

The regular meeting of the Vail Town Council was called to order at approximately 10:00 A.M. by Mayor Chapin.

Members present:	Dave Chapin, Mayor Jenn Bruno, Mayor Pro Tem Travis Coggin Kevin Foley Kim Langmaid Greg Moffet
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Member absent:	Jen Mason
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Staff members present:	Greg Clifton, Town Manager Matt Mire, Town Attorney Patty McKenny, Town Clerk
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1. Site Tour of Town-Owned Facilities used by Vail Recreation District

Presenter(s): Mike Ortiz, Vail Recreation District

Background: Mike Ortiz, Executive Director, and Members of the Vail Recreation District have invited Town Council to tour town owned facilities used by VRD for recreational programming. There will be visits to the following facilities, Imagination Station, Dobson Ice Arena, Vail Gymnastics Center, Vail Tennis Center, Vail Athletic Fields, and Vail Golf and Nordic Clubhouse. The tour will provide an opportunity for VRD to show the facilities and review the operations at each one.

The tour finished and the council meeting continued at 1:30 p.m.

2. DRB / PEC Update

Presenter(s): Chris Neubecker, Planning Manager
There were no call-ups on any items.

3. Presentations / Discussion

3.1. 2017 Financial Audited Financial Statements for the Town of Vail

Presenter(s): Kathleen Halloran, Finance Director and Michael Jenkins, McMahan and Associates

Action Requested of Council: The 2017 audited financial statements are presented for Council information; no action requested

Background: In accordance with section 9.11 of the Vail Town Charter, an independent audit shall be made of all town accounts at least annually. The audit shall be conducted by certified public accountants and made available for public inspection at the municipal building. The 2017 audit was conducted by McMahan and Associates, LLC.

A presentation was given by Finance Director Kathleen Halloran, see memo in council packet materials. Michael Jenkins, McMahan and Associates, highlighted the Independent Auditor's Report (full report included in council packet), as well as the Management Disclosure and Analysis Report. In summary, Mr. Jenkin's presented their firm's opinion as follows;

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Vail, Colorado as of December 31, 2017, and the respective changes in financial position and where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

There were comments made about volatility, the town's projected reserve amounts, and the increasing demands on the RETT and CIP funds. It was noted that the town has been in a unique position to be able to fund many of its capital projects. There were also comments about the need to be cautious with spending the fund balances in the future.

3.2. 2018 Open Lands Plan Update - Timeline and Review Process

Presenter(s): Chris Neubecker, Planning Manager

Action Requested of Council: At the June 5, 2018 meeting, Council directed staff to facilitate a review process for the 2018 Lands Plan. Update that will ensure a comprehensive and thorough review of the plan update as a precursor to Council taking action on the plan. We ask that the Town Council review the proposed timeline and review process and provide feedback to Staff to confirm our understanding of the public hearing process and plan review timeline.

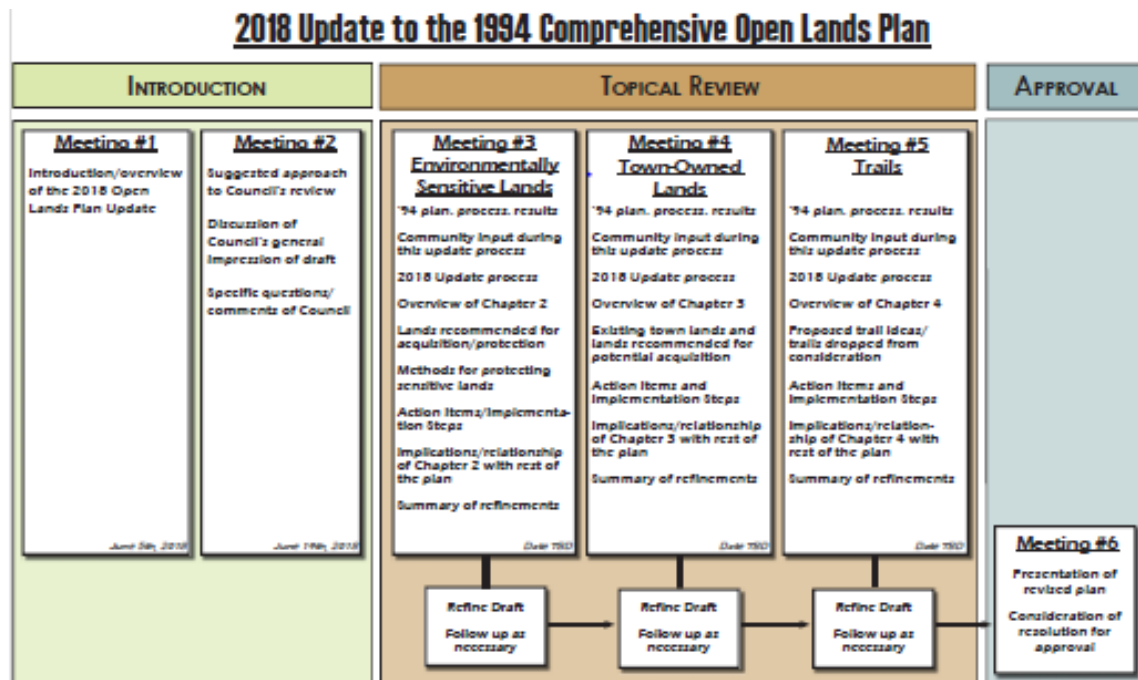
Background: The review of the 2018 Open Lands Plan Update will require multiple meetings. In order to ensure a thorough review of the different aspects of the Plan, Staff recommends breaking the review into manageable segments.

