

Agenda

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC HEARING
 - a. Ordinance 12, Series 2021 – Rezoning Property at 709 2nd Street legally described as Subd: CITY OF OURAY Lot: 3 Block: 9 N 5' OF TH WEST 50' OF LOT 3, WEST 50' OF LOT 4 ALL OF LOT 5 Subd: CITY OF OURAY Lot: 4 Block: 9 Subd: CITY OF OURAY Lot: 5 Block: 9 and Adopting the New Official Zoning Map
5. CEREMONIAL/INFORMATIONAL
 - a. Proclamation 1, Series 2022 - Recognizing Service of Maureen O'Driscoll
6. Approval of Minutes - December 6 and 20, 2021
7. CITIZENS' COMMUNICATION
8. CITY COUNCIL REPORTS/INFORMATION - Tamara Gulde, Peggy Lindsey, John Wood, Josh Smith, and Ethan Funk
9. DEPARTMENT REPORTS
 - a. City Administrator
 - b. Director of Finance and Administration
 - c. Community Development Coordinator
 - d. Visitor Center Coordinator
10. CONSENT AGENDA
 - a. Special Events Permit Application - Ouray Ice Festival, January 21, 2022
11. ACTION ITEMS
 - a. Ordinance 12, Series 2021 – Rezoning Property at 709 2nd Street legally described as Subd: CITY OF OURAY Lot: 3 Block: 9 N 5' OF TH WEST 50' OF LOT 3, WEST 50' OF LOT 4 ALL OF LOT 5 Subd: CITY OF OURAY Lot: 4 Block: 9 Subd: CITY OF OURAY Lot: 5 Block: 9 and Adopting the New Official Zoning Map – Second Reading
 - b. Ordinance 1, Series 2022 - Changing the Meeting Time for Regular Council Meetings to 6pm - First Reading
 - c. Professional Services Agreement with Swiftwater Solutions, LLC for Grant-writing Services for EIAF Grant Application for WTP
 - d. IGA with Town of Ridgway and Ouray County for Shared Victim Advocate(s) Services
 - e. Appointments to the Tourism Advisory Committee (TAC)
 - f. Appointments to the Ouray Beautification Committee (OBC)
 - g. Appointments to the Parks and Recreation Committee (PARC)
 - h. Appointments to the Community Economic Development Committee (CEDC)
 - i. Consideration of Letter of Support for Ouray County's Idarado House Preservation Proposal
12. DISCUSSION ITEMS

- a. Virtual Meeting Participation Parameters
 - b. Schedule Joint Work Session with Planning Commission on Accessory Dwelling Units and Public Hearing Process
 - c. Schedule Work Session with TAC on Tourism Best Practices
 - d. Future Agenda Items
13. ADJOURNMENT

**CITY OF OURAY
ORDINANCE NO. 12 (Series 2021)**

AN ORDINANCE OF THE CITY OF OURAY, COLORADO REZONING THE PROPERTY DESCRIBED AS SUBD: CITY OF OURAY LOT: 3 BLOCK: 9 N 5' OF TH WEST 50' OF LOT 3, WEST 50' OF LOT 4 ALL OF LOT 5 SUBD: CITY OF OURAY LOT: 4 BLOCK: 9 SUBD: CITY OF OURAY LOT: 5 BLOCK: 9 S: 31 T: 44 R: 7 FROM PARTIALLY R-2 HIGH-DENSITY RESIDENTIAL AND PARTIALLY C-1 COMMERCIAL TO C-1 COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP; AND

AN ORDINANCE OF THE CITY OF OURAY ADOPTING THE NEW OFFICIAL ZONING MAP AND REPEALING AND REPLACING SECTION 7-5-C-1 OF THE OURAY MUNICIPAL CODE TO ADOPT BY REFERENCE THE OFFICIAL ZONING MAP

WHEREAS the Ouray City Council held a public hearing, pursuant to Section 7-5-I of the City of Ouray Municipal Code, on the application to rezone the above-described property from R-2 and C-1 to C-1 Commercial.

WHEREAS the City Council determined the current zoning was erroneous.

WHEREAS the City Council determined the change in zoning is consistent with the public health, safety, and welfare.

WHEREAS the Official Zoning Map is amended upon approval of this ordinance.

WHEREAS the zoning district colors of the Official Zoning Map of 2013 of the City of Ouray is inconsistent with nationally adopted Land Based Classification Standards and has been updated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO as follows:

SECTION 1: AMENDMENTS TO OFFICIAL ZONING MAP

The official Zoning Map of the City of Ouray, attached to this Ordinance as Exhibit A, is hereby adopted by reference. All previous versions of the Official Zoning Map are repealed.

SECTION 2. AMENDMENTS TO THE CODE

Section 7-5-C-1 is repealed and replaced as follows:

1. The boundaries of the districts set out in this Section are shown on the 2021 Revised

Zoning Map of the City, as adopted by Ordinance No. 12 (SERIES 2021), as may be amended from time to time and is made part of this Code.

SECTION 3: EFFECTIVE DATE

The provisions of this Ordinance shall become effective January 22, 2022.

SECTION 4: SEVERABILITY

If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND ORDERED PUBLISHED on first reading by 5 to 0 vote of the Ouray City Council this 6TH day of December 2021.

CITY OF OURAY, COLORADO

By 

Ethan Funk, Mayor

ATTEST:


Melissa M. Drake, City Clerk

INTRODUCED, READ, AND ADOPTED on second reading by _____ vote of the Ouray City Council this 18TH day of ~~December 2021~~: JANUARY 2022

CITY OF OURAY, COLORADO

By _____

Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk

CERTIFICATE OF ATTESTATION

I, Melissa M. Drake, Ouray City Clerk, hereby certify that Ordinance No. 12 (Series 2021) was introduced, read, and passed by the Ouray City Council on first reading on DECEMBER 6, 2021. Said Ordinance was published, in summary, in the *Ouray County Plaindealer* on JANUARY 6, 2022, 2021, and thereafter introduced, read, and adopted by the Ouray City Council on _____, 2021, and thereafter published in the *Ouray County Plaindealer*, as required by law.

Melissa M. Drake, City Clerk

Ouray Zoning Map

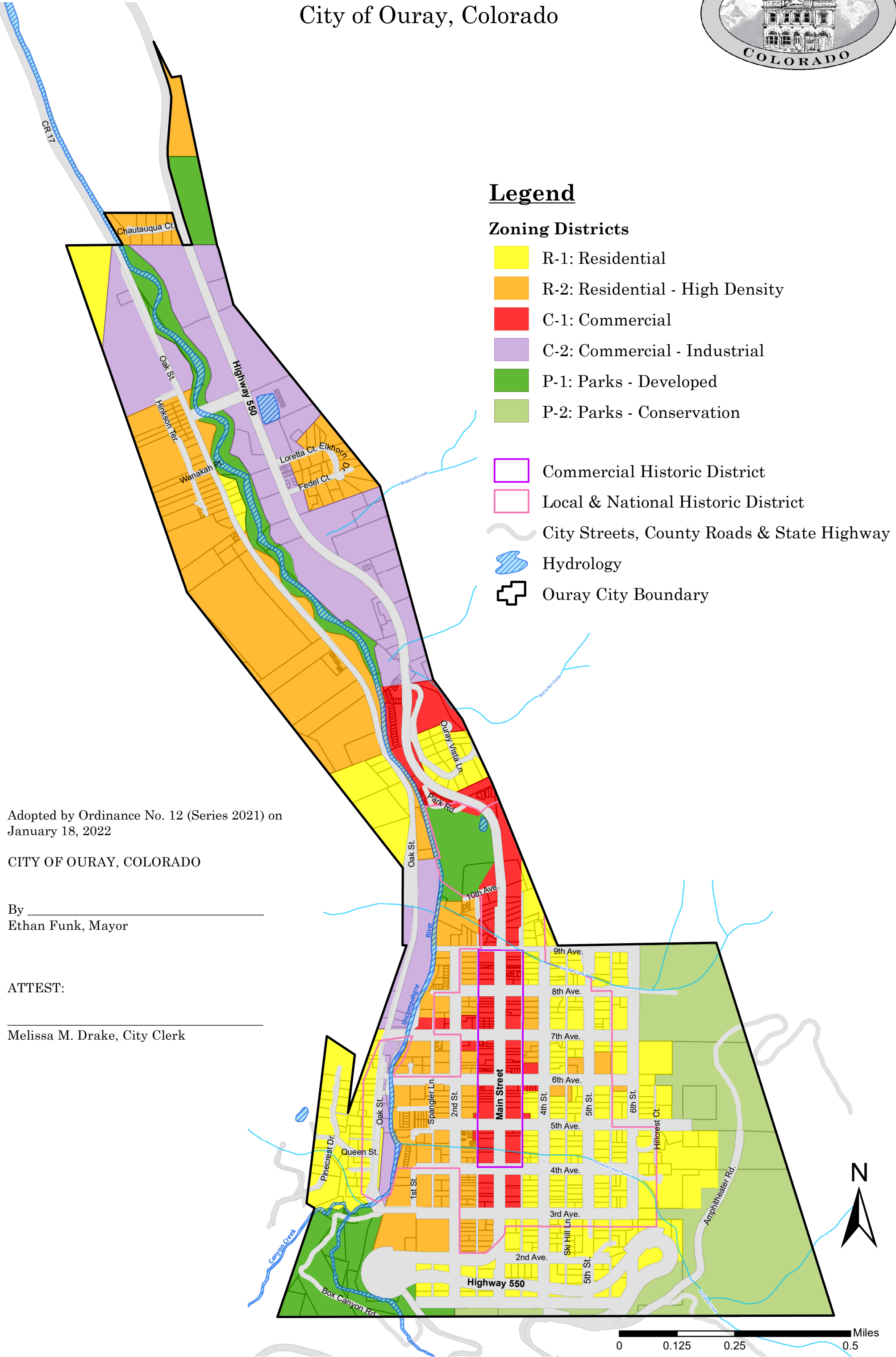
City of Ouray, Colorado



Legend

Zoning Districts

- R-1: Residential
- R-2: Residential - High Density
- C-1: Commercial
- C-2: Commercial - Industrial
- P-1: Parks - Developed
- P-2: Parks - Conservation
- Commercial Historic District
- Local & National Historic District
- City Streets, County Roads & State Highway
- Hydrology
- Ouray City Boundary



Adopted by Ordinance No. 12 (Series 2021) on January 18, 2022

CITY OF OURAY, COLORADO

By _____
Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk





**A PROCLAMATION BY
THE MAYOR OF THE
CITY OF OURAY, COLORADO**

**PROCLAMATION NO. 1, 2022
MAUREEN O'DRISCOLL DAY**

WHEREAS, Maureen O'Driscoll worked at the Ouray Public Library for 14 years and was Director for 8 years; and

WHEREAS, Maureen completed the full renovation of the downstairs area of the library and created a private meeting room and teen room; and

WHEREAS, Maureen upgraded technology, increased computer offerings to the public by 200%, and brought high-speed internet access to the library; and

WHEREAS, Maureen expanded traditional library services to best serve the community; and

WHEREAS, Maureen responded to the COVID-19 Pandemic with alacrity, being the leader of a team that instituted the following services: food services, at-home book delivery, curbside internet extension, to-go activity bags, hot spots for checkout, and an online library card application; and

WHEREAS, Maureen is always fun, kind, and supportive to staff; and

WHEREAS, Maureen created an environment at the library that reflected her personality: happy, supportive, quick-thinking, bright, youthful, modern, and willing to help everyone; and

WHEREAS, Maureen retired from the library on December 30, 2021;

NOW THEREFORE, I, Ethan Funk, Mayor of the City of Ouray, do hereby proclaim

January 21, 2022 as Maureen O'Driscoll Day

in the City of Ouray, and I ask all citizens to join the City Council in recognizing Maureen O'Driscoll and showing appreciation for her dedication to and love for our Library and City.

January 18, 2022

Ethan Funk, Mayor

ATTEST: _____
Melissa M. Drake, City Clerk

**Ouray City Council Regular Meeting
Summarized Minutes
Monday, December 6, 2021 at 6:00pm
MASSARD ROOM – Ouray Community Center**

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 6:00 p.m.

2. ROLL CALL

Mayor Greg Larson - Present
Mayor Pro Tem K. John Wood – Present
Councilor Ethan Funk – Present
Councilor Glenn Boyd – Present
Councilor Peggy Lindsey – Present

Also present were City Administrator Silas Clark, City Resources Director Rick Noll, Police Chief Jeff Wood, Community Development Coordinator Lily Oswald, and Finance and Administration Director Melissa Drake

3. THE PLEDGE OF ALLEGIANCE WAS RECITED

4. APPROVAL OF MINUTES – November 1 and November 17, 2021

Councilor Boyd moved and Mayor Pro Tem Wood seconded the motion to approve the minutes of the November 1st and November 17th minutes as written.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			

The motion passed unanimously on roll call vote.

5. CEREMONIAL/INFORMATIONAL

a. Recognition of Service in the Ouray City Council

- i. Mayor Greg Nelson – Mayor Pro Tem Wood presented a plaque in appreciation for service 2019-2021
- ii. Councilor Glenn Boyd - Mayor Elect Funk presented a plaque in appreciation for service 2013-2021

b. Oaths of Office

- i. Ethan Funk – Mayor
- ii. Tamara Gulde – Councilor
- iii. Josh Smith - Councilor

Ouray Municipal Judge Zach Martin issued oaths of office to New Mayor Ethan Funk, New Councilor Tamara Gulde and New Councilor Josh Smith.

