County Open Space

### The questions we are asking

Should this Plan update evaluate additional parcels for Designated Open Space? If so, suggestions?

### What we heard . . . . .

- Middle Bench of Donovan – apply Open Space Designation
- Role of land trust
- Use of RETT lands
- Evaluate RETT lands/Open Space Designation



# Use of Town Lands

## Need for “Public Facilities” or “Civic/Public Facilities”

### What we are evaluating

- 160 Town-owned parcels – existing use, development feasibility
- Town future needs - snow dump, solar farm, parks, community gardens

### The questions we are asking

What future/unanticipated needs may require land?

What land does Town own that could accommodate future needs?

### What we heard . . . . .

- Put discussion of conference center to bed
- Performing arts, pool, ice rink . . . .

# WORK PROGRAM

## Action Items/Land Acquisition

- Evaluate 51 Action Items/recommendations from '94 Plan
- Define “sensitive environmental resource”, evaluate bio-diversity
- ID potential for new Action Items to further environmental goals, re: Gore Creek/Wildlife
- Evaluation of all Town-owned lands, re: housing/public uses
- Evaluation of USFS lands

## Technical Experts/Other Resources

- CPW
- USFS
- ERWSD
- Eagle River Watershed Council

# WORK PROGRAM

## Trails

- Alternatives for addressing user conflicts
- Define design parameters for trails
- Assess environmental/wildlife impacts
- Comprehensive plan of existing trails and types of trails
- Evaluation of other trail improvements from '94 Plan
- Feasibility of Concept Plan – neighborhood connectors

## Technical Experts/Other Resources

- CPW
- USFS
- VR
- ECO Trails

# WORK PROGRAM

## Use of Town Lands

- Evaluate RETT purchases/Open Space Designations
- Evaluate/inventory all Town-owned lands
- Open space protection techniques
- Future town needs/suitability of available lands
- Management of Town open space
- Wildfire

## Technical Experts/Other Resources

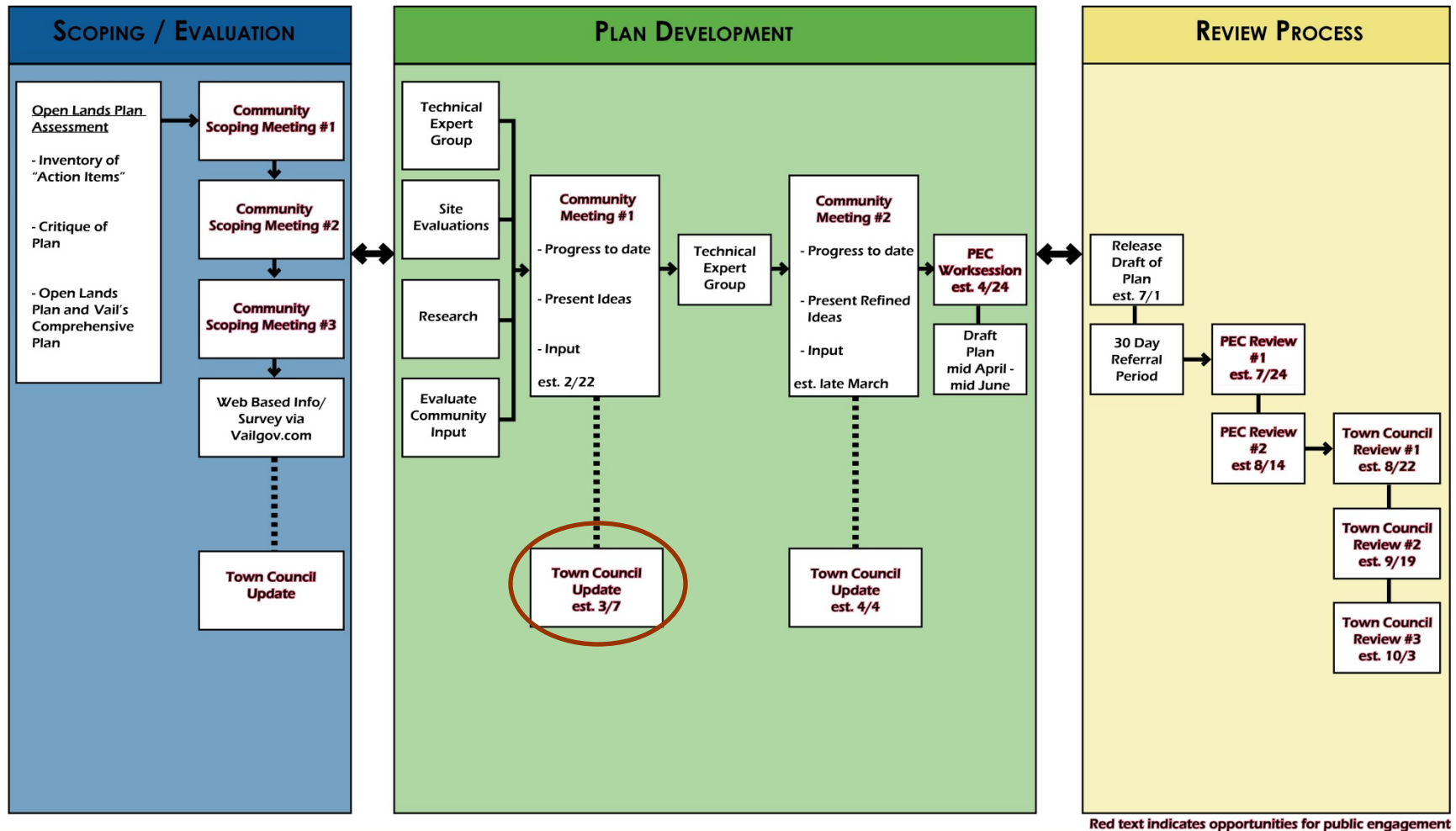
- Eagle Valley Land Trust
- Town Departments
- VRD

