



**BRECKENRIDGE TOWN COUNCIL WORK SESSION**

Tuesday, July 12, 2016; 3:00 PM

Town Hall Auditorium

**ESTIMATED TIMES:** *The times indicated are intended only as a guide. They are at the discretion of the Mayor, depending on the length of the discussion, and are subject to change.*

<b>3:00-3:05pm</b>	<b>I</b>	<b><u>PLANNING COMMISSION DECISIONS</u></b>	<b>2</b>
<b>3:05-3:15pm</b>	<b>II</b>	<b><u>LEGISLATIVE REVIEW*</u></b> Senate Bill 152 Opt Out Ballot Question Resolution	<b>9</b>
<b>3:15-3:40pm</b>	<b>III</b>	<b><u>MANAGERS REPORT</u></b> Public Projects Update Housing/Childcare Update Committee Reports	<b>16</b> <b>24</b>
<b>3:40-5:45pm</b>	<b>IV</b>	<b><u>OTHER</u></b> Community Care Clinic Update Welcome Center Update Marijuana Cap Discussion Summit County Housing Authority IGA Amendment	<b>28</b> <b>30</b> <b>34</b>
<b>5:45-6:00pm</b>	<b>V</b>	<b><u>PLANNING MATTERS</u></b> Town Project: Carter Museum Public Restrooms	<b>51</b>

Note: Public hearings are not held during Town Council Work Sessions. The public is invited to attend the Work Session and listen to the Council's discussion. However, the Council is not required to take public comments during Work Sessions. At the discretion of the Council, public comment may be allowed if time permits and, if allowed, public comment may be limited. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item. The public will be excluded from any portion of the Work Session during which an Executive Session is held. Report of the Town Manager; Report of Mayor and Council members; Scheduled Meetings and Other Matters are topics listed on the 7:00 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items.

**MEMORANDUM**

**To:** Town Council

**From:** Peter Grosshuesch, Director of Community Development

**Date:** July 6, 2016

**Re:** Planning Commission Decisions of the July 5, 2016, Meeting.

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***DECISIONS FROM THE PLANNING COMMISSION AGENDA OF July 5, 2016:***

**CLASS C APPLICATIONS:**

1) Looking Glass Residence (CL) PL-2016-0043, 138 Peerless Drive  
Construct a new, single family residence with 5 bedrooms, 5.5 bathrooms, 4,972 sq. ft. density and 5,590 sq. ft. mass for a F.A.R. of 1:5.45. *Approved.*

**CLASS B APPLICATIONS:** None.

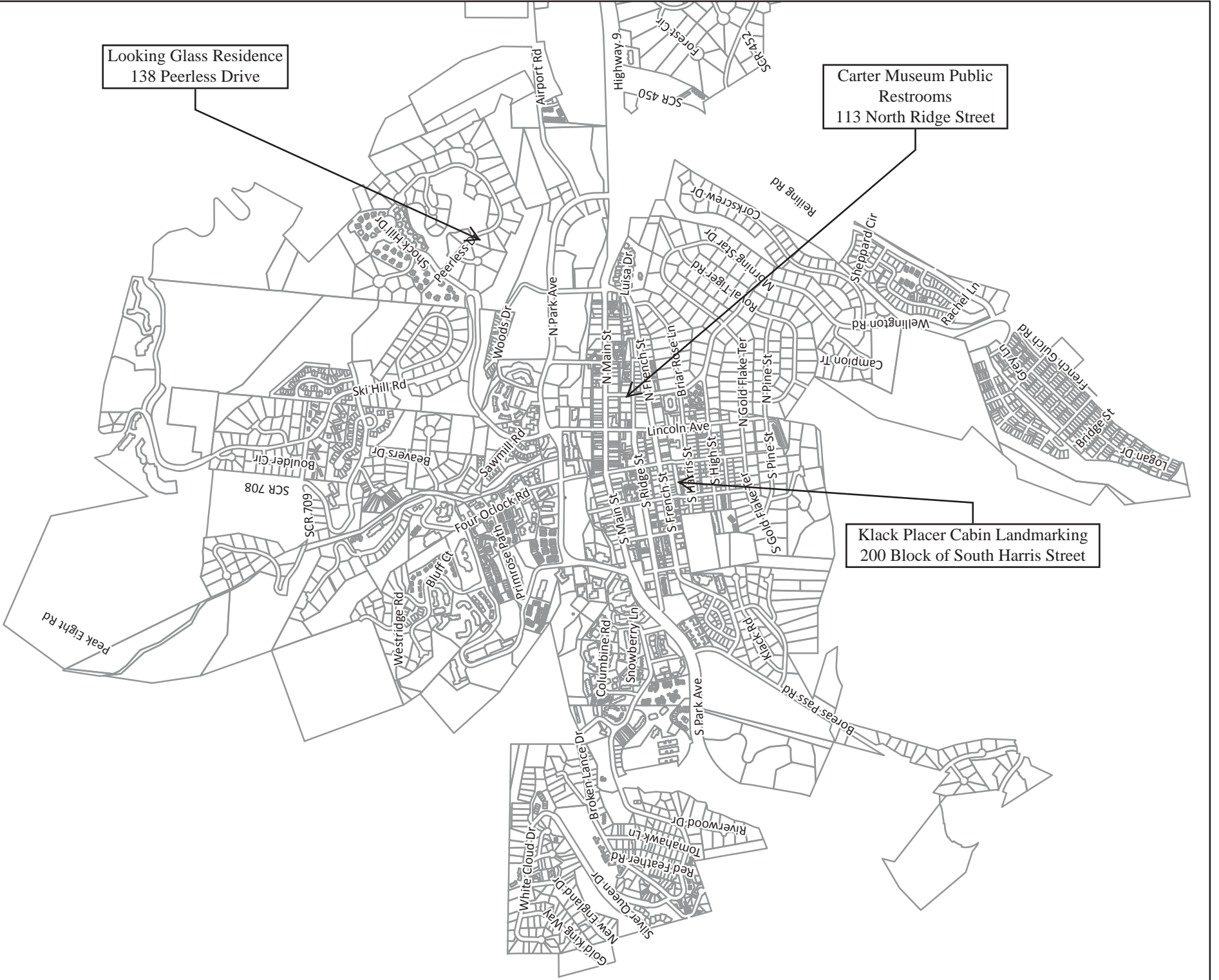
**CLASS A APPLICATIONS:** None.

**TOWN PROJECT HEARINGS:**

1) Carter Museum Public Restrooms (MM) PL-2016-0172; 113 North Ridge Street  
Using an existing log cabin (the Wentzell Cabin) moved from another site with added improvements to create a public restroom at the northwest portion of Lot 17, Tract B, adjacent to the Carter Museum and the new Prospector Park. *Recommendation that the Town Council approve.*

**OTHER:**

1) Klack Placer Cabin Landmarking (Klack Gulch Placer MS#1224) (CK) PL-2016-0273, 200 Block of South Harris Street  
Locally landmark Klack Placer Cabin. *Recommendation the Town Council adopt an ordinance to locally landmark.*



Looking Glass Residence  
138 Peerless Drive

Carter Museum Public Restrooms  
113 North Ridge Street

Klack Placer Cabin Landmarking  
200 Block of South Harris Street



# Breckenridge South

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**PLANNING COMMISSION MEETING**

The meeting was called to order at 7:00 pm by Chair Schuman.

**ROLL CALL**

Gretchen Dudney                      Mike Giller                      Jim Lamb  
Christie Mathews-Leidal      Ron Schuman                      Dan Schroder  
Dave Pringle arrived at 7:08pm

**APPROVAL OF MINUTES**

Mr. Schuman: Please have the minutes reflect my statement regarding Mr. Mamula coming to the meeting later and hopefully we will hear some guidance on the Development Code. With no other changes, the June 21, 2016, Planning Commission Minutes were approved as presented.

**APPROVAL OF AGENDA**

Ms Puester: I would like to add discussion of the comprehensive Development Code review process at the end of the meeting. With no other changes, the July 5, 2016, Planning Commission Agenda was approved as presented.

**CONSENT CALENDAR ITEMS:**

- 1) Looking Glass Residence (CL) PL-2016-0043, 138 Peerless Drive

With no requests for call up, the Consent Calendar was approved as presented.

**TOWN PROJECT HEARINGS:**

- 1) Carter Museum Public Restrooms (MM) PL-2016-0172, 113 North Ridge Street

Mr. Mosher presented. The project will be using an existing cabin (aka Wentzell Cabin) moved from another site with added improvements to create a public restroom at the northwest portion of Lot 17, Tract B, Abbett Addition to the Town of Breckenridge. This restroom will be adjacent to the Carter Museum and the new Prospector Park.

After acquiring and assuming ownership of the Terrible Lode property, the Town of Breckenridge Open Space program is required by the Forest Service to remove all buildings / structures from the site. The Town is always trying to find creative ways to reuse and repurpose existing buildings. The Wentzell Cabin is an example of such.

Point Analysis (Section: 9-1-17-3): Staff has found that this application passes all absolute policies of the Development Code and has not incurred any positive or negative points under any relative policies.

This is a Town Project pursuant to the ordinance amending the Town Projects Process (Council Bill No. 1, Series 2013). As a result, the Planning Commission is asked to identify any concerns with this project, and any code issues. In addition, the Commission is asked to make a recommendation to the Town Council. The Planning Department recommended the Planning Commission recommend that the Town Council approve the Point Analysis with a passing point analysis of zero (0) points for the Carter Museum Public Restrooms (PL-2016-0172).

The Planning Department recommended the Planning Commission recommend the Town Council approve the Carter Museum Public Restrooms located at 113 North Ridge Street (PL-2016-0172) with the presented Findings.

*Commissioner Questions / Comments:*

Mr. Giller: Would you clarify is this an historic structure; is it contributing or noncontributing? (Mr.

Mosher: It is primarily historic fabric; this has been disassembled and reassembled from outside Breckenridge, the logs have old character. It may be contributing with qualifications in that it has a fabric, shape, with form that is old, but not a contributing structure to the Town's history.) (Mr. Grosshuesch: This cabin was disassembled, removed and reassembled to where it currently sits from somewhere else. The corner joints are unique in how they are hewn to fit together. It did not come from the town and therefore does not meet the official definition of "contributing".) I think we should qualify exactly what it is, it has good history, but we should be specific. (Mr. Mosher: I think contributing with qualifications may be the best definition we could have. We will look into adding this to the report.) (Mr. Grosshuesch: Because this building isn't in the Town, it is not rated like the other structures on the national register in the Town, so we do not have an operative ordinance to classify it.) I would like to have its status stated more clearly to determine what we do to it. (Mr. Grosshuesch: The exterior is true to its history, it is the interior that has been changed.)

Mr. Lamb: I think it looks cool and will contribute to that area of town.

Mr. Schroder: I think it is an important facility and a good use of the cabin.

Ms. Leidal: Good adaptive use; and restrooms are needed in that area of town.

Mr. Giller: I support the project, but I do think we should clarify what we're doing because it is not so clear that this is a historic structure or historic fabric.

Ms. Dudney: I support the project, I am very proud of it.

Mr. Pringle: Facilities like this are necessary, but I do share Mr. Giller's concern that we are very clear in what it is and how we are going about this.

Mr. Schuman: Maybe a plaque would be good to explain the history of the cabin.

Mr. Schroder: How can we do something like this; what would it look like? (Ms Puester: We can put some clarifying detail in the file so that if anyone pulls the file in the future, no one landmarks it or anything of that nature.)

Mr. Pringle: I don't think we tell the story well enough of what used to be, so we might want to think about looking into ways to make the public aware of the history.

Mr. Schuman opened the hearing to public comment. There was no public present for comment and the hearing was closed.

Mr. Pringle made a motion to recommend that the Town Council approve the point analysis for the Carter Museum Public Restrooms, PL-2016-0172, 113 North Ridge Street, showing a passing point analysis of zero (0) points and to recommend the Town Council approve the Carter Museum Public Restrooms, PL-2016-0172, 113 North Ridge Street, with the presented findings. Mr. Lamb seconded, and the motion was carried unanimously (7-0).

#### **OTHER MATTERS:**

- 1) Klack Placer Cabin Landmarking (Klack Gulch Placer MS#1224), PL-2016-0273, 200 Block of South Harris Street

Mr. Kulick presented a proposal to locally landmark the Klack Placer Cabin per Section 9-11-3, Designation of Landmarks, Landmark Sites, Historic Districts and Cultural Landscape Districts, of the Town Code. The Klack Placer Cabin is owned by the Town of Breckenridge and managed by the Breckenridge Heritage Alliance. In 2009 the Town, in conjunction with the Breckenridge Heritage Alliance, stabilized the cabin by replacing rotten logs along the bottom of the structure and placing gravel below the cabin to improve drainage. In addition to these maintenance efforts the Cabin was rotated 180 degrees to improve privacy to the adjacent residence located at 209 South Harris Street.

In order to be designated as a landmark, the property must be at least 50 years old (the Klack Placer Cabin was constructed in the late 1870s). In addition, the property exemplifies specific elements of architectural style or period (the cabin is architecturally significant for its pioneer log construction); the property

exemplifies cultural, political, economic or social heritage of the community (the cabin is significant for its association with the development of Breckenridge and its mining-related history, dating from the circa late 1870s and it is among the town's last log cabins which survive from the settlement or camp phases which predates the turn of the twentieth century); and, the property is an established and familiar natural setting or visual feature of the community (the cabin is located in the Klack Placer Gulch).

Finally, the property also shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state or nation and the property retains original design features, materials and/or character (the cabin retains its pioneer log construction).

The Planning Department suggested the Planning Commission recommend that the Town Council adopt an ordinance to locally landmark the Klack Placer Cabin located on the 200 Block of South Harris Street, Klack Placer Open Space, PL-2016-0273, based on the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-4 of the Landmarking Ordinance.

*Commissioner Questions / Comments:*

Mr. Schroder: In column B, I was wondering if the notable persons category wasn't highlighted because James Klack was not actually that notable? (Mr. Kulick: Considering other criteria were met, we did not consider this part because we were not really sure how notable Mr. Klack was.) (Mr. Mosher: The cabin used to be situated on a much larger land area according to historical maps. Its context was very different. Klack owned a lot of land.)

Mr. Pringle: I remember there being a lot of objection to anything being done to the cabin in the past.

Mr. Schuman opened the hearing to public comment. There was no public present for comment and the hearing was closed.

Mr. Schroder made a motion to recommend the Town Council adopt an ordinance to locally landmark the Klack Placer Cabin located on the 200 Block of South Harris Street, Klack Placer Open Space, PL-2016-0273, based on the fulfillment of criteria for Architectural and Physical Integrity significance as stated in Section 9-11-3 of the Landmarking Ordinance. Ms. Leidal seconded, and the motion was carried unanimously (7-0).

2) Class C Subdivisions Approved Q2, 2016 (JP) (Memo Only)

*Commissioner Questions / Comments:*

Mr. Pringle: Regarding staff review of changes to subdivision disturbance envelopes, we reviewed these lots individually previously, and I question staff administrative approval of these. (Mr. Mosher: Staff is just as concerned as the Commission about moving envelopes. To guarantee all of the building, including roof overhangs will be contained in the envelope, we now require specific dimensions on plans where the foundation is close to any envelope.) (Ms. Puester: It is a Class C subdivision which is an administrative review; however, as part of the review process, adjacent property owners do get a public notice per code. This is not a new process. It is rare to modify an envelope but if an envelope is modified, it is reduced elsewhere so that the square footage remains the same as originally platted.) I just don't know why we went through the trouble in reviewing envelopes originally if the envelopes are easily changed. (Ms. Puester: It does not happen often, rare occasions.) (Mr. Kulick: In my experience with the Town I have only been involved in two modifications. The most recent case was the one you are asking about located in Discovery Hill where portion of the building envelope located in a steep, poorly screened, ridgeline area was replaced with a smaller, flatter, more area concealed area. It was also supported by the HOA.) I just want to know if it should be under the Planning Commission's purview when these things come up. (Mr. Mosher: All these proposals are very carefully analyzed and scrutinized by Staff and quite often we do say "no".)

- 3) Class D Majors Approved Q2, 2016 (JP) (Memo Only)
- 4) Comprehensive Code Review Process

*Commissioner Questions / Comments:*

Mr. Schuman: We are looking to have the first meeting on July 21<sup>st</sup>. Ms. Dudney and Ms. Leidal will be the Planning Commission representatives and as they're going through the process, they'll come back and share their feedback from the meetings on the process and where it is going. The staff has some idea of what needs to be looked at, but there are many individuals who will want to give input, including architects. The last item on the 19<sup>th</sup> will be a work session for input on the process as Mr. Truckey begins to work it out. (Ms. Puester: The steering committee will be working on this in a more focused way, but it will all ultimately be coming through the Planning Commission.) (Mr. Truckey: If there are any particular code issues you have, be thinking about bringing those to the meeting on July 19<sup>th</sup>.)

Ms. Dudney: What will the time frame look like? (Mr. Schuman: Could be 18-24 months for the overall process.) (Ms Puester: The steering committee process will be shorter than that, maybe 4 months, but 18-24 months counting processes for community input, Planning Commission work sessions and staff time. It will in part depend on our workload.)

5) Parking:

Ms. Dudney: Is there anything you can tell us about the transportation process? (Mr. Grosshuesch: The consultant recommendations were by and large favorably received by Town Council. Some things would have to wait for other things to be in place first. Most notable endorsements were walk-ability improvements (heated sidewalks, enhanced lighting, better way-finding), enhanced transit (the purple route will also go in the opposite direction, an orange route improvement, an additional bus on the brown route, an enhanced smart phone app, and technology on the bus shelters to say when the next bus is coming), adding traffic circles on Park Ave. (remove all traffic lights on Park Avenue. This would not necessarily relieve congestion but will become safer and help traffic flow more evenly), pedestrian warning lights and better street lighting at the Village pedestrian crossing to F-Lot. Parking capacity increases in town are still under discussion (including discussion with the Vail Resorts). Managed parking for employees with improved transportation has been handed back to the Parking and Transit committee for further discussion and recommendations. Implementing of managed parking on Main Street is something that Council would like to implement before ski season.) I received a postcard from Vail Resorts today, is F-Lot definitely out now? (Mr. Grosshuesch: No, we are looking at strategies to take about 10% of cars off the streets, but an F-Lot structure would actually increase traffic congestion so we would then have to reduce another 6-8% increase in congestion, but the F-Lot structure is not off the table.)

Mr. Schroder: What is with the potential acquisition of Gold Rush? (Mr. Grosshuesch: It is under discussion.)