6. Mayor Funk Presentation on Ouray City Council Meeting Procedures

Mayor Funk presented new Ouray City Council Meeting Procedures emphasizing the importance of debate and conversation in City Council, but not allowing criticism of individuals.

7. ACTION ITEM - Nomination and Election of Mayor Pro Tem

Mayor Pro Tem Wood moved and Councilor Lindsay seconded the motion to nominate Councilor Gulde as Mayor Pro Tem. The motion failed on a 3-2 roll call vote.

Council Member	For	Against	Abstain	Absent
Mayor Funk		X		
Councilor Gulde		X		
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith		X		

The motion failed on a 3-2 roll call vote.

Councilor Gulde moved and Councilor Smith seconded the motion to nominate Councilor Smith as Mayor Pro Tem.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Councilor Smith	X			

The motion passed unanimously on roll call vote.

8. PUBLIC HEARINGS

a. Ordinance 8, Series 2021 – Formalizing the Tourism Advisory Committee

Mayor Funk opened the hearing to public comment. Hearing none, he closed the hearing to public comment.

b. Ordinance 11, Series 2021 – Revising City Code Regarding Hours for Off-leash Dogs in Fellin Park

Council reviewed letter of correspondence in opposition to Ordinance 11. Mayor Funk opened the hearing to public comment. Hearing none, he closed the hearing to public comment.

9. CITIZENS' COMMUNICATION

None.

10. CITY COUNTY REPORTS/INFORMATION

- a. Mayor Ethan Funk** – Attended Ouray Recreation and Alliance meeting. The County has received a \$60,000 grant by governor order to create regional and local collaboration for managing of recreational lands. The meeting was primarily organizational.
- b. Councilor Tamara Gulde** – New council member. Nothing to report.
- c. Councilor K. John Wood** – Nothing to report
- d. Mayor Pro Tem Josh Smith** - New council member. Nothing to report.
- e. Councilor Peggy Lindsey** – Noted the hard work and festivities of Yule Night and thanked all who participated, particularly noting Sara Gray and Michelle Poirer's contributions.

11. DEPARTMENT REPORTS

a. City Administrator – Silas Clark

Backflow prevention program letters will be going out this week for multi-use and multi-family industrial and commercial properties with a 16 day window for response regarding inspection and survey. We are now in compliance with regard to backflow prevention properties previously identified and installed. Researching to identify multiple suppliers.

Cost estimates for construction of the Wastewater Treatment Plant Construction have come back at \$20.5MM up from the original estimate of \$12MM. Moltz Construction is the CMAR (Construction Manager at Risk) for this project and has reviewed previous estimate in detail and determined current design estimate to be \$20.5MM. JVA is the engineer for the project and has gone back to the drawing board to redesign the facility. There will be a workshop in the next few weeks with JVA and Moltz for additional information. Staff will return to Council with recommendation within 4 weeks. Funding opportunities will be explored and recommendations will be made. Grant applications will be ready for submission January 15th. Construction will begin prior to grant approval.

The geothermal project to stabilize the Box Canyon line after rockfall damage is going very well. The next phase of the project will address location of line. Heat exchange system will be discussed. Finished project will result in restored flow to pool.

Nothing new to report on Telluride Foundation affordable housing project discussion north of the Biota Building.

Thanks to all who contributed to the success of Yule Night.

b. Police Chief – Jeff Wood

Reported 240 service calls in November. Suggested that the tree lighting on Yule night take place during road closure. Reminder that the Stuff a Cruiser program is continuing throughout the month. Asking for merchants to participate in Shop with a Cop program on December 18.

c. Fire Chief – Adam Kunz.

Not present. Report In the packet.

d. Public Works Director – Joe Coleman

There are failing pipes inside the wet wells at the wastewater treatment plant. Bypassing these wells and pumping raw sewage. Working on solutions and repair with plans to rebuild the wet wells.

e. City Resources Director – Rick Noll

Nothing to add to what is in packet.

12. CONSENT AGENDA

- a. Special Events Permit Application – Live in Ouray, December 10th
- b. Special Events Permit Application – BPOE Lodge #492, December 31st
- c. Liquor License Renewal Application – Gold Belt Bar & Grill
- d. Liquor License Renewal Application – Thai Chili

Councilor Wood moved and Councilor Gulde seconded the motion to approve the Consent Agenda.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on a roll call vote.

13. ACTION ITEMS

a. Ordinance 8, Series 2021 – Formalizing the Tourism Advisory Committee – Second Reading

Councilor Wood moved and Councilor Gulde seconded the motion to approve Ordinance 8, Series 2021, formalizing the Tourism Advisory Committee as a standing recommending body.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on a roll call vote.

b. Ordinance 11, Series 2021 – Revising City Code Regarding Hours for Off-Leash Dogs in Fellin Park Second Reading

Councilor Gulde moved and councilor Smith seconded the motion to approve Ordinance 11, Series 2021, amending Section 10-5-E-2-c of the Ouray Municipal Code to add a provision allowing dogs off leash in Fellin Park during the hours of noon to 3:00 pm from November 1 until May 1, providing the park is not use by any other group.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on roll call vote.

c. Ordinance 12, Series 2021 – Rezoning Property at 709 2nd Street legally described as Subd: CITY OF OURAY Lot: 3 Block: 9 N 5’ OF THE WEST 50’ OF LOT 4 ALL OF LOT 5 Subd: CITY OF OURAY Lot: 4 Block: 9 Subd: CITY OF OURAY Lot: 5 Block: 9 S:31 T:44 R: 7 From Partially R-2 High Density Residential and Partially C-1 Commercial to C-1 Commercial and Adopting the New Official Zoning Map– First Reading

Councilor Lindsey moved and Councilor Wood seconded the motion to approve the first reading of Ordinance 12, Series 2021.

Community Development Coordinator Lily Oswald noted three text changes needed to the Ordinance.

- 1) Second Part of Ordinance Title – Cross out one “Zoning Map”
- 2) Section 1 – add s to version(s)
- 3) Section 2, part 1 – period at end

Councilor Lindsey amended her motion to include these changes and Councilor Wood amended his second to the motion.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on roll call vote.

d. Emergency Ordinance 13, Series 2021 – Imposing a 15% Excise Tax on Short-term Rentals as approved by the City of Ouray Voters in the November 2, 2021 Election.

Councilor Lindsey moved and Mayor Pro Tem Smith seconded the motion to approve Emergency Ordinance 13, Series 2021.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood		X		
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed 4-1 with Councilor Wood dissenting.

e. Emergency Ordinance 14, 2021 – Extending the Timeline of Ordinance 4, 2021 Allowing the Use of Recreational Vehicles on Private Property for Workforce Housing

Councilor Gulde moved and Councilor Wood seconded the motion to approve Emergency Ordinance 14, 2021 – Extending the timeline of Ordinance 4, 2021 Allowing the Use of Recreational Vehicles on Private Property for Workforce Housing.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed on unanimous roll call vote.

f. Request for Funding from the Friends of the Ouray Via Ferrata

Ouray Via Ferrata funding was not clearly known at time of budget workshops. Nate Disser, representing Friends of the Ouray Via Ferrata, described that this request would help utilize matching funds offered by Telluride Foundation to further develop the Rangering Program. OVF Board has raised \$350,000 from donors.

Councilor Wood moved and Councilor Lindsey seconded the motion to approve funding of \$25,000 to the Friends of the Ouray Via Ferrata.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed on unanimous vote.

g. Consideration of Low-income Householder Water Assistance Program (LIHWAP) Water Vendor Agreement

Councilor Wood moved and Councilor Lindsey seconded the motion to approve the Consideration of Low-Income Householder Water Assistance Program (LIHWAP) Water Vendor Agreement.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on roll call vote.

h. Resolution 18 – Adopting 2022 Budget

Councilor Wood moved and Councilor Lindsey seconded the motion to adopt the 2022 Budget with known modifications from last reading and also adding a \$25,000 donation to Friends of the Via Ferrata and adjusting Visitor Center budget to \$210,000.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on roll call vote.

i. Resolution 19 – Adopting 2022 Appropriations

Councilor Lindsey moved and Mayor Pro Tem Smith seconded the motion to adopt the 2022 Expenditures with the correction to the Tourism Fund to \$662,240.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on roll call vote.

j. Resolution 20 – Setting 2022 Mill Levy

Councilor Wood moved and Mayor Pro Tem Smith seconded the motion to approve the setting of the 2022 Mill Levy.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed unanimously on roll call vote.

k. Consideration of SMPA Easement Request

Mayor Funk recused himself from this item because SMPA is an advertiser on his radio station.

Councilor Wood moved and Councilor Gulde seconded the motion to approve the SMPA Easement Request.

Council Member	For	Against	Abstain	Absent
Mayor Funk			X	
Councilor Gulde	X			
Councilor Wood	X			
Councilor Lindsey	X			
Mayor Pro Tem Smith	X			

The motion passed 4-0 with Mayor Funk abstaining.

12. DISCUSSION ITEMS

a. Council Assignments to Boards and Committees

- Region 10 – Mayor Funk
- Uncompahgre Water Users – Mayor Funk
- CIRSA & CML – All Council
- Ridgway Space to Create – Mayor Funk
- Colorado Mountain Housing Coalition – Mayor Funk
- Gunnison Valley Transportation Regional Planning – Mayor Pro Tem Smith
- Gunnison Transit – Mayor Pro Tem Smith
- CAST – All Council
- Ouray Ice Park OIPI – Councilor Wood
- Mt. Sneffels Energy Board – Councilor Lindsey
- Communities that Care – Voyager – Councilor Wood
- Multi Hazard Mitigation Plan – Mayor Funk
- Community Economic Development Committee CEDC – Councilor Gulde
- Multi Agency Coordinating Group – Mayor Funk
- Local Emergency Planning Committee – Mayor Funk
- Employee Appreciation Committee – Councilor Wood
- Parks and Recreation Committee PARC – Mayor Pro Tem Smith
- Beautification Committee – Councilor Lindsey
- Ouray Recreation & Conservation Alliance ORCA - Mayor Funk, Councilor Gulde
- Tri County Dinner – Councilor Gulde

b. Council Work Session and Training Retreat Date – Community Plan/Strategic Plan

TBD

c. Tourism (LOT) Workshop Date (OEDIT Facilitator) – January 11 & 13

d. Future Agenda Items

- Community Plan – Parks & Rec Department
- RFP has gone out for wayfinding project

13. ADJOURNMENT

At 8:22pm, Councilor Lindsey moved and Councilor Gulde seconded the motion to adjourn. The motion passed on unanimous vote.

ATTEST:

Ethan Funk, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Beverly L. Martensen, do hereby certify that I am the Deputy City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on December 6, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 6th day of January 2021.

Beverly L. Martensen, Deputy City Clerk

**OURAY CITY COUNCIL MEETING
SUMMARIZED MINUTES
MONDAY, DECEMBER 20, 2021, 1 PM
320 6th Ave – Massard Room**

Zoom Meeting for Non-participants:
<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878 Or dial: 408 638 0968 or 669 900 6833

- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Action may be taken on any agenda item
- Notice is hereby given that a majority or quorum of the Planning Commission, Community Development Committee, Beautification Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER

Mayor Funk called the meeting to order at 1:00 pm.

2. ROLL CALL

Mayor Ethan Funk - present
Mayor Pro Tem Josh Smith - present
Councilor Peggy Lindsey - present
Councilor Tamara Gulde - present
Councilor John Wood - excused

Also present were City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, Community Development Coordinator Lily Oswald, Public Works Director Joe Coleman, Police Chief Jeff Wood and City Resources Director Rick Noll.

3. The PLEDGE OF ALLEGIANCE was recited

4. CEREMONIAL/INFORMATIONAL - none

5. CITIZENS' COMMUNICATION

Mayor Funk opened the floor for public comment.

Since there were no comments, Mayor Funk closed the floor.

6. CITY COUNCIL REPORTS/INFORMATION

- a. **Tamara Gulde** – was out of town for CEDC meeting and asked Mr. Clarke to attend. Mr. Clarke reported that CEDC and OIPI shared results from the round table meeting at the latest meeting, and with a full page published in the newspaper.
- b. **Peggy Lindsey** – nothing to report
- c. **John Wood** – absent

- d. **Josh Smith** – PARC meeting was cancelled, nothing to report.
- e. **Ethan Funk** – Mt. Sneffels Energy Board wants to do an energy use survey, Mayor Funk will share with Tom Fedel, CEDC chair to share with community.

7. DEPARTMENT REPORTS

a. City Administrator – Silas Clarke

Geothermal line stabilization project moving along, short supply chain delay should be over soon. Backfilling going well. Starting to look at geothermal vault project on Mr. Nixon’s property that was originally scheduled to happen in 2021, but the stabilization project took priority. Currently having troubles with OX2, the well in the park feeding the Hot Springs with hot water. Rotary Park Trees are all down, just working on pruning work, then moving to Fellin Park and Box Canon Falls Park to work there as well. Mr. Clarke, Public Works Director Mr. Coleman and Mayor Funk met last week to tweak Wastewater Treatment Plans to control costs. Water Treatment Plant is still looking good. On track to submit both plans to Special Joint Planning Commission in January. Looking at extending Box Canon platform to extend closer to the waterfall. Mayor Funk asked about the bathrooms for Rotary Park and Cascade Falls. Mr. Clarke said there has been no update, and this project will now be installed in the spring.

b. Finance and Administration Director – Melissa Drake

All funds are in the positive. Year to date, sales tax is up 38% from 2020. For LOT, occupancy rate was down 25%, and revenue is down 10%. IT Quarterly update provided in packet. ActiveNet go-live date is tomorrow, replacing current Pool POS software and also being introduced at the Visitor Center and Box Canon Falls.

c. Community Development Coordinator – Lily Oswald

Update in packet.

d. Visitor Center Coordinator – Paula Damke

Update in packet.

