



TOWN OF
BRECKENRIDGE

Town Council Work Session

Tuesday, September 25, 2018, 3:00 PM

Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

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.

I. SUMMIT COUNTY REFERRED MEASURE 1A PRESENTATION (3:00-3:30 pm)

Referred Measure 1A Fact Sheet

II. PLANNING COMMISSION DECISIONS (3:30-3:35 pm)

Planning Commission Decisions

III. LEGISLATIVE REVIEW (3:35-4:00 pm)

Oath Ordinance (Second Reading)

Electrical Personal Assistive Mobility Devices Ordinance (Second Reading)

Flood Damage Prevention Ordinance Updates (First Reading)

Liquor Code Reference Amendment (First Reading)

Broadband Advance Funding Resolution

Resolution to Oppose Amendment 74

Imagine A Day Without Water Resolution

IV. MANAGERS REPORT (4:00-4:40 pm)

Public Projects Update

Casey Memorial Artwork Preview

Parking and Transportation Update

Housing and Childcare Update

Committee Reports

Financials

V. OTHER (4:40-5:10 pm)

Trash and Recycling Plan

VI. PLANNING MATTERS (5:10-6:15 pm)

Development Code Amendments

Child Care Needs Assessment 2018 Update and Program Model Evaluation by APA Consulting



Memo

To: Breckenridge Town Council Members
From: Shannon Haynes, Assistant Town Manager
Date: 9/17/2018
Subject: Summit County Referred Measure 1A

On the November ballot, Summit County Government will include a referred measure (1A) to impose a temporary property levy. At your work session on Tuesday, September 25th the 1A committee will provide a quick presentation on the ballot measure. A general fact sheet on 1A has been attached for your review.



1A Is Summit's Future

What Is Summit County Referred Measure 1A?

- 1A is a temporary 4.7 mill property tax levy for 10 years, starting January 1, 2019.
- The levy will generate up to \$8.8 million annually for wildfire preparedness, mental health and suicide prevention, recycling and waste diversion, affordable early childhood care and learning, and improvements to public buildings such as the senior center and library.
 - \$1 million to wildfire
 - \$2 million to mental health and suicide prevention
 - \$1.7 million to recycling and waste diversion
 - \$1.6 million to public building/facility repairs and improvements
 - \$2.5 million for affordable early childhood care and learning
- The property tax levy will amount to \$2.83 per month in property taxes per \$100,000 of residential property value during the first fiscal year of the new levy. In other words, a property owner will pay:
 - \$169.80 per year for a \$500,000 home
- The funds generated from 1A will be subject to an annual financial audit.

What Will 1A Provide for Summit County?

- Improved and expanded wildfire prevention, safety, and mitigation programs
 - **Includes the development of fuel breaks around neighborhoods**
- Improved mental health and substance abuse services and suicide prevention programs for Summit County children, youth, and adults such as the
 - **Includes creation of outpatient substance use treatment programs for children and adults**
- Increased recycling access for residents and creating a sustainable funding source for recycling programs.
 - **Includes a new full-scale recycling center that will accept more materials**
- Improved quality and availability of early childhood care and learning for local families, including preschool programs for all four-year-olds so they are ready for school
 - **Includes the construction of new childcare center on north end of County**
- Extended useful life and accessibility of public buildings and community facilities with necessary repairs
 - **Includes improvements to the Community and Senior Center and the County Libraries**



Why Do We Need 1A?

We MUST pass 1A because wildfire prevention, early childhood education, recycling, and mental health are all related to the future health, safety, and viability of our community.

- Many Summit County homes and infrastructure are in the wildland urban interface, and a massive expanse of dead and dying trees is right outside our back door. This great risk of wildfire requires Summit County to have the tools they need to best protect lives and property.
- Our families, friends, and neighbors who need it, should have access to mental health and substance use services – for some, this is a matter of life and death.
- This proposal will enable local working families to afford quality, safe early childhood care and learning for their children, thus allowing families to live and work in their communities.
- Summit County's low recycling rate will dramatically improve through the expansion of community-wide programs and the creation of a sustainable funding source to support existing recycling programs
- Repairs and improvements must be made to public buildings and facilities to extend their useful life, to save money over time, to protect past public investments, and to improve the accessibility of those facilities

Frequently Asked Questions

“Why bundle all these issues into one?”

All of these issues are related to the future health and safety of our community. We do not want one issue competing with others.

“We already pay too much in taxes.”

Taxes are low in Colorado. And in Summit County, where property tax is relatively low, residents still pay less in property tax than what they did before the 2008 recession.



Memo

To: Breckenridge Town Council Members
From: Peter Grosshuesch, Director of Community Development
Date: September 19, 2018
Subject: Planning Commission Decisions of the September 18, 2018 Meeting

DECISIONS FROM THE PLANNING COMMISSION MEETING, September 18, 2018:

CLASS A APPLICATIONS: None.

CLASS B APPLICATIONS:

1. Noble House Addition, Restoration, Change of Use, and Landmarking, 213 S. Ridge Street, PL-2018-0069: A proposal to renovate, build a connector, addition, and garage to the existing historic residence; change the use from commercial to residential; and local landmarking of the structure. *Approved.*

2. 4th Resubdivision, Peak 8 Subdivision, 1599 Ski Hill Rd, PL-2018-0391: A proposal to resubdivide the remainder of Tract C to create Lot 4, Peak 8 Subdivision to accommodate the property transfer and development of the Lionheart BGV Ventures Hotel and Condominiums. *Approved.*

CLASS C APPLICATIONS: None.

TOWN PROJECT HEARINGS: None.

OTHER: None.



NOT TO SCALE

Breckenridge South



4th Resubdivision Peak 8 Subdivision, 1599 Ski Hill Rd.

Noble House Addition, Restoration, Change of Use, and Landmarking, 213 S. Ridge Street

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 p.m. by Chair Mathews-Leidal.

ROLL CALL

Christie Mathews-Leidal
Mike Giller
Dan Schroder

Jim Lamb
Steve Gerard
Gretchen Dudney

Ron Schuman

APPROVAL OF MINUTES

With no changes, the September 4, 2018 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the September 18, 2018 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- Janet Sutterley – I want to present to Planning the idea that while you are revising Code, consider the historic preservation points where there is a big gap between 6 and 9 points. I don't think we have ever reached 9 positive points. From 9 to 12 there is a minute difference. Maybe look at the different categories to spread the points out more evenly.

FINAL HEARINGS:

1. Noble House Addition, Restoration, Change of Use, and Landmarking (CL) 213 S. Ridge Street, PL-2018-0069: Mr. LaChance presented a proposal to remove a non-compliant 1997 addition, relocate the historic house 5 ft. to the east, construction of a connector element, new addition and garage on the west end of the property totaling 1,193sq. ft. above ground, a new 1,040 sq. ft. basement, installation of a full foundation under the historic house and the new addition, change of use from commercial to residential, and the designation of the historic house as a Local Landmark.

Commissioner Questions/Comments:

Ms. Dudney: On page 12 and 13 of the staff report, under the Policy 24/R discussion, it talks about the points. A direct comparison of that language and the difference between +3 and +6 points is substantial electrical, plumbing, and mechanical upgrades. Does this project have substantial electrical, plumbing, and mechanical upgrades? (Mr. LaChance: Yes, it does. We have not received any drawings that show this work, because that is usually done with the construction drawings for the Building Permit application. It is a complete upgrade, not just substantial.) How can you rationalize three points when they are meeting the requirement for 6? I have a feeling my fellow commissioners may not have read the language because I don't understand their decision for just three points. (Mr. LaChance: At the last Hearing, the Commission was divided between +3 and +6 points, but there was a majority support for +3 points. Given that not everyone was present at the last meeting, staff encourages the Commission to discuss this again tonight.)

Ms. Leidal: There is a phrase in Policy 24/R, Section F that requires historic buildings to be restored when they are moved, and that is what sways my decision for +3 points. It will be a lot of work. If it were not being moved and already required to have a new foundation, etc. , I would give it +6.

Mr. Gerard: I agree with Christie. They don't have to move the house.

Ms. Dudney: So you will give them a double negative for moving the house. (Mr. Grosshuesch: When you move the house, you get negative points and you have to do a full restoration. So we don't give them an additional 3 points.)

- Ms. Dudney: It doesn't say that you get no points.
Mr. Giller: What fence will be lost? (Mr. LaChance: The fence on the east side of the house will be taken away when the house is moved. But looking at that closer, I see that may be an error in your staff report, because the existing fence is not installed all the way up to the house, so the existing fence may actually not be affected by the relocation of the house. Sorry about that.)

Janet Sutterley, Architect, Presented:

There is actually an opening in the fence and it doesn't go all the way to the house. When you move the house we won't disrupt any historic fencing. We are all good on the siding. Matt Wright with Deeper Green Consulting thinks three points is attainable on the HERS analysis. I don't like that the analysis is based on the existing structure as is, including the addition, because we will take the addition off. The baseline will not be from a gutted structure and he believes the percentage is still ok. Ms. Sutterley provided the Commissioners with a colored drawing to help explain the colors and the massing. The biggest thing on points is that we are being double dinged for moving the house. What I hear is that the other three points are unavailable because it goes on a foundation. The Old Enyeart Place house 112 S. Harris St. didn't get any negative points for moving the house. They moved it, put it on a slab, and did a full restoration and got +6 points. The siding, windows, and door trim are in good shape. The roof is in bad shape. The code doesn't separate the cosmetic and structural roof changes. They had previously put a new roof on a bad roof structure. We are fixing the structural problems and that makes a very big difference. Same with mechanical and electric. We will redo the entire system. We are also removing the non-historic additions and that is a major effort. The connector got smaller from the first Hearing. We are reintroducing all that exterior wall square footage, where the non-historic rear addition is being removed from the western façade of the historic house. To me this is another big item, the historic fabric restoration. Old Masonic Hall only got three points because of the addition of the door.

- Ms. Puester: Policy 24 was written in 2013 and this may have preceded that. Also, the Old Enyeart Place was in the local period (50 years old) for landmarking purposes but not the 1942 period of significance (*further clarification: the Commission decided at the final hearing to remove the points as it was not in the period of significance on the Old Enyeart project*).
- Mr. LaChance: The staff report for the Final Hearing does not list the point precedent under Policy 24/R, Section F. for moving historic structures, because that was discussed at the Preliminary Hearings and the Commission was in agreement. Your staff report for the Final Hearing tonight only shows the point precedent for Policy 24/R section E for historic preservation.
- Mr. Giller: Can you speak to the 1997 addition getting +5 points and if that should be considered. (Mr. LaChance: This was discussed at the Preliminary Hearings, and we talked about how there somewhat of a balance between being deserved and not deserved, depending on the time that has elapsed since the points were awarded. For example, a roof could need to be replaced every 20 years, and so it is probably OK to award positive points every 20 years for a roof replacement. However, we should probably not award positive points for a roof replacement every 5 years, because the work would not have deteriorated, so there is a balance to be maintained.) So, how should we assess that? (Mr. LaChance: I would have to look up the scope of work for the 1997 renovation, but I know it included roofing and painting, which has deteriorated, so it is probably a moot point and staff is comfortable recommending to the Commission that positive points can be awarded again.)
- Ms. Dudney: What is the definition of on site? (Mr. LaChance: I don't know if there is a Code definition of this, but staff has generally interpreted this to mean within the parcel boundary.)
- Mr. Truckey: I checked the August staff report and it notes that in 1997 the property received 5 points for renovation which included rebuilding the front porch, a new roof, shutters, and gabled entry roof.

Public Comment:

Public hearing was opened. No Public Comments and the hearing was closed.

- Ms. Dudney: Section E. (1) of Policy 24/R talks about primary structures. It says positive points should be awarded for on site restoration.
- Mr. Lamb: It is on site. It is better to keep it where it is. I think it warrants +6 points.
- Mr. Schuman: I agree with Ms. Dudney that they have gotten their negative points and they should get +6 points.
- Mr. Giller: The Secretary of Interior Standards state there should be a benefit of moving a historic house and if you do there needs to be a full restoration. Moving a historic house is not a good idea. They shouldn't get +6 when it speaks to a full restoration required.
- Mr. Schuman: I don't think the Secretary of Interior Standards should be considered. It should be based on our standards. (Mr. Grosshuesch: Our standards are based on the Secretary's standards and it states that in the Handbook of Design Standards.)
- Mr. Schroder: I believe that substantial electrical, plumbing, and mechanical upgrades have not been met and I support 3 points.
- Mr. Gerard: Relocation should only be done if it has to be. This is being moved to allow a bigger addition and that should come with a cost. I support +3 points only.
- Mr. Lamb: They are taking the hit for moving the house. The points should be awarded on what they do after.
- Mr. Giller: I think it is about what they are required to do and then the additional electrical, plumbing and mechanical work is considered over and above. I am looking at the over and above and that is worth +3 points only.
- Mr. Gerard: The language about the garage says it shall not be used for any other purpose unless approved by the Town. Can we take out the approved by the Town section? (Mr. LaChance, the property owner still has the right to remodel the building at some later point in time with an approved Permit, so we would not want to prohibit that kind of work, as long as the parking requirements are still being met, so I think that the Town approval requirement should still remain. Mr. Grosshuesch: You would want to leave in the Town approval section.)
- Ms. Leidal: The bar has been raised because full restoration is being required. I stand with + 3 points.

Mr. Schuman made a motion to modify the point analysis from +3 points under Policy 24/R Section E. to +6 points under Policy 24/R Section E., seconded by Mr. Lamb. The motion failed, with Ms. Leidal, Mr. Schroder, Mr. Gerard and Mr. Giller dissenting.

Ms. Sutterley:

What I am faced with now is I have raised the bar for what is required for +3 points by proposing a full restoration of the residence, which will be very expensive for my client. I would like to know what is the minimum we can do to get +3 points. I don't know how to deal with that. (Ms. Dudney: What I heard is that you need the full electrical, plumbing, and mechanical upgrade.) (Mr. Grosshuesch: Only if you are moving the structure.)

Mr. Schuman motioned for approval with a passing score of 0 points, and removal of Condition of Approval #15 and renumbering thereafter. Mr. Lamb seconded and the motion passed unanimously.

COMBINED HEARINGS:

1. 4th Resubdivision, Peak 8 Subdivision (CK), 1599 Ski Hill Rd; PL-2018-0391

Mr. Kulick presented a proposal to resubdivide the remainder of Tract C to create Lot 4, Peak 8 Subdivision to accommodate the property transfer and development of the Lionheart BGV Ventures Hotel and Condominiums.

Commissioner Questions/Comments:

Mr. Gerard: Did we hear last meeting from the home owner about how people walk through the neighborhood to get to the ski run. (Mr. Kulick: Yes, we did hear about that. There was an oral commitment to allow an easement for that access.)

Mr. Lamb: Should we concern ourselves with that right now? (Mr. Kulick: No. The litigation should not hold up our process.)

Steve West Presented:

Chris did a fantastic job as usual. There are no guarantees in life. If by some chance BGV did not purchase the building there is a chance they wouldn't do any further platting of easements.

Public Comment:

No Public Comments.

Mr. Schroder made a motion to approve, seconded by Mr. Gerard. The motion passed unanimously.

OTHER MATTERS:

1. Town Council Summary (Memo Only)
2. Schedule Updates:
 - o Field Trip to Telluride will be Nov 7, 8, & 9. Planning to go to Telluride. Please reserve those dates.
 - o Planning Commission advertisement is going out. Interviews will be conducted during the week of Oct. 8th.

ADJOURNMENT:

The meeting was adjourned at 6:43pm.

Christie Mathews-Leidal, Chair



Memo

To: Town Council
From: Town Attorney
Date: 9/17/2018
Subject: Council Bill No. 23 (Oath Ordinance)

The second reading of the ordinance to codify in the Town Code the form of the required oath of office that the Town uses to swear in its officers and key employees is scheduled for your meeting on September 25th. The only proposed change from first reading is to correct a typo on Line 26 of Page 1 of the ordinance.

I will be happy to discuss this matter with you on Tuesday.

1 **FOR WORKSESSION/SECOND READING – SEPT. 13**

2
3 Additions To The Ordinance As Approved on First Reading Are
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5
6 COUNCIL BILL NO. 23

7
8 Series 2018

9
10 AN ORDINANCE AMENDING CHAPTER 7 OF TITLE 1 OF THE BRECKENRIDGE
11 TOWN CODE CONCERNING OATHS

12
13 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
14 COLORADO:

15
16 Section 1. Chapter 7 of Title 1 of the Breckenridge Town Code is amended by the
17 addition of the following sections:

18
19 1-7-4: OATHS:

20
21 A. When a person is required by Section 4.9 of the Breckenridge Town Charter to take
22 an oath or affirmation before the person enters upon the duties of those public offices and
23 positions described in Section 4.9 of the Breckenridge Town Charter, the form of the oath
24 or affirmation is as follows:

25
26 I, (STATE YOUR NAME), do [~~SELECT SWEAR~~ **OR** AFFIRM] that
27 I will support the Constitution of the United States, the Constitution of the
28 State of Colorado, the laws of the State of Colorado, and the Charter and
29 ordinances of the Town of Breckenridge, and that I will faithfully perform
30 the duties of [NAME OF OFFICE OR POSITION] upon which I am about
31 to enter to the best of my ability.

32
33 B. The oath or affirmance must be:

- 34
35 1. In writing and signed by the person taking the oath or affirmation;
36
37 2. Administered as provided in Section 1-7-5 of this Code; and
38
39 3. Taken, signed, administered, and filed with the Town Clerk or
40 other appropriate Town officer or employee before the person
41 enters upon the public office or position.

42
43 1-7-5: WHO MAY ADMINISTER OATHS OR AFFIRMATIONS: The Town Clerk,
44 the Deputy Town Clerk, and the Municipal Judge have the power to administer oaths and
45 affirmations required by Section 4.9 of the Breckenridge Town Charter.
46

1 Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and
2 the various secondary codes adopted by reference therein, shall continue in full force and
3 effect.
4

5 Section 3. The Town Council hereby finds, determines and declares that it has the
6 power to adopt this ordinance pursuant to the authority granted to home rule municipalities by
7 Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town
8 Charter.
9

10 Section 4. This ordinance shall be published and become effective as provided by
11 Section 5.9 of the Breckenridge Town Charter.
12

13 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
14 PUBLISHED IN FULL this ____ day of _____, 2018. A Public Hearing shall be held at the
15 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
16 _____, 2018, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
17 Town.
18

19 TOWN OF BRECKENRIDGE, a Colorado
20 municipal corporation
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24 By: _____
25 Eric S. Mamula, Mayor
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27 ATTEST:
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31 _____
32 Helen Cospolich, CMC,
33 Town Clerk
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Memo

To: Town Council
From: Town Attorney
Date: 9/17/2018
Subject: Council Bill No. 24 (EPAMD Ordinance)

The second reading of the ordinance concerning electrical personal assistive mobility devices (also known as “EPAMDs” or, more commonly, Segways) is scheduled for your meeting on September 25th. There are no changes proposed to ordinance from first reading.

I will be happy to discuss this matter with you on Tuesday.

1 ***FOR WORKSESSION/SECOND READING – SEPT. 20***

2

3 ***NO CHANGE FROM FIRST READING***

4

5 Additions To The Current Breckenridge Model Traffic Code Are
6 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

7

8 COUNCIL BILL NO. 24

9

10 Series 2018

11

12 AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010
13 EDITION, CONCERNING ELECTRICAL PERSONAL ASSISTIVE MOBILITY DEVICES

14

15 WHEREAS, Section 42-4-110(1)(b), C.R.S., authorizes local authorities to adopt by
16 reference a model traffic code embodying the rules of the road and vehicle requirements set forth
17 in Article 4 of Title 42, C.R.S., and such additional local regulations as are provided for in
18 Section 42-4-111, C.R.S.; and

19

20 WHEREAS, the Town of Breckenridge has adopted (and amended) the Model Traffic
21 Code For Colorado, 2010 edition, as the Traffic Code for the Town; and

22

23 WHEREAS, Section 42-4-111(1)(cc), C.R.S., provides that, subject to the notice
24 requirements of Section 42-4-111(2), C.R.S., nothing in Article 4 of Title 42, C.R.S. (the State of
25 Colorado’s traffic code) prevents local authorities, with respect to streets and highways under
26 their jurisdiction and within the reasonable exercise of the police power from “. . . prohibiting,
27 . . . the use of an electrical personal assistive mobility device (“EPAMD”) on a roadway,
28 sidewalk, bike path, or pedestrian path”; and

29

30 WHEREAS, Section 42-4-117(2), C.R.S., provides that a local authority may prohibit
31 EPAMDs from being operated on a roadway; and

32

33 WHEREAS, Section 117 of the Model Traffic Code For Colorado, 2010 edition, as
34 adopted by the Town, is substantively identical to Section 42-4-117(2), C.R.S; and

35

36 WHEREAS, the term “roadway” is defined in both Section 42-1-102(85), C.R.S., and the
37 Model Traffic Code For Colorado, 2010 edition, as adopted by the Town, as “that portion of a
38 highway improved, designed, or ordinarily used for vehicular travel” *exclusive of* (among other
39 locations) “the sidewalk” and “that portion of a highway designated for exclusive use as a
40 bicycle path or reserved for the exclusive use of bicycles, human-powered vehicles, or
41 pedestrians (emphasis added); and

42

43 WHEREAS, the foregoing provisions of state law and the Model Traffic Code For
44 Colorado, 2010 edition, as adopted by the Town, authorize the Town to prohibit EPAMDs from

1 being operated on the roadways, sidewalks, bike paths, and bike lanes within the streets of the
2 Town; and
3
4

5 WHEREAS, the Town Council finds, determines, and declares that the Model Traffic
6 Code For Colorado, 2010 edition, as previously adopted (and amended) by the Town should be
7 further amended as set forth in this ordinance.
8

9 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
10 BRECKENRIDGE, COLORADO:
11

12 Section 1. Section 7-1-2 of the Breckenridge Town Code is amended to include
13 the following amendment to Section 117 of the Model Traffic Code For Colorado, 2010
14 edition:
15

16 117. Personal mobility devices.
17

18 ~~(1) A rider of an EPAMD shall have all the same rights and duties as an operator~~
19 ~~of any other vehicle under this article,~~
20 ~~except as to those provisions that by their nature have no application.~~

21 ~~(2) Unless prohibited under section 42-4-111(1)(cc), an EPAMD may be operated~~
22 ~~on a roadway in conformity with~~
23 ~~vehicle use.~~

24 ~~(3)~~ An EPAMD shall not be operated **in the following places within the Town:**

25 (a) On a limited-access highway;

26 **(b) On a roadway;**

27 **(c) On a sidewalk; or**

28 ~~(b)~~ **(d) On a bike or pedestrian path, including, but not limited to, that portion**
29 **of a roadway designated for the exclusive use as a bicycle path or reserved**
30 **for the exclusive use of bicycles, human-powered vehicles, or pedestrians, or**

31 ~~(c) At a speed of greater than twelve and one-half miles per hour.~~

32 ~~(4) A person who violates this section commits a class B traffic infraction.~~

33 **(2) Notice of the prohibitions of this section shall be given as required by Section 42-**
34 **4-111(2), C.R.S.**
35

36 Section 2. Except as specifically amended hereby, the Breckenridge Town Code,
37 and the various secondary codes adopted by reference therein, shall continue in full force
38 and effect.
39

40 Section 3. The Town Council hereby finds, determines and declares that this ordinance is
41 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
42 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
43 thereof.
44

45 Section 4. The Town Council hereby finds, determines and declares that it has the power
46 to adopt this ordinance pursuant to: (i); Section 42-4-111(1)(cc), C.R.S; (ii) Section 42-4-117,

1 C.R.S.; (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-
2 15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to home rule
3 municipalities by Article XX of the Colorado Constitution; and (vi) the powers contained in the
4 Breckenridge Town Charter.

5
6 Section 6. This ordinance shall be published and become effective as provided by
7 Section 5.9 of the Breckenridge Town Charter; provided, however, that this ordinance shall not
8 become effective with respect to any state highway located within the corporate limits of the
9 Town of Breckenridge until it has been approved by the Colorado Department of Transportation
10 pursuant to Sections 42-4-110(1)(e) and 43-2-135(1)(g), C.R.S.

11
12 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
13 PUBLISHED IN FULL this ____ day of _____, 2018. A Public Hearing shall be held at the
14 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
15 _____, 2018, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
16 Town.

17
18 TOWN OF BRECKENRIDGE, a Colorado
19 municipal corporation

20
21 By _____
22 Eric S. Mamula, Mayor

23
24 ATTEST:

25
26 _____
27 Helen Cospolich, CMC,
28 Town Clerk



Memo

To: Breckenridge Town Council Members
From: Shannon Smith, Town Engineer
Date: 9/19/2018
Subject: Flood Damage Prevention Ordinance- First Reading

As a participating community in the National Flood Insurance Program (NFIP), the Town is required to adopt floodplain regulations that meet the standards of the NFIP. Modifications have been made to the Flood Insurance Rate Maps and Flood Insurance Study for Summit County, effective November 16, 2018, requiring minor changes to our existing Flood Damage Prevention Ordinance.

1 **FOR WORKSESSION/FIRST READING – SEPT. 25**

2
3 COUNCIL BILL NO. _____

4
5 Series 2018

6
7 AN ORDINANCE REPEALING AND READOPTING WITH CHANGES CHAPTER 3 OF
8 TITLE 10 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE “BRECKENRIDGE
9 FLOOD DAMAGE PREVENTION ORDINANCE”

10
11 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
12 COLORADO:

13
14 Section 1. Chapter 3 of Title 10 of the Breckenridge Town Code is repealed and
15 readopted with changes so as to read in its entirety as follows:

16
17 CHAPTER 3

18
19 FLOOD DAMAGE PREVENTION

20
21 SECTION:

- 22
23 10-3-1: TITLE
24 10-3-2: STATUTORY AUTHORIZATION
25 10-3-3: FINDINGS
26 10-3-4: STATEMENT OF PURPOSE
27 10-3-5: METHODS OF REDUCING FLOOD LOSSES
28 10-3-6: DEFINITIONS
29 10-3-7: LANDS TO WHICH THIS CHAPTER APPLIES
30 10-3-8: BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREA
31 10-3-9: ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT
32 10-3-10: COMPLIANCE
33 10-3-11: ABROGATION AND GREATER RESTRICTIONS
34 10-3-12: INTERPRETATION
35 10-3-13: WARNING AND DISCLAIMER OF LIABILITY
36 10-3-14: SEVERABILITY
37 10-3-15: DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR
38 10-3-16: DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN
39 ADMINISTRATOR
40 10-3-17: PERMIT PROCEDURES
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- 2 10-3-25: STANDARDS FOR SUBDIVISION PROPOSALS
- 3 10-3-26: STANDARDS FOR CRITICAL FACILITIES
- 4 10-3-27: VIOLATIONS; PENALTIES

5
6 **10-3-1: TITLE:** This Chapter is entitled and may be cited as the “2018 Breckenridge Flood
7 Damage Prevention Ordinance.”

8
9 **10-3-2: STATUTORY AUTHORIZATION:** The Town Council finds, determines, and
10 declares that it has the power to adopt this Chapter pursuant to: (i) the Local Government Land
11 Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31,
12 C.R.S. (concerning municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning
13 municipal police powers); (iv) Section 31-15-401, C.R.S.(concerning municipal police powers);
14 (v) the authority granted to home rule municipalities by Article XX of the Colorado Constitution;
15 and (vi) the powers contained in the Breckenridge Town Charter.

16
17 **10-3-3: FINDINGS:**

18
19 A. The flood hazard areas of the Town are subject to periodic inundation, which can
20 result in loss of life and property, health and safety hazards, disruption of commerce and
21 governmental services, and extraordinary public expenditures for flood protection and relief, all
22 which adversely affect the health, safety, and general welfare of the public.

23
24 B. These flood losses are created by the cumulative effect of obstructions in floodplains
25 that cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas
26 by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated,
27 floodproofed, or otherwise protected from flood damage.

28
29 **10-3-4: STATEMENT OF PURPOSE:** It is the purpose of this Chapter to promote public
30 health, safety and general welfare and to minimize public and private losses due to flood
31 conditions in specific areas by provisions designed to:

- 32
- 33 1. Protect human life and health;
 - 34
 - 35 2. Minimize expenditure of public money for costly flood control projects;
 - 36
 - 37 3. Minimize the need for rescue and relief efforts associated with flooding and generally
38 undertaken at the expense of the general public;
 - 39
 - 40 4. Minimize prolonged business interruptions;
 - 41
 - 42 5. Minimize damage to critical facilities, infrastructure, and other public facilities such as
43 water, sewer and gas mains; electric and communications stations; and streets and bridges
44 located in floodplains;
 - 45

6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
7. Insure that potential buyers are notified that property is located in a flood hazard area.

10-3-5: METHODS OF REDUCING FLOOD LOSSES: In order to accomplish its purposes, this Chapter uses the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flood, or cause excessive increases in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of flood waters;
4. Control filling, grading, dredging, and other development that may increase flood damage; and
5. Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or that may increase flood hazards to other lands.

10-3-6: DEFINITIONS:

A. When used in this Chapter, the following words have the following meanings unless the context clearly requires otherwise:

100-YEAR FLOOD: A flood having a recurrence interval that has a one-percent chance of being equaled or exceeded during any given year (one percent-annual-chance flood). The terms “one-hundred-year flood” and “one percent chance flood” are synonymous with the term “100-year flood.” The term does not imply that the flood will necessarily happen once every one hundred years.

100-YEAR FLOODPLAIN: The area of land susceptible to being inundated as a result of the occurrence of a one-hundred-year flood.

500-YEAR FLOOD: A flood having a recurrence interval that has a 0.2 percent chance of being equaled or exceeded during any given year (0.2-percent-chance-annual-flood). The term does not

	imply that the flood will necessarily happen once every five hundred years.
500-YEAR FLOODPLAIN:	The area of land susceptible to being inundated as a result of the occurrence of a five-hundred-year flood.
ADDITION:	Any activity that expands the enclosed footprint or increases the square footage of an existing structure.
ALLUVIAL FAN FLOODING:	A fan-shaped sediment deposit formed by a stream that flows from a steep mountain valley or gorge onto a plain or the junction of a tributary stream with the main stream. Alluvial fans contain active stream channels and boulder bars, and recently abandoned channels. Alluvial fans are predominantly formed by alluvial deposits and are modified by infrequent sheet flood, channel avulsions, and other stream processes.
AREA OF SHALLOW FLOODING:	A designated Zone AO or AH on the Town's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
BASE FLOOD:	The flood which has a one percent chance of being equaled or exceeded in any given year (also known as a 100-year flood). This term is used in the National Flood Insurance Program (NFIP) to indicate the minimum level of flooding to be used by a community in its floodplain management regulations.
BASE FLOOD ELEVATION (BFE):	The elevation shown on a FEMA Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of

	<p>equaling or exceeding that level in any given year.</p>
BASEMENT:	<p>Any area of a building having its floor sub-grade (below ground level) on all sides.</p>
CHANNEL:	<p>The physical confine of stream or waterway consisting of a bed and stream banks, existing in a variety of geometries.</p>
CHANNELIZATION:	<p>The artificial creation, enlargement, or realignment of a stream channel.</p>
CODE OF FEDERAL REGULATIONS (CFR):	<p>The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. It is divided into 50 titles that represent broad areas subject to federal regulation.</p>
CONDITIONAL LETTER OF MAP REVISION (CLOMR):	<p>FEMA's comment on a proposed project, which does not revise an effective floodplain map, that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodplain.</p>
CRITICAL FACILITY:	<p>A structure or related infrastructure, but not the land on which it is situated, as specified in Section 10-3-26, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the Town at any time before, during, and after a flood. See Section 10-3-26.</p>
DEVELOPMENT:	<p>Any man-made change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.</p>
DFIRM DATABASE:	<p>Database (usually spreadsheets containing data and analyses that accompany DFIRMs). The FEMA Mapping Specifications and</p>

	Guidelines outline requirements for the development and maintenance of DFIRM databases.
DIGITAL FLOOD INSURANCE RATE MAP (DFIRM):	FEMA digital floodplain map. These digital maps serve as “regulatory floodplain maps” for insurance and floodplain management purposes.
ELEVATED BUILDING:	A non-basement building: (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water; and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.
EFFECTIVE DATE OF THIS CHAPTER:	The effective date of this Chapter is November 15, 2018.
EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:	A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this Chapter.
EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:	The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEDERAL REGISTER:	The official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents.
FEMA:	Federal Emergency Management Agency, the agency responsible for administering the National Flood Insurance Program.
FLOOD OR FLOODING:	<p>A general and temporary condition of partial or complete inundation of normally dry land areas from:</p> <ol style="list-style-type: none"> 1. The overflow of water from channels and reservoir spillways; 2. The unusual and rapid accumulation or runoff of surface waters from any source; or 3. Mudslides or mudflows that occur from excess surface water that is combined with mud or other debris that is sufficiently fluid so as to flow over the surface of normally dry land areas (such as earth carried by a current of water and deposited along the path of the current).
FLOOD INSURANCE RATE MAP (FIRM):	The Town’s official map on which the Federal Emergency Management Agency has delineated both the Special Flood Hazard Areas and the risk premium zones applicable to the Town. Such map is adopted by reference and is part of this Chapter.
FLOOD INSURANCE STUDY (FIS):	The official report provided by the Federal Emergency Management Agency. The report contains the Flood Insurance Rate Map as well as flood profiles for studied flooding sources that can be used to determine Base Flood Elevations for some areas.
FLOODPLAIN OR FLOOD-PRONE AREA:	Any land area susceptible to being inundated as the result of a flood, including the area of land over which floodwater would flow from the spillway of a reservoir.

FLOODPLAIN ADMINISTRATOR:	The Town Engineer of the Town of Breckenridge, or the Town Engineer's designee acting pursuant to Section 1-7-2 of this Code.
FLOODPLAIN DEVELOPMENT PERMIT:	A permit required before construction or development begins within any Special Flood Hazard Area (SFHA). If FEMA has not defined the SFHA within the Town, the Town requires permits for all proposed construction or other development in the Town including the placement of manufactured homes, so that it may determine whether such construction or other development is proposed within flood-prone areas. Permits are required to ensure that proposed development projects meet the requirements of the NFIP and this Chapter.
FLOODPLAIN MANAGEMENT:	The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
FLOODPLAIN MANAGEMENT REGULATIONS:	Zoning/land use ordinances and regulations, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of the police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
FLOOD CONTROL STRUCTURE:	A physical structure designed and built expressly or partially for the purpose of reducing, redirecting, or guiding flood flows along a particular waterway. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOODPROOFING:	Any combination of structural and/or non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.
FLOODWAY (REGULATORY FLOODWAY):	The channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. The Colorado statewide standard for the designated height to be used for all newly studied reaches is one-half foot (six inches). Letters of Map Revision to existing floodway delineations may continue to use the floodway criteria in place at the time of the existing floodway delineation.
FREEBOARD:	The vertical distance in feet above a predicted water surface elevation intended to provide a margin of safety to compensate for unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood such as debris blockage of bridge openings and the increased runoff due to urbanization of the watershed.
FUNCTIONALLY DEPENDENT USE:	A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
HIGHEST ADJACENT GRADE:	The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
HISTORIC STRUCTURE:	Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of Interior; or
4. Landmarked structures pursuant to Chapter 11 of Title 9 of this Code that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior or;
 - b. Directly by the Secretary of the Interior in states without approved programs.

LETTER OF MAP REVISION
(LOMR):

FEMA's official revision of an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA).

LETTER OF MAP REVISION
BASED ON FILL (LOMR-F):

FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.

LEVEE:

A man-made embankment, usually earthen, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. For a levee structure to be reflected on the FEMA FIRMs as providing flood protection, the levee structure must meet the requirements set forth in 44 CFR 65.10.

LEVEE SYSTEM:

A flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR:

The lowest floor of the lowest enclosed area (including basement). Any floor used for living purposes that includes working, storage, sleeping, cooking and eating, recreation, or any combination thereof. This includes any floor that could be converted to such a use such as a basement or crawl space. The lowest floor is a determinate for the flood insurance premium for a building, home, or business. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

MANUFACTURED HOME:

A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when

	connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”
MANUFACTURED HOME PARK OR SUBDIVISION:	A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
MEAN SEA LEVEL:	For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which Base Flood Elevations shown on the Town’s Flood Insurance Rate Map are referenced.
MATERIAL SAFETY DATA SHEET (MSDS):	A form with data regarding the properties of a particular substance. An important component of product stewardship and workplace safety, it is intended to provide workers and emergency personnel with procedures for handling or working with that substance in a safe manner, and includes information such as physical data (melting point, boiling point, flash point, etc.), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment, and spill-handling procedures.
NATIONAL FLOOD INSURANCE PROGRAM (NFIP):	FEMA’s program of flood insurance coverage and floodplain management administered in conjunction with the Robert T. Stafford Relief and Emergency Assistance Act. The NFIP has applicable federal regulations promulgated in Title 44 of the Code of Federal Regulations. The U.S. Congress established the NFIP in 1968 with the passage of the National Flood Insurance Act of 1968.
NEW CONSTRUCTION:	The construction of a new structure (including the placement of a mobile home) or facility or the replacement of a structure or facility that has been totally destroyed.
NEW MANUFACTURED HOME PARK OR SUBDIVISION:	A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the

construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this Chapter .

NO-RISE CERTIFICATION:

A record of the results of an engineering analysis conducted to determine whether a project will increase flood heights in a floodway. A No-Rise Certification must be supported by technical data and signed by a registered Colorado Professional Engineer. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM).

PHYSICAL MAP REVISION (PMR):

FEMA’s action whereby one or more map panels are physically revised and republished. A PMR is used to change flood risk zones, floodplain and/or floodway delineations, flood elevations, and/or planimetric features.

PLANNING COMMISSION:

The Planning Commission of the Town of Breckenridge.

RECREATIONAL VEHICLE:

A vehicle that is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SPECIAL FLOOD HAZARD AREA:

The land in the floodplain within the Town subject to a one percent or greater chance of flooding in any given year, i.e., the 100-year floodplain.

START OF CONSTRUCTION:	The date the building permit was issued, including substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
STATE:	Has the meaning provided in Section 1-3-2 of this Code.
STRUCTURE:	A walled and roofed building, including a gas or liquid storage tank, which is principally above ground, as well as a manufactured home.
SUBSTANTIAL DAMAGE:	Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure just prior to when the damage occurred.
SUBSTANTIAL IMPROVEMENT:	Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost

of which equals or exceeds 50 percent of the market value of the structure before “Start of Construction” of the improvement. The value of the structure shall be determined by the Floodplain Administrator. This includes structures that have incurred “Substantial Damage”, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary conditions; or
2. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

THRESHOLD PLANNING QUANTITY (TPQ):

A quantity designated for each chemical on the list of extremely hazardous substances that triggers notification by facilities to the state that such facilities are subject to emergency planning requirements.

TOWN:

Has the meaning provided in Section 1-3-2 of this Code.

TOWN COUNCIL:

Has the meaning provided in Section 1-3-2 of this Code.

VARIANCE:

A grant of relief to a person from the requirement of this Chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Chapter. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations).

VIOLATION:

The failure of a structure or other development to be fully compliant with this

Chapter. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program Regulations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION: The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

1
2 B. Unless specifically defined in subsection A of this section, words or phrases used in this
3 Chapter shall be interpreted to give them the meaning they have in common usage and to
4 give this Chapter its most reasonable application.
5

6 **10-3-7: LANDS TO WHICH THIS CHAPTER APPLIES:** The Chapter applies to all Special
7 Flood Hazard Areas and areas removed from the floodplain by the issuance of a FEMA Letter of
8 Map Revision Based on Fill (LOMR-F) within the jurisdiction of the Town.
9

10 **10-3-8: BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREA:** The
11 Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a
12 scientific and engineering report entitled, “The Flood Insurance Study for Summit County,
13 Colorado and Incorporated Areas,” dated November 16, 2018 with accompanying Flood
14 Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) and any
15 revisions thereto are adopted by reference and declared to be a part of this Chapter. These
16 Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area
17 of applicability of this Chapter and may be supplemented by studies designated and approved by
18 the Floodplain Administrator. The Floodplain Administrator shall keep a copy of the Flood
19 Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public
20 inspection.
21

22 **10-3-9: ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT:** A Floodplain
23 Development Permit is required to ensure conformance with the provisions of this Chapter.
24

25 **10-3-10: COMPLIANCE:** No structure or land shall be located, altered, or have its use
26 changed within the Special Flood Hazard Area without full compliance with the terms of this
27 Chapter and other applicable regulations. Nothing in this Chapter prevents the Town from taking
28 such lawful action as is necessary to prevent or remedy any violation. These regulations meet the
29 minimum requirements as set forth by the Colorado Water Conservation Board and the National
30 Flood Insurance Program.
31

1 **10-3-11: ABROGATION AND GREATER RESTRICTIONS:** This Chapter is not intended
2 to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However,
3 where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or
4 overlap, whichever imposes the more stringent restriction shall prevail.
5

6 **10-3-12: INTERPRETATION:** In the interpretation and application of this Chapter, all
7 provisions shall be:
8

- 9 1. Considered as minimum requirements;
- 10 2. Liberally construed in favor of the Town; and
- 11 3. Deemed neither to limit nor repeal any other powers granted under state statutes or other
12 applicable law.
13

14 **10-3-13: WARNING AND DISCLAIMER OF LIABILITY:** The degree of flood protection
15 required by this Chapter is considered reasonable for regulatory purposes and is based on
16 scientific and engineering considerations. On rare occasions greater floods can and will occur
17 and flood heights may be increased by man-made or natural causes. This Chapter does not imply
18 that land outside the Special Flood Hazard Area or uses permitted within such areas will be free
19 from flooding or flood damages. This Chapter does not create liability on the part of the Town or
20 any Town official or employee for any flood damages resulting from reliance on this Chapter or
21 any administrative decision lawfully made pursuant to this Chapter.
22

23 **10-3-14: SEVERABILITY:** Section 1-2-4 of this Code applies to this Chapter.
24

25 **10-3-15: DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR:** The Town
26 Engineer is appointed as Floodplain Administrator to administer, implement, and enforce the
27 provisions of this Chapter and other appropriate sections of 44 CFR (National Flood Insurance
28 Program Regulations) pertaining to floodplain management.
29

30 **10-3-16: DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN**

31 **ADMINISTRATOR:** Duties and responsibilities of the Floodplain Administrator include, but
32 are not limited to, the following:
33

- 34 1. Maintain and hold open for public inspection all records pertaining to the provisions of
35 this Chapter, including the actual elevation (in relation to mean sea level) of the lowest
36 floor (including basement) of all new or substantially improved structures and any
37 floodproofing certificate required by Section 10-3-17.
38
- 39 2. Review, approve, conditionally approve, or deny all applications for Floodplain
40 Development Permits required by adoption of this Chapter.
41
- 42 3. Review Floodplain Development Permit applications to determine whether a proposed
43 building site, including the placement of manufactured homes, will be reasonably safe
44 from flooding.
45

- 1 4. Review permits for proposed development to assure that all necessary permits have been
2 obtained from those federal, state or local governmental agencies (including Section 404
3 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. §1334) from
4 which prior approval is required.
5
- 6 5. Inspect all development at appropriate times during the period of construction to ensure
7 compliance with all provisions of this Chapter, including proper elevation of the
8 structure.
9
- 10 6. Where interpretation is needed as to the exact location of the boundaries of the Special
11 Flood Hazard Area (for example, where there appears to be a conflict between a mapped
12 boundary and actual field conditions) the Floodplain Administrator shall make the
13 necessary interpretation.
14
- 15 7. When Base Flood Elevation data has not been provided in accordance with Section
16 10-3-8, the Floodplain Administrator shall obtain, review and reasonably utilize any Base
17 Flood Elevation data and Floodway data available from a federal, state, or other source,
18 in order to administer the provisions of Sections 10-3-19 through 10-3-26, inclusive, of
19 this Chapter.
20
- 21 8. For waterways with Base Flood Elevations for which a regulatory Floodway has not been
22 designated, no new construction, substantial improvements, or other development
23 (including fill) shall be permitted within Zones A1-30 and AE on the Town's FIRM,
24 unless it is demonstrated that the cumulative effect of the proposed development, when
25 combined with all other existing and anticipated development, will not increase the water
26 surface elevation of the base flood more than one-half foot at any point within the Town.
27
- 28 9. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood
29 Insurance Program regulations, the Floodplain Administrator may approve certain
30 development in Zones A1-30, AE, AH, on the Town's FIRM that increases the water
31 surface elevation of the base flood by more than one-half foot only if the Town first
32 applies for a conditional FIRM revision through FEMA (Conditional Letter of Map
33 Revision), fulfills the requirements for such revisions as established under the provisions
34 of Section 65.12, and receives FEMA approval.
35
- 36 10. Notify, in riverine situations, adjacent communities and the State Coordinating Agency
37 (the Colorado Water Conservation Board), prior to any alteration or relocation of a
38 watercourse, and submit evidence of such notification to FEMA.
39
- 40 11. Ensure that the flood carrying capacity within the altered or relocated portion of any
41 watercourse is maintained.
42

43 **10-3-17: PERMIT PROCEDURES:** An application for a Floodplain Development Permit shall
44 be presented to the Floodplain Administrator on forms furnished by him/her and may include,
45 but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and
46 elevation of proposed landscape alterations, existing and proposed structures, including the

1 placement of manufactured homes, and the location of the foregoing in relation to Special Flood
2 Hazard Area. Additionally, the following information is required:

- 3
- 4 1. Elevation (in relation to mean sea level) of the lowest floor (including basement) of all
5 new and substantially improved structures;
- 6
- 7 2. Elevation in relation to mean sea level to which any nonresidential structure will be
8 floodproofed;
- 9
- 10 3. A certificate from a registered Colorado Professional Engineer or architect that the
11 nonresidential floodproofed structure shall meet the floodproofing criteria of Section 10-
12 3-20(2);
- 13
- 14 4. Description of the extent to which any watercourse or natural drainage will be altered or
15 relocated as a result of proposed development.
- 16
- 17 5. Maintain a record of all such information in accordance with Section 10-3-16.
- 18

19 Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be
20 based on all of the provisions of this Chapter and the following relevant factors:

- 21
- 22 1. The danger to life and property due to flooding or erosion damage;
- 23
- 24 2. The susceptibility of the proposed facility and its contents to flood damage and the effect
25 of such damage on the individual owner;
- 26
- 27 3. The danger that materials may be swept onto other lands to the injury of others;
- 28
- 29 4. The compatibility of the proposed use with existing and anticipated development;
- 30
- 31 5. The safety of access to the property in times of flood for ordinary and emergency
32 vehicles;
- 33
- 34 6. The costs of providing governmental services during and after flood conditions including
35 maintenance and repair of streets and bridges, and public utilities and facilities such as
36 sewer, gas, electrical, and water systems;
- 37
- 38 7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood
39 waters and the effects of wave action, if applicable, expected at the site;
- 40
- 41 8. The necessity to the facility of a waterfront location, where applicable;
- 42
- 43 9. The availability of alternative locations, not subject to flooding or erosion damage, for
44 the proposed use; and
- 45
- 46 10. The relationship of the proposed use to the Town's master plan for that area.

1
2 **10-3-18: VARIANCE PROCEDURES:**
3

- 4 1. The Planning Commission shall initially hear and render judgment on requests for
5 variances from the requirements of this Chapter.
6
7 2. The Planning Commission shall also hear and render judgment on an appeal when it is
8 alleged there is an error in any requirement, decision, or determination made by the
9 Floodplain Administrator in the enforcement or administration of this Chapter.
10
11 3. Any Planning Commission decision made pursuant to this Chapter is subject to the call
12 up provisions of Chapter 1 of Title 9 of this Code.
13
14 4. The Floodplain Administrator shall maintain a record of all actions involving an appeal
15 and shall report variances to the Federal Emergency Management Agency upon request.
16
17 5. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures
18 listed on the National Register of Historic Places, the State Inventory of Historic Places,
19 or landmarked structures under Chapter 11 of Title 9 of this Code without regard to the
20 procedures set forth in the remainder of this Chapter.
21
22 6. Variances may be issued for new construction and substantial improvements to be erected
23 on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing
24 structures constructed below the base flood level, providing the relevant factors in
25 Section 10-3-17 have been fully considered. As the lot size increases beyond the one-half
26 acre, the technical justification required for issuing the variance increases.
27
28 7. Upon consideration of the factors noted above and the intent of this Chapter, the Planning
29 Commission may attach such conditions to the granting of variances as it deems
30 necessary to further the purpose and objectives of this Chapter as described in Section
31 10-3-4.
32
33 8. Variances shall not be issued within any designated floodway if any increase in flood
34 levels during the base flood discharge would result.
35
36 9. Variances may be issued for the repair or rehabilitation of historic structures upon a
37 determination that the proposed repair or rehabilitation will not preclude the structure's
38 continued designation as a historic structure and the variance is the minimum necessary
39 to preserve the historic character and design of the structure.
40
41 10. Prerequisites for granting variances:
42
43 a. Variances shall only be issued upon a determination that the variance is the
44 minimum necessary, considering the flood hazard, to afford relief.
45
46 b. Variances shall only be issued upon:

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- i. Showing a good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, the creation of a nuisance, fraud on or victimization of the public, or conflict with existing Town laws.
- c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the Base Flood Elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

11. Variances may be issued by the Town for new construction and substantial improvements and for other development necessary for the conduct of a Functionally Dependent Use provided that:

- a. The criteria outlined in Subsections (1) – (9), inclusive, of this Section are met; and
- b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

10-3-19: GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION: In all Special Flood Hazard Areas the following provisions are required for all new construction and substantial improvements:

- 1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- 2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- 3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- 4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

- 1 5. All manufactured homes shall be installed using methods and practices that minimize
2 flood damage. For the purposes of this requirement, manufactured homes must be
3 elevated and anchored to resist flotation, collapse, or lateral movement. Methods of
4 anchoring may include, but are not limited to, use of over-the-top or frame ties to ground
5 anchors. This requirement is in addition to applicable state and local anchoring
6 requirements for resisting wind forces.
7
- 8 6. All new and replacement water supply systems shall be designed to minimize or
9 eliminate infiltration of flood waters into the system;
10
- 11 7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate
12 infiltration of flood waters into the system and discharge from the systems into flood
13 waters; and,
14
- 15 8. On-site waste disposal systems shall be located to avoid impairment to them or
16 contamination from them during flooding.
17

18 **10-3-20: SPECIFIC STANDARDS FOR FLOOD HAZARD REDUCTION:** In all Special
19 Flood Hazard Areas where base flood elevation data has been provided as set forth in (i) Section
20 10-3-8, (ii) Section 10-3-16(7), or (iii) Section 10-3-25, the following provisions are required:
21

22 1. RESIDENTIAL CONSTRUCTION
23

24 New construction and Substantial Improvement of any residential structure shall have the
25 lowest floor (including basement), electrical, heating, ventilation, plumbing, and air
26 conditioning equipment and other service facilities (including ductwork), elevated to one
27 foot above the base flood elevation. Upon completion of the structure, the elevation of the
28 lowest floor, including basement, shall be certified by a registered Colorado Professional
29 Engineer, architect, or land surveyor. Such certification shall be submitted to the
30 Floodplain Administrator.
31

32 2. NONRESIDENTIAL CONSTRUCTION
33

34 With the exception of Critical Facilities, outlined in Section 10-3-26, new construction
35 and Substantial Improvements of any commercial, industrial, or other nonresidential
36 structure shall either have the lowest floor (including basement), electrical, heating,
37 ventilation, plumbing, and air conditioning equipment and other service facilities
38 (including ductwork), elevated to one foot above the base flood elevation or, together
39 with attendant utility and sanitary facilities, be designed so that at one foot above the base
40 flood elevation the structure is watertight with walls substantially impermeable to the
41 passage of water and with structural components having the capability of resisting
42 hydrostatic and hydrodynamic loads and effects of buoyancy.
43

44 A registered Colorado Professional Engineer or architect shall develop and/or review
45 structural design, specifications, and plans for the construction, and shall certify that the
46 design and methods of construction are in accordance with accepted standards of practice

1 as outlined in this subsection. Such certification shall be maintained by the Floodplain
2 Administrator, as required by Section 10-3-17.

