

REGULAR WORK SESSION

- Economic Development Group Presentation
 - Gym Usage Concerns
- Gym Event Policies and Fee Schedule
 - Workout Equipment
- Final Changes/Comments on GOCO Mini Grant (Available separately online) and SLVCOG Economic Development Grant
 - Any Other Business

BUDGET WORK SESSION

- 2017 Budget

Posted 11/10/16

MEMO

To: City of Creede Board of Trustees

From: AnnKate Sledd, Parks and Recreation Director

Date: November 9, 2016

Subject: Concerns with Faith Affiliated Groups

We had the request of gym facility use by one of the community youth groups come up in a Recreation Advisory Board meeting about a month ago. At the time, the board was unsure if it could allow faith based groups using a government facility. Randi did some research with our attorney and found that, as a public facility, faith based groups are allowed the same use rights as any member of the public, and the City cannot discriminate against a group based on any religious affiliation.

I spoke with the youth group leader, who had originally been told yes, then no, by ill-informed rec board members. She and I have been working around scheduling conflicts to find a time the youth group can access the facility. This will be addressed at the Recreation Advisory Board meeting on November 14, and Randi's findings will be used as policy should this question arise from someone else.

Subject: Proposed Gym Fees

Due to some recent discussion of gym fees and costs, I would like to propose a possible fee schedule to be put in place January 1, 2017. We do not yet have a great idea of what the gym's utility costs will be mainly because we only have one month of accurate electricity cost numbers, but our best guess is that our gym costs will be \$30,000-\$40,000 per year to operate, not including any administrative costs. At this time, there are no fees, other than occasional donations, to help offset the amount that the gym costs the City. The best way to begin to help with these costs is to implement a fee schedule for those members of the community who actually use the gym.

Randi and I looked over the utility costs for 2016 and came up with a projection for the next three months based on winter costs earlier in the year. Our estimation from that was \$33,934.19 for the year of 2016, which averages out to \$2,827.85 per month. \$2,827.85 divided into 30.5 days gives a \$92.72 daily total cost of opening the gym. If using the full 24 hours in a day, each hour would cost \$3.86. Realistically, the gym is used by patrons only 12 or less hours of each day. Operating 12 instead of 24 hours brings the break-even hourly cost of opening the gym to \$7.72, before administrative costs.

I propose the following, starting January 2017:

The first section of the fee schedule will include **Gym Event fees** for special, one time events at the gym, set up as separate policy than other city event fees. These figures will be based on the above gym costs, along with the details of the event. The policy will include:

- A \$100 fee to exclusively rent the gym for 1 day, where all other gym activities are cancelled and no other patrons may have use of the facility
- A \$50 fee for 5 hours of non-exclusive gym rental, where the event takes place certain area(s) of the gym, while other patrons and activities can go on
- gym rental for a non-exclusive event, paid for by the hour at \$10 per hour if the \$50, 5-hour option is not desired.
- The policy will require that the sponsor of the event get approval by the Parks and Recreation Director by the 15th of the month prior to the event, or pay a fee for last minute approval. If the event is to host more than 75 people, the Board of Trustees will also approve.

The second section of the fee schedule will include **Program or Membership Fees** for recurring programs and patrons. The policy will include one of the following:

1. Patrons pay fees to use the gym in the form of daily(\$4), monthly(\$20) or yearly(\$150)fees. These figures are based on a daily use being approximately 1 hour of gym time use, monthly use averaging 5 uses, and yearly use

averaging 37 uses. Monthly and yearly fees would allow patrons access to any program occurring during their paid period.

AND

2. Every recurring program has fee that each patron pays each time if they don't have any kind of other pass or membership. (Approx \$2 per patron per class would cover gym cost of \$8 per hour if 4 people attend each program).

Putting a fee schedule into place will help partially cover the gym costs paid by taxpayers who do not participate in gym functions.

Randi Snead

From: Eric Heil <[REDACTED]>
Sent: Thursday, November 10, 2016 1:32 PM
To: Randi Snead; 'Clyde Dooley'; 'Jeffrey Larson'
Subject: Re: 11.15.16 WS.docx

Randi, you asked if the City of Creede could bar or disallow religious groups from using the gymnasium. The City may not discriminate on the basis of religion, therefore, the City must allow any religious group to access the gymnasium on terms that are similar for the general public. The City is not permitted to promote religious groups; therefore, providing preferential rates or preferential access to religious groups is not permitted.

