

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 Jenn Bruno, Mayor Pro Tem Dick Cleveland Kevin Foley Kim Langmaid Jen Mason Greg Moffet
Staff members present:	Patty McKenny, Acting Town Manager Matt Mire, Town Attorney Tammy Nagel, Deputy Town Clerk

1. Citizen Participation

Steven Connelly, Vail resident, complimented the Town on the expanded summer bus service and he looked forward to contributing to the discussion concerning rent by owner in the future.

Chris Wolds, Vail resident, requested better signage on South Frontage Road near the Tyrolean building. Currently the sign says “no stop required” and Wolds thought the drivers would stop unnecessary honking.

Jenifer Teisinger, executive director of Bravo! Vail provided a preview of the upcoming concert schedule. Reminding Council concerts start June 22, 2017.

2. Proclamation

2.1 Proclamation No. 5, Series of 2017, Economic Development Week May 8-13, 2017 and Recognizing 2017 as the 91st Anniversary of the International Economic Development Council
Presenter(s): Dave Chapin, Mayor

Moffet moved to approve Proclamation No. 5, Series of 2017; Bruno seconded the motion and it passed (7-0).

3. Consent Agenda

3.1 2017 Vail Overlay Contract Award

Background: Staff received 2 bids for the 2017 Vail Overlay Project. The project is budgeted with the Capital Street Maintenance budget and is within the engineer’s estimate. Roads included in this year’s asphalt overlay project include Bighorn Road. The project is scheduled during the month of September 2017.

Moffet moved to approve the 2017 Vail Overlay Contract Award; Foley seconded the motion and it passed (7-0).

4. Town Manager Report

Patty McKenny, Acting Town Manager, informed council there would be a public groundbreaking for Chamonix Vail housing on May 16, 2017 from 11:30 – 12:30.

5. Presentations / Discussion

5.1 Red Sandstone School Parking Structure Project Update

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

Action Requested of Council: The Town Council is being asked to provide direction to the staff and school district regarding pursuit of a new parking structure on the Red Sandstone Elementary School site in conjunction with the School District's remodel of the school. The staff has posed questions for council direction at this time.

- Decide if the town should pursue a 3 level or 4 level structure
- Provide direction on the additional design components of the project
- Direct the Town Manager to enter into a Pre-development Agreement with Eagle County School District in a form approved by the Town Attorney
- Authorize the Town Manager to negotiate a design contract with the Eagle County Design Team in an amount not to exceed \$ 900,000
- Amend the first supplemental budget by \$ 1,300,000

Background: The purpose of this meeting is to present a progress report on the Red Sandstone Elementary School Parking Structure project since the March 21 presentation, discuss the multi-level parking structure project and receive direction from the Town Council.

Information to be presented includes:

- Pre-Development Intergovernmental Agreement with Eagle County School District
- 3 and 4 level Parking Structure options Cost and budgets for each structure option Initial cost sharing methodology
- Project schedule
- Series of next steps for advancing the project forward

Staff Recommendation: Staff recommends the Town Council should pursue the four level structure with the additional program components included. As the project progresses the staff will return to the council with design updates prior to the August 1, 2017 deadline for additional direction.

In addition, the Town Council should take action on the items below. The amount of design effort expended by the August 1, 2017 deadline would be approximately 50 % of the anticipated \$900,000 design contract.

- Direct the Town Manager to enter into a Pre-development Agreement with Eagle County School District in a form approved by the Town Attorney
- Authorize the Town Manager to negotiate a design contract with the Eagle County design team in an amount not to exceed \$ 900,000
- Amend the first supplemental budget by \$ 1,300,000

Greg Hall presented design and pricing options for a 3 and 4 level parking structure at Red Sandstone Elementary School (RSES). Public Art is included and there will also be off site improvements such as the pedestrian walkway that crosses over Interstate 70. The preliminary construction cost for a 3 level structure is approximately \$7 million for 120 parking spaces. A 4 level structure would cost approximately \$9 million and provide 160 spaces. Hall noted the 4th level structure does provide some discount per parking and space and he estimated a 50 year lifespan on the structure depending on maintenance. Hall stated once Eagle County School District and the Town comes to an agreement for the design, staff will bring back more information concerning cost sharing to council at the August 1 meeting.