8. CONSENT AGENDA - None

9. ACTION ITEMS

a. 2022 Council Meeting Calendar

Councilor Gulde made a motion to approve the calendar. Mayor Pro Tem Smith seconded the motion.

Councilor Gulde said she has received feedback requesting all meetings be held at 6:00 pm instead of 1:00 pm. Mr. Clarke also requested moving council meetings to Tuesday to help alleviate staff weekend work before council meetings. Council will discuss drafting an ordinance to change the meeting schedule, but will approve the current schedule as it is.

Council Member	For	Against	Abstain	Absent
Mayor Pro Tem Smith	X			
Councilor Gulde	X			
Councilor Lindsey	X			
Councilor Wood				X

Mayor Funk	X			
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The motion passed on unanimous roll call vote.

b. CNL Lease Agreement with Region 10

Michelle Haines, Director of Region 10, spoke about the importance of the CNL for providing high quality internet to the community, and where the lease fits into the relationship between the City, internet service providers, and Region 10.

Mayor Pro Tem Smith made a motion to approve the lease agreement. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Gulde	X			
Councilor Lindsey	X			
Councilor Wood				X
Mayor Funk	X			
Mayor Pro Tem Smith	X			

The motion passed on unanimous roll call vote.

c. Mayor and City Council Committee Assignments

Councilor Gulde made a motion to table the discussion until all members are in attendance. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Lindsey	X			
Councilor Wood				X
Mayor Funk	X			
Mayor Pro Tem Smith	X			
Councilor Gulde	X			

The motion passed on unanimous roll call vote.

d. Water Lease Agreement with Ouray Silver Mines, Inc. for the Ouray Ice Park

Mayor Pro Tem Smith asked what would happen to the agreement if Ouray Silver Mines Inc. were to close that mine. Mayor Pro Tem Smith made a motion to approve the agreement as presented. Councilor Gulde seconded the motion.

Council discussed options in case the mine closed. Since there is a backup supply, Council decided not to pursue language changes in case of mine closures.

Council Member	For	Against	Abstain	Absent
Councilor Wood				X
Mayor Funk	X			
Mayor Pro Tem Smith	X			
Councilor Gulde	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

e. Agreement with Short Elliott Hendrickson, Inc. for Updates to the Land Use and Development and Sign Codes

Councilor Lindsey made a motion to approve the agreement. Councilor Gulde seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Funk	X			
Mayor Pro Tem Smith	X			
Councilor Gulde	X			
Councilor Lindsey	X			
Councilor Wood				X

The motion passed on unanimous roll call vote.

f. Resolution 21, Series 2021 – Budget Amendment

Councilor Gulde made a motion to approve the resolution. Mayor Pro Tem Smith seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Pro Tem Smith	X			
Councilor Gulde	X			
Councilor Lindsey	X			
Councilor Wood				X
Mayor Funk	X			

The motion passed on unanimous roll call vote.

10. DISCUSSION ITEMS

a. City Council Work Session – Tuesday January 11th from 9:15 am to 4:00 pm (City Attorney Presentation, Strategic Plan Creation from Community Plan)

Will also function as the Council retreat for training new council members.

b. Community Workshop – Thursday January 13 from 10:00 am to 3:00 pm (Future Lodging Occupation Tax, Tourism Funds Discussion)

A third party organization will facilitate the event. Event will take place at Citizens State Bank’s meeting space, as well as the work session above.

c. Future Agenda Items

Council discussed priority for new meeting schedule ordinance. Council would like to have the ordinance appear on the agenda on the first meeting in January.

Mr. Clarke made an appeal for applications for City committees, including re-appointments for current committee members who want to stay on.

11. ADJOURNMENT

Councilor Lindsey made a motion to adjourn at 2:10 pm, Mayor Pro Tem Smith seconded the motion. The motion passed on unanimous vote.

ATTEST:

Ethan Funk, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on December 20, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 14th day of January, 2022.

Melissa M. Drake, City Clerk

ENGINEER'S PROGRESS REPORT

Date: January 11, 2022
To: City of Ouray
From: Element Engineering
Job No. 0041.0001
RE: Monthly Engineers Report **New Items Bold**

PROJECT DESIGN

Element Engineering, LLC (Element) has been retained to provide design, permitting, funding, and overall project coordination for the city's proposed surface water treatment plant (WTP). A new treatment facility is necessary as the city's water supply has recently been classified as Groundwater Under the Direct Influence of Surface Water (GWUDI). A March 2, 2021 letter from the Colorado Department of Health and Environment (CDPHE) requires that "the supplier (City of Ouray) must install adequate surface water treatment by October 1, 2022".

Element has prepared a preliminary schedule for design through construction. This schedule is attached to this board report. The schedule will be updated as we proceed through design. The schedule is aggressive but does not meet the CDPHE requirement of installation of equipment by the CDPHE deadline of October 1, 2022. All parties (CDPHE, Ouray, and Element) agree that the deadline cannot be realistically met, but that the project must move forward as efficiently as possible.

Since being retained, Element has met onsite with City of Ouray staff and toured the city's water facilities. Element has also begun coordination with Filter Tech Systems to begin preliminary design and determination of required floorplan. Element has obtained and analyzed water use and production data from the city. We have also been provided with access to the city's GIS mapping system and are analyzing preliminary hydraulic profiles.

Element and city staff have initially selected two locations for the proposed WTP: 1) at the location of the current raw water storage tanks, and 2) below the raw water storage tanks near the Ice Park Loop Trail. Element is currently working on a request for proposal (RFP) to obtain quotes for a topographical design survey from a local surveying company. Both locations will be surveyed along with the existing interconnecting roadway. It is expected that this RFP will be released during the week of June 20, 2021 with onsite survey work proceeding shortly thereafter.

Element is currently working to determine a preliminary floorplan and process and instrumentation diagram (PID) to determine the footprint of the proposed treatment building.

Element held two design meetings with the equipment manufacturer, Filter Tech Systems, to review and make changes to the equipment footprint, hydraulic profile, and process and instrumentation design. Work on the preliminary floorplan is ongoing.

Element and Ouray staff are holding bi-weekly meetings to discuss action items and updates on the project. The first meeting was held on August 4th.

A meeting with JVA was held on July 23rd to discuss effluent copper limits at the wastewater treatment plant and how a corrosion control system can be implemented at the WTP. An Optimum Corrosion Control Treatment (OCCT) recommendation and design will be implemented into the design and permitting documents. The OCCT chemical feed will likely contribute influent phosphorus to the WWTP that will need to be considered in this design. It was discussed that ongoing coordination between Element and JVA will be necessary during WTP design. Element is holding a team design review meeting with the filter manufacturer on August 10th to review operational control concepts and the floorplan development.

Element has received the full topographical survey from our surveying firm. We continue to work on finalization of piping and tank size (internal to WTP), revisions to the influent strainer skid, and design modifications for improved use of space. Also, work is ongoing on the Process and Instrumentation Diagram (PID), drawings, details, and notes.

Onsite geotechnical drilling is anticipated to occur in early November and has been coordinated between the geotechnical engineer and city staff. Element is currently finalizing the 30% CMAR review plans for the first review meeting between Element, Moltz, and city staff. We plan to schedule the meeting to be held with all parties near the end of October. 30% design plans include the interior piping floor plan (including plan and profiles), equipment layout (plan and profile), preliminary exterior site and grading plan, process flow diagram, and hydraulic profile. Also, 30% process and civil specifications will be provided for review and comment.

The 30% design documents were submitted to Moltz and city staff for review on October 13th. We are working to coordinate a project cost and review meeting with all parties upon completion of review of documents.

A 30% GMP was submitted to the city and Element and a 30% GMP review meeting was held on December 8, 2021. Element held an internal design team kickoff meeting on December 12, 2021 to begin working on the 60% plans. It is our internal goal to finalize 60% plans for submittal to the city and Moltz by February 28, 2022.

Element is finalizing the Process Design Report (PDR) which is the technical design and permitting document that must be reviewed by CDPHE. It is our goal to submit this document by January 15, 2022.

CMAR BIDDING AND COORDINATION

Due to demands of the project schedule Element recommended that the city proceed with the Construction Manager at Risk (CMAR) delivery method. As there are several important decisions to be made early in the design phase, Element recommended bidding to CMAR firms at 0% design. This will allow us to assemble our project team very early in the design of the project and obtain important constructability input.

Element has provided the city with a public advertisement and has posted the CMAR bid documents for distribution. The following bid schedule was included in these documents:

RFP Release Date

June 9, 2021 at 2:00 PM

Non-Mandatory Pre-Bid Meeting	June 22, 2021 at 9:00 AM
Last Day to Request Interpretations of the Documents	June 25, 2021 at 4:00 PM
Proposals Due (via email to nmarcotte@elementengineering.net)	July 2, 2021 at 4:00 PM
Anticipated Design Phase CMAR Award (approximate)	July 14, 2021

After submittal and review of CMAR proposals with city staff, Element will provide the city with a recommendation for award to a CMAR firm.

On July 2 Element received two proposals from CMAR firms. Proposals were received from Integrated Water Services, Inc. (IWS) and Moltz Construction Inc. (Moltz). Element completed a detailed review of both proposals and has compiled a letter recommending Moltz Construction be awarded the CMAR contract.

A CMAR contract has been compiled for signature by Moltz Construction and the City of Ouray.

See Project Design Notes.

CDPHE REGULATORY COORDINATION

Element has contacted CDPHE to schedule a meeting to discuss the proposed project schedule. A meeting between CDPHE, city staff, and Element is anticipated to occur during the weeks of June 21st or 28th depending on CDPHE staff availability. The purpose of the meeting will be to update CDPHE on the proposed project schedule and inform CDPHE-Compliance and CDPHE-Engineering that the city is diligently moving forward with the project.

On July 6th Element and city staff held a call with Tyson Ingles (lead drinking water engineer, CDPHE Engineering Section). The purpose of the call was to discuss the project schedule and regulatory impacts of the EPA mandated 18-month design and implementation requirement. All parties acknowledged that the 18-month deadline was not realistically achievable but that it is mandated by the EPA. It was discussed that keeping in close contact with CDPHE during the design process would be important.

A coordination call was held with CDPHE to discuss the necessary discharge permit for discharge of backwash water and neutralized CIP with CDPHE. During design Element will assist in applying for a 641 Series Discharge Permit to discharge the small amount of backwash water that will be produced by the facility.

Nothing new to report.

PROJECT FUNDING

Element will assist the city in funding the project through both CDPHE Grants and Loans Unit (GLU) and the Colorado Department of Local Affairs (DOLA). To obtain a low interest loan to fund the project the city must: 1) Be on the CDPHE Eligibility List, 2) Submit a pre-qualification form, and 3) compile and submit a Project Needs Assessment (PNA). Element will complete all submittals for each of the three steps. Element has coordinated with city staff to ensure that the city has completed Step 1: Submittal of the Eligibility Survey, which will ensure the project is on the Eligibility List.

Element is currently compiling the pre-qualification form and Project Needs Assessment (PNA). These documents are required to be submitted, reviewed, and approved by CDPHE prior to loan application. The loan application deadline for a leveraged loan (any loan above \$2,000,000) that fits within the project schedule is January 15th, 2022.

By submitting the pre-qualification and PNA by October 31, 2021, time will be allowed for review and approval of the PNA prior to the January 15, 2022 loan application deadline.

The pre-qualification and PNA are substantially complete. A list of financial questions has been sent to the city. Upon receiving that information, we will submit both documents to the city for final review followed by submittal to CDPHE.

The PNA and pre-qualification forms have been completed and submitted to CDPHE. Element has worked with city staff to compile and submit a loan application prior to the January 15, 2022, deadline. A pre-application meeting with CDPHE is scheduled for January 14, 2022.

Ouray Lodging Occ. Tax Collection Summary

ROOMS	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	21 VS 20
Month											
January	4452	4343	4349	5712	5826	5113	5782	6196	6245	5936	-4.95%
February	3446	3673	3874	4816	5226	4509	5085	5593	4641	7189	54.90%
March	2975	2746	2949	3394	3638	3499	4763	4152	1952	6993	258.25%
April	1912	1661	1836	2236	2660	2411	3080	2857	32	4941	15340.63%
May	4914	4248	4149	5047	5850	5939	7396	7894	3111	11093	256.57%
June	10282	10971	10718	12015	13521	14494	14578	15026	12736	17520	37.56%
July	16781	16285	17248	19171	19960	20248	19802	19482	20444	20509	0.32%
August	14672	13688	15198	16477	16949	17344	17613	18629	16919	20798	22.93%
September	12361	12004	13377	15478	16149	16526	17743	18498	17564	13517	-23.04%
October	4876	5825	6450	7937	7691	7762	7462	9407	12877	10097	-21.59%
November	1709	2084	1936	2141	2113	2674	2856	3237	3864	2593	-32.89%
December	2805	3589	3696	3656	3382	4226	5038	4268	5153		
Total Rooms	81185	81117	85780	98080	102965	104745	111198	115239	105538	121186	

DOLLARS											
January	\$11,755	\$11,729	\$11,848	\$15,867	\$15,819	\$13,795	\$16,294	\$22,444	\$25,204	\$27,107	7.55%
February	\$8,855	\$9,749	\$10,430	\$12,468	\$13,908	\$12,648	\$14,021	\$19,580	\$18,464	\$28,191	52.68%
March	\$7,792	\$7,260	\$7,945	\$9,240	\$9,505	\$9,529	\$12,884	\$14,526	\$6,834	\$27,858	307.64%
April	\$4,974	\$4,475	\$4,975	\$5,701	\$6,633	\$6,294	\$8,090	\$8,312	\$107	\$18,324	17104.05%
May	\$13,131	\$11,738	\$11,357	\$13,876	\$15,372	\$15,734	\$19,031	\$22,068	\$7,922	\$41,033	417.94%
June	\$26,440	\$28,572	\$28,419	\$31,431	\$34,498	\$36,654	\$36,236	\$62,392	\$51,634	\$100,852	95.32%
July	\$43,054	\$42,369	\$44,740	\$47,884	\$49,767	\$50,344	\$49,371	\$110,244	\$114,230	\$138,864	21.57%
August	\$34,737	\$35,708	\$40,035	\$41,643	\$41,801	\$42,090	\$43,236	\$90,952	\$92,809	\$127,157	37.01%
September	\$33,413	\$32,326	\$35,960	\$40,336	\$41,704	\$41,965	\$44,480	\$79,505	\$93,050	\$98,575	5.94%
October	\$13,309	\$15,848	\$17,556	\$21,385	\$20,717	\$20,355	\$19,711	\$37,511	\$60,690	\$54,281	-10.56%
November	\$4,261	\$5,348	\$5,092	\$5,136	\$5,802	\$7,079	\$7,000	\$10,367	\$15,399	\$13,419	-12.86%
December	\$7,617	\$9,816	\$9,918	\$9,571	\$9,590	\$11,882	\$13,622	\$17,593	\$24,892		
Total Dollars	\$209,338	\$214,938	\$228,275	\$254,538	\$265,116	\$268,369	\$283,976	\$495,494	\$511,234	\$675,661	

Data represents rooms and dollars for month in which lodging activity occurred.
 LOT report and payment are due by 20th of following month.
 "ROOMS" data includes exempt rooms.

OURAY LODGING OCCUPANCY TRENDS

Based on Lodging Occupation Tax Collections

	2019				2020				2021			
	Avail.	Rooms		Exempt	Avail.	Rooms		Exempt	Avail.	Rooms		Exempt
	Rooms	Rented	Occ.%	Rooms	Rooms	Rented	Occ.%	Rooms	Rooms	Rented	Occ.%	Rooms
	+ RVs, Unfurnished Cabins				+ RVs, Unfurnished Cabins				+ RVs, Unfurnished Cabins			
January	19378	6196	32.0%	387	19301	6245	32.4%	61	16357	5936	36.3%	61
February	17556	5593	31.9%	287	15753	4641	29.5%	103	17752	7189	40.5%	209
March	18409	4152	22.6%	388	13973	1952	14.0%	18	18804	6993	37.2%	364
April	18291	2857	15.6%	247	42	32	76.2%	10	16716	4941	29.6%	191
May	22770	7894	34.7%	334	12725	3111	24.4%	29	20240	11093	54.8%	213
June	21708	15026	69.2%	302	21195	12736	60.1%	28	21576	17520	81.2%	88
July	22944	19482	84.9%	452	22744	20444	89.9%	654	22375	20509	91.7%	121
August	24090	18629	77.3%	465	18745	16919	90.3%	10	23292	20798	89.3%	215
September	22482	18498	82.3%	493	20654	17564	85.0%	30	19088	13517	70.8%	209
October	21554	9407	43.6%	307	19127	12877	67.3%	18	15484	10097	65.2%	95
November	17290	3237	18.7%	184	13475	3864	28.7%	40	11256	2593	23.0%	54
December	18825	4268	22.7%	170	16609	5153	31.0%	107				
Total	245297	115239	47.0%	4016	194343	105538	54.3%	1108	202940	121186	59.7%	1820

Data represents rooms for month in which lodging activity occurred.

LOT report and payment are due by 20th of following month.

"Rooms Rented" columns includes exempt rooms.

"Exempt Rooms" columns are for memo purposes only.

2021 Lodging Occupation Tax, By Business Category

AVAILABLE ROOMS	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Hotel, Motel	12,792	12,305	13,127	11,062	13,689	14,940	13,960	13,599	12,935	11,264	8,406		138,079
Bed and Breakfast	649	500	841	403	570	660	868	673	1,420	390	180		7,154
House, Townhouse, Condo (1)	2,885	2,384	2,224	2,761	1,393	1,536	5,532	4,432	2,783	2,790	2,670		31,390
RV Space, Unfurnished Cabin	31	2,563	2,612	2,490	4,588	4,440	2,015	4,588	1,950	1,040	-		26,317
Total Rooms	16,357	17,752	18,804	16,716	20,240	21,576	22,375	23,292	19,088	15,484	11,256	-	202,940

ROOMS RENTED	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Hotel, Motel	4,936	5,690	5,092	3,715	7,126	12,753	13,132	12,405	10,642	7,621	2,128		85,240
Bed and Breakfast	167	94	562	92	150	609	864	647	1,376	236	15		4,812
House, Townhouse, Condo (1)	803	795	705	572	620	1,026	4,498	3,406	1,499	1,200	450		15,574
RV Space, Unfurnished Cabin	30	610	634	562	3,197	3,132	2,015	4,340	-	1,040	-		15,560
Total Rooms	5,936	7,189	6,993	4,941	11,093	17,520	20,509	20,798	13,517	10,097	2,593	-	121,186

DOLLARS	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Hotel, Motel	\$ 19,609.98	\$ 21,761.77	\$ 20,094.21	\$ 14,413.41	\$ 32,428.13	\$ 77,758.76	\$ 98,565.74	\$ 83,107.58	\$ 71,592.56	\$ 39,997.82	\$ 9,518.95		\$ 488,848.91
Bed and Breakfast	\$ 1,008.24	\$ 493.53	\$ 2,311.55	\$ 564.93	\$ 1,684.98	\$ 3,998.57	\$ 5,406.54	\$ 4,360.89	\$ 8,503.44	\$ 1,404.00	\$ 98.67		\$ 29,835.34
House, Townhouse, Condo (1)	\$ 6,428.74	\$ 5,278.71	\$ 4,387.48	\$ 2,923.34	\$ 3,269.59	\$ 10,669.08	\$ 32,204.63	\$ 29,729.45	\$ 15,726.36	\$ 10,724.86	\$ 3,801.83		\$ 125,144.07
RV Space, Unfurnished Cabin	\$ 59.85	\$ 656.86	\$ 1,064.41	\$ 422.35	\$ 3,650.42	\$ 8,425.81	\$ 2,687.53	\$ 9,959.12	\$ 2,752.82	\$ 2,153.97	\$ -	\$ -	\$ 31,833.14
Total Dollars	\$ 27,106.81	\$ 28,190.87	\$ 27,857.65	\$ 18,324.03	\$ 41,033.12	\$ 100,852.22	\$ 138,864.44	\$ 127,157.04	\$ 98,575.18	\$ 54,280.65	\$ 13,419.45	\$ -	\$ 675,661.46

(1) For a property that is marketed as a stand-alone short-term rental, for which there are no hotel/motel amenities offered.
 Data represents rooms for month in which lodging activity occurred.
 LOT report and payment are due by 20th of following month.
 "Rooms Rented" columns includes exempt rooms.

City of Ouray Hot Springs Pool and Fitness Center - Visitor and Revenue Trends

(Source: Point of Sale Software)

VISITORS	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	% change from 2020
January	7,417	7,639	7,496	9,160	9,287	36	9,392	8,553	8,149	4,961	-39.12%
February	6,563	6,380	6,177	7,158	9,095	13	7,342	5,970	7,836	4,824	-38.44%
March	8,322	8,367	7,832	10,045	10,087	58	10,468	9,118	3,638	7,697	111.57%
April	4,756	5,056	4,277	5,691	6,195	16	7,048	5,481	-	7,104	
May	9,546	10,407	10,040	11,798	12,065	2,984	13,346	11,397	-	11,580	
June	16,753	18,494	18,294	20,970	22,404	18,175	24,764	24,525	1,540	25,977	1586.82%
July	26,005	30,652	29,009	32,485	36,116	37,483	35,943	36,986	6,416	30,994	383.07%
August	17,463	18,875	21,625	22,377	22,353	25,486	23,936	23,274	12,622	22,179	75.72%
September	11,496	10,825	10,617	14,334	9,258	16,065	16,397	14,833	11,946	13,612	13.95%
October	5,419	5,741	6,473	7,360	62	9,834	8,771	9,596	10,699	9,368	-12.44%
November	5,460	6,052	6,576	6,878	49	7,077	7,043	6,920	4,644	6,782	46.04%
December	6,512	7,117	7,158	7,646	47	10,753	9,046	8,174	4,439	6,317	42.31%
TOTAL YEAR	125,712	135,605	135,574	155,902	137,018	127,980	173,496	164,827	71,929	151,395	

REVENUE	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	% change from 2020
January	\$ 63,665.75	\$ 69,592.57	\$ 70,853.78	\$ 84,848.13	\$ 85,983.09	\$ 2,189.00	\$ 89,885.46	\$ 95,701.53	\$ 99,306.81	\$ 66,989.85	-32.54%
February	\$ 53,489.36	\$ 53,942.51	\$ 58,070.40	\$ 62,350.28	\$ 78,569.69	\$ 724.00	\$ 70,970.13	\$ 65,918.59	\$ 97,215.12	\$ 61,086.55	-37.16%
March	\$ 68,778.92	\$ 71,253.08	\$ 73,228.30	\$ 92,289.88	\$ 84,745.80	\$ 1,012.00	\$ 102,232.15	\$ 108,526.39	\$ 47,810.30	\$ 106,419.45	122.59%
April	\$ 39,091.23	\$ 40,718.09	\$ 35,578.60	\$ 50,940.75	\$ 52,112.54	\$ 2,234.00	\$ 72,957.12	\$ 62,025.47	\$ -	\$ 98,819.49	
May	\$ 83,176.16	\$ 92,099.46	\$ 90,214.50	\$ 109,383.77	\$ 108,047.29	\$ 123,474.60	\$ 155,881.40	\$ 138,237.34	\$ -	\$ 162,720.12	
June	\$ 168,218.99	\$ 184,665.49	\$ 175,517.27	\$ 186,061.57	\$ 211,853.56	\$ 166,974.02	\$ 317,542.31	\$ 311,093.17	\$ 19,273.04	\$ 352,538.72	1729.18%
July	\$ 248,316.40	\$ 273,929.96	\$ 278,448.14	\$ 300,620.51	\$ 332,026.16	\$ 479,802.39	\$ 455,519.84	\$ 474,330.32	\$ 74,169.01	\$ 428,489.09	477.72%
August	\$ 164,396.17	\$ 169,419.68	\$ 196,542.94	\$ 194,321.61	\$ 198,465.34	\$ 326,151.96	\$ 308,882.04	\$ 295,953.46	\$ 165,977.58	\$ 312,872.14	88.50%
September	\$ 104,059.16	\$ 90,904.86	\$ 93,619.70	\$ 127,909.15	\$ 80,149.87	\$ 184,807.92	\$ 200,777.07	\$ 188,131.33	\$ 158,666.78	\$ 186,412.51	17.49%
October	\$ 47,989.45	\$ 51,079.71	\$ 56,515.76	\$ 63,216.05	\$ 2,737.00	\$ 82,537.92	\$ 99,235.68	\$ 120,843.43	\$ 145,302.53	\$ 131,806.01	-9.29%
November	\$ 41,042.60	\$ 48,744.63	\$ 55,891.66	\$ 54,218.80	\$ 1,796.25	\$ 62,435.74	\$ 84,885.49	\$ 83,976.37	\$ 58,403.16	\$ 88,639.21	51.77%
December	\$ 67,307.68	\$ 75,289.46	\$ 73,048.24	\$ 74,421.59	\$ 1,957.00	\$ 112,212.40	\$ 111,645.98	\$ 105,050.32	\$ 60,304.81	\$ 79,891.78	32.48%
TOTAL YEAR	\$ 1,149,531.87	\$ 1,221,639.50	\$ 1,257,529.29	\$ 1,400,582.09	\$ 1,238,443.59	\$ 1,544,555.95	\$ 2,070,414.67	\$ 2,049,787.72	\$ 926,429.14	\$ 2,076,684.92	

320 6th Avenue
PO Box 468
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

TO: Ouray City Council
FROM: Lily Oswald, Community Development Coordinator
DATE: January 14, 2022
FOR: January 18, 2022
SUBJECT: Community Development Department Report

CURRENT PLANNING

Staff is working on the following projects:

- Ongoing Short-Term Rental coordination (applications, renewals, expiration notifications, Building Inspection updates). Drafting letters to send to STR operators based on new policies/changes to status.
 - In the onboarding process with Deckard/Rentalscape for STR management/monitoring
- Various preapplications for small-and large-scale land use projects, lot splits, rezones, minor subdivisions/condominiumization, replats, new single- and multi-family housing units.
- Research into creative housing solutions, opportunities, and partnerships in the region and meetings with various stakeholders.
- Research into STRs, ADUs, other land use-related policy tools across other municipalities in Colorado. Analyzing differences in language/legalities across municipalities.
- Research into funding and grant opportunities for community- and land use-related projects.
- Updates to existing Community Development/Building Department forms and webpages for easier processing (recent changes: STR webpage, building forms, drafting a backflow webpage).
 - STR letter was sent to all STR owners/managers in December re: updated renewal policies to be aware of and the excise tax implementation.
- Administering CDPHE's backflow and cross connection program, as required for the City's water system (questionnaires sent to all non-single family properties; surveys to be completed with the Building Inspector; and, creating a comprehensive database of all tests/surveys/data).
- Special Use Permit Applications to Ouray County for the City's WWTP/WTF to go before the Ouray Area Joint Planning Board.

CODE ENFORCEMENT

Code enforcement cases continue to be monitored and enforced. Matt Haldeman, the City's Building Inspector, is working on building and STR inspections, plan review, enforcing building codes, administering and surveying properties for the City's backflow program (in accordance with CDPHE requirements).

BUILDING & SIGN PERMITS

One (1) building permit was issued by the department for the Month of December; no sign permits were issued for the month of December. Typical review, inspection of, and correspondence re: short-term rental applications was performed. STR owners will be sent letters regarding their current status/place in line, etc.

LONG RANGE PLANNING

The City is working with SEH to proceed with the City's Land Use & Development and Sign Code chapter revisions. SEH proposed a kick-off meeting to outline process, goals, and concerns during the Planning Commission meeting on **3/8/22**.

Staff has been discussing locations and opportunities for affordable housing initiatives to land in Ouray with a group of interested partners each month (incl. Ouray County and the Town of Ridgway).

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE (CEDC)

The CEDC postponed their meeting in January due to Covid-related concerns. The next scheduled CEDC meeting is on **2/10/22 at 8:30am**. There is one vacant seat on the CEDC for anyone who is interested in applying (applications available on the City's website).

PLANNING COMMISSION

The Planning Commission did not have a regular meeting for the month of January due to no agenda items for that meeting. The next scheduled Planning Commission meeting is scheduled for **February 8, 2022**. Two (2) Planning Commission seats expire in March and will need to be refilled/reappointed by Council.

MISCELLANEOUS PROJECTS

The following miscellaneous projects have also been taken on by community development staff:

- Ongoing addressing discrepancies in city parcels/lots/blocks.
 - 39 address assignments and changes have been made by staff; 3 potential address changes/updates pending.
- Ongoing research and navigation of file systems and needed process improvements.
- Ongoing research and interviews re: community housing projects and options in Colorado.
 - Interviewed the "Landing Locals" program and considered how it could apply to Ouray's STRs.
- Ongoing fulfillment of records requests submitted to the City.
- Code interpretations for developers, realtors, municipalities, and private parties.
- Notices of noncompliance and Code enforcement cases; many more will be addressed with the Building Inspector in the New Year.
- Ongoing explanation of current STR regulations; providing information to interested/involved parties. Improving the City's website on STRs and making information more transparent for the public.
- Research into similar municipal fee schedules and land use regulations for reference.

Ouray Visitor Center report January 14, 2022

The visitor center has seen a steady decline of visitors and phone calls since January 1st. From January 1-14, the visitor center had 24 phone calls, and 75 visitors. We had no visitors in connection with the All-In ice event. I ask each visitor where they are from and why they are visiting. From December 20-31, we had 67 phone calls and 178 visitors.

Every question that visitors have can also be answered on displays on the windows. I continue to update any information from the Nordic council on what trails have been groomed, pool hours/date closed, and any other pertinent information for our visitors.

The majority of our visitors continue to be from TX, FL and neighboring states. We are also seeing local visitors from Durango, Montrose, Delta, Grand Junction who are coming to use the pool, hike, and snowshoe.

The majority of our phone calls are regarding the pool, the ice rink, weather/ road conditions, motels/hotels/rv/camping that are open, breakfast restaurants (visitors want full breakfasts where they can sit down and enjoy their breakfasts) and info for this coming summer/fall season. We continue to get calls requesting background/visitor information be mailed to them. Many do not use the internet and do not have access to computers.

I have been concentrating my work on research for updating brochures, a volunteer manual and a business info on Ouray manual. I have many personal copies of historical books (some out of print) that I am using as sources. With my journalism/research background, I am referencing multiple sources, and not relying on internet sources that cannot be verified. I have discovered that none of our brochures indicate where the information came from. Our updated brochure and anything that I produce that comes from the visitor center will list sources of information.

I continue to receive compliments on our clean bathrooms. Thank you Kris and Mickael. I am also currently taking down and storing holiday related decorations. I will keep up “winter related” decorations and add a few Valentine’s decorations. We continue to get compliments on how warm, inviting, and festive our visitor center is.

Thank you to Silas, Kris, Michael, Julie and the city council for your continued support of the visitor center. Paula Damke, Ouray Visitor Center coordinator.

Application for a Special Events Permit

Departmental Use Only

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)

- | | | |
|------------------------------------|---|---|
| <input type="checkbox"/> Social | <input checked="" type="checkbox"/> Athletic | <input type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

LIAB Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input checked="" type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate OURAY ICE PARK INC	State Sales Tax Number (Required) 07481010000
---	---

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) PO BOX 1058 OURAY, CO 81427	3. Address of Place to Have Special Event (include street, city/town and ZIP) 300 BOX CANYON DRIVE OURAY, CO 81427
---	--

4. Authorized Representative of Qualifying Organization or Political Candidate PETER O'NEIL	Date of Birth	Phone Number
---	---------------	--------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager CHRISTINA LUJAN	Date of Birth 8/14/1980	Phone Number 970 275 2996
--	-----------------------------------	-------------------------------------

Event Manager Home Address (Street, City, State, ZIP) 510 MAIN ST, OURAY CO 81427	Email Address of Event Manager christinalujan@ourayicepark.com
---	--

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To
JAN 21 2022															
		3pm	5pm												

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature 	Title OFFICE MANAGER / EVENTS	Date 12-16-2021
---------------	---	---------------------------

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
--	--	---------------------------------------

Signature	Title	Date
-----------	-------	------

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$

**CITY OF OURAY
ORDINANCE NO. 12 (Series 2021)**

AN ORDINANCE OF THE CITY OF OURAY, COLORADO REZONING THE PROPERTY DESCRIBED AS SUBD: CITY OF OURAY LOT: 3 BLOCK: 9 N 5' OF TH WEST 50' OF LOT 3, WEST 50' OF LOT 4 ALL OF LOT 5 SUBD: CITY OF OURAY LOT: 4 BLOCK: 9 SUBD: CITY OF OURAY LOT: 5 BLOCK: 9 S: 31 T: 44 R: 7 FROM PARTIALLY R-2 HIGH-DENSITY RESIDENTIAL AND PARTIALLY C-1 COMMERCIAL TO C-1 COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP; AND

AN ORDINANCE OF THE CITY OF OURAY ADOPTING THE NEW OFFICIAL ZONING MAP AND REPEALING AND REPLACING SECTION 7-5-C-1 OF THE OURAY MUNICIPAL CODE TO ADOPT BY REFERENCE THE OFFICIAL ZONING MAP

WHEREAS the Ouray City Council held a public hearing, pursuant to Section 7-5-I of the City of Ouray Municipal Code, on the application to rezone the above-described property from R-2 and C-1 to C-1 Commercial.

WHEREAS the City Council determined the current zoning was erroneous.

WHEREAS the City Council determined the change in zoning is consistent with the public health, safety, and welfare.

WHEREAS the Official Zoning Map is amended upon approval of this ordinance.

WHEREAS the zoning district colors of the Official Zoning Map of 2013 of the City of Ouray is inconsistent with nationally adopted Land Based Classification Standards and has been updated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO as follows:

SECTION 1: AMENDMENTS TO OFFICIAL ZONING MAP

The official Zoning Map of the City of Ouray, attached to this Ordinance as Exhibit A, is hereby adopted by reference. All previous versions of the Official Zoning Map are repealed.

SECTION 2. AMENDMENTS TO THE CODE

Section 7-5-C-1 is repealed and replaced as follows:

1. The boundaries of the districts set out in this Section are shown on the 2021 Revised

Zoning Map of the City, as adopted by Ordinance No. 12 (SERIES 2021), as may be amended from time to time and is made part of this Code.

SECTION 3: EFFECTIVE DATE

The provisions of this Ordinance shall become effective January 22, 2022.

SECTION 4: SEVERABILITY

If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND ORDERED PUBLISHED on first reading by 5 to 0 vote of the Ouray City Council this 6TH day of December 2021.

CITY OF OURAY, COLORADO

By 

Ethan Funk, Mayor

ATTEST:

Melissa M. Drake
Melissa M. Drake, City Clerk

INTRODUCED, READ, AND ADOPTED on second reading by _____ vote of the Ouray City Council this 18TH day of ~~December 2021~~: JANUARY 2022

CITY OF OURAY, COLORADO

By _____

Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk

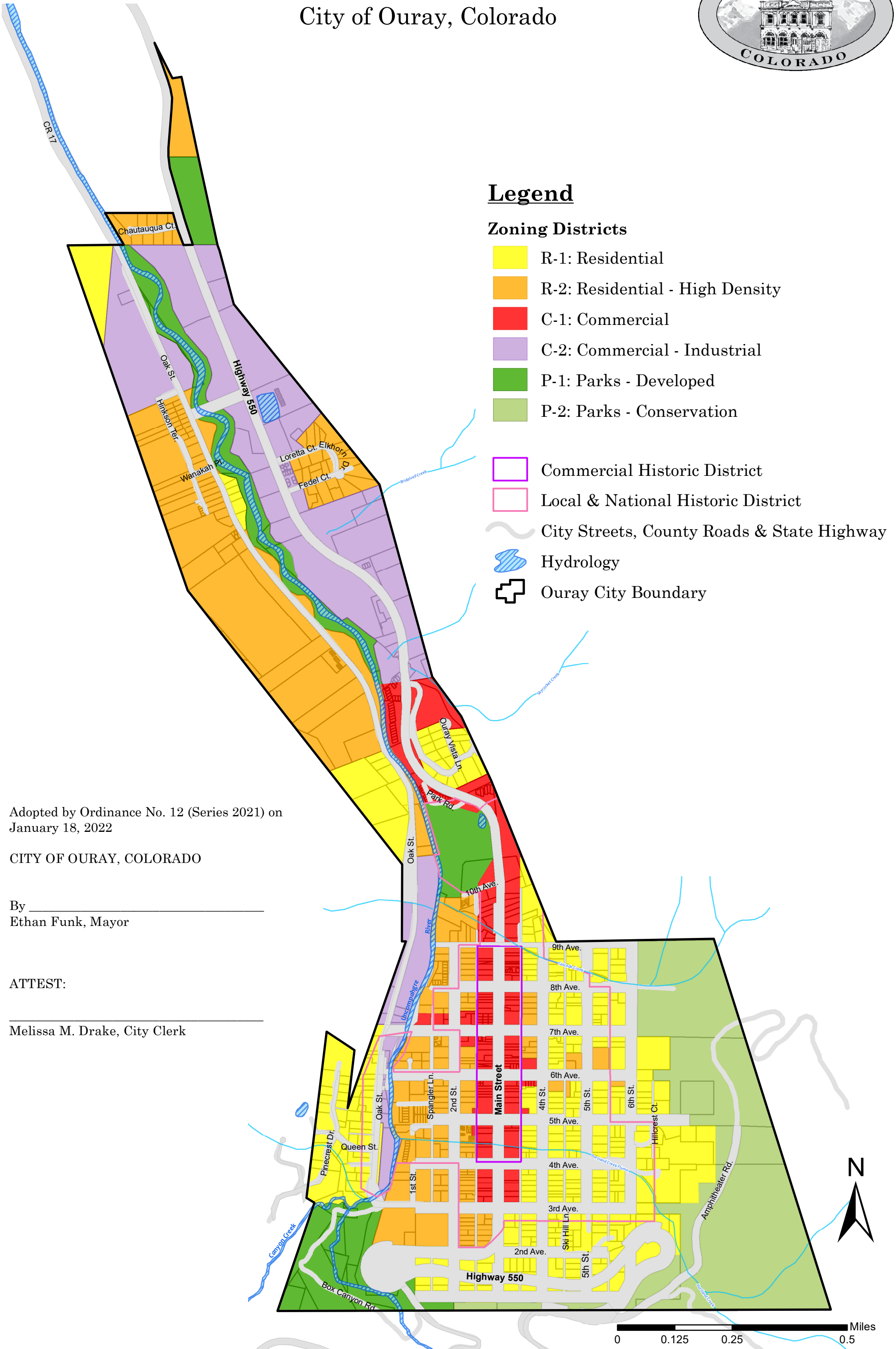
CERTIFICATE OF ATTESTATION

I, Melissa M. Drake, Ouray City Clerk, hereby certify that Ordinance No. 12 (Series 2021) was introduced, read, and passed by the Ouray City Council on first reading on DECEMBER 6, 2021. Said Ordinance was published, in summary, in the *Ouray County Plaindealer* on JANUARY 6, 2022, 2021, and thereafter introduced, read, and adopted by the Ouray City Council on _____, 2021, and thereafter published in the *Ouray County Plaindealer*, as required by law.

Melissa M. Drake, City Clerk

Ouray Zoning Map

City of Ouray, Colorado



Adopted by Ordinance No. 12 (Series 2021) on January 18, 2022

CITY OF OURAY, COLORADO

By _____
Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk



ORDINANCE NO. 1 (Series 2022)

AN ORDINANCE OF THE CITY OF OURAY, COLORADO, REPEALING AND REPLACING THE OURAY MUNICIPAL CODE SECTION 2-1-A, REGARDING CITY COUNCIL MEETING TIMES TO REFLECT THAT ALL REGULAR MEETINGS WILL BE HELD AT 6:00 P.M..

WHEREAS, the City Council has determined that the meeting time for Council meetings should be held at 6:00 p.m. for all Regular Meetings.

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO, as follows:

SECTION 1: AMENDMENT TO THE CODE

Section 2-1-A, is amended and restated as follows:

The City Council shall hold regular meetings as outlined in Article 3.2 of the Home Rule Charter. Meetings shall be held on the first and third Monday of every month at 6:00 p.m. Both meetings are held at the City of Ouray Community Center. Council may approve an alternate meeting date when a Monday is also an official holiday.

SECTION 2: EFFECTIVE DATE

The provisions of this Ordinance shall become effective thirty days after the public hearing and final publication.

SECTION 4: SEVERABILITY

If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND ORDERED PUBLISHED on first reading by _____ vote of the Ouray City Council this 18th day of January, 2022.

CITY OF OURAY, COLORADO

By _____
Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk

INTRODUCED, READ AND ADOPTED on second reading by _____ vote of the Ouray City Council this _____ day of February, 2022.

CITY OF OURAY, COLORADO

By _____
Ethan Funk, Mayor

ATTEST:

Melissa M. Drake, City Clerk

CERTIFICATE OF ATTESTATION

I, Melissa M. Drake, Ouray City Clerk, hereby certify that Ordinance No. 1 (Series 2022), was introduced, read and passed by the Ouray City Council on first reading on _____, 2022. The Ordinance was published, in summary, in the *Ouray County Plaindealer* on _____, 2022, and thereafter introduced, read and adopted by the Ouray City Council on _____, 2022, and thereafter published in the *Ouray County Plaindealer*, as required by law.

Melissa M. Drake, City Clerk

From: [Cindy Carothers](#)
To: [Melissa Drake](#)
Subject: Re: CC meetings
Date: Friday, January 14, 2022 1:42:42 PM
Attachments: [image005.png](#)

Sorry I wasn't clear. Monday or Tuesday at 6.

Thank you,
Cindy

On Fri, Jan 14, 2022 at 1:38 PM Melissa Drake <drakem@cityofouray.com> wrote:

Thanks Cindy. Meetings are normal held on Mondays at either 6pm or 1pm. Are you requesting that they be moved to Tuesday? And at what time?

Melissa



Melissa M. Drake
Director of Finance & Administration
P: 970-325-7066

The City of Ouray

P.O. Box 468 / 320 6th Ave.

Ouray, CO 81427

Outdoor Recreation Capital of Colorado



[Follow the City of Ouray on **Facebook** & **Twitter**](#)

[Sign Up for the City of Ouray Monthly Email Newsletter **Here!**](#)

From: Cindy Carothers <cindycarothers@gmail.com>

Sent: Friday, January 14, 2022 1:36 PM

To: Melissa Drake <drakem@cityofouray.com>

Subject: CC meetings

Melissa,

Hope you are well.

I wanted to request that CC meetings continue to be held on Tuesday evenings.

Also many of us are interested in both following and participating in the meeting. I fit in the over 60's category with past respiratory issues. I would like to request during these Covid times that citizens may participate by voice in the meeting. I have no problem with time restrictions or signing up for public comment prior to the meeting. Whatever you feel you need to keep meeting going in a timely organized manner.

Thank you so very much for your service.

--

Cindy Carothers

303-670-7353

--

Cindy Carothers

303-670-7353

AGREEMENT BETWEEN CLIENT AND ENGINEER FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made on the Seventh day of January 2022, by and between, City of Ouray hereinafter called CLIENT, and Swiftwater Solutions, LLC, hereinafter called ENGINEER, for the following Project (the "Project"):

City of Ouray Energy Impact Grant Application

The CLIENT and ENGINEER for mutual consideration agree as set forth below:

1.0 ENGINEER'S SERVICES

The ENGINEER shall perform professional services in connection with the Project, as set forth below, and as may be further described in Exhibit "A".

2.0 ENGINEER'S CHARGES

In accordance with this Agreement, the ENGINEER shall provide professional services for which the CLIENT shall compensate Engineer and the total compensation shall not exceed the dollar amount indicated herein, and as may be further described in Exhibit "A".

- LUMP SUM. Compensation for these services shall be a Lump Sum of \$_____.
- TIME AND MATERIALS. Compensation for these services will not exceed **\$2,000** without written authorization.

3.0 INSURANCE AND LIABILITY PROVISIONS

- 3.1** The ENGINEER shall acquire and maintain statutory workmen's compensation insurance coverage, employer's liability, comprehensive general liability insurance coverage and professional liability insurance coverage.
- 3.2** The CLIENT agrees to limit the ENGINEER's liability to the CLIENT and to all Subcontractors on the Project, due to the ENGINEER's professional negligent acts, errors or omissions, such that the total aggregate liability of the ENGINEER to those named shall not exceed the ENGINEER's total fee for services rendered on this Project.

4.0 CLIENT'S RESPONSIBILITY

The CLIENT shall, unless otherwise provided for in this Agreement, at no cost to the ENGINEER:

- 4.1** Furnish to the ENGINEER all survey and all soils data, as well as other Project documentation as may be requested by ENGINEER, and upon which ENGINEER may reasonably rely.
- 4.2** The ENGINEER makes no representations concerning soil conditions and is not responsible for any liability that may arise out of the performance or failure to perform soils investigations and testing.
- 4.3** Guarantee full and free access for the ENGINEER to enter upon all property required for the performance of the ENGINEER's services.
- 4.4** Give prompt written notice to the ENGINEER whenever the CLIENT observes or otherwise becomes aware of any defect in the Project or other event which may substantially affect the ENGINEER's performance of services under this Agreement.

5.0 REIMBURSABLE EXPENSES

Reimbursable Expenses are in addition to ENGINEER's compensation for services performed on an Hourly Rate basis and include expenditures made by the ENGINEER, his employees or his consultants in the interest of the Project.

6.0 PAYMENTS TO THE ENGINEER

- 6.1** Progress payments shall be made in proportion to services rendered or as otherwise indicated within this Agreement and shall be due and owing upon the ENGINEER's submittal of any invoice. Past due amounts owed shall include a late payment Finance Charge which will be computed at the periodic rate of 1% per month, which is an Annual Percentage Rate of 12%, and will be applied to any unpaid balance 30 days after the date of the original invoice.
- 6.2** The ENGINEER may, upon seven days written notice, suspend services if CLIENT fails to make payments.
- 6.3** No deductions shall be made from the ENGINEER's compensation on account of penalty or other sums withheld from payments to Contractors.
- 6.4** Hourly Rates and Reimbursable Expenses shall be subject to periodic revision as stated on the Rate Schedule. In the event revisions are made during the lifetime of this Agreement, the increased or decreased Hourly Rates and Reimbursable Expenses shall apply to all remaining compensation for services performed by the ENGINEER when such rates provide the basis for the ENGINEER's compensation.
- 6.5** If the Project is delayed or if the ENGINEER's services for the Project are delayed or suspended for more than three months for reasons beyond the ENGINEER's control, the ENGINEER may, after giving seven days written notice to the CLIENT, terminate this Agreement and the CLIENT shall compensate the ENGINEER in accordance with the termination provision contained hereinafter in this Agreement.

7.0 GENERAL PROVISIONS

- 7.1** All Drawings, Specifications and other work data of the ENGINEER for this Project are instruments of service for this Project only and shall remain the property of the ENGINEER whether the Project is completed or not. The CLIENT shall not reuse any of the ENGINEER's instruments of service on extensions of this Project or on any other project without the prior written permission of the ENGINEER. Any unauthorized reuse shall be at the CLIENT's risk and the CLIENT agrees to defend, indemnify and hold harmless the ENGINEER from all claims, damages, and expenses including attorney's fees arising out of such unauthorized reuse of the ENGINEER's instruments of service by the CLIENT OR BY OTHERS ACTING THROUGH THE CLIENT.
- 7.2** Neither the CLIENT nor the ENGINEER shall delegate his duties under this Agreement without the written consent of the other.
- 7.3** This Agreement may be terminated by either party by seven days written notice in the event of substantial failure to perform in accordance with the terms of this Agreement by the other party through no fault of the terminating party. If this Agreement is terminated, the ENGINEER shall be paid for services performed to the termination notice date including Reimbursable Expenses due plus Termination Expenses. Termination Expenses are defined as Reimbursable Expenses directly attributable to termination.
- 7.4** This Agreement represents the entire and integrated agreement between the CLIENT and the ENGINEER and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the CLIENT and the ENGINEER.

- 7.5** Any dispute or claim arising out of this Agreement shall be determined as follows: CLIENT and ENGINEER will negotiate in good faith to reach agreement. If negotiations are unsuccessful, ENGINEER and CLIENT agree the dispute shall be settled by mediation. In the event the dispute or any issues remain unresolved, the disagreement shall be decided by such remedies of law as they are available to the parties. This Agreement shall be governed by the laws of the State of Colorado.
- 7.6** Should litigation occur between the two parties relating to the provisions of this Agreement, all litigation expenses, collection expenses, witness fees, court costs and attorney's fees incurred by the prevailing party shall be paid by the non-prevailing party to the prevailing party.
- 7.7** Neither Party shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's employees and agents.
- 7.8** In the event any provisions of this Agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.
- 7.9** The ENGINEER is not responsible for design and construction review services relating to the Contractor's safety precautions or to means, methods, techniques, sequences, or procedures required for the Contractor to perform his work. Omitted services include but are not limited to shoring, scaffolding, underpinning temporary retainment of excavations and any erection methods and temporary bracing.
- 7.10** The ENGINEER intends to render his services under this Agreement in accordance with generally accepted professional practices for the intended use of the Project and makes no warranty either express or implied.
- 7.11** Any estimate of construction costs prepared by the ENGINEER represents his judgment as a design professional and is supplied for the general guidance of the CLIENT. Since the ENGINEER has no control over the cost of labor and material, or over competitive bidding or market conditions, the ENGINEER does not guarantee the accuracy of such estimates as compared to Contractor bids or actual cost to the CLIENT.
- 7.12** (a) The parties shall comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and orders in effect on the date of this Agreement, including applicable non-U.S. laws and regulations.
- (b) Neither party shall, directly or indirectly, undertake, cause or permit to be undertaken any activity related to this Agreement that is illegal under any applicable law, regulation, ordinance or other governmental requirement, including without limitation, the U.S. Foreign Corrupt Practices Act and the UK Bribery Act. In addition, no Party shall give, offer, promise or authorize, directly or indirectly, in connection with this Agreement, anything of value to an official, officer, employee or any other person in an official capacity for or on behalf of any government, state-owned enterprise, agents or advisors to other international organizations.
- (c) If either party breaches any of the covenants contained in this Article, the non-breaching party shall have the right to immediately terminate this Agreement without penalty and shall be indemnified by the breaching party against all losses arising under this Article 7.12.

8.0 GOVERNING LAW

This agreement shall be governed by the laws of the State of Colorado, both as to interpretation and performance. The courts of the State of Colorado shall have exclusive jurisdiction to resolve any disputes arising out of this agreement and venue shall be in Ouray County, Colorado.

9.0 NOTICES

Any notices required to be given under this Agreement may be given by enclosing the same in a sealed envelope, postage prepaid, addressed as follows:

CLIENT: _____

ENGINEER: Attention: _____

 Swiftwater Solutions, LLC
 PO Box 1687
 Buena Vista, CO 81211
 Attention: Paul Young

Notices shall be deposited in the U.S. Postal Service. When so given, such notice shall be given from the time of mailing the same.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement which is in effect as of the day and year first above written when signed by both parties.

Swiftwater Solutions, LLC
 ENGINEER

By: Paul Young

Name: Paul Young

Title: Principal/Owner

Date: January 7, 2022

City of Ouray
 CLIENT

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT "A"

STATEMENT OF SERVICES



Swiftwater Solutions
Small Systems Engineering & Operations

Proposal

December 8, 2021

To: Silas Clarke, City Administrator

From: Allan Smith, Swiftwater Solutions, LLC
Paul Young, Swiftwater Solutions, LLC

City of Ouray Grant Application Assistance

Dear Mr. Clarke,

Per an email conversation initiated on November 17, 2021, the city is seeking assistance with the development of an Energy and Mineral Impact Assistance Fund (EMIAF) grant application. The following scope and associated fee are proposed as follows:

Scope

- 9.1.1 Write the EMIAF grant application for the City of Ouray. It will be the City's responsibility to copy and paste each section of the pdf application into the DOLA portal for submittal. Swiftwater Solutions can assist with the portal if previously negotiated.

The contract fee for the proposed work is \$2,000 and represents a not to exceed (NTE) amount for time and materials. Additional scope may be added to the proposal at a newly negotiated fee and will be handled through the change order process. A detailed budget can be found attached to this proposal.

If this proposal is acceptable to you, please sign and return the attached client agreement. I sincerely appreciate your business and look forward to working with you on this project.

Best regards,

Paul Young

Paul Young

Allan Smith, PE, CWP

Swiftwater Solutions Cost Proposal				
Task/Division	Rate	Number of Hours	Travel Expenses	Total
1 Write the EMIAF grant application for the City of Ouray. It will be the City's responsibility to copy and paste each section of the pdf application into the DOLA portal for submittal. Swiftwater Solutions can assist with the portal if previously negotiated.	\$ 125.00	16	\$ -	\$ 2,000.00
2			\$ -	\$ -
			\$ -	\$ -
Travel/licensing/Misc	\$ -	0	\$ -	\$ -
Total for Proposal:				\$ 2,000.00
Total for Proposal with Contingency:				\$ 2,000.00

INTERGOVERNMENTAL AGREEMENT
TOWN OF RIDGWAY, CITY OF OURAY, and OURAY COUNTY
SHARED VICTIM ADVOCATE(S) SERVICES

THIS AGREEMENT is entered into effective ____ day of _____, 2022, by and between: the Town of Ridgway, Colorado (Ridgway); and the City of Ouray, Colorado (Ouray), both of which are home rule municipalities within Ouray County, Colorado and Ouray County, Colorado (County), a statutory county in the State of Colorado, (collectively the Parties or individually the Party).

Purpose of Agreement

- A. Section 29-20-101 C.R.S., et seq. enables the Parties to enter into Intergovernmental Agreements (IGA) and authorizes each of the Parties to perform the functions described herein, as provided in Section 29-20-105 C.R.S.; and
- B. Intergovernmental agreements to provide functions or services, including the sharing of costs of such services or functions, by political subdivisions of the State of Colorado, are specifically authorized by C.R.S. 29-1-203 and encouraged in order that the inhabitants of such political subdivisions may thereby secure high quality governmental services; and
- C. Ridgway, Ouray and Ouray County each recognize the need to employ an individual to act as Victim Advocate(s), to perform victim advocacy services for all of Ouray County; and
- D. The Parties recognize the fiscal and administrative benefits of utilizing one person to conduct victim advocacy services; and
- E. The Parties wish to memorialize their understandings regarding their agreement to share the financial and administrative responsibilities and services through employing the Victim Advocate(s); and
- F. The Parties entered into similar Intergovernmental Agreements in 2018, 2019, 2020 and 2021 for the same purpose.

In consideration of the covenants and conditions contained herein, the Parties agree as follows.

1. **Designation of the Victim Advocate(s).** The Parties must agree to the designation of any particular person to be employed as the shared the Victim Advocate(s).
2. **Financial Responsibilities.** The financial responsibilities for the employment of the shared Victim Advocate(s) shall be as follows:

- a. The shared Victim Advocate(s) shall be an employee of the Town of Ridgway and not the City of Ouray or Ouray County, and shall be compensated by the Town of Ridgway partially through a grant provided by the Victim Assistance Law Enforcement Board and a grant provided by the Colorado Department of Public Safety, Division of Criminal Justice, for such services. The Parties recognize and understand that for Fiscal Year 2022 the Victim Assistance Law Enforcement Board awarded \$18,729.00 and the Colorado Department of Public Safety, Division of Criminal Justice, awarded \$27,884.00 for program services in Ouray County, and the cost of the program is estimated at \$47,166.76, creating a funding gap of \$553.76.
 - b. The Town shall be responsible for all employment related expenses mandated by state and federal law, including any required worker's compensation and unemployment insurance, any federal or state taxes or required withholdings, and any other employer expenses related to the Victim Advocates employment with the Town.
 - c. The Parties agree to work together to budget the gap funding at \$184.59 from each Party and/or identify supplemental sources in order to fund the \$553.76 gap for Victim Advocate services in 2022, pursuant to subsection e below.
 - d. The shared Victim Advocate(s), as a part time temporary employee of the Town of Ridgway, shall be compensated for any time in excess of forty (40) hours per week as provided in the Town of Ridgway's Personnel Regulations.
 - e. The shared Victim Advocate(s) shall be subject to the Town of Ridgway's Personnel Regulations, as may be amended, except the Victim Advocate(s) shall have no benefits with the Town of Ridgway, City of Ouray, or Ouray County.
 - f. The Town of Ridgway has been awarded grant funding for 98.82% of the cost of the Victim Advocate(s) in 2022. In the event the Town of Ridgway anticipates expenses may exceed the grant award, the Town shall consult with the City and/or County to consider any additional expenditures. The City and/ or County shall only be responsible for an equal share after the Town has consulted with the City and/or County, and the financially impacted Party or Parties have agreed on the expenses to be reimbursed to the Town.
 - g. In the event of a worker's compensation claim related to work performed within the City or the County, the Town's insurance shall be responsible for the claim and the City or County shall cover the Town's reasonable expenses for that claim in the respective jurisdiction, upon notice and approval of the same.
3. **Accountability.** The accountability requirements of the shared Victim Advocate(s) to the Parties shall be as follows:

- a. The Victim Advocate(s) shall provide a monthly written report to all Parties.
- b. The Victim Advocate(s) shall meet with the Ridgway Town Marshal, Ouray Police Chief, or Ouray County Sheriff upon request by any of the Parties.
- c. The Victim Advocate(s) shall submit comprehensive daily time sheets to Ridgway by 8:00 a.m. Monday morning, following the end of each bi-weekly pay period, or whatever the policy of the Town of Ridgway may be, if amended.
- d. To protect the Parties from false claims, the Victim Advocate(s) shall keep a daily log of services conducted, on a form approved by the Parties (Exhibit A).
- e. Notwithstanding the fact that the Victim Advocate(s) is an employee of the Town of Ridgway, the Town of Ridgway shall not be responsible for supervision and oversight of the Victim Advocate(s) in performing his or her responsibilities for the City of Ouray or Ouray County as further defined in ¶ 6 herein, and within the Victim Advocate(s) Contract of Employment. Such supervision and oversight shall be the responsibility of the Ridgway Marshal, Ouray City Police Chief or Ouray County Sheriff, for services rendered within the respective jurisdiction.

4. **Performance Issues.** Any performance issues shall be handled as follows:

- a. For purposes of this Agreement, Supervising Parties are assigned as follows:

<u>Jurisdiction:</u>	<u>Supervising Party:</u>
Town of Ridgway	Town Marshal
City of Ouray	Police Chief
Ouray County	Sheriff

- b. Minor issues, those issues warranting nothing more than an oral or written reprimand, should be brought to the attention of the Victim Advocate(s) first, by the Supervising Party (Ridgway Marshal, Ouray Police Chief, Ouray County Sheriff) in the jurisdiction where the minor issue occurred. In the event said minor issues cannot be resolved, the Ridgway Town Marshal shall be contacted. Issues deemed to be minor issues according to either of the Parties shall be addressed as soon as is practical, by the designated supervisor for the Victim Advocate(s) within each municipality or County.
- c. Issues deemed to be major issues, those issues warranting more than an oral or written reprimand, by either municipality or county, and possibly requiring disciplinary action shall be subject to the Town of Ridgway's Personnel Regulations. The Supervising Party (Ridgway Town Marshal, Ouray Police Chief, Ouray County Sheriff) shall submit any information on such issues, in writing, to the Ridgway Town Marshal (if outside of the Ridgway jurisdiction), and the

Ridgway Town Marshal shall contact the Primary Administrator (Ridgway Town Manager, Ouray City Administrator, and /or Ouray County Administrator) of the participating jurisdiction for review.

5. **Fiscal Reporting.** Fiscal reporting responsibilities of the shared Victim Advocate(s) shall be as follows:
 - a. None.

6. **Job Responsibilities and Oversight.** Job responsibilities and oversight for the shared Victim Advocate(s) shall be as follows:
 - a. Pursuant to grants awarded to the Town of Ridgway by the Victim Assistance Law Enforcement Board and the Colorado Department of Public Safety, Division of Criminal Justice, Victim Advocate(s) shall provide victim advocate services for the months of January through December 2022 for all Parties. Victim Advocate(s) shall provide 24/7 on-call coverage during the 2022 calendar year. The duties shall be rendered in Ouray County, Colorado, or at such other place or places and at such times as the needs of the Parties may from time-to-time dictate.
 - b. On behalf of all Parties, all applicable duties as assigned by the Supervising Party shall be timely performed.
 - c. The Supervising Parties shall be responsible for victim advocacy solely within their own boundaries and jurisdiction. Nothing contained in this Agreement shall place a burden or responsibility on any Party to provide services within the jurisdiction or boundaries of any other Party.

7. **Insurance.** The Parties shall, without waiving any governmental immunity protections to which they and their officials or employees are entitled under C.R.S. 24-10-101, et seq., to obtain adequate insurance to cover the liability and other risks to which they may be exposed as a result of the services to be provided pursuant to this agreement, if either of the Parties does not already have such insurance, and to maintain such insurance throughout the term of this agreement.

8. **Term-Withdrawal.** The term and withdrawal provisions applicable to this agreement are as follows:
 - a. This Agreement shall be for a period of one (1) year commencing January 1, 2022 and ending December 31, 2022.
 - b. Subject to annual appropriation by each municipality and county to meet its obligations herein, this agreement shall be automatically renewed on an annual

basis without the need to execute a new agreement unless amendments are required by either of the Parties.

- c. Either municipality may withdraw from participation in this agreement at any time by providing written notice to the other municipality, at least thirty (30) days prior to the desired date of withdrawal.
9. **Amendments.** This agreement shall not be modified or amended in any manner except by written instrument executed by the Parties.
10. **Waiver.** The waiver of any breach of any of the provisions of this agreement, by either Party, shall not constitute a continuing waiver of any subsequent breach by that Party, either of the same, or of another provision of this agreement.
11. **Severability.** Invalidation of any of the provisions of this agreement, or of any paragraph, sentence, clause, phrase, or word herein, or the application thereof, in any given circumstance, shall not affect the validity of the remainder of this Agreement.
12. **No Third-Party Beneficiaries.** Nothing expressed or implied in this agreement is intended or shall be construed to confer upon, or to give any person other than the Parties hereto, any right, remedy or claim, under or by reason of this agreement.
13. **Entire Agreement.** This agreement contains the entire and only agreement between the Parties, regarding the employment of the shared Victim Advocate(s) and no oral statements or representations regarding this matter that are not contained in this agreement shall be of any force or effect between the Parties.
14. **Governing Law.** This agreement shall be governed by the laws of the State of Colorado, both as to interpretation and performance. The courts of the State of Colorado shall have exclusive jurisdiction to resolve any disputes arising out of this agreement and venue shall be in Ouray County, Colorado.
15. **Dispute Resolution.** In the event a disagreement or dispute arises between the Parties, the matter shall be submitted to mediation. The mediation shall be conducted by one mediator selected by the Parties who will share the costs equally.
16. **Assignment.** No Party shall assign any responsibilities nor delegate any duties arising under this agreement without the prior written consent of all the Parties.

IN WITNESS WHEREOF, the Parties have executed this agreement in duplicate effective the date first above written.

TOWN OF RIDGWAY

John Clark, Mayor

Attest:

Pam Kraft, Town Clerk

CITY OF OURAY

Ethan Funk, Mayor

Attest:

Melissa Drake, City Clerk

OURAY COUNTY

Ben Tisdell, Chair, Board of County Commissioners

Attest:

Hannah Hollenbeck, Deputy Clerk

Recommendations for Tourism Advisory Committee Appointments

<u>Name</u>	<u>Business Segment</u>	<u>Term Expiration Date</u>
Jen Norvell	Arts/Culture/History	January 2023
Jeremy Tilton	Restaurants/Bars	January 2023
Jason Perkins	Lodging	January 2024
Brad Clark	Retail	January 2024
Logan Tyler	Outdoor Recreation	January 2025
Alyssa Preston	Event Planning/Coordination	January 2025
Cindy Carothers	Community-at-large	January 2025

Note: There are 2 vacant seats for Community-at-large

ORDINANCE NO. 08 (SERIES 2021)

**AN ORDINANCE OF THE CITY OF OURAY, COLORADO,
ADDING A NEW SECTION 2-17 OF CHAPTER 2 OF THE
OURAY MUNICIPAL CODE ESTABLISHING THE
TOURISM ADVISORY COMMITTEE (TAC) AS A
STANDING RECOMENDING BODY.**

WHEREAS City Council finds it necessary to make the Tourism Advisory Committee a standing committee of the city which would make it a permanent committee who makes recommendations as to how the portion of the Lodging Occupation Tax (LOT) dedicated to the Tourism Fund should be expended.

WHEREAS the committee shall be comprised of members representing certain tourism industries and the city at-large.

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO, as follows:

SECTION 1:

Chapter 2 of the Ouray Municipal Code is amended by adding a new Section 2-17 Tourism Advisory Committee, as follows:

2-17 Tourism Advisory Committee

A. At its first meeting in January, City Council shall appoint a minimum of five (5) and a maximum of nine (9) members to the Tourism Advisory Committee (TAC) for three (3) year staggered terms, along with a non-voting, city council liaison. The committee shall not have an even number of members, not including the council liaison. At all times a quorum for meetings and voting shall be no less than three (3) members.

B. The TAC is an advisory committee that functions as a recommending body to City Council and the City Administrator. Such committee shall have no authority to enter contracts, authorize expenditures on behalf of the city, or otherwise take any action as a city committee or member beyond the scope of the granted authority.

C. Members must be residents or owners of a business located within the city. To achieve diversity, the committee be comprised of three members representing the community-at-large members and one member representing each segment of the City of Ouray tourism economy, being:

1. Lodging

2. Outdoor Recreation
3. Arts/Culture/History
4. Retail
5. Restaurants/Bars
6. Event Planning/Coordination.

D. The scope of recommendations to City Council and the City Administrator shall be to:

1. propose suggested expenditures of those portions of Lodging Occupation Tax dedicated to the Tourism Fund in any given year,
2. provide recommendations and long-term planning concerning destination marketing, management, and development initiatives designed to attract visitors to the city and then to enhance the experience, and
3. provide recommendations concerning any other tourism related projects, as directed by City Council.

E. Members may be removed by City Council for malfeasance, any act in violation of C.R.S. § 24-18-101 et seq., or for substantial failure to attend scheduled meetings.

SECTION 2: EFFECTIVE DATE.

The provisions of this Ordinance shall become effective 30 days following publication in accordance with City Charter, 3.5-G.

SECTION 3: SEVERABILITY.


If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND ORDERED PUBLISHED on first reading by 4 to 1 vote of the Ouray City Council this 17th day of November 2021.

CITY OF OURAY, COLORADO



Greg Nelson, Mayor

ATTEST:


Melissa M. Drake, City Clerk

INTRODUCED, READ, AND ADOPTED on second reading by 5 to 0 vote of the Ouray City Council this 6TH day of DEC. 2021.

CITY OF OURAY, COLORADO



Ethan Funk, Mayor

ATTEST:


Melissa M. Drake, City Clerk

CERTIFICATE OF ATTESTATION

I, Melissa M. Drake, Ouray City Clerk, hereby certify that Ordinance No. 8 (Series No. 2021), was introduced, read, and passed by the Ouray City Council on first reading on NOVEMBER 17, 2021. The Ordinance was published, in summary, in the *Ouray County Plaindealer* on NOVEMBER 18, 2021, and thereafter introduced, read, and adopted by the Ouray City Council on DECEMBER 6, 2021, and thereafter published in the *Ouray County Plaindealer*, as required by law.


Melissa M. Drake, City Clerk

Recommendations for Beautification Committee Appointments

<u>Name</u>	<u>Term Expiration Date</u>
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Robert Stauffer	January 2025
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Curtis Haggard	January 2025
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2-13 Beautification Committee

- A. At its first meeting in January, the Council shall appoint the seven (7) members of the committee for three year staggered terms to the Beautification Committee. Five of the members shall be City residents; two of the members may be at-large, residing within the same area that is served by the City of Ouray telephone prefix.
- B. The City's Beautification Committee shall be solely an advisory committee and its functions as a City committee shall be limited to making recommendations to City Council and the City Administrator. Such committee shall have no authority to enter into contracts binding upon the City, to authorize any expenditures binding upon the City, or to otherwise take any action as a City committee.
- C. Members may be removed by the Council for malfeasance, any act in violation of C.R.S. [§24-18-101](#) et seq., or for substantial failure to attend scheduled meetings.

Recommendations for Parks and Recreation Committee Appointments

<u>Name</u>	<u>Term Expiration Date</u>
Trisha Schuster	January 2023
Brock Adams	January 2023
Karla Cline	January 2023
Kim Kelly	January 2023

2-15 Parks and Recreation Committee

A. At its first meeting in January, City Council shall appoint a minimum of five (5) or a maximum of seven (7) members at-large to the Parks and Recreation Committee. The committee shall not have an even number of members. Members shall represent the entire community to the extent possible. Council shall recommend that the following entities appoint a non-voting liaison to the Parks and Recreation Committee to facilitate communications and coordinate varying interests: Planning Commission, Community Development Committee, Beautification Committee, Ouray Chamber Resort Association, Ouray School, and Ouray Trails Group.

B. The City's Parks and Recreation Committee shall be solely an advisory committee and its function as a City committee shall be limited to making recommendations to City Council and the City Administrator. Such Committee shall have no authority to enter into contracts binding upon the City, to authorize any expenditures binding upon the City, or to otherwise take any action as a City committee. The scope of recommendations to the City Council and City Administrator shall be in the following areas:

1. Developing and recommending new policies, ordinances, administrative procedures, and other means to expand park and recreation opportunities in a coordinated and efficient manner;
2. Conducting studies and making recommendations relating to new park and recreation plans, goals and objectives; and
3. Performing any other duties to advise on or assist with park and recreation matters as assigned by City Council.

Recommendations for Community Economic Development Committee Appointments

Name

Term Expiration Date

Kevin Schiffer

January 2025

2-14 Community Economic and Development Committee

A. At its first meeting in January, City Council shall appoint a minimum of five (5) and a maximum of nine (9) members to the Community Economic and Development Committee (CEDC) for three (3) year staggered terms. The CEDC shall not have an even number of members. One (1) member shall be from City management, four (4) members shall be residents of the City of Ouray, and a maximum of three (3) members shall be residents or business owners in the area served by the City of Ouray telephone prefix.

B. The CEDC shall be solely an advisory committee and its function as a City committee shall be limited to making recommendations to City Council and the City Administrator. Such Committee shall have no authority to enter into contracts binding upon the City, to authorize any expenditures binding upon the City, or to otherwise take any action as a City committee. The scope of recommendations to City Council and the City Administrator shall be in the following areas.

1. Creation and development of the Community Plan.
2. Development and implementation of tools to evaluate the strengths and weaknesses of current economic development conditions.
3. Creation and implementation of an Economic Development Plan and economic development incentives in line with the values and guidelines of the Community Plan and broad community input.
4. Collaborative regional economic development efforts with the Town of Ridgway, Ouray County, and Region 10.
5. Business expansion and retention planning and related concerns expressed by the Ouray business community.
6. Community planning document revisions and updates, including ordinances that affect the business community.

C. Members may be removed by City Council for malfeasance, any act in violation of C.R.S. §§ [24-18-101](#) et seq., or for substantial failure to attend scheduled meetings.

(Source: Ordinance No. 9, 2020; Ordinance No. 3, 2018; Ordinance No. 2, 2014)

320 6th Avenue
PO Box 468
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

The Outdoor Recreation Capital of Colorado

January 18, 2020

Chris Bowles, Director of Preservation Incentives Programs
Colorado State Historical Fund
1200 N. Broadway
Denver CO 80203

RE: Support for Ouray County's Idarado Houses Preservation proposal

Dear Mr. Bowles,

The City of Ouray is pleased to support Ouray County's Idarado Houses proposal to the State Historical Fund. The City of Ouray is proud of its National Historic District designation and the remnants of Ouray County's mining past in the high country surrounding the City that enhance and complement that designation. The Idarado Houses themselves are an iconic set of historic structures that are well known to virtually all our residents and most of our visitors as main characters in the story that is the Red Mountain Mining District, south of the City. Saving these Houses for generations to come is critical to helping maintain our thriving history-based economy. Likewise, preserving the Idarado Houses is seen by locals as a quality-of-life issue, and for many living here, preserving the Idarado Houses is central to honoring the memory of their hard-working ancestors and to the mining heritage that defined their lives.

To lose the Idarado Houses now to old-age and the sometimes brutal forces of nature when they have stayed standing for over one-hundred years (and over seventy- years at their current location) would be a travesty. We are grateful that Ouray County and its partners, the Trust for Land Restoration (TLR) and the Ouray County Historical Society (OCHS) have dedicated themselves to preserving them.

That private individuals and local foundations have already contributed over \$40,000 to keep them standing speaks volumes as to the importance the citizens of Ouray County place on protecting these Houses. Local carpenters and craftsman worked overtime during the fall of 2020 and the summer of 2021 to provide emergency stabilization that brings the County, TLR, and OCHS the opportunity to preserve these important structures for the next one-hundred years. Dollars from the State of Colorado's State Historical Preservation Fund are essential to making that dream a reality. We urge reviewers to please support this most worthy preservation project.

Sincerely,

Ethan Funk
Mayor

Silas Clarke

From: Tamara Gulde
Sent: Friday, December 31, 2021 10:10 AM
To: Silas Clarke
Cc: Ethan Funk
Subject: Zoom Participation

Hi Silas,

I would like to add to the Agenda for the next city council meeting (in two weeks) a discussion item (and possible action item, if appropriate) that we begin Zooming meetings with participation from the public ASAP. I will bring this up on Monday as a future agenda item, but I'd like to make sure you have it on your radar.

Thank you!

Tamara Gulde
City Councilor
P: 970-318-6480
E: guldet@cityofouray.com
City of Ouray
P.O. Box 468/320-6th Ave.
Ouray, CO 81427

Outdoor Recreation Capital of Colorado

Silas Clarke

From: Gretchen McArthur <greta@gretadesign.com>
Sent: Wednesday, January 12, 2022 4:38 PM
To: Ethan Funk; Josh Smith; Tamara Gulde; John Wood; Peggy Lindsey
Cc: Silas Clarke; Melissa Drake
Subject: Zoom Meetings - with a voice.

12/12/22

Ouray City Council,

I am asking that all future City Council meetings be participatory zoom meetings. Having the opportunity to speak at Citizen's concerns and when the council asks for citizens' input on topics within the session allows us to be more informed citizens, have a voice, not sit in an uncomfortable chair for hours or ice skate in the streets to get to a meeting in during the winter. We can watch from the comfort of our own homes or businesses. I also would ask that we go back to having all the meetings be held at 6pm. I am a full-time resident, and due to business and family reasons, I am out of town often. However, I would still like to participate via zoom. Love or hate zoom, I believe it's proven in the last two years to have been an excellent way for more citizens to partake and stay informed with current issues.

Thank you for your time.

Gretchen McArthur
416 9th Ave, Ouray CO

Gretchen McArthur | Creative Director
Gretadesign, LLC.

Professional Graphic Design Studio In Beautiful Ouray, CO

greta@gretadesign.com
303-733-0300
www.gretadesign.com



From: [Dee Williams](#)
To: [Silas Clarke](#); [Ethan Funk](#); [Peggy Lindsey](#); joshsmith@cityofouray.com; [K John Wood](#)
Subject: Zoom meetings
Date: Thursday, January 13, 2022 8:16:27 AM

Council,
As in person attendance at council meetings is often curtailed due to covid,
I would appreciate the council reconsidering allowing zoom participants to speak at meetings.
Dee Williams

From: [Cindy Carothers](#)
To: [Melissa Drake](#)
Subject: Re: CC meetings
Date: Friday, January 14, 2022 1:42:42 PM
Attachments: [image005.png](#)

Sorry I wasn't clear. Monday or Tuesday at 6.

Thank you,
Cindy

On Fri, Jan 14, 2022 at 1:38 PM Melissa Drake <drakem@cityofouray.com> wrote:

Thanks Cindy. Meetings are normal held on Mondays at either 6pm or 1pm. Are you requesting that they be moved to Tuesday? And at what time?

Melissa



Melissa M. Drake
Director of Finance & Administration
P: 970-325-7066

The City of Ouray

P.O. Box 468 / 320 6th Ave.

Ouray, CO 81427

Outdoor Recreation Capital of Colorado



[Follow the City of Ouray on **Facebook** & **Twitter**](#)

[Sign Up for the City of Ouray Monthly Email Newsletter **Here!**](#)

From: Cindy Carothers <cindycarothers@gmail.com>

Sent: Friday, January 14, 2022 1:36 PM

To: Melissa Drake <drakem@cityofouray.com>

Subject: CC meetings

Melissa,

Hope you are well.

I wanted to request that CC meetings continue to be held on Tuesday evenings.

Also many of us are interested in both following and participating in the meeting. I fit in the over 60's category with past respiratory issues. I would like to request during these Covid times that citizens may participate by voice in the meeting. I have no problem with time restrictions or signing up for public comment prior to the meeting. Whatever you feel you need to keep meeting going in a timely organized manner.

Thank you so very much for your service.

--

Cindy Carothers

303-670-7353

--

Cindy Carothers
303-670-7353

Silas Clarke

From: bruce@rockymountainascenics.com
Sent: Monday, January 17, 2022 1:11 PM
To: Ethan Funk; Tamara Gulde; Josh Smith; John Wood; Peggy Lindsey
Cc: Silas Clarke
Subject: City Council Virtual Meeting/ZOOM Participation Parameters

Hello All:

I am in favor of having call-in (ZOOM) participants be included to provide input/feedback in real time during Ouray City Council Meetings, especially during the Citizens' Communication portion of the Agenda. I believe such a capability will promote better participation in Ouray City Council Meetings by the citizenry of the City of Ouray.

Having said that, I believe such participation should be limited to a reasonable time for the sake of meeting brevity.

Thank you.

**Regards,
Bruce Gulde
Mountain Fever Shirts & Gifts
970.325.4408
562.972.8479 Cell
www.MountainFeverShirts.com**

Silas Clarke

From: GLENDA MOORE <gcmoore9@aol.com>
Sent: Tuesday, January 18, 2022 6:23 AM
To: Silas Clarke
Subject: Participatory Zoom

I am asking that future City Council Zoom meetings include participation of the citizenry.
Thank you,
Glenda Moore
220 4th Avenue

Sent from my iPhone

Silas Clarke

From: Jeanette Quay <jhquay@gmail.com>
Sent: Monday, January 17, 2022 3:31 PM
To: Silas Clarke
Subject: Zoom

Silas,
We would like to go on record with our support for participatory Zoom City Council meetings. We vote and pay income taxes in Colorado, but leave for winter, as many residents do. The Zoom option would give us the opportunity to remain engaged citizens. When we are home in Ouray, we routinely attend Council meetings, but even then there are times when the Zoom option would be useful and appreciated.

Regards,
John & Jeanette Quay
1558 Hinkson Terrace
Ouray

Silas Clarke

From: Susette Warynick <susettew@earthlink.net>
Sent: Monday, January 17, 2022 1:12 PM
Subject: Participatory Zoom Meetings

To: Ouray City Council

I am requesting that all future City Council meetings be participatory zoom meetings. I regularly attend Council meetings when I am at my Ouray home. It has been so informative to be able to attend meetings via zoom when I am not in Ouray and I would find it even more inclusive if zoom attendees could actually participate in meetings during citizen's input or comments.

Respectfully,

Susette Warynick
1243 Main Street
Ouray, CO 81427