



WORK SESSION OF THE CITY COUNCIL

448 E. 1st Street, Room 190

Salida, Colorado 81201

Monday, July 15, 2019 – 6:00PM

AGENDA

1. Workforce Housing Discussion – Chaffee Housing Trust and Habitat for Humanity
2. Continued from December 18, 2018 - Ordinance 2018-19 Amending Article VI of Chapter 4 of SMC Regarding the City's Occupational Lodging Tax as it Relates to Short Term Rental Units (Staff)

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the Deputy City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.

ORDINANCE NO. 19
(Series of 2018)

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA,
COLORADO AMENDING ARTICLE VI OF CHAPTER 4 OF THE SALIDA
MUNICIPAL CODE REGARDING THE CITY'S OCCUPATIONAL
LODGING TAX AS IT RELATES TO SHORT TERM RENTAL UNITS**

WHEREAS, by Resolution No. 63, Series of 2008, the Salida City Council approved submittal to the registered voters of the City of Salida, Colorado of a ballot question regarding the imposition of an occupational lodging tax of \$4.82 per night per occupied room on the price paid for short term commercial lodging in the City of Salida for the purpose of funding parks and recreation and arts facilities in the City (the "Occupational Lodging Tax Ballot Question"); and

WHEREAS, on November 4, 2008, a majority of the qualified electors of the City of Salida voted in favor of the Occupational Lodging Tax Ballot Question; and

WHEREAS, CRS 31-15-501(1)(c) authorizes the City to impose an occupational lodging tax; and

WHEREAS, Resolution No. 63, Series of 2008 further authorized the City Council to proceed with necessary actions to impose an occupational lodging tax in accordance with the Occupational Lodging Tax Ballot Question, including approval of an implementing ordinance; and

WHEREAS, in accordance with this mandate, the City Council adopted Ordinance No. 35, Series of 2008, which adopted a new Article VI of Chapter 4 of the Salida Municipal Code, and which adopted a fee of \$2.50 per night per occupied room at the time, with an increase to the full \$4.82 per night per occupied room to occur at a later date; and

WHEREAS, on August 21, 2018, the City of Salida City Council adopted Ordinance No. 2018-15, which increased the occupational lodging tax by \$1.16 per night per occupied room, to reach a total tax of \$3.66 per night per occupied room, effective February 1, 2019; and

WHEREAS, after considerate deliberation, the City of Salida City Council now finds it in the best interests of the community and its citizens to increase the occupational lodging tax for short term rental units, as defined in section 6-6-10 of the Salida Municipal Code, to reach the full \$4.82 amount authorized and imposed by the voters in 2008.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF SALIDA, COLORADO as follows:**

Section 1. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

Section 2. Section 4-6-10 the Salida Municipal Code is hereby amended as to read as follows:

Sec. 4-6- 10. - Tax levied.

Commencing March 1, 2009, pursuant to C.R.S. §31-15-501(1)(c) there is hereby levied an occupation tax on the business of leasing or renting of rooms or other accommodations within the City of Salida for less than thirty (30) consecutive days at the rate of four dollars and eighty-two cents (\$4.82) per night per occupied room; provided, however, that the tax shall be subject to a temporary reduction of two dollars and thirty-two cents (\$2.32) until February 1, 2019, making the total occupational lodging tax assessed, until, February 1, 2019 to be two dollars and fifty cents (\$2.50) per night per occupied room. Effective February 1, 2019, **THE TAX ON SHORT TERM RENTAL UNITS, AS DEFINED IN SECTION 6-6-10 OF THIS CODE, SHALL BE FOUR DOLLARS AND EIGHTY-TWO CENTS (\$4.82) PER NIGHT PER OCCUPIED ROOM; FOR ALL OTHER ACCOMMODATIONS,** the temporary occupational lodging tax shall be three dollars and sixty-six cents (\$3.66) per night per occupied room. The person or entity furnishing such short-term accommodations shall pay the tax to the City. All sums of money due pursuant to this Section shall be and remain public money and the property of the City held in trust for the sole use and benefit or the City.

Section 3. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED ON FIRST READING, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the ___ day of _____, 2018 and set for second reading and public hearing on the ___ day of _____

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the _____ day of _____, 2018.

CITY OF SALIDA

By:

Mayor

ATTEST:

(SEAL)

City Clerk

DRAFT

CONTINUED UNTIL JULY 16, 2019

PUBLISHED IN FULL in the Mountain Mail after First Reading on the ____ day of _____, 20__, and **BY TITLE ONLY, OR IN FULL**, after Final Adoption on the ____ day of _____, 20__.