Council agreed there is value to this project, but did express concern on cost sharing commitment with the school district.

6. Action Items

6.1 Resolution No. 17, Series of 2017, A Resolution Approving a Pre-Development Agreement Between the Town of Vail and Eagle County School District; and Setting Forth Details in Regard Thereto

Presenter(s): Greg Hall, Director of Public Works and Matt Mire, Town Attorney

Action Requested of Council: Approve, amend or deny Resolution No. 17, Series of 2017

Background: The Town and the District have determined that it is in their respective best interests and in the best interests of the populations the parking structure containing approximately 160 spaces for parking, along with an access driveway and related improvements, including without limitation necessary improvements to the lower parking lot on the Property and the Frontage Road.

Steven Connelly stated parking is a problem, but really housing is our biggest issue.

Jeff Chamberlain, Eagle County School District representative, stated the District shares the same cost sharing concerns, but does recognize the need to go forward with the design to see what this project could really look like. Chamberlain said the District looks forward to partnering with the Town.

Moffet made a motion to approve Resolution No. 17; Bruno seconded the motion; motion passed 6-0 (Cleveland opposed)

6.2 Resolution No. 16, Series of 2017, a resolution supporting local and federal climate action and including the Town of Vail as a signator on the Mayors National Climate Action Agenda (MNCAA) open letter to the President

Presenter(s): Kristen Bertuglia, Environmental Sustainability Manager

Action Requested of Council: Staff requests the Vail Town Council approve, approve with modifications, or deny Resolution No. 16, Series of 2017.

Background: The Mayors National Climate Action Agenda (MNCAA) has requested that the Town of Vail and other U.S. cities reaffirm their pledge to reduce emissions, increase resilience,

transition to a low-carbon economy, track progress transparently, and to assist them in urging more cities to commit to immediate action. Resolution No. 16, Series of 2017 supports this agenda and adds Vail as a signator to the Open Letter to the President, available here: <http://www.climate-mayors.org/our-letter-to-the-president- march-2017/>

Staff Recommendation: Staff recommends the Vail Town Council approve Resolution No. 16, Series of 2017.

Kristen Bertuglia reviewed the resolution with council.

Steven Connelly suggested the ban on plastic bags be extended to include retail and restaurants. Connelly also wants to eliminate 20 minute idling.

Moffet made a motion to approve Resolution No. 16, series of 2017; Langmaid seconded; motion passed 7-0.

6.3. Pedestrian Access Improvements in the Vicinity of 450 East Lionshead Circle (Treetops Building), Permission to Proceed

Presenter(s): Jonathan Spence, Senior Planner

Action Requested of Council: The owner of the Treetops Building, located at 450 East Lionshead Circle, requests permission to proceed through the Design Review process for improvements to the building's pedestrian access that is located partially on Town of Vail property (E. Lionshead Circle ROW).

Background: The Treetops Building was constructed above an existing parking garage in 1986. Access to the building, including the stairs and ADA ramp, are located partially on Town of Vail property. Because of the property line location in close proximity to the building, the applicant is requesting the use of Town of Vail property to improve the pedestrian access to the building.

Staff Recommendation: The Community Development Department recommends that the Vail Town Council instructs town staff to:

- Sign the development application on behalf of the property owner and permit the project to proceed through the development review process for the proposed improvements.

Georg Ruther reviewed the Treetops Building application with council. Ruther explained the applicant is requesting the use of Town of Vail property to improve the pedestrian access to the building. The proposal is to expand the ADA ramp further south, resulting in an increase of ramp area within Town of Vail property by 50.15 square feet.

Moffet moved to direct staff to sign the development application on behalf of the property owner and permit the project to proceed through the development process for the proposed improvement; Bruno seconded; motion passed 6-0 (Foley recused himself due to conflict of interest)

6.4 The purpose of this discussion is to make a final determination on the deed restriction requirements for Chamonix Vail. The two issues discussed in this memorandum do not practically affect the future purchasers of the homes at Chamonix Vail.

