



TOWN OF AVON, COLORADO
AVON WORK SESSION MEETING FOR TUESDAY, JULY 12, 2011
MEETING BEGINS AT 3 PM
 AVON TOWN HALL, ONE LAKE STREET

PRESIDING OFFICIALS

MAYOR	RICH CARROLL
MAYOR PRO TEM	KRISTI FERRARO
COUNCILORS	DAVE DANTAS, CHRIS EVANS, TODD GOULDING
	AMY PHILLIPS, ALBERT "BUZ" REYNOLDS, JR.

TOWN STAFF


TOWN ATTORNEY: ERIC HEIL	TOWN MANAGER: LARRY BROOKS	TOWN CLERK: PATTY MCKENNY
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ALL WORK SESSION MEETINGS ARE OPEN TO THE PUBLIC EXCEPT EXECUTIVE SESSIONS
 COMMENTS FROM THE PUBLIC ARE WELCOME; PLEASE TELL THE MAYOR YOU WOULD LIKE TO SPEAK UNDER NO. 2 BELOW
 ESTIMATED TIMES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY, SUBJECT TO CHANGE WITHOUT NOTICE
 PLEASE VIEW AVON'S WEBSITE, [HTTP://WWW.AVON.ORG](http://www.avon.org), FOR MEETING AGENDAS AND MEETING MATERIALS
 AGENDAS ARE POSTED AT AVON TOWN HALL AND RECREATION CENTER, ALPINE BANK, AND AVON LIBRARY
 THE AVON TOWN COUNCIL MEETS ON THE SECOND AND FOURTH TUESDAYS OF EVERY MONTH

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|--------------------------|---|
| 3:00 PM – 4:00 PM | 1. EXECUTIVE SESSION to meet with Town Attorney for the purpose of receiving legal advice to specific legal questions pursuant to Colorado Revised Statute §24-6-402(4)(b) related to pending litigation regarding Town of Avon v Traer Creek Metropolitan District, 2008 CV 0385 and Traer Creek, LLC, <i>et.al.</i> v Town of Avon 2010 CV 316 |
| 4:00 PM | 2. INQUIRY OF THE PUBLIC FOR COMMENT AND APPROVAL OF AGENDA |
| 4:00 PM – 4:15 PM | 3. COUNCIL AND STAFF UPDATES <ul style="list-style-type: none"> a. Open Space Advisory Committee Update (Rich Carroll, Mayor) b. Amendment to the Comprehensive Plans Related to USFS Land Exchange (<i>Sally Vecchio, Assistant Town Manager Community Development</i>) <i>Proposed Comprehensive Plan policy changes affected by the land exchange recommendations / Memo only</i> c. Town of Avon On-Street Parking Ordinance and Parking on Roads in Wildridge (<i>Bob Ticer, Police Chief and Justin Hildreth, Town Engineer</i>) <i>Review by Police Chief & Town Engineer of Town Ordinance that Prohibits On-Street Parking / Memo only</i> d. Avon's Noxious Weed Management Program Update (<i>Jenny Strehler, Director PW&T</i>) <i>Review weed plan monitoring</i> |
| 4:15 PM – 5:00 PM | 4. BUDGET 2012: GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 54: FUND BALANCE REPORTING, GOVERNMENTAL FUND TYPE DEFINITIONS AND TOWN OF AVON FUNDS (<i>Scott Wright, Assistant Town Manager Finance</i>) <i>Review financial information on governmental reporting guidelines</i> |
| 5:00 PM | 5. ADJOURNMENT |

MEMORANDUM

To: Honorable Mayor and Town Council
From: Sally Vecchio, Asst. Town Mgr/Community Development
Thru: Larry Brooks, Town Manager
Date: July 5, 2011
RE: Amendment to the Comprehensive Plans Related to USFS Land Exchange – MEMO ONLY



Summary

Several of the proposed land use recommendations associated with the USFS multi-party land exchange will require limited amendments or modifications to the implementing policies and standards of the Avon Comprehensive Plan and the Trails Master Plan, including an annexation plan for the USFS Village Parcel.