3
4 3. ENCLOSURES

5
6 New construction and substantial improvements, with fully enclosed areas below the
7 lowest floor that are usable solely for parking of vehicles, building access, or storage in
8 an area other than a basement and that are subject to flooding, shall be designed to
9 automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry
10 and exit of floodwaters.

11
12 Designs for meeting this requirement must either be certified by a registered Colorado
13 Professional Engineer or architect or meet or exceed the following minimum criteria:

- 14
15 a. A minimum of two openings having a total net area of not less than one square
16 inch for every square foot of enclosed area subject to flooding shall be provided;
17 b. The bottom of all openings shall be no higher than one foot above grade; and
18 c. Openings may be equipped with screens, louvers, valves, or other coverings or
19 devices provided that they permit the automatic entry and exit of floodwaters.
20

21 4. MANUFACTURED HOMES

22
23 All manufactured homes that are placed or substantially improved within Zones A1-30,
24 AH, and AE on the Town's FIRM on sites: (i) outside of a manufactured home park or
25 subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to
26 an existing manufactured home park or subdivision; or (iv) in an existing manufactured
27 home park or subdivision on which manufactured home has incurred "substantial
28 damage" as a result of a flood, shall be elevated on a permanent foundation such that the
29 lowest floor of the manufactured home, electrical, heating, ventilation, plumbing, and air
30 conditioning equipment and other service facilities (including ductwork), are elevated to
31 one foot above the base flood elevation and be securely anchored to an adequately
32 anchored foundation system to resist flotation, collapse, and lateral movement.
33

34 All manufactured homes shall be placed or substantially improved on sites in an existing
35 manufactured home park or subdivision within Zones A1-30, AH and AE on the Town's
36 FIRM that are not subject to the provisions of the above section, shall be elevated so that
37 either:

- 38
39 a. The lowest floor of the manufactured home, electrical, heating, ventilation,
40 plumbing, and air conditioning equipment and other service facilities (including
41 ductwork), are one foot above the base flood elevation; or
42
43 b. The manufactured home chassis is supported by reinforced piers or other
44 foundation elements of at least equivalent strength that are no less than 36 inches
45 in height above grade and be securely anchored to an adequately anchored
46 foundation system to resist flotation, collapse, and lateral movement.

1
2 5. RECREATIONAL VEHICLES
3

4 All recreational vehicles placed on sites within Zones A1-30, AH, and AE on the Town's
5 FIRM either:

- 6
7 a. Be on the site for fewer than 180 consecutive days;
8 b. Be fully licensed and ready for highway use; or
9 c. Meet the permit requirements of Section 10-3-17, and the elevation and anchoring
10 requirements for "manufactured homes" in subsection (4) of this section.
11

12 A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is
13 attached to the site only by quick disconnect type utilities and security devices, and has
14 no permanently attached additions.
15

16 6. PRIOR APPROVED ACTIVITIES
17

18 Any activity for which a Floodplain Development Permit was issued by the Town or a
19 CLOMR was issued by FEMA prior to the effective date of this Chapter may be
20 completed according to the standards in place at the time of the permit or CLOMR
21 issuance, and will not be considered in violation of this Chapter if it meets such
22 standards.
23

24 **10-3-21: STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES):**

25 Located within the Special Flood Hazard Area established in Section 10-3-8 are areas designated
26 as shallow flooding. These areas have special flood hazards associated with base flood depths of
27 one to three feet where a clearly defined channel does not exist and where the path of flooding is
28 unpredictable and where velocity flow may be evident. Such flooding is characterized by
29 ponding or sheet flow; therefore, the following provisions apply:
30

31 1. RESIDENTIAL CONSTRUCTION
32

33 All new construction and Substantial Improvements of residential structures have the
34 lowest floor (including basement), electrical, heating, ventilation, plumbing, and air
35 conditioning equipment and other service facilities (including ductwork), elevated above
36 the highest adjacent grade at least one foot above the depth number specified in feet on
37 the Town's FIRM (at least three feet if no depth number is specified). Upon completion
38 of the structure, the elevation of the lowest floor, including basement, shall be certified
39 by a registered Colorado Professional Engineer, architect, or land surveyor. Such
40 certification shall be submitted to the Floodplain Administrator.
41

42 2. NONRESIDENTIAL CONSTRUCTION
43

44 With the exception of Critical Facilities, outlined in Section 10-3-26, all new
45 construction and Substantial Improvements of non-residential structures, must have the
46 lowest floor (including basement), electrical, heating, ventilation, plumbing, and air

1 conditioning equipment and other service facilities (including ductwork), elevated above
2 the highest adjacent grade at least one foot above the depth number specified in feet on
3 the Town's FIRM (at least three feet if no depth number is specified), or together with
4 attendant utility and sanitary facilities, be designed so that the structure is watertight to at
5 least one foot above the base flood level with wall substantially impermeable to the
6 passage of water and with structural components having the capability of resisting
7 hydrostatic and hydrodynamic loads of effects of buoyancy. A registered Colorado
8 Professional Engineer or architect shall submit a certification to the Floodplain
9 Administrator that the standards of this Section, as established in Section 10-3-17 are
10 satisfied.

11
12 Within Zones AH or AO adequate drainage paths around structures on slopes are
13 required to guide flood waters around and away from proposed structures.
14

15 **10-3-22: FLOODWAYS:** Floodways are administrative limits and tools used to regulate
16 existing and future floodplain development. The state has adopted Floodway standards that are
17 more stringent than the FEMA minimum standard (see definition of Floodway in Section
18 10-3-6). Located within Special Flood Hazard Area established in Section 10-3-8, are areas
19 designated as Floodways. Since the Floodway is an extremely hazardous area due to the velocity
20 of floodwaters that carry debris, potential projectiles and erosion potential, the following
21 provisions shall apply:
22

- 23 1. Encroachments are prohibited, including fill, new construction, substantial improvements
24 and other development within the adopted regulatory Floodway unless it has been
25 demonstrated through hydrologic and hydraulic analyses performed by a licensed
26 Colorado Professional Engineer and in accordance with standard engineering practice
27 that the proposed encroachment would not result in any increase (requires a No-Rise
28 Certification) in flood levels within the Town during the occurrence of the base flood
29 discharge.
30
- 31 2. If Section 10-3-22(1), above, is satisfied, all new construction and substantial
32 improvements shall comply with all applicable flood hazard reduction provisions of
33 Sections 10-3-19 through 10-3-26, inclusive, of this Chapter.
34
- 35 3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood
36 Insurance Regulations, the Town may permit encroachments within the adopted
37 regulatory floodway that would result in an increase in Base Flood Elevations only if the
38 Town first applies for a CLOMR and floodway revision through FEMA.
39

40 **10-3-23: ALTERATION OF A WATERCOURSE:** For all proposed developments that alter a
41 watercourse within a Special Flood Hazard Area, the following standards apply:
42

- 43 1. Channelization and flow diversion projects shall appropriately consider issues of
44 sediment transport, erosion, deposition, and channel migration and properly mitigate
45 potential problems through the project as well as upstream and downstream of any
46 improvement activity. A detailed analysis of sediment transport and overall channel

1 stability should be considered, when appropriate, to assist in determining the most
2 appropriate design.

- 3 2. Channelization and flow diversion projects shall evaluate the residual 100-year
4 floodplain.
- 5 3. Any channelization or other stream alteration activity proposed by a project proponent
6 must be evaluated for its impact on the regulatory floodplain and be in compliance with
7 all applicable federal, state and Town floodplain rules, regulations and ordinances.
- 8 4. Any stream alteration activity shall be designed and sealed by a registered Colorado
9 Professional Engineer or Certified Professional Hydrologist.
- 10 5. All activities within the regulatory floodplain shall meet all applicable federal, state and
11 Town floodplain requirements and regulations.
- 12 6. Within the Regulatory Floodway, stream alteration activities shall not be constructed
13 unless the project proponent demonstrates through a Floodway analysis and report, sealed
14 by a registered Colorado Professional Engineer, that there is not more than a 0.00-foot
15 rise in the proposed conditions compared to existing conditions Floodway resulting from
16 the project, otherwise known as a No-Rise Certification, unless the Town first applies for
17 a CLOMR and Floodway revision in accordance with Section 10-3-22.
- 18 7. Maintenance shall be required for any altered or relocated portions of watercourses so
19 that the flood-carrying capacity is not diminished.

20 **10-3-24: PROPERTIES REMOVED FROM THE FLOODPLAIN BY FILL:** A Floodplain
21 Development Permit shall not be issued for the construction of a new structure or addition to an
22 existing structure on a property removed from the floodplain by the issuance of a FEMA Letter
23 of Map Revision Based on Fill (LOMR-F), unless such new structure or addition complies with
24 the following:

25
26 1. RESIDENTIAL CONSTRUCTION

27
28 The lowest floor (including basement), electrical, heating, ventilation, plumbing, and air
29 conditioning equipment and other service facilities (including ductwork), must be
30 elevated to one foot above the Base Flood elevation that existed prior to the placement of
31 the fill.

32
33 2. NONRESIDENTIAL CONSTRUCTION

34
35 The lowest floor (including basement), electrical, heating, ventilation, plumbing, and air
36 conditioning equipment and other service facilities (including ductwork), must be
37 elevated to one foot above the Base Flood elevation that existed prior to the placement of
38 the fill, or together with attendant utility and sanitary facilities be designed so that the
39 structure or addition is watertight to at least one foot above the base flood level that
40 existed prior to the placement of fill with walls substantially impermeable to the passage
41 of water and with structural components having the capability of resisting hydrostatic and
42 hydrodynamic loads of effects of buoyancy.

43
44 **10-3-25: STANDARDS FOR SUBDIVISION PROPOSALS:**

- 1 1. All subdivision proposals including the placement of manufactured home parks and
2 subdivisions shall be reasonably safe from flooding. If a subdivision or other
3 development proposal is in a flood-prone area, the proposal shall minimize flood damage.
4
- 5 2. All proposals for the development of subdivisions including the placement of
6 manufactured home parks and subdivisions shall meet Floodplain Development Permit
7 requirements of Section 10-3-9; Section 10-3-17; and the provisions of Sections 10-3-19
8 through 10-3-26, inclusive, of this Chapter.
9
- 10 3. Base Flood Elevation data shall be generated for subdivision proposals and other
11 proposed development including the placement of manufactured home parks and
12 subdivisions that is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise
13 provided pursuant to Section 10-3-8 or Section 10-3-16 of this Chapter.
14
- 15 4. All subdivision proposals including the placement of manufactured home parks and
16 subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
17
- 18 5. All subdivision proposals including the placement of manufactured home parks and
19 subdivisions shall have public utilities and facilities such as sewer, gas, electrical and
20 water systems located and constructed to minimize or eliminate flood damage.
21

22 **10-3-26: STANDARDS FOR CRITICAL FACILITIES:** A Critical Facility is a structure or
23 related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the Rules
24 and Regulations for Regulatory Floodplains in Colorado, that if flooded may result in significant
25 hazards to public health and safety or interrupt essential services and operations for the Town at
26 any time before, during and after a flood.
27

28 1. CLASSIFICATION OF CRITICAL FACILITIES 29

30 It is the responsibility of the Floodplain Administrator to identify and confirm that
31 specific structures in the Town meet the following criteria:
32

33 Critical Facilities are classified under the following categories: (a) Essential Services; (b)
34 Hazardous Materials; (c) At-risk Populations; and (d) Vital to Restoring Normal Services.
35

- 36 a. Essential services facilities include public safety, emergency response, emergency
37 medical, designated emergency shelters, communications, public utility plant
38 facilities, and transportation lifelines.
39

40 These facilities consist of:

- 41
- 42 i. Public safety (police stations, fire and rescue stations, emergency vehicle
43 and equipment storage, and, emergency operation centers);
- 44 ii. Emergency medical (hospitals, ambulance service centers, urgent care
45 centers having emergency treatment functions, and non-ambulatory

- 1 surgical structures but excluding clinics, doctors offices, and non-urgent
2 care medical structures that do not provide these functions);
- 3 iii. Designated emergency shelters;
 - 4 iv. Communications (main hubs for telephone, broadcasting equipment for
5 cable systems, satellite dish systems, cellular systems, television, radio,
6 and other emergency warning systems, but excluding towers, poles, lines,
7 cables, and conduits);
 - 8 v. Public utility plant facilities for generation and distribution (hubs,
9 treatment plants, substations and pumping stations for water, power and
10 gas, but not including towers, poles, power lines, buried pipelines,
11 transmission lines, distribution lines, and service lines); and
 - 12 vi. Air Transportation lifelines (airports [municipal and larger], helicopter
13 pads and structures serving emergency functions, and associated
14 infrastructure (aviation control towers, air traffic control centers, and
15 emergency equipment aircraft hangars).

16
17 Specific exemptions to this category include wastewater treatment plants
18 (WWTP), non-potable water treatment and distribution systems, and hydroelectric
19 power generating plants and related appurtenances.
20

21 Public utility plant facilities may be exempted if it can be demonstrated to the
22 satisfaction of the Floodplain Administrator that the facility is an element of a
23 redundant system for which service will not be interrupted during a flood. At a
24 minimum, it shall be demonstrated that redundant facilities are available (either
25 owned by the same utility or available through an intergovernmental agreement or
26 other contract) and connected, the alternative facilities are either located outside
27 of the 100-year floodplain or are compliant with the provisions of Sections 10-3-
28 19 through 10-3-26, inclusive, of this Chapter, and an operations plan is in effect
29 that states how redundant systems will provide service to the affected area in the
30 event of a flood. Evidence of ongoing redundancy shall be provided to the
31 Floodplain Administrator on an as-needed basis upon request.
32

- 33 b. Hazardous materials facilities include facilities that produce or store highly
34 volatile, flammable, explosive, toxic and/or water-reactive materials.
35

36 These facilities may include:

- 37
- 38 i. Chemical and pharmaceutical plants (chemical plant, pharmaceutical
39 manufacturing);
- 40 ii. Laboratories containing highly volatile, flammable, explosive, toxic and/or
41 water-reactive materials;
- 42 iii. Refineries;
- 43 iv. Hazardous waste storage and disposal sites; and
- 44 v. Above ground gasoline or propane storage or sales centers.
45

1 Facilities shall be determined to be Critical Facilities if they produce or store
2 materials in excess of threshold limits. If the owner of a facility is required by the
3 Occupational Safety and Health Administration (OSHA) to keep a Material Safety
4 Data Sheet (MSDS) on file for any chemicals stored or used in the work place,
5 and the chemical(s) is stored in quantities equal to or greater than the Threshold
6 Planning Quantity (TPQ) for that chemical, then that facility shall be considered
7 to be a Critical Facility. The TPQ for these chemicals is: either 500 pounds or the
8 TPQ listed (whichever is lower) for the 356 chemicals listed under 40 C.F.R. §
9 302 (2010), also known as Extremely Hazardous Substances (EHS); or 10,000
10 pounds for any other chemical. This threshold is consistent with the requirements
11 for reportable chemicals established by the Colorado Department of Health and
12 Environment. OSHA requirements for MSDS can be found in 29 C.F.R. § 1910
13 (2010). The Environmental Protection Agency (EPA) regulation “Designation,
14 Reportable Quantities, and Notification,” 40 C.F.R. § 302 (2010), and OSHA
15 regulation “Occupational Safety and Health Standards,” 29 C.F.R. § 1910 (2010),
16 are incorporated herein by reference and include the regulations in existence at the
17 time of the adoption of this Chapter, but exclude later amendments to or editions
18 of the regulations
19

20 Specific exemptions to this category include:

- 21
- 22 i. Finished consumer products within retail centers and households
23 containing hazardous materials intended for household use, and
24 agricultural products intended for agricultural use;
- 25 ii. Buildings and other structures containing hazardous materials for which it
26 can be demonstrated to the satisfaction of the local authority having
27 jurisdiction by hazard assessment and certification by a qualified
28 professional (as determined by the local jurisdiction having land use
29 authority) that a release of the subject hazardous material does not pose a
30 major threat to the public; and
- 31 iii. Pharmaceutical sales, use, storage, and distribution centers that do not
32 manufacture pharmaceutical products.
33

34 These exemptions shall not apply to buildings or other structures that also
35 function as Critical Facilities under another category outlined in Sections 10-3-19
36 through 10-3-26, inclusive, of this Chapter.
37

- 38 c. At-risk population facilities include medical care, congregate care, and schools.
39

40 These facilities consist of:

- 41
- 42 i. Elder care (nursing homes);
- 43 ii. Congregate care serving 12 or more individuals (day care and assisted
44 living); and
- 45 iii. Public and private schools (pre-schools, K-12 schools), before-school and
46 after-school care serving 12 or more children.

- 1
2 d. Facilities vital to restoring normal services including government operations.
3

4 These facilities consist of:

- 5
6 i. Essential government operations (public records, courts, jails, building
7 permitting and inspection services, Town administration and management,
8 maintenance and equipment centers); and
9 ii. Essential structures for public colleges and universities (dormitories,
10 offices, and classrooms only).
11

12 These facilities may be exempted if it is demonstrated to the Floodplain
13 Administrator that the facility is an element of a redundant system for which
14 service will not be interrupted during a flood. At a minimum, it shall be
15 demonstrated that redundant facilities are available (either owned by the same
16 entity or available through an intergovernmental agreement or other contract), the
17 alternative facilities are either located outside of the 100-year floodplain or are
18 compliant with this Chapter, and an operations plan is in effect that states how
19 redundant facilities will provide service to the affected area in the event of a
20 flood. Evidence of ongoing redundancy shall be provided to the Floodplain
21 Administrator on an as-needed basis upon request.
22

23 2. PROTECTION FOR CRITICAL FACILITIES
24

25 All new and substantially improved Critical Facilities and new additions to Critical
26 Facilities located within the Special Flood Hazard Area shall be regulated to a higher
27 standard than structures not determined to be Critical Facilities. For the purposes of this
28 Chapter, protection shall include one of the following:
29

- 30 a. Location outside the Special Flood Hazard Area; or
31
32 b. Elevation or floodproofing of the structure, together with attendant utility and
33 sanitary facilities, to at least two feet above the Base Flood Elevation.
34

35 3. INGRESS AND EGRESS FOR NEW CRITICAL FACILITIES
36

37 New Critical Facilities shall, when practicable as determined by the Floodplain
38 Administrator, have continuous non-inundated access (ingress and egress for evacuation
39 and emergency services) during a 100-year flood event.
40

41 **10-3-27: VIOLATIONS; PENALTIES.** It is a misdemeanor offense for any person to violate any
42 provision of this Chapter. Any person convicted of a violation of this Chapter shall be punished as set
43 forth in Chapter 4 of Title 1 of this Code
44

45 Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and
46 the various secondary codes adopted by reference therein, shall continue in full force and effect.

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Section 3. The Town Council hereby finds, determines, and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 4. This ordinance shall be published as provided by Section 5.9 of the Breckenridge Town Charter and shall become effective November 15, 2018

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this ____ day of _____, 2018. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of _____, 2018, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

By: _____
Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich, CMC,
Town Clerk



Memo

To: Breckenridge Town Council Members
From: Taryn Power, Deputy Clerk
Date: 9/18/2018
Subject: Council Bill No. 26 (Liquor Code Reference Amendment)

During the 2018 Colorado legislative session, several bills were passed into law that relocate the beer, special event, liquor and tobacco codes to a new title of the Colorado Revised Statutes (C.R.S.). The relocation of the laws (from Title 12 to Title 44) becomes effective on October 1, 2018. This Council Bill changes references in the Breckenridge Town Code to correspond to the changes made to the State liquor codes of the C.R.S.

Staff will be on hand to answer questions on Tuesday.

1 ***FOR WORKSESSION/FIRST READING – SEPT. 25***

2
3 Additions To The Current Breckenridge Town Code Are
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5
6 COUNCIL BILL NO. ____

7
8 Series 2018

9
10 AN ORDINANCE CHANGING THE REFERENCES IN THE BRECKENRIDGE TOWN
11 CODE WITH RESPECT TO THE COLORADO BEER CODE, THE COLORADO LIQUOR
12 CODE, AND THE COLORADO SPECIAL EVENT LIQUOR PERMITS STATUTES
13

14 WHEREAS, the Colorado legislature recently adopted and the Governor signed into law
15 HB18-1025, which recodified the Colorado statutes that contain the Colorado Beer Code, the
16 Colorado Liquor Code, and the Colorado Special Event Liquor Permits; and
17

18 WHEREAS, HB18-1025 became effective October 1, 2018; and
19

20 WHEREAS, it is necessary to change the references to the Colorado Beer Code, the
21 Colorado Liquor Code, and the Colorado Special Event Liquor Permit statutes contained in the
22 Breckenridge Town Code to reflect the recodification of such statutes brought about by the
23 adoption of HB18-1025.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
26 BRECKENRIDGE, COLORADO:
27

28 Section 1. Footnotes 1, 2, and 3 to Section 1-19-3 of the Breckenridge Town Code
29 are amended to read as follows:
30

31 Footnote 1: Article ~~464~~ of Title ~~1244~~, C.R.S.

32 Footnote 2: Article ~~473~~ of Title ~~1244~~, C.R.S.

33 Footnote 3: Article ~~485~~ of Title ~~1244~~, C.R.S.
34

35 Section 2. The definition of “bar” in Section 5-9-2 of the Breckenridge Town Code is
36 amended to read as follows:
37

BAR: Any area that is operated and licensed under article ~~473~~ of title ~~1244~~,
Colorado Revised Statutes, primarily for the sale and service of alcohol
beverages for on premises consumption and where the service of food is
secondary to the consumption of such beverages. “Bar” includes, without
limitation, any outdoor area operated as part of the licensed premises.

38
39 Section 3. Footnotes 1 and 2 to Section 6-3-F1 of the Breckenridge Town Code are
40 amended to read as follows:
41

1 Footnote 1: Article ~~464~~ of Title ~~1244~~, C.R.S.

2 Footnote 2: Article ~~473~~ of Title ~~1244~~, C.R.S.

3
4 Section 4. The definitions of “Colorado Beer Code,” “Colorado Liquor Code,” “Private
5 Property,” and “Special Events Permit” in Section 6-3-F1 of the Breckenridge Town Code are
6 amended to read as follows:
7

COLORADO BEER CODE: The provisions of Article ~~464~~ of Title ~~1244~~, C.R.S., Colorado Revised Statutes, and the rules and regulations of the Colorado department of revenue promulgated thereunder.

COLORADO LIQUOR CODE: The provisions of Article ~~473~~ of Title ~~1244~~, C.R.S., Colorado Revised Statutes, and the rules and regulations of the Colorado department of revenue promulgated thereunder.

PRIVATE PROPERTY: Any dwelling and its curtilage which is being used by a natural person or natural persons for habitation and which is not open to the public and privately owned real property which is not open to the public. "Private property" shall not include:

A. Any establishment which has or is required to have a license pursuant to the Colorado beer code, Colorado liquor code, or the provisions of Article ~~485~~ of Title ~~1244~~, Colorado Revised Statutes, pertaining to special events licenses; or

B. Any establishment which sells ethyl alcohol or upon which ethyl alcohol is sold; or

C. Any establishment which leases, rents, or provides accommodations to members of the public generally.

SPECIAL EVENTS PERMIT: A special permit to sell fermented malt beverages or malt, vinous or spirituous liquors issued pursuant to the provisions of Article ~~485~~ of Title ~~1244~~, Colorado Revised Statutes, and the rules and regulations of the Colorado department of revenue promulgated thereunder.

8 Section 5. Section 6-3F-2G of the Breckenridge Town Code is amended to read as
9 follows:
10

11 G. A parent or legal guardian of a person under twenty one (21) years of age, or
12 any natural person who has the permission of such parent or legal guardian, may
13 give, or permit the possession and consumption of, ethyl alcohol to or by a person
14 under the age of twenty one (21) years under the conditions described in
15 subsection B1 of this section. This subsection shall not be construed to permit any
16 establishment which is or is required to be licensed pursuant to the Colorado beer

1 code, Colorado liquor code or the provisions of Article ~~485~~ of Title ~~1244~~,
2 Colorado Revised Statutes, or any members, employees, or occupants of any such
3 establishment, to give, provide, make available, or sell ethyl alcohol to a person
4 under twenty one (21) years of age.
5

6 Section 6. Section 6-3F-8 of the Breckenridge Town Code is amended to read as
7 follows:
8

9 6-3F-8: UNLAWFUL SALE OF ALCOHOLIC BEVERAGE BY
10 UNLICENSED PERSON:
11

12 It shall be unlawful for any person to sell or possess for sale any malt, vinous, or
13 spirituous liquor or fermented malt beverage, unless licensed to do so pursuant to
14 the Colorado beer code, Colorado liquor code, or the provisions of Article ~~485~~ of
15 Title ~~1244~~, Colorado Revised Statutes, unless all required licenses are in full force
16 and effect.
17

18 Section 7. Section 6-3F-16A3 of the Breckenridge Town Code is amended to read as
19 follows:
20

21 3. The provisions of subsection A1 of this section shall not apply to a person in
22 possession of one opened but resealed container of partially consumed vinous
23 liquor which was lawfully removed from the licensed premises of an
24 establishment holding a liquor license pursuant to section ~~12-47-421~~ 44-3-423
25 Colorado Revised Statutes.
26

27 Section 8. Section 9-8-5C of the Breckenridge Town Code is amended to read as
28 follows:
29

30 C. A type B adult business license shall be required for all establishments
31 conducting an adult business where fermented malt beverages or any malt,
32 vinous, or spirituous liquors are dispensed, consumed or sold. Any such
33 establishment shall also comply with all applicable requirements of title ~~1244~~,
34 article ~~463~~ or article ~~474~~, Colorado Revised Statutes, the applicable regulations
35 issued thereunder, and title 6 of this code.
36

37 Section 9. Section 9-8-16C of the Breckenridge Town Code is amended to read as
38 follows:
39

40 C. Nothing in this section shall be construed to permit any act on the premises of
41 a type B adult business license in violation of title ~~1244~~, article ~~463~~ or article ~~474~~,
42 Colorado Revised Statutes, or the Colorado department of revenue rules and
43 regulations issued pursuant thereto.
44

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Section 10. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 11. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 12. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 13. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this ____ day of _____, 2018. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of _____, 2018, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

TOWN OF BRECKENRIDGE, a Colorado municipal corporation

By: _____
Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich, CMC,
Town Clerk



Memo

To: Breckenridge Town Council
From: Brian Waldes, Finance Director
Date: 9.6.18
Subject: Broadband Advance Funding Resolution

The purpose of this memo is to explain the need for and function of the attached resolution expressing the Town's intent to be reimbursed for certain capital expenditures.

Background

As we have done in the past with other major projects (Block 11 Housing, Water Plant, and Parking Structure), staff is proposing an advance funding resolution for our Broadband project. The resolution (attached) does not commit us to any borrowing in the future, but will allow expenses currently being incurred to be eligible for reimbursement by a potential future debt issue.

Advance funding resolutions are proposed when the timing of capital project spending and potential debt issue(s) do not line up.

This is a common mechanism used by Colorado municipalities.

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

RESOLUTION __

SERIES 2018

A RESOLUTION EXPRESSING THE INTENT OF THE TOWN TO BE REIMBURSED FOR CERTAIN EXPENSES RELATING TO CERTAIN CAPITAL EXPENDITURES ASSOCIATED WITH THE FINANCING OF A BROADBAND INFRASTRUCTURE NETWORK AND SERVICE DELIVERY SYSTEM.

WHEREAS, Town of Breckenridge, Colorado (the “Town”) is a legal and regularly created, established, organized and existing municipal corporation under the provisions of laws of the State of Colorado; and

WHEREAS, the members of the Town Council of the Town (the “Council”) have been duly elected and qualified; and

WHEREAS, it is the current intent of the Town to make certain capital expenditures for the construction of a Broadband Infrastructure and Service Delivery Network (the “Project”); and

WHEREAS, the Council has determined that it is in the best interest of the Town to finance the Project through the execution and delivery of one or more qualified debt instruments (the “Financing”); and

WHEREAS, the Council has determined that it is necessary to make capital expenditures in connection with the Project prior to the time that the Town arranges for the financing of the Project; and

WHEREAS, it is the Council’s reasonable expectation that when such Financing occurs, the capital expenditures will be reimbursed with the proceeds of the Financing; and

WHEREAS, in order to comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), it is the Council’s desire that this resolution shall constitute the “official intent” of the Council to reimburse such capital expenditures within the meaning of Treasury Regulation §1.150-2.

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

Section 1. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Council and the officers, employees and agents of the Town directed toward the Financing is hereby ratified, approved and confirmed.

Section 2. The Town intends to finance approximately \$25,000,000 to pay the costs of the Project, including the reimbursement of certain costs incurred by the Town prior to the receipt of any proceeds of a Financing, upon terms acceptable to the Town, as authorized in an ordinance to be hereafter adopted and to take all further action which is necessary or desirable in connection therewith.

Section 3. The officers, employees and agents of the Town shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated hereby and shall take all action necessary or desirable to finance the Project and to otherwise carry out the transactions contemplated by the resolution.

Section 4. The Town shall not use reimbursed moneys for purposes prohibited by Treasury Regulation §1.150-2(h). This resolution is intended to be a declaration of “official intent” to reimburse expenditures within the meaning of Treasury Regulation §1.150-2.

Section 5. If any section, paragraph, clause or provision of this resolution shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 6. All acts, orders and resolutions of the Council, and parts thereof, inconsistent with this resolution be, and the same hereby are, repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 7. The resolution shall in full force and effect upon its passage and approval.

PASSED AND ADOPTED this _____, 2018.

TOWN OF BRECKENRIDGE, COLORADO

Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich, CMC, Town Clerk



Memo

To: Breckenridge Town Council Members
From: Shannon Haynes, Assistant Town Manager
Date: 9/17/2018
Subject: Resolution Opposing "Amendment 74"

In November, "Amendment 74" will appear as a Statewide ballot measure seeking "Just Compensation for Reduction in Fair Market Value by Government Law or Regulation". If passed, this amendment will revise Section 15 of Article II of the Colorado Constitution to require just compensation if the fair market value of private property is reduced as a result of government law or regulation. Though the language contained in "Amendment 74" is simple, the ramifications would be far reaching for local municipalities.

It is important to note that the current Colorado Constitution already provides the right for a property owner to seek compensation from the state or local government for impacts to private property. Amendment 74 would expand that right to any decrease in the fair market value of the property as a result of any government law or regulation.

Effectively nearly any action or inaction on the part of the Town could result in a claim. The obligation to compensate a property owner could be triggered regardless of how long the property has been owned by the property owner or how they use the property. Further, there are no exceptions for regulations addressing health, safety, or general welfare.

A few examples of potential municipal impacts include:

- Short Term Rental Regulations – Any action by the town could trigger a lawsuit. This would include regulations placing restrictions on rentals that could decrease revenue or the lack of regulation that causes a decrease in the character and safety of a neighborhood
- Broadband – A provider could sue a municipality for the reduction in the value of their infrastructure investment.
- Affordable Housing – A property owner could sue if the placement of affordable housing reduces the fair market value of their neighboring property.

The proposed Resolution opposing "Amendment 74" details the impacts the amendment would have on the Town of Breckenridge. Tim Berry and I will be available at the work session on September 25th to answer any questions.

1 **FOR WORKSESSION/ADOPTION – SEPT. 25**

2
3 RESOLUTION NO. ____

4
5 Series 2018

6
7 A RESOLUTION OPPOSING “AMENDMENT 74”, AN ATTEMPT TO AMEND THE
8 COLORADO CONSTITUTION TO DRASTICALLY LIMIT STATE AND LOCAL
9 GOVERNMENT SERVICES AT A HIGH COST TO TAXPAYERS

10
11 WHEREAS, local government services are essential to the citizens of the Town of
12 Breckenridge; and

13
14 WHEREAS, Amendment 74 has been written by certain out-of-state corporate interests
15 to change the text of the Colorado Constitution, Article II, Section 15, which dates back to 1876
16 and threatens basic governmental services; and

17
18 WHEREAS, Amendment 74 declares that any state or local government law or regulation
19 that “reduces” the “fair market value” of a private parcel is subject to “just compensation;” and

20
21 WHEREAS, while Amendment 74 is shrouded in simple language, it has far reaching
22 and complicated impacts; and

23
24 WHEREAS, under the current Colorado Constitution, a property owner already has the
25 right to seek compensation from state or local governments; and

26
27 WHEREAS, Amendment 74 would expand this well-established concept by requiring the
28 government – i.e., the taxpayers – to compensate private property owners for virtually any
29 decrease whatsoever in the fair market value of their property traceable to any government law
30 or regulation; and

31
32 WHEREAS, Amendment 74 would create uncertainty because it is not clear what the
33 language actually means or how it can be applied; and

34
35 WHEREAS, Amendment 74 would severely limit the ability of Colorado’s state and
36 local governments to do anything that might indirectly, unintentionally, or minimally affect the
37 fair market value of any private property; and

38
39 WHEREAS, Amendment 74 would drastically diminish the ability of our state and local
40 governments to adopt – let alone attempt to enforce – reasonable regulations, limitations, and
41 restrictions upon private property; and

42
43 WHEREAS, Amendment 74 would place laws, ordinances, and regulations designed to
44 protect public health and safety, the environment, our natural resources, public infrastructure,
45 and other public resources in jeopardy; and

1 WHEREAS, Amendment 74 would directly impact zoning, density limitations, and
2 planned development; and
3

4 WHEREAS, Amendment 74 would make inherently dangerous or environmentally
5 damaging activities prohibitively costly to attempt to limit or regulate, even in the interest of the
6 public; and
7

8 WHEREAS, any arguable impact upon fair market value – however reasonable or
9 justified or minimal or incidental or temporary – resulting from state or local government action
10 could trigger a claim for the taxpayers to pay; and
11

12 WHEREAS, governments would be vulnerable to lawsuits for almost every decision to
13 regulate or not to regulate, making regular government function prohibitively expensive for the
14 taxpayer; and
15

16 WHEREAS, similar efforts have been attempted and defeated in other states, such as the
17 states of Washington and Oregon; and
18

19 WHEREAS, the fiscal impact for similar language in Washington was estimated at \$2
20 billion dollars for state agencies and \$1.5 billion for local governments over the first six years;
21 and
22

23 WHEREAS, individuals filed billions of dollars in claims in Oregon before the residents
24 repealed the takings initiative three years after its passage.
25

26 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN
27 OF BRECKENRIDGE, COLORADO:
28

29 Section 1. The Town Council unanimously opposes Amendment 74 and strongly urges a
30 vote of NO on such matter at the November 6, 2018 election.
31

32 Section 2. This resolution is effective upon adoption.
33

34 RESOLUTION APPROVED AND ADOPTED this ____ day of ____, 2018.
35

36 TOWN OF BRECKENRIDGE
37

38
39
40 By: _____
41 Eric S. Mamula, Mayor
42
43

1 ATTEST:

2

3

4

5

6 _____
7 Helen Cospolich, CMC,
8 Town Clerk

8

9 APPROVED IN FORM

10

11

12

13

14 _____
15 Town Attorney Date

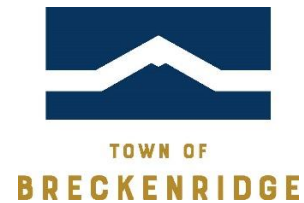
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Memo

To: Breckenridge Town Council Members
From: Jessie Burley, Sustainability Coordinator
Date: September 13 for September 25, 2018 Council Meeting
Subject: Resolution – Imagine a Day Without Water

On July 27, 2018, the Summit Daily reported that Summit County joined 60 percent of Colorado experiencing a “severe drought.” During a severe drought (stage D2 according to the US Drought Monitor), crop and pasture losses are likely, water shortages are common, and water restrictions are generally imposed. While the Bureau of Reclamation has indicated that there is no immediate threat to water supplies for human consumption due to a few years of full reservoirs, if this drought persists, impacts will be compounded and could threaten water supplies in the headwaters region. To put it in local perspective, a lack of water in the Upper Blue River forced the cancellation of one of Breckenridge’s most popular autumn events – the Great Rubber Duck Race.

Data show that most citizens recognize that water is essential to life. However, with the complexities of water in Colorado, the perceived abundance of water in the Rocky Mountains, and our constant flux of visitors from all over the world, it is important to remind our residents and visitors that water is valuable, water has a cost to deliver, and investment in infrastructure is vitally important to the reliability of clean and safe drinking water in our community. If adopted, Town of Breckenridge will join over 750 communities and organizations supporting this educational effort.

As party to the Blue River Regional Water Efficiency Plan, and in an effort to raise awareness around the value of our water, **Staff is recommending Council adopt this resolution to Imagine a Day Without Water to be held on October 10, 2018.**

1 **FOR WORKSESSION/ADOPTION – SEPT. 25**

2
3 RESOLUTION NO. ____

4
5 Series 2018

6
7 A RESOLUTION RECOGNIZING THE “IMAGINE A DAY WITHOUT WATER”
8 CAMPAIGN BEING HELD OCTOBER 10, 2018 WHICH IS AN ORGANIZED EFFORT TO
9 HIGHLIGHT THE CRITICAL IMPORTANCE OF RELIABLE ACCESS TO CLEAN WATER
10 IN OUR LIVES AND THE INVESTMENT IN INFRASTRUCTURE THAT IS NECESSARY
11 TO PROTECT THIS VALUABLE RESOURCE.
12

13 WHEREAS, the infrastructure that brings water to and from homes and businesses is
14 essential to the quality of life and economic vitality of the Town of Breckenridge; and
15

16 WHEREAS, Town residents on average utilize 146 gallons of water per single family
17 equivalent; and
18

19 WHEREAS, the Town has invested in a second water plant with 4.5 miles of pipeline and
20 an increased capacity of 3 million gallons per day; and
21

22 WHEREAS, water crises across the country, ranging from wildfire, to drought, to
23 flooding, show the severe impacts of what can happen to the public health and well-being of a
24 community without access to clean drinking water; and
25

26 WHEREAS, droughts and wildfire and other weather-related challenges put pressure on
27 water systems that are ill-equipped and ill-prepared to manage such extreme events; and
28

29 WHEREAS, utilities nationwide are grappling with aging infrastructure and lack reliable
30 revenue and funding to maintain systems let alone upgrade their systems; and
31

32 WHEREAS, one-fifth of the U.S. economy would grind to a halt without a reliable and
33 clean source of water; and
34

35 WHEREAS, managing water responsibly is critical to our nation’s public and
36 environmental health and to a high quality of life through economic commerce, power
37 generation, and recreation; and
38

39 WHEREAS, investing in our drinking water and wastewater systems will secure a bright
40 and prosperous future for generations to come; and
41

42 WHEREAS, innovation in water conservation and water reuse will drive job growth,
43 economic development, and establish a 21st century paradigm of water management in the
44 United States; and
45

1 APPROVED IN FORM

2

3

4

5

6 _____
Town Attorney Date

7

8

9

10

11

Memo

To: Breckenridge Town Council Members
 From: Shannon Smith, Town Engineer
 Date: 9/19/2018
 Subject: Public Projects Update

Ski Hill Wall

Schedule: Construction continues on the Ski Hill Road Retaining Wall Project. The contractor completed demolition work last week by removing the existing retaining wall, concrete sidewalk, and handrail. The wall foundation has also been completed, and the wall is currently being installed in sections. Over the next week, the remainder of the wall will be finished. The concrete is currently in an unfinished condition and the surface will be finished near the end of the project to provide a smooth, colored surface on the wall. Over the next several weeks, the contractor will install the concrete barrier, concrete sidewalk, handrail, and paving. Construction is scheduled to be completed in late October.

Currently, traffic is being reduced to single-lane traffic through the work zone, which will continue until project completion in late October. Temporary traffic lights are being used at night to control traffic.



The existing wall was removed and the concrete footing for the new wall is being formed.



The new retaining wall is being formed and placed in the picture above.

Budget:

Project Funding	2018	Total
CIP Budget	500,000	500,000
2018 Supplemental Appropriation	325,000	325,000
Total Budget		825,000

CIP projects with no updates:

- River Park (updated 9-11-18)
- Kingdom Park Shade Shelter (updated 9-11-18)
- Sawmill Culvert Repair (updated 7-24-18)
- Broadband (updated 7-10-18)
- Ski Hill Wall by Alpine Metro District (updated 7-24-18)
- Ball Field LED Lights
- Blue River Habitat and Landscaping (updated 11-28-17)
- Pool Area Lights and Window Replacement (updated 9-26-17)

Town of Breckenridge North Water Treatment Plant

Prepared by M. Petters/HDR Engineering, Inc.



Finished Water Pump Station/Clearwell 08/10/2018

August 2018

Contractor:
Moltz Construction, Inc.

Designer:
HDR Engineering, Inc.
Tetra Tech

Award Date:
December 8, 2017

Notice to Proceed:
December 15, 2017

Notice to Mobilize:
March 21, 2018

Substantial Completion Date:
August 6, 2020

Original Duration: 869 Days

Days Added by CO: 0

Time Percent Complete: 25.6 %

Cost Percent Complete: 21.1 %

Guaranteed Maximum Price:
\$42,000,000

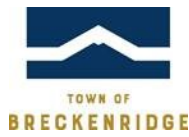
Change Order Total: \$211,726

Current Contract Value: \$42,211,726

Invoiced to Date: \$10,825,157

Cost Growth: 0.50%

Schedule Growth: 0 Days



Schedule and Budget Status

<p>Moltz Construction Inc. has completed work for 21.1% of the project value within 25.6 of the available contract time. Their current schedule update shows them completing the contract on time.</p>	<p>Two Change Orders has been issued to date for the project. There have been 8 Work Change Directives, 20 Change Proposal Requests and 19 Field Orders initiated on the project.</p>
--	---

Accomplishments/Highlights

<p>CLAYCO completed the bore under State Highway 9 including the installation of the carrier piping.</p> <p>At the Treatment Building Moltz Construction, Inc (MCI) has completed the sedimentation basins, influent channel and mixing basins slab on grade. They have placed the south end of the east sedimentation basin and east influent channel walls.</p> <p>At Residuals Building Moltz has completed the slab on grade for the basins and the pump gallery.</p> <p>At the Raw Water Pump Station MCI has completed the wet well suspended slab. They have passed a visual and volumetric hydrologic leak test of the wet wells. They have backfilled the west side and started edge forms for the footings under the electrical room. The raw water pipeline from where Stan Miller stopped has been laid approximately 50% to the building.</p>	<p>At the Clearwell/Finished Water Pump Station MCI has placed 2 sections of walls at the clear wells and 1 section of wall at the pump station.</p> <p>At the Water Treatment Plant Site MCI has constructed the tower crane and it is currently in use use.</p> <p>At the Water Treatment Plant Triangle Electric continued under slab electrical conduits.</p> <p>At the Administration Building Mendoza Construction has completed most of the structural frame.</p> <p>AT the Water Treatment Plant MCI has competd the filters, filter pipe gallery and PACL containment room slab on grades. MCI has completed approximately 50 percent of the footings and stem walls. Sierra Blanca has completed 100% of the under slab sanitary sewer.</p>
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Construction Accomplishments and Milestones

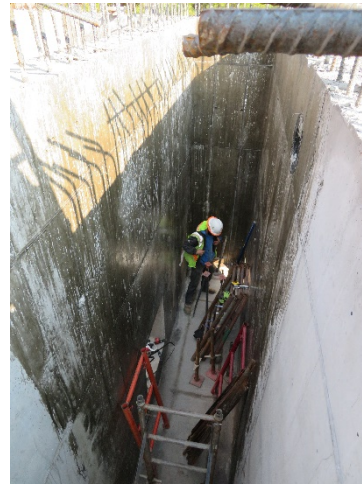
Town of Breckenridge

Second Water Treatment Plant

08/01/2018- State Highway 9 Bore Casing



08/02/2018- Raw Water Pump Station Influent Channel



Town of Breckenridge

Second Water Treatment Plant

08/03/2018- Residuals Building Steel Reinforcing



08/10/2018- Water Treatment Building from tower crane



Town Of Breckenridge
Second Water Treatment Plant

08/15/2018- Influent Channel Sedimentation
Basin Wall Formwork



08/16/2018- Raw Water Pump Station Deck
Concrete Placing



Town of Breckenridge
Second Water Treatment Plant

08/21/2018- Clearwell Steel Reinforcing



08/23/2018- Clearwell Concrete Placing



Town of Breckenridge
Second Water Treatment Plant

08/27/2018- Water Treatment Plant Gang Forms



08/28/2018- West Stem Wall Footing



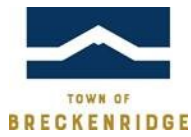
Town Of Breckenridge
Second Water Treatment Plant

08/29/2018- Water Treatment Plant Stem Walls
Formwork



08/30/2018- Launch Pit Carrier Piping





Upcoming Activities/Milestones	Planned Date
Mendoza will complete the structural building frame at the Administration Building including the mezzanine steel. The wall panels and trim is on site and they will install them.	09/28/2018
Mendoza will receive delivery of the Administration Building roof panels and begin installation at the end of the month.	Ongoing
At the Raw Water Pump Station MCI is working on the electrical room footings and the stem walls. They will backfill the electrical room footprint and start on the slab on grade under slab electrical. Moltz Construction Inc. (MCI) will complete the raw water pipeline to the wet wells.	08/16/2018
MCI will continue forming and placing walls at the Finished Water Pump Station/Clearwell.	09/27/2018
At the Treatment Building MCI will continue forming and placing footings, stem walls, slab on grade(s) and flocculator and sediment basin walls. They will continue to import and compact fill.	Ongoing
At the Residuals Building MCI will not resume concrete work until November.	Pending



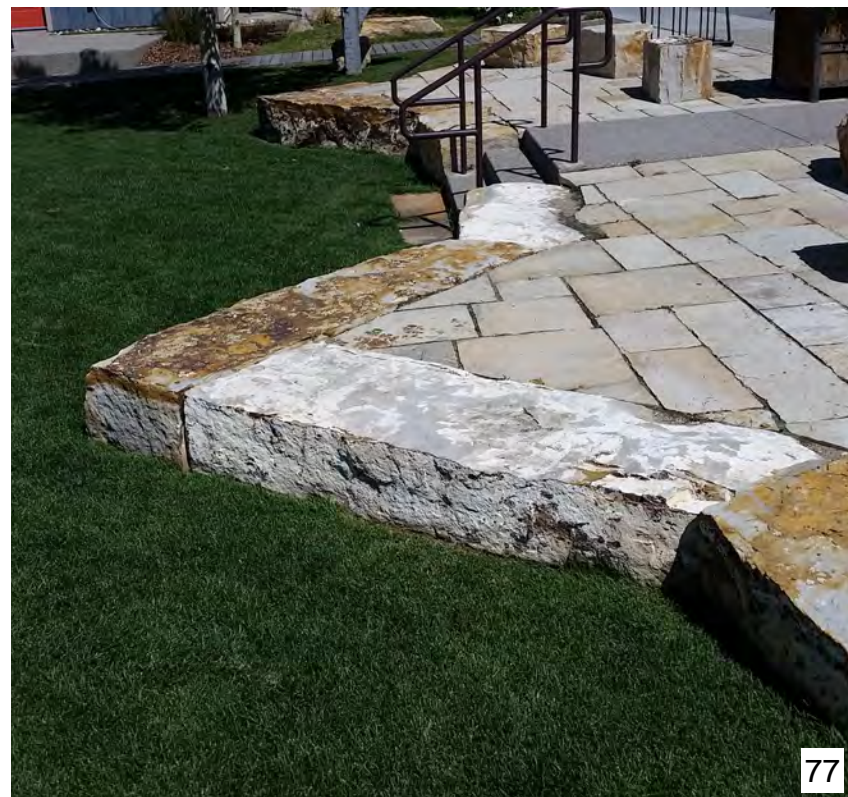
Memo

To: Breckenridge Town Council Members
From: Rick Holman, Town Manager
Date: 9/17/2018
Subject: Casey Memorial Artwork Preview

The proposal for the Casey Memorial Artwork is provided below. BreckCreate staff will be in attendance to answer any questions.

