



MEMORANDUM

Date: December 4, 2012 – 8:30 work session
To: Mayor Stephens and City Council
From: Dara MacDonald
RE: General items

We have a number of items for discussion during the work session. In light of the lengthy list, I am providing this memo highlighting items I will be bringing to Council's attention on Tuesday morning.

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|--|--------------------------------|
| I. Review agenda for 6:00 pm regular meeting | VI. Chamber membership |
| II. Solar installations | VII. Xcel banner policy update |
| III. Chisholm Park | VIII. KHEN lease |
| IV. 1718 Holman Ave sewer connection | IX. Building department IGA |
| V. Lunch with Lodgers | X. Community survey |
| | XI. Upcoming meetings |

I. Review agenda for 6:00 pm regular meeting

II. Solar installations

Dan Ferguson from Martifer Solar will be present at the work session to discuss possible solar installations at seven (7) city locations. He can discuss cost savings for the city, the required power purchase agreement, maintenance responsibilities and other considerations. Locations being proposed include the hot springs pool, water treatment plant, Pasquale Springs, Marvin Park, water galleries, and two locations at the golf course. The goal of these installations is to save the City operating funds through offsetting electricity expense. They have identified generating capacity of about 500 kW between the 7 locations.

III. Chisholm Park

See the attached memo from Theresa Casey outlining possible next steps for redevelopment at Chisholm Park.

IV. 1718 Holman Ave.

A request has been received for wastewater service at 1718 Holman which is outside of the municipal boundary. A manufactured home has recently been placed on the 12-acre property with no bathroom facilities. The County has taken steps to ensure the tenant is not living at the site and a Special Land Use application has been submitted to the County for installation of the home.

This property is located in the Municipal Services Area (“MSA”) as defined in the City and County intergovernmental agreement (“IGA”) regarding planning in the areas surrounding Salida. The MSA encompasses properties which are eligible for annexation and extension of municipal utilities and infrastructure. Section 4.2 of the IGA requires that all new land use development applications within the MSA shall be submitted to the City which shall determine if the property will be immediately annexed. After reviewing the special land use permit application of Elaine Marr, staff does not feel this property will need to be immediately annexed if the property owner does not wish to pursue annexation at this time. Section 4.4 of the IGA allows for the property to be subject to a pre-annexation agreement which will identify relevant City development standards. The property owner has been notified that the property and development are subject to this requirement.

This property is located within 400’ of an established sewer main. Colorado Revised Statutes 31-15-709 provides municipalities with the power to prohibit the keeping or maintaining of any vault, closet, privy, or cesspool with four hundred feet of any established sewer and to regulate the construction, maintenance and use of such facilities in proximity to an established sewer. As the regional wastewater treatment provider, the City of Salida, through its wastewater enterprise, can limit the construction of new onsite wastewater systems as was originally proposed by the applicant. The proximity of the existing sewer main in Holman Avenue will allow for this property to connect to sewer services. The applicant has submitted a request for wastewater service per Salida Municipal Code Section 13-2-40, Application for service outside the service plan areas.

Typically the City executes a pre-annexation agreement with new utility users outside of the municipality outlining the terms of their utility connections and identifying what events might trigger annexation in the future. If the Council is amenable to providing wastewater service to this property, staff will begin working with the applicant on a pre-annexation agreement.

V. Lunch with Lodgers

In follow-up to the October lodging survey and in an effort to better engage the business community staff is hosting a ‘Lunch with Lodgers’ on January 8th. Owners and managers of our lodging facilities have been invited to participate in a tour of the pool, shuttle tour of Salida amenities and lunch at the SteamPlant. During lunch they will hear from the CCVB, SBA and City about events, upcoming projects, marketing efforts and partnership opportunities. We hope this will be the beginning of an ongoing dialogue and collaboration to attract more visitors and extend stays.

