

TOWN OF AVON, COLORADO
AVON WORK SESSION MEETING FOR TUESDAY, NOVEMBER 24, 2009
MEETING BEGINS AT 3:30 PM
AVON TOWN HALL, ONE LAKE STREET



PRESIDING OFFICIALS

MAYOR	RON WOLFE
MAYOR PRO TEM	BRIAN SIPES
COUNCILORS	RICHARD CARROLL, DAVE DANTAS, KRISTI FERRARO
	AMY PHILLIPS, ALBERT "BUZ" REYNOLDS, JR.

TOWN STAFF

TOWN ATTORNEY: ERIC HEIL	TOWN MANAGER: LARRY BROOKS	TOWN CLERK: PATTY MCKENNY
---------------------------------	-----------------------------------	----------------------------------

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

-
- 3:30 PM – 4:30 PM** **1. EXECUTIVE SESSION** for the following purposes:
- a. Avon v. TCMD: For the purpose of receiving legal advice on specific legal questions pursuant to Colorado Revised Statute section 24-6-402(4)(b) and for the purpose of instructing negotiators and developing negotiation positions pursuant to Colorado Revised Statute section 24-6-402(4)(e) specifically concerning pending litigation between the Town of Avon and Traer Creek Metropolitan District
 - b. Housing Down Payment Assistance Program: For the purpose of receiving legal advice on specific legal questions pursuant to Colorado Revised Statute Section 24-6-402(4)(b) and for the purpose of discussing personnel matters pursuant to Colorado Revised Statute section 24-6-402(4)(f) and specifically concerning housing down payment assistance
 - c. Eagle County Intergovernmental Agreement: For the purpose of receiving legal advice on specific legal questions pursuant to Colorado Revised Statute section 24-6-402(4)(b) and for the purpose of instructing negotiators and developing negotiation positions pursuant to Colorado Revised Statute section 24-6-402(4)(e) specifically concerning an intergovernmental agreement with Eagle County for cooperative planning
- 4:30 PM** **2. INQUIRY OF THE PUBLIC FOR COMMENT AND APPROVAL OF AGENDA**
- 4:30 PM – 5:00 PM** **3. COUNCIL COMMITTEE AND STAFF UPDATES**
- a. Update on Joint Work Session with Eagle County Commissioners to discuss joint Land Use Planning and related Intergovernmental Agreement (Rich Carroll, Councilor)
 - b. 2009 Capital Improvement Projects (CIP) Update (Justin Hildreth, Town Engineer)
 - c. Status of Eagle River at Avon Development (aka Red House) Final Plat, Landscape and Maintenance Easement and Second Amendment Water Supply Contract (Justin Hildreth, Town Engineer) Memo Only
 - d. CML Best Practices in Municipal Communications (Becky Lawlor, Community Relations Officer) Memo Only
 - e. Financial Matters (Finance Department) Memo only
- 5:00 PM** **4. ADJOURNMENT**



Town of Avon
P.O. Box 975
One Lake Street
Avon, Colorado 81620
970-748-4005

Office of the Town Manager

To: Honorable Mayor and Town Council

From: Larry Brooks, Town Manager

Date: November 18, 2009

Regarding: Council Update/ IGA with County

Council members Carroll and Dantas have had recent discussions with Commissioner Stavney regarding the importance of joint planning and the future of the region as it relates to mass transit. As the result of those conversations, it was thought that a joint meeting of the two policy boards would be beneficial.

Staff has coordinated this meeting for December 8th, and the Commissioners have graciously agreed to visit us here in Avon at the regularly scheduled work session. With that in mind, Dave, Rich and I have prepared an outline of discussion points for council consideration. We are asking for your input on content as well as your thoughts on organizing those business points into a call for action that would could discuss with the Commissioners to achieve tangible results through cooperative agreements.

STRATEGIC LONG TERM

- Cooperative Land Planning
- Railed Transit along spine
- Local Feeder Transit
- Transit Stations in Higher Density Core areas
- Minimize jurisdictional shopping

MEDIUM TERM STRATEGIC

- Cooperative Land Planning via IGA
- Refer Development in County to appropriate town
- Town provide Municipal services
- Bus based Transit
- Higher Density Growth along Transit stops
- Maintain Open Space buffer between communities
- Countywide Transit Funding Mechanism which has Equalization device to add to municipal funds
 - Ongoing Short and long term efforts to Identify and purchase land and easements for Transit stations (Bus & Rail), Park & Rides, and future transit related properties. County wide effort.