Mr. Schuman: What does Vail Resorts say about this? (Mr. Grosshuesch: Their primary concern seems to be related to the parking structure at F-Lot and when it will get built. They are not objecting to some of the other recommendations, they just haven't spent as much time on them in communications.)

Mr. Pringle: Have we ever done a study into the ridership of Summit Stage? (Mr. Grosshuesch: It is mostly an employee commuter line now, though it used to be different.) I wonder why it is the public's responsibility to provide free transportation for workers across the county, when that was not the intent of Summit Stage when it came about; it was meant to have cars parking elsewhere to get cars off the road. (Mr. Kulick: There was a survey relatively recently done on who was riding the Summit Stage bus, and I believe it was that it is mostly workforce members who are using it.) I think there is going to be a huge pushback from workers on having to park farther away. (Mr. Grosshuesch: the parking and transportation committee voted to postpone some of these decisions until after next ski season, but the consultants are saying that pricing parking is the most efficient way to reduce congestion while keeping the

remote lots free. Currently, employees are parking in East Sawmill and Wellington, for example and we enough of them to be parking further away in order to keep some spaces in the close in lots always open, thereby reducing people circling around looking for parking.)

6) Other Matters:

Mr. Schroder: I just wanted to say thank you for clearer maps lately.

Ms. Puester: It is time for updated bios from Mr. Pringle, Mr. Lamb, and Mr. Giller, so if you would like to update them, let me know.

**ADJOURNMENT:**

The meeting was adjourned at 8:02 pm.

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Ron Schuman, Chair



**TO:** BRECKENRIDGE TOWN COUNCIL  
**FROM:** BRIAN WALDES, FINANCIAL SERVICES MANAGER  
**SUBJECT:** 152 OPT OUT BALLOT RESOLUTION  
**DATE:** 7/2/16

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### **Purpose**

The purpose of this memo is to explain the benefits of placing a question on the upcoming November 2016 ballot that would seek to restore authorization for the Town to provide improved high speed broadband and telecommunication services. The resolution that would place the measure on the ballot is attached hereto and submitted for your approval at tonight's regular meeting.

### **Background**

Enacted in 2005, Title 29, Article 27 of the Colorado Revised Statutes (SB-152) eliminated Colorado municipalities' right to provide telecommunications services to its citizens unless a ballot question is passed by voters reinstating that right. It specifically restricts municipalities from providing "advanced services," "cable television service" and "telecommunications service" in Colorado. These services are broadly defined, thus this bill effectively eliminates our ability to provide most telecommunication services to our residents and businesses, including doing so in partnership with the private sector, without an election.

The practical result of SB-152 is that Colorado Counties and Towns are unable to partner directly with private sector entities to explore routes to improved broadband services. Such public-private partnerships are actually illegal thanks to the bill. SB-152 does, however, allow us to opt out of its provisions with an election.

Summit County placed an SB-152 opt out question on last November's ballot, and it passed overwhelmingly with an 87% approval rate. In fact, 43 other Colorado municipalities also approved opt outs in 2015, with an average approval rate of over 80%. In total, 57 municipalities have opted out state wide.

Town Council has expressed an interest in having staff explore options for ensuring Breckenridge citizens and businesses have access to state of the art broad band and telecommunication services into the future. Such a project would require the Town to opt out of SB-152 in order to facilitate any efforts to provide improved broadband and telecommunication services.

We would not be subject to any new requirements or responsibilities by opting out of SB-152 nor would we forgo any rights we currently possess. The result would be only to restore our authorization to seek partnerships to assess our broadband needs and to implement potential solutions or to do so on our own. The Town would be under no requirement to actually provide any services.

### **Next Steps**

Staff is requesting Council approve the attached resolution placing the SB-152 opt out question on the upcoming November 2016 ballot. The Clerk's office estimates the cost of placing the question at \$3,500. Very little Town staff time would be required as this is a County regular election cycle.

If Council agrees, then Staff would immediately begin the process of submitting the question to the County for inclusion on the ballot. Concurrently, we would also begin the process of seeking partners to engage in a needs assessment. Staff is planning to bring back a more detailed presentation in this regard at the July 26<sup>th</sup> work session. But, in summary, such a consulting arrangement would seek to measure the Town's current broadband capacities, as well as telecommunications and other needs. The goal would be to begin to develop policies and a plan for ensuring Breckenridge's Broadband future.

1 ***FOR WORKSESSION/ADOPTION – JULY 12***

2  
3 RESOLUTION NO. \_\_\_\_\_

4  
5 Series 2016

6  
7 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
8 COLORADO, SUBMITTING TO THE TOWN ELECTORATE A BALLOT QUESTION FOR  
9 CONSIDERATION AT THE NOVEMBER 8, 2016 SPECIAL MUNICIPAL ELECTION  
10 CONCERNING AUTHORIZATION FOR THE TOWN OF BRECKENRIDGE, WITHOUT  
11 INCREASING TAXES, TO RESTORE LOCAL AUTHORITY TO PROVIDE HIGH-SPEED  
12 INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATION SERVICES,  
13 AND/OR CABLE TELEVISION SERVICES AS DEFINED BY ARTICLE 27 OF TITLE 29  
14 OF THE COLORADO REVISED STATUTES, INCLUDING BUT NOT LIMITED TO ANY  
15 NEW AND IMPROVED HIGH BANDWIDTH SERVICES BASED ON FUTURE  
16 TECHNOLOGIES, TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT  
17 ENTITIES, AND OTHER USERS OF SUCH SERVICES, EITHER DIRECTLY, OR  
18 INDIRECTLY WITH PUBLIC AND/OR PRIVATE SECTOR PARTNERS, WITHOUT  
19 LIMITING ITS HOME RULE AUTHORITY; AND PROVIDING FOR THE CONDUCT OF  
20 THE ELCTION

21  
22 WHEREAS, the Town of Breckenridge (“**Town**”) is a home rule municipal corporation  
23 organized and existing under Article XX of the Colorado Constitution; and

24  
25 WHEREAS, Section 3.3 of the Breckenridge Town Charter provides that a special Town  
26 election may be called by resolution of the Town Council at least thirty two days in advance of  
27 such election; and

28  
29 WHEREAS, Section 1-21-12(B) of the Breckenridge Town Code supersedes Section  
30 31-11-111(2), C.R.S., and authorizes the Town Council, without receipt of any initiative or  
31 referendum petition, to submit any question to a vote of the registered electors of the Town; and

32  
33 WHEREAS, Senate Bill 05-152, codified at Sections 29-27-101 through 29-27-304,  
34 C.R.S., prohibits most uses of municipal resources for infrastructure to improve the following:  
35 local broadband service (referred to as “Advanced Service” in S.B. 05-152), cable television  
36 services, or telecommunication services, without the approval of the registered electors of the  
37 applicable municipality; and

38  
39 WHEREAS, Section 29-27-201(1), C.R.S., authorizes a local government to call an  
40 election and to submit to the registered electors of the local government the question of whether  
41 the local government shall be authorized to provide cable television service, telecommunications  
42 service, or advanced services within its boundaries; and

1  
2 WHEREAS, the Town Council finds and determines that a special Town election should  
3 be called and held on Tuesday, November 8, 2016; and  
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5 WHEREAS, at the special election the Town Council desires to submit to the registered  
6 electors of the Town the question of whether the electors would like to restore the Town's legal  
7 authority to study, consider, and potentially provide local broadband service (referred to as  
8 "Advanced Service" in S.B. 05-152), cable television services, or telecommunication services;  
9 and  
10

11 WHEREAS, Section 1-21-12(B) of the Breckenridge Town Code provides that the Town  
12 Council shall fix a ballot title for the referred measure and ballot question.  
13

14 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF  
15 BRECKENRIDGE, COLORADO:  
16

17 Section 1. A special Town election is called and shall be held on Tuesday, November 8,  
18 2016. At such election there shall be submitted to the vote of the registered electors of the Town,  
19 as a referred measure and ballot issue pursuant to Section 29-27-201(1), C.R.S., the ballot issue  
20 hereinafter set forth (the "**Ballot Issue**"). At the said election, the official ballot, shall state the  
21 substance of the Ballot Issue to be voted and each registered elector voting at the election shall  
22 be given the opportunity to indicate his or her choice on the Ballot Issue. Pursuant to Section 1-  
23 21-12(B) of the Breckenridge Town Code the following shall be the ballot title, consisting of a  
24 title and a submission clause:

25 QUESTION 1-

26 AUTHORIZING THE TOWN OF BRECKENRIDGE TO PROVIDE HIGH-  
27 SPEED INTERET SERVICES (ADVANCED SERVCIES),  
28 TELECOMMUNICATION SERVICES AND/OR CABLE TELEVISION  
29 SERVICES PURSUANT TO ARTICLE 27 OF TITLE 29 OF THE COLORADO  
30 REVISED STATUTES

31 SHALL THE TOWN OF BRECKENRIDGE, WITHOUT INCREASING  
32 TAXES BY THIS MEASURE, RESTORE LOCAL AUTHORITY TO  
33 PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES),  
34 TELECOMMUNICATION SERVICES, AND/OR CABLE TELEVISION  
35 SERVICES AS DEFINED BY ARTICLE 27 OF TITLE 29 OF THE  
36 COLORADO REVISED STATUTES, INCLUDING BUT NOT LIMITED, TO  
37 ANY NEW AND IMPROVED HIGH BANDWIDTH SERVICES BASED ON  
38 FUTURE TECHNOLOGIES, TO RESIDENTS, BUSINESSES, SCHOOLS,  
39 LIBRARIES, NONPROFIT ENTITIES, AND OTHER USERS OF SUCH  
40 SERVICES, EITHER DIRECTLY, OR INDIRECTLY WITH PUBLIC AND/OR

1 PRIVATE SECTOR PARTNERS, WITHOUT LIMITING ITS HOME RULE  
2 AUTHORITY?

3  
4 YES \_\_\_\_\_ NO \_\_\_\_\_  
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6 Section 2. In connection with the fixing of the ballot title for the Ballot Issue the Town  
7 Council finds and determines as follows:

8 A. The Town Council has considered the public confusion that might be caused by  
9 misleading titles.

10  
11 B. The general understanding of the effect of a “yes” or “no” vote on the Ballot Issue  
12 will be clear to the electors.

13  
14 C. The ballot title for the Ballot Issue will not conflict with the title selected for any  
15 other measure that will appear on the ballot at the November 8, 2016 special Town election; and  
16

17 D. The ballot title for the Ballot Issue correctly and fairly expresses the true intent and  
18 meaning of the measure.  
19

20 Section 3. If a majority of all the votes cast at the special Town election shall be for the  
21 Ballot Issue the Ballot Issue shall be deemed to have been approved and adopted and shall  
22 become effective, and the Town Council shall have the authority to take such other and further  
23 action as may be appropriate to implement the approved Ballot Issue. If a majority of all the  
24 votes cast at the special Town election shall be against the Ballot Issue the Ballot Issue shall be  
25 deemed to have been defeated and shall not become effective.

26 Section 4. The special Town election to be held on November 8, 2016 shall be conducted  
27 as a coordinated election with Summit County. The Summit County Clerk and Recorder shall  
28 conduct the special Town election on behalf of the Town. Pursuant to Section 1-12-6 of the  
29 Breckenridge Town Code, the election shall be conducted under the Uniform Election Code of  
30 1992. The cost of the election with respect to the Ballot Issue shall be paid from the general fund  
31 of the Town.

32 Section 5. The Town Clerk shall serve as the designated election official of the Town the  
33 purposes of performing acts required or permitted by law in connection with the special Town  
34 election on the Ballot Issue, and, subject to the performance of coordinated election duties by the  
35 Summit County Clerk and Recorder as provided in Section 4 of this resolution, shall take such  
36 action as may be required to comply with all applicable laws pertaining to the conduct of the  
37 election.

38 Section 6. The officers of the Town are authorized and directed to take all action  
39 necessary or appropriate to effectuate the provisions of this resolution. All action previously  
40 taken by the officers of the Town with respect to the Ballot Issue and the Agreement is ratified,

1 confirmed, and approved.

2 Section 7. This resolution is effective upon adoption.

3 RESOLUTION APPROVED AND ADOPTED this \_\_\_ day of \_\_\_, 2016.

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TOWN OF BRECKENRIDGE

By: \_\_\_\_\_  
Eric S. Mamula, Mayor

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ATTEST:

\_\_\_\_\_  
Helen Cospolich  
Town Clerk

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APPROVED IN FORM

\_\_\_\_\_  
Town Attorney                      Date

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900-188\SB 152 Election Resolution (06-29-16)

## Memorandum

**TO:** TOWN COUNCIL  
**FROM:** Dale Stein, Assistant Town Engineer  
**DATE:** July 6, 2016  
**RE:** Public Projects Update

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### **Active Projects - New Updates**

#### **Parking/Transportation Review** (Work Session 7-12-16 by Staff)

Schedule: Council at the June 28<sup>th</sup> work session discussed at length the various aspects of the Parking and Transit Study conducted by Nelson-Nygaard \ DTJ and presented on June 14<sup>th</sup>. Staff is currently working to further refine the design options, construction schedules and cost estimates for the various items discussed by Council as priorities at the June 28<sup>th</sup> work session.

Budget: 2016 CIP Budget: \$500,000 (Study)

#### **French Gulch Road Bus Turnaround** (Work Session 7-12-16 by Engineering)

Schedule: Staff has been working with the County to obtain approvals from all government entities associated with the purchase of the French Gulch Site (five different agencies). Written approvals have been received from four of the agencies, and a verbal approval has recently been received from the final agency (Colorado Attorney General's office). Once a written approval is received from the Attorney General's office, staff will move forward with the project and provide schedule and budget updates.

Budget: The 2016 CIP budget for the project is \$185,000. However, the CIP budget does not include the \$160,000 funding for the pond remediation. Since the EPA has indicated they are not providing funding for the pond remediation, an additional \$80,000 of funds will need to be appropriated to the project to complete the pond remediation as discussed at a previous Council Work Session. The County has committed to funding their \$80,000 split of the pond work.

#### **Pinewood Sidewalk Connection** (Work Session 7-12-16 by Engineering)

Schedule: The street lights and flashing crosswalk lights were installed at the Rankin Intersection last week and are fully functional. Brighter LED street lights were ordered for the Rankin Intersection to improve safety at this critical crosswalk; once these lights arrive they will replace the LED lights which are currently installed.

Budget: Once the project is fully complete, staff will present the final budget numbers in a project closeout update.



**Blue River Reclamation** (Work Session 7-12-16 by Engineering)

Schedule: As previously reported to Council, Staff is moving forward with the reconstruction of the Blue River north of Coyne Valley Road. The contractor, ESCO Construction Company from Evergreen, mobilized equipment late last week and began earthwork operations on site this week. The crews will work to complete final preparation of the temporary channel this week and anticipates transferring flows north of Coyne Valley Road to the temporary channel by July 11<sup>th</sup>. Once the flows have been diverted earthwork will begin on the permanent river channel.

Council has asked Staff to review the design of the culvert crossing to identify any value engineering options and to further analyze the existing culvert to establish the flow capacity of the existing culvert and related risk to leaving the existing culvert in place.

Staff will work with project consultant Tetra Tech and contractor ESCO to evaluate the crossing and will return to Council later this summer with updated recommendations and updated culvert cost estimates.

Budget:

Project Funding	2015	2016	Est. 2017	Total
Town Funds	1,200,000	560,000	1,260,000	3,020,000
Open Space Fund	600,000	240,000	540,000	1,380,000
Denver Water	200,000			200,000
Total	2,000,000	800,000	1,800,000	4,600,000



**Blue River temporary river diversion construction north of Coyne**

### **Kingdom Park Playground (Work Session 7-12-16 by Parks)**

Schedule: The playground equipment has been installed and is nearly 100% complete. Unfortunately four small parts for the structure were not included in the original shipment to the Town. These parts are being shipped as fast as possible from the Berlin source, and are expected to be delivered by July 8th. The playground is fenced and signed. Streets and Parks staff will be working on the landscaping starting later this week. Staff will be able to open the play ground with access from the pavilion as soon as the part have been installed.

Budget: 2016 CIP Budget: \$180,000

### **Outdoor Ice Rink Roof (Work Session 7-12-16 by Public Works)**

Schedule: The building components are expected to be delivered on July 11, 2016. There will be a six week schedule for the erection of the roof structure and then a few weeks for installation of the electric lights and the wind screens around the facility.

As previously discussed with the Council, the contractor provided a cost to provide a wall between the existing building roof and the new roof over the rink to prevent snow from blowing into the rink area. The original plan is to place wind screens to perform the same function. The wind screen option is expected cost approximately \$5,000 and was anticipated in the original budget. The wall option is expected to cost \$40,000 and can be absorbed by the budget.

Budget: 2016 CIP Budget: \$1,200,000. The project costs are expected to be approximately \$1,120,000 with the wall option included.

## **Active Projects - No Updates**

### **Roadway Resurfacing (Work Session 6-28-16 by Streets)**

Schedule: All paving work designated to be completed this summer in the Town has been completed, with the exception of final gravel shouldering at various locations. Staff is working with Columbine Hill to schedule the shouldering work with the goal of having it completed prior to the July 4<sup>th</sup> weekend. Striping of Town roadways, including Main Street, is scheduled to begin Monday June 27<sup>th</sup>. Town road striping is expected to be completed prior to the July 4<sup>th</sup> weekend.

Concrete replacement in the core of Town is on schedule to be completed this week. Crews are currently working to complete the new ADA ramps on the Ridge and Jefferson intersection. Concrete replacement work outside the core of Town will continue through the summer. Staff will review the final project costs for the 2016 asphalt and concrete project, and if funding is available Staff will review other locations in Town, such as Broken Lance, to potentially work on in the fall.

Budget: 2016 CIP Budget: \$1,100,000

**Transit Technology Enhancements** (Work Session 6-28-16 by Transit)

Schedule: Staff is currently preparing an RFP to solicit transit technology companies to assist in the design and implementation of technology enhancements and hardware that includes electronic arrival boards to be installed at the high ridership locations.

Budget: 2016 CIP Budget: \$500,000

**Block 11 Access Road** (Work Session 6-28-16 by Engineering)

Schedule: The Block 11 waterline extension, which includes connecting to the water main in Airport Road and extending the line to the east, is currently being constructed beneath the proposed access road. The waterline construction will be completed by June 24<sup>th</sup>. Once the waterline is completed, there will be a break in construction until mid-July, when another contractor will mobilize and complete the surface improvements for the access road. Construction is scheduled to be completed in late August.