BEAUTY SAFE
MEDITATIVE SUBTLE
DISCOVERY
CONNECTIONS PLAYFUL RESTING
CASEY MEMORIAL
CLIMBING USEFUL
INTEGRATED HEALING
SHARED ARTISTRY NATURAL
FUN OF THE PLACE
COMMUNITY





EXISTING SITE CONTEXT



INSPIRATION



EMERGING HEALING CIRCLE



EMERGING HEALING CIRCLE



EMERGING HEALING CIRCLE

Each section will have an inscription facing inward to the circle:

A Place to Play

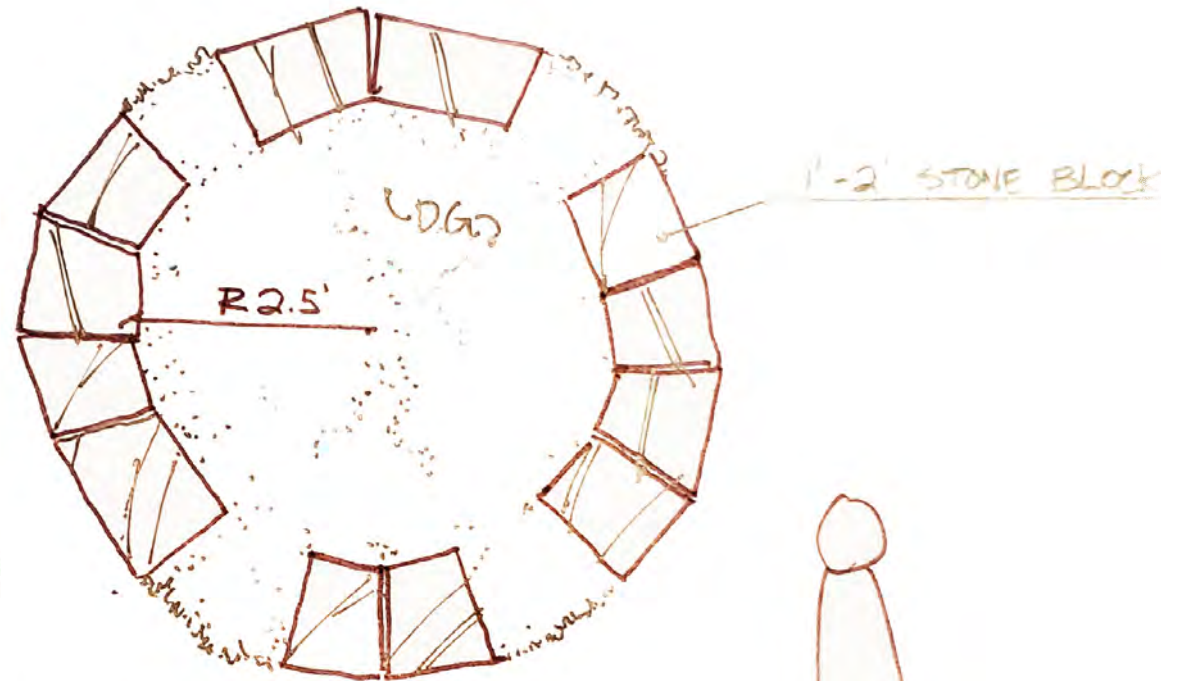
A Place to Reflect

A Place to Share

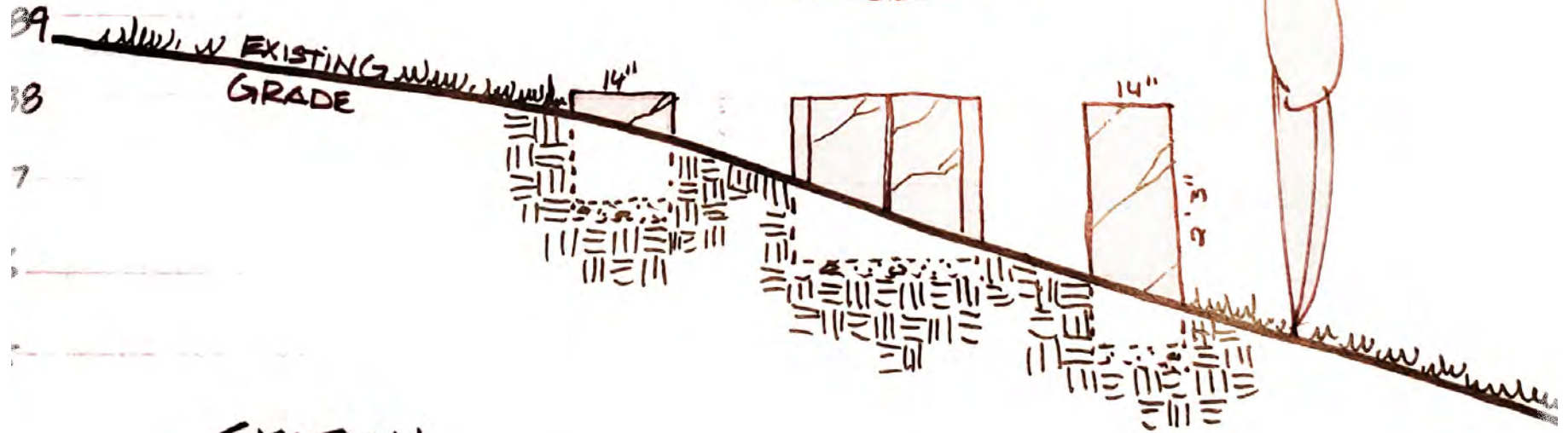
A Place to Heal

On the the outside of the largest piece facing toward the water:

Patti's Bench
In Loving Memory of Patti Casey



PLAN
 $\frac{1}{2}'' = 1'-0''$



SECTION
 $\frac{1}{2}'' = 1'-0''$

EMERGING HEALING CIRCLE

Font Options:

A Place to Play
A Place to Reflect
A Place to Share
A Place to Heal

1

Patti's Bench
In Loving Memory of Patti Casey

Inscription Design: 3" Height, Readable Distance = 30'
Full Scale =

A

A Place to Play
A Place to Reflect
A Place to Share
A Place to Heal

2

Patti's Bench
In Loving Memory of Patti Casey

A Place to Play
A Place to Reflect
A Place to Share
A Place to Heal

3

Patti's Bench
In Loving Memory of Patti Casey

A Place to Play
A Place to Reflect
A Place to Share
A Place to Heal

4

Patti's Bench
In Loving Memory of Patti Casey

A PLACE TO PLAY
A PLACE TO REFLECT
A PLACE TO SHARE
A PLACE TO HEAL

5

PATTI'S BENCH
IN LOVING MEMORY OF PATTI CASEY

A Place to Play
A Place to Reflect
A Place to Share
A Place to Heal

6

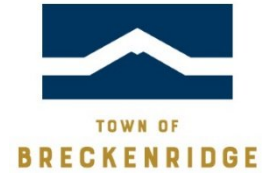
Patti's Bench
In Loving Memory of Patti Casey

A Place to Play
A Place to Reflect
A Place to Share
A Place to Heal

7

Patti's Bench
In Loving Memory of Patti Casey

Memo



To: Breckenridge Town Council Members
From: Shannon Haynes, Assistant Town Manager
Date: 9/19/2018
Subject: Breck Forward Update

Below is a brief update on Parking and Transportation projects. Staff will add new projects to this list as they are developed and discussed with Council.

Active Projects - New Updates

Bus Storage Expansion (Work Session 9-25-18)

Schedule: Hyder is working to finalize the GMP for the construction of the new six-bay bus barn. The updated construction estimate was within budget at \$1.57M, and Staff will report the finalized GMP to Council at the work session for approval. Staff is awaiting a final design and pricing from Xcel on the infrastructure costs to support the new building with capacity for charging at all six bays.

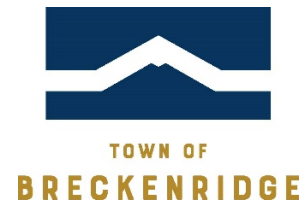
Construction is slated to begin the first week of October, with the facility functional by June 2019.

Budget:

	2018	Total
P&T Fund	\$1.75M	\$1.75M
Total Budget		\$1.75M

No updates:

- Dynamic Parking Wayfinding (Work Session 7-10-18)
- Sidewalk Master Plan Implementation (Work Session 6-26-18)
- River Walk Pedestrian Improvements (Work Session 6-26-18)
- Riverwalk Garage (Work Session 4-10-18)
- Village Road and Park Ave Roundabout
- Transit Enhancements (Work Session 10-24-17)
- Transit Stop Shelters (Work Session 9-26-17)
- Purple B Route Improvements (Work Session 11-28-17)



Memo

To: Breckenridge Town Council Members
From: Rick Holman, Town Manager
Date: 9/18/2018
Subject: Committee Reports

RECREATION ADVISORY COMMITTEE	August 30, 2018	Scott Reid
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The Recreation Advisory Committee held its bimonthly meeting on August 30, 2018. Committee members include Judy Farrell, Marty Ferris, Toby Babich, Amy Perchick, Larry Willhite, Katie Ahern (absent) and Max Bonenberger (absent). Staff present included Scott Reid and Patt Reyes. The following agenda items were covered:

➤ **Updates and comments–**

- Scott updated the committee members on the Recreation Center renovation. He stated a punch list will be completed during the September 24-September 30 closure (reopening October 1). During the closure, the offices and breakroom behind the front desk will be renovated. New signs have been installed around the building, which will reduce the amount of paper signs. Not part of the renovation project but an important project was the replacement of the windows in the pool area. Due to the unavailability of contractors, the windows will not get refurbished in 2018. The replacement should take place next year.
 - Marty explained that she has received nothing but positive comments about the Recreation Center remodel. Marty also requested that ceiling tiles in the old studio be replaced.
- The shade structure is currently being assembled next to the skate park. The roof will be added this fall. The skateboarding community raised approximately \$10,000 towards the cost of the structure.
- Town Council has asked the Recreation Department to help design and construct new locker rooms and offices at the Stephen C. West Ice Arena. \$100,000 has been set aside for project conceptualization and design. Amy suggested that during this process that staff explore options for adding lockers for usage by figure skaters.
- The outdoor turf at the Ice Arena has been packed up and stored. The outdoor ice is currently being installed.
- The field lights at Kingdom Fields will likely be replaced next season. The delay was also due to contractor unavailability. Town ordinance requires the lights to be out by 10 pm.
- Phase 1 for River Park, funded by GOCO, is under construction. Phase 1 one will include a pavilion, bathrooms, nature play park and parking. Phase 2 will be built in 2020.
- The new Tennis Center is doing well.
 - Amy asked the status of pickle ball. Scott advised that the Recreation Department has striped two tennis courts at Carter Park and added pickle ball lines to the basketball court in front of the Recreation Center. Larry suggested that the players be reminded

that they cannot hold the courts for pickle ball if they do not have the numbers to use both of the Carter Park tennis courts.

➤ **Other Comments–**

- Staffing-Amy commented that there seems to be a staffing shortage town-wide. Amy asked if the Town is looking into changing benefits or pay scale to address staffing shortfalls. Scott stated that many businesses in town are facing challenges regarding staffing. The Recreation Department tries to attract and retain the best talent. The Town of Breckenridge has excellent benefits, competitive pay and strives to offer affordable housing opportunities community-wide. In 2019, The Town will increase pay ranges for part-time and seasonal positions.

COMMUNICATIONS REPORT

September 18, 2018

Haley Littleton

Social Media:

- Instagram: 1,143 followers
- Twitter: +58 followers in the past month (5,628), 56k tweet impressions, increased mentions due to posts about fall colors/leaves changing.
- Facebook: 8,192 followers, reach is down but staff will conduct audit of content that is not playing well, staff is planning to incorporate more video content into page and potentially conducting FB Live Q&A sessions with the Mayor and Council members.
- Staff has met with all social media managers across Town departments and will be rolling out social media standards and guidelines in an effort to add parameters to social media management and ensure that branding stays consistent across Town.

Stock Photography: Staff worked with Joe Kusumoto to update the stock imagery for the Town of Breckenridge for promotional use and media requests. Staff has received the photos and will be incorporating into new marketing materials.

Campaigns:

- Staff is working with Open Space/Recreation Department to put out fall messaging for trail etiquette and leave no trace principles. The goal is to remind trail users to respect each other and maintain the integrity of Town trails.
- Staff would like to be more strategic during the winter season in encouraging visitors to refrain from bringing a car to Breckenridge. Staff will work with BTO to explore markets to target in an effort to reach people with information about parking and transportation before they get to town.
- Staff is working with Finance Department to ensure that the information surrounding the new short term rental regulations is communicated to community members (i.e.: call center numbers, information about the program), as well as BOLT license holders.
- While fire restrictions have been lifted, staff continues to promote fire safety and public education surrounding wildfire prevention. This will continue until the first significant snowfall and while fire danger continues to stay in the “moderate” to “very high” range.
- Staff will push out information when the new signage from Recycle Across America is incorporated on Town receptacles. The Breck Bag contest was a new promotion that received a good amount of attention. The Green Team will choose the contest winners and announce on October 1.
- Staff continues to work with Siteimprove and Vision Internet to better manage website content and ensure that the website is accessible per ADA requirements. Staff will be meeting with a Siteimprove rep to conduct an audit of current ADA issues and solutions.

Committees*	Representative	Report Status
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	No Meeting/Report
Liquor and Marijuana Licensing Authority	Helen Cospolich	No Meeting/Report
Summit Stage Advisory Board	James Phelps	No Meeting/Report
Police Advisory Committee	Chief Jim Baird	No Meeting/Report
CMC Advisory Committee	Rick Holman	No Meeting/Report
Recreation Advisory Committee	Scott Reid	Included
Workforce Housing Committee	Laurie Best	No Meeting/Report
Child Care Advisory Committee	Jennifer McAtamney	<i>Included as a separate agenda item</i>
Breckenridge Events Committee	Shannon Haynes	No Meeting/Report
Transit Advisory Committee	Shannon Haynes	No Meeting/Report
Water Task Force	Gary Gallagher	No Meeting/Report
Communications	Haley Littleton	Included

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



TOWN OF
BRECKENRIDGE

August 31, 2018 Financial Reports

Department of Finance



*Inspired by themes of environment and mountain culture, the **Breckenridge International Festival of Arts August 10-19** brought together a variety of performances, installations, exhibitions, screenings, workshops, talks, and surprise collaborations, with an eclectic mix of music, theater, film, visual and street arts, and family entertainment.*

Executive Summary

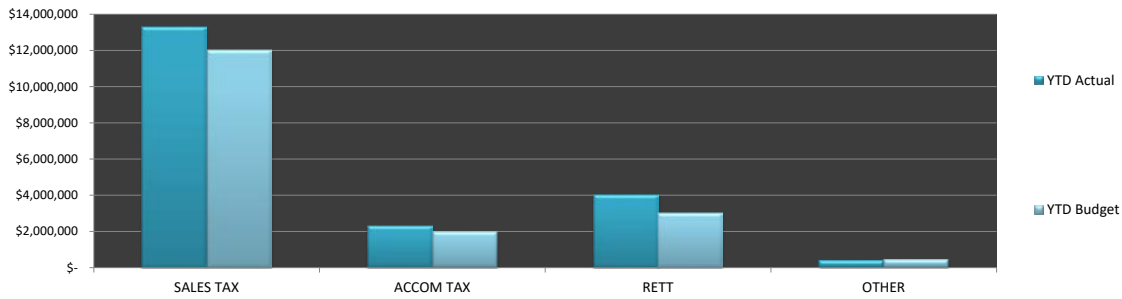
August 31, 2018

This report covers the first 8 months of 2018. August is largely reflective of July tax collections. We are approximately \$2.6M over 2018 budgeted revenues in the Excise fund. This is mostly due to sales tax being \$1.3Mk over budget and Real Estate Transfer Tax being up \$1M over prior year. Sales Tax is \$1M ahead of prior year; RETT is up \$13k over prior year.

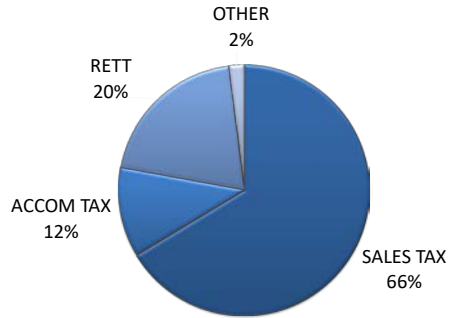
See the Tax Basics section of these financial reports for more detail on the sales, accommodations, and real estate transfer taxes.

Expenditures are holding the line, with the General Fund tracking only slightly above YTD budgeted expense amount, due to early year timing in relation to the monthly budget (see General Fund Expenditures Summary for details).

Excise YTD Actual vs. Budget - by Source



YTD Actual Revenues - Excise



	YTD Actual	YTD Budget	% of Budget	Annual Budget	Prior YTD Actual	Prior Annual Actual
SALES TAX	\$ 13,300,876	\$ 12,035,508	111%	\$ 21,764,800	\$ 12,281,608	\$ 21,567,073
ACCOMMODATIONS TAX	2,314,074	1,965,741	118%	2,996,900	2,006,782	3,068,530
REAL ESTATE TRANSFER	4,043,410	3,012,255	134%	5,000,000	4,030,158	6,239,221
OTHER*	391,292	446,387	88%	775,130	444,167	791,882
TOTAL	\$ 20,049,652	\$ 17,459,891	115%	\$ 30,536,830	\$ 18,762,715	\$ 31,666,706

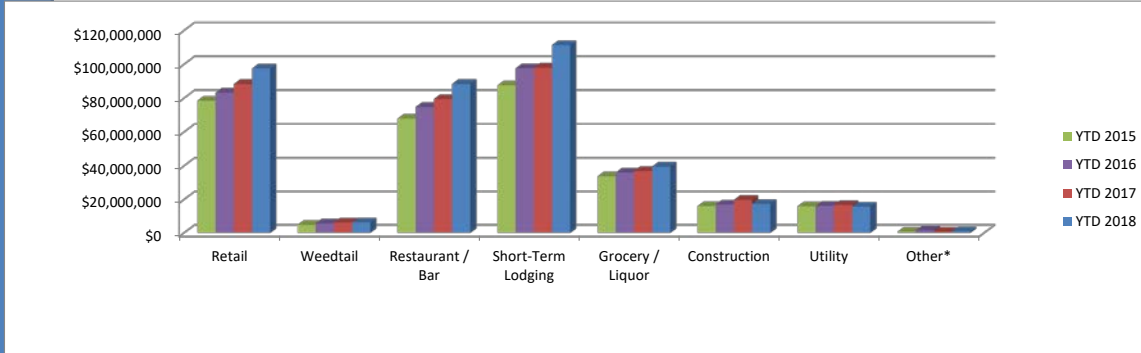
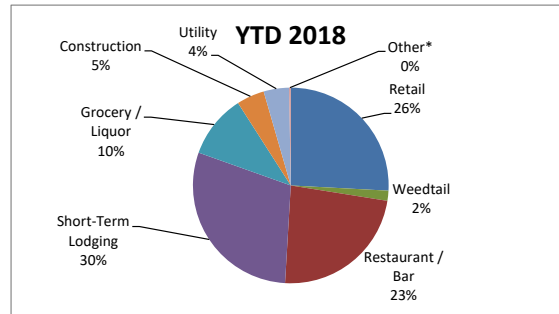
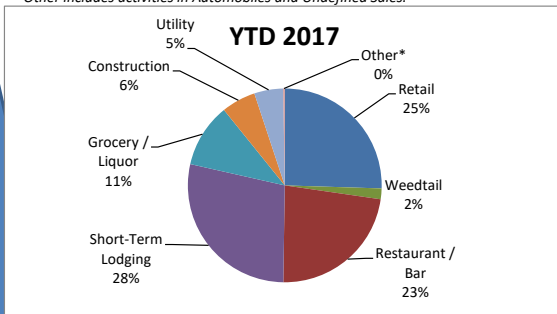
* Other includes Franchise Fees (Telephone, Public Service and Cable), Cigarette Tax, and Investment Income

The Tax Basics

Net Taxable Sales by Industry-YTD

Description	YTD 2015	YTD 2016	YTD 2017	2017		2017/2018		2018
				% of Total	YTD 2018	\$ Change	% Change	
Retail	\$78,634,250	\$83,408,384	\$88,392,081	25.50%	\$97,600,471	\$9,208,390	10.42%	25.85%
Weedtail	\$4,851,029	\$5,798,526	\$6,210,058	1.79%	\$6,304,780	\$94,723	1.53%	1.67%
Restaurant / Bar	\$67,928,751	\$74,858,717	\$79,538,086	22.95%	\$88,414,176	\$8,876,090	11.16%	23.42%
Short-Term Lodging	\$87,634,719	\$97,720,005	\$98,080,106	28.30%	\$111,429,430	\$13,349,323	13.61%	29.51%
Grocery / Liquor	\$33,877,844	\$36,049,687	\$36,979,386	10.67%	\$39,609,913	\$2,630,526	7.11%	10.49%
Construction	\$16,062,022	\$17,057,001	\$19,803,115	5.71%	\$17,318,662	(\$2,484,452)	-12.55%	4.59%
Utility	\$15,991,356	\$16,190,620	\$16,744,516	4.83%	\$15,862,310	(\$882,206)	-5.27%	4.20%
Other*	\$803,928	\$1,490,341	\$884,368	0.26%	\$1,032,763	\$148,395	16.78%	0.27%
Total	\$305,783,899	\$332,573,280	\$346,631,716	100.00%	\$377,572,505	\$30,940,788	8.93%	100.00%

* Other includes activities in Automobiles and Undefined Sales.



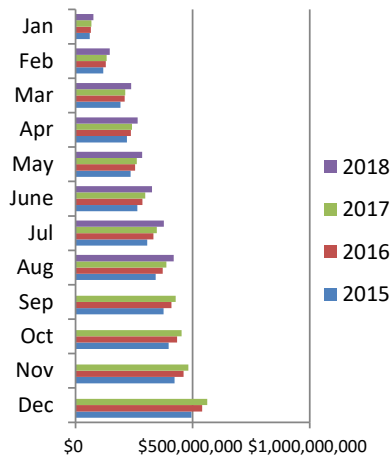
New Items of Note:

- For the year, net taxable sales are currently ahead of 2017 by 8.93%. July net taxable sales are currently ahead of July 2017 by 5.82%.
- For July 2018, all sectors were up for the month of July, as compared to prior year.
- For July 2018, Restaurant/Bar (8.05%), Weedtail (10.89%), & Construction (14.81%) sales sectors experienced more notable increases over July 2017.
- Disposable Bags distributed experienced an increase of 6.10% over prior year. The increase is being attributed to the Grocery/Liquor sales sector increase over prior year, 6.82% respectively.

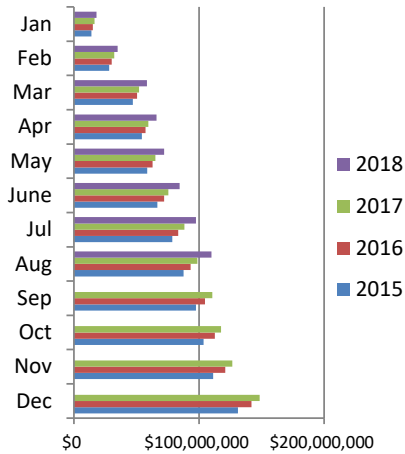
Continuing Items of Note:

- For the Construction sector in January 2015, a large one-time return was filed in relation to a single project. This was an anomaly that would not be expected to repeat in future years. In January of 2016, there was a large one time assessment impacting the sector.
- As previously noted, the decline in the Utility sector is largely related to the recent decrease in gas and electric billings. This is also due to warming temperatures.
- In 2014, a new category was added to the Sales by Sector pages for the Weedtail sector. The category encompasses all legal marijuana sales, regardless of medical or recreational designation
- A section on Disposable Bag Fees was added in 2014.
- Taxes collected from the customer by the vendor are remitted to the Town on the 20th of the following month.
- Quarterly taxes are reported in the last month of the period. For example, taxes collected in the first quarter of the year (January – March), are include on the report for the period of March.
- Net Taxable Sales are continually updated as late tax returns are submitted to the Town of Breckenridge. Therefore, you may notice slight changes in prior months, in addition to the reporting for the current month.
- "Other" sales relate to returns that have yet to be classified. Much of this category will be reclassified to other sectors as more information becomes available.

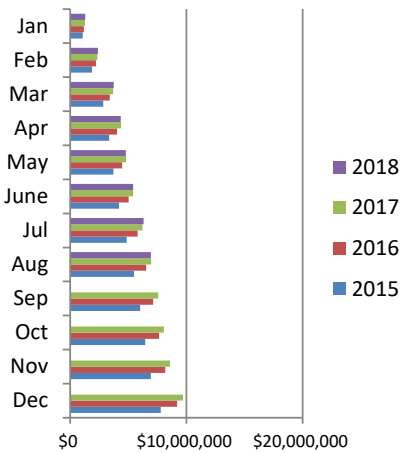
Net Taxable Sales by Sector - Town of Breckenridge Tax Base



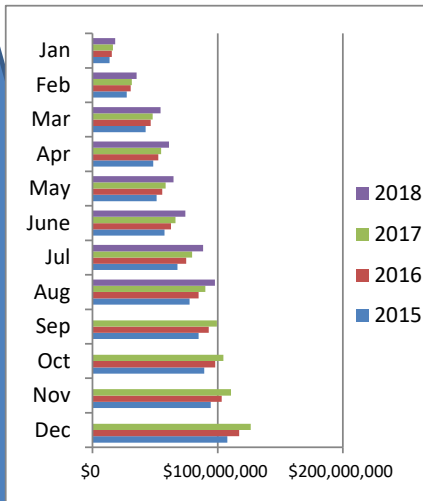
Total Net Taxable Sales					
	2015	2016	2017	2018	% change from PY
Jan	\$60,033,563	\$65,802,624	\$67,796,402	\$76,048,186	12.17%
Feb	\$58,741,575	\$63,833,922	\$64,760,379	\$70,268,330	8.51%
Mar	\$73,118,590	\$79,667,088	\$79,405,303	\$90,721,051	14.25%
Apr	\$27,410,469	\$26,869,536	\$28,623,103	\$27,826,089	-2.78%
May	\$15,658,620	\$17,805,725	\$21,489,664	\$20,068,596	-6.61%
Jun	\$28,739,345	\$31,662,174	\$35,780,818	\$41,026,197	14.66%
Jul	\$42,081,737	\$46,932,211	\$48,776,048	\$51,614,057	5.82%
Aug	\$36,563,530	\$39,073,049	\$40,974,449	\$0	n/a
Sep	\$33,499,160	\$37,539,781	\$40,494,382	\$0	n/a
Oct	\$21,567,161	\$24,724,775	\$24,910,837	\$0	n/a
Nov	\$25,431,867	\$26,735,820	\$28,814,959	\$0	n/a
Dec	\$71,702,082	\$79,721,890	\$80,751,336	\$0	n/a
Total	\$494,547,698	\$540,368,594	\$562,577,679	\$377,572,505	



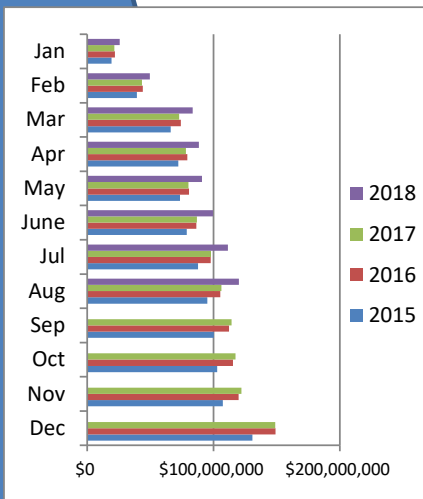
Retail					
	2015	2016	2017	2018	% change from PY
Jan	\$13,998,522	\$15,132,776	\$16,441,671	\$18,101,537	10.10%
Feb	\$14,240,511	\$15,161,579	\$15,695,872	\$16,923,424	7.82%
Mar	\$18,818,841	\$20,122,606	\$19,914,588	\$23,410,412	17.55%
Apr	\$7,281,848	\$6,857,887	\$7,462,502	\$7,614,368	2.04%
May	\$4,302,676	\$5,521,353	\$5,550,000	\$5,990,904	7.94%
Jun	\$8,090,642	\$9,285,567	\$10,428,300	\$12,452,387	19.41%
Jul	\$11,901,209	\$11,326,615	\$12,899,149	\$13,107,440	1.61%
Aug	\$9,097,833	\$9,931,109	\$10,304,011	\$0	n/a
Sep	\$9,732,923	\$11,444,371	\$11,905,630	\$0	n/a
Oct	\$6,173,161	\$7,779,902	\$7,020,804	\$0	n/a
Nov	\$7,653,739	\$8,523,532	\$8,898,522	\$0	n/a
Dec	\$19,751,269	\$20,856,785	\$22,031,411	\$0	n/a
Total	\$131,043,175	\$141,944,082	\$148,552,460	\$97,600,471	



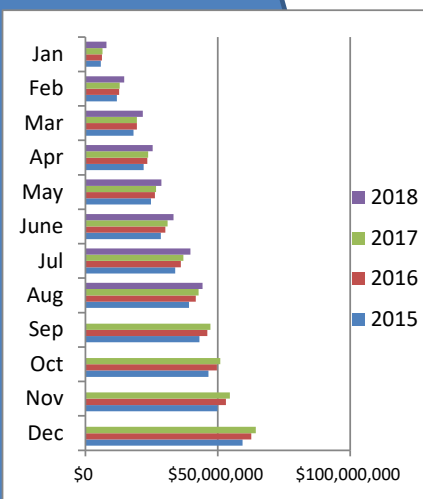
Weedtail					
	2015	2016	2017	2018	% change from PY
Jan	\$1,069,983	\$1,181,014	\$1,263,370	\$1,299,492	2.86%
Feb	\$809,146	\$1,045,184	\$1,076,236	\$1,077,296	0.10%
Mar	\$976,179	\$1,170,045	\$1,343,407	\$1,360,559	1.28%
Apr	\$496,701	\$647,524	\$683,486	\$603,052	-11.77%
May	\$376,877	\$424,305	\$436,712	\$432,876	-0.88%
Jun	\$463,026	\$561,981	\$608,808	\$646,541	6.20%
Jul	\$659,118	\$768,474	\$798,038	\$884,964	10.89%
Aug	\$638,780	\$731,985	\$756,690	\$0	n/a
Sep	\$524,591	\$607,308	\$596,781	\$0	n/a
Oct	\$453,781	\$499,149	\$484,253	\$0	n/a
Nov	\$476,602	\$542,237	\$554,576	\$0	n/a
Dec	\$846,691	\$1,013,140	\$1,112,445	\$0	n/a
Total	\$7,791,474	\$9,192,345	\$9,714,804	\$6,304,780	



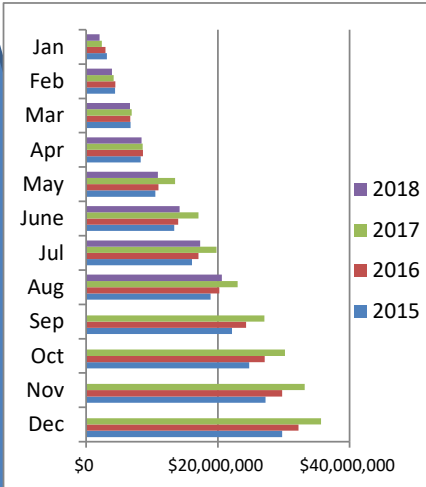
Restaurant / Bar					
	2015	2016	2017	2018 from PY	% change
Jan	\$13,757,283	\$15,420,296	\$16,276,306	\$18,113,738	11.29%
Feb	\$13,618,840	\$15,065,159	\$15,181,858	\$17,105,472	12.67%
Mar	\$15,042,121	\$16,112,662	\$16,595,811	\$19,256,220	16.03%
Apr	\$6,024,685	\$6,064,174	\$6,821,901	\$6,725,686	-1.41%
May	\$2,805,424	\$3,001,520	\$3,448,281	\$3,601,478	4.44%
Jun	\$6,313,126	\$6,963,372	\$8,089,688	\$9,430,328	16.57%
Jul	\$10,367,272	\$12,231,535	\$13,124,240	\$14,181,253	8.05%
Aug	\$9,608,649	\$9,947,952	\$10,631,602	\$0	n/a
Sep	\$7,153,442	\$8,109,315	\$9,211,502	\$0	n/a
Oct	\$4,605,454	\$5,123,843	\$5,227,314	\$0	n/a
Nov	\$5,119,695	\$5,290,140	\$6,000,732	\$0	n/a
Dec	\$13,248,488	\$13,796,003	\$15,895,058	\$0	n/a
Total	\$107,664,478	\$117,125,970	\$126,504,293	\$88,414,176	



Short-Term Lodging					
	2015	2016	2017	2018 from PY	% change
Jan	\$19,192,527	\$21,935,475	\$21,590,426	\$25,647,590	18.79%
Feb	\$20,152,677	\$22,070,711	\$21,766,114	\$23,876,189	9.69%
Mar	\$26,780,608	\$30,028,520	\$29,380,594	\$33,989,014	15.69%
Apr	\$5,950,092	\$5,135,347	\$5,327,746	\$5,004,233	-6.07%
May	\$1,386,810	\$1,450,045	\$2,008,505	\$2,274,320	13.23%
Jun	\$5,255,015	\$5,833,385	\$6,826,891	\$8,707,148	27.54%
Jul	\$8,916,990	\$11,266,522	\$11,179,832	\$11,930,936	6.72%
Aug	\$7,399,007	\$7,751,976	\$8,257,043	\$0	n/a
Sep	\$5,223,977	\$6,772,615	\$7,931,226	\$0	n/a
Oct	\$2,709,619	\$3,068,724	\$3,204,238	\$0	n/a
Nov	\$4,453,152	\$4,452,893	\$4,647,397	\$0	n/a
Dec	\$23,258,712	\$29,204,942	\$26,678,772	\$0	n/a
Total	\$130,679,185	\$148,971,154	\$148,798,784	\$111,429,430	



Grocery / Liquor					
	2015	2016	2017	2018 from PY	% change
Jan	\$5,825,759	\$6,250,584	\$6,450,303	\$7,922,442	22.82%
Feb	\$6,069,614	\$6,449,794	\$6,475,853	\$6,724,274	3.84%
Mar	\$6,296,838	\$6,769,678	\$6,527,831	\$7,034,396	7.76%
Apr	\$3,836,903	\$3,850,758	\$4,195,465	\$3,682,388	-12.23%
May	\$2,724,433	\$2,928,950	\$3,063,908	\$3,281,704	7.11%
Jun	\$3,735,382	\$3,960,786	\$4,342,262	\$4,636,919	6.79%
Jul	\$5,388,915	\$5,839,136	\$5,923,764	\$6,327,790	6.82%
Aug	\$5,231,601	\$5,625,836	\$5,715,123	\$0	n/a
Sep	\$3,997,242	\$4,322,032	\$4,525,953	\$0	n/a
Oct	\$3,344,571	\$3,623,882	\$3,724,937	\$0	n/a
Nov	\$3,375,304	\$3,409,252	\$3,608,668	\$0	n/a
Dec	\$9,500,929	\$9,661,918	\$9,752,150	\$0	n/a
Total	\$59,327,490	\$62,692,608	\$64,306,218	\$39,609,913	

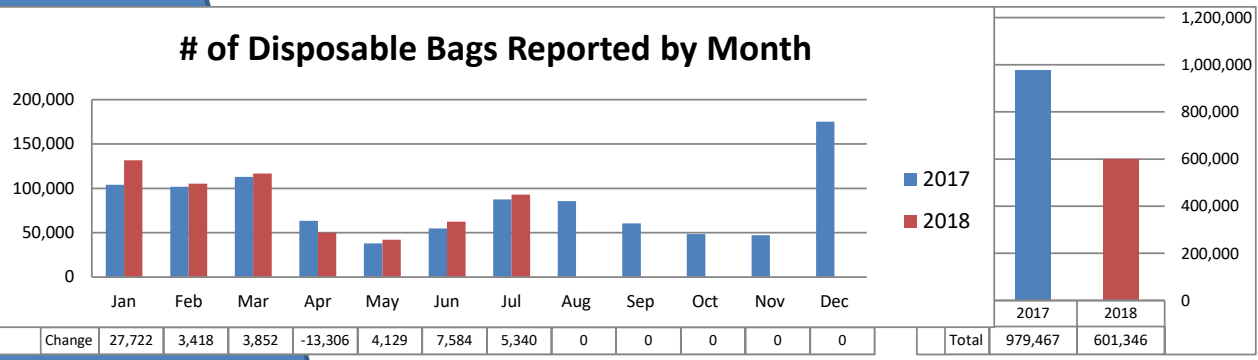


Construction					
	2015	2016	2017	2018 from PY	% change
Jan	\$3,142,768	\$2,930,914	\$2,398,824	\$2,033,286	-15.24%
Feb	\$1,232,799	\$1,520,592	\$1,769,306	\$1,887,086	6.66%
Mar	\$2,385,327	\$2,262,792	\$2,765,004	\$2,731,986	-1.19%
Apr	\$1,539,706	\$1,923,258	\$1,652,902	\$1,768,205	6.98%
May	\$2,193,144	\$2,353,384	\$4,919,462	\$2,473,822	-49.71%
Jun	\$2,870,200	\$2,974,258	\$3,564,860	\$3,303,123	-7.34%
Jul	\$2,698,078	\$3,091,802	\$2,732,756	\$3,121,155	14.21%
Aug	\$2,841,883	\$3,187,750	\$3,191,971	\$0	n/a
Sep	\$3,248,244	\$4,049,856	\$4,061,746	\$0	n/a
Oct	\$2,604,251	\$2,823,165	\$3,121,078	\$0	n/a
Nov	\$2,500,314	\$2,649,520	\$3,024,568	\$0	n/a
Dec	\$2,508,730	\$2,484,830	\$2,472,912	\$0	n/a
Total	\$29,765,442	\$32,252,122	\$35,675,389	\$17,318,662	

Disposable Bag Fees

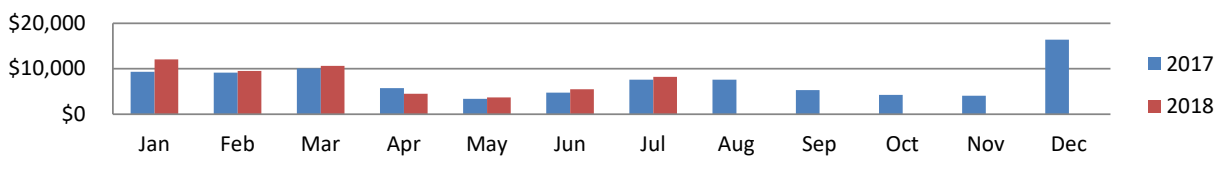
The Town adopted an ordinance April 9, 2013 (effective October 15, 2013) to discourage the use of disposable bags, achieving a goal of the SustainableBreck Plan. The \$.10 fee applies to most plastic and paper bags given out at retail and grocery stores in Breckenridge. The program is intended to encourage the use of reusable bags and discourage the use of disposable bags, thereby furthering the Town's sustainability efforts. Revenues from the fee are used to provide public information about the program and promote the use of reusable bags.

of Disposable Bags Reported by Month



Bag Fees Remitted by Month

Net of Retained Percentage*



*Retailers are permitted to retain 50% of the fee (up to a maximum of \$1000/month through October 31, 2014; changing to a maximum of \$100/month beginning November 1, 2014) in order to offset expenses incurred related to the program. The retained percent may be used by the retail store to provide educational information to customers; provide required signage; train staff; alter infrastructure; fee administration; develop/display informational signage; encourage the use of reusable bags or promote recycling of disposable bags; and improve infrastructure to increase disposable bag recycling.

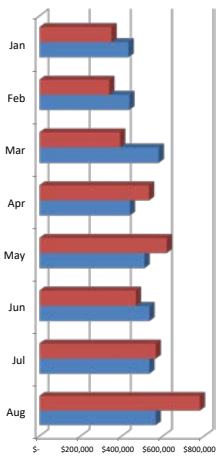
Real Estate Transfer Tax

New Items of Note:

- Revenue for the month of August was ahead of prior year by 37.94%, and ahead of the monthly budget by \$212,610.
- Year to date, revenue is ahead of prior year by 0.33%, and has surpassed budget by \$1,031,154.
- Single Family Home sales accounted for the majority of the sales (36.96%), with Condominium sales in the second position of highest sales (24.25%) subject to the tax. Timeshares sales were in third position with sales (21.73%) in sales level for the year.
- August 2018 churn was 8.30% above August 2017.

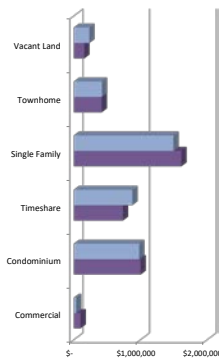
Continuing Items of Note:

- 2018 Real Estate Transfer Tax budget is based upon the monthly distribution for 2016.



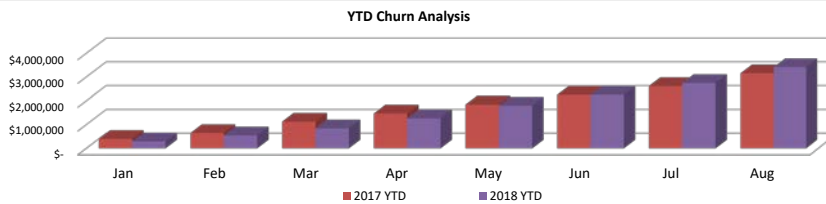
Total RETT						
	2016	2017	2018	% change	2018 budget	+/- Budget
Jan	\$293,839	\$432,417	\$350,102	-19.04%	\$280,375	\$69,726
Feb	\$338,604	\$436,538	\$338,813	-22.39%	\$323,089	\$15,724
Mar	\$407,901	\$579,302	\$391,670	-32.39%	\$389,211	\$2,458
Apr	\$418,228	\$439,375	\$532,220	21.13%	\$399,065	\$133,155
May	\$389,525	\$510,213	\$618,610	21.25%	\$371,678	\$246,932
Jun	\$351,831	\$533,957	\$468,350	-12.29%	\$335,711	\$132,639
Jul	\$363,545	\$533,735	\$564,797	5.82%	\$346,888	\$217,909
Aug	\$593,429	\$564,623	\$778,848	37.94%	\$566,238	\$212,610
Sep	\$551,616	\$478,875	\$0	n/a	\$526,341	n/a
Oct	\$515,748	\$730,352	\$0	n/a	\$492,116	n/a
Nov	\$579,565	\$550,457	\$0	n/a	\$553,010	n/a
Dec	\$436,266	\$400,236	\$0	n/a	\$416,277	n/a
Total	\$5,240,098	\$6,190,080	\$4,043,410		\$5,000,000	

*September #s are as of 09/17/2018



by Category					
Description	2017 YTD	2018 YTD	\$ change	% change	% of Total
Commercial	\$ 102,195	\$ 34,698	(67,497)	-66.05%	0.86%
Condominium	1,002,496	980,629	(21,867)	-2.18%	24.25%
Timeshare	736,102	878,489	142,387	19.34%	21.73%
Single Family	1,613,653	1,494,550	(119,104)	-7.38%	36.96%
Townhome	418,242	421,391	3,148	0.75%	10.42%
Vacant Land	157,470	233,654	76,184	48.38%	5.78%
Total	\$ 4,030,158	\$ 4,043,410	13,252	0.33%	100.00%

* YTD as of August 31st

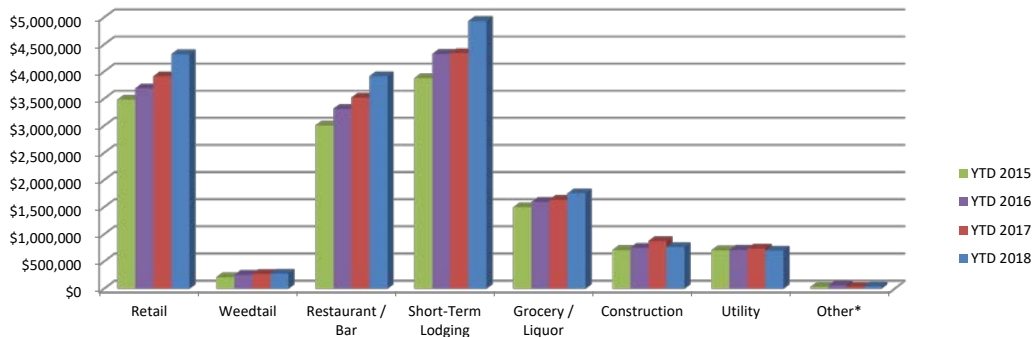
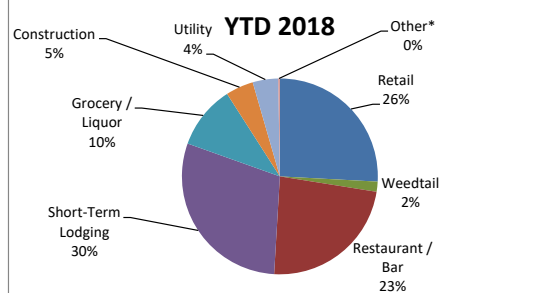
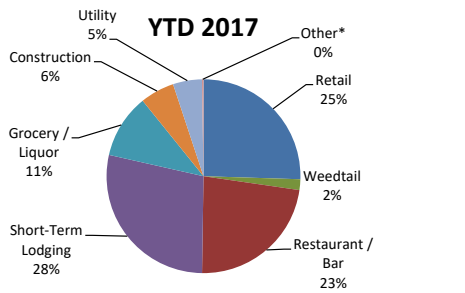


TAXES DUE - SALES, ACCOMMODATIONS, AND MARIJUANA TAXES

Tax Due by Industry-YTD

Description	YTD 2015	YTD 2016	YTD 2017	2017 % of Total	YTD 2018	2017/2018 \$ Change	2017/2018 % Change	2018 % of Total
Retail	\$3,483,497	\$3,694,991	\$3,915,769	25.50%	\$4,323,701	\$407,932	10.42%	25.85%
Weedtail	\$214,901	\$256,875	\$275,106	1.79%	\$279,302	\$4,196	1.53%	1.67%
Restaurant / Bar	\$3,009,244	\$3,316,241	\$3,523,537	22.95%	\$3,916,748	\$393,211	11.16%	23.42%
Short-Term Lodging	\$3,882,218	\$4,328,996	\$4,344,949	28.30%	\$4,936,324	\$591,375	13.61%	29.51%
Grocery / Liquor	\$1,500,789	\$1,597,001	\$1,638,187	10.67%	\$1,754,719	\$116,532	7.11%	10.49%
Construction	\$711,548	\$755,625	\$877,278	5.71%	\$767,217	(\$110,061)	-12.55%	4.59%
Utility	\$708,417	\$717,244	\$741,782	4.83%	\$702,700	(\$39,082)	-5.27%	4.20%
Other*	\$35,614	\$66,022	\$39,177	0.26%	\$45,751	\$6,574	16.78%	0.27%
Total	\$13,546,227	\$14,732,996	\$15,355,785	100.00%	\$16,726,462	\$1,370,677	8.93%	100.00%

* Other includes activities in Automobiles and Undefined Sales.



Items of Note:

- The general sales tax rate includes the 2.5% Town sales tax + 1.93% County sales tax distributed to the Town.
- The Short -Term Lodging sector includes an additional 3.4% accommodation tax.
- Weedtail includes an additional 5% marijuana tax (recreational and medical). The 1.5% distribution from the State is also included in this category. While the State distribution is only due on recreational sales, the majority of weedtail sales are recreational and the distribution has been applied to the entire sector.
- Report assumptions include: applying tax specific to a sector to the entire sector, as well as assuming the same tax base across the State, County, and Town taxes due. As a result, the numbers indicated above are a rough picture of taxes due to the Town and not an exact representation. Additionally, the data is representative of taxes due to the Town and not necessarily taxes collected year to date.

General Fund Revenues Summary

August 31, 2018

These next two pages report on 2018 year-to-date financials for the General Fund. This area contains most "Government Services," such as public works, police, community development, planning, recreation, facilities, and administrative functions.

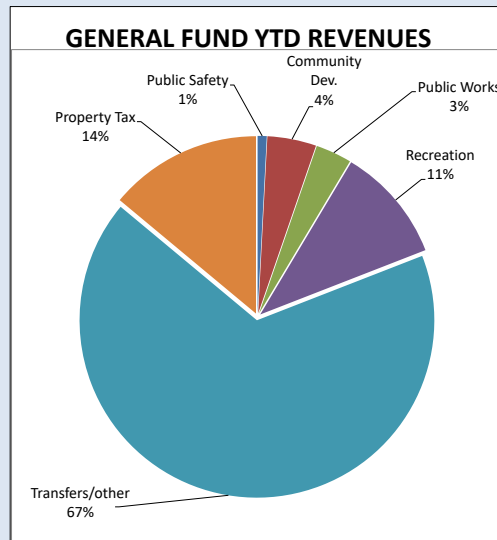
General Fund Revenue: At the end of August, the Town's General Fund was at 84.3% of YTD budget (\$19.0M actual vs. \$22.5M budgeted).

A shortage of \$3.3M versus budget exists due to the reduction of the transfer from Housing to General Fund in 2018. The transfer was reduced from a budgeted \$10.5M to \$5.5M. This difference will exist throughout 2018.

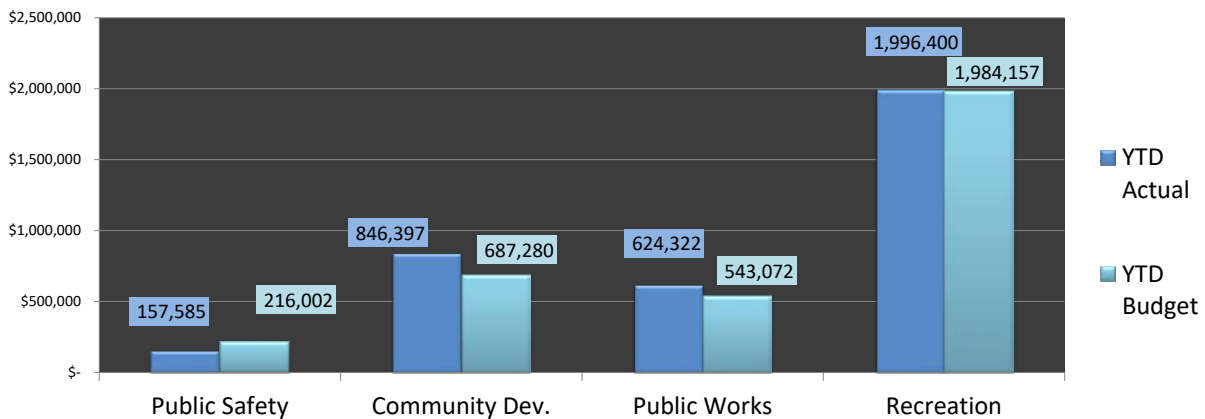
Property Tax collections are under budget due to the timing of Summit County collections.

Community Development is over budget due to Electrical Fees and Planning Fees being over budget.

Public Works is over budget due to the timing of County Road & Bridge Levy payments. This will even out of the course of the year.



Gen. Fund YTD Revenue Act vs. Bud - by Program



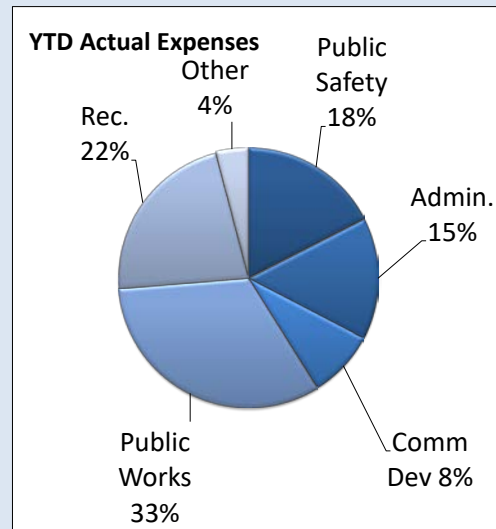
General Fund Expenditures Summary

August 31, 2018

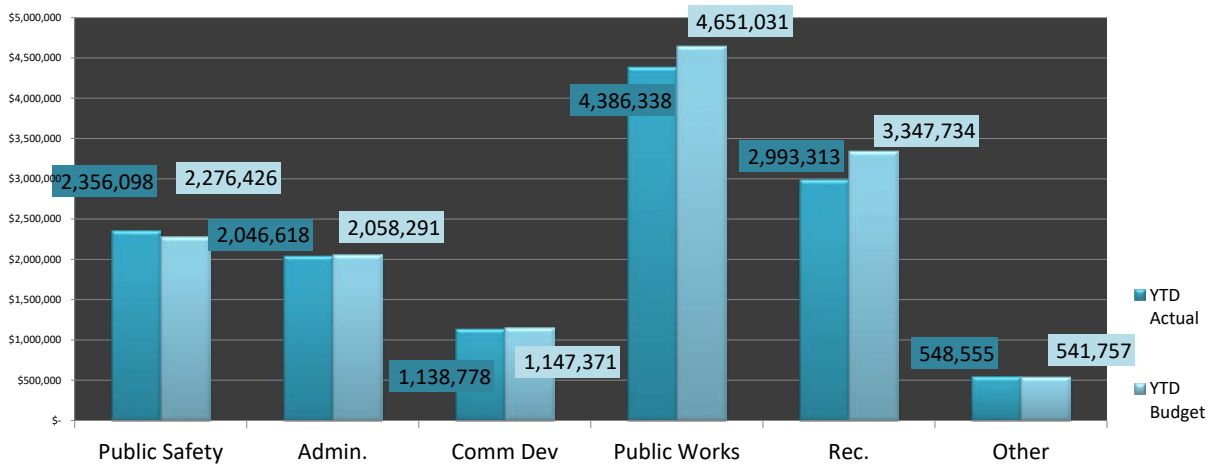
The General Fund as of August 31, 2018 was at 96.1% of budgeted expense (\$13.5M actual vs. \$14.0M budgeted). The below graphs represent the cost of providing the services contained in this fund (Public Safety, Recreation, Public Works, Community Development, and Administration).

