

Vail Town Council Meeting Minutes  
Tuesday, October 6, 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 in Vail Town Council Chambers and 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 Travis Coggin Kevin Foley Brian Stockmar
Member absent:	Jen Mason (arrived at 6:30 pm)
Staff members present:	Scott Robson, Town Manager Patty McKenny, Assistant Town Manager Matt Mire, Town Attorney Tammy Nagel, Town Clerk

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## 1. Citizen Participation

Penny Wilson, Vail Rotary representative, provided council with an update on the success of the 2019 Vail Duck Race. Wilson acknowledged town staff for their assistance in navigating an event during a pandemic.

Matt Scherr, Eagle County Commissioner, announced his candidacy to run for county commissioner. Scherr encouraged voters to check their voter registration at [govotecolorado.org](http://govotecolorado.org)

Kathy Chandler-Henry, Eagle County Commissioner, announced her candidacy to run for county commissioner. Chandler-Henry encouraged county voters to vote on November 3, 2020.

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

There was none.

## 3. Consent Agenda

### 3.1. Resolution No. 43, Series of 2020, A Resolution Supporting The Colorado River Water Conservation District Ballot Initiative to Protect Western Colorado Water Resources Through an Increased Mill Levy.

Action Requested of Council: Approve or deny Resolution No. 43, Series of 2020

Background: As a decades-long drought is causing the flow of our West Slope water in the Colorado River and its tributaries to shrink, there is unprecedented demand for that water from cities on the East Slope and West Coast. As this is occurring the resources available to protect drinking water supplies, wildlife, fish and recreation are dwindling from a combination of the effects of Gallagher, Tabor and reduced revenue from the energy sector. The River District proposes an additional property tax mill levy of .248 mills to support protection of these resources.

Staff Recommendation: Approve Resolution No. 43, Series of 2020.

Langmaid made a motion to approve Resolution No. 43, Series of 2020; Foley seconded the motion passed (6-0\*Mason absent).

### **3.2. Resolution No. 45, Series 2020, A Resolution of the Vail Town Council Approving Funding for Outdoor Tenting and Authorizing the Town Manager to provide for the proper Administration of the Funds.**

Action Requested of Council: Approve, amend or deny Resolution No. 45, Series of 2020.

Background: On March 10, 2020, the Governor of the State of Colorado recognized the COVID-19 pandemic and declared a state of emergency. Colorado Governor Jared Polis extended his support and encouraged local officials to continue their partnerships with the restaurants in supporting programs that expand outdoor winter operations to help address challenges of the public health crisis.

Staff Recommendation: Approve Resolution No. 45, Series of 2020

Langmaid made a motion to approve Resolution No. 45, Series of 2020; Coggin seconded the motion passed (5-0\* Mayor Chapin recused and Mason absent).

### **3.3. Funding Agreement with Vail Valley Foundation (for Magic of Lights Guest Experience 2020-2021 Season)**

Background: The Town encourages and supports community events, because such events promote the public health, safety and welfare. The Vail Valley Foundation would produce an event in the Town on or about December 1 – January 15.

Staff Recommendation: Authorize the Town Manager to enter into an agreement with Vail Valley Foundation in an amount not to exceed \$250,000 for the event Magic of Lights.

Foley made a motion to authorize the Town Manager to enter into an agreement with Vail Valley Foundation not to exceed \$250,000 for the event Magic of Lights; Langmaid seconded the motion passed (4-2\* Coggin and Bruno opposed and Mason absent).

### **3.4. Vail Bus Barn Electric Upgrade Backup Generator Contract Award**

Background: The generator is part of the electric improvements at the Town of Vail Bus Storage Facility at the Public Works Shop. The project is out to bid, certain components of the project are owner supplied, including the backup generator. The backup generator ensures continuous charging during power outages.

Staff Recommendation: Authorize the Town Manager to enter into an agreement, in a form approved by the Town Attorney, with Cummins to purchase a 1000kw generator and associated equipment for the Vail Bus Barn at Public Works in the amount not to exceed \$ 241,685.

Langmaid made a motion to authorize the Town Manager to enter into an agreement with Cummins to not exceed \$241,685.00 for a generator and associated equipment; Foley seconded the motion passed (6-0\*Mason absent).

