

Vail Town Council Meeting Minutes  
Tuesday, March 17, 2020  
6:00 P.M.

Due to the Town's Disaster Declaration of March 17, 2020 related to the COVID-19 virus, the meeting was held with virtual access provided through Zoom.

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The regular meeting of the Vail Town Council was called to order at approximately 6:00 P.M. by Mayor Chapin.

Members present:                    Dave Chapin, Mayor  
   Kim Langmaid, Mayor Pro Tem  
   Jenn Bruno \*absent until 6:20 pm  
   Travis Coggin  
   Kevin Foley  
   Jen Mason  
   Brian Stockmar

Staff members present:            Scott Robson, Town Manager  
   Matt Mire, Town Attorney  
   Tammy Nagel, Town Clerk

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## 1.     **Citizen Participation**

Mayor Chapin opened the meeting addressing the community regarding COVID-19 pandemic. Chapin asked the community to be good neighbors and check on each other during this time.

Assistant Town Manager Patty McKenny summarized an email that was sent from Vail resident Anne Mueller requesting the council research groundwater above the Booth Heights site.

## 2.     **Any action as a result of executive session**

There was none.

## 2.     **Consent Agenda**

### 4.1.   **Resolution No. 11, Series of 2020, A Resolution Approving the Purchase of Unit 6, Chamonix Vail Community; 2373 A Lower Traverse Way, Vail CO 81658**

Background: The Town wishes to purchase the Property from seller for the Maximum Resale Price (approximately \$513,970), plus reimbursable capital improvements, as set forth in the relevant Deed Restriction and Housing Guidelines encumbering the Property.

Staff Recommendation: Approve the purchase of the Property for the Maximum Resale Price, plus reimbursable capital improvements, subject to the terms of the Chamonix Vail Deed Restriction and Housing Guidelines, as determined by the Town.

Langmaid made a motion to approve Resolution No. 11, Series of 2020; Foley seconded the motion passed (6-0\*) Bruno absent for vote

#### **4.2. West Vail Master Plan Contract**

Background: The Vail Town Council Action Plan 2018-20 identifies the creation and adoption of the West Vail Master Plan as a Town Council priority in the Community Element of the Council's Action Plan. Staff issued a Request for Proposals in February 2020 for professional services for the West Vail Master Plan. Staff received three proposals for the completion of this work. The project kick-off is scheduled for March 30, 2020.

Staff Recommendation: Authorize the Town Manager to enter into an agreement with SNO-Engineering Inc., a New Hampshire Corporation, d/b/a SE Group, to lead and complete the master planning process for the West Vail Master Plan project not to exceed \$320,000.00

Langmaid made a motion to authorize the Town Manager to enter into an agreement with Sno-Engineering Inc. in an amount not to exceed \$320,000.00; Stockmar seconded the motion passed (6-0\*) Bruno absent from vote

#### **4.3. Vail Village Parking Structure Electric Bus Chargers Contract Award**

Background: In the fall of 2019, the Town of Vail ordered four battery electric buses. In anticipation of the arrival of these buses beginning mid- summer, the town will need to provide the charging system to operate the buses. There are two components of the town's charging methodology, charging capabilities at the Village Transportation Center and charging capabilities at the Town bus barn facility. This is the purchase of the chargers for the transportation center.

Staff Recommendation: Authorize the Town Manager to enter into an agreement, in a form approved by the Town Attorney, with Gillig to purchase four electric charges and associated equipment for the Vail Village Transportation Center transit deck. in the amount not to exceed \$248,164.

Langmaid made a motion to authorize the Town Manager to enter into an agreement with Gillig in an amount not to exceed \$248,164.00; Mason seconded the motion passed (6-0\*) Bruno absent from vote

#### **4.4. Vail Village Parking Structure Structural Repair Contract Award**

**Background: In the fall of 2019, significant structural issues were discovered in the Village Parking Structure.** A structural engineer was engaged to design corrective work for these issues. After the most immediate repairs were made, the engineer completed an audit of the entire structure and provided the town a final report in December of 2020.

Staff Recommendation: Authorize the Town Manager to enter into an agreement, in a form approved by the Town Attorney, with Restructurion Corporation to complete the Vail Village Parking Structural Repair in the amount not to exceed \$243,486.00.

Langmaid made a motion to authorize the Town Manager to enter into an agreement with Restructurion Corporation in an amount not to exceed \$243,486.00; Mason seconded the motion passed (6-0\*) Bruno absent from vote

### **5. Appointments for Boards and Commissions**

### **5.1. Planning and Environmental Commission (PEC) Appointments**

Presenter(s): Dave Chapin, Mayor

Action Requested of Council: Motion to appoint four members to the Planning and Environmental Commission (PEC) for a two-year term ending March 31, 2021.