TACTICAL WHAT CAN WE DO TODAY

- Outline Points of IGA with Avon TC & County Commissioners
- Identify pieces of land that make sense to refer to Avon
- Continue to sit at table with Eagle-Vail Planning
- Avon can provide Municipal services more cost effectively than County
- Potential to plan Transit County wide for cost effective delivery
- Minimize Jurisdictional Shopping
- Recognize and quantify impacts upon adjacent communities if development is approved without annexation, and commit to an equalization mechanism.

Memo

To: Honorable Mayor and Town Council
Thru: Larry Brooks, Town Manager
Sally Vecchio, Assistant Town Manager/Director of Community Development
From: Justin Hildreth, P.E., Town Engineer *JH*
Jeffrey Schneider, P.E., Project Engineer
Shane Pegram, P.E., Engineer II
Date: November 17, 2009
Re: 2009 Capital Improvements Projects (CIP) Update

Summary: This memorandum is to present an update on the accomplishments of the Town of Avon Capital Improvement Program in 2009, and a preview of some of the projects already underway for 2010 implementation. In 2009, the Town constructed approximately \$1.1 million in projects including asphalt overlays, road reconstructions, facility upgrades and remodels, ditch improvements, and dam spillway modifications. While implementing the numerous field projects, an important planning document, the Transportation Master Plan, was developed and approved, and the complex, \$600,000 design of the community heat recovery project is nearing completion. Another project for next year, the H.A. Nottingham Park Pavilion, has already been initiated as well. Staff will have a PowerPoint presentation prepared for the council meeting and will briefly discuss scopes, budgets, and completion dates for various projects.

Previous Town Council Action: On November 11, 2008, Town Council approved resolution 08-44, which approved the Capital Projects Fund budget for 2009. On February 24, 2009, Town Council approved Resolution 09-03, Series of 2009, which amended the 2009 Capital Projects Fund Budget.

Discussion: Despite budgetary concerns limiting the progress of discretionary progress and the postponement of the long-awaited and fully-designed Main Street project, numerous capital projects have been completed in 2009. All 2009 projects were completed within planned budget figures. The following is a summary of the 2009 Capital Improvement Projects and a look-ahead to the 2010 Capital Improvement Projects:

2009 – Completed Projects

- **Recreation Center Repair Project:** The Avon Recreation Center Repair project sealed the existing vapor retarder around the perimeter of the Recreation Center's pool facility and repaired the water slide's base plate and anchor bolt assemblies. Mark Young Construction completed this work during the fall closure between October 4 and October 10, 2009 at an approximate cost of \$90,000. Additional controls need to be added to the pool area HVAC followed by a system balance. This work will be done following repair of the internal heat recovery loop. The metal roof and damaged CMU blocks will be replaced in 2010.
- **Avon Town Hall Office Remodel –** The Avon Town Hall Office Remodel project relocated the copier/reproduction area and the court clerk's office, and also created new office space for a previously-budgeted Finance Department position. Mark Young Construction completed this work during the months of May and June, within the approximate \$50,000 budget.