VI. Chamber Board appointments

Theresa Casey and Michael Varnum have both been appointed to the board of the Salida Chamber. As the Chamber goes through their strategic planning and hiring of a new executive director, we hope more involvement will help strengthen the partnership between the City and our business community. Further we hope to collaborate rather than duplicate efforts like marketing and employee training.

VII. Xcel banner policy update

It appears the municipal efforts may be having some impact on Xcel’s decision making regarding attachments to their streetlights. See attached letter explaining that

they are considering ways to work with municipalities to use to streetlights in the future. We will be submitting a list of streetlights in downtown and on Hwy 50 that could be utilized for banners, wayfinding or decorations.

VIII. KHEN lease

I am meeting with Trish Cullinan and Diana Smith from the KHEN board on Monday to discuss possible lease terms and will report back to Council during the work session.

IX. Building department IGA & services

Michael Yerman and I will be meeting with County staff on Monday to discuss the revised IGA for building department services. I will update Council on those talks during the work session.

X. Community survey - reminder

The community development department has mailed surveys to all registered voters in Salida. The survey is also available at www.cityofsalida.com, at the library and a variety of coffee shops. Responses will be accepted until mid-January. The questions and format of the survey are substantially similar to the one that was conducted in 2009. We hope to establish a tool for tracking changing opinions, priorities and perceptions over time by conducting this survey every 2-3 years.

XI. Upcoming meetings

December 12th, 7:00 – 9:00 pm – League of Women Voters home rule candidate and issue forum at the City Council Chambers

December 13th, 4:00 – 6:00 pm – CCEDC annual meeting at Mt Princeton

December 15th SteamPlant – City employee holiday party



MEMORANDUM

Date: December 4, 2012 8:30 work session
To: Mayor Stephens and City Council
From: Theresa Casey, Recreation Manager
RE: Chisholm Park Renovation

The City of Salida was awarded \$218,000 for the fire damage to Chisholm Park infrastructure by our insurance carrier (CIRSA). The funds can only be spent on a structure to replace the structure that was lost in the fire. (As per CIRSA structure is defined as a building and does not allow funds to be spent on a play structure.) The structure must be under construction by July 4, 2013 so as not to compromise the insurance funds.

Over the past year, city staff conducted a Community Master Planning process for Chisholm Park. Following the process and completion of a Master Plan, staff applied for a Great Outdoors Colorado Grant (GOCO) in the fall grant cycle. Grant funds requested were to update the play equipment, improve the landscape and to add park furniture and signage. Insurance funds were intended to be the majority of our matching funds requirement for the grant. Unfortunately, our grant request was not selected, by GOCO, for funding.

The City is now at a crossroads and needs to determine the future of improvements at Chisholm Park.

There are several options for moving forward.

- Council could select to move forward with construction of a pavilion as identified in the Master Plan, using the insurance funds and do no more with the park.
- Council could move forward with construction of the pavilion with the insurance funds and use Conservation Trust Funds (\$200,000) and Cash in lieu of funds (\$43,000) to complete the Master Plan as presented. (This plan leaves a \$45,000 balance in the CTF account and uses the full amount of Cash in lieu funds.)
- Council could move forward with construction of the pavilion with the insurance funds and use CTF funds to try to leverage a GOCO grant in the spring cycle to fund the remainder of the project. (Grants have become much more competitive and harder to get.)
- Council could move forward with the construction of the pavilion with the insurance funds and budget for completion of the park in the 2014 budget.

The Parks and Recreation Board, although not a quorum, would like to see Council fund the entire project in 2013.

