



**TOWN COUNCIL RETREAT**

Tuesday, May 24, 2011, 8:30 a.m.  
 Mountain Thunder Lodge, North Star Room – 50 Mountain Thunder Drive

<u>Time</u>	<u>Agenda Items</u>	<u>Page</u>
8:30	Continental Breakfast and Coffee	N/A
9:00	Introduction and Overview	N/A
9:15	Financials and Business Model Reset report	
	• Current Financials and Budget Status Overview	2
	• Preliminary C.I.P. 2012	17
	• Business Model and Budget Reset Review	
10:15	Town Council Goals	
	• Riverwalk Center - Expansion of Programming and Business Model	20
	• Amusement Tax – Lift Ticket Tax	31
	• CMC	37
	• Medical Marijuana Regulation and Tax	39
	• Plastic Bags	43
	• Summit Stage	56
	• South Side Metro District	57
	• Post Office	
	• Energy Policy / Carbon Action Plan	59
	• Carter Park Tubing Safety	62
12:00	Lunch Break	
12:30	Town Council Goals (continued)	
2:00	Break	
2:30	Other Topics	
	Employee Housing Program	65
	Possible Ballot Issues – Go/No Go, When	
	• Term Limits	
	• MMJ Excise Tax	
	• Amusement Tax	
3:30	Executive Session – Acquisition, Negotiations	
4:30	Other Items	
5:00	Adjourn	

*\*Dinner will be provided at 6pm at Town Hall prior to the evening meeting\**

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INTEROFFICE MEMORANDUM

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**TO:** TIM GAGEN, TOWN MANAGER  
**FROM:** CLERK AND FINANCE DIVISION  
**SUBJECT:** APRIL 2011 FINANCIAL VARIANCE HIGHLIGHTS MEMO  
**DATE:** 5/16/2011

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This report highlights variations between the 2011 budget and actual figures for the Town of Breckenridge for the period ending April 30, 2011.

Variances explained in prior months that continue to appear in this month's report are explained on page 2 of this memo.

**Fund Updates:**

**General Fund**

Revenue ahead of budget by \$243k (103% of YTD budget).

Expenses are in line with YTD budget at 99%.

**Excise Fund:**

- Sales tax revenue is at 107% of budget (\$262k ahead of budget)
- Accommodations taxes are at 88% of budget (\$120k less than budget)
- Public Service Franchise Fees were received at the beginning of May rather than the end of April (timing).
- RETT collections through April 30, 2011 exceeded budget by 72% or \$573k
- Excise Fund transfers were made according to the 2011 budget, except for the transfer to the Marketing Fund, which is based on actual Accommodation Taxes collected.

**All Funds**

No new variances

## **Variations Explained in Prior Months:**

### ***General Fund:***

- Municipal Court is over budget in the Penal Fine account by 65% (16k) for revenue due to an increase in ski pass violations. Traffic Fine revenue is under budget by 17% (\$32k budgeted, \$27k actually received).
- Special Events revenue is under budget due to a difference in timing of the sales of BMF/NRO tickets. They are going on sale later in 2011 than they did in 2010.
- Public Safety Community Service is over budget by \$70k due to Pay Parking revenue (\$13k) and Parking Tickets (\$52k).
- Building Services is over budget by \$169k due to Building Permits (\$99k) and Plan Check Fees/Building (\$65k) for Grand Lodge phases-4 & 5.
- The "Grants to Other Agencies" line is at 99% of the annual budget due to timing. We funded 2011 grants in January but the budget is spread out over 12 months.
- Facilities Admin revenue over budget due to insurance recoveries and rental income. Expenditures are over budget due to Liability Insurance being paid in full in January rather than payments being spread out over the year.
- Nordic Center Operations Revenue ended the 2010-2011 season ahead of budget by 12% (\$12k).

### ***Utility Fund:***

- Revenue is ahead of budget by \$186k due to Plant Investment Fees collected for Grand Lodge phases 4 & 5.
- Expense variance is due to Major System Improvement budgeted expenses of \$2 million for the pump back project for which no expenditures have been made.

***Capital Fund:*** the budget for both revenues and expenditures in the Capital Fund is reflected at 100% as the expenditures in the Capital Fund do not follow a particular trend.

***Golf:*** Revenue over budget and expenditures under budget due to timing.

***Housing Fund:*** the revenue variance is due to the timing of the sale of assets (Valley Brook units). Similarly, the expenditure variance is due to Valley Brook.

***Garage Fund:*** Expenditures are under budget due to budgeted Capital Acquisitions (timing).

***Information Technology Fund:*** over budget due timing of purchases of minor equipment and computer support/maintenance.

**TOWN OF BRECKENRIDGE  
GENERAL FUND  
CURRENT YEAR TO PRIOR YEAR COMPARISON  
FOR THE 4 MONTHS ENDING APRIL 30, 2011**

33 % OF THE FISCAL YEAR HAS ELAPSED

	PRIOR YEAR				CURRENT YEAR						
	YTD ACTUAL	YE TOTAL	% OF YE REC'D/SPENT	2010 ACTUAL/ 2011 ACTUAL % CHANGE	YTD ACTUAL	YTD BUDGET	ACTUAL/BUDGET \$ VARIANCE FAVORABLE/(UNFAVORABLE)	ACTUAL/BUDGET % VARIANCE	ANNUAL BUDGET	% OF BUDGET REC'D/SPENT	
<b>REVENUE</b>											
MUNICIPAL COURT PROGRAM	76,429	231,448	33%	90%	85,187	74,412	10,775	114%	204,668	42%	
ADVICE & LITIGATION PROGRAM	-	1,046,746	0%	0%	-	-	-	N/A	-	N/A	
ADMINISTRATIVE MGT PROGRAM	944	1,580	60%	200%	471	38	433	1239%	302	156%	
SPECIAL EVENTS/COMM PROGRAM	90,426	552,703	16%	147%	61,491	112,952	(51,461)	54%	417,406	15%	
TOWN CLERK ADMIN PROGRAM	14,604	26,588	55%	98%	14,956	4,950	10,006	302%	21,001	71%	
FINANCE ADMINISTRATION PROGRAM	1,107	1,332	83%	522%	212	68	144	312%	204	104%	
TRANSIT ADMIN PROGRAM	100,000	100,000	100%	0%	-	-	-	N/A	32,000	0%	
TRANSIT SERVICES PROGRAM	158,813	642,861	25%	97%	164,333	150,655	13,678	109%	484,067	34%	
PUBLIC SAFETY ADMIN/RECORDS	19,101	83,092	23%	132%	14,452	31,739	(17,287)	46%	46,001	31%	
PUBLIC SAFETY PATROL SVCS PROG	-	-	0%	0%	-	11,000	(11,000)	0%	11,000	0%	
PUBLIC SAFETY COMMNTY SVC PROG	314,603	517,400	61%	88%	358,332	288,015	70,317	124%	510,600	70%	
PLANNING SERVICES ADMIN PROGRAM	119,357	204,413	58%	383%	31,167	37,977	(6,810)	82%	87,567	36%	
ARTS DISTRICT	3,129	27,329	11%	23%	13,484	14,201	(717)	95%	31,545	43%	
BUILDING SERVICES ADMIN PROGRAM	177,081	521,286	34%	62%	285,084	116,192	168,892	245%	525,362	54%	
PUBLIC WORKS ADMIN PROGRAM	192,518	575,770	33%	96%	200,012	186,225	13,787	107%	582,689	34%	
STREETS PROGRAM	19,377	41,785	46%	156%	12,431	18,332	(5,901)	68%	33,196	37%	
PARKS PROGRAM	19,668	31,043	63%	168%	11,673	-	11,673	N/A	-	N/A	
FACILITIES ADMIN PROGRAM	10,984	69,661	16%	23%	47,601	-	47,601	N/A	46,800	102%	
ENGINEERING ADMIN PROGRAM	681	1,717	40%	28%	2,463	1,442	1,021	171%	2,200	112%	
RECREATION PROGRAM	99,634	331,139	30%	70%	141,899	114,887	27,012	124%	347,031	41%	
RECREATION OPERATIONS PROGRAM	494,113	1,415,219	35%	97%	508,789	555,106	(46,317)	92%	1,473,275	35%	
NORDIC CENTER OPERATIONS	165,565	212,438	78%	155%	106,856	94,801	12,055	113%	159,210	67%	
ICE RINK OPERATIONS PROGRAM	262,199	608,782	43%	104%	252,982	264,698	(11,716)	96%	674,990	37%	
PROPERTY TAX/EXCISE TRANSFER	5,441,200	16,878,314	32%	106%	5,146,021	5,139,447	6,574	100%	15,167,584	34%	
<b>TOTAL REVENUE</b>	<b>7,781,533</b>	<b>24,124,646</b>	<b>32%</b>	<b>104%</b>	<b>7,459,896</b>	<b>7,216,437</b>	<b>243,459</b>	<b>103%</b>	<b>20,856,598</b>	<b>36%</b>	

**TOWN OF BRECKENRIDGE  
GENERAL FUND  
CURRENT YEAR TO PRIOR YEAR COMPARISON  
FOR THE 4 MONTHS ENDING APRIL 30, 2011**

33 % OF THE FISCAL YEAR HAS ELAPSED

	PRIOR YEAR				CURRENT YEAR						
	YTD ACTUAL	YE TOTAL	% OF YE REC'D/SPENT	2010 ACTUAL/ 2011 ACTUAL % CHANGE	YTD ACTUAL	YTD BUDGET	ACTUAL/BUDGET \$ VARIANCE FAVORABLE/(UNFAVORABLE)	ACTUAL/BUDGET % VARIANCE	ANNUAL BUDGET	% OF BUDGET REC'D/SPENT	
<b>EXPENDITURES</b>											
LAW & POLICY MAKING PROGRAM	39,792	138,984	29%	116%	34,340	66,351	32,011	52%	146,253	23%	
MUNICIPAL COURT PROGRAM	55,169	181,395	30%	86%	64,508	77,250	12,742	84%	218,010	30%	
ADVICE & LITIGATION PROGRAM	68,005	203,897	33%	172%	39,522	19,521	(20,001)	202%	228,584	17%	
ADMINISTRATIVE MGT PROGRAM	229,061	540,719	42%	111%	205,609	213,271	7,662	96%	608,521	34%	
HUMAN RESOURCES ADMIN PROGRAM	125,820	386,734	33%	103%	121,570	132,464	10,894	92%	424,000	29%	
SPECIAL EVENTS/COMM PROGRAM	241,037	1,030,754	23%	131%	184,702	294,580	109,878	63%	905,028	20%	
TOWN CLERK ADMIN PROGRAM	87,463	254,831	34%	97%	90,450	78,303	(12,147)	116%	288,586	31%	
FINANCE ADMINISTRATION PROGRAM	99,721	289,442	34%	113%	88,382	104,917	16,535	84%	328,172	27%	
ACCOUNTING PROGRAM	112,190	328,599	34%	94%	119,004	129,065	10,061	92%	377,757	32%	
TRANSIT ADMIN PROGRAM	41,206	120,798	34%	59%	69,427	47,619	(21,808)	146%	190,556	36%	
TRANSIT SERVICES PROGRAM	824,256	2,248,462	37%	115%	716,757	673,343	(43,414)	106%	1,887,814	38%	
PUBLIC SAFETY ADMIN/RECORDS	280,633	889,781	32%	86%	328,170	279,938	(48,232)	117%	883,295	37%	
PUBLIC SAFETY COMMUNICATN PROG	157,729	326,791	48%	114%	138,454	155,656	17,202	89%	305,139	45%	
PUBLIC SAFETY PATROL SVCS PROG	553,783	1,494,644	37%	103%	538,414	566,711	28,297	95%	1,736,121	31%	
PUBLIC SAFETY COMMNTY SVC PROG	140,860	424,372	33%	98%	143,122	178,220	35,098	80%	494,378	29%	
PLANNING SERVICES ADMIN PROGRAM	381,191	1,131,669	34%	105%	361,940	357,994	(3,946)	101%	1,104,145	33%	
ARTS DISTRICT	6,930	30,487	23%	77%	9,006	5,828	(3,178)	155%	25,984	35%	
BUILDING SERVICES ADMIN PROGRAM	136,020	399,576	34%	105%	129,823	126,055	(3,768)	103%	404,624	32%	
PUBLIC WORKS ADMIN PROGRAM	159,921	474,871	34%	97%	165,138	132,797	(32,341)	124%	534,348	31%	
STREETS PROGRAM	613,400	1,789,985	34%	106%	580,009	599,204	19,195	97%	1,717,186	34%	
PARKS PROGRAM	314,848	1,045,861	30%	104%	302,895	315,888	12,993	96%	1,159,109	26%	
FACILITIES ADMIN PROGRAM	389,840	1,223,353	32%	84%	462,499	391,903	(70,596)	118%	1,344,429	34%	
ENGINEERING ADMIN PROGRAM	101,182	308,588	33%	97%	104,283	116,302	12,019	90%	317,405	33%	
GRANTS TO OTHER AGENCIES	102,911	132,620	78%	85%	120,850	40,832	(80,018)	296%	122,496	99%	
RECREATION ADMIN PROGRAM	217,242	607,928	36%	104%	208,016	192,307	(15,709)	108%	642,277	32%	
RECREATION PROGRAM	145,818	539,280	27%	85%	172,535	168,512	(4,023)	102%	629,021	27%	
RECREATION OPERATIONS PROGRAM	508,651	1,641,210	31%	91%	558,183	620,129	61,946	90%	1,888,001	30%	
NORDIC CENTER OPERATIONS	123,683	263,367	47%	126%	98,419	68,624	(29,795)	143%	241,566	41%	
ICE RINK OPERATIONS PROGRAM	320,718	954,625	34%	96%	333,219	373,694	40,475	89%	1,125,615	30%	
LONG TERM DEBT	-	416,966	0%	0%	-	-	-	0%	419,851	0%	
SHORT TERM DEBT	-	128,441	0%	0%	-	-	-	0%	-	N/A	
GENERAL EXPENDITURES	-	47,143	0%	0%	2,867	-	(2,867)	0%	-	N/A	
COMMITTEES	4,582	13,657	34%	207%	2,217	16,664	14,447	13%	49,992	4%	
<b>TOTAL EXPENDITURES</b>	<b>6,586,963</b>	<b>20,013,846</b>	<b>33%</b>	<b>101%</b>	<b>6,494,392</b>	<b>6,543,942</b>	<b>49,550</b>	<b>99%</b>	<b>20,748,263</b>	<b>31%</b>	
<b>REVENUE LESS EXPENDITURES</b>	<b>1,194,570</b>	<b>4,110,800</b>			<b>965,504</b>	<b>672,495</b>	<b>293,009</b>		<b>108,335</b>		

**TOWN OF BRECKENRIDGE  
EXCISE TAX FUND  
CURRENT YEAR TO PRIOR YEAR COMPARISON  
FOR THE 4 MONTHS ENDING APRIL 30, 2011**

33 % OF THE FISCAL YEAR HAS ELAPSED

	PRIOR YEAR			2010 vs. 2011 ACTUAL % VARIANCE	CURRENT YEAR					
	YTD ACTUAL	YE TOTAL	% OF YE REC'D/SPENT		YTD ACTUAL	YTD BUDGET	ACTUAL/BUDGET \$ VARIANCE	ACTUAL/BUDGET % VARIANCE	ANNUAL BUDGET	% OF BUDGET REC'D/SPENT
<b>TAX REVENUE</b>										
SALES TAX	4,113,564	13,431,647	31%	99%	4,054,381	3,791,991	262,390	107%	12,381,645	33%
ACCOMMODATIONS TAX	845,779	1,607,129	53%	101%	857,119	977,431	(120,312)	88%	1,478,709	58%
CIGARETTE TAX	16,290	51,070	32%	102%	16,539	16,560	(21)	100%	48,001	34%
TELEPHONE FRANCHISE TAX	6,838	27,154	25%	93%	6,352	7,125	(773)	89%	28,500	22%
PUBLIC SERVICE FRANCHISE	162,184	621,971	26%	86%	140,026	244,785	(104,759)	57%	600,003	23%
CABLEVISION FRANCHISE TAX	-	153,277	0%	N/A	38,977	47,821	(8,844)	82%	140,000	28%
REAL ESTATE TRANSFER TAX	1,080,377	3,662,755	29%	127%	1,371,881	798,708	573,173	172%	2,700,002	51%
INVESTMENT INCOME	9,080	55,208	16%	59%	5,381	17,140	(11,759)	31%	51,420	10%
<b>TOTAL FUND REVENUE</b>	<b>6,234,112</b>	<b>19,610,211</b>	<b>32%</b>	<b>104%</b>	<b>6,490,656</b>	<b>5,901,561</b>	<b>589,095</b>	<b>110%</b>	<b>17,428,280</b>	<b>37%</b>
<b>EXCISE TAX DEBT SERVICE</b>										
COP FEES	0	650	0%	0%	650	0	(650)	N/A	-	N/A
2005 COP'S PRINCIPAL	0	155,000	0%	N/A	0	-	-	N/A	165,000	0%
2005 COP'S INTEREST	0	142,825	0%	N/A	0	0	-	N/A	137,014	0%
2007 COP'S PRINCIPAL	0	130,000	0%	N/A	0	0	-	N/A	135,000	0%
2007 COP'S INTEREST	0	138,065	0%	N/A	0	0	-	N/A	132,864	0%
<b>TOTAL EXCISE TAX DEBT SERVICE</b>	<b>0</b>	<b>566,540</b>	<b>0%</b>	<b>N/A</b>	<b>650</b>	<b>0</b>	<b>(650)</b>	<b>N/A</b>	<b>569,878</b>	<b>0%</b>
<b>TRANSFERS</b>										
TRANSFER TO GENERAL FUND	3,795,892	11,387,676	33%	91%	3,454,032	3,454,032	-	100%	10,362,096	33%
TRANSFER TO GOLF FUND	43,332	129,996	0%	N/A	83,332	83,332	-	100%	249,996	33%
TRANSFERS TO CAPITAL FUND	318,668	1,074,504	30%	148%	470,332	470,332	-	100%	1,410,996	33%
TRANSFER TO MARKETING	244,432	733,296	33%	87%	213,365	244,358	30,993	87%	369,679	58%
TRFS TO EMPLOYEE HSG FUND	777,640	2,332,920	33%	111%	860,356	860,356	-	100%	2,581,068	33%
TRFS TO SPECIAL PROJECTS FUND	121,668	365,004	33%	108%	131,668	131,668	-	100%	395,004	33%
<b>TOTAL TRANSFERS</b>	<b>5,301,632</b>	<b>16,023,396</b>	<b>33%</b>	<b>98%</b>	<b>5,213,085</b>	<b>5,244,078</b>	<b>30,993</b>	<b>99%</b>	<b>15,368,839</b>	<b>34%</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>5,301,632</b>	<b>16,589,936</b>	<b>32%</b>	<b>98%</b>	<b>5,213,735</b>	<b>5,244,078</b>	<b>30,343</b>	<b>99%</b>	<b>15,938,717</b>	<b>33%</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>932,480</b>	<b>3,020,275</b>			<b>1,276,921</b>	<b>657,483</b>	<b>588,445</b>		<b>1,489,563</b>	

