

CITY OF STEAMBOAT SPRINGS

Regular Meeting NO. 2018-25

Tuesday, September 18, 2018

City Council Members present: City Council President Lacy, City Council President Pro Tem Meyer, Council Member Crossan, Council Member Ford, Council Member Petis, and Council Member Sloop. Council Member Macys was absent.

Staff Members present: Gary Suiter, City Manager; Kim Weber, Director of Financial Services; Julie Franklin, City Clerk; Dan Foote, City Attorney; Cory Christensen, Chief of Police; Jon Snyder, Public Works Director; Winnie DelliQuadri, Assistant to the City Manager; Mel Stewart, Fire Chief; Alan Lind, Director of General Services; Scott Schaffer, Community Service Officer Supervisor; Bob Keenan, Principal Planner; and Rebecca Bessey, Director of Planning and Community Development.

B. PLEDGE OF ALLEGIANCE

C. PROCLAMATIONS, INTRODUCTIONS, RECOGNITIONS

1. PROCLAMATION: A proclamation recognizing Steamboat Springs as an official Continental Divide Trail Gateway Community.

Council Member Crossan read the proclamation into the record. This organization has adopted a portion of the trail and her son hiked 600 miles of this summer.

Laura Soard and Helen Beall were present to accept the proclamation. Ms. Soard thanked the City for the recognition and stated that this designation will be beneficial to the community and she is proud to have this hike in our backyard.

D. REPORTS

2. City Council Reports

2.a. City Council Reports.

Council Member Crossan reported that she attended a Colorado Association of Ski Towns (CAST) meeting and a pancake breakfast at the Steamboat Springs Airport.

City Council President Pro Tem Meyer noted that the County considered supporting the "Let's Go Colorado" legislation for transportation and the City should consider it as well in addition to opposing the takings legislation. **DIRECTION:** Add to October 9,

2018 agenda. Noted that she welcomed participants at both nights of the Run Rabbit Run event.

3. Agenda Review

- 3.a. Regular Meeting, October 2, 2018.**
- 3.b. Regular Meeting, October 9, 2018.**
- 3.c. Regular Meeting, October 16, 2018.**
- 3.d. Regular Meeting, November 13, 2018.**
- 3.e. Worksession Schedule.**

Council reviewed the above agendas.

4. Staff Reports

4.a. City Manager's Report.

Mr. Suiter provided a written report. He requested direction on a social trail across private property on Locust Court/Mauna Kea Lane. The neighborhood has been using it for some time now but now there is a berm constructed by new owners who are concerned with trespassing, safety and liability. The residents want the trail reestablished. Mr. Suiter is asking permission to discuss with the owners an easement across the property or donation of land; there could be costs involved. **UNANIMOUS CONSENT.**

Mr. Suiter spoke to the Municipal Court Judge appointment and conducting a request for qualifications (RFQ). Judge Sachs will submit a proposal.

City Council President Pro Tem Meyer supports doing an RFQ, especially since it has not been done in years. Petis noted that all other judges remain on the bench and it seems odd to do this differently. Council Member Crossan thinks an RFQ is appropriate. Council Member Ford agrees with Petis. City Council President Lacy is ok with reappointing Sachs. Mr. Suiter stated that staff is in the process of doing a judicial review. **DIRECTION:** Renew Judge Sachs' contract.

Mr. Suiter noted that there will be a delay in the Spring Creek Dams restoration until 2019. We will not be able to finish this fall and have not received the permit from the Army Corps of Engineers.

Discussion commenced on the decline in transit ridership.

E. COMMUNITY REPORTS/CITY COUNCIL DISCUSSION TOPIC:

5. Chamber 2019 Partnership Proposal.

Kara Stoller, Laura Soard and John Bristol were present.

Ms. Stoller began the PowerPoint presentation speaking to the 2019 proposal.

Mr. Bristol continued with: economic development funding.

Ms. Soard spoke to: destination marketing; 2018 goals; 2018 objective; media tactics; 2018 highlights to date; 2018 tax collections; destination marketing; budget comparison - mountain communities; and looking ahead to 2019.

Ms. Stoller concluded with: sustainable funding; special event funding; and 2018 events that received special event funding.

