

CITY OF STEAMBOAT SPRINGS

REGULAR MEETING NO. 2006-08

TUESDAY, MARCH 14, 2006

MINUTES

Mr. Ken Brenner, City Council President, called Regular Meeting No. 2006-08 of the Steamboat Springs City Council to order at 5:24pm (due to the fact that City Council attended a funeral for former Council Member John Ross), Tuesday, March 14, 2006, in Centennial Hall, Steamboat Springs, Colorado.

City Council Members present: Ken Brenner, Susan Dellinger, Towny Anderson, Loui Antonucci, Steve Ivancie, Kevin Kaminski, and Paul Strong.

City Staff Members present: Wendy DuBord, Interim City Manager; Anthony B. Lettunich, City Attorney; Julie Jordan, City Clerk; Julie Franklin, Deputy City Clerk; Don Taylor, Director of Financial Services; George Krawzoff, Director of Transportation Services/Interim Deputy City Manager; Chris Wilson, Director of Parks, Open Space and Recreation; Brian Berndt, Assistant Director of Planning Services; JD Hays, Director of Public Safety; and Winnie DelliQuadri, Grants Analyst.

NOTE: All documents distributed at the City Council meeting are on file in the Office of the City Clerk.

CITY COUNCIL REVIEW TOPIC

1. Joint Meeting with Yampa Valley Housing Authority. (5-7pm)

Housing Authority members present: Elizabeth Black, Executive Director, and Board members Nancy Stahoviak, Mary Alice Page-Allen, Kathi Meyer, Bud Romberg, Bud Rogers, Trish Sullivan, Jim Ballard, and Tony Seaver.

a. Review of Original Intergovernmental Agreement (IGA).

Commissioner Stahoviak provided some history noting that the City and County adopted the original IGA in 2003. The Yampa Valley Housing Authority (Housing Authority) was established as a multi-jurisdictional entity which is a public corporation that operates similar to a special district. To receive assistance from the Housing Authority, a person has to live within, or

work for an employer that is located within the boundary. There are currently 11 authority members, including the ex-officio member, which are appointed jointly

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by the City and County. The voting requirement is that the majority of the quorum can take action except in the case of eminent domain, and single expenditures of \$500,000 or more. The Authority reports annually to the City and County, and has the ability to levy taxes if they are supported by a vote of the people. The debts of the Authority are not the obligation of the City or County.

Discussion took place relative, but not limited to: the attorney for the Housing Authority, Mr. Bob Weiss, stepping down on **inclusionary zoning** issues; establishing enterprise funds; inviting other entities to be apart of the Authority; the location of the current self-help housing programs; affordable land being the biggest challenge to the Housing Authority; resale restrictions; and monitoring the deed restrictions.

b. Discussion of a new IGA – Role and scope of work in association with the **inclusionary zoning Ordinance.**

Commissioner Stahoviak noted that the guidelines speak to how the ordinance will be implemented, with the help of the Housing Authority, and the need for an understanding of what is expected of the Housing Authority. The Authority needs to assess staff time, how to proceed with doing tasks for the City, and how the Authority will be reimbursed.

Mr. Berndt stated that as Planning staff sees applications under the **inclusionary zoning** ordinance, they can better assess how to meet the demands.

Council Member Antonucci clarified that 2006 is the last year of City and County funding for the Housing Authority. They are already understaffed maintaining the current functions, not including other tasks that the City has asked the Housing Authority to undertake. In order for the Housing Authority to perform, it will need additional staff and a financial commitment from both the City and County.

Council Member Anderson suggested that the City and County staffs get together and come up with a draft proposal regarding the responsibilities of the Planning staff and the Housing Authority staff. He also suggested that other Housing Authority models be researched regarding how they are funded.

Council Member Strong clarified that Council is committed to being a funding partner of the Housing Authority. **UNANIMOUS CONSENT:** City Council agreed with this statement.

Commissioner Stahoviak stated that the Housing Authority has “a lot on their plate” and she does not want their staff working on the **inclusionary zoning** ordinance (IZ) unless the Board is clear on what their direction is and what needs to be in the IGA.

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It was suggested that City Planning and the Housing Authority staffs get together regarding their respective responsibilities, and then create a draft IGA. Ms. Black noted that this could happen as soon as possible, possibly the first of May.