**TOWN OF BRECKENRIDGE  
ALL FUNDS  
CURRENT YEAR TO PRIOR YEAR COMPARISON  
FOR THE 4 MONTHS ENDING APRIL 30, 2011**

33 % OF THE FISCAL YEAR HAS ELAPSED

	PRIOR YEAR			2010 ACTUAL/ 2011 ACTUAL % CHANGE	CURRENT YEAR					
	YTD ACTUAL	YE TOTAL	% OF YE REC'D/SPENT		YTD ACTUAL	YTD BUDGET	ACTUAL/BUDGET \$ VARIANCE FAVORABLE/(UNFAVORABLE)	ACTUAL AS A % OF BUDGET	ANNUAL BUDGET	% OF BUDGET REC'D/SPENT
<b>REVENUE</b>										
1 GENERAL FUND	7,781,532	24,124,647	32%	96%	7,459,894	7,216,437	243,457	103%	20,856,598	36%
2 UTILITY FUND	805,559	2,893,139	28%	139%	1,120,647	934,692	185,955	120%	2,944,244	38%
3 CAPITAL FUND	353,226	1,438,792	25%	147%	520,139	2,380,447	(1,860,308)	22%	2,380,447	22%
4 MARKETING FUND	664,211	1,916,992	35%	165%	1,096,818	1,089,904	6,914	101%	2,122,457	52%
5 GOLF COURSE FUND	101,778	2,860,237	4%	109%	111,205	33,481	77,724	332%	2,269,730	5%
6 EXCISE TAX FUND	6,234,112	19,639,290	32%	104%	6,490,656	5,901,561	589,095	110%	17,428,279	37%
7 HOUSING FUND	960,306	4,149,023	23%	115%	1,100,216	1,858,112	(757,896)	59%	5,618,810	20%
8 OPEN SPACE ACQUISITION FUND	727,296	1,847,526	39%	99%	721,828	760,071	(38,243)	95%	1,745,020	41%
9 CONSERVATION TRUST FUND	7467	32,550	23%	134%	10,004	7,925	2,079	126%	32,083	31%
10 GARAGE SERVICES FUND	1,000,794	3,039,176	33%	71%	710,606	687,656	22,950	103%	2,144,466	33%
11 INFORMATION TECHNOLOGY FUND	347,992	1,043,978	33%	85%	295,488	295,488	-	100%	886,464	33%
12 FACILITIES MAINTENANCE FUND	76,812	230,436	33%	115%	88,364	88,352	12	100%	265,056	33%
13 SPECIAL PROJECTS FUND	140,668	434,004	32%	94%	131,668	131,668	-	100%	395,004	33%
<b>TOTAL REVENUE</b>	<b>19,201,753</b>	<b>63,649,790</b>	<b>30%</b>	<b>103%</b>	<b>19,857,533</b>	<b>21,385,794</b>	<b>(1,528,261)</b>	<b>93%</b>	<b>59,088,658</b>	<b>34%</b>
<b>EXPENDITURES</b>										
1 GENERAL FUND	6,586,964	20,773,307	32%	102%	6,704,531	6,543,942	(160,589)	102%	20,748,263	32%
2 UTILITY FUND	755,017	2,351,370	32%	85%	640,897	1,421,406	780,509	45%	5,293,563	12%
3 CAPITAL FUND	36,961	1,269,129	3%	61%	22,658	2,396,928	2,374,270	1%	2,396,928	1%
4 MARKETING FUND	943,898	1,788,213	53%	92%	865,308	892,271	26,963	97%	2,122,452	41%
5 GOLF COURSE FUND	411,423	2,826,844	15%	132%	545,088	334,438	(210,650)	163%	2,268,821	24%
6 EXCISE TAX FUND	5,301,632	16,589,936	32%	101%	5,348,674	5,333,366	(15,308)	100%	15,938,717	34%
7 HOUSING FUND	540,054	4,119,633	13%	149%	802,674	305,911	(496,763)	262%	6,350,971	13%
8 OPEN SPACE ACQUISITION FUND	306,610	1,751,692	18%	589%	1,805,897	1,795,745	(10,152)	101%	3,094,093	58%
9 CONSERVATION TRUST FUND	10,332	30,996	33%	142%	14,668	14,668	-	100%	43,998	33%
10 GARAGE SERVICES FUND	733,400	1,711,675	43%	100%	731,808	912,664	180,856	80%	1,982,668	37%
11 INFORMATION TECHNOLOGY FUND	280,365	619,326	45%	114%	320,487	258,932	(61,555)	124%	769,777	42%
12 FACILITIES MAINTENANCE FUND	-	85,963	0%	N/A	0	49,790	49,790	0%	76,078	0%
13 SPECIAL PROJECTS FUND	125,124	388,903	32%	N/A	135,179	220,679	85,500	61%	395,001	34%
<b>TOTAL EXPENDITURES</b>	<b>16,031,780</b>	<b>54,306,987</b>	<b>30%</b>	<b>112%</b>	<b>17,937,869</b>	<b>20,480,740</b>	<b>2,542,871</b>	<b>88%</b>	<b>61,481,330</b>	<b>29%</b>
	<b>3,169,973</b>	<b>9,342,803</b>			<b>1,919,664</b>	<b>905,054</b>	<b>1,014,610</b>		<b>(2,392,672)</b>	

**TOWN OF BRECKENRIDGE  
ALL FUNDS, NET OF TRANSFERS  
CURRENT YEAR TO PRIOR YEAR COMPARISON  
FOR THE 4 MONTHS ENDING APRIL 30, 2011**

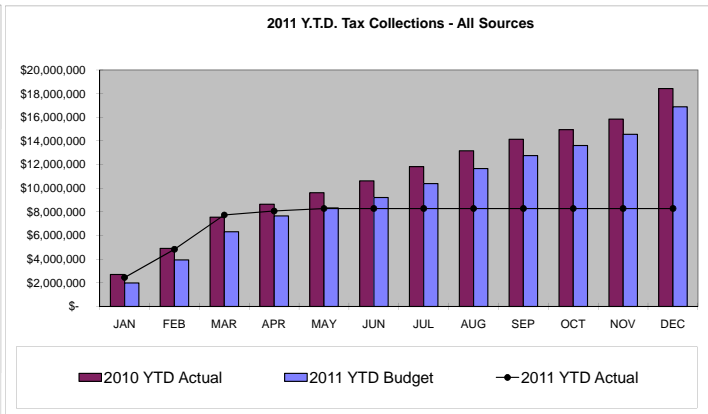
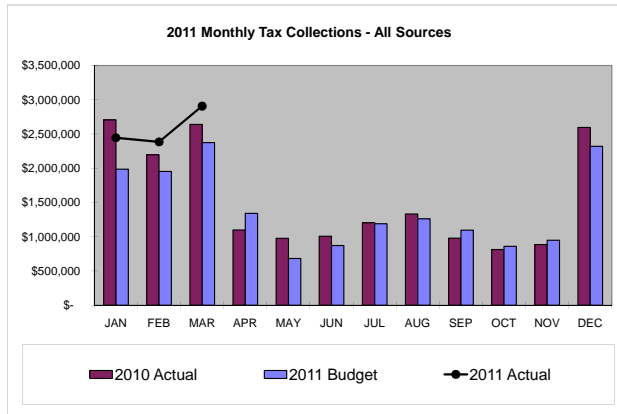
33 % OF THE FISCAL YEAR HAS ELAPSED

	PRIOR YEAR			2010 ACTUAL/ 2011 ACTUAL % CHANGE	CURRENT YEAR					
	YTD ACTUAL	YE TOTAL	% OF YE REC'D/SPENT		YTD ACTUAL	YTD BUDGET	ACTUAL/BUDGET \$ VARIANCE FAVORABLE/(UNFAVORABLE)	ACTUAL/BUDGET % CHANGE	ANNUAL BUDGET	% OF BUDGET REC'D/SPENT
<b>REVENUE</b>										
1 GENERAL FUND	3,851,592	12,334,827	31%	100%	3,867,794	3,624,337	243,457	107%	10,080,298	38%
2 UTILITY FUND	805,559	2,893,139	28%	139%	1,120,647	934,692	185,955	120%	2,944,244	38%
3 CAPITAL FUND	34,558	364,288	9%	144%	49,807	969,447	(919,640)	5%	969,447	5%
4 MARKETING FUND	419,779	1,183,696	35%	210%	883,452	845,546	37,906	104%	1,752,778	50%
5 GOLF COURSE FUND	58,446	2,731,911	2%	48%	27,873	33,481	(5,608)	83%	2,019,730	1%
6 EXCISE TAX FUND	6,234,112	19,639,290	32%	104%	6,490,656	5,901,561	589,095	110%	17,428,279	37%
7 HOUSING FUND	182,666	1,816,103	10%	131%	239,860	997,756	(757,896)	24%	3,037,742	8%
8 OPEN SPACE ACQUISITION FUND	727,296	1,847,526	39%	99%	721,828	760,071	(38,243)	95%	1,745,020	41%
9 CONSERVATION TRUST FUND	7467	32,550	23%	134%	10,004	7,925	2,079	126%	32,083	31%
10 GARAGE SERVICES FUND	177,733	569,995	31%	13%	22,950	-	22,950	0%	81,498	28%
11 INFORMATION TECHNOLOGY FUND	0	2	0%	N/A	0	-	-	0%	-	0%
12 FACILITIES MAINTENANCE FUND	0	0	N/A	N/A	0	-	-	N/A	-	N/A
13 SPECIAL PROJECTS FUND	19,000	69,000	28%	0%	0	-	-	N/A	-	N/A
<b>TOTAL REVENUE</b>	<b>12,518,208</b>	<b>43,482,327</b>	<b>29%</b>	<b>107%</b>	<b>13,434,871</b>	<b>14,074,816</b>	<b>(639,945)</b>	<b>95%</b>	<b>40,091,119</b>	<b>34%</b>
<b>EXPENDITURES</b>										
1 GENERAL FUND	5,785,990	17,611,050	33%	105%	6,049,043	5,888,438	(160,605)	103%	18,781,775	32%
2 UTILITY FUND	606,805	1,906,734	32%	80%	484,025	1,264,534	780,509	38%	4,822,947	10%
3 CAPITAL FUND	36,961	1,269,129	3%	61%	22,658	2,396,928	2,374,270	1%	2,396,928	1%
4 MARKETING FUND	943,898	1,788,213	53%	92%	865,308	892,271	26,963	97%	2,122,452	41%
5 GOLF COURSE FUND	411,423	2,167,384	19%	132%	545,088	334,438	(210,650)	163%	2,268,821	24%
6 EXCISE TAX FUND	-	566,540	0%	N/A	135,589	89,288	(46,301)	N/A	569,878	24%
7 HOUSING FUND	540,054	4,119,633	13%	149%	802,674	305,911	(496,763)	262%	6,350,971	13%
8 OPEN SPACE ACQUISITION FUND	304,606	1,745,680	17%	592%	1,802,841	1,792,689	(10,152)	101%	3,084,925	58%
9 CONSERVATION TRUST FUND	0	0	N/A	N/A	0	0	-	N/A	0	N/A
10 GARAGE SERVICES FUND	728,356	1,696,543	43%	99%	722,680	903,536	180,856	80%	1,955,284	37%
11 INFORMATION TECHNOLOGY FUND	279,449	616,578	45%	114%	319,307	257,752	(61,555)	124%	766,237	42%
12 FACILITIES MAINTENANCE FUND	0	85,963	0%	N/A	0	49,790	49,790	N/A	76,078	N/A
13 SPECIAL PROJECTS FUND	125,124	388,903	32%	108%	135,179	220,679	85,500	61%	395,001	34%
<b>TOTAL EXPENDITURES</b>	<b>9,762,666</b>	<b>33,962,350</b>	<b>29%</b>	<b>122%</b>	<b>11,884,392</b>	<b>14,396,254</b>	<b>2,511,862</b>	<b>83%</b>	<b>43,591,297</b>	<b>27%</b>
<b>Revenue Less Expenditures</b>	<b>2,755,542</b>	<b>9,519,977</b>			<b>1,550,479</b>	<b>(321,438)</b>	<b>1,871,917</b>		<b>(3,500,178)</b>	



**TOWN OF BRECKENRIDGE**  
**CASH TAX COLLECTIONS - ALL SOURCES - SALES, LODGING, RETT, ACCOMMODATIONS**  
**REPORTED IN THE PERIOD EARNED**

Sales Period	2010 Collections			2011 Budget			2011 Monthly			2011 Year to Date		
	Tax Collected	Year To Date	Percent of Total	Tax Budgeted	Year To Date	Percent of Total	Actual	% Change from 2010	% of Budget	Actual	% Change from 2010	% of Budget
JAN	\$ 2,704,530	\$ 2,704,530	14.7%	\$ 1,984,911	\$ 1,984,911	11.8%	\$ 2,445,176	-9.6%	123.2%	\$ 2,445,176	-9.6%	123.2%
FEB	\$ 2,196,643	\$ 4,901,172	26.6%	\$ 1,951,696	\$ 3,936,607	23.3%	\$ 2,384,466	8.6%	122.2%	4,829,642	-1.5%	122.7%
MAR	\$ 2,640,013	\$ 7,541,185	40.9%	\$ 2,373,496	\$ 6,310,104	37.4%	\$ 2,906,345	10.1%	122.4%	7,735,987	2.6%	122.6%
APR	\$ 1,097,223	\$ 8,638,408	46.9%	\$ 1,341,437	\$ 7,651,541	45.3%	\$ 333,424	-69.6%	24.9%	8,069,410	-6.6%	105.5%
MAY	\$ 977,114	\$ 9,615,523	52.2%	\$ 681,560	\$ 8,333,101	49.4%	\$ 211,520	-78.4%	31.0%	8,280,931	-13.9%	99.4%
JUN	\$ 1,007,403	\$ 10,622,926	57.6%	\$ 871,759	\$ 9,204,860	54.5%	\$ -	n/a	0.0%	8,280,931	-22.0%	90.0%
JUL	\$ 1,203,311	\$ 11,826,237	64.2%	\$ 1,188,112	\$ 10,392,972	61.6%	\$ -	n/a	0.0%	8,280,931	-30.0%	79.7%
AUG	\$ 1,332,356	\$ 13,158,593	71.4%	\$ 1,261,679	\$ 11,654,652	69.1%	\$ -	n/a	0.0%	8,280,931	-37.1%	71.1%
SEP	\$ 978,953	\$ 14,137,546	76.7%	\$ 1,094,547	\$ 12,749,198	75.5%	\$ -	n/a	0.0%	8,280,931	-41.4%	65.0%
OCT	\$ 813,640	\$ 14,951,186	81.1%	\$ 859,985	\$ 13,609,183	80.6%	\$ -	n/a	0.0%	8,280,931	-44.6%	60.8%
NOV	\$ 884,439	\$ 15,835,624	85.9%	\$ 949,013	\$ 14,558,196	86.3%	\$ -	n/a	0.0%	8,280,931	-47.7%	56.9%
DEC	\$ 2,595,070	\$ 18,430,694	100.0%	\$ 2,319,674	\$ 16,877,870	100.0%	\$ -	n/a	0.0%	\$ 8,280,931	-55.1%	49.1%

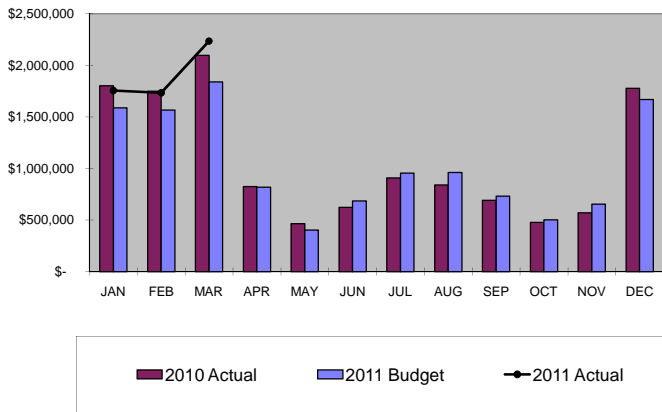


Prior Year Actual and Current Year Budget Variances					
	TOTAL	Sales	Accommodations	RETT	Housing
vs. Mar 10 Actual	266,332	139,711	43,246	75,976	7,399
Mar 11 Budget	532,848	396,165	61,623	75,881	(821)
vs. YTD 10 Actual	194,801	78,852	46,850	97,640	(28,540)
vs. YTD 11 Budget	1,425,883	731,395	70,126	629,417	(5,055)

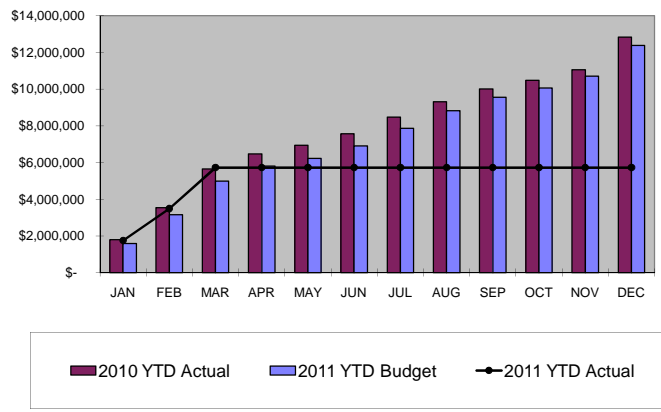
**TOWN OF BRECKENRIDGE  
SALES TAX COLLECTIONS  
REPORTED IN THE PERIOD EARNED**

Sales Period	2010 Collections			2011 Budget			2011 Monthly			2011 Year to Date		
	Tax Collected	Year To Date	Percent of Total	Tax Budgeted	Year To Date	Percent of Total	Actual	% Change from 2010	% of Budget	Actual	% Change from 2010	% of Budget
JAN	\$ 1,801,834	\$ 1,801,834	14.0%	\$ 1,589,208	\$ 1,589,208	12.8%	\$ 1,755,351	-2.6%	110.5%	\$ 1,755,351	-2.6%	110.5%
FEB	1,748,748	3,550,582	27.7%	1,565,285	3,154,493	25.5%	\$ 1,734,372	-0.8%	110.8%	3,489,722	-1.7%	110.6%
MAR	2,095,513	5,646,094	44.0%	1,839,058	4,993,551	40.3%	\$ 2,235,224	6.7%	121.5%	5,724,946	1.4%	114.6%
APR	826,063	6,472,157	50.4%	820,716	5,814,267	47.0%	n/a	0.0%		5,724,946	-11.5%	98.5%
MAY	466,655	6,938,812	54.1%	404,562	6,218,829	50.2%	n/a	0.0%		5,724,946	-17.5%	92.1%
JUN	625,370	7,564,182	58.9%	685,463	6,904,291	55.8%	n/a	0.0%		5,724,946	-24.3%	82.9%
JUL	909,629	8,473,811	66.0%	954,293	7,858,584	63.5%	n/a	0.0%		5,724,946	-32.4%	72.8%
AUG	840,855	9,314,666	72.6%	961,257	8,819,841	71.2%	n/a	0.0%		5,724,946	-38.5%	64.9%
SEP	693,592	10,008,257	78.0%	733,049	9,552,891	77.2%	n/a	0.0%		5,724,946	-42.8%	59.9%
OCT	478,831	10,487,088	81.7%	504,021	10,056,911	81.2%	n/a	0.0%		5,724,946	-45.4%	56.9%
NOV	571,080	11,058,168	86.1%	655,468	10,712,380	86.5%	n/a	0.0%		5,724,946	-48.2%	53.4%
DEC	\$ 1,778,688	\$ 12,836,856	100.0%	\$ 1,669,265	12,381,645	100.0%	n/a	0.0%		\$ 5,724,946	-55.4%	46.2%

2011 Monthly Sales Tax Collections



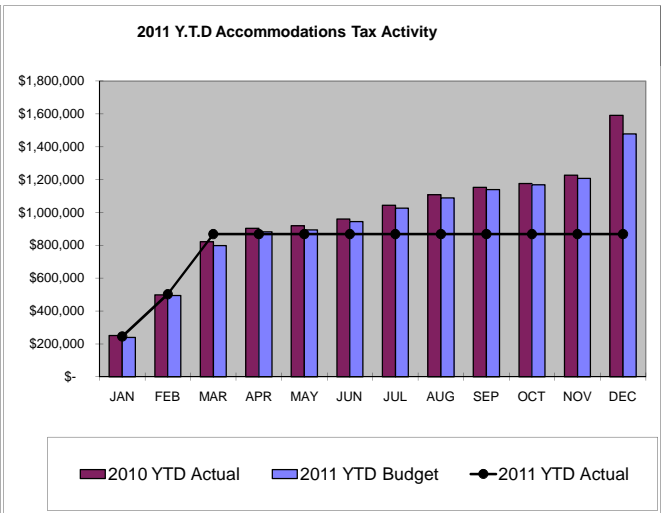
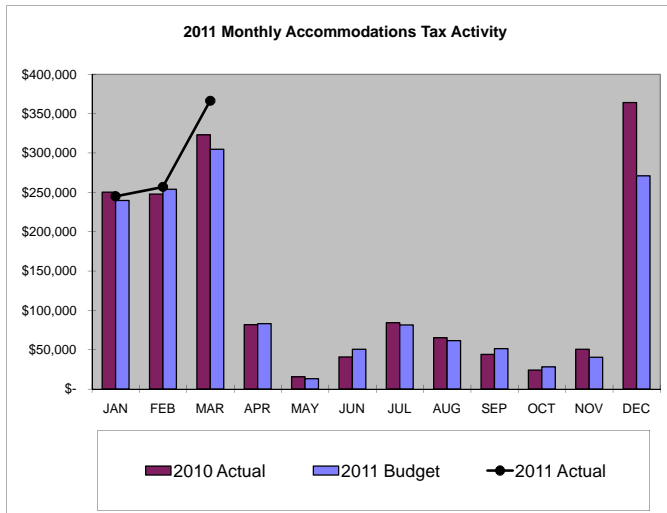
2011 Y.T.D. Sales Tax Collections



**TOWN OF BRECKENRIDGE  
ACCOMMODATION TAX COLLECTIONS  
REPORTED IN THE PERIOD EARNED**

Sales Period	2010 Collections			2011 Budget			2011 Monthly			2011 Year to Date		
	Tax Collected	Year To Date	Percent of Total	Tax Budgeted	Year To Date	Percent of Total	Actual	% Change from 2010	% of Budget	Actual	% Change from 2010	% of Budget
JAN	\$ 250,450	\$ 250,450	15.7%	\$ 239,518	\$ 239,518	16.2%	\$ 244,993	-2.2%	102.3%	\$ 244,993	-2.2%	102.3%
FEB	247,884	498,334	31.3%	253,918	493,436	33.4%	\$ 256,946	3.7%	101.2%	501,938	0.7%	101.7%
MAR	323,218	821,552	51.6%	304,840	798,276	54.0%	\$ 366,463	13.4%	120.2%	868,402	5.7%	108.8%
APR	81,743	903,295	56.8%	82,971	881,247	59.6%	n/a	0.0%		868,402	-3.9%	98.5%
MAY	15,579	918,875	57.7%	13,167	894,414	60.5%	n/a	0.0%		868,402	-5.5%	97.1%
JUN	40,624	959,499	60.3%	50,494	944,908	63.9%	n/a	0.0%		868,402	-9.5%	91.9%
JUL	84,378	1,043,876	65.6%	81,549	1,026,457	69.4%	n/a	0.0%		868,402	-16.8%	84.6%
AUG	64,959	1,108,835	69.7%	61,362	1,087,819	73.6%	n/a	0.0%		868,402	-21.7%	79.8%
SEP	43,974	1,152,809	72.4%	51,368	1,139,187	77.0%	n/a	0.0%		868,402	-24.7%	76.2%
OCT	23,958	1,176,767	73.9%	28,101	1,167,288	78.9%	n/a	0.0%		868,402	-26.2%	74.4%
NOV	50,468	1,227,235	77.1%	40,346	1,207,634	81.7%	n/a	0.0%		868,402	-29.2%	71.9%
DEC	\$ 364,070	\$ 1,591,305	100.0%	\$ 271,074	1,478,708	100.0%	n/a	0.0%		\$ 868,402	-45.4%	58.7%

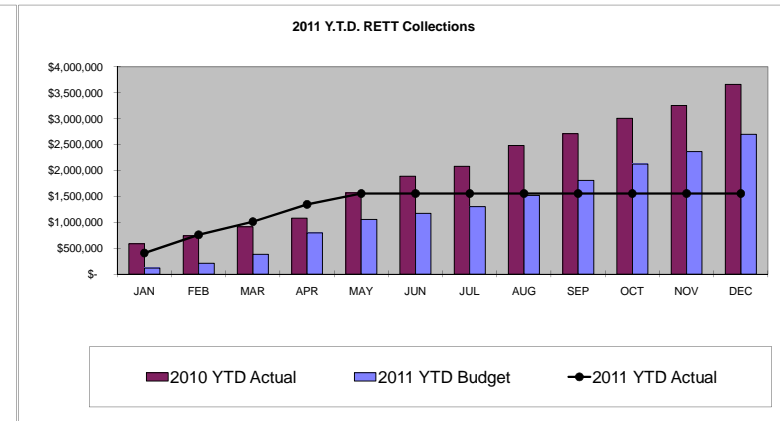
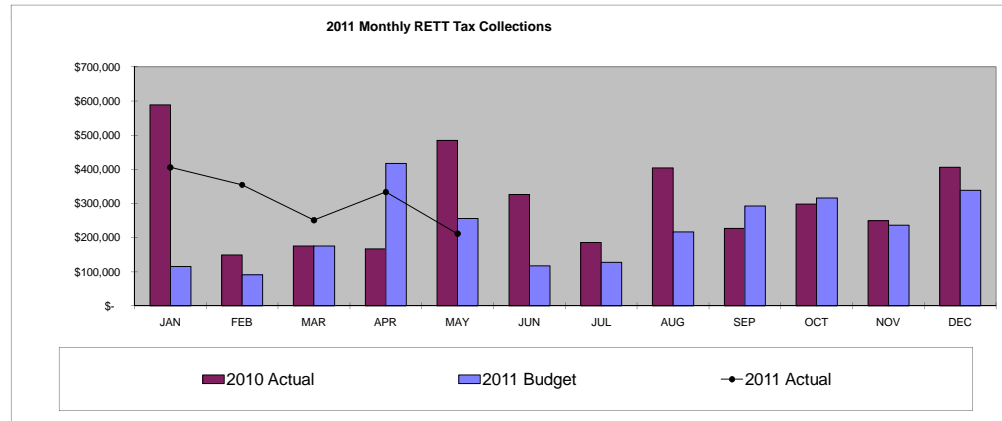
Accommodation tax amounts reflect collections at the 2% rate.