Discussion took place relative, but not limited to: tourism business improvement districts; timeline and occupancy averages.

PUBLIC COMMENT:

Mr. Glen Traylor, incoming Chamber president, stated that they are committed to getting out of the General Fund and need partnership for it to work.

Mr. Larry Mashaw, current Chamber president, stated that they are proud of their partnership with the City. He spoke to a possible tourism BID and repurposing the accommodations tax. He stated that this request is important to their momentum and to remaining competitive.

City Council President Pro Tem Meyer asked if they are asking other Chamber members to increase dues. Stoller stated that they are looking at that but there is no decision yet.

Council Member Petis stated that she appreciated the special event funding process this summer.

Council Member Ford noted that the Chamber produces the Air Fest event and may not do that anymore. He suggested contracting with the Chamber to continue putting to the event at \$15,000 and therefore reducing event funding to \$85,000.

Ms. Stoller stated that there were 2,000 attendees this year and it is 60% locals. Most of expenses for the event are City services; they are looking to be more of a facilitator of events rather than an event producer.

Council Member Crossan would like to hear from Stacey Fain about taking over the event.

City Council President Lacy would rather stick with the current proposal.

City Council President Pro Tem Meyer stated that the economic development request is a “no brainer” noting the need to replace a major employer in town (Smartwool). She feels that the Chamber’s goals were too low this year and that the goals don’t match “the ask”. She thinks that \$825,000 is the right number and noted the need to get something that can be successful at the ballot in 2019. She does not support more than \$80,000 for events.

Council Member Crossan is ok with \$100,000 for events but would like to see what we are “weaning” from funding and what shoulder season events are new.

Council Member Sloop does not think this is right for accommodation tax repurposing and supports the \$825,000.

Council Member Ford spoke to the vendor fee. Ms. Weber stated that vendor fees are only on timely filed tax returns, calculated it about \$853,000. That would increase the budget and require a supplemental.

City Council President Lacy stated that he is less concerned since the Chamber is committed to finding sustainable funding. There will soon be fees for events so the \$100,000 will be needed and eases the pain for a transition year.

UNANIMOUS CONSENT: \$60,000 for economic development. Destination marketing \$850,000. Special events \$100,000.

It was noted that these are just “place holders” and this will be approved at budget.

**F. CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES
FIRST READINGS**

6. RESOLUTION: A resolution of the City Council of the City of Steamboat Springs approving an application for a Conditional Use CU-18-08, Development Plan and Major Variance DPV-18-04, Chadwick Flats Condominiums.

PETITION: Conditional Use, Development Plan, and Major Variance

LOCATION: TBD Eagle Glen Drive

APPLICANT: Chadwick Phase 1 Developer, LLC

PLANNING COMMISSION VOTE: Approved 6-0

City Council President Lacy read the resolution title into the record.

CONDITIONS:

1. Prior to building permit approval the applicant is required to replat the property to amend plat note #10 of the Chadwick Flats Condominium Plat to update the application number in which the development rights are subject to.

2. In order to satisfy the intent of the previous approval, #DPF-12-06, and to comply with east side setback standards, if the project is to be condominium platted, the applicant is required to share the common space between the two parcels, Chadwick Flats Condominium and the lot labeled "Area Subject to Future Development Rights. The applicant shall demonstrate compliance with this condition of approval prior to building permit.
3. Civil construction plans prepared by a licensed Colorado civil engineer shall be approved by the City prior to grade and fill and/or building permit approval and prior to the start of any construction.
4. The following items are considered critical improvements and must be constructed by the applicant prior issuance of CO.
 - Drainage infrastructure.
 - Driveway, and parking areas.
 - Re-vegetation.
5. Per Base Area Design Standards as contained in Section 440 of the Community Development Code, 3rd party certification of a nationally recognized sustainable building program is required, as acceptable to the Director of Planning and Community Development. Prior to building permit the applicant is to provide documentation to the City on the proposed program the applicant seeks approval through. Prior to Certificate of Occupancy, the applicant shall provide the City with proof of completion of this 3rd party program.

This item was approved on consent below.