Budget: The 2016 CIP Budget for the project is \$160,000. The project costs for the Block 11 Access Road improvements are now estimated at \$168,000. The budget deficit of \$8000 will be covered from funds remaining from the CIP Previous Spending Authority.

The waterline extension cost is \$75,000, which will be covered from the Water Fund.

**North Main Street Restrooms** (Work Session 6-28-16 by Engineering)

Schedule: At the May 31<sup>st</sup> Council Retreat, Staff was given direction by Council to revisit the options for a new restroom near Main Street, east of the Prospector Park. Staff presented the cost estimates outlining restrooms and cabin rehabilitation options to Council at the June 14<sup>th</sup> work session. Council consequently directed Staff to continue with the restroom design that incorporates the historic Wentzell Cabin. The restrooms are scheduled to be functional by summer 2017.

Budget: Staff will revisit the project budget with Council once the project is designed and bids have been received. A Supplemental Appropriation, per the March 8<sup>th</sup> work session, of the \$255,000 is pending.

Project Funding	2015	2016		Total
Town CIP Funds	125,000			125,000
Council Add 3-8-16		255,000		255,000
BHA Funding		20,000		20,000
Total	125,000	275,000		400,000

**Breckenridge Theater** (Work Session 6-28-16 by Engineering)

Schedule: The Breckenridge Backstage Theatre opened with performances at the newly expanded and renovated theater on June 17<sup>th</sup>. A small number of interior punch list items will continue to be completed as well as exterior concrete adjacent to the alley.

Budget:

\$ 120,000.00	2013 CIP Budget
\$ 1,180,000.00	2014 CIP Budget
\$ 600,000.00	2014 Supplemental Appropriation
\$ 650,000.00	2015 Supplemental Appropriation
<b>\$ 2,550,000.00</b>	<b>Total Spending Authority</b>

Final project expenditures will be reported to Council in the project close-out report in August once all billings are received and final work is completed. The project is currently on budget.

**Xcel Gas Line Replacement on North Main Street** (Work Session 6-14-16 by Streets)

Schedule: The contractor from Xcel Energy (Site Wise) has completed the work to install a new gas line and services on Main Street from Watson Street to French Street. Crews from Columbine Hills this week worked to mill and install an asphalt overlay in the section of Main Street north of Watson Street. The asphalt overlay was partially funded by Xcel Energy. Town crews also worked this week to install new cross walks at both the French Street intersection and at the mid-block crossing near the fire station. Town Staff marked out temporary striping locations in anticipation of new epoxy painting installation scheduled for later in June.

**Ice Rink Roof Repair** (Work Session 6-14-16 by Facilities Div.)

Schedule: Staff received very few bids for this project, but has found one company that we are working with to narrow down the exact scope of work and cost. We are in final negotiating with that contractor, and will provide cost and schedule information once the negotiations are completed. Current negotiations are within the project budget and Staff expects to schedule the work on the roof repairs for this summer season

Budget: 2015 CIP Budget: \$185,000

**Goose Pasture Tarn Dam Repairs** (Work Session 6-14-16 by Water)

Schedule: Final candidates have been interviewed and Kumar and Associates has been chosen as the firm that will develop the design of the repair to the dam. The design will be done as we move through the summer.

Budget: 2016 Budget: \$1,050,000

**Second Water Plant Design** (Work Session 5-24-16 by Water)

Schedule: Contractor interviews are being conducted on Wednesday May 18 and a selection is expected to occur the week of May 23. Staff will be able to provide more information at the next Council meeting. Construction will not begin until spring of 2017 and is expected to be complete by the end of 2018.

Budget: 2016 Budget: \$2,200,000

**Arts District Production Equipment** (Work Session 5-24-16 by BreckCreate)

Schedule: Purchasing for this CIP will ramp up in the early summer and will continue throughout the early fall as campus production needs solidify and on-site storage becomes available.

Budget: 2016 CIP Budget: \$70,000

**Riverwalk Center Stage Rigging** (Work Session 5-24-16 by BreckCreate)

Schedule: Rigging plans and logistical planning has been completed with contractors and the primary rigging installation company. Minor purchasing and installation will be ongoing throughout the spring as holes in the established production calendar allow. The major phase of the rigging install to commence late October and to be completed by Thanksgiving.

Budget: 2016 CIP Budget: \$130,000

**Four O'clock Roundabout** (Work Session 5-24-16)

Schedule: Bids were opened May 3<sup>rd</sup> for the construction phase of the project. Unfortunately only one bid was received for the project, and that bid exceeded 20% of the estimated cost for the project. Staff reviewed the bid documentation and communicated with CDOT to understand the process for evaluations of a single bid opening. CDOT procedures do not allow for any negotiation with a single bidder and recommended advertising the project for bids again later in 2016, for construction in 2017. Town Council concurred with the recommendation of CDOT and provided direction to Staff to rebid the project later this year.

Budget:

Project Funding	2011	2013	2015	Total
CIP Budget	100,000	150,000		250,000
CIP Supplemental			100,000	100,000
CDOT IGA		600,000	800,000	1,400,000
Total				1,750,000

The budget is currently underfunded by an estimated amount of \$250,000 due the unexpected overrun in costs for the right-of-way purchases and related documentation modifications

**Recreation Facilities Improvements** (Work Session 5-10-16 by Recreation)

Schedule: Staff provided to Council a project presentation and updated documentation in a separate document. Refer to May 10<sup>th</sup>, 2016 Council Work Session packet for further information.

Budget: 2016 CIP Budget: \$150,000

**Riverwalk Center Lobby** (Work Session 5-10-16 by Community Development)

Schedule: Staff provided to Council a project presentation and update documentation in a separate document. Refer to May 10<sup>th</sup>, 2016 Council Work Session packet for further information.

Budget: 2016 CIP Budget: \$450,000

**Four O'clock Roundabout Landscaping** (Work Session 3-08-16)

Schedule: Landscape work is anticipated to be bid and completed after the construction of the roundabout, later this fall or in the spring of 2017

Budget: 2016 CIP Budget: \$180,000 (not including the Paley installation)

**Public Radio Utility Line** (Work Session 2-23-16 by Others)

Schedule: This is not a Town project and a schedule is not known at this time.

Budget: 2016 CIP Budget: \$20,000

**Recreation Center Elevator** (Work Session 2-23-16 by Recreation)

Schedule: This project is on hold until the Recreation Center Facilities Improvements Study is completed. The existing lift has been repaired and is currently operational.

Budget: 2016 CIP Budget: \$200,000

**Recreation Center Tennis Courts** (Work Session 2-23-16 by Recreation)

Schedule: This project is on hold until the Recreation Center Facilities Improvements Study is completed.

Budget: 2016 CIP Budget: \$200,000. The total project is expected to cost \$400,000 and will be spread over two years.

**Blue River Parks** (Work Session 2-23-16 by Engineering)

Schedule: Project architect / planner DTJ Design was contracted in 2015 to produce 50% CD plans for Oxbow Park to be used in the grant application. Staff will prepare the 2016 GOCO grant application as well as an updated cost estimate for presentation to Council as a possible 2017 CIP construction project.

Budget:

Project Funding	2016
CIP	105,000
Open Space Fund	45,000
Grants (assumed)	350,000
Total	500,000

**MEMO**

**TO:** Mayor & Town Council  
**FROM:** Rick Holman, Town Manager  
**DATE:** July 7, 2016  
**SUBJECT:** Committee Reports for 7-12-2016 Council Packet

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<b>Child Care Advisory Committee</b>	<b>June 1, 2016</b>	<b>Emily Oberheide</b>
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The Child Care Advisory Committee held their monthly meeting on June 1, 2016. Committee members present included Mike Connelly, Anne Marie Chapin, Johanna Gibbs, Erin Gigliello, Greta Shackelford, Mark Wimberley, Lucinda Burns and Shelly Aleshire. Town staff/representatives present were Peter Grosshuesch, Laurie Best, Emily Oberheide and Jennifer McAtamney

April Minutes were approved and signed by Mike Connelly. There was no May Meeting.

The following agenda items were covered:

- **Reorganization of Child Care Program under Community Development and Staffing Updates**  
Laurie Best started with this program when it was initiated back in 2006 with the creation of a council subcommittee to deal with housing and childcare. The committee's goal was to address the issues at the centers. They had huge wait lists (200+), large capital needs and challenges of with staff retention. Working with a task force they created what is now the tuition assistance program as well as salary supplements to immediately address the retention issues and low salaries, built TLC and also paid off the mortgages/loans at the existing centers to help put them on a more stable financial footing. In 2013 we went out with a ballot initiative for permanent funding for the program and while the initiative for funding did not succeed the council created this Advisory Committee by ordinance to oversee the Town's Child care program. About 1 ½ years ago the decision was made to move the program it to the Recreation Department under Mike Barney to assist the centers with their business practices and work with their other camp/childcare and scholarship programs. During that time we also brought the Tuition Assistance Program in house and hired staff to run the program. In the interim there were some major staffing changes with Mike Barney leaving the Recreation program and change in Town management. In reflection it was determined that childcare does not belong separate from housing programs so we are now moving the program back to Community Development. We have hired Jennifer McAtamney in to administer the program. She and Emily are going to be working together for the next two months to ensure a smooth transition. A HUGE THANK YOU to Emily for continuing to work with us through all this. We do not know what we would do without you.

Peter Grosshuesch also noted that at the council retreat on May 31<sup>st</sup> the Council stated their continued commitment to funding the childcare program while it is sustainable. The intent at this time is to not go out for permanent funding.

- **Committee Vacancies**  
We have had two recent vacancies with the resignation of Jonathan Whitfield and Jennifer McAtamney. We are allowed to have up to 10 members and with vacancies coming up in January we recommend that we wait until that time to bring in new members based on the needs of the committee at that time.
- **Public Outreach – Non agenda item**  
While the council has not mandated we go to the voters, committee members felt strongly we need to do extensive public outreach and that we need to start years in advance of any potential voter initiative and in fact always need to be sharing and selling the benefits of the program to the public. Johanna suggested that while we might have lots of work to do, that we should start putting together a timeline and project plan for outreach. Erin, Johanna & Greta are going to work with Jennifer and put together a draft timeline and plan. The committee thought that in September we would have many things to share and that could be a good time to begin some public outreach.
- **Breckenridge Montessori**  
Since the last time the committee met the council decided to purchase the building that Breckenridge Montessori currently occupies and lease it back to them for 5 years. The council views this as a win with the town now owning prime real estate on North Main St. and giving Breckenridge Montessori a place to stay until they can relocate to a new location. The town is renting the building back to the school and the rents are going back to cover capital improvements needed at the building. The proposed re-development of the building has been delayed indefinitely while the Town owns that building.



- **Fluid Review Update and Outreach to Families**

At our April meeting we recommended the purchase and implementation of the Fluid Review system for processing our Tuition Assistance Application. We have great news that we launched the application to the public today! Over the last three weeks we have been visiting the centers to let them know about the changes to the program as well as the big change to the Application process. The application process has been rolled out and we are in the process of putting the Spanish translation in place. Our next step is to implement and automate the review process so we can start processing applications and inform families of their results next month. Emily did a demo for the group so they could see what the process looks like to our users. Other efforts around fluid review include Jennifer creating a visual user guide that will act as a self help guide for applicants, sending out email blasts to the parents in our database and to all the centers to let them know the application is available online and how to access it. We will continue our outreach efforts with visits to partners as well as follow up visits to the centers for their existing families.

- **Discussion about Data and Metrics**

Once we complete the enrollment process one of the first items we will be focusing on is data collection and program metrics. We would love it if the committee can start thinking of data points they would like to see used to track the progress of the program. Some examples of these include: Does this program keep families in the community, Staff retention numbers, work/live stats, number of businesses that benefit from the program, outcomes for kids, teacher salaries/benefits, graduation rates, AMI's served, and capacity used, teacher/child turn over etc. We would like the committee to reflect on what additional items they would like to see so we can determine the proper set to put in place and measure the program.

Emily also shared a great story about a family who benefited from the program and would like pay it forward by providing funds/sponsorship down the road. This is something for the committee to look at in the future.

- **General Committee Protocol**

We shared our committee/department org chart as well as the Town's ethic ordinance that applies to all committees. This explains conflicts of interest and other protocols for the committee. Please review and let us know if you have any questions. We are working through policies and guidelines to formally address how we as committee members communicate with Council. In general the approach is to work these topics through the committee to vet and then the committee will bring up to the council if needed. To help track new topics we have added a Future Topics section to our agenda, if you have new items please send to Jennifer and she will add them to the list to address. Committee members are important ambassadors of the program and we want you all to be well informed and comfortable talking to friends and community members about the program.

Finally – Jennifer wanted to make sure you are all aware she is available M-F 8-5. Please feel free to reach out anytime with questions or curiosities.

Meeting adjourned at 4:38 p.m.

**Next meeting: Wednesday, July 6<sup>h</sup> at 3:00 p.m.**

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**Workforce Housing Committee Report****June 14, 2016****Laurie Best**

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The Housing Committee held their June meeting on June 14, 2016. Committee members present included Mike Dudick and Wendy Wolfe. Laurie Best, Peter Grosshuesch, Jennifer Kermod, and Rick Holman were also present.

The following issues were discussed:

**Housing Map:**

Laurie presented a map delineating possible workforce housing sites. The map was updated based on the discussion at the Councils spring retreat. Once the Needs Assessment update is completed in August staff can better assess the area that would be needed to meet the projected demand.

**Housing Cost Projections:**

The 2013 Housing Needs Assessment projected that 1,035 to 1,785 units would be needed by 2018 to address the County-wide demand for housing. Staff estimates that the cost of constructing those units would be at least \$170-\$310 million. Approximately 35% of the demand is in the Upper Blue, so roughly \$60m-\$110 million in projects is needed by 2018 to fully address the 2013 Upper Blue projection. The needs assessment is being updated to include projections thru 2020 and once those updates are available staff will work with the committee to update cost estimates.

**AMI Issue:**

Staff advised the Committee that the SCHA has organized a task force to explore the issue of AMI as a metric of the local economy, and to determine if there is a better index to use in calculating appreciation for deed restricted homes. The appreciation in most of the deed restricted neighborhoods (except Wellington and Vista Point) is calculated based on change in AMI over time. The task force is investigating why AMI has been declining for several years and how changes made to the methodology (by HUD) is impacting owners/sellers. It is expected that the SCHA task force will recommend that all of the communities shift to a different metric, such as wages, because AMI is not an accurate reflection of current economic conditions (it lags behind by about 5 years) and is also not an accurate reflection of local workforce income . The Committee had significant concerns about changing to a different metric because long term affordability is one of the key goals of the program and allowing owners to add appreciation while AMI is declining contributes to price creep. Staff will continue to work with the task force as they develop their recommendation, and report back to the Committee.

**Projects:**

In addition to the major projects (PW2, Huron Landing, Denison Placer) staff is working on a few smaller projects. The Committee emphasized the importance of creating public/private partnerships and incentives for the private sector to create workforce units. Proposals that are being vetted by staff include possible annexation in the French Creek industrial area and a possible conversion of common space, owned by an HOA, in a hotel condo. Once these proposals are analyzed, staff will review them with the Committee before presenting to the full Council.

The Committee adjourned at 3pm. The next meeting will be July 12th at 2pm.

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**Police Advisory Committee**

**July 6, 2016**

**Chief McLaughlin**

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**2016 Community Representatives:** Dave Askeland, Carrie Balma, Tom Byledbal, Dick Carleton, Jeff Chabot, Phil Gallagher, Ramon Gomez, Sandi Griffin, Tessa Rathjen, Jason Smith, Jim Trisler, Kaleigh Klaas.

The Police Advisory Committee (PAC) held its bimonthly meeting on July 6, 2016. The Chief and PAC members discussed the following:

- **Introductions:** Nicola Erb, newly promoted to the Assistant Chief of Police position, introduced herself to the group and provided a brief summary of her education and experience. Chief McLaughlin thanked the Committee members who participated in the selection process for the new Assistant Chief.
- **Downtown Officer Update:** Officer Jen Laureano provided an update of the Department’s downtown unit. She briefed the group on the Department’s efforts to increase officer presence in the downtown core and to reduce response time to calls for service. She and C.S.O. Kendra Coffin have been focusing on meeting downtown business owners and educating employees on a variety of public safety matters such as when to call for police assistance, general employee safety, shoplifting, parking, and how to deal with unruly customers. Feedback from business owners has been overwhelmingly positive. Members of the Committee commented that police efforts to work with downtown transients are paying off.
- **Parking Update:** Chief McLaughlin shared results of last week’s Town Council Meeting including the Police Department’s involvement in transit and parking development. He explained that the Department is currently working on an RFP for equipment and technology in support of managed parking. The Chief also explained the importance of downtown walk-ability, better signage, roundabouts on Park Ave, and how all of these factors work together to reduce traffic congestion and parking availability.
- **Police Advisory Committee:** The group discussed the role of PAC and the need to more succinctly define membership, objectives and guidelines. The current guidelines are somewhat outdated and are very general in nature. Chief McLaughlin expressed the importance of the Committee’s continued relationship with the Police Department and his desire to expand the Committee’s role in several areas. Members of the Committee also discussed the history of the Committee and said that the Department has come a long way since the Committee was first formed by Chief Holman. Committee members also commented that Breckenridge citizens are truly proud of their police department and the professional job they do each day.
- **Investigations Update:** A complex cyber stalking case, which has taken a great deal of the detectives’ time, will be presented to the District Attorney this week. Additionally, the Department achieved a successful outcome to the recent dispensary burglaries and several auto break-ins through diligent teamwork work between patrol officers and detectives.
- **Use of Force:** There has been one incident of reported response to resistance/use of force since the last meeting. The Chief reviewed the circumstances of the call and the actions taken by the Police Department. The Committee members did not have any questions.

<b>Committees*</b>	<b>Representative</b>	<b>Report Status</b>
CAST	Mayor Mamula/ Erin Gigliello	No Meeting/Report
CDOT	Rick Holman	No Meeting/Report
CML	Rick Holman	No Meeting/Report
I-70 Coalition	Rick Holman	No Meeting/Report
Mayors, Managers & Commissioners	Mayor Mamula/ Rick Holman	Verbal Report
Liquor and Marijuana Licensing Authority	Helen Cospolich	No Meeting/Report
Wildfire Council	TBD	No Meeting/Report
Summit Stage Advisory Board	James Phelps	No Meeting/Report
Police Advisory Committee	Chief McLaughlin	Included
CMC Advisory Committee	Rick Holman	No Meeting/Report
Recreation Advisory Committee	Scott Reid	No Meeting/Report
Workforce Housing Committee	Laurie Best	Included
Child Care Advisory Committee	Jennifer McAtamney	Included
Breckenridge Events Committee	Kim Dykstra	No Meeting/Report
Parking and Transit Taskforce	Shannon Haynes	No Meeting/Report

*Note: Reports provided by the Mayor and Council Members are listed in the council agenda.*

*\*Minutes to some meetings are provided in the Manager's Newsletter.*



July 5, 2016

To: Breckenridge Town Council

From: Larissa O'Neil, Breckenridge Heritage Alliance

Re: Welcome Center Re-design Study

The Town completed the Breckenridge Welcome Center in 2006. The BTO manages the Main Street entry visitor services area, which has undergone two renovations, the latest in fall 2015 to install outdoor signage and build a new information desk. The BHA currently oversees the museum part of the building, including the historic cabin, the river side desk and upstairs exhibits. None of the museum displays have been updated since 2006.