**TOWN OF BRECKENRIDGE  
REAL ESTATE TRANSFER TAX COLLECTIONS  
REPORTED IN THE PERIOD EARNED**

Sales Period	2007 Collections			2010 Collections			2011 Budget			2011 Monthly				2011 Year to Date			
	Tax Collected	Year To Date	Percent of Total	Tax Collected	Year To Date	Percent of Total	Tax Budgeted	Year To Date	Percent of Total	Actual	% of Budget	% Change from 2007	% Change from 2010	Actual	% of Budget	% Change from 2007	% Change from 2010
JAN	\$ 352,958	\$ 352,958	6.2%	\$ 588,874	\$ 588,874	16.1%	\$ 115,354	\$ 115,354	4.3%	\$ 405,576	351.6%	14.9%	-31.1%	\$ 405,576	351.6%	14.9%	-31.1%
FEB	342,995	695,953	12.3%	149,303	738,178	20.2%	90,951	206,306	7.6%	354,266	389.5%	3.3%	137.3%	759,842	368.3%	9.2%	2.9%
MAR	271,817	967,770	17.1%	175,161	913,339	24.9%	175,256	381,562	14.1%	251,137	143.3%	-7.6%	43.4%	1,010,979	265.0%	4.5%	10.7%
APR	564,624	1,532,394	27.0%	167,038	1,080,377	29.5%	417,147	798,708	29.6%	333,424	79.9%	-40.9%	99.6%	1,344,403	168.3%	-12.3%	24.4%
MAY	533,680	2,066,074	36.4%	484,618	1,564,995	42.7%	256,110	1,054,819	39.1%	211,520	82.6%	-60.4%	-56.4%	1,555,924	147.5%	-24.7%	-0.6%
JUN	522,999	2,589,073	45.6%	326,779	1,891,775	51.6%	117,793	1,172,611	43.4%	0.0%	n/a	n/a	1,555,924	132.7%	-39.9%	-17.8%	
JUL	343,610	2,932,683	51.7%	186,067	2,077,841	56.7%	127,768	1,300,380	48.2%	0.0%	n/a	n/a	1,555,924	119.7%	-46.9%	-25.1%	
AUG	594,349	3,527,032	62.1%	404,004	2,481,846	67.8%	217,061	1,517,440	56.2%	0.0%	n/a	n/a	1,555,924	102.5%	-55.9%	-37.3%	
SEP	711,996	4,239,028	74.7%	227,440	2,709,285	74.0%	292,261	1,809,701	67.0%	0.0%	n/a	n/a	1,555,924	86.0%	-63.3%	-42.6%	
OCT	392,752	4,631,779	81.6%	297,809	3,007,094	82.1%	316,040	2,125,742	78.7%	0.0%	n/a	n/a	1,555,924	73.2%	-66.4%	-48.3%	
NOV	459,147	5,090,926	89.7%	249,583	3,256,677	88.9%	236,022	2,361,764	87.5%	0.0%	n/a	n/a	1,555,924	65.9%	-69.4%	-52.2%	
DEC	\$ 584,308	\$ 5,675,235	100.0%	\$ 406,078	\$ 3,662,755	100.0%	\$ 338,238	\$ 2,700,002	100.0%	0.0%	n/a	n/a	\$ 1,555,924	57.6%	-72.6%	-57.5%	

\*May #s as of 5/16/11

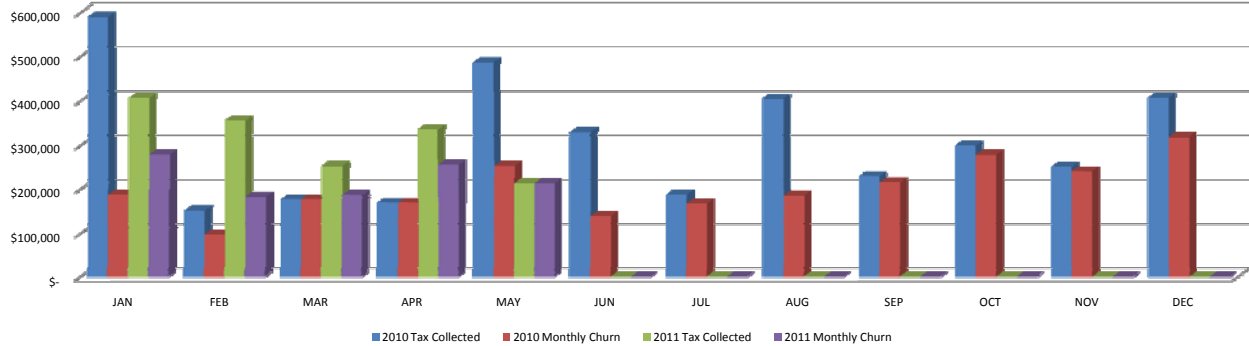


## TOWN OF BRECKENRIDGE REAL ESTATE TRANSFER TAX CHURN REPORTED IN THE PERIOD EARNED

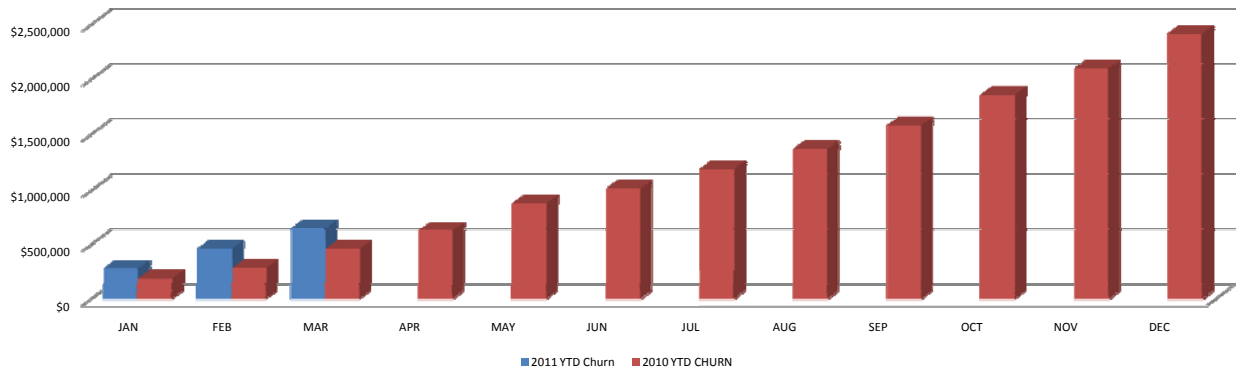
Sales Period	Tax Collected	Year To Date	2010 Collections					Monthly Churn	YTD Churn	% of YTD Total
			New Construction							
			Beaver Run	Grand Lodge	1 Ski Hill	Water House	Other			
JAN	\$ 588,874	\$ 588,874	0	403,514	0	0	0	\$ 185,361	\$185,361	31.5%
FEB	\$ 149,303	\$ 738,178	0	52,748	0	0	0	\$ 96,555	\$281,915	38.2%
MAR	\$ 175,161	\$ 913,339	0	0	0	0	0	\$ 175,161	\$457,077	50.0%
APR	\$ 167,038	\$ 1,080,377	0	0	0	0	0	\$ 167,038	\$624,115	57.8%
MAY	\$ 484,618	\$ 1,564,995	0	0	232,663	0	0	\$ 251,955	\$876,070	56.0%
JUN	\$ 326,779	\$ 1,891,775	0	0	189,994	0	0	\$ 136,786	\$1,012,856	53.5%
JUL	\$ 186,067	\$ 2,077,841	0	0	20,767	0	0	\$ 165,300	\$1,178,157	56.7%
AUG	\$ 404,004	\$ 2,481,846	220,000	0	0	0	0	\$ 184,004	\$1,362,161	54.9%
SEP	\$ 227,440	\$ 2,709,285	0	13,758	0	0	0	\$ 213,682	\$1,575,843	58.2%
OCT	\$ 297,809	\$ 3,007,094	0	20,555	0	0	0	\$ 277,254	\$1,853,097	61.6%
NOV	\$ 249,583	\$ 3,256,677	0	10,065	0	0	0	\$ 239,517	\$2,092,614	64.3%
DEC	\$ 406,078	\$ 3,662,755	0	43,263	10,292	35,908	0	\$ 316,615	\$2,409,229	65.8%

Sales Period	Tax Collected	Year To Date	2011 Collections				Monthly Churn	YTD Budget	YTD Churn	% of YTD Total	% Change In Churn from Prior Year
			New Construction								
			Grand Lodge	1 Ski Hill	Water House	Other					
JAN	\$ 405,576	\$ 405,576	74,378	0	53,370	0	\$ 277,828	\$ 115,354	\$277,828	68.5%	49.9%
FEB	\$ 354,266	\$ 759,842	135,046	26,482	11,550	0	\$ 181,187	\$ 206,306	\$459,015	60.4%	62.8%
MAR	\$ 251,137	\$ 1,010,979	56,805	0	9,300	0	\$ 185,032	\$ 381,562	\$644,047	63.7%	40.9%
APR	\$ 333,424	\$ 1,344,403	41,651	7,296	19,170	11,300	\$ 254,006	\$ 798,708	\$898,053	66.8%	43.9%
MAY	\$ 211,520	\$ 1,555,924					\$ 211,520	\$ 1,054,819	\$1,109,574	71.3%	26.7%
JUN	\$ -	\$ 1,555,924					\$ -	\$ 1,172,611	\$1,109,574	n/a	n/a
JUL	\$ -	\$ 1,555,924					\$ -	\$ 1,300,380	\$1,109,574	n/a	n/a
AUG	\$ -	\$ 1,555,924					\$ -	\$ 1,517,440	\$1,109,574	n/a	n/a
SEP	\$ -	\$ 1,555,924					\$ -	\$ 1,809,701	\$1,109,574	n/a	n/a
OCT	\$ -	\$ 1,555,924					\$ -	\$ 2,125,742	\$1,109,574	n/a	n/a
NOV	\$ -	\$ 1,555,924					\$ -	\$ 2,361,764	\$1,109,574	n/a	n/a
DEC	\$ -	\$ 1,555,924					\$ -	\$ 2,700,002	\$1,109,574	n/a	n/a

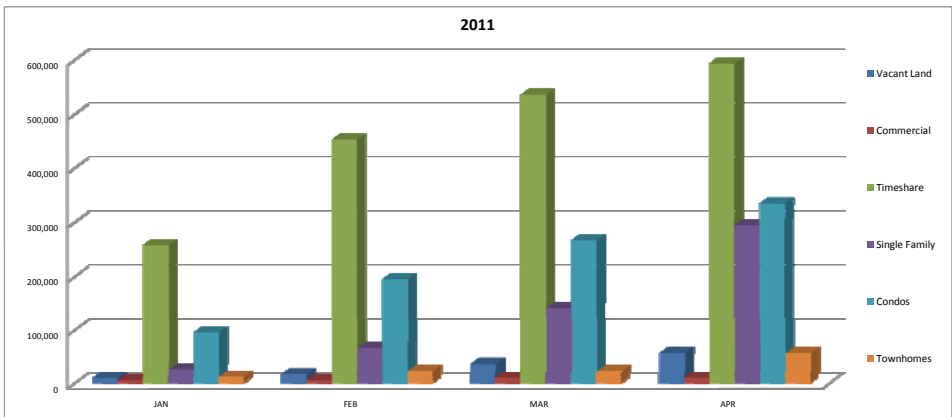
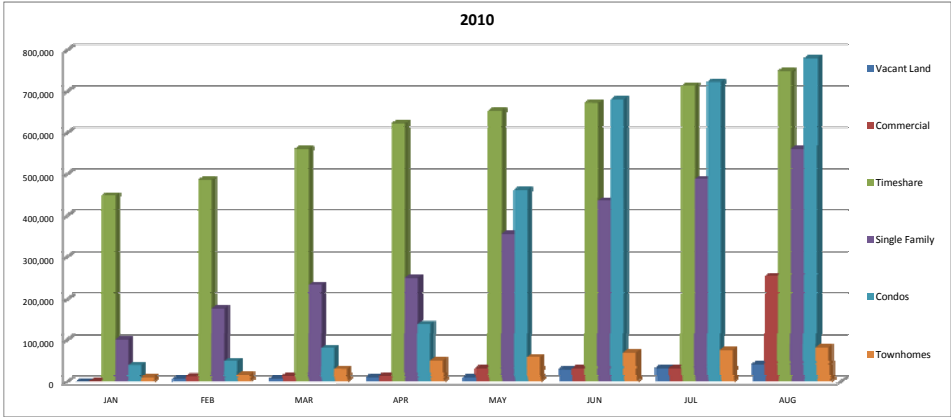
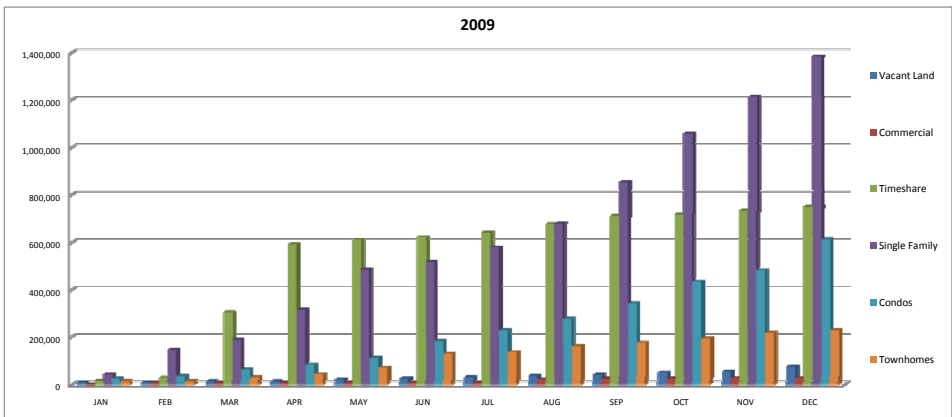
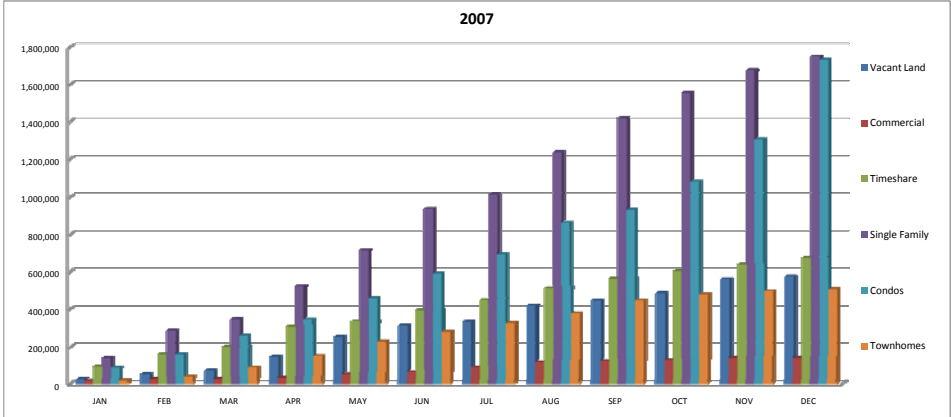
RETT Monthly Collections vs. Churn



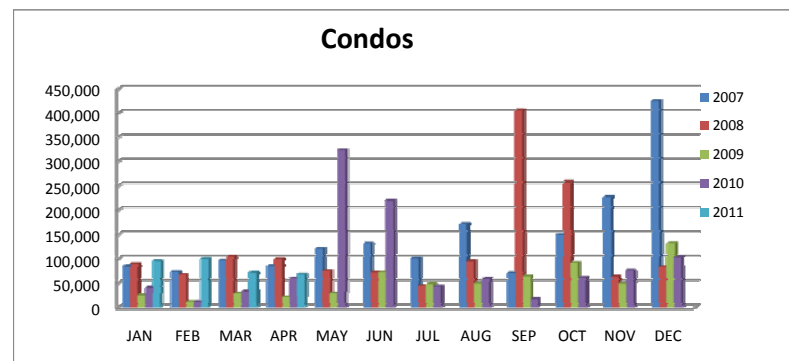
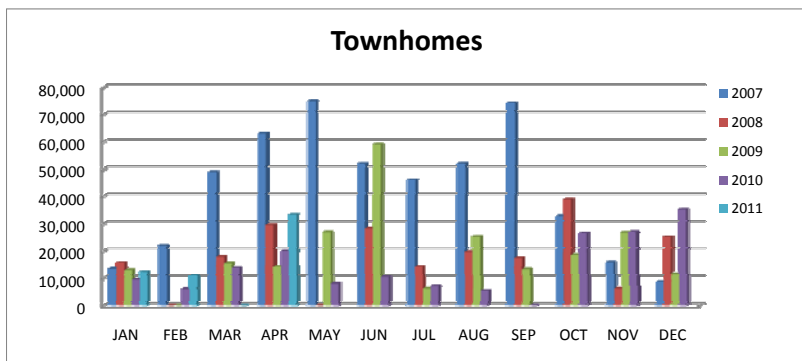
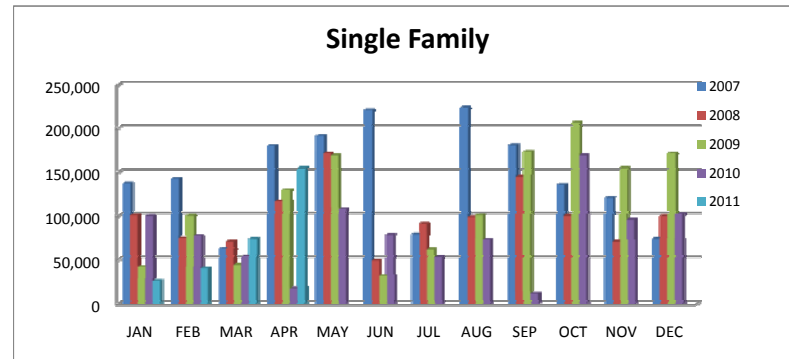
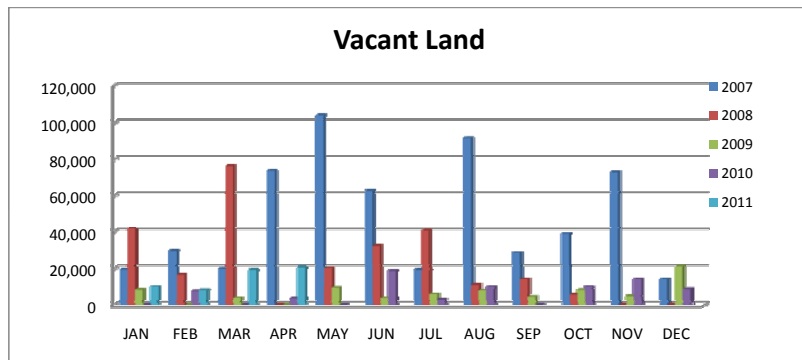
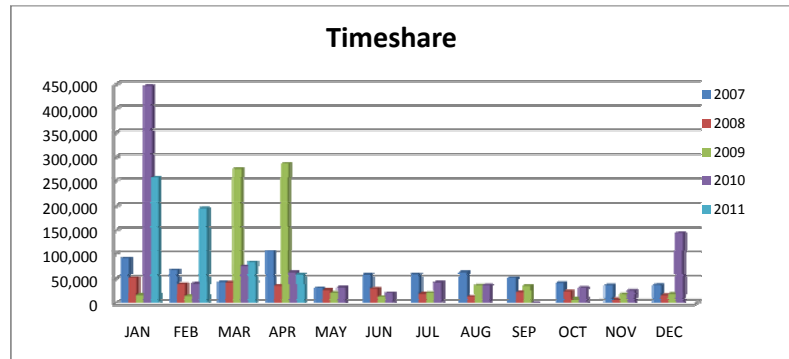
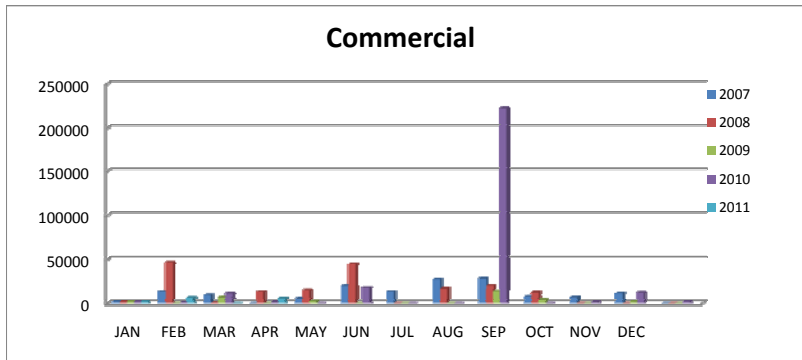
YTD Churn Analysis