Variance Explanations:

The main factor in departmental variances are differences in actual personnel costs versus budgeted personnel costs.



Gen. Fund YTD Expenditures Act. vs. Bud. - by Program



Combined Statement of Revenues and Expenditures

All Funds August 31, 2018

REVENUE	YTD Actual	YTD Budget	% of YTD	
			Bud.	Annual Bud.
General Governmental				
1 Gen/Excise/MMJ/Child Cr/Spec Prj	\$ 27,116,802	\$ 25,102,930	108%	\$ 40,449,945
2 Special Revenue	17,620,045	16,033,811	110%	33,120,596
3 Internal Service	3,972,095	3,172,097	125%	5,519,445
4 Subtotal General Governmental	\$ 48,708,941	\$ 44,308,838	110%	\$ 79,089,986
5 Capital Projects	37,694	38,655	98%	50,000
Enterprise Funds				
6 Utility Fund	3,366,826	56,920,033	6%	58,487,707
7 Golf	2,443,917	2,268,144	108%	2,628,335
8 Cemetery	5,300	11,573	46%	21,300
9 Subtotal Enterprise Funds	\$ 5,816,043	\$ 59,199,750	10%	\$ 61,137,342
10 TOTAL REVENUE	54,562,678	103,547,243	53%	140,277,328
11 Internal Transfers	22,371,557	26,037,149	86%	35,004,445
12 TOTAL REVENUE incl. x-fers	\$ 76,934,234	\$ 129,584,392	59%	\$ 175,281,773
EXPENDITURES				
	YTD Actual	YTD Budget	% of Bud.	Annual Bud.
General Governmental				
1 Gen/Excise/MMJ/Child Cr/Spec Prj	\$ 17,262,909	\$ 17,682,983	98%	\$ 27,099,286
2 Special Revenue	16,756,472	17,705,079	95%	30,238,992
3 Internal Service	3,424,757	3,470,530	99%	5,409,021
4 Subtotal General Governmental	\$ 37,444,138	\$ 38,858,592	96%	\$ 62,747,299
5 Capital Projects	5,590,402	4,768,000	117%	4,768,000
Enterprise Funds				
6 Utility Fund	12,554,867	22,851,944	55%	54,421,292
7 Golf	2,247,721	2,241,678	100%	3,129,740
8 Cemetery	0	1,000	0%	24,500
9 Subtotal Enterprise Funds	\$ 14,802,588	\$ 25,094,622	59%	\$ 57,575,532
10 TOTAL EXPENDITURES	57,837,128	68,721,214	84%	125,090,831
11 Internal Transfers	22,371,557	26,037,149	86%	35,049,110
12 TOTAL EXPENDITURES incl. x-fers	\$ 80,208,684	\$ 94,758,363	85%	\$ 160,139,941
13 TOTAL REVENUE less EXPEND.	\$ (3,274,450)	\$ 34,826,029	N/A	\$ 15,141,832

General Governmental Funds - General, Excise, Child Care, Marijuana and Special Projects

Special Revenue Funds - Marketing, Affordable Housing, Open Space, Conservation Trust, and Parking and Transportation

Internal Service Funds - Garage, Information Technology (IT), and Facilities

ALL FUNDS REPORT

August 31, 2018

The YTD breakdown of the revenue/expenses variances is as follows:

Governmental Funds:

General Fund:

- Revenue:
 - Under budget by \$3.5M. Please see General Fund Revenue page for more detail.
- Expense:
 - Under budget by \$500k. See General Fund Expense page of this report for more details.

Excise Fund:

- Revenue:
 - Ahead of budget by \$2.6M - see Executive Summary or Tax Basics for more information.

Capital Fund:

- Revenue:
 - The Combined Statement does not include transfers (appx. \$4.7M).
- Expense:
 - Over budget due to supplemental appropriations presented to Council, but not yet formally adopted by resolution.

Special Revenue Funds:

- Revenue:
 - Sales taxes are above budget.

Enterprise Funds:

Utility:

- Revenue:
 - The fund is under budget due to the 2017 receipt of new water plant debt proceeds budgeted in 2018. This variance will continue throughout the year.
- Expense:
 - Under budget due to timing of new water plant related expenses.

Golf:

- Expense:
 - Over budget due to the timing of budgeted building improvements.

Internal Service Funds:

- Revenue:
 - Over budgeted due to insurance recoveries. This revenue also has related expenses.

Internal Transfers:

- As noted on the General Fund Revenues page, the transfer from Housing to General Fund is under budget due to a reduction in the transfer from \$10.5M to \$5.5M. This has an equal effect on revenue and expenditures.

Fund Descriptions:

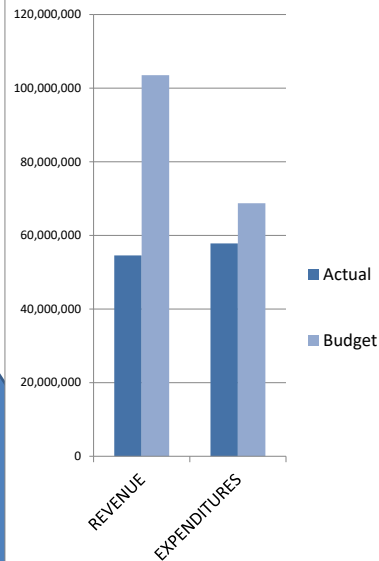
General Governmental - General, Excise, Capital, Special Projects, Child Care, Marijuana

Special Revenue Funds - Marketing, Affordable Housing, Open Space, Conservation Trust, and Parking and Transportation

Enterprise Funds: Golf, Utility, Cemetery

Internal Service Funds - Garage, Information Technology (IT), and Facilities

YTD Actual Revenues and Expenditures vs. Budget





Memo

To: Breckenridge Town Council Members
From: Shannon Smith, Town Engineer
Date: 9/19/2018
Subject: 2019 Capital Improvement Plan

The 2019 Capital Improvement Plan (CIP) is presented herein per Article X of the Breckenridge Home Rule Charter. A full review and discussion of the CIP is planned for the October 9th Budget Retreat.

CAPITAL IMPROVEMENT PLAN 2019-2023

**For the Year Ending
December 31, 2019**

**Presented To:
Breckenridge Town Council**

Eric Mamula, Mayor

**Wendy Wolfe
Gary Gallagher
Erin Gigliello**

**Dick Carleton
Jeffery Bergeron
Elisabeth Lawrence**

**Presented by:
Rick Holman, Town Manager**

Five Year Capital Improvement Plan Summary 2019 to 2022

Capital Fund Projects

Recreation	2019	2020	2021	2022	2023	TOTAL
River Park	-	700,000	-	-	-	700,000
Breckenridge Campground	-	-	-	1,000,000	-	1,000,000
Ice Arena Locker Room Addition	?	-	-	-	-	?
Total	-	700,000	-	1,000,000	-	1,700,000

Public Works

Undergrounding of Overhead Utilities	200,000	-	200,000	-	200,000	600,000
Roadway Resurfacing	850,000	850,000	850,000	850,000	850,000	4,250,000
McCain Property Improvements- School Parcel	350,000	1,000,000	3,750,000	150,000	43,000	5,293,000
Blue River Crossing at Coyne Valley Road	-	2,200,000	-	-	-	2,200,000
Coyne Valley Bike Underpass	75,000	?	-	-	-	75,000
Airport Road Improvements	250,000	3,750,000	3,750,000	-	-	7,750,000
Riverwalk Center Lobby Improvements	200,000	-	-	5,000,000	-	5,200,000
River Walk Extension & Utility Relocation	250,000	-	-	-	-	250,000
Infrastructure Improvements- Culverts	?	350,000	350,000	350,000	350,000	1,400,000
Sand Storage Structure	110,000	-	-	-	-	110,000
Broadband	10,000,000	10,000,000	-	-	-	20,000,000
Total	12,285,000	18,150,000	8,900,000	6,350,000	1,443,000	47,128,000

100% Renewable Energy

Town Facilities Energy Upgrades	100,000	100,000	90,000	85,000	0	375,000
Solar/Renewable Implementation	40,000	40,000	40,000	40,000	40,000	200,000
Small Scale Wind & Hydro Power	0	50,000	50,000	50,000	50,000	200,000
Total	140,000	190,000	180,000	175,000	90,000	775,000
GRAND TOTAL	12,425,000	19,040,000	9,080,000	7,525,000	1,533,000	49,603,000

Capital Funding Sources

Excise	2,257,000	6,557,000	7,107,000	7,427,000	1,435,000	24,783,000
McCain Rents	43,000	43,000	43,000	43,000	43,000	215,000
Open Space Funds (River Park)	-	105,000	-	-	-	105,000
GOCO Grant for Oxbow Park	-	350,000	-	-	-	350,000
Housing Fund (50% for Airport Rd. Improvements)	125,000	1,875,000	1,875,000	-	-	3,875,000
Conservation Trust Transfer	-	110,000	55,000	55,000	55,000	275,000
COP Funding for Broadband Project	10,000,000	10,000,000	-	-	-	20,000,000
Total	12,425,000	19,040,000	9,080,000	7,525,000	1,533,000	49,603,000

Parking and Transportation Fund Projects

Dynamic Wayfinding	1,000,000	1,500,000	500,000	-	-	3,000,000
S.Park Ave & Main Street Roundabout	250,000	250,000	-	-	7,000,000	7,500,000
Village Road Roundabout	-	-	-	3,500,000	-	3,500,000
French St Roundabout	-	400,000	-	4,000,000	-	4,400,000
B11 Parking- School Parcel	400,000	-	-	-	-	400,000
Transit Stop Shelters	150,000	-	-	-	-	150,000
Pedestrian Corridor Lighting	200,000	100,000	100,000	100,000	100,000	600,000
Sidewalk Master Plan Implementation	250,000	250,000	250,000	250,000	250,000	1,250,000
F-Lot Pedestrian Connection Improvements	200,000	2,000,000	-	-	-	2,200,000
River Walk Repairs	137,500	137,500	137,500	-	-	412,500
Four O'clock Pedestrian Improvements	-	-	-	1,400,000	-	1,400,000
Village Road Pedestrian Improvements	-	-	-	300,000	3,000,000	3,300,000
Transit Center	-	-	-	-	5,000,000	5,000,000
Total	2,587,500	4,637,500	987,500	9,550,000	15,350,000	33,112,500

Parking and Transportation Funding Sources

Lift Tax Agreement	1,570,000	1,641,400	1,714,228	1,788,513	1,864,283	8,578,423
Excise Fund Transfer	1,017,500	2,996,100	-	7,761,487	13,485,717	24,534,077
Total	2,587,500	4,637,500	987,500	9,550,000	15,350,000	33,112,500

Capital Improvement Plan Summary for 2019

	A list			B List	Total of A & B Projects
	Other Funding	Capital Fund	Total cost		
Recreation					
Ice Arena Locker Room Addition	?	?	?	0	0
Total	?	?	?	0	0

Public Works

Undergrounding of Overhead Utilities	0	200,000	200,000		200,000
Roadway Resurfacing	0	850,000	850,000	0	850,000
McCain Property Improvements- School Parcel	43,000	307,000	350,000	0	350,000
Coyne Valley Bike Underpass	0	75,000	75,000	0	75,000
Airport Road Improvements	125,000	125,000	250,000	0	250,000
Riverwalk Center Lobby Improvements	0	200,000	200,000	0	200,000
River Walk Extension & Utility Relocation	0	250,000	250,000	0	250,000
Infrastructure Improvements- Culverts	0 ?		0	0	0
Sand Storage Structure		110,000	110,000	0	110,000
Broadband	10,000,000	0	10,000,000	0	10,000,000
Town Facilities Energy Upgrades*	0	100,000	100,000	0	100,000
Solar/Renewable Implementation*	0	40,000	40,000	0	40,000
TOTAL	10,168,000	2,257,000	12,425,000	0	12,425,000

*100% Renewable Energy Project

GRAND TOTAL 10,168,000 2,257,000 12,425,000 0 12,425,000

Capital Funding Sources	Other Funding	Capital Fund	Total Funds
Excise Fund Transfer	-	2,257,000	2,257,000
McCain Revenues	43,000		43,000
Housing Fund (50% Airport Rd. Improvements)	125,000		125,000
Conservation Trust Transfer	-		-
COP Funding for Broadband Project	10,000,000		10,000,000
TOTAL	10,168,000	2,257,000	12,425,000

	A list			B List	Total of A & B Projects
	Other Funding	P&T Fund	Total cost		
Parking and Transportation					
Dynamic Wayfinding	0	1,000,000	1,000,000	0	1,000,000
S.Park Ave & Main Street Roundabout	0	250,000	250,000	0	250,000
B11 Parking- School Parcel	0	400,000	400,000	0	400,000
Transit Stop Shelters	0	150,000	150,000	0	150,000
Pedestrian Corridor Lighting	0	200,000	200,000	0	200,000
Sidewalk Master Plan Implementation	0	250,000	250,000	0	250,000
F-Lot Pedestrian Connection Improvements	0	200,000	200,000	0	200,000
River Walk Repairs	0	137,500	137,500	0	137,500
TOTAL	0	2,587,500	2,587,500	0	2,587,500

P&T Funding Sources	Other Funding	P&T Fund	Total Funds
Lift Tax Agreement	-	1,570,000	1,570,000
Excise Fund Transfer	-	1,017,500	1,017,500
TOTAL	-	2,587,500	2,587,500

Project Name River Park
Department: Recreation

Description:

The 2020 project will construct the second phase of Oxbow Park, part of the Blue River Corridor Master Plan and adjacent to the Denison Housing projects. This work will include the tot play area, swings, parking, and additional educational features. The project received a GOCO grant award for \$350,000 for Phase I of the project and a second GOCO grant application will be submitted for Phase 2.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	245,000	0	0	0	245,000
Open Space Funds	0	105,000	0	0	0	105,000
GOCO Grant	0	350,000	0	0	0	350,000
Total	0	700,000	0	0	0	700,000

Project Costs	2019	2020	2021	2022	2023	Total
Design and Construction	0	700,000	0	0	0	700,000
Total	0	700,000	0	0	0	700,000

Operational cost considerations:

This project will require staff time to inspect the playground and bathrooms daily, trash collection and utilities. The total is estimated at \$13,000 per year.

Project Name Breckenridge Campground
Department: Recreation

Description:

Under the Town Council Goal to “Ensure that Breckenridge continues to maintain, improve, and develop public recreational facilities and amenities,” Council defined a specific 2018 objective to “Evaluate potential locations for a campground.”

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	0	0	1,000,000	0	1,000,000
Conservation Trust Funds	0	0	0	0	0	0
Total	0	0	0	1,000,000	0	1,000,000

Project Costs	2019	2020	2021	2022	2023	Total
Design and Construction	0	0	0	1,000,000	0	1,000,000
Total	0	0	0	1,000,000	0	1,000,000

Operational cost considerations:

Operational costs have been estimated at \$50,000 annually.

Project Name Ice Arena Locker Room Addition
Department: Recreation

Description:

This project is the construction of new locker rooms to accommodate the growing use at the Ice Arena and provide administrative offices for Summit Youth Hockey. Funding for design was appropriated in 2018.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	?	0	0	0		0
Total	?	0	0	0		0

Project Costs	2019	2020	2021	2022	2023	Total
Design	100,000					
Construction	?	0	0	0		0
Total	?	0	0	0		0

Operational cost considerations:

Operational costs will be detailed once the project scope and design are progressed. There will be a cost increase for utilities, maintenance, and cleaning fees.

Project Name Undergrounding of Overhead Utilities
Department: Public Works

Description:

This project is to underground all of the overhead utility lines in Town over time. This project is funded through the general fund in conjunction with a 1% excise tax charged on Breckenridge residents' electric bills. The project will continue until all overhead lines are placed underground. The funding is shown to be every other year because the 1% excise money is generated at a rate that cannot support a project every year. The \$200,000 from the Town is used to pay for the undergrounding of other utilities that may be on the pole at the same time as the electric lines. The Town does not have a similar funding source for those utilities other than electric.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	200,000	0	200,000	0	200,000	600,000
Total	200,000	0	200,000	0	200,000	600,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	200,000	0	200,000		200,000	600,000
Total	200,000	0	200,000	0	200,000	600,000

Operational cost considerations:

This project is not expected to impact operational costs.

Project Name Roadway Resurfacing
Department: Public Works

Description:

This represents a commitment to future street projects, probably in the form of milling and resurfacing. The Council has set a goal of having the pavement condition rated at a 7 based on the Town pavement rating system. The inspection of the roads happens yearly. This project will also replace concrete that is deteriorated or damaged as well.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	850,000	850,000	850,000	850,000	850,000	3,400,000
Total	850,000	850,000	850,000	850,000	850,000	3,400,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	850,000	850,000	850,000	850,000	850,000	3,400,000
Total	850,000	850,000	850,000	850,000	850,000	3,400,000

Operational cost considerations:

This project is part of an ongoing reinvestment in our streets in order to keep our roads in a condition that is acceptable to our community. While it is difficult to determine the operational costs that this project reduces, the amount of maintenance needed because of this project is reduced.

Project Name McCain Property Improvements- School Parcel
Department: Public Works

Description:
 This project will establish a roadway and utilities to the School District parcel.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	307,000	957,000	3,707,000	107,000	0	5,078,000
Rents	43,000	43,000	43,000	43,000	43,000	215,000
Total	350,000	1,000,000	3,750,000	150,000	43,000	5,293,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	350,000	1,000,000	3,750,000	150,000	43,000	5,250,000
Total	350,000	1,000,000	3,750,000	150,000	43,000	5,250,000

Operational cost considerations:
 Operational costs will be detailed once the project scope and design are progressed. There will be a cost increase for snow removal and maintenance of infrastructure.

Project Name Coyne Valley Bike Underpass
Department: Engineering

Description:
This project will design and construct an underpass for the Rec Path crossing at Coyne Valley Rd.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	75,000	?	0	0	0	?
Total	75,000	?	0	0	0	?

Project Costs	2019	2020	2021	2022	2023	Total
Design	75,000					75,000
Construction	0	?	0	0	0	?
Total	75,000	?	0	0	0	?

Operational cost considerations:
This is not expected to have significant impact on operational costs.

Project Name Blue River Crossing at Coyne Valley Road
Department: Public Works

Description:

The Blue River reclamation project originally included the replacement of the metal culverts at Coyne Valley Road over the Blue River with a concrete structure. The pricing from the original bid was not attractive and was subsequently removed from the reclamation project. Council wanted to revisit replacing the culvert at a later time. This project will replace the metal culverts with a concrete structure along with reconstruction of a small portion of the Blue River banks upstream from Coyne Valley Road.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	2,200,000	0	0	0	2,200,000
Total	0	2,200,000	0	0	0	2,200,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	0	2,200,000	0	0	0	2,200,000
Total	0	2,200,000	0	0	0	2,200,000

Operational cost considerations:

This is not expected to have an ongoing operational cost to the Town since the culvert already exists.

Project Name Airport Road Improvements
Department: Public Works

Description:

This project is to design and implement roadway improvements as recommended in the forthcoming 2018 Traffic Study for Airport Road.

Project Funding	2019	2020	2021	2022	2023	Total
CIP Funds	125,000	1,875,000	1,875,000	0	0	3,875,000
Housing Funds	125,000	1,875,000	1,875,000	0	0	3,875,000
Total	250,000	3,750,000	3,750,000	0	0	7,750,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	250,000	0	0	0	0	250,000
Construction	0	3,750,000	3,750,000	0	0	7,500,000
Total	250,000	3,750,000	3,750,000	0	0	7,750,000

Operational cost considerations:

Operational costs will be detailed once the project scope and design are progressed. There will be a cost increase for snow removal and maintenance of infrastructure.

Project Name Riverwalk Center Lobby Improvements
Department: Administration

Description:

This project is to add a Lobby to the Riverwalk Center (RWC) that would include indoor bathrooms, ticket office, concession and pre-event space. DTJ developed a programmatic design that was estimated to cost between \$3.7M and \$5M in 2016.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	200,000	0	0	5,000,000	0	5,200,000
Total	200,000	0	0	5,000,000	0	5,200,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	200,000	0	0	0	0	200,000
Construction	0	0	0	5,000,000	0	5,000,000
Total	200,000	0	0	5,000,000	0	5,200,000

Operational cost considerations:

The lobby addition would increase the operational costs by approximately \$16,000 that include utilities, maintenance, labor and cleaning.

Project Name River Walk Extension & Utility Relocation
Department: Public Works

Description:
 This project is the extension of the Riverwalk pathway south to S.Park Ave.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	250,000	0	0	0	0	250,000
Total	250,000	0	0	0	0	250,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	50,000	0	0	0	0	50,000
Construction	200,000	0	0	0	0	200,000
Total	250,000	0	0	0	0	250,000

Operational cost considerations:
 This project will not significantly impact our current operational costs.

Project Name Infrastructure Improvements- Culverts
Department: Engineering

Description:

This project is to repair or replace aging culverts throughout Town. The 2019 project will be to repair the Illinois Gulch culvert under Boreas Pass Rd including the sidewalk that is part of the structural system of the culvert. Construction costs for the 2019 project are unknown due to the complexity of the project. Staff will update Council as design and cost estimating progress.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	?	350,000	350,000	350,000	350,000	1,400,000
Total	?	350,000	350,000	350,000	350,000	1,400,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	175,000					
Construction	?	350,000	350,000	350,000	350,000	1,400,000
Total	?	350,000	350,000	350,000	350,000	1,400,000

Operational cost considerations:

This is not expected to have an ongoing operational cost to the Town since the culverts are existing.

Project Name Sand Storage Structure
Department: Public Works

Description:

This project is to construct a structure at the Public Works Yard for storage of our sand used in roadway maintenance.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	110,000	0	0	0	0	110,000
Total	110,000	0	0	0	0	110,000

Project Costs	2019	2020	2021	2022	2023	Total
Design		0	0	0	0	0
Construction	110,000	0		0	0	110,000
Total	110,000	0	0	0	0	110,000

Operational cost considerations:

This project will not significantly impact our current operational costs.

Project Name Broadband
Department: Public Works

Description:

The purpose of this project is to provide reliable and competitive Broadband services to citizens/businesses/visitors per the Council goals.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	0	0	0	0	0
Other Funding	10,000,000	10,000,000				20,000,000
Total	10,000,000	10,000,000	0	0	0	20,000,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	0	0	0	0	0
Construction	10,000,000	10,000,000	0	0		20,000,000
Total	10,000,000	10,000,000	0	0	0	20,000,000

Operational cost considerations:
Operational cost for this project are currently unknown.

Project Name Town Facilities Energy Upgrades
Department: Public Works

Description:

This project accelerates the Town's invest in upgrades for energy efficiencies in lighting and mechanical systems.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	100,000	100,000	90,000	85,000	0	375,000
Total	100,000	100,000	90,000	85,000	0	375,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	0	0	0	0	0
Construction	100,000	100,000	90,000	85,000	0	375,000
Total	100,000	100,000	90,000	85,000	0	375,000

Operational cost considerations:

This project will not impact our current operational costs and will realize savings based on the reduced energy consumption.

Project Name Solar/Renewable Implementation
Department: Community Development

Description:
This project is to pursue options and strategies for renewable energy in Town.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	40,000	40,000	40,000	40,000	40,000	200,000
Total	40,000	40,000	40,000	40,000	40,000	200,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	0	0	0	0	0
Construction	40,000	40,000	40,000	40,000	40,000	200,000
Total	40,000	40,000	40,000	40,000	40,000	200,000

Operational cost considerations:
This project will not impact our current operational costs.

Project Name Small Scale Wind & Hydro Power
Department: Community Development

Description:
 This project is to explore the feasibility and implement small-scale wind and solar projects.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	50,000	50,000	50,000	50,000	200,000
Total	0	50,000	50,000	50,000	50,000	200,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	50,000	0	0	0	50,000
Construction	0	0	50,000	50,000	50,000	150,000
Total	0	50,000	50,000	50,000	50,000	200,000

Operational cost considerations:
 This project will not impact our current operational costs.

Project Name Dynamic Wayfinding
Department: Parking and Transportation

Description:

This project is for the installation of dynamic wayfinding signs associated with parking and to upgrade additional wayfinding signage throughout town.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	1,000,000	1,500,000	500,000	0	0	3,000,000
Total	1,000,000	1,500,000	500,000	0	0	3,000,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	0	0	0	0	0
Construction	1,000,000	1,500,000	500,000	0	0	3,000,000
Total	1,000,000	1,500,000	500,000	0	0	3,000,000

Operational cost considerations:

The contract price for the web-hosted software to control the signs is approximately \$10,000 per year.

Project Name S.Park Ave & Main Street Roundabout
Department: Parking and Transportation

Description:

This project is to evaluate, design and construct the S.Park Ave/Main St. roundabout and associated corridor improvements that were recommended by the 2016 DTJ/Nelson Nygaard study. The 2019 project is a feasibility study of both intersection improvements and alternative pedestrian crossing locations. This study will include a large public outreach effort and involvement of stakeholders.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	250,000	250,000	0	0	7,000,000	7,500,000
Total	250,000	250,000	0	0	7,000,000	7,500,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	250,000	250,000	0	0	0	500,000
Construction	0	0	0	0	7,000,000	7,000,000
Total	250,000	250,000	0	0	7,000,000	7,500,000

Operational cost considerations:

The cost for operations will be determined once the scope of the project has been established. It is likely that the landscaping needed in these areas will significantly increase the summer maintenance to keep them looking good. The design can be geared toward low maintenance but weeds, irrigation and regular trash cleaning will be required. The roundabout at North Main and Park Avenue costs approximately \$40,000 per year to provide all the flowers and maintenance. Staff estimates that the lower maintenance roundabouts will costs between \$15,000 and \$20,000 per year.

Project Name Village Road Roundabout
Department: Parking and Transportation

Description:

This project is to evaluate, design and construct the S.Park Ave/Village Rd roundabout and associated corridor improvements that were recommended by the 2016 DTJ/Nelson Nygaard study. Design funds were included in the 2018 budget.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	0	0	3,500,000	0	3,500,000
Total	0	0	0	3,500,000	0	3,500,000

Project Costs						Total
Design	0	0	0	0	0	0
Construction	0	0	0	3,500,000	0	3,500,000
Total	0	0	0	3,500,000	0	3,500,000

Operational cost considerations:

The cost for operations will be determined once the scope of the project has been established. It is likely that the landscaping needed in these areas will significantly increase the summer maintenance to keep them looking good. The design can be geared toward low maintenance but weeds, irrigation and regular trash cleaning will be required. The roundabout at North Main and Park Avenue costs approximately \$40,000 per year to provide all the flowers and maintenance. Staff estimates that the lower maintenance roundabouts will cost between \$15,000 and \$20,000 per year.

Project Name French St Roundabout
Department: Parking and Transportation

Description:

This project is to evaluate, design and construct the French Street roundabout and associated corridor improvements that were recommended by the 2016 DTJ/Nelson Nygaard study.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	400,000	0	4,000,000	0	4,400,000
Total	0	400,000	0	4,000,000	0	4,400,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	400,000	0	0	0	400,000
Construction	0	0	0	4,000,000	0	4,000,000
Total	0	400,000	0	4,000,000	0	4,400,000

Operational cost considerations:

The cost for operations will be determined once the scope of the project has been established. It is likely that the landscaping needed in these areas will significantly increase the summer maintenance to keep them looking good. The design can be geared toward low maintenance but weeds, irrigation and regular trash cleaning will be required. The roundabout at North Main and Park Avenue costs approximately \$40,000 per year to provide all the flowers and maintenance. Staff estimates that the lower maintenance roundabouts will cost between \$15,000 and \$20,000 per year.

Project Name B11 Parking- School Parcel
Department: Parking and Transportation

Description:
This project is improve the B11 School parcel to a graded dirt parking area.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	400,000	0	0	0	0	400,000
Total	400,000	0	0	0	0	400,000

Project Costs	2019	2020	2021	2022	2023	Total
Design and Construction	400,000	0	0	0	0	400,000
Total	400,000	0	0	0	0	400,000

Operational cost considerations:
This project is not expected to have additional operational impacts.

Project Name Transit Stop Shelters
Department: Parking and Transportation

Description:

This project is to place bus stop shelters at various bus stops through out Town. The criteria for placing bus shelters will be based on the ridership at the bus stop and the priority will be based on the ridership as well.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	150,000	0		0	0	150,000
Total	150,000	0	0	0	0	150,000

Project Costs	2019	2020	2021	2022	2023	Total
Design and Construction	150,000	0			0	150,000
Total	150,000	0	0	0	0	150,000

Operational cost considerations:

This project is not anticipated to significantly increase operational costs.

Project Name Pedestrian Corridor Lighting
Department: Parking and Transportation

Description:

This project is improve lighting in the major pedestrian corridors throughout Town. Standards for lighting the corridors will be established using standard light fixtures at the standard spacing to achieve the appropriate level of safety to attract people to walk. The corridors will be identified and approved by Council prior to any work moving forward.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	200,000	100,000	100,000	100,000	100,000	600,000
Total	200,000	100,000	100,000	100,000	100,000	600,000

Project Costs	2019	2020	2021	2022	2023	Total
Design and Construction	200,000	100,000	100,000	100,000	100,000	600,000
Total	200,000	100,000	100,000	100,000	100,000	600,000

Operational cost considerations:

This project is not expected to have operational impacts.

Project Name Sidewalk Master Plan Implementation
Department: Public Works

Description:

The \$250,000 placeholder for future work assumes new sidewalk, curb and gutter at approximately 1,000 linear feet per year.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	250,000	250,000	250,000	250,000	250,000	1,250,000
Total	250,000	250,000	250,000	250,000	250,000	1,250,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	0	0	0	0	0
Construction	250,000	250,000	250,000	250,000	250,000	1,250,000
Total	250,000	250,000	250,000	250,000	250,000	1,250,000

Operational cost considerations:

This project will increase operational cost do to additional plowing and maintenance needs. Increases are estimated at \$8,000 each year that sidewalk infrastructure is added.

Project Name F-Lot Pedestrian Connection Improvements
Department: Parking and Transportation

Description:

This project includes improving the pedestrian pathway between Park Avenue and Adams Avenue, adjacent to the existing F-Lot parking lot.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	200,000	2,000,000	0	0	0	2,200,000
Total	200,000	2,000,000	0	0	0	2,200,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	200,000	0	0	0	0	200,000
Construction	0	2,000,000	0		0	2,000,000
Total	200,000	2,000,000	0		0	2,200,000

Operational cost considerations:

The increased cost for operations is estimated to be between \$30,000 and \$35,000 depending on design parameters.

Project Name River Walk Repairs
Department: Public Works

Description:

This project is to repair and replace the River Walk concrete and hardscape in areas between Park Avenue and Ski Hill Rd.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	137,500	137,500	137,500	0	0	412,500
Total	137,500	137,500	137,500	0	0	412,500

Project Costs	2019	2020	2021	2022	2023	Total
Design	0	0	0	0	0	0
Construction	137,500	137,500	137,500	0	0	412,500
Total	137,500	137,500	137,500	0	0	412,500

Operational cost considerations:

This project will not impact our current operational costs.

Project Name Four O'clock Pedestrian Improvements
Department: Parking and Transportation

Description:

This project will construct a 5-foot heated sidewalk on the south side of the roadway from Park Avenue to King's Crown.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	0	0	1,400,000	0	1,400,000
Total	0	0	0	1,400,000	0	1,400,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	0	0	0	1,400,000	0	1,400,000
Total	0	0	0	1,400,000	0	1,400,000

Operational cost considerations:

The increased cost for operations is estimated to be between \$30,000 and \$35,000 depending on design parameters.

Project Name Village Road Pedestrian Improvements
Department: Parking and Transportation

Description:

This project is to improve the pedestrian walkways on Village Road from Park Avenue to Beaver Run Resort per the DTJ/Nelson Nygaard study recommendations. These improvements may include widened, separated sidewalks with heating and increased lighting.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	0	0	300,000	3,000,000	3,300,000
Total	0	0	0	300,000	3,000,000	3,300,000

Project Costs	2019	2020	2021	2022	2023	Total
Design		0	0	300,000	0	300,000
Construction	0	0	0	0	3,000,000	3,000,000
Total	0	0	0	300,000	3,000,000	3,300,000

Operational cost considerations:

The cost for operations has not yet been determined but if a heated sidewalk is placed it would be similar to the costs established for Four O'clock Pedestrian Improvement project, which is between \$30,000 and \$35,000.

Project Name Transit Center
Department: Parking and Transportation

Description:
This project is to design and construct a new Breckenridge Station.

Project Funding	2019	2020	2021	2022	2023	Total
Town Funds	0	0	0	0	5,000,000	5,000,000
Total	0	0	0	0	5,000,000	5,000,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	0	0	0	0	5,000,000	5,000,000
Total	0	0	0	0	5,000,000	5,000,000

Operational cost considerations:

Operational costs will be detailed once the project scope and design are progressed. There will be a cost increase for utilities, maintenance, and cleaning fees.

Water Fund Five Year Capital Improvement Plan Summary 2019 to 2023

Project	2019	2020	2021	2022	2023	TOTAL
2nd Water Plant	25,000,000	0	0	0	0	25,000,000
Water Main Replacement	70,000	70,000	70,000	70,000	70,000	350,000
Tarn Dam Repairs	100,000	0	9,000,000	9,000,000	0	18,100,000
Water Tank Repairs	700,000	316,250	0	0	0	1,016,250
Technology Upgrades	225,000	150,000	0	500,000	205,000	1,080,000
Water Meter Upgrades	700,000	700,000	700,000	0	0	2,100,000
CT Station	400,000	0	0	0	0	400,000
TOTAL	27,195,000	1,236,250	9,770,000	9,570,000	275,000	48,046,250

Funding Sources	2019	2020	2021	2022	2023	TOTAL
Utility Fund Revenue/Reserves	2,195,000	1,236,250	9,770,000	9,570,000	275,000	23,046,250
Loan for 2nd Water Plant*	25,000,000	0	0	0	0	25,000,000
Loan for Dam Repairs			18,000,000			
TOTAL	27,195,000	1,236,250	9,770,000	9,570,000	275,000	48,046,250

Golf Fund Five Year Capital Improvement Plan Summary 2019 to 2023

Project	2019	2020	2021	2022	2023	TOTAL
Course Equipment	160,000	160,000	163,200	166,464	169,793	819,457
Course Improvements	10,000	10,000	10,000	10,000	10,000	50,000
Cart Replacement	103,250	103,250	413,000	106,347	106,347	832,194
Clubhouse Improvements	0	53,000	0	0	0	53,000
TOTAL	273,250	326,250	586,200	282,811	286,140	1,754,651

Funding Sources	2019	2020	2021	2022	2023	TOTAL
Golf Fund Reserves	273,250	326,250	586,200	282,811	286,140	1,754,651
TOTAL	273,250	326,250	586,200	282,811	286,140	1,754,651

Project Name 2nd Water Plant
Department: PW/Water

Description:

This project is to continue the design and construction for the second water treatment plant. This project would be for the costs to complete the design and construction of the water plant, pumps, pipes and permit process for the plant.

Project Funding	2019	2020	2021	2022	2023	Total
Loan for Construction	25,000,000	0	0	0	0	25,000,000
Total	25,000,000	0	0	0	0	25,000,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction/Installation	25,000,000	0	0	0	0	25,000,000
Total	25,000,000	0	0	0	0	25,000,000

Operational cost considerations:

The operational costs for this project are expected to increase operating expenses approximately \$500,000 per year.

Project Name Water Main Replacement
Department: PW/Water

Description:

Some of the older waterlines in our system require replacement to prevent continued water main breaks. Additionally, new valves are required on older lines for improved isolation of our system. Fairview Blvd. water main will be replaced with the 2nd water plant project. The next 5 years focuses on valve insertion until completion of the 2nd plant project. Staff has developed a plan for the next five years to insert valves and replace some of these lines as follows:

2019 - valve insertion

2020- valve insertion

2021- valve insertion and design Shekel Ln replacement

2022-Shekel Ln main replacement (north end)

2023-PK 7 interconnect line

Project Funding	2019	2020	2021	2022	2023	Total
Utility Fund Revenue/Reserves	70,000	70,000	70,000	70,000	70,000	350,000
Total	70,000	70,000	70,000	70,000	70,000	350,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	70,000	70,000	70,000	70,000	70,000	350,000
Total	70,000	70,000	70,000	70,000	70,000	350,000

Operational cost considerations:

Staff estimates that once all of these improvements are completed that the water main breaks will be reduced by 4 breaks per year. A water main break costs approximately \$15,000 per break which results in a repair cost savings of \$60,000 per year. Water productions will be saved at approximately 4 million gallons per year. It currently costs the Town approximately \$3/1,000 gallons which translates to \$12,000 in production savings per year. We estimate a total savings of \$72,000 per year. Staff time will also be saved at an estimated 100 hours per year. It will take several years to replace the lines and realize the operational costs savings.

Project Name Tarn Dam Repairs
Department: PW/Water

Description:

Staff has identified some repairs that are needed for the Goose Pasture Tarn Dam. These repairs are needed to keep the integrity of the dam and to keep the dam functioning into the future. These types of repairs can be expected to extend the life of the dam.

Project Funding	2019	2020	2021	2022	2023	Total
Utility Fund Revenue/Reserves	100,000	0	9,000,000	9,000,000	0	18,100,000
Total	100,000	0	9,000,000	9,000,000	0	18,100,000

Project Costs	2019	2020	2021	2022	2023	Total
Design	100,000	0	0	0	0	100,000
Construction	0	0	9,000,000	9,000,000	0	18,000,000
Total	100,000	0	9,000,000	9,000,000	0	18,100,000

Operational cost considerations:

This project is not expected to significantly impact operational costs.

Project Name Water Tank Repairs
Department: PW/Water

Description:

This project will resurface and repair the water tanks within our system over the next several years in order to extend the life of the tanks.

2019 - The Ski Hill 2 and Shadows Water tanks require some rehabilitation to extend the life of the tank

Project Funding	2019	2020	2021	2022	2023	Total
Utility Fund Revenue/Reserves	700,000	316,250	0	0	0	1,016,250
Total	700,000	316,250	0	0	0	1,016,250

Project Costs	2019	2020	2021	2022	2023	Total
Construction	700,000	316,250	0	0	0	1,016,250
Total	700,000	316,250	0	0	0	1,016,250

Operational cost considerations:

This project is not expected to significantly impact operational costs.

Project Name Technology Upgrades
Department: PW/Water

Description:

This project is to upgrade the technology on the existing system. These improvements include modern controls and remote monitoring of the system to allow water operators to more efficiently and effectively run the water system and keep the system up to date.

Project Funding	2019	2020	2021	2022	2023	Total
Utility Fund Revenue/Reserves	225,000	150,000	0	500,000	205,000	1,080,000
Total	225,000	150,000	0	500,000	205,000	1,080,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction/Installation	225,000	150,000	0	500,000	205,000	1,080,000
Total	225,000	150,000	0	500,000	205,000	1,080,000

Operational cost considerations:

This project is an ongoing upgrade to existing systems that really reduces the amount of staff time needed to operate the plant and system. The net result is that these improvements allow staff to perform their jobs more efficiently which frees up time to take on other tasks. There are not any direct operational cost impacts.

Project Name Water Meter Upgrades
Department: PW/Water

Description:

The water meters throughout Town were replaced in 2006 and the life of the battery and register were expected to last for 10 years. This project would replace the battery and register of the meters in Town so that they will provide accurate water usage information.

Project Funding	2019	2020	2021	2022	2023	Total
Utility Fund Revenue/Reserves	700,000	700,000	700,000	0	0	2,100,000
Total	700,000	700,000	700,000	0	0	2,100,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	700,000	700,000	700,000	0	0	2,100,000
Total	700,000	700,000	700,000	0	0	2,100,000

Operational cost considerations:

This project is not expected to significantly impact operational costs.

Project Name: CT Station
Department: PW/Water

Description:

During the Town's 2014 Sanitary Survey, it was discovered that chlorine is being monitored at the wrong location in the system. This station addresses this deficiency by monitoring chlorine just prior to the first customer. Additionally, it will provide a backflow device so when the north plant is online, it won't backfeed into the Tarn clearwell. Lastly, it provides a mechanism to drain the Tarn 24" transmission line if the plant is shut down for extended periods of time.

Project Funding	2019	2020	2021	2022	2023	Total
Utility Fund Revenue/Reserves	400,000	0	0	0	0	400,000
Total	400,000	0	0	0	0	400,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	400,000	0	0	0	0	400,000
Total	400,000	0	0	0	0	400,000

Operational cost considerations:

This project is not expected to significantly impact operational costs.

Project Name Course Equipment
Department: Golf Maintenance

Description:

Ongoing equipment replacement program for all of the golf course maintenance equipment.
 Note: Golf course maintenance equipment is not in the Town garage fund and the equipment list will be established prior to the final budget

New	Cost

Project Funding	2019	2020	2021	2022	2023	Total
Current Revenues	160,000	160,000	163,200	166,464	169,793	819,457
Total	160,000	160,000	163,200	166,464	169,793	819,457

Project Costs	2019	2020	2021	2022	2023	Total
Acquisition	160,000	163,200	166,464	169,793	173,189	659,457
Total	160,000	160,000	163,200	166,464	169,793	659,457

Project Name Course Improvements
Department: Golf Maintenance

Description:

The project fund improving the existing course as outlined in the Master plan performed by the Golf staff. These improvements include: Bunker Repair, Change Tee Irrigation, Trees, Shrubs.

Project Funding	2019	2020	2021	2022	2023	Total
Revenues/Reserve	10,000	10,000	10,000	10,000	10,000	50,000
Total	10,000	10,000	10,000	10,000	10,000	50,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	10,000	10,000	10,000	10,000	10,000	40,000
Total	10,000	10,000	10,000	10,000	10,000	40,000

Project Name Cart Replacement
Department: Golf Operations

Description:

Our cart fleet typically is turned over every 4 years. Proposed replacement in 2021 includes 3 beverage carts and 1 driving range cart. This number also includes applicable sales tax.

Project Funding	2019	2020	2021	2022	2023	Total
Revenue/Reserve	103,250	103,250	413,000	106,347	106,347	832,194
Total	103,250	103,250	413,000	106,347	106,347	832,194

Project Costs	2019	2020	2021	2022	2023	Total
Acquisition	103,250	103,250	413,000	106,347	106,347	832,194
Total	103,250	103,250	413,000	106,347	106,347	832,194

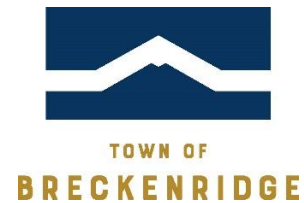
Project Name Clubhouse Improvements
Department: Golf Operations

Description:

This project is to remodel the existing clubhouse to upgrade the finishes and reinvest in the infrastructure.

Project Funding	2019	2020	2021	2022	2023	Total
Revenue/Reserve	0	53,000	0	0	0	53,000
Total	0	53,000	0	0	0	53,000

Project Costs	2019	2020	2021	2022	2023	Total
Construction	0	53,000	0	0	0	53,000
Total	0	53,000	0	0	0	53,000



Memo

To: Breckenridge Town Council Members
From: Jessie Burley, Sustainability Coordinator
Mark Johnston, Assistant Public Works Director
Date: 9/19/2018
Subject: Trash and Recycling Plan

The trash and recycle contract for on-street receptacles, town facilities dumpsters, and town owned shared business enclosures expired in 2017. This expired contract did not include service for glass which is a separate executed contract. Staff has been developing a new Request for Proposal (RFP) for services in an effort to address the various concerns we have heard from the business and local communities, Town Council, and staff observations.

Background/History – In 1996, the Town adopted an ordinance with the intent to protect public health, safety and welfare by regulating trash dumpsters and enclosures, both public and private. Specifically, it addressed pests and rodents, aesthetic appearance that detracted from value of real property, and safety hazards. At that time, 8 enclosures were built by the Town as shared spaces to dispose of waste for businesses in the town core, reducing the number of individual dumpsters in alleyways and the associated problems. Businesses not using town enclosures were required to build private enclosures that met specific guidelines as described by ordinance. Many of the north and south Main St. businesses weren't in existence in the late 90's. On occasion, new businesses have approached the Town about constructing new enclosures.

In the 22 years since the ordinance was adopted, there have been a number of changes and developments that have impacted the effectiveness of the program:

1. Number of businesses
2. Type of business use
3. Evolving waste and recycling streams
4. Town goals around waste diversion and recycling
5. Number of residents and visitors
6. Private waste service providers

There are three distinct sections to the RFP's scope of work.

1. **Town Facilities Dumpster Buildings** - There are 9 dumpster buildings serving town owned building operations.

Recommended Changes - Staff is recommending increasing the pick-up frequency at Public Works and the Golf Clubhouse. These two locations have seen an increase in volume and regularly fill at the current pick up frequency.

2. **On-Street Trash and Recycling Receptacles** - There are currently 124 trash and 53 recycling receptacles throughout town. The most used 54 trash and 27 recycling receptacles are currently serviced 3 days a week by our contractor (Monday, Wednesday and Friday). As visitation has increased, these receptacles at times overflow. In addition, Parks staff supplements the contractor's service by emptying receptacles a 4th day of the week. In 2018, this supplementation in combination with servicing our parks' receptacles equate to 1,551 labor hours YTD (or ¾ FTE) for Parks staff.

We continue to see an increase in residential (including short-term rental) and business use of street receptacles for private purposes. At times the recycling becomes too contaminated to recycle and therefore is deemed trash. There are currently no signs, or at the most inadequate signage, on these bins to let the public know what goes where.

Recommended Changes - Staff recommends increasing the contractor pick-up frequency from 3 days a week to 5 days a week in the busy season. We are in the process of installing new universal signage on all of our trash and recycling receptacles in an effort to reduce contamination. Our signs will be consistent with Recycle Across America signs to reduce the public's confusion at the bin which leads to contamination. Consistent signage has been proven to reduce costly contamination and improve recycling in a variety of settings.

The new short-term rental self-compliance affidavit will ask STRs to show they have waste and recycling services at the property so visitors aren't using town cans to dispose of their waste and recycling. Staff will continue to work with businesses to ensure they are taking responsibility for proper disposal of their waste and recycling. Staff is working on an on-street trash and recycling placement/location plan that we will present to Town Council at a later date. In addition, we are working with the Town Attorney to update the trash ordinance to provide enforcement provisions for illegal dumping.

3. Town Owned and Shared Business Enclosures - In the late 90s, the Town constructed 8 dumpster buildings that were designed to be used by businesses in the downtown core. In addition, there are two privately owned (and heavily used) shared enclosures that the Town helps manage without a formal agreement. Currently, the contractor leases all 10 spaces from the Town at a cost of \$21,600 and manages the building access internally. The income is used by the town for general maintenance of the buildings and is inadequate.

Besides the cost of service to the contractor, businesses currently use the shared enclosures at no cost. In recent years, we have seen an increase in illegal dumping and unauthorized use at these locations in addition to contamination of recycling. We have also heard anecdotally from business owners that there are inequities in billing. Lastly, these shared buildings were not designed to accommodate the volume or type of waste and recycling we are currently experiencing.

Recommended Changes - Staff is recommending that Town control the access to the buildings via a new card reader system that can be monitored remotely and in real time. In addition cameras will be added to each building. We are also recommending that the users of these buildings are charged a fee based on business type and size to pay for administration, general maintenance, enforcement and future expansion. This fee will be assessed using the Town's billing ratio methodology illustrated below. This ratio was derived using the Town's water PIF ratio with the assumption that businesses are similarly generating waste at the same rate as consuming water. We recommend dropping the rental charge to the contractor in lieu of the fee.

All businesses using the enclosures will be vetted and approved by the Town and will be required to submit an annual business waste questionnaire and shared enclosure agreement in order to receive access to the building. Businesses will only be allowed a specified number of access cards based on the type and size of the business. The contractor cannot open an account with a business without Town approval. The contractor will bill the businesses directly using the Town's billing ratio methodology illustrated below.

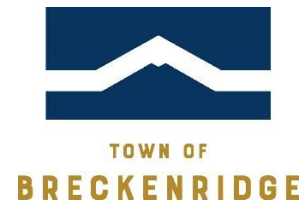
Town's Billing Ratio Methodology

	Food	Green	Recycle	Trash	Water PIF
Auto Repair			50%	50%	1.5
Beauty & Spa			50%	50%	0.35
Car Wash			50%	50%	2
Caterer/minor retail food	20%		60%	20%	1.6
Day Care/Pre School					0.01
Gym & Fitness			60%	40%	0.18
Hotel		10%	40%	50%	0.4
Laundromat					.08/lb
Multi-Family					0.8-0.4
Office & Education			50%	50%	0.4
Restaurant, full service	20%		40%	40%	3.75
Retail			50%	50%	0.4
Theatre					.01/seat
Wholesalers			50%	50%	0.3
Winery or Tasting			50%	50%	0.3

Currently Town staff does not administer or have a comprehensive list of the enclosure users. The chart below is an example of how the fee could be distributed between business types based on a fictitious number of businesses using the enclosure. Staff has estimated \$50,000 as the annual fee collection in the first year for: administration, general maintenance (building inspections, door repairs, keycard access contract, building upkeep, etc.), enforcement, and the future expansion of buildings. This number could be adjusted in the future based on need. After the town has a list of approved users, the ratios will be applied to collect the fee.

Business Name	Quantity of Business	PIF	Percentage	Industry Total	Annual Business Fee	Monthly Business Fee
Restaurant	39	3.75	82.52%	\$41,259.94	\$1,057.95	\$88.16
Beauty and Spa	4	0.35	0.79%	\$394.97	\$98.74	\$8.23
Caterer minor retail/food	6	1.6	5.42%	\$2,708.35	\$451.39	\$37.62
Gym & Fitness	1	0.18	0.10%	\$50.78	\$50.78	\$4.23
Multi Family	5	0.6	1.69%	\$846.36	\$169.27	\$14.11
Office & Education	18	0.4	4.06%	\$2,031.26	\$112.85	\$9.40
Retail	24	0.4	5.42%	\$2,708.35	\$112.85	\$9.40
		7.28	100.00%	\$50,000.00		

If Town Council approves the recommended changes to the RFP, it is Staff's intent to release the RFP with a deadline for proposals by the end of October. We expect the new service to take effect by the January 1, 2019.