**CHAFFEE COUNTY
PLANNING & ZONING DEPARTMENT**

P.O. BOX 699 PHONE (719) 530-5565
SALIDA, CO 8120 FAX (719) 539-7442

WEBSITE www.chaffeecounty.org

**APPLICATION FOR
SPECIAL LAND USE PERMIT**

Commercial / Industrial

Residential

Application Fee \$320.00

Application Filing Deadline is the Last Monday of each Month

GENERAL INFORMATION

REQUESTED USE PLACE LOG CABIN (A MANUFACTURED HOME) FOR FARMHAND ON GRAZING LAND

PROPERTY ADDRESS OR GENERAL LOCATION 1718 HOLMAN, SALIDA, CO 81201

NAME OF APPLICANT LAS OLLAS, LLC (OWNER ELAINE SPENCER MARX a.k.a ELAINE BERNICK)

MAILING ADDRESS 204 GRANT ST., SOCORRO, NM 87801-4429

TELEPHONE 575-835-2008 FAX 575-835-2008 E-MAIL marxmoore@gmail.com

TOTAL ACREAGE 12

PROPOSED WATER SUPPLY WELL, PERMIT 22346-F PROPOSED SEWAGE SYSTEM HOLDING TANK

EXISTING USE OF PROPERTY GRAZING LAND FOR CATTLE

EXISTING ZONING R-1 PARCEL # 3807064 00032

LEGAL DESCRIPTION SEE ATTACHMENTS

OWNERSHIP INFORMATION

Please list the names of all persons and companies who hold an interest in the described property (land owner, lessee, etc.) Application will not be accepted without the required signatures or a letter of authorization from each. Attach additional sheets as necessary.

NAME ELLIOTT PAUL MOORE SIGNATURE Elaine Spencer Marx (formerly Bernick)
ELAINE SPENCER MARX

INTEREST IN PROPERTY OWNERS

ADDRESS 204 GRANT ST., SOCORRO, NM 87801-4429

TELEPHONE 575-835-2008 FAX 575-835-2008 E-MAIL marxmoore@gmail.com

STAFF USE ONLY

Application received by Patty Baldwin Date 10/26/12

Fee \$ _____ Check # _____ Certified Mailing Labels 4

Written description of the request including all details and Justification

We are requesting a variance in the Chaffee County zoning regulations, to allow a log cabin (manufactured home, photo attached) to be placed on our 12 acres of county land near Salida. The land was purchased on July 31, 1971, from John and Joan Clark. The cabin would be occupied by a farmhand, our son, who would assist our ailing lessee Frank Linza in cattle tending and in irrigating the property.

To make the cabin livable, we propose the following utility connections:

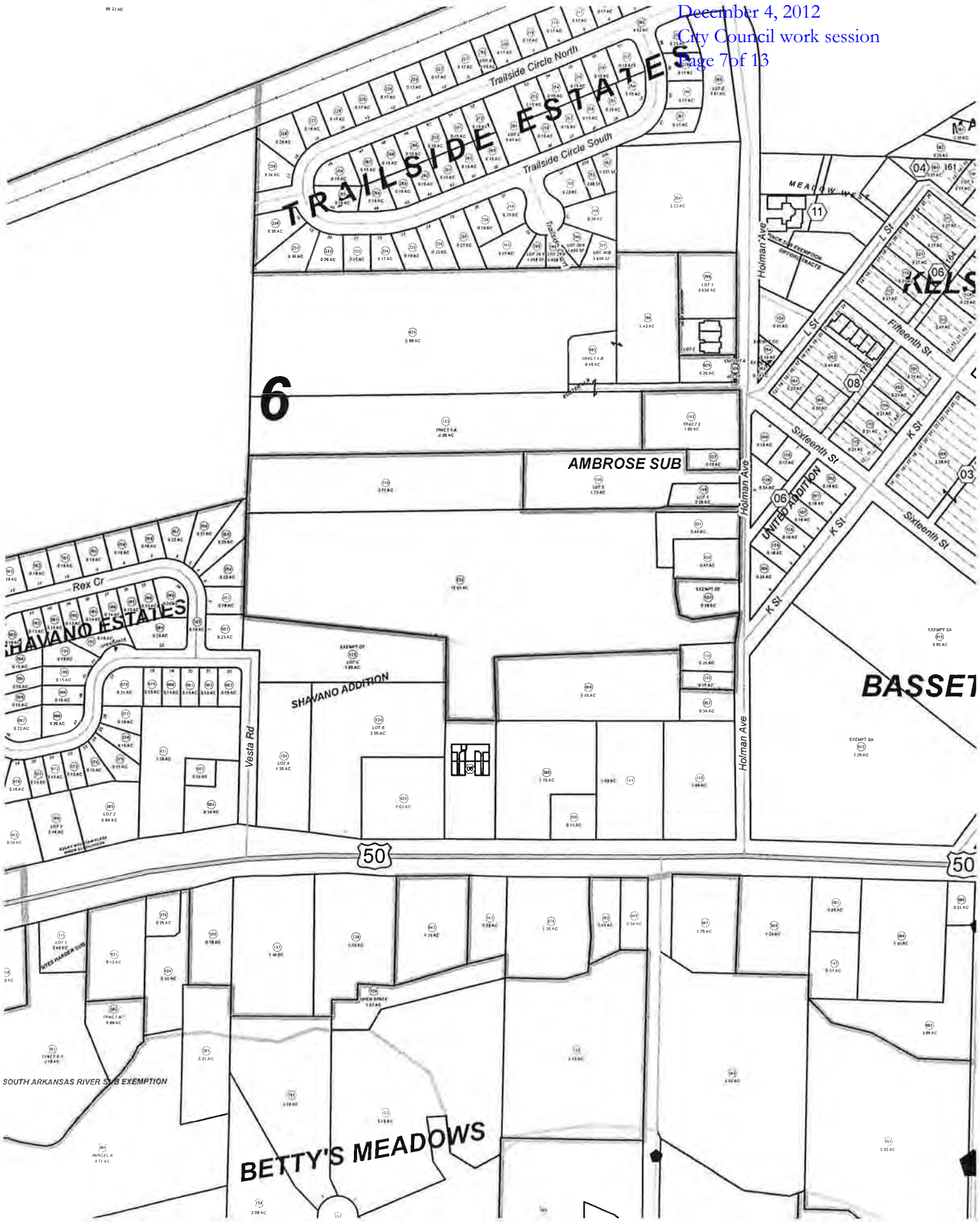
Electricity; we own an electric pole near Holman, we need to replace a meter taken from it and run underground connections to an older concrete barn, where the cabin's cable would connect.

Water; we have a water well, permitted for household, irrigation and livestock use near that electric pole. The previous jet pump was removed, we plan to replace it with a new submersible. Underground connections need to be established to the cabin.