**TOWN OF BRECKENRIDGE  
REAL ESTATE TRANSFER TAX COLLECTIONS  
YTD CATEGORIES BY MONTH**



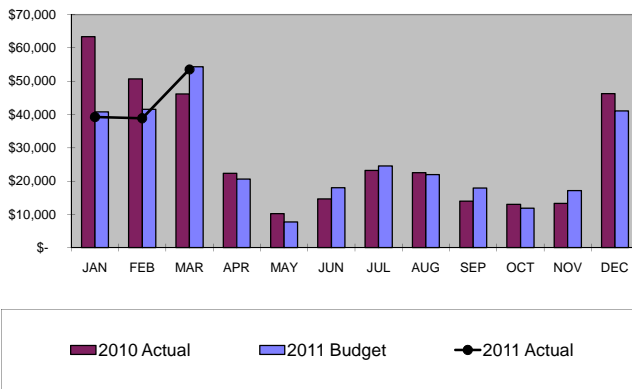
# TOWN OF BRECKENRIDGE REAL ESTATE TRANSFER TAX COLLECTIONS MONTHLY BY CATEGORY



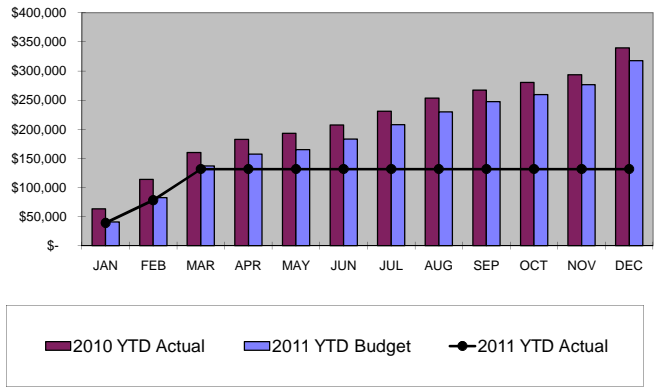
**TOWN OF BRECKENRIDGE**  
**AFFORDABLE HOUSING SALES TAX COLLECTIONS**  
**REPORTED IN THE PERIOD EARNED**

Sales Period	2010 Collections			2011 Budget			2011 Monthly			2011 Year to Date		
	Tax Collected	Year To Date	Percent of Total	Tax Budgeted	Year To Date	Percent of Total	Actual	% Change from 2010	% of Budget	Actual	% Change from 2010	% of Budget
JAN	\$ 63,372	\$ 63,372	18.7%	\$ 40,831	\$ 40,831	12.9%	\$ 39,257	-38.1%	96.1%	\$ 39,257	-38.1%	96.1%
FEB	50,707	114,079	33.6%	41,542	82,373	25.9%	\$ 38,882	-23.3%	93.6%	78,139	-31.5%	94.9%
MAR	46,121	160,200	47.1%	54,342	136,715	43.1%	\$ 53,520	16.0%	98.5%	131,660	-17.8%	96.3%
APR	22,379	182,579	53.7%	20,604	157,319	49.5%		n/a	0.0%	131,660	-27.9%	83.7%
MAY	10,262	192,841	56.8%	7,721	165,040	52.0%		n/a	0.0%	131,660	-31.7%	79.8%
JUN	14,630	207,471	61.1%	18,010	183,050	57.7%		n/a	0.0%	131,660	-36.5%	71.9%
JUL	23,238	230,709	67.9%	24,502	207,552	65.4%		n/a	0.0%	131,660	-42.9%	63.4%
AUG	22,538	253,247	74.5%	21,999	229,551	72.3%		n/a	0.0%	131,660	-48.0%	57.4%
SEP	13,947	267,194	78.6%	17,868	247,420	77.9%		n/a	0.0%	131,660	-50.7%	53.2%
OCT	13,042	280,237	82.5%	11,823	259,242	81.6%		n/a	0.0%	131,660	-53.0%	50.8%
NOV	13,308	293,545	86.4%	17,177	276,419	87.1%		n/a	0.0%	131,660	-55.1%	47.6%
DEC	\$ 46,234	\$ 339,779	100.0%	\$ 41,096	317,515	100.0%		n/a	0.0%	\$ 131,660	-61.3%	41.5%

2011 Monthly Aff. Housing Sales Tax Collections



2011 Y.T.D. Aff. Housing Sales Tax Collections





## Capital Improvement Plan Summary for 2012

	A list			B List	Total of A & B Projects
	Other Funding	Capital Fund	Total cost		
<b>Administration</b>					
Welcome Center Exhibit Update	0	50,000	50,000	0	50,000
RWC Bathroom Remodel	0	50,000	50,000	0	50,000
<b>TOTAL</b>	<b>0</b>	<b>100,000</b>	<b>100,000</b>	<b>0</b>	<b>100,000</b>

### Recreation

Rec Center Major Maintenance	0	0	0	400,000	400,000
Rec Ctr Renovation & Upgrades	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>400,000</b>	<b>400,000</b>

### Public Works

Utility Undergrounding	0	0	0	100,000	100,000
Roadway Resurface	0	360,000	360,000	0	360,000
Main Street/Riverwalk	0	350,000	350,000	0	350,000
McCain MP / Implementation	80,000	0	80,000	0	80,000
Sidewalks	0	0	0	50,000	50,000
Harris Street Building	0	0	0	0	0
Blue River Reclam/ACOE	0	0	0	1,750,000	1,750,000
Airport Road Sidewalk	0	250,000	250,000	0	250,000
Town Hall HVAC Upgrade	0	0	0	40,000	40,000
<b>TOTAL</b>	<b>80,000</b>	<b>960,000</b>	<b>1,040,000</b>	<b>1,940,000</b>	<b>2,980,000</b>

### Community Development

Arts District Improvements	0	30,000	30,000	100,000	130,000
Public Art Commission	0	12,000	12,000	88,000	100,000
Robert Whyte Hous Resoration	0	0	0	100,000	100,000
<b>TOTAL</b>	<b>0</b>	<b>42,000</b>	<b>42,000</b>	<b>288,000</b>	<b>330,000</b>

<b>GRAND TOTAL</b>	<b>80,000</b>	<b>1,102,000</b>	<b>1,182,000</b>	<b>2,628,000</b>	<b>3,810,000</b>
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### Funding Sources

	Other Funding	Capital Fund	Total Funds
Current Revenue/Reserves	-	1,070,000	1,070,000
McCain Royalties	80,000		80,000
Arts District Bldg Grants	0		-
Conservation Trust Transfer	32,000		32,000
<b>TOTAL</b>	<b>112,000</b>	<b>1,070,000</b>	<b>1,182,000</b>

## Five Year Capital Improvement Plan Summary 2012 to 2016

Dept/Project	2012	2013	2014	2015	2016	TOTAL
<b>Administration</b>						
Welcome Center Exhibit Update	50,000	-	-	-	-	50,000
RWC Bathroom Remodel	50,000	-	-	-	-	50,000
<b>TOTAL</b>	<b>100,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>100,000</b>

<b>Recreation</b>						
Rec Ctr Major Mtce & Repl	400,000	-	-	-	-	400,000
Rec Ctr Renovation & Upgrades	-	-	1,000,000	1,000,000	625,000	2,625,000
Artificial Turf Field	-	885,000	-	-	-	885,000
Water Slide Replacment	-	-	-	130,000	-	130,000
<b>TOTAL</b>	<b>400,000</b>	<b>885,000</b>	<b>1,000,000</b>	<b>1,130,000</b>	<b>625,000</b>	<b>4,040,000</b>

<b>Public Works</b>						
Utilitiy Undergrounding	100,000	200,000	200,000	200,000	200,000	900,000
Roadway Resurfacing	360,000	380,000	400,000	420,000	440,000	2,000,000
Main Street/Riverwalk	350,000	450,000	450,000	250,000	250,000	1,750,000
Core Parking Lot Improvements	-	150,000	2,000,000	-	-	2,150,000
McCain MP / Implementation	80,000	80,000	80,000	80,000	80,000	400,000
Sidewalks	50,000	50,000	50,000	50,000	50,000	250,000
Harris Street Building (old CMC)	????	1,000,000	1,500,000	-	-	2,500,000
North Main Street Alley Realignment	-	???	-	-	-	-
Blue River Reclam/ACOE	1,750,000	-	-	-	-	1,750,000
Transit Next Bus	-	115,000	-	-	-	115,000
Airport Road Sidewalk	250,000	-	-	-	-	250,000
Town Hall HVAC Upgrade	40,000	-	-	-	-	40,000
Gondola Lot Development Partnership	-	-	-	-	1,000,000	1,000,000
Childcare Facility #2	-	-	-	250,000	3,500,000	3,750,000
Coyne Valley Road Bridge	-	1,500,000	-	-	-	1,500,000
Valley Brook Bridge	-	-	-	-	1,450,000	1,450,000
S. Park Avenue Underpass	-	-	-	-	1,650,000	1,650,000
<b>TOTAL</b>	<b>2,980,000</b>	<b>3,925,000</b>	<b>4,680,000</b>	<b>1,250,000</b>	<b>8,620,000</b>	<b>21,455,000</b>

<b>Community Development</b>						
Arts District Improvements	130,000	100,000	100,000	100,000	100,000	530,000
Public Art Commission	100,000	100,000	100,000	100,000	100,000	500,000
Robert Whyte House Restoration	100,000	-	-	-	-	100,000
<b>TOTAL</b>	<b>330,000</b>	<b>200,000</b>	<b>200,000</b>	<b>200,000</b>	<b>200,000</b>	<b>1,130,000</b>

<b>GRAND TOTAL</b>	<b>3,810,000</b>	<b>5,010,000</b>	<b>5,880,000</b>	<b>2,580,000</b>	<b>9,445,000</b>	<b>26,725,000</b>
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<b>Funding Sources</b>						
Current Revenue/Reserves	1,070,000	4,898,000	5,768,000	2,468,000	8,133,000	22,337,000
McCain Royalties	80,000	80,000	80,000	80,000	80,000	400,000
CDOT-S.Park Underpass	-	-	-	-	1,200,000	1,200,000
Arts District Bldg Grants	-	-	-	-	-	-
Conservation Trust Transfer	32,000	32,000	32,000	32,000	32,000	160,000
<b>Total</b>	<b>1,182,000</b>	<b>5,010,000</b>	<b>5,880,000</b>	<b>2,580,000</b>	<b>9,445,000</b>	<b>24,097,000</b>

## RESULTS OF WM WEST SURVEY FOR FREE RIDE SERVICE

139 residents listed by assessor

14 residents undeliverable

125 could vote

63 did respond (50%)

39 voted YES (63%)

23 voted NO (37%)

1 Abstained

Several of the people who voted “no” want to have bus service, but felt that the town was unfair in assessing this area for snow removal and for the work on the circle at the top of White Cloud Drive. This complaint was also heard from people who voted “yes”.

The results were discussed at the yesterday WMHOA Board meeting, where it was decided to add two late votes. The next phase has gotten tricky .

# MEMO

**TO:** Mayor and Town Council  
**CC:** Town Manager & Assistant Town Manager  
**FROM:** Kim DiLallo & Vanessa Agee, Events & Communications Division/RWC  
**DATE:** May 17, 2011 (*for TC Retreat 5.24.11*)  
**RE:** Riverwalk Center: Expansion of Programming & Business Model

The Riverwalk Center (RWC) is entering its 19<sup>th</sup> year of operation, and ‘celebrating’ the three-year anniversary under the ‘new’ roof. The Town Council identified the expansion of programming and business model as one of the top goals for 2011.

Following is a sort of “RWC Primer” to provide information, ideas, and research to set the stage for discussion of futures uses and the accompanying philosophy.

## **RWC History/Timeline:**

1992 – ToB successfully ‘bid’ for the National Repertory Orchestra (NRO) to move their ‘home’ from Keystone to Breckenridge which provided the town with two summer orchestras; the Breckenridge Music Institute Orchestra (BMF) began in 1979.

1993 – RWC’s first season hosted 44 concerts from June 26 to August 21, NRO, BMI and ToB produced concerts.

1993 to 2001 – ToB acted as promoter/co-promoter (i.e. contracted with musical acts for ticketed musical events). Starting in 2002, ToB only produced Kidz Calliope and Celebration of Dance performances.

2000 – BMF began presenting popular music under the moniker of Blue River Series (BRS). Through the years, there have been as many as 18 BRS concerts (2002); continues with 5 - 7 concerts during the 2011 summer season.

1994 to 2011 – RWC concerts, programs and events increased both in variety and in numbers to approximately 85 year-round, including the week-long International Snow Sculpture Championships, Dew Tour concert(s), Spring Fever concert(s), Town Party, 13+ NRO concerts, 14+ BMF concerts, two July 4<sup>th</sup> free concerts, 8 - 11 Family/Kids summer shows, BRS concerts, various dinners and receptions (*including Western Governors, Western Legislators, Colorado Municipal League, weddings, memorial/celebrations of life*), miscellaneous benefit events (*CAIC, BOEC, Backstage to Broadway*), sports swaps (*benefiting nonprofits*), and others. More detailed usage information follows.

## **Current Philosophy:**

ToB operates the RWC under the philosophy of a performing arts facility with the NRO and BMF as anchor tenants, and that it operates primarily as a ‘rental house’. The NRO

and BMF utilize the facility free of charge except for a ticket surcharge (to fund the Box Office operations) and minimal cleaning fee. The offer of use of the RWC without rent for the life of the facility was outlined in the Proposal to the NRO in 1992 from ToB.

The philosophy on lawn usage is that it is an important public space, and to limit its usage for private events. This was direction given to staff in 2007 and again at the May 2008 retreat.

ToB acts as a promoter and takes financial risk only when booking Imagination Express (formerly Kidz Calliope), which basically breaks even. The philosophy is to fill in where needs are being unmet such as children's/family programming. The Town funds and produces Town Party and funds/books the July 4<sup>th</sup> afternoon entertainment and fireworks (as well as New Year's Eve).

During the summer (using 2011 schedule), the NRO and BMF utilize seven Friday nights (two are BRS) of 13 Fridays and nine Saturday nights of 13 Saturdays for June-August performances. The NRO and BMF collectively have 98 rehearsals over 55 days (most rehearsals are between 9am and 4pm).

This summer, the NRO has an 8-week season from June 19-August 5, and the BMF Orchestra has a 5-week season from July 19-August 20. Hence early June and late August have the most open dates in which to program other uses. The order of most attendance for specific days are as follows: Saturday, Friday and then Thursday.

### **Events and Communications (E&C) Division Overview:**

The E&C division has 3 full time regular year-round staff and 1 part time staff member (less than 7 hours a week): Communications Director, Events and Facilities Manager, Events and Communications Coordinator and an Administrative Assistant. From late May-early September, seasonal staff are added: 1 full time Technical Director, 1 part time Production Assistant, 2 full time and 1 part time Box Office Attendants.

E&C responsibilities:

- Managing, scheduling and maintaining RWC year round (including managing everything from chair moves to writing contracts to cleaning staff)
- Running the RWC Box Office in the summer and as needed off season (winter shows as needed)
- Selling pre-season products from February-May for NRO/BMF prior to box office opening (in 2010, products were sold to 260 customers)
- Public information (PIO) for ToB (spokesperson, primary media contact, marketing plans, social media, press releases, etc.)
- Negotiating ToB-wide media contracts
- Securing content, editing and contracting to create marketing pieces such as the town-wide Summer Events Brochure
- Overseeing Welcome Center coordination
- Marketing duties for Town Clean-up, Town Party, NPO Grants, etc.

- Liaison to the Breckenridge Resort Chamber (BRC) and to BMAC
- Planning and executing town-wide events such as Town Clean Up, Snow Sculpture (planning from May thru early February) and 4<sup>th</sup> of July
- Permitting for events held within Town limits (68 permits issued in 2010)
- Coordinating Town resources and producing event fact sheets for each permitted event (including meetings once a month in the winter and twice a month in the summer with affected ToB departments and divisions, and RW&B)
- Permitting and coordinating Town resources for photo and video shoots on ToB property (19 permits issued in 2010); includes event fact sheets
- Permitting Main Street banner permits (24 permits issued in 2010) and handling related issues
- Administering the Town's scholarship, cash and in-kind grant programs
- Providing resources and advice to non-profits including assistance in planning events on ToB property (especially RWC)
- Managing and entering content on the ToB website
- Training staff on the website content management system
- Various projects

### **Potential Expanded Uses:**

**Weddings** – Currently RWC hosts an average of one wedding per year.

PROS: revenue (\$3,500- \$5,000 in rent and concession commission); Harvest Catering and Colorado Tents & Events sell the RWC as a wedding venue.

CONS: significant staff resources - from multiple site tours to pre-event planning; tables/chairs/linens, etc. must be rented by user; 95% of requests are during the summer when nights are booked ; bathrooms are outside; the 'stepped' floor requires that seating can only be on 3 sides of a table; cannot allow dancing onstage due to ADA and safety.

**Conferences** – the RWC is utilized on average once per year to provide additional space for groups at large conference facilities.

PROS: The Town is able to provide a venue for larger breakout general sessions and/or banquets/parties which may not have been possible or desirable in the lodging property where the group was booked; the RWC is a unique sales tool.

CONS: significant staff resources - from multiple site tours to pre-event planning; has the potential to compete with current businesses; 70% of conferences book in the summer when the RWC is busiest.

**Concerts** – Approximately 12 non-classical concerts are hosted annually at the RWC.

PROS: Non-classical concerts appeal to a different demo; diversity in a performing arts schedule is desirable for economic and quality of life reasons; great acoustics - the RWC is a concert hall by design not a hall for dance or musical theatre; could work on routing opportunities with other performance spaces such as Wheeler Opera House.

CONS: there are often radius clauses; the "magic" mix is challenging (i.e. balancing cost of a band, marketing, plus production with potential revenue in a 770 seat venue + 2,000 on the lawn) - act must have a large enough draw to bring in ticket sales but must still be small enough to render reasonable ticket prices and a profit; price sensitive market;

abundance of free music available year round; local, visitor and 2<sup>nd</sup> homeowner tastes and habits often do not match, failing to create a sellout.

**Speaker Series** – Currently the RWC hosts one speaker series (NorthFace) annually.

PROS: Acoustics are great; raises funds for NPOs.

CONS: AV is lacking (no in-house projector), so outside vendor must provide AV at extra cost (usually around \$2k); no blackout capability.

**Films**- Currently the RWC hosts one film event (BOEC Banff Film Fest) and it has been a sellout two year running.

PROS: Films are fairly inexpensive to license (often around \$300); many other venues (Vilar, Wheeler Opera House, Jackson Hole Center for the Arts, etc.) fill and enliven their schedules with film; raises funds for NPO.

CONS: AV is lacking (no in-house projector), so outside vendor must provide AV at extra cost (usually around \$2k); no blackout capability.

### **Challenges & Opportunities:**

#### **Staffing:**

Currently, the RWC employees summer seasonal production and box office staff. During the summer season, the Technical Director oversees sound, lighting and the basic physical plant as well as advancing shows. In a facility like the RWC, the most damage can be done during the use of rigging and lighting and sound components.

A Technical Director is key in making a facility hospitable and welcoming to outside producers, as well as protecting the interests and assets of the venue. Currently for non-summer events, outside technical staff has been hired and 2 of the Riverwalk year-round staff has been running lighting. **POSSIBILITY**: partnership with CMC and Backstage Theatre to provide year-round production support. But a staff share may be a challenge as most uses in venues are on Fridays and Saturdays increasing the potential that a Technical Director would be “double booked”.

The Box Office is only staffed during the summer and covers costs 100% with the ticket surcharge. We are seeing an increase in on-line ticketing, but obviously a dedicated box office staff year-round would make the venue more attractive.

The current staff’s ability to seek new RWC uses or to act in a sales role is challenging due to lack of resources.