In September 2015, Council directed BHA to take a broad look at the future direction of the Welcome Center and allocated \$50,000 for a master planning study in January 2016. We are currently operating under a budget assumption of \$250,000 in FY 2017 for the balance of the project which includes software upgrades, fabrication and installation of exhibits, and building modifications.

BCA, BTO and Town staff worked with the BHA to select Riggs Ward from Richmond, Virginia, for the study. Riggs Ward has an impressive client list including large and small visitor centers and museums around the country, including the Library of Congress and Empire State Building Visitor Centers. The study began in May and is scheduled for completion in August 2016 in time for the 2017 budgeting cycle.

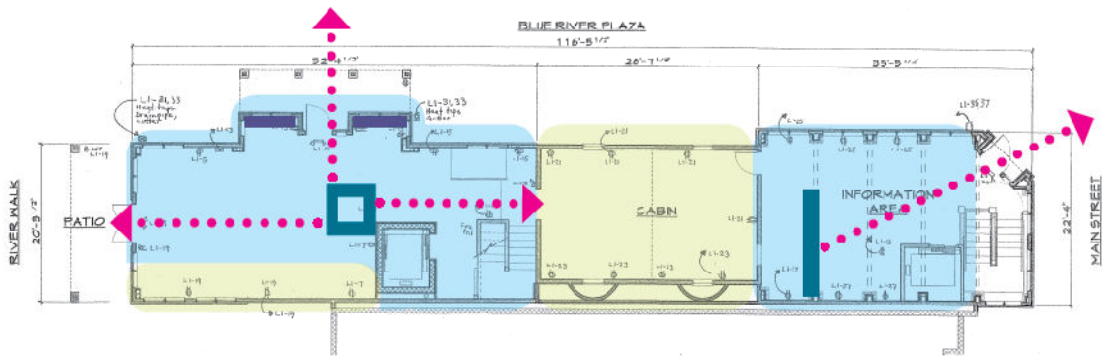
Project goals are to:

- Recommend a new layout for optimized visitor flow and increased visitor usage throughout the building.
- Develop concepts for new displays (both historical as well as contemporary).
- Suggest new technology for visitor services (i.e. itinerary building), "one-stop-shop" ticketing and interactive displays.

Initial recommendations from the consultants suggest:

- Removing the existing theater and BHA desk.
- Maintaining the current Main Street visitor services desk with the addition of a secondary visitor services desk on the west side of the building. This option allows visitors to be greeted from every entrance, and provides sight lines to the Riverwalk, Blue River Plaza and cabin.
- Keeping the cabin as exhibit space, highlighting stories that aren't told in other locations (i.e. Carter) and developing contemporary story lines that balance historical displays (i.e. trails and "ask a local" interactives).
- Installing rotating exhibits upstairs and using the upstairs for special events and programs.
- Expanding the use of Audience View and creating a guest interface that gives the appearance of "one-stop-shop" ticketing.
- Street signage improvements, a visitor mobile application and an additional town kiosk that could all be wrapped in to the larger parking and transit study.

The rendering below shows one of the options being considered for the Welcome Center's first floor.



Riggs Ward will be leading a design charrette on July 11 with the BTO, BHA, BCA, Town and other community members. The project team will be prepared to discuss the charrette results and other project details with the Council on July 12.



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Dennis McLaughlin, Chief of Police  
Peter Grosshuesch, Director of Community Development  
Helen Cospolich, Municipal Services Manager  
**Date:** July 5, 2016  
**Subject:** Marijuana Cap Discussion

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This past spring, Council expressed the desire to explore the idea of a “cap” or limit of marijuana businesses in the Town of Breckenridge. Currently, there is an indefinite moratorium in place for new marijuana licenses. Staff is seeking feedback from Council to enable us to craft an appropriate ordinance.

To frame this discussion, we have prepared for you two maps of the land use districts where marijuana businesses are allowed, as well as a listing of the current marijuana licenses issued by the Town. There are 10 licenses spread amongst 5 licensees, and 4 operating “storefronts” (or locations). Each license type is considered separate and individual by both the Town and the State. The 10 current licenses consist of 4 retail stores, 2 retail cultivations (grows), 2 medical marijuana centers, 1 medical cultivation (grow) and 1 retail products manufacturer. One of the medical center licenses recently expired and is not in process for renewal at this time.

The four districts in which marijuana businesses can be licensed are Land Use District 5, 9, 20 and 31. The first map illustrates the four districts. The second map illustrates the buffer zones which depict a 500 ft. setback from childcare facilities, schools and colleges. (The difference in size of some zones is due to that fact that measurements are made from existing property lines.)

As part of our discussion staff would like for Council to consider the following:

- 1) Are you comfortable with the current number of marijuana licenses: (9 active), storefronts (4 active); or licensees (4 active)?
- 2) If we were to consider a “cap”, how would you recommend it be structured?
  - a. Limit the number of storefronts (or locations)
  - b. Limit the number of licenses in each category
  - c. Limit the number of licensees (owners)

Additional considerations for discussion:

- a. There may be potential additional impacts to traffic volume, odor complaints and pedestrian safety in Land Use District 31 (the North Airport Road area) if marijuana businesses are expanded in that area.
- b. Staff only recommends the use of an administrative lottery system if a marijuana business license is forfeited back to the Town.
- c. Staff recommends redefining the manner in which the 500-foot operating distance from schools, daycares, etc. is measured. Presently the distance is computed by direct

measurement from the nearest property line of the existing land use (school) to the nearest portion of the building for which the license is requested, using a route of direct pedestrian access. This measurement standard (route of direct pedestrian access) has proven problematic as buildings change, structures and doorways are reconfigured, and paths are rerouted. Staff recommends changing the measuring standard to a linear measurement from existing property line to the nearest portion of the building.

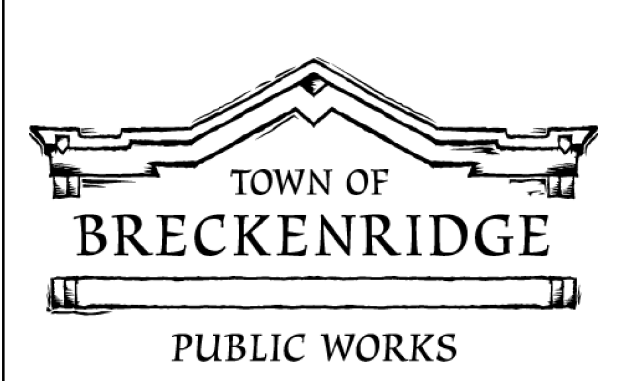
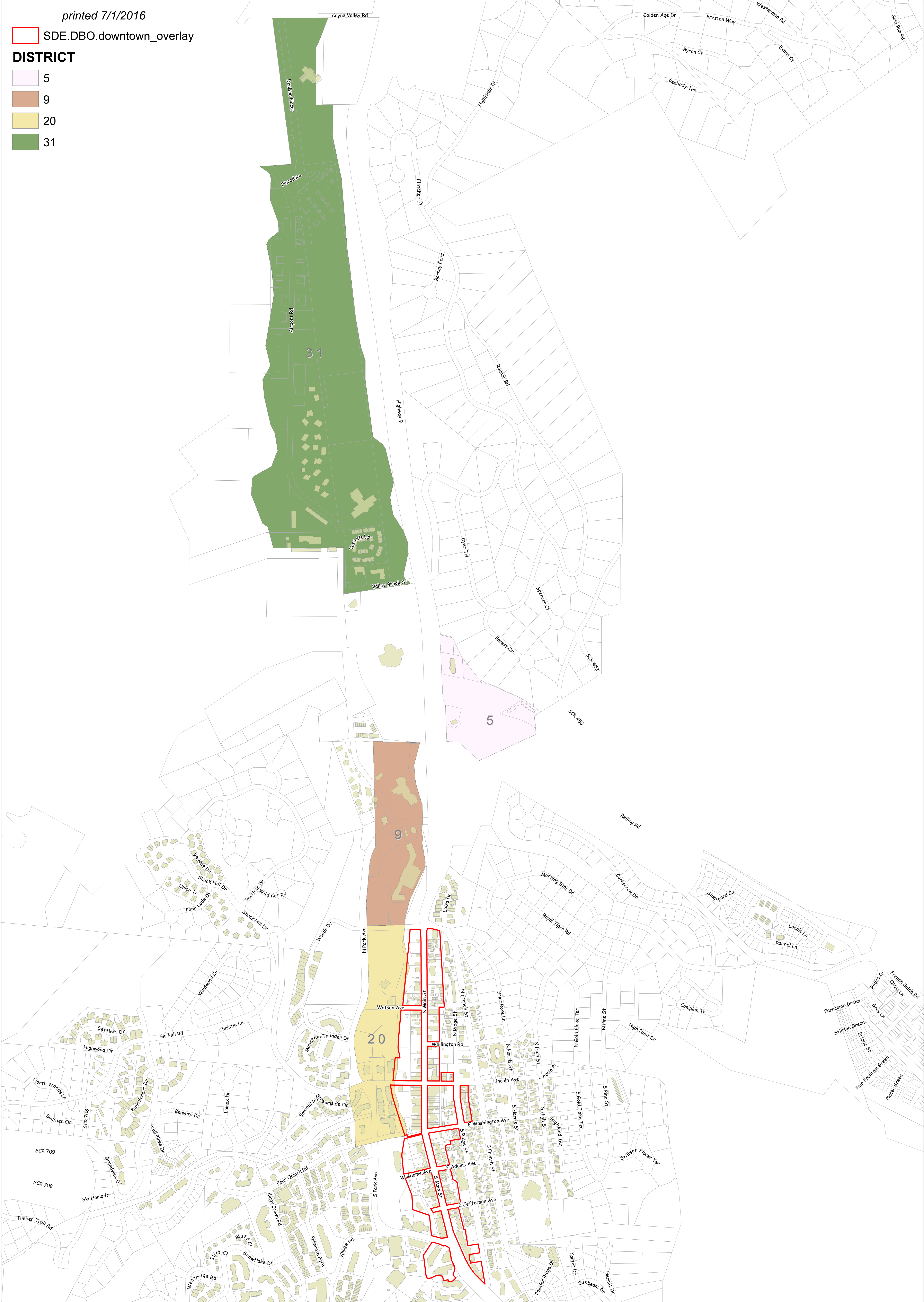
- d. Staff recommends adding wording to the current licensing ordinance that would require an applicant to submit a conditional state license to the local licensing authority as part of the application packet before the local application is processed. This has become somewhat of an “industry standard” because state licensing is more restrictive than local licensing and because there is significant front-end work for staff to process a license when a perspective licensee may or may not be able to obtain a state license.

Staff will be available at the meeting to answer any questions you may have.

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DISTRICT

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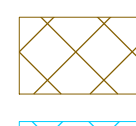
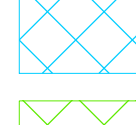
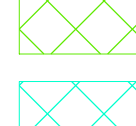
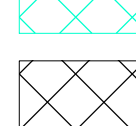
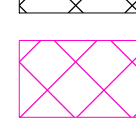
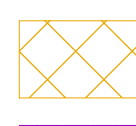
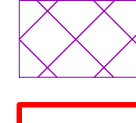



**Marijuana  
Licensing Areas**


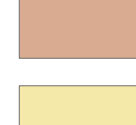


Town of Breckenridge and Summit County governments assume no responsibility for the accuracy of the data, and use of the product for any purpose is at user's sole risk.

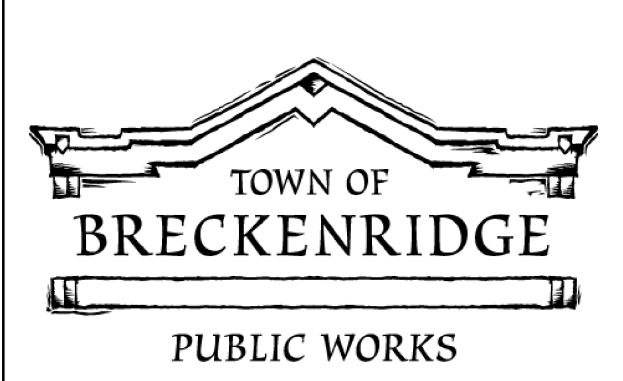
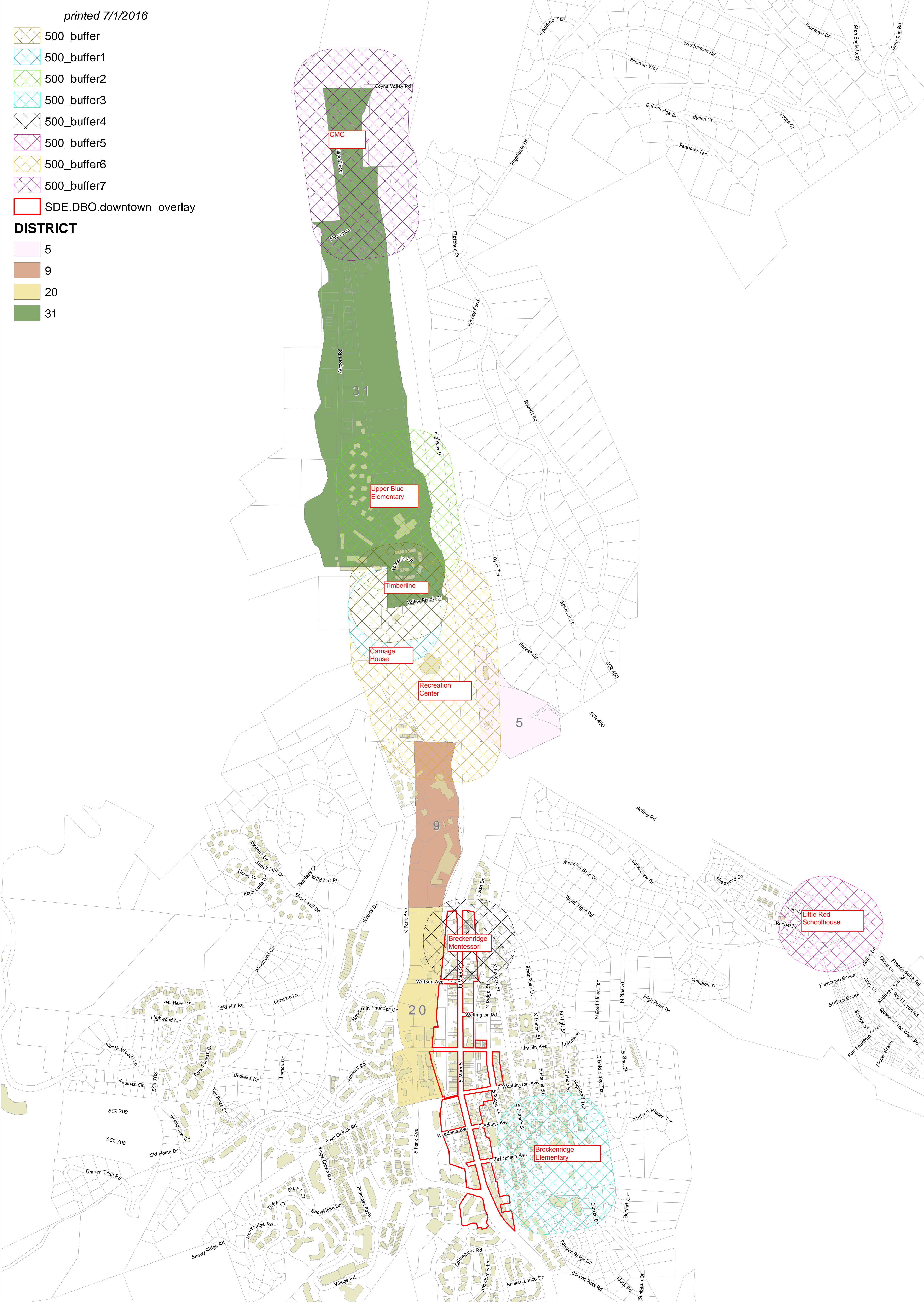




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**Marijuana Licensing Areas**

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.



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Rick Holman, Town Manager  
**Date:** July 12, 2016  
**Subject:** Work Session discussion on revised Summit Combined Housing Authority IGA and Proposed Ballot Question

---

Through a current Intergovernmental Agreement (IGA) between Summit County Government and the Towns of Breckenridge, Dillon, Frisco, Montezuma, and Silverthorne the Summit Combined Housing Authority (SCHA) has been established as our multijurisdictional housing authority in Summit County.

For the past few months, the entities involved in this IGA have been discussing a proposal to add a ballot question for this November from the SCHA that would impose an additional countywide sales tax of up to .6% on top of the .125% that is already in place. The additional .6% sales tax would be a temporary tax for a 10-year period starting in 2017. The tax money raised in each jurisdiction, would go back to that jurisdiction to be used for affordable housing projects. It is estimated this additional .6% sales tax would raise 26 million dollars over the 10 year period for Breckenridge to use for affordable housing projects.

The amended IGA that would allow for the additional sales tax must be approved by a Resolution and that is scheduled for your action on July 26, 2016. Once all the entities have adopted the amended IGA, the SCHA Board of Directors would approve a resolution that will adopt the ballot language. I have added this on your July 12<sup>th</sup> work session agenda for some preliminary discussion with the Council. Attached is a copy of the resolution, the amended IGA, and the proposed ballot language.