Staff Recommendation: Staff recommends the Town Council review the proposed timeline and review process and provide feedback on any changes that may be required.

Chris Neubecker, Planning Manager, introduced the topic and presented a summary of the timeline and review process, noting past and future meetings will be proposed for reviewing the open lands plan, see chart below. A request was made for a separate meeting to address "wildlife". Tom Braun, Braun & Associates, Inc., also introduced some ideas about reviewing the material; they may include USFS representatives and other officials with the discussion. A request was made for ensuring there is input from many resources regarding wildlife as it is important to rely on the local sources; some did not want to include a conversation about trails and wildlife. Other factors considered are listed as follows:

- Need a multi faceted approach to reviewing the topic
- Include wildlife bullet point with each conversation
- Maybe there is an underlying discussion about policy that needs to happen

- Need facts & beliefs with the discussion
- Let's prevent the extinction of wildlife populations
- Schedule out four meetings
- Would prefer the use of site visits with the discussion



3.3. Commercial Ski Storage Review

Presenter(s): Jonathan Spence, Senior Planner

Background: The purpose of this discussion is to update the Vail Town Council regarding the Town's policy concerning the regulation of commercial ski storage, ski valet and ski concierge services. The desired outcome of this discussion is for the Town Council to recommend that the proposed amendments be reviewed by the Planning and Environmental Commission for a recommendation prior to returning to the Town Council in the form of an ordinance.

Jonathan Spence, Senior Planner, presented an update about some proposed amendments to the Vail Code addressing issues related to ski storage, with a focus on 1) clarifying what is and is not considered commercial ski storage, and 2) clarifying ski storage as part of a lodge or dwelling unit. He noted in the memo, that in an effort to provide the community, retailers and code enforcement with a better understanding of what does and does not constitute commercial ski storage, staff, Vail Resorts and the Vail Chamber and Business Association recommended the following additional language be added to the definition section (Section 12-2-2) of the Vail Town Code. New language proposed is shown in **bold**, per the council packet memo:

COMMERCIAL SKI STORAGE/SKI CLUB: Storage for equipment (skis, snowboards, boots and poles) and/or clothing used in skiing related sports, which is available to the public or members, operated by a business, club or government organization, and where a fee is charged for hourly, daily, monthly, seasonal or annual usage. This use may have, but does not require, the following components:

- A. Personal lockers,
- B. Boot dryers,

- C. Ski storage racks,
- D. Ski tuning,
- E. Food and beverage service,
- F. Areas for congregation and/or socializing,
- G. Restrooms and/or shower facilities,
- H. Nonwinter activities,
- I. Concierge ski services,
- J. Retail sales,
- K. Business center.

Ski storage that is part of a lodge, or dwelling unit, in which a fee is not charged **and is located within the lodge or dwelling unit**, is not considered commercial ski storage/ski club.