#### **Scheduling:**

The non-summer season is not difficult to accommodate most requests. As for summer scheduling, anchor tenants (NRO and BMF) are given first ‘booking’ rights (typically the most desirable dates). Possibilities include requiring the BMF and NRO to book a year out and limiting the availability. There is no guarantee that dates would fill by this change in procedure and philosophy, and prime dates are what makes the most money for both orchestras (there is a 45% difference between Saturday and midweek attendance for the

orchestras). Taking away prime dates would have significant financial consequences for the NRO and BMF. Most popular music bookings depend on routing (in the area already); weddings and conferences are equally unpredictable. Routing is the most economical way to get an act; it is undesirable to be the first one to book an act into a market as you will typically pay the highest fee.

### **Support to Non-Profits:**

The RWC has a history of assisting non-profits, and has hosted everything from adult spelling bees to film events to bluegrass concerts. Some examples of well attended and executed events are the BOEC Banff Film Fest event (\$20,000 raised in 2011) and the Colorado Avalanche Information Center Fundraiser event (\$46,500 raised in 2010).

Unfortunately, not every event is well executed or successful. Events that are poorly attended take just as much effort as those that are well attended. Staff often grapples with wanting the venue to be busy and to support non-profits, but also wanting to establish the RWC for a great, vibrant experience. The question becomes whether to be selective for the health of the venue and for the non-profit.

### **Concessions:**

Harvest Catering has the concessions agreement for the RWC. ToB receives a 20% commission on all food and beverage sold (\$30,600 in 2010). Harvest also holds the liquor license at the RWC and staffs all events whether large or small, and sells the RWC as a wedding and event space. The ability to provide them with more prime dates and a sales brochure/piece would likely yield greater results.

### **Branding/Marketing/Sponsorships:**

Current resources do not allow for an active sales effort of the RWC.

The current ToB logo standards are integral to avoiding inconsistent messaging from a variety of departments and divisions; however, it also presents branding challenges for revenue producing divisions, such as the RWC, Rec Center, etc. An example of a municipal venue with distinctive branding is Red Rocks. It is owned by the City of Denver, but has branding and marketing materials to identify and represent the venue. An exploration of rebranding the RWC (as well as other ToB entities) and creating targeted marketing pieces (conference, wedding and general rental) would be one unexplored possibility. A rebranding exercise could also render information and opportunities to identify sponsor opportunities.

### **Physical Plant:**

The acoustics are great. It is a unique, beautiful structure in a prime location. Occupancy ranges from 250 (banquet) to 1,000 (no chairs concert). The lawn can easily hold 2,000.

While providing flexibility with movable chairs, the steeped floor creates challenges for certain uses and each chair move costs about \$260 in temporary labor. Bathrooms are located outside which is not only unpleasant in poor weather, but creates a security issue (i.e. no reentry policy). There is no lobby which requires guests to wait outside and the



space at the back is often congested. The box office is located apart from entrance which does occasionally cause confusion and frustration.

**Equipment:**

The RWC has enough ‘hang’ points and power to meet the needs of 95% of shows that would “fit” here. It has an excellent basic sound system. It would not economically prudent to purchase larger, better system as most bands require different monitors, boards, speakers, and technology is ever changing. The Pepsi Center and Red Rocks bring in sound and lighting for every show depending on the needs of the performer.

Our lighting system is adequate. But lack of moving lights and lack of color options does not meet the basic needs of larger shows. A capital improvement could be utilizing LED technology for increased flexibility and energy conservation.

The RWC does not own banquet equipment such as linens, glassware, china, tables, etc. which would make a party/wedding rental more seamless for the user. However, lack of storage and dishwasher are major challenges.

**Operational Research:**

Staff spoke with other venues regarding their business models, issues they are dealing with, etc. Attachment A outlines discussions with: *Wheeler Opera House/Aspen, Lincoln Center/Fort Collins, Vilar Center/Beaver Creek, Ford Amphitheatre/Vail, Center for the Arts/Jackson Hole, and Silverthorne Pavilion.*

**Fees:**

The RWC’s rental fees are comparable to other venues of like size and range from \$250 (summer NPO) to \$1,500 (wedding/conference). Currently the philosophy is for one rate structure for summer and another for non-summer, and to break even on NPOs use during non-summer. In 2010, RWC revenue was \$30,540 from rentals. If staff was to focus on other revenue streams such commissions on concessions, equipment rentals and any other 3<sup>rd</sup> party vendors, rental revenue would likely be reduced; however, it may result in other revenue streams and encourage more activity.

**Philosophy:**

The RWC is a rental house. This approach reduces the risk inherent in producing events (i.e. booking acts, additional staff, marketing, production, etc.). It has been challenging for outside producers who are willing to take this risk. In fact, the BMF’s goal when presenting the Blue River Series is to break even. They did not accomplish this in 2010.

In conclusion, there is no silver bullet to filling the RWC with more viable and interesting events. The puzzle pieces include everything from staffing to marketing/rebranding to scheduling to fee structures to capital investment to making the venue more attractive.

**Questions for Council:**

**What is the overarching goal?**

To have more diversity in the summer schedule?

To have more programming in the shoulder and winter seasons?

**What should the programming be?**

Should the facility be used as much as possible or should there be a litmus test for accepting an event?

What type of programming should there be more of?

**What types of resources are available?**

If it is determined to have more use during the winter/shoulder seasons, then what resources can be made available?

Should the fee structure be changed to possibly attract more business, with the understanding that other sources of income may or may not make up the difference?

How much of a priority is cost recovery?

*Thank you for your thoughtful consideration and for providing your guidance.*

**RWC USAGE:**

Date	Total Usage	NRO	BMF	Kids Shows	Town Event	Rehearsals	Other Perf.	Other Rentals	
June-08	48	4	1	2	1	31	0	9	
July-08	71	10	8	5	1	42	1	4	
August-08	46	1	11	3	0	26	5	0	
September-08	8	0	0	0	0	0	1	7	
October-08	0	0	0	0	0	0	0	0	
November-08	3	0	0	0	0	0	0	3	
December-08	6	0	0	0	0	0	4	2	
<b>TOTAL 2008</b>	<b>182</b>	<b>15</b>	<b>20</b>	<b>10</b>	<b>2</b>	<b>99</b>	<b>11</b>	<b>25</b>	
January-09	1	Snowsculpture use of green room & outside for 3 weeks							1
February-09	2	0	0	0	0	0	1	1	
March-09	1	0	0	0	0	0	1	0	
April-09	4	0	0	0	0	0	1	3	
May-09	4	0	0	0	0	0	0	4	
June-09	32	3	1	2	1	19	1	5	
July-09	74	10	5	5	3	43	3	5	
August-09	55	3	13	2	0	33	2	2	
September-09	10	0	0	0	0	0	1	9	
October-09	1	0	0	0	0	0	1	0	
November-09	2	0	0	0	0	0	1	1	
December-09	6	0	0	0	0	0	3	3	
<b>TOTAL 2009</b>	<b>192</b>	<b>16</b>	<b>19</b>	<b>9</b>	<b>4</b>	<b>95</b>	<b>15</b>	<b>34</b>	
January-10	2	Snowsculpt use of green room & outside for 3 weeks							2
February-10	3	0	0	0	1	0	1	1	
March-10	6	0	0	0	4	0	1	1	
April-10	4	0	0	0	1	0	1	2	
May-10	5	0	0	0	1	0	0	4	
June-10	35	3	1	2	1	24	0	4	
July-10	71	8	10	3	3	46	1	0	
August-10	54	2	13	2	1	32	2	2	
September-10	9	0	0	0	1	2	5	1	
October-10	5	0	0	0	1	0	0	4	
November-10	1	0	0	0	0	0	0	1	
December-10	4	0	0	0	0	0	4	0	
<b>TOTAL 2010</b>	<b>199</b>	<b>13</b>	<b>24</b>	<b>7</b>	<b>14</b>	<b>104</b>	<b>15</b>	<b>22</b>	
January-11	3	Snowsculpt use of green room & outside for 3 wks							1
February-11	1	0	0	0	0	0	0	1	
March-11	1	0	0	0	1	0	0	0	
April-11	6	0	0	0	4	0	0	2	
May-11	2	0	0	0	1	0	0	1	
<b>SUBTOTAL 2011</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>6</b>	

<b>Analysis of Riverwalk Center Usage, Revenue, Expenses and Non-Profit Contributions.</b>					
<i>2007 to 2010 Actual, 2011 Budget</i>					
<b>REVENUES:</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011 budget</b>
Ticket Surcharge	\$ 30,918	\$ 31,184	\$ 33,260	\$ 36,717	\$ 31,000
Concessions Commission	\$ 20,010	\$ 32,089	\$ 34,818	\$ 30,619	\$ 30,000
Merch Commission	\$ 1,217	\$ 1,033	\$ 977	\$ 1,021	\$ 1,000
TOB Event Revenue	\$ 25,644	\$ 21,873	\$ 8,843	\$ 4,576	\$ 6,500
Facility Rental	\$ 21,487	\$ 26,318	\$ 29,975	\$ 30,540	\$ 23,500
Event Permit Fee Revenue	\$ -	\$ -	\$ 580	\$ 1,974	\$ 1,100
Production Labor & Equipment Charges	\$ -	\$ -	\$ 1,303	\$ 6,905	\$ 1,500
Chargeback of Expenses	\$ -	\$ -	\$ 1,298	\$ 6,091	\$ 2,500
Sponsorship	\$ 6,600	\$ 6,228	\$ 12,500	\$ 5,500	\$ 5,000
<b>Total:</b>	<b>\$ 105,876</b>	<b>\$ 118,725</b>	<b>\$ 123,554</b>	<b>\$ 125,953</b>	<b>\$ 102,100</b>

<b>EXPENSES:</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011 budget</b>
Personnel	\$ 243,469	\$ 294,923	\$ 294,509	\$ 293,225	\$ 308,244
Materials & Supplies	\$ 28,167	\$ 36,345	\$ 21,135	\$ 22,849	\$ 24,549
Advertising/Marketing	\$ 17,969	\$ 16,915	\$ 14,517	\$ 12,435	\$ 15,000
Charges for Services	\$ 46,763	\$ 64,448	\$ 34,531	\$ 43,946	\$ 43,357
Electric & Gas	\$ 31,709	\$ 50,080	\$ 49,249	\$ 48,905	\$ 59,234
TOB Programming	\$ 94,775	\$ 98,259	\$ 64,468	\$ 73,639	\$ 72,499
Capital Outlay	\$ 2,241	\$ 34,073	\$ 10,401	\$ -	\$ 3,480
I/T COMPUTER ALLOCATION	\$ 40,726	\$ 40,235	\$ 35,639	\$ 45,120	\$ 29,400
FACILITIES FUND ALLOCATION	\$ 64,887	\$ 64,887	\$ 64,887	\$ 63,228	\$ 30,324
<b>Total:</b>	<b>\$ 570,706</b>	<b>\$ 700,164</b>	<b>\$ 589,337</b>	<b>\$ 603,349</b>	<b>\$ 586,087</b>

<b>NON-PROFIT CONTRIBUTIONS:</b>				
<b>Non-Profit</b>	<b>Value to Community</b>	<b>Marketing</b>	<b>Production Staff</b>	<b>Revenue Intake</b>
National Repertory Orchestra	13-15 orchestra concerts for 8 weeks; Children's Concert; Community Outreach to daycares	Summer Brochure , Ads for Season Passes, Ads for each concert (13-15 concerts)	2 Paid Staff & 10 Interns to work all concerts and rehearsals	Cleaning Fees (\$1,300); Surcharges on Season Passes
Breckenridge Music Festival	14-15 orchestra concerts for 5 weeks; bring in 4-8 popular music concerts at their risk	Summer Brochure , Ads for Season Passes, Ads for each concert (14-15 orchestra, 4-8 Blue River Series)	4 Summer Paid Staff to work all concerts and rehearsals.	Cleaning Fees (\$1,300); Surcharges onn Season Passes; Merch comm. on BRS Concerts
<u><i>Additional Contributions to Community (2008 - 2011):</i></u>				
Breckenridge Festival of Film	Option to use facility for the Film Fest; Use of Box Office & Lobby during Film Fest.			
Summit Foundation	Duck Races outside on RWC lawn & option for use during the Golf Gala (used last in 2008)			
Backstage Theatre	Labor Day Performance at the RWC; Children's Performance for Imagination Express			
Team Summit	Ski Swap during Oktoberfest Weekend			
Team Breckenridge Club (Quantum Sports)	Sports Swap during Memorial Weekend; rent office during winter; use for meetings			
Breckenridge Rotary	Produces the Chilly Chili Cookoff in January/Ullr Fest			
Breckenridge Heritage Alliance	Children's performance for Imagination Express			
Blue River Watershed Group	Environmentally focused film fest in September			
Friends of CAIC	Fundraiser for Colorado Avalanche Information Center (Nov.)			
BRC	concert(s) for Mardi Gras & Spring Massive/Fever			
Carriage House	Children's performance for Imagination Express			
Summit Choral Society	a free choral concert			
BOEC	North Face speaker series, Banff Film Fest benefits			
RW&B Fire/Rescue	recognition reception			
CDLT	Then & Now' presentation			
Father Dyer Food Pantry	Jim Salestrom concert/benefit			
Summit Education Fnd.	Spelling Bee fundraiser			
CO Municipal League	Thursday evening BBQ			
Summit Huts Assoc.	fall benefit			
Timberline Learning Center	dinner fundraiser			
Celebration of Life	various memorial services			
<u><i>For Profit</i></u>				
Dew Tour	concert(s) in Dec.			
Breck Epic	awards reception/dinner			
Comedy Works	comedy shows			
Tuaca	Body Ball			
<i>Organizations/entities do paid advertising and generate PR around their events.</i>				
<i>Various NPOs utilize RWC conference room for meetings</i>				

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INTEROFFICE MEMORANDUM

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**TO:** TOWN COUNCIL  
**CC:** TIM GAGEN, TOWN MANAGER; KATE BONIFACE, ASSISTANT TOWN MANAGER  
**FROM:** CLERK AND FINANCE DIVISION  
**SUBJECT:** ADDMISSIONS TAX ANALYSIS  
**DATE:** 5/10/2011

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1.) What are admissions tax rates in other communities?

<b>Admissions Taxes</b>				
<b>Municipality</b>	<b>Sports Events</b>	<b>Entertainment events</b>	<b>Cover Charges</b>	<b>Other admissions</b>
Arvada	none	4% in lieu of sales tax	4% in lieu of sales tax	none
Aurora	3.75% sales tax	3.75% sales tax	3.75% sales tax	none
Boulder	5% in lieu of sales tax	5% in lieu of sales tax	5% in lieu of sales tax	none
Colorado Springs	none	none	none	2% on movies
Denver	10% at city-owned facilities	10% at city-owned facilities	10% at city-owned facilities	10% at city-owned facilities
Edgewater	15% in lieu of sales tax	15% in lieu of sales tax	15% in lieu of sales tax	15% in lieu of sales tax
Glendale	3.5% in lieu of sales tax	3.5% in lieu of sales tax	3.5% in lieu of sales tax	none
Lakewood	none	none	2% if licensed to sell alcohol	2% on movies
Larkspur	6% in lieu of sales tax	6% in lieu of sales tax	6% in lieu of sales tax	6% in lieu of sales tax
Lone Tree	4% in lieu of sales tax	4% in lieu of sales tax	4% in lieu of sales tax	4% in lieu of sales tax
Longmont	none	none	2.95% sales tax	none
Northglenn	3% in lieu of sales tax	3% in lieu of sales tax	3% in lieu of sales tax	3% in lieu of sales tax
Pueblo	none	none	none	3% for movies
Steamboat Springs	none	none	4.5% sales tax	none
Thorton	3.75% sales tax	3.75% sales tax (some exemptions)	3.75% sales tax	3.75% sales tax
Westminster	none	none	3% if licensed to sell alcohol	3% for bowling, movies, & live displays
Wheat Ridge	4% in lieu of sales tax	4% in lieu of sales tax	4% in lieu of sales tax	none

2.) What other communities charge tax on lift ticket sales?

Area	Tax	Taxing Entity	Comments
Vail, CO	4%	Local	General fund-mainly transportation
Mt. Crested Butte, CO	4%	Local	Ski ticket applicable thru "admissions tax" (for transportation and marketing)
Snowmass, CO	1%	Local	Transportation
Durango, CO	0%	n/a	Never have looked into topic
Steamboat Springs, CO	0%	n/a	Looked into in the 90s but never followed through; believe that tax payers would not vote for it.
Telluride, CO	0%	n/a	May be in conversations with Mountain Village in the near future.
Mountain Village, CO	0%	n/a	Was brought up at the last Town Council meeting as joint tax with Telluride.
Winter Park, CO	0%	n/a	Never have looked into topic
Aspen, CO	0%	n/a	Aspen and County have discussed issue before- never went forward, believed it to be "anti-social" for tourism and difficult to implement with their municipal boundaries.
Park City, UT	7.4%	1.4% city; 4.65% state; 0.35% county	
Jackson, WY	0%	n/a	Never have looked into topic
Sun Valley, ID	6%	State	
Heavenly, CA	0%	n/a	
Northstar, CA	0%	n/a	
Killington, VT	7%	6% VT State tax; 1% local	
Eagle Crest, AK	5%	Local	Reappears on ballot every 5 years (applies to ALL services); ski area owned by City of Juneau
Boyne Mountain, MI	6%	State	
Whistler, BC	12%	5% Federal, 7% Provincial	
Stevens, WA	8.6%	6.5% State; 2.1% Local	
Crystal Mountain, WA	7.8%	6.5% State; 1.3% Local	



3.) How is the tax currently working in Vail?

In Vail, the occupation tax (not a sales tax) was passed by ordinance in 1966. The occupation tax is based upon consideration for the right to the occupancy of a seat or position on any ski lift or ski tow operated in the Town. It is charged using Vail Resorts calculation of skier visits and average consideration for a skier day, instead of charging a sales tax based upon tickets sold in the Town of Vail. This method allows for the tax to be applied to a season pass holder that purchased the pass in Denver, but decides to utilize the pass on occasion in Vail.

The tax originally funded the transportation and parking programs as part of an agreement with Vail Resorts. This is a result of the fact that in Vail, the ski area does not provide either of these services to its guests. However, as reflected in the figures below, parking and transportation expenditures seem to now be covered by the parking revenues. This is due to the fact that the Town of Vail, over time, has developed an extensive paid parking program.

The Transportation and Parking Programs provide in-town and outlying public transit service, limited charter and special event service, bus shelter programs, administers Village Transportation and LionsHead property leasing, bus grant preparation and administration, bus advertising contract, parking structure booth and electronic gate and ticket operations, service surveys, parking structure enterprise budget development and statistical reporting functions. In the winter, the department employs 33 full-time employees (4 shared with Parks Dept.) and 52 seasonal employees.

	2008	2009	2010	2011	2012	2013	2014
	Actual	Actual	Projected	Budget	Projected	Projected	Projected
<b>Revenue:</b>							
Ski Lift Tax	\$3,277,703.00	\$3,048,011.00	\$3,115,000.00	\$3,193,000.00	\$3,272,800.00	\$3,354,600.00	\$3,524,400.00
Parking Fees	\$4,816,505.00	\$4,975,796.00	\$4,932,744.00	\$4,911,500.00	\$4,911,500.00	\$5,094,800.00	\$5,094,800.00
<b>Total Revenue:</b>	<b>\$8,094,208.00</b>	<b>\$8,574,744.00</b>	<b>\$8,547,744.00</b>	<b>\$8,815,900.00</b>	<b>\$9,108,500.00</b>	<b>\$9,410,900.00</b>	<b>\$9,723,300.00</b>
<b>Expenditures:</b>							
Transportation & Parking	\$4,780,515.00	\$4,458,923.00	\$4,701,320.00	\$4,661,727.00	\$4,978,709.35	\$5,085,746.60	\$5,263,731.69
<b>Total Expenditures:</b>	<b>\$4,780,515.00</b>	<b>\$4,629,449.00</b>	<b>\$4,701,320.00</b>	<b>\$4,873,868.90</b>	<b>\$4,978,709.35</b>	<b>\$5,085,746.60</b>	<b>\$5,263,731.69</b>
<b>Revenue Over (Under) Expenditures</b>	<b>\$3,313,693.00</b>	<b>\$3,945,295.00</b>	<b>\$3,846,424.00</b>	<b>\$3,942,031.10</b>	<b>\$4,129,790.65</b>	<b>\$4,325,153.40</b>	<b>\$4,459,568.31</b>

4.) What do we know about Beaver Creek?

The Beaver Creek transportation system has 2 major components – the parking lot bus system and Dial-a-Ride (DAR). The parking lot bus system takes day skiers from the parking lots and overflow areas to the lifts in Beaver Creek. DAR moves people around within the resort between lodging, lifts, retail and restaurants. The system is jointly funded by the Beaver Creek Resort Company (BCRC) and the Beaver Creek Metropolitan District (BCMD). They each pay roughly half the total cost. BCRC gets its funding from real estate transfer fees, sales assessments (like a sales tax) and lodging assessments. Lift ticket sales contribute to the sales assessment. BCMD gets all of its funding from real estate property taxes. The transportation system is run by Vail Resorts under contract to BCMD. BCRC pays BCMD for its share of the cost. Maintenance on all busses is provided by the Town of Avon under contract to BCMD for parking lot busses and to Vail Resorts for DAR busses. Some limited bus service directly into BC from the Town of Avon transportation center and the Westin is jointly funded by BCRC, the Town of Avon and the Westin.