By:

—
City Clerk

DRAFT



REGULAR MEETING OF THE CITY COUNCIL
448 E. 1st Street, Room 190
Salida, Colorado 81201
Tuesday, December 18, 2018 - 6:00 p.m.
MINUTES

1. Call to Order
 - a. Pledge of Allegiance – Led by Mayor Wood
 - b. Roll Call – Present: Mike Bowers, Cheryl Brown-Kovacic, Justin Critelli, PT Wood, Harald Kasper and Dan Shore.
2. Consent Agenda – (Lynda Travis)
 - a. Approval of Agenda
 - b. Approval of Meeting Minutes-December 4, 2018
 - c. Approval of Meeting Minutes-December 11, 2018
 - d. Final Settlement of 2018 Concrete Work Maintenance Project
 - e. Final Settlement of 2017 Multi Site Project
 - f. Final Settlement of Palmer Street Rehabilitation Project
 - g. Final Settlement of F Street Bridge Repair Project
 - h. Approve a Sanitary Sewer Extension Agreement for Tailwind Village Subdivision
 - i. Approve Ground Lease between Chaffee Housing Trust and Old Stage Road Rowhouses Condominium Association

Critelli made a motion to combine and approve the items on the Consent Agenda. Bowers seconded the motion. With all in favor, THE MOTION CARRIED.

3. Resolution 2018-53, A Resolution of the City Council of the City of Salida, Colorado approving and accepting the Transfer and Return of the Salida Natural Resource Center Development Corporation (SNRCDC), including all properties, assets, and liabilities to the City of Salida (Nina Williams)

Nina Williams provided background information of the SNRCDC.

Bowers made a motion to approve Resolution 2018-53. Kasper seconded the motion. With all in favor, THE MOTION CARRIED. Brown-Kovacic asked to amend the motion to clarify that both the maintenance agreement and the development agreement in Resolution 2016-97 are to be terminated. Kasper seconded. All in favor.

- a. Proclamations of Gratitude and Recognition for Outgoing NRCDC Board of Directors (PT Wood)
4. Citizen Comment – Jim Miller spoke in praise of the outgoing NRCDC board and enjoined the Council to use the money and property wisely.
5. Unfinished Business / Action Items
 - a. Ward 1 Appointment

Brown-Kovacic made a motion to appoint Jane Templeton. Shore seconded the motion. Shore, Brown-Kovacic, Kasper approve the nomination; Bowers and Critelli dissented. THE MOTION CARRIED.

- b. Oath of Office (Alisa Pappenfort)
- c. Resolution 2018-54, A Resolution of the City of Salida, Colorado Summarizing Revenues and Expenditures for each Fund and Adopting a Budget for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019, Public Hearing (continued from December 4, 2018) (Drew Nelson)
 - Public Hearing of Resolution 2018-54. No one spoke.

Critelli made a motion to approve Resolution 2018-54. Kasper seconded the motion. Brown-Kovacic made a motion to amend Resolution 2018-54 by removing a line item from the Capital Improvement Fund regarding pool shop structure and is seconded by Bowers. Templeton abstained. Bowers, Critelli, Kasper, Shore, Brown-Kovacic approved amending the Resolution. Templeton abstained. Bowers, Critelli, Kasper, Shore, Brown-Kovacic approved Resolution 2018-54, THE MOTION CARRIED.

6. New Business / Action Items
 - a. Ordinance 2018-19, First Reading and Setting a Public Hearing on a proposed Ordinance amending Article VI of Chapter 4 of the Salida Municipal Code regarding the City's Occupational Lodging Tax as it relates to Short Term Rental Units (Geoff Wilson)

Kasper made a motion to continue Ordinance 2018-19 until July 16, 2019. Bowers seconded the motion. Critelli abstained. With Bowers, Shore, Kasper, Brown-Kovacic and Templeton voting in favor, THE MOTION CARRIED.

- b. Ordinance 2018-20, First Reading and Setting a Public Hearing on a proposed Ordinance Amending Chapter 16 of the Salida Municipal Code Regarding the Creation of the Central Business Economic Overlay (Glen Van Nimwegen)

Kasper made a motion to approve Ordinance 2018-20. Bowers seconded the motion. With all in favor, THE MOTION CARRIED. Public Hearing set for January 8, 2019.