# Community Meeting #2

- Address questions/comments from Meeting #1
- Present research and analysis
- Present ideas for potential refinements to Plan

# PROJECT SCHEDULE

## 2016 Update to the 1994 Comprehensive Open Lands Plan







# NEXT STEPS

End of presentation





## VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** Ford Park 2017 Summer Managed Parking Calendar

**PRESENTER(S):** Greg Hall, Director of Public Works & Transportation

**ACTION REQUESTED OF COUNCIL:** Request input and approval on the 2017 Ford Park Summer Managed Parking Calendar as prepared by staff and the Ford Park User Groups.

**BACKGROUND:** Each spring the summer activities and events calendar is reviewed by the Ford Park User Groups, including representatives from Town of Vail, Vail Recreation District, Vail Valley Foundation (Gerald R. Ford Amphitheater), Betty Ford Alpine Gardens, Bravo! Vail and Walking Mountains Science Center (as operators of the Vail Nature Center). The group's proposed 2017 managed and paid parking program is attached. Similar parking operations and transit service as 2016 will be provided.

### ATTACHMENTS:

#### **Description**

**2017 Town of Vail Paid Parking Calendar**

**2017**  
**Ford Park**  
**Summer Managed Parking Calendar**

Dates	Event Name * indicates use of the "Nest"	Timeframe	Managed Parking
<b>May 2017</b>			
Thursday, May 18	Butterfly Launch	11:00 a.m. - 2:00 p.m.	
Friday, May 19	Rehearsal BMHS	9:00 a.m.- 12:30 p.m.	
Saturday, May 20	Battle Mountain High School Graduation (12:30 p.m. - 4:30 p.m.)	10:30 a.m. - 4:30 p.m.	Managed Parking
Friday, May 26	Vail Mountain School School Graduations (3:00 p.m. to 6:00 p.m.)	3:00 p.m. - 8:00 p.m.	Managed Parking
<b>June 2017</b>			
Thursday, June 8	Mountain Games	8:00 a.m. - 10:00 p.m.	Managed Parking
Friday, June 9	Mountain Games	8:00 a.m. - 10:00 p.m.	Managed Parking
Saturday, June 10	Mountain Games	8:00 a.m. - 10:00 p.m.	Managed Parking
Sunday, June 11	Mountain Games	8:00 a.m. - 10:00 p.m.	Managed Parking
Friday, June 16	Colorado Children's Chorale Concert King of the Mountain Volleyball Tournament	6:00 p.m. - 7:00 p.m. 7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Saturday, June 17	King of the Mountain Volleyball Tournament Hot Summer Nights??? 30th Birthday	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Sunday, June 18	King of the Mountain Volleyball Tournament	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Monday, June 19	Vail Lacrosse Tournament *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Tuesday, June 20	Vail Lacrosse Tournament * Hot Summer Nights (HSN) #1	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Wednesday, June 21	Vail Lacrosse Tournament *	7:00 a.m. - 4:00 p.m.	Paid Parking, VMS & PD
Thursday, June 22	Bravo Academy St. Martin in the Fields (ASMF) * Opening Night w Reception	4:00 pm- 8:00 pm	Paid Parking, VMS & PD
Friday, June 23	Breakfast in the Gardens Fashion Show	8:30 a.m.	
Saturday, June 24	Bravo ASMF *	4:00 pm- 8:00 pm	Paid Parking, VMS & PD
Sunday, June 25	VRD Lacrosse Shoot Out (LSO) * Bravo ASMF *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Monday, June 26	VRD Lacrosse Shoot Out *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Tuesday, June 27	VRD Lacrosse Shoot Out * Hot Summer Nights #2	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Wednesday, June 28	VRD Lacrosse Shoot Out * Bravo Dallas Symphony * Opening Night w Reception	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Thursday, June 29	VRD Lacrosse Shoot Out *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Thursday, June 29	Amphitheater Event for VVF	4:00 pm- 6:00 pm	Paid Parking, VMS & PD
Friday, June 30	VRD Lacrosse Shoot Out Bravo Dallas Symphony *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
<b>July 2017</b>			
Saturday, July 1	July 4th tickets on sale	8:00 a.m.	Paid Parking, VMS & PD