When Beaver Creek’s parking lots get full, overflow parking occurs on Prater Rd. by permission from BCMD and on Rt. 6 by permission from CDOT. There is also an overflow parking lot at the BC rodeo grounds in Avon. It is rare that there is a day when these overflow options could not handle the volume of cars. However, that doesn’t mean that people don’t park in other areas in Avon and walk or take a bus to the gondola or Avon transportation center.

5.) What types of sales would an admissions tax apply to in the Town of Breckenridge?

- Lift ticket sales
- Summer Fun Park revenue
- Bar and restaurant cover charges
- Theaters - Speakeasy theater, Backstage theater, CMC theater
- Sleigh ride revenue
- Event tickets sales (including Riverwalk ticket revenue)

	<b>Ticket revenue for Town of Breckenridge concerts</b>			
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011 (budget)</b>
<b>Revenue</b>	\$400,096.00	\$380,951.00	\$468,486.00	\$352,504.00
<b>4.5% Tax</b>	\$18,004.32	\$17,142.80	\$21,081.87	\$15,862.68

6.) How much revenue can we estimate that an admissions tax would generate?

Breckenridge effective ticket price (est) <sup>1</sup>	\$40.00
Skier Visits (2007-2008)	1,630,000
Skier Visits (2008-2009)	1,528,000
Skier Visits (2009-2010)	1,614,000
Breckenridge Lift Ticket Sales 2009-2010	\$64,560,000

<sup>1</sup> average ticket price estimate based upon \$48.13 for all of Vail Resorts

<sup>2</sup> based estimate of Breckenridge effective ticket price

Lift Ticket Tax	
Tax Rate	Tax from lift ticket sales*
1%	\$645,600
2%	\$1,291,200
2.5%	\$1,614,000
3%	\$1,936,800
4%	\$2,582,400
4.5%	\$2,905,200

7.) What is our current cost of Parking & Transit?

	2006	2007	2008	2009	2010 (unaudited)	2011 (budget)
<b>Revenue:</b>						
Community Service	\$397,577	\$453,391	\$507,643	\$629,566	\$517,400	\$510,600
Transit	\$53,072	\$193,991	\$318,407	\$618,810	\$742,861	\$516,067
<i>Total Revenue</i>	<i>\$450,649</i>	<i>\$647,382</i>	<i>\$826,050</i>	<i>\$1,248,376</i>	<i>\$1,260,261</i>	<i>\$1,026,667</i>
<b>Expense:</b>						
Community Service	\$118,353	\$111,038	\$207,823	\$446,087	\$424,372	\$494,378
Transit	\$1,713,858	\$1,846,716	\$2,670,498	\$2,285,890	\$2,369,260	\$2,078,370
<i>Total Expense</i>	<i>\$1,832,211</i>	<i>\$1,957,754</i>	<i>\$2,878,321</i>	<i>\$2,731,977</i>	<i>\$2,793,632</i>	<i>\$2,572,748</i>
<b>Net Income</b>	<b>(\$1,381,562)</b>	<b>(\$1,310,372)</b>	<b>(\$2,052,271)</b>	<b>(\$1,483,601)</b>	<b>(\$1,533,371)</b>	<b>(\$1,546,081)</b>

8.) What is our potential future cost by taking over all local transit operation (including routes currently run by the ski area)?

We have been awarded a CDOT grant for a 5304 Planning Study to have a consultant come in and do such an analysis. The Ski Area supported the application. We anticipate that a study will be underway by November that would garner some real hard data. In the past, the Ski Area has given us estimates of between \$750,000 and \$1 M to operate their transit service but no details were provided.

9.) What revenue (besides RETT) does Vail currently contribute to the Town as a result of their operations?

Due to the confidential nature of sales tax information, this cannot be disclosed in the Town Council packet. However, the information can be made available in a Town Council executive session, if desired.

# Memorandum

**TO:** Town Council  
**FROM:** Tom Daugherty, Town Engineer/Assistant PW Director  
**DATE:** May 17, 2011  
**RE:** Harris Street Building

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The last time Town Council discussed this project, staff was to update the cost estimate to remodel the Harris Street building and determine the value of other Town owned disposable properties. Staff was also going to look at a financial model to help the council understand how this project could be funded.

We have reached out to various general contractors to give us opinions about the cost of a project like this. To date we have heard from one contractor and are expecting to receive information from other contractors in the coming weeks. Currently we are thinking the costs will be approximately \$4.7M to design and construct a remodel. We estimate that adding solar panels could be up to \$140,000 and upgrading the heating system to high efficiency is \$600,000. Because this is a remodel, there are problems that we do not know about that will likely need to be addressed once construction has begun and we have included a contingency in the above number.

Attached is a spread sheet that outlines the properties that we have previously discussed with the Council. At the time, the Council was interested in determining the value of these properties so that this information could be considered when determining whether a property could be used to offset the cost of the remodel. This spread sheet shows a range of values that we feel represents the price during the better market and a price that is valid in today's market.

Previous Councils have paid for various large projects through CIP allocations over multiple years. An example of that would be the Recreation Center pool remodel and roof replacement. The project was broken into smaller projects so that it would not be a big financial hit in one year. This project also was easier to construct in the off seasons in smaller pieces. Main Street was broken up for similar reasons. Other projects funded similarly are Riverwalk roof, building energy improvements and attainable housing. Below is a table showing the yearly amounts budgeted in the CIP for a couple of these projects.

Rec Center	2008	\$625,000	Riverwalk Roof	2006	\$60,000
	2009	\$750,000		2007	\$600,000
	2010	\$250,000		2007 Supplemental	\$3,570,160
				2008 Supplemental	\$1,030,000
Main Street	2005	\$150,000			
	2006	\$1,500,000			
	2008	\$500,000			
	2010	\$150,000			

Similarly, past Councils have looked to the available fund balance in the General and Excise Funds for funding as in the RWC roof above and the Gondola contribution.

The State Historic Fund is a possible funding source for a portion of this project. Staff will investigate what elements of this project are eligible for funding if we continue forward with the project. I do not have a good feel for how much that could be. Currently the Historic Fund is low due to the State Capital remodel.

Before formalizing the financial pro forma we are looking for council feedback on these potential funding sources.



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Rick Holman, Chief of Police  
Peter Grosshuesch, Director of Community Development  
**Date:** May 24, 2011  
**Subject:** Medical Marijuana Centers

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Staff is presenting two issues to the Town Council relative to medical marijuana operations in the Town for discussion and future direction to address one of the "Top 10" Council priorities. A medical marijuana operation may include any one of the following three facility types now identified by the state:

- Medical marijuana center
- Optional premises cultivation operation
- Medical marijuana infused products manufacturing facility

Currently the Town is under a temporary moratorium which will not allow the processing of any new medical marijuana center applications and it will also not allow for the automatic renewal of existing licenses scheduled for July 1, 2011. The Town currently has 7 MMCs in Breckenridge, 3 of which are on Main Street and the other 4 are located on Airport Road. Do not confuse these issues with the private residential growing of medical marijuana that we recently addressed through ordinance, these issues address the retail/commercial side of medical marijuana growing and dispensing/selling.

### Questions for Council Discussion and Input

- 1) Does the Council want to allow any medical marijuana operations in the downtown overlay district? If not, how do you want to address the 3 that are currently operational? Do we allow them to operate in their present location until such time that a location change or ownership structure request is made? As long as no ownership change is made, do we continue with allowing existing downtown MMCs to change locations downtown as long as the new signage, location, and entryway requirements are met?
- 2) Does the Council want to cap the number of MMCs that can be licensed in the Town? If so, what is that number? Do we want to cap the number of optional premises cultivation operations (we currently only have one) and the number of infused products manufacturing facilities (we currently don't have any)?
- 3) What other policy direction does the Council want to address regarding medical marijuana operations in the Town?

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INTEROFFICE MEMORANDUM

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**TO:** TOWN COUNCIL  
**CC:** TIM GAGEN, TOWN MANAGER; KATE BONIFACE, ASSISTANT TOWN MANAGER  
**FROM:** CLERK AND FINANCE DIVISION  
**SUBJECT:** MEDICAL MARIJUANA TAX ANALYSIS  
**DATE:** 05/12/2011

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1.) How many dispensaries are currently licensed in Breckenridge?

There are currently 7 licensed dispensaries operating in the Town of Breckenridge, starting in November 2009.

2.) What are the net taxable sales that have been reported for dispensaries annually?

	2010	2011 – 1 <sup>st</sup> quarter	Estimated future sales
Net taxable sales	\$1,029,573.52	\$200,477	\$1,158,436

3.) How much sales tax are we currently receiving on these sales?

	Rate	2010	2011 - 1st quarter	Estimated Future Sales
Town Sales Tax	2.50%	25,739	5,012	28,961
County Sales Tax	1.93%	19,871	3,869	22,358
Total Tax	4.43%	\$45,610	\$8,881	\$51,319

4.) How much could we expect to collect annually on an additional excise tax?

Tax Rate	Potential Additional Tax*
1%	\$11,584
2%	\$23,169
3%	\$34,753
4%	\$46,337
5%	\$57,922
10%	\$115,844

*\*This is based upon a relatively small sample of data and is a best guess*



5.) What other communities have implemented a special sales tax on medical marijuana?

Fruita, CO – The city with a population of 11,000 decided in their April 2010 election to impose a 5% additional sales tax on marijuana. The measure passed with 62% of the votes. The City Manager has estimated that the additional tax could generate up to \$100,000 in revenue to help offset the costs associated with regulating future dispensaries. See attached ballot question.

Oakland, CA – In July 2009, Oakland became the first city to impose a special tax on medical marijuana. The 1.8% tax passed at the polls by an 80% of the vote. The city tax for other retail sales in the city is .12%. The city estimates that the measure will raise \$294,000 in additional tax revenue in 2010 and more in future years from the maximum allowed of four dispensaries. The measure will provide funds to allow police to direct their limited resources to more serious crimes and drug offenses.

Los Angeles, CA - City of Los Angeles voters overwhelmingly passed Measure M to tax medical marijuana. It allows the city to collect an additional 5% excise tax on "gross reimbursements" that dispensaries receive from their patients. That could generate \$10 million a year, which the city can use to pay for basic services such police, libraries and street repairs, according to proponents. However, there are some arguments against taxing Medical Marijuana Dispensaries:

- Medical Marijuana is supposed to be medicine and medicine is tax exempt.
- Federal law bans the growing, possessing, or consuming of marijuana for any purpose, so you shouldn't be legitimizing it.

6.) What is the local interest in an additional tax on Medical Marijuana?

The Towns and County have all discussed imposing an additional tax on Medical Marijuana. The County cannot levy an excise tax due to the fact that they are not a home rule county, but may consider an occupation tax. Dillon has banned Medical Marijuana dispensaries, so it does not see a need for an additional tax at this time. Silverthorne has indicated that they will not pursue a tax at this time. Frisco remains interested in pursuing a tax. Finally, though we have not kept track, a substantial amount of Staff & Attorney time has been spent on the Medical Marijuana Dispensaries. An additional tax could help to recover some of this cost.

**REFERRED ISSUE A**

**SHALL THE CITY OF FRUITA'S TAXES BE INCREASED BY \$100,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF A MEDICAL MARIJUANA AND PARAPHERNALIA TAX AT THE RATE OF 5% ON THE PRICE PAID FOR THE PURCHASE OF MEDICAL MARIJUANA AND PARAPHERNALIA IN ACCORDANCE WITH ORDINANCE 2010-02; WITH SUCH REVENUE TO BE USED FOR ADDITIONAL COSTS INCURRED FOR ADEQUATE ENFORCEMENT AND ADMINISTRATION OF MEDICAL MARIJUANA REGULATIONS AND OTHER GENERAL PURPOSES OF THE CITY; AND SHALL ALL REVENUES DERIVED FROM SUCH MEDICAL MARIJUANA TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?**

**YES**

**NO**

## MEMO

*TO:* Mayor and Town Council  
*CC:* Town Manager & Assistant Town Manager  
*FROM:* Kim DiLallo and Mark Truckey  
*DATE:* May 18, 2011 (*for TC Retreat 5.24.11*)  
*RE:* Plastic Bags

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In recent years, increased attention has focused on disposable plastic bags and their environmental impacts. These impacts include resource consumption (including petroleum products) in manufacturing the bags, the disposal of billions of these bags on an annual basis (US estimates of up to 100 billion bags per year), and litter from these airborne bags across our landscapes and oceans.

### **What other communities are doing:**

The approaches are generally separated in three categories: bag bans, fees for bags, and voluntary programs.

### **Disposable Plastic Bag Bans**

- Santa Clara County passed a sweeping ban April 26, 2011. Earlier hearings on the county's two-year effort toward banning plastic carryout bags drew heated opposition from chambers of commerce, merchants and even chemical and oil producers. The ban takes effect Jan. 1 and will apply to businesses in the county's unincorporated area, including 56 retailers that hand out an estimated 32,000 plastic bags annually. Those retailers will not be able to dispense the plastic shopping bags, although plastic film used for meat, produce and baked goods will still be allowed. To discourage over-reliance on paper bags, under the new law those bags cannot be distributed for free and must be sold for a minimum of 15 cents each. Stores in violation will be fined up to \$500.
- Town of Telluride passed a ban on all plastic carryout bags (including compostable plastic) in October 2010; also includes a 10-cent fee on "permitted paper bags", applies to ALL businesses, and was implemented on January 1, 2011 for grocery stores and March 1, 2011 for all other businesses. A copy of this ordinance follows this memo.
- San Francisco requires large markets and drug stores to give customers only a choice among bags made of paper that can be recycled, plastic that breaks down easily enough to be made into compost, or reusable cloth. Took effect November, 2008; revised November 2010 to expand the plastic checkout bag ban to include all retail stores and requires a 10-cent minimum charge on all allowable checkout bags.
- Los Angeles enacted legislation that bans the use of disposable plastic bags starting July, 2010. Consumers will be able to utilize reusable bags or purchase paper or other biodegradable bags for 25 cents each (proceeds are used to fund environmental education campaign).
- Oakland imposed an oil-based plastic bag ban. Legal action by the plastic industry against Oakland has led to a halt on implementation of the ban until the city has gone through a full environmental review process (required on certain governmental actions by state law).
- Malibu adopted an ordinance prohibiting the use of plastic shopping bags in May 2008.

- Maui County passed a plastic bag ban as did Kauai County in 2009, effective January 11, 2011.
- District of Columbia banned the use of disposable non-recyclable plastic carryout bags as well as imposed a fee on disposable bags provided by grocery stores, drug stores, liquor stores, restaurants, and food vendors in June 2009. The funds generated help support the Acacostia River clean up and protection.

### Bag Fees

- Toronto, Ontario imposed a five cent fee per plastic bag issued by all retailers (including restaurants) in June, 2009. Retailers must charge the fee but are allowed to keep the fee and are encouraged to use the fee for environmental or community initiatives. A number of major grocery stores have reported that their plastic bag distribution rates have fallen between 70 and 80 per cent since the law went into effect.
- Seattle had imposed a “Green Fee” of 20-cent per disposable bag for all grocery stores, drug stores, and convenience stores (effective January, 2009). However, in August 2009 a referendum was defeated (47% to 53%) to keep the tax, therefore the fee did not go into effect.

### Voluntary Programs

- Austin, Texas initiated a voluntary pilot program where large volume users of plastic bags (Walmart, Target, grocers) will discourage their use and encourage use of reusables, etc.
- Park City, Utah, is working on a voluntary program with area grocers.

### Ordinances Under Discussion

- City of Aspen and the Roaring Fork Valley is considering a 5 to 20-cent fee on single-use carryout bags or a ban on plastic bags. The City of Aspen hopes to work with other local municipalities (Basalt, Carbondale, Snowmass Village, and Glenwood Springs) to create a regional approach.
- Portland, Oregon is considering a fee charge for plastic bag use.

### **CAST Challenge:**

The CAST Bag Challenge was a friendly competition between 31 CAST communities to encourage the use of reusable shopping bags. It ran for six months (March 1 - September 1) in 2009. The ‘winner’ was determined on a per capita basis by which community used the most reusable bags in a self-reporting method. Summit County combined its numbers and came in a close second place, with over 300,000 bags kept out of the landfill.

### **Community Outreach:**

- Breckenridge Restaurant Association has been approached; however, no formal stance has been received.
- Breckenridge Resort Chamber is awaiting Council’s discussion.
- Town of Frisco is interested in working on similar legislation.
- Towns of Dillon and Silverthorne are not interested in pursuing at this point.

### **Legal Implications:**

A state statute appears to prohibit local Colorado governments from imposing plastic bag bans:

**25-17-104. Local government preemption.** No unit of local government shall require or prohibit the use or sale of specific types of plastic materials or products or restrict or mandate containers, packaging, or labeling for any consumer products.

Town Attorney Tim Berry has offered his opinion that this statute would apply to home rule municipalities such as Breckenridge. However, it appears that this law would not preclude a jurisdiction from imposing a fee on plastic bags.

### **Next Steps:**

Staff is looking for feedback from the Council, specifically:


- Does the Council feel the disposable plastic bag issue should be addressed by the Town?
- If so, does the Council envision a voluntary approach, a mandatory ban, imposing a fee?



OFFICE OF THE TOWN ATTORNEY  
Kevin J. Geiger

MEMORANDUM

Item No.: 7a  
Meeting Date: 10/5/2010

To: Mayor Stuart Fraser and Telluride Town Councilmembers  
From: Kevin J. Geiger, Town of Telluride Attorney   
Re: **PUBLIC HEARING AND CONSIDERATION OF SECOND READING OF AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO PROHIBITING THE USE OF DISPOSABLE PLASTIC BAGS AND MANDATING CERTAIN STANDARDS AND A FEE FOR THE USE OF PAPER BAGS.**  
Date: September 29, 2010

Following Town Council worksessions and public meetings on June 1, 2010, July 13, 2010, August 3, 2010, and August 24, 2010, on September 14, 2010 the Town Council approved a first reading of a Town ordinance proposing a ban on the use of disposable plastic bags and mandating certain standards and a fee for the use of paper bags.

During the September 14, 2010 Town Council discussion on this matter, and embodied in the motion that was approved for the first reading of the ordinance, Town Council indicated that the implementation of the Advanced Recovery Fee for grocers should be split from the Town wide prohibition on the sale or distribution of disposable plastic bags. In addition, the effective dates or implementation dates for these two components of the ordinance were directed to be January 1, 2011 for the Advanced Recovery Fee for grocers and March 1, 2011 for the Town wide prohibition on the sale or distribution of disposable plastic bags.

The attached plastic bag and paper bag fee ordinance incorporates these specific changes that were directed by Town Council during the approval of the first reading of the ordinance. In particular, the provisions for the Advanced Recovery Fee are now found in a separate Section 7-7-20. The Town wide prohibition on disposable plastic bags is found in Section 7-7-30. I have also added language in Section 7-7-20(a) to clarify the situation where disposable plastic bags will continue to be permitted until March 1, 2011, while the Advanced Recovery Fee is implemented and effective starting January 1, 2011.

What follows is an overview of the other salient points and proposed provisions for the Telluride Municipal Code, much of which has previously been provided to Town Council during earlier discussions on this ordinance:

- Disposable Plastic Bags (a defined term under Section 7-7-10) are proposed to be prohibited for sale or distribution by any business within the Town of Telluride. Exceptions to the definition of Disposable Plastic Bags include:
  - Bags commonly used by consumers inside a store (such as package bulk bags, bakery bags, frozen food or meat bags);
  - Prescription drug bags;

- Newspaper bags;
  - Packaged multiple bags used for garbage, pet or yard waste;
  - Reusable Carryout Bags; and,
  - Non-Permitted Paper Bags and Permitted Paper Bags (defined terms under Section 7-7-10).
- There is a grace period or delayed implementation date for the prohibition on disposable plastic bags of March 1, 2011. Between the effective date of the Ordinance and the implementation date of the prohibition on disposable plastic bags, the Town encourages all businesses to refrain from purchasing any additional disposable plastic bags. (Section 7-7-30(a).)
  - For Town Grocers the ordinance implements an “Advanced Recovery Fee” (“ARF”) of \$.10 (10 cents) for each Permitted Paper Bag used by a consumer during a purchase from a Grocer, with an effective date of January 1, 2011 for the ARF. A Grocer is defined as: A retail establishment or business within Town limits that is a full-line, self-service market with a retail market area in excess of 2000 square feet and which sells a line of staple foodstuffs, meats, produce, household supplies, or dairy products or other perishable items. A Permitted Paper Bag, which is the only type of paper bag that may be distributed or offered by a Grocer, is defined as meeting all of the following requirements:
    - (a) The bag is manufactured from a minimum of forty percent (40%) recycled content;
    - (b) The bag contains no old growth fiber; and
    - (c) The bag is one hundred percent (100%) recyclable. (See these defined terms under Section 7-7-10.)

Please note that while all other businesses in Town are subject to the prohibition on disposable plastic bags, they are not subject to either the paper bag fee or to the proposed standards for “Permitted Paper Bags”, which are only applicable to Town Grocers. However, under proposed Section 7-7-40(f), any Town business may voluntarily opt in and apply the ARF to its business.

- The public purpose or the particular government service to be provided by the revenues generated by the ARF is stated in the definitions for both the Town Waste Reduction and Reusable Carryout Bag Program and Waste Reduction and Reusable Carryout Bag Line Item as:
  - Funding a public education campaign to educate residents, businesses, and tourists about the impact of trash on the regional environmental health and of the implementation of the ARF;
  - To fund the use of Reusable Carryout Bags; and,
  - To fund Town and community cleanup events and other activities that reduce trash in the environment.