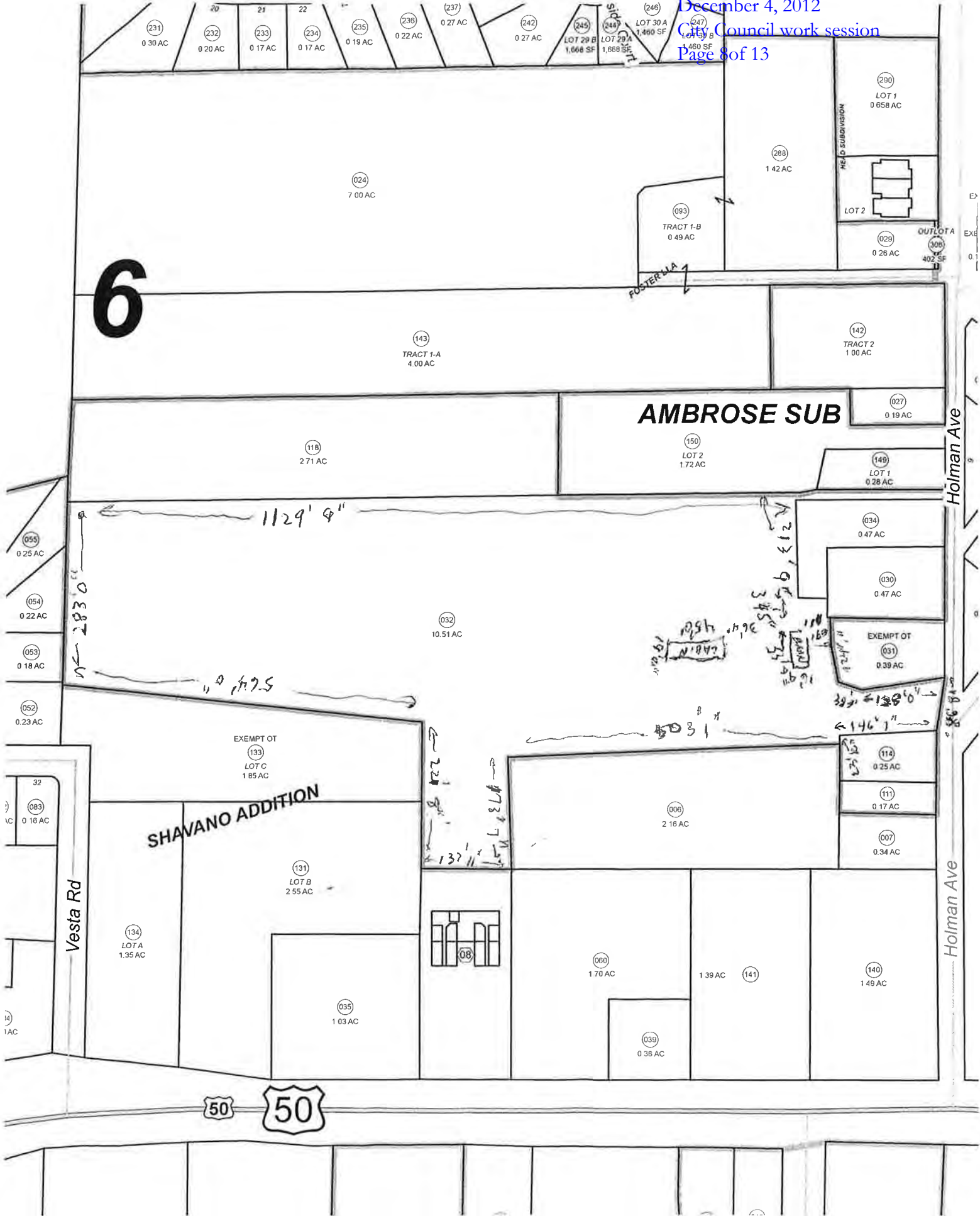
Sewage system; we would sink a holding tank west of the cabin to be serviced by a visiting truck.

Heat; we plan to put a propane tank northwest of the cabin, connecting to the existing cabin connection on its western side.

We apologize for violating the usual chronology in our application at this time, necessary in the circumstances. Our son's rental home in Olympia Washington was hit by a falling tree; he was told to vacate while the owners decided whether to eliminate the house or to restore it. He found a movable log cabin in Breckinridge Colorado on the Internet, we visited it, liked it, paid for it, and were given three days to move it or lose it. Within those three days we did move it onto our property, where it is today. Now we need approval to connect the needed utilities and to live in it.



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ACCEPTED FOR FILING
BY THE OFFICE OF
THE STATE ENGINEER
ACCORDING TO THE
DECREE GRANTED UNDER
CASE NO. W-1977
WATER DIVISION 2
PURSUANT TO SECTION
37-92-304 (8), CRS
1973.
DATE MAY 05 1977

COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St.
Denver, Colorado 80203

TYPE OR
PRINT IN BLACK INK.
COPY OF ACCEPTED
STATEMENT MAILED
ON REQUEST.