Saturday, July 1	VRD LSO / Bravo - Dallas *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Sunday, July 2	VRD LSO / Bravo - Dallas *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Monday, July 3	VRD LSO	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Tuesday, July 4	VRD LSO / Bravo - Dallas *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Wednesday, July 5	Bravo Dalles *	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Friday, July 7	Bravo - Philadelphia Orchestra * Opening Night w Reception	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Saturday, July 8	Bravo - Philadelphia Orchestra * (7:30 start time)	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Sunday, July 9	Bravo - Philadelphia Orchestra*	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Tuesday, July 11	HSN #3	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Wednesday, July 12	Family Concert	9:00 a.m. - 1:00 p.m.	Managed Parking
Thursday, July 13	Bravo Philadelphia Orchestra*	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Friday, July 14	VRD Baseball PBR * Bravo Philadelphia Orchestra *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD

**2017**  
**Ford Park**  
**Summer Managed Parking Calendar**

<b>Dates</b>	<b>Event Name</b> <b>* indicates use of the "Nest"</b>	<b>Timeframe</b>	<b>Managed Parking</b>
Saturday, July 15	VRD Baseball PBR Bravo Philadelphia Orchestra* Children's Hospital Courage Classic	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Sunday, July 16	VRD Baseball PBR	8:00 a.m. - 3:00 p.m.	Managed Parking
Tuesday, July 18	HSN #4	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Friday, July 21	Soccer 3x3 Kick it Tournament * Bravo NYC Philharmonic * Opening Night w Reception	7:00 a.m. - 8:00 p.m.	Paid Parking, VMS & PD
Saturday, July 22	3x3 Soccer Tournament * Bravo NY Philharmonic *	7:00 a.m. - 8:00 p.m.	Paid Parking, VMS & PD
Sunday, July 23	3x3 Soccer Tournament * Bravo - NY Philharmonic *	7:00 a.m. - 8:00 p.m.	Paid Parking, VMS & PD
Tuesday, July 25	HSN #5	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Wednesday, July 26	Bravo - NYC Philharmonic *	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Thursday, July 27	Bravo - NYC Philharmonic *	4:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Friday, July 28	VRD Soccer 3v3 Kick It Tournament Bravo - NY Philharmonic *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Saturday, July 29	VRD Soccer 3v3 Kick It Tournament Vail International Dance Festival "VIDF" *	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
Sunday, July 30	VRD Soccer 3v3 Kick It Tournament VIDF * Vail Dance Festival- LA Dance Project	7:00 a.m. - 7:00 p.m.	Paid Parking, VMS & PD
<b>August 2017</b>			
Tuesday, August 1	Vail Dance Festival- American Classics *	5:00 p.m. - 7:00 p.m.	Paid Parking, VMS & PD
Friday, August 4	Tennis Tournament Vail Dance Festival- International Evening of Dance*	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Saturday, August 5th	Tennis Tournament Vail Dance Festival- International Evening of Dance II* Copper Triangle Bike Ride	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Sunday, August 6	Tennis Tournament		
Monday, August 7	Vail Dance Festival- NOW Premires featuring Women in Choreography	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Tuesday, August 8	Vail Dance Festival - Dance for \$20.17	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Thursday, August 10	Vail Dance Festival- Dorrance Dance	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Friday, August 11	Vail Dance Festival- Martha Graham	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Saturday, August 12	Vail Dance Festival - Closing night Ballet X	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Tuesday, August 15	Hot Summer Nights #6	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Saturday, August 19	Trans Rockies Race (athletic field)	soccer lot closed	Managed Parking
Tuesday, August 22	Hot Summer Nights #7	5:00 p.m. - 8:00 p.m.	Paid Parking, VMS & PD
Friday, August 25	Town of Vail- Movie night	7:00 p.m.	