To be clear, the revenue from the ARF cannot be used by the Town for general government expenses, and it must be kept within the Waste Reduction and Reusable Carryout Bag Line Item and subsequently used solely for the purposes stated above for the Town’s Waste Reduction and Reusable Carryout Bag Program.

In terms of how the ARF would be collected by Grocers, at checkout, every consumer making a purchase from a Grocer would be required to pay \$.10 for each Permitted Paper Bag that was provided to the consumer. The customer receipt must indicate the number of Permitted Paper Bags provided and the total amount of ARF charged to the consumer. Similar to the “Vendor Fee” for Sales Tax collection, each Grocer would be entitled to retain \$.05 of each \$.10 ARF collected as a retailer’s collection and remittance expense

to be taken as a credit against the ARF due the Town. On a separate Town provided form, but filed contemporaneous with their monthly Sales Tax reporting, each Grocer would be required to provide an accounting of the total number of Permitted Paper Bags provided to consumers during the previous month. The total ARF then due from the Grocer to the Town would be subject to the Vendor Fee credit for the collection and remittance of the ARF. (Section 7-7-40.)

- Every Grocer is required to display a sign in a location viewable by customers stating as follows:

The Town of Telluride prohibits the sale or distribution of Disposable Plastic Bags in an effort to help protect our environment from excess litter, resource consumption and greenhouse gases. The Town of Telluride encourages the use of Reusable Carryout Bags in all instances. If you do not have a Reusable Carryout Bag or choose not to purchase a Reusable Carryout Bag, a 100% recyclable paper bag is available subject to a \$.10 per bag fee. Town proceeds from the fee shall be used to further promote this program.” (Section 7-7-60.)

- Penalties for Violations would involve the following fine schedule:
  - 1<sup>st</sup> violation, and one time only, written warning notice.
  - 1<sup>st</sup> violation following the written warning: \$50 fine.
  - 2<sup>nd</sup> violation: \$100 fine.
  - 3<sup>rd</sup> violation: \$300 fine.

\*\*\*\*\*

Following the Public Hearing on this ordinance, should Town Council feel that it is appropriate to move forward with the second reading and final adoption of the proposed ordinance, the Town Attorney’s Office would recommend the following motion:

**I MOVE TO APPROVE ON SECOND READING AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO PROHIBITING THE USE OF DISPOSABLE PLASTIC BAGS AND MANDATING CERTAIN STANDARDS AND A FEE FOR THE USE OF PAPER BAGS.**

*--End of Memorandum--*



ORDINANCE NO. \_\_\_\_\_  
Series of 2010

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO PROHIBITING THE USE OF DISPOSABLE PLASTIC BAGS AND MANDATING CERTAIN STANDARDS AND A FEE FOR THE USE OF PAPER BAGS.**

**WHEREAS**, the Town of Telluride, Colorado (“Town” or “Telluride”) has a duty to protect the natural environment, the economy and the health of its citizens and visitors; and

**WHEREAS**, the use of disposable plastic bags has a significant impact on the local environment of the Town, such as contributing to unsightly litter on the streets, sidewalks, waterways, clogging sewers and drainage systems and endangering marine life; and

**WHEREAS**, there is currently no viable option for the commercial recycling of disposable plastic shopping bags; and

**WHEREAS**, the use and ultimate disposal of disposable plastic bags into our waste stream creates a burden on the Town’s solid waste disposal process; and

**WHEREAS**, it is well documented that disposable plastic bags have significant environmental impacts each year, including the use of over 12 million barrels of oil for such bags in the United States of America; and

**WHEREAS**, the alternative use of paper bags in place of disposable plastic bags also has a significant impact on our local environment involving the use of wood products and other natural resources to produce the paper bags; and

**WHEREAS**, the Town believes that residents and visitors should use reusable carryout bags in all instances and that a Town fee on the distribution of paper bags by Town grocers is appropriate to fund the Town’s efforts to educate residents, businesses, and tourists about the impact of trash on the regional environmental health and of the implementation of the paper bag fee, to fund the use of reusable carryout bags and to fund Town and community cleanup events and other activities that reduce trash in the environment; and

**WHEREAS**, it is in the best interest of the health, safety, and welfare of the citizens and visitors of Telluride to reduce the cost to the Town of solid waste disposal, and to protect our environment and our natural resources by banning the use of disposable plastic shopping bags and to mandate certain standards and a fee for the use of paper bags.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO as follows:**

**Section 1.**

The Recitals of this Ordinance, as set forth above, are hereby incorporated into this Ordinance as Town Council findings of fact and conclusions of law.

**Section 2.**

The Telluride Municipal Code is hereby amended to include a new Article 7, (“Prohibition on Disposable Plastic Bags and Mandating Certain Standards and a Fee for the Use of Permitted Paper

Bags”) within Title 7 (“Health, Sanitation and Animals”) as set forth in Exhibit A, attached to this Ordinance and hereby incorporated herein by reference.

**Section 3.**

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

**Section 4.**

The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

**Section 5.**

This ordinance shall become effective upon the date of publication of notice of its passage in a newspaper of general circulation within the Town of Telluride.

**Section 6.**

A public hearing on the ordinance shall be held on the 5<sup>th</sup> day of October, 2010, in the Town Council Chambers, Rebekah Hall, 113 W. Columbia, Telluride, Colorado.

**INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Telluride, Colorado on the 14<sup>th</sup> day of September, 2010.**

TOWN OF TELLURIDE

ATTEST

By: \_\_\_\_\_  
Stuart Fraser  
Mayor

\_\_\_\_\_  
Mary Jo Schillaci  
Town Clerk

**HEARD AND FINALLY ADOPTED by the Town Council of the Town of Telluride, Colorado this 5<sup>th</sup> day of October, 2010.**

TOWN OF TELLURIDE

ATTEST

By: \_\_\_\_\_  
Stuart Fraser  
Mayor

\_\_\_\_\_  
Mary Jo Schillaci  
Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kevin J. Geiger, Town Attorney

STATE OF COLORADO )  
 )  
 COUNTY OF SAN MIGUEL ) ss.  
 )  
 TOWN OF TELLURIDE )

I, Mary Jo Schillaci, the Town Clerk of the Town of Telluride, Colorado (the "Town"), do hereby certify:

(i) The foregoing pages are a true and correct copy of an Ordinance (the "Ordinance") passed and adopted by the Town Council (the "Council") of the Town at a regular meeting of the Council held on October 5, 2010.

(ii) The Ordinance was duly moved and seconded and the Ordinance was adopted at the Town Council meeting of October 5, 2010, by an affirmative vote of a majority of the members of the Council as follows:

Name	"Yes"	"No"	Absent	Abstain
Stuart Fraser, Mayor				
Bob Saunders, Mayor Pro-Tem				
Thom Carnevale				
David Oyster				
Brian Werner				
Chris Myers				
Ann Brady				

(iii) The Ordinance was approved and authenticated by the signature of the Mayor, sealed with the Town seal, attested by the Town Clerk and recorded in the minutes of the Council.

(iv) There are no bylaws, rules or regulations of the Council that might prohibit the adoption of said Ordinance.

(v) The members of the Council were present at the meeting and voted on the passage of such Ordinance as set forth above.

(SEAL)

\_\_\_\_\_  
 Town Clerk

## EXHIBIT A

### Article 7

#### Prohibition on Disposable Plastic Bags and Mandating Certain Standards and a Fee for the Use of Permitted Paper Bags.

##### Sec. 7-7-10. Definitions.

The following words and phrases as used in this Article shall have the following meaning:

*Advanced Recovery Fee (ARF)* means the Town fee of \$.10 imposed and required to be paid by each consumer making a purchase from a Town Grocer for each Permitted Paper Bag used during the purchase.

*Business* means any commercial enterprise or establishment, including sole proprietorships, joint ventures, partnerships, corporations or any other legal entity whether for profit or not for profit and includes all employees of the business and any independent contractors associated with the business.

*Disposable Plastic Bag* means a bag made from either non-compostable plastic or compostable plastic provided by a Business to a customer at the point of sale for the purpose of transporting goods. The term "Disposable Plastic Bag" shall not include:

(a) Bags used by consumers inside stores to:

- (1) Package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items;
- (2) Contain or wrap frozen foods, meat, or fish, whether prepackaged or not;
- (3) Contain or wrap flowers, potted plants, or other items where dampness may be a problem; and,
- (4) Contain unwrapped prepared foods or bakery goods;

(b) Bags provided by pharmacists to contain prescription drugs or bags provided by a medical marijuana center to provide the product to the patient;

(c) Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags;

(d) Reusable Carryout Bags;

(e) Non-Permitted Paper Bags and Permitted Paper Bags, as defined in this Article 7; or

(f) Bags provided to the consumer for the purpose of transporting a partially consumed bottle of vinous liquor (wine) pursuant to the provisions of C.R.S. § 12-47-421.

*Grocer* means a retail establishment or Business within Town limits that is a full-line, self-service market with a retail market area in excess of 2000 square feet and which sells a line of staple foodstuffs, meats, produce, household supplies, or dairy products or other perishable items.

*Non-Permitted Paper Bags* means a paper bag provided by a Business to a customer at the point of sale for the purpose of transporting goods, which does not meet the standards of a “Permitted Paper Bag” as defined in this Article 7.

*Permitted Paper Bags* means a paper bag provided by a Grocer to a customer at the point of sale for the purpose of transporting goods, which is subject to the Town’s Advanced Recovery Fee (ARF), and that meets all of the following requirements:

- (a) The bag is manufactured from a minimum of forty percent (40%) recycled content;
- (b) The bag contains no old growth fiber; and
- (c) The bag is one hundred percent (100%) recyclable.

*Reusable Carryout Bag* means a bag that is specifically intended for multiple reuse and is made of cloth, fiber, or other machine washable fabric that is at least 2.25 millimeters thick.

*Town Waste Reduction and Reusable Carryout Bag Program* means a Town program to fund a public education campaign to educate residents, businesses, and tourists about the impact of trash on the regional environmental health and of the implementation of the ARF, to fund the use of Reusable Carryout Bags and to fund other Town and community cleanup events and other activities that reduce trash in the environment.

*Waste Reduction and Reusable Carryout Bag Line Item* means a line item created in the annual budget by the Town of Telluride from the Town proceeds of the ARF to fund the Town Waste Reduction and Reusable Carryout Bag Program to fund a public education campaign to educate residents, businesses, and tourists about the impact of trash on the regional environmental health and of the implementation of the ARF, to fund the use of Reusable Carryout Bags and to fund other Town and community cleanup events and other activities that reduce trash in the environment.

**Sec. 7-7-20. Implementation of the Advanced Recovery Fee (ARF) on Grocers.**

(a) Effective January 1, 2011, all Town Grocers shall implement the requirements of the Town’s Advanced Recovery Fee (ARF) as set forth below in Section 7-7-40. Except for the limited period of time between January 1, 2011 and March 1, 2011 for the continued use of Disposable Plastic Bags as set forth below in Section 7-7-30, effective January 1, 2011 all Town Grocers shall only offer either a Reusable Carryout Bag or a Permitted Paper Bag to a consumer with such Permitted Paper Bag offered to a customer provided the Grocer is in compliance with the terms and conditions of the ARF.

(b) Violation of the requirements set forth in this section shall subject the offending Person and/or Business to the penalties set forth below in Section 7-7-70.

**Sec. 7-7-30. Town Wide Prohibition on Disposable Plastic Bags.**

(a) Effective March 1, 2011 Disposable Plastic Bags shall not be sold or distributed, retail or wholesale, within Town limits by any Business. The Town also encourages all Businesses to refrain from purchasing any additional Disposable Plastic Bags before the effective date of the Town prohibition on Disposable Plastic Bags.

(b) Violation of the requirements set forth in this section shall subject the offending Person and/or Business to the penalties set forth below in Section 7-7-70.

**Sec. 7-7-40. Establishment of Advanced Recovery Fee (ARF).**

(a) A consumer making a purchase from a Grocer shall pay at the time of purchase an Advanced Recovery Fee (ARF) of \$.10 for each Permitted Paper Bag used during the purchase. A Grocer shall not advertise or hold out or state to the public or to a customer directly or indirectly that the reimbursement of the ARF or any part thereof to be collected by the Grocer will be assumed or absorbed by the Grocer or otherwise refunded to the customer. All Grocers shall indicate on the consumer transaction receipt the number of Permitted Paper Bags provided and the total amount of ARF charged.

(b) Each Grocer shall retain \$.05 of each \$.10 ARF collected as a collection and remittance expense (also known as a "Vendor Fee") to be taken as a Grocer credit against the ARF due the Town.

(c) The total portion of the ARF retained by the Grocer as a Vendor Fee under this Section shall not be classified as revenue and shall be tax-exempt. The ARF retained as a Vendor Fee by the Grocer shall be excluded from the definition of Retail Sales as defined under Telluride Municipal Code Section 4-2-20.

(d) The remaining amount of each ARF collected by a Grocer shall be paid to the Town of Telluride Finance Department and shall be deposited as revenue in the Waste Reduction and Reusable Carryout Bag Line Item. A Grocer shall pay and the Town of Telluride shall collect this ARF at the same time and pursuant to all applicable provisions of the Town Sales Tax, pursuant to the provisions of the Telluride Municipal Code Chapter 4, Article 2 and consistent with all applicable Sales Tax provisions regarding administration, collection, and enforcement as the same now apply to the ARF, to the extent not modified in this section. The Town shall provide the necessary forms for Grocers to file individual returns with the Town, separate from the required Town Sales Tax forms, to demonstrate compliance with the provisions of the ARF. Notwithstanding the fact that the ARF will be collected at the same time and following a similar procedure as used for the Town Sales Tax, such manner of collection contemporaneous with the Town Sales Tax is for the convenience of the Grocer and does not change the nature of the ARF from a fee to a tax.

(e) If payment of any amounts to the Town for the ARF is not received on or before the applicable due date, penalty and interest charges shall be added to the amount due and owing to the Town pursuant to Telluride Municipal Code Sections 4-2-390 and 4-2-400.

(f) Any Town Business may voluntarily opt in and apply the ARF to its business.

**Sec. 7-7-50. Establishment of the Town Waste Reduction and Reusable Carryout Bag Program.**

Notwithstanding any other provision of this Article, not more than two percent (2%) of the ARF revenues annually deposited into the Waste Reduction and Reusable Carryout Bag Line Item may be retained by the Town to offset fee collection costs and as an administration and management fee. After deduction of the Town's two percent (2%) administration and management fee, the Waste Reduction and Reusable Carryout Bag Line Item shall be used solely for the purposes of

funding the Town Waste Reduction and Reusable Carryout Bag Program, which has a stated purpose and limitation of funding a public education campaign to educate residents, businesses, and tourists about the impact of trash on the regional environmental health and of the implementation of the ARF, to fund the use of Reusable Carryout Bags and to fund Town and community cleanup events and other activities that reduce trash in the environment.

**Sec. 7-7-60. Required Signage for Grocers.**

Every Grocer that is subject to the collection of the ARF shall display a sign in a location viewable by customers stating that “The Town of Telluride prohibits the sale or distribution of Disposable Plastic Bags in an effort to help protect our environment from excess litter, resource consumption and greenhouse gases. The Town of Telluride encourages the use of Reusable Carryout Bags in all instances. If you do not have a Reusable Carryout Bag or choose not to purchase a Reusable Carryout Bag, a 100% recyclable paper bag is available subject to a \$.10 per bag fee. Town proceeds from the fee shall be used to further promote this program.”

**Sec. 7-7-70. Enforcement and Penalties for Violation.**

Any Person and/or Business upon conviction of a violation of any provision of this Article, shall be subject to the following penalties:

- (a) Upon the 1<sup>st</sup> violation, a one (1) time only written warning notice that a violation has occurred shall be issued by the Town to the Person and/or Business. No monetary penalty shall be imposed for the 1<sup>st</sup> violation.
- (b) Upon a subsequent violation and conviction, the Town shall impose a penalty on the Person and/or Business. The penalty shall not exceed:
  - (1) \$50.00 for the 1<sup>st</sup> violation after the written warning;
  - (2) \$100.00 for the 2<sup>nd</sup> violation in the same calendar year of the 1<sup>st</sup> violation; and,
  - (3) \$300.00 for the 3<sup>rd</sup> and each subsequent violation in the same calendar year of the earlier violations.
- (c) No more than one (1) penalty shall be imposed upon a Person and/or Business within a seven (7) day period.



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Tim Gagen, Town Manager  
**Date:** May 11, 2011  
**Subject:** *Council Goal – Summit Stage/Transit Status Report*

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The Summit Stage and transit services have been identified as one of Council's top ten priority issues. In particular, the current funding equity issues present in the Summit Stage operating structure and the Summit Stage Board structure. The following is the status of actions taken in an attempt to address these issues:

As a first step, Council authorized the Mayor to send a letter (attached) to the BOCC outlining the Town's concerns related to the Summit Stage funding and service structure and its governance make up. This letter generated a lot of discussion at the Mayors, Managers and Commissioners, the Stage Board and Managers level.

At the same time as these initial conversations were happening, the Town of Frisco, through its Summit Stage Representative, began raising issue about future service needs within Frisco and the county as a whole. These two discussions have led to a proposal to commence a study by the Stage staff and Board, which would be overseen by the Managers. This study would look at the future needs of county wide transit service. Taken into consideration would be the cost - including the resolution of the equity question of Breckenridge - and a plan to roll this ultimate vision out to the voters of Summit County and a possible ballot issue.

The results of the study would also lead to a review of the governance structure of the Stage to find the best model for future operations. There seems to be support from all the Towns and the county to undertake this effort. While this discussion has been going on, the county has also recently conducted their periodic public opinion survey (attached) which addressed some broad questions about transit.

For Council consideration, here are a couple of questions about this priority issue to see if we are on the right track:

1. Is Council okay with the strategy of the study as a way of addressing the equity and governance issues?
2. Are there other efforts we should be pursuing to address this goal?





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## Draft MEMORANDUM

To: Town Council  
From: Peter Grosshuesch, Director of Community Development  
Subject: South Side Metro District Formation  
Date:

### Purpose and Need

The initial purpose for a South Side Metro District is to facilitate the rehabilitation, operation and maintenance of the Maggie Pond, and to establish improved pedestrian connectivity into and out of that part of town. In order to arrive at a more manageable operating position, proponents of the District propose to consolidate the ownership of the current half dozen parcels presently controlled by the surrounding HOA's that are proposing the formation of the district. There currently are eight entities participating in these discussions, most of which are HOA's. Those HOA's are as follows: The Village at Breckenridge, Grand Central and Breckenridge House East and West Association, Main Street Station, Vacation Club Association, Water House on Main Street Association, East West Partners, Resort Quest, and the Breckenridge Ski Area. The District would raise money through as yet to be agreed upon taxes for some \$5M to \$10M worth of related improvements. Much further into the future, the District would entertain its participation in various vehicular and pedestrian access improvements, both internal to the District and on its perimeter such as access into the Peak 9 base, and the roundabout at Park Ave and Village Rd.

### Variations

There is potential to expand on the purposes stated above or to reduce them depending on the level of support extended by the affected parties. One alternative that would reduce the scale of the project would be to focus only on pond related issues, and on limited pedestrian connectivity projects (e.g. in its first phase the District would possibly not participate in the grade separated under pass at Park Ave). Expansion alternatives include extending the connectivity effort to the HOA's to the south into the Columbine Rd. area, and to take on vehicular access improvements such as creating a new access portal between the Chateaux and the Liftside, and to participate in various access related roadway improvements to Park Ave.

### Town Role

1. The Town would review and be asked to approve the service plan for the proposed District prior to the election for its formation. That election is tentatively slated for May of 2012. Voters in the election would be residents of the district, and owners of real property located in the District who reside in Colorado. This election would fall one month after the Town Council election. The proponents of the district would be responsible for organizing the election.
2. The Town would also be asked to assume ownership and maintain some of the proposed public improvements related to pedestrian connectivity.
3. The Town may also be asked to participate in some of the District formation costs prior to the election. Proponents are estimating that those costs to be divided by the sponsoring entities, would come to approximately \$100k total. Any funds fronted toward the District planning effort would be repaid out of bond proceeds should the District be successfully formed and issue debt for the improvements. However, if the debt is never issued, then these funds fronted for the planning would

not be repaid. The Town may be asked to contribute as much as \$60k for this purpose, however the proponents are working to significantly reduce that number. The planning would be done in three phases. At the end of the second phase when more specifics about the improvements and costs are known, there would be a go-no go decision point by the boards of the HOA's and other affected entities. The Town's financial commitment to that point would be limited to \$20k.

4. If future road and access improvements are agreed to, the Town would be a likely partner with CDOT to cost share some of these improvements.

The Council has listed the South Side Metro District as one of its top ten priorities for 2011. Staff is looking for Council discussion and consensus as to what role the Town should be playing in its formation of possible projects.

## MEMORANDUM

**TO:** Town Council

**FROM:** Mark Truckey, Assistant Director of Community Development

**DATE:** May 24, 2011 Retreat

**SUBJECT:** Sustainable Breck Plan and Community Carbon Footprint

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### **Background**

Staff has regularly updated the Council on the progress of the Sustainable Breck Plan. Most recently a public open house was held on May 11 to unveil the draft Plan. Although all the portions of the Sustainable Breck Plan are important, this memo focuses on the sections of the plan related to the Town's attempts to reduce its carbon footprint.