7. **RESOLUTION: A resolution of the City Council of the City of Steamboat Springs approving an application for a Conditional Use CU-18-14, Longview Highlands Subdivision Lot 13.**
PETITION: Conditional Use
LOCATION: 1170 Longview Circle
APPLICANT: Brian Edwards
PLANNING COMMISSION VOTE: Approved 6-0

City Council President Lacy read the resolution title into the record.

This item was approved on consent below.

8. **RESOLUTION: A resolution of the City Council of the City of Steamboat Springs approving an application for a Conditional Use CU-18-12, Development Plan and Major Variance DPV-18-05, UC Health Yampa Valley Medical Center.**
PETITION: Conditional Use, Development Plan, and Major Variance
LOCATION: 875 Chaps Way or TBD Central Park Drive

APPLICANT: UC Health Yampa Valley Medical Center
PLANNING COMMISSION VOTE: No Vote, Item Tabled

MOTION: Council Member Crossan moved and City Council President Pro Tem Meyer seconded to postpone this item to October 16, 2018.

The motion carried 6/0. Council Member Macys was absent.

9. RESOLUTION: A resolution approving the Steamboat Springs Local Marketing District (LMD) Operating Plan and Budget for the Year 2019.

City Council President Lacy read the resolution title into the record.

City Council President Pro Tem Meyer asked when the LMD would receive money if the tax passes. Ms. Weber stated January 1, 2019; the City would not enter into an agreement until the year after the funds are collected.

MOTION: City Council President Pro-Tem Meyer moved and Council Member Crossan seconded to approve a resolution approving the Steamboat Springs Local Marketing District Operating Plan and Budget for the Year 2019.

Discussion during the motion:

Mr. Bob Milne noted that the addition of Jet Blue was the biggest news for 2018-19; they are a well-known carrier with a good reputation. He spoke to air service costs, the guarantee, budgeting to cap and forecasting.

Discussion took place relative, but not limited to: focusing on ground transportation to get people up here; and revenue guarantee seats.

Mr. Rob Perlman, Steamboat Ski & Resort Corporation, stated that if they did not guarantee the 70% they would not get the 30%.

Council Member Crossan noted that the revenues from the Yampa Valley Regional Airport come back to all of us in the community, not just the County.

PUBLIC COMMENT: No one appeared for public comment.

DIRECTION: In the next year add in budget numbers to research ground transportation.

The motion passed 6/0. Council Member Macys was absent.

10. **RESOLUTION: A resolution approving the Air Program Marketing contract between the Steamboat Springs Local Marketing District and the Steamboat Ski and Resort Corporation.**

City Council President Lacy read the resolution title into the record.

11. **RESOLUTION: A resolution approving a first amended and restated Intergovernmental Agreement for the provision of Regional Building Department Services.**

City Council President Lacy read the resolution title into the record.

MOTION: Council Member Sloop moved and City Council President Pro-Tem Meyer seconded to approve a resolution approving a first amended and restated Intergovernmental Agreement for the provision of Regional Building Department Services.

The motion passed 6/0. Council Member Macys was absent.

12. **RESOLUTION: A resolution approving a Revocable Permit Agreement between the City of Steamboat Springs and the owners of real property located at 837 Pine Street, the Original Town of Steamboat Springs, Lot 5, Block 8.**

City Council President Lacy read the resolution title into the record.

MOTION: City Council President Pro Tem Meyer moved and Council Member Sloop seconded to approve items 6, 7, 10 and 12 of the Consent Calendar.

The motion carried 6/0. Council Member Macys was absent.

13. **RESOLUTION: A resolution approving the 2019 Operating Plan of the Downtown Steamboat Springs Business Improvement District.**

City Council President Lacy read the resolution title into the record.

Council Member Ford asked if the ballot language has been finalized. Suiter stated yes, and the Board certified it.

Council Member Crossan noted the citizen comment about Oak Street. She noted the need to be consistent throughout the community and provide the same services street to street.

PUBLIC COMMENT:

Mr. Steve Lewis agrees with consistency but stated that the package is delivering services to two streets (Lincoln and Yampa) Oak Street will not get snowplowing. He does not feel that the tax will benefit the resident there. There has not been enough conversation or outreach and he would like to see more transparency.