City Council President Brenner questioned the County involvement. Commissioner Stahoviak stated that if the County adopts an IZ ordinance and needs Housing Authority assistance, there would be an IGA between the County and the Housing Authority; this particular IGA would be between only the City and the Housing Authority. Commissioner Stahoviak noted that the Housing Authority would need to come back to both the City and County regarding funding.

c. Update on the Yampa Valley Housing Authority Strategic Plan and Process.

Commissioner Stahoviak spoke to different funding sources for the Housing Authority, their ability to go to the ballot, and pursue a dedicated funding source.

Ms. Black spoke to the findings of their Affordable Housing Plan community meetings, noting that they had a significant number of Steamboat Springs responses. There was interest in housing in the Steamboat Springs-Craig corridor. The popular response topics were land, mobile home park preservation and creation, and deed restrictions. It was felt that there was support for a fair tax, where everyone pays for affordable housing.

Ms. Meyer noted that due to the cost of land, and in order to reach the income level needed, the Authority proceeded with the self-help projects in Hayden and Oak Creek. South Routt has not expressed interest in joining the Authority, and Hayden is looking to grow their community through annexation. Craig felt they had a shortage of special needs housing.

Council Member Strong noted that he attended the Yampa Valley Partners Forum and the Mayor of Hayden spoke to how the Steamboat Springs IZ ordinance will affect them. He stated that the City needs to remember that what it does have an affect valley-wide.

Council Member Kaminski questioned what needed to be done to quickly achieve affordable housing. The responses he received were that the City needed to assist in building housing, providing money, and land acquisition.

Commissioner Stahoviak noted the need to evaluate potential sites and costs. She stated that the Housing Authority is here to facilitate projects and programs and developers should not be coming to the Housing Authority with IZ questions, these questions should go to City Planning.

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Mr. Ballard noted the need to think in terms of the cost of commuting from other communities, and the need to provide housing where the work centers are. He also noted the need to buy land and research opportunities in the west of Steamboat Springs area.

City Council President Brenner questioned if the Housing Authority considered working with a consultant on their strategic plan and developing a housing plan. Ms. Page-Allen stated that they have been focusing on what the Authority's tasks are, and they would consider this when their tasks are prioritized.

d. Yampa Valley Housing Authority Involvement on These Items (for future discussion):

Council Member Anderson spoke to the Land Acquisition Fund, and requested that the Authority look at this language and provide input as soon as possible. He would like to separate this issue from the other amendments to amend it to the IZ ordinance to enable the flow of dollars to the Housing Authority as soon as possible.

City Council President Brenner invited the Authority to participate in the future on the below topics.

- 1. No Net Loss**
- 2. Land Acquisition Fund**
- 3. Housing Matrix**
- 4. Sale of Lots to Eligible Households**

Council Member Anderson clarified that the Land Acquisition Fund was added as an alternative for developers to meet IZ requirements.

5. Mobile Homes

Commissioner Stahoviak noted that the Authority can look at this topic as a part of the first draft of the Housing Authority Housing Plan.

e. Future agenda items.

No future items were identified.

PUBLIC COMMENT:

Ms. Margaret Berglund, Community Alliance, noted that the IZ ordinance is just one tool, and Council needs to look at a range of tools to meet the affordable housing needs of the community. She encouraged the City to make a monetary commitment to buy land, and to support the Housing Authority with funding.

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Mr. Steve Lewis, City Planning Commission, encouraged the Housing Authority to consider purchasing existing projects and converting them to deed restricted.

City Council President Brenner announced that it was Commissioner Stahoviak's birthday and presented her with flowers and a cake.

GENERAL PUBLIC COMMENT

Ms. Bobbi Hodge voiced concern with the process of applying to City Boards and Commissions.

Mr. Lewis voiced concern with the current mobile home conversion ordinance and the change of use. He requested Council repeal the ordinance, or enact a moratorium on the change of use.

Council Member Strong clarified that before this ordinance, there was nothing "on the books" regarding change of use, and the ordinance was a pro-active step.

2. Joint Meeting with Chamber Resort Association. (7-8pm)

Sandy Evans-Hall, Executive Vice President, Lynna Broyles, Marketing Director, Jeanne Bruni, Membership Director, and Kathy Stokes President of the Board, were present.