1 ***FOR WORKSESSION/ADOPTION – JULY 12***

2  
3 RESOLUTION NO. \_\_\_\_\_

4  
5 SERIES 2016

6  
7 A RESOLUTION APPROVING THE THIRD AMENDED AND RESTATED  
8 INTERGOVERNMENTAL AGREEMENT PROVIDING FOR THE ESTABLISHMENT AND  
9 CONTINUATION OF THE SUMMIT COMBINED HOUSING AUTHORITY

10  
11 WHEREAS, Section 29-1-204.5, C.R.S., as amended (the “Act”), authorizes any  
12 combination of home rule or statutory cities, towns, counties, and cities and counties of the State  
13 to, by contract with each other, establish a separate governmental entity to be known as a  
14 multijurisdictional housing authority to effect the planning, financing, acquisition, construction,  
15 reconstruction or repair, maintenance, management, and operation of housing projects or  
16 programs pursuant to a multijurisdictional plan in order to provide dwelling accommodations at  
17 rental prices or purchase prices within the means of families of low or moderate income and to  
18 provide affordable housing projects or programs for employees of employers located within the  
19 jurisdiction of the authority; and

20  
21 WHEREAS, pursuant to Title 29, Article 1, Part 2, C.R.S., as amended, and Article XIV,  
22 Section 18 of the State Constitution, governments may contract with one another to provide any  
23 function, service or facility lawfully authorized to each of the contracting units and any such  
24 contract may provide for the joint exercise of the function, service or facility, including the  
25 establishment of a separate legal entity to do so; and

26  
27 WHEREAS, Summit County and Town governments have historically provided  
28 affordable housing services within Summit County pursuant to various authority including but  
29 not limited to the Act and Titles 29 and 30, C.R.S., as amended; and

30  
31 WHEREAS, Summit County and the Towns of Breckenridge, Dillon, Frisco,  
32 Montezuma and Silverthorne previously entered into an Intergovernmental Agreement (“IGA”)  
33 in order to establish and participate in the Summit Combined Housing Authority, and such IGA  
34 has previously been amended by a First Amended IGA and Second Amended IGA; and

35  
36 WHEREAS, the parties desire to further amend the Second Amended IGA by means of  
37 this Third Amended and Restated IGA (“Agreement”).

38  
39 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF  
40 BRECKENRIDGE, COLORADO, as follows:

41  
42 Section 1. The “Third Amended and Restated Intergovernmental Agreement” concerning  
43 the establishment and continuation of the Summit Combined Housing Authority (Exhibit “A”  
44 hereto) is approved; and the Mayor is authorized, empowered, and directed to execute such  
45 Intergovernmental Agreement for an on behalf of the Town of Breckenridge.

1           Section 2. This resolution is effective upon adoption.

2  
3 RESOLUTION APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

4  
5                                   TOWN OF BRECKENRIDGE

6  
7  
8  
9                                   By: \_\_\_\_\_  
10                                   Eric S. Mamula, Mayor

11 ATTEST:

12  
13  
14  
15 \_\_\_\_\_  
16 Helen Cospolich  
17 Town Clerk

18  
19 APPROVED IN FORM

20  
21  
22  
23 \_\_\_\_\_  
24 Town Attorney                   date  
25  
26  
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32

THIRD AMENDED AND RESTATED  
INTERGOVERNMENTAL AGREEMENT

Among

SUMMIT COUNTY, COLORADO And  
THE TOWNS OF BRECKENRIDGE, DILLON, FRISCO, MONTEZUMA AND  
SILVERTHORNE, COLORADO

DRAFT 7-1-16

providing for the establishment of the "Summit Combined Housing Authority" as a  
multijurisdictional housing authority pursuant to Section 29-1-204.5, Colorado Revised  
Statutes, as amended

THIS THIRD AMENDED INTERGOVERNMENTAL AGREEMENT (this "Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, among SUMMIT COUNTY, COLORADO (the "County"), a body corporate and politic and political subdivision of the State of Colorado (the "State"), and THE TOWNS OF BRECKENRIDGE, DILLON, FRISCO, MONTEZUMA AND SILVERTHORNE, COLORADO (the "Towns"), home rule municipalities and political subdivisions of the State. The County and the Towns are referred to collectively herein as "the Members" or individually as "a Member."

WHEREAS, Section 29-1-204.5, Colorado Revised Statutes, as amended (the "Act"), authorizes any combination of home rule or statutory cities, towns, counties, and cities and counties of the State to, by contract with each other, establish a separate governmental entity to be known as a multijurisdictional housing authority to effect the planning, financing, acquisition, construction, reconstruction or repair, maintenance, management, and operation of housing projects or programs pursuant to a multijurisdictional plan in order to provide dwelling accommodations at rental prices or purchase prices within the means of families of low or moderate income and to provide affordable housing projects or programs for employees of employers located within the jurisdiction of the authority; and

WHEREAS, pursuant to title 29, article 1, part 2, Colorado Revised Statutes, as amended (the "Intergovernmental Relations Statute"), and article XIV, section 18 of the State Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility, including the establishment of a separate legal entity to do so; and

WHEREAS, the County and towns have historically provided affordable housing services in the County pursuant to various authority including but not limited to the Act and Title 29, Article 4, Colorado Revised Statutes; and

WHEREAS, the County and the Town of Silverthorne previously entered into an Intergovernmental Agreement in 2002 ("Original IGA") in order to establish the Summit Combined Housing Authority ("Authority"); and

WHEREAS, the Towns of Breckenridge, Dillon and Frisco previously entered into a First Amended Intergovernmental Agreement ("First Amended IGA") in 2006 in order to participate in the governance of the Authority; and ;

WHEREAS, the Town of Montezuma participated in the governance of the Authority pursuant to and in accordance with the Act and a second amendment ("Second Amended IGA"); and

WHEREAS, the parties desire to further amend the Second Amended IGA by means of this Third Amended and Restated IGA ("Agreement").

NOW, THEREFORE, be it covenanted and agreed as follows:

Section 1. Authority and Members. The County and the Towns are hereby established as the Members of the Authority. The Authority shall continue to be a separate

governmental entity and a political subdivision and public corporation of the State pursuant to the Act, the Intergovernmental Relations Statute and the terms of this Agreement.

Section 2. Name. The name of the Authority shall be the "Summit Combined Housing Authority."

Section 3. Purpose. The purpose and function of the Authority shall be to: plan, finance, acquire, construct, reconstruct or repair, maintain, manage, and operate housing projects and programs pursuant to a multijurisdictional plan within the means of families of low or moderate income and to plan, finance, acquire, construct, reconstruct or repair, maintain, manage, and operate affordable housing projects or programs for employees of employers located within the jurisdiction of the Authority, as will be further set forth in the multijurisdictional plan to be adopted by the Authority pursuant to all authority provided by law including, but not limited to, the Act, Titles 29, 30 and 31, Colorado Revised Statutes, and Section 8 hereof.

Section 4. Boundaries. The boundaries of the Authority shall be coterminous with the boundaries of the County.

Section 5. Powers and Duties. The Authority shall have all power, privileges and duties vested in or imposed on it by the Act, by the Intergovernmental Relations Statute, this Agreement and by any other applicable law, subject to the provisions of the Act, the Intergovernmental Relations Statute and any other applicable law.

Section 6. Board of Directors.

(a) Powers and Duties. The Authority shall be governed by a Board of Directors (the "Board") as described in this Section. The Board shall exercise and perform all powers, privileges and duties vested in or imposed on the Authority, including, without limitation, any duties imposed on the Authority by Title 29, Article 1, Parts 1, 5 and 6; and Title 29, Article 4, Colorado Revised Statutes, as amended. Subject to the provisions of the Act and this Agreement, the Board may delegate any of its powers to any director, officer, employee or agent of the Authority.

(b) Directors. The Board shall be composed of one director for each Member. The governing body of each Member shall select and appoint the director for such Member. Each Member may also appoint an Alternate Director as its proxy to attend and represent it at a Board of Directors meeting whenever a Member's regular Director is unable to attend the Board meeting and such Alternate Director may vote in accordance with this Agreement on any matter which may come before the Board.

(c) Terms of Office. The term of office of each director shall commence with his or her appointment and shall continue until the date on which a successor is duly appointed.

(d) Resignation, Removal and Vacancies. Any director may resign at any time, effective upon receipt by the Secretary (described in Section 7, hereof) or the Chair (described in Section 7 hereof) of written notice signed by the person who is resigning; and may be removed at any time by the governing body of the Member that appointed he or she, in its sole and exclusive discretion, effective upon receipt by the Secretary or the

Chair of written notice signed by a duly authorized representative the governing body of the appointing Member. Vacancies in the office of any director shall be filled in the same manner in which the vacant office was originally filled pursuant to subsection (b) of this Section.

(e) Compensation. Directors shall serve without compensation, but may be reimbursed for expenses incurred in serving in such capacities upon such terms and pursuant to such procedures as may be established by the Board.

(f) Resolutions and Voting. All actions of the Board shall be by resolution, which may be written or oral. Resolutions of the Board shall be adopted upon the affirmative vote of at least a majority of a quorum of the directors eligible to vote thereon. A quorum shall consist of a majority of the directors then in office.

(g) Bylaws and Rules. The Board, acting by resolution adopted as provided in subsection (f) of this Section, may adopt bylaws or rules governing the activities of the Authority and the Board, including, but not limited to, bylaws or rules governing the conduct of Board meetings, voting procedures, and the type of resolutions that must be in writing. The bylaws shall be consistent with the Act and this Agreement.

#### Section 7. Officers.

(a) Generally. The Board shall annually select and appoint a Chair, a Vice Chair, a Secretary, a Treasurer and an Executive Director. The Board also may appoint one or more subordinate officers and agents, each of whom shall hold his or her office or agency for such term and shall have such authority, powers and duties as shall be determined from time to time by the Board. The Chair and the Vice Chair shall be directors. Other officers may, but need not, be directors. Any two or more of such offices may be held by the same person, except that the offices of Chair and Secretary may not be held by the same person and the person serving as Executive Director may not hold any other of such offices. All officers of the Authority shall be persons of the age of 18 years or older and shall meet the other qualifications, if any, stated for his or her office elsewhere in this Section.

(b) Chair. The Chair shall have the power to call meetings of the Board; the power to execute, deliver, acknowledge, file and record on behalf of the Authority such documents as may be required by this Agreement, the Act or other applicable law; and such other powers as may be prescribed from time to time by the Board. The Chair may execute and deliver contracts, deeds and other instruments and agreements on behalf of the Authority as are necessary or appropriate in the ordinary course of its activities or as are duly authorized or approved by the Board. The Chair shall have such additional authority, powers and duties as are appropriate and customary for the office of the Chair of the Board of Directors of entities such as the Authority, and as the Board may otherwise prescribe.

(c) Vice Chair. The Vice Chair shall be the officer next in seniority after the Chair and, upon the death, absence or disability of the Chair, shall have the authority, powers and duties of the Chair. The Vice Chair shall have such additional authority, powers and duties as are prescribed by the Board.



(d) Secretary. The Secretary shall give, or cause to be given, notice of all meetings (including special meetings) of the Board, keep written minutes of such meetings, have charge of the Authority's seal, be responsible for the maintenance of all records and files and the preparation and filing of reports to governmental agencies (other than tax returns), have authority to impress or affix the Authority's seal to any instrument requiring it (and, when so impressed or affixed, it may be attested by his or her signature), and have such other authority, powers and duties as are appropriate and customary for the office of Secretary of entities such as the Authority, and as the Board may otherwise prescribe. If a Treasurer has not been appointed, the Secretary shall also serve as Treasurer and may use the title of Treasurer in performing the functions of Treasurer.

(e) Treasurer. The Treasurer shall, subject to rules and procedures established by the Board, be responsible for the custody of the funds and all stocks, bonds and other securities owned by the Authority and shall be responsible for the preparation and filing of all tax returns, if any, required to be filed by the Authority. The Treasurer shall receive all moneys paid to the Authority and, subject to any limits imposed by the Board or the Chair, shall have authority to give receipts and vouchers, to sign and endorse checks and warrants in the Authority's name and on the Authority's behalf, and to give full discharge for the same. The Treasurer shall also have charge of disbursement of the funds of the Authority, shall keep full and accurate records of the receipts and disbursements, and shall deposit all moneys and other valuables in such depositories as shall be designated by the Board. The Treasurer shall deposit and invest all funds of the Authority in accordance with this Agreement and laws of the State applying to the deposit and investment of funds of multijurisdictional housing authorities formed under the Act. The Treasurer shall have such additional authority, powers and duties as are appropriate and customary for the office of Treasurer of entities such as the Authority, and as the Board may otherwise prescribe. If a Treasurer has not been appointed, the Secretary shall also serve as Treasurer and may use the title of Treasurer in performing the functions of Treasurer.

(f) Executive Director. The Executive Director shall be the chief executive officer of the Authority, shall supervise the activities of the Authority, shall see that all policies, directions and orders of the Board are carried out and shall, under the supervision of the Board, have such other authority, powers or duties as may be prescribed by the Board.

(g) Resignation and Removal. Any officer may resign at any time effective upon receipt by the Secretary or the Chair of written notice signed by the person who is resigning, and may be removed at any time by the Board.

(h) Changes to Authority, Powers and Duties. Notwithstanding any other provision of this Article, the Board at any time may expand, limit or modify the authority, powers and duties of any officer.

(i) Vacancies. Vacancies in the office of any officer shall be filled in the same manner in which such office was originally filled.

(j) Compensation. The Authority may compensate officers who are not directors for services performed, and may reimburse them for expenses incurred in serving in such

capacities upon such terms and pursuant to such procedures as may be established by the Board.

Section 8. Multijurisdictional Plan. Pursuant to the Act, the Authority, by resolution of the Board, has adopted a multijurisdictional plan (the "Plan") for the accomplishment of its purpose (as described in Section 3 hereof). The Plan may be amended from time to time and include provision for the succession of the Authority to the rights, privileges, assets, liabilities, obligations and operations of the existing housing authority of the County. Subsequent to the adoption of this Agreement, the Members agree that the Plan shall be amended to also provide a standard affordable housing restrictive covenant/deed restriction for use in conjunction with the development of future affordable housing projects. The restrictive covenant/deed restriction shall ensure that the affordable housing revenues provided hereunder will be used by the Members to provide dwelling accommodations at rental prices or purchase prices within the means of families of low or moderate income and to provide affordable housing projects or programs for employees of employers located within the jurisdiction of the Authority.

#### Section 9. Sources of Revenue.

(a) Expected Sources of Revenue. Subject to the requirements of Article X, Section 20 of the State Constitution, the voting requirements and other provisions of the Act and the requirements hereof, the Members hereby declare the present expectation of the Authority to derive revenues from (i) a sales tax and use tax of 0.125% (hereinafter may be referred to as the "Housing Sales/Use Tax"), (ii) a development impact fee of \$2.00 or less per square foot of new residential, commercial and industrial construction (hereinafter referred to as the "Housing Impact Fee") imposed throughout the boundaries of the Authority pursuant to and in accordance with subsection (3)(f.1) of the Act, and (iii) a sales tax of up to 0.6 % (hereinafter may be referred to as the "Housing Sales Tax"); provided, that such declaration of expectation shall not be construed to obligate the Authority in any way.

(b) Consent for Additional Fees, Taxes. No additional tax or fee shall be imposed by the Authority in excess of the tax or fee described in subsection (a) of this Section without the express written consent of the Members' governing bodies.

(c) Fair Distribution of Revenues. Prior to and as a condition of levying any tax or fee described in subsection (a) of this Section, the Board shall adopt a resolution determining that the levying of such tax or fee will fairly distribute the costs of the Authority's activities among the persons and businesses benefited thereby and will not impose an undue burden on any particular group of persons or businesses.

(d) Coordination of Sales and Use Tax Collection with Department of Revenue. The Authority designates the County Finance Officer as the financial officer who shall coordinate with the State Department of Revenue regarding the collection of any sales and/or use taxes described in this Section. Such coordination shall include but not be limited to the financial officer identifying those businesses eligible to collect the sales and /or taxes and any other administrative details identified by the Department of Revenue.

#### Section 10. Revenue Distribution, Allocated Share of Administrative Expenses.

(a) Administrative Expenses. The annual administrative budget of the Authority, as such expenditures are described in the approved annual budget for the Authority, shall be funded from the Housing Sales/Use Tax levied by the Authority. Each month, the Authority shall retain from each Member's distribution of the Housing Sales/Use Tax revenues an amount equal to 1/12 of such Member's Allocated Share of the administrative expenses of the Authority (as defined in subsection (b), below) .. Notwithstanding Section 6(f) above, approval of the annual administrative budget of the Authority and any amendments thereto shall require the affirmative votes of the following number of directors:

<u>Number of Members of the Authority</u>	<u>Votes Required to Approve Budget</u>
2	2
3	2
4	3
5	4
6	4
7	5

(b) Allocated Share. The 2007 annual administrative budget for the Authority was \$151,536. Such expenditures were allocated among the Members as follows (such amounts being the "Allocated Share"):

- i. Summit County –\$35,367
- ii. Breckenridge - \$39,713
- iii. Dillon - \$19,364
- iv. Frisco - \$27,822
- v. Montezuma - \$0
- vi. Silverthorne - \$29,270

Total = \$151,536

Beginning in 2017, each Member's Allocated Share shall be determined based on the same allocation unless another formula is agreed upon by the Members and approved by the Board.

(c) The Authority shall maintain accurate records of the services it provides to the Members during each calendar year and shall report to the Board as directed regarding the quantity of such services provided to each Member. The Members intend to develop and agree upon a new Allocated Share schedule based on the amount of Authority services provided to each Member, which schedule shall supersede the Allocated Share percentages listed above upon approval by the Board.

(d) Notwithstanding subparagraphs (a) and (b) above, any tax revenues collected from an incorporated area of Summit County that is not within the jurisdiction of a Member shall be retained by the Authority. Furthermore, if for any reason any of the above-listed Members are not a party to this Agreement, the remaining Members shall amend this Agreement for the purpose of adjusting the Allocated Share percentages as

shall be mutually agreed to.

(e) Tax Distribution to Members. Each month the Authority shall distribute to each Member all tax revenues collected from within the jurisdiction of a Member, less the amount to be retained to pay the Authority's administrative expenses as provided in Section 10(a).

(f) Impact Fee Distribution to Members. Any Housing Impact Fee imposed by the Authority shall be administered and collected by each Member for all new residential, commercial and industrial construction within the jurisdiction of such Member. The Housing Impact Fee shall not be imposed by the Authority within an incorporated area of Summit County that is not within the jurisdiction of a Member. All Housing Impact Fee revenues collected by a Member shall be retained by such Member. A Member may develop and implement a system to (i) provide a credit or offset against a Housing Impact Fee in favor of a developer who provides affordable housing for its project pursuant to the Member's land use development laws, and (ii) provide a voluntary endowment restrictive covenant system or other mechanism authorizing a property owner to defer collection of the Housing Impact Fee.

(g) County Jurisdiction. For purposes of this Section 10 only, the jurisdiction of the County shall be deemed to be the unincorporated area of Summit County.