**PLEASE NOTE THIS SCHEDULE IS SUBJECT TO CHANGES**



VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** Chamonix Vail – Home Buyer Lottery Selection Process Update

**PRESENTER(S):** George Ruther, Director of Community Development

**ACTION REQUESTED OF COUNCIL:** No action is required at this time.

**BACKGROUND:** The purpose of this memorandum is to present the lottery selection process for home purchases at Chamonix Vail and provide an update on the lottery applications submitted following the March 17th application deadline.

**ATTACHMENTS:**

**Description**

**Chamonix Vail Lottery Process Memorandum**

## Memorandum

To: Vail Town Council  
From: George Ruther, Director of Community Development  
Date: March 21, 2017  
Subject: Chamonix Vail – Home Buyer Lottery Selection Process

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### I. Purpose of this Memorandum

The purpose of this memorandum is to present the lottery selection process for home purchases at Chamonix Vail and provide an update on the lottery applications submitted following the March 17<sup>th</sup> application deadline.

### II. Lottery Selection Process

Demand for purchasing a new home in the Chamonix Vail development is high. Presently, nearly 200 persons have completed the Home Buyer Questionnaire on the Chamonix Vail website and expressed their interest in the 32 new homes slated for development at the Chamonix Neighborhood. With current demand exceeding the available supply, a lottery process for selecting the future buyers of the new homes at the Chamonix Neighborhood will be conducted.

The lottery selection process for Chamonix Vail has been determined. Simply stated,

- 1) demonstrate an ability to meet the minimum requirements of the use restriction terms of the Chamonix Vail Deed Restriction prior to closing on the new home purchase,
- 2) provide a prequalification letter from a lender establishing one's financial borrowing limits,
- 3) provide verification of participation and attendance at a Home Buyer's Class,

and a person is eligible to participate in the lottery selection with the end goal of purchasing a home at Chamonix Vail.

Further, additional key components of the lottery selection process include:

- One chance per household for the one home type desired in the lottery selection process per Qualifying Application.
- Creation of a Chamonix Vail Home Buyer Wait List to address situations of selected home buyers "*falling out*" of the home purchase process.

The timeline for the lottery selection process is outlined below:

- The deadline for submitting a complete lottery application to the Town of Vail Community Development Department is 5:00 pm, Friday, March 17<sup>th</sup>.
- An invitation to participate in lottery will be sent out to the lottery participants by 5:00 pm, Friday, March 31<sup>st</sup>.
- Draft copies of the legal documents (i.e., Chamonix Vail Deed Restriction, Chamonix Vail Reservations Agreement, Chamonix Vail Home Owners Association Documents, Chamonix Vail Purchase Agreement) will be provided to the lottery participants the week of April 3<sup>rd</sup>.
- The Chamonix Vail Home Buyer Lottery will be held at the Donovan Pavilion, 6:00 pm, Wednesday, May 3<sup>rd</sup>.
- Lottery winners will have up to five days (5:00 pm, Monday, May 8<sup>th</sup>) to execute a Chamonix Vail Reservation Agreement with the Town acknowledging their intent to purchase a new home at Chamonix Vail.