- a. Chamber's Overall Update and Strategic Plan/2006 Marketing.**
- b. 2006 Summer Event Funding.**

Ms. Broyles gave a PowerPoint presentation highlighting the following: Steamboat in the Summertime Campaign 2006; brand image and positioning; marketing plan; summer collateral; print – destination plan; destination ads; print – proposed front range plan; broadcast media – proposed plan; direct marketing plan; online marketing plan; public relations plan overview; cooperative advertising plan; 2006 summer research; summer air marketing proposed plan; and 2006 Special Event Funding Allocations.

In addition to existing Chamber marketing, Council Member Ivancie suggested that Ms. Broyles contact KRNC regarding advertising.

Ms. Broyles clarified that a portion of the vendor fees also go to administration, the media buyer, and website development.

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c. Ballfield/Triple Crown field update.

Ms. Evans-Hall clarified that the discussion topic is the Northwest Colorado Sports Complex and continued the PowerPoint presentation speaking to the following: Sports complex comparisons; 2008 major economic events in northwest Colorado; proposed Brown property complex concept; proposed Hayden Villages complex concept; and 2004 Steamboat summer visitor research.

Council Member Ivancie questioned maintenance costs for synthetic fields versus turf fields. Ms. Evans-Hall stated that synthetic fields do have a lifespan and need replacing, which may equal the costs of watering turf fields.

Council Member Anderson questioned if Triple Crown would commit to locate their tournaments locally until complex was paid off. He noted the results of the Community Survey and the low support level for Triple Crown. He spoke to quality of life and how Triple Crown is disruptive to community,

that this needed to be addressed in conjunction with an economic benefit analysis. If the complex went in the Hayden site, in 15-20 years a large amount of activity would be shifted to Hayden. Ms. Evans-Hall feels that there is not near enough need to build enough units that it would take away from Steamboat Springs, and that indeed there would be beneficial entrepreneurial opportunities for the Hayden community.

Council Member Anderson feels we may be competing with ourselves, encouraging people to come to Steamboat Springs building off our asset base (Marketing presentation by Ms. Broyles) while building a venue for a demographic that might be in conflict with the people coming for the assets of our place.

Ms. Evans-Hall concluded that a sports complex would free up existing fields in the community for local use.

City Council President Brenner questioned what the next step is and what this project would ask for financially. Ms. Evans-Hall noted that the project would go through the public process, get input on which is the best concept, and then they would come up with funding options.

PUBLIC COMMENT:

Mr. Bill Jameson voiced concern with the proposed sports complex and reminded Council of the results of the Community Survey.

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Mr. Richard Levy feels that the sports complex cost comparisons provided in the presentation were not similar to the Steamboat Springs community. He stated that where the money comes from will be the question.

3. Green Team Update.

Mr. Malia, Geographic Information Specialist, thanked Council for their support of The Green Team and noted an article in High Country News regarding environmental policies. He stated that The Green Team is pursuing the recommendations that Council approved in December. They held a documentary film at Colorado Mountain College on climate change, hosted the Sustainable Steamboat Expo on February 24, 2006 in Centennial Hall, and have attended green building seminars. He stated they are still working on renewable energy credits at the Stagecoach Reservoir, however Excel Energy is not responding at this time.

He further noted that the School District has been looking at testing bio-diesel, and the City has been working on an alternative transportation program, and that all the feedback they have received from the community has been positive.

a. City Council Retreat Follow-Up: Environmental Policy.

City Council President Brenner requested clarification on The Green Team's purview. Mr. Malia noted that The Green Team was founded under the premise of looking at the City internally to improve efficiencies, however the public interest for The Green Team to expand community-wide has been high.

Ms. DuBord clarified that the members of The Green Team are volunteer City employees, who still have their normal workload to complete. The Green Team has been getting calls from local groups asking them to bring forward to Council local legislation relative to energy saving systems. Ms. DuBord stated that if Council wants to take the next step and have The Green Team operate community-wide, additional staff and funding would be needed.

Council Member Kaminski suggested letting The Green Team get a little more information and experience before giving them more power.

Council Member Strong noted that at the upcoming Colorado Municipal League (CML) conference, the Colorado Association of Ski Towns (CAST) will give a presentation on the Aspen Canary Initiative.

City Council President Pro-Tem Dellinger supports The Green Team continuing to work on the City as an organization and find out how the Community Alliance wants to fit in the process.

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PUBLIC COMMENT:

Ms. Margaret Berglund, Community Alliance, noted that there are items in the approved Green Team recommendations that refer to the wider community. She stated that the Community Alliance would be happy to fit in wherever it is wanted.