#### Section 11. Amendment of Agreement; Additional Members.

(a) Generally. Except as otherwise provided in this Section, this Agreement may be modified or amended only by the express approval of the governing bodies of all Members.

(b) Amendment to Provide for Additional Members. This Agreement may be amended to add one or more additional Members upon: (i) resolution of the Board providing for such amendment adopted as provided herein and (ii) approval of such amendment by the governing body of the prospective additional Member and each then existing Member.

#### Section 12. Term of Agreement and Distribution of Assets Upon Termination of Agreement.

(a) Effective Date. The term of this Agreement shall begin when the County and all other Members have executed this Agreement. Upon such execution, this Agreement shall supersede the Original IGA, the First Amended IGA, and the Second Amended IGA and the Authority shall continue in accordance with the terms of this Agreement.

(b) Termination. The term of this Agreement shall end when less than two Members are willing to remain as parties to this Agreement; provided, however, that this Agreement may not be terminated so long as the Authority has any bonds, notes or other obligations outstanding, unless provision for full payment of such obligations, by escrow or otherwise, has been made pursuant to the terms of such obligations.

(c) Distribution of Assets Upon Termination. Upon termination of this Agreement pursuant to subsection (b) of this Section, after payment of all bonds, notes and other

obligations of the Authority, the net assets of the Authority shall be distributed to the parties who are Members at such time in such proportion as shall be agreed to by such Members at such time.

Section 13. Execution and Performance of Agreement in Accordance with Law. Each Member hereby represents to each other Member that it has adopted and executed this Agreement in accordance with applicable law. Each Member and the Authority shall perform their respective obligations and expend any revenues derived hereunder for housing projects or programs in accordance with all applicable laws, rules and regulations, including but not limited to (a) the Act, (b) the terms of any approved ballot measures referred by the Authority, (c) authorized resolutions of the Authority regarding any sales Tax, use Tax or impact fee, (d) the multijurisdictional housing plan adopted by the Authority, and (e) the provisions of title 29, article 1, part 8, Colorado Revised Statutes.

Section 14. Indemnification. All actions or omissions by any Member or the Authority (hereinafter referred to as a Party or collectively the Parties), including their respective representatives, employees, agents, volunteers or officials, shall be the sole responsibility of the respective Party. Accordingly, each Party shall fully indemnify, to the extent permissible under Colorado law, all other Parties for any damages, claims, costs, expenses, cause of action or liability of any manner, including without limit reasonable attorneys fees, arising out of or relating to the acts or omissions of such Party. The Parties hereto understand and agree that liability for claims for injuries to persons or property arising out of the actions or omissions of any Party is controlled and limited by the provisions of the Colorado Governmental Immunity Act (Immunity Act) title 24, article 10, Colorado Revised Statutes, as now or hereafter amended and that the Parties do not intend to waive by any provision of this Agreement the liability limitations or any other right, immunity or protection afforded by the Immunity Act or as may otherwise be afforded by law.

Section 15. Parties in Interest: Nothing expressed or implied herein is intended or shall be construed to confer upon any person other than the Members any right, remedy or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the Members.

Section 16. No Personal Liability. No covenant or agreement contained in this Agreement or any resolution or bylaw adopted by the Board shall be deemed to be the covenant or agreement of an elected or appointed official, officer, agent, servant or employee of any Member in his or her individual capacity.

Section 17. Notices. Except as otherwise provided in this Agreement, all notices or other communications by the Authority, any Member, any Director or any Officer shall be in writing or in person; shall be given in a reasonable time and shall be deemed given when actually received. Notice to the Members, any Director, the Authority or any Officers shall be given to the address listed on Exhibit A, attached and incorporated herein, or at the last address designated by the Authority for such purpose and, in the case of such other persons, at the last address specified by them in writing to the Secretary of the Authority. Notice may also be delivered in electronic form by facsimile or electronic mail to the addresses listed on Exhibit A.

Section 18. Assignment. None of the rights or benefits of any Member may be assigned, nor may any of the duties or obligations of any Member be delegated, without the express written consent of all the Members.

Section 19. Severability. If any clause, provision, subsection, or Section of this Agreement shall be held to be invalid, illegal or unenforceable for any reason, the invalidity, illegality or enforceability of such clause, provision, subsection, or Section shall not affect any of the remaining provisions of this Agreement.

Section 20. Interpretation. Subject only to the express limitations set forth herein, this Agreement shall be liberally construed (a) to permit the Authority and the Members to exercise all powers that may be exercised by a multijurisdictional housing authority pursuant to the Act and by a separate legal entity created by a contract among the Members pursuant to the Intergovernmental Relations Statute; (b) to permit the Members to exercise all powers that may be exercised by them with respect to the subject matter of this Agreement pursuant to the Act, the Intergovernmental Relations Statute and other applicable law; and (c) to permit the Board to exercise all powers that may be exercised by the board of directors of a multijurisdictional housing authority pursuant to the Act and by the governing body of a separate legal entity created by a contract among the Members pursuant to the Intergovernmental Relations Statute. In the event of any conflict between the Act, the Intergovernmental Relations Statute or any other law with respect to the exercise of any such power, the provision that permits the broadest exercise of the power consistent with the limitations set forth in this Agreement shall control.

Section 21. Administrative Contract with Summit County Housing Authority or Summit County Government/Member. The Authority may enter into an agreement with the existing Summit County Housing Authority, Summit County Government, or other Member to allow the Summit County Housing Authority, Summit County Government, or other Member to perform, supervise or provide any of the duties, functions, facilities or services of the Authority. Such agreement may provide for (i) the Authority employees to be subject to all Summit County (or other Member) personnel policies and procedures and eligible for all Summit County (or other Member) benefits available to like employees, and (ii) the Authority's financial, operational and budgetary processes to be subject to all Summit County (or other Member) financial and budgetary processes.

Section 22. Governing Law. The laws of the State shall govern the construction and enforcement of this Agreement.

Section 23. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same Agreement.

IN WITNESS WHEREOF, this Agreement has been executed by the Members effective the effective date set forth above.

SUMMIT COUNTY, COLORADO

By: \_\_\_\_\_  
Thomas C. Davidson, Chair

ATTEST:

By: \_\_\_\_\_  
Kathleen Neel, Clerk and Recorder

TOWN OF BRECKENRIDGE

By: \_\_\_\_\_  
Eric Mamula, Mayor

ATTEST:

By: \_\_\_\_\_  
Town Clerk

TOWN OF DILLON

By: \_\_\_\_\_  
Kevin Burns, Mayor

ATTEST:

By: \_\_\_\_\_  
Town Clerk

TOWN OF FRISCO

By: \_\_\_\_\_  
Gary Wilkinson, Mayor

ATTEST:

By: \_\_\_\_\_  
Town Clerk

TOWN OF MONTEZUMA

By: \_\_\_\_\_  
Leslie Davis, Mayor

ATTEST:

By: \_\_\_\_\_  
Town Clerk

TOWN OF SILVERTHORNE

By: \_\_\_\_\_  
Bruce Butler, Mayor

ATTEST:

By: \_\_\_\_\_  
Town Clerk



**APPENDIX A**

**FIRST AMENDED INTERGOVERNMENTAL AGREEMENT**

**HOUSING IMPACT FEE SCHEDULE**

**Commercial and Industrial Construction:** \$2.00 per square foot

**Residential Construction:**

**Single Family Homes**

- 1499 square feet or less - \$.0
- 1500 to 2499 square feet - \$.50 per square foot
- 2500 to 3499 square feet - \$1.00 per square foot
- 3500 to 4999 square feet - \$1.50 per square foot
- 5000+ square feet - \$2.00 per square foot

**Residential Other**

- 999 square feet or less - \$.0
- 1000 to 1499 square feet - \$.50 per square foot
- 1500 to 2499 square feet - \$1.00 per square foot
- 2500+ square feet - \$2.00 per square foot

**SUMMIT COMBINED HOUSING AUTHORITY  
2016 DRAFT REFERRED MEASURE  
7-1-16**

**SUMMIT COMBINED HOUSING AUTHORITY REFERRED MEASURE \_\_\_\_ -  
AUTHORIZING A TEMPORARY SALES AND USE TAX OF SIX TENTHS OF  
ONE PERCENT (0.6 %) FOR AFFORDABLE HOUSING PURPOSES**

**SHALL THE SUMMIT COMBINED HOUSING AUTHORITY'S TAXES BE  
INCREASED \$7,800,000 ANNUALLY COMMENCING IN 2017, AND BY  
WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY  
THEREAFTER FOR A PERIOD OF TEN YEARS, FROM A SIX TENTHS OF ONE  
PERCENT (0.6 %) SALES TAX WITHIN SUMMIT COUNTY TO BE USED FOR  
AFFORDABLE HOUSING PURPOSES TO HELP LOCAL WORKING FAMILIES  
CONTINUE TO LIVE IN OUR COMMUNITY, INCLUDING BUT NOT LIMITED  
TO CONSTRUCTING AFFORDABLE WORKFORCE RENTAL AND OWNER-  
OCCUPIED HOUSING UNITS AND SHALL SUCH REVENUES BE COLLECTED  
AND SPENT WITHOUT LIMITATION OR CONDITION UNDER ARTICLE X,  
SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?**



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## MEMORANDUM

**TO:** Town Council

**FROM:** Michael Mosher, Planner III

**DATE:** July 6, 2016 (For Meeting July, 12, 2016)

**SUBJECT:** Town Project: Carter Museum Public Restrooms (PL-2016-0172)

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The Carter Museum Public Restrooms are being reviewed as a Town Project. All public noticing requirements for the approval of a Town Project have been fulfilled as required under the adopted Town Projects Ordinance amendment (by Council Bill No. 1, Series 2013).

The proposed building, with added improvements, will create a public restroom at the northwest portion of Lot 17, Tract B Abbett Addition. This restroom is adjacent to the Carter Museum and Prospector Park.

The original building is known as the Wentzell cabin and originated outside of Breckenridge in the early 1900's. It has been disassembled and moved twice and is not considered a "Contributing" structure as defined in the *Handbook of Design Standards for the Historic and Conservation Districts*. After its placement and rehabilitation on the Carter Museum property, the building would best qualify as a "Supporting" structure as described in the attached Staff Report.

The Planning Commission held a public hearing July 5th and recommended the Town Council approve the Carter Museum Public Restrooms as presented.

Attached to this memo is a Staff Report, substantially the same as presented to the Planning Commission and attachments including site plan and elevations.

If the Council agrees with the Planning Commission's recommendation, a motion for approval is provided below.

***"I make a motion to approve the Carter Museum Public restrooms located at 113 N. Ridge Street, PL-2016-0172 with a passing point analysis of positive zero (0) points and the attached Findings."***

Staff will be available at the meeting to present the project and answer any questions.

## Town Council Staff Report

**Subject:** The Carter Museum Public Restrooms  
(Town Project; PL-2016-0172)

**Proposal:** Using an existing log cabin (aka Wentzell Cabin), moved from another site outside of Breckenridge, with added improvements to create a public restroom at the northwest portion of Lot 17, Tract B, Abbett Addition. This restroom is adjacent to the Carter Museum and Prospector Park.

**Date:** July 6, 2016 (For meeting of July 12, 2016)

**Project Manager:** Michael Mosher, Planner III

**Applicant/Owner:** Town of Breckenridge

**Agent:** Neely Architecture, Lee “Sonny” Neely

**Address:** 113 North Ridge St.

**Legal Description:** Tract B Abbett Addition, a resubdivision of Lot 17, Abbett Addition to the Town of Breckenridge

**Site Area:** 0.254 acres (11,105 sq. ft.)

**Land Use District:** 18.2 Commercial, 1:1 Floor Area Ratio (FAR); Residential 20 Units per Acre (UPA)

**Historic District:** #2, North End Residential Character Area

**Site Conditions:** This portion of the Carter Museum property has some existing trees at the northwest corner and southeast corner. A medium-size non-historic shed is located at the northwest corner of the property.

**Adjacent Uses:** North: Wellington Road, McGraphix Created & Consulting (Commercial use)  
South: Carter Museum  
East: Single-family residences  
West: Town alley and Prospector Park

**Density:**

Allowed under LUGs:	11,105 sq. ft.
Remaining after TDR (see below):	4,000 sq. ft.
Existing density:	340 sq. ft. (approx.)
Proposed density:	544 sq. ft.

**Above Ground Density:**

Allowed @ 9UPA:	3,671 sq. ft.
Proposed @ 1.0 UPA:	272 sq. ft.

**Mass:** Allowed under LUGs: 11,105 sq. ft.

Remaining after TDR: 4,000 sq. ft.  
Proposed mass: 272 sq. ft.

**Height:** Recommended: 26-foot Absolute and 23-foot Relative (mean)  
Proposed (Existing): 15-foot (mean); 18-foot (overall)

### **Item History**

The Wentzell historic cabin, pictured below, originated in the Swan River Valley in early 1900's as an old mining cabin. Gerry Peterson acquired the cabin in the late 1980's and moved it to his property by taking it apart and rebuilding it again. Later, Mr. Wentzell acquired the cabin from Gerry Peterson and moved (again) it to property (off Baldy Road) and rebuilt it in the late 90's, "Lincoln Log" style. After recent Forest Service investigations, it was determined that the cabin was placed on national forest land adjacent to the property that the Wentzells own (i.e., the Terrible Lode). Recently, the Town and County entered a sales contract with the Wentzells to purchase the Terrible Lode for open space, with certain conditions attached regarding removal of the historic cabin from the national forest land.

After acquiring and assuming ownership of the Terrible Lode property, the Town of Breckenridge Open Space program is required by the Forest Service to remove all buildings / structures from the site. The Town's Open Space and the Breckenridge Heritage Alliance are always trying to find creative ways to reuse, repurpose existing buildings. The Wentzell Cabin is an example of such.

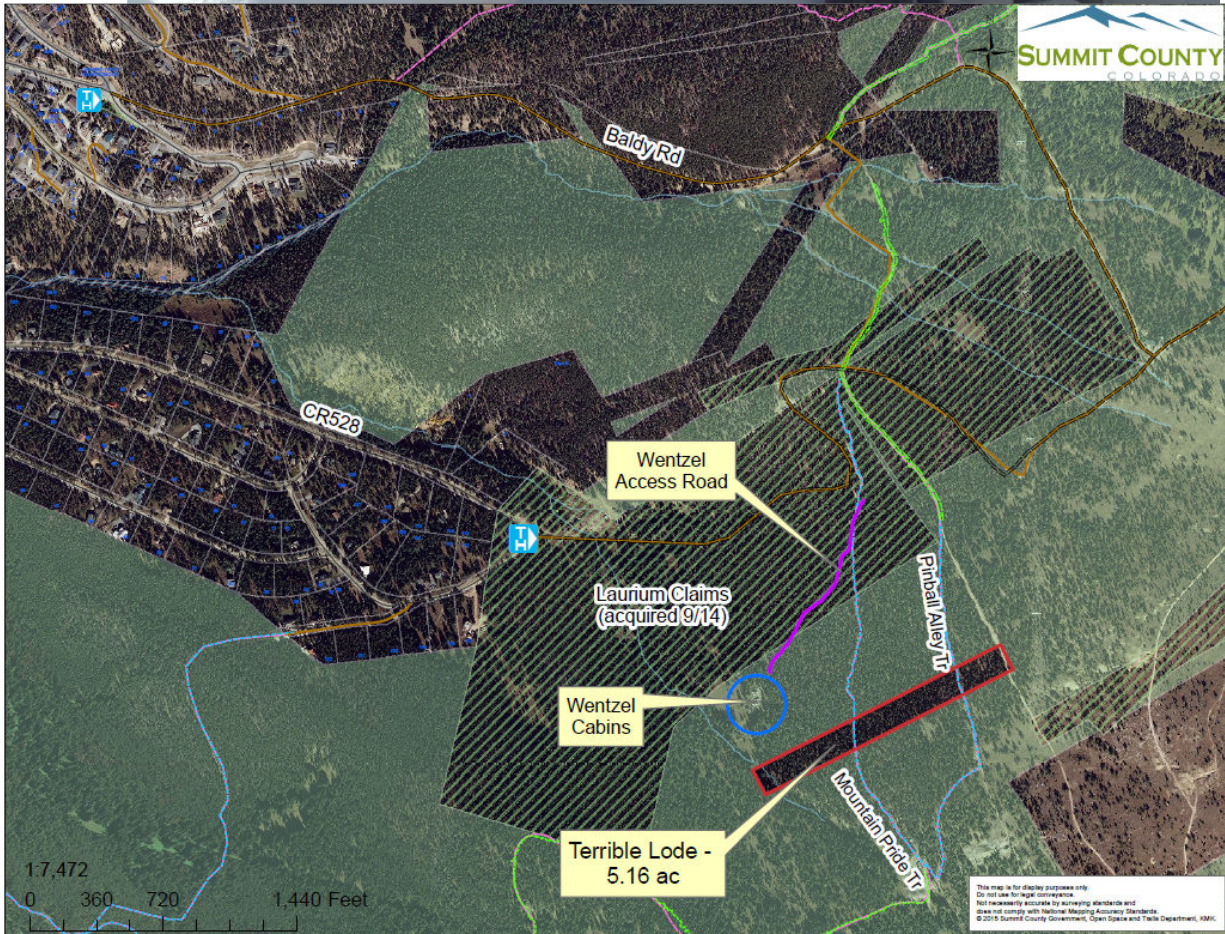
Staff notes that this building originated outside of Breckenridge, has been disassembled twice and is not a "Contributing" as defined in the *Handbook of Design Standards for the Historic and Conservation Districts*. The building would best qualify as a "Supporting" structure.

#### *Supporting category*

*These are typically buildings that are newer than the period of historic significance and therefore do not contribute to our ability to interpret the history of Breckenridge. They do, however, express certain design characteristics that are compatible with the architectural character of the historic district. They are "good neighbors" to older buildings in the vicinity and therefore support the visual character of the district. New building designs that represent the current period in towns development are permitted and would be classified in this category.*

*Other structures within this category are in fact "old" structures, but they had been altered to such an extent that their historic integrity is lost. Because of their general compatible scale, materials, overall character, however, they still support the visual character of the district even though they no longer help us to interpret the town's **genuine** history.* (Highlight added.)

The Town Council has seen a community need for a public restroom on the north end of Main Street. This proposal is intended to serve that need.



## Staff Comments

**Density/Intensity (3/A & 3/R)/Mass (4/R):** On April 24, 2012 the Town Council adopted a resolution transferring 9 SFEs of density off of this property to the Valley Brook Housing project. By this resolution (No. 9, Series 2012,) there are 4 SFEs of density remaining on this property. The proposed density and mass for this proposal along with that of the existing Museum falls below the allowed density and mass for this property. The Planning Commission has no concerns.