MOTION: City Council President Pro-Tem Meyer moved and Council Member Ford seconded to approve a resolution approving the 2019 Operating Plan of the Downtown Steamboat Springs Business Improvement District.

The motion passed 6/0. Council Member Macys was absent.

GENERAL PUBLIC COMMENT

Mr. Nick Bettger voiced concern with the proposal for the second sheet of ice. The community needs a plan to replace The Igloo because we are in a childcare crisis. He asked that Council reconsider funding the ice rink proposal to better meet the true needs of the community. There is increased attendance while space is constrained in current childcare facilities.

14. RESOLUTION: A resolution approving an annexation agreement between the City of Steamboat Springs and West Steamboat Neighborhoods, LLC.

City Council President Lacy read the resolution title into the record.

Mr. Foote stated that approving the annexation agreement does not approve the annexation; there will be at least four more meetings and a Planning Commission hearing. The document in the packet has been negotiated over a period of time and there are four modifications:

1) Per Council's direction, the Gateway Deed Restriction, which imposes workforce housing restrictions, has been amended to include an appreciation cap applicable to each of the workforce housing units. The appreciation cap is calculated by multiplying the purchase price of the property (the "Base Price") by the greater of a) 3% or b) the percentage change in Area Median Income ("AMI") during the period the seller owns the property. This calculation results in the "Adjusted Price Limit". The owner is permitted to add to the Adjusted Price Limit the cost of certain improvements and closing costs to generate a Maximum Allowed Sales Price, which is the maximum amount payable at closing on the unit.

The cost of improvements to be added to the Adjusted Price Limit is equal either to the construction contract cost or, in the case of owner construction, twice the materials cost. This adjustment amount is not subject to the AMI/3% appreciation number.

Closing costs that may be added to the Adjusted Price Limit include 3% in real estate commissions (which is half of the 6% commission typically paid by sellers); title insurance premiums; Real Estate Transfer Tax paid; and other customary closing costs, specifically excluding appraisals and inspections.

Overall, the details of the appreciation cap represent a conservative approach to management of purchase price growth for the workforce units that are subject to the Gateway Deed Restriction. In other words, the appreciation cap as formulated will have a relatively restrictive effect on maximum purchase prices compared to other approaches that might have been utilized.

2) Per Council's direction, the Gateway Deed Restriction was revised to address the eligibility of persons who work remotely from home or public spaces like coffee shops. The new language clarifies that eligibility depends on the location of the person's workplace rather than the person's employer.

3) At staff's initiative, Sections 15.5 and 15.7 were amended to provide procedures for the execution of the Annexation Agreement and ratification of the Annexation Agreement by West Steamboat Neighborhoods ("WSN") after WSN acquires the property. These revisions are intended to ensure that the Annexation Agreement runs with the land and is enforceable against WSN's successors in interest to the Property, if there are any. This provision is a contingency in the event WSN were to acquire the Property and then subsequently lose control of it.

4) At staff's initiative, Sections 3.2, 6.1(e), 6.2, 10(d), and the definitions section were amended to address the treatment of Secondary Units and the school site. There are two aspects to these amendments.

First, the January 2017 Water Demand Report that provides the basis for the Director of Public Works' conclusion that the City has adequate water to serve the project was based on the buildout of four hundred and fifty (450) principal Dwelling Units and does not account for water demands of Secondary Units or the school. The new provisions clarify that the City's commitment to provide water service does not extend to Secondary Units or the school until and unless it is confirmed that adequate capacity exists.

Second, the Annexation Agreement has been modified to require the payment of modified Water and Transportation Firming Fund contributions for each Secondary Unit. Both payments are calculated at 70% of the \$16,000 water firming payment and the \$12,000 transportation firming payment applicable to principal dwelling units.

Mr. David O'Neil, West Steamboat Neighborhoods (WSN), thanked staff and Council for the 2.5 years of work. He spoke to the critical housing need that threatens the community and the balancing act with the West Steamboat Springs Area Plan (WSSAP) (they view it as a guideline not a mandate). They have evolved their housing mix approach to an array of housing that makes for an interesting community.