- **2009 Street Improvements:** The 2009 Street Improvements project consisted of curb and gutter repair, curb ramp replacement, asphalt milling, and asphalt overlay of Hurd Lane, East Beaver Creek Boulevard, and Chapel Place. The project also included an asphalt and subgrade repair on Buck Creek Road, and guardrail replacement in Wildridge. Elam Construction and Cruz Construction completed the street improvements and guardrail replacement during the months of September and October. Additional guardrail will be replaced on Nottingham Road in November if the weather remains favorable. The project budget for the various 2009 Street Improvements is approximately \$500,000. This annual program is critical for the safety of motorists and pedestrians throughout Avon.
- **2009 Park Improvements:** The 2009 Park Improvements project consisted of asphalt path replacement on the south and west sides of Nottingham Lake. Elam Construction completed this work in November within the approximate \$80,000 budget. The project was coordinated with the Service Spillway Modification project.
- **2009 Street Lighting Conversion:** The 2009 Street Lighting Conversion project replaced the small 'acorn-style' lights on Avon Road from the south side of Beaver Creek Boulevard to U.S. Highway 6 and along West Benchmark from Avon Road to the Avon Library. The Town Electrician installed the new lights in October. The project had a total budget of approximately \$120,000.
- **Nottingham-Puder Ditch:** The Nottingham-Puder Ditch project replaced approximately 600' feet of failing open-channel ditch with high-density polyethylene (HDPE) pipe, new headwalls, and access manholes. A large portion of the ditch was also re-graded to prevent further deterioration. Ewing Trucking and Construction completed this project in early November, within the approximate \$200,000 budget. The Town negotiated a cost-sharing agreement with the Traer Creek entities for a proportional cost split based on water rights. The project is being closed out and final invoicing will occur in December.
- **Nottingham Lake Spillway:** The Nottingham Lake service spillway located on Benchmark Dam was mandated for modification by the State Engineer following its biannual dam inspection. The spillway was subsequently replaced by Ewing Trucking and Construction during the last week of October and first two weeks of November, within schedule and under the \$100,000 project budget. The State Engineer's Office completed a final inspection of the completed project on November 12, 2009. Refilling the lake is currently underway.
- **Sediment Pond Clean-up:** The small pond on the northeast corner of Nottingham Lake is designed to capture sediment prior to it reaching the main lake. As a maintenance item, sediment is typically removed every 3-5 years. In September, Ewing Trucking and Construction removed approximately 600 tons of accumulated sediment from the pond.
- **Transportation Master Plan:** The Transportation Master Plan was completed by Fellsburg, Holt, and Ullevig and had an approximate \$200,000 budget. Resolution 09-24, adopting the Town of Avon Comprehensive Transportation Plan, was approved by Town Council on September 22, 2009. This Plan replaces the previous transportation plan completed in 1990, and updated in 1996, prior to the construction of the Avon Road roundabouts and the adoption of the Comprehensive Plan and the East and West Town Center plans, and prioritizes non-automotive forms of transportation.

2010 – Ongoing and Upcoming Projects

- **Heat Recovery Project:** The Community Heat Recovery project is currently being designed for construction commencing spring of 2010. The project is a collaboration with Eagle River Water and Sanitation District and is partially funded with a grant from the Governor's Energy Office (GEO). The design is over 60 percent completed, with final building locations determined. The town is also in receipt of a crossing agreement from Union Pacific Railroad (UPRR) for construction of the heat recovery loop piping beneath the railroad tracks.
- **Fleet Maintenance Building Photovoltaic System:** Notice of grant application approval or denial is expected during the month of November 2009 from the Colorado GEO. Eagle County and Holy Cross funding will be applied for upon notice of approval from the GEO. This project will be constructed in 2010 if notice of approval is received.
- **2010 Street Improvements:** The 2010 Street Improvements will likely include paving the west parking lot, paving the Police Station parking/street area, and replacing guardrail as needed throughout Avon.
- **2010 Park Improvements:** The 2010 Park Improvements will include installation of new rules and monument signage on all Town of Avon parks, and replacing asphalt paths as the budget allows. The signage will match the Town Center West style in place at Avon Station and Lake Street. Asphalt path replacement will be prioritized considering existing path condition and budgetary constraints.
- **Metcalf Gulch Drainage Improvements:** The design, including obtaining U.S. Army Corps of Engineers permitting for the drainage work, will be completed in 2010. The project also involves widening the roadway surface to include a delineated bicycle climbing lane.
- **Nottingham Lake Fishing Pier:** A fishing pier will be installed on Nottingham Lake for use by the public, including disabled individuals. The pier is partially funded by a grant awarded by the Department of Wildlife's Fishing is Fun program in 2008 and 2009. Some associated access improvements will also be performed to integrate the pier with existing park infrastructure.
- **Nottingham Park Pavilion:** The design for a performing arts pavilion adjacent to the Municipal Building and the soccer field was awarded to Vail Architecture Group, Inc. (VAg) at the November 10, 2009 meeting. A committee has been formed to determine the programming needs for the structure and whether or not an appropriate venue can be constructed within the budgetary constraints. Construction is anticipated for Summer of 2010.