**Placement of Structures (9/A & 9/R):** The restroom has been located in a manner to be utilized by both the museum and the park below. However, this location straddles a property line (see attached site plan). As a Town project, no specific Condition of Approval has been added to the attached Findings. We note that, as presented, the placement of the restrooms do not abide with this policy. Prior to construction, Staff will be sure that the property will be subdivided to abandon this property line.

The existing non historic shed at the northwest corner of the site shall be removed with this application. The exposed portion of the property, after its removal, will be revegetated.

**Access / Circulation (16/A & 16/R; 17/A & 17/R):** The proposed restrooms (there will be two unisex restrooms) are both handicap accessible. Access to the restrooms will be available from the Carter Museum and from Prospector Park to the west. Planning Commission has no concerns with access and circulation.

**The Social Community (24/A & 24/R):** As this restroom is located within the North End Residential Character, the design standards of the Handbook of Design Standards for the Historic and Conservation Districts apply. Buildings in this area are representative of several development areas, including the early Settlement and Camp Phase log cabins (such as the Carter Museum) and clapboard sided houses from the town phase.

The Planning Commission supports utilizing a log cabin form for these public restrooms is in keeping with the design standards for this Character Area and believed it will complement the museum as an addition per Policy 147.

Per the *Design Standards for the Historic District Character Area #2, North end Residential*, barns, storage sheds and outhouses are typical building types that are part of historic Breckenridge. Design Standard 147 recommends secondary structures in this Character Area. The Carter Museum is the primary structure. Design standard 147 identifies utilizing secondary structures for usable functions on the property. This policy also asks that simple building forms and materials be used for the structures.

Per the Design Standards the Carter Museum merits special attention. Development in the vicinity of this site should be especially sensitive to this context. The open space of the Carter Museum site itself is also important as it helps to provide a sense of the original setting of the building. Part of this development permit involves removing the non-historic shed that lies at the northwest corner of the site. The proposed restrooms will be located south of the shed location maintaining the same amount of open space on the property. Priority Policy 134 states: *“Provide substantial front and side yards”*. The Planning Commission supports the location and believes this policy has been met with the location of the restroom. The Planning Commission has no concerns.

The amount of paving on this property has been kept to a minimum as suggested by Priority Policy 135. Priority Policy 138 states that *“New buildings should be in scale with existing historic and*

*supporting buildings and the North End*". Both the Carter Museum and the proposed restroom abide with this policy. The Planning Commission has no concerns.

As a secondary building located at the rear of the property, staff considers it to be an "outbuilding". The square footage of the building falls below the historic scale/range of between 720 and 900 square feet. In keeping with Priority Policy 140 and Priority Policy 141, the building utilizes a simple roof form. A small porch will be added to the front and back of the cabin. The front porch is a simple shed design keeping water/snow away from the entry ramp. The rear porch projects a stairwell that leads to a new basement of the cabin. (The basement will be used for the needed supplies and other functions of the restroom.)

Design Standard 149 states "Use porches to define primary entrances to buildings".

- *Roofs over porches are usually arranged in one of two ways: Where the ridge line of the main roof is perpendicular to the street, the porch appears as a subordinate attachment to the end elevation.*
- *Where the ridge line of the main roof is parallel to the street, the porch usually appears to be a more integral element to the building.*

Both options may be considered. For this application, both the front and the back porches are an integral element to the building. The Planning Commission finds that the design meets the intent of this policy.

The proposed additions and finishes that will be added to the cabin will complement the character of the logs. Per Priority Policy 146, the proposed roof materials are similar to those found historically. The main roof of the cabin will be asphalt shingles. The secondary roofs will be rusted corrugated metal. The new porch will be constructed of logs to match the cabin. The simple guardrail will be rough sawn nominal size lumber. A corrugated metal wainscot will wrap the bottom of the logs to protect them from the elements. All stains will complement the existing log cabin. See below:

*Cabin:*

Roof:  
50 year asphalt shingles

'Shenandoah"  
[Certainced Landmark T/L](#)



*Porch*

*Addition:*

Roof: 7/8" Corrugated metal  
with rusted finish



**Point Analysis (Section: 9-1-17-3):** The Planning Commission finds that this application passes all absolute policies of the Development Code and has not incurred any positive or negative points under any relative policies.

### **Planning Commission Recommendation**

The Planning Commission recommends the Town Council approve the Carter Museum Public Restrooms located at 113 N. Ridge Street (PL-2016-0172) with the attached Findings.



<b>Final Hearing Impact Analysis</b>				
Project:	The Carter Museum Public Restrooms	<b>Positive Points</b>	<b>0</b>	
PL#	PL-2016-0172			
Date:	7/6/2016	<b>Negative Points</b>	<b>0</b>	
Staff:	Michael Mosher, Planner III			
		<b>Total Allocation:</b>	<b>0</b>	
Items left blank are either not applicable or have no comment				
<b>Sect.</b>	<b>Policy</b>	<b>Range</b>	<b>Points</b>	<b>Comments</b>
1/A	<b>Codes, Correlative Documents &amp; Plat Notes</b>	Complies		
2/A	<b>Land Use Guidelines</b>	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	<b>Density/Intensity</b>	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)		
4/R	Mass	5x (-2>-20)		
5/A	<b>Architectural Compatibility / (Historic Above Ground Density)</b>	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)		
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	<b>Building Height</b>	Complies		
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		
7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	<b>Ridgeline and Hillside Development</b>	Complies		
9/A	<b>Placement of Structures</b>	Complies		
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	<b>Snow Removal/Storage</b>	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		
14/A	<b>Storage</b>	Complies		
14/R	Storage	2x(-2/0)		
15/A	<b>Refuse</b>	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	<b>External Circulation</b>	Complies		
18/A	<b>Parking</b>	Complies		

18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	<b>Loading</b>	Complies		
20/R	Recreation Facilities	3x(-2/+2)		
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	<b>Landscaping</b>	Complies		
22/R	Landscaping	2x(-1/+3)		
24/A	<b>Social Community</b>	Complies		
24/A	Social Community / Above Ground Density 12 UPA	(-3>-18)		
24/A	Social Community / Above Ground Density 10 UPA	(-3>-6)		The above ground density for this proposal will well below this standard. The open space of the Carter Museum site itself is also important as it helps to provide a sense of the original setting of the building." Part of this development permit involves removing the non-historic shed that lies at the northwest corner of the site. The proposed restrooms will be located south of the shed location maintaining the same amount of open space on the property.
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
24/R	Architectural Compatibility / Conservation District	5x(-5/0)		
24/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
24/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	<b>Infrastructure</b>	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	<b>Drainage</b>	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	<b>Utilities - Power lines</b>	Complies		
29/A	<b>Construction Activities</b>	Complies		
30/A	<b>Air Quality</b>	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	<b>Water Quality</b>	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	<b>Water Conservation</b>	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		

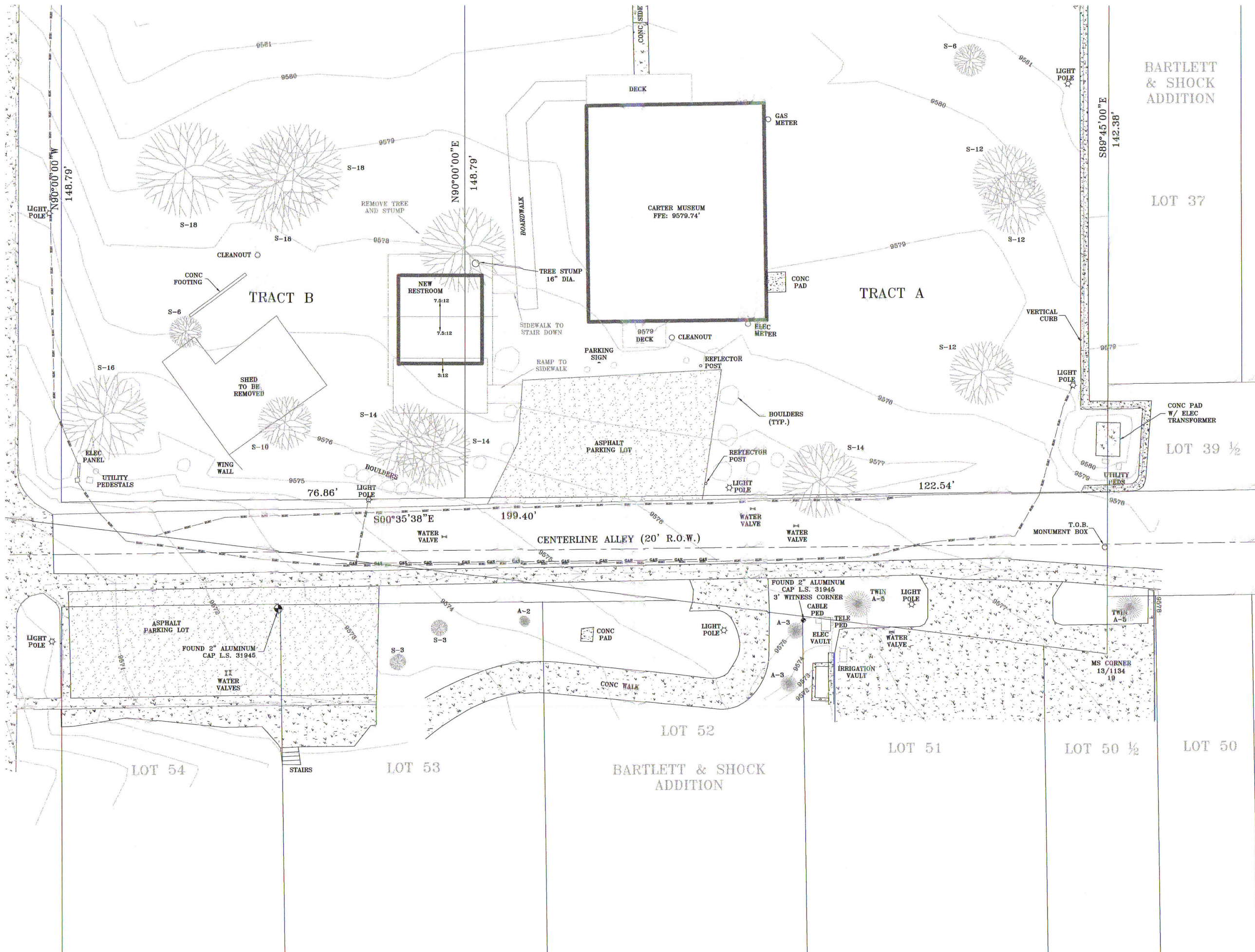
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		
33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	<b>Hazardous Conditions</b>	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	<b>Subdivision</b>	Complies		
36/A	<b>Temporary Structures</b>	Complies		
37/A	<b>Special Areas</b>	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37/R	Cucumber Gulch/Setbacks	2x(0/+2)		
37/R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	<b>Home Occupation</b>	Complies		
39/A	<b>Master Plan</b>	Complies		
40/A	<b>Chalet House</b>	Complies		
41/A	<b>Satellite Earth Station Antennas</b>	Complies		
42/A	<b>Exterior Loudspeakers</b>	Complies		
43/A	<b>Public Art</b>	Complies		
43/R	Public Art	1x(0/+1)		
44/A	<b>Radio Broadcasts</b>	Complies		
45/A	<b>Special Commercial Events</b>	Complies		
46/A	<b>Exterior Lighting</b>	Complies		
47/A	<b>Fences, Gates And Gateway Entrance Monuments</b>	Complies		
48/A	<b>Voluntary Defensible Space</b>	Complies		
49/A	<b>Vendor Carts</b>	Complies		

## TOWN OF BRECKENRIDGE

**The Carter Museum Public Restrooms  
Tract B, Abbett Addition, a resubdivision of Lot 17, Abbett Addition  
113 North Ridge St.  
PL-2016-0172**

### FINDINGS

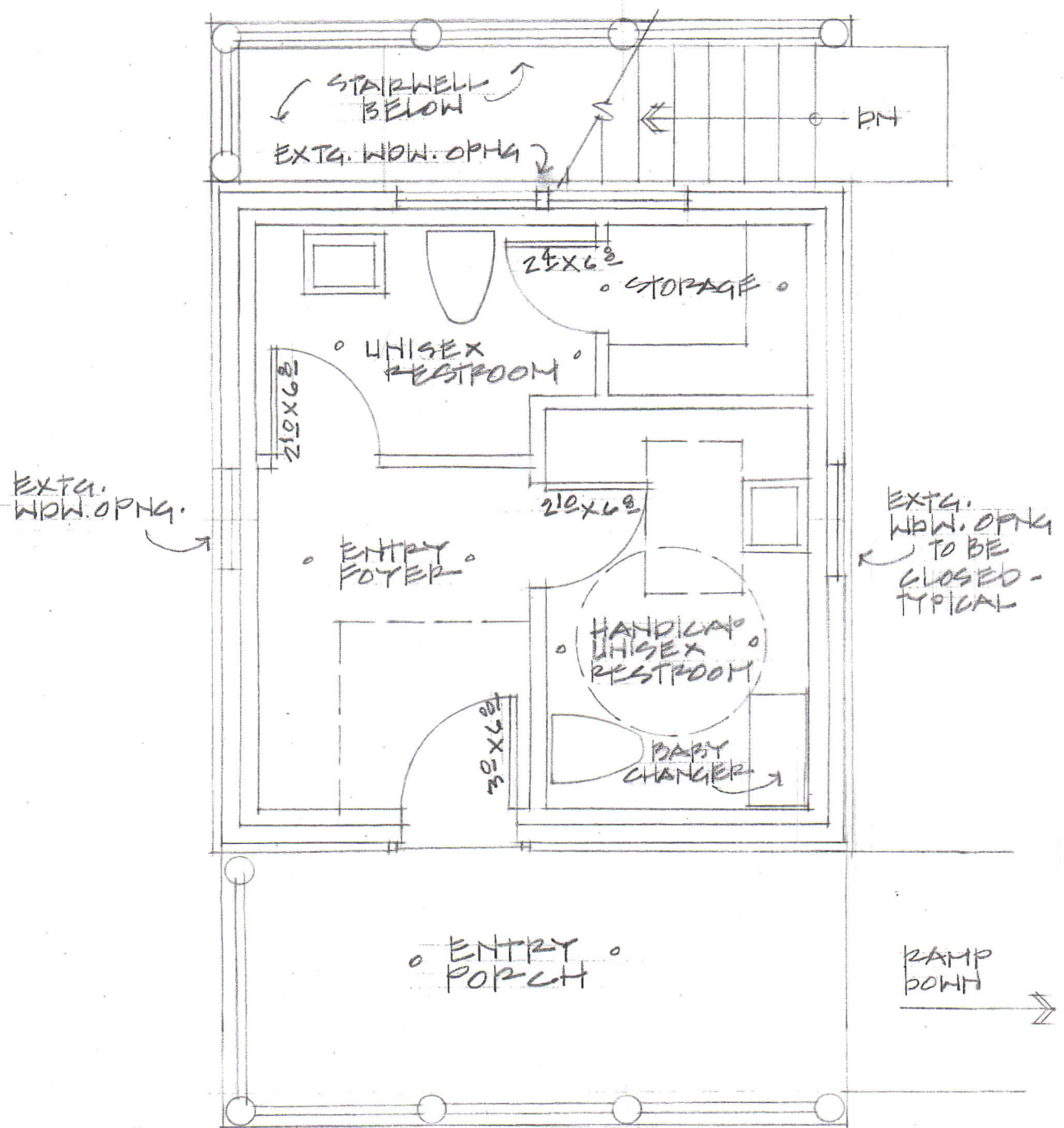
1. This project is “Town Project” as defined in Section 9-4-1 of the Breckenridge Town Code because it involves the planning and design of a public project.
2. The process for the review and approval of a Town Project as described in Section 9-14-4 of the Breckenridge Town Code was followed in connection with the approval of this Town Project.
3. The Planning Commission reviewed and considered this Town Project on July 5, 2016. In connection with its review of this Town Project, the Planning Commission scheduled and held a public hearing on July 5, 2016, notice of which was published on the Town’s website for at least five (5) days prior to the hearing as required by Section 9-14-4(2) of the Breckenridge Town Code. At the conclusion of its public hearing, the Planning Commission recommended approval of this Town Project to the Town Council.
4. The Town Council’s final decision with respect to this Town Project was made at the regular meeting of the Town Council that was held on July 12, 2016. This Town Project was listed on the Town Council’s agenda for the July 12, 2016 agenda that was posted in advance of the meeting on the Town’s website. Before making its final decision with respect to this Town Project, the Town Council accepted and considered any public comment that was offered.
5. Before approving this Town Project the Town Council received from the Director of the Department of Community Development, and gave due consideration to, a point analysis for the Town Project in the same manner as a point analysis is prepared for a final hearing on a Class A development permit application under the Town’s Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code).
6. The Town Council finds and determines that the Town Project is necessary or advisable for the public good, and that the Town Project shall be undertaken by the Town.