Discussion took place relative, but not limited to: previous code language regarding the WSSAP; alternative compliance; perception of the change in code language; gun club status, and school district status, and the "Pioneer Club".

Mr. Mike Middleton, Routt County Rifle Club, stated that they have been "hashing out" an agreement. They are as close, but not quite there. It depends on the owner of Steamboat 700. They just want the status quo and think they can cohabitate with WSN.

Mr. O'Neil stated that the agreement with Steamboat 700 has "nuclear option" that could force the gun club to move. They have said that this option would not apply but there are 300 acres that are not a part of the annexation. That is what they are trying to solve with Steamboat 700.

He stated that the School District gave them a revised letter of intent and the primary issue is that there is a more immediate need for a middle school. WSN's design is more for an elementary school. If they do not get it resolved the property will revert back to be used for something in the public realm.

Mr. Joey Andrew, Steamboat Springs School Board, stated that they have not made a decision on the proposal yet. There are some concerns with the language and TABOR. They are looking forward to discussing their concerns and counter proposal.

Discussion commenced on a first right of refusal for the School District.

Council Member Sloop thinks that the School District should have the only option but they need more time; the issue is that the agreement identifies an elementary school. She would like it to just to say "school" with a 10 year time period. Mr. O'Neil stated that they have 90 days to work through the issues or modify the annexation agreement.

Mr. Andrew stated that the types of schools constructed by school districts are not governed by a developer. Council Member Crossan supports giving them a chance to work it out but likes the "public realm" language.

With regard to the Pioneer Club Mr. O'Neil stated that people put in money at the onset, participated in a focus group and they would have priorities as housing comes available.

PUBLIC COMMENT:

Mr. Matt Eidt encouraged Council to move forward with the agreement and spoke to the lack of options for housing in the community. He stated that the "no growthers" want to close the gate to others. He stated that Council are the elected experts to make tough decisions and affordable housing is one of Council's goals and they are close to chipping away at that.

Ms. Nevada Musgrave agrees and noted that affordable housing needs to be a priority. She thinks that 3% appreciation is too low.

Mr. Rich Levy stated that alternative compliance is to be measured against the goal and criteria that are listed. The term “consistent” is in all the planning criteria. He further spoke to a property tax versus retaining the real estate transfer assessment.

Mr. Tyler Gibbs stated that he has been hopeful for a project like this for over 4 years and noted that no one project can be all things to all people. This is a very good project and it is for locals.

Mr. Matt Karzan appreciates that this is complicated. He noted the importance of keeping in mind what this means to the future of the City and what role Council has in that. He stated that many view this as the last hope and fear that Steamboat will become unrecognizable. Some see this as too much development. He thinks development is inevitable and it is a question of what the development will look like. Working families and young professional will be bled out of the community without housing. He believes this is Council’s decision, they have been elected to govern the community.

Mr. Zack Broker supports the project and spoke to the Wellington project in Breckinridge. It is providing housing to people as well as companies that serviced the homes.

Mr. John Spezia stated that this is not about no growth but how we grow. He voiced concern that this does not have entry level housing and does not believe that their interpretation of the WSSAP is very transparent. The deed restrictions are a concern, it does not follow the WSSAP and the Community Development Code (CDC), is not cost neutral and will create sprawl and traffic.

Mr. Steve Elkins, representing the Overlook project, stated that they are not opposed to the proposal but noted that there is an issue with an access easement that may need to go to court.

Mr. Paul Stettner stated that the public needs to be a little more informed. How can this developer pay its own way? He would appreciate a follow up with condensed information, like a process map.

Mr. John Lanterman stated that Council needs to be aware of the costs associated with single family development and alternatives for infill must be considered. This is too much money and traffic. It is sprawl, not a good location and should go to a vote.

Ms. Katherine Peterson noted the need for more “move up” housing. The deed restrictions makes sense and are easy to finance. She support the proposal.

Ms. Catherine Carson asked who the target market is and noted the need to target families making \$100,000 or another certain number. What is the cost to the City? The deed restriction houses are chosen by lottery and noted that the Pioneer Club has not been messaged to the community at large. She encouraged Council to put it a vote.