This memorandum provides a summary of the policies that are affected by the land exchange recommendations, and a timeframe for reviewing each of the policy documents that will need to be amended to conform to those recommendations.

Comprehensive Plan amendments are subject to the review procedures and criteria of the Avon Development Code, Sec. 7.16.030, Comprehensive Plan amendments.

Background

The Avon Town Council approved Resolution 11-09, on May 24, 2011 in support of a multiparty land exchange with the United States Forest Service (USFS), State Land Board and Eagle County. The Resolution also included recommendations for certain land use exceptions to the conservation easements that will encumber the two National Forest parcels when they are conveyed to the Town. The conservation easements will restrict the use of the parcels to open space with limited recreation. The recommended exceptions to the conservation easements for each parcel are as follows:

USFS Avon West Parcel:

1. Land reserved for the Beaver Creek Lookout Trail alignments as adopted in the Trails Master Plan.

USFS Village Parcel:

1. Land reserved for attainable housing and community facility uses in the NW corner of the parcel;
2. Land reserved for the Core Trail and other recreational trail alignments, and
3. Land reserved for a road alignment connecting Planning Area M of the Village at Avon PUD with Highway 6.

In order to carry out these proposed land uses and to prepare for annexation of the USFS Village Parcel, implementing policies and standards should be included in the Avon Comprehensive Plan and Trails Master Plan.

Proposed Amendments

1. TRAILS MASTER PLAN

Review of the Beaver Creek Lookout Trail Project (AKA "The Point"). During the Land Exchange review, the Town Council heard from a number of Wildridge residents concerned with the long-range plans for the Point, including the installation of a picnic table and shade shelter, trail head improvements, off-street parking and toilets. The Council agreed to re-evaluate the Trails Project with the community to ensure that the plans and improvements were consistent with the long term vision for the project.

This project should be initiated as a limited review of the trail improvements planned for The Point and included in the Town's Trail Master Plan. The review will include community meetings in Wildridge and a review of the Trail Project improvements with the PZC. Recommendations will be presented to the Council for consideration. Amendments to the Beaver Creek Lookout Trail project will be initiated if deemed appropriate by the Council. **Total review time: 5 months.**

2. AVON COMPREHENSIVE PLAN (2006)

Although the USFS Village Parcel is not located within the Town of Avon, the property is addressed in the Avon Comprehensive Plan as being one of the Town's most important open spaces. The Plan recommends that parcel remain as open space with low impact recreational uses.

During the Land Exchange review, the Council agreed to include attainable housing and community facility uses in the NW corner of USFS Village Parcel, with the understanding that both uses would require further evaluation and an amendment to the Avon Comprehensive Plan policies. The Council also agreed to designate a portion of the SE corner of the parcel to a road alignment that would connect Planning Area M of the VAA PUD to Highway 6. This is also a change in policy that would require an amendment to the Plan.

Total Review Time: 8 months.

3. ANNEXATION PLAN FOR USFS VILLAGE PARCEL (THREE MILE PLAN)

Colorado annexation law requires that a municipality adopt a three-mile annexation plan prior to completing any annexation. The Three-Mile Plan is a long range planning opportunity for municipalities to consider where they want to annex, how they will provide service in the newly annexed area, and how they will sustain adequate levels of service throughout the rest of the municipality. Currently, the Town's annexation policies are included in the Avon Comprehensive Plan.

The **USFS Village Parcel** is not located within the Town's jurisdiction but it is located within Town's three mile annexation area. In order to annex the USFS Village Parcel, the Town Council will need to adopt an annexation plan for the parcel pursuant to the Colorado annexation laws. The Town Council may also choose to take this opportunity to adopt a comprehensive Three Mile Plan that includes policy recommendations for all lands within the Town's three mile planning area. **Total Review Time: 3 to 9 months depending on the extent of the planning process.**

Timeframes

Attached as **Exhibit A** are the proposed time frames for completing the aforementioned work related to amending the Town's adopted policy documents. As previously noted, the time involved with preparing the annexation plan for the USFS Village Parcel could be as little as three months if the scope is limited to the USFS parcel. If the Town Council wants to consider adopting a comprehensive Three Mile Plan, then the review time would be increased to 9 months.