Town Manager Comments:

Memo

To: Honorable Mayor and Town Council
Thru: Larry Brooks, Town Manager
Sally Vecchio, Director of Community Development, Asst. Town Manager
From: Justin Hildreth, P.E., Town Engineer *JH*
Date: November 18, 2009
Re: Status of Eagle River at Avon Development (aka Red House) Final Plat, Landscape and Maintenance Easement and Second Amendment Water Supply Contract
Memo Only

Summary: On November 10, 2009, three documents related to the Eagle River at Avon (aka, Red House) development were scheduled with Town Council for consideration: a resolution adopting the Final Plat, a resolution adopting the Second Amendment to the Water Supply Contract with the Upper Eagle Regional Water Authority and a Landscape and Maintenance Easement. During the hearing, Town Council approved the first reading of Ordinance 09-07 for the Landscape and Maintenance Easement with corrections, tabled the Final Plat because it requested changes to the dedication language of the River Tract, and tabled the Second Amendment to the Water Supply Contract because of the tabling of the accompanying Final Plat.

Staff is currently negotiating new dedication language with the applicant and because of the short time frame has not been able to complete the negotiations. Staff will schedule the Final Plat, Second Amendment to the Water Supply Contract and the second reading of the Landscape and Maintenance Easement to Town Council for consideration on December 8, 2009. No action is required by Town Council at the November 24, 2009 hearing because the resolutions were not tabled to a date certain and the second reading of the Landscape and Maintenance Easement was not posted for the hearing.

Town Manager Comments:

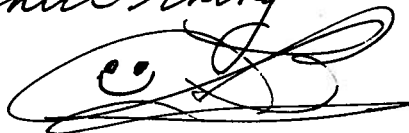
Memo

To: Honorable Mayor and Town Council
Thru: Larry Brooks, Town Manager
From: Becky Lawlor, Community Relations Officer
Date: November 13, 2009
Re: CML Best Practice in Municipal Communications

This memo is to inform Town Council that the Town of Avon was cited several times in CML's recent publication, "Best Practices in Municipal Communications." Avon provided information for the publication its citizen opinion surveys, municipal open houses, and its Father's Day Fishing Derby was highlighted under Special Events. This publication is intended to provide Colorado municipal communication managers with ideas and tools to improve their communications with constituents.

Town Manager Comments:

I made Becky report her success to you! This is a nice accomplishment. Many people read the "Best Practices" publication, and having Avon mentioned is a very nice thing



FINANCIAL MATTERS

November 24, 2009

1. YTD Building Revenue Report Actual vs Budget - October
2. Detail - Real Estate Transfer Taxes - October
3. Accomodations Tax Worksheet Actual vs Budget - September
4. Sales Tax Worksheet Actual vs Budget - September

A handwritten signature in blue ink, consisting of several overlapping loops and a central vertical stroke, positioned below the list of items.

SUNGARD PENTAMATION, INC
 DATE: 11/18/2009
 TIME: 11:28:12

TOWN OF AVON
 REVENUE STATUS REPORT

PAGE NUMBER: 1
 REVSTAIL

SELECTION CRITERIA: orgn.fund='10' and revledgr.account in ('52201', '52203', '52204', '54201', '54202', '54203')
 ACCOUNTING PERIOD: 10/09