The following activities, when accessory to a retail operation, shall not be considered ski storage:

A. The outdoor display of skis or skiing related equipment that is available for sale, available for rent, rented or recently serviced. Outdoor display is subject to requirements of Section 12-14-21: OUTDOOR DISPLAY OF GOODS.

B. The indoor storage, on levels of a building other than the basement or garden level, of skis or skiing related equipment that is available for sale, available for rent, rented from the same business or recently serviced.

A number of meetings have been held with stakeholders, August, September and October of 2017. There was approval from the town council for the staff recommendations and the next step of sending them to PEC for review. Staff would return with a draft ordinance on this matter in the near future.

3.4. Vail America Days Update

Presenter(s): Mia Vlaar, Economic Development Director, Mark Novak, Fire Chief

Action Requested of Council: Informational only.

Background: Review Vail America Days planning with highlights about Council participation, sustainability efforts, Vail Health access, status and options for fireworks, and viewing route. Several topics were addressed as follows:

- ✓ Parade marshals include Elaine & Art Kelton
- ✓ The theme is America's Great Outdoors
- ✓ Vail Health Access: the parade route is the same; some viewing route changes have been made due to construction at Vail Health
- ✓ Sustainability Efforts: including water filling stations, gas vehicle reduction initiatives, event souvenirs will not be used only candy
- ✓ Other New Elements: including an announcement and filming platform
- ✓ Fireworks Display: recent rains have helped but the fireworks permit has not yet been issued; they will wait and watch the weather before making final determination; fireworks have been ordered but can be used during New Year's Eve celebration
- ✓ Additional comments addressed changes to 2019 route including the idea of switching the direction of the parade from west to east; there are some challenges that would need to be addressed related to staging, etc.
- ✓ What are rules with personal fireworks : nothing is allowed with the Stage One Fire Restriction status

3.5. Update and Discussion on Community Bike Share

Presenter(s): Mark Hoblitzell, Environmental Sustainability Coordinator

Action Requested of Council: Does the Vail Town Council support the Climate Action Collaborative recommendation on bike share and use of staff time to develop a countywide bike share program?

Background: The Vail Town Council initially discussed bike share in a work session in August of 2016. Since that presentation, bike share has seen rapid growth, particularly with electric assist bikes, electric scooters, and dockless systems that can be launched at little to no cost to the community. Bike share programs exist in many resort communities such as Aspen, Avon, Jackson, Park City, and Sun Valley.

Staff Recommendation: Staff recommends that the Vail Town Council support the CAC recommendation on bike share and direct staff to continue working with regional partners on the development of a countywide system. Staff will return with further discussions on system design, implementation, and budget.

Mark Hoblitzell, Environmental Sustainability Coordinator, made his presentation addressing a countywide bike share program which is part of the Climate Action Collaborative, and included discussion about the following:

2009 Environmental Sustainability Strategic Plan

Goal #6 – Reduce the environmental impact of transportation by supporting efforts within the Eagle Valley to decrease total Vehicle Miles Traveled (VMT) by commuters and guests by 20% by 2020.

Objective #2 - Establish collaborative partnerships for improved use of mass transit.

Objective #3 - Increase bicycle use and alternative low impact modes of transportation.

He explained what a bike share program offers and described other regional resort programs. He noted that the Climate Action Collaborative addressed such a regional bike share system program that would run through one government body, likely ECO. There were some concerns expressed about programming, such as:

- “who” would really use the program with bus services already offered
- a solution to a problem that did not exist
- how would the program be financed; is it funded regionally
- Has the business community provided feedback on such program?

There was not full support to move this effort forward in developing this program; there was a split between those supporting it and those not supporting it. Mason arrived just after the discussion concluded and did express her support of the programming. Council did support staff continue conversations with the Vail business community about the bike share program.

3.6. Bravo! Vail Update

Presenter(s): Jason Denhart, VP of Development, Bravo! Vail

Action Requested of Council: Informational only.

Background: Preview upcoming 2018 Bravo! Vail season and 2019 new programming.

A Bravo! Vail update was presented.

3.7. Presentation of 2018 Community Survey Results 6

Presenter(s): Suzanne, Silverthorn, Communications Director, Chris Cares, RRC

Action Requested of Council: Review the top-level results of the Community Survey as presented, ask questions and determine if other discussions are of interest as additional follow up.

Background: The Town of Vail Community Survey is a key measurement used by the Town Council and staff to probe public policy issues and solicit feedback on other topics of community interest. It is also used to measure the town's operational performance. Conducted every other year, the 2018 survey was fielded in late-March with responses collected through April 30.

Chris Cares, RRC, spent some time reviewing the community survey results with some highlights as follows:

- ✓ New questions were included in the survey
- ✓ Department ratings were up overall
- ✓ Parking continues to get a lower rating
- ✓ Responses to the “right track wrong track” question showed a slight reduction in the “Right track” answer; may have been a result of the short term rental & parking challenges
- ✓ Community support continues for environmental sustainability, public safety and transportation
- ✓ Community responses gave strong financial support to the environment and housing programs
- ✓ Conversations will continue about how to engage more people with the survey
- ✓ There were many comments to the open ended questions and a link to a portal to review them was provided



Town Council thanked and commended Silverthorn and Cares on their work with the community survey over the years.

4. Information Update

4.1. VLHA Meeting Results 5 min.

4.2. DRAFT meeting minutes from the CSE meeting on June 6, 2018

4.3. VEAC meeting minutes from June 12, 2018

5. Matters from Mayor, Council and Committee Reports

5.1. Matters from the Mayor, Council and Committee Reports

Presenter(s): Dave Chapin, Mayor

Chapin:

- Suggested the Vail Local Housing Authority should meet regularly in the council meeting room. There were some who thought it was acceptable for the VLHA to meet in other meeting rooms throughout the town offices especially in light of the shortcoming of the council chambers, i.e. chairs, no conference table, etc. .

Langmaid:

- Suggested the town use an indicators dashboard to show status and trends with different economic indicators and that it be available to the public as it would also support the sustainable destinations action items
- Thanked Molly Eppard and AIPP for the amazing Stickwork project at Ford Park.
- Concerned about wildlife on I-70 getting killed and what could be done to prevent it

Mason:

- Suggested they don't follow a vehicle in the parade

Coggin

- Thanked those who assisted with and attended the Vail Valley Young Professionals cocktail hour; said it was great to interact with the elected and the young professionals

Bruno

- Reminder that the north trail opening is upcoming soon
- Make sure bike path is free from vehicles
- Congrats to those involved with the Stickworks project; the grand opening is on Friday 4 pm to 6 pm with artist Patrick Daugherty

Moffet

- Requested the Library consider providing digital access to the Wall Street Journal

Foley

- Thanked PW for painting crosswalks
- Why are landscape companies blocking the roads; time for some enforcement
- Suggested a review of a letter regarding the Land and Water Conservation Fund

6. Executive Session

6.1. Executive Session pursuant to C.R.S. 24-6-402(4)(b)(e) – to receive legal advice on specific legal questions and to develop a strategy and instruct negotiators, regarding Solar Vail work force housing project, litigation update, and other legal matters.

Presenter(s): Matt Mire, Town Attorney

Moffet moved to convene to Executive Session to review topics identified above (5:06 p.m.)

Foley seconded the motion and it passed (6-0; Mason absent). The executive session adjourned (5:30 p.m.).

7. Break

The regular meeting reconvened again at 5:45 p.m.

8. Consent Agenda

8.1. Resolution No. 24 Series 2018 Amending the Town of Vail Employee Housing Guidelines to Facilitate the Incorporation of Amendments made to the Resale Housing Lottery Process

Moffet moved to approve Resolution No.24; Bruno seconded the motion and it passed (6-0; Mason absent).

9. Action Item

9.1. Resolution No. 25. Series of 2018 - A resolution approving the second amendment to the Development Agreement between the Town of Vail, The Vail Local Housing Authority and Sonnenalp Properties, Inc.; and setting forth details in regard thereto.

Presenter(s): George Ruther, Housing Director

Action Requested of Council: Approve, approve with modifications, or deny Resolution No. 25, Series of 2018

Background: The Town of Vail, Vail Local Housing Authority and Sonnenalp Properties, Inc. have entered into a development agreement to facilitate the construction of 65 new deed-restricted apartments in the Town of Vail. The parties wish to amend said agreement a second time to acknowledge an increase in the total number of "restricted units" in the development.

Staff Recommendation: The Town of Vail Housing Department recommends the Vail Town Council approves Resolution No. 25, Series of 2018, as read.