- c. Ordinance 2018-21, First Reading and Setting a Public Hearing on a Proposed Ordinance Amending Chapter 16 of the Salida Municipal Code Regarding Subdivision Types and Approvals (Glen Van Nimwegen)

Shore made a motion to approve Ordinance 2018-21. Critelli seconded. With all in favor, THE MOTION CARRIED. Public Hearing set for January 8, 2019.

- d. Resolution 2018-55, Approval of the Two Rivers Southside Major Subdivision (Glen Van Nimwegen)
 - Public Hearing – Jim Miller spoke in favor of the subdivision. Stuart Hackman spoke of concerns regarding flood plans/plains.

Shore made a motion to approve Resolution 2018-55. Bowers seconded. With all in favor, THE MOTION CARRIED.

- e. Resolution 2018-56, A Resolution of the City Council Declaring the Treat-Mesch Annexation is in Substantial Compliance with City Ordinances and State Statutes and Setting a Public Hearing for February 5, 2019 (Glen Van Nimwegen)

Kasper made a motion to approve Resolution 2018-56. Critelli seconded. With all in favor, THE MOTION CARRIED. Public Hearing set for February 5, 2019.

- f. Resolution 2018-57, A Resolution of the City of Salida, Colorado Amending and Supplementing Resolution Nos. 2017-69 and 2017-70 to Adopt the 2018 Budget and Appropriate Sums of Money for the 2018 Budget Year to Provide for Supplemental Expenditures (Drew Nelson)

Kasper made a motion to approve Resolution 2018-58. Critelli seconded. With all in favor, THE MOTION CARRIED.

- g. City Treasurer Vacancy – Mayor P.T. Wood asked for public interest.

7. Staff Reports


8. Council Member Reports

Mike Bowers thanked staff and NRCDC board; Dan Shore thanked staff, asked that CORA requests and associated costs be posted on City's website and for staff to look closely at apartment buildings as a commercial opportunity; Justin Critelli and Cheryl Brown-Kovacic thanked staff; Harald Kasper resigned his position as observer of Upper Arkansas Conservancy District; Jane Templeton thanks council for the chance to serve: PT Wood thanks staff and community – he is also involved with a small town in Japan serving as a sister city; he will also tour local CMC campuses to explore how that may work in Salida; and Alisa Pappenfort.

9. Executive Session – None Scheduled

10. Adjourn- Meeting adjourned at 8:14 PM.

[SEAL]



City Clerk/Deputy City Clerk



Mayor PT Wood



**CITY OF SALIDA, COLORADO
RESOLUTION NO. 63
SERIES OF 2008**

A RESOLUTION OF THE CITY OF SALIDA, COLORADO, SUBMITTING TO THE ELIGIBLE ELECTORS OF THE CITY AT THE 2008 GENERAL ELECTION THE QUESTION OF WHETHER TO IMPOSE AN OCCUPATIONAL LODGING TAX OF \$4.82 PER NIGHT PER OCCUPIED ROOM ON LODGING ACCOMMODATIONS IN THE CITY FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS AND OPERATIONAL EXPENSES FOR PARKS AND RECREATION AND ARTS FACILITIES IN THE CITY AND SETTING THE TITLE AND CONTENT OF THE BALLOT ISSUE FOR THE ELECTION.

WHEREAS, the provision of lodging rooms and accommodations to the traveling public results in the increased use of City of Salida public amenities, including parks and recreation and arts facilities, and has substantial effect upon the health, safety, and welfare of the citizens of the City of Salida and upon the expenditures budgeted by the City; and

WHEREAS, the Salida City Council has determined that guests of the City should help defray the costs of constructing and maintaining adequate infrastructure in the City in order to provide dependable services to all users and increase the quality of visitor amenities in the City; and

WHEREAS, the public interest and the needs of the City require that provisions be made for the imposition of an occupational lodging tax upon the leasing or renting of rooms or other accommodations in commercial lodging, with the revenues generated therefrom to be used for funding capital improvements and operational expenses for parks and recreation and arts facilities in the City; and

WHEREAS, the City Council intends to utilize the proceeds of the occupational lodging tax first to fund the renovation of the locker rooms and repair of the hot water line at the Aquatic Center and also to offset costs for SteamPlant Theater operations; and

WHEREAS, the City Council desires to submit to the qualified voters of the City of Salida the question of whether to impose an occupational lodging tax of \$4.82 per night per occupied room on the price paid for short term commercial lodging, which question will be submitted to the registered voters at the coordinated general election to be held on November 4, 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO:

1. Recitals. The Salida City Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings.

2. Submission to Voters. The following question stated in Section 3 below shall be submitted to the registered voters of the City of Salida voting at the coordinated general election which shall be held on Tuesday, November 4, 2008. This election shall be held in compliance with the Colorado Municipal Election Code, as amended.