SORTED BY: FUND, PROGRAM, 1ST SUBTOTAL, ACCOUNT
 TOTALED ON: FUND, PROGRAM, 1ST SUBTOTAL
 PAGE BREAKS ON: FUND, PROGRAM

FUND-10 GENERAL FUND
 PROGRAM- TITLE NOT FOUND
 1ST SUBTOTAL-52000 LICENSES AND PERMITS

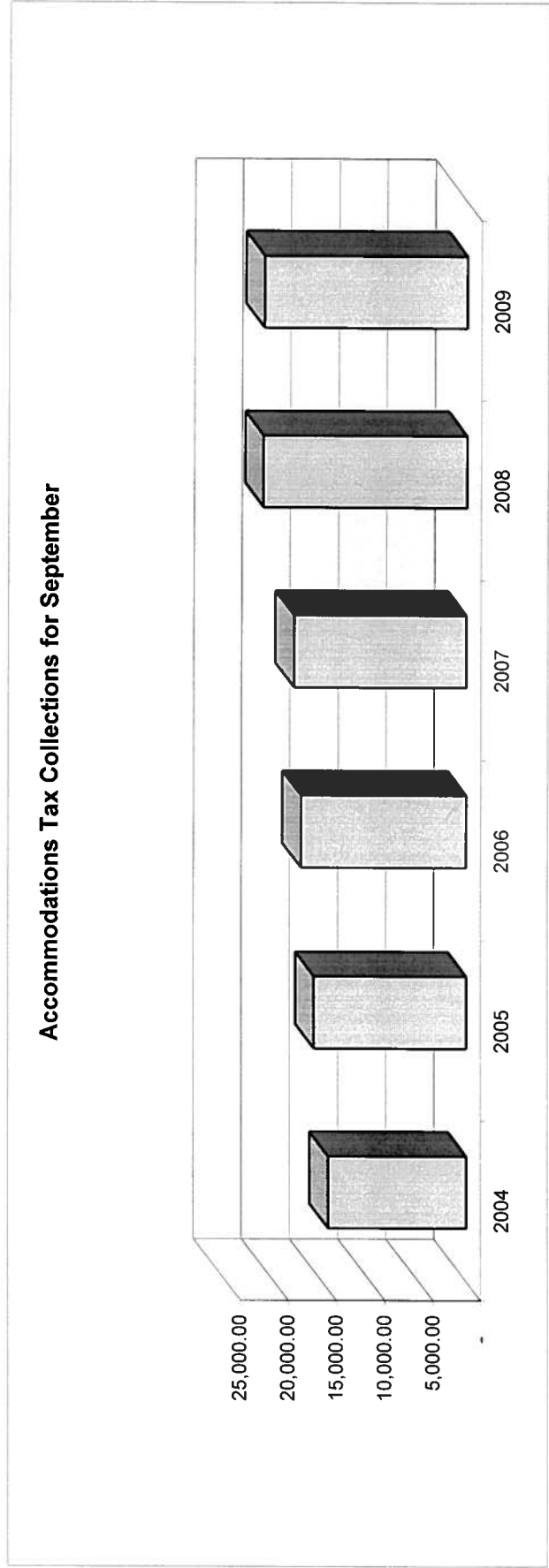
ACCOUNT	TITLE	BUDGET	PERIOD RECEIPTS	RECEIVABLES	YEAR TO DATE REVENUE	BAL TO BE COLLECTED	YTD/ BUD
52201	BUILDING PERMITS	150,000.00	1,331.36	.00	60,115.76	89,884.24	40.08
52204	MECHANICAL PERMITS	.00	75.00	.00	75.00	-75.00	.00
	TOTAL LICENSES AND PERMITS	150,000.00	1,406.36	.00	60,190.76	89,809.24	40.13
1ST SUBTOTAL-54000 CHARGES FOR SERVICES							
54201	PLAN CHECK FEES	90,000.00	.00	.00	17,873.77	72,126.23	19.86
54202	SUBDIVISION REVIEW FEES	35,000.00	877.50	.00	6,247.50	28,752.50	17.85
54203	DESIGN REVIEW FEES	35,000.00	.00	.00	15,750.00	19,250.00	45.00
	TOTAL CHARGES FOR SERVICES	160,000.00	877.50	.00	39,871.27	120,128.73	24.92
	TOTAL TITLE NOT FOUND	310,000.00	2,283.86	.00	100,062.03	209,937.97	32.28
	TOTAL GENERAL FUND	310,000.00	2,283.86	.00	100,062.03	209,937.97	32.28
	TOTAL REPORT	310,000.00	2,283.86	.00	100,062.03	209,937.97	32.28

**Town of Avon
Real Estate Transfer Tax
Calendar Year 2009**

Purchaser Name	Property	Amount Received	Riverfront PUD	The Gates at Beaver Creek
Sep-09		\$ 677,108.36	\$ 410,958.45	\$ -
Holiday	Christie Lodge Timeshare	380.00		
Land Title Guarantee	Falcon Pointe 302-45	19.90		
Title Comp Rockies	Mtn. Vista 40-09	1,215.90		
Title Comp Rockies	Mtn. Vista 41-09	918.70		
Title Comp Rockies	Mtn. Vista 42-09	4,418.30		
Title Comp Rockies	Mtn. Vista 43-09	135.00		
Winner Storage LLC	800 Nottingham Road	90,740.00		
Kaizen Holdings LLC	100 W. Beaver Creek Blvd # 232	6,400.00		
Jacob Pedziwiatr	Balas Townhouse F	3,760.00		
Cowden & Sherry Ward	3000 Eaglebend Dr	19,000.00		
Daniel & Robin Sobieski	Skyview Townhomes # 4	5,600.00		
Mark & Erika Meier	Rocking Horse Ridge I B-4	10,400.00		
Ticor Title Ins Comp	Riverfront 39-09		7,260.00	
Ticor Title Ins Comp	Riverfront 40-09		16,880.52	
Ticor Title Ins Comp	Riverfront 41-09		11,334.60	
Ticor Title Ins Comp	Riverfront 42-09		16,274.60	
Ticor Title Ins Comp	Riverfront 43-90		3,500.00	
Robert & Patricia Miller	Riverfront 516		7,300.00	
	Total October Revenue	\$ 142,987.80	\$62,549.72	
	Total YTD Revenue	820,096.16	473,508.17	-
	Total 2009 Budget	825,000.00	650,000.00	
	Variance, Favorable (Unfavorable)	\$ (4,903.84)	\$ (176,491.83)	\$ -