It's recommended that all lottery participants come to the lottery on May 3<sup>rd</sup> with a prepared and prioritized list of homes (i.e. type and location) they would reserve and purchase if their name is selected in the lottery.

### III. Update on the Lottery Applications

Marketing for the Chamonix Vail has been successfully underway for the past two months. During that time, the Chamonix Vail website was launched, four Home Buyer Informational Meetings were hosted, six Home Buyer Classes were held, and numerous letters and emails were sent out to groups and organizations containing persons most likely to be interested in purchasing a new home at Chamonix Vail. As a result, strong interest has been generated in Chamonix Vail.

The application deadline for the lottery selection process closed at 5:00 pm, Friday, March 17<sup>th</sup>. As such, the actual number of participants in the lottery was not available at the time of the writing of this memorandum. However, as of Wednesday, March 15<sup>th</sup>, more than 50 potential purchasers had already submitted a completed lottery application. Additionally, a Home Buyer Class was held on Thursday evening, March 16<sup>th</sup> with more than 75 class participants signed up to attend.

Economic Planning Systems (EPS) has been retained to further verify and analyze the Chamonix Vail Lottery Participant pool. Given the timing of the lottery application deadline and the date of the Vail Town Council meeting, the final results of their review will be shared the day of the meeting. Based upon preliminary results, home buyer interest in Chamonix Vail remains strong.



VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** Ordinance No. 1, Series of 2017, first reading, An Ordinance Amending Title 3, Chapter 6, Section 8 of the Vail Town Code, Regarding Town Council Call Up of Commission on Special Events Funding Decisions

**PRESENTER(S):** Kelli McDonald, Economic Development Manager, Matt Mire, Town Attorney

**ACTION REQUESTED OF COUNCIL:** Approve, amend or deny Ordinance No. 1, Series of 2017 on first reading

**BACKGROUND:** The Vail Town Council (the "Council") directed staff to amend Section 3-6-8(B) of the Vail Town Code to allow the Council to call up an appeal on a decision made by the Commission on Special Events within 60 days rather than 10 days.

**STAFF RECOMMENDATION:** Approve, amend or deny Ordinance No. 1, Series of 2017 on first reading

**ATTACHMENTS:**

**Description**

**Ordinance No. 1, Series of 2017**

**ORDINANCE NO. 1  
SERIES 2017**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 6, SECTION 8 OF  
THE VAIL TOWN CODE, REGARDING TOWN COUNCIL CALL UP OF  
COMMISSION ON SPECIAL EVENTS FUNDING DECISIONS**

WHEREAS, the Town of Vail, in the County of Eagle and State of Colorado (the "Town"), is a home rule municipal corporation duly organized and existing under the laws of the State of Colorado and the Vail Town Charter; and

WHEREAS, the Town Council wishes to amend the Town Code as it relates to the timeframe in which it can call up and review funding decisions made by the Town Commission on Special Events.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO, THAT:**

Section 1. Section **3-6-8(B)** of the Vail Town Code is hereby amended to read as follows:

B. Any appeal must be filed in writing within ten (10) days following the decision of the CSE, or must be called up by the town council within **sixty (60)** ~~ten (10)~~ days of the decision.

Section 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

Section 5. The amendment of any provision of the Vail Town Code, as provided in this ordinance, shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 6. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This



repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 21<sup>st</sup> day of March, 2017 and a public hearing for second reading of this Ordinance is set for the 4th day of April, 2017, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

\_\_\_\_\_  
Dave Chapin, Mayor

ATTEST:

\_\_\_\_\_  
Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED  
this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Dave Chapin, Mayor

ATTEST:

\_\_\_\_\_  
Patty McKenny, Town Clerk



VAIL TOWN COUNCIL AGENDA MEMO

**ITEM/TOPIC:** Adjournment at 8:05 p.m.