This is from the Department of Justice: <https://www.justice.gov/crt/combating-religious-discrimination-and-protecting-religious-freedom-9>

Public facilities should be open to use by all. [Title III of the Civil Rights Act of 1964](#) protects against discrimination in public facilities, which are publicly owned and operated facilities open to the public, such as parks and community centers. Title III authorizes the Attorney General to bring suit when a person has been denied equal access to public facilities on account of race, color, religion, or national origin.

For example, in November 2003, the Civil Rights Division opened a Title III investigation of the City of Balch Springs, Texas, after the city-run senior center told seniors that they could no longer pray before meals, sing Gospel songs, or hold Bible studies. All of these activities were initiated and engaged in by the seniors themselves, and no employee of the center was involved. Nonetheless, the city mistakenly believed that the separation of church and state required it to implement the ban. In addition to the Civil Rights Division investigation, the seniors filed suit alleging that their constitutional rights were violated by the ban. After mediation by the Civil Rights Division, the city settled with the seniors on January 8, 2004. Read the Justice Department's [press release](#).

If you believe you have been denied access to a public facility on the basis of religion, you should contact the Special Counsel for Religious Discrimination at (202) 353-8622 or send an email to FirstFreedom@usdoj.gov

Please let me know if you have any further questions.

Thank you, Eric

Eric J. Heil, Esq., A.I.C.P.
Heil Law & Planning LLC
1022 Summit Drive
Dillon, CO 80435

[REDACTED]

This communication may contain confidential attorney-client privileged information. Unauthorized receipt or use of this communication is not permitted. If you have received this message in error, please delete the message and contact Heil Law & Planning LLC immediately.

From: Randi Snead [REDACTED]
Date: Thursday, November 10, 2016 at 11:01 AM
To: 'Clyde Dooley' [REDACTED], 'Jeffrey Larson' [REDACTED], 'Eric Heil'
[REDACTED]
Subject: 11.15.16 WS.docx

Here's what I have, any changes?

Randi Snead

From: Jessica Cowlishaw [REDACTED] >
Sent: Wednesday, October 19, 2016 10:14 AM
To: Randi Snead
Cc: Clyde Dooley
Subject: RE: Random Question!

Hi Randi,

Your coverage extends to Creede only and would not extend to any organization or individual(s) that are renting the facility. Ideally anytime someone is using the facility, they should be providing you with additional insured status on their liability coverage. Or at the very least proof of their liability coverage. It is, however, ultimately up to you to determine if you'll require it. I realize that in some instances it's prohibitive for people to rent the facilities if they are required to provide insurance. I'd recommend then that you consider the risks involved before making a determination.

If they can't get their own coverage, you could utilize the special events program for that.

That being said, providing an exact figure of what you should provide is very difficult, if not impossible. As with all liability coverages, you just don't know how much you need until you need it. Keeping in mind that the liability insurance they carry would be used not only for if someone were injured during the event but also damage to your facilities they may cause while renting it. What if they burned the entire structure down? Please note your coverage would still come in to play if they didn't have insurance or didn't have enough, but then it's your claims history that's affected.

With all of that being said, obviously smaller events like children's birthday parties pose a much lesser risk than other event types. To give you some perspective, those that go through the special events program through CIRSA, the coverage is \$1mil per occurrence/\$2mil aggregate with the option to purchase higher limits.

I hope this helps point you in the right direction.

Thanks!



Jessica M. Cowlishaw, Underwriting Representative



www.cirsa.org

From: Randi Snead [REDACTED]
Sent: Wednesday, October 19, 2016 10:04 AM
To: Jessica Cowlshaw [REDACTED]
Cc: Clyde Dooley [REDACTED]
Subject: Random Question!

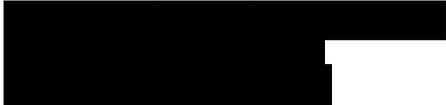
Hi Jessica:

We recently acquired a recreational facility. We have a rental permit process for large groups that sort of take over the whole facility which requires normal special event insurance.

Our question is, what is the lower limit of what we should require from folks who just want to do a small event, such as a birthday party for an hour or two with 10 or 20 kids? What is already covered and what isn't?

Thank you!