TOWN MANAGER COMMENTS:

Attachments:

Exhibit A: Proposed Timeframes to Complete Policy Amendment Projects

**PROPOSED TIMEFRAMES
TO COMPLETE POLICY AMENDMENT PROJECTS**

TRAILS MASTER PLAN The Point – Trail Improvements Plan										
	2011						2012			
Task/Month	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April
Task 1 Background										
Task 2 Public Participation										
Task 3 Recommendations										
Task 4 PZC Review and Rec										
Task 5 TC Review										
AVON COMPREHENSIVE PLAN										
	2011						2012			
Task/Month	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April
Task 1 Background										
Task 2 Public Participation										
Task 3 Draft Amendments										
Task 4 PZC Review and Rec										
Task 5 TC Review and Adoption										
USFS VILLAGE PARCEL ANNEXATION PLAN (Three Mile Plan)										
	2011						2012			
Task/Month	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April
Task 1 Background										
Task 2 Public Participation										
Task 3 Draft Amendments										
Task 4 PZC Review and Rec										
Task 5 TC Review and Adoption										



**AVON POLICE DEPARTMENT
MEMO**



TO: Honorable Mayor and Town Council
Thru: Larry Brooks, Avon Town Manager
FROM: Robert L. Ticer, Chief of Police
Justin Hildreth, Town Engineer
DATE: July 7, 2011
SUBJECT: On-Street Parking Ordinance and Parking on Roads in Wildridge

RJT
JH

On June 28th, 2011, at the Avon Town Council Meeting, Mr. Mike Dantas spoke to council and articulated that he would like to see the Avon Town Ordinance that prohibits On-Street Parking repealed.


Avon Police Officers are sworn to uphold the Town Ordinances and enforce the applicable laws. Avon Police Officers currently enforce the ordinance that prohibits on-street parking. The parking citations that are issued may be less than some individuals believe. In 2010, Avon Police Officers issued 379 parking citations, which is slightly more than one per day.

A viable option for motorists to use to avoid parking citations is the application process for on-street parking for specific purposes (not to exceed 6 hours). This process is at no cost to the motorist and is available to access through the Town Website or directly in person at the Avon Police Department. For example, when a citizen knows that they will have visitors at their residence for an event, they may apply for the permit. If approved, the permit is issued and on-street parking is allowed for the specific location and time period. In 2010, the Police Department issued 62 parking permits to allow on-street parking for specific incidences.

Lastly, from a public safety perspective, there are serious concerns with the complete removal of the on-street parking ordinance because of the narrow road width and mountainous terrain in our residential areas and the subsequent reduction of visibility to drivers, pedestrians, and bicyclists. The roads in Wildridge were not designed to accommodate on-street parking, which is evident by the minimal widths, and the short vertical and horizontal sight distances. The typical road cross section in the Wildridge Subdivision has two 10-foot drive lanes, each with 1-foot wide shoulders and one 6 to 8 feet wide pedestrian/bike lane. Therefore, the only location where a vehicle can park on-street in Wildridge is in the pedestrian/bike lane, which then forces

pedestrians and cyclists into on-coming traffic. Parking in the Wildridge pedestrian/bike lane is currently permitted in limited situations, such as contractor parking. Allowing unlimited on-street parking in Wildridge would negate the \$2,500,000 investment that the Town made in constructing the pedestrian/bike lanes throughout this subdivision.

Memo

To: Honorable Mayor and Town Council
Thru: Larry Brooks, Town Manager
Legal Review: Eric Heil, Town Attorney
From: Jennifer Strehler, Director of Public Works and Transportation 
Date: July 12, 2011
Re: Avon's Noxious Weed Management Program

Summary:

This work session item provides an overview of the noxious weed management program administered by the Public Works Department. This is an informational presentation only, no action is needed by the Town Council.