Memo

To: Breckenridge Town Council Members
From: Mark Truckey, Assistant Director of Community Development
Date: 9/19/2018
Subject: Comprehensive Code Amendments Third Installment

Background

The Town Council has previously reviewed and made recommendations on two installments of proposed Code amendments, which were the result of recommendations from the Comprehensive Code Amendments Steering Group. At this point, we have concluded our work with the Steering Group and have a third and mostly final installment of proposed Code amendments, which we request the Council's input on. The Planning Commission reviewed these proposed amendments on August 21 and made a few suggestions which have been incorporated into the proposed document attached to this memo.

In the previous installments, the Council reviewed policies 1 through 32 of the Development Code. This last installment focuses primarily on Policies 33 to 50, but also includes amendments to a few other areas of the Code.

Issues

The attached Proposed Code Amendments include a short description in italics of the reason for each of the proposed changes. The bullets below highlight a few of the more significant changes:

- A proposed change to the classification of historic remodels in the Historic District to address fees associated with these applications.
- Changes to the negative point assignments for moving historic structures to further discourage the moving of historic structures.
- Several significant changes are proposed to Policy 33R Energy Conservation. One of the biggest changes involves changing the positive point assignment for residential construction so that it is based on a percentage improvement in energy efficiency compared to a standard home built to the existing Residential Energy Code. The scoring was previously based on a HERS (Home Energy Rating Survey) score. However, the Energy Code now requires many of the energy saving measures that previously were used to attain a better HERS rating. As a result, the standard home built to Energy Code can routinely qualify for positive points through HERS without implementing any extra energy efficiency measures. The new percentage based improvement, which is similar to how Policy 33R has always treated commercial development, will address this.
- Also in Policy 33R we have included a new opportunity for a positive point in association with projects that are built to be solar and electric vehicle ready. This includes considering solar access when designing rooftops and including conduit for wiring and equipment associated with solar power. There is also a provision to ensure that garage bays come with 240v outlets to allow for charging of electric vehicles.
- A new section has been added under Policy 43A Public Art to allow murals outside the Conservation District. The section establishes size limitations for murals as well as locational criteria. The mural proposals are also required to be reviewed by the Public Arts Advisory Committee of Breckenridge Creative Arts.

- Several changes are proposed to 9-3-8 Offstreet Parking Requirements. These are primarily related to changing the parking space ratios required for a few uses (e.g., restaurants, industrial, grocery stores) outside the Conservation District. In developing these proposed changes, staff did a fair amount of research into requirements in other communities as well as reviewing national standards recommended by the Institute of Transportation Engineers.

Council Action

Staff invites Council input on the attached Code amendments. Once the Council has provided input, staff will pull together the entire package of code amendments for a formal review with the Planning Commission and the Council. There will likely be some minor tweaks to the code language as this process is undertaken. We intend to hold a public open house and post the proposed amendments on our website so that interested persons may review prior to going through the final review with the Council.

Comprehensive Code Amendments

Third Installment 9/10/18

Note: All proposed code amendments are identified by underlined or overstruck text. An italicized explanation precedes each proposed amendment.

Amend the definitions section of the Development Code to reclassify remodels and additions of historic structures in the Conservation District as Class A Developments. This proposal is made to align the costs of review more closely with actual staff time required for review. These development proposals are some of the most complex that the Town deals with. The current fee structure is based on the classification of applications, and Class B minor applications for historic remodels are significantly discounted compared to the staff time associated with their review.

9-1-5: DEFINITIONS:

CLASS A DEVELOPMENT: Any development which includes any of the following activities or elements:

- A. Residential uses which include three (3) units or more.
- B. Lodging and hotel uses.
- C. Any site work or landscaping which is in excess of two hundred thousand dollars (\$200,000.00) in value, to include ski lifts and parking lots.
- D. Commercial and industrial uses, additions and remodels thereto which are one thousand (1,000) square feet in size or greater.
- E. Approval of a master plan on a site five (5) acres or more in size.
- F. Major amendment to a master plan pursuant to section [9-1-19-39A](#), "Policy 39 (Absolute) Master Plan", subsection L, of this chapter.
- G. Those wireless communication facilities permit applications described in section [9-1-19-50A](#), subsection D(1), of this chapter.
- H. New or major remodel² of any historic residential structure within the historic district or the conservation district.

CLASS B DEVELOPMENT: Any development which includes any of the following activities or elements:

Class B - Major: A. New single-family nonhistoric residential within the historic district or the conservation district.

- B. New duplex residential within the historic district or conservation district.
- C. Bed and breakfasts, and boarding houses.
- D. Commercial and industrial uses and additions which are less than one thousand (1,000) square feet in size or ten percent (10%) of the existing square footage (unless classified as a class A development).
- E. Approval of a master plan on a site of less than five (5) acres.
- F. Demolition or moving of a landmark or historic structure (including any portion of the structure).

Class B - Minor: ~~A. New or major remodel² of any historic residential structure within the historic district or the conservation district.~~

- ~~A B.~~ Change of use within a residential district.
- ~~B C.~~ Site work, landscaping, grading, and utility installations on steep slopes (greater than 15 percent) or within environmentally sensitive areas.
- ~~C D.~~ Operation of a home childcare business.
- ~~D E.~~ Vendor carts, large.
- ~~E F.~~ Application for exempt large vendor cart designation.

Class B development is divided into major and minor categories for purposes of payment of application fees³ only. The procedures set forth in the development code for the processing of class B development permit applications apply to both major and minor categories.

Amend Section 9-1-8 to eliminate Preliminary Evaluation, as this has not been staff's practice to undertake this. However, staff routinely conducts pre-application conferences and work sessions (as specified in the Code), which are similar in scope.

~~9-1-8: PRELIMINARY EVALUATION:~~  

~~The planning staff may do a preliminary evaluation on a development after the following: an initial preliminary hearing; submittal of any required additional materials; payment of a fee; and a determination by the director of community development that adequate staff time is available. This evaluation is performed strictly as a convenience for the applicant in obtaining guidance with regard to town standards or criteria and shall not be binding upon a final point analysis nor the town. (Ord. 19, Series 1988)~~

Amend Section 9-1-18-1 as an evidentiary packet is not something that staff has required and is thus proposed to be eliminated from the submittal requirements for Class A development permits.

9-1-18-1: CLASS A DEVELOPMENT PERMIT PROCESS:

D. Final Application: A final hearing shall be held for each class A project by the planning commission to determine compliance with the policies established within this chapter, and other applicable town ordinances and codes. A final application shall not be requested until the project has been reviewed as a preliminary application before the planning commission, and has been authorized by the commission to proceed to final hearing. In no instance shall a final application be accepted by the town if more than ninety (90) days have elapsed since the preliminary hearing, in which case the applicant shall appear before the planning commission at another preliminary hearing before proceeding. (Ord. 7, Series 1993)

1. A final application shall consist of the following materials and plans, all of which shall be submitted no later than the deadline established in the rules and regulations: (Ord. 17, Series 2003)
 - a. An application signed by the property owner of record, or an agent having power of attorney, ~~and an evidentiary package on forms provided by the town. Any variances applied for shall be on the policy evidentiary package and included in the application.~~

Amend Section 9-1-18-4 C. to remove the requirement for the director to approve or deny a Class D development application within seven days. The Department generally approves these within seven days. However, there are sometimes extenuating circumstances (sometimes involving additional information needed from applicants) that preclude our ability to always approve these within the timeframe. Section E. is proposed to be deleted because Policy 40A Chalet Houses is proposed to be eliminated.

9-1-18-4: CLASS D DEVELOPMENT PERMIT PROCESS:

C. Procedure:

1. Once a completed application and all accompanying material have been submitted, the director shall review the proposal and ~~within seven (7) days~~ approve it with or without conditions, or deny it. In addition, the director shall have the right ~~within the same seven (7) days~~ to reclassify any class D application as a class C and process it accordingly.

~~E. Application To Chalet House Permits: The provisions of this section shall not apply to the processing of applications to operate a chalet house. Such applications shall be processed in accordance with the provisions of section [9-1-19-40A](#), "Policy 40 (Absolute) Chalet Houses", of this chapter. (Ord. 7, Series 1995)~~

Amend Policy 9-1-19-6 A to clarify that height measurements for shed roofs should be measured from the highest roof element (not the average, which is allowed to encourage gable roofs).

9-1-19-6A: POLICY 6 (ABSOLUTE) BUILDING HEIGHT:

A. Within The Historic District:

(1) Building height measurement shall be to the highest point of a flat, shed, or mansard roof or to the mean elevation of a ~~sloped~~ gable or hip roof.

(2) Maximum building height for all nonresidential, multi-family, duplex and single-family structures:

a. In land use districts 11, 17 and 18, and in those portions of land use districts 18₂ and 19 north of Lincoln Avenue or south of Washington Street, building height shall not exceed twenty six feet (26').

b. In those portions of land use districts 18₂ and 19 that lie between Lincoln Avenue and Washington Street, building height shall not exceed thirty feet (30').

B. Outside The Historic District:

(1) For all single-family residences or duplex units: Measurement shall be to the highest point of any roof element and shall not exceed thirty five feet (35').

(2) For all structures except single-family and duplex units outside the historic district: Building height measurement shall be to the highest point of a flat, shed, or mansard roof or to the mean elevation of a gable or hip roof. No building shall exceed the land use guidelines recommendation by more than two (2) full stories. (Ord. 22, Series 2006)

Amend the definition of Building Height Measurement in the Code Section 9-1-5 as follows to align with the proposed building height changes listed above:

9-1-5: DEFINITIONS:

BUILDING HEIGHT MEASUREMENT: Building height is measured in one of the following three (3) ways (A, B or C); all are measured from a point on the roof to a point on the grade directly below. Measurement is taken from points around the outside edge of the building's perimeter to natural or proposed grade, whichever yields a greater dimension, and from within the building's foundation perimeter to natural grade. In the case of nonnatural or highly irregular topography due to past mining impacts or other manmade impacts within the existing site development area (see illustration below), an average slope may be used.

All buildings with flat or shed roofs are measured per method A. All multi-family buildings, commercial buildings and all buildings within the historic district are measured per method B (unless a flat or shed roof is proposed, then method A would be used). All single-family residences and duplex units outside the historic district are measured per method C (unless a flat or shed roof is proposed, then method A would be used).

A. Measurement to the highest point of a flat, shed, or mansard roof: The greatest dimension, measured vertically, of a building between the highest point of a flat, shed, or mansard roof, including the cap of parapet, to a point measured directly below as described above.

B. Measurement to the mean elevation of a ~~sloped~~ gable or hip roof: The greatest dimension, measured vertically, to a point between the ridge and the eave edge of a ~~sloped~~ gable or hip roof, to a point measured directly below as described below:

C. Measurement to the highest element of a ~~sloped~~ gable or hip roof: The highest point of any roof element to a point measured directly below as described below:

Amend Policy 24 R to increase the negative points associated with moving historic structures. Recent input from the State Office of Historic Preservation has indicated a concern with moving historic structures from their historic location. The policy would still allow movement but additional negative points will hopefully further dissuade this practice.

9-1-19-24R: POLICY 24 (RELATIVE) SOCIAL COMMUNITY:

(1) Moving Primary Structures:

0 points: Relocating of historic primary structures in order to bring them into compliance with required codes and/or setbacks and for correcting property encroachments, but keeping the structure on its original lot, and maintaining the historic context of the structure and site.

~~-3~~10 points: Relocating of historic primary structures less than five feet (5') from its current or original location, keeping the structure on its original site, and maintaining the historic orientation and context of the structure and lot.

~~-4~~15 points: Relocating a historic primary structure between five feet (5') and ten feet (10') from its current or original location, but keeping the structure on its original lot and maintaining the historic orientation and context.

~~-15~~ 20 points: Relocating a historic primary structure more than ten feet (10') from its current or original location.

(2) Secondary Structures:

0 points: Relocating of historic secondary structures in order to bring them into compliance with required codes and/or setbacks and for correcting property encroachments, but keeping the structure on its original lot, and maintaining the historic context of the structure and site.

~~-1~~ 3 point: Relocating a historic secondary structure less than five feet (5') from its current or original location, keeping the structure on its original lot, and maintaining the historic orientation and context of the structure and site.

~~-2~~ 5 points: Relocating a historic secondary structure between five feet (5') and ten feet (10') from its current or original location, but keeping the structure on its original lot and maintaining the historic orientation and context of the structure and site.

~~-3~~ 10 points: Relocating a historic secondary structure more than ten feet (10') from its current or original location, but keeping the structure on its original lot.

~~-15~~ points: Relocating a historic secondary structure to a site off the original lot is prohibited.

Amend Policy 9-1-19-27R to encourage aesthetically attractive detention facilities.

9-1-19-27R: POLICY 27 (RELATIVE) DRAINAGE:  

3 x (0/+2)	Municipal Drainage System: All developments are encouraged to provide drainage systems that exceed the minimum requirement of the town and, if they so choose, to provide drainage improvements that are of general benefit to the community as a whole and not solely required for the proposed development. (Ord. 19, Series 1988)
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<u>1 x</u> <u>(-</u> <u>1/+1)</u>	<u>Stormwater Detention Ponds: Where stormwater detention ponds are included in developments, it shall be the goal to have aesthetically attractive detention ponds. The use of vegetation, including grass-lined ponds and swales is encouraged, provided they do not interfere with detention functions. Detention ponds which include minimal vegetation and large amounts of rocks, boulders, and unvegetated surfaces are discouraged.</u>
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Amend Policy 33 R to set a new standard for residential development regarding energy savings. A HERS rating will now only be incentivized for achieving one positive point. Positive points higher than that will be based on the percentage increased energy efficiency compared to a home built to comply with the existing Residential Energy Code. A new table is added to further specify point assignments for outdoor heated spaces, based on past precedent. The table also addresses water features, providing an option to power with renewable sources and increasing the negative point assignments for powering water features with conventional power sources. A new section is also included that awards one positive point for projects that are built solar ready.

9-1-19-33R: POLICY 33 (RELATIVE) ENERGY CONSERVATION:  

The goal of this policy is to incentivize energy conservation and renewable energy systems in new and existing development at a site plan level. This policy is not applicable to an application for a master plan. This policy seeks to reduce the community's carbon footprint and energy usage and to help protect the public health, safety and welfare of its citizens.

A. Residential Structure Three Stories Or Less: All new and existing residential developments are strongly encouraged to have a home energy rating survey (HERS) as part of the development permit review process to determine potential energy saving methods and to reward developments that reduce their energy use.

For new construction, positive points will be awarded for the percentage of energy use reduction of the new residential structure if a HERS analysis is obtained or when compared to the same building built to the minimum standards of the Town's most recently adopted International Energy Conservation Code Residential Provisions.

For existing residential development, including additions, positive points will be awarded for the percentage of energy saved beyond the energy consumption analysis of the existing structure(s) as compared to the energy consumption of the proposed structure remodel.

~~improvement in the HERS index when comparing the HERS index of the existing structure to the HERS index of the proposed structure with improvements. (Example: The percentage shall be calculated as follows: If the existing structure has a HERS index of 120, and has a HERS index of 70 as a result of the improvements proposed in the development permit application, there is a 41 percent improvement in the HERS index over the existing conditions (120-70=50; 50/120=0.41). Such improvement warrants an award of positive three (+3) points.)~~

Positive points will be awarded according to the following point schedule for new construction (prior to xx, 2018):

Points	<u>New Residential HERS Index</u> <u>New Structures; Percent Energy Saved Beyond Adopted Residential Energy Code</u>¹
+1	Obtaining a HERS index
+2	61-80 <u>20% - 39%</u>
+3	41-60 <u>40% - 59%</u>
+4	21-40 <u>60% - 79%</u>
+5	1-20 <u>80% - 99%</u>
+6	0-100 <u>100%+</u>

¹International Energy Conservation Code (IECC) Residential Provisions and any locally adopted amendments to the Code by the Town of Breckenridge.

Points	<u>New Residential HERS Index</u>	<u>Existing Residential (Prior To August 14, 2012); Percentage (%) Improvement Beyond Existing HERS Index</u>
-	-	-
+1	Obtaining a HERS index	Obtaining a HERS index
+2	61-80	10-29%
+3	41-60	30-49%
+4	21-40	50-69%

			+5	1-20	70-99%
			+6	0	110+%

Positive points will be awarded according to the following point schedule for existing structures (prior to xx, 2018) which undergo major exterior remodel and/or additions:

Points	Existing Residential (Prior To xxxx, 2018); Percentage (%) Improvement Beyond Existing² HERS Index
+1	Obtaining a HERS index
+2	10 - 29%
+3	30 - 49%
+4	50 - 69%
+5	70 - 99%
+6	100+%

² Existing HERS Index shall be for the structure prior to any modifications.

B. Commercial, Lodging And Multi-Family In Excess Of Three Stories In Height: New and existing commercial, lodging, and multi-family developments are strongly encouraged to take advantage of the positive points that are available under this policy by achieving demonstrable and quantifiable energy use reduction within the development. For new construction, positive points will be awarded for the percentage of energy use reduction of the performance building when compared to the same building built to the minimum standards of the adopted IECC¹². The percentage of energy use saved shall be expressed as MBh (thousand BTUs/hour).

For modifications to existing buildings including additions, positive points will be awarded for the percentage of energy saved beyond the energy consumption analysis of the existing structure(s) compared to the energy consumption of the proposed structure remodel. Points shall be awarded in accordance with the following point schedule:

	Points	New Structures; Percent Energy Saved Beyond The <u>IECC Minimum Standards</u>	Existing Structures (Prior To August 14, 2012); Percent Improvement Beyond Existing <u>Energy Consumption</u>
	+1	10% - 19%	10% - 19%
	+3 2	20% - 29%	20% - 29%

			<u>+43</u>	30% - 39%	30% - 39%
			<u>+54</u>	40% - 49%	40% - 49%
			<u>+65</u>	50% - 59%	50% - 59%
			<u>+76</u>	60% - 69%	60% - 69%
			<u>+87</u>	70% - 79%	70% - 79%
			<u>+98</u>	80%+	80%+

Positive points will be awarded only if an energy analysis has been prepared by a registered design professional as required by subsection E of this section, using an approved simulation tool in accordance with simulated performance alternative provisions of the town's adopted energy code.

C. Excessive Energy Usage: Developments with excessive energy components are discouraged. ~~However, if the planning commission determines that any of the following design features are required for the health, safety and welfare of the general public, then no negative points shall be assessed.~~ To encourage energy conservation, the following point schedule shall be utilized to evaluate how well a proposal meets this policy:

			<u>Point Range</u>	<u>Design Feature</u>
			<u>0</u>	<u>If the planning commission determines that any of the following design features are required for the health, safety and welfare of the general public (e.g., heated sidewalk in a high traffic pedestrian area), then no negative points shall be assessed.</u>
			<u>-1</u>	<u>1-500 square feet heated driveway, sidewalk, plaza, etc.</u>
			<u>-2</u>	<u>501-999 square feet heated driveway, sidewalk, plaza, etc.</u>
			<u>-3</u>	<u>1,000+ square feet heated driveway, sidewalk, plaza, etc.</u>
			<u>1x(-1/0)</u>	<u>Outdoor commercial or common space residential gas fireplace (per gas fireplace)</u>
			<u>0</u>	<u>Water features powered completely by a renewable energy source (e.g., solar, wind).</u>
			<u>-1</u>	<u>Water features powered by conventional energy sources utilizing less than 4,000 watts or less than five (5) horsepower.</u>
			<u>-2</u>	<u>Large outdoor water features (per feature) powered by conventional energy sources utilizing over 4,000 watts or five (5) horsepower motor or greater.</u>

D. Other Design Features:

1x(-2/+2) Other design features determined by the planning commission to conserve significant amounts of energy may be considered for positive points. Alternatively, other features that use excessive amounts of energy may be assigned negative points. However, positive points may not be assessed under this Section D. if the project has incurred positive points under A or B above, with the exception of (1) below.

- (1) 1x(+1) One positive point may be awarded for new construction that has been built solar and electric vehicle ready. In order to qualify as "Solar and Electric Vehicle Ready", the following must be provided:
 - a. Design of roof shall allow for a minimum of 30% designated area for PV (no obstructions or shading)
 - b. Locate and provide space for future required electrical equipment (inverter and meter)
 - c. Install conduit from roof to future electrical equipment locations
 - d. Main electrical panel shall have space for future solar
 - e. Structural live and dead loads included in roof design (only required for existing buildings)
 - f. A 240v outlet (or higher voltage) is provided in each garage bay to allow for charging of electric vehicles. For commercial and multi-family projects, one 240v outlet is provided for each 10 parking spaces.

E. General Provisions:

- (1) A projected analysis shall be submitted at the time of development permit application if positive points are requested as well as submittal of a confirmed analysis prior to the issuance of a certificate of occupancy or certificate of completion. A HERS analysis shall be performed by a certified HERS rater. An analysis of energy saved beyond the IECC shall be performed by a licensed Colorado engineer.
- (2) No development approved with required positive points under this policy shall be modified to reduce the HERS index, percentage of improvement, or percentage of energy savings above the IECC standards in connection with the issuance of such development permit. ("Required positive points" means those points that were necessary for the project to be approved with a passing point analysis.)
- (3) Prior to the issuance of a certificate of occupancy each development for which positive points are awarded under this policy shall submit a letter of certification showing compliance with the projected energy rating or percentage of energy savings in comparison to the IECC. The required confirmed certification for a residential development three (3) stories or less in height shall be submitted by a certified HERS rater. The required confirmed certification for a residential development taller than three (3) stories, and for all commercial development, shall be submitted by a licensed Colorado engineer and accompanied by balance and commissioning reports.

~~F. Sliding Scale Examples: Examples set forth in this policy are for purpose of illustration only, and are not binding upon the planning commission. The ultimate allocation of points shall be made by the planning commission pursuant to section [9-1-17-3](#) of this chapter.~~

- ~~(1) Heated Outdoor Spaces 1x(0/ 3):~~

- a. ~~Zero points: For public safety concerns on public or private property such as high pedestrian traffic areas or small areas on private property which are part of a generally well designed plan that takes advantage of southern exposure and/or specific site features.~~
- b. ~~Negative points: Assessed based on the specific application of heated area. (For example, a heated driveway of a single family home compared to a driveway apron only; a heated patio). The points warranted are dependent on the specific project layout such as safety concerns, amount of heated area, design issues such as north or south facing outdoor living spaces, etc.~~

(2) ~~Water Features 1x(0/1):~~

- a. ~~Zero points: No water feature or features powered by an alternative energy source or feature utilizing less than four thousand (4,000) watts or less than five (5) horsepower.~~
- b. ~~Negative points: Based on the amount of energy (watts) utilized for the feature (large features of 4,000 watts or more, or 5 horsepower motor or greater). (Ord. 27, Series 2012)~~

Amend Policy 34A to: clarify intention to keep sediment from transporting to neighboring properties; eliminate a reference to a wildfire plan which has been superseded by defensible space requirements; and to provide an updated reference to the Town's flood prevention ordinance.

9-1-19-34A: POLICY 34 (ABSOLUTE) HAZARDOUS CONDITIONS:  

A. Geologic Hazard Potential: Geologic hazards shall include, but not be limited to, avalanches, landslides, rockfalls, mudflows, debris fans, unstable or potentially unstable slopes, ground subsidence, faulting, expansive soil or rock, Pierre Shale, and mining related modifications or other manmade modifications of the natural geology which may pose some geologic hazard. ~~A preliminary indication of some but not all such hazards is shown on the map of geologic hazards.~~

No development shall occur in any area of, or affected by, a geologic hazard unless mitigated to the satisfaction of the town. Proof of mitigation may require reports as specified by the town.

B. Erosion Hazard Potential: No sediment should leave the property boundary of a development site and be transported onto adjacent properties or right-of-ways. Erosion control measures shall be installed where required by the town through the Breckenridge water quality and sediment transport control ordinance.

C. ~~Wildfire Hazard Potential: A wildfire plan shall be prepared and implemented for all areas designated with a "severe" wildfire rating and for all vegetated areas designated with a "hazard intensified due to slope" rating on the map of wildfire hazard and for all vegetated areas in excess of thirty percent (30%) slope. Such plans shall address wildfire prevention, mitigation, and control, and shall further incorporate the recommendations contained within "Wildfire Hazards; Guidelines For Their Prevention In Subdivisions And Developments", prepared by Colorado state forest service.~~

~~DC.~~ Flood Danger To Life Or Property: No development shall increase danger to life or property from flood hazard within the town. This shall include, but not be limited to, prohibition of actions which

might increase the size of the floodway, reduce flood channel capacity, constrict the size or flow of the flood channel, create a significant backflow condition, increase the potential for debris in the floodway, or increase the volume or velocity of floodwaters.

ED. Floodplains: For all areas located within the special flood hazard areas as delineated on the flood boundary floodway map, the flood insurance rate maps and the flood insurance study, a plan of on site flood prevention, control and hazard mitigation shall be prepared and implemented according to the provisions of the Breckenridge flood damage prevention ordinance. (Ord. 3749, Series 2011-1988)

Amend Policy 35 A to clarify that subdivisions must comply with master plans.

9-1-19-35A: POLICY 35 (ABSOLUTE) SUBDIVISION:  

A. All subdivisions shall comply with the Breckenridge subdivision ordinance and applicable master plans.

Amend Policy 36A to only allow renewal of temporary structure permits if they meet all applicable Code provisions, such as architecture (e.g., to avoid seeing an aesthetically unattractive temporary structure to be in place for longer than three years).

9-1-19-36A: POLICY 36 (ABSOLUTE) TEMPORARY STRUCTURES:  

A. Prohibited In Conservation District: The placement of temporary structures within the conservation district is prohibited, except when authorized by subsection F of this section or by a special event permit issued pursuant to [title 4, chapter 13](#) of this code.

B. Discouraged Outside Conservation District: The placement of temporary structures outside of the conservation district is strongly discouraged.

C. Temporary Structures Or Uses: Temporary structures as defined in section [9-1-5](#) of this chapter are subject to the following conditions:

- (1) Temporary structures shall only be utilized to replace an existing structure being demolished on site while a new, permanent structure on the same site is being constructed.
- (2) The temporary structure shall have no greater floor area than the structure it is temporarily replacing.
- (3) The temporary structure shall not be placed on site until a building permit has been issued for the new structure, and shall be removed once a certificate of occupancy for the new structure has been issued.
- (4) The holder of the development permit for a temporary structure shall provide a monetary guarantee to the town, in a form acceptable to the town attorney, ensuring the complete removal of the structure, site

cleanup, and site revegetation, once a certificate of occupancy for the new structure has been issued. In addition, the holder of the development permit shall enter into an agreement with the town authorizing the town to take possession of the temporary structure and to dispose of the structure, without the town being accountable for any damages for the loss or destruction of the structure, if the permit holder fails to remove the structure within a reasonable period of time after a certificate of occupancy for the new structure has been issued.

(5) If a permit for a temporary structure is requested to be renewed, it may be approved subject to all other relevant development code policies, such as Policy 5A and 5R. This provision shall not apply to temporary tents and Seasonal Noncommercial Greenhouses.

Amend Policy 37A so that the definition of Riverwalk only extends north to Ski Hill Road. The policy allows for waivers from parking requirements and potential density bonuses in exchange for Riverwalk compatible amenities (e.g., landscaping, outdoor seating). The current definition extends further north to areas that do not directly abut the Riverwalk (alley and parking lots intervene) and these areas are recommended not to receive the same waivers and bonuses.

9-1-19-37A: POLICY 37 (ABSOLUTE) SPECIAL AREAS:  

Blue River: An applicant whose project is adjacent to, or separated by only an alley from, the Blue River shall comply with the following special conditions:

A. Applicant Participation In Riverwalk Area Improvements: An applicant whose project is within the Riverwalk area as defined below shall participate in the construction of those improvements set forth in the "Riverwalk improvement plan", as amended from time to time, or shall participate in any improvement district established by the town to develop the Blue River corridor.

(1) Definitions: As used in this subsection A:

OTHER RIVERWALK IMPROVEMENTS: An improvement constructed on private property within the Riverwalk which is not a Riverwalk compatible improvement.

RIVERWALK: The area bounded by Ski Hill Road ~~French Street~~ on the north, South Park Avenue on the south, Main Street on the east and the easterly bank of the Blue River on the west where the town has constructed or intends to construct public improvements in order to make the area more attractive for use by the residents of, and visitors to the town.

RIVERWALK COMPATIBLE IMPROVEMENT: An improvement constructed on private property which is necessary or useful in order to provide greater visibility of or pedestrian access to the Riverwalk, and which helps a building to achieve a functional and aesthetic compatibility with the Riverwalk. Examples include, without limitation, a rear entry improvement, such as a porch; door; vestibule; window; landscaping; outdoor seating area or public gathering place, such as a deck or patio; or other decorative features consistent with design policies appropriate for the area.

(2) Limitation Concerning On Site Parking: An applicant for a project with an existing commercial use may not locate new or additional parking on site.

- (3) Credit For Voluntarily Abandoned Parking Spaces: The parking requirement for any property within this area will be reduced to the extent of the number of functional parking spaces voluntarily abandoned by the property owner.
- (4) Parking Requirement For Riverwalk Compatible Improvement: No additional parking shall be required as a result of the construction of a Riverwalk compatible improvement.
- (5) Loss Of Parking Space Resulting From Construction Of Riverwalk Compatible Improvement: Where an applicant can demonstrate that one or more functional parking spaces could have been provided on land which has been used for the construction of a Riverwalk compatible improvement, the town shall waive the parking requirement for the number of functional parking spaces which were lost as a result of the construction of such Riverwalk compatible improvement.
- (6) Development Agreement For Density Bonus: Notwithstanding anything contained in this chapter, the town council may, by development agreement, authorize the planning commission to review and approve (subject to compliance with all other applicable development policies of the town) a development permit containing a density bonus for qualifying development occurring within the Riverwalk under the following circumstances. The provisions of [chapter 9](#) of this title shall apply to any application for a development agreement submitted under this subsection A(6); provided, however, that no application fee normally required under section [9-9-8](#) of this title shall be required to be submitted in connection with such application.

Amend Policy 38.5 to align Home Childcare permits with Class D minor applications and to only require a permit renewal when ownership or location changes.

9-1-19-38.5A: POLICY 38.5 (ABSOLUTE) HOME CHILDCARE BUSINESSES:  

A home childcare business may be operated within the town only when authorized by a class B minor development permit. The following provisions shall govern the issuance, renewal and revocation of such development permit:

B. Application: An application for a development permit to operate a home childcare business shall be filed and processed pursuant to section [9-1-18-2](#) of this chapter. ~~Notwithstanding any fee schedule adopted pursuant to section [9-10-4](#) of this title, the fee for such application shall be based on the fee for a Class D minor development application, as set in the Department’s fee schedule. twenty five dollars (\$25.00).~~

G. Term Of Permit: ~~The initial term of the development permit for the operation of a home childcare business shall be twelve (12) months, and may be renewed for like terms. A permit for the operation of a home childcare business remains valid as long as the same business owner runs the childcare business in the same location, and provided all other sections of this code are complied with. If the childcare business changes ownership or location, than the permit must be renewed and the process for renewal of permit under Section H. below must be adhered to.~~

H. Renewal Of Permit: The renewal of a development permit to operate a home childcare business shall be processed as a class D minor development permit application. Notwithstanding any fee schedule

adopted pursuant to section [9-10-4](#) of this title, there shall be no fee for the renewal of a home childcare business development permit. The criteria for the renewal of a development permit for the operation of a home childcare business center shall be the same as for the issuance of a new development permit to operate a home childcare business; provided, however, that an applicant for renewal of an existing development permit to operate a home childcare business shall not be required to demonstrate compatibility of the home childcare business with adjacent properties and land uses.

Remove Policy 40 as it is antiquated and an early attempt to address short term rentals. The Town's existing short term rental regulations are more comprehensive.

9-1-19-40A: POLICY 40 (ABSOLUTE) CHALET HOUSES:  

~~A chalet house may be operated within the town only when authorized by a class D development permit. The following provisions, and not the provisions of section [9-1-18-4](#) of this chapter, shall govern the issuance of such permit: (Ord. 1, Series 2014)~~

~~A. Application Process:~~

~~(1) Preapplication Conference: A preapplication conference with a member of the community development staff shall be held prior to the submittal of an application.~~

~~(2) Application Requirements: The applicant shall file an application as required by subsection B of this section.~~

~~(3) Procedure:~~

~~a. Once a completed application and all accompanying materials have been submitted, the director shall give notice of the filing of the application by regular mail, postage prepaid, to the record owners of those properties located immediately adjacent to the premises upon which the chalet house is proposed to be operated, and notice of the filing of the application shall likewise be posted in a conspicuous place on the premises upon which the chalet house is proposed to be operated. The required notices shall be mailed and the premises posted not less than eleven (11) days prior to the earliest date upon which the application will be determined by the director. Such notices shall advise interested parties of the earliest date upon which the application will be determined by the director, and shall direct such interested parties to file their written comments concerning the application with the director by such date. For purposes of this policy, "properties located immediately adjacent to the premises upon which the chalet house is proposed to be operated" shall include only those properties located on any side of the lot or parcel of real estate upon which the chalet house is proposed to be operated. Adjacency shall not be affected by the existence of a public street, alley, easement (public or private) or a right of way.~~

~~b. The director shall render a decision on the application not earlier than the date set forth in the notices. The director shall approve or deny the application based upon the requirements of this policy. If the director approves the application, such approval shall include as conditions the provisions of subsection E of this section, together with such other conditions as the director may determine to be required to achieve compliance with the intent of this policy. In addition, the director shall have the right within seven (7) days following receipt of the completed application to reclassify the application as a class C application and to process it accordingly.~~

~~e. The director shall notify the applicant and all interested parties who have filed written comments concerning the application of the approval or denial of the application. Such notification shall be made by mail. The time for an appeal of the director's decision as provided in subsection G of this section shall commence with the mailing of the notice of the director's decision.~~

~~d. All of the director's decisions with respect to applications submitted pursuant to this policy shall be forwarded to the planning commission for their information only.~~

~~B. Application Requirements: An application for a development permit to operate a chalet house shall be made by the owner of the property upon which the chalet house will be operated. Such application shall be made on an application form supplied by the director, and shall include the following:~~

~~(1) A fee as required by the town's development fee schedule.~~

~~(2) The location, legal description and proof of ownership of the premises upon which the chalet house is proposed to be operated.~~

~~(3) A floor plan of the property upon which the chalet house is proposed to be operated.~~

~~(4) A site plan of the property upon which the chalet house is proposed to be operated. Such plan shall contain such information as the director may require, but shall at a minimum demonstrate that adequate parking and circulation for the operation of the chalet house is to be provided, and how other identified impacts of the use will be mitigated on site.~~

~~(5) Written statement from the building official that the premises upon which the chalet house is proposed to be operated has been inspected and is in compliance with the town's building and technical codes with respect to the use of the premises as a chalet house, or a statement of any deficiency which must be corrected in order for such premises to be brought into compliance. The applicant shall pay to the building official a fee as provided in the town's building code⁴⁵.~~

~~(6) A list of the record owners of properties located immediately adjacent to the premises upon which the chalet house is proposed to be operated as defined in subsection A(3) of this section.~~

~~(7) Such other and further information as the director may require in order to determine if the application satisfies the requirements of this policy.~~

~~C. Parking Requirement: No application for a development permit to operate a chalet house shall be approved unless the director determines that the following parking requirements have been satisfied:~~

~~(1) Parking for a chalet house shall be provided in an amount equal to that which would be required for the premises upon which the chalet house is proposed to be operated classified as a single family residence.~~

~~(2) All parking for a chalet house shall occur on site, unless an adequate off site location is approved by the director. The director shall not approve off site parking for a chalet house located outside the conservation district, or if the use of such off site parking will significantly disrupt the surrounding area. Before approving off site parking for a chalet house, the director shall require proof of the applicant's legal right to use such off site location for parking associated with the operation of the chalet house. If, during the time the development permit is in effect, the permittee loses the legal right to use the off site location for~~

~~parking, all parking for the chalet house which is subject to such permit shall be provided on site or at such other off site location as shall meet the requirements of this subsection C.~~

~~(3) No vehicle with a passenger capacity of sixteen (16) persons or more shall be used to transport guests to or from a chalet house, or parked upon premises for which a development permit for the operation of a chalet house has been issued.~~

~~D. Compliance With Building And Technical Codes: If the written statement of the building official submitted with the application for the development permit discloses that the premises upon which the chalet house is proposed to be operated is not in compliance with the town's building and other technical codes with respect to the use of such premises as a chalet house, such premises shall be brought into compliance and a certificate of compliance issued therefor prior to the use of the premises as a chalet house. The building official shall have the authority to conduct periodic inspections of the chalet house in order to determine continuing compliance with such codes.~~

~~E. Permit Conditions: In addition to such other conditions as may be imposed by the director, a development permit to operate a chalet house shall include the following conditions, compliance with which is a condition of such permit for so long as such permit exists:~~

~~(1) Operation Of The Chalet House:~~

~~a. A chalet house shall be operated at all times so as to be compatible with adjacent properties and uses.~~

~~b. The operation of a chalet house shall not create disturbances or impacts beyond those normally associated with a single family home.~~

~~c. A chalet house shall be operated at all times in compliance with the parking requirements set forth in subsection C of this section.~~

~~(2) Number Of Bedrooms Allowed; Maximum Occupancy: The number of bedrooms in a chalet house used for guest and management occupancy shall not exceed the number of bedrooms authorized in the most recent development permit which specifies the number of permitted bedrooms for the property, except as otherwise approved under a chalet house permit. Occupancy of a chalet house shall not exceed that allowed under the town's building and other technical codes.~~

~~(3) Water PIFs: The water plant investment fees for a chalet house shall be charged and paid in an amount equal to that which would be required for the premises upon which the chalet house is proposed to be operated classified as a single family residence.~~

~~(4) Signage: No signage shall be permitted for a chalet house, except for a single sign not to exceed one and one half (1½) square feet in area as provided in subsection [8-2-12D12](#) of this code. A chalet house sign shall be subject to all of the provisions of the town's sign code ([title 8, chapter 2](#) of this code), including the requirement that a sign permit be obtained prior to the placement of such sign.~~

~~(5) Term: The term of the development permit for the operation of a chalet house shall be twenty four (24) months, and may be renewed for like terms. A renewal of a development permit shall be processed in the same manner as an application for a new permit. A development permit for the operation of a chalet house runs with the land, and the benefits and burdens of such permit run to any subsequent owner of the property for which the permit was granted unless and until such permit is modified, revoked or terminates as provided herein.~~

~~(6) Revocation Of Permit: A development permit for the operation of a chalet house may be revoked by the planning commission following a hearing. Such permit may be revoked for noncompliance with the terms and conditions of the development permit which authorizes the operation of the chalet house, the terms and conditions of this policy, or a violation of other applicable state or local rules, regulations, statutes and ordinances. Notice of the hearing on the proposed revocation shall be given in writing to the holder of the permit at the address for the permit holder shown on the development permit, or such other address as may have been provided to the town by the permit holder. Such notice shall set forth the grounds for the proposed revocation and the time and place of the hearing. Such notice shall be mailed to the permit holder, postage prepaid, at least ten (10) days prior to the date set for the hearing. At the hearing the permit holder may appear with or without counsel and present such evidence as may be relevant. The decision of the planning commission with respect to a proposed revocation of a development permit for the operation of a chalet house shall be subject to the call up process applicable to a class C application as set forth in section [9-1-18-5](#) of this chapter, except that notice of the call up hearing before the town council shall be given to the permit holder in the manner provided above.~~

~~(7) Compliance With BOLT And Sales Tax Requirements: The holder of a permit to operate a chalet house shall: a) obtain a license as required by the town's business and occupational tax ordinance ([title 4, chapter 1](#) of this code), b) maintain such license in full force and effect throughout the duration of the permit to operate the chalet house, and c) pay all taxes lawfully due to the town arising from the operation of the chalet house as required by the town's business and occupational tax and sales tax ordinances. No permit to operate a chalet house shall be issued or renewed if, at the time of such issuance or renewal, the holder or proposed holder of such permit owes past due taxes to the town under the town's business and occupational tax and sales tax ordinances arising from the operation of a chalet house.~~

~~F. Relationship To Section 9-1-22: To the extent the provisions of this policy are inconsistent with the provisions of section [9-1-22](#) of this chapter, the provisions of this policy shall control.~~

~~G. Appeal Of Decision Of Director: The decision of the director with respect to an application for a development permit to operate a chalet house may be appealed by the applicant or any person who has filed written comments concerning the application within seven (7) days after the director has mailed notice of the director's decision as provided in subsection A(3)c of this section. An appeal shall be taken by filing written notice with the department of community development within such seven (7) day period. A facsimile transmission of a notice of appeal which is received by the department of community development within such seven (7) day period shall be accepted so long as the original notice is mailed by the appealing party to the director by regular mail concurrently with the sending of the facsimile transmission. Such notice shall specify the error allegedly committed by the director with respect to the application of this policy. If no appeal is filed within the seven (7) day period, the decision of the director shall be final. If an appeal is filed, the application shall automatically become a class C development permit application and shall be reviewed by the planning commission and town council under the provisions of section [9-1-18-3](#) of this chapter. Appeals shall be filed on forms provided by the town. In addition, the appealing party shall be responsible for paying any additional fees required for the review of a class C application, over and above those fees already paid for review of a class D application. (Ord. 7, Series 1995)~~

Amend Policy 42 A to reference the Town's Noise Ordinance and to eliminate the requirement of a development permit for outdoor speakers.

9-1-19-42A: POLICY 42 (ABSOLUTE) EXTERIOR LOUDSPEAKERS:  

A development permit to place an eExterior loudspeakers may only be issued for allowed in seating areas

associated with the deck or patio area of a restaurant or liquor licensed establishment, and are not allowed on front porches or entranceways. ~~Permitted e~~Exterior loudspeakers shall be located on a site so as to minimize the visibility of such speakers, and shall be affixed in such a manner as to reduce noise intrusion on adjacent properties and to adhere to the requirements of the Town's Noise Ordinance (Title 5, Chapter 8 of the Town Code). ~~Permitted e~~Exterior loudspeakers shall not be used for the purpose of attracting attention to the restaurant or liquor licensed establishment where they are located.

Amend Policy 43 to create a new section that outlines how murals will be addressed outside the Conservation District.

9-1-19-43A: POLICY 43 (ABSOLUTE) PUBLIC ART:  

A. An application for a Class C or Class D minor development permit for the placement of public art shall be reviewed only for site function suitability, and not for content of the public art or aesthetics. The Public Art Advisory Committee of Breckenridge Creative Arts shall not review such applications, except for murals described under C.7. below, unless specifically requested to do so by the Planning Commission.

B. Notwithstanding anything contained in this Code to the contrary, murals are prohibited within the Conservation District; provided, however, a mural may be displayed in the Conservation District pursuant to a permit issued under [title 4, chapter 3](#) of this Code.

C. Notwithstanding Section A. above, a mural may be permitted on commercial properties outside the Conservation District through a Class C development permit, subject to the following:

(1) A mural may only be placed on one façade of a building and that façade may not directly face a streetfront (e.g., may not be located on a building elevation parallel to the street).

(2) A mural may only occupy 50 percent of a building façade, or 200 square feet, whichever is less.

(3) A mural may be considered for placement on the side of tunnel walls, retaining walls, and utility boxes.

(4) A mural may not advertise products or services provided within the building the mural is affixed to. Such advertisement shall be considered signage and shall be subject to the provisions of the Town's Sign Code (Title 8, Chapter 2 of the Town Code).

(5) A mural may not be placed on a residential property.

(6) Any lighting used to illuminate murals must adhere to the Town's Exterior Lighting Regulations (Title 9, Chapter 12 of the Town Code).

(7) All applications for murals shall be referred to the Town's Public Art Advisory Committee of Breckenridge Creative Arts for its review and comments. The Public Art Advisory Committee of Breckenridge Creative Arts shall review the mural at a meeting and shall make a recommendation as to whether the application should be approved, approved with modifications, or denied. The artist shall provide a rendering of the proposed mural, including a site plan and building elevations so the

location and scale can clearly be understood. In its review of a mural application, the Public Art Advisory Committee of Breckenridge Creative Arts shall consider the Stie and Artwork Selection Criteria included in the Breckenridge Public Art Program Master Plan and Policy.

The recommendations of the Public Art Advisory Committee of Breckenridge Creative Arts shall be forwarded to the Planning Commission for their consideration. The Planning Commission may rely on the recommendations in making its final determination on a mural application.

Amend Policy 44 A to eliminate reference to banners, which are prohibited.

9-1-19-44A: POLICY 44 (ABSOLUTE) RADIO BROADCASTS:  

A class D development permit shall be obtained to authorize a radio broadcast. Such application may be combined with a class D minor development permit application for a banner and/or a class D minor development permit application for a temporary structure. An application for a development permit to authorize a radio broadcast shall be subject to the following:

Amend Policy 45 A because Special Commercial Events are regulated under the Town's Special Event Ordinance, Title 4, Chapter 13 of the Town Code.

9-1-19-45A: POLICY 45 (ABSOLUTE) SPECIAL COMMERCIAL EVENTS:  

~~A class D minor development permit may be issued to authorize a special commercial event. An application for a development permit to authorize a special event shall be subject to the following: (Ord. 40, Series 2002; amd. Ord. 1, Series 2014)~~

~~A. A special commercial event permit issued pursuant to this policy may authorize the holder of the permit to do one or more of the following in connection with the special commercial event: erect temporary structures; temporary tents; display signs and banners to promote or advertise the special commercial event or its participants; have live or recorded, amplified music in connection with the special commercial event; conduct a live, remote radio broadcast at the site of the special commercial event, and distribute commercial handbills to promote and advertise the special commercial event and its participants. (Ord. 29, Series 2015)~~

~~B. No permit for a special commercial event shall be issued unless the reasonably anticipated impacts of such event are adequately mitigated. The town shall have the power to impose reasonable conditions on such permit in accordance with section [9-1-17.7](#) of this chapter when necessary to protect the public health, safety and welfare. Such conditions may include, without limitation: 1) restrictions on location, hours of operation, and parking; 2) requirements for trash collection, removal and disposal; 3) restrictions on noise; 4) requirements for sanitation; 5) requirements for traffic control and security; and 6) requirements for the cleanup of the site following the conclusion of the special commercial event.~~

~~C. If a special commercial event is to be held on property which does not belong to the nonprofit sponsor, written approval from the owner of the property where the special commercial event is to be held shall be submitted along with the development permit application. (Ord. 40, Series 2002)~~

~~D. If a special commercial event is to be held on property owned by the town, the nonprofit sponsor shall obtain permission to use the property from the town manager and shall, at its cost, obtain and maintain in effect throughout the special commercial event commercial general liability insurance with limits of liability not less than one million dollars (\$1,000,000.00), or such higher limits of liability as the town manager may require based upon the nature of the special commercial event and other relevant factors. The town shall be named as an additional insured under such insurance policy. (Ord. 28, Series 2013)~~

~~E. The following provisions of this code shall not apply to a special commercial event conducted pursuant to a development permit issued under this policy, unless the application of such provision is made an express condition of the permit:~~

~~(1) Section [9-1-19-36A](#), "Policy 36 (Absolute) Temporary Structures", of this chapter (prohibition against use of temporary structures).~~

~~(2) Section [9-1-19-44A](#), "Policy 44 (Absolute) Radio Broadcasts", of this chapter (pertaining to live, remote radio broadcasts).~~

~~(3) Section [5-8-9](#) of this code (prohibition against the use of sound for advertising).~~

~~(4) Section [8-2-15](#) of this code (prohibition against off premises signs and banners, prohibition against use of attention getting devices, and prohibition against use of sandwich board signs only).~~

~~(5) Section [11-5-3](#), "Limitation On Manner Of Distributing Commercial Handbills In Public Places", of this code.~~

~~To the extent that any of the provisions set forth above conflict with the provisions of this policy, the provisions of this policy shall control. (Ord. 40, Series 2002)~~

~~F. One class D minor development permit may authorize more than one special commercial event, if all of the special commercial events will occur on the same property. No such permit shall be valid for more than six (6) months from the date of issuance. (Ord. 1, Series 2014)~~

Amend Policy 47 A to: clarify circumstances where a landscape wall would be allowed; and to change the process where a property owner may construct a fence next to a public trail so that the process is now administrative and does not require a variance hearing with the Planning Commission.

9-1-19-47A: POLICY 47 (ABSOLUTE) FENCES, GATES AND GATEWAY ENTRANCE

MONUMENTS:

A. General Statement: The welfare of the town is based to a great extent on the character of the community, which includes natural terrain, open spaces, wildlife corridors and wooded hillsides. The installation of fences and privacy gates in residential areas can erode this character by impeding views, hindering wildlife movement and creating the image of a closed, unwelcoming community. It is the intent of the town to prohibit fences in most situations in areas outside of the conservation district in order to: maintain the open, natural and wooded alpine character of the community; establish mandatory requirements for the erection of allowed fences in other parts of the town; allow

for fences on small lots in master planned communities; regulate the design of gateway entrance monuments; and prohibit privacy gates anywhere within the town.

B. Within The Conservation District: Fences within the conservation district shall be reviewed under the criteria of the "Handbook Of Design Standards For The Historic And Conservation District". Where fences are required by law and the proposed fence design does not meet the handbook of design standards, the planning commission may approve an alternate design if all of the following required criteria are met: 1) the project as a whole is in substantial compliance with the "Handbook Of Design Standards For The Historic And Conservation Districts"; 2) the alternate fence design does not have a significant negative aesthetic impact on the development and it complies as much as feasible with the handbook of design standards; 3) a fence design that meets the "Handbook Of Design Standards For The Historic And Conservation Districts" could not meet the design required by law.

C. Outside The Conservation District: Fences and landscape walls are prohibited outside the conservation district, except the following fences and landscape walls are permitted when constructed in accordance with the design standards described in subsection D of this section:

- (1) Pet fences;
- (2) Fences around children's play areas;
- (3) Fences around ball fields, tennis courts, swimming pools, ski lifts or other outdoor recreation areas;
- (4) Construction fences;
- (5) Temporary fences used for crowd control or to limit access or egress to or from a short term special event;
- (6) Fencing required by law;
- (7) Privacy fencing to screen hot tubs;
- (8) Fencing around cemeteries;
- (9) Fences specifically authorized in a vested master plan containing specific fence design standards;
- (10) Town fences to delineate public trails or protect open space values;
- (11) Fencing at public improvement projects proposed by the town;
- (12) Private fences to delineate the boundary between private land and a public trail or public open space, as but only if authorized by D. (17) below a variance granted pursuant to subsection K of this section;
- (13) Fencing at parking lots to protect pedestrians and designate crosswalks;
- (14) Fencing at self-storage warehouses; and
- (15) Fences installed by utility companies around utility equipment.

