



**Town Council
Monday, September 11, 2023
4:00 PM**

This meeting will be held virtually online via GoToWebinar. To attend and/or participate in the virtual meeting, please register using the link below:

After registering, you will receive a confirmation email containing information about joining the webinar.

**You can watch the meeting live online on our website at tosv.com.
Agenda**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROCLAMATIONS AND PRESENTATIONS**

4. PUBLIC COMMENT

This section is set aside for the Town Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the Town Council will not discuss the issue and will not take an official action under this section of the agenda. (Five Minute Time Limit)

5. CONSENT AGENDA

These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single Public Hearing will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed on the regular agenda.

5.A. 2023 Agenda Overview

[Pages 3-4 2023 Agenda Overview](#)

5.B. Minutes for Approval

[Pages 5-10 08-21-23 TC Minutes - DRAFT](#)

6. PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS

Public Hearings are the formal opportunity for the Town Council to LISTEN to the public regarding the issue at hand. For land use hearings the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial must limit its consideration to matters which are placed into evidence and are part of the public record. The Council must base their decision on the law and the evidence presented at the hearing.

7. POLICY/LEGISLATIVE PUBLIC HEARINGS

8. ADMINISTRATIVE REPORTS

8.A. Housing Regulations Update with Housing Director Betsy Crum

[Pages 11-14 Agenda Item Summary - Housing Regulations Review 9-11-23](#)

[Pages 15-27 Attachment A - Permanent Moderate Housing Regulations FINAL](#)

8.B. Council Compensation Discussion

[Pages 28-29 Agenda Item Summary - Council Compensation Ordinance](#)

[Pages 30-46 Attachment A - Documents from 7-17-23 Town Council Packet](#)

9. TOWN COUNCIL REPORTS AND ACTIONS

Reports and Updates

10. EXECUTIVE SESSION

10.A Executive Session

[Page 47 Agenda Item Summary for Exec Session](#)

[Pages 48 Executive Session Agenda language for performance review](#)

11. ADJOURNMENT

DRAFT 2023 Agenda Items

- Regular Meetings begin at 4:00 p.m. unless otherwise noted
- Work Sessions begin at 4:00 p.m. and aim to end at 6:00 p.m.
- The dates on which agenda items are listed are only a best approximation. Agenda items are added to this list as they arise. Agenda items may well be moved to different meeting dates. Agendas are generally not finalized until the Thursday prior to the meeting.
- In addition to agenda items, this document also lists expected absences of Town Council members. In compliance with section 2-49 of the municipal code, once the consent agenda is approved, the absences noted will be considered to have received the prior approval necessary of the majority of the Council for members to be absent from meetings.

Topic to incorporate:

- Dog Park, Leash laws & E-bikes -POSTR needs to meet 1st.

Tue. Sep. 5th – Regular Meeting

- Exec Session personnel (amongst council)
- STR enforcement ordinance - 1st reading
- Update on LOI for Faraway Apartments

Mon. Sep. 11th – Work Session

- Housing Regulations update continued
- Draft Ord for Council compensation change

Mon. Sep 18th – Regular Meeting

- Ord – Leash Laws – 2nd Reading (& companion Ord?)
- STR enforcement ordinance 2nd reading
- Robert De Wetter Proclamation
- Fire mitigation update
- Executive Session deliver manager review and attorney update
- We-Cycle Expansion Update
- 1st reading of the council comp ord

Mon Oct. 2nd – Regular Meeting (Kinney virtual)

- Budget Introduction
- Continued PH Regarding Reso for Ski Co Cell Tower Plan
- EOTC Prep for Oct Meeting
- Reso - In support of Ballot Question

Thurs. October 5th – EOTC – City of Aspen Hosts (Fridstein out)

Mon. Oct. 9th – Work Session

- Snowmass Water & Sanitation overview – Kit Hamby
- Budget Review

Mon. Oct. 16th – Regular Meeting

- POST Grant – 1st reading?
- Budget Review
- CIRSA update from Sam Light

As Of: Thursday, September 7, 2023

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Town Council
Town Council Meeting Minutes
Monday, August 21, 2023
4:00 PM
130 Kearns Road
Town Council Chambers
Snowmass Village, CO 81615

Mayor Madsen called to order the Regular Meeting of the Snowmass Village Town Council on Monday August 21, 2023, at 4:00 pm.

A complete live recording of this meeting can be found at www.tosv.com under Town Council Meetings. This meeting will be archived indefinitely, allowing you to view it anytime.

1) CALL TO ORDER

4:00pm

2) ROLL CALL

Council Members Present: Bill Madsen, Alyssa Shenk, Susan Marolt, Britta Gustafson & Tom Fridstein.

Council Members Absent: none.

Staff Present: Clint Kinney, Town Manager; Jeff Conklin, Town Attorney; Greg LeBlanc, Assistant Town Manager; Sam Guarino, Transportation Director; Dave Shinneman, Community Development Director; Brian McNellis, Planner; Anne Martens, Public Works Director; Andy Worline, Parks & Recreation Director; Betsy Crum, Housing Director; Brian Olson, Chief of Police; and Megan Harris Boucher, Town Clerk.

Public Present: Chris Kiley, Mak Keeling, Chad Kumbier, Chris Penrose, Eric Neumeyer, Mary Blankenau, Dana Murray, Bill Zimmerman, Peter Anzalone, Deslie Desmond, Bill Boineau, and Muke Sura.

3) PROCLAMATIONS AND PRESENTATIONS

None.

4) PUBLIC COMMENT

Mary Blankenau, GM Timberline – Blankenau brought up a concern over the culvert that runs under the Timberline and asked for more information on any maintenance plan/program for it in light of other culverts in the area that have failed and are in need of repairs. Clint Kinney stated that they are determining ownership/responsibility for that specific culvert to determine who will share the costs. Kinney clarified that Public Works did some initial inspections recently and the culvert is concrete and not steel like the two that recently failed, so it is not in the same category. Kinney will share information with Blankenau.

5) CONSENT AGENDA

5.A) 2023 Draft Agendas

[Pages 3-5 2023 Agenda Overview](#) 

Councilmember Fridstein will be traveling on September 5th and hopes to be at the meeting but might be virtual.

Councilmember Sherk motioned to approve the Consent Agenda. Councilmember Marolt seconded. All in favor.

6) PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS

6.A) Resolution RE Cell Towers in Snowmass Mountain Area

[Pages 6-8 Agenda Item Summary SkiCo Cell Towers 2023](#) 
[Pages 9-12 Attachment A Resolution No. 22 of 2023 Cell towers draft](#) 
[Pages 13-64 Attachment B SkiCo Special Review Application](#) 
[Pages 65 Attachment C - TOSV Cell Tower Coverage Map](#) 
[Pages 66-69 Attachment D - Approved PC Resolution No. 4 of 2023](#) 
[Pages 70-97 Attachment E - 2021 TOSV Broadband Vision Report](#) 
[Pages 98-99 Attachment F - Public Comment](#) 

[Pages 100-106 Attachment G - Vegetational Screening Graphic adendum](#) 

Brian McNellis noted the additional public comment that came in since the packet was created and summarized the Agenda Item. McNellis introduced Mak Keeling, Chris Kiley, Chad Kumbier representing the applicant, Aspen Skiing Company.

Mak Keeling went through a PowerPoint presentation which will be added to the packet plus other materials already published in the packet.

Council asked some clarifying questions as Keeling presented. The visibility of the towers and accompanying cabinets were discussed along with efforts to minimize visuals such as two shorter vs one tall tower, and planted screening options.

Each tower location was discussed, and additional details summarized and clarified. Significant discussions centered around the towers proposed near the Owl Creek neighborhood.

Aspen Skiing Company's plan is to build the two on private lands in summer 2024, with the other 5 locations in the summer of 2025.

Public comment

Jay Warren- Board member of the Owl Creek HOA

Read a statement which Town Clerk Boucher will add to the packet.

Councilmember Fridstein motioned to continue the Public Hearing to a date certain of October 2nd. Councilmember Marolt seconded. All in favor.

7) POLICY/LEGISLATIVE PUBLIC HEARINGS

7.A) [Ord No. 7, 2023 RE Leash Law - 2nd Reading](#)

[Pages 107-108 Agenda Item Summary - Leash Law](#) 

[Pages 109-112 Ord No. 7, 2023 - Leash Law - Second Reading](#) 

[Pages 113-116 Ord No. 7 - Leash Law - JJC Redline](#) 

[Pages 117-121 Public Comment RE Leash Law Ord](#) 

Town Attorney Jeff Conklin and Chief Brian Olson summarized agenda item and clarified some points of the enforcement with Leash Laws.

Mayor noted the high amount of public comment that has come in on this issue. Public comments that came in via email to Council since the packet was published were printed out for meeting and will be added to packet.

Council asked Chief Olson to clarify the process outlined with the new ordinance if passed.

Some Councilmembers expressed hope that his Ordinance would allow for a friendlier feeling in the community, is a progressive change and aligns with community ecos. If dogs are out of control, that is different, and those dogs will need to be on leash. Some Councilmembers expressed concern that more conflicts may occur due to this change in the leash law. Not all dogs are always in control, even good dogs.

Council discussions included public comments that came in, other communities that have more relaxed leash laws, reliability of voice control for dogs, impact on non-dog owners, the POSTR Board lack of official opinion, mandatory leash zones, designated dog park, and other pros and cons this change may or may not make.