3. Publication and Ballot Form. The County Clerk shall cause a notice of election for the occupational lodging tax ballot question to be published as part of the coordinated general election publication in substantially the form as set forth below and add the question to the City's General Election Ballot:

NOTICE OF BALLOT QUESTION CONCERNING THE IMPOSITION OF AN OCCUPATIONAL LODGING TAX.

NOTICE IS HEREBY GIVEN that an election will be held on Tuesday, November 4, 2008, between the hours of 7:00 a.m. and 7:00 p.m. At this election, the following question shall be submitted to the registered voters of the City of Salida:

SHALL THE CITY OF SALIDA'S TAXES BE INCREASED BY AN ESTIMATED \$800,000.00 ANNUALLY (FIRST FISCAL YEAR INCREASE) OR SUCH OTHER AMOUNT THAT MAY BE COLLECTED THEREAFTER BY THE IMPOSITION OF AN OCCUPATIONAL LODGING TAX ON THE LEASING OR RENTING OF ROOMS OR OTHER ACCOMMODATIONS IN COMMERCIAL LODGING WITHIN THE CITY FOR LESS THAN 30 DAYS AT A RATE OF \$4.82 PER NIGHT PER OCCUPIED ROOM, COMMENCING JANUARY 1, 2009, THE PROCEEDS OF SUCH TAX, TOGETHER WITH INVESTMENT EARNINGS THEREON, SHALL BE USED PRIMARILY FOR CAPITAL IMPROVEMENTS AND OPERATIONS EXPENSES FOR PARKS AND RECREATION AND ARTS FACILITIES IN THE CITY, INCLUDING, WITHOUT LIMITATION, THE AQUATIC CENTER AND STEAMPLANT THEATER, AND SHALL SUCH REVENUES BE COLLECTED BY THE CITY OF SALIDA AS A VOTER APPROVED REVENUE CHANGE AND TAX POLICY CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION SET FORTH IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, C.R.S. SECTION 29-1-301, OR ANY OTHER LAW?

4. Implementation of Tax. If a majority of the votes cast on the ballot issue submitted at the election are in favor of such question, the City Council shall be authorized to proceed with the necessary action to impose an occupational lodging tax in accordance with such question. Any authority to impose an occupational lodging tax, if conferred by the results of the election, shall be deemed and considered a continuing authority to impose an occupational lodging tax so authorized at any one time, or from time to time, and neither the partial exercise of

the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

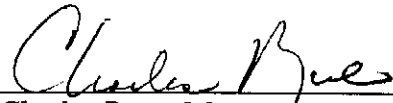
5. Effective Date. Subject to voter approval of the ballot issue at the November 4, 2008 coordinated general election, the lodging tax shall apply to the leasing or renting of rooms or other accommodations in commercial lodging facilities for less than thirty (30) days which occurs on or after January 1, 2009, as provided by C.R.S. §29-2-106(2).

6. TABOR Notice. At least thirty (30) days prior to the election, on or before October 5, 2008, the City Clerk shall mail at the least cost, a titled notice or set of notices addressed to "All Registered Voters" at each address of one or more active registered voters concerning the ballot question referenced in this Resolution. The notice shall be entitled "**NOTICE OF ELECTION TO INCREASE TAXES.**" The notice shall also include all information required by Article X, Section 20(3)(b) ("The Taxpayer's Bill of Rights").

7. Notice to County Clerk. In fulfillment of the requirements of C.R.S. §1-7-116(5), the City Clerk shall deliver a copy of this Resolution to the Chaffee County Clerk and Recorder no later than August 28, 2008. Delivery of the Resolution shall constitute notice that the City of Salida has taken formal action to participate in the November 4, 2008 coordinated general election.

RESOLVED, APPROVED, AND ADOPTED THIS 4th DAY OF AUGUST, 2008.

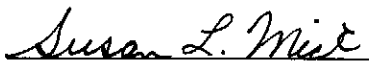
CITY OF SALIDA, COLORADO



Charles Rose, Mayor

[SEAL]

ATTEST:



Janella Martinez, City Clerk Deputy