George Ruther, Housing Director, reviewed the matter. Moffet moved to approve Resolution No. 25; Bruno seconded the motion and it passed (6-0; Mason absent). There was no public comment on the topic.

9.2. First Reading of Ordinance No. 11, Series 2018, An Ordinance Making Adjustments to the Town of Vail General Fund, Capital Projects Fund, Housing Fund, and Real Estate Transfer Tax Fund

Presenter(s): Kathleen Halloran, Director of Finance and Carlie Smith, Budget Analyst

Action Requested of Council: Approve or approve with amendments Ordinance No. 11, Series 2018.

Finance Director reviewed the memo from the council packet, addressing Mid-Year Revenues, Reserves, the Budget Supplemental requests, and highlight about all funds, Capital Projects, RETT, Housing Fund. (see memo for details). She noted that reserves are projected to total \$47.7 million at the end of 2018. There was a review of three proposals for funding during the "off-cycle" timeframe, including a request from VRD for field maintenance costs at Eagle-Vail, a Vail Holiday ice skating festival, and Vail International Dance for marketing. A review of the funding request for housing InDeed program was discussed; the request for funding was \$1.5M. Steve Lindstrom and Molly Morales, VLHA, commented on the programming noting they would like to fully market the program in the near future but want to ensure there is a funding source. There are requests pending in the amount of \$700K plus. Town Manager Clifton expressed

support for housing initiatives but concern about 1) the current structure with the VLHA and the Town staff, 2) the process for the decision-making for the deed restriction program, and 3) the current funding reserves for both the Capital and RETT funds noting that continued funding for the Vail InDeed program from these two funds is not sustainable. Council comments were heard at this time and there was general support of funding the housing deed restriction program at this time with capital funds. There was also support expressed for moving forward in 2129 to identify a permanent funding source for funding housing.

Chapin invited public input and Mac Grusbeck offered his support of the Vail InDeed program. Moffet moved to approve Ordinance No. 11, Series 2018, An Ordinance Making Adjustments to the Town of Vail General Fund, Capital Projects Fund, Housing Fund, and Real Estate Transfer Tax Fund ; Bruno seconded the motion and it passed (5-1; Foley opposed, Mason absent).

10. Public Hearing

10.1. Ordinance No. 8, Series of 2018, Second Reading, An Ordinance Amending Title 12 of the Vail Town Code by the Addition of a New Chapter 27 of Title 12, Concerning Wireless Service Facilities.

Presenter(s): Justin Lightfield, Planner

Action Requested of Council: Approve, approve with amendments or deny Ordinance No. 8, Series of 2018 upon second reading.

Background: The purpose of the Wireless Service Facilities Ordinance is to align the Vail Town Code with state and federal requirements. These regulations will continue to allow the location of wireless service facilities in the Town while protecting the public health, safety, and general welfare of the community. These regulations will also require the Town to continue to act on applications for the location of wireless service facilities within a reasonable time, will continue to encourage co-location of wireless service facilities, and will continue to prevent unreasonable discrimination among providers of functionally equivalent services. The Town of Vail Community Development Department worked with Town Attorney to develop a comprehensive ordinance in conjunction with the most recent state and federal regulations.

Staff Recommendation: Staff recommends that the Vail Town Council table this item to the meeting of July 3, 2018.

Moffet moved to table until July 3rd Ordinance No. 8, Series of 2018, Second Reading, An Ordinance Amending Title 12 of the Vail Town Code by the Addition of a New Chapter 27 of Title 12, Concerning Wireless Service Facilities; Foley seconded the motion and it passed (6-0; Mason absent). There were no public comments on the matter.

11. Town Manager Report

Presenter(s): Greg Clifton, Town Manager

Several highlights were presented:

- ✓ Future review of the Vail Police Department “year in review”
- ✓ Status of recruitment for Community Development Director
- ✓ Update about some IT needs

- ✓ Status of recruitment for Assistant Town Manager

12. Citizen Participation

There was no one who stepped forward with citizen comments.

There being no further business to come before the council, Moffet moved to adjourn the meeting and Foley seconded the motion which passed (6-0) and the meeting adjourned **at 6:25 p.m.**

Respectfully Submitted,

Attest:

Dave Chapin, Mayor

Patty McKenny, Town Clerk