(16) Landscape walls within disturbance envelopes.

(17) Fencing to screen outside storage associated with commercial businesses

D. Design Standards For Fences: All fencing and landscape walls outside the conservation district shall comply with the following design standards:

- (1) Fences in residential areas shall be constructed of natural materials, and may be either a split rail, buck and rail, or log fence design because such designs have a natural appearance, blend well into the natural terrain, and have an open character. Fences of other materials or designs are prohibited. (Exception: Where an applicant can demonstrate to the satisfaction of the town that an alternative material would be architecturally compatible with the surrounding neighborhood, the director may authorize such materials.) Fences in residential areas shall have a maximum solid to void ratio of one to three (1:3) (example: 1 inch of solid material for every 3 inches of opening). Solid privacy fences are prohibited, except for short lengths of fencing used to screen hot tubs, if they comply with subsection D(9) of this section.
- (2) PVC, vinyl and plastic fences are prohibited. Rough sawn timbers or natural logs are preferred.
- (3) Pet fences shall be located in a rear or side yard or where the fence is not visible from a public right of way. Pet fences shall be located to minimize their visibility to the greatest extent possible, which in most instances will require the fence to be located behind or to the side of a structure. Pet fences may incorporate a wire mesh material to control pets. The wire mesh may be installed vertically on the fence, or may extend horizontally over the top of the enclosed pet area, or both. The maximum area of a fenced pet enclosure shall be four hundred (400) square feet. Pet fences are limited to fifty four inches (54") in height, and shall have a maximum solid to void ratio of one to three (1:3).
- (4) Fences around children's play areas shall be located in a rear or side yard where possible, or where the fence is not visible from a public right of way, which in most instances will require the fence to be located behind or to the side of a structure. The fence may incorporate a wire mesh material to enclose the yard. The maximum area of a fenced children's play area on private property shall be four hundred (400) square feet. Fences around children's play areas are limited to fifty four inches (54") in height, and shall have a maximum solid to void ratio of one to three (1:3). Fencing at state licensed childcare centers may exceed four hundred (400) square feet if required by their state license.
- (5) Fences around ball fields, tennis courts, or other outdoor recreation areas shall use black or dark green coated chainlink fencing, steel or aluminum, or wood. Uncoated or galvanized chainlink fencing is prohibited. This standard applies to fencing of both public and private recreation areas. Wind privacy screens may be incorporated into the fence.
- (6) Fences at outdoor swimming pools shall be constructed of steel or aluminum tubing or wood, and may include a tempered glass windscreen. Chainlink fencing is prohibited. The use of acrylic glass or plexiglas is prohibited, except at access control points in an amount sufficient to prevent unauthorized users from reaching inward to unlock or open gates.
- (7) Fencing at ski lifts and gondolas may be used to protect pedestrians and skiers from overhead lifts and mechanical equipment, or to delineate passenger loading zones. Such fencing may be constructed of natural materials, such as split rail wood, or steel or aluminum. Chainlink and plastic or PVC fencing is prohibited. Safety fencing and netting on ski runs is allowed and may be constructed of plastic, high density polyethylene or similar materials.

- (8) Construction fencing may be constructed of plastic, chainlink, wood or other material, as approved by the town. Wind and/or privacy screens may be incorporated into the construction fence. Temporary construction fencing shall be removed upon completion of the project or upon issuance of a certificate of occupancy or certificate of compliance, where applicable. Construction fencing shall be maintained in good condition by the general contractor during its use.
- (9) Privacy fences around hot tubs and spas shall not exceed six feet (6') in height and shall not exceed fifteen feet (15') in total length. Such fences shall be architecturally compatible with the adjacent buildings. Where a fence around a hot tub or spa is highly visible, landscaping may be required to soften the visual impact of the fence.
- (10) Fencing around cemeteries is exempt from this policy. The design of cemetery fencing is encouraged to emulate historic fencing from local cemeteries and follow the fence policy in the "Handbook Of Design Standards For The Historic And Conservation Districts". Historically fences were generally constructed of wrought iron, cast iron, or wood pickets, and were generally about three feet (3') tall.
- (11) Fences approved by the town to delineate public trails or protect open spaces shall be constructed of natural materials, and shall be either a split rail, buck and rail, or log fence design because such designs have a natural appearance, blend well into the natural terrain, and have an open character. These fences should be designed to accommodate wildlife, and may be substantially different from fences on residential or commercial properties, due to the unique needs and goals of public trails and open spaces.
- (12) Fences in parking lots may be allowed when necessary to delineate pedestrian areas from parking and circulation areas, and to designate drive aisles. The design of fences in parking lots shall reflect the surrounding character of the neighborhood. Within the conservation district, fences shall reflect the character of historic fences. Outside the conservation district natural materials and greater openings between rails shall be used to reflect the more open and natural character of the neighborhood. In most cases, split rail fences will be most appropriate.
- (13) Fences at self-storage warehouses and commercial outdoor storage shall not exceed six feet (6') in height, and shall be designed to allow visibility through the fence. Such fences shall be designed with a maximum solid to void ratio of one to three (1:3), shall be constructed of steel, aluminum or wood, and may be painted. Chainlink fencing is prohibited. Self-storage warehouses may incorporate a gate to control access to the site, notwithstanding subsection H of this section.
- (14) Fencing around utility equipment shall not exceed six feet (6') tall. Such fencing may be constructed of chainlink, metal, or wood.
- (15) Where natural materials are required by this policy, and where an applicant can demonstrate to the satisfaction of the town that an alternative material including, but not limited to, recycled materials, would be indistinguishable from natural materials, or where other materials or designs are required by law, the town may authorize such materials or designs.
- (16) Landscape walls shall not exceed three feet in height or 20 feet in length and shall be constructed of natural materials such as wood or stone.
- (17) The Director may authorize the erection of a private fence to delineate the boundary between private land and a public trail or public open space through a Class D minor permit and only upon the finding that the applicant has satisfactorily demonstrated that the fence is needed in order to reduce public confusion as to the location of the boundary between the applicant's land and the public trail or public open space.

E. Site Plan; Survey: A site plan showing the location of existing structures, property lines, and the location of the proposed fence may be required by the director as part of the submittal requirements for a fence. A survey from a Colorado licensed surveyor may also be required by the director to verify property lines and easements.

F. Architectural Specifications: Architectural elevations showing the design, material, color, and size of the proposed fence may be required by the director as part of the submittal requirements for a fence.

G. Fences On Easements: If a fence crosses an easement, the fence shall not interfere with the use of the easement.

H. Privacy Gates: Privacy gates are prohibited anywhere within the town.

I. Vested Master Plan: This policy shall not apply to any fence to be constructed upon land that is subject to a vested master plan containing specific fence design standards and criteria. The construction of such fence shall be governed by the applicable design standards and criteria contained in the master plan.

J. Gateway Entrance Monuments: Gateway entrance monuments within the conservation district are prohibited. Outside the conservation district, gateway entrance monuments may be allowed only when they meet the following criteria:

- (1) Gateway entrance monuments shall be permitted only for residential subdivisions of five (5) or more lots, and for hotels and condominiums located outside of the conservation district. Such gateway entrance monuments shall not exceed eight feet (8') in height, and shall not exceed twenty feet (20') in length. One monument is allowed to each side of the road or driveway at the entrance to the subdivision, with up to two (2) monuments total at each vehicular entrance to the subdivision. Entry monuments shall not be constructed in the public right of way. Such entrance monuments shall be constructed of natural materials, such as stone and/or wood, and may incorporate the subdivision entrance sign, under a separate permit. Gateway entrance monuments shall not incorporate an arch or other structure over the road. Privacy gates shall not be incorporated into the gateway entrance monument.
- (2) Gateway entrance monuments at private residences shall not exceed five feet (5') in height, and shall not exceed a footprint of ten (10) square feet in ground area. One monument is allowed, and may be located on either side of the driveway at the entrance to the property. Entry monuments shall not be constructed in the public right of way. Such entrance monuments shall be constructed of the same materials that are installed on the private residence, and may incorporate the residence name or street address and light fixtures. Gateway entrance monuments shall not incorporate an arch or other structure over the road. Privacy gates shall not be incorporated into the gateway entrance monument.

~~K. Variance: The planning commission or town council may authorize the erection of a private fence to delineate the boundary between private land and a public trail or public open space by granting a variance from the limitations of this policy. A variance shall be granted under this subsection only upon the written request of the applicant, and a finding that the applicant has satisfactorily demonstrated that: 1) the fence is needed in order to reduce public confusion as to the location of the boundary between the applicant's land and the public trail or public open space; 2) the applicant's inability to erect the fence would present a hardship; and 3) the purposes of this policy will be adequately served by the granting of the variance. No variance shall have the effect of nullifying the intent and purpose of this policy. Subsection [9-1-11D](#) of this chapter is not applicable to the granting~~

of a variance to erect a private fence to delineate the boundary between private land and a public trail under this section. (Ord. 20, Series 2011)

Amend Policy 49 A to provide the same three year permit validity for large or small vendor carts. Staff has had no issues with permit renewals for small vendor carts and it is unnecessary to require the renewals annually.

9-1-19-49A: POLICY 49 (ABSOLUTE) VENDOR CARTS:  

D. Duration Of Development Permit: A development permit for a large or small vendor cart issued pursuant to this policy shall be valid for three (3) years as provided in section [9-1-17-8](#) of this chapter, and may be renewed. ~~A development permit for a small vendor cart issued pursuant to this policy shall be valid for one year, and may be renewed.~~ A development permit issued pursuant to this policy may also be revoked for cause as provided in section [9-1-6](#) of this chapter.

Amend 9-1-20 to eliminate references to two old maps that are no longer used.

9-1-20: SPECIAL AREAS MAPS IDENTIFIED:  

Blue River walkway.

Breckenridge Historic District.

Community entrance.

Geologic hazards.

~~Wildfire hazards.~~ (Ord. 19, Series 1988)

Amend the Town’s Off Street Parking regulations 9-3-8 to alter the parking requirements outside the Conservation District to: include the accessory apartment parking requirement; eliminate the Industrial classification and instead break it into Manufacturing and Warehouse; change the requirement for Gas Station/Convenience Markets; change the parking requirement for restaurants to be based on square footage rather than seating; add a supermarket/grocery store category with a parking requirement.

9-3-8: OFF STREET PARKING REQUIREMENT:  

A. Within The Service Area: In connection with the development of all property within the service area there shall be provided the following amount of off street parking:

Land Use Category	Number Of Required Off Street Parking Spaces (Per TSF-GFA* Unless Otherwise Noted)
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Residential:	
Single-family	1.1
Duplex	1.1
Multi-family; efficiency, studio	1.1
Multi-family; 1 bedroom plus	1.1
Condominium; efficiency, studio	1.1
Condominium; 1 bedroom plus	1.1
Divisible unit	1.1
Lodging, hotel, motel	1.1
Dormitory	1.1
Commercial:	
Retail sale, commercial:	
General retail, commercial	1.4
Supermarket	2.5
Financial	1.9
Office:	
General office	1.4
Government office	2.2
Auto service station	3.0 per bay plus 1 per pump
Restaurant, sit down	3.5
Auditorium, theater	0.3 per seat
Church	0.5
Convention center	3.1
Library, museum	1.8
Medical/dental clinic	3.3
Commercial recreation	2.0

*TSF-GFA = 1,000 square feet of gross floor area.

Note: If the required parking is less than 1 space, and for any fractional parking space required, the applicant shall be required to pay the in lieu fee provided in section [9-3-12](#) of this chapter.

B. Outside The Service Area: In connection with the development of all property outside the service area there shall be provided the following amount of off street parking:

Residential:	
Single-family	2.0 per dwelling unit*
Duplex	1.5 per dwelling unit
<u>Accessory apartment</u>	<u>1.0 per dwelling unit</u>
Multi-family:	
Efficiency - studio	1.0 per dwelling unit
1 bedroom and larger	1.5 per dwelling unit
Divisible unit	+0.5 for each divisible room
Condominium:	
Efficiency, studio, 1 bedroom	1.0 per dwelling unit
2 bedroom and larger	1.5 per dwelling unit
Divisible unit	+0.5 for each divisible room
Lodging, hotel, motel	1.0 per guestroom
Dormitory	0.5 per bed
Schools:	
Elementary and junior high	2 per classroom
High school	1 per 4 students and faculty
College	1 per 4 students and faculty
Commercial:	
Retail sale, commercial and office	1 per 400 square feet GFA (minimum 2 per building)
Construction - contracting	1 per 200 square feet plus 1 loading bay per 1,000 square feet

Industrial use	1 per 400 square feet plus 1 loading bay per 1,000 square feet
<u>Manufacturing</u>	<u>1 per 400 square feet</u>
<u>Warehouse</u>	<u>1 per 1,000 square feet</u>
Auto service stations <u>Gas Station/Convenience Market</u>	3 per service bay plus 1 per pump plus 1 per 250 square feet GFA
<u>Restaurants - sit down, breweries, and distilleries</u>	<u>1 per 125 square feet</u> 4 persons capacity
<u>Restaurants - drive-in</u>	<u>1 per 100 square feet GFA</u>
<u>Supermarket/grocery store</u>	<u>1 per 250 square feet GFA</u>
<u>Auditoriums - theaters</u>	<u>1 per 4 seats</u>
<u>Churches</u>	<u>1 per 6 seats</u>
<u>Convention center facility</u>	<u>By special review of the director and planning commission</u>
<u>Library and museum</u>	<u>1 per 500 square feet GFA</u>
<u>Medical and dental clinics</u>	<u>1 per 300 square feet GFA</u>
<u>Hospital</u>	<u>1 per 3 beds</u>
<u>Commercial recreation indoor and outdoor</u>	<u>By special review of the director and planning commission</u>

*du = dwelling unit

Note: The required number of parking spaces shall be rounded up to the nearest whole number. Required residential spaces shall be rounded up based on the unit count if parking spaces are assigned.

(Ord. 31, Series 2014; amd. Ord. 9, Series 2015)



Memo

To: Breckenridge Town Council Members
CC: Rick Holman & Shannon Haynes
From: Jennifer McAtamney, Program Administrator
Date: 9-25-2018
Subject: BBC 2018 Child Care Needs Assessment

2018 Child Care Needs Assessment Update:

An update to the 2016 Child Care Needs Assessment has been finalized. A copy of the report is included. Key findings are below:

Purpose – The purpose of the study is to provide an annual update to the needs assessment that was completed in 2016 to help inform policy decisions related to child care provision and funding. The focus is on the forecast for the demand for child care through 2025 and how preferences and needs of current child care users might have changed since our last update in 2016.

Facility/Capacity Changes – Since the update in 2016 the Peak 8 Children’s Center closed in the spring of 2018 displacing 6-8 employee children. The report also included information on Licensed Home Care. Capacity is 36 with one Home Care Provider closing in June of this year lowering capacity to 24 slots in July of 2018. The Town has also provided a grant to Carriage House to increase their capacity by 8 toddler slots in late 2018.

Usage Changes – The number of children using/needing facility based care grew from 280 in 2015 to 399 in 2018. Today families are using more days of care per week with 76% of children in center based care attending 3 or more days per week. In 2007 just 51% were attending 3 or more days per week and 70% attending 3.2 days per week in 2015. In 2016 the local schools were at 81% capacity. In 2018 the schools are now fully enrolled at just under 100% capacity with large waiting lists for all age groups.

Future Need/Waitlist – The most significant change identified in this data update is the increase in the number of waitlisted children at the four primary childcare facilities in Breckenridge. In 2015, providers reported just 32 unduplicated children on their collective waitlists; by 2018 that number was up to 154. This increase indicates an immediate need for additional childcare capacity in the Upper Blue—particularly for infants who comprise 42 percent of waitlisted children—and results in higher projected demand through 2025 than was calculated in the previous needs assessment.

The age distribution of children in care shifted between 2015 and 2018. The age profile of the current waitlist for center-based care skews heavily toward infants. Indeed 42 percent (65 children) on the waitlist are younger than 12 months old. Forty-three percent are toddlers and 14 percent are preschoolers. The high proportion of infants and toddlers on the waitlist is a reflection of the broader childcare market, which has relatively low capacity for children under three years old.

Some of this increase in demand may be related to an increase in children under six in the Upper Blue and/or among in-commuters. As discussed earlier in this report, demographic data is only available through 2016 and may undercount the full census of young children. Even so, it is very likely that the increase in

demand also includes—and may be driven by—an increase in childcare usage among existing families and in-commuters in the Upper Blue. That increase in usage could be explained by several factors: 1) Improved economic conditions resulting in parents working more jobs or more hours at existing jobs leading to an increase in the need for childcare; and/or 2) Improved access to childcare for Upper Blue families through awareness and/or use of the Tuition Assistance Program.

Summit Preschool (SP4) Impacts – If passed on November 6th Summit Preschool (SP4) will provide preschool tuition credits for children who are 4 years old by October 1. Credits will be offered on a sliding scale, based on household income. It should be noted that the introduction of an additional funding source for four-year-old care likely means that Breckenridge childcare centers could expect full enrollment for that age group regardless of typical economic and employment fluctuations. It should also be noted that the program is not likely to shift children from facility-based care into Elementary ECE care due to the differences in schedule and childcare needs (school-based programs end at 3:00 pm and are not offered during the summer months).

Top Finding and Recommendations – The Town should continue its remarkable efforts to enable families and permanent residents to reside in Breckenridge to support the exceptional infrastructure it has put in place to support quality child care.

Based on the studies recommendation the Town of Breckenridge should begin evaluating the feasibility of and cost of an additional childcare facility and/or expanding existing facility capacity in Breckenridge while tracking changes in childcare demand over the next 12 months.

The mismatch in supply and demand indicates an immediate need for additional childcare capacity in Breckenridge. In considering future actions to accommodate demand the Town should:

- Interview current partner providers to evaluate the reliability of waitlist counts and assess existing providers' willingness and/or ability to expand services to more children;
- Assess county-wide demand and the potential impact of a county-wide childcare subsidy on Breckenridge providers and families;
- Work with the school district to evaluate projected capacity and enrollment in ECE programs affiliated with elementary schools

Recommendation: This updated Needs Assessment is being provided to the Town Council for your review and comments. Staff will begin the planning process in 2019 to explore opportunities to add capacity through either expansion at existing sites or the construction of a new center at a town owned site. This may involve hiring a 3rd party to analyze expansion opportunities at our existing facilities.



Childcare Data Update

Town of Breckenridge

Report

September 13, 2018

Childcare Data Update

Prepared for

Town of Breckenridge
150 Ski Hill Road
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Prepared by

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Introduction

BBC Research & Consulting (BBC) has been contracted by the Town of Breckenridge to provide a data update to certain metrics in the 2016 Childcare Needs Assessment. This report documents demographic changes and BBC's update to the childcare demand model for the Town.

Demographic Update

The 2016 Childcare Needs Assessment relied primarily on data from the 2010 Census for quantification of total population, children, and households in Breckenridge and the Upper Blue Basin. The 2010 Census is still the most comprehensive data source for demographic data but supplemental demographic data from the 2016 5-year American Community Survey (ACS) are also included here to identify more recent demographic trends.

Population and households

Figure 1 displays trends in population and households for Breckenridge and the Upper Blue Basin between 2000 and 2016.¹ Note that the data for 2000 and 2010 reflect Census data from those years whereas the 2016 data are from the American Community Survey and reflect a five-year annual average (single-year data are not available from the ACS for the Town of Breckenridge and/or the Upper Blue Basin).

As shown in the figure, the Town of Breckenridge experienced substantial increases in both population and households between 2000 and 2010 but growth between 2010 and 2016 was much slower and actually shows a slight decline in the number of permanent resident households—particularly renters—between 2010 and 2016.

It should be noted that the five-year data for 2016 likely reflect residual impacts of the economic downturn and may undercount the current number of permanent resident households.

¹ The Upper Blue Basin is defined in the 2010 Census and 2016 ACS as Summit County, Colorado Census tracts 4.01 and 4.02. In the 2000 Census the same geographic area is listed as Summit County, Colorado Census tract 4. Data for 2000 and 2010 are based on the US Census Bureau's Decennial Census while the 2016 data are based on the US Census Bureau's American Community Survey, which is a sample-based data product and does contain some margin of error.

Figure 1.
Population and Households, Breckenridge and Upper Blue Basin, 2000 through 2016

	Population and Households			Percent Change	
	2000 Census	2010 Census	2012-2016 5-year ACS	2000- 2010	2000- 2016
Town of Breckenridge					
Resident population	2,408	4,540	4,732	89%	97%
Total housing units	4,270	6,911	7,029	62%	65%
Permanent resident households	1,081	1,946	1,511	80%	40%
Resident households as a percent of total housing units	25%	28%	21%		
Upper Blue Basin					
Resident population	7,449	9,627	9,847	29%	32%
Total housing units	8,267	11,169	11,157	35%	35%
Permanent resident households	2,998	4,064	3,230	36%	8%
Resident households as a percent of total housing units	36%	36%	29%		

Source: 2000 and 2010 Census, 2012-2016 American Community Survey and BBC Research & Consulting.

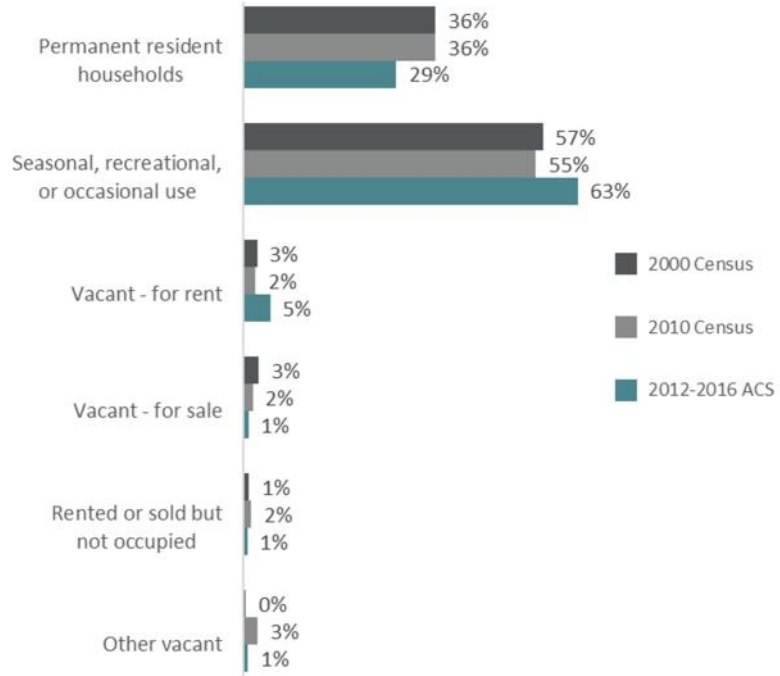
Though not shown in the figure, the decline in permanent resident households between 2010 and 2016 is driven primarily by a loss in renter-occupied households. Census and ACS data indicate that renter-occupied households in the Upper Blue decreased significantly over that period (from about 1,500 in 2010 to about 800 in 2016) while owner-occupied households dropped only slightly (from 2,500 in 2010 to 2,400 in 2016).²

This trend may reflect long-term rental units being converted to short term and vacation-oriented rental units. Figure 2 shows the distribution of housing units in the Upper Blue Basin by occupancy/vacancy between 2000 and 2016. Over that period, the proportion of homes that are vacant for seasonal, recreational, or occasional use increased from 57 percent to 63 percent; and the proportion that are vacant for rent increased from 3 percent to 5 percent.

² Projections discussed later in this report rely primarily on trends in population by age and are not directly affected by fluctuations in renter- and owner-occupancy. Even so, the Town should continue to vet and monitor this number in the event it will impact any ongoing programs.

Figure 2.
Occupancy and Vacancy of Housing Units in the Upper Blue Basin, 2000-2016

Source:
 2000 and 2010 Census, 2012-2016
 American Community Survey and BBC
 Research & Consulting.



Presence of Children

The 2010 Census reports 637 children (under 18) living in Breckenridge and 1,476 children in the Upper Blue Basin as a whole. The 2012-2016 ACS indicates a decline in the population of children in Breckenridge (475) and the upper Blue (1,310). Similar trends are evident in the population of children under the age of six which show strong increases between 2000 and 2010 but a drop in the under six population between 2010 and 2016.

Figure 3.
Presence of Children, Breckenridge and Upper Blue Basin, 2000 and 2010

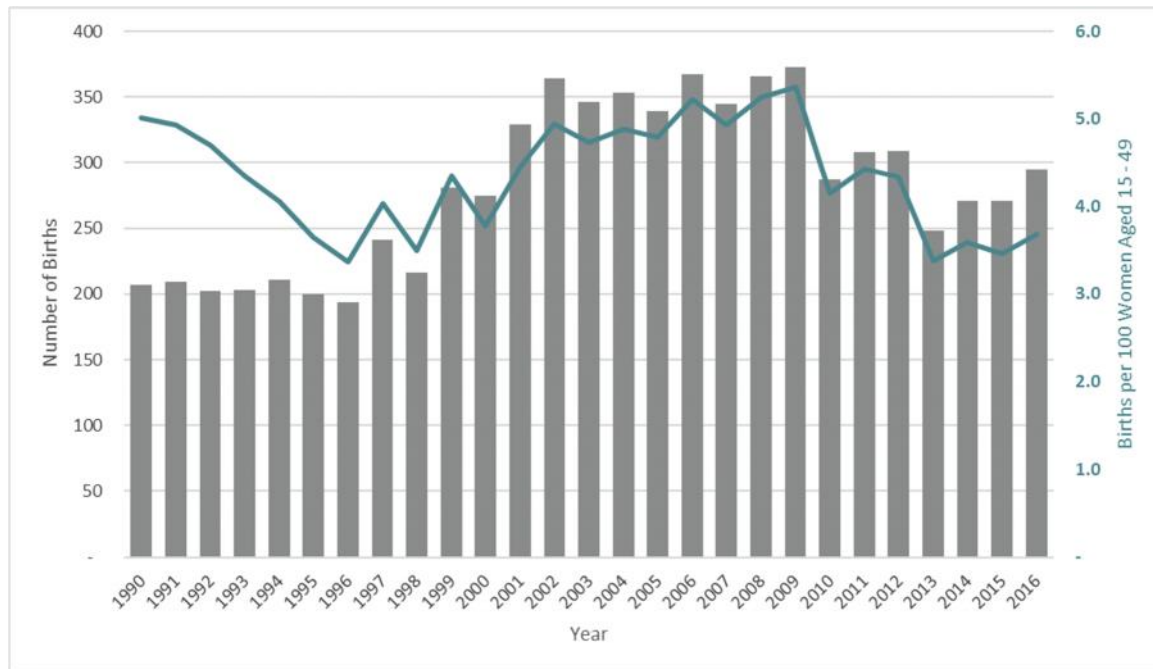
	Population			Percent Change	
	2000 Census	2010 Census	2012-2016 5-year ACS	2000-2010	2000-2016
Town of Breckenridge					
Total population	2,408	4,540	4,732	89%	97%
Under 18	177	637	475	260%	168%
Under 6	61	238	147	290%	141%
<i>Percent of population under 18</i>	7%	14%	10%		
<i>Percent of population under 6</i>	3%	5%	3%		
Upper Blue Basin					
Total population	7,449	9,627	9,847	29%	32%
Under 18	1,127	1,476	1,310	31%	16%
Under 6	417	540	404	29%	-3%
<i>Percent of population under 18</i>	15%	15%	13%		
<i>Percent of population under 6</i>	6%	6%	4%		

Source: 2000 and 2010 Census, 2012-2016 American Community Survey and BBC Research & Consulting.

The decline in the under six population in the region is largely explained by declining birth rates and number of births coinciding with the economic recession which impacted most Colorado mountain resort communities with a slightly delayed effect from the nation as a whole.

Figure 4 shows the number of births (gray bars) along with the birth rate (red line) for Summit County between 1990 and 2016.³ As shown in the figure, both the number of births and the birth rate declined in the wake of the recession, most notably in 2010 and 2013. However, the most recent three years of data indicate an increase in the number of births and in the birth rate.

Figure 4.
Number of Births and Birth Rate, Summit County, 1990-2016



Note: Birth rate is measured as the number of births per 100 women aged 15 to 49.

Source: Colorado Department of Local Affairs and BBC Research & Consulting.

In summary, the available demographic data for the region show declines in young children since 2010 for the Upper Blue Basin and Breckenridge but emerging trends in births and birth rate are a signal that the population of very young children is likely to rise in the near future. Indeed, the number of very young children living in the Upper Blue today may already be higher than is indicated by the most recent ACS data for the area. As discussed in the Demand Analysis (starting on page 6), BBC estimates there are currently about 526 children under the age of six living in the Upper Blue Basin, based on recent demographic and household trends.

³ Birth rate is measured as the number of births per 100 women aged 15 to 49.

Childcare Options and Children in Care

There are four non-profit childcare facilities located within the Town of Breckenridge: Breckenridge Montessori, Carriage House Early Learning Center, Little Red Schoolhouse and Timberline Learning Center. Collectively, these Centers account for 71 percent of the Upper Blue Basin’s licensed childcare capacity, or 199 childcare spots per day.

In addition to these centers, there are:

- Four licensed family childcare providers with a collective capacity of 36 spots daily (note that one provider is exiting the market in June 2018 reducing the number of providers to three and the daily capacity to 24 spots);
- A full-day early childhood education program at Upper Blue Elementary with a daily capacity of 30; and
- Open Arms early childhood development program with a daily capacity of 15.

Figure 5 shows these licensed childcare options in the Upper Blue Basin by provider type. It includes the collective daily capacity by provider type along with the total number of children currently being served. Note that the number of individual children actually served exceeds daily capacity because not all children are in care every day of the week. On average, children in licensed care attend 3.7 days per week.

At the time this data update was conducted, 245 children were accessing regular care in one of Breckenridge’s program partner facilities, 61 children were accessing care in another childcare center (Upper Blue Elementary or Open Arms), and 32 children were accessing care with a licensed family provider. Overall, 19 percent of children in care are under the age of two. Licensed family childcare providers have the lowest overall capacity but the highest proportion of children under two years old.

Figure 5.
Childcare Capacity and Usage, Upper Blue Basin, 2018

Provider Type	Num. of Providers	Daily Capacity	Children in Care			
			Total Children	% Under 2	% 2 years and older	Avg Days per Week
Breckenridge Non-Profit Centers	4	199	245	22%	78%	3.5
Other Childcare Centers	2	61	61	0%	100%	4.7
Licensed Family Childcare Providers	3*	24*	32	28%	72%	3.7
Total	9	284	338	19%	81%	3.7

Notes: Total Children exceeds daily capacity because some individual children attend fewer than 5 days per week. Other Childcare Centers includes Upper Blue Elementary and Open Arms Childcare and Preschool.

*At the time the study was conducted there were 4 licensed family childcare providers in the Upper Blue with a collective daily capacity of 36; however, one provider was exiting the market in June 2018, reducing the number of providers to 3 and the daily capacity to 24. Total children in care includes the 7 children currently being served by this provider at the time data were collected.

Source: BBC Research & Consulting.

Outside the structure of licensed childcare, families employ a number of strategies to provide care for their children including arranging work hours to accommodate care options, relying on friends, neighbors and family for care and using a nanny or participating in a nanny-share. Data on these options are not available, though their use among local residents was evaluated through resident surveys in the 2016 Childcare Needs Assessment.

Demand Analysis

The demand model used in this study (as well as previous demand studies conducted by BBC for the Town of Breckenridge) focuses on the program participant facility-based childcare centers—Breckenridge Montessori, Carriage House Early Learning Center, Little Red Schoolhouse and Timberline Learning Center—as opposed to other types of licensed or unlicensed childcare options.

Trends in Childcare Usage

Figure 6 displays the number of children in care by facility in 2018 (at the time this study was conducted) and in 2015. Data are displayed for the number of individual children in care (“Total Children”) as well as the number of child days per week (individual children times days per week they attend) and the average number of days per week children are in care. In total, there are 245 children in care in the four facilities and on average these children attend 3.5 days per week.

The number of children in care in 2018 is similar to the number in care in 2015, but the average days per week increased from 3.2 to 3.5 resulting in an increase in the total child days per week. As such, the facilities are serving roughly the same number of children as in 2015 but they are caring for them with greater frequency and thus operating at a higher daily capacity.

BBC also obtained waitlist information for each facility. In 2015, the unduplicated waitlist count was 32 children. At that time the primary waitlist need was for infant spots, though some facilities also had waitlisted toddlers. According to data from providers in 2018, there are now 154 unduplicated children on waitlists for care in Breckenridge. This substantial increase in waitlisted children indicates a significant change in demand between 2015 to 2018.

Some of this increase in demand may be related to an increase in children under six in the Upper Blue and/or among in-commuters. As discussed earlier in this report, demographic data are only available through 2016 and may undercount the full census of young children. Even so, it is very likely that the increase in demand also includes—and may be driven by—an increase in childcare usage among existing families and in-commuters in the Upper Blue. That increase in usage could be explained by several factors: 1) Improved economic conditions resulting in parents working more jobs or more hours at existing jobs leading to an increase in the need for childcare; and/or 2) Improved access to childcare for Upper Blue families through awareness and/or use of the Tuition Assistance Program.

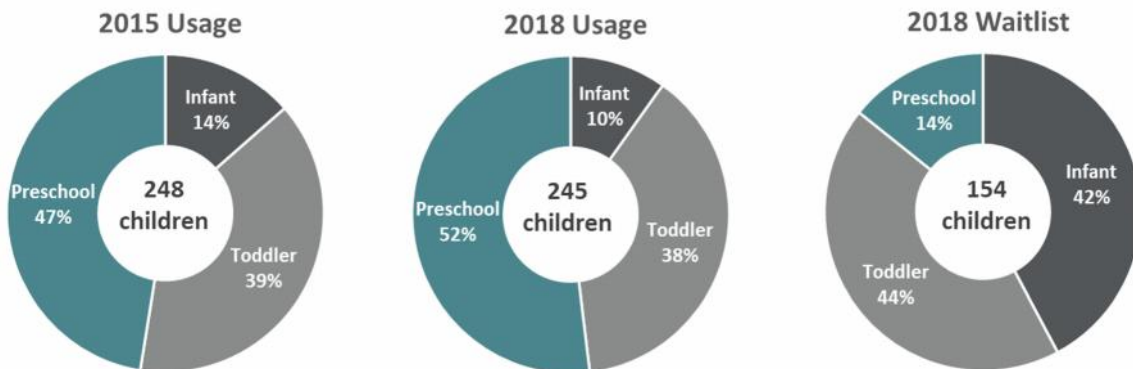
Figure 6.
Children in Care
at Breckenridge
Childcare Centers

Source:
2016 Provider data, 2018
Provider data and BBC
Research & Consulting.

Facility	2015			2018		
	Total Children	Child Days per Week	Avg Days per Week	Total Children	Child Days per Week	Avg Days per Week
Breck Montessori	19	69	3.6	18	65	3.6
Carriage House	60	193	3.2	57	208	3.6
Little Red	84	259	3.1	88	286	3.3
Timberline	85	273	3.2	82	297	3.6
Current Usage	248	794	3.2	245	856	3.5
Unduplicated waitlist	32	102	3.2	154	517	3.4
Potential Demand	280	896	3.2	399	1,373	3.4

The age distribution of children in care shifted somewhat older between 2015 and 2018, as illustrated by Figure 7. Age distribution of individual children is driven in large part by capacity (based on child to teacher ratios) and by frequency. For example, 2015 infants may have been in care fewer days per week and therefore centers were able to serve a larger number of infants overall.

Figure 7.
Age of Children in Care and on Waitlists, 2015 and 2018



Note: Infants are less than 12 months, toddlers are 12 to 35 months and preschoolers are 36 months and older.
Source: 2016 Provider data, 2018 Provider data and BBC Research & Consulting.

The age profile of the current waitlist for center-based care skews heavily toward infants. Indeed 42 percent (65 children) on the waitlist are younger than 12 months old. Forty-three percent are toddlers and 14 percent are preschoolers. The high proportion of infants and toddlers on the waitlist is a reflection of the broader childcare market, which has relatively low capacity for children under three years old.

Future Demand

As part of the 2016 Childcare Needs Assessment, BBC developed a custom childcare demand model to quantify growth in demand for facility-based childcare in Breckenridge through 2025. The following analysis updates that model with current data inputs to refine the projections of demand through 2025.

The demand model accounts for two primary components or drivers of demand in the childcare demand model: residents and in-commuters. The demand forecasts are based on partner facilities within the town of Breckenridge but the relevant population and economic base includes the entire Upper Blue Basin as the functioning economic/residential area. This maintains consistency with the town's other long-term planning efforts which are conducted for the Upper Blue as a whole.

Forecast model structure. Upper Blue residents account for about 77 percent of current childcare facility use in Breckenridge. As such, they are the key component to determining future demand. To determine future childcare needs among residents, BBC first examined the current number and proportion of non-seasonal Upper Blue residents that are children under six years old and the number and proportion of those that are currently using facility-based care. BBC then evaluated estimates from the town's planning staff about the number of homes expected to be built through 2025 and the number of homes that will be restricted to permanent residents. Combining those occupancy forecasts with the proportion of households with children and the proportion of children in facility-based care, provided a baseline demand projection for future childcare capacity needs. If housing continues to be priority for the Town, capacity and support around child care will continue to be a need for the Town to address.

Childcare users that work in Breckenridge or the Upper Blue but do not live in the Upper Blue Basin (in-commuters) are the second key driver of demand for facilities in Breckenridge. In 2018 in-commuters' children accounted for 23 percent of the facility-based childcare population, up from 17 percent in 2015. In order to forecast demand from this segment BBC followed a similar methodology as discussed for residents, beginning with the current number of in-commuters, the proportion with children and the proportion with children currently in facility-based care in Breckenridge. BBC compared job growth forecasts through 2025 to the forecasted housing growth to predict the change in in-commuters and then evaluated the proportion of those in-commuters expected to use Breckenridge childcare facilities.⁴

BBC did not have information on whether children on the waitlist are living in resident or in-commuter families. For the purposes of modeling future demand, waitlisted children were assumed to have the same geographic distribution as children currently in care: 77 percent residents and 23 percent in-commuters.

There may also be a very small proportion of future childcare users that neither live nor work in the Upper Blue Basin. Demand from these families is modeled as non-resident demand and is assumed to follow similar growth patterns as in-commuter demand.

BBC also evaluated recent trends in demographics and childcare usage to frame the results and provide upper and lower bounds for the baseline projection. Baseline demand projections are discussed under the following "demand projections" heading and the upper and lower bounds are discussed under the subsequent "sensitivity analysis" heading.

⁴ Job growth forecasts are based on Countywide employment projections published by the Colorado Department of Local Affairs office (DOLA).

Demand projections. Figure 8 displays current and future childcare demand among residents and in-commuters; data from 2015 are also included for reference. As shown in the figure, in 2015 there were 280 children using or needing facility-based childcare in Breckenridge—248 in care and 32 on waitlists. Between 2015 and 2018 demand increased substantially to 399 children using or needing facility-based childcare in Breckenridge—245 in care and 154 on the waitlist. This shift in demand is largely driven by higher usage rates among Upper Blue Residents but is also impacted by an increase in in-commuters and their use of childcare in Breckenridge.

Applying the current usage rates to demographic projections through 2025 yields an estimate of 437 individual children who may desire childcare in Breckenridge in 2025 (334 resident children and 103 in-commuter children), a 38-child increase from 2018.

Figure 8.
Number of Children Needing Childcare in 2015, 2018, and 2025

	2015	2018	2025	2018 to 2025 Difference
Upper Blue Residents				
Resident Households	4,272	4,358	4,757	399
Resident population	10,614	10,828	11,819	991
Number of children under 6	595	526	574	48
Children under 6 in facility-based care	205	188	205	17
Children under 6 on waitlist for care	27	118	129	11
In-commuters and non-residents				
Upper Blue workers	8,054	8,979	9,647	669
In-commuters to the Upper Blue	1,081	1,205	1,339	134
Non-resident children in care in Breckenridge	43	57	63	6
Non-resident children on waitlist for care	6	36	40	4
Total children using/needing facility-based childcare	280	399	437	38

Note: Workers reflects total number of workers; not jobs. On average Summit County workers have 1.2 jobs.

Source: BBC Research & Consulting.

Childcare capacity is not determined strictly by number of children but also by frequency of use. Not all of these children will occupy childcare slots five days per week. The number of childcare slots per day or week can be a more helpful measure of use and demand than the number of children. If we convert the number of children needing care in 2025 to spaces in childcare facilities based on the days of the week families currently use care, we project that as many as 1,528 weekly childcare slots (or child-days) could be needed by 2025—an increase of about 134 child-days per week.

As shown in Figure 9, this estimate reflects a total of 223 children needing care 4 to 5 days per week, another 111 children using care 3 days per week and 104 children needing care 1 to 2 days per week in 2025.

Figure 9.
Number of Children
by Days per Week
and Total Childcare
Slots Needed in
2025

Source:
 BBC Research & Consulting.

	2015	2018	2025	2018 to 2025 Difference
Demand: Number of Children	280	399	437	38
Number of days per week				
1 day	10%	7%	30	
2 days	20%	17%	73	
3 days	26%	25%	111	
4 days	25%	22%	96	
5 days	19%	29%	127	
Demand: Childcare Slots per Week	909	1,394	1,528	134
Average Days per Week per Child	3.2	3.5	3.5	

Sensitivity analysis. The forecasts shown in the previous two figures represent a best estimate of demand but do include some margin of error. In order to provide a range of results, BBC examined two additional demographic scenarios that could impact future demand:

1. A future usage rate that more closely resembles 2015 than 2018 (lower proportion of resident and in-commuter children needing care and lower frequency of use); and
2. An increase in the proportion of the population aged six or under beyond what currently available demographic data indicate.

The first scenario results in a lower projection, which matches the forecasted demand calculated as the baseline the 2016 Childcare Needs Assessment. The second scenario assumes higher population growth of young children in the Upper Blue and applies the same higher usage rates from 2018 to yield an upper bound estimate of demand.⁵

Figure 10 displays these upper and lower bound estimates along with the baseline projection by number of children and number of slots per week. The demand projection by number of children ranges from 318 to 469 and the projection by childcare slots per week ranges from 1,032 to 1,639 (equates to 206-328 slots per day).

⁵ The higher population growth among children aged six and under is modeled by assuming the population under age six accounts for 5.6 percent of the total population in 2025—the same proportion as in the 2010 Census but higher than the 2016 ACS data indicate (4.9%). This adjustment results in an estimated 663 children under 6 in the Upper Blue in 2025.

**Figure 10.
Baseline Projections and Upper and Lower Bound Estimates for 2025
Childcare Demand**

Note:

*Max capacity is based on daily capacity by age reported by providers. As discussed earlier in this report, perfect allocation of the max capacity is not realistic and should not be the primary measure of availability.

Source:

BBC Research & Consulting.

	Demand Projection Scenarios		
	Low	Baseline	High
Demand: Number of Children	318	437	469
Number of days per week			
1 day	31	30	33
2 days	63	73	79
3 days	82	111	119
4 days	80	96	103
5 days	62	127	136
Demand: Childcare Slots per Week	1,032	1,528	1,639
Demand: Childcare Slots per Day	206	306	328
Current Maximum Daily Capacity*	199	199	199

The figure above also displays the maximum capacity of each facility. Children per day capacity is determined by the daily capacity by classroom reported by providers. In reality, capacity is not static as centers may be able to reallocate space or classrooms for different ages (which have different capacity and ratio requirements) in response to market demand.

In addition, it is critical to note that perfect allocation of the max child days per week is not a realistic goal. A number of factors impact a facility’s utilized capacity and a family’s ability to access the care they need, including number of days per week needed, specific days needed and age of child. For these reasons, it is important to use caution when evaluating the childcare needs of a community through a simple comparison of current use and maximum capacity.

At the time this report was written, the Summit County government had proposed Ballot Measure 1A which includes funding for preschool tuition credits for four-year-olds county-wide.⁶ These tuition credits would be available to parents/guardians who live or work in Summit county and would ensure (on average) that families pay no more than 7-10 percent of their income on childcare. The tuition credits could be used in licensed childcare centers, family childcare homes and preschool classrooms. The impact of this initiative is not included in the demand analysis but it should be noted that the introduction of an additional funding source for four-year-old care likely means that Breckenridge childcare centers could expect full enrollment for that age group regardless of typical economic and employment fluctuations. It should also be noted that the program is not likely to shift children from facility-based care into Elementary ECE care due to the differences in schedule and childcare needs (school-based programs end at 3:00 pm and are not offered during the summer months).

⁶ The ballot measure is a 4.7 mill property tax levy for ten years and, in addition to childcare, provides funding for wildfire prevention/mitigation, mental health services, and recycling.

Summary of Top Findings and Changes Since the 2016 Needs Assessment

This report utilizes the best data available to project future demand for childcare. However, unknown variables—economic fluctuations, choices of Millennials (continuing to work/reside in Breckenridge, form families) and housing availability and affordability—will all influence future demand for childcare to some extent. To achieve greater certainty in meeting childcare demand, the Town should continue monitoring indicators of changes in demand for care, particularly in regard to waitlists for care which are currently indicating very high demand.

The Town should also continue its remarkable efforts to enable families and permanent residents to reside in Breckenridge to support the exceptional infrastructure it has put in place to support quality childcare.

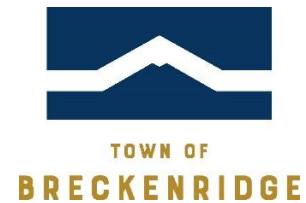
The most significant change identified in this Data Update is the increase in the number of waitlisted children at the four primary childcare facilities in Breckenridge. In 2015, providers reported just 32 unduplicated children on their collective waitlists; by 2018 that number was up to 154. This increase indicates an immediate need for additional childcare capacity in the Upper Blue—particularly for infants who comprise 42 percent of waitlisted children—and results in higher projected demand through 2025 than was calculated in the previous needs assessment.

The updated demand model estimates demand will be between 318 and 469 children by 2025, when the Town of Breckenridge reaches buildout. Seventy six percent of those children are likely to need care three or more days per week; 24 percent will need care one to two days per week. As discussed in the previous section, Ballot Measure 1A, if passed, could increase childcare demand, particularly for four-year-olds in Summit County as a whole and in Breckenridge.

The projected demand of 318 to 469 children translates into 206 to 328 daily spots (see Figure 10), which exceeds the current capacity of 199 spots. Based on these projects, the Town of Breckenridge needs an additional 7 to 129 spots per day to accommodate future demand.

This mismatch in supply and demand indicates an immediate need for additional childcare capacity in Breckenridge. In considering future actions to accommodate demand the Town should:

- 1) Interview current partner providers to evaluate the reliability of waitlist counts and assess existing providers' willingness and/or ability to expand services to more children;
- 2) Assess county-wide demand and the potential impact of a county-wide childcare subsidy on Breckenridge providers and families;
- 3) Work with the school district to evaluate projected capacity and enrollment in ECE programs affiliated with elementary schools; and
- 4) Begin evaluating the feasibility and cost of an additional childcare facility and/or expanding existing facility capacity in Breckenridge while tracking changes in childcare demand over the next 12 months.



Memo

To: Breckenridge Town Council Members
CC: Rick Holman & Shannon Haynes
From: Jennifer McAtamney, Program Administrator
Date: 9/19/2018
Subject: APA Consulting - Child Care Program Evaluation

Back in December of 2017 the Town Council requested a third party consultant be contracted to take a critical look and examine the Town’s Child Care program to determine if there was a better program model to achieve the program goals of:

1. Improve accessibility and affordability of quality early child care for local families and workforce.
2. Ensure families are not unduly cost-burdened regardless of their income and amount of care.
3. Help Centers achieve sustainable budgets, while providing quality care, maintaining sufficient reserves, and retaining and compensating teachers.
4. The public investment should result in positive impact on child outcomes.

After conducting an RFP and Interview Selection Process; Augenblick, Palaich and Associates (APA Consulting) experts in education policy research was selected. After meeting with the Town Council on April 6th of 2018 the study was kicked off and the APA team completed the following analysis:

- Analyze historical, budgetary, and statistical data provided on the current Breckenridge child care program.
- Compare Breckenridge non-profit centers with other selected providers in Colorado and the U.S.
- Identify 2-3 model ECE programs in Colorado and conduct interviews to gather data on program design and funding sources.

Since that time APA Consulting collected and analyzed key data; and conducted 20 interviews with 48 individuals across the state. The result of that work is attached here and contains an Executive Summary along with key findings on the existing program as well as recommendations to improve the program and address the on-going challenges discussed in the report. The team from APA Consulting will be attending work session on 9-25-2018 to present their findings and take questions from the Town Council.

Key Findings

APA’s primary finding is that the Town of Breckenridge’s investment in the Breckenridge Child Care Program is well-conceived, and well-targeted towards addressing the most critical

factors in building a sustainable, high-quality early childhood education system. Among our competitive set of mountain communities the Town of Breckenridge was a pioneer making the most significant discretionary investments in their early childhood system. Even today the Town is a stand out relative to peer communities with only Aspen surpassing the Town’s commitment thru their dedicated tax of \$2,000,000 annually.

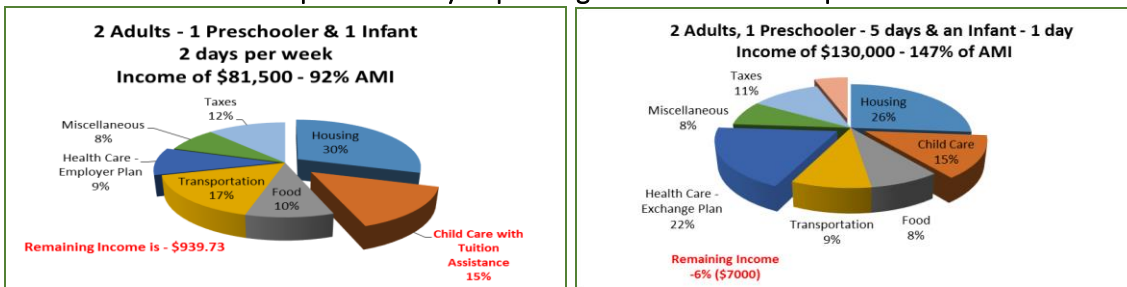
The program is also a strong support for the local economy, as families receiving tuition assistance work in a wide array of industries, including local and county governments, tourist organizations, restaurants, professional services, and others. Over 120 Unique businesses benefit indirectly from the improved child care supports provided to these families. 99% of the families eligible for tuition assistance at our local partner schools have at least one parent working full time in the Upper Blue.

Top Five Employers of TA-Receiving Families

Employer	Number of TA Employees
Vail Resorts	12
Breckenridge Grand Vacations	9
Summit School District	8
Town of Breckenridge	6
Summit County Government	4

APA assessed whether the current system was the best approach for providing tuition assistance and support based on family need vs direct payments to schools. Based on lessons and data from the Denver Preschool Program, APA recommends that Breckenridge continue to administer tuition assistance based on need. Due to the financial pressures on local working families until new data becomes available that suggests a lower or higher limit would be more appropriate APA also recommends that the Town not adjust the 16% limit on a family’s spending on child care as a percentage of their gross income.