Langmaid made a motion to appoint Rollie Kjesbo, Ludwig Kurz, Henry Pratt and Pete Seibert for two-year terms on the Planning and Environmental Commission (PEC); Foley seconded the motion passed (7-0)

### **5.2. Design and Review Board (DRB) Appointment 5 min.**

Presenter(s): Dave Chapin, Mayor

Action Requested of Council: Motion to appoint 3 members to serve on DRB for a two-year term ending March 31, 2022.

Langmaid made a motion to appoint Kit Austin, David Campbell and John Rediker for two-year terms on the Design and Review Board (DRB); Coggin seconded the motion passed (7-0).

## **6. Presentations / Discussion**

### **6.1. Vail Local Housing Authority Out of Town Housing Policy Presentation**

Presenter(s): George Ruther, Housing Director

Action Requested of Council: Does the Vail Town Council support the recommendation of the Vail Local Housing Authority to further explore options for expanding the methods of mitigation for inclusionary zoning and commercial linkage to include out of town mitigation? If yes, what, if any, specific policy direction does the Vail Town Council have for the town staff and the Planning and Environmental Commission as they develop policy implementation options and land use regulation amendments for further consideration and adoption?

Background: The purpose of this agenda item is to forward the recommendation of the Vail Local Housing Authority on possible amendments to the Town's adopted out of town housing mitigation policy. This request is in specific reference to a policy amendment proposed which would allow developers to propose to meet inclusionary zoning and commercial linkage obligations out of the town for consideration. Vail Health has submitted a request to amend the Town's policy limiting mitigation methods for inclusionary zoning and commercial linkage to only in the Town of Vail. The applicant believes circumstances have changed since the adoption of the policy which warrant further consideration.

Staff Recommendation: The Town of Vail Housing Department recommends the Vail Town Council instructs the town staff to explore policy implementation options for further consideration.

Foley made a motion to table this item to the April 7, 2020 Town Council meeting; Mason seconded the motion passed (7-0).

## **6.2. 2019 Year-End Investment Report 10 min.**

Presenter(s): Kathleen Halloran, Finance Director

Action Requested of Council: Informational only

Background: Section 2-2-8 of the Town Code requires an annual presentation of the town's investment report, which is also provided as a written report each quarter. This agenda item is a presentation of the town's investment report as of December 31, 2019.

Halloran reviewed the 2019 Year-End Investment Report reminding council this report was a quarterly requirement. The town's investment policy objectives are safety, liquidity and yield. Halloran stated the town would make strategic decisions for use of cash for capital projects as appropriate and would continue to manage its investment mix.

## **7. Town Manager Report (10 min.)**

Robson provided an overview of the COVID-19 response. The Town would look at the County for the lead since a new public health order would be released tomorrow, but for operational standpoint Robson stated the following:

- ✓ Town Council and all Town Boards would continue to conduct meetings virtually;
- ✓ Building and Fire inspections would still occur;
- ✓ Town hall, Library and municipal court would be closed;
- ✓ Police department and Fire would remain open;
- ✓ Non-essential staff would work from home
- ✓ Transit would be limited routes for the outer town limits to help get citizens to pharmacies, grocery stores and work.

Robson said the town was doing all it could to keep public business moving forward. Town departments would be evaluating next steps carefully and would be highly conservative with future spending.

Miller, Human Resource Director, stated a staffing pay plan had been put into place. The town was doing everything it could to support its seasonal employees which included paid sick time. Policies were in place for at-risk employees, as well.

Halloran, Finance Director, stated she was researching how to defer sales tax payments and other ways to assist the local business community.

Mire, Town Attorney, explained pursuant to the Colorado Disaster Emergency Act the Town Manager's unilateral declaration was only effective for a period of 7 days and a formal action of the Town Council was required to extend the declaration beyond 7 days. Mire stated council would be voting on Resolution 12, Series of 2002 later that night.

Council encouraged staff to keep finding creative ways to help the community. Council thanked the local health care workers for their tremendous work in the community.

## **8. Action Items**

**8.1. Ordinance No. 1, Series 2020, First Reading, An Ordinance Making Adjustments to the Town of Vail General Fund, Capital Projects Fund, Housing Fund, Real Estate Transfer Tax Fund, Marketing Fund, Dispatch Services Fund, Heavy Equipment Fund, Health Insurance Fund, and Timber Ridge Fund**

Presenter(s): Carlie Smith, Financial Service Manager

Action Requested of Council: Approve or approve with amendments Ordinance No. 1, Series 2020

Background: Please see attached memo.