STATE OF COLORADO }
COUNTY OF _____ } SS. _____

- _____ STATEMENT OF BENEFICIAL USE OF GROUND WATER
- _____ AMENDMENT OF EXISTING RECORD
- _____ LATE REGISTRATION

65 WOP
2

PERMIT NUMBER 22346-F LOCATION OF WELL _____

THE AFFIANT(S) Elaine S. Bernick County Chaffee
 whose mailing address is Route 1, Box 220 NW 1/4 of the SE 1/4 Section 6
 City Salida, CO 81201 Twp 49 N 9 E N.M. P.M.
(STATE) (ZIP) (N, OF S) (E, OF W)

being duly sworn upon oath, deposes and says that he (they) is (are) the owner(s) of the well described hereon; the well is located as described above, at distances of 3182 feet from the N section line and 1515 feet from the E section line; water from this well was first applied to a beneficial use for the purpose(s) described herein on the 31 day of Dec., 1918; the maximum sustained pumping rate of the well is 50 gallons per minute, the pumping rate claimed hereby is 50 gallons per minute; the total depth of the well is 65 feet; the average annual amount of water to be diverted is _____ acre-feet; for which claim is hereby made for Irrigation and Domestic and Stock purpose(s); the legal description of the land on which the water from this well is used is _____ of which

12 acres are irrigated and which is illustrated on the map on the reverse side of this form; that this well was completed in compliance with the permit approved therefor; this statement of beneficial use of ground water is filed in compliance with law; he (they) has (have) read the statements made hereon; knows the content thereof; and that the same are true of his (their) knowledge.

(COMPLETE REVERSE SIDE OF THIS FORM)

Signature(s) _____
 Subscribed and sworn to before me on this _____ day of _____, 19____
 My Commission expires: _____

 NOTARY PUBLIC

FOR OFFICE USE ONLY	
Court Case No. <u>W-1977</u> # <u>1</u>	
Prior. _____ Mo. _____ Day _____ Yr. _____	
Div. <u>2</u> City. <u>08</u>	
Sec. _____ 1/4 _____ 1/4 _____ 1/4 _____	
Well Use <u>6</u> <u>3</u>	
Dist <u>11</u> Basin _____ Man. Dis. _____	

ACCEPTED FOR FILING BY THE STATE ENGINEER OF COLORADO PURSUANT TO THE FOLLOWING CONDITIONS:

DATE _____ STATE ENGINEER _____ BY _____

22346 F

Form No. GWS-11 4/99	STATE OF COLORADO OFFICE OF THE STATE ENGINEER 818 Centennial Bldg., 1313 Sherman St., Denver, CO 80203 (303) 866-3581 Fax (303) 866-3589	For Office Use Only RECEIVED OCT 25 1999
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**CHANGE IN OWNERSHIP/ADDRESS
CORRECTION OF THE WELL LOCATION**

Insert the Well Permit Number 22346 - F

Name, address and phone of the person claiming ownership of the well:
 NAME(S) Elaine Spencer Marr (formerly Elaine S. Bernick) and Elliott P. Moore

Mailing Address P.O. Box 1908
 City, St. Zip Socorro, New Mexico 87801
 Phone (505) 835-2008

If your well has an absolute water right, decreed by the court and the well is not registered with the State Engineer, enter the Water Court Case Number / Civil Action Number and well number as decreed.
W-1977 Water Division # 2
well # 1105394

This form is filed by the named individual/entity claiming that they are the owner of the well permitted as referenced above. This filing is made pursuant to C.R.S. 37-90-143.

WELL LOCATION: County CHAFFEE Owner's Well Designation Marr - Moore Well # 1
 (Address) (City) (State) (Zip)

NW 1/4 of the SE 1/4, Sec. 6, Twp. 49 N. or S., Range 9 E. or W., NM P.M.

Distance from Section Lines 3182 Ft. From N. or S., 1515 Ft. From E. or W. Line.

Subdivision Name _____ Lot _____ Block _____ Filing/Unit _____

The above listed owner(s) say(s) that he, she (they) own the well described herein. The existing record is being amended for the following reasons: Change in name of owner Change in mailing address
 Correction of location for exempt wells permitted prior to May 8, 1972 and non-exempt wells permitted after May 17, 1965. Please see the reverse side for further information regarding correction of the well location.