Examples of Family’s Spending across the income spectrum



In addition to improving accessibility and affordability it is clear from the data APA collected from key stakeholders that the program is an essential foundation of support for quality child care in Breckenridge which results in the return on investment of public dollars. This sentiment was also echoed in APA’s interviews with child care leaders in comparable mountain communities. All of these leaders pointed to the Breckenridge program as not only a model, but as a source of inspiration for continuing to improve the early childhood education programs in their own communities.

Recommendations

It should be noted the following recommendations offer suggestions on ways to further improve the fundamental program but are premised on the primary conclusion that the program is a powerful and essential force in ensuring high-quality care for young children in Breckenridge that other, similar mountain communities now seek to learn from and emulate. These recommendations should be considered optional ways of improving the program.

Recommendation 1: Plan for Sustainable Funding -

Possible suggestions include allocating all of the existing marijuana sales tax dollars and/or continuing the current marijuana funding beyond the current commitment through 2019 (this could extend the fund through 2022), or pursue a new funding stream, likely through a ballot measure. (pg. 13)

Recommendation 2: Continue to Strengthen Policies Supporting Teacher Recruitment & Retention

APA's findings led to three groups of recommendations to further improve teacher recruitment and retention: 1) increase the overall teacher compensation package; 2) strengthen teacher job support; and 3) increase center support. (pg. 14 – 16)

Recommendation 3: Increase Efficiency through Shared Services

Some examples include:

- Sharing contractors for services such as snowplowing, cleaning, and grounds maintenance.
- The use of shared business services for payroll, accounting, tax support, paperwork for licensing and compliance, handbooks/manuals, background checks, joint purchasing and other services.
- Creating a joint substitute pool and centralized waitlist. (pg. 16-19)

Note: The Town of Breckenridge is working with Summit County Government, and Early Childhood Options on a Workforce Innovation Program to create a structure and plan to administer essential back office functions including, Accounting, HR and Benefits administration for licensed child care providers across the county.

Recommendation 4: Maintain and Refine the Tuition Assistance Program

- Develop an online calculator to provide estimates of the tuition assistance and total tuition.
- Review the list of required documentation to see if the requirements could be reduced or streamlined.
- Offer additional financial assistance to centers to offer more infant/toddler slots. (pg. 19-20)

Recommendation 5: Collect Additional Data on Critical Program Metrics

This includes both using the Program Administration Scale (PAS) process and the Colorado Shines formal rating process. (as well as additional data collection on why teachers and families leave and tracking for children's progress as they transition into elementary school. (pg. 21-22)

Note: Colorado Shines is replacing the Qualistar Rating System. The required site visits and reviews to receive a Colorado Shines rating are in process at our partner schools.

Recommendation 6: Review Communication between the Town of Breckenridge & the Child Care Centers

Hold formal quarterly meeting with the Directors of the Partner Child Care Centers, and continue to provide Directors with copies of their minutes from the Child Care Advisory Meetings. (pg. 22)

Recommendation 7: Conduct a Facility Space Review at All Centers

Conduct a review of facility space for all four centers to collect more detailed data on what each center needs and if there is an ability to expand, and solicit their ideas for how to improve space utilization and to expand facilities to best meet community demand. (pg. 22)

Recommendation 8: Prepare for the Possibility of Universal Pre-K

In the event Summit County 1A Initiative passes on November 6th the Town will have the opportunity to determine how the funds currently supporting Tuition Assistance for 4 year olds would be used. Options include shifting this funding to other purposes, such as higher salary supplements, or for professional development or expanded health care coverage or providing assistance for 0 – 3 year olds saving the funds that were previously supporting pre-K tuition. (pg. 23)

Next Steps:

1. Staff will work with the Child Care Advisory Committee to evaluate all of APA’s recommendations and investigate the potential cost and benefit to implement them with a focus on best practices, business efficiencies and program impact. A future work session will be scheduled with the Town Council to discuss the committee’s findings.
2. Given the potential effect of Summit Counties 1A Initiative, Staff will schedule a work session with the Town Council after the election to discuss program impacts.



AUGENBLICK,
PALAICH AND
ASSOCIATES

Breckenridge Child Care Program Evaluation Final Report

APA Consulting
Denver, Colorado

September 2018

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Executive Summary

In March 2018, the Town of Breckenridge hired APA Consulting, a private consulting firm specializing in education policy research and analysis, to conduct an evaluation of the Town's child care program. The two primary components of the child care program are: 1) the tuition assistance program, which provides subsidies to parents living and/or working in Breckenridge to help them afford child care, and 2) teacher salary support, which provides funds to four local child care centers to supplement teacher salaries and assist with retention and recruitment. In the course of this evaluation, APA conducted interviews with the program's administrator and the Child Care Advisory Committee, as well as with the directors and teachers at the four child care centers in Breckenridge. To gain additional context about child care in Summit County, APA interviewed the director of Early Childhood Options Summit County as well as child care teachers from Dillon and Frisco. APA also interviewed municipal leaders from similar mountain communities to understand how the Town's program compares to child care support efforts in those communities. Finally, APA interviewed directors of high-quality child care programs in other mountain resort communities to understand how they supported teacher retention and quality.

APA's primary finding is that the Town's child care program is a high-quality program that is respected and admired by leaders of other mountain communities. The tuition assistance and teacher salary components help both parents and teachers cope with the very high cost of living in the area. Without these programs, it would not be possible for some parents to continue contributing to the community and workforce, or possible for many teachers to continue pursuing their passion to teach and support young children in the area. Overall, the Town of Breckenridge's investment in the Breckenridge Child Care Program is well-conceived and helps to address several of the most critical challenges to building a sustainable, high-quality early childhood care and education system.

At the same time, APA also finds that several challenges which the Breckenridge Child Care Program seeks to address are pressing, complex, and ongoing. Key amongst those challenges is the ongoing need to ensure that child care centers serving the Breckenridge community are able to attract and retain high-quality teachers. Indeed, APA's data gathering from center directors, community leaders, and early childhood educators in Breckenridge unanimously emphasize the critical importance of teacher quality, and a stable teaching workforce, to the ongoing provision of high-quality early childhood education. This input is corroborated nationally by early childhood education studies and by APA's research and evaluation of early childhood education programs throughout Colorado and across the United States.

While the town's child care program has taken a critically important step towards addressing the challenge of attracting and retaining early childhood educators, significant challenges remain. In particular, health care costs in the Breckenridge area remain some of the highest in the country. This poses a direct threat to the ability of early childhood education teachers to remain in the area. This is because, as young teaching professionals reach the point where they want to start families of their own and commit long-term to remaining in the Breckenridge area, they often find that family health care costs are a significant, unaddressed barrier. A lack of affordable housing and the need for access to

retirement savings programs are also challenges that force these teachers to leave the Breckenridge community in order to best meet long-term needs for themselves, their children, and their families.

As such teachers leave, they take with them the significant resource investment that Breckenridge's early childhood education centers have made in training them to become effective educators. This forces these centers to continually reinvest valuable staff time and resources into training and developing quality replacement teachers. The loss of such teachers and their families also reduces the capacity of these programs to produce the type of long-term community stability that Breckenridge community leaders consistently expressed as a high priority for the town in interviews and focus groups with APA.

The following recommendations offer suggestions on ways to further refine, enhance, and improve the Breckenridge child care program to address some of the ongoing challenges discussed above. These recommendations are premised on APA's primary conclusion that the program is a powerful and essential force in ensuring high-quality care for young children in Breckenridge that other, similar mountain communities now seek to learn from and emulate.

1. *Plan for sustainability of funding.* The Town should identify or pursue a dedicated and permanent funding stream to ensure sustainable funding over time for its Child Care Program. Establishing such sustainability will send a strong signal to early childhood educators and leaders that the community's investment will remain intact over time. One potential funding stream to explore is expanding the program's access to available marijuana tax money.
2. *Continue to strengthen policies supporting teacher recruitment and retention.* This factor was identified by a variety of stakeholders as the key to improving and maintaining child care quality. In order to ensure successful recruitment and retention of high-quality and experienced teachers, the Town should consider increasing the overall teacher compensation package, including expanded health care and retirement benefits. The Town should also protect working conditions by not increasing class sizes and by providing increased staffing and professional support for teachers and additional training and administrative support for centers.
3. *Increase efficiency through shared services.* The Town should explore one of several models for shared services across the four child care centers. Shared services could include contracted services such as cleaning or snow removal; business services, such as payroll, tax support and grant writing; a shared substitute teacher pool; outreach and communication with Spanish-speaking families; initial screening and background checks for hiring; and/or centralized support staff.
4. *Maintain and refine the Tuition Assistance Program.* The Town should streamline the documentation required for parents to apply and develop an online calculator that could provide potential applicants with an estimate of their projected subsidy amount before application. Consider additional subsidies to centers to offer more infant and toddler slots.

5. *Collect additional data on critical program metrics.* The child care centers should complete the Program Administration Scale assessment and Colorado Shines rating process, as well as track students from the child care program into kindergarten.
6. *Review communication between the Town of Breckenridge and the child care centers.* Center directors should be invited to attend Child Care Advisory Committee meetings. The program should consider offering a quarterly meeting between the program administrator and directors.
7. *Conduct a facility space review at all of the child care centers.* The Town should support the centers in reviewing facility space to improve space utilization and potentially expand facilities.
8. *Prepare for the possibility of universal Pre-K.* The Town should consider how centers will manage multiple funding streams and which funds will take priority.

This report provides a number of recommendations for improving the quality, efficiency, affordability and capacity of child care in Breckenridge. Many of the recommendations have associated costs, while the costs of other recommendations may be offset by both improved efficiency and quality. APA recommends that the Breckenridge Child Care Advisory Committee prioritize next steps for continued improvements to its existing child care program by: (1) determining the costs of implementing the highest priority improvements, (2) determining the potential cost savings associated with such improvements including the potential beneficial impacts on children, families, schools, and the larger community; and (3) implementing appropriate changes with input from the center directors, teachers, and families served.

Introduction

APA Background

Founded in 1983, APA Consulting (APA) is a privately owned, Denver-based consulting firm that specializes in education policy research and analysis. The company is a federally recognized small Colorado business that has focused exclusively on research and analysis of education policy and practices over its 35 years of existence. APA has detailed knowledge of early childhood structures, policies, and practices and many years of experience with early childhood education evaluations, research, and financial analysis. In this study, APA partnered with Early Learning Ventures (ELV), a Colorado organization that provides services to more than 600 child care and preschool businesses, serving more than 40,000 children.

The Challenges of Providing High Quality Child Care in Breckenridge

Breckenridge faces a combination of factors that make the provision of high-quality child care a particular challenge. Several of these factors, including child care service capacity, child care affordability, and cost of living, are discussed below.

Access to Child Care

The Breckenridge Child Care Program was designed to ensure that parents who need child care for their young children can access it. There are two parts to access: capacity and affordability. With the high rate of working parents in the city and county, access to child care is a necessity for keeping families in the community. If parents need to work to afford the cost of living, they likely need child care to enable them to work.

With regard to capacity, the number of available child care slots is critical. A recent needs assessment study (currently in draft form) being conducted for the Town of Breckenridge indicates there are 154 children on waitlists across the four centers (BBC Research and Consulting, 2018). Such a waitlist indicates that expanding quality child care capacity is an ongoing need for the town. One way to expand such capacity is to ensure that the facilities used by current centers are of adequate size to accommodate enrollment demand. The Breckenridge Child Care Program has already taken positive steps in this regard. For instance, the program has paid off the mortgages of existing child care centers and helped build a new facility for one of the centers. The program also continues to examine the possibilities for further improving and expanding child care facility capacity.

Affordability is the other key part of access to child care and is particularly critical in a locality such as Breckenridge that has high housing costs and a high overall cost of living. The U.S. Census reports that for 2016, 77.6 percent of the Breckenridge adult population with children under six years old were in the labor force, compared to 62.6 percent in Colorado as a whole, and 65.0 percent nationally (United States Census Bureau, 2016). These higher percentages point to a similarly higher than average need for affordable child care in Breckenridge. Indeed, according to the Program's 2016 Annual Report, 46 percent of families surveyed (by the program) would have to leave the county if they could not afford the cost of child care (Town of Breckenridge, 2016). The Breckenridge Child Care Program aims to limit

the family contribution to 16 percent of household income, and therefore plays an important role in improving overall child care affordability.

High Costs of Living for Child Care Teachers

The cost of living in Breckenridge is very high compared to most other areas of the state. In fact, a recent report ranked Summit County as having the second highest cost of living in Colorado (Pacey Economics, Inc., 2018). High costs for housing are a particular concern for early childhood educators who might wish to start families of their own and who are interesting in remaining in the community long-term. Such long-term residents are important to maintaining a stable, non-transient population in the community.

Median rent, however for apartments in Breckenridge from July 12 to August 12, 2018 was \$3,400 and the median home sales price from May 9 to August 8 was \$600,000 (Trulia, 2018). At current interest rates, a 20 percent down payment of \$120,000 with a 30-year fixed rate loan amounts to a monthly mortgage payment of \$2,968. Such as cost poses a significant challenge for early childhood educators earning \$15-16 per hour.

In addition to high housing costs, health insurance premiums in Summit County are among the highest in the country (Aschwanden, 2017). For a 40-year-old with a silver level health insurance plan in 2018, the average lowest cost option was \$616 per month for an individual in Summit County. This amount was 43 percent higher than the comparable average for Denver (Colorado Department of Regulatory Agencies, 2017).

Housing and health care costs make living in Breckenridge a challenge for all residents including child care workers. A full-time child care teacher making (for example) \$16.36 per hour (the average child care teacher salary in the region) (U.S. Bureau of Labor Statistics, 2017) would earn pre-tax income of \$34,029 or \$2,836 monthly. Without other income or financial assistance, such teachers are unlikely to be able to afford housing, health care, or other necessities. The Breckenridge Child Care Program correctly aims to help mitigate these challenges through a teacher salary supplement provided to centers to increase teacher salaries. However, more support is needed to address the overall cost of living challenges which the town's early childhood educators face.

Program Description

The Breckenridge Child Care Program aims to address several of the key challenges discussed above. For instance, the program seeks to improve access to care by increasing the number of available child care slots and seeks to address affordability by providing tuition assistance to make care more affordable to working parents. The program also hopes to improve child care center quality by decreasing teacher turnover.

The key components of the Breckenridge Child Care Program are its Tuition Assistance Program (TA) and its teacher salary support program. The TA program was created to provide financial assistance to families living or working in the Upper Blue Basin, which includes Breckenridge. The TA program is also explicitly intended to support the workforce by making child care more affordable to working parents.

There is an extensive application and verification process required for families seeking TA, including submission of all W-2s, tax returns, and a full list of financial assets and liabilities. Reviewing applications requires a full review and verification of all submitted financial documents. Financial assistance is available to families earning up to 150 percent of the Area Median Income (AMI).

The teacher salary supplement program consists of payment directly to the four child care centers in Breckenridge: Carriage House, Timberline, Little Red Schoolhouse, and Breckenridge Montessori. The directors of those centers have the discretion (within limits) on how to allocate those funds among teachers to best support teacher recruitment and retention. As described later in this report, directors can and do make different decisions on how to use those funds, with some consistently raising teacher salaries and other using the funds to offer higher salaries to aid recruitment in times of dire staffing need.

In addition to these primary components, the program has also taken significant steps to increase the number of available enrollment slots by: 1) paying off the mortgages of the existing centers; 2) helping to build a new facility for one of the centers; and 3) looking for other opportunities for additional facility growth.

Evaluation Overview

In March of 2018, the Town of Breckenridge hired APA to conduct an evaluation of the Town's Child Care Program. Specifically, the purpose of the evaluation study is to examine the efficacy of the four participating child care centers, analyze the Town's financial support, compare the program to other innovative programs and high performing child care centers in Colorado, and to analyze how Early Childhood Options and Right Start could potentially impact the program.

The remainder of this report is structured as follows: an overview of the methodology used in the evaluation; a high-level summary of findings and recommendations stemming from the evaluation; and a detailed review of each interview, focus group, and data collection source.

Methodology

This evaluation and this report rely primarily on interviews and focus groups of child care staff and administrators in Breckenridge and other mountain towns, as well as data analysis of existing data provided by the Town of Breckenridge Child Care Program. APA began this study by reviewing historical, budgetary, and statistical data provided by Jennifer McAtamney, Program Administrator of the Child Care Program. This provided some context for initial interviews as well as a comparison for analysis.

APA then conducted a number of interviews and focus groups with stakeholders and employees of the four child care centers in Breckenridge. Other interviews included early childhood education experts external to the program, such as Lucinda Burns, director of Early Childhood Options Summit County. To gain additional context about child care in Summit County, APA conducted a focus group with child care/preschool teachers from Dillon and Frisco. Additionally, APA interviewed early childhood leaders in four Colorado communities that are currently exploring or implementing innovative practices in early childhood. APA identified these communities through discussions with Early Learning Ventures (ELV),

which collects data from child care and preschool programs across the state and is knowledgeable about innovative practices in early childhood. In order to obtain other sources of comparison, APA interviewed the directors of five child care and preschool programs that are both high-quality and located in communities that can be considered comparable to Breckenridge.

Over the course of the study, APA completed the following interviews and focus groups:

1. To understand the Breckenridge Child Care Program and the child care context in Summit County:
 - An interview with Jennifer McAtamney, Breckenridge Child Care Program Administrator;
 - A focus group with the Breckenridge Child Care Advisory Committee;
 - An interview with Lucinda Burns, Director of Early Childhood Options;
 - Interviews with each of the directors of the four child care centers in Breckenridge and one assistant director;
 - Focus groups with teachers at each of the four child care centers in Breckenridge (a total of 20 teachers); and
 - A focus group with three teachers at Lake Dillon Preschool and Summit Preschool in Frisco.
2. To gather information on innovative child care practices in similar mountain communities:
 - An interview with Telluride early childhood leaders: Paul Major, President and CEO of the Telluride Foundation and Kathleen Merritt, Director of Bright Futures for Early Childhood and Families;
 - An interview with Roaring Fork Valley early childhood leaders: Shirley Ritter, Kids First Director (Aspen) and Joni Goodwin, Executive Director of the Early Childhood Network (Garfield County); and
 - An interview with Estes Park early childhood leaders: Michael Moon and Charles Dickey, Co-Chairs of the Child Care Services Committee.
3. To identify practices of high-quality child care centers in similarly situated communities:
 - An interview with Amy Drummet, Director of the Eagle Valley Child Care Association, who oversees two centers in Vail;
 - An interview with Lesley Lach, Director of the Durango Early Learning Center;
 - An interview with Ben Poswalk, Director of Paradise Place Preschool (Crested Butte);
 - An interview with Maggie Swonger, Director of Children’s Garden of Early Learning (Vail); and
 - An interview with Kim Martin, Director of Young Tracks Preschool and Child Care Center (Steamboat Springs).

Findings and Recommendations

The Town of Breckenridge has made substantial investments to improve child care quality, capacity, and access. Through their investments in the salaries of child care teachers, tuition assistance for parents, and efforts to increase the number of slots available for children, the Town hopes to make it possible for working families and child care teachers to remain a part of the community.

Breckenridge is one of the first Colorado mountain communities to make these types of investments in child care. Early childhood stakeholders across the state are aware of the Town's efforts to support early childhood education, and as a result now look to Breckenridge as a model for child care policy innovation. Indeed, the Town's investments in child care have increased access to child care for families and have helped to recruit and retain teachers. However, challenges remain. The extremely high costs of living and of health care in Breckenridge and nearby communities make it difficult for child care teachers to afford to live and raise families in the area, even with the teacher salary supplement. In order to increase teacher quality and decrease teacher turnover, it may be necessary to make further investment into the program and to expand teacher compensation packages.

The remainder of this section details APA's primary findings from the evaluation, coupled with recommendations for further improvement. Later sections detail and summarize the evidence gathered from each set of interviews or focus groups.

Overall, a key finding from APA's research is that the Breckenridge Child Care Program is a high-quality, highly regarded program that has had a significant, positive impact on the early childhood education centers it seeks to support. Teachers and directors in the Breckenridge child care centers universally reported strong support for both the tuition assistance and teacher salary support components of the program. Directors reported that the program has boosted the financial sustainability of their centers. Teachers further reported that the salary support made it possible for them in many cases to continue pursuing their passion to teach and support young children in Breckenridge. The additional salary which the program provides not only makes working in Breckenridge early child care facilities more attractive than similar positions in surrounding communities, it also sends a clear message to the directors and their teachers that Breckenridge values them as professionals, and that the Town has made an important extra effort to pay them more appropriately as professionals. This message alone has a positive impact on teacher morale in the Breckenridge early childhood education community.

Additionally, the program appears to be meeting a key Advisory Committee goal, which is to support child care in order to enhance stability in the Breckenridge larger community. A review of data on families who received tuition assistance, discussed in more depth in the body of the report, below, indicated that the program is primarily used by families who live in Breckenridge and have been in the area for an extended period of time (8.5 years on average). Another, smaller, group of families using tuition assistance have lived in the area for under one year and are likely seeking care for their children upon arrival to the area. This indicates that the program is useful both in helping establish families new to the area and in serving families who have lived in the area for a significant amount of time.

The program is also a strong support for the local economy, as families receiving tuition assistance work in a wide array of industries, including local and county governments, tourist organizations, restaurants, professional services, and others. There were more than 120 unique businesses employing working parents who received tuition assistance, including restaurants, medical providers, schools, realtors, and other community services. All of these businesses benefit indirectly from the improved child care supports provided to these families.

APA reviewed data on the tuition assistance program to assess whether the current system was the best approach for providing tuition assistance. The Advisory Committee has also considered providing a direct subsidy to each center that could be used to offset the costs for all parents instead of only qualifying parents. The current tuition assistance program limits parents' contribution for child care to 16 percent of their income for families whose household income is below 150 percent of AMI.

APA concludes that the needs-based tuition assistance approach is the best option for distributing tuition assistance for several reasons. The goal of tuition assistance is to improve access and therefore affordability of child care for those families that might not be able to afford it without the tuition assistance. Distributing the tuition assistance to all parents with enrolled children would reduce the amount available for those families who need it the most, and some may no longer be able to afford the cost of child care. This type of distribution to all parents might also result in some tuition assistance going to those who do not need the assistance to afford care. In order to fully examine the impacts of a change in the tuition assistance distribution to include all parents, APA would first need to examine the data on parents who do not currently qualify using the 150 percent AMI threshold. Data on these non-qualifiers is not available at this time.

The Denver Preschool Program (DPP) provides an example of a program that distributes tuition assistance to all families instead of only low- and middle-income preschools/child care facilities. DPP calculates tuition credits based on income, family size, preschool quality rating, and child participation rate. In 2017-18, all families with a 4-year old enrolled in a DPP Preschool who completed the DPP paperwork were eligible to receive at least \$81 per month. (Denver Preschool Program, 2018). In its role as DPP's evaluator, APA administered surveys to DPP parents for eight years and found that most (64-80 percent) of parents reported that they would have enrolled their children in preschool even without the DPP tuition credit. This suggests that the remaining 20-36 percent of parents had greater need for the assistance. These parents would likely have benefited even more significantly if they had access to additional funding support. Data from the DPP evaluation in 2016 indicated that higher income families (those making more than \$72,080 in 2016) were more likely than those in lower income categories (below \$47,701) to enroll in preschool without the DPP tuition credit. In other words, families who earned more were less likely to base their enrollment decision on the availability of the tuition credit. Based on this lesson learned from DPP, APA recommends that Breckenridge continue to administer tuition assistance based on need.

One question about the current needs-based tuition assistance distribution is whether the limits are appropriate. Tuition assistance is limited to families within 150 percent of AMI. A family of four with income at or above 150 percent of AMI is earning at least \$135,900 annually or \$11,325 monthly (in

2018). At this income and average child care, families would be paying 13 percent of their income for child care, an amount which seems reasonable compared to the state average of 24.2 percent of household income for center-based child care (ChildCare Aware of America, 2017; U.S. Census Bureau, 2016).

The five high performing centers interviewed for this study all subsidize some parent tuition. These centers either offered tuition assistance for all parents below a certain income level or for parents whose income was just above the threshold for receiving Child Care Assistance Program (CCCAP) funding. Aspen also funds child care based on family need. Specifically, Aspen's tuition assistance program is geared toward families whose income is above the threshold for receiving CCCAP funding. Aspen's tuition assistance may be used to fund families with incomes up to 500 percent of the federal poverty level. There is however, no evidence to suggest that one particular limit is more appropriate than any other. Until new data becomes available that suggests a lower or higher limit would be more appropriate, APA recommends that the Town not adjust the 16 percent limit.

It is clear from the data APA collected from key stakeholders that the program is an essential foundation of support for high-quality child care in Breckenridge. This sentiment was also echoed in APA's interviews with child care leaders in comparable mountain communities. All of these leaders pointed to the Breckenridge program as not only a model, but as a source of inspiration for continuing to improve the early childhood education programs in their own communities. Leaders in Estes Park explicitly stated that they were considering replicating the Breckenridge model in their own community after seeing it successfully implemented.

Interestingly, all of the leaders in the comparable mountain communities interviewed by APA indicated that their primary area of focus was increasing child care capacity to meet the demands of families in their jurisdiction. In contrast, the Breckenridge center directors and teachers reported that their primary focus was increasing and supporting the *quality* of care. This focus on quality becomes more possible when a community has taken significant steps to address the initial challenge of limited capacity. This also indicates that the Breckenridge Child Care Program has allowed child care in the community to become secure and stable enough to focus primarily on quality improvements. While capacity issues still exist in Breckenridge and are not completely resolved, this shifted focus expands the opportunity for continued quality improvements.

APA found that the two main components of the Breckenridge Child Care Program – tuition assistance and salary supplements – properly target what early childhood educators, directors, and leaders believe should be two of the highest priorities for early childhood education in any community: 1) maintaining adequate center capacity to meet the demands of families; and 2) supporting centers in moving towards the highest quality of care. The tuition assistance program allows centers to charge for the actual cost of care while still improving affordability for parents who cannot afford that true cost. The teacher salary support program provides centers extra funding to help attract and retain high-quality teachers. All directors and teachers interviewed agreed that attracting and retaining such teaching talent is the most important factor in enabling facilities to offer effective, high-quality early childhood education.

Taking all of these observations and findings together, APA's primary finding is that the Town of Breckenridge's investment in the Breckenridge Child Care Program is well-conceived, and well-targeted towards addressing the most critical factors in building a sustainable, high-quality early childhood education system.

The following recommendations offer suggestions on ways to further refine, enhance, and improve the fundamental program, but are premised on the primary conclusion that the program is a powerful and essential force in ensuring high-quality care for young children in Breckenridge that other, similar mountain communities now seek to learn from and emulate. These recommendations should be considered optional ways of improving the program. APA believes that these recommendations would improve the quality, capacity, affordability, and efficiency of the program over time.

Recommendation 1: Plan for Sustainable Funding

Analysis of existing fiscal data suggests that the program has varying revenue sources with changing amounts derived from each source. In 2017, the program stopped receiving money from the excise fund, which had averaged about \$1,473,624 a year. The excise fund revenue is not likely to be available for the Child Care Program again in the next three years. The program also receives money from the Town's marijuana tax fund. This revenue has averaged \$448,873 each year but varies greatly from year to year. The revenues received from this fund will end in 2019 unless renewed.

Currently program expenditures for tuition assistance funding, teacher salary subsidies, and administering the program, are greater than the revenues received. There have been some funding changes as staffing for the program has shifted.¹ If the revenue sources do not increase or expenditures do not decrease, the program will expend all of its existing revenues by 2022. The Town could reduce spending on it's the Child Care Program in order to cut costs and address the budget gap. Such a reduction, however, would not be supported by the input APA received from teachers and leaders within Breckenridge or from experts and early childhood education leaders outside of Breckenridge who reside in similar Colorado mountain communities across the state. This input suggests that the current salary support for teachers provided by the Town is an effective start to professionalizing early childhood instruction across the four Breckenridge centers.

Input gathered by APA indicates that the current level of support provided by Breckenridge is not at a sufficiently high level to stem teacher turnover, which is complicated by a host of financial challenges that have not yet been completely addressed. These financial challenges, about which APA heard directly from Breckenridge child care center teachers and directors, include high housing costs, extremely high health care costs, a lack of retirement benefits, and a lack of paid vacation leave time for teachers. Adequately addressing these ongoing financial challenges for teachers will require more, not less, future funding support from the town.

¹ The program originally had a 0.5 FTE staff person from Early Childhood Options (ECO). When that role became inconsistent with ECO's mission, that position was filled with an independent contractor, then reabsorbed into the Town's staffing. These shifts all affected the program's budget and capacity.

This suggests that to sustain the program at the current funding level, the Town should consider pursuing more dedicated funding streams for the program. This could, for example, involve dedicating the entire current marijuana fund to support the program. Currently, only a portion (about half) of the existing marijuana fund currently goes to the child care program. Allocating all of the existing marijuana fund dollars to the program could provide a significant new annual funding stream. Another option for providing the program with more sustainable funding is to pursue a new funding stream, likely through a ballot measure, to support the program into the future.

Recommendation 2: Continue to Strengthen Policies Supporting Teacher Recruitment and Retention

The teachers and center directors participating in APA's focus groups and interviews consistently identified the recruitment and retention of high-quality early childhood teachers as the primary method for ensuring high-quality care and education for children.² Teachers and center directors indicate that working with well-trained and experienced teachers allows them to focus more on supporting and developing children, rather than on hiring, training, and supervising newer teachers. Directors indicated that more experienced teachers bring a wealth of knowledge and insight to working with children that elevates overall instructional quality. Both teachers and directors recognize that teacher compensation is critical to attracting and retaining such experienced and qualified teachers. APA's findings in this area led to three groups of recommendations to further improve teacher recruitment and retention:

- 1) increase the overall teacher compensation package;
- 2) strengthen teacher job support; and
- 3) increase center support.

Increase the Overall Teacher Compensation Package

When teachers and directors discussed the barriers posed by low compensation, they spoke not only of teacher salaries, but also of health care and retirement benefits, paid time off, and flexible scheduling during the day. Based on the input received, APA offers the following recommendations in this area:

- The first, and potentially most costly recommendation, is for the Breckenridge Child Care Program to further increase both minimum and maximum teacher salaries. Increasing minimum salaries will help with recruitment, while increasing maximum salaries will help with retention. Teachers universally believe that the current salary supplement is critically important and beneficial, but most teachers indicate that it is not high enough to allow centers to recruit sufficient numbers of qualified teachers or to provide a living wage for existing teachers without teachers having to work multiple outside jobs or to rely on having income from a significant other in order to make ends meet.

² See, for example, Early, D. M., Maxwell, K. L., Burchinal, M., Alva, S., Bender, R. H., Bryant, D., & Henry, G. T. (2007). Teachers' education, classroom quality, and young children's academic skills: Results from seven studies of preschool programs. *Child development*, 78(2), 558-580. This study found that improved teacher interactions with children, which come with experience and professional development, are the primary predictor of children's gains during early childhood education.

- Consider pooling staff across sites to offer small group health insurance and consider making a contribution toward that health insurance. Not all employees will use this benefit, but it is likely to improve retention. For comparison purposes, APA conducted an analysis of five high performing early childhood education centers across Colorado. This comparison found that all five high performing centers, offered a contribution toward health insurance for their employees.
- Provide a retirement option such as a 403b and consider an employer match contribution. Teachers of all ages in APA’s Breckenridge focus groups indicated that a lack of a retirement plan offered through their center made it difficult for them to view the job as a long-term sustainable career. For comparison purposes, APA conducted an analysis of five high performing early childhood education centers across Colorado and four out of the five offered their employees access to a retirement plan, with two of the centers offering an employer match.
- Pay employees for holidays even if they are not scheduled to work on that day of the week. This makes teachers feel valued, improves the perception of equity within each center, and places the teachers on par with other professions.
- Provide at least one week of leave that employees can use during their first year of employment for vacation. Consider providing more leave as employees remain working at the center. Time outside of work is important for mental health and to prevent teacher burnout. Consider reviewing leave policies across centers for equity.
- Provide paid time off for staff to attend trainings. This respects and values staff member time and ensures that they do not have to spend their own free time improving skills on behalf of the center. It is also likely to decrease the time it takes for teachers to earn credentials.

Provide Increased Support for Teachers

Teachers discussed the pressure and stress placed on them by staffing shortages and the need for additional supportive feedback to help them improve. Recommendations in this area include:

- Consider hiring a permanent floating substitute who can fill in for teachers in any classroom. This provides flexibility for staff to take accrued leave and to ensure each center can comply with licensing ratios even when there is an unexpected absence. A floating substitute is a less costly alternative to maintaining more full-time teachers per classroom.
- Consider hiring an instructional coach to serve in a non-evaluative role to work closely with teachers to improve their instruction. Such a coach provides not only instructional guidance to teachers, but can also provide experienced, constructive support in a safe and trusted coaching relationship that does not impact job performance reviews.
- A structured performance review process with employee input into growth goals would be helpful for improving employee buy-in while also improving teaching quality. Regular staff meetings that allow opportunities for staff to provide input into center-wide decisions would also improve accountability and workplace culture.

There is sometimes a tendency for budget-conscious policy makers to suggest increasing class size as a means of enrolling more students and thus increasing revenue. Best practices research on the early

elementary grades and preschool does not suggest this would be beneficial to quality (Kruger, A.B., 1999). In fact, research indicates that increasing class sizes may decrease one-on-one teacher-child interactions and can make working conditions more stressful for teachers (Blatchford, Bassett, Goldstein, & Martin, 2003; Vandell & Wolfe, 2000). The teachers in this Breckenridge study also suggest that adding additional children to existing classrooms could significantly increase stress, decrease teacher retention, and decrease interactions with children.

Provide Additional Support for Centers

Conversations with teachers and directors also revealed that increased center support would free up staff time, allowing employees to focus more on instructional concerns. These are the recommendations in this area:

- Provide funding to support trainings and resources for center directors to improve their business and leadership skills. Child care center directors often move from teaching positions into management without any training in how to manage staff effectively or how to complete critical business tasks. The center director position is extraordinarily demanding and requires multiple skill sets in order to manage multiple, competing priorities each and every day. Additional trainings for center directors will likely further improve the ability of directors to be effective leaders in all capacities.
- For the three larger centers, an administrative employee to work at the reception area, answer phones, complete paperwork, and fulfill other administrative duties would take some of this burden off of other staff. This already exists at some of the centers but would be helpful at all three.

Recommendation 3: Increase Efficiency through Shared Services

All four child care center directors report that they communicate regularly and have cooperative professional relationships with each other. The directors were receptive to exploring the idea of sharing some services to increase efficiency at their centers. One of the most frequently mentioned possibilities for shared services was contracted services such as cleaning, snow removal, and grounds maintenance. Creating a joint services arrangement to handle these contracted services across all four centers offers an opportunity to save each individual center time in finding appropriate contractors, negotiating terms, and overseeing contract compliance. A joint services arrangement might also allow the centers to jointly leverage a reduced overall contractor cost to execute the required services.

The process for managing contractor sharing across the four centers could be accomplished in several ways. For instance, the process could be managed by the Town of Breckenridge or another entity on behalf of the centers, in return for a management fee. Alternatively, the centers could contract with a local property management company to oversee these contracted services, as is common in other industries. The cost of any fees could be divided across the centers in proportion to their enrollment or facility size, depending on the service provided. Alternatively, the four centers could work together to identify the list of services for which they would like to create joint contracts, and each listed service could be managed by a different center director. In this way, redundancy in staff and director time allocated to managing specific services could be reduced or eliminated across the centers.

Regardless of the approach taken to organize the sharing of services, it is likely that a facilitation mechanism will be needed to provide space for leaders from all four centers to come together in identifying their highest priorities for shared contractor services and the approach to jointly managing such contractors that makes the most sense. Providing a facilitator to facilitate meetings of center directors will be critical in this regard. It may also be prudent to select one high priority service area to serve as a pilot for the shared service approach. Additional shared service areas could then be targeted and added based on lessons learned from the pilot.

Another suggestion for shared services involves business services. Such services may include payroll, accounting, tax support, handbooks/manuals, staff background checks, family waiting lists, joint purchasing, and others. Early Learning Ventures (ELV) offers a shared-services platform to which all of the Breckenridge centers currently have access. The centers appear to be using parts of the ELV platform, including child attendance functions, staff training functions, child immunization tracking, parent communication features, and reporting features. None of them however, are fully using Alliance Core, which provides functions to assist with online enrollment, parent data requests, staff attendance, teacher-child ratios, billing, and a parent portal. Revisiting this platform is likely to be a useful exercise in any effort to consolidate such business services.

Further, all of the directors interviewed by APA spend significant time writing grants to raise money for their school as part of their regular activities. A shared, experienced grant writer would take some of this obligation off of directors, freeing up their time for other activities. A shared grant writer might also increase the success of grant applications, since proposals could be crafted to benefit an even larger population of students and their families. Again, in order to make such a shared service feasible, a mechanism would be needed to provide opportunities for center directors to identify shared priorities and to prioritize fundraising goals across centers. A portion of a shared grant writer's time could still be allocated for grant writing tailored to the specific needs of each center.

Several directors in APA's interviews mentioned that a shared substitute pool would be useful for times when a teacher is either sick or otherwise temporarily unavailable. The directors acknowledged there were challenges in implementing such a pool. For instance, high-quality substitutes are often hired by child care centers as permanent teachers and thus removed from the substitute pool. In addition, there is an administrative burden associated with maintaining current and accurate contact information. Until recently, directors needed to conduct and place background checks for substitutes on file at each center. However, a recently passed Colorado law (SB-18-162) allows a single organization to consolidate that paperwork and compliance. This new law would let the Town of Breckenridge or Early Childhood Options hold a single license for a substitute pool, reducing the administrative burden on centers and making it easier to implement this recommendation. Regardless of these challenges, feedback received through APA's interviews and focus groups strongly suggest that the centers should consider collaborating to create an active, shared pool of substitutes to help alleviate staffing pressures when ECE teachers and staff are unavailable to work.

Additionally, the center directors acknowledged that there is the potential need to expand participation in center-based early childhood care for the approximately 6.3 percent of Summit County residents who

are native Spanish-speakers.³ Addressing language barriers with these residents could pose significant challenges for teacher-parent and center-parent communications. Although three out of the four centers had one or more Spanish-speaking staff, few if any written communications are typically provided to Spanish-speaking families. The lack of written communication in Spanish may impact outreach to these families as well as their access to, and enrollment in, center-based child care. A shared capacity to translate key documents and communications into Spanish across the four centers would be a cost-effective way to improve the centers' ability to reach out to the area's Spanish-speaking community. The platform of supports offered through ELV includes a variety of documents and materials which are available in both Spanish and English. The centers could benefit from a review of these available ELV materials to help support outreach to Spanish-speaking parents and families.

For the three larger centers in particular, hiring takes a substantial amount of time and resources. Many of the same processes such as advertising and screening of candidates are repeated at each center. If directors can agree on a list of basic teacher candidate qualifications, then initial screening and later background checks could be performed centrally by an administrative assistant shared across the centers. Centralizing this process would also help the Breckenridge Child Care Advisory Committee to better identify strengths and weaknesses of the teacher candidate pool in general.

Shared services may also help address director concerns and recruitment and retention of board members. Most board members of the Breckenridge child care centers are parents of children who attend the center, which leads to high turnover rate (as their children come and go) and may mean that board members have little board training or experience. Centralizing board recruitment and/or training and support for board members could improve board functioning.

Finally, APA recommends that the child care program explore the use of centralized staff positions. As discussed later in this report, such a shared service model has been either explored or implemented in similar Colorado mountain communities, including Estes Park and Aspen. For example, Aspen uses part of their child care funding for two full-time quality improvement coaches, a nurse, a resource substitute teacher, tuition assistance coordinator, and an office manager, all available to help any child care center in Aspen.

Specific APA recommendations are summarized below:

- Explore sharing contractors for services such as snowplowing, cleaning, and grounds maintenance.
- Explore the use of shared business services for payroll, accounting, tax support, paperwork for licensing and compliance, handbooks/manuals, background checks, joint purchasing and other services. Early Learning Ventures (ELV) provides a menu of options for shared online business services as well as training in how to utilize these services effectively. The Breckenridge centers currently have paid access to these services but may not be using them regularly. APA recommends that the Program explore the best options to increase use of these services. The

³ U.S. Census 2012-2016 American Community Survey 5-Year Estimates (U.S. Census Bureau, 2017).

centers could, for instance, request more training on ELV services for center directors or administrative staff. Another option is to hire a central business administrator to handle administrative services for all four of the child care centers.

- Explore the feasibility of creating and managing a shared substitute teacher pool.
- The Town should consider helping to recruit center board members who are not parents with children enrolled in the center. Ideally, these board members would have some experience on nonprofit boards and agree to a minimum tenure. Training for board members is another option to help board members understand their responsibilities.
- Look into the possibility of contracting with a Spanish-speaking ECE teacher to help improve communication with Spanish-speaking parents. Ideally, this teacher would work across all four centers and be funded with Child Care Assistance Program funds. Translating documents into Spanish is a valuable service that is not offered frequently in any of the centers. This type of position could also provide verbal translation as needed to improve access to center-based child care for Spanish-speaking parents in the community.
- An alternative (or addition) to translating documents is to utilize documents already available through the ELV online platform. ELV provides a host of common forms and documents that have been vetted and translated into Spanish. These documents can be downloaded and customized easily for each center. Centers have access to these ELV documents already (through Right Start funding).
- Explore whether there are centralized functions that could be provided to streamline staff recruitment and hiring practices. Shared advertising of positions for instance could save both time and money. Initial screening of applicants and background checks could also be performed centrally.
- Evaluate the need for centralized staff that could provide assistance across centers. These might include instructional coaches, a grant writer, a nurse, a mental health professional, assistant administrators, or an emergency teacher substitute.

Recommendation 4: Maintain and Refine the Tuition Assistance Program

While the Breckenridge tuition assistance program is designed to help enable centers to charge the true cost of care – and, as shown in Table 8 later in the report, Breckenridge centers do charge more than other high-performing centers in similar communities – center directors report that the current tuition rates still may not entirely reflect the actual cost of care. One Breckenridge child care center director noted that they still “do not charge the full cost of care because parents simply would not be able to afford it.” Raising tuition costs further would help the centers increase teacher salary and benefits but might not be sustainable for parents who pay those full tuition rates and are not eligible for tuition assistance.

While interviewing parents was outside the scope of APA’s current evaluation, some teachers reported that the extensive documentation required to complete the tuition assistance application may discourage some eligible families from applying, particularly because many parents do not understand what their tuition assistance amount is likely to be. Teachers who had their own children enrolled in the tuition assistance program reported that gathering the required documentation took more than a week.

A recent needs assessment study (currently in draft form) being conducted separately for the Town of Breckenridge indicates there are 154 children on waitlists across the four centers. About 42 percent of those children on waiting lists are infants and 44 percent are toddlers (BBC Research and Consulting, 2018). This suggests that there is a particular capacity problem for infants and toddlers. Aspen implements an infant/toddler subsidy to offset the costs of care for infants and toddlers and leaders from that community report that this subsidy helps to encourage centers to offer added enrollment slots for infants and toddlers. At this time, APA does not recommend further large increases in tuition. Instead, APA offers the following recommendations with regard to Breckenridge's existing tuition assistance program:

- Conduct a detailed survey of parents to help the Town understand more about the affordability of child care tuition for all parents, including those parents who do not receive tuition assistance. APA could help develop, administer, and analyze results from this type of survey.
- Develop an online calculator that could be used to provide estimates of the tuition assistance and total tuition amounts after the assistance is applied. This would allow parents to estimate the amount of financial assistance they are likely to receive before they complete the lengthy application process. It would also likely inform parents who may not think they are eligible to understand that they could receive some level of assistance.
- Review the list of required documentation to see if the requirements could be reduced or streamlined. The primary goal of tuition assistance is to make child care affordable, and if eligible parents are discouraged from applying for the assistance, then it hinders the main purpose it was designed for.
- Consider whether to offer additional financial assistance to centers to offer more infant and toddler enrollment slots. This may include implementing an infant/toddler subsidy to offset the costs of care for these youngest children, as Aspen does.

Recommendation 5: Collect Additional Data on Critical Program Metrics

APA recommends that the Town and the Breckenridge child care centers collect more data that can be used to support the program, analyze business operations across providers, and identify added potential opportunities for increased efficiencies and quality improvement. In particular, providers should consider completing both the Program Administration Scale (PAS) process and the Colorado Shines formal rating process.

PAS is a tool that has been widely used and has been tested for its reliability and validity. It includes 25 items clustered in 10 subscales which measure both leadership and management functions of center-based early child care and education programs. It provides data on early childhood center operations on a variety of criteria, including funding per child, cost per child, staff turnover, teacher/child ratios, ECE teacher qualifications and training, operating policies and procedures, hiring practices, and other business practices. PAS is designed to identify areas where administrative practices could be improved.

APA investigated using PAS data to examine and compare the four Breckenridge child care centers to other child care centers, but current data is unavailable. Implementation of the PAS requires a trained observer to conduct site visits and these site visits can be completed by organizations such as Qualistar. PAS assessment data could be useful in a variety of ways. For example, PAS data from the four Breckenridge centers could be compared with PAS data from other providers in similar Colorado mountain communities.

Colorado Shines rating data can also be obtained from across a comparison group of providers to focus the PAS comparison on highly-rated providers. A resulting comparison matrix could then be created which would allow for a detailed analysis of center operations across a wide range of operational and quality categories. Although the Breckenridge centers have met the requirements associated with the early steps of Colorado Shines, they have not yet gone through the formal Colorado Shines rating process. As a result, there is not a standardized set of data to use to compare these centers' efficiency and effectiveness to other centers across the state.

APA also recommends that the centers collect additional data if possible from teachers who leave the child care centers regarding their reasons for leaving and dates of departure. Data on teacher turnover would help the Child Care Advisory Committee make more informed decisions about teacher salary supplements and benefits, and whether teacher turnover is reduced or affected by changes in salary or benefits amounts.

Similarly, while the Town currently has anecdotal evidence about why families leave the area, it would be useful to collect more structured data on this. Thus, APA suggests that the child care centers consider developing and distributing brief surveys to families who pull their children out of child care to inquire about their reasons for leaving. Such surveys could be administered online.

Finally, APA recommends that the Town track students who attend the child care program as they enter kindergarten in Summit County. Tracking students in this fashion would enable the Town to study how students perform in kindergarten, and potentially throughout elementary school. It would also potentially allow for a comparison of the performance of students who participated in the Town's child

care programs with those who did not. This type of data has been used in other locations such as Denver to demonstrate the value of child care programs and to support initiatives that work to improve existing early childhood programs. APA has experience with collecting this type of data and would be happy to assist or advise in these data collection and analysis efforts.

Recommendation 6: Review Communication between the Town of Breckenridge and the Child Care Centers

Directors were clearly appreciative of all the support provided by the Town of Breckenridge. Several suggestions were offered to further expand communication amongst themselves, and to ensure transparency and inclusiveness and provide more two-way feedback with the Town’s program:

- Invite all of the center directors to attend the Breckenridge Child Care Advisory Committee meetings. Regular attendance from directors could improve communication and enhance existing relationships, while giving center directors a clearer view of Committee priorities.
- Consider holding a quarterly meeting between the Program Administrator and the center directors to provide ongoing two-way communication.
- Ensure that all directors are aware when the meeting minutes from committee meetings are approved and posted on the internet.⁴

Recommendation 7: Conduct a Facility Space Review at All Centers

Several of the centers expressed their needs regarding facility space and usage. Following are recommendations to help address and further study these needs.

- Conduct a review of facility space for all four centers to collect more detailed data on what each center needs and their ideas for how to improve space utilization and to expand facilities to best meet community demand.
- Review the current payment arrangements for facility space across the four centers. This review should focus on ensuring parity and consistency in leasing arrangements across the four centers to ensure that all are operating on comparable terms with the Town of Breckenridge.
- Investigate the possibility of hiring a surveyor to work with Timberline Learning Center to determine if an additional classroom could be added and to ascertain the costs of such an addition. A surveyor may also be useful to the other centers as they explore space expansion and increasing capacity.
- Assist Carriage House as they plan for the modification of their existing space to accommodate the children they currently serve and hope to serve in the future. Include teachers as well as the directors in this process to ensure that the modifications will meet the needs of the center.

⁴ The minutes are available online at: <http://www.townofbreckenridge.com/your-government/councils-and-commissions/child-care-advisory-committee/-toggle-allpast>

- Explore the need to launch a capital campaign to build new facilities or to expand existing ones. Such an effort could increase capacity and would help mitigate any perceived inequity across centers.

Recommendation 8: Prepare for the Possibility of Universal Pre-K

In 2017, Early Childhood Options began working with Early Milestones Colorado to determine the costs and challenges associated with making universal pre-K available to all 4-year-olds. If implemented, universal pre-K would provide tuition assistance for families with 4-year-olds in Summit County on a sliding scale based on income. Currently, Early Childhood Options is waiting to review data on the potential costs of universal pre-K, before the Summit County commissioners survey voters to determine likely voter support for this universal pre-K program. If voters appear likely to support such a program, it may appear as a property tax measure on 2018 or 2019 voter ballots in Summit County.

According to experts interviewed by APA, if universal pre-K was approved by voters for Summit County, the biggest challenge to implementation would be figuring out how the multiple funding streams for child care/preschool (such as the Colorado Preschool Program, Colorado Child Care Assistance, Head Start, and of course the Breckenridge tuition assistance program) would work together.

The Denver Preschool Program (DPP) may provide lessons on managing multiple funding streams. DPP funding cannot supplant other sources of funding and DPP staff refer to DPP funding as the ‘last dollars in.’ A 2009 report by the Center for Policy Research found that the four existing funding streams providing financial assistance for preschool in Denver did not coordinate with each other and that this caused confusion and inefficiencies for families and early education providers (Center for Policy Research, 2009). This 2009 report advocated for a universal application all funding sources. Such an application now appears to be in place for families who attend preschool in one of the Denver Public School sites (Padres & Jovenes Unidos, 2016).

Some experts interviewed by APA believe that if a universal pre-K measure was approved by voters, the universal pre-K funding would be the “first dollars in.” That is, universal pre-K would supplant the Breckenridge Child Care Program tuition assistance for 4-year-olds. Similar to DPP, universal pre-k funding would, in fact, be used to provide tuition assistance to all 4-year-olds in Summit County on a sliding scale. It would provide assistance to all parents, including the parents of 4-year-olds already receiving tuition assistance from Breckenridge. The measure would therefore allow the Child Care Program the option to shift its funding to other purposes, such as higher salary supplements for early childhood education teachers, or for professional development or expanded health care coverage. The Town could also shift existing support for 4-year-olds to support younger children without making care for 4-year-olds more expensive for parents.

Details on Collected Data

This section reviews the specific information generated by each data collection effort, detailed in the Methodology section, that support the primary findings and recommendations already presented.