Public Comments:

Mike Sura, Resident and involved in a few HOA's in the Village. Most residents follow the rules. Sura's concern is that owners that say their dogs are in voice control, and they are usually not actually in control. Status Quo seems to work and does not want it to change.

Bill Boineau, Divide Resident and dog owner. He believes it comes down to the owner to be responsible for their dog - both on leash and off leash. He believes that Ditch Trail and Sleighride Trail would be an area for off leash. He recommends trusting the PD and their experience. He recommends passing the Ordinance.

Council further discussed designating the Mandatory Leash Zones which will create focused areas of enforcement concurrently with this Ordinance, need for additional time for more public comment, and that the Nordic trail all being dog free with the exception of Labrador Lane.

Conklin suggested continuing this second reading to September 18th to allow for a companion Ordinance to be introduced to designate the mandatory leash zone initially proposed and possibly incorporate some of the examples from Ridgeway and Boulder.

Mayor Madsen motioned to continue the public hearing to September 18th.
Councilmember Marolt seconded. All in favor

7.B) [Ord No. 8, 2023 - RE Ballot Language](#)

[Pages 122-124 Agenda Item Summary - Charter Change Ordinance](#)
[Pages 125-127 Ord No. 8, Series 2023 - Ballot Question - Charter Amendment \(Emergency\)](#)
[Pages 128-158 Snowmass Village, CO Municipal Charter](#)

Clint Kinney summarized the agenda item regarding the change to the Town Charter and the ballot language needed to address this with the voters in November.

Discussion regarding adding language clarifying that Councilmembers would be non-voting member. It was decided that Line 61 in the Charter Amendment and 74 on the Ballot Question will be changed to add "non-voting members."

Councilmember Fridstein motioned to approve Ordinance No. 08, Series 2023 with amended language "as non-voting members" to the ballot question. Councilmember Shenk seconded. Roll call vote. All in favor.

8) ADMINISTRATIVE REPORTS

None.

9) TOWN COUNCIL REPORTS AND ACTIONS

Councilmember Gustafson and Fridstein attended CORE. They continue to work extensively on the Coal Basin methane project. Gustafson reminded all of the electronics showcase at TACAW in Willits which will show individuals how they can make a difference. NWCCOG meeting is coming up and Gustafson confirmed that the increase 4.8% increase in dues will be factored into our TOSV 2024 budget.

Mayor Madsen has a meeting with Sen Bennett up a Ruedi. Retirement party for Robert De Wetter coming up Sept 30th, encourages Council to attend 4-6 pm Saturday at the Chapel. Madsen noted the US Court of Appeals agreed with Eagle County and several environmental groups to overturn the Federal approval of the Uinta Basin Railroad. Madsen also noted a section of the Owl Creek bike path will be repaved in the coming weeks from Two Creeks parking lot to the Pine's neighborhood bridge areas.

Councilmember Shenk congratulated Snowmass Tourism for wonderful IceAge Discovery events! Great job and very engaging.

Councilmember Marolt reminded all of the upcoming Coffee with Council at Jus in Base Village on August 28th from 9:30am to 10:30am.

10) EXECUTIVE SESSION

10.A) Executive Session

[Pages 159 Agenda Item Summary for Exec Session](#) 
[Pages 160 Executive Session language](#) 

Mayor Madsen read the legal language for the Executive Session. At 6:47 pm Councilmember Shenk motioned to go into Executive Session. Councilmember Marolt seconded. All in favor.

203 At 7:39 pm, Councilmember Fridstein moved to adjourn the Executive Session and
204 reconvene the Regular Meeting, Councilmember Shenk seconded. All in favor.
205
206 Immediately following, Councilmember Fridstein moved to adjourn the Regular Meeting,
207 Councilmember Shenk seconded. All in favor.
208

11) ADJOURNMENT

209
210 7:40pm

211
212 The Snowmass Village Town Council approved this set of meeting minutes at their
213 Regular Meeting on Tuesday September 18, 2023.

214
215 Submitted By,

216
217 _____
218 Megan Harris Boucher, Town Clerk

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

September 11, 2023

AGENDA ITEM:

Permanent Moderate Housing Regulations Continued Review

PRESENTED BY:

Betsy Crum, Housing Director

BACKGROUND:

The Town Council has requested an opportunity to discuss various requirements of the Permanent Moderate Housing Regulations. The existing Regulations were last revised and updated in 2018 and reflect decades of evolution and refinement. There have also been annual changes made to the Income and Asset Limits section to reflect the changes in the Consumer Price Index (CPI). They enforce Chapter 17 of the Municipal Code and are incorporated by reference in that Code, which reads:

Sec. 17-11 **Regulations.** The Housing Manager shall establish rules and regulations to effectuate the provisions of this Article after conducting a public hearing and with the advice and consent of the Town Council. All rules and regulations so established shall be enforceable as if enacted in this Code.

At the June 5, 2023 and July 17, 2023 Town Council meetings, we reviewed the current rental and ownership housing programs in detail and discussed many of the provisions and nuances of the current Regulations. Some consensus was reached on several topics, while others were identified for further research and consideration. Staff have reviewed all the points of discussion and offer the following for further review and comment.

Program Focus:

We all agree that the fundamental focus of our program – to prioritize full-time, year-round employees working for Snowmass Village businesses – should not change.

Incentivizing Downsizing and/or Increasing Bedroom Utilization: The consensus is to take the following steps in our Deed Restricted ownership units to increase bedroom utilization:

- Send a letter to every homeowner outlining the terms under which they can rent a bedroom and the process for downsizing to another deed-restricted unit.
- Amend our regulations to allow for seasonal rental of a bedroom, provided it is to no more than two (2) full-time Snowmass Village employees for not less than four (4) months.
- Amend our Regulations to make it clear that the rental rate for the space must be pre-approved by the Housing Department and cannot exceed limits established by TOSV.

There was also discussion about allowing conversion of space for Accessory Employee Units (AEUs). Our Zoning regulations do not presently allow for this. The Planning Commission will be considering whether and how to change this in the coming months.

Regional Government Organizations: We do not recommend that we change the existing requirement to work in Snowmass Village for the Town's existing units. The region is in a housing crisis that is perhaps more severe than at any other time in our Village's history. We do recommend that, going forward, we "split the pie" differently if local government employers, Snowmass Village local employers, or any other employers the Council identifies and agrees to work with, are interested in participating financially in new development.

Percentage employment in Snowmass Village: We recommend changing the working requirement to either 1400 hours and 80% of income in Snowmass Village or 1600 hours and 70% of income earned in Snowmass Village.

Weighted Rental Wait List: Our rental waiting list is maintained in order of how many total months the applicant has worked in Snowmass Village. The more months they have worked here, the higher they are on the list. We do not recommend changing this policy; however, we do recommend that people who leave our existing rental housing and then return, must work at least year before getting back on the wait list.

Retirement: We allow owners of deed-restricted homes to retire and remain in place but have never provided this opportunity to renters. We do not recommend changing the work requirement for rental housing at this time.

Compliance: Historically we have required annual self-certification of employment for our tenants and bi-annual affidavits from our owners. We will be changing this process for our rentals to require third-party verification of employment at lease renewal time.

This will result in a significant increase to compliance with existing regulations and requirements.

Adding Improvements to Deed Restricted Sales Units: Other than those already permitted in our regulations, we do not recommend allowing additional physical improvements to a home to be added to the calculation of the value of the home. We do, however, recommend:

- allowing improvements that measurably reduce carbon emissions to be included in the “energy efficiency improvements” section of the regulations.
- engaging a third-party inspector to work with us on ensuring we identify items that need replacement or repair at the time of sale, which will assist us to ensure that homes are maintained. That cost will be added to our current administrative fee.

Inheriting a Home: Based on the request from the Council, we have provided the guidelines below that reflect APCHA’s practice. This would allow for the transfer of ownership to a child upon the death of a qualified owner, as follows:

- A child of a deceased owner must meet the following requirements to obtain title to the unit as a qualified owner:
 - Assets and income must be at or below the requirements for the unit as calculated at the time of the owner’s death;
 - Applicable minimum occupancy requirement must be met;
 - The child must document his or her [# year] work history in Snowmass Village immediately prior to the qualified owner’s death or document that he or she is currently enrolled in high school, college or graduate degree program, or that the school requirement and the work requirement is at least the [# years]; and
 - For the spouse of a qualified child to be added (but not substituted) to the title by a quitclaim deed or otherwise, such person must demonstrate proof of marriage as determined by the Housing Manager.
- The Housing Manager will address ownership on a case-by-case basis to ensure consistency with our Regulations.

Staff remains very concerned about this concept and does not recommend adding an “inheritance provision” such as this to the Housing Regulations. It will likely disincentivize the sale of homes by individuals that are retired and thus increase the population of retired individuals in workforce housing. Further, it could keep some of our properties off the market for generations. If the Council desires to proceed with this provision, or a similar provision, we should consider adding more standards, such as the deceased owners having lived in the home for at least ten (10) years prior. If a provision such as this is adopted, it should be used to ensure that children of parents

that pass away do not lose their existing home. Staff strongly believe the program should not create housing for families to pass down from generation to generation.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

In 2023 the Town Council established the following housing goals:

Providing more affordable workforce housing options within the Village enables community members to contribute to the local economy AND helps to build a strong, emotionally connected and engaged community. Town Council remains committed to implementing the 2021 Housing Master Plan.