Randi Snead, CMC
City of Creede Clerk/Treasurer
PO Box 457, Creede, CO 81130



 Please consider the environment - only print if necessary



PUBLIC PROPERTY EVENT POLICY AND PROCEDURES

City of Creede
2223 N Main Street
Creede, CO 81130
(719-)658-2276

Thank you for your work in making Creede an exciting place to spend time! Please take time to review our policies and requirements prior to your event.

1. Please inquire about the requirements for your event well in advance. All events require approval from the Board of Trustees at their monthly meeting on the first Tuesday of the month and must be received at least 35 days prior to the event. Late applications may result in a rush processing fee or an automatic disapproval.
2. ~~Gym Event Permits are required for any event or gathering taking place in the city gym at 408 La Garita Avenue.~~ **For events held at the Virginia Christensen Multiuse Facility, please see "Gym Event Policy & Procedures."** Private Event Permits are required if Public Property is to be used for any sort of organized gathering which results in impact on public grounds, including but not limited to crowds larger than 10 people, tents or tent stakes, tables, stages, equipment, or fencing. Public Property includes property and right-of-ways that are owned or maintained by the City of Creede and includes public right-of-ways within the boundaries of the City of Creede. Private Event Permits are not required for unofficial gatherings which use public grounds for their intended use (picnics, baseball games, etc.) without altering the premises. Parade permits are required if you are using public roads and require any type of closure. Moderate usage of public land adjacent to a permitted Parade is permitted without a Private Event Permit (i.e., water stations for Creede Mountain Run); however, if there is a substantial concurrent gathering (i.e., a fundraiser BBQ following a parade) that is separate from the parade, a Private Event Permit is required in addition to the Parade Permit.
3. Events involving alcohol require an additional permit process and applications are due at least 30 days prior to the event and 11 days prior to the date of the regular Board of Trustees meeting. Please contact the City Clerk for more information.
4. ~~Gym Event Permits,~~ Private Events and Parades require Proof of General Liability insurance in the amount of \$500,000 covering the period of time for pre-event set-up, the event itself and post event tear-down (strike) naming the City of Creede as Additional Insured. Quotes for special event insurance through the City's provider are sometimes available; please contact the City Manager for more information. The City of Creede will not be responsible for any damage to properties or persons injured by cause of persons or things participating in the parade/event.
5. Application fees, non-refundable and due upon submittal, are ~~\$100.00 per day for a Gym Event Permit, \$75.00 per day for a Gym Kitchen Only Permit, \$20.00 per non-event set up or take down day for a Gym Event Permit if exclusive use is required,~~ \$50.00 for a Private Event Permit, and \$25.00 for a Parade Permit.
6. The applicant is responsible for all necessary post-event/parade clean up, including removal of trash, debris, and equipment. If the site is not cleaned up, a minimum fine of \$250 plus clean up costs will be billed to the sponsor of the event.
7. Applicants are responsible for gathering sales tax information from any event vendors. Please contact the City Clerk for more information if you are inviting outside vendors.
8. Failure to obtain permits for an event will result in a \$50 fine for the first occurrence and a \$100 fine with possible denial of future applications for subsequent occurrences.
9. **The Town Board may require additional conditions and stipulations when approving any type of event depending upon the size of the event, number of days, traffic, impact, noise, demand for public services, and other factors deemed relevant to the Town Board based on impacts to the Creede community in the form of an additional License Agreement.**



GYM EVENT POLICY AND PROCEDURES

City of Creede
2223 N Main Street
Creede, CO 81130
(719-)658-2276

Thank you for your work in making Creede an exciting place to spend time! Please take time to review our policies and requirements prior to your event.

1. Please inquire about the requirements for your event well in advance. All events require approval from the Parks and Recreation Director by the 15th of the month prior to your event. Late applications may result in a fee or disapproval. Events of more than 75 people require Board of Trustee Approval and an additional permit process and applications are due at least 30 days prior to the event and 11 days prior to the date of the regular Board of Trustees meeting. Please contact the Parks & Recreation Director or the City Clerk for more information.
2. Gym event applications are only required for one-time, non-recurring events.
3. Events involving alcohol require an additional permit process and applications are due at least 30 days prior to the event and 11 days prior to the date of the regular Board of Trustees meeting. Please contact the City Clerk for more information.
4. All day exclusive gym rentals require Proof of General Liability insurance in the amount of \$500,000 covering the period of time for pre-event set-up, the event itself and post event tear-down (strike) naming the City of Creede as Additional Insured. Quotes for special event insurance through the City's provider are sometimes available; please contact the City Manager for more information. The City of Creede will not be responsible for any damage to properties or persons injured by cause of persons or things participating in the event.
5. Application fees, non-refundable and due upon submittal, \$100 all day exclusive gym rental, \$50 5 hour non-exclusive gym rental, \$10/hour non-exclusive gym rental where 5 hour rental does not apply
6. The applicant is responsible for all necessary post-event clean up, including removal of trash, debris, and equipment. If the site is not cleaned up, a minimum fine of \$100 plus clean up costs will be billed to the sponsor of the event.
7. Failure to obtain permits for an event will result in a \$50 fine for the first occurrence and a \$100 fine with possible denial of future applications for subsequent occurrences.
8. **Creede Parks and Recreation may require additional conditions and stipulations when approving any type of event depending upon the size of the event, number of days, demand for public services, and other factors deemed relevant to the director, town trustees, or advisory board.**