### **Sustainable Breck Plan**

The Resource Conservation (formerly called "Energy") section of the Sustainable Breck plan outlines a series of actions that the Town intends to undertake in the next year and beyond. Many of these actions are targeted at reducing the Town's carbon footprint. These actions are listed below:

#### Actions Underway

- Continue to implement energy efficiency upgrades in Town facilities
- Continue Green Commutes program
- Actively support County waste reduction/diversion strategies such as pay as you throw, recycling centers and composting
- Amend the Town's Development Code to provide additional incentives for energy efficient development.
- Continue Town commitment to attaining equivalent of LEEDs/Green Globe certification when constructing new Town facilities.

#### Actions to be Undertaken within the next year

- Installation of solar panels on public buildings and properties (Power Purchase Agreement)
- Conduct energy audit on a multi-family residential complex as a pilot project and evaluate extending energy upgrade loan program to multi-family properties.
- Provide Community outreach on energy efficiency upgrades.
- Expand Green Commutes program to BRC/local businesses.
- Investigate options and adopt a nationally recognized commercial sustainability code.
- Renew Colorado Association of Ski Town's Reusable Bag Challenge.
- Consider disposable bag tax or outright ban on use.
- Work with BRC to create "Breck Green Business" certification for businesses that meet certain criteria for energy efficiency, recycling and composting, etc.
- Make energy audits available to businesses.
- Implement loan program for residential energy upgrades.

#### Long term actions

- Create community solar garden and explore other opportunities to develop large solar arrays outside of the downtown core.
- Improve efficiency of Town fleet vehicles

- Establish recycling and composting programs at all Town facilities.

In addition to the Resource Conservation actions, there are a number of actions under “Transportation” that are related to reducing carbon footprint (e.g., enhancing bike and pedestrian movement, increasing transit ridership).

### Carbon Action Plan

The Council previously endorsed a “Carbon Action Plan” for the Town (the Plan is attached for your review). The Plan was generally based on the State of Colorado’s Carbon Action Plan model. It was endorsed by the Council with the thought that the Plan would be refined in the future, pending the results of the Sustainable Breck public process, etc.

Some of the actions identified in the Town’s Carbon Action Plan are similar to the actions identified in the Sustainable Breck Plan. However, the Carbon Action Plan also includes carbon reduction targets. Examples of these targets are listed below, with an additional “Progress to Date” column added.

<b>Town Government</b>		
<b>Indicators</b>	<b>Targets</b>	<b>Progress to Date</b>
<b>Energy Use</b> • Town facilities use	20% below 2007 levels by 2020 for Town facility use	<ul style="list-style-type: none"> <li>• Installation of energy efficient upgrades to Town facilities were initiated in 2010 (primarily focused on lighting). Even before those upgrades (2007 – 2009) we had a 3% decrease in electricity use and a 18% reduction in natural gas consumption in Town facilities. Comparatively, from 2006 – 2009 community-wide electric consumption grew by 2.8% annually and natural gas consumption grew by 4.5% annually.</li> </ul>
<b>Renewable Energy Use</b> • Percent of Town facilities energy use from renewable sources	By 2014 10% of all electricity use in Town facilities should come from renewable sources.	<ul style="list-style-type: none"> <li>• Planned solar panel installations on Town facilities is expected to offset at least 10% of the Town’s overall electricity use.</li> </ul>
<b>Solid Waste Generation</b> • Total Town facility generation (also report per capita and by department) • Town facility amount landfilled • Town facility amount diverted (recycled, composted, etc) from landfill	Generation: Do not exceed year 2007 levels by 2014 in all Town facilities (Possibly reduce by 20%). Diversion: Increase amount diverted to 40%- 75% of total by 2014 in all Town facilities.	<ul style="list-style-type: none"> <li>• Long-term plans for creating composting bins and pickup at Town facilities may help achieve targets when implemented. A study of Town hall waste showed that almost 90 percent of the waste could be diverted through recycling and</li> </ul>

<p><b>Transportation</b></p> <ul style="list-style-type: none"> <li>• Average fuel efficiency of entire Town fleet and develop café standard.</li> <li>• Town staff vehicle miles traveled <ul style="list-style-type: none"> <li>• Participation in Green Commutes program</li> <li>• Bike usage for Town business</li> </ul> </li> </ul>	<p>Reduce fleet fuel consumption 20%-40% by 2020.</p> <p>Increase participation in green commutes program on a yearly basis.</p> <p>Increase Town related bike usage on a yearly basis</p>	<p>composting.</p> <ul style="list-style-type: none"> <li>• Recent efforts to “green” the fleet with the use of more fuel-conserving vehicles and retirement of older gas guzzlers is expected to go a long ways towards achieving the target. Data is pending.</li> </ul>
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As can be seen from the above table, the Town anticipates making significant progress on the targets for Town facilities in the upcoming years. However, the Plan also includes “community-wide” targets. These will take even more effort and we need to rely on the active participation of community residents and businesses if we are to achieve the targets. The Town can best effect community involvement through education efforts and other incentive programs (e.g., Green business certification, assisting with energy audits and energy loans, etc.).

**Monitoring of Progress**

As part of Sustainable Breck, we will be undertaking regular monitoring of a number of measurements/indicators regarding the Town’s carbon footprint. The public will be able to access this data on the Town’s Sustainable Breck website. Proposed monitoring includes:

- Town-wide Energy Use
- Government Energy Use
- Percentage of Town Renewable Energy
- Percentage of Government Renewable Energy
- Waste Generation/Diversion
- Sustainability Awareness

**Conclusions**

We anticipate that our sustainability efforts for Town facilities will show significant progress in upcoming years in reducing the Town government’s overall carbon footprint, assuming we implement the recommended strategies in the Sustainable Breck Plan and the Carbon Action Plan. There are also a number of identified actions to decrease the community’s overall footprint, but that progress will rely on community involvement, with the Town’s role being providing education and incentives.

We welcome Council comments or suggestions on these or other strategies that will help us reduce our carbon footprint.

# Memo

To: Town Council Members  
From: Michael Barney, Director of Recreation  
CC: Tim Gagen, Kate Boniface  
Date: 5/17/2011  
**Re: Council Priority- Improving the Carter Park Sledding Hill**

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At Council direction we have assessed the operational conditions and safety of the sledding hill at Carter Park. The following recommendations are made to improve the safety for individuals using the sledding hill and to enhance the amenity as a recreational resource for the Town of Breckenridge. These recommendations are the result of a collaborative effort between the Recreation and Public Works Departments to review sledding hill conditions and operations. Within this review, we looked at a variety of alternatives including operational changes and physical improvements. Ultimately, we have focused on changes that will maintain the basic operational set-up of an unstaffed / unsupervised and free usage amenity which is the model for these recommendations. I am requesting that Council review these recommendations and provide guidance on which actions should be taken or if we should look at a different approach to operating the hill. I hope to be able to address any questions or concerns you may have at the upcoming retreat.

- ***Re-grade the sledding surface area – Fall 2011***

The current contour of the slope forces sleds to gravitate across the slope from south to north as they descend down the hill. Re-grading of the slope is necessary to enable sleds to safely travel down the hill without risk of colliding with the dog park fence along the north edge of the sledding area. Re-grading will also address the sled run out area and minimize the risk of sleds colliding with the pavilion patio area. Public Works has estimated the cost of re-grading to be \$25,000.

- ***Convert Tennis Courts #3 and #4 to parking – Summer 2011***

Parking at Carter Park is limited and we have observed many times during the winter and the summer when there is no available parking for park users and parking spills out into the adjacent neighborhood. If the proposed enhancements to the sledding hill are done it is expected that usage of the hill will increase further stressing the parking situation. A recommendation to improve this situation is to convert tennis courts #3 and #4 (upper courts in

park diagram) to additional parking. These courts are presently in need of significant foundational and surfacing improvements and require an investment of at least \$40,000 to ensure they meet the Town's standards for tennis courts over the next 5-10 years. Converting tennis courts #3 and #4 to parking at Carter Park will increase available parking by 36 spaces at a cost of approximately \$15,000. Carter Park will still feature two tennis courts that will be available for park visitors to use free of charge.

- ***Improve signage and pedestrian traffic flow on / around the sledding hill – Winter 2011***  
Signage should be designed, purchased, and strategically positioned to improve the safety of the sledding hill and to enhance the user experience. Signage should list the types of sledding devices that are prohibited on the hill, list the dates / times which individuals may use the hill for sledding, and state that the sledding hill is unsupervised and that all sledding is done at the individual's own risk. In addition to signage, the sledding area should clearly indicate how individuals are to gain access to the top of the hill. This may include a soft barrier such as a mesh fence or roped handrail along the edge of the sledding hill and signage directing individuals to the access route. A fence should also be installed at the top of the sledding hill to designate where individuals should begin their descent and prevent sledding above that point. The cost of signage and fencing / barrier is estimated at \$2250.

- ***Reduce grooming of the sledding hill – Winter 2011 / 2012***  
Presently, grooming of the hill is conducted with a snowcat in an attempt to sculpt the snow so as to improve safety. The grooming primarily is focused on building and maintaining the berms to prevent sledders from impacting the dog park fence along the north edge of the hill or the pavilion plaza at the bottom of the sledding hill. Once the sledding area is re-graded to improve the contour of the slope and the run-out area, grooming will no longer be necessary.

- ***Increase marketing / promotion of the sledding hill as a free Town amenity***  
As the improvements are made to the sledding hill to increase safety, the Town should begin to more directly encourage visitors to use the sledding hill as an alternative to leaving town to visit tubing facilities in other areas of Summit County. The Town may also consider hosting occasional special events at the sledding hill to help promote the facility and increase awareness of Carter Park as a component of a Breckenridge Winter experience.



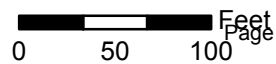


printed 5/11/2011

### Carter Park

Town of Breckenridge and Summit County governments assume no responsibility for the accuracy of the data, and use of the product for any purpose is at user's sole risk.

1 inch = 100 feet



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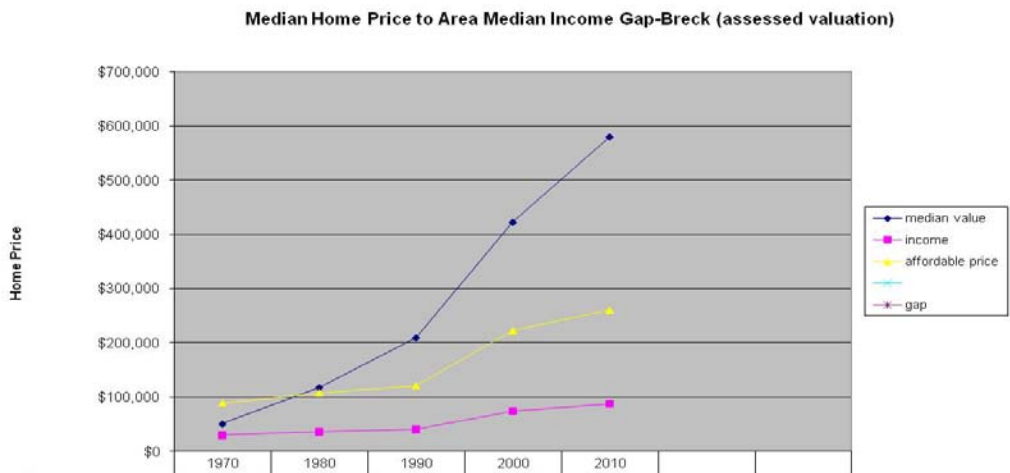
**TO: Town Council**  
**FROM: Laurie Best**  
**DATE: April 15, 2011 (for retreat May 24, 2011)**  
**RE: Affordable Workforce Housing Discussion**

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The purpose of this memo is to provide an overview of the Town's housing programs as background for discussion at the Council's upcoming retreat. Included is a brief overview of the Town's adopted policies, the inventory of housing, and the strategies utilized to address workforce housing.

**WORKFORCE HOUSING ISSUE:**

Workforce housing is an issue in many communities but it is especially challenging in resort communities where there is a limited supply of housing, wages are often low because of the nature of the service and tourism jobs, and there is competition from second homeowners and retirees who can use income earned elsewhere to buy homes which can drive prices out of reach for local employee wages. The result is an exodus of young individuals and families and the middle class who comprise the workforce, an increase in commuting (down valley effect), and an aging, wealthier, and less diverse community demographic. The following chart shows how the affordability gap grows over time when home values increase and real estate appreciation outpaces wages. Communities adopt a variety of strategies to impact the affordability gap, including investment in housing, incentives, and requirements.



**KEY BRECKENRIDGE POLICIES AND ADOPTED PLANS:**

**2000 Affordable Housing Strategy**

The Affordable Housing Strategy was adopted by the Council in May 2000. This policy document includes the 1) housing needs projected thru 2003 2) strategies and programs to address the deficit and the keep-up need and 3) administrative guidelines for affordable housing. It was estimated that 696 units were needed to address the shortage/deficit (401) and to provide housing for new employees/keep up through 2003 (295). The Strategy identified several programs to be considered and/or implemented, including:

Recommended Strategies for Affordable Housing Development (2000)							
Land Banking				Waiver of Density			
Employer Programs				Fee Waivers			
Down Payment Assistance				Absolute Policy-new commercial development			
Incentives for Accessory Dwelling Units				Absolute Policy-new residential development			
Dedicated Revenue Source				Buy Downs			
Annexation Policy (80% dr/20% market)				No net loss policy			

With the adoption of the Affordable Housing Strategy, the Town entered into several public private partnerships and annexations that resulted in development of hundreds of units (see Inventory Chart attached to this memo).

### 2006 Housing Needs Assessment

A Needs Assessment was performed to determine how much affordable workforce housing would be needed beyond 2003 to support the local economy thru buildout. Despite the addition of hundreds of units thru annexations there were still concerns about down valley trends, emergency service workers and key employees living outside the community, and insufficient labor force which was impacting employee recruitment and retention. In analyzing the jobs/housing ratio it was determined that approximately 53% of the workers employed in Town commuted from outside the Basin. This was considered an acceptable ratio as other resort communities were experiencing in-commuter employee ratios upwards of 70-80%. The 2006 Need Assessment set a target of 314 additional rental units and 600 additional ownership units to maintain adequate housing for 47% of the workforce by buildout. The target of 914 additional deed restricted units was considered conservative as it assumed that the number of employees housed in market units within the Basin would remain constant. This is highly unlikely in the long term as most resort communities experience a loss of all affordable priced market units when real estate appreciation outpaces wages, and current employees retire, sell, or relocate, or when retirees and 2<sup>nd</sup> home owners compete for the limited supply.

Given the 743 units already constructed or approved (accounted for in the 2006 study) the addition of 914 units would result in 1,657 employee units by buildout. The jobs projections based on Department of Local Affairs and Census Data would indicate that there will be approximately 10,000 full time jobs by buildout which would require about 7,600 full time employees. It is anticipated that 1,657 deed restricted units could accommodate about 3,000 employees, leaving about 600 employees to find accommodations in market units, and 4000 employees to commute in.

Since establishing the target of 914 additional units, the Town has identified possible sites where approximately 630 units could be developed. This includes Stan Miller, Claimjumper, Block 11, etc. (see Inventory Chart)

### 2008 Workforce Housing Action Plan

In 2008 the Town evaluated some of the strategies identified in the original Housing Strategy to identify the most appropriate strategies to pursue. Some of the key findings:

- Loss of market units will continue to impact the 47% target (programs to retain market units should be pursued, ie buy downs)

- Opportunities for ADUs should be pursued
- Pursue development of Valley Brook project and acquisition of Claim Jumper property
- Develop phasing plan, schedule, AMI targets for Block 11 and other potential sites
- Insure housing for a variety of AMI levels not served by the market (up to 180%)
- Absolute policy for commercial and residential would not be recommended as the opportunity is minimal given the community is almost built out but relative policies should be considered to incentivize more housing from the private sector
- Consider appropriate absorption levels, AMI targets, and housing type when developing housing or partnering on housing and track progress
- Revisit and standardize the deed restrictions and rules and regulations to insure units remain permanently affordable

**Sustainable Breck Action Plan (2011)**

During this on-going project the issue of workforce housing has been discussed and current priorities are to protect market rate housing, create for sale housing for families with average incomes, and create rental housing for lower income families.

**Joint Upper Blue Master Plan Update (2011)**

During this on-going project the issue of workforce housing has also been discussed and the issue of ‘free’ density for affordable workforce housing is being considered. Most likely there will be a mechanism established to insure that density is extinguished to address the impact of new housing developments on the build out of the Upper Blue.

**CURRENT CONDITIONS/INVENTORY**

There are approximately 667 deed restricted workforce units (including 370 rental and 297 homeownership units) in the Upper Blue. The majority of these have been developed within the last 10 years. The attached Inventory Chart summarizes the existing and contemplated projects. The majority of the home ownership neighborhoods have resulted from the Towns annexation policy (Wellington Neighborhood, Gibson Heights, Vista Point, Vic’s Landing) or the Towns water policy (Farmers Grove, Monarch Townhomes, and Kennington Townhomes). Four units were acquired thru the Towns buy down program. Rental units are dispersed throughout Town in older condominiums as a result of the development code and in Pinewood Village (developed on Town land) or in Breck Terrace (ski resort housing).

The subsidies required vary significantly with the type of housing, the AMI target, the market conditions at the time, and the specific project. The gap or subsidy in the Upper Blue for homeownership units with some Town participation has been estimated for several projects including:

Gibson Heights (40 80% AMI units built in 2002)	\$67,117 per unit including land/fee waivers
Wellington Phase 2 (average 100% AMI built 2006-2012)	\$62,000 per unit including density
Buy Down Units (4 units targeted at 80-90% AMI-2007)	\$68,900 per unit (only one sold)

The subsidy for buy downs may be less in current market conditions, but these units will be condos, where financing options, HOA dues, size, and condition of units are issues for

consideration. As a reference, other communities have calculated their assumed gap/subsidy and they allow developer to pay a fee lieu of building workforce housing. The fees vary from \$117,890 per unit in Boulder to \$189,900 per employee in Vail and \$135,816-\$230,583 per employee in Aspen.

There are currently 25 residential units listed for sale in the Upper Blue under \$200,000 and 85 residential units listed under \$300,000. This includes 8 chalet homes at Tiger Run, 2 Valley Brook units, 5 double home resales in Wellington Neighborhood. While there are some exceptions, the rest are primarily condos which are generally not well suited for families or long term residents due to their size and age (284 sf-800sf and 30-40 years old). There are also challenges for financing condos.

### INVENTORY OF AFFORDABLE WORKFORCE HOUSING EXISTING AND ANTICIPATED

Property	Avg AMI	pre-1999	2000 Units	2001 Units	2002 Units	2003 Units	2004 Units	2005 Units	2006 Units	2007 Units	2008 Units	2009 Units	2010 Units	Total Existing Units	Future Units	Total Units
Dispersed in Upper Blue	None	99	2	6		1	1		6	1				116		116
Wellington 1	99%		14	20	17	15	17	8	7					98		98
Wellington 2	110%								11	18	14	5	4	52	76	128
Gibson Heights	71%			1	34	5								40		40
Vista Point	113%				9	5	5							19		19
Kenington Place	None	36												36		36
Farmers Grove	None				2	4	7	2						15		15
Monarch Townhomes	90%		3	4		1	4	1						13		13
Breck Terrace	90%		20		11	5			15		4			180		180
Pinewood Village	83%			74										74		74
Vic Landing	86%										16	6	2	24		24
Following are opportunities to achieve the 914 unit target:																
Maggie Placer	106%													0	17(?)	17(?)
Stan Miller	117%													0	100	100
Claimjumper	TBD													0	60	60
Valley Brook	80-105%													0	42	42
Block 11	TBD													0	350	350
Entrada / County Property	TBD													0	20	20
City Market Redev.	TBD													0	10	10
Alpensee / Farmer's Grove	TBD													0	30 (?)	30 (?)
TBD	TBD														285	285
Sub-Total		135	39	105	73	36	34	11	39	19	34	11	6		990	
TOTAL		135	174	279	352	388	422	433	472	491	525	536	542	667 Units	1657 Units	1657 Units
														note: includes all Breck Terrace Units		

## **NEXT STEPS/RECOMMENDATIONS:**

While it is in the interest of the community long term to insure sufficient housing for the workforce, there are concerns in the community about the current real estate market, the slow absorption of affordably priced units, and the impact of new housing development. In response, staff proposes to continue implementation of the 2008 Work Plan and work with the Housing Committee on the following tasks but looks to Council for your input and comment:

### Short Term:

- Complete Valley Brook Neighborhood in three phases for 80% AMI (22 units) and 105% AMI (20 units). The price points are \$165,000, \$187,000, \$267,000, and \$302,000. (Note that the Council retains discretion for mix of AMI and timing of units in Phase III understanding that subsidy could go up if a lower price point/AMI is targeted)
- Identify sites and land bank (pursue acquisition of Claimjumper for rental development)
- Update Town Rules, Regulations, and Guidelines and standardize deed restrictions, particularly addressing issues that impact long term affordability and price creep
- Evaluate opportunities to incentivize Accessory Dwelling Units
- Consider modifications to the Development Code to address new commercial and residential development
- Seek opportunities to work with private developers and businesses on partnerships that result in construction of units for average income families/workers
- Pursue strategies for development that require the least amount of Town subsidy
- Pursue buy downs as a preservation strategy-evaluate reasonable subsidy
- Partner with the County
- Work with the business community to provide housing for their employees and engage the School District
- Develop full package of incentives for lower income rental housing
- Update Needs Assessment periodically as needed
- Continue to implement strategies to insure affordable options for 47% of the Town employees

### Long Term:

- Construct lower AMI rental housing on Claimjumper property
- Plan for Block 11 (higher densities/rental and for sale units)

We look forward to your comments and direction. Thank you.