Understanding that Village residents are served by local governmental organizations that are physically outside of the town, TOSV will work closely with those partner entities to create a more inclusive workforce housing framework that will integrate additional people/positions/organizations into our housing program. TOSV will endeavor to leverage additional financial resources from these partners to help meet our respective housing needs.

The TOSV Housing Program provides the foundation for this goal and has set us apart from most Colorado ski communities since its inception.

ATTACHMENT:

A. Permanent Moderate Housing Regulations



Permanent Moderate Housing Regulations

- 17.1 Purpose
- 17.2 Definitions
- 17.3 Application
- 17.4 Resale Procedure
- 17.5 Mandatory Resale
- 17.6 Rental
- 17.7 Exempt Transactions
- 17.8 Release of Restrictions
- 17.9 Remedies of the Town
- 17.10 No Guaranty or Warranty Disclosure

17.1 Purpose. It is the goal of the Town of Snowmass Village to support a viable workforce and to continue a commitment to workforce housing opportunities that best balance the character and resources of the Town. These rules and regulations effectuate the provisions of Chapter 17, Article I of the Municipal Code and shall be enforceable as if enacted as a part thereof.

17.2 Definitions

As used in these regulations, the following words shall be construed to have the meanings defined below:

Active employment means a minimum of one thousand four hundred (1400) hours during a minimum period of eight (8) months per calendar year.

Disabled Employee Prioritization is available to a qualified applicant who personally has or who residents with a dependent who has a physical impairment that substantially limits the ability of the person to walk and/or climb stairs, as documented in writing by a medical doctor licensed in the State of Colorado.

Disabled housing unit means a housing unit that complies with the accessibility provisions of the Americans with Disabilities Act (ADA) and Chapter 18 of the Town of Snowmass Village Municipal Code.

Adopted 11/2019

Home occupation means a business that complies with the requirements of Sec. 16A-3-240 of the Town of Snowmass Village Land Use Code.

Employee means an adult who is actively employed by a licensed employer, as defined herein.

Employer is business licensed:

- a. Pursuant to Section 4.2 of the Town of Snowmass Village Municipal Code with a principal place of business in Snowmass Village for a minimum of three (3) years; or
- b. To do business within Pitkin County, and having a principal place of business within Pitkin County.

Housing Manager is the individual designated by the Snowmass Village Town Manager to implement these regulations, or his or her designee.

Housing unit means a dwelling unit that is subject to the provisions of these regulations.

Income is calculated by averaging the adjusted gross income shown on the last three (3) filed Federal Income Tax returns. To qualify for purchase, a minimum of eighty percent (80%) of the applicant's income must be income earned within Snowmass Village and be verifiable by tax return or W-2 form. Income and Net Worth levels for joint applicants will be combined.

Maximum resale price means the maximum price for which a housing unit may be sold. The maximum resale price is computed in accordance with the resale price procedures established for each project under section 17.4 of these regulations.

Owner means the fee simple owner of a housing unit.

Pre-sale inspection means an inspection of the housing unit to confirm that the housing unit has been kept and maintained in a clean and orderly condition, normal wear and tear excepted, in a manner determined by the Housing Manager.

Qualified applicant means all adult applicants who collectively meet the qualifications for purchase of a housing units, as established from time to time by the Housing Manager, and taking into consideration employment, income, net worth, unit size, dependents, and any other criteria established by the Housing Manager, as set forth in 17.2.4 of these regulations.

Resale fee means a fee collected upon the filing of a notice of intent to sell a housing unit, as determined by the Housing Manager, as set forth under section 17.4.2. of these regulations.

Requalified owner is an owner who, following the initial purchase of a housing unit, meets the qualifications for employment, income, net worth and residency established by the Housing Manager, as set forth under this section.

Residential dwelling unit means any residential property within the Roaring Fork River drainage situated in Eagle, Pitkin or Garfield Counties, or within the Colorado River Drainage from and including the unincorporated No Name area to and including the City of Rifle.

Unit size means a housing unit intended to be occupied by a minimum or maximum number of occupants as established by the Housing Manager.

17.3 Application. The Permanent Moderate Housing Regulations apply to the use, occupancy and sale of the following developments: Capitol Peak Condominiums, Coffey Place (when completed), Country Club Townhomes, Creekside Condominiums, Crossings at Horse Ranch, Daly Permanent Moderate Housing Townhomes, Mountain View Permanent Moderate Housing Condominiums, all phases of Rodeo Place, Sinclair Meadows, and all other Permanent Moderate Housing developments recognized by the Snowmass Village Town Council.

17.3.1 Application Procedure. On forms specified by the Housing Manager, an applicant shall provide information concerning employment, income, net worth, unit size, dependents and such other information deemed reasonably necessary to determine whether the applicant can be deemed a qualified applicant. All information provided by an applicant shall be considered confidential.

17.3.2 Procedures. Applications are available at the Housing Department office. Completed applications must be submitted with an application fee. An application is active for twelve (12) consecutive months. To apply for another housing unit, a Confirmation Affidavit shall be completed, with updated information, and a reapplication fee shall be paid. Incomplete applications will not be considered.

17.3.3 Verification of Application Information. The Housing Manager will verify all information contained in an application. If the Housing Manager determines that any information or statements in an application are not true or accurate, then the applicant may be permanently precluded from applying for the purchase of any housing unit or for applying to rent any Town apartment.

17.3.4 Qualified Applicant.

17.3.4.1 Employment Qualifications. To apply for a housing unit an adult employee must have been actively employed by an employer licensed pursuant to Section 4.2 of the Snowmass Village Municipal Code with a principal place of business in the Snowmass Village as defined in Section 17.3 for the minimum of one (1) year, OR in Pitkin County for a minimum

of three (3) years. A minimum of one thousand four hundred (1400) hours during a minimum period of eight (8) months per calendar year constitutes a year of active employment.

Licensed home occupations (as defined in the Town of Snowmass Village Land Use Code Sec. 16A-3-240) are qualified, provided they meet the definition of an employer in and derive a minimum of 80% of income from products, services or other direct benefits to the residents and/or businesses of the Town of Snowmass Village (if Snowmass Village applicant) or Pitkin County (if Pitkin County applicant). Applicants must provide proof of business license, a current Profit and Loss statement, a current list of clients, and any other information deemed necessary to verify eligibility, in addition to the other required application documents.

The following lottery tiers establish the priorities for applicants. All applicants must also meet employment, income, asset and occupancy requirements. After applicants are qualified, they will be entered into a lottery tier using the priorities listed below.

Lottery Tiers	
Lottery Priorities	
1st	In-Complex
2nd	Downsizing from one Permanent Moderate Housing unit to another unit, provided the downsized unit has fewer bedrooms than the current unit. In the case of new construction, no more than 25% of the initial units shall be made available for downsizing unless otherwise established by the Town Council.
3rd	Snowmass Village full-time employment with 3 or more years
4th	Snowmass Village full-time employment with 12-35 months
5th	Snowmass Village full-time employment with 3 or more years; 2 people may apply for a 3-bedroom unit
6th	Snowmass Village full-time employment with 12-35 months; 2 people may apply for a 3-bedroom unit
7th	Pitkin County full-time employment with 3 or more years

7.3.4.2. Maximum Income and Net Worth. The purchase price of a housing unit limits the income and net worth of an applicant to a maximum income and net worth. The maximum income and net worth applicable to a specific purchase price shall be established and made public annually by the Housing Manager.

Assets and liabilities shall be defined as generally accepted accounting standards for individuals, including all business equity for self-employed persons and business owners. Tax deferred retirement funds, college savings funds and contingent liabilities are not included in the net worth calculation. In the case of persons who wish to downsize from one Permanent Moderate Housing unit to another unit, the value of the primary home will not be included in the net worth calculation, provided the unit downsizing to has fewer bedrooms. Income is calculated by averaging the adjusted gross income shown on the last three (3) filed Federal Income Tax returns. Eighty percent (80%) of the applicant's income must be income earned within Snowmass Village and verifiable by tax return or W-2 form. Income and Net Worth levels for joint applicants will be combined.

17.3.4.3 Unit Size and Occupancy Requirements. In addition to the above Lottery Priorities and to maximize the occupancy of housing units, an applicant can only apply to purchase a housing unit to accommodate the number of persons that will be residing with the applicant. The number of persons will include a dependent as defined in the Internal Revenue Code, or a minor child who resides on a part time basis of not less than one hundred twenty-one (121) days per calendar year as a result of an order of a court. A first priority applicant can only apply to purchase a housing unit with the number of bedrooms as follows:

First Priority Occupancy Table #1

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
1*	X	X		
2	X	X		
3		X	X	
4		X	X	X
4+			X	X

*One person is not eligible to purchase a detached single-family home.

Second Priority Occupancy Table #2

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
2	X	X	X	

After the first priority qualified applicants have been selected the Second Priority Occupancy Table will be used if necessary. This table will only be used for qualified Snowmass Village employee applicants in the 5th and 6th lottery tier from the 17.2.4.1 lottery procedures table.

Note: All Pitkin County employees in the 7th lottery tier must meet the requirements listed in the First Priority Occupancy Table #1.