Review of Town of Breckenridge Data and Policies

An analysis of application data from requests for tuition assistance for the 2017-18 school year indicates that the average family applying for tuition assistance (TA) had a household size of 3.5 people and a mean income of \$84,617. Since 100 percent of the area median income (AMI) for a household size of four in Breckenridge is \$88,600, this indicates that the average applying family is close to, but below 100 percent of AMI.

Table 1, below, displays each AMI level and mean income level of TA applicants, by household size. Single-parent households with one child who apply for TA are far below 100 percent of AMI, with an average income of about 72 percent of AMI. Larger household sizes have average income that either exceeds or is very near to 100 percent of AMI. This indicates that while the program serves families with incomes up to 150 percent of AMI, the majority of families served are closer to the 100 percent of AMI income level.

It is important to note that these income levels are self-reported by families. The Breckenridge Child Care Program has audited these reported levels using following year tax records. This analysis indicated that families over-report their expected income by 13 to 20 percent. This means that the income actually received by these families is most likely lower than the numbers reported in Table 1, below.

Table 1: Households Applying for TA Are Near 100% AMI

Household Size	100% AMI	Mean Income of TA Applications
2	\$70,400	\$50,539
3	\$79,100	\$83,353
4	\$88,600	\$88,490
5	\$95,100	\$97,948

The goal of the tuition assistance program is to ensure that working families pay no more than 16 percent of their income in child care costs. The subsidy size is calculated to keep families who receive tuition assistance from paying more than that amount in child care costs. The precise amount of TA provided to a family depends on income, number of children, number of days of care, and other variables. Across the state, families pay an average of 24.2 percent of household income for center-based child care (ChildCare Aware of America, 2017; U.S. Census Bureau, 2016). This means that Breckenridge families who receive tuition assistance pay a lower proportion of their household income on child care.

Table 2, below, shows the number of households receiving TA by the number of children in each household. Most families (70 percent) had only one child in care, while another 29 percent had 2 children. Only two families had more than 2 children in care.

Table 2: Most Households Applying for TA Have One Child in Care

Number of Children	Number of Households
1	124
2	52
3	0
4	1
5	1

A small minority of families, about 14 percent, were expecting to have a new baby (through either birth or adoption) within the 2017-18 school year. For the other families, the average age of their child(ren) in care was 2.3 years. Families asked for an average of 3.8 days of care for their children. Table 3, below, details the total number of applicants requesting specific days of care.

Table 3: Most Families Applying for TA Request 4 or 5 Days of Care

Number of Days of Care Requested	Number of Households	Percent of all Households
1	3	2%
2	12	9%
3	29	22%
4	49	37%
5	41	31%

As described above, the TA program is aimed at families who live and/or work in Breckenridge and the Upper Blue Valley. As outlined in Table 4, below, the majority of families applying for TA (69 percent) live in Breckenridge.

Table 4: The Majority of TA Applicants Live in Breckenridge

Residence City	Number of Households	Percentage of Households
Alma	7	4%
Breckenridge	123	69%
Blue River	5	3%
Dillon	16	9%
Fairplay	4	2%
Frisco	6	3%
Leadville	1	1%
Silverthorne	15	8%

Families who live in Breckenridge have lived there, on average, for 8.5 years. Twenty-one families, or 12 percent, have lived in the area for less than one year and are likely seeking care for their children when first arriving in the area. However, a number of families, 44 percent, have lived in the area for 10 years or more. This indicates that the program is useful both in helping establish families new to the area and serving families who have lived in the area for over a decade.

Similarly, as displayed in Table 5 below, the majority of families applying for TA (76 percent) work in Breckenridge. Eighty-four families, or 47 percent, both live and work in Breckenridge.

Table 5: The Majority of TA Applicants Work in Breckenridge

Employment City	Number of Households	Percentage of Households
Breckenridge	135	76%
Blue River	6	3%
Dillon	11	6%
Frisco	19	11%
Keystone	3	2%
Silverthorne	3	2%

Families receiving TA work in a variety of industries, including local and county governments, tourist organizations, restaurants, professional services, and others. There were over 120 unique businesses employing family members who received TA, including restaurants, medical providers, schools, realtors, and other community services. Table 6 shows the top five employers and the number of employees receiving TA who work there. These employees are clearly important to the functioning of the town, from a financial, governmental, and services perspective.

Table 6: Top Five Employers of TA-Receiving Families

Employer	Number of TA Employees
Vail Resorts	12
Breckenridge Grand Vacations	9
Summit School District	8
Town of Breckenridge	6
Summit County Government	4

Interviews and Focus Groups

APA conducted interviews and focus groups to gather information in three primary areas:

1. The Breckenridge Child Care Program and the child care context in Summit County;
2. Innovative child care practices in similar mountain communities in Colorado; and
3. Practices of high-quality child care centers in similarly situated communities.

Within each of these areas, APA interviewed and conducted focus groups with multiple individuals. This section reviews the data collection methods and findings in each of these three major areas.

Breckenridge Child Care Program and the Child Care Context in Summit County

To gather information about the Breckenridge Child Care Program and the child care context in Summit County, APA interviewed staff from the Town of Breckenridge, from each of the four child care centers in Breckenridge (Carriage House, Timberline, Little Red Schoolhouse, and Breckenridge Montessori), from Early Childhood Options, and from child care centers in Dillon and Frisco. Interview protocols were developed to ensure consistency across interviews and focus groups. In almost all interviews, at least two APA staff members were present to facilitate notetaking. APA staff noted that interview and focus group participants appeared to be very candid and forthcoming in their responses. APA assured participants that their individual identities and the centers where they work would remain confidential. It was possible for APA to provide this confidentiality because the purpose of this report is to identify impacts of the Breckenridge Child Care Program on centers in Breckenridge and to identify potential recommendations for further improving the program, not to identify any shortcomings of a particular center. This means that this report does not often mention the child care centers by name and instead discusses the challenges facing the child care centers as a group.

Breckenridge Child Care Program Administrator

APA began the project with a detailed interview with Jennifer McAtamney, who has served as the program administrator of the Breckenridge Child Care Program since May 2016. She provided a history of the child care program, details on how the program is implemented, and an overview of the challenges associated with child care in Breckenridge.

The high cost of living makes it challenging for Breckenridge child care teachers to stay in the profession. There is a lack of affordable housing and health insurance rates are among the highest in the country. Another large challenge is that it is challenging to explain the child care program to parents and the general public. Right now, the program is not sustainable because it relies on a marijuana tax allocation that may end after 2019 and annual allocations from the Breckenridge Town Council. In 2013, voters just barely voted against a ballot measure that would have provided longer-term funding for the program. Ms. McAtamney believes that all four of the centers provide high-quality care and education, and she is hopeful that the program will be able to obtain more sustainable funding.

The child care program was largely implemented to expand child care capacity and improve teacher quality. The hope was that high-quality child care would allow working parents to remain in the area after having young children. To improve capacity, the program paid off the mortgages of the existing centers and helped build a new facility for one of the centers. In order to improve teacher quality, the Town has increased teacher salaries through a teacher salary supplement. There is also tuition assistance available to about 60 percent of parents, those who meet the income threshold of 150 percent of AMI or lower.

Breckenridge Child Care Advisory Committee

APA also conducted a focus group with the members of the Breckenridge Child Care Advisory Committee. This Committee oversees the broad policies and procedures of the program and is made up of community members including one child care center director and several parents who have or have

had their children cared for in the centers. The purpose of the focus group with the Child Care Advisory Committee was to understand the challenges associated with child care in Breckenridge and to identify priorities for the evaluation. The committee spoke extensively about the unique character of the Breckenridge community and how, compared to other mountain resort communities, it felt and functioned as an authentic town, rather than a residential area attached to a ski resort. All of the committee members emphasized how providing child care to support people staying in the community, where they could develop roots, create social networks, and contribute to the local workforce, was an essential goal of the Child Care Program. Committee members talked about parents and children developing relationships in child care that would last for decades, strengthening the fabric of the community. They also talked about centers supporting children to develop into community citizens who care about their neighbors. For the committee, these community factors are some of the primary goals of the Child Care Program.

When asked about challenges to maintaining the program and, in turn, the community, committee members identified the cost of living as a huge challenge. They believe that many families leave town because of the cost of living and the inability to find affordable child care even when both parents work. The committee members discussed the need for increased and targeted outreach about the tuition assistance program to ensure that eligible families who could benefit from the subsidy know about it and how to access it. They also discussed the need for greater community publicity and information about the purposes and impacts of the program, so community members who do not access child care can understand how the program benefits and strengthens the community as a whole. Recruiting and retaining high-quality child care staff is difficult because of this cost of living, the relatively low salaries, and the cost of health care. Even with the teacher salary supplements, the committee is concerned about teacher recruitment and retention. The committee hoped to learn more from the evaluation about the reasons for teacher turnover. In addition, the committee hoped that the evaluation would give them some ideas about how to define child care quality. Another important question is how to invest their funds effectively to result in the highest return on investment.

Breckenridge Child Care Center Directors

APA interviewed the directors from each of the four child care centers. One assistant director from Carriage House also participated in the interviews. Each of the four center directors talked about the priority they placed on improving and maintaining center quality. They uniformly agreed that providing children with highly qualified teachers is the single most important component of a high-quality center.

While none of the directors expressed any plans to leave, several discussed the challenges associated with their positions. The directors noted that they would benefit from two types of training: leadership training and business training. Child care directors often come to that position after teaching, which does not necessarily provide any training in how to provide feedback to others or how to complete common business tasks such as budgeting. The Breckenridge center directors believed that more training would improve their ability to complete these tasks successfully.

All of the directors also reported facing significant challenges in recruiting and/or retaining highly qualified teachers. All four directors indicated that their centers were doing the best they could in terms of recruitment and retention with their existing resources. They consistently placed a high priority on improving recruitment and retention and indicated that such improvement is the most important component to enhancing center quality.

The directors reported that most staff who leave the child care centers move out of the area or leave to work in another industry entirely. Although they occasionally lose staff to the other centers in Breckenridge, none of the directors believed that their teachers were leaving to work in child care in other surrounding communities. Directors attribute this, in part, to the teacher salary supplement provided by Breckenridge. The added salary this program provides makes working in Breckenridge early child care facilities more attractive than similar positions in surrounding communities. It also sends a clear message to the directors and their teachers that Breckenridge values them as professionals, and that the Town has made an important extra effort to pay them more appropriately as professionals. This message alone has a positive impact on teacher morale in the Breckenridge early childhood education community.

Additional data collection in the future, through such processes as structured exit interviews, would be useful to confirm where teachers plan to work and live after leaving the Breckenridge centers. Directors anecdotally reported that financial considerations, including both salaries and benefits, were the primary factors motivating staff to leave the centers. They said that the majority of staff who have left the center enjoyed the job, believed in the critical importance of providing quality care and education to young children, and wanted to stay in the child care industry. These staff members, however, are simply not able to manage the financial challenges associated with their positions.

The directors reported that the salary supplement provided by the Town's Child Care Program has reduced teacher turnover and facilitated quality teacher recruitment. First, the supplement allows directors to recruit staff who otherwise would not have considered the position. One center for instance reserves the supplement funding to address frequent staffing shortages, paying higher salaries to attract new employees when these shortages are extreme. The other three centers use the teacher salary supplement to provide salary increases to teachers who remain working at the center for longer periods of time. These three centers also reward teachers with extra pay if they earn new credentials or if they take on mentor teacher responsibilities. Two of the directors and several of the center teachers expressed concern that the salary supplement is not permanent. If the Town were to stop funding the salary supplement, the centers would be likely to decrease salaries even for existing teachers, and directors and teachers in APA's focus groups and interviews indicate the result would be increased turnover and greater difficulty in attracting quality staff.

APA also interviewed directors about the benefits provided to employees. Two out of the four centers give employees money towards purchasing health insurance and one of those centers provides access to purchase that health insurance through the center. The directors pointed out that many employees are relatively young and have relatively low health care usage, but that employees want consistent access to health care in case of emergencies or pregnancy. Many of the employees who work at the two centers

that contribute to health insurance do not use it because they have health insurance through a significant other. However, for the teachers who use it, the directors thought it was likely to help improve retention. Other benefits offered to employees include short-term disability, and recreation center/ski passes. There was a good deal of uncertainty expressed among directors about whether these benefits helped to retain employees. The directors reported that teachers appear to significantly appreciate the benefit of paid holidays. The centers vary greatly in how much sick and vacation leave they offer, although this was not discussed at length. All of the centers offer some access to professional training and the directors consistently believe that offering training is necessary to improve teacher quality. However, the directors do not necessarily believe that such training helps to retain employees.

Beyond structured benefits, directors also discussed less tangible benefits as important in retaining staff. Because most of the teachers are required to work a full 10-hour day, overtime law means they can work only four days a week, before they receive a higher hourly pay rate. In several centers, the director sometimes served as a floating teacher to provide a break for a teacher who needed to step out of the classroom. Teacher stress and burnout was a concern for directors and each director had different strategies to try to reduce teacher stress. One center pays for several teacher field trips each year to encourage teachers to bond with each other. APA staff visited this center during teacher appreciation week and there were a variety of different types of gifts ready to be distributed to teachers as small tokens of appreciation. Several of the center directors also noted that they, as the directors, could benefit from additional training in how to provide feedback to staff to effectively improve instruction and improve work culture.

Directors discussed issues of concern other than teacher recruitment and retention. Two of the four center directors mentioned issues with board turnover and inexperienced board members. Directors believe that having strong board members who can help with fundraising and advocate for both the Child Care Program and the individual centers would further enhance the quality and sustainability of their centers. Several of the directors struggle with boards comprised mostly of parents with little experience serving in a nonprofit board member capacity. At times, their inexperience makes fulfilling their obligations as board members a challenge. Recent board training provided by the Breckenridge Child Care Advisory Committee was given a 'terrific' review in educating board members about how child care centers operate. In addition to training, the Town could consider helping directors recruit board members beyond the parents who often comprise the boards.

The Breckenridge centers that have adequate administrative assistance cite this assistance as one reason they are successful. The centers that do not have adequate administrative assistance believe it would improve their overall quality and efficiency. This appears to be a critical need for the centers that do not have adequate administrative help, since administrative responsibilities sometimes fall to the teachers, which adds to their workload and may reduce focus on instruction.

Centers are grateful for the funding and support from the Breckenridge Child Care Program. The director of Little Red Schoolhouse is a member of the advisory committee and other directors believe that she is a strong representative on the committee. However, several of the other center directors and teachers would like to be included and invited to the meetings even if they cannot attend regularly. Although one

director noted that the Breckenridge Child Care Advisory Committee posted meeting minutes online, another director specifically requested that minutes be posted, apparently unaware that the minutes are available. Another suggestion was for the program administrator to hold quarterly meetings with the directors to ensure regular two-way communication.

Three out of the four centers have waiting lists for enrollment, particularly for infants. This is not unusual for many communities but does indicate a capacity problem. There are more families needing care than can be served by the centers in town. Two of the center directors mentioned that they would be open to a centralized waitlist shared across centers. However, all of the directors noted the unique character of each center and one director worried that a shared waitlist might reduce the number of families coming to tour each center to find the right fit. According to several directors, it does not appear that managing individual waiting lists takes a substantial amount of time.

Several of the child care directors reported the need for a physical plant review. A review of the physical plant for interested centers would help determine whether it is possible to add additional classrooms to those centers interested in expanding their capacity. This effort would require a surveyor to be hired to review the existing physical plants. In addition to a review of the physical plants for interested centers, a review of the current financial arrangements across centers may be needed to ensure that there is both consistency and fairness in the financial arrangements for facility space across centers.

The four center directors were all very appreciative of the tuition assistance for families which the Breckenridge Child Care Program currently provides. In fact, one director indicated they “would not be in business without the tuition assistance,” because parents would not be able to afford care. At two of the centers, directors estimated that 60 to 70 percent of parents receive assistance and that such assistance is important in keeping their child(ren) enrolled and keeping the parents in the Breckenridge labor force as long-term members of the community. Directors report that parents who leave their centers are most likely to leave for either financial reasons or because they move out of the area altogether.

While appreciative of the tuition assistance, two of the directors believe that it still may not be adequate to offset the true costs of care. One center raised additional money through grants to offset tuition for a few families. This additional money was raised because the director felt there was additional unmet parent need. Another center director believes that the center likely charges less than the true costs of care because it is believed that, even with the tuition assistance for some families, child care would be unaffordable if the center actually charged the full costs of care. None of the directors mentioned concerns about the way in which tuition credits are calculated or the eligibility limits on the tuition credits.

Several of the directors advocated for the program to keep working on communicating the benefits of the program to parents. Specifically, communications should give parents a clear understanding of the amount they are likely to receive per month and over time, and an understanding of how the tuition assistance amounts are calculated.

Breckenridge Child Care Teachers

APA interviewed a total of 20 teachers across the four Breckenridge child care centers. These teachers noted the importance of four components in their long-term decisions about whether to continue in their current positions: 1) salary; 2) health insurance; 3) a floating teacher who can substitute in any classroom; and 4) a retirement plan.

More than half of the teachers that APA spoke with reported working at least one additional job to make ends meet. Most of those teachers who do not have an additional job rely on financial support from a significant other who provides additional income and/or health insurance. This means that few if any of the teachers can survive on only the income and benefits they receive at the centers. One teacher noted that her husband had a well-paying job that “enables me to continue feeding my early childhood habit.” Another noted that when potential teacher candidates come in for an interview, she can predict who will accept the job based on whether they have a significant other to help supplement their income.

Teachers noted that it was possible to make more money in a less stressful environment by driving a city bus or cleaning houses. Higher pay would therefore both make teachers feel more valued and would make it easier for them to remain in Breckenridge or Summit County with its high cost of living. While teachers greatly appreciate the salary supplement, it is still a struggle for them to cover basic life expenses. Additionally, child care teachers who earn \$19 per hour are not eligible for the Right Start salary supplement from the countywide Right Start program, which is capped at \$19 per hour. A few teachers vocalized concern that their existing salary supplement through the Town would be eliminated if the Town Council elected new representatives who were no longer willing to allocate funding for the salary supplements.

The Town provides a care card that allows the teachers to obtain health care for routine illnesses or minor injuries at a clinic in town. While teachers appreciate this option, they are concerned that they are not covered for significant illness, major injury, or pregnancy, and there were concerns about how much coverage the card provided for routine prescriptions, including birth control. Two out of the four centers offer a contribution toward health insurance, which may or may not cover all of the teachers’ health insurance premiums. The other two centers do not contribute toward teachers’ health insurance. Many of the teachers who participated in the focus groups accessed health care through their parents, a significant other, or the Affordable Care Act. Those who purchased it through the Affordable Care Act perceived it to be exorbitantly expensive. Getting help with paying for health insurance was a priority for most of the teachers. In some cases, teachers reported that they would be willing to take a pay cut in order to have access to fully paid health insurance. Most of the teachers who participated in the focus group would be willing to trade the recreation and ski passes for access to and a contribution (or increased contribution) toward health insurance. Teachers noted that the lack of health insurance is a concern that might cause them to eventually leave their position, especially as they get older or have children of their own. Other focus group teachers cited cases where former child care teachers had left to take lower paying jobs because they offered health benefits. They also noted that the centers may miss opportunities to recruit and hire highly effective teacher candidates who need health insurance coverage.

Teachers also pointed to the importance of having flexibility in their schedules, both within their daily schedules and over the course of the year. Teachers recommended employing a floating substitute who would allow staff to take sick or vacation leave when needed without making teachers feel as though they were placing significant added stress and burden on their colleagues. A full-time floating substitute with experience in early childhood education and familiarity with each center would allow centers to provide their staff with this flexibility. At two of the centers, when a teacher is unexpectedly unable to come to work, directors must move staff around to cover classrooms, while maintaining compliance with licensing ratios. Teachers also pointed to the importance of having flexibility within their day to take breaks, make phone calls, or run quick errands. Teachers at two of the centers reported having, and valuing, this flexibility, while teachers at the other two centers reported that they did not currently have this flexibility but would appreciate it.

Two out of the four centers report that their centers are frequently understaffed. This results in a lack of time for existing teachers to plan lessons. One of the centers intentionally operates below required licensing ratios (their child-to-staff ratio is lower than required by the state) by enrolling fewer children. This helps eliminate understaffing when absences occur and provides flexibility for teachers to use paid time off. Teachers at this center clearly appreciated this practice and believed that it contributed to both teacher morale and instructional quality. This approach does however reduce capacity and is relatively costly. It is also not clear whether it would be feasible to implement this at the other centers.

The three larger centers all have lead teachers who formally or informally serve as mentors/trainers to the other teachers in their classroom. Although the mentors all express pride in that role, the responsibility can lead to burnout and is especially frustrating when the less experienced teacher who they are mentoring quits (which happens relatively frequently). A model suggested by teachers at one center was to have an instructional coach who rotates to different classrooms and provides suggestions in a non-evaluative and unbiased manner. At least one of the larger centers has an administrator who serves in this role, which helps allow lead teachers to focus on teaching and reduces stress.

Most of the teachers who participated in focus groups were enthusiastic about improving their skills through training and education. Several teachers were taking advantage of the stipends offered through Right Start for improving their credentials. Three of the centers pay for and offer paid time off for teachers to attend trainings. The other center does not offer paid time off and requires employees to use their personal time to complete trainings. Teachers at this center noted that they were less likely to complete trainings and that it took longer to complete trainings that they wanted to complete for this reason. Paying employees for time they spend training outside of work hours requires paying an overtime rate because all teachers are hourly. The Breckenridge child care centers used overtime pay only rarely if at all because of the significant added cost. Thus, providing paid time off for teachers to attend training may be the best alternative to overtime pay, although it requires the center to absorb the added cost of extra staffing in order to provide time for teachers to attend the training.

Although it was a lower priority than salary and health insurance, many teachers reported a desire for retirement accounts. Some teachers believed that it might be potentially unrealistic to expect an

employer match. However, they still wanted access to accounts where they could deposit pre-tax earnings. Even though many of the teachers in the focus groups were in their 20s and 30s, they were concerned about their ability to ever retire and wanted to have a vehicle to start accumulating retirement savings. A lack of such a vehicle was yet another reason teachers struggled to view their jobs as sustainable in the long-term, even though they believe strongly in the work that they do with children.

It was clear from APA's focus groups that teaching in the early childhood setting is an intense and often stressful job. Most teachers work 10-hour days often with only a short break. In many cases, the more experienced teachers train or assist newer teachers while simultaneously supervising and teaching the children in their class. For this reason, time away from work was considered by teachers to be universally important, both for teacher retention and also for maintaining high-quality care for children.

The teachers at two of the centers believed their paid time off was adequate and available when they needed it. Holidays were paid even when teachers were not scheduled to work on that holiday. This schedule enabled teachers to travel to see family and made them feel valued. Teachers at one of the centers did not discuss leave policies. At the other center, teachers raised concerns about the lack of leave. Vacation leave appears to be an important factor for teacher retention and the program may wish to review leave policies across centers to ensure equity.

Teachers at two of the centers have regular formal evaluations that focus on teachers' goals and reward them for achieving those goals. Teachers at two of the centers identified professional feedback as an area for improvement and requested formalized feedback through a regular evaluation system. These teachers would appreciate specific feedback provided in formal one-on-one meetings outside of classroom time. A vocal minority of teachers in the Breckenridge centers expressed that feedback from center management could be improved to be more constructive and supportive and less critical. It is clear that formalized feedback can not only benefit overall teaching quality in a center, but that it can increase teacher buy-in and sense of support, also contributing to the likelihood of retention.

Relationships between teachers are critical elements of teachers' workplace satisfaction. One center encouraged staff bonding through optional events such as a camping weekend and a trip to a Rockies game (paid for by the center). Birthdays and other events were celebrated regularly. Teacher appreciation week involved several tokens of appreciation for each teacher and encouraged parents to make appreciative gestures toward teachers. One center provided opportunities to collaborate with the director, time which was greatly appreciated by teachers. These practices may be lower-cost incentive models that all of the centers could consider as ways to recognize and further boost the morale of teachers. Teachers in the centers without as much time and structure dedicated to relationship building reported lower job satisfaction.

In addition to the focus groups with the Breckenridge teachers, APA conducted a focus group with two teachers from Summit County Preschool in Frisco and one teacher from Lake Dillon Preschool in Dillon. This additional focus group was used to gain an external perspective on child care in Breckenridge and to assess teacher turnover in a community close to Breckenridge.

Outside of Breckenridge, early childhood teachers in Dillon and Frisco also deal with high teacher turnover. There is no reliable data on teacher turnover in early childhood education centers across these communities, so it is impossible to directly compare turnover rates. The Dillon and Frisco teachers expressed admiration of the higher salaries in Breckenridge child care centers and in general of the Breckenridge Child Care Program. Summit County Preschool in Frisco receives \$65,000 per year to help supplement teacher salary and recently implemented a health plan for teachers that pays for half of employees' health insurance. Even with this salary and benefit assistance, these teachers described their salaries as relatively low, which is exacerbated by the lack of affordable housing in their own communities. Unlike Breckenridge, Dillon and Frisco do not have deed-restricted housing which can provide some affordable housing options.

Additionally, teachers in Dillon and Frisco reported that the lack of capacity to meet existing demand remains a serious concern. These teachers indicated that there are currently only two early childhood centers serving Dillon, Frisco, and Silverthorne. As a result, there are children that never get off existing waiting lists, and this impacts parents' ability to live in the area.

Lucinda Burns, Director of Early Childhood Options

Early Childhood Options is a nonprofit organization in Summit County that serves as the child care resource and referral organization and the local Early Childhood Council. Lucinda Burns, the executive director of the organization, spoke with APA to discuss universal pre-K and the relative strengths and areas for improvement of the Breckenridge Child Care Program. Ms. Burns confirmed the reports of Breckenridge teachers and center directors that the Child Care Program has improved teacher quality by increasing teacher salary and has also made child care more affordable. Funding has become more stable, which has improved the quality of the centers. She also noted that the improvement and stability in teacher pay has created inequity with centers outside of Breckenridge. This echoes the reports from the Dillon and Frisco teacher focus group. Ms. Burns suggested this inequity could be mitigated by the universal pre-K program currently being considered.⁵ She also provided suggestions for future improvement, including further increases in teacher salary, more comprehensive benefits, and increased time for teachers to participate in planning and training. Again, these suggestions echo the requests from center staff and teachers described in this report. Ms. Burns also noted that there is no Head Start program in Breckenridge and that low-income families may still be somewhat underserved. Despite these ongoing challenges, the Breckenridge Child Care Program is appropriately considered a model for similar communities in their support of early childhood education.

Innovative Policies in Similar Mountain Communities in Colorado

APA interviewed several child care leaders from mountain communities throughout Colorado – in Telluride, Aspen and Glenwood Springs/Garfield County, and Estes Park – to learn more about innovative policies and practices implemented in comparable municipalities and to gather the perspectives from leaders in these communities on the Breckenridge Child Care Program. These communities share with Breckenridge a relatively high cost of living, an economy driven primarily by

⁵ The current process and timing of the potential universal pre-K program is described above, in the Findings and Recommendations section.

tourism, and a similar quality of life. In 2017, for instance, the Aspen school district was ranked as having the highest cost of living out of the 178 school districts in the state that were ranked, followed by Summit RE-1 (Breckenridge) at number 2, Roaring Fork RE-1 (Glenwood Springs/Garfield County) at number 3, Telluride R-1 at number 6, and Estes Park R-3 at number 14 (Pacey Economics, Inc., 2018). The communities profiled in this report are truly some of the most expensive places to live in the state. The high costs of living in these communities mean that they also experience difficulties providing sufficient quantities of high-quality affordable child care. In order to address these difficulties and ensure that families in the area can obtain quality care and continue participating in the workforce, each of these communities has implemented or is considering different approaches to supporting child care.

The table on the next page compares the challenges, measures, funding, and strategies for addressing the child care challenges in Breckenridge, Aspen, Garfield County, Telluride, and Estes Park. All of these communities are at different stages of brainstorming solutions and implementing those solutions.

Table 7: Comparison of Innovative Community Child Care Practices

	Breckenridge	Aspen	Garfield County (Glenwood Springs)	Telluride	Estes Park
Primary challenges	Affordability, quality (teacher turnover), and capacity	Capacity, affordability, quality (teacher turnover)	Capacity, affordability, quality (teacher turnover)	Capacity, quality (teacher turnover and long commutes), affordability	Capacity, especially for infants, affordability
Long-term sustainable funding	Breckenridge Child Care Program is funded on an annual basis by the town council and marijuana tax that runs through 2019. A 2013 ballot measure failed.	Long-term measure was approved in 1989 and renewed twice. It will run through 2038.	None currently	Ballot measure passed in 2017 with no sunset date	None currently. Proposing special taxing district and bond
Annual funding	\$978,096 budgeted for 2018	About \$2 million	None	About \$600,000	None
Policies in place	Offering tuition assistance, salary supplements, capital contributions	Providing infant/toddler care subsidies, tuition assistance, salary supplements, capital needs, and centralized staff	Building a new center	Currently planning to subsidize infant/toddler care, provide salary supplements, and provide training for teachers	No funding

The remaining portions of this section describe each of the comparison communities and how they aim to address the child care challenges that exist in their community.

Aspen and Glenwood Springs/Garfield County

APA interviewed Shirley Ritter, Kids First Director (Aspen) and Joni Goodwin, Executive Director of the Early Childhood Network (Glenwood Springs) during a single phone interview. Like Breckenridge, Aspen and Glenwood Springs are both relatively small communities that are considered to be resort destinations. Ms. Goodwin provided information about the child care context not only in Glenwood Springs, but also in Garfield County which is home to relatively rural areas in addition to Glenwood Springs. Aspen and Glenwood Springs both have high housing and health insurance costs, but other areas of Garfield County have more affordable housing.

Both Aspen and Garfield County lack sufficient child care slots to meet community demands, in part due to high property costs that make it unprofitable or impossible to find facility space. The communities both also have trouble recruiting and retaining teachers, to some extent because of increasing state qualification requirements for early childhood teachers. Further, in both communities, year-round full-time child care for two children may cost \$30,000, which is unaffordable for many low- and middle-income families.

Garfield County has a sizable population of Latino families who tend to utilize family friend and neighbor care, due in part to affordability and in part to a lack of information about what other options are available. Garfield County is currently exploring ideas and working with the Colorado Child Care Assistance Program (CCCAP) to improve outreach to Latino families. To address the lack of capacity in Garfield County, the town is building a new child care center. Both Early Head Start and Head Start are offered in the County. There is hope that a future ballot measure such as the one in Aspen would help the County further address existing child care problems.

Aspen passed a sales tax in 1989 dedicated to both affordable housing and child care. The measure has been renewed twice, most recently for 30 years. It has provided about \$2 million annually for child care in Aspen. Sixty-percent of the funding from this measure goes towards a subsidy to offset centers' infant and toddler costs, tuition assistance for families, and a salary supplement for teachers. The other forty-percent of funding is used for facility space and additional centralized staff who work across Aspen child care centers. Specifically, the infant/toddler subsidy goes directly to offset provider costs because it often is not profitable to provide infant and toddler care. The amount of these subsidies is tied to provider quality ratings, which may motivate providers to seek higher ratings.

Aspen's tuition assistance program is geared toward families who are not eligible for CCCAP funding. The tuition assistance may be used to fund families with incomes up to 500 percent of the federal poverty level, \$125,500 for a family of four in 2018 (U.S. Department of Health and Human Services, 2018). Approximately 50 families receive tuition assistance. Teacher salary supplements for teachers are tied to professional development, which may also motivate teachers to seek training. The facility funding goes toward building maintenance and improvements such as playground upgrades. In the late 1990s, the city purchased an old elementary school building with 14 classrooms. The classrooms are

rented out at below-market-rate to three separate child care providers. The other funding is used for two full-time quality improvement coaches, a nurse, a resource substitute teacher, tuition assistance coordinator, and an office manager, all available to help any child care center in Aspen. A community advisory board helps make decisions about these programs.

The scope of the Aspen child care supports is more extensive than any other community that APA talked with in the state, although the sales tax does not resolve all child care concerns and there are still concerns about capacity and affordability. The interviewees in Aspen and Garfield County urged caution about modeling a child care program in Colorado resort communities after the Denver Preschool Program. They believed that a program modeled after the Denver Preschool Program would not do enough to address capacity issues, would not increase infant and toddler slots, would not help recruit highly qualified teachers, and would not do enough to improve quality.

If Aspen and Garfield County had access to more funding, they would explore health insurance plans and mental health supports for teachers, offer higher staff wages, purchase new facility spaces, and try to offer affordable employee housing for early childhood staff.

Telluride

Telluride, like Breckenridge, is a small community that relies economically on the tourism and recreation industries. Child care capacity is the biggest concern currently, particularly for infants, because there are only six infant slots in the entire area. Teacher turnover is relatively high due to low teacher pay, high cost of living, and lack of benefits. It is relatively common for teachers to commute more than 40 minutes in each direction to work at the child care centers in Telluride because the teachers cannot afford to live in town. The centers in Telluride are not charging parents the true cost of care because parents would not be able to afford it, even with the scholarships available. The Telluride Foundation has been offering scholarships (tuition assistance) for parents at child care centers in the area for more than 15 years. Centers in Telluride apply for these scholarship funds annually through the Foundation's grant process.

In November 2017, Telluride successfully passed a mill levy that will provide approximately \$600,000 annually for child care services. There have been a series of committee meetings to determine the best ways to allocate this funding. Current ideas include subsidizing care to make it profitable to provide infant and toddler child care slots, offering a salary supplement for teachers that brings their salaries up to public elementary school teacher levels, and providing training. There are concerns about making decisions about how to use the funding without adequate or current data on early childhood education, particularly salaries.

Estes Park

Estes Park is a community located near Rocky Mountain National Park that relies heavily on tourism. Affordable housing is considered to be virtually non-existent. There are two early childhood education centers in town that serve about 90 children starting at age 2.5 and six home providers serving about 20 children, including four or five infants. Estes Park estimates that there are about 500 children who need

child care who are not receiving it, resulting in many families leaving the community. The two existing centers cannot raise their rates because parents could not afford to pay for the true cost of care. With this huge capacity problem, business and early childhood leaders in the community are considering their options to expand child care and enable parents of young children to participate in the workforce. Business leaders are seeking legislative authority to form a special taxing district, then ask the voters to approve a bond to fund child care improvements. If approved, the funds from the taxing district would form a 501c3 organization that would build a total of four centers, with two centers located on one site and two on another site. One of the centers at each site would house centralized services such as a kitchen, administration, and parking. The 501c3 organization would administer centralized services for all four centers including hiring, purchasing, and other administrative services. Each center would have a different curriculum approach such as Montessori or Waldorf to provide parents with choices. Estes Park business leaders plan to include leaders from the Latino community on the organizational board in order to ensure the child care needs of Latino community members are being addressed.

Estes Park believes that ensuring high program quality and addressing teacher turnover are important goals but are currently a second priority to addressing child care capacity. However, in the long-term, Estes Park business leaders would like to pay teachers a salary equivalent to the salary earned by elementary school teachers. They also would like to explore the options for offering affordable employee housing for child care workers.

In all three interviews, the community leaders praised Breckenridge's programs and policies to support child care. Two of the communities, Aspen and Telluride, have been able to ensure longer term funding for child care, while Estes Park has struggled with how to fund child care in a small town that faces different challenges than the rest of Larimer County. Telluride passed their mill levy within the last year using the strategy of identifying those likely to be in favor of the measure and ensuring that they vote. This strategy required diligent voter polling. It may be helpful for Breckenridge to follow a similar strategy if or when the Town next introduces a ballot measure for child care funding.

Practices of High-Quality Child Care Centers in Similarly Situated Communities

In order to gather more information about innovations implemented by high-quality centers, APA set out to interview preschools and child care centers with Colorado Shines level 5 ratings (the highest rating level) in communities similar to Breckenridge. A review of Colorado Shines data indicated that there are 26 child care and preschool providers in the state at level 5 in the Colorado Shines rating system. Only six of these high-quality centers were located in mountain communities. However, all six of these were elementary school programs and not strictly comparable to Breckenridge's private child care centers. Therefore, APA focused on level 4 centers that are located in mountain resort communities. APA conducted interviews with the directors of four of these centers from Crested Butte, Durango, Vail, Steamboat Springs and one managing director of two level 4 centers in Vail. All of the directors reported community challenges similar to those in Breckenridge: lack of affordable housing, and extremely high health care costs.

APA offered confidentiality to these directors in order to obtain information on sensitive topics such as salaries. This section presents data from each interview without identifying which center provided it. The following table presents a comparison of the five child care centers on a variety of metrics.

Table 8: High Performing Resort Town Child Care Centers Comparison*

	Provider 1	Provider 2	Provider 3	Provider 4	Provider 5
Enrollment	70	90	65	71	39
Ages served	2 -year-olds to Pre-K	Infants to Pre-K	Infants to Pre-K	Toddlers to Pre-K	1 -year-olds to Pre-K
Population served	More low- and middle-income families than other centers nearby	Low- and middle-income families usually comprise at least 50% of their enrollment	Mostly working families	Mostly working families	Representative of the community
Challenges	Long waiting lists	Lack of affordable housing Long waiting lists.	Teachers leave to teach elementary school after receiving training. High cost of living makes teacher recruitment almost impossible. Long waiting lists especially for infants.	Teacher salary is not high enough. Not affordable to offer infant care.	Difficult to recruit and retain due to low salary. It costs up to \$2,000 to train each new employee. Long waiting lists.
Contextual information	Purchased the building in 2007 with help from external funders. 12 parent volunteer hours are required annually.	Grant writer who is certified as a teacher has been invaluable.	Business services are shared across local centers (payroll, grant writing, insurance, etc.) External coaches work with teachers once a week (through Early Childhood Partners). Mental health consultant is available to staff once a month.	15 parent volunteer hours are required annually.	The center spends 20 hours onboarding and training new employees.
Student-to-staff ratios	Generally below licensing requirements	Below licensing requirements	Meets licensing ratio requirements	Below licensing requirements	Below licensing requirements
Average annual grant funding	~\$30,000	\$30,000- \$50,000. Occasionally, extra for one-time upgrades for items such as flooring.	\$25,000- \$50,000	~\$55,000	\$80,000- \$90,000

	Provider 1	Provider 2	Provider 3	Provider 4	Provider 5
Teacher salary range	\$13.50/hour - \$18/hour	\$16/hour – \$20/hour	\$15/hour – \$18.50/hour	\$15/hour – \$22/hour.	\$12/hour – \$19/hour
Health insurance offered	\$170 contribution per month	\$300 per month for health insurance. Also offers vision and dental coverage.	Offers to pay for 50-75% of employee health care. Only ¼ of employees use it. Most others are covered by spouses or Medicaid. Annual cost of \$20,000.	Offers a health insurance plan and pay for 50 percent of employee costs for the plan	\$200 per month
Retirement plan offered	Yes	No	Yes. After 1 year of employment. Employer match of 3%. Annual cost of \$5,000.	Yes. Employer match of 3%.	Yes
Paid time off (PTO)	Starts at 7 days PTO per year	Starts at 122 hours of PTO per year after a year of employment	1 week of vacation per year of employment up to 3 weeks. 72 hours per year of sick leave.	1 week of vacation per year, after a year of employment. 1 day per month of sick leave. Plus paid time off for 4-5 weeks per year.	After 90 days, teachers begin to accrue 1 week of leave per year, 1 week of paid spring break, and 8 PTO days per year.
Holidays paid	Yes	Yes, if scheduled to work	Yes, if scheduled to work	Yes	Yes
Paid training and time off to attend	Yes	Yes	Yes	Yes	Yes
Tuition Rates (Annual rates assume 5 days per week, 50 weeks per year)	Tiered tuition system based on four income brackets. Monthly full-time tuition ranging from \$685 to \$816 depending on income. Annual rates of \$8,220 to \$9,792.	Daily rate of \$65 per day for infants and toddlers, and \$60 for preschoolers. Annual rates of \$15,000-\$16,250.	Full-time tuition varies from \$900/month for older children and \$1,250/month for infants. Annual rates of \$10,800 to \$15,000.	Daily rate of \$55/day for toddlers, \$60/day for preschoolers. Annual rates of \$13,750 to \$15,000.	Full-time monthly tuition of \$1,105 for infants and toddlers, \$1,080 for 2-3 -year-olds, \$1,055 for 3-4 -year-olds and \$1,030 for preschoolers. Annual rates of \$12,360 to \$13,260.

	Provider 1	Provider 2	Provider 3	Provider 4	Provider 5
Tuition assistance provided	Grant funded annual scholarships for parents who are just above CCCAP eligibility ⁶ . \$11,000 available this year.	Scholarships for families at 180% to 250% ⁷ of the federal poverty level (above CCCAP eligibility). Calculation of amounts includes income and family size. \$45,000-\$50,000 annual costs that are funded by the local early childhood council.	Tuition assistance for families just above CCCAP eligibility ⁸ . Goes to 17-22 kids per year. Cost of \$20,000 annually and is grant funded.	Tuition assistance for families below 300% ⁹ of federal poverty level. Center limits those parents' contribution to 15% of their income and picks up the rest. Goes to about 6% of students. Cost of \$25,000 annually and is grant funded.	Families below 275% ¹⁰ of poverty can apply for scholarships by submitting an application, tax return, and pay stub. 15-20% of families receive an average of 15-30% tuition discount based on income. Cost of \$20,000 and is grant funded.
Highest priorities for additional <u>one-time</u> funding	Purchase building next door. Replace office carpet. Improve patio.	Increase salary. Expand benefits, including health insurance and a retirement plan.	Upgrade the playground	Upgrade/replace fencing, flooring, and lockers	Purchase a new facility
Highest priorities for additional <u>ongoing</u> funding	Increase teacher salaries. Increase health insurance contribution. Increase tuition assistance	Hire more staff	Increase teacher salaries. Offer health insurance. Explore a substitute teacher network.	Hire a full-time floater/substitute.	Increase salary

⁶ CCCAP requires counties to serve families at 165% or less of the federal poverty level. In 2018, this was \$41,415 for a family of four. (U.S. Department of Health and Human Services, 2018)

⁷ CCCAP requires counties to serve families at 165% or less of the federal poverty level. Counties may serve families up to 85% of the state median income with CCCAP. 180-250% of the federal poverty level for a family of four is \$45,180 to \$62,750 in 2018. (U.S. Department of Health and Human Services, 2018)

⁸ CCCAP requires counties to serve families at 165% or less of the federal poverty level. In 2018, this was \$41,415 for a family of four. (U.S. Department of Health and Human Services, 2018)

⁹ 300% of the federal poverty level for a family of four is \$75,300 in 2018. (U.S. Department of Health and Human Services, 2018)

¹⁰ 275% of the federal poverty level for a family of four is \$69,025 in 2018. (U.S. Department of Health and Human Services, 2018)

	Provider 1	Provider 2	Provider 3	Provider 4	Provider 5
Contributors to high-quality	Including teachers in decision making, and a flexible work environment both help reduce teacher turnover.	Low student to staff ratios	Shared business services help with efficiency.	They are able to hire highly educated teachers due to their location. They have worked hard to create community among the staff.	Business and leadership training for the director has helped build a culture of accountability and trust among director, staff, parents, and kids.

*One of the columns in the table averages enrollment, costs, and grant funding for the two Vail centers.

Although the five-comparison high-performing centers serve different numbers of children, ages, and types of populations, there were some common practices that may serve as models for the Breckenridge centers. Breckenridge and its centers are already implementing many of these policies and practices.

- Operate below required child-to-staff ratios: Four of the five centers operate below the child-to-staff ratios required by licensing. Thus, they have more staff than required. As mentioned above in the findings from APA’s teacher focus groups, operating below ratio allows flexibility for teachers to take breaks, obtain training, and use vacation and sick leave.
- Pay teachers higher hourly rates: The high performing comparison centers provided information on teacher salary rates. For context, the average teacher salary in Northwest Colorado, where Breckenridge is located, is \$16.36 per hour (U.S. Bureau of Labor Statistics, 2017). Two of the comparison centers offer a salary that is higher than the Northwest Colorado average and the other three offer average salaries roughly equal to this average.
- Raise additional funding through grants: All five centers raise at least \$25,000 annually on average through additional grants to fund their centers and some raise significantly more funds. This funding is used to help increase tuition assistance or scholarships that help the lowest income families, those whose incomes fall just above the income eligibility limit for CCCAP, and/or those who are marginally above the federal poverty line. Most of the centers serve a significant number of low-income, middle-income, and/or working families and it is likely that many of these families would not be able to afford child care without this assistance.
- Offer additional non-salary compensation: Like the centers in Breckenridge, the high performing comparison centers in Colorado also struggle to recruit and retain employees because of the high costs of living and relatively low compensation. However, unlike the Breckenridge centers, all five comparison centers offered a contribution to health insurance and four out of the five offered access to a retirement plan, with two of the centers offering an employer match. Not all employees utilized these benefits, but directors believed that these benefits help to recruit and retain some employees. All of the centers provided paid holidays, paid training fees, and provided time off for staff to travel to and attend trainings. Each of the centers also offered vacation/sick leave, although the amounts of leave varied widely.

- Schedule regular reviews of tuition rates: APA collected data on tuition rates from each of the five high performing centers and annualized these rates for a child enrolled full-time full-year (assuming five days per week, 50 weeks per year).¹¹ These tuition rates represent tuition prior to any tuition assistance and are the rates that those who are not eligible for that assistance are likely to pay. Only one of the high performing centers charges annual tuition per child below \$10,000. Together, the four other high performing centers charge parents between \$10,800 and \$16,250 for one child, depending on the age of the child. When the average daily tuition rates in Breckenridge are averaged across age group and across the four child care centers, and then annualized for five days per week and 50 days per year, full-time tuition (prior to tuition assistance) is \$18,748, or about \$2,500 more per year per child than any of the five high performing centers that were interviewed in this study. This difference may reflect the fact that Breckenridge centers charge the actual cost of care, while these other high performing centers may be charging artificially lower tuition in order to increase access for families. Some of these parent tuition rates are offset by the tuition assistance (discussed below), but not all Breckenridge parents receive tuition assistance and those who are ineligible for tuition assistance are likely to pay the full tuition amount.
- Providing tuition assistance: All five of the directors interviewed for this study provide tuition assistance to some, but not all parents. Typically, the tuition assistance goes to low-income families that could not afford child care without assistance; to low-to-middle income families that earn just enough to not qualify for CCCAP funding; or to families whose income falls below a set percentage of the federal poverty level. Across all five high performing centers, the income eligible limits range from no income up to 300% of the federal poverty level, which is \$75,300 for a family of four. Breckenridge limits tuition assistance to those families earning 150 percent of the area median income, which is \$135,900 for a family of four. Thus, Breckenridge probably has higher income eligibility limits than the five high performing comparison centers. In each of the high performing centers, the tuition assistance programs are all funded by and dependent on grant funding. The total yearly costs of tuition assistance range from \$11,000 to \$50,000 per center. In contrast, the average tuition assistance cost per Breckenridge child care center in 2016 was \$160,351¹². Breckenridge has higher average tuition rates than the comparison centers and thus it makes sense that average per center tuition assistance is also higher in the Breckenridge centers.¹³ Again, this may reflect the decision by the Town to have centers charge the full cost of care and to provide higher levels of tuition assistance to allow families to afford that cost of care. The higher amounts spent on tuition assistance in Breckenridge may also reflect the fact that the income eligibility limits are higher and thus, more families may receive tuition assistance in Breckenridge. It is also important to note that many of the families enrolled in the Breckenridge child care centers are not eligible for tuition assistance and pay the full

¹¹ In actuality, the average family receiving tuition assistance receives only 3.8 days of care. However, APA presents tuition rates annualized for full-time full-year to allow comparisons with other communities.

¹² Source: *Tuition Assistance 2016- 2017 Roll up*, provided by the Breckenridge Child Care Program.

¹³ This calculation does not factor in the average numbers of families or children receiving assistance in each center. This information is available for Breckenridge centers, but was not provided by all of the comparison centers.

tuition rate. Thus, the parents paying full tuition are likely to be paying more for care than in the other centers APA interviewed.

When asked what they would do with an additional one-time infusion of money, four out of the five directors indicated they would make facility improvements or upgrade their facility, and two of them would purchase a new facility. This indicates that child care center directors would seek to expand capacity if they had the money and/or improve the quality of the space. The other center would invest the additional funding into staff salaries and benefits, even knowing that those investments may not be permanent.

APA also asked providers how they would allocate increased ongoing funding. Three centers would increase staff salaries. Two of these three centers would also expand benefits. The other two centers would hire additional staff to help lower student-to-staff ratios and provide more flexibility for teachers. In addition, one center would also increase tuition assistance. These intended uses for increased ongoing funding are similar to the priorities for change articulated by the directors of the Breckenridge centers.

APA also asked the five high performing center directors to identify which factors contributed most to their high-quality. Three of these centers mentioned the importance of a workplace culture that provides flexibility, promotes buy-in/accountability, and encourages collegiality. One of these three center directors noted that business and leadership training had greatly improved their ability to create this type of culture. The other two directors mentioned low student-to-staff ratios and shared business services as keys to their high-quality. Again, these answers are similar to the priorities for change expressed by the Breckenridge center directors.

Conclusions

While this report has offered a variety of suggestions for improving child care in Breckenridge, it is very clear from interviewing early childhood stakeholders in other communities that Breckenridge is already viewed as a model for other communities across the state and the Town is already implementing many best practices that are found in high performing child care centers in similar communities. Specifically, tuition assistance and higher teacher salaries are key to increasing affordability and improving teacher quality. The Breckenridge Child Care Program has been successful in beginning to address affordability, capacity, and quality of child care in the area.

It is also clear when talking to members of the Breckenridge community how proud they are of their community. Teachers and directors who work in child care in Breckenridge enjoy living in the mountains, enjoying the outdoors, and they strongly value the community relationships they have built with the families they serve. However, that community comes with the costs of expensive housing and abnormally high health insurance costs. These high costs of living make it a challenge to make ends meet, which impacts both child care teachers and the families who enroll in child care.

Participants in the interviews and focus groups both in Breckenridge and in other communities believe that teacher quality is the most important component of child care quality. Teacher turnover in the early

childhood community, which is a common problem in the industry, is a particular problem in Breckenridge because of the high cost of living. There is some evidence that the Town's Child Care Program has reduced teacher turnover. However, teacher recruitment and retention could be further improved. Teachers who remain at a center for longer periods of time provide consistency and are able to build relationships with children, families, and other staff that facilitate learning. Teachers who are highly qualified through education, training, and experience are also more likely to provide effective care and instruction for children. It is therefore imperative to compensate teachers fairly and offer health and retirement benefits, as well as ongoing training that leads to continual professional growth.

This report has provided a number of recommendations for improving quality, efficiency, affordability, and capacity of child care in Breckenridge. Many of the recommendations have associated costs, while others may both improve efficiency and quality, which would offset many of the costs. APA recommends that the Breckenridge Child Care Advisory Committee prioritize next steps for continued improvements to its existing child care program, determine the costs of implementing the highest priority improvements, determine the potential cost savings associated with such improvements, and then implement appropriate changes with input from the center directors, teachers, and families served.

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