**TOWN OF AVON
ACCOMMODATIONS TAX WORKSHEET
2009 Actual YTD Collections**

	Actual Collections					YTD Collections	% of change from 2008
	2004	2005	2006	2007	2008		
January	\$ 49,606.71	\$ 40,530.61	\$ 57,229.22	\$ 63,237.75	\$ 77,721.98	\$ 84,919.00	9.26%
February	52,217.57	60,993.89	60,901.95	70,721.21	83,157.06	83,502.22	0.42%
March	55,303.58	64,797.68	74,022.31	76,718.00	87,240.86	84,909.85	-2.67%
April	11,836.96	13,816.52	43,114.14	23,454.19	22,161.73	26,821.29	21.03%
May	8,380.80	9,899.09	10,685.43	13,887.33	16,208.09	19,090.36	17.78%
June	19,906.06	19,792.33	23,284.29	26,517.16	30,012.07	34,439.33	14.75%
July	22,059.52	23,732.97	28,334.33	28,963.77	33,302.03	47,864.32	43.73%
August	18,552.96	18,539.93	20,832.64	26,703.98	29,326.28	39,155.19	33.52%
September	14,405.20	15,873.60	17,192.35	17,923.08	21,214.32	21,134.69	-0.38%
October	10,988.04	10,688.00	18,824.40	19,981.39	21,856.62	-	-100.00%
November	9,544.00	14,002.80	16,614.61	19,011.03	20,737.61	-	-100.00%
December	50,102.41	51,311.12	64,170.25	68,267.16	86,699.64	-	-100.00%
Total	\$ 322,903.81	\$ 343,978.54	\$ 435,205.92	\$ 455,386.05	\$ 529,638.29	\$ 441,836.25	10.36%



**TOWN OF AVON
SALES TAX WORKSHEET
2009 Actual YTD Collections**

	Actual Collections					YTD Collections 2009	% of change from 2008
	2004	2005	2006	2007	2008		
January	\$ 362,384.60	\$ 425,503.18	\$ 448,714.65	\$ 524,820.41	\$ 552,981.33	\$ 552,648.47	-0.06%
February	375,274.89	418,743.05	464,806.63	497,012.53	574,301.20	516,349.68	-10.09%
March	436,524.67	544,245.61	560,114.95	572,427.68	653,095.43	536,913.42	-17.79%
April	251,294.79	272,227.06	349,371.03	357,949.34	349,061.05	319,833.51	-8.37%
May	217,509.24	252,342.79	270,369.12	294,883.30	321,213.74	267,960.76	-16.58%
June	306,000.04	340,829.23	376,396.05	425,208.94	427,371.70	396,066.29	-7.33%
July	351,427.03	398,216.13	397,751.05	456,067.69	458,484.39	409,983.83	-10.58%
August	338,167.96	368,792.50	373,562.61	424,583.42	428,296.71	374,905.99	-12.47%
September	340,704.01	341,113.82	381,410.80	421,607.28	466,731.86	350,532.37	-24.90%
October	262,086.75	301,696.64	297,640.80	367,965.07	365,209.05	-	-100.00%
November	278,435.62	308,834.90	305,534.90	362,353.89	338,385.19	-	-100.00%
December	637,150.60	703,905.00	774,113.53	868,333.36	794,328.16	-	-100.00%
Total	\$ 4,156,960.20	\$ 4,676,449.91	\$ 4,999,786.12	\$ 5,573,212.91	\$ 5,729,459.81	\$ 3,725,194.32	-11.97%

Sales Tax Collections for September