17.3.5 Applicant Super Priorities. Upon qualifying to purchase a housing unit, an applicant may qualify for a further, or “super”, priority that will rise above all other priorities.

17.3.5.1 Disabled Employee Prioritization. A qualified applicant who personally or who resides with a dependent who has a physical impairment that substantially limits the major life activity of walking and substantially limits the ability of the person to climb stairs as documented in writing by a medical doctor licensed in the State of Colorado shall be deemed the first priority qualified purchaser for the purchase of a disabled housing unit without regard to prioritization criteria. In the event that two or more qualified applicants desire to purchase

the housing unit, then employment prioritization within the Lottery Tiers in 17.2.4.1 shall be utilized to determine the first priority qualified purchaser.

17.3.5.2 In Complex Priority. A qualified applicant (meets all employment, income, assets and occupancy requirements) who has owned a housing unit in the project where a housing unit is offered for sale for longer than one (1) year shall be deemed the first priority qualified purchaser for the purchase of the housing unit without regard to other prioritization criteria. In the event that two or more such qualified applicant employee owners desire to purchase the housing unit, then employment prioritization within the Lottery Tiers in 17.2.4.1 shall be utilized to determine the first priority qualified purchaser. If more than one applicant is in the same employment tier, then a lottery will be held to select the qualified in complex purchaser.

17.4 Resale Procedure.

17.4.1 Housing Unit Inspection. As a condition precedent to filing a notice to sell a housing unit, the owner shall obtain an approved pre-sale inspection from an inspector approved by the Housing Manager. Upon successful completion of the inspection, an approved inspection report shall be issued, and all cost of such report will be paid by the owner.

17.4.1.1 Standards. The inspection will disclose the physical condition of the housing unit. The housing unit must meet a minimum standard of maintenance and cleanliness. The approved inspector will grade the housing unit on a standard approved by the Housing Manager.

17.4.1.2 Repairs. If the pre-sale inspection discloses deficiencies, then the owner shall correct all deficiencies. The housing unit shall be re-inspected to confirm that all such deficiencies have been properly corrected.

17.4.2 Notice to sell. After receipt of the approved inspection report and the notice of intent to sell, the Housing Manager shall calculate the maximum resale price. The Housing Manager shall then collect a resale fee equal to one percent (1%) of the maximum resale price of a condominium housing unit to a maximum of One Thousand Dollars (\$1,000.00), and one-half of one percent (.5%) of the maximum resale price of a house to a maximum of One Thousand Five Hundred Dollars (\$1,500.00). Upon good cause shown, the Housing Manager may authorize alternate arrangements for the payment of the resale fee.

17.4.3 Maximum resale price calculation. The Housing Manager shall calculate the maximum resale price based upon the date the owner acquired the housing unit and upon the owner's purchase price, as further outlined below.

17.4.3.1 Energy Efficiency & Water Conservation Capital Improvements. An energy efficiency and water conservation capital improvements allowance of up to 10% of the current resale price will be established for each new owner of a single-family home or a condominium unit. Only improvements that clearly demonstrate energy efficiency and water conservation will be considered for this allowance. The utilization of sustainable green building materials may

also be included in the 10% improvement allowance. All capital improvements will be depreciated on the depreciation schedule from the Marshall Swift Residential Handbook. This improvement allowance does not include the replacement or maintenance of existing fixtures, appliances, decorative items, or improvements necessary to maintain existing fixtures from the original construction. Only new replacement items which are recognized to provide a substantial amount of energy or water conservation greater than the original construction will be considered. An owner shall submit a complete improvement cost proposal listing the improvement items and documentation identifying the energy savings or water conservation benefits to the Housing Director prior to beginning the improvement work. The director will then decide if the requested improvements may be added to the resale price.

After receiving Housing Director approval, to substantiate the Energy and Water Conservation Capital Improvement allowance amount, an owner shall provide the Housing Director an affidavit of owner setting forth the amounts expended for improvements with receipts to show actual expenses attached thereto, and the certificate of completion issued by the Building Official for the improvements, if required. If a certificate of completion is not required, then a written statement from the Building Official identifying that the improvements installed did not require a building permit or a certificate of completion. Energy and Water Conservation Capital Improvements that have not received preapproval from the Housing Director will not be considered for inclusion upon resale of the unit.

17.4.3.2 Improvements. Improvements may be included in the resale calculation only if approved by the Housing Manager and to the extent specified in these regulations. Evidence of cost of eligible improvements and corresponding documentation from the Building Official must be submitted within six (6) months of issuance of a certificate of occupancy or other approval to be considered. In the case of existing housing improvements, evidence and documentation shall be submitted within six (6) months of adoption of these Regulations.

17.4.3.3 **Condominium Housing Units Acquired before July 22, 1991.** For housing units located in the Creekside Condominiums and Country Club Townhomes that have been continuously owned by the same owner on and after July 22, 1991, the maximum resale price is computed as follows:

- a) the purchase price paid by the owner, plus an amount equal to:
 1. The purchase price paid by the owner;
 - Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
 - Divided by the CPI-W last published prior to the time of purchase by owner;

- plus, the depreciated cost of improvements to the condominium unit which have been paid for by the owner and approved by the Town Council.
- plus, the depreciated value of TOSV approved energy efficient or water conservation capital improvements installed and paid by the owner not to exceed 10% of the current resale price,
- plus, the actual cost of capital improvements performed by the condominium association of the project in which the housing unit is located, paid for by the owner from the time of installation of the capital improvement to the date of resale approved by the Town, not to exceed ten percent (10%) of the current resale price.

17.4.3.4 Condominium Housing Units Acquired after July 22, 1991. The maximum resale price shall be computed as the lesser of:

- a) the original price plus a three-percent annual increase in the purchase price, prorated from the date of the original purchase, or
- b) the purchase price paid by the owner, plus an amount equal to:
 1. The purchase price of the current owner;
 - Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
 - Divided by the CPI-W last published prior to the time of purchase by owner plus,
 - The depreciated value of TOSV approved energy efficient or water conservation capital improvements installed and paid by the owner not to exceed 10% of the current resale price,
 - plus, the depreciated cost of capital improvements performed by the condominium association of the project in which the housing unit is located, paid for by the owner from the time of installation of the capital improvement to the date of resale approved by the Town, not to exceed ten percent (10%) of the current resale price.

17.4.3.5 Crossings Housing Units. The maximum resale price shall be computed as the lesser of:

- a) the base price as maintained in the records of the Housing Manager, plus the cost of the finishing of the basement from the date of completion in accordance with the

description of the basement option not to exceed the cost of a standard basement option, plus a three-percent annual increase, or

- b) the purchase price paid by the owner, minus the cost of any house option which is installed after the issuance of the original certificate of occupancy plus the cost of the deck option, if it was subtracted from the calculation of the house base price, plus an amount equal to:
1. The purchase price of the current owner;
 - Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
 - Divided by the CPI-W last published prior to the time of purchase by owner;
 - plus, the cost of any house option, as approved by the Town Council as an option to the basic house design (as set forth in Exhibit "A" to the Horse Ranch Employee Housing Development Agreement entered into by and between the Town and Foresite Capital Facilities Corporation on April 22, 1994)
 - plus, automatic sprinkler system, gutter and downspout, permanent landscaping and heat tapes) which was installed after the issuance of the original certificate of occupancy
 - plus the cost of the deck option, if it was subtracted from the calculation of the house base price.

From the issuance of the original certificate of occupancy for the housing unit, the maximum amount shall be limited to ten percent (10%) of the house base price which shall escalate as follows:

- To five (5) years, five percent (5%) of the house base price;
 - To six (6) years, six percent (6%) of the house base price;
 - To seven (7) years, seven percent (7%) of the house base price;
 - To eight (8) years, eight percent (8%) of the house base price;
 - To nine (9) years, nine percent (9%) of the house base price; and
 - To ten (10) years, ten percent (10%) of the house base price.
- plus, the depreciated value of TOSV approved energy efficient or water conservation capital improvements installed and paid for by the owner not to exceed 10% of the current resale price

To substantiate such amounts, an owner shall provide the Housing Manager an affidavit of owner setting forth the amounts expended for improvements with receipts attached thereto, and the certificate of completion issued by the Building Official for the

improvements, if required, or if no certificate of completion is required, then a statement from the Building Official that the improvements installed did not require a certificate of completion. If such amount has not previously been substantiated to the satisfaction of the Housing Manager, it shall be provided with the notice of intent to sell.

17.4.3.6. Rodeo Place Single Family Housing Units. The maximum resale price shall be computed as the lesser of:

- a) the base price as maintained in the records of the Housing Manager, plus
 - the one-time actual cost of finishing the basement subject to a maximum allowance of \$70.00 per square foot from the date of completion in accordance with the square feet allocated to each home basement, plus
 - The depreciated value of TOSV approved energy-efficient or water conservation capital improvements installed and paid by the owner not to exceed 10% of the current resale price, plus
 - The purchase price of the current owner;
 - Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
 - Divided by the CPI-W last published prior to the time of purchase by owner;

To substantiate the finished basement option amount, an owner shall provide the Housing Manager an affidavit of owner setting forth the amounts expended for improvements with receipts attached thereto, and the certificate of completion issued by the Building Official for the improvements, if required, or if no certificate of completion is required, then a statement from the Building Official that the improvements installed did not require a certificate of completion. The finishing of the basement improvements will be a one-time adjustment to the home base price from the certificate of completion date. If such amount has not previously been substantiated to the satisfaction of the Housing Manager, it shall be provided with the notice of intent to sell.