**NEELY ARCHITECTURE**  
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 Fax 547-0564  
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**CARTER MUSEUM SITE PLAN**  
**NEW RESTROOM**  
**BRECKENRIDGE, CO**

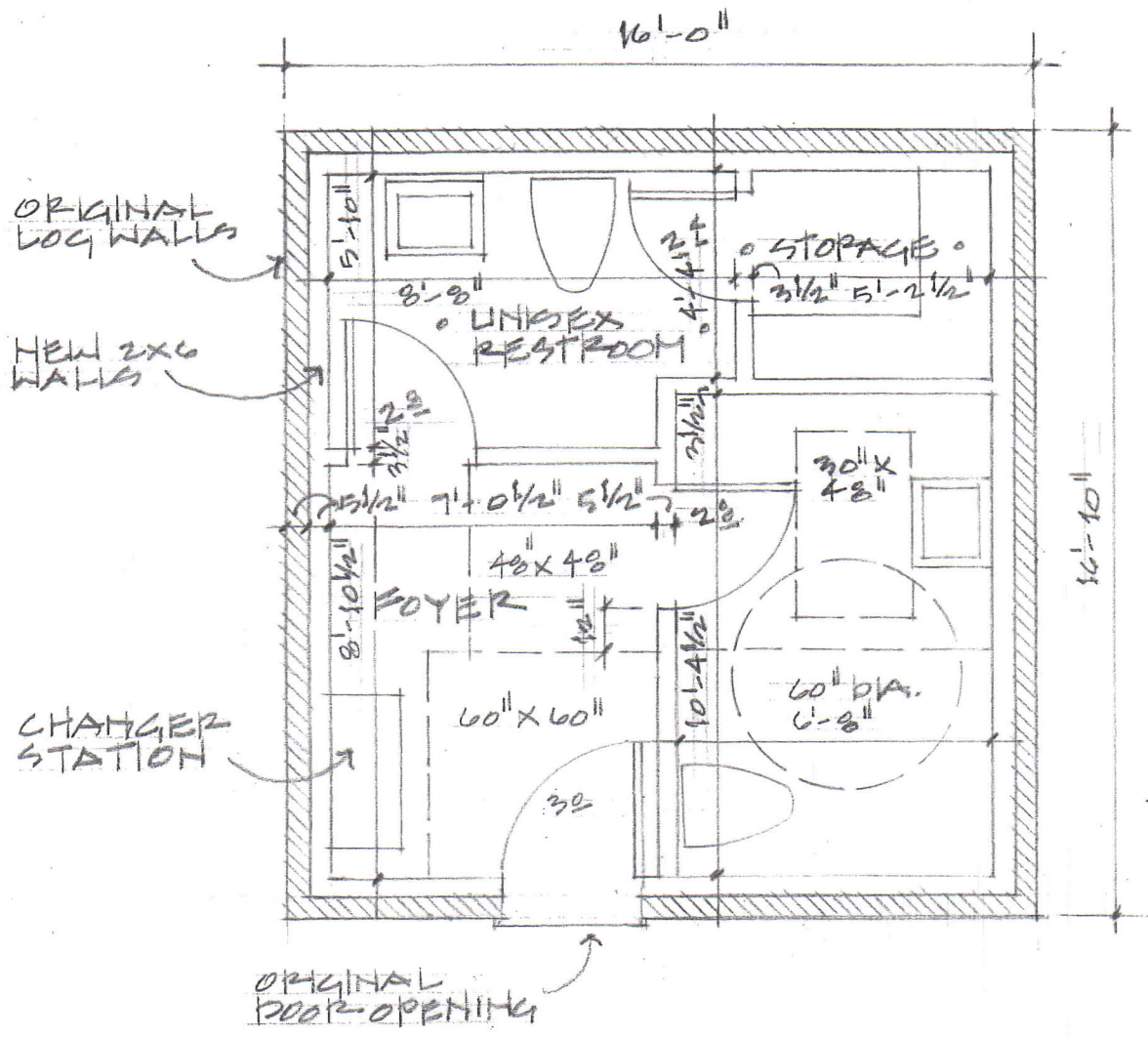
JOB NUMBER	2277
DATE	5/20/16
A1	



CARTER MUSEUM MAIN  
LEVEL FLOOR PLAN

4/20/16

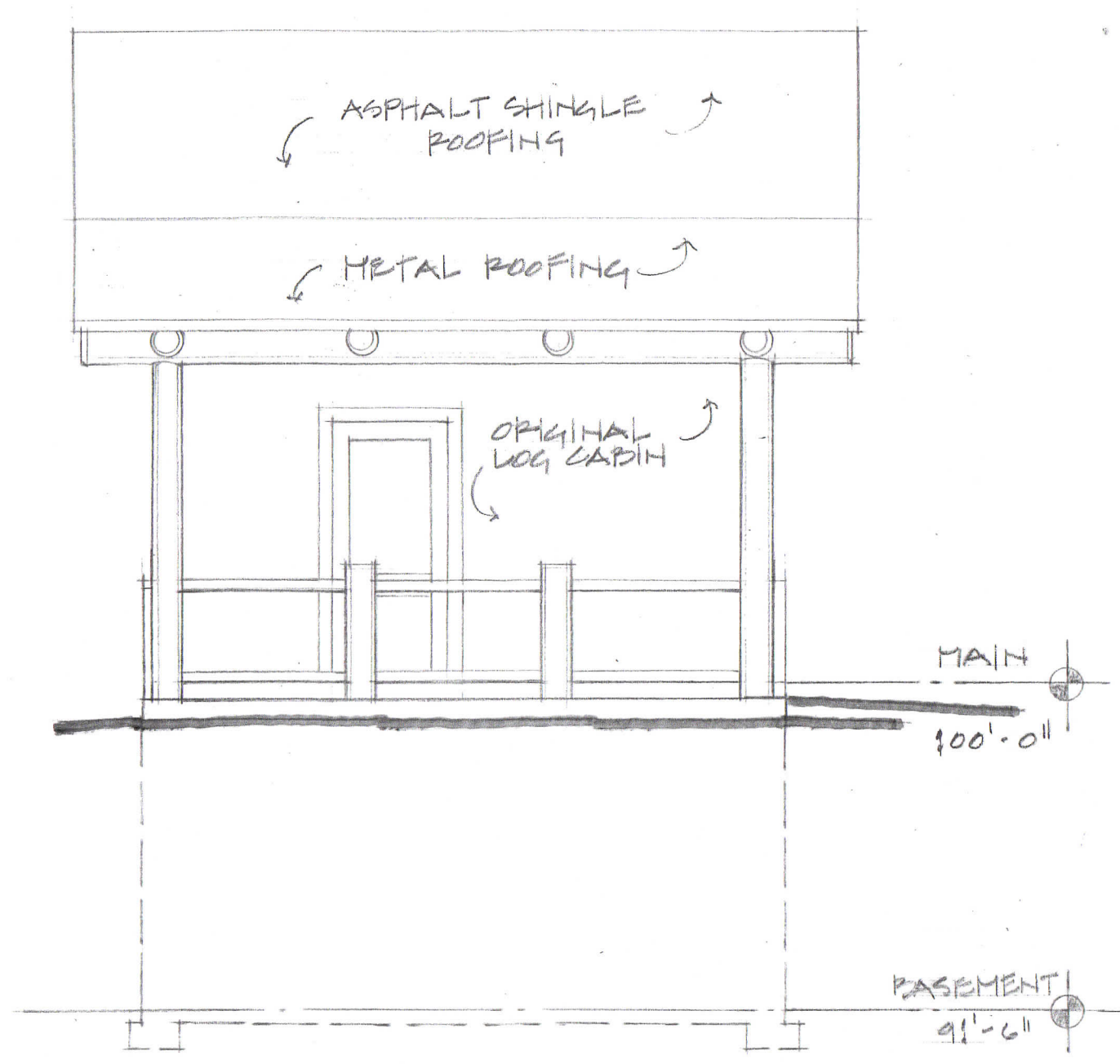
1/4" = 1'-0"



CARTER MUSEUM CONCEPTUAL  
RESTROOM FLOOR PLAN

2/19/16

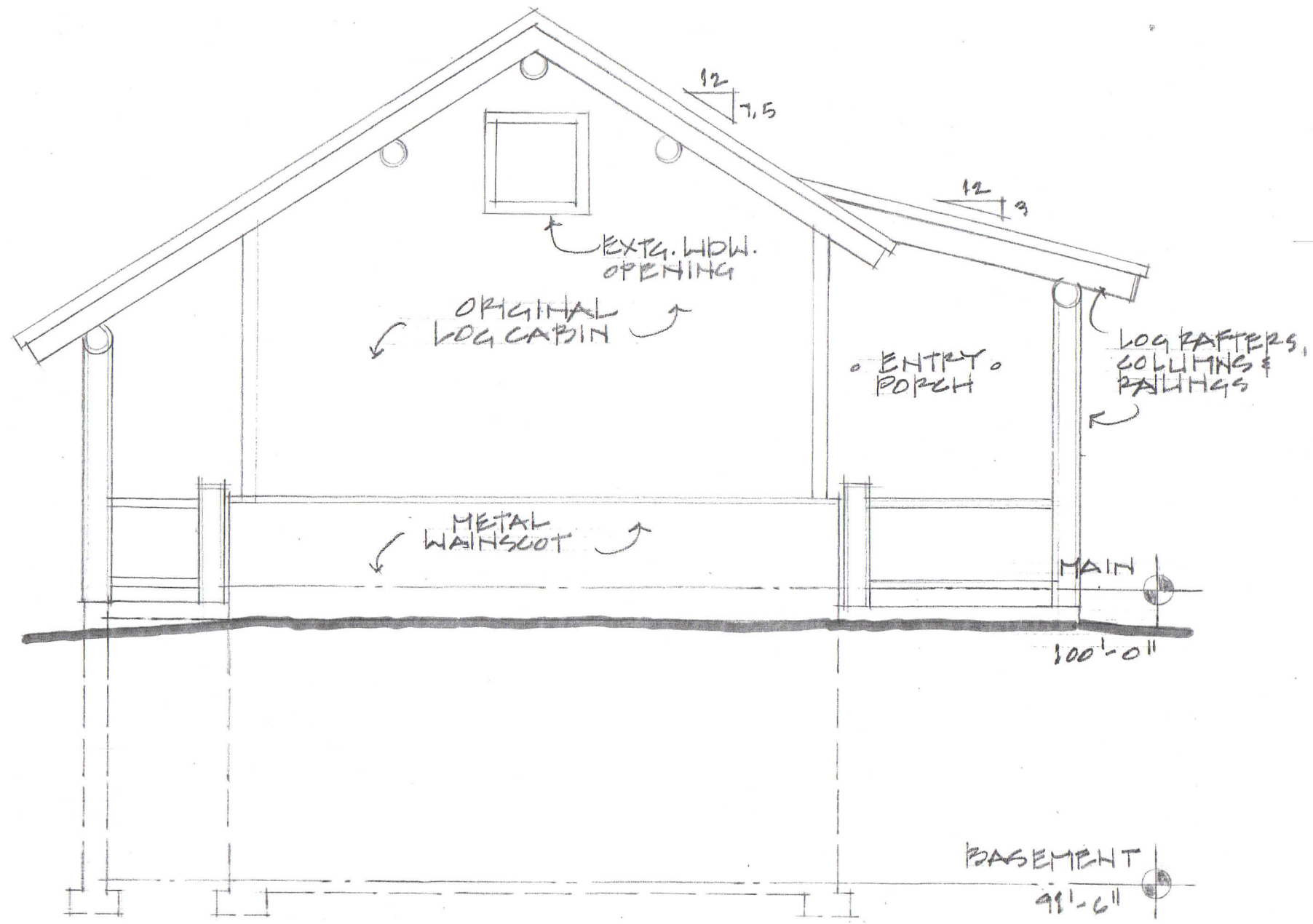
1/4" = 1'-0"



CARTER MUSEUM RESTROOMS  
WEST ELEVATION

4/20/16      • 1/4" = 1'-0" •

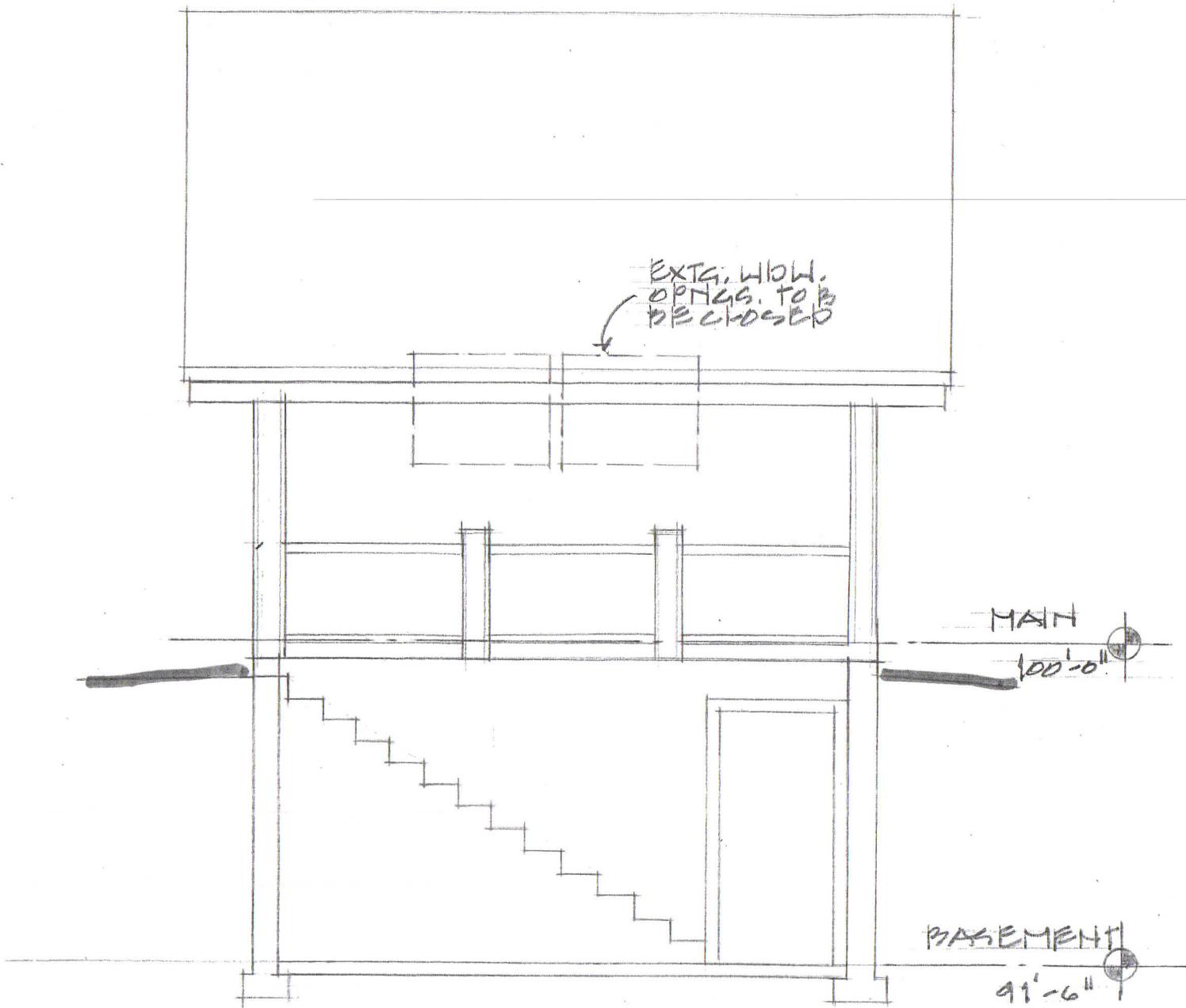




CARTER MUSEUM RESTROOM  
 NORTH ELEVATION

4/20/16

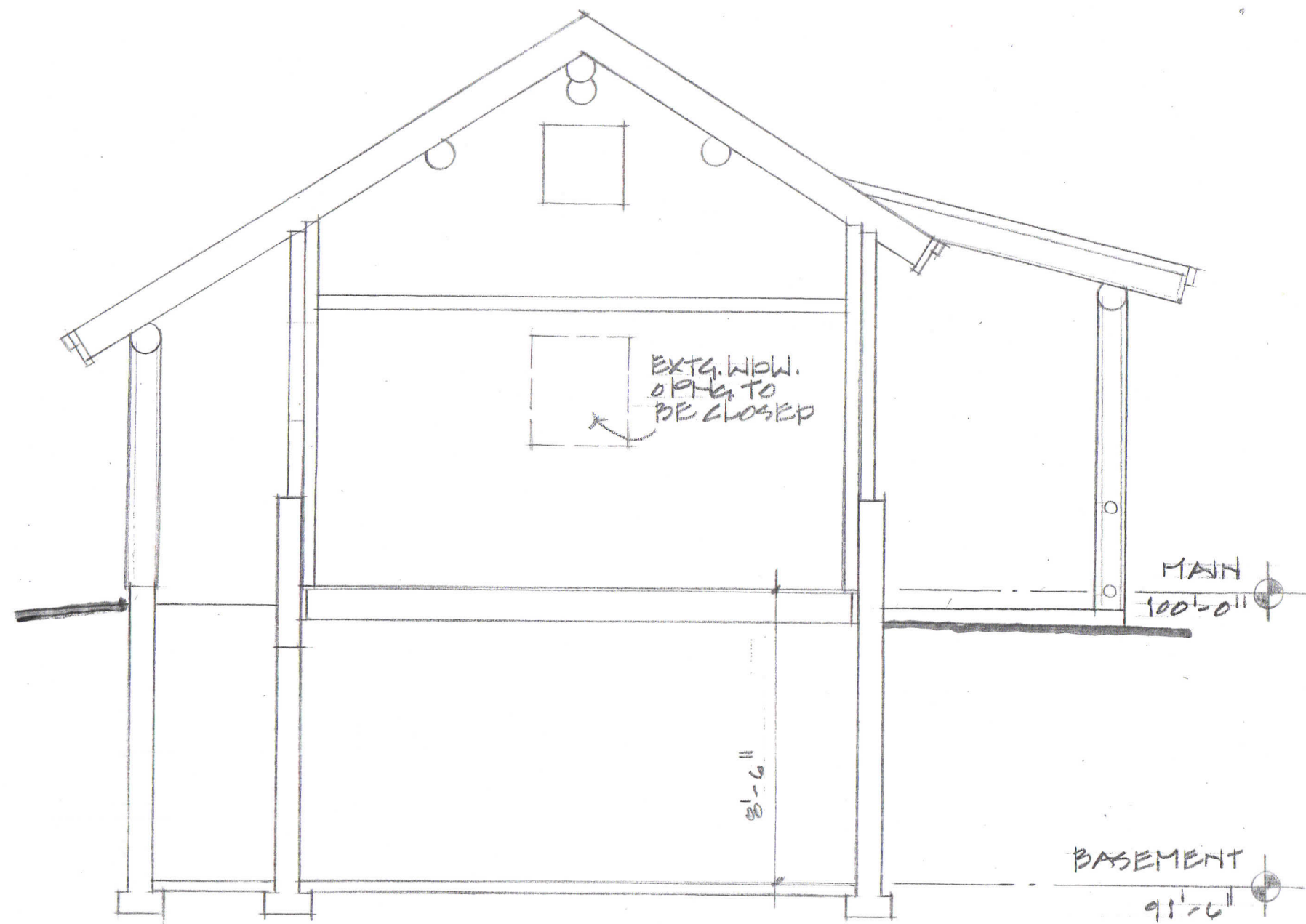
1/4" = 1'-0"



CARTER MUSEUM RESTROOM  
 EAST ELEVATION / SECTION

4/20/14

• 1/4" = 1'-0" •



CARTER MUSEUM RESTROOM  
BUILDING SECTION

4/20/14

0 1/4" = 1'-0"

Cabin:

Roof:  
50 year asphalt shingles

"Shenandoah"  
[Certaineed Landmark T/L](#)



Porch Addition:

Roof:

7/8" Corrugated metal  
with rusted finish