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

Action Requested of Council: Provide direction to town staff on whether the draft Chamonix Vail deed restriction should be further amended.

Background: The two issues discussed in the memorandum do not practically affect the future purchasers of the homes at Chamonix Vail. Instead, they provide responses to questions asked by the Vail Town Council.

George Ruther reviewed Chamonix Vail maximum resale price and foreclosure provisions with council. Maximum resale price is the actual maximum price an owner can sell the home for in the event of a resale. For Chamonix Vail homeowners the maximum resale price means purchase price paid by the last qualified buyer plus: an increase of 1.5% per annum of such purchase price (prorated at the rate of 1.12 for each whole month) from the date of owner's purchase of the property to the date of the owner's execution of the listing contract, such percentage increase to not be compounded annually; and the value of permitted capital improvements. Section 10 of the Chamonix Vail Deed Restriction outlines the procedures which must be followed in the event of a foreclosure. Staff reviewed similar deed restrictions to compare and contrast Vail's deed restriction requirements with those of other communities. The terms of the City of Aspen deed restrictions are almost identical to Vail's with two exceptions:

- If a lender obtains the deed in lieu of foreclosure the lender may only sell the home to a qualified buyer, and,
- If the municipality exercises its first option to purchase and acquires the home, the municipality may choose to rent the home versus sell the home, regardless of the ownership provisions of the deed restriction.

Ruther recommended language is added to the deed restriction permitting the Town of Vail to rent a deed restricted home to a qualified tenant, at the Town's sole discretion, in the event the Town obtains the home utilizing its first option to purchase.

Council agreed with the deed restriction recommendations as presented.

6.5 Ordinance No. 3, Series of 2017, First Reading, An Ordinance Amending the Vail Town Code to Adopt by Reference the 2010 Edition of the Model Traffic Code and Modifications Thereto and Amending Related Provisions of Title 7 of the Vail Town Code

Presenter(s): Daric Harvey, Police Dept. Commander and Tom Kassmel, Engineer

Action Requested of Council: Approve, amend or deny Ordinance No. 3, Series of 2017

Background: The Town Council adopted the 1977 edition of the Model Traffic Code for Colorado Municipalities in 1977. The Town has conducted a study to determine the safe speed limit for local streets within the Town's jurisdiction. The Colorado Department of Transportation, Safety and Engineering Branch updates and modifies the Model Traffic Code for Colorado from time to time. Pursuant to C.R.S. §§ 42-4-110 and 42-4-111, and its home rule authority, the Town is empowered to regulate traffic and vehicles operating on streets and highways within its jurisdiction.

Daric Harvey, Police Commander reviewed the ordinance explaining the adoption of 2010 Edition of the Model Traffic Code and other modification to Title 7 of the Vail Town Code was for traffic and pedestrian safety.

Council expressed concern about speeding in neighborhoods stating drivers currently ignoring the speed limit signs. Council agreed the code needed to be updated and asked if the code could be updated without changing the speed limit signs in neighborhoods.

Tom Kassmel, Town engineer, agreed and stated traffic calming such as speed bumps are noticed by drivers more than speed limit signs. Matt Mire Town Attorney said yes code could be updated without changing speed limit signs.

Council asked staff to provide more information during a work session.

6.6 South Frontage Road Improvements Design Contract Award

Presenter(s): Tom Kassmel, Town Engineer

Action Requested of Council: Award South Frontage Road Design Improvements Contract.

Background: In conjunction with the adoption of the Vail Valley Medical Center (VVMC) Site Specific Redevelopment Master Plan; the Town of Vail, the VVMC, and the Evergreen collaborated to develop a South Frontage Road Improvement Plan that would accommodate each existing and future access point to the above mentioned properties as well as accommodate projected traffic growth along the South Frontage road. The Town put out an RFP for Design services to complete the design and received two proposals.

Staff Recommendation: Staff recommends authorizing the Town Manager to enter into a design contract with SGM to be funded by the traffic impact fee fund.