Previous Council Actions:

Ordinance 11-03 An *Ordinance Amending Local Designation of Noxious Weeds* and the updated *Noxious Weed Management Plan* (ver. 1/25/2011) was adopted on February 8, 2011.

Background:

The Colorado Noxious Weed Act §§ 35-5.5.101 through 119 (CRS 2003) requires local governments to set forth rules in 8 CCR 1206-2 and in the Act to control the spread of noxious weeds. The state requires counties, cities, and towns to adopt a specific noxious weed management plan. The Town of Avon is compliant in this regard; local regulation of noxious weeds is codified in the Avon Municipal Code §8.36. The Avon Town Council acts as the local Weed Management Advisory Commission. A Noxious Weed Management Plan was adopted in Ordinance 11-03. This plan and this section of the Avon Municipal Code are implemented by the Public Works Department.

Discussion:

This is the second season of implementation and enforcement of AMC §8.36, which has the core mission of stopping the spread of noxious weeds. Public Works has improved the efficiency with which the steps in this work program are conducted. These steps include:

1. Public Outreach
2. Visual Inspections (from the street)
3. Formal Notice of Violation

4. Inspection Warrant Issued
5. Full Site Inspection
6. Abatement Warrant Issued
7. Abatement Work
8. Invoicing for Abatement Work
9. Receipt of Payment for Abatement
10. Lien on property for Unpaid Abatement

Most properties are taken care of directly in response to public outreach (step 1) and without town staff involvement. When noxious weed violation letters (step 3) are received, the majority of cited property owners take action to remove the cited weeds. Sometimes the property owner contacts Public Works and requests that the town remove the weeds directly; we request written authorization for this work and written acknowledgement that they will be responsible for the cost. Although it has not yet happened, it is possible that no action is taken and the town must follow through steps 4 through 10. The state law and local codes set forth the authority and the detailed procedures for these steps.

Considerable public outreach has been, and continues to be, conducted to educate the public about their responsibility to identify and manage noxious weeds, recommended mitigation methods, and understand plant safety issues. To date this season staff has sent out press releases including two A-list blasts and a short piece published in the Vail Daily. Also a "courtesy reminder" letter was sent to all of the property owners who had noxious weed violations in 2010.

Public Works has had pretty good success so far in implementing the adopted management program. Problem lots are often those that were previously graded but not properly re-vegetated and/or are not regularly mowed. Many of the previously cited properties from 2010 were cited again this year. Public Works staff reports that many property owners (e.g., commercial lots, those managed by home owner associations) often don't deal with their noxious weeds until they actually receive the formal notice (step 3). The most difficult situations occur when the owner commits to taking care of it but then is slow to respond or incomplete in their actions such that the noxious weeds go to seed and spread.

About 60 formal notices of noxious weed violations were mailed out on July 6th, after inspections were completed of the lower elevations of Avon (i.e., valley area). Public Works staff is scheduled to initiate inspections of Wildridge and other higher elevations areas later this week.

More information about the noxious weed program can be obtained from the Public Works web page (<http://www.avon.org/index.aspx?NID=118>). This site also has a list of the regulated weeds and photographs of the most common noxious weeds in Avon. Avon Public Works is also happy to answer questions by phone (970-748-4100) or e-mail (weeds@avon.org) about this topic.

Financial Implications: No change.

Town Manager Comments:



Memo

To: Honorable Mayor and Town Council

Thru: Larry Brooks, Town Manager

Legal: Eric Heil, Town Attorney

From: Scott Wright, Asst. Town Manager – Finance

Date: July 7, 2011

Re: Governmental Accounting Standards Board Statement No. 54: Fund Balance Reporting and Governmental Fund Definitions and Purposes

Initials



Summary:

The Governmental Accounting Standards Board has issued a new Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, to address issues related to how fund balance is being reported. In addition, there have been questions from Council related to how and why the Town's funds have been established and the different purposes each serves from a budgetary and accounting perspective.

On Tuesday I will have a PowerPoint presentation to explain the new statement and clear-up confusion regarding the Town's funds.

Town Manager Comments: