



# The Town of Eagle

Box 609 • Eagle, Colorado 81631  
(970) 328-6354 • Fax 328-5203

Meetings:  
2nd and 4th Tuesdays

## AGENDA Town Board of Trustees Tuesday, August 26, 2014 6:30 P.M.

Public Meeting Room / Eagle Town Hall  
200 Broadway  
Eagle, CO

### 5:30-6:30pm WORK SESSION – Liability and Risk Management for Elected Officials

Tami Tanoue: CIRSA General Counsel/Claims Manager answers questions from the board as a follow up to the afternoon session.

*Author of the handbook Ethics, Liability & Best Practices Handbook for Elected Officials, a CIRSA publication, Ms. Tanoue is considered by many to be the expert in the state in advising Boards on how to keep themselves and their towns out of litigation. She will be providing a session at 2 pm at Town Hall open to any elected official in the valley. Ms. Tanoue is following up this afternoon session with a more targeted question-answer session with the Eagle Town board in the hour prior to their regularly scheduled August Board meeting.*

### 6:30pm CALL TO ORDER

**PUBLIC COMMENT** – Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person.

### CONSENT AGENDA

1. Minutes: July 22, 2014
2. Minutes: August 12, 2014

### LIQUOR LICENSES

1. Eagle Liquor Mart: Transfer of Ownership

### LAND USE PUBLIC HEARINGS & ACTIONS

1. Project: Soleil Homes at Brush Creek  
*A hearing on a final plat of the first phase of this 32 unit project near the Pool & Ice facility is **To Be Continued at the request of the applicant to April 28, 2015**.*  
File No. S14-02 (PP-FP)  
Applicant: John Purchase (Wynton Homes, LLC)

## **Town Board of Trustees**

August 26, 2014

Page 2

- Location: Generally east of Brush Creek Village, west of the Haymeadow development, south of the Pool and Ice Rink Facility and north of Brush Creek Road.
- Staff: Tom Boni, Town Planner; Matt Farrar, Assistant Town Planner
- Request: Combined Subdivision Preliminary Plan/Final Plat (32 single family homes on 5.8 acres)

## **WORK SESSION WITH PLANNING & ZONING COMMISSION**

1. Colorado Main Street Project Presentation: Stephanie Troller – Department of Local Affairs (DOLA)

*At a recent town board retreat one of the top five identified priorities of the board was to “redevelop CBD, Highway 6 and West Eagle.” Colorado Main Street is a program administered by the Colorado Department of Local Affairs Community Development Office with a variety of tools for local communities that have been successfully used by many municipalities in Colorado. This is an introductory session for the board to consider how the program may be of use to the Town in coming years.*

## **DECISIONS, ORDINANCES, RESOLUTIONS & MOTIONS**

1. Bull Pasture Open Space Pedestrian Easement Deed

*Town has budgeted a widening and improvement of the recreation path connection from the Eagle Ranch system at Capitol and Brush Creek Road around the South side of the Bull Pasture, connecting through Bull Pasture Town park to Wall Street. To bid out and complete the project which is budgeted for 2014, an easement from the Bull Pasture HOA is required.*

2. Resolution No. \_\_\_\_\_

A resolution of the Board of Trustees of the Town of Eagle, Colorado approving an agreement between the Town of Eagle and the State Board of the Great Outdoors Colorado Trust Fund; and authorizing the Mayor of the Town of Eagle to execute said agreement.

*In the 2004 budget, the town board approved \$90,000 of funding through the Open Space program to construct a respectable boat ramp and eddy at the Information Center Park. That project has been bid and is scheduled for construction in September. Earlier this year GOCO granted the town \$41,000 for the project, this resolution is the agreement with GOCO for use of grant funds.*

## **DISCUSSION ITEMS**

1. Yard Waste Collection Site -- See Memo in Packet
2. Cinder Spreader Request from PW to order replace equipment to be ready for winter

## **MANAGER ITEMS**

1. Rubbish RFQ working group

## **FUTURE AGENDA ITEMS & BOARD COMMENTS**

## **ADJOURN**



# The Town of Eagle

Box 609 • Eagle, Colorado 81631  
(970) 328-6354 • Fax 328-5203

Meetings:  
2nd and 4th Tuesdays

## TOWN BOARD OF TRUSTEES

Meeting Minutes  
July 22, 2014

### **PRESENT**

Yuri Kostick-Mayor  
Anne McKibbin  
Doug Seabury  
Andy Jessen  
Kevin Brubeck  
Sarah Baker  
Luis Benitez @ 6:20pm

### **STAFF**

Jon Stavney-Town Manager  
Sarah Braucht-Town Clerk  
Ed Sands-Town Attorney  
Tom Boni-Town Planner  
Matt Farrar-Assistant Planner  
Tom Gosiorowski-Town Engineer

This meeting was recorded and a CD will become part of the permanent record of the minutes. The following is a condensed version of the proceedings as written by Sarah Braucht.

### **CALL TO ORDER**

The regular meeting of the Town Board of Trustees held in the Eagle Town Hall on July 22, 2014 was called to order by Mayor Kostick at 6:01pm.

### **PUBLIC COMMENT**

#### ***Flight Days Report***

Roxie Deane of 623 Wall Street and Flight Days Committee Chair gave a report on the 2014 festival. She gave a history of the event and thanked the volunteers who helped to put on this year's festival including the Flight Days Committee members, Town of Eagle Public Works crew, and Eagle County grounds crew. The total cost to put on the event is \$25,000 to \$30,000 and Roxie thanked the Town for their generous donation of \$9,500. There were no reported incidents from the Eagle Police Department and there was an estimated crowd of 8,000 to 9,000 participants throughout the weekend.

#### ***Sowing Seeds***

The Town had originally earmarked \$20,000 towards a GOCO (Great Outdoors Colorado) grant for new playground equipment and greenhouse at Eagle Valley Elementary, but the grant funding fell through. However, the school still wanted to move forward with at least a garden. Sandy Story, Sowing Seeds Director, and Kelly Liken, local chef and Sowing Seeds program supporter, requested an ecological school garden to promote healthy eating.

Kelly Liken believes that kids are more likely to eat food that they have grown themselves.

McKibbin made a motion to contribute \$10,000 to the Vail Valley Youth Foundation's Sowing Seeds Program towards a garden at Eagle Valley Elementary School. Kostick seconded. The motion passed unanimously.

### ***Municipal Judge Report***

Town of Eagle Municipal Judge, Buck Allen, gave a report on the types of cases he has heard in the past year. He became the municipal judge for Eagle in 1999 and also serves the towns of Vail and Breckenridge. He has seen an increase in restitution demands, especially for drunken fights and dog bites. He would like to see an ordinance proposed to limit restitution when both parties are charged with a crime. He has also dealt with an increase in cases involving juvenile possession of marijuana. He likes the idea of tying a yellow ribbon on a dog's leash for dogs that need extra space. Buck also supports the toy and coat drive coordinated by the district court system.

### ***Bob's Rules Meeting Format***

The Board decided during a recent retreat to implement "Bob's Rules of Order" to help run more effective Board meetings. The Board discussed a soft launch implementation of Bob's Rules and begin using them at meetings, though there was no formal motion to adopt the rules. Staff provided desk copies of the rules. As a related matter, Kostick made a motion to have a 10:00pm meeting end time and requiring a two-thirds super majority vote to extend the meeting past 10:00pm. McKibbin seconded. The motion passed unanimously.

### **CONSENT AGENDA**

McKibbin made a motion to approve the following consent agenda items. Kostick seconded. The motion passed unanimously.

1. Minutes: July 8, 2014
2. Resolution No. 31: A resolution of the Board of Trustees of the Town of Eagle, Colorado granting a special use permit for property located at 1125 Chambers Avenue for a medical marijuana center.

### **DECISIONS, ORDINANCES, RESOLUTIONS & MOTIONS**

#### ***Resolution No. 32***

Following the previous meeting, Trustee Baker met with Town staff and David Smith of Garfield & Hecht, special legal counsel for the Town of Eagle, and suggested a variety of minor changes to the Haymeadow Metropolitan District Service Plan. David Smith reviewed the changes to the Service Plan which are acceptable to both the Town and applicant. David Greher, attorney for the applicant with Collins Cockerell & Cole, agreed to the changes.

Baker suggested changing Section 4 of the ordinance to “the form and content” is subject to approval by the Town Manager. Both attorneys and staff agreed to the change.

Benitez made a motion to approve Resolution No. 32 as amended, a resolution of the Board of Trustees of the Town of Eagle, Colorado approving a consolidated service plan for Haymeadow Metropolitan District Nos. 1-6. Kostick seconded. The motion passed unanimously.

***Auditor’s Report***

Roger Maggard with Hays Maggard & Hood, P.C. presented the 2013 Financial Statements and Auditor’s Report (“the Audit”) for the Town of Eagle. He explained that the purpose of the report is to properly represent the financial situation of the Town. He reviewed the Communications with Management document, noting three material deficiencies on page three which deserved the Board’s attention. Roger also pointed out that having a CPA (certified public accountant) as the Finance Director has improved accounting practices.

McKibbin made a motion to accept the auditor’s report. Kostick seconded. The motion passed unanimously.

***Recess 7:50-7:55pm***

Benitez made a motion to recess at 7:50pm. McKibbin seconded. The motion passed unanimously. The Board reconvened at 7:55pm.

***Eagle Municipal Code Revision to Section 2.20.030(c) regarding public testimony under oath***

Stavney stated that during the Board’s recent retreat, the topic came up to eliminate the necessity for the public and staff to take an oath before stating their testimony. Sands said that the provision for the oath came from case law, but it is not mandatory. Jessen pointed out that taking the oath can create more liability since there is no legally defensible way to record who took the oral oath.

Kostick made a motion to direct staff to prepare an ordinance to amend the Eagle Municipal Code to eliminate the provision for testimony under oath. McKibbin seconded. The motion passed unanimously.

***Request by Eagle County Health Services District to terminate the assessment of impact fees***

Western Eagle County Health Services District recently completed their merger with the Eagle County Health Service District. The new district covers most of Eagle County, however impact fees were only collected in communities west of Wolcott. The new board has decided not to pursue impact fees for the newly formed district. They have asked the Eagle Town Board to rescind the

ordinance that allows for the collection of impact fees on new development.

McKibbin made a motion to accept the recommendation of the Eagle County Health Services District to terminate the assessment of impact fees and directed staff to prepare an ordinance to amend the Land Use & Development Code regarding collection of emergency medical impact fees. Seabury seconded. The motion passed unanimously.

## **DISCUSSION ITEMS**

### ***Hotel Audit Options***

Jill Ewing, Town Finance Director, presented the lodging occupation tax audit proposals from Revenue Recovery Group and Reese Henry & Company Inc. and the considerations for each. Amy Cassidy, Town Marketing & Events Coordinator, also received a proposal today from DestiMetrics who does not perform an audit but does provide destination lodging performance measurement, market intelligence, and comparative evaluations. The audit proposals were a Board request and Kostick wanted to clarify the purpose of an audit. Ewing said the initial discussion regarding an occupation tax audit was due to the decreased revenue in 2013 compared to 2012. Specific emphasis was on the month of October in which the Town hosted the High School State Mountain Bike Championships and expected to see an increase in room nights and actually noted a decrease.

Instead of an audit, McKibbin suggested updating the occupation tax form to get better reporting and information pertinent to tracking room nights and tax. Kostick said that the Town could strive for a better partnership with the hotels and improve internal tracking of the lodging tax. Stavney noted that so many years of flat revenues appear suspicious and that an audit is good fiscal responsibility.

### ***Bull Pasture Path Project***

Tom Gosiorowski, Town Engineer, stated that the Board has budgeted money for the re-paving of the Bull Pasture path from 7<sup>th</sup> Street to the 3-way stop at Brush Creek Road and Capitol Street, however the project has increased in scope and cost. Gosiorowski presented the more accurate cost estimate and the addition of improved lighting and crosswalks at Brush Creek Road and Capitol Street. The Town will need to acquire a public access easement for a portion of the path that is located on land owned by the Bull Pasture HOA.

Kostick made a motion to approve the additional cost of \$20,000 for the budgeted path re-paving project and \$35,000 from the

capital fund for the added intersection improvements. Seabury seconded. The motion passed unanimously.

## **LAND USE PUBLIC HEARINGS & ACTIONS**

### ***Revisions to Section 4.03.080 – Review Fees of the Land Use & Development Code: LURA14-03(B)***

Kostick opened File No. LURA14-03(B), a request to Revise Section 4.03.080 of the Land Use and Development Code, to include, but may not be limited to, the following:

1. Adjusting all review fees for Land Use Applications
2. Expanding the types of Land Use Applications defined in Section 4.03.080

Kostick opened the floor to Public Comment and none was received. The Board wanted to more time to review the proposed changes to the land use fees and wanted to discuss it further at budget time.

Benitez made a motion to continue LURA14-03(B) to the meeting on October 14, 2014. McKibbin seconded. The motion passed unanimously.

## **WORK SESSION**

### ***Town Manager and Town Board Working Agreements***

Stavney and the Board discussed various topics including items that were not covered during the recent Board retreat due to time constraints. Topics of discussion were appropriate communication protocol, division of duties, transparency of work plan, tracking of projects and milestones, budget updates, purchasing and contracting for services protocol. Tami Tanoue, CIRSA's General Counsel/Claims Manager, will speak with the Board at their meeting on August 26<sup>th</sup> about separation of duties and liability.

## **MANAGER ITEMS**

Stavney discussed with the Board the progress on meeting video production and citizen concern about abandoned cars.

## **BOARD COMMENTS**

None.

## **ADJOURN**

Jessen made a motion to adjourn the meeting. Baker seconded. The motion passed unanimously. The meeting was adjourned at 10:01pm.

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Date

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Yuri Kostick, Mayor

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Sarah Braucht, Town Clerk



# The Town of Eagle

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Meetings:  
2nd and 4th Tuesdays

## TOWN BOARD OF TRUSTEES

Meeting Minutes  
August 12, 2014

### **PRESENT**

Yuri Kostick-Mayor  
Luis Benitez  
Doug Seabury  
Andy Jessen  
Sarah Baker

### **STAFF**

Jon Stavney-Town Manager  
Sarah Braucht-Town Clerk  
Ed Sands-Town Attorney  
Matt Farrar-Assistant Planner  
Tom Gosiorowski-Town Engineer

### **ABSENT**

Kevin Brubeck  
Anne McKibbin

This meeting was recorded and a CD will become part of the permanent record of the minutes. The following is a condensed version of the proceedings as written by Sarah Braucht.

### **CALL TO ORDER**

The regular meeting of the Town Board of Trustees held in the Eagle Town Hall on August 12, 2014 was called to order by Mayor Kostick at 5:56pm.

### **EXECUTIVE SESSION**

Kostick made a motion to enter into Executive Session for a conference with counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Jessen seconded. The motion passed unanimously and the Board entered into Executive Session at 5:56pm.

Benitez made a motion to leave Executive Session. Kostick seconded. The motion passed unanimously and the Board left Executive Session at 6:33pm.

### **PUBLIC COMMENT**

*Michael Dunlevie*

Michael, who lives at 0002 Ring Neck, wanted to clarify whether or not dogs were allowed at the ShowDownTown concerts and would like to see the bathrooms at the Terrace Park improved.

### **CONSENT AGENDA**

Stavney wanted to make corrections to the minutes from the July 22, 2014 meeting and asked for Item 1 to be pulled from the consent agenda. Kostick made a motion to approve the following



consent agenda items. Seabury seconded. The motion passed unanimously.

2. Bill Schedule: July 2014

3. Ordinance No. 20

An ordinance of the Town of Eagle, Colorado amending Section 4.03.080 of the Eagle Municipal Code, contained in the Land Use and Development Code, concerning review fees for land use applications.

4. Ordinance No. 21

An ordinance of the Town of Eagle, Colorado amending Section 2.20.030 of the Eagle Municipal Code concerning the rules of procedure for quasi-judicial hearings by eliminating the requirement that all testimony be taken under oath.

## **DECISIONS, ORDINANCES, RESOLUTIONS & MOTIONS**

### ***Rodger McLaughlin Retirement***

Kostick made a motion to approve the Allocation of severance/wage package for Rodger McLaughlin retirement. Benitez seconded. The motion passed unanimously.

Benitez made a motion to allow Mayor to sign retirement/separation agreement document for Rodger McLaughlin retirement. Jessen seconded. The motion passed unanimously.

### ***Intergovernmental Agreements with Eagle County***

Tom Gosiorowski, Town Engineer, explained the necessity for the Intergovernmental Agreements (IGAs) with Eagle County to define the responsibilities and funding for the Eagle Town Park Bus Shelter, Eby Creek Road Bus Shelter, Chambers Avenue Park & Ride Parking Lot, and Eby Creek Road Bus Pullout Lane. Jared Barnes, with ECO Transit, was on hand to answer any questions. Gosiorowski said the Planning & Zoning Commission recommendations have been incorporated into the design of the bus shelters. Kostick was interested in adding an information or community notification board in the bus shelters. Kostick would also like to see solar power incorporated into the bus shelters. Gosiorowski said that adding solar power could increase the budget and delay building the bus shelters until next year. Jared said the bus shelters could be easily retrofitted for solar power at a later date.

### ***Resolution No. 33***

Kostick made a motion to approve Resolution No. 33, a resolution of the Board of Trustees of the Town of Eagle, Colorado approving an Intergovernmental Agreement between the County of Eagle, State of Colorado and the Town of Eagle regarding the Eagle Town Park Bus Shelter and the Eby Creek Road Bus Shelter. Jessen seconded. The motion passed unanimously.

***Resolution No. 34***

Kostick made a motion to approve Resolution No. 34, a resolution of the Board of Trustees of the Town of Eagle, Colorado approving an Intergovernmental Agreement between the County of Eagle, State of Colorado and the Town of Eagle regarding the Chambers Avenue Park and Ride Parking Lot. Jessen seconded. The motion passed unanimously.

***Resolution No. 35***

Kostick made a motion to approve Resolution No. 35, a resolution of the Board of Trustees of the Town of Eagle, Colorado approving and Intergovernmental Agreement between the County of Eagle, State of Colorado and the Town of Eagle regarding the Eby Creek Road Bus Pullout Lane. Jessen seconded. The motion passed unanimously.

**DISCUSSION ITEMS**

***2014 2<sup>nd</sup> Quarter Sales Tax Report***

Stavney reviewed the sales tax report, noting that numbers were up 1.4% for the second quarter for 2014 year over year and with the compared decrease of 3% in the first quarter, the year-to-date numbers are fairly flat. Jessen wanted to know how Eagle's sales tax numbers compare to other towns in the valley.

**LAND USE PUBLIC HEARINGS & ACTIONS**

***Soleil Homes at Brush Creek: S14-02***

Kostick opened File No. SU14-02, Soleil Homes at Brush Creek, a request for a Combined Subdivision Preliminary Plan/Final Plat (32 single family homes on 5.8 acres) located generally east of Brush Creek Village, west of the Haymeadow development, south of the Pool and Ice Rink Facility and north of Brush Creek Road. Farrar explained that the developer has asked for a continuance of this file until the Board meeting on August 26, 2014. Stavney indicated the developer needs to presale more properties to be able to pay the fees associated with the next phase of development.

Kostick made a motion to continue File No. SU14-02, Soleil Homes at Brush Creek, to the regular Board meeting on August 26, 2014. Jessen seconded. The motion passed unanimously.

**MANAGER ITEMS**

1. Eagle River Corridor Plan Update: Farrar is putting together a steering committee and working on a meeting schedule for the committee. The Board unanimously appointed Trustee Anne McKibbin to serve on the committee as the Board liaison.
2. Habitat for Humanity Build Day: Stavney asked the Board if they were interested in a Trustee build day at the Habitat for

Humanity site. The Board did not want to organize an official day and will try to volunteer on an individual basis on days that better fit their schedule.

3. Community Impact Award: Kostick has some people in mind to nominate for the 2014 award. Jessen and Baker are hoping that this award will increase community involvement. Benitez would like media awareness of the nomination and awardees.
4. CML Policy Committee Appointment: Benitez said he would be interested in serving on the committee.
5. Economic Development "Director": Stavney said the Town is looking in to bringing in an economic development advisor.
6. Trail RFQ: There some potential trails the Town is considering and would like to have a list of a few approved companies on hand for building trails. The Board agreed to keep a list of approved companies for a period of two years at a time.

Stavney also brought up having the Town apply for event permits on BLM (Bureau of Land Management) trails, instead of event planners, to maximize use of trails for events. Additionally, the Bull Pasture Path Project is moving forward.

## **BOARD COMMENTS**

Seabury asked for clarification on the Board's role with the Haymeadow development and wanted to know what involvement they could have with forming the Design Guidelines. Stavney suggested a work session with the developer to voice the Board's opinion on how they want the development to look and feel. Input could be given on the architectural standards, the trailhead community park, and the old cabin on the southeast side of the property.

Kostick mentioned that the IMBA World Summit will take place in Steamboat Springs on August 20-24 and he hopes Eagle bike trails will be well showcased. A bike sculpture is for sale and he thought the Town might be interested in purchasing it. Kostick would also like a joint meeting with the Eagle County Board of Commissioners to discuss the river corridor plan and redevelopment of west Eagle. Additionally, he wanted to see how the process was coming on the staff workload matrix.

## **ADJOURN**

Kostick made a motion to adjourn the meeting. Jessen seconded. The motion passed unanimously. The meeting was adjourned at 8:29pm.

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Date

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Yuri Kostick, Mayor

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Sarah Braucht, Town Clerk



# The Town of Eagle

Box 609 • Eagle, Colorado 81631  
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Meetings:  
2nd and 4th Tuesdays

August 20, 2014

To: Town Board of Trustees  
From: Sarah Braucht, Town Clerk  
Re: Transfer of Ownership – Eagle Liquor Mart

JZC Group, LLC has submitted an application for Transfer of Ownership of the Retail Liquor Store License for Eagle Liquor Mart located at 0065 Market Street Units 1 & 2. The current owners are Henry & Kim Doss and the new applicant, JCZ Group, LLC, is comprised of Jeremy & Carrie Cossette.

The Eagle Police Department has conducted a criminal history check of the new applicants and the results are as follows:

**Carrie Cossette:** No criminal history.

**Jeremy Cossette:** Indicated on the Individual History Record the offenses of DUI in 1994 and 1998 in North Dakota which resulted in a suspended license. Our background check also indicated a misdemeanor charge of 5<sup>th</sup> Degree Assault in 1997 in Minnesota.

In determining whether to permit a Transfer of Ownership, the Town Board shall consider the character, record, and reputation of the applicant.

# COLORADO LIQUOR RETAIL LICENSE APPLICATION

<input type="checkbox"/> NEW LICENSE <input checked="" type="checkbox"/> TRANSFER OF OWNERSHIP <input type="checkbox"/> LICENSE RENEWAL					
• ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN • APPLICANT MUST CHECK THE APPROPRIATE BOX(ES) • LOCAL LICENSE FEE \$ _____ • APPLICANT SHOULD OBTAIN A COPY OF THE COLORADO LIQUOR AND BEER CODE (Call 303-370-2165)					
1. Applicant is applying as a <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Corporation  <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships)                 </div> <div> <input type="checkbox"/> Individual  <input checked="" type="checkbox"/> Limited Liability Company  <input type="checkbox"/> Association or Other                 </div> </div>					
2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation <u>JJC GROUP LLC</u>					Fein Number  
2a. Trade Name of Establishment (DBA) <u>EAGLE LIQUOR MART</u>			State Sales Tax No. <u>2015271-0000</u>	Business Telephone <u>970-328-9463</u>	
3. Address of Premises (specify exact location of premises) <u>0065 Market Street #1 &amp; 2</u>					
City <u>Eagle</u>		County <u>Eagle</u>		State <u>CO</u>	ZIP Code <u>81631</u>
4. Mailing Address (Number and Street) <u>PO Box 448</u>		City or Town <u>EAGLE</u>		State <u>CO</u>	ZIP Code <u>81631</u>
5. If the premises currently have a liquor or beer license, you MUST answer the following questions:					
Present Trade Name of Establishment (DBA) <u>EAGLE LIQUOR MART</u>		Present State License No. <u>2015271-0000</u>		Present Class of License <u>Retail Liquor</u>	Present Expiration Date <u>6-16-2015</u>
<b>LIAB SECTION A NONREFUNDABLE APPLICATION FEES</b>			<b>LIAB SECTION B (CONT.) LIQUOR LICENSE FEES</b>		
2300 <input type="checkbox"/> Application Fee for New License ..... \$1,025.00 2302 <input type="checkbox"/> Application Fee for New License - w/Concurrent Review ..... \$1,125.00 2310 <input checked="" type="checkbox"/> Application Fee for Transfer ..... \$1,025.00			1985 <input type="checkbox"/> Resort Complex License (City) ..... \$500.00 1986 <input type="checkbox"/> Resort Complex License (County) ..... \$500.00 1988 <input type="checkbox"/> Add Related Facility to Resort Complex ... \$ 75.00 X ____ Total ____ 1990 <input type="checkbox"/> Club License (City) ..... \$308.75 1991 <input type="checkbox"/> Club License (County) ..... \$308.75 2010 <input type="checkbox"/> Tavern License (City) ..... \$500.00 2011 <input type="checkbox"/> Tavern License (County) ..... \$500.00 2012 <input type="checkbox"/> Manager Registration - Tavern ..... \$ 75.00 2020 <input type="checkbox"/> Arts License (City) ..... \$308.75 2021 <input type="checkbox"/> Arts License (County) ..... \$308.75 2030 <input type="checkbox"/> Racetrack License (City) ..... \$500.00 2031 <input type="checkbox"/> Racetrack License (County) ..... \$500.00 2040 <input type="checkbox"/> Optional Premises License (City) ..... \$500.00 2041 <input type="checkbox"/> Optional Premises License (County) ..... \$500.00 2045 <input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00 2046 <input type="checkbox"/> Vintners Restaurant License (County) ..... \$750.00 2220 <input type="checkbox"/> Add Optional Premises to H & R ..... \$100.00 X ____ Total ____ 2370 <input type="checkbox"/> Master File Location Fee ..... \$ 25.00 X ____ Total ____ 2375 <input type="checkbox"/> Master File Background ..... \$250.00 X ____ Total ____		
<b>LIAB SECTION B LIQUOR LICENSE FEES</b>					
1905 <input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00 1906 <input type="checkbox"/> Retail Gaming Tavern License (County) ..... \$500.00 1940 <input checked="" type="checkbox"/> Retail Liquor Store License (City) ..... \$227.50 1941 <input type="checkbox"/> Retail Liquor Store License (County) ..... \$312.50 1950 <input type="checkbox"/> Liquor Licensed Drugstore (City) ..... \$227.50 1951 <input type="checkbox"/> Liquor Licensed Drugstore (County) ..... \$312.50 1960 <input type="checkbox"/> Beer and Wine License (City) ..... \$351.25 1961 <input type="checkbox"/> Beer and Wine License (County) ..... \$436.25 1970 <input type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00 1971 <input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00 1975 <input type="checkbox"/> Brew Pub License (City) ..... \$750.00 1976 <input type="checkbox"/> Brew Pub License (County) ..... \$750.00 1980 <input type="checkbox"/> Hotel and Restaurant License w/opt premises (City) .... \$500.00 1981 <input type="checkbox"/> Hotel and Restaurant License w/opt premises (County) \$500.00 1983 <input type="checkbox"/> Manager Registration - H & R ..... \$ 75.00					
DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY					
LIABILITY INFORMATION					
County	City	Industry Type	License Account Number	Liability Date	License Issued Through (Expiration Date)
				FROM	TO
State ____-750 (999)	City 2180-100 (999)	County 2190-100 (999)	Managers Reg ____-750 (999)		
Cash Fund New License <b>2300-100 (999)</b>		Cash Fund Transfer License <b>2310-100 (999)</b>		<b>TOTAL</b>	
				<b>\$ .</b>	

6. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>
7. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state); (a) been denied an alcohol beverage license? (b) had an alcohol beverage license suspended or revoked? (c) had interest in another entity that had an alcohol beverage license suspended or revoked? If you answered yes to 7a, b or c, explain in detail on a separate sheet.	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
8. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes," explain in detail.	<input type="checkbox"/> <input checked="" type="checkbox"/>
9. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?	<input type="checkbox"/> <input checked="" type="checkbox"/>
10. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.	<input type="checkbox"/> <input checked="" type="checkbox"/>
11. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement? <input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____ <input checked="" type="checkbox"/> <input type="checkbox"/>	
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:	
Landlord <u>Hahn Mu Kang</u>	Tenant <u>Eagle Liquor Mart</u>
Expires <u>8/2027</u>	
Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11". (Doesn't have to be to scale)	
12. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.	
NAME	DATE OF BIRTH
FEIN OR SSN	INTEREST
Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.	
13. <b>Optional Premises or Hotel and Restaurant Licenses with Optional Premises</b> Has a local ordinance or resolution authorizing optional premises been adopted? Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
Number of separate Optional Premises areas requested. _____ (See License Fee Chart)	
14. <b>Liquor Licensed Drug Store</b> applicants, answer the following: (a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? COPY MUST BE ATTACHED. Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
15. <b>Club Liquor License</b> applicants answer the following and attach: (a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> (b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? <input type="checkbox"/> <input checked="" type="checkbox"/> (c) How long has the club been incorporated? (Three years required) _____ (d) Has applicant occupied an establishment for three years that was operated solely for the reasons stated above? <input type="checkbox"/> <input checked="" type="checkbox"/>	
16. <b>Brew-Pub License or Vintner Restaurant Applicants</b> answer the following: (a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
17a. Name of Manager (for all on-premises applicants) _____ (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I).	Date of Birth _____
17b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. Yes No <input type="checkbox"/> <input type="checkbox"/>	
18. <b>Tax Distraint Information.</b> Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements. Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	

19. If applicant is a corporation, partnership, association or limited liability company, applicant must list ALL OFFICERS, DIRECTORS, GENERAL PARTNERS, AND MANAGING MEMBERS. In addition applicant must list any stockholders, partners, or members with OWNERSHIP OF 10% OR MORE IN THE APPLICANT. ALL PERSONS LISTED BELOW must also attach form DR 8404-I (Individual History record), and submit finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
Jeremy D Cossette	615 McIntire St, Eagle Co	10/13/1973	President	49%
Carmel L Cossette	615 McIntire St, Eagle Co	2/16/1974	Chairman	51%

\*If total ownership percentage disclosed here does not total 100% applicant must check this box

☐ Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant

#### Additional Documents to be submitted by type of entity

- ☐ CORPORATION    ☐ Cert. of Incorporation    ☐ Cert. of Good Standing (if more than 2 yrs. old)    ☐ Cert. of Auth. (if a foreign corp.)  
☐ PARTNERSHIP    ☐ Partnership Agreement (General or Limited)    ☐ Husband and Wife partnership (no written agreement)  
☒ LIMITED LIABILITY COMPANY    ☐ Articles of Organization    ☐ Cert. of Authority (if foreign company)    ☐ Operating Agrmt.  
☐ ASSOCIATION OR OTHER    Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable)

Address for Service

#### OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature

Title

Date

#### REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)

Date application filed with local authority

8-7-2014

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)

8-26-2014

#### THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

That each person required to file DR 8404-I (Individual History Record) has:

Yes No

- ☒ Been fingerprinted ..... ☒ ☐  
☒ Been subject to background investigation, including NCIC/CCIC check for outstanding warrants ..... ☒ ☐

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license ..... ☐ ☐

(Check One)

- ☒ Date of Inspection or Anticipated Date 8-14-2014  
☐ Upon approval of state licensing authority.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority for

Town of Eagle

Telephone Number

970-328-6354

☒ TOWN, CITY

☐ COUNTY

Signature

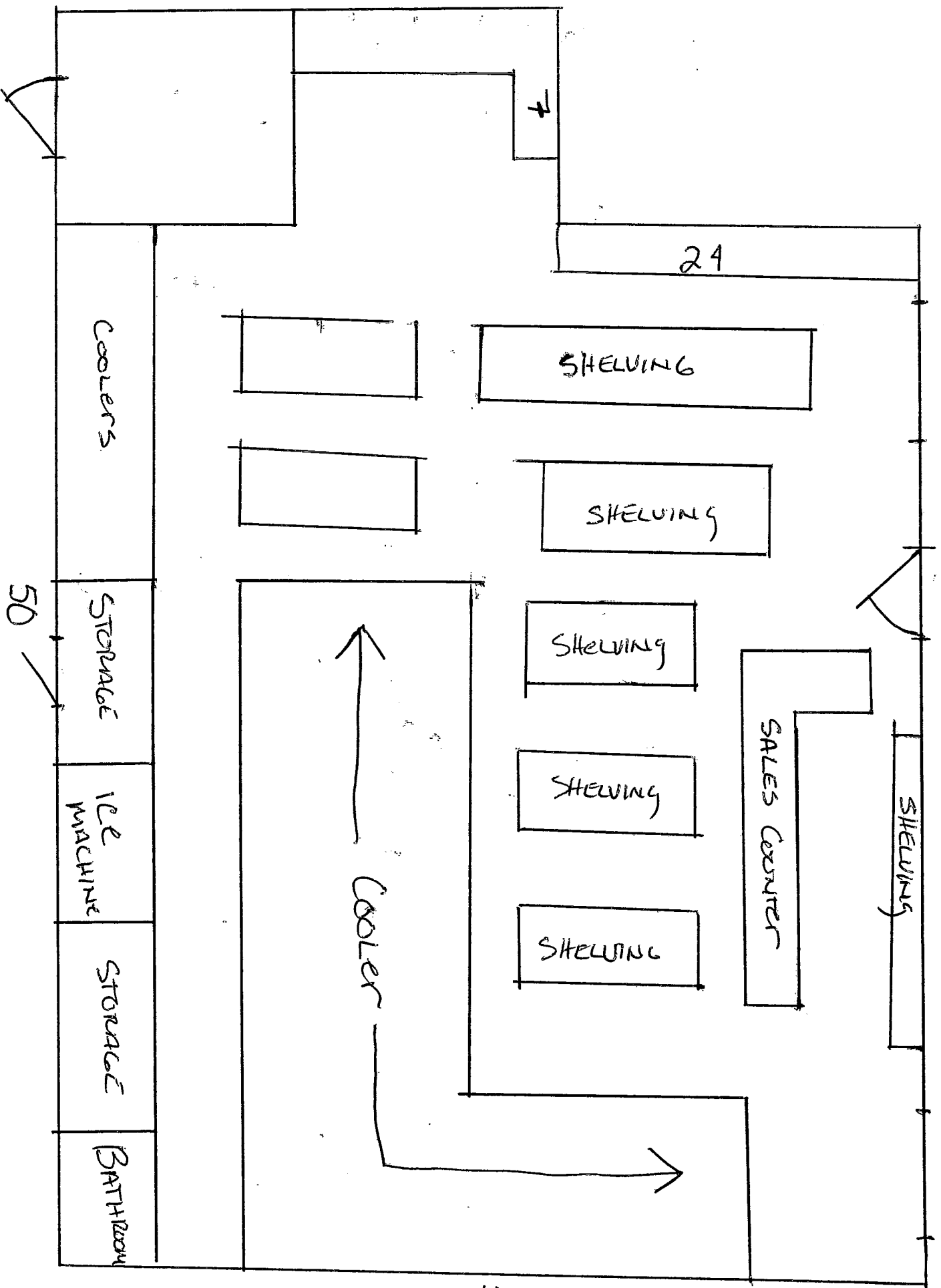
Title

Date

Signature (attest)

Title

Date





## INDIVIDUAL HISTORY RECORD

To be completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company **MANAGING** members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers of a Hotel and Restaurant or a Tavern License.

**NOTICE:** This individual history record provides basic information which is necessary for the licensing authority investigation. All questions must be answered in their entirety or your application may be delayed or not processed. **EVERY** answer you give will be checked for its truthfulness. A deliberate falsehood or omission will jeopardize the application as such falsehood within itself constitutes evidence regarding the character of the applicant.

1. Name of Business

JLC group LLC DBA Eagle Liquor Mart

2. Your Full Name (last, first, middle)

Cossette Jeremy Daniel

3. List any other names you have used.

4. Mailing address (if different from residence)

P.O. Box 4987 Eagle Co 81631

Home Telephone

(970) 328-9188

471-9347

5. List all residence addresses below. Include current and previous addresses for the past five years.

STREET AND NUMBER	CITY, STATE, ZIP	FROM	TO
Current 615 MCINTIRE ST.	Eagle Co 81631	2002	Present
Previous			

6. List all current and former employers or businesses engaged in within the last five years (Attach separate sheet if necessary)

NAME OF EMPLOYER	ADDRESS (STREET, NUMBER, CITY, STATE, ZIP)	POSITION HELD	FROM	TO
Valley Builders, LLC	615 MCINTIRE STREET Eagle, Co 81631	PRESIDENT	09/2009	Present

7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.

NAME OF RELATIVE	RELATIONSHIP TO YOU	POSITION HELD	NAME OF LICENSEE

8. Have you ever applied for, held, or had an interest in a State of Colorado Liquor or Beer License, or loaned money, furniture or fixtures, equipment or inventory, to any liquor or beer licensee? If yes, answer in detail.

☐ Yes ☒ No

9. Have you ever received a violation notice suspension or revocation, for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the U.S.? If yes, explain in detail.

☐ Yes ☒ No

NAC

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? Include arrests for DUI and DWAI. (If yes, explain in detail.)

☒ Yes ☐ No

DUI IN 1994 AND IN 1998 both in ND

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (if yes, explain in detail.)

☐ Yes ☒ No

12. Have you ever had any STATE issued licenses suspended, revoked, or denied including a drivers license? (If yes, explain in detail.)

☒ Yes ☐ No

suspended license for DUI in ND

#### PERSONAL AND FINANCIAL INFORMATION

Unless otherwise provided by law in 24-72-204 C.R.S., information provided below will be treated as CONFIDENTIAL.

Colorado liquor licensing authorities require the following personal information in order to determine your suitability for licensure pursuant to 12-47-307 C.R.S.

13a. Date of Birth 10/13/73	b. Social Security Number SSN [REDACTED]	c. Place of Birth FARGO, ND	d. U.S. Citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
e. If Naturalized, State where	f. When	g. Name of District Court					
h. Naturalization Certificate Number	i. Date of Certification	j. If an Alien, Give Alien's Registration Card Number	k. Permanent Residence Card Number				
l. Height 5-6	m. Weight 150	n. Hair Color BRN	o. Eye Color H2L	p. Sex M	q. Race W	r. Do you have a current Driver's License? If so, give number and state <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [REDACTED]	

#### 14. Financial Information.

a. Total purchase price \$ 605,000.00 (if buying an existing business) or investment being made by the applying entity, corporation, partnership, limited liability company, other \$

b. List the total amount of your investment in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases and fees paid \$

c. Provide details of Investment. You must account for the sources of ALL cash (how acquired). Attach a separate sheet if needed.

Type: Cash, Services or Equipment	Source: Name of Bank; Account Type and Number	Amount
CASH	ANB BANK CHECKING [REDACTED]	\$63000.00

#### d. Loan Information (attach copies of all notes or loans)

Name of Lender and Account Number	Address	Term	Security	Amount

15. Give name of bank where business account will be maintained; Account Name and Account Number; and the name or names of persons authorized to draw thereon.

#### Oath of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature

Title

PRESIDENT

Date

7/18/2014

## INDIVIDUAL HISTORY RECORD

To be completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company **MANAGING** members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers of a Hotel and Restaurant or a Tavern License.

**NOTICE:** This individual history record provides basic information which is necessary for the licensing authority investigation. All questions must be answered in their entirety or your application may be delayed or not processed. **EVERY** answer you give will be checked for its truthfulness. A deliberate falsehood or omission will jeopardize the application as such falsehood within itself constitutes evidence regarding the character of the applicant.

1. Name of Business

JEC GROUP, LLC DBA Eagle Liquor Mart

2. Your Full Name (last, first, middle)

Cosette Carrie Lyn

3. List any other names you have used.

4. Mailing address (if different from residence)

P.O. Box 4987 Eagle Co 81631

Home Telephone

471-5374  
(970) 441-328-9188

5. List all residence addresses below. Include current and previous addresses for the past five years.

STREET AND NUMBER	CITY, STATE, ZIP	FROM	TO
Current			
<u>615 McIntire St.</u>	<u>Eagle Co 81631</u>	<u>2002</u>	<u>PRESENT</u>
Previous			

6. List all current and former employers or businesses engaged in within the last five years (Attach separate sheet if necessary)

NAME OF EMPLOYER	ADDRESS (STREET, NUMBER, CITY, STATE, ZIP)	POSITION HELD	FROM	TO

7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.

NAME OF RELATIVE	RELATIONSHIP TO YOU	POSITION HELD	NAME OF LICENSEE

8. Have you ever applied for, held, or had an interest in a State of Colorado Liquor or Beer License, or loaned money, furniture or fixtures, equipment or inventory, to any liquor or beer licensee? If yes, answer in detail.

☐ Yes ☒ No

9. Have you ever received a violation notice suspension or revocation, for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the U.S.? If yes, explain in detail.

☐ Yes ☒ No

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? Include arrests for DUI and DWAI. (If yes, explain in detail.)

☐ Yes ☒ No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.)

☐ Yes ☒ No

12. Have you ever had any STATE issued licenses suspended, revoked, or denied including a drivers license? (If yes, explain in detail.)

☐ Yes ☒ No

### PERSONAL AND FINANCIAL INFORMATION

Unless otherwise provided by law in 24-72-204 C.R.S., information provided below will be treated as CONFIDENTIAL.  
Colorado liquor licensing authorities require the following personal information in order to determine your suitability for licensure pursuant to 12-47-307 C.R.S.

13a. Date of Birth 2/16/1974	b. Social Security Number SSN [REDACTED]	c. Place of Birth San Pedro, CA	d. U.S. Citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. If Naturalized, State where		f. When	g. Name of District Court
h. Naturalization Certificate Number		i. Date of Certification	j. If an Alien, Give Alien's Registration Card Number
k. Permanent Residence Card Number			
l. Height 5'6	m. Weight 150	n. Hair Color Blonde	o. Eye Color Green
p. Sex F	q. Race W	r. Do you have a current Driver's License? If so, give number and state <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No CO [REDACTED]	

### 14. Financial Information.

a. Total purchase price \$ 605,000.00 (if buying an existing business) or investment being made by the applying entity, corporation, partnership, limited liability company, other \$

b. List the total amount of your investment in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases and fees paid \$

c. Provide details of investment. You must account for the sources of ALL cash (how acquired). Attach a separate sheet if needed.

Type: Cash, Services or Equipment	Source: Name of Bank; Account Type and Number	Amount
CASH	AUB Bank Checking [REDACTED]	63,000.00

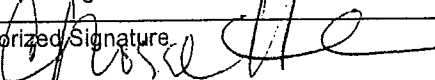
### d. Loan Information (attach copies of all notes or loans)

Name of Lender and Account Number	Address	Term	Security	Amount

15. Give name of bank where business account will be maintained; Account Name and Account Number; and the name or names of persons authorized to draw thereon.

### Oath of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature 	Title Chairman	Date 7/18/14
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# PROGRAM MANUAL

**UPDATED AUGUST 2014**

**COLORADO DEPARTMENT OF LOCAL AFFAIRS**  
**DIVISION OF LOCAL GOVERNMENT**  
**COMMUNITY DEVELOPMENT OFFICE**



## **Colorado Main Street Advisory Board**

Mike Braaten, Downtown Colorado, Inc. (3/2013)

Jane Daniels, Colorado Preservation, Inc. (1/2012)

Tom Gougeon, Gates Foundation (1/2012)

Shawna Hodge, Lamar Partnership, Inc. (1/2012)

Margaret Hunt, Colorado Creative Industries (7/2013)

Alan Matlosz, George K. Baum & Co. (1/2012)

Mark Radke, Colorado Municipal League (1/2012)

Steve Turner, History Colorado (1/2012)



**Special thanks to History Colorado, the State Historical Fund, for generous support of the Colorado Main Street program.**



**National Main Street  
Center**  
a subsidiary of the  
National Trust for Historic Preservation

**Thanks to all of our statewide program partners!**

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## PROGRAM OVERVIEW

The Colorado Main Street® program is designed to assist with the revitalization of traditional downtowns and historic commercial districts, promote economic development and historic preservation. The program uses an approach that advocates a return to community self-reliance, local empowerment, and the rebuilding of central business districts based on their assets, unique architecture, personal service, local ownership and entrepreneurship, and a sense of community.

The Colorado Main Street program provides technical assistance in the Main Street Four-Point Approach® (Organization, Promotion, Economic Restructuring, and Design) to competitively selected communities that are working in historically relevant business district settings and that meet certain threshold criteria. Main Street's Eight Guiding Principles provide a comprehensive approach to district and downtown revitalization.

The Department of Local Affairs (DOLA) manages the Colorado Main Street program, which is partially funded by a grant from History Colorado, the State Historical Fund. The mission of the Colorado Main Street program is to coordinate resources and technical assistance for communities seeking to revitalize their historic downtown commercial districts based on their individual needs. The Department of Local Affairs requires all potential candidates to submit a letter of intent to apply. The Main Street Advisory Board reviews letters of intent and the Executive Director of the Department of Local Affairs considers feedback from the Advisory Board and Colorado Main Street staff to select new Main Street Candidate communities. Contact Stephanie Troller, Main Street Coordinator (303.864.7727 or [Stephanie.Troller@co.state.us](mailto:Stephanie.Troller@co.state.us)) for more information.

## NATIONAL MAIN STREET HISTORY

Concerned about continuing threats to Main Streets' commercial architecture and aware of the need to stimulate economic activity in small-city downtowns, the National Trust for Historic Preservation launched a community demonstration project (1977-1980) that resulted in the creation of the Main Street Four-Point Approach® and establishment of the National Main Street Center in Washington, D.C.

Main Street is a national program that has spanned three decades and taken root in more than 2,000 communities - a movement that has spurred \$49 billion in reinvestment in traditional commercial districts, generated an average of \$27 locally for each public dollar invested, led to a net gain of 94,176 new businesses, 417,919 new jobs, and 214,263 building rehabilitations, galvanized thousands of volunteers, and changed the way governments, planners, and developers view preservation.

## COLORADO MAIN STREET HISTORY

Colorado was selected by the National Main Street Center for a state pilot Main Street project in 1982 – 1985. Delta, Durango, Grand Junction, Manitou Springs and Sterling were Colorado's Main Street communities in the initial program. The Colorado Department of Local Affairs administered this three year pilot program. Although the Main Street approach to downtown revitalization proved very successful in Colorado, the state discontinued the program after completing the three-year pilot project. Several communities continued to implement Main Street and downtown revitalization programs without the benefit of a statewide coordinating program,



while other local programs were discontinued. Between 2000 and 2010, Downtown Colorado Inc. administered the Colorado Main Street program with a grant from the State Historical Fund of The Colorado Historical Society.

Because of the emphasis on historic preservation and the impact the program has had in revitalizing Colorado's historic downtowns, the State Historical Fund continues to generously support the Colorado Main Street Program. In 2011, DOLA took back the administration of the program with a generous grant from the State Historical Fund. Downtown Colorado, Inc. remains a strong program partner, providing training, educational services and downtown assessments as well as organizing a network of stakeholders supporting downtown revitalization.

## MAIN STREET FOUR-POINT APPROACH®

**Organization** involves getting everyone working toward the same goal and assembling the appropriate human and financial resources to implement a Main Street revitalization program. A governing board and standing committees make up the fundamental organizational structure of the volunteer-driven program. Volunteers are coordinated and supported by a paid program director as well. This structure not only divides the workload and clearly delineates responsibilities, but also builds consensus and cooperation among the various stakeholders.

**Promotion** sells a positive image of the commercial district and encourages consumers and investors to live, work, shop, play and invest in the Main Street district. By marketing a district's unique characteristics to residents, investors, business owners and visitors, an effective promotional strategy forges a positive image through advertising, media relations, retail promotional activity, special events and marketing campaigns carried out by local volunteers. These activities improve consumer and investor confidence in the district and encourage commercial activity and investment in the area by identifying and appealing to the district's market niches.

**Design** means getting Main Street into top physical shape. Capitalizing on its best assets — such as historic buildings and pedestrian-oriented streets — is just part of the story. An inviting atmosphere, created through attractive window displays, well-managed parking areas, building improvements, street furniture, signs, sidewalks, lights and landscaping, conveys a positive visual message about the commercial district and what it has to offer. Design activities also include instilling good maintenance practices, as well as enhancing the physical appearance of the district and creating new productive commercial or residential space by rehabilitating historic buildings, encouraging appropriate new construction, developing sensible design management systems, and long-term planning.

**Economic Restructuring** strengthens a community's existing economic assets while expanding and diversifying its economic base. The Main Street program helps sharpen the competitiveness of existing business owners, helps to foster entrepreneurial start-ups and expansions, and recruits compatible new businesses and new economic uses to build a commercial district to create jobs and to respond to today's consumers' needs. Converting unused or underused commercial space into economically productive property also helps boost the profitability and sales tax revenue of the district.

Coincidentally, the four points of the Main Street approach correspond with the four forces of real estate value, which are social, political, physical, and economic.

From an economic development perspective, the four points may be thought of as a means to *develop capacity* (organization), *develop markets* (promotion), *develop useable space* (design), and *develop businesses and entrepreneurship* (economic restructuring).

## EIGHT GUIDING PRINCIPLES

- **Comprehensive:** A single project cannot revitalize a downtown. An ongoing series of initiatives is vital to build community support and create lasting progress.
- **Incremental:** Small projects make a big difference. They demonstrate that “things are happening” and hone the skills and confidence the program will need to tackle more complex problems.
- **Self-Help:** Only local leadership can initiate long-term success by fostering and demonstrating community involvement and commitment to the revitalization effort.
- **Public/Private Partnerships:** The support and expertise of both the public and private sector is necessary for an effective partnership.
- **Capitalizing on Existing Assets:** A key goal is to help communities recognize and make the best use of their unique offerings. Local assets provide the solid foundation for a successful program.
- **Quality:** From storefront design to promotional campaigns to special events, quality must always be the main goal.
- **Change:** Changing community attitudes and habits is essential for success. A carefully planned Main Street program will shift public perceptions and practices to support and sustain the revitalization process.
- **Action-Oriented:** Frequent, visible changes in the look and activities of the downtown will reinforce the perception of positive change. Small but dramatic improvements show that the revitalization effort is underway.

## BENEFITS OF THE MAIN STREET PROGRAM

- **Local Jobs:** Frequently, downtown as a whole is the second or third largest employment center in the community.
- **Protection of Natural Resources and Energy Conservation:** 30% of solid waste in landfills is from demolition of old buildings, while new construction requires many resources. It is often said that the greenest building is the one that doesn't have to be built. Rehabilitating and re-using old buildings is an environmentally sound strategy. Additionally, more resources are required to develop in greenfield sites on the edge of town than to develop in infill spaces, where existing utilities may be used.
- **Efficient Use of Public Infrastructure:** Large investments have been made over time in downtown infrastructure, so it is often more efficient to keep downtown vibrant than extend infrastructure to new development. Local government can support strategic development and capitalize on the value and potential investment that commercial districts can attract.



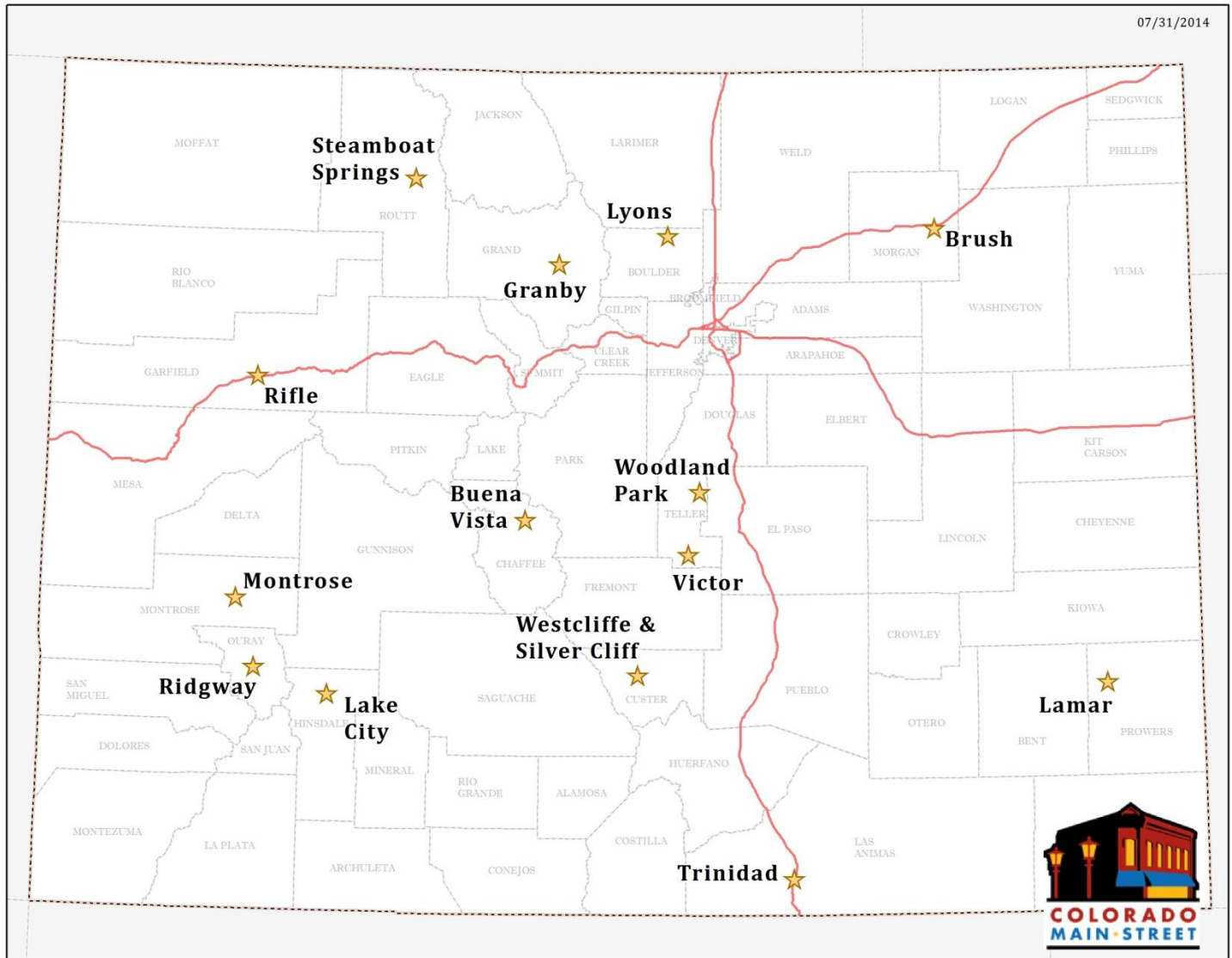
- **Property and Sales Taxes:** The healthier the downtown businesses are, the higher the rents building owners can collect, resulting in higher property values and a higher tax base for the community. Because of its compact nature, a healthy downtown generally pays more in property taxes per acre than anywhere else in your jurisdiction.<sup>1</sup> A vibrant downtown attracts not just locals, but regional shoppers and tourists – and sales tax revenue – to your jurisdiction.
- **Public Health Safety:** A vacant and deteriorated downtown breeds crime. Keeping your downtown and commercial districts active and alive helps citizens to feel safe and want to take part in the community.
- **Strategic Decision-Making:** The city's decisions on zoning, land use and commercial sprawl impacts the health of downtown. In addition, local government is the keeper of public lands, buildings, streetscape, and infrastructure, so community consensus is important.
- **Downtown Development & Industrial Development are Linked:** Industrial development prospects expect to tour downtown and assess for themselves your community's values with respect to maintaining and supporting a healthy central business district. If downtown is vacant and deteriorated, potential industry tenants may question the community's respect for the industrial park in a few years.
- **Quality of Life for Your Community:** Downtown was historically the cultural, educational, commercial, recreational and governmental center of your community. Residents expect these amenities to exist in your community to enhance their quality of life. Downtown will continue to be this quality of life center, if given the opportunity.
- **Pride in a Healthy & Vibrant Community:** Big towns, small towns, all towns started around a commercial district or downtown. It is the heart and soul of your community and should reflect the pride of local leadership and community. It is the face you project to visitors, investors and to yourselves. The reputation of your community is based on the condition of your downtown.

---

<sup>1</sup> See research completed by Joe Minicozzi, Urban3 LLC, for the Sonoran Institute.



## COLORADO MAIN STREET COMMUNITIES MAP





# BECOMING A COLORADO MAIN STREET COMMUNITY

## STARTING YOUR MAIN STREET PROGRAM

Your community can take the following steps to get your Main Street program started.

### GAIN COMMUNITY SUPPORT

The most important part of any Main Street program is that the community supports the effort and that some are willing to volunteer to make things happen. It is especially important to have buy-in from the business owners, property owners, and residents within your potential Main Street district. Forming partnerships with other community organizations is also a vital component of gaining community support.

### ESTABLISH A STEERING COMMITTEE

A steering committee is an informal group of community members including local professionals, business owners, city/town staff, and other volunteers who are dedicated to downtown revitalization and the Main Street program. This will be the group of individuals that gain further community support and help set up the overall structure of your local program. This includes defining boundaries, establishing a preliminary budget and funding sources, enlisting additional volunteers, and more.

### CREATE A BOARD OF DIRECTORS

The board of directors should be a diverse and representative group of individuals selected for their skills, knowledge and connections. They should be passionate about the mission of your local Main Street program and have enough time to commit. The board of directors will be the main advocates for the program, help with strategic visioning, maintain public relations, sustain revenue and potentially serve as a chair of one of the four committees.

### FORM COMMITTEES

The four committees (one in each of the four points: Organization, Promotion, Design, and Economic Restructuring) should be made up of different specialists in the topic or very interested in learning it. While your program is getting started it is not essential to have all four committees but be sure that your overall efforts focus on all of the four points. Committee members should have enough time to commit and understand the committee mission and goals. Their responsibilities include creating and implementing projects, attending meetings, learning the Main Street approach, attending trainings and recruiting and orienting new members.

### DETERMINE MISSION

The mission of the program should be created by the board of directors. It should explain who the local Main Street program is and what they do. It should be clear, concise and distinct from other organizations.

### DEFINE VISION

The vision for your local Main Street program should be created with the entire community and should be reviewed every two to three years. A vision describes what your community will be in five to 10 years.



## CHOOSE PRIORITIES

There are so many different things that can be done in your community to achieve your vision. It is important to break these down into smaller steps. So if part of your vision in your community is to have outstanding restaurants and diverse shopping opportunities then maybe one of your priorities is to focus on business retention.

## WRITE A WORK PLAN

Based on the priorities chosen above, determine what each committee can do to advance that goal. For example, if your community wants to focus on business retention the Design Committee can focus on façade improvements to existing buildings while the Economic Restructuring Committee can survey existing businesses to see what could make doing business in the community easier. As a Colorado Main Street Community (at any level) you must submit a work plan each year.

## REQUIREMENTS TO BECOME A CANDIDATE MAIN STREET COMMUNITY

Before submitting a Letter of Intent to become a Candidate Main Street community, please contact the Colorado Main Street staff. Staff will work with your community to help explore the program, decide if it is right for your community, and help you complete the Letter of Intent. In addition, your community is required to do the following before applying to become a Candidate Main Street Community:

- **Downtown Assessment** – DOLA and Colorado Main Street staff partner with other organizations to produce Downtown Assessments resulting in a multi-year action plan for downtown revitalization.
- **Main Street 101** – Colorado Main Street staff will provide an on-site training to help communities interested in the Main Street program determine if the program is the right tool for their community. Staff will deliver a Main Street 101 presentation to councils, boards, and other downtown stakeholder to be sure the community understands the approach and requirements of the program.
- **Main Street Boot Camp** – Main Street Boot Camp is a one to two day learning event that teaches the basics of the Colorado Main Street program. Space is limited but attendance by interested communities is encouraged to be sure the community learns about Main Street before deciding that Main Street is the right approach to downtown revitalization for their community.
- **Dedicated Point of Contact** – The community will need someone to serve as the champion for the local Main Street program and be the dedicated point of contact to Colorado Main Street staff.
- **Steering Committee** – A steering committee is an informal group of community members including local professionals, business owners, city/town staff, and other volunteers who are dedicated to downtown revitalization and the Main Street program. Your local program will need this group to gain further community support and to set up the overall structure of your program.



- **Historic Preservation Ethic** – It is vital to any Main Street program that the community possesses a historic preservation ethic.
- **Newsletter and Facebook** – Colorado Main Street publishes a quarterly newsletter full of best practices, tips and ideas for downtown revitalization. This publication is available on the Colorado Main Street website as well as through a list serve. Contact Colorado Main Street staff to be added. In addition, Colorado Main Street hosts a Facebook page to publicize event, trainings, and information articles. Anyone can follow the Colorado Main Street program on Facebook. These two resources provide updates, best practices and current events of the Colorado Main Street network.
- **Submitting a Letter of Intent** – Letters of Intent to become a Candidate Main Street Community are accepted once a year and will be due by July 1. Please contact Colorado Main Street staff if your community is considering applying to the program. Staff may work with your community to help explore the program, decide if it is right for your community, and complete the Letter of Intent. Please see the Colorado Main Street website for the Letter of Intent form.



# ORGANIZING YOUR MAIN STREET PROGRAM

## TYPICAL ORGANIZING STRUCTURES

The exact type of organization chosen for each Main Street program varies from community to community and may change after a few years. Some typical organizing structures include:

### AN INDEPENDENT NON-PROFIT ENTITY

The local Main Street program may be a 501(c)(3), 501(c)(4) or 501(c)(6) organization depending on its exact mission and the findings of the IRS. Each designation varies somewhat in what activities the organization is permitted to undertake. A 501(c)(3) offers tax benefits for some (but not all) donors. Colorado Main Street has posted a recorded webinar on its website on choosing, attaining and maintaining non-profit status. All non-profits are governed by a board of directors, must adopt bylaws, and must comply with financial reporting requirements.

### MAIN STREET PROGRAM EMBEDDED IN ANOTHER ORGANIZATION

A Main Street program may be embedded in another organization, such as an economic development corporation, a local government, or a Downtown Development Authority (DDA). In this case, the Main Street program should have its own advisory board that oversees Main Street activities and the activities of the Main Street committees, and should have its own budget and sources of revenue. In some cases the board may serve as the Main Street board, and working committees can be developed under the board.

### A CHAMBER-MAIN STREET ORGANIZATION

In smaller towns, or in towns with strong downtown business districts, it may make sense to combine a Chamber of Commerce and a Main Street program. This can be done by either unifying both programs under one board and committees, or by having a Main Street governing board and program housed within the larger organization. Keep in mind that there may be conflicts between the two organizations' missions and philosophies.

### A COALITION OF TWO ORGANIZATIONS

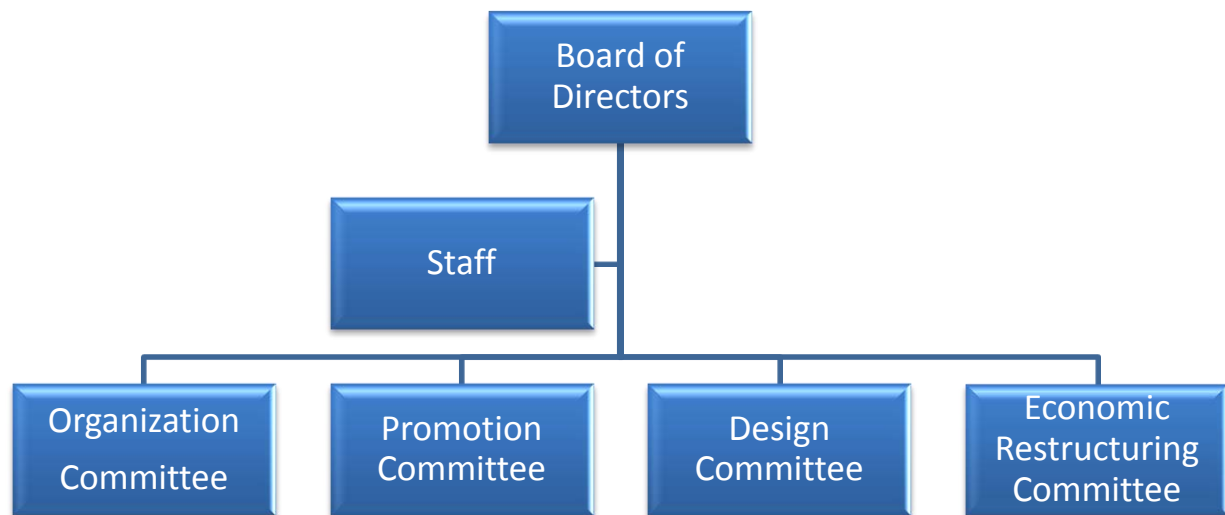
In some cases, a Main Street program may be a coalition of more than one organization. One example of this is an existing merchants' group serving as the Promotions point for a Downtown Development Authority Main Street organization. In these cases, it is important to clearly define responsibilities, clarify funding and fundraising, and keep strong communication between the entities and staff.



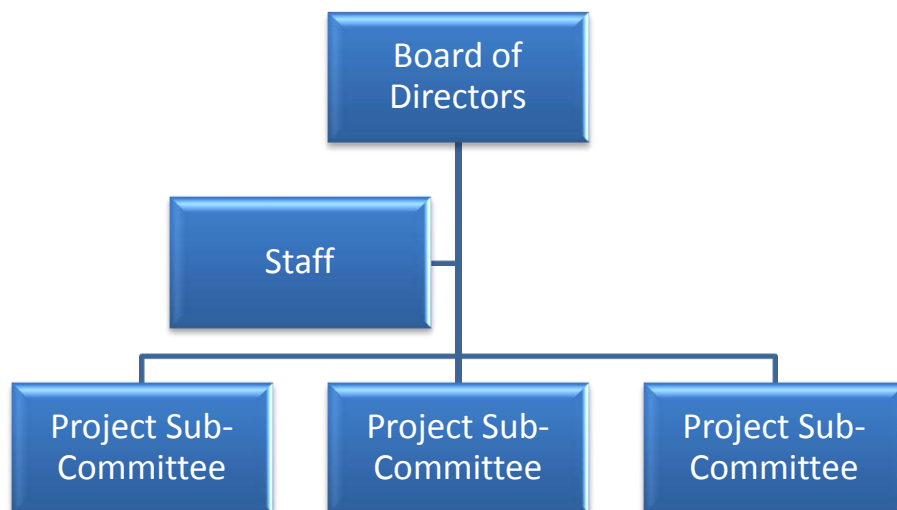


## TYPICAL BOARD AND COMMITTEE STRUCTURES

Regardless of the organizing structure chosen above, the most typical organizational model (below) includes a board of directors and four committees working in the four points – Organization, Promotion, Design, and Economic Restructuring. A Main Street Manager/staff is only required as a Designated and Graduate community and may be a full- or part-time position depending on the size of the community. Some smaller communities may have the board also serve as the Organization Committee.



Some communities are departing from the model above in favor of an active working board and individual project-based sub-committees (see below). This works when volunteers are willing to serve on a single-purpose sub-committee but not on a standing committee. In this case, it is still important to have a comprehensive work plan in the four points to be sure your revitalization efforts are comprehensive.



## BOARD OF DIRECTORS OVERVIEW

The board is the governing body of the local Main Street program, providing strategic direction, making decisions on budget and staff, and serving as ambassadors for the program. If the program is an independent non-profit organization, Board Members will have fiduciary responsibilities. Main Street boards are generally considered working boards, and members' commitments of time (generally 5-10 hours monthly beyond attending meetings) should be outlined in a position description (see Appendix B for a sample).

Board procedures, including electing of the president and vice-president, should be outlined in the adopted by-laws (sample by-laws can be provided by Colorado Main Street). It is also helpful to have a system for succession so someone is knowledgeable and ready to step in if the Chair/President leaves the organization.

The board chair or president (not staff) runs meetings, often using Robert's Rules of Order (or a loose interpretation thereof). It is important that the board make clear decisions and give clear direction to staff, although it is generally the president/chair who works most closely with staff. Likewise, it is helpful for staff to deliver a written report prior to each meeting. The board treasurer will track finances and deliver a financial report at each meeting, and the board secretary may take minutes.

The board should include a representative of each of the committees. Some boards select an executive committee (generally the officers - president, vice-president, secretary and treasurer) to make certain decision, such as regarding staffing, but this is not necessary for many smaller organizations.

It is also desirable to strive for diversity (i.e. depending on the make-up of your district, you may strive to include a retailer, employer, property owner, restaurateur, and community resident). The board may contain ex-officio members representing certain organizations (such as the local government, Chamber of Commerce, etc.) and these may be voting or non-voting members. It is generally recommended that boards are kept to a manageable size (no more than 9 or 11 members, and smaller is fine) so not every partner need be represented on the board. All in all, remember that this is a working board and should include those who want to roll up their sleeves – not necessarily those who are prominent in town and have many other responsibilities.

Board members, not staff, should take the lead in fundraising as they are the ambassadors of the organization.

### Main Street Boards should represent these five important groups:

- **Workers** who will be willing to roll up their sleeves and actively participate in the implementation of the program;
- **Wisdom** which will be used to further the mission of the local program;
- At least one **worrier** who will act as the reality check for the rest of the Board;
- Every Main Street Board needs to have **wealth** and needs to know where to get it; and
- Every Main Street Board should be **representative** and inclusive of the community.

### The Main Street Board, as a group, is responsible for:

- **Raising funds** needed to operate the local program. This is not a responsibility of staff;
- Being walking, talking **advocates** for the program;



- Being **accountable** to the community for success of the local program and for using its human and financial resources wisely;
- Setting **strategic direction** – both long- and short-term including approving annual work plans;
- Establishing **policies** for the program; and
- Making **personnel** decisions – hiring, evaluation, and dismissal of staff.

#### **Individual Board Members' roles are:**

- To **participate** with knowledge, labor and money;
- To **attend** monthly board meetings and complete assigned tasks;
- To **understand** the mission of the local program and actively promote its goals;
- To **support** the decisions of the Board; and
- To devote time necessary to attend **educational** opportunities relating to the program and downtown development.

### **COMMITTEES OVERVIEW**

The National Main Street Center has published four **Main Street Committee Members' Handbooks: Organization, Promotion, Design, and Economic Restructuring**. Within each of the guides is a section entitled "Committee Work Plans," and subsections: developing a good work plan, typical work plan projects, a sample work plan, and blank work plan sheets.

The board and manager must have a solid understanding of the functions of each of the four committees. The act of goal-setting and plan-making should be strategic, with the board reviewing and approving each committee's work plan. While the board sets the overall goals of the organizations, the committees are each responsible for implementing the work plans. Each of the committees pursues a specific area of expertise. However, their goals should be interwoven with one another.

#### **Some general duties of each committee include:**

##### **Organization**

The Organization Committee plays a key role in keeping the board, committees, staff, and program-of-work in good shape by attracting people and money to the organization.

- Fundraising – from projects and administration, from donations, sponsorships and grants;
- Managing staff and volunteers – by maintaining a volunteer list, recruiting people, supervising them, and rewarding good work;
- Promoting and communicating about the program – to downtown interests and the public;
- Creating partnership – with other community organizations; and
- Managing finances – by developing good accounting principles.

##### **Promotion**

The job of the Promotion Committee is to promote the downtown as the center of commerce, culture, and community life for residents and visitors alike. The Promotions Committee may do this by:

- Understanding the changing market – both potential shoppers and your competition;



- Building on downtown assets – including people, buildings, location, heritage and institutions;
- Defining Main Street’s market niche – its unique position in the regional marketplace;
- Creating NEW image campaigns, retail promotions, and special events – to lure people back to downtown; and
- Marketing the downtown through branding, print materials and online.

## **Design**

The Design committee plays a key role in shaping the physical image of Main Street as a place attractive to shoppers, investors, business owners, visitors and residents. This is done by:

- Providing good design education and advice, through professional resources where available, to encourage quality improvements to private buildings and public spaces;
- Planning Main Street’s development – guiding future growth and shaping regulations through engagement with stakeholders and local government;
- Motivating business and property owners to make changes – linking business and building owners to available incentives, creating new incentives, and targeting key projects;
- Being a steward of public spaces within the district;
- Facilitating the rehabilitation of existing private buildings and the creation of new buildings compatible with the district; and
- Enhancing the walkability and ambience of the district – beautification, building facades, streetscape, parking, and signage.

## **Economic Restructuring**

The job of the Economic Restructuring Committee is to understand (and help the other committees understand) the market, identify new market opportunities for the district, link business owners with available business assistance, find new uses for historic commercial or residential buildings, and stimulate investment in private property. Some potential goals of the committee are:

- Learning about the district’s current economic condition and identifying opportunities for market growth;
- Strengthening existing businesses and attracting new ones;
- Finding new economically viable uses for traditional Main Street buildings;
- Developing financial incentives and capital for business development and possibly for building rehabilitations; and
- Monitoring the economic performance of the district.

## **SAMPLE GOALS AND OBJECTIVES FOR COMMITTEES**

### **Organization Goal:**

Establish a strong Main Street organization, which uses a growing number of participants and funding sources and fosters leadership in the implementation and funding of the revitalization program.

### **Objectives:**

- Develop a fundraising program which uses a wide range of sources from both public and private sectors to assure long-term continuation of the program

- Establish an ongoing outreach and membership/investor program to increase volunteer participation and membership/investor support
- Improve channels of communication – such as the program newsletter
- Establish a program to develop and retain staff and volunteers
- Hold an annual volunteer appreciation event and volunteer of the month/year recognition in the local paper – perhaps in collaboration with other non-profit entities
- Establish an annual services contract with the City specifying their level of funding and establishing what services or results they expect the Main Street organization to provide
- Update job descriptions for board member, committee chair and committee member positions
- Work with the city and area non-profits to create a volunteer database
- Prepare annual report to City Council (with Board)
- Identify grant funding opportunities and meet potential funders

#### **Promotion Goal:**

Improve Consumers' and Investor's confidence in the Main Street district through a unified image created by an exciting variety of activities, promotions, web presence and materials for the commercial area's target market(s).

#### **Objectives:**

- Develop and distribute a well-designed map and calendar of events
- Provide business trainings in marketing or visual merchandising
- Hold a hands-on social media training to improve participating businesses' web and social media presence
- Develop a well-coordinated program of retail events to generate increased sales for businesses, evaluating events for effectiveness and modifying, adding or dropping events as needed
- Develop a well-coordinated program of special events to generate increased sales for businesses, evaluating events for effectiveness and modifying, adding or dropping events as needed
- Develop an annual schedule of image-building events and establish strong relationships with the local media
- Complete a market study update and branding campaign, and incorporate the brand into all promotional events and materials
- Improve web presence of the program
- Hold a secret shopper program to help businesses improve their appearance, inventory or services
- Publish a monthly "What's Up Downtown" column in the local paper

#### **Design Goal:**

Improve visual appeal, access and walkability of the commercial area by maintaining and improving the public environment and by encouraging rehabilitation of existing buildings and creation of new mixed-use development compatible with the District's heritage.

**Objectives:**

- Continue public beautification programs – banners, flower baskets, tree pruning, lighting, public art
- Hold an annual clean-up downtown day
- Work with the City to update zoning, design, signage or patio dining regulations
- Work with the City to improve lighting, wayfinding signage or infrastructure
- Assist property owners in accessing architectural assistance and in utilizing all available resources, including historic tax credits, to improve their buildings, inside and out
- Create a façade or building improvement program through grants, revolving loans and/or volunteer assistance
- Conduct a historic survey or apply for a Historic Structure Assessment grant
- Create seasonal design features such as summertime “pop-up” patios, holiday lighting, or a winter ice skating rink
- Work with the City to identify needed public improvements and possible resources for those improvements
- Train merchants in visual merchandising (store window displays/store layout)
- Create a vacant storefront windows program
- Work with the City and businesses to make downtown bicycle friendly – with bicycle racks, lanes, trail connections, etc.
- Make improvements to a public space to support concerts and events (i.e. stage; electronic systems; shade)
- Work on a parking plan and collaborate with the City to implement it
- Work with City and property owners on snow removal – especially of vacant properties
- Work with the City and property owners on maintenance – especially of vacant buildings

**Economic Restructuring Goal:**

Broaden the economic base of downtown by retaining, growing and attracting businesses.

**Objectives:**

- Collect and interpret data regarding retail market, real estate market and local economy
- Conduct a merchants', consumer (intercept) or residents' survey
- Support business retention through a regular program of technical assistance and financial incentives targeting identified training needs
- Support business attraction through a brochure highlighting market data, city policies, and advantages of locating downtown
- Create an inventory of available spaces and assess their needs to be tenant-ready
- Work with the city, local council of governments, grant funders or others to create incentive programs
- Recruit businesses that fulfill unmet consumer needs in the retail market.
- Strengthen second-floor and secondary block office and residential presence
- Assist or participate in the real estate development process

- Assess the viability of a Business Improvement District or Urban Renewal Authority
- Seek a grant to provide business assistance/training
- Hold a familiarity/hospitality training to ensure front-line employees can enthusiastically recommend other businesses and services and talk about local sights, activities and history
- Establish free WiFi downtown
- Create a holiday pop-up store program to fill vacancies
- Collaborate with a property owner to establish an arts studio, commercial kitchen or office incubator
- Identify owners of home-based / online businesses who may want a storefront



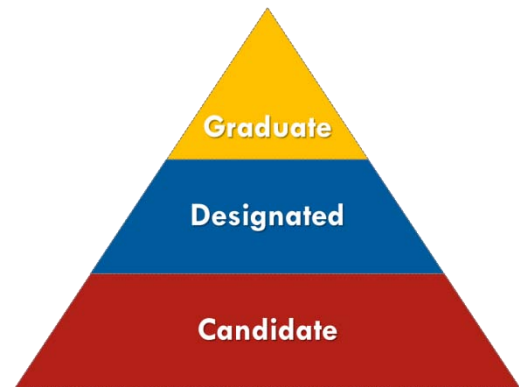
## COLORADO MAIN STREET TIERED PROGRAM

The tiered program is designed to build capacity as communities mature and have more successful programs. Colorado Main Street staff provides technical assistance, education, and training to help communities meet the goals established by the local program in order to move up through the tiers. Below are some examples of what is expected of Main Street Communities in each tier of the program.

### CANDIDATE MAIN STREET COMMUNITY

During this period the Candidate community should establish and build the organization's structure, leadership, and resources. This phase usually lasts up to three years during which time communities are working towards establishing a lasting local Main Street program. Criteria to become a candidate include:

- A completed Letter of Intent and acceptance into the Main Street program
- Main Street 101 training for all board and committee members
- A completed assessment or downtown plan with implementation steps
- A dedicated point of contact for training and communications
- A "steering committee" and moving toward forming a board and committees
- Working on developing historic building inventories and partnering with History Colorado
- Beginning to collect data regarding your downtown (real estate inventory, cost per sq. foot, market data, etc.)



### DESIGNATED MAIN STREET COMMUNITY

At this stage, the community has the basic infrastructure in place to run an effective Main Street program. Designated Main Street communities:

- Have an organizational structure including an active board and committees, incorporation and by-laws (as appropriate)
- Have active public/private participation in downtown revitalization
- Develop and use a consistent logo/brand
- Hold or sponsor promotional events and/or campaigns
- Have a fund raising program for downtown projects
- Refer or provide assistance to small businesses
- Adopt a multi-year strategic plan (this could include a Resource Team Report) which helps inform annual work plans



- Allocate funding for a professional Main Street manager (half-time for communities under 5,000 people, or full-time for communities over 5,000 people)
- Maintain adequate funding for the local Main Street program
- Work toward National Accreditation Standards (see Appendix A)
- Work toward becoming (or are) Certified Local Governments (CLGs) through History Colorado
- Demonstrate community awareness of the Main Street program

## GRADUATE MAIN STREET COMMUNITY

Once a community's program has matured and is established, it may move to the final tier where a community can remain indefinitely. Graduate communities:

- Are Certified Local Governments (CLGs) through History Colorado
- Maintain secure, diversified funds for staff and program
- Enjoy a strong business mix in downtown
- Demonstrate a strong historic preservation ethic
- Meet all of the National Accreditation Standards (see Appendix A)
- Have a multi-year strategic plan (this could include a Resource Team Report) which helps inform annual work plans
- Are well versed about Main Street practices
- Provide assistance to Candidate and Designated communities as a mentor or trainer



## COLORADO MAIN STREET EXPECTATIONS/REQUIREMENTS

REQUIREMENTS/EXPECTATIONS	CANDIDATE MAIN ST.	DESIGNATED MAIN ST.	GRADUATE MAIN ST.
Have a board of directors and active committees (Candidates have a steering committee to start with)	X	X	X
Submit quarterly reports and reinvestment statistics	X	X	X
Submit comprehensive annual work plan in the four points	X	X	X
Attend trainings	X	X	X
Maintain program of ongoing training for volunteers	X	X	X
Agree to and sign MOU	X	X	X
Maintain broad-based public support	X	X	X
Work to preserve historic resources	X	X	X
Maintain public and private sector involvement		X	X
Have a mission statement and goals which are reviewed annually		X	X
Follow the Main Street Four-Point Approach®		X	X
Hire a paid professional manager		X	X
Have a multi-year strategic plan		X	X
Maintain an adequate operating budget		X	X
Designate a Main Street district (with map)		X	X
Concentrate program activities in designated Main Street district		X	X
Meet Main Street National Accreditation criteria		X	X
Are a Certified Local Government (CLG) through History Colorado			X
Provide assistance and training to Candidate and Designated Main Street communities			X

## A TYPICAL YEAR IN THE MAIN STREET PROGRAM

The first six months in the program are intended to get your program activated and organized to be ready for the next calendar year. Your main point of contact for the program is required to attend Main Street Boot Camp shortly after Letters of Intent are due. Other volunteers and/or staff are encouraged to attend as well. Shortly after you are accepted as a Candidate, Main Street staff will be in touch to give you an orientation to the program and make a plan for a start-up visit. In addition to the following timeline, staff/volunteers are required to collectively attend at least three trainings throughout the year and present an annual “State of Main Street” report to the local elected body.

### IMPORTANT DATES

Due January 15 - Quarter 4 Reports and Statistics

Due January 31 - Event Calendars and DOLA MOUs

Due March 31 - Annual Work Plans

Due April 1 - Main Street Mini-Grant Applications

Due April 15 - Quarter 1 Reports and Statistics

Due July 1 - Letters of Intent (New Applicants Only)

Due July 15 - Quarter 2 Reports and Statistics

Due November 15 - Quarter 3 Reports and Statistics

October-December - Year End Visits and Reports



## COLORADO MAIN STREET SERVICES PROVIDED

SERVICES PROVIDED	CANDIDATE MAIN ST.	DESIGNATED MAIN ST.	GRADUATE MAIN ST.
Start-up visit	X		
On-call technical assistance in the 4 points	X	X	X
On-site technical assistance in the 4 points	X	X	X
Board and/or manager orientation	X	X	X
Resource Team visit	X	X	X
Annual year end program assessment	X	X	X
Annual work planning visit (as requested)	XXX	XX	X
Preservation architectural services	X	XX	XXX
Quarterly Main Street trainings	X	X	X
Main Street Boot Camp	X	X	X
National Main Streets conference scholarships	X	X	X
Mini-grants	X	XX	XXX
Publicity (including newsletter and social media)	X	XX	XXX
Accreditation guidance/review		X	X
<div> X XX XXX Less More </div>			

## START-UP VISIT

A start-up visit is offered to newly accepted Candidate communities and is tailored to the community's individual needs. This may include a visioning process, goal setting and prioritization, training on volunteer recruitment or fundraising, communication strategies, and more.

## TECHNICAL ASSISTANCE IN THE FOUR POINTS

Colorado Main Street provides a number of training and technical assistance services to participating communities. Main Street communities may access trainings and technical assistance services. These services are typically provided by Colorado Main Street staff. If your community needs assistance in an area not identified below, please let Colorado Main Street staff know and we will do our best to accommodate your needs or connect you to an agency that can provide the requested assistance.

### Organization

Assists in local development of a structure designed to sustain and enhance local Main Street organizations' structure, operation, resources, and partnerships.

- Organization committee training
- Operations management
- Orientation for board members, committee members, and staff
- Communications strategies with volunteers and partner organizations
- Volunteer development and recognition
- Fundraising strategies

### Promotion

Helps local Main Street organizations' develop and implement marketing and promotional activities to enhance downtown's image and attract consumers and visitors to the Main Street district. Efforts help create a positive image of your Main Street.

- Promotion committee training
- Event development
- Social media
- Market analysis
- Branding

### Design

Provides community with planning and design trainings for the public realm including beautification and functionality; provides business and property owners with suggestions on how to maintain and enhance buildings located in the Main Street district.

- Design committee training
- Architectural technical assistance for buildings and streetscapes
- Historic preservation technical assistance
- Building improvement incentives

## Economic Restructuring

Helps participating local Main Street organizations enhance and strengthen their Main Street's economy.

- Economic restructuring/business development committee training
- Demographics information
- Business retention and expansion training and planning
- Business recruitment training and planning

## BOARD AND/OR MANAGER ORIENTATION

Orientation to the Colorado Main Street program is important for new board members and new Main Street Managers to be sure they fully understand the mission of the program. When a new community enters the program, or an existing Main Street community has significant turnover in their board, Colorado Main Street staff can provide an orientation to the program. Orientation is also vital for new Main Street Managers so they understand the program requirements, services and overall mission.

## RESOURCE TEAM VISIT

Colorado Main Street Candidate communities which have met the criteria to move on to Designated Main Street status are recognized by Colorado Main Street staff based on the recommendations of the Colorado Main Street Advisory Board. Most of these communities completed a planning process (often a Downtown Assessment) prior to becoming Candidate communities, but are now ready for further guidance for their local Main Street program. These communities qualify for a Resource Team visit from Colorado Main Street staff. Designated Main Street communities stepping up to Graduate status likewise qualify for a Resource Team visit. Colorado Main Street staff will work with the local program to determine the appropriate timing and scope of the visit.

This Resource Team Report is based on the National Trust for Historic Preservation's integrated and comprehensive Main Street Four-Point Approach®. The four points are:

- **Organization** of broad-based local leadership;
- **Promotion**, to market the downtown's opportunities and to help reestablish the downtown as the center of the community's activity;
- Downtown **Design** carried out by public and private sectors; and
- **Economic Restructuring (Business Development)**, to help strengthen and expand downtown's economic base.

**Who:** The Resource Team includes DOLA's Colorado Main Street staff and specialists chosen specifically to meet the community's needs and to make recommendations in each of the four points.

**What:** The Resource Team visit is an opportunity to glean insight and expertise from Main Street specialists and for the community to see itself through outside eyes.

The product is a Resource Team Report which is meant to serve as a three- to five-year guiding document for the Main Street program. It will provide recommendations for the local program based on information gathered during the visit. The report will include both narrative



recommendations and an implementation matrix outlining suggested goals, tasks, timeframes, and participants. The local program may consider this report to be a multi-year strategic plan or may choose to adopt the report's recommendations into local planning.

**When:** The Resource Team visit runs two to three days in length, with the team generally arriving in town the day before the visit begins.

**How:** Funding for the Resource Team is provided through DOLA, although the community may be asked to cover the cost of lodging and provide meals for non-DOLA team members.

Team members are provided with background materials in advance. During the community visit, the Resource Team examines information about the community and the local Main Street program, meets with community leaders and discusses ideas with the Board of Directors and committees. Each specialist focuses on one of the four points of the Main Street approach. Then, as a team, they shape their observations and recommendations into a comprehensive vision for your downtown.

Obviously, during this short community visit, a Resource Team cannot develop a plan that addresses all the community's challenges. The Resource Team does result in observations and recommendations for the local community that are specific to the downtown, are focused and are possible to implement within the next two to three years.

The Resource Team presents its observations and recommendations to the public on the last day of the visit. A written report is delivered to the community approximately eight to twelve weeks later. These recommendations are reviewed by the Board of Directors and can serve as the basis for the community's work plan in the program's next phase.

Local representatives will need to arrange meeting times, meeting locations and logistics of public receptions and events associated with the visit. Local lodging arrangements should also be coordinated by local representatives; however, payment for lodging will be handled by DOLA. Your community's local DOLA Regional Manager can discuss in further detail how the process is carried out. No cost will be incurred by your community for the Resource Team as this is a benefit of the community's Main Street status.

### **A TYPICAL SCHEDULE FOR A RESOURCE TEAM INCLUDES:**

#### **Day One**

The team tours the community and downtown, meets with the Program Manager or Executive Director and Executive Committee and the Board Chairperson, and reviews an overview or orientation to key issues. Team members conduct focus group sessions with the Main Street board and committees, and various community members including business and property owners, residents, and representatives of community groups. The local Main Street program is responsible for ensuring proper turnout for focus groups.

#### **Day Two**

Team members conduct follow up interviews with individuals and continue to develop their findings and recommendations. In the afternoon the team meets with the local Main Street Executive Director and representatives of the Board and local government to review its findings and recommendations. In the early evening the team conducts a public presentation of its findings at a town hall style meeting. In order for the team's recommendations to best be understood it is important that they reach a large number of people. Therefore, the public presentation is an important vehicle for communicating ideas to as many people as possible who are involved in the

local Main Street program, or who may simply be interested in hearing more about what the Main Street program involves.

## **ANNUAL YEAR END PROGRAM ASSESSMENT**

Each year Colorado Main Street staff conducts a year end assessment of your program. This can be over the phone or on-site. You are required to fill out your year end report form before the meeting and organize your board members to attend the meeting if it is on-site. The intent of this assessment is to talk about successes and failures of the year, needs for the coming year, and potential goals for the next year. Colorado Main Street staff will offer observations and recommendations after the meeting to help inform your work plan for the coming year.

## **ANNUAL WORK PLANNING VISIT**

Work planning visits are highly recommended for Main Street communities who need help designating goals and tasks for the year. Often our Graduate communities do not need this service. Ideally work planning visits gather the board to determine overarching goals for the year and then gather each committee to determine tasks to reach those goals. Main Staff can facilitate this process or provide guidance to your community to do it on your own.

## **PRESERVATION ARCHITECTURAL SERVICES**

The State Historical Fund provides a grant to fund the Colorado Main Street Architect. The architect can help the local government and private property owners upon request through the local Main Street program with historic buildings, façades, paint pallets, and much more. See the Architectural Assistance Request form on the Colorado Main Street website for more information.

## **QUARTERLY MAIN STREET TRAININGS**

Colorado Main Street offers four quarterly Main Street trainings to all of our Main Street communities - two on-site and two webinars. Each of the trainings covers one of the four points and all staff, board members and volunteers are welcome to attend based on the space available.

## **MAIN STREET BOOT CAMP**

Boot Camp is offered one or two times a year and is a one to two day learning event that teaches the basics of the Colorado Main Street program. Space is limited but attendance by interested and new communities is encouraged to be sure the community learns about Main Street. Attendance is also encouraged for new board members, staff and other highly interested volunteers.

## **NATIONAL MAIN STREETS CONFERENCE SCHOLARSHIPS**

Based on available funding the Colorado Main Street program offers scholarships annually to the National Main Streets Conference. The scholarship may be partial or full and can be used by new staff, board members or dedicated volunteers. This is a great opportunity to learn all about the Main Street approach, national best practices and to network with other Main Street staff, board members and volunteers.



## MINI-GRANTS

Colorado Main Street offers non-competitive mini-grants to our Candidate, Designated, and Graduate communities. The further along you are in the program, the more money you get. To qualify for a mini-grant, you must fill out an application (found on our website) and the money may only be used for planning, training, and physical improvements. The item must also be listed on your work plan for the year and a 25% match in funds is required.

## PUBLICITY

Colorado Main Street publishes a quarterly newsletter full of best practices, tips and ideas for downtown revitalization. This publication is available on the Colorado Main Street website as well as through a list serve. Contact Colorado Main Street staff to be added. In addition, Colorado Main Street hosts a Facebook page to publicize event, trainings, and information articles. Anyone can follow the Colorado Main Street program on Facebook. These two resources provide updates, best practices and current events of the Colorado Main Street network.

## ACCREDITATION GUIDANCE/REVIEW

Your community's progress toward becoming and accredited Main Street community on the national level will be tracked at the end of every calendar year. When your community is ready to become designated by the National Main Street Center, Colorado Main Street staff will help review the National Main Street Accreditation Criteria (see Appendix A) with your community to ensure your community is ready.

## APPENDICES

- A. National Main Street Accreditation Criteria
- B. Sample Position Descriptions for Board of Directors
- C. Sample Job Description for Main Street Manager/Executive Director
- D. Tips for Main Street Managers/Executive Directors
- E. Sample Memorandum of Understanding

Please Note: Documents are subject to change. See the [Colorado Main Street webpage](#) or contact Main Street staff for other documents and the most current forms.

## NATIONAL MAIN STREET ACCREDITATION CRITERIA

The Main Street Program Accreditation process evaluates established commercial district revitalization programs on the basis of 10 basic performance standards and provides national recognition to those that meet these standards. The 10 performance standards provide benchmarks and guidelines on how the organization should be functioning and an incentive for organizations to perform better and be more effective.

### The 10 Standards of Performance

- Has broad-based community support for the commercial district revitalization process, with strong support from both the public and private sectors.
- Has developed vision and mission statements relevant to community conditions and to the local Main Street program's organizational stage.
- Has a comprehensive Main Street work plan
- Possesses an historic preservation ethic
- Has an active board of directors and committees
- Has an adequate operating budget
- Has a paid professional program manager
- Conducts a program of ongoing training for staff and volunteers
- Reports key statistics
- Is a current member of the National Trust Main Street Network

Listed below is an elaboration of the basics of each point.

### **1. Has broad-based community support for the commercial district revitalization process, with strong support from both the public and private sectors.**

- The Main Street organization should have the active participation of various stakeholders at the committee and board levels, including such constituents as:

local government	historic preservation
civic groups	organizations
regional planning groups	local industries
community development	school groups and students
organizations	financial institutions
realtors	architects and building
consumers	contractors
property owners	transportation authorities
churches, temples, religious institutions	parking authorities
business owners	developers
	district/neighborhood resident
- Participants should contribute financial, in-kind, and volunteer support for the revitalization program.

## Appendix A: National Main Street Accreditation Criteria

- Participants should also look for, and act on, opportunities to make connections between other programs with which they are involved and the Main Street revitalization effort so that, by doing their own work a little smarter, or in a more integrated way, other programs help further the revitalization process.
- The program should include an ongoing process for volunteer recruitment, orientation, and recognition, constantly refreshing its pool of volunteers and involving new volunteers each year.
- The downtown revitalization program has broad-based philosophical support from the community.
- Municipal government demonstrates a philosophical commitment to downtown revitalization.

### 2. Has developed vision and mission statements relevant to community conditions and to the local Main Street program's organizational stage.

A **mission statement** communicates the Main Street organization's sense of purpose and overall direction. A **vision statement** communicates the organization's long-term hopes and intentions for the commercial district. Both should be developed with broad participation by the board, committees, program volunteers, and community input.

- The organization has an appropriate written mission statement.
- The mission statement is reviewed annually and updated as appropriate.
- The organization has an appropriate written vision statement.

### 3. Has a comprehensive Main Street work plan.

A comprehensive annual work plan provides a detailed blueprint for the Main Street program's activities; reinforces the program's accountability both within the organization and also in the broader community; and provides measurable objectives by which the program can track its progress.

- The work plan should contain a balance of activities in each of the four broad program areas that comprise the Main Street approach — design, organization, promotion, and economic restructuring.
- The work plan should contain measurable objectives, including timelines, budgets, desired outcomes, and specific responsibilities.
- The work plan should be reviewed, and a new one should be developed annually.
- Ideally, the full board and committees will be involved in developing the annual work plan. At a minimum, though, the full board should adopt/approve the annual work plan.
- The work plan should distribute work activities and tasks to a broad range of volunteers and program participants.
- There has been significant progress in each of the four points based on the work plan submitted last year.

### 4. Possesses an historic preservation ethic:

- The program has, or is working toward putting in place, an active and effective design management program (which may include financial incentives, design assistance, regulatory relief, design review, education, and other forms of management).



## Appendix A: National Main Street Accreditation Criteria

- The program encourages appropriate building renovation, restoration, and rehabilitation projects.
- When faced with a potential demolition or substantial structural alteration of a significant, historic, or traditional building in the Main Street district, the program actively works to prevent the demolition or alteration, including working with appropriate partners at the state, local, or national level to attempt to stay or alter the proposed activity; developing alternative strategies for the property's(ies') use; and/or educating local leaders about the importance of retaining existing buildings and maintaining their architectural integrity.
- The program works to find creative adaptive use, financing, and physical rehabilitation solutions for preserving old buildings.
- The program recognizes the importance of planning and land use policies that support the revitalization of existing commercial centers and works toward putting planning and land use policies in place that make it as easy (if not easier) to develop property within the commercial district as it is outside the commercial district. Similarly, it ensures that financing, technical assistance, and other incentives are available to facilitate the process of attracting investment to the historic commercial district.
- The program builds public awareness for the commercial district's historic buildings and for good design.

### 5. Has an active board of directors and committees.

- The board is a working, functional board that understands its roles and responsibilities and is willing to put forth the effort to make the program succeed.
- Committee members assume responsibility for the implementation of the work plan.
- The program has a dedicated governing body, its own rules of operation, its own budget, and its own bylaws, and is empowered to carry out Main Street's mission, even if the Main Street program is a part of a larger organization.
- The board has well-managed, regular monthly meetings, with an advance agenda and regular distribution of minutes.
- Committees have regularly scheduled monthly meetings with an advance agenda that addresses the committee work plan.

### 6. Has an adequate operating budget.

- The Main Street program's budget should be adequate to achieve the program's goals.
- The budget should be specifically dedicated for the purpose of revitalizing the commercial district.
- The Main Street program's budget should contain funds adequate to cover the salary and fringe benefits of staff; office expenses; travel; professional development; and committee activities.
- The dollar amount that is "adequate" for a program budget may vary from region to region, depending on local costs of living, and may be different for small town, midsize, and urban Main Street programs. General guidelines for *minimum* operating budgets are:
  - small town programs: \$30,000+ annually
  - midsize community programs: \$45,000+ annually
  - urban neighborhood programs: \$80,000+ annually



## Appendix A: National Main Street Accreditation Criteria

- Revenue sources are varied and broad-based, including appropriate support from municipal government.
- There is a strategy in place to help maintain stable funding.
- There is a process in place for financial oversight and management.
- Regular monthly financial reports are made by the treasurer to the board.

### 7. Has a paid, professional executive director.

- The Main Street executive director should be paid a salary consistent with those of other community development professionals within the city, state, or region in which the program operates.
- The minimum amount of time the Main Street executive director works each week should be consistent with comparable Main Street programs in the city, state, or region.
- The executive director should be adequately trained — and should continue learning about revitalization techniques and about issues affecting traditional commercial districts.
- The executive director has a written job description that correlates with the roles and responsibilities of a Main Street director.
- There is a formal system in place for evaluating the performance of the executive director on an annual basis.
- Adequate staff management policies and procedures are in place.

### 8. Conducts program of ongoing training for staff and volunteers.

The local Main Street program develops local leadership capacity through such mechanisms as:

- taking advantage of citywide, state, regional, and national training opportunities;
- making reference and training materials available locally, and using them; and,
- providing/conducting training when appropriate, including annual Main Street 101 training, annual orientation for board members, and annual committee training.

### 9. Reports key statistics.

- The program collects and tallies statistics related to the revitalization movement, using the baseline criteria listed below. It should keep this data from year to year, providing an economic record of the program's impact over the course of its history. This information is distributed regularly to constituents and in the annual report.
- The program submits regular reports to the statewide, countywide, or citywide Main Street coordinating program (either monthly or quarterly, as specified by the coordinating program).

*Baseline data should include:*

- Community population
- Net of all gains and losses in jobs
- Net of all gains and losses in new businesses
- Number of building rehabilitation projects
- Number of public improvement projects
- Number of new construction projects



## Appendix A: National Main Street Accreditation Criteria

- Number of housing units created: upper floor or other
- Monetary value of private investment spent in above projects: *i.e., individuals or private sources of money spent on building rehabs, public improvements, or new construction.*
- Monetary value of public investment spent in above projects: *i.e., city, county, state, or federal money spent on building rehabs, public improvements, or new construction.*
- Monetary value total of all investment and public and private investment
- Ground-floor vacancy rate when your program started
- Ground-floor vacancy rate now
- Rental rate per square foot when program started
- Rental rate per square foot now
- Your program's annual operating budget

### 10. Current member of the National Trust National Main Street Network.

The organization is a current member of the National Trust Main Street Network Membership program.

## SAMPLE POSITION DESCRIPTIONS FOR BOARD OF DIRECTORS

### BOARD OF DIRECTORS

#### Requirements:

Board members should be prepared to make a financial commitment, and contribute 4 - 10 hours a month to the program. Downtown revitalization program boards typically meet monthly for 60 - 90 minutes. In addition, Board members are usually expected to serve on one of the standing committees of the downtown program if they do not serve as an officer on the Board.

#### Board Responsibilities:

The board has the final responsibility for the success or failure of the downtown revitalization program. It is responsible for all of the finances of the organization and establishes program policy. The board is responsible for maximizing volunteer involvement in the downtown revitalization effort. Collectively, the board makes decisions about the program's direction and monitors progress on a regular basis. It sets priorities, and makes decisions about the program's political stance. It oversees the work of the Executive Director; has the primary responsibility for raising money for the program, and supports the work of the committees by volunteering time and expertise in support of their efforts. The board of directors is also responsible for fulfilling the legal and financial requirements in the conduct of its business affairs as a nonprofit organization.

#### Individual Responsibilities:

- To learn about and promote the purpose and activities of the local downtown revitalization organization, and the Main Street Approach® whenever appropriate and possible.
- To attend regular monthly meetings of the board or to notify staff when absence is necessary.
- To actively participate on at least one committee.
- To actively participate in specific activities or projects promoted by the board which may include:
  - fundraising
  - membership recruitment
  - representation on behalf of the program at meetings and/or events
  - attend trainings and workshops
- To make an annual membership contribution
- To stay informed about the purpose and activities of the downtown program in order to effectively participate in board decisions and fulfilling responsibilities.



### BOARD PRESIDENT

#### Time Required:

8 - 10 hours per month above and beyond that of a regular board member. The president shall be exempt from the requirement of participating on other committees and task groups.

#### General Description:

The president serves as a link between the board of directors and the executive director. He/she assists the executive director in defining priorities and directions based on the published goals of the organization, Resource Team recommendations, and board policies. The president acts as a link between the organization and the community, serving to explain the program to the public, helping to involve new people in the program, and rallying support. The president also oversees the organization in a functional way, guiding and facilitating the working relationships within the organization.

#### Major Job Elements:

- Communication with the board, community and the executive director
- Coordination within the organization so as to facilitate the decision-making process
- Delegation of responsibility within the organization
- Monitoring accountability of the organization
- Supervising the performance of the executive director

#### Other Job Elements:

- Assists the executive director in determining the board meeting agenda
- Chairs board meetings using Robert's Rules of Order
- Calls special meetings when necessary

#### Reports to:

The board of directors

#### Area of Major Time Commitment:

Communication with the board, the community, and the executive director

#### Area of Greatest Expected Impact:

Monitoring accountability

#### Anticipated Results:

- Active participation by the membership
- Positive image of the organization
- Cohesiveness within the organization

#### Basic Skill and Value Requirements:

The president should have:

- Good leadership, team-building, and management skills
- Strong verbal and written communication skills, including good listening skills
- Be flexible and open-minded

## Appendix B: Sample Job Description for Board of Directors

- Be sensitive to cultural, religious, and ethnic diversity
- A strong belief in the mission statement and principles guiding a downtown revitalization program and a willingness to support them
- A good understanding of the Main Street Approach® and a willingness to be an ambassador of the concept
- A realistic understanding of the commitment of time and energy it takes to hold an officer's position
- An ability to facilitate meetings in an open way so that board members can work through differences and come to consensus

Sample

### VICE PRESIDENT

#### Time Required:

4-8 hours per month above and beyond that of a regular board member

#### General Description:

The vice president's role is that of support for the president. He/she shares the presidential responsibilities as delegated by the president, working in whatever capacities the president and vice president deem to be the most beneficial to the organization. These capacities should be written up in the form of a temporary job description on a year by year basis. The vice president performs the duties of the president when the president is unable to do so.

#### Major Job Elements:

Determined each year

#### Other Job Elements:

Determined each year

#### Reports to:

The president

#### Basic Skill and Value Requirement:

The vice-president should have:

- Good leadership, team-building, and management skills
- Strong verbal and written communication skills, including good listening skills
- Be flexible and open-minded
- Be sensitive to cultural, religious, and ethnic diversity
- A strong belief in the mission statement and principles guiding a downtown revitalization program and a willingness to support them
- A good understanding of the Main Street Approach® and a willingness to be an ambassador of the concept
- A realistic understanding of the commitment of time and energy it takes to hold an officer's position

**SECRETARY**

**Time Required:**

4-8 hours per month above and beyond that of a regular board member

**General Description:**

The secretary serves as the primary record keeper of the organization. He/she is responsible for transcribing the minutes at each board meeting and preparing an “official” copy for approval by the board of directors.

**Major Job Elements:**

Record keeping:

- Transcribes minutes at board meetings
- Prepares an “official” copy of the minutes for the executive director within two weeks after a board meeting.
- Maintains these documents in a form which is at all times accessible to board members and the executive director, and which is carried to board meetings for use as an historical reference of the organization’s discussions and actions.

**Other Job Elements:**

Determined each year

**Reports to:**

The board president

**Area of Major Time Commitment:**

Record keeping

**Basic Skill and Value Requirement:**

- Strong verbal and written communication skills, including good listening skills
- Be flexible and open-minded
- Be sensitive to cultural, religious, and ethnic diversity
- A strong belief in the mission statement and principles guiding a downtown revitalization program and a willingness to support them
- A good understanding of the Main Street Approach® and a willingness to be an ambassador of the concept
- A realistic understanding of the commitment of time and energy it takes to hold an officer’s position

### **TREASURER**

#### **Time Required:**

4-8 hours per month above and beyond that of a regular board member

#### **General Description:**

The treasurer is responsible for fiscally monitoring the program. This includes keeping all financial records up to date. The treasurer is ultimately responsible for seeing that the bills of the organization are paid in a timely manner.

#### **Major Job Elements:**

- The timely payment of any organizational debts incurred, including all taxes due
- Preparation of a monthly financial report to the board which should be submitted to the executive director for inclusion with the minutes of the meeting for the month following the reporting period. This should be submitted within two weeks of the following monthly board meeting.
- Maintain all financial books and records in an auditable format, according to standard accounting practices.

#### **Other Job Elements:**

Maintains a complete set of financial records for the organization

Provide financial information on request

#### **Reports to:**

The board of directors through the executive board

#### **Area of Major Time Commitment:**

Preparing monthly financial statements

#### **Area of Greatest Expected Impact:**

Keeping the board informed of the organization's financial status

#### **Anticipated Results:**

- A clear and accurate picture of the organization's financial status
- Financial decisions can be made in a timely and efficient manner
- Basic Skill and Value Requirement:
  - A good understanding of accounting principles and financial management
  - Strong verbal and written communication skills, including good listening skills
  - Be flexible and open-minded
  - Be sensitive to cultural, religious, and ethnic diversity
- A strong belief in the mission statement and principles guiding a downtown revitalization program and a willingness to support them
- A good understanding of the Main Street Approach® and a willingness to be an ambassador of the concept

# **SAMPLE JOB DESCRIPTION FOR MAIN STREET MANAGER/EXECUTIVE DIRECTOR**

## **Anytown Downtown Association**

### **1. Work Objectives**

The downtown executive director coordinates activity within a downtown revitalization program utilizing historic preservation as an integral foundation for downtown economic development. He or she is responsible for the development, conduct, execution and documentation of the downtown program. The manager is the principal on-site staff person responsible for coordinating all program activities locally as well as representing the community regionally and nationally as appropriate.

### **2. Full Range of Duties to be Performed**

- a. Coordinates the activities of downtown program committees, ensuring that communication between committees are well established; assists committees with implementation of work plan items.
- b. Manages all administrative aspects of the program, including purchasing, record keeping, budget development and accounting. Prepares all reports required by the state Main Street® Program and by the National Trust Main Street Center. Assists with the preparation of reports to funding agencies and supervises part-time employees or consultants.
- c. Develops, in conjunction with the downtown program's board of directors, strategies for downtown economic development through historic preservation utilizing the community's human and economic resources. Becomes familiar with all persons and groups directly or indirectly involved in the downtown commercial district. Mindful of the roles of various downtown interest groups, assists the downtown program's board of directors and committees in developing an annual action plan focused on four areas: design, promotion, organization, and economic restructuring.
- d. Develops and conducts ongoing public awareness and education programs designed to enhance appreciation of the downtown's architecture and other assets and to foster an understanding of the downtown program's goals and objectives. Through speaking engagements, media interviews and public appearances, keep the program highly visible in the community.
- e. Assists individual tenants or property owners with physical improvement programs through personal consultation or by obtaining and supervising professional design consultants; assists in locating appropriate contractors and materials; when possible, participates in construction supervision; provides advice and guidance on necessary financial mechanisms for physical improvements.
- f. Assesses the management capacity of major downtown stakeholder groups and encourages participation in activities such as promotional events, advertising, uniform store hours, special events, business recruitment, parking management and so on. Provides advice and information on successful downtown management.
- g. Encourages a cooperative climate between downtown interests and local public officials.
- h. Advises downtown merchant's organizations and/or chamber of commerce retail committees on program activities and goals. Assists in the coordination of joint promotional events, such as

## **Appendix C: Sample Job Description for Main Street Manager/Executive Director**

seasonal festivals or cooperative retail promotional events, in order to improve the quality and success of events to attract people downtown. Works closely with the local media to ensure maximum event coverage. Encourages design excellence in all aspects of promotion in order to advance an image of quality for the downtown.

- i. Helps build strong and productive working relationships with appropriate public agencies at the local and state levels.
- j. Utilizes the Main Street® format, develops and maintains data systems to track the process and progress of the local program. These systems should include economic monitoring, individual building files, thorough photographic documentation of all physical changes and information on job creation and business retention.
- k. Represents the community at the local, state and national levels to important constituencies. Speaks effectively on the program's directions and findings, always mindful of the need to improve state and national economic development policies as they relate to smaller communities.

### **3. Resource Management Responsibilities**

The executive director supervises any necessary temporary or permanent employees, as well as professional consultants. He or she participates in personnel and program evaluations. The executive director maintains local program records and reports, establishes technical resource files and libraries and prepares regular reports for the state Main Street® Program and the National Trust Main Street Center. The executive director monitors the annual program budget and maintains financial records.

### **4. Job Knowledge and Skills Required**

The executive director should have education and/or experience in one or more of the following areas: architecture, historic preservation, economics, finance, public relations, design, journalism, planning, business administration, public administration, retailing, volunteer or nonprofit administration and/or small business development. The executive director must be sensitive to design and preservation issues. The manager must understand the issues confronting downtown business people, property owners, public agencies and community organizations. The manager must be entrepreneurial, energetic, imaginative, well organized and capable of functioning effectively in an independent situation. Excellent verbal and written communication skills are essential. Supervisory skills are desirable.

## TIPS FOR MAIN STREET MANAGERS/EXECUTIVE DIRECTORS

Successful Main Street organizations develop new leadership thru meaningful volunteer experiences and create the environment for them to succeed...as well as fail!

**Tip #1:** It is not the program director's program. Main Street is successful because it is all-**inclusive** and teaches local empowerment.

The program director is the **coordinator, facilitator, instigator and communicator**, not the sole IMPLEMENTOR for the local program.

**Tip #2:** Successful Main Street programs are **volunteer-driven**. They are not staff-driven but rather **staff-managed**, like the coach or the band leader.

Main Street Program Directors are professionals hired to:

- **Coordinate** all activities of committee volunteers;
- **Facilitate** work planning;
- **Coordinate communication** among committees;
- **Support** and uphold board decisions;
- **Handle** public awareness and **public relations** for the program;
- **Work** closely with **building** and **business** owners;
- **Walk** the district;
- **Handle** administrative details: records, reporting, files, etc. (possibly with admin support);
- **Become** the local **technical assistance provider or the liaison** to those who can provide the assistance;
- **Establish** strong relationships with the city, chamber, county, etc.;
- **Become** part of the team;
- **Educate** the community on Main Street, economic development and historic preservation;
- **Become** a **leader** in the community, especially in smaller towns;
- **Motivate** volunteers to do the work of the program;
- **Report** to and work at the pleasure of the Board of Directors;
- **Be accountable** to and work directly for the Board president, meeting weekly;
- **Attend** all board & committee meetings;
- **Teach** self-help, thereby **empowering** volunteers to turn the downtown vision into reality;
- **Give** credit for the success of the program to volunteers and leaders.



## Appendix D: Tips for Main Street Managers/Executive Directors

**Tip #3:** The Program Director has been hired to **orchestrate** the efforts of the local Main Street program; not to single-handedly **implement** the activities of the program for the organization.

The Program Director does not:

- Become the **fund raiser** for Main Street – this is a board responsibility. A program director fundraising his or her own salary diminishes his or her credibility.
- **Take** the **minutes** at board meetings – this is the secretary's responsibility, or possibly an admin staff;
- **Chair**, lead or preside over meetings. The board and committee chairs must be capable of conducting effective meetings;
- **Write** the entire newsletter for the program;
- **Voice** their own **opinion** to the public, media, etc. unless it is consistent with the position of the board;
- **Keep** the **books** for the organization – this is the responsibility of the treasurer;
- **Write** their own paycheck;
- **Implement** all the activities of the program.

**Tip #4:** Program Directors come and go, as do board presidents and committee chairs. When this occurs, the program must have a plan for **continuity** or **succession** and written records of how things are done. If a program is overly staff-driven, the program might go with the program director and the community is left to put together the pieces.

**Tip #5: Maintain communications** with your Board, Committee members, and business and property owners, as well as partners such as city staff, economic development agencies, and non-profit groups.

- Gain the trust of those who hired you for the job. Let them propose your ideas, then support them during discussions. Make your ideas their own.
- Go to lunch weekly with a different board member;
- Always work with the Board President; it is difficult answering to 7-13 bosses;
- Use work plans to stay on target at committee meetings and to ensure new activities/projects/tasks support the overall vision. Remind Board and Committee members of the work plans whenever it is appropriate. Work plans are approved by the Board.
- Walk the streets and listen and learn from the downtown business community;
- In general, business owners will be more visible than property owners in your district, but be cognizant to keep in touch with both;
- Recognize that retailers, restaurants/bars, offices/large employers, and housing owners may have different interests in the district;
- Find someone not involved in the program to be your confidant or someone to vent with. Another program manager in a nearby community may be a good choice!
- Respect is earned, not expected.

## Appendix D: Tips for Main Street Managers/Executive Directors

**Tip #6:** A typical program director works more than their full-time (or half-time) schedule. Balance volunteer time with private and family life.

**Tip #7: Volunteers** are the lifeblood of a successful Main Street program. Respect them, find suitable roles that match their skills and interests, train them, thank them & thank them again. Be careful not to burn volunteers out.

- Successful volunteers are **educated** about your program. Committee volunteers should understand the four points and how they work together.
- Successful volunteers understand the **mission** and goals of your Main Street organization.
- Successful volunteers take **ownership** in and responsibility for their commitments.
- Successful Main Street organizations **match** volunteers to their skills, interest and time – some want to serve on a committee while others may just want to pour beer at Oktoberfest.
- Successful volunteers are provided with clear **expected** outcomes.
- Successful volunteers want to be **recognized** for their accomplishments.

**Tip #8: Committees** are made up of **volunteers**. Without volunteers, you have no committees.

- Have regularly scheduled committee meetings – same time/place, every month, at the volunteers' convenience.
- The Program Director attends all meetings;
- Committee chairpersons need to be empowered to chair effective meetings. Many trainings and handouts on effective meeting facilitation exist – Robert's Rules of Order or an adaptation thereof are often effective;
- The Committee chair should work with the Program Director prior to meetings to finalize the agenda. End each meeting with a standing item to discuss the agenda for the upcoming meeting;
- The Committee secretary should take simple action minutes;
- The Program Director should spend 5 minutes at the beginning of each meeting to update volunteers on other committees' activities. This should be a standing item on the agenda;
- Use work plans as a way to eliminate wasted time and help the Chair to keep or steer committees back on task at meetings;
- Include training once or twice a year as part of meetings;
- Provide committee Chairs with a supply of local Main Street program *Thank You* cards.

**Tip #9:** Use **sub-committees** or temporary **task forces** to do the work of committees – get more people involved for a defined period of time.

**Tip #10:** Don't ask or expect Committee Members to give more than about **five hours per month**, outside of meetings, for volunteer activities.

- Create **job descriptions** or a list of expectations for new and renewing committee members. (See samples in this manual.)

## SAMPLE MEMORANDUM OF UNDERSTANDING

This Agreement is entered into and executed by the Colorado Department of Local Affairs (DOLA), the City of \_\_\_\_\_ (Community), and the \_\_\_\_\_ (Local Program).

### I. Agreement

Whereas, this Agreement is for the purpose of said Community to participate in the Colorado Main Street Program, and

Whereas, DOLA administers the Colorado Main Street Program and provides technical assistance and training to selected communities, and

In consideration of the foregoing and of the mutual promises set forth herein, and intending to be legally bound, the parties hereto agree to the following specifics regarding the Colorado Main Street Program:

#### A. **DOLA agrees to:**

1. Act as liaison and facilitate communications between the Local Program, the Colorado Main Street Program, other Colorado communities, State agencies, non-profits, foundations, and the National Main Street Center, as they relate to the local Main Street Program.
2. As requested, conduct orientation for new board members and new program managers. This orientation could take place on-site, via webinar, or in Denver.
3. Conduct up to two training sessions in the community. Trainings could include: annual work planning facilitation, historic preservation, training for one of the four points, or a specialized topic.
4. Facilitate and promote ongoing press and/or online coverage of the Colorado Main Street Program and its individual Local Programs, including maintaining the Colorado Main Street Facebook page.
5. Provide access to resource materials relating to downtown revitalization and specifically resources in: organization, design, promotion and economic restructuring.
6. Publish a quarterly Main Street Newsletter, highlighting Local Programs, partners, trainings, and resources.
7. As requested, assist the Main Street Local Program in building local organizational and fundraising capacity. Assistance may come from additional meetings with DOLA Regional Managers, Main Street Staff, local or state-wide foundations, other state agencies or

from established Main Street Communities or through the sharing of written materials.

8. Review quarterly reports and provide guidance and advice for the Local Program to obtain National Accreditation.
9. Establish benchmarks with the Local Program to ensure successful growth and sustainability of the program.
10. Conduct the annual accreditation and year end assessment.
11. Make available a historic preservation architect.

**B. Local Program agrees to:**

1. Employ a part-time, paid program manager (minimum of 20 hours per week) who will be responsible for the day-to-day administration of the Local Main Street Program within ninety (90) days of the execution of this Agreement. In the event the manager's position is vacated during the term of the Agreement, the Local Program agrees to fill the position within ninety (90) days. **NOT CANDIDATE COMMUNITIES**
2. Send new managers to training within the first year of holding the position.
3. Raise and expend funds and in-kind services for continuation of the Local Program, including, but not limited to maintaining an office with the necessary travel and operating budget for the Local Program.
4. Continue the comprehensive approach to downtown revitalization following the Four-Point Approach and Eight Guiding Principles recommended by the National Main Street Center and the Colorado Main Street Program, including development of annual written work plans for the Local Main Street Program and the establishment of a strong, broad-based organizational system to include but not be limited to the following committees: organization, promotion, design, and economic restructuring.
5. Concentrate the Local Program activities within the boundaries of the target area that is designated by the Local Program.
6. Maintain data for monitoring the progress of the Local Program. Submit required quarterly and annual progress reports using formats provided by DOLA and provide other information as requested by DOLA on or before the identified deadlines. Failure to submit quarterly progress reports may jeopardize standings with the Colorado Main Street Program and the National Main Street Center. Additionally, failure to comply may result in a loss of Main Street Program services and funding.

## Appendix E: Sample Memorandum of Understanding

7. Provide the Local Program office with a computer and email connection which is signed up to receive National Main Street listserve emails and Colorado Main Street Program communications.
8. Local Program managers, volunteers, and/or board members must collectively attend at least three of the following training opportunities in the year:
  - a. Downtown Colorado Inc. (DCI) Downtown Institutes (Attending at least two or more out of the four quarterly Institutes constitutes one training)
  - b. National Main Streets Conference
  - c. International Downtown Association Spring or Annual Conference
  - d. Colorado Preservation Inc. Annual Conference
  - e. DCI Annual Conference
  - f. Main Street webinars conducted by DOLA or other approved organization
  - g. Colorado Brownfields Foundation Annual Conference
  - h. Economic Development Council of Colorado Spring or Fall Conference
  - i. Historic Preservation Commission Training
  - j. Sonoran Institute (various offerings)

The Local Program shall be responsible for the manager's travel costs and expenses associated with these meetings.

9. Assist in local arrangements during on-site visits and technical assistance visits to the community.
10. Provide DOLA with one (1) copy of any materials and/or publications relating to the Local Main Street Program. Materials may include board meeting minutes, approved budgets, local training flyers, newsletters, and promotional materials, etc.
11. Present an annual "State of Main Street" report to the local elected body. Submit a copy of the report to DOLA.
12. Agree to acknowledge being an official Colorado Main Street Community and properly use the name, trademark and logo. Use the Colorado Main Street logo on all DOLA sponsored Main Street trainings, websites, reports and other materials.
13. Maintain National Main Street Center membership if your program wishes to receive national accreditation.

14. Assist DOLA Main Street Staff with training and orientation of new program managers and board members in Candidate Communities.  
**GRADUATE COMMUNITIES ONLY**

**C. Community agrees to:**

1. Maintain an ongoing and supportive relationship with the Local Program.
2. Work with DOLA and the Local Program to resolve any issues.
3. Act as the fiscal agent for all contracts or purchase orders from DOLA on behalf of the Local Program.

**D. Local Program agrees to work towards the following benchmarks in 2014:**

- 1.

**E. Other conditions:**

1. The term of this Agreement shall be for one year, beginning \_\_\_\_\_(Date) and ending December 31, 2014. It may be extended or revised only with the approval of the DOLA Main Street Coordinator, the President of the Board of the Local Program and the Mayor of the Community.
2. Notwithstanding any other provisions of this Agreement, if funds anticipated for continued fulfillment, at the time of the Agreement are, at any time, not forthcoming or insufficient, then DOLA shall have the right to amend or terminate this Agreement without penalty by giving the community not less than sixty (60) days written notice.
3. If the Local Program or Community fails to fulfill its obligations under this Agreement in a timely and proper manner, or if the community violates any terms of this Agreement, DOLA shall have the right to terminate this Agreement and withhold further services by giving the community not less than sixty (60) days written notice.

**II. Representations and Warranties**

All parties to this agreement represent and warrant (i) that they have no obligations, legal or otherwise, inconsistent with the terms of this Agreement, (ii) that the performance of the services called for by this Agreement does not and will not violate any applicable law, rule or regulation or any proprietary or other right of any third party, (iii) that the parties will not use in the performance of responsibilities under this Agreement any confidential information or trade secrets of any other person or entity and (iv) that neither party has entered into nor will enter into any agreement (whether oral or written) in conflict with this

Agreement.

**III. Entire Agreement and Notice**

This Agreement contains the entire understanding of the parties and may not be amended without the specific written consent of all parties. Any notice given under this Agreement will be sufficient if it is in writing and if sent by certified or registered mail.

**IV. Compliance with Law**

In connection with his/her services rendered hereunder, all parties agree to abide by all federal, state, and local laws, ordinances and regulations.

**V. Governing Law**

This Agreement will be construed in accordance with, and all actions arising hereunder will be governed by, the laws of the State of Colorado.

BY: \_\_\_\_\_  
Mayor's Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Print Name \_\_\_\_\_ Community \_\_\_\_\_

BY: \_\_\_\_\_  
President/Board Chairperson's Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Print Name \_\_\_\_\_ Local Program Name \_\_\_\_\_

BY: \_\_\_\_\_  
Representative \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_

## MEMO

Date: August 21, 2014  
To: Town Board of Trustees & Planning Commission  
From: Deron Dircksen, PE, Assistant Town Engineer  
Re: Bull Pasture Recreation Path Re-Paving Project: Easement Deed

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The Bull Pasture Recreation Path Re-Paving Project has approximately half of the existing pathway to be repaved crossing open space owned by the Bull Pasture HOA and there is no public access easement allowing for public use of this section of the trail, nor does the Town have the right to enter this property to re-pave the path. This situation has been corrected by creating an Easement Deed for the proposed recreation path through Bull Pasture's open space. The Easement Deed will convey an easement from Bull Pasture HOA to the Town of Eagle for the benefit of the general public, for the removal of existing pedestrian trail, and installation, maintenance, and use of a new paved pedestrian and bicycle trail.

It is our understanding the Bull Pasture HOA has voted and approved this easement. A HOA meeting is scheduled for Friday August 22<sup>nd</sup> to gather most if not all four HOA members' signatures. All four HOA members may not be available at this meeting, but it should only take a few extra days to collect all signatures. After the Easement Deed is finalized, it is staff's intention to bid and construct the Bull Pasture Recreation Path Re-Paving Project this fall.

If you have any questions please feel free to contact me at 401-0173 or [deron@townofeagle.org](mailto:deron@townofeagle.org). Thank you.



## **EASEMENT DEED**

THIS DEED is made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, between BULL PASTURE HOME OWNERS ASSOCIATION, a Colorado Non-profit corporation whose address is P.O. Box 1197, Eagle, CO 81631 ("Grantor") and THE TOWN OF EAGLE, COLORADO, a municipal corporation whose address P.O. Box 609, Eagle, CO 81631 ("Grantee").

### **WITNESSETH:**

Grantor is the fee owner of certain real property described as The Open Space parcel as shown on page 2 and page 3 on Annexation Map and Final Plat of THE BULL PASTURE, A Subdivision located in Section 5, Tracts 43, 47 and 48, Township 5 South, Range 84 West of the Sixth P.M (Document No. 181469) as shown on Exhibit "A" attached hereto and incorporated herein by this reference, hereinafter referred to as the "Property" or the "Easements".

Grantee is desirous of accepting easements on the Property under the terms, conditions and agreements contained herein.

Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt of which is expressly acknowledged, by these presents does hereby grant, sell, and convey unto Grantee, and its successors and assigns, a perpetual, nonexclusive blanket easement as described in Exhibit "A" attached hereto, for the benefit of the general public, for the removal of existing pedestrian trail, installation, maintenance, and use of a new paved pedestrian and bicycle trail, approximately twelve feet (12') in width, more or less, in, on, over and upon the Property, to have and to hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in any way thereunto appertaining, to the proper use and benefit of Grantee, and its successors and assigns, forever, subject only to the terms hereof.

Grantee may establish rules for the use of the easement herein described for trail purposes as it shall deem appropriate and necessary.

Grantee may grade, pave and otherwise improve said easements for trail purposes, including the installation of conduits in accordance with its exclusive judgment. Improvements include signs, and Grantee may install signs identifying the trail, location, use rules, and otherwise relating to the use and protection of the easements as is deemed appropriate in Grantee's sole judgment. Grantee specifically agrees to install and maintain appropriate signage along the trail which will state that the trail is bordered by private property and users must remain on the trail, and that the trail is for use only by non-motorized vehicles and pedestrians. Grantee shall construct, maintain, repair and replace, in a manner and by means in accordance with its exclusive judgment, all such improvements at Grantee's or another parties' own expense. Grantor shall have no obligation to construct, maintain, repair and replace any improvements within said easements.

Grantee may connect the trails within the easement herein conveyed to trails on adjoining properties.

Grantor shall not place, construct or maintain any structure on or above the surface of the easements herein conveyed or otherwise obstruct access to or the use of said easements.

The easements herein granted are subject to any prior recorded grants of easements. After the date hereof, Grantor shall not make or authorize any use of the Property which is inconsistent with or interferes with the easements conveyed herein and the uses authorized herein.

To the extent permitted by law, Grantee agrees to indemnify, protect, defend and hold harmless Grantor from and against any and all claims, demands, causes of action, losses, liabilities, suits, costs and expenses, including, without limitation, reasonable attorney's fees (including legal assistant's fees) and court costs, asserted against or incurred by Grantor by reason of or arising under the use of the easements conveyed herein by Grantee or any member of the public, or any acts or omissions of Grantee, its officers, employees, agents, grantors or subcontractors in connection with the construction and maintenance of improvements within the easements herein conveyed.

The obligation of Grantee to indemnify, protect, defend and hold harmless Grantor as provided herein is absolute, unconditional, present and continuing, and shall not be dependent upon or affected by the genuineness, validity, regularity or enforceability, demand or suit from which Grantor is indemnified, provided that Grantee does not hereby waive the immunities and limitations provided under the Colorado Governmental Immunity Act or any successor thereto, or other provisions of applicable law.

The Grantor warrants that it is the owner of the property described herein, free and clear of all liens and encumbrances including taxes except for the general property taxes for the year 2008, and has full authority to enter into this Deed.

Upon completion of construction of the pedestrian and bicycle trail, the easement conveyed herein may be replaced with an easement that more specifically describes the as built trail.

IN WITNESS THEREOF Grantor has executed this Deed on the day and year first above written.

GRANTOR:  
BULL PASTURE HOME OWNERS  
ASSOCIATION, a Colorado non-profit  
corporation

By: \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Vice-President

ATTEST:

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Treasurer

ATTEST:

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Secretary

STATE OF COLORADO     )  
  )ss.  
COUNTY OF EAGLE        )

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_, 2014, by \_\_\_\_\_,  
President and \_\_\_\_\_, Secretary, respectively of the Bull Pasture Home Owners  
Association, a Colorado nonprofit corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

ACCEPTANCE

The foregoing Deed is hereby accepted by the Board of Trustees, Town of Eagle, Colorado on \_\_\_\_\_, 2014.

GRANTEE:

TOWN OF EAGLE, COLORADO, a municipal corporation, acting by and through its Board of Trustees,

By: \_\_\_\_\_  
Yuri Kostick, Mayor

ATTEST:

\_\_\_\_\_  
Sarah Braucht, Town Clerk

STATE OF COLORADO     )  
  )ss.  
COUNTY OF EAGLE     )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Yuri Kostick, Mayor, and Sarah Braucht, Town Clerk., respectively, of the Town of Eagle, Colorado

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

# 'EXHIBIT A'

5/13/2014

Account

## Account: R050596

### Location

**Situs Address**

**Tax Area** SC013 - EAGLE (TOWN) - SC013

**Parcel Number** 2109-051-24-045

**Legal Summary** Subdivision: BULL PASTURE OPEN SPACE BK-0285 PG-0066 MAP 05-04-79

### Owner Information

**Owner Name** BULL PASTURE HOMEOWNERS ASSOC

**Owner Address** PO BOX 1197 EAGLE, CO 81631-1197

### Assessment History

**Actual (2013)** \$0

**Primary Taxable** \$0

**Tax Area:** SC013 **Mill Levy:** 56.7500

Type	Actual	Assessed	Acres	SQFT	Units
------	--------	----------	-------	------	-------

Land			1.047	0.000	0.000
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### Transfers

**Sale Price**

**Sale Date**

**Reception Number**

**Book Page**

[201016617](#)

### Images

- [GIS](#)



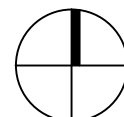
<http://property.eaglecounty.us/assessor/taxweb/account.jsp?accountNum=R050596>

1/1

Title: EXHIBIT A  
Project: Bull Pasture Pedestrian Trail – Easement Deed  
Drawn: DJD

Date: 8-6-14

Sheet: EXHIBIT A.DWG



**RESOLUTION NO. \_\_\_\_\_**  
**(Series of 2014)**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO APPROVING AN AGREEMENT BETWEEN THE TOWN OF EAGLE AND THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND; AND AUTHORIZING THE MAYOR OF THE TOWN OF EAGLE TO EXECUTE SAID AGREEMENT.

WHEREAS, the Town of Eagle supports the completion of the Eagle Information Center Boat Ramp and Eddy Safety Improvements project; and

WHEREAS, the Town of Eagle has received a grant from Great Outdoors Colorado in the amount of \$41,015.00 to fund the Eagle Information Center Boat Ramp and Eddy Safety Improvement project, subject to the execution of a grant agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE THAT:

Section 1. The Grant Agreement, attached hereto as Exhibit “A” and incorporated herein by this reference, is hereby approved.

Section 2. The Board of Trustees hereby authorizes and directs the Mayor to execute the Grant Agreement with Great Outdoors Colorado on behalf of the Town of Eagle.

Section 3. The Board of Trustees hereby authorizes the expenditure of funds as necessary to meet the terms and obligations of the Grant Agreement and application.

Section 4. This Resolution shall be in full force and effect from and after its passage and approval.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Eagle, Colorado, held on August 26, 2014.

TOWN OF EAGLE, COLORADO

ATTEST:

By: \_\_\_\_\_  
Yuri Kostick, Mayor

\_\_\_\_\_  
Sarah Braucht, Town Clerk

## **GRANT AGREEMENT**

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### **PROJECT:**

**Project Title:** Eagle Information Center Boat Ramp and Eddy Safety Improvements  
**Contract Number:** 14527  
**Completion Date:** June 19, 2016

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### **PARTIES TO AGREEMENT:**

**Board:** The State Board of the Great Outdoors Colorado Trust Fund  
303 East 17<sup>th</sup> Avenue, Suite 1060  
Denver, CO 80203

**Grantee:** Town of Eagle

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### **RECITALS**

A. The State Board of the Great Outdoors Colorado Trust Fund (referred to herein as “GOCO” or the “Board”) is a political subdivision of the State of Colorado, created by Article XXVII of the Colorado Constitution, adopted at the November 1992 General Election, which article appropriates a portion of the net proceeds of the Colorado Lottery to the Board and directs the Board to invest those proceeds in the State’s parks, wildlife, open space and recreational resources.

B. In 1994, the Board created a statewide grant program, pursuant to which eligible entities could apply for grants for local government parks and outdoor recreation projects to which Grantee responded with a detailed application (the “Project Application”).

C. Grantee submitted a Project Application to the Board which contemplates the execution of the project entitled and described above (the “Project”). The parties acknowledge that they have on file a complete copy of the Project Application, which is incorporated herein.

D. The Board approved Grantee’s Project Application on March 5, 2014, subject to the execution of a detailed grant agreement, and subject to the terms and conditions set forth herein. The parties intend this agreement to be the detailed final grant agreement required by the Board (the “Agreement”).

### **AGREEMENT**

NOW, THEREFORE, in consideration of the parties’ mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Incorporation of Recitals.** The Recitals set forth above are hereby incorporated into the terms of this Agreement.

2. **Representations and Warranties of Grantee.**

a. Grantee is a Municipality, duly organized in accordance with the laws of Colorado and has full and lawful authority to enter into, and comply with the terms of, this Agreement.

b. Grantee's governing body has authorized entering into this Agreement as evidenced by the resolution attached hereto as Exhibit A.

c. Grantee warrants that it has good and sufficient title to the property or properties on which the Project is to be located (the "Property"). GOCO may require Grantee to provide evidence of its ownership of the Property and encumbrances against the Property satisfactory to GOCO in GOCO's discretion prior to funding.

3. **Grant and Project.** Subject to the terms and conditions set forth in this Agreement, the Board hereby awards to Grantee a sum not to exceed \$41,015.00 (the "Grant"). The Grant shall be used by Grantee solely to complete the Project, in substantial conformity with the final plans, specifications, designs and uses approved by the Board.

4. **Project Scope.** Grantee shall not materially modify the Project or the Project budget (attached hereto as Exhibit B, the "Budget") without the prior written approval of the Executive Director of GOCO ("Executive Director") or the Executive Director's designee, such approval to be in GOCO's sole discretion. Any material modification to the Project undertaken without GOCO's prior written consent may be deemed a breach of this Agreement by GOCO, entitling GOCO to all remedies available under this Agreement. If Grantee determines with reasonable probability that the Project will not or cannot be completed as reflected in the Project Application, Grantee will promptly so advise the Board, and cooperate in good faith to seek a resolution before any further funds are advanced.

5. **Grantee Efforts.** Grantee shall complete the Project in a timely fashion, in a good and workmanlike manner, and consistent with this Agreement and GOCO's approvals related to the Project.

6. **Completion Date.** Grantee shall complete the Project and submit its Final Report no later than June 19, 2016 (the "Completion Date") which is two calendar years after the Board's approval of the Project. Grantee may request an extension of the Completion Date in compliance with GOCO's Overdue Grants Policy, a summary of which is attached as Exhibit C ("Overdue Grants Policy"). If Grantee determines with reasonable probability that the Project will not or cannot be completed by the Completion Date or any extended completion date, Grantee will promptly so advise the Board, and cooperate in good faith to seek a resolution before any further funds are advanced.



7. **Matching Funds.** Grantee shall obtain the matching cash and in-kind contributions for the Project as reflected in the Budget and as required by GOCO policy, and shall provide such evidence of the same as GOCO may require in its reasonable discretion.

8. **Disbursement of Funds.**

a. **Progress Payment:** Grantee may opt to receive a portion of the Grant funds after starting but prior to completing work on the Project (a “Progress Payment”). Grantee shall provide GOCO with a progress report detailing expenditures and progress made to date (“Progress Report”). The Progress Report must be submitted using GOCO’s Progress Report form (available at [www.goco.org](http://www.goco.org) or by contacting GOCO). GOCO may, in its discretion, request additional documentation to support making a Progress Payment. A Progress Payment shall not exceed GOCO’s percentage of expected overall costs (as determined by the GOCO-approved budget) applied to the value of documented eligible expenses or 50% of the Grant, whichever is less. A Progress Payment shall be considered a loan until the Project is complete and Final Payment (as defined below) has been made.

b. **Final Payment:** Once the Project is complete, Grantee shall submit a final report to GOCO detailing the accomplishments of and expenditures related to the Project (the “Final Report”). The Project is “complete” when all facilities, trails or other improvements included in the Project have been built and are ready for their intended use. The Final Report must be submitted using GOCO’s Final Report form (available at [www.goco.org](http://www.goco.org) or by contacting GOCO). GOCO may, in its discretion, request additional documentation before its approval of the contents of the Final Report. Upon GOCO’s review and approval of the Final Report, GOCO shall pay the outstanding balance on the Grant (the “Final Payment”), subject to any reductions contemplated by any provision of this Agreement.

9. **Conditions for Disbursement of Funds.** Except as provided in Paragraph 10 below, the Grant is subject to the following requirements and conditions.

a. The Grant and all matching funds shall be used only for the cost of fixed assets, including construction of new facilities, and enlargement or renovation of existing facilities. The Grant and all matching funds may not be used to pay for maintenance costs, administrative costs (such as salaries associated with administering the Grant, office supplies, telephone, or travel expenses), non-fixed assets (such as athletic or maintenance equipment), or any other costs deemed to be ineligible by the Board, at the Board’s sole discretion.

b. Disbursement of Grant funds shall be made on the basis of costs actually incurred by Grantee and supported by written documentation (receipts, bills, etc.). GOCO may, in its discretion, depending on the nature of the Project, require documentation of mechanics lien waivers or waivers of claims to public project performance bonds as a precondition to any disbursement under this Agreement.

c. Except as otherwise agreed to in advance by GOCO in accordance with the terms of this Agreement, no material modifications may be made to the Project. Material modifications to the Project to which GOCO has not agreed may result in a reduction in the Grant. “Material

modifications” may include, but are not necessarily limited to, a reduction in the total cost of the Project, a reduction in the size or number of recreational development components to be constructed, changes to the nature of the recreational development components to be constructed, or any other variance from the Project as presented in the Project Application. It is the sole responsibility of Grantee to inform GOCO of any such modifications to the Project. GOCO strongly encourages Grantee to contact GOCO in writing when it becomes aware of or wishes to make any such modifications, however seemingly minor, to the Project.

10. **Waiver.** The Executive Director or the Executive Director’s designee may in such person’s discretion, waive or agree to modify one or more of the obligations in sections 8, 9, and 16 of the Agreement, or may permit performance of one or more of such obligations subsequent to disbursement.

11. **Payment of Grant Subject to Sufficient Net Lottery Proceeds.** Payment of the Grant is subject to GOCO’s determination in its sole discretion that it has received and has available sufficient net lottery proceeds to fund the Grant. In determining the sufficiency of net lottery proceeds, GOCO may consider all facts and circumstances as it deems necessary or desirable in its discretion, including, but not limited to, adequate reserves, funding requirements and/or commitments for other past, current and future grants, and past, current and future GOCO operating expenses and budgetary needs.

12. **Project Operation and Maintenance.**

a. Grantee shall operate, manage, and maintain the Project in a reasonable state of repair for the purposes specified in the Project Application for a period of 25 years from the date of completion of the Project or the useful life of the Project, in accordance with product warranties and/or the generally accepted standards in the parks/recreation community, and provide and maintain access to the Project and to the Property, regardless of the Property’s ownership.

b. Failure to comply with the provisions of Paragraph 12.a. may be deemed a breach by Grantee under Paragraph 21, below.

c. GOCO shall not be liable for any cost of maintenance, management or operation of the Project.

d. Within 60 days of a reasonable request by the Board, Grantee will provide the Board with adequate records reflecting the operating and maintenance costs of the Project and provide the Board with such other information concerning the use of the Project by the public and the impact of the Project.

13. **Public Access.** Grantee agrees, for itself and its successors in interest, to allow reasonable public access to the Project for the term specified in Section 12. Grantee may temporarily close such public access for construction, maintenance, emergency situations, or other reasonable purposes.

14. **Compliance with Regulatory Requirements and Federal and State Mandates.**

Grantee hereby assumes responsibility for compliance with all regulatory requirements in all applicable areas, including but not limited to nondiscrimination, worker safety, local labor preferences, preferred vendor programs, equal employment opportunity, use of competitive bidding, permits, approvals, and other similar requirements. To the extent permitted by law, Grantee will indemnify and hold the Board harmless from any liability for any failure to comply with any such applicable requirements.

15. **Nondiscrimination.** During the performance of this Agreement, Grantee and its contractors, subcontractors and agents shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age or sex, or any other basis prohibited by local, state or federal law. Grantee and its contractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. Further, during the performance of this Agreement, Grantee and anyone acting on behalf of Grantee shall not engage in any unlawful discrimination in permitting access and use of the Project.

16. **Publicity and Project Information.**

a. Grantee shall erect and maintain a sign at a prominent location on the Project site acknowledging the assistance of Great Outdoors Colorado and the Colorado Lottery. GOCO will provide such signs at no cost to Grantee. Alternatively, GOCO will provide reproducible samples of its logo to Grantee for custom signs.

i. GOCO shall approve in advance the design of any permanent sign materially varying from the signs provided by GOCO. To obtain such approval, Grantee shall submit to GOCO plans describing the number, design, placement, and wording of signs and placards. Plans shall be submitted to the Board for review and approval prior to completion of the Project.

ii. The Board may withhold Final Payment pending evidence of placement of permanent signage.

b. Grantee shall acknowledge Board funding in all publicity issued by it concerning the Project.

c. Grantee shall cooperate with the Board or the Board's designee in advance in preparing public information pieces related to the Project.

d. Grantee shall give the Board the right and opportunity to use information gained from the Project.

e. Grantee shall give the Board a minimum 30 days' notice of Project grand openings, dedications, or other events.

f. Grantee shall give timely notice of the Project, its inauguration, significance, and completion to the local members of the Colorado General Assembly, members of the board of

county commissioners of the county or counties in which the Project is located, as well as to other appropriate public officials.

g. Grantee shall provide quality digital photographs or printed photographs, if unable to provide digital photographs (collectively, "Photographs") of the completed Project with the Final Report. For the avoidance of doubt, all Photographs taken by Grantee of the Project constitutes a "work made for hire" pursuant to the U.S. copyright law (17 U.S.C. Section 201(b)) Grantee agrees that all copyrights and other property rights, in the Photographs developed by Grantee in conjunction with the Project are further owned by GOCO and Grantee hereby forever and irrevocably assigns to GOCO, without further consideration, all right, title and interest in such copyrights and other proprietary rights. Grantee agrees that GOCO, its successors and assigns, shall have the exclusive right to file copyright applications in the United States and throughout the world to the Photographs, or any portion thereof, in the name of GOCO. Grantee hereby agrees that GOCO, its successors and assigns may act as attorney-in-fact to execute any documents that GOCO deems necessary to record this grant with the United States Copyright Office or elsewhere. Grantee agrees to execute any and all documents reasonably requested by GOCO to enforce its rights under this provision.

h. At no time shall Grantee represent in any manner to the public or to any party that it is affiliated with GOCO or acting on behalf of GOCO.

#### 17. **Liability.**

a. Grantee shall be responsible for, and to the extent permitted by law (including any constitutional or statutory limitations on the ability of a governmental entity to provide indemnification), indemnify, defend and hold harmless the Board, its officers, agents and employees from any and all liabilities, claims, demands, damages or costs (including reasonable legal fees) resulting from, growing out of, or in any way connected with or incident to Grantee's performance of this Agreement. Grantee hereby waives any and all rights to any type of express or implied indemnity or right of contribution from the State of Colorado, the Board, its members, officers, agents or employees, for any liability resulting from, growing out of, or in any way connected with or incident to this Agreement. Grantee acknowledges that Grantee is the owner of the Project and the Property upon which it is located, or has control of the Project and the Property, and that GOCO neither possesses nor controls the Project, the Property, nor the operations of the Project.

b. Anything else in this Agreement to the contrary notwithstanding, no term or condition of this Agreement shall be construed or interpreted as a waiver, either express or implied, of any of the immunities, rights, benefits or protection provided to the Board under the Colorado Governmental Immunity Act ("CGIA") as amended or as may be amended in the future (including, without limitation, any amendments to such statute, or under any similar statute which is subsequently enacted). This provision may apply to Grantee if Grantee qualifies for protection under the Colorado Governmental Immunity Act, C.R.S. §24-10-101 *et seq.* The Board and Grantee understand and agree that liability for claims for injuries to persons or property arising out of the negligence of the Board, its members, officials, agents and employees may be controlled and/or limited by the provisions of the CGIA. The parties agree that no

provision of this Agreement shall be construed in such a manner as to reduce the extent to which the CGIA limits the liability of the Board, its members, officers, agents and employees.

18. **Audits and Accounting.** Grantee shall maintain standard financial accounts, documents, and records relating to the use, management, and operation of the Project. The accounts, documents, and records related to the Project shall be retained by Grantee for not less than five (5) years following the date of disbursement of funds under this Agreement. The Board, or its designated agent, shall have the right, upon reasonable notice to Grantee, to audit the books and records of Grantee which pertain to the Project and to the use and disposition of the Grant. While Grantee is not required to use GAAP (Generally Accepted Accounting Principles), Grantee shall use reasonable and appropriate accounting systems in maintaining the required records hereunder.

19. **Inspection.** Throughout the term of this Agreement, GOCO shall have the right to inspect the Project to ascertain compliance with this Agreement.

20. **Withdrawal of Board Funding; Termination of Agreement.** Anything else in this Agreement or otherwise to the contrary notwithstanding, the Board may withdraw, in whole or in part, the Grant and/or terminate this Agreement, and/or seek a refund of payments already made if the Board determines in its discretion that:

- a. facts have arisen or situations have occurred that fundamentally alter the expectations of the parties or make the purposes for the Grant as contemplated infeasible or impractical;
- b. any material modifications in the scope or nature of the Project have occurred from that which was presented in the Project Application and such material modifications have not received the prior written approval of GOCO;
- c. any statement or representation made by Grantee in the Project Application, this Agreement, the Progress Report, the Final Report, or otherwise is untrue, inaccurate or incomplete in any material respect;
- d. the results of GOCO's review of the Progress Report, or the Final Report are not acceptable to GOCO;
- e. the Project will not or cannot be completed by the Completion Date or any extensions granted thereto or delays in the implementation of the Project have occurred which, in the Board's judgment, make the Project impracticable;
- f. the Project will not or cannot be completed within the Budget or any approved modifications, or the total Project cost and/or Grantee's matching funding are reduced;
- g. title to or encumbrances against the Property are or become such that Grantee is unable to complete the Project, or the Project and/or the Property are or become unavailable for public use.

21. **Breach.**

a. In the event that Grantee breaches any of the terms, covenants, representations, or conditions of this Agreement, the Board may elect to enforce any and all remedies available at law or in equity, including without limitation, any of the following:

- i. Prior to payment of Grant:
  - A. Withdraw the Grant and terminate this Agreement; and,
  - B. Deny Grantee eligibility for participation in future Board grants, loans or projects.
- ii. After payment (partial or full) of Grant:
  - A. Deny Grantee eligibility for participation in future Board grants, loans or projects;
  - B. Seek specific performance of Grantee's obligations under this Agreement;
  - C. Receive reimbursement in full of disbursement made under the Grant.

b. The foregoing remedies are cumulative and may be exercised independently or in combination and are not exclusive to one another or to any other remedies available at law or in equity. In the event GOCO must pursue any remedy hereunder and is the substantially prevailing party, GOCO shall be awarded its costs and reasonable legal fees, including costs of collection.

22. **Good Faith.** There is an obligation of good faith on the part of both parties, including the obligation to make timely communication of information which may reasonably be believed to be material to the other party.

23. **Assignment.** Grantee may not assign its rights under this Agreement without the consent of the Board, which consent shall be in the discretion of the Board. Any assignment shall require that, at a minimum, the assignee is eligible to receive grants from the Board and assumes Grantee's ongoing obligations under this Agreement.

24. **Applicable Law.** This Agreement shall be governed by the laws of the State of Colorado and venue for any dispute hereunder shall lie exclusively in the State Courts of the City and County of Denver.

25. **No Joint Venture.** Nothing in this Agreement shall be construed to create a joint venture, partnership, employer/employee or other relationship between the parties hereto other than independent contracting parties. Except as permitted under the remedies provisions hereunder, neither party shall have the express or implied right to act for, on behalf of, or in the name of the other party.

26. **Severability.** If any provision of this Agreement, or the application thereof, is found to be invalid, the remainder of the provisions of this Agreement, or the application of such provision, other than those as to which it is found to be invalid, shall remain in full force and effect.

27. **Time is of the Essence.** Time is of the essence in this Agreement.

28. **Survival.** The terms and provisions of this Agreement and the parties' covenants hereunder shall survive the funding of the Grant and the completion of the Project.

29. **Fax and Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be an original, but all of which when taken together shall constitute one Agreement. In addition, the parties agree to recognize signatures of this Agreement transmitted by telecopy or e-mail as if they were original signatures.

30. **Third Party Beneficiary.** The Board and Grantee hereby acknowledge and agree that this Agreement is intended only to cover the relative rights and obligations between the Board and Grantee, and that no third party beneficiaries are intended.

31. **Construction.** Each party hereto has reviewed and revised (or requested revisions of) this Agreement, and therefore, any usual rules of construction requiring that ambiguities are to be resolved against a particular party shall not be applicable in the construction and interpretation of this Agreement.

32. **Waiver.** The failure of either party to enforce a term hereof shall not be deemed a waiver of such term or right of enforcement as to that breach or any subsequent breach of the same, similar or different nature. No waiver shall be enforceable hereunder unless signed by the party against whom the waiver is sought to be enforced.

33. **Entire Agreement.** Except as expressly provided herein, this Agreement constitutes the entire agreement of the parties. No oral understanding or agreement not incorporated in this Agreement shall be binding upon the parties. No changes to this Agreement shall be valid unless made as an amendment to this contract, approved by the Board, and signed by the parties.

IN WITNESS WHEREOF, the parties by signature below of their authorized representatives execute this Agreement effective as of the \_\_\_ day of \_\_\_\_\_ 20\_\_.

STATE BOARD OF THE GREAT  
OUTDOORS COLORADO TRUST FUND

GRANTEE:  
Town of Eagle

By: \_\_\_\_\_  
Lise Aangeenbrug  
Executive Director

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\*NOTE\* Signee should be same individual  
authorized to sign grant agreement in  
attached resolution (EXHIBIT A)

**EXHIBIT A  
RESOLUTION**



**EXHIBIT B**  
**OVERDUE GRANTS POLICY**

	<b>GREAT OUTDOORS COLORADO POLICIES &amp; PROCEDURES MANUAL</b>	Policy:	Overdue Grants
		Approval Date:	June 11, 2013

## I) **PURPOSE**

Great Outdoors Colorado (GOCO) understands that there are unforeseen circumstances that may interfere with a grantee's ability to complete a project by the project completion date set forth in the Grant Agreement. The Overdue Grants Policy outlines the options available to grantees to extend a grant deadline and the procedures associated with submitting grant extension requests.

## II) **POLICY STATEMENT**

A grantee has two options to extend the project completion date in the Grant Agreement: a staff extension or a Board extension. Staff can grant an extension for at least 90 days and up to the date of the next scheduled GOCO Board meeting. If the grantee needs more time than that, the grantee must request a Board extension. GOCO expects the grantee to request the appropriate amount of time needed to complete the project. A grantee can request a second Board extension if needed, although this is not a favorable action.

Failure to complete a project by the original due date, or by any extended due dates authorized by staff or Board, may result in the de-authorization of the grant by the Board and a suspension from applying in future grant cycles.

## III) **PROCEDURES**

### A) Staff Extensions

- The grantee must submit a request for a staff extension prior to the original project completion date via email or postal mail to GOCO staff.
- Requests must include the following: a) grantee name b) project title c) contract number from the grant agreement d) original project completion date e) percent of project completion to date or due diligence items completed to date for land acquisitions f) reason for delay g) estimated date of project completion or closing g) estimated date of final report submission to GOCO, if applicable.
- A grantee may only request one staff extension.
- If the grantee needs an extension for longer than the time provided by a staff extension, the grantee can forgo the staff extension and request a Board extension.

- Staff will notify the grantee via email of the decision to grant or deny the request for a staff extension.

#### B) Board Extensions

- The grantee must submit a request for a Board extension prior to the original or staff extended project completion date via email or postal mail. Requests must be addressed to the GOCO Board.
- Requests must include the following: a) grantee name b) project title c) contract number from the grant agreement d) original project completion date and if applicable, staff extended project completion date e) percent of project completion to date or due diligence items completed to date for land acquisitions f) reason for delay g) estimated date of project completion or closing g) estimated date of final report submission to GOCO, if applicable.
- The Board will consider the request for Board extension at its next scheduled meeting. Staff will notify the grantee via email of the Board's decision to grant or deny the request for a Board extension.
- A grantee can request a second Board extension if additional time is needed beyond that provided by the first Board extension. Requests for a second Board extension will follow all of the procedures listed above.

**EXHIBIT C**  
**INTERGOVERNMENTAL (or other) AGREEMENT**  
(If applicable)



# The Town of Eagle

Box 609 • Eagle, Colorado 81631  
(970) 328-6354 • Fax 328-5203

Meetings:  
2nd and 4th Tuesdays

26 August 2014

TO: Eagle Town Board

From: Jon Stavney, Town Manager

Re: Yard Waste

**Request:** Direction from TBOT on 2015 budgeting & management of Violet Lane Yard Waste Site

**Background:** Town has provided yard waste deposit site at Wastewater Plant campus on Violet Lane. Much of that “excess” land will be occupied by the Lower Basin Water Treatment Plant in 2015. This self-service site was added when town changed from a rear loaded trash truck style and to the more efficient side-arm style trucks with a standard trash bin. That type of service has continued by contract.

As a free service at an unmonitored location, the Violet Lane site has become the go-to place for town residents, commercial landscapers and other down valley residents. The County average cost for a “pickup truck” of similar yard waste (grass clippings, tree trimmings) is \$6 to \$8 per load. Town has paid to grind the yard waste into chips every year or two at a cost of between \$40,000 and \$60,000. Until this year, the town had not started hauling off the chips or had a plan for their removal. An agreement with the materials supplier for the Gypsum Biomass plant negotiated this past winter was left unsigned by the other party citing quality issues with the stream from these chips. Town staff has been hauling loads of some of the better quality chip piles to the Eagle County Landfill which is temporarily accepting the material free of charge. The free deal will expire soon.

There is a “historic” pile that will need to be removed to make room for the LBWTP. This was chipped some time ago. Estimated cost to haul off to landfill is \$50,000. In the 2014 budget, the board approved a \$2/month fee to town trash service customers which is projected **to raise \$33,000 in 2014**. Use seems to have increased at the site and the annual cost to chip and haul the material is starting to look like a **\$100,000 to \$125,000 annual proposition**.

## Options:

1. Increase charge to trash customers from \$2/month to \$6-\$7/month in 2015 & manage as is
2. Fence site with gate, open occasionally, monitor and charge per load anyone not a resident
3. Fence site with gate, open once per month on a Saturday, no-non residents, monthly charge
4. Signage “no commercial use”, keep a security camera or night gate and heavily fine abusers
5. Close the service and stop charging customers monthly fee

Cinder Spreader req. P.W

8/20/14

7333 Highway 85 P.O. Box 5011

Commerce City, CO 80022

Phone: (303) 287-7401 Fax: (303) 287-7404

May 19, 2014

Town of Eagle

Attn: Jerad: (970) 401-0385

jerad@townofeagle.org

We are pleased to quote the following:

**1 - NEW E2020XT-10' spreader complete with the following:** Standard 82" wide "easy service" body is constructed of a 10-gauge hopper and stakes with 7-gauge longsills and bolt-in replaceable conveyor bottom panel. (Stainless steel units are constructed of a 12-gauge hopper and stakes with 10-gauge conveyor bottom panel and longsills.) Equipped with 2 hydraulic motors. One motor is mounted to the gear case; the other motor provides power to the spinner disc. No other hydraulic components are included. 24" wide roller-type chain conveyor with 3/8" X 1-1/2" crossbars. This conveyor is driven by a 6:1 reduction spur gear drive with a hi-torque/low-speed hydraulic motor (highest efficiency-98% for lower operational and maintenance cost). Fully enclosed spinner hopper with two internal deflectors and a 20" diameter hydraulically driven spinner disc with six bolt-on hardened fins and four baffles designed for complete control of material application. Prior to painting, all components are chemically cleaned. Upon completion of the cleaning process, all exposed seams not welded are chemically sealed. All components are then double coated with a lead- and chrome-free plural-component epoxy primer. The hopper body is painted with two finish coats of Hi-Way yellow plural-component urethane paint and then oven-cured. Bolt-on components are painted Hi-Way black urethane, oven-cured and assembled. 304 stainless steel units are unpainted (non-304 stainless steel components are painted black). All units are topped with a black decal group.

**Note: For proper operation, hydraulic system requires 15-18 GPM at 1500 PSI for series system, and 20-25 GPM at 1500 rpm.**

**UNMOUNTED PRICE STAINLESS**

**\$11,535.00**

**OPTIONAL EQUIPMENT:**

**ADD**

Inverted "V" Stainless Steel

\$ 460.00

Hinged Screens (2-1/2"x2-1/2" openings)

\$ 1,350.00

**There are more options listed on the Highway website. I have shown these because they are the options most often requested.**

**If you look and would like pricing on other options. Just email them back to me and I will get you the pricing.**

\*\*\*\*\*  
Units quoted from stock are quoted subject to prior sales. Prices subject to adjustment to comply with manufacturer prices in effect at date of shipment and quotation automatically expire thirty (30) days from its date. Prices quoted do not include any state, local and /or other applicable taxes and such taxes (if any) shall be paid by the purchaser in addition to the quoted price, unless shown separately above. Delivery quoted is an estimate only and is based on the date of this quotation and is further subject to any delay encountered in receiving a firm order and to other factors being beyond our control. Warranty is limited to that on new machines as provided by the manufacturers, copies of which are available on request. It is understood that there are no verbal agreements or understandings, which in any manner conflict with the written terms of this quotation.

**F.O.B.: Macdonald Equipment**

**Estimated Shipping: 12-16 weeks ARO**

Includes  
shipping

\$ 13,345

TBOT - \$700 ~ 2014 for Community Grants Fund

## LG★TRI

July 14, 2014

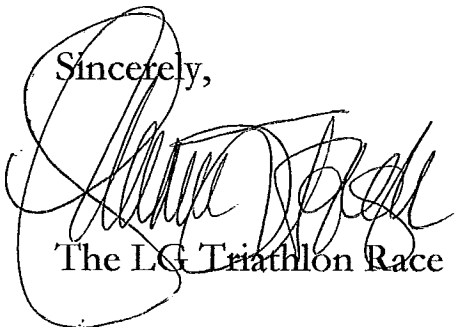
*The Town of Eagle,*

The 6th annual LG Triathlon was a huge success! We also added a kid tri this year and it was fun seeing kids participating. Our triathletes commented that the event was well organized and fun. We had a record number of people from the front range, as well as local athletes.

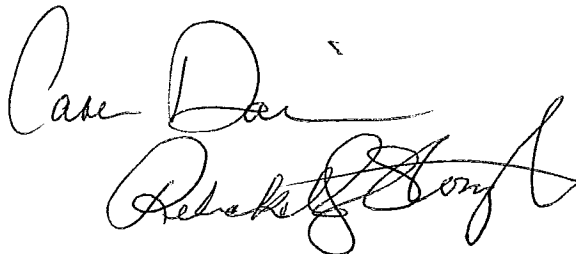
It was wonderful to witness so many different members of our community coming together to support the LG Tri and in doing so, assist local families that have a medical crisis through the VVCF.

Thank you for your contribution.

Sincerely,



The LG Triathlon Race Organizing Team



Carol Dan