Mr. Bill Jameson asked what we are getting for the subsidy to the City and feels that the Pioneer Club is a concern.

Ms. Diane Brower stated that west Steamboat Springs was intended for affordable housing for working people and the vast majority of these homes will be market rate and high priced. If the benefits outweigh the negatives then the annexation is justified, but this will not provide what is needed and there are too many uncertainties.

Mr. Charlie MacArthur stated that the housing group was formed because the WSSAP did little to provide housing for the community. The demand and supply in the community are out of whack and we need new supply.

Mr. Jon Wade is impressed with the work that has gone into this and noted the need to achieve good things, not “utopia”. It is not perfect and there need to be tradeoffs. This is a good step without over committing.

Ms. Kyleigh Lawler supports the annexation. She is a full time working mom and would love to see a neighborhood like this.

Ms. Kathy Coates stated that there are also people who need to downsize and she supports the proposal. She may have to leave if she can't get into a neighborhood like this.

Ms. Mika Marshawn, Brynn Grey, stated that she worked with the Pioneer Club. She stated that it is open to the entire community. She has meet with dozens of locals and many consider this their last hope. Many are faced with the decision of leaving Steamboat because they can't afford it. She read some quotes from people she has worked with that are in support of the proposal.

City Council President Lacy stated that cost is the question. Ms. Weber pointed to the cash flow document that shows revenues in and expenses out. The proposal is revenue neutral on an operating basis, but what is the cost to the City? The Colorado Department of Transportation (CDOT) would help, and there are grants to help fund the improvements to the Highway 40/Downhill Drive intersection. The developer contributions in the annexation agreement will be used. Much depends on when the growth occurs and what funding the City can get.

Council Member Sloop noted the need to focus on the “widening” piece that could be 20 years from now and may have nothing to do with Brynn Grey. She wishes there was more information on what the triggers are.

Council Member Ford spoke to alternative compliance and suggested deleting provision 6. That makes it clean and removes ambiguity. This is not a Brynn Grey issue but a Council issue.

Council Member Petis stated that it needs to be addressed but at a later date; not with this annexation.

City Council President Pro Tem Meyer stated it should be discussed with the greater housing discussion.

Mr. Snyder clarified that the transportation and water firming fund fees are only applicable to market rate houses.

Ms. Weber stated that the real estate transfer assessment will cover the operating costs and the developer will pay for transportation over a period of time.

Mr. Suiter stated that this is fair and the developer covers the proportionate costs.

Mr. Snyder further clarified that the City is not subsidizing Brynn Grey on water, the firming fund is in lieu of water rights and the seed money will grow water. The City is also not subsidizing for the sewer. Transportation is tougher. When the project is fully funded the developer will have paid the proportionate share; it is a question of timing. With respect to transit if there is one stop it will be ok, more will cost. For plowing the developer is giving \$610,000 at 199th building permit.

City Council President Pro Tem Meyer noted that there will be a meeting later this week to discuss the County issue with the Slate Creek connector. Does Brynn Grey have adequate connection? Mr. Snyder stated yes, it was contemplated in the WSSAP. The details will be flushed out in the regulating plan. Brynn Grey is showing that they are doing that piece of the puzzle.

Vote:

Council Member Petis does not want to go to a vote because she has heard that many admit they do not know all the facts and pieces; Council has been doing this for two years. There have been many meetings and outreach and people still don't understand the facts. Council has been entrusted and has all the facts.

City Council President Pro Tem Meyer stated her issue is that the developer originally said they would take it to a vote; so she is leaning that way. She suggested that the City share the cost if it goes on the ballot. It is up to the developer to explain all the facts and sell this to the community.

Council Member Ford stated that this is in Council's authority to decide; though it can be referred. It is easy to vote no on change and Council will never be able to "educate out" of that.

Council Member Crossan agrees with Council Member Petis; the questions and concerns have not changed much over two years. Council is educated about this but the general public while educated would have to go back over everything from the last two years. She is leaning to not going to a vote.

Council Member Sloop supports a vote. Council did their job but her concern is that Council represents the people and the people are going to have to live with this in perpetuity.