Mr. Richard Levy, Community Alliance, stated that even though The Green Team is new, the members have a great deal of experience. He restated that many of the approved recommendations are communitywide needs.

City Council President Pro-Tem Dellinger feels that policy changes should be directed to Council or the Interim City Manager.

Ms. DuBord stated that the City has already completed six of the sixteen recommendations, but some of the items take more time or need a consultant.

City Council President Brenner would like to give direction to the Interim City Manager to see what the next steps are in the process regarding an environmental policy.

Council Member Anderson endorses the recommendations of the Community Alliance and Yampa Valley Recycles, and noted that many of the items the City already has the capacity to achieve.

City Council President Pro-Tem Dellinger would like The Green Team to handle City issues and have the Community Alliance be the base for the rest of the community.

Council Member Strong feels that The Green Team should be the lead on this and prioritize the recommendations; staff should be proposing ordinances and The Green Team should be the overseeing group.

UNANIMOUS CONSENT: This item to be administered under the Interim City Manager to research how to move forward and with what process.

CONTINUED PUBLIC COMMENT:

Mr. Dave Epstein, Home Recourse, noted that The Green Team has been the link to the community, and the community liaison to Council.

- 4. City Council Retreat Agenda Items for April 20, 2006. (8:30-9pm)**

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DIRECTION: Ms. Jordan, and Council Members Anderson, Brenner, Dellinger to meet with Chad James to discuss retreat details. Ms. Jordan to research an off-site location for the Council retreat.

CITY SERVICES UPDATE

5. INTERIM CITY MANAGER'S REPORT

a. Disposition of Haymaker Clubhouse modular buildings.

Ms. DuBord clarified that this motion is needed to re-approve this sale because a parent questioned why the School District did not pursue purchasing the buildings. Subsequently, the Director of Facilities and the Superintendent researched the buildings and did not recommend purchasing them.

MOTION: Council Member Antonucci moved and City Council President Pro-Tem Dellinger seconded to approve the sale of two Haymaker modular buildings to the auction winner, a Bozeman, Montana modular building company, for their bid of \$20,200. The motion carried 7/0.

Ms. DuBord further reported on the following:

1. Response to complaints regarding the lack of striping on Highway 40.
2. Attended the regional Yampa Valley Partners meeting.

6. CITY ATTORNEY'S REPORT

Mr. Lettunich reported his work on the following:

1. Requested direction on whether or not to proceed with an ordinance changing the zoning in the Fairview area to Open Space and Recreation (RO). He stated that if the Council takes no action the zoning will remain the same, or Council can change the zoning on the back lots to OR as opposed to the current zoning, Residential Old Town (RO). Council Member Antonucci questioned the implications to current property owners. Mr. Lettunich explained that the back lots are deed restricted and can be built upon as stand alone units and the deed restricted lots can only be sold in conjunction with the front lots. The objecting neighbors are requesting a rezone to OR. The owners would still be bound by the deed restriction, but would be restricted on what they could build. **MOTION:** City Council President Pro-Tem Dellinger moved and Council Member Anderson seconded to take no action on a rezoning ordinance. The motion carried 7/0.

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Discussion during the motion: Council Member Anderson feels that the City must rely on what's in writing and not interpret what has been said and what promises were made, despite the fact that doing to the thing, honoring the intent of the former City Council, appears to be at odds with what is in writing. Council Member Antonucci stated that the problem is that the first zoning change allowed the density to double. City Council President Pro-Tem Dellinger feels that the City paid for the mediator and made an effort to resolve the issue. She feels the City needs density and affordability, and needs to move on. City Council President Brenner spoke to the unintended consequences of the Community Development Code, but is not comfortable making another change without the support of both sides in the Fairview neighborhood.

2. Spoke to the State Statues offering control of roads outside of the jurisdiction for as long as three months. He stated that he can bring an ordinance back that would give the City the authority to control roads within three miles of the City's boundaries. Council Member Antonucci would like to keep the County Commissioners in the loop in this issue.
UNANIMOUS CONSENT: Mr. Lettunich to draft a letter to the Commissioners.
3. Noted that the Library Board would like to move forward with a contract regarding the exchange of property.
4. Noted that staff will bring forward a resolution to finalize adjusting the Urban Renewal Authority boundary map.