Staff Recommendation: Approve or approve with amendments Ordinance No. 1, Series 2020

Halloran, Finance Director, explained the main purpose of this supplemental was to re-appropriate funds for capital projects that were started in 2019 and were continuing into this year, or for projects that did not begin as planned. There were also adjustments needed to reflect events or decisions that have occurred since the 2020 budget was finalized. While staff recommended re-appropriating the budget as requested, Halloran stated staff would continue to meet weekly and make decisions regarding project delays and operating expense reductions to respond to economic impacts from the "coronavirus" or COVID-19. Additionally, staff was proposing to reduce sales tax projections for the time being since sales tax was the largest revenue source for the town, and directly impacted by economic events. Halloran reviewed the recession plan council approved when the 2020 budget was adopted. There were multiple stages of this recession plan, with each stage represented escalating impacts to revenue streams.

Smith reviewed Ordinance No. 1, Series of 2020 with the council. The supplemental request included:

- ✓ General Fund an increase by \$503K which would be partially offset by a mental health grant and tobacco tax collections.
  - Staff also requested to transfer \$24,500 from salaries to contract services for a digital content consultant to evaluate and develop the town's social media platforms.
- ✓ Capital Projects Fund budgeted revenues would be adjusted by an increase of \$703,700 all of which would be offset by corresponding expenditures. Smith shared that \$270,700 of the increase was related to project reimbursements that had not been collected due to project timing.
  - New requests included \$50,000 to update the Vailgov.com website framework.
- ✓ Housing Fund requested to re-appropriate a total of \$3,139,310 million into the 2020 budget to reflect a continuation of housing initiatives. This included:
  - A carryforward of \$2,797,725 allocated to the INDEED program.
  - \$35,125 to remodel the recently purchased Homestake unit to sell as a deed restricted unit.
  - \$306,460 carryforward balance in the Buy Down Housing program.
- ✓ Real Estate Transfer Tax Budgeted revenues totaling \$1,237,544 would be re-appropriated for reimbursements and grants not yet collected in 2019 due to project timing. These revenues would be directly offset by re-appropriated expenditures. New request included:
  - \$10,000 for a single haul consultant for the town's recycling programs; and
  - \$25,000 placeholder for facilities capital maintenance on town-managed and owned parks and recreation buildings; and
  - staff would be returning at second reading with a cost estimate to complete the installation of a new cooling system in the gymnastics center.
- ✓ Market Fund proposed to increase budgeted revenue by a \$65,000 transfer from the General Fund to be offset by corresponding expenditures.

- This included \$50,000 to expand Revely Vail and \$15,000 for Vail Holidays.
- ✓ Heavy Equipment Fund supplement 2020 expenditures by a total of \$280,727 to re-appropriate capital assets budgeted in 2019 but not yet purchased. This included:
  - \$269,710 for five patrol vehicles for the new PD take-home vehicle program; and
  - \$11,017 for the final payment for a diesel exhaust fluid dispenser.
- ✓ Health Insurance Fund supplement expenditures by \$169,000 to true-up the estimated employee premium costs
- ✓ Dispatch Services Fund supplement \$379,00 to update the county-wide Computer Aided Dispatch (CAD) management system.
- ✓ Timber Ridge Fund re-appropriate to complete the final phase of the Vail Resorts leases units at Timber Ridge. Beginning in 2016, 18 units were renovated, with another 18 completed in 2017.

Council expressed concerns that April and May sales tax would be a complete loss due to COVID-19 and asked staff to re-evaluate recent requests for funding modifications prior to 2nd reading of the ordinance.

Robson stated decision-making criteria would be created to help guide future budgeting allocations. He's noted the possible rescheduling of several major special events that would help the economy later in the year.

Council inquired if businesses could file their sales tax collection information with the town as normal, but not be required to pay until July.

There was no public comment.

Foley made a motion to approve Ordinance No. 1, Series of 2020; Coggin seconded the motion passed (7-0).

## **8.2. Resolution No. 12, Series of 2020, A Resolution of the Vail Town Council Declaring a Local Disaster Emergency**

Presenter(s): Scott Robson, Town Manager

Action Requested of Council: Formal Action to approve Declaration of Emergency.

Background: An update about the Town's response to Eagle County's Standing Public Health Order Related to Events and Town of Vail operational changes in an effort to mitigate spread of COVID 19. Review executed Order Declaring a Local Disaster Emergency in and for the Town of Vail, Colorado and consideration of adopting Resolution that addresses extending the local disaster emergency timeframe.

Matt Mire, Town Attorney, reviewed Resolution No. 12, Series of 2020 with council. Explaining again the resolution extended the local disaster order for 30 days and that it also addressed conducting virtual meetings.

Coggin made a motion to approve Resolution No. 12, Series of 2020; Mason seconded the motion passed (7-0).

There being no further business to come before the council, Foley moved to adjourn the meeting; Stockmar seconded the motion which passed (7-0) and the meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Attest:

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Dave Chapin, Mayor

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Tammy Nagel, Town Clerk