City Council President Lacy leans more to agreeing with Council Member Petis. This is the most complex and detailed negotiation that the City has ever done. He feels like it would be abdicating leadership to have the public vote. Council has spent the time and learned this inside and out.

Council Member Crossan asked when Council could get a fact sheet? Melissa Sherburne stated that there is a schedule and topic by topic fact sheet online.

Council Member Petis spoke to alternative compliance noting that there are people who want “move up” housing and people that can’t move in. This is a better solution, there are more units and it is filling a gap. If the City pushes too much we will get nothing. This is a great solution for some attainable housing.

Council Member Sloop stated that the issue is that the deed restrictions are pinning winners and losers with income levels.

City Council President Lacy spoke to the lottery system and noted the need to have discussion on the Pioneer Club and the location and type of school.

MOTION: City Council President Pro Tem Meyer moved and Council Member Petis seconded to approve a resolution approving an annexation agreement between the City of Steamboat Springs and West Steamboat Neighborhoods, LLC.

The motion carried 5/1. Council Member Sloop opposed. Council Member Macys was absent.

G. PUBLIC HEARING: MOTIONS, RESOLUTIONS AND ORDINANCES

- 15. SECOND READING OF ORDINANCE: An ordinance amending Chapter 26 of the Steamboat Springs Revised Municipal Code by amending Section 801.L and Section 801.M to exempt floor area of secondary units from lot coverage and floor area ratio (FAR) calculations (TXT-18-02).**

City Council President Lacy read the ordinance title into the record.

Ms. Bessey noted that this is one of the solutions staff came up with to incentivize more affordable housing units in the community. This would exempt secondary units floor area ratio and unit floor area from lot coverage standards.

MOTION: Council Member Crossan moved and City Council President Pro-Tem Meyer seconded to approve the second reading of an ordinance amending Chapter 26 of the Steamboat Springs Revised Municipal Code by amending Section 801.L and Section 801.M to exempt floor area of secondary units from lot coverage and floor area ratio (FAR) calculations (TXT-18-02).

The motion passed 6/0. Council Member Macys was absent.

16. SECOND READING OF ORDINANCE: An ordinance approving an agreement between the City of Steamboat Springs and the Steamboat Springs Winter Sports Club Entitled Howelsen Hill Operating Agreement.

City Council President Lacy read the ordinance title into the record.

Mr. Suiter noted that Jim Boyne had wanted to be here but he was told to be here later in the night.

Mr. Foote stated that this has been a culmination of a lot of work and noted that nothing in the document has changed since first reading.

City Council President Lacy thanked Council Members Crossan and Sloop, Mr. Suiter, Mr. Foote and Mr. Robinson for the work on this.

MOTION: Council Member Sloop moved and Council Member Crossan seconded to approve the second reading of an ordinance approving an agreement between the City of Steamboat Springs and the Steamboat Springs Winter Sports Club Entitled Howelsen Hill Operating Agreement.

The motion carried 6/0. Council Member Macys was absent.

I. COMMISSION REPORTS

No reports were provided.

J. CITY ATTORNEY REPORTS

17. City Attorney's Update/Report-Sieverding litigation.

Mr. Foote stated that in a previous report he had recommended that the City drop the pending claims and lawsuit against Kay Sieverding. However, since then he learned that Sieverding has resumed her investigations of 1999-2000 events (the setback

violation) and has asked Building Department to investigate. She has not let this go so he is now recommending that the City pursue a motion for filing restrictions. However he does not recommend pursuing the Colorado Open Records Act claim.
UNANIMOUS CONSENT.

K. OLD BUSINESS

18. Minutes

18.a. Regular Meeting, June 18, 2018.

MOTION: Council Member Sloop moved and City Council President Pro-Tem Meyer seconded to approve the June 18, 2018 minutes.

The motion passed 6/0. Council Member Macys was absent.

L. ADJOURNMENT

MOTION: Council Member Ford moved and City Council President Pro-Tem Meyer seconded to adjourn at 9:31pm.

The motion passed 6/0. Council Member Macys was absent.

MINUTES PREPARED, REVIEWED AND RESPECTFULLY SUBMITTED BY:

Julie Franklin, CMC
City Clerk

APPROVED THIS _____ DAY OF _____, 2018.