Tom Kassmel presented the South Frontage Road Improvements Design. The design would incorporate existing and future access points to the Vail Valley Medical Center (VVMC), the Municipal Building and the Evergreen Lodge. VVMC plan to submit the Phase II development plan this month and confirming they intend to relocate utility lines along South Frontage Road ROW this year. Along with a possible submittal of a development plan for the Evergreen redevelopment; it is recommended the Town accelerate the design of the South Frontage Road improvements one year in order to coordinate with these impending and future developments. The necessary design fees can be supplemented into the 2017 budget from the existing traffic impact fee fund, currently having a fund balance of ~\$950,000; and/or if desired, the funding could also be reallocated from the Vail Renewal Authority (VRA) TIF dollars, which are currently budgeted for this project in 2018 & 2019, in the amount of \$100k and \$3.5 Million respectively. Council may elect to award a partial design contract, to receive only 30% design drawings. This would allow Council to award about 55% of the total contract amounts; FHU (\$290,000), SGM (\$210,000). Staff suggests Council awards the entire design contract, with a stipulation within the contract that requires a formal notice to proceed for the consultant to move beyond the 30% design milestone.

Council would like to see more commitment from the partners.

Cleveland made a motion to authorize the Town Manager to sign the design contract; Foley seconded; motion passed 6-0 (Moffet opposed).

6.7 Gore Valley Trail Connection Reconstruction Contract Award

Presenter(s): Tom Kassmel, Town Engineer

Action Requested of Council: Award Construction Contract for Gore Valley Trail Connection Reconstruction.

Background: The Town has budgeted to reconstruct the Gore Valley Trail connection to the South Frontage Road near the Vail Underpass project. Town has received a bid from Kraemer NA to complete the work.

Staff Recommendation: Staff recommends authorizing the Town Manager to enter into a contract with Kraemer NA.

Tom Kassmel presented the Gore Valley Trail Underpass Connection Realignment with council. The Town has budgeted \$150,000 this year to reconstruct the bike path that connects the Gore Valley Trail to the South Frontage Road adjacent to the new I-70 Vail Underpass. Since the Underpass project lowered the Frontage Road, there is now the opportunity to significantly reduce the existing steep 22% bike path grades to 5%. This would require two new switchbacks and the relocation of the existing overhead powerlines. In order to cover the cost of realigning the bike path staff has also requested to roll over the Recreation Path Maintenance savings from 2016 of ~\$94,000, providing a total budget of ~\$244,000. The Town received a bid from Kraemer NA to reconstruct and realign the path in the amount of \$213,491; \$182,000 for the bike path realignment and an additional \$32,000 for improved landscape

There was no discussion.

Moffet made a motion to authorize the Town Manager to enter into a contract with Kraemer NA; Bruno seconded; motion passed 7-0

7. Public Hearings

7.1. Second reading of Ordinance No. 2, Series 2017, an ordinance making budget adjustment to the Town of Vail General Fund, Capital Projects Fund, Real Estate Transfer Tax Fund and Heavy Equipment Fund.

Presenter(s): Carlie Smith, Budget Analyst

Action Requested of Council: Approve or approve with amendments Ordinance No. 2, Series 2017.

Background: This is the second reading for the first supplemental budget appropriation of 2017.

Staff Recommendation: Approve or approve with amendments Ordinance No. 2, Series 2017.

Kathleen Halloran Finance Director reviewed the changes per council's request on first reading. The General Fund ended 2016 with a surplus of \$3.7 million, a combination of increased revenue (\$1.3 million) and \$2.4 million operational savings. Halloran explained that all projects discussed tonight are budgeted for except the RSES and council could add that item in the motion.

Council would like to hear more details about Ski Museum renovation and how \$500,000 Town contributions would be used.

Moffet moved to approve Ordinance No. 2, Series of 2017 on second reading with the addition of \$1.3 million for RSES; Foley seconded; motion passed 7-0.

There being no further business to come before the council, Moffet moved to adjourn the meeting and Foley seconded the motion which passed (7-0) and the meeting adjourned at 8:25 p.m.

Respectfully Submitted,

Attest:

Dave Chapin, Mayor

Patty McKenny, Town Clerk