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

##### **4.1. Update on Temporary Location for Children's Garden of Learning Action Requested of Council: Informational only.**

Background: An update will be presented about the temporary location for Children's Garden of Learning as part of the Town Council's initiative to prioritize child learning centers in Vail. The town and CGL have been evaluating appropriate locations for relocating CGL to a temporary facility and will prioritize in coming months the search for the most appropriate permanent location in Vail.

Robson provided council with a recap and update on locating a temporary location for the Children's Garden of Learning. There had been discussion of relocating the school to the municipal building, but that location became unreachable due to a number of issues including cost, which entailed extensive renovations as well as renting private office space for displaced town employees. Robson acknowledged staff's innovation by suggesting the RV and charter bus parking area at the Lionshead Parking structure. South-facing, adequate parking, outdoor space and access to town amenities like library. Robson stated that it was a cost-effective solution for a temporary location, but also provided high quality construction and location for the facility.

Maggie Swonger, Director of CGL, expressed the school's support for the new site. Swonger stated that they looked forward to calling this site home for the next 5 years and thanked Town staff for their work in coming up with a great solution for all.

##### **4.2. Update on In-Person Public Meetings**

Robson provided an update on in-person public meetings. Not much had changed from Public Health mandate. Council could go back to in-person meetings, but face coverings would be required for length of meetings.

Coggin expressed frustration at not being able to meet in-person despite plastic shields and social distancing. He felt the discussions during the council meetings are not as productive and robust when done virtually.

Mason expressed her willingness to wear a mask for the duration of the meetings.

Bruno stated she'd prefer Zoom to wearing a mask.

Stockmar expressed the need to continue to take this virus seriously.

Chapin acknowledged the lack of public participation on zoom virtual meetings compared to meetings being held in the municipal chambers.

Foley stated he would rather be safe than sorry. If council were to go back into the municipal building chambers, he would prefer all members be present in the chambers and not a hybrid meeting.

Robson stated he would continue to work with county to explore options.

Greg Hall, Public Works Director, provided council with an update on the implementation of HVAC system that would disperse healthier air in the town's public buildings and transportation.

Additionally, Robson and George Ruther, Housing Director, provided an update on the Homestake and Altair housing units. The Homestake unit was ready for sale to a Town employee to purchase. Applications were now being accepted and participants in the housing lottery would have the opportunity to have up to 3 initial housing tickets. Altair would be for sale after the Homestake unit was sold.

Coggin thanked Robson and Ruther for the update.

## **5. Action Items**

### **5.1. Parking and Transportation Task Force Recommended Winter 2020-2021 Parking Program**

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

Action Requested of Council: Approve or approve with modifications the Winter 2020-2021 Parking Program as recommended by the Parking and Transportation Task Force.

Background: The purpose of this item is to provide Town Council the Parking and Transportation Task Force (PATTF) recommendation for Winter 2020-2021 Parking Program Request Town Council approve the Winter 2020-2021 Parking Program Staff Recommendation:

Staff recommends the Town Council approve the Parking and Transportation Task Force recommendations for the Winter 2020-2021 Parking Program.

Hall provided an overview for the 2020-2021 parking program. Vail Health anticipated that their parking structure would be ready Nov. 20<sup>th</sup> which would provide 558 spaces for their employees and patients. Hall thought the new Vail Resorts reservation process due to health orders would relieve some of the parking struggles the town had seen in the past. The parking task force recommended that the rates stay the same as last year and to eliminate the Green Pass. Hall

stated that half of the Green Pass purchasers were Vail Health employees and with their shift to the new parking structure the demand would lessen. The other half of purchasers were Lionshead employees who could purchase the Red Pass (Res Sandstone parking garage). Hall stated education on the different passes available to purchase was a must.

Foley recommend allowing Vail employees to park on the Frontage Rd for free and ride the town's busses into the villages for work. Donovan Pavilion was another option for free parking for employees to use since events are currently limited due to current health orders.

Foley made a motion to adopt the recommended winter 2020-20201 rates and eliminating the Green Pass this year; Coggin seconded the motion passed (7-0).

**5.2. Resolution No. 42, Series 2020, a resolution supporting Town of Vail Ballot Issue 2G regarding Gallagher Stabilization.**

Presenter(s): Scott Robson, Town Manager

Action Requested of Council: Approve, amend or deny Resolution No. 42, Serie of 2020

Background: The Vail Town Council has placed Ballot Issue 2G on the ballot in the November 3, 2020, Eagle County, Colorado General Mail Ballot Election, which would authorize, but not require, the Vail Town Council to adjust Vail's mill levy rate for the sole purpose of maintaining revenues that may otherwise result from the Gallagher Amendment or other state imposed reductions in the ratio of assessed property tax valuations in order to avoid the continued erosion of funding of Town of Vail services.