I (we) claim and say that I (we) (are) the owner(s) of the well described above and that the commencement of extraction of ground water from this well, lawfully made under the well permit, occurred on the date indicated, and that the statements made herein are true to my (our) knowledge.

Please print the Signer's Name & Title <u>Elaine Spencer Marr Owner</u> <u>Elliott P. Moore Owner</u>	Signature(s) of the new owner. <u>Elaine Spencer Marr</u> <u>Elliott P. Moore</u>	Date <u>October 20, 1999</u>
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It is the responsibility of the new owner of this well to complete and sign the form. Signatures of agents are acceptable if an original letter of agency signed by the owner is attached to the form upon its receipt.

For Office Use Only **ACCEPTED AS A CHANGE IN OWNERSHIP AND/OR MAILING ADDRESS.**

State Engineer By Nov 01 1999 Date

December 4, 2012

City Council work session

Robert J. Osborn, Esq.
Director, Community Relations
Public Service Company of Colorado

1800 Larimer Street, Suite 1400
Denver, CO 80202

December 1, 2012



Re.: Attachments to Xcel Energy Light Poles

In May of this year, Xcel Energy notified you of its requirement to limit the installation of non-police-related attachments to its street lighting poles. This decision was to assure the use of our poles by municipalities does not create a safety hazard through the installation of materials that might compromise the poles' integrity. Pursuant to our letter, the company is reminding you that all non-police-related attachments (such as banners, flags and decorations) must be removed by December 31, 2012. The company will send a reminder to remove these types of attachments to you again on January 11, 2013, stating that any attachments not removed by January 31, 2013 will be removed after that date by the company at the customer's expense.

The company understands this policy has raised concern with our municipal customers. In light of these concerns, Xcel Energy has established a focus group with the Colorado Municipal League's MCCMA to explore options for allowing the limited use of some of our street light poles for certain non-police-related attachments. This group has been meeting since October and is working on a process, which can be applied state wide.

One key area of discussion has centered on the clear need for our company, and the municipalities we serve, to maintain close communication with each other; to ensure the company receives adequate notice regarding the exact poles on which municipalities intend to place attachments. In order to understand the complete potential use of company poles for various attachments, the company needs municipalities to list the facilities they are using and to notify us according with the instructions below.

According to this process, we will review this list of poles with both the municipalities and the pole manufacturers, and inspect the individual poles in order to determine if they are capable of accommodating certain types and sizes of attachments. In addition, we will work with the municipalities to plan a process, which we hope to have in place by the end of the first quarter 2013, for allowing future attachments.

In order to begin these inspections, we ask that you provide us with a list of the poles you are using for the attachment of banners and other non-police-related items, such as holiday and seasonal decorations. Please use the attached form to process this information. Upon receipt of this form, we will contact you to establish a timeframe in which to evaluate the street lights and develop a process for gaining company approval to use these facilities for attachments going forward

Please return this list electronically to: Robert.j.osborn@xcelenergy.com
Or via US mail at: Robert J. Osborn, Director Community Relations, 1800 Larimer Street, Suite 1400, Denver, CO 80202.

As a company, which greatly values the relationships we have with the towns and cities we serve, we understand and appreciate your concerns on this matter. We believe working together can lead to options that will both allow you the freedom to establish your community's special local sense of place, and provide us with the assurance we are maintaining our focus on safety. . If you wish to arrange a meeting with me to discuss this matter, please contact my assistant, Barbra Hamblin, at (303) 294-2788 and she will make sure I am able to visit with you. If you wish to discuss this with me over the phone, I can be reached at my office (303) 294-2873 or on my mobile phone at 303-437-0668.

Best wishes,

A handwritten signature in black ink, appearing to read 'R. Osborn', written over a light blue horizontal line.

Robert J. Osborn, Esq.
Director, Community Relations