17.4.3.7. Coffey Place Single Family and Condominium Housing Units. The maximum resale price shall be computed as the lesser of:

- a) the original price plus
 - a three-percent annual increase in the purchase price, prorated from the date of the original purchase, plus
 - the depreciated value of TOSV approved energy efficiency or water conservation capital improvements installed and paid by the owner, not to exceed 10% of the current resale price;

OR

- b) the purchase price as maintained in the records of the Housing Manager,

- Multiplied by the consumer price index, all items, urban wage earners and clerical workers (revised) published by the United States Department of Labor, Bureau of Labor Statistics, commonly known as the CPI-W, last published prior to the date of notice of intent to sell;
- Divided by the CPI-W last published prior to the time of purchase by owner, plus
- The depreciated value of TOSV approved energy- efficient or water conservation capital improvements installed and paid by the owner not to exceed 10% of the current resale price.

17.4.3.8 Future Housing. The regulations governing resale for future developments will be included in these Regulations.

17.4.3.9 Publication. The Housing Manager shall cause a notice of the availability of the housing unit purchase shall be published in the Snowmass Village Sun once a week for four (4) consecutive weeks.

17.4.4 Lottery Procedure. At the end of the thirty (30) day Snowmass village employee priority period, lottery chances will be assigned by the Housing Manager to qualified applicants as follows:

Years Employed	Lottery Chances
1 or greater but less than 3	1
3 or greater but less than 7	2
7 or greater but less than 11	4
11 or greater but less than 15	6
15 or greater	8

Following the assignment of lottery chances to qualified applicants, the Housing Manager shall schedule and conduct a lottery to determine the priority of qualified purchasers. The lottery will be scheduled by the Housing Manager. If a chance of a qualified applicant is chosen more than one (1) time, all subsequent chances will be disregarded.

17.4.5 Contract and sale procedure. The first priority qualified purchaser shall have seven (7) days to enter into a contract with the owner for purchase of the housing unit. In the event that a contract is not timely entered into the next priority qualified purchaser shall have seven (7) days to enter into a contract with the owner for purchase of the housing unit, and so on until a sale occurs. The owner may not reject an offer from a qualified purchaser that is for the maximum resale price or the current resale price, as the case may be unless other terms and conditions of the offer are unreasonable. Thereafter, if the housing unit has not been sold, the owner may list it for sale with a real estate broker or negotiate a contract for its sale provided

that the owner shall notify all prospective purchasers that they must be confirmed to be a qualified purchaser by the Housing Manager.

17.4.6 Advertise housing unit for sale. The owner shall advertise the housing unit for sale by the placement of a "for sale" sign meeting the requirements of Chapter 16A of the Snowmass Village Municipal Code at a conspicuous location.

17.4.7 Confirmation of qualification. At the closing of the sale, the Housing Manager shall confirm:

- a) The status of the qualified purchaser to purchase the housing unit;
- b) That the purchase price does not exceed the maximum resale price; and
- c) All monies owing to the Town have been fully paid.

17.5 Mandatory Resale.

17.5.1 An owner shall immediately offer the housing unit for sale in accordance with the provisions of section 17.4 upon the occurrence of any of the following events:

- a) If a non-qualified purchaser takes title to the housing unit; or
- b) The owner does not maintain residency at the housing unit; or
- c) The owner has not sold their residential dwelling unit within the Roaring Fork River drainage within six (6) months of the closing of the acquisition of the housing unit, or such period of time as approved by the Town Council upon good cause shown; or
- d) The owner acquires a residential dwelling unit after the closing of the acquisition of a housing unit; or
- e) The owner purchases the housing unit for a purchase price greater than the maximum purchase price; or
- f) The owner fails to be a requalified owner.

17.5.2 Biennial Requalification. All owners must requalify biennially by completing and returning an affidavit within ninety (90) days of receipt. The affidavit will confirm that the following:

- a) The owner has been in physical residence in the housing unit for a minimum of eight (8) months each calendar year, is or is eligible to be a registered voter in the Town, possesses or is eligible to possess a valid Colorado driver's license; and files a Colorado income tax return; and
- b) The owner has been actively employed by an employer whose principal place of business is in Pitkin County for minimum of one thousand four hundred (1400) hours during a minimum period of eight (8) months per calendar; or have attained the age of sixty-two (62) after having been the owner of the housing unit for not less than ten (10) years.

- c) The owner has not acquired a residential dwelling unit within the Roaring Fork River drainage situated in Eagle, Pitkin or Garfield Counties, or within the Colorado River Drainage from and including the unincorporated No Name area to and including the City of Rifle, after the closing of the acquisition of a housing unit.

The Housing Department may, at its discretion, conduct a directed and random audit of continued compliance with ongoing qualification with the provisions of these Regulations.

17.5.3 Change in Ownership. Any proposed or contemplated additions or deletions to the owners listed on the warranty deed must be approved in writing by the Housing Manager. Any such changes will be required to comply with all requirements of these Regulations.

17.6 Housing Unit Rental.

17.6.1 For good cause shown and with the approval of the Housing Manager, an owner may rent the entire housing unit for a maximum of four months. The rental rate shall not exceed the rent for a comparable rental apartment owned by the Town as determined by the Housing Manager. No short-term rentals will be allowed.

17.6.2 With written notice to the Housing Manager, the owner of a housing unit of not less than two (2) bedrooms may rent one (1) bedroom to a maximum of two (2) people, at least one (1) of whom is an employee. Provided, however, the owner must maintain residency in the housing unit, must occupy a bedroom in the housing unit and must receive prior approval for any such rental from the association in which the housing unit exists.

17.6.3 Where there exists a conflict between any limitation or requirement in this Code and any limitation or requirement contained in any applicable protective covenant, deed restriction, condominium declaration, homeowners or condominium association bylaws or rules and regulations, as the same may be adopted or amended from time to time, the more restrictive limitation or requirement shall prevail.

17.7 Exempt Transactions. A one-time transfer by operation of law, by will or inheritance to a surviving spouse of an owner is exempt from the procedures set forth in Section 17-4 provided written notice shall be given to the Housing Manager providing information to support that an exempt transaction has occurred.

17.8 Appeals. Any applicant or owner who feels that the Housing Manager has misinterpreted or improperly applied the provisions of the Chapter 17 of the Municipal Code or these Regulations may inform the Town Manager in writing and request a review. Any such request must be delivered to the Town Manager within fourteen (14) days of the date of such purported misinterpretation or improper application. The Town Manager shall investigate and take such actions as are necessary and proper to alleviate any actual noncompliance.

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

September 11, 2023

AGENDA ITEM:

Discussion Regarding the Council Compensation Ordinance

PRESENTED BY:

Clint Kinney, Town Manager
Jeff Conklin, Town Attorney

BACKGROUND:

At a regular meeting of the Town Council on July 17, Staff was asked to develop an ordinance that would increase the compensation for the next seated Town Council, as well as providing for regular increases in compensation rate for subsequent councils. Town Council currently is compensated at a rate of \$14,400 annually, plus a \$500 monthly stipend to be put towards health insurance. The mayor is compensated at a rate of \$20,400 annually, plus a \$500 monthly stipend to be put toward health insurance.

Per the Town of Snowmass Village Charter *Section 3.6 Compensation*, “members of the Council shall be entitled to receive such compensation as prescribed by ordinance, provided, however, that the compensation of any member during such member’s term of office shall not be increased or decreased.” This language requires that an ordinance be approved prior to the next election. Changes to the rate of compensation become effective for the next sitting Town Council.

The direction of the Council at the July 17 regular meeting was to draft an ordinance that would increase the Council and Mayor’s compensation rate by 10% for the next seated council and to increase by a measure such as the consumer price index (CPI) for every subsequent council. This means that future increases would vary and the exact impact on the budget would be calculated at the time of budget development. The current annual increase in CPI for the Denver-Aurora-Lakewood area is 4.7%.

In order to ease administration of payroll issue, staff would recommend that this bi-annual increase not be dictated by CPI, but rather be 6% after each election (effectively 3% per year) rounded up to the nearest \$5 increment.

If Council supports this methodology, then the Town Attorney will proceed with drafting the ordinance and first reading will be scheduled for a future meeting.

FINANCIAL IMPACT:

A 10% increase in salary for the Town Council and Mayoral positions will be reflected in the respective budgeted line items for 2024. Future budgeted amounts will depend on the exact percentage increase as indicated by the consumer price index (CPI).

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

N/A

COUNCIL OPTIONS:

The Council may direct staff to draft an ordinance increasing the compensation rate for the Town Council and Mayor.

STAFF RECOMMENDATION:

This item is intended for the discussion of and possible direction by Council.

ATTACHMENT:

- A. Documents from 7-17-23 Town Council Packet

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

July 17, 2023

AGENDA ITEM:

Council Compensation Discussion

PRESENTED BY:

Clint Kinney, Town Manager
Greg LeBlanc, Assistant Town Manager

BACKGROUND:

At a recent meeting, Town Council asked to receive information regarding compensation and comparisons with other jurisdictions. Town Council currently is compensated at a rate of \$14,400 annually, plus a \$500 monthly stipend to be put towards health insurance. The Mayor is compensated at 20,400 annual, plus a \$500 monthly stipend to be put toward health insurance.

Per the Town of Snowmass Village Charter *Section 3.6 Compensation*, “members of the Council shall be entitled to receive such compensation as prescribed by ordinance, provided, however, that the compensation of any member during such member’s term of office shall not be increased or decreased.” This language requires that an ordinance be approved prior to the next election. Changes to the rate of compensation become effective for the next sitting Town Council.

If the Town Council chooses to raise the compensation rate, such an increase could occur monetarily, or in the form of additional benefits. Other municipalities in the Roaring Fork Valley provide similar compensation for elected officials as the Town of Snowmass Village. The Town of Basalt pays its Council \$12,500 annually, and the mayor \$18,750 annually. The Town of Basalt does not offer healthcare for its elected officials. The City of Aspen compensates the City Council at a rate of \$2,700/month and the Mayor at a rate of \$3,325/month. The City of Aspen also provides healthcare for elected officials that includes single and dependent coverage only for health/dental/vision insurance, plus access to teledoc. A stipend is offered if health/dental/vision coverage is waived.

FINANCIAL IMPACT:

Should the Council decide to proceed with an increase in salary or benefits to the Town Council and Mayoral positions, an ordinance would be required and a requisite increase to the respective budgeted line items would be reflected in future budgets.

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

N/A

COUNCIL OPTIONS:

The Council may direct staff to perform additional research as necessary.

STAFF RECOMMENDATION:

This item is intended for the discussion of and possible direction by Council.

ATTACHMENTS:

- 1) CML Elected Official Compensation Report
- 2) Town of Snowmass Village Council Compensation Ordinance No. 6, Series of 2018
- 3) City of Aspen Ordinance No. 21, Series of 2020
- 4) Town of Basalt Ordinance No. 12, Series of 2016

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Title	Entity	# Inc	Avg Yrs Sv	Ann/Mo	Annual Sal	Extra Pay	Extra Pay I	FT	Health	Ret	Dental	Life	401K	457
2	ATTORNEY/SOLICITOR	BRECKENRIDGE, CO	1	0.00	M	14,250.00	0.00		N	N	N	N	N	N	N
3	BOARD MEMBER - APPOINTED	BRECKENRIDGE, CO	15	0.00	M	400.00	0.00		N	N	N	N	N	N	N
4	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	ASPEN, CO	4	4.00	M	1,700.00	0.00		N	Y	N	Y	N	N	N
5	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	AVON, CO	5	0.00	M	500.00	0.00		N	Y	N	Y	N	N	Y
6	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	BLACK HAWK, CO	6	0.00	M	933.37	0.00		N	Y	Y	Y	Y	Y	Y
7	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	BRECKENRIDGE, CO	6	0.00	M	1,200.00	0.00		N	Y	N	Y	N	N	N
8	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	CARBONDALE, CO	5	0.00	M	900.00	0.00		N	N	N	N	N	N	N
9	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	DURANGO, CO	4	0.00	A	10,404.00	0.00		N	Y	N	Y	Y	N	N
10	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	ESTES PARK, CO	5	0.00	A	8,000.00	0.00		N	Y	Y	Y	N	Y	Y
11	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	FRISCO, CO	0	0.00	A	7,200.00	0.00		N	N	N	N	N	N	N
12	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	GLENWOOD SPRINGS, CO	6	0.00	A	12,000.00	0.00		N	N	N	N	N	N	N
13	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	GRAND JUNCTION, CO	6	0.00	M	500.00	60.00	Auto Allowa	N	N	N	N	N	N	Y
14	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	MOUNTAIN VILLAGE, CO	5	0.00	A	4,800.00	1,740.00	water and s	N	N	N	N	N	N	N
15	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	STEAMBOAT SPRINGS, CO	5	0.00	A	11,869.44	0.00		N	Y	N	Y	Y	N	N
16	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	TELLURIDE, CO	6	0.00	A	14,916.00	0.00		N	N	N	N	N	N	N
17	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	VAIL, CO	6	0.00	A	7,500.00	0.00		N	Y	N	Y	N	N	Y
18	CITY/COUNTY COUNCIL / TRUSTEE / ALDERMAN	WINTER PARK, CO	6	0.00	P	200.00	0.00		N	N	N	N	N	N	N
19	JUSTICE / MUNICIPAL JUDGE	ASPEN, CO	1	0.00	M	1,883.00	0.00		N	Y	N	Y	N	N	N
20	JUSTICE / MUNICIPAL JUDGE	BRECKENRIDGE, CO	1	0.00	M	2,400.00	0.00		N	N	N	N	N	N	N
21	MAYOR	ASPEN, CO	1	2.00	M	3,325.00	0.00		N	Y	N	Y	N	N	N
22	MAYOR	AVON, CO	1	0.00	M	1,000.00	0.00		N	Y	Y	Y	N	N	Y
23	MAYOR	BLACK HAWK, CO	1	0.00	M	933.37	0.00		N	Y	Y	Y	Y	Y	Y
24	MAYOR	BRECKENRIDGE, CO	1	0.00	M	1,500.00	0.00		N	Y	N	Y	N	N	N
25	MAYOR	CARBONDALE, CO	1	0.00	M	1,500.00	0.00		N	N	N	N	N	N	N
26	MAYOR	DURANGO, CO	1	2.00	A	13,404.00	0.00		N	Y	N	Y	Y	N	N
27	MAYOR	ESTES PARK, CO	1	0.00	A	12,000.00	0.00		N	Y	Y	Y	N	Y	Y
28	MAYOR	FRISCO, CO	0	0.00	A	12,600.00	0.00		N	N	N	N	N	N	N
29	MAYOR	GLENWOOD SPRINGS, CO	1	0.00	A	14,400.00	0.00		N	Y	N	N	N	N	N
30	MAYOR	GRAND JUNCTION, CO	1	0.00	M	750.00	60.00	Auto Allowa	N	N	N	N	N	N	Y
31	MAYOR	MOUNTAIN VILLAGE, CO	1	0.00	A	11,808.00	900.00	ski pass, w	N	N	N	N	N	N	N
32	MAYOR	STEAMBOAT SPRINGS, CO	1	0.00	A	15,807.00	0.00		N	Y	N	Y	N	N	N
33	MAYOR	TELLURIDE, CO	1	0.00	A	23,316.00	0.00		N	N	N	N	N	N	N
34	MAYOR	VAIL, CO	1	0.00	A	12,000.00	0.00		N	Y	N	Y	N	N	Y
35	MAYOR	WINTER PARK, CO	1	0.00	P	400.00	0.00		N	N	N	N	N	N	N
36	MAYOR PRO TEM	AVON, CO	1	0.00	M	750.00	0.00		N	Y	Y	Y	N	N	Y
37	MAYOR PRO TEM	CARBONDALE, CO	1	0.00	M	900.00	0.00		N	N	N	N	N	N	N
38	MAYOR PRO TEM	ESTES PARK, CO	1	0.00	A	10,000.00	0.00		N	Y	Y	Y	N	Y	Y
39	MAYOR PRO TEM	FRISCO, CO	0	0.00	A	7,200.00	0.00		N	N	N	N	N	N	N
40	MAYOR PRO TEM	MOUNTAIN VILLAGE, CO	1	0.00	A	4,800.00	1,740.00	water & se	N	N	N	N	N	N	N
41	MAYOR PRO TEM	STEAMBOAT SPRINGS, CO	1	0.00	A	13,852.32	0.00		N	Y	N	Y	N	N	N

	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH
1	Combined	Updated	Comments																
2	N	01/09/2020	On-site 1 day/week; available by phone when not on-site																
3	N	01/09/2020	Planning Commission - \$400.00/month pay; Breckenridge Outdoor Space Advisory Committee - \$200.00/month pay; both receive a \$500.00 Recreation Credit each new plan year.																
4	N	02/01/2023	Single and dependent coverage only for health/dental/vision insurance. Stipend offered if health/dental/vision covg. is waived. Access to Teladoc																
5	N	02/22/2023	457 is mandatory in lieu of social security, Health insurance optional.Full family recreation center pass																
6	N	03/06/2017	Aldermen receive an additional monthly Medical Stipend of \$1,672.42 and monthly retirement of \$312.70. Elected officials are eligible to purchase group insurance coverage on pre-tax basis.																
7	N	01/09/2020	Monthly salary is used to offset monthly medical benefit premium. A free Recreation Wellness Pass is provided each new plan year, including reduced Annual Pass rates for dependents.																
8	N	02/17/2022																	
9	N	06/07/2023																	
10	N	03/01/2021																	
11	N	02/10/2020																	
12	N	07/23/2019																	
13	N	02/28/2020																	
14	N	03/08/2017	ELIGIBLE FOR A SEASON SKI PASS																
15	N	03/03/2023																	
16	N	03/06/2020																	
17	N	03/10/2023																	
18	N	02/23/2017																	
19	N	02/01/2023	Single and dependent coverage only for health/Prescription/dental/vision insurance. Stipend offered if health/dental/vision covg. is waived. Access to Teladoc.																
20	N	01/09/2020	Works approx 15 hr/month outside; (2) 8-hour court days/month																
21	N	02/01/2023	Single and dependent coverage only for health/Prescription/dental/vision insurance. Stipend offered if health/dental/vision covg. is waived. Access to Teladoc.																
22	N	02/22/2023	457 is mandatory in lieu of social security, Health insurance optional. Full family recreation center pass																
23	N	03/06/2017	The Mayor receives an additional monthly Medical Stipend of \$1,672.42 and monthly retirement of \$312.70. Elected officials are eligible to purchase group insurance coverage on pre-tax basis.																
24	N	01/09/2020	Monthly salary is used to offset monthly medical benefit premium. A free Recreation Wellness Pass is provided each new plan year, including reduced annual pass rates for dependents.																
25	N	02/17/2022																	
26	N	03/02/2020																	
27	N	03/01/2021																	
28	N	02/10/2020																	
29	N	07/23/2019	Paid in full by Mayor																
30	N	02/28/2020																	
31	N	06/25/2020	eligible for a season ski pass																
32	N	03/03/2023	Actual title: City Council President □																
33	N	03/06/2020																	
34	N	03/10/2023																	
35	N	02/23/2017																	
36	N	02/22/2023	457 is mandatory in lieu of social security, Health insurance optional. Full family recreation center pass.																
37	N	02/17/2022																	
38	N	03/01/2021																	
39	N	02/10/2020																	
40	N	01/26/2023	eligible for a season ski pass																
41	N	03/03/2023																	

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

August 27, 2018

AGENDA ITEM:

Council Compensation Ordinance No. 6, Series of 2018 - **AN ORDINANCE AMENDING THE MUNICIPAL CODE TO INCREASE THE COMPENSATION PAID TO THE MAYOR AND COUNCIL MEMBERS**

PRESENTED BY:

Clint Kinney, Town Manager
Rhonda B. Coxon, Town Clerk

BACKGROUND:

Town Council asked staff to research Town Council compensation and provide a comparison which was presented at their regular meeting on December 18, 2017. At that meeting Town Council directed staff to inquire with our insurance provider if it would be possible to offer Town Council insurance benefits. Staff provided information at the February 12, 2018 work session and after discussion the Town Council asked staff to calculate the budget amount if the Council decided to give future Town Council Members a \$2,400 raise per year to \$14,400 annually which is the same as Aspen, and also offering a \$500.00 cash stipend per month for the Town Council and Mayor to be used towards their personal insurance.

The increase would be for 2 Council Members and the Mayor beginning in January of 2019 and the 2 remaining Council Members in November of 2020.

2019

2 Council Member X 2,400 per year is	\$4,800
2 Council Member and the Mayor for \$500.00 per month is	<u>\$18,000</u>
Total Annual Budget amount	\$22,800

2020

4 Council Members X 2,400 per year is	\$9,600
4 Council Member and the Mayor for \$500.00 per month is	<u>\$30,000</u>
Total Annual Budget amount	\$39,600

Town Council directed staff to prepare an Ordinance amending Council Compensation. Per the Town of Snowmass Village Charter Section 3.6 ***The members of the Council***

shall be entitled to receive such compensation as prescribed by ordinance, provided, however, that the compensation of any member during such member's term of office shall not be increased or decreased.

Summary and Recommendation from the July 11th Financial Advisory Board (FAB) Meeting:

The following is a summary of the FAB's meeting on July 11, 2018 and their discussion regarding Town Council compensation increases, which was prepared by Greg Smith, Chair, and approved by the board.

Clint Kinney presented the cost impact of a potential raise for town Council members of \$2,400 to \$14,400 annually and also offering a \$500 cash stipend per month to help cover health care costs. The total annual budget impact would be \$39,600. The rationale was that it could attract a larger audience of constituents to run for elected positions, and it would match Aspen's compensation level. Staff concludes that the town's budget can accommodate this incremental cost.

The FAB noted that Snowmass Village is very fortunate to have an outstanding Council, and also typically good candidates seem willing to run for that position. Certainly, continuing to attract candidates is highly desirable, but there does not seem to be evidence of difficulty. The town also has the strong support of numerous boards and advisory committees whose members serve for no compensation. It seemed unlikely that the incremental compensation would make a material difference in available candidates.

Additionally, while the \$2,400 raise would bring Council salaries to Aspen's level, it would be higher than almost all other towns in the state, including Breckenridge, Vail, and Glenwood Springs for example. Also, Aspen's overall size and budget are much greater than Snowmass Village's.

Regarding the additional \$500 per month for health care, this would result in total compensation well over other comparators and runs counter to ongoing efforts to control rising benefit and health care costs of town employees. A concern was also noted about potential candidates whose primary motivation could be more about compensation and benefits and less about serving the community. While not recommended, if council does elect to proceed with this benefit, structuring it as a flexible spending account (FSA) for health care, as employees have, may be advisable.

FINANCIAL IMPACT:

\$39,600 Additional to the Budget

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

Current Town Council would like to make the compensation favorable to attract a larger audience of constituents running for an Elected position.

COUNCIL OPTIONS:

Act on Ordinance No. 6, Series of 2018

STAFF RECOMMENDATION:

NA

ATTACHMENTS:

None

TOWN OF SNOWMASS VILLAGE
TOWN COUNCIL

ORDINANCE NO. 6
SERIES OF 2018

**AN ORDINANCE AMENDING THE MUNICIPAL CODE TO INCREASE THE
COMPENSATION PAID TO THE MAYOR AND COUNCIL MEMBERS.**

WHEREAS, the Town Council believes that the remuneration that is paid for service as a member of the Town Council should be reasonable; and,

WHEREAS, the Town Council has reviewed the compensation that has been paid to members of other Town Councils in Colorado and determined that an increase in compensation is reasonable; and,

WHEREAS, pursuant to the laws of the State of Colorado, an increase in compensation for members of the Town Council would not be effective for the current members of the Town Council.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Snowmass Village, as follows:

1. Municipal Code Amendment. Section 2-43 of the Municipal Code is hereby amended by increasing the compensation paid to each Council Member other than the Mayor from \$1,000.00 to \$1,200.00 per month and further amended to provide a monthly stipend in the amount of \$500.00 for the Mayor and each Council Member for health care expenses.

2. Effective Date. The increase in compensation set forth in Section 1 of this Ordinance shall be paid to the Mayor and members of the Town Council, who are elected in or after November 2018, beginning January 2019, and monthly thereafter.

3. Severability. If any provision of this Ordinance or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on First Reading on August 27, 2018 upon a motion by Council Member _____, the second of Council Member _____, and upon a vote of ____ in favor and ____ opposed.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on Second Reading on September 4, 2018 upon a motion by Council

ORD. 18-06
Page 2 of 2

Member _____, the second of Council Member _____,
and upon a vote of ____ in favor and ____ against.

TOWN OF SNOWMASS VILLAGE

Markey Butler, MAYOR

ATTEST:

Rhonda B. Coxon, TOWN CLERK

APPROVED AS TO FORM:

John C. Dresser, Jr., TOWN ATTORNEY

ORDINANCE NO. 21
(Series of 2020)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO, INCREASING THE COMPENSATION FOR THE OFFICES OF MAYOR AND CITY COUNCILPERSON.

WHEREAS, Section 3.6 of the Home Rule Charter for the City of Aspen provides that members of the City Council and Mayor shall receive such compensation as the Council shall prescribe by ordinance; and

WHEREAS, the current levels of compensation for the Mayor (\$2,325.00 per month) and members of City Council (\$1,700.00 per month) were established in January 2001, and have not been adjusted since that time; and

WHEREAS, the City Council desires to provide a reasonable and equitable increase in the levels of compensation provided to the Mayor and members of the City Council so as to reflect not only the increase in the cost of living since 2001, but the increase in the commitment of time necessarily required to fulfill the duties of such elective offices, which is acknowledged to be a minimum of twenty hours per week; and

WHEREAS, the City Council desires to establish a salary that is fair compensation and maintain that salary as it relates to increases in the cost of living without further action by Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO, THAT:

Section 1.

The monthly compensation for the office of Mayor shall be increased from \$2,325.00 per month to \$3,325.00 per month; the monthly compensation for City Council members shall be increased from \$1,700.00 per month to \$2,700.00 per month. Increases in compensation as set forth herein shall become effective upon the first regular City Council meeting in April 2021 for the

Mayor and June 2021 for those Council Members elected in the general election of 2021. In accordance with Section 3.6 of the Home Rule Charter, no current member of the City Council, including the Mayor, shall be entitled to receive such compensation increase until their present term of office has expired, and they have been duly elected or appointed to a new term. Thus, for Council positions set for election in March 2023, increases in compensation as set forth herein shall become effective upon the first regular City Council meeting in April 2023.

Section 2.

The monthly compensation for City Council members shall be increased based on the increase in the Denver-Aurora-Lakewood CPI ("CPI") every four years to take effect at the commencement of a new term for each Council position. For Council members elected in 2021, the CPI compensation increase shall take effect in April 2025, and each April every four years thereafter. For Council members elected in 2023, the CPI increase shall take effect in April 2027, and each April every four years thereafter. The monthly compensation for Mayor shall be increased by the CPI every two years commencing April 2023. The Director of Finance shall calculate and implement the CPI increase authorized pursuant to this Section 2.

Section 3.

In addition, compensation for the office of Mayor and for City Council members shall include the ability to participate in the City's medical and prescription insurance program at no additional cost or receive an amount sufficient to allow the officeholder to participate in a third-party medical and prescription insurance program. If the Mayor or any member of Council elects to obtain or maintain third-party individual medical and prescription insurance, such individual shall be entitled to receive an insurance stipend; provided, however, that the stipend is actually used to purchase the insurance through a third-party insurer and that the stipend does not exceed the cost of the medical

and prescription insurance for a single person in the City's insurance program, which equals the employee premium plus City's costs for such insurance. Any Council member and Mayor requesting the stipend shall provide evidence of the actual third-party insurance coverage and the cost of the coverage obtained by the individual to the Human Resources Department annually during open enrollment extended through January 31st. If electing to participate in the City of Aspen's insurance program, the Mayor and City Council members may also elect dental and vision coverage but shall be responsible for and pay the premium for such coverage. If enrolling in the City of Aspen's insurance program, the Mayor and City Council members may enroll eligible dependents, at the Mayor's or Councilmember's full expense, in compliance with the Affordable Health Care Act. The maximum stipend shall be determined by the Human Resources Department and implemented at the commencement of each Mayor or Council Member's term and shall remain the same throughout the elected individual's term. Further benefits for the Mayor and City Council members shall include access to a deferred compensation (457b) retirement plan, Employee Assistance Program (EAP), and the Elected Official Wellbeing Program. Any additional costs associated with participation in these programs shall be borne by the individual elected official. The EAP allows access for the Mayor and Council members and their dependents up to 26 years old and/or spouse.

Section 4.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

Section 5.

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

A public hearing on the ordinance shall be held on the 8th day of December 2020, in the City Council Chambers, Aspen City Hall, Aspen, Colorado.

INTRODUCED, READ AND ORDERED PUBLISHED as provided by law by the City Council of the City of Aspen on the 24th day of November 2020.

TOPPE
Torre, Mayor

ATTEST:
Nicole Henning
Nicole Henning, City Clerk

FINALLY adopted, passed and approved this 8th day of December 2020.

TOPPE
Torre, Mayor

ATTEST:
Nicole Henning
Nicole Henning, City Clerk

Town of Basalt
Ordinance No. 12
Series of 2016

AN ORDINANCE OF THE TOWN OF BASALT, COLORADO, SETTING THE
SALARIES OF THE MAYOR AND TOWN COUNCIL.

RECITALS

WHEREAS, The Town of Basalt Town Charter, Section 3.9, Compensation of Elected Officials, states, compensation for the Mayor and other Councilors may be established by ordinance from time to time; provided, however that any change or increase passed during a Councilor's or the Mayor's current term of office shall not take effect with respect to that official until a subsequent term, if any.

WHEREAS, The Town of Basalt has reviewed all salaries for appointed employees over the last two years and has reset the ranges to meet the current market conditions for the attraction and retention of employees.

WHEREAS, the Town Staff in conducting these salary reviews has also gathered salary survey data for Roaring Fork Valley towns, cities and counties elected officials.

NOW THEREFORE, BE IT ORDAINED by the Town Council of Basalt, Colorado, as follows:

Section 1. Mayor Salary. The Mayor's Salary shall be set at \$1,562.50 per month (\$18,750 annually)

Section 2. Councilors Salary. Councilor's Salary shall be set at \$1,041.67 per month (\$12,500 annually).

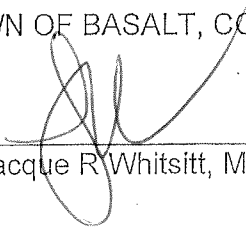
Section 3. Salary adjustments for the Mayor and Town Councilors shall only take effect after their next election to a subsequent term.

Section 4. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter.

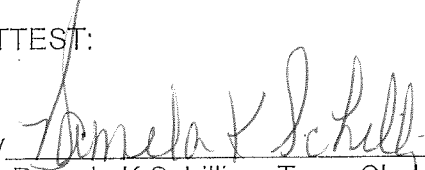
INTRODUCED, READ ON FIRST READING, ORDERED
PUBLISHED, AND SET FOR PUBLIC HEARING TO BE HELD ON March 22,
2016, by a vote of 7 to 0 this 8th day of March, 2016.

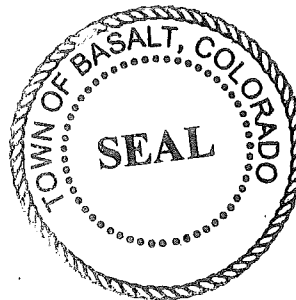
READ ON SECOND READING AND ADOPTED by a vote of 6 to
0 on March 22, 2016.

TOWN OF BASALT, COLORADO

By 
Jacque R. Whitsitt, Mayor

ATTEST:

By 
Pamela K Schilling, Town Clerk



First Publication: Thursday, _____, 2016
Final Publication: Thursday,
Effective Date: Thursday,

Roaring Fork Valley -- Elected Officials Salary Survey
(Effective 2016)

Entity	Mayor	Council
City of Aspen	\$ 20,700	\$ 14,400
Town of Snowmass Village	\$ 20,400	\$ 12,000
Town of Basalt	\$ 14,400	\$ 9,600
Town of Carbondale	\$ 18,000	\$ 10,800
City of Glenwood Springs	\$ 14,400	\$ 12,000
Entity Average	\$ 17,580	\$ 11,760
Proposed Basalt	\$ 18,750	\$ 12,500
Dollar Difference between Entity Average and Proposed	\$ 1,170	\$ 740
Percent Difference between Entity Average and Proposed	6.66%	6.29%
Percent Difference between Current Salary and Proposed	30.21%	30.21%

Eagle County	Commissioner (Category 2B)	85,000
Pitkin County	(Category 2C)	79,750

TOWN OF BASALT ACTION ITEM SUMMARY ADMINISTRATION	Item Number: 7B Date: March 18, 2016 From: Mike Scanlon, Town Manager
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SUBJECT: Ordinance 12, Series 2016

RECOMMENDATION:
This ordinance sets the salary of the Mayor and Town Councilors.

DETAILS:

Basalt Town staff over the last several years have conducted various salary surveys and done an extensive review of compensation using both Mountain States Employer Council (MSEC) and information generated internally. By various resolutions and actions we've modified our pay ranges for our appointed employees to stay competitive in our marketplace. As part of these surveys we have also collected information related to the pay of elected officials.

The last time the Town Council took action on Mayor and Town Council salaries was for the 2008 budget year. Given that it has been eight years since the last review and change to Town Council salaries it seems appropriate for the Town Council to consider adjustment in elected officials salaries at this time.

We've selected this period – the month preceding the election – to recommend the Town Council consider pay adjustment because it creates the least amount of disparity in pay over a fixed period of time for those people in office.

Attached is a salary survey for elected officials in the Roaring Fork Valley. We've generated an average pay for the five municipal entities in the Roaring Fork Valley. After reviewing the salaries and the average Town Staff then proposed salaries for the Mayor and Town Councilors. That recommendation is based on maintaining some level of parity between both Mayor and Town Councilor salaries and the salaries that are currently being paid in surrounding communities.

It's important to note that the charter is very clear as to when the new salaries go into effect. And states the following,

"any change or increase passed during a Councilor's or the Mayor's current term of office shall not take effect with respect to that official until a subsequent term, if any."

Related State Statute and/or Town Actions: Town Charter – Article III, Section 3.9

Amount Requested: Budgetary Impact -- \$13,050

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

September 11, 2023

AGENDA ITEM:

Executive Session

PRESENTED BY:

Jeff Conklin, Town Attorney

BACKGROUND:

The Town Council has reason to convene in Executive Session. To convene in executive session, the Colorado Open Meetings Law requires that the Town announce the topics for discussion with specific statutory citation and to identify the particular matter(s) to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. A motion to enter executive session for the announced purposes must be passed by 2/3 of the quorum voting in the affirmative for said motion.

FINANCIAL IMPACT:

N/A

APPLICABILITY TO COUNCIL GOALS & OBJECTIVES:

N/A

COUNCIL OPTIONS:

Convene in Executive Session

Choose not to convene in Executive Session

STAFF RECOMMENDATION:

Town Council move to enter Executive Session pursuant to C.R.S. 24-6-402(4) and Snowmass Village Municipal Code Section 2-45(c), for the following purpose:

1. For a conference for discussion of a personnel matter under C.R.S. § 24-6-402(4)(f), more specifically: performance review for Town Manager.

Provided, there is an affirmative vote of two-thirds of the quorum present at this meeting to hold an Executive Session and for the purposes of considering items (a) above. Provided further, that no adoption of any proposed policy, position, resolution, regulation, or formal action shall occur at this Executive Session.

Town Council will now meet in Executive Session pursuant to C.R.S. 24-6-402(4) and Snowmass Village Municipal Code Section 2-45(c) for the following purpose:

- a) To discuss personnel matters, except if the employee who is the subject of the session has requested an open meeting, pursuant to C.R.S. 24-6-402(4)(f)(I) and Snowmass Village Municipal Code Section 2-45(c)(6), more specifically related to: Performance Review of Town Manager

Provided, there is an affirmative vote of two-thirds of the quorum present at this meeting to hold an Executive Session and for the purpose of considering items (a) above. Provided further, that no adoption of any proposed policy, position, resolution, regulation, or formal action shall occur at this Executive Session.