Staff Recommendation: Approve Resolution No. 42, Series of 2020

Robson provided a quick review of Resolution No. 42, Series of 2020 supporting Town of Vail Ballot Issue 2G regarding Gallagher Stabilization.

Chapin stated that the ballot issue was not a tax increase and that he supported the resolution.

Stockmar said that Gallagher was a forced reduction in operating capabilities. Stockmar encouraged Vail voters to vote for Ballot Issue 2G on November 3<sup>rd</sup>.

Langmaid made a motion to approve Resolution No. 42, Series of 2020; Foley seconded the motion passed (7-0).

**5.3. Resolution No. 44, Series of 2020, A Resolution of the Vail Town Council Providing for an Extension of the Approved Development Plan for the Booth Heights Development**

Presenter(s): Scott Robson, Town Manager

Action Requested of Council: Formal action with a motion is requested.

Background: A Resolution further extending the term of the development plan approval for the Booth Heights Project to ensure there is adequate time for all parties to meet their respective

goals related to implementation of an alternative housing site initiative which is a collaboration of the Town of Vail, Vail Resorts and Triumph Development. This progressive land-use planning and development effort is focused on creating positive impacts on a range of community priorities including the creation of additional deed-restricted housing, improvement of critical wildlife habitat and enhancement of childcare facilities in Vail.

Robson provided an explanation for Resolution No. 44, Series of 2020 since council just recently approved a resolution extending the Booth Heights project. This resolution would extend the entitlements for an additional one year. Vail Resorts would have 4 years for a development plan approval.

Foley made a motion to approve Resolution No. 44, Series of 2020; Coggin seconded the motion passed (7-0).

**5.4. Ordinance No. 11, Series of 2020, First Reading - Ordinance Amending Title 12, Zoning Regulations, Vail Town Code, Pursuant to Section 12-3-7, Amendment, Amending Section 12-15-2 - GRFA Requirements by Zone District; and Setting Forth Details in Regard Thereto**

Presenter(s): Greg Roy, Planner

Action Requested of Council: Approve Ordinance No. 11, Series of 2020, on First Reading.

Background: Ordinance No 23, Series of 1999, increased the allowable GRFA, but there was no corresponding change to the table in Section 12- 15-2. This ordinance corrects that table to match the code change.

Staff Recommendation: Approve Ordinance No. 11, Series of 2020, on First Reading

Roy reviewed Ordinance No. 11, Series of 2020 with council explaining this would correct the GRFA calculation in the table of section 12-15-2 of the Vail Town Code.

Council confirmed this was a housekeeping item.

Coggin made a motion to approve Ordinance No. 11, Series of 2020; Stockmar seconded the motion passed (6-1\* Foley opposed).

**5.5. Ordinance No. 12, Series of 2020 - First Reading of an Ordinance Repealing and Reenacting Chapter 7 of Title 4 of the Vail Town Code, Relating to Contractor Registration, and Enacting a new Section of 10-1-14 of the Vail Town Code, Relating to the Board of Appeals.**

Presenter(s): CJ Jarecki, Chief Building Official

Action Requested of Council: Approve, Approve with Conditions or Deny Ordinance No. 12, Series of 2020 on First Reading.

Background: Construction activity throughout Eagle County is continuing its upward trend, even throughout the pandemic, and remains to be a critical economic driver within the region. Due to an overall shortage of local skilled labor, homeowners, developers, and designers are seeing assistance from contractors located outside of the region - even out of state. This ordinance will ensure that all contractors, local or otherwise, that request to perform work within the Town of Vail are duly qualified to complete such work.

Jarecki reviewed Ordinance No. 12, Series of 2020 with council explaining this ordinance would ensure that all contractors that request to perform work within the town are qualified to complete such work.

Coggin made a motion to approve Ordinance No. 12, Series of 2020 upon first reading; Langmaid seconded the motion passed (7-0).

There being no further business to come before the council, Foley moved to adjourn the meeting; Bruno seconded the motion which passed (7-0) and the meeting adjourned at 7:52 p.m.

Respectfully Submitted,

Attest:

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Dave Chapin, Mayor

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Tammy Nagel, Town Clerk