7. COUNCIL MEMBERS' REPORTS

Council Member Ivancie:

1. Thanked Council for allowing him to attend the Preserve America Awards Ceremony in Washington D.C.
2. Attended a First Impressions Board meeting and noted that they are considering conducting a needs and attitudes survey in the community to find out what the voters might approve. The survey will cost \$15,000 and First Impressions is asking for \$2,000 each from the City and County.
MOTION: Council Member Strong moved and City Council President Brenner seconded to approve the City funding \$2,000 to First Impressions. The motion carried 7/0.

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City Council President Pro-Tem Dellinger:

1. Spoke to her and Council Member Ivancie's trip to Washington D.C. to accept a Preserve America Award, noting that they had a tour of the Capital, visited Representatives Salazar and White's office, and had a great time.

Council Member Strong:

1. Attended the Yampa Valley Partners forum.
2. Will be meeting with Representative Salazar regarding the Emerald Mountain Partnership.
3. Will be meeting with Representative Romanoff regarding Referendum C.
4. Questioned the status of the citywide water audit. Ms. DuBord stated that a citywide audit was done when the water entities separated, however that study could be built upon. She stated that the City can prove that it has adequate fire flow. Council Member Strong noted that Council urged Mt. Werner Water to do this audit and the City was to do the same, he suggested conducting pressure tests. **DIRECTION:** Ms. DuBord to come back with a memo explaining the status of the situation. Staff to draft a letter to Mt. Werner Water. Interim City Manager to research the ramifications of housing in the low fire flow areas of the Mt. Werner Water District.

City Council President Brenner:

1. **DIRECTION:** Interim City Manager to provide an update on the discussion with the School District regarding the High School fields.

Council Member Anderson:

1. Voiced concern with the abundance of cigarette butts outside of businesses, the unintended consequences of the smoking ordinance. He feels that the City may need an ordinance regarding clean sidewalks.
2. Discussed his interest in speaking at an Area Plan Coordinating Committee meeting regarding the Charrette process.
3. Would like to move forward with the Land Acquisition Fund amendment. Council Member Strong supports doing all the amendments separately. **DIRECTION:** Staff to move forward with the Land Acquisition Fund amendment first, then No Net Loss, and then the Matrix.

EXECUTIVE SESSION: For a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and to discuss the purchase, acquisition, lease,

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transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a).

MOTION: Council Member Anderson moved and City Council President Pro-Tem Dellinger seconded to adjourn Regular Meeting 2006-08 at approximately 10:00pm for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a). The motion carried 7/0.

MOTION: Council Member Strong moved and Council Member Antonucci seconded to come out of executive session and reconvene Regular Meeting 2006-08 at approximately 10:23pm. The motion carried 7/0.

City Council President Brenner noted for the record, that if any person who participated in the executive session believes that any substantial discussion of matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, that person should state his/her concerns for the record.

No concerns were indicated.

Council Member Anderson would like to revisit the Big Box Ordinance to better define the expectations of public benefit and to consider the mitigation of adverse affects. He questioned if there should be a moratorium. He would like to see an economic impact analysis requirement for applicants proposing to build big box stores.

Council Member Strong would like staff to bring back stricter, stronger design guidelines for big box stores. Council Member Antonucci does not support a moratorium, feeling this should be an emergency tool. City Council President Brenner questioned the flexibility in the current document.

Mr. Lettunich stated that the public purpose is outlined in the ordinance through 1) excellence in design, 2) improving neighborhood services, 3) economic sustainability, and 4) preservation of affordable housing. There is some flexibility, but it is also somewhat vague.

DIRECTION: Staff to schedule a June 13, 2006 Policy Topic meeting to discuss Planning items. Staff to bring back discussions and prioritize the big box ordinance.

City Council President Brenner would like to revisit size restrictions and consider including the west Steamboat Springs area. Council Member Anderson would

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like an explanation about what constitutes public benefit, community at large and users of the project. City Council President Pro-Tem Dellinger would like to add discussions on the tenant.

ADJOURNMENT

MOTION: Council Member Strong moved and Council Member Anderson seconded to adjourn Regular Meeting 2006-08 at approximately 10:55pm. The motion carried 7/0.

MINUTES PREPARED AND RESPECTFULLY SUBMITTED BY:

Julie Franklin

Julie Franklin, CMC
Deputy City Clerk

REVIEWED AND RESPECTFULLY SUBMITTED BY:

Julie Jordan

Julie Jordan, MMC
City Clerk

APPROVED THIS 4th DAY OF April, 2006.