GYM EVENT APPLICATION

City of Creede
2223 N Main Street
Creede, CO 81130
(719-)658-2276

CIRCLE ONE:

- Kitchen Facility Rental (\$75.00/Day)
- Full day Rental (\$100.00/Exclusive)
- 1/2 day Rental(\$50.00/ non-exclusive)
- Hourly Rental (\$10.00/hour, nonexclusive)

Name: _____

Address: _____

Business/Organization (if applicable): _____

Phone: _____ Email: _____

Description of Event: _____

Date and Times of Set-Up: _____

Dates and Times of Event: _____

Dates and Times of Tear-Down: _____

Specific Areas of Gym Required for Rental: _____

Estimated Number of People Expected to Attend this Event: _____

I have read, fully understand, and agree to the terms of this Private Event Permit, any attached pages, and the City of Creede's Public Property Event Policy and Procedures:

Applicant: _____ Date: _____

Senior Lunch Program Approval: _____ Date: _____

Pre-Event Site inspection by: City _____ Applicant _____ Date and Time: _____

Post-Event Site inspection by: City _____ Applicant _____ Date and Time: _____

FOR ADMINISTRATIVE USE ONLY

Application Received _____ Fee _____ Date Paid _____

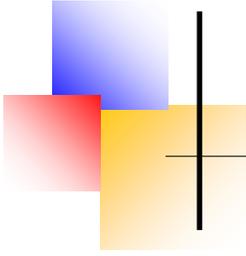
License Agreement Attached? Y N Proof of Insurance Attached? Y N

Require Board of Trustees Approval? Y N Next Meeting Date _____

Approved this _____ day of _____, 20 _____

Director: _____

City Clerk Attest (BOT Approval Events Only): _____



SAN LUIS VALLEY COUNCIL OF GOVERNMENTS

SAN LUIS VALLEY COUNCIL OF GOVERNMENTS 2017 ECONOMIC DEVELOPMENT GRANT APPLICATION

Funded by the San Luis Valley Council of Governments
in cooperation with the Colorado Department of Local Affairs
Energy and Mineral Impact Assistance Program

SLVCOG is soliciting proposals for economic development projects from its membership. A total of \$100,000 will be requested from DoLA to fund 2017 economic development projects for SLVCOG members only.

This Grant Application Package contains the following:

- ◆ 2017 Economic Development Grant Guidelines
- ◆ 2017 Economic Development Grant Application Form

Please send applications or letters of intent to the address below or electronically the email address below. Decisions will be made by a committee of the SLVCOG Executive Board. All decisions are final. Funding will be provided for projects that begin February 1, 2017 and are completed by December 31, 2017. This is a **reimbursement** grant program and funds will be paid to grantees when the project is completed.

Please submit completed applications to:

San Luis Valley Council of Governments
PO Box 300
Alamosa, CO 81101
719-589-6099 (fax) 719-589-6299
sstoeber@slvdrq.org

If you have any questions regarding SLVCOG's Grant Program, please contact Sarah Stoeber at: 719-589-6099.

2017 ECONOMIC DEVELOPMENT GRANT GUIDELINES

Eligibility:

- A. Grants are only awarded to municipalities or counties that are members in good standing of the San Luis Valley Council of Governments (SLVCOG).
- B. Only one application per member jurisdiction will be considered for funding each cycle/year.
- C. *After the grants have been awarded, any change in scope to a funded project must be submitted in writing to the SLVCOG Executive Committee for approval.*
- D. All grants require a 1 to 1 cash match.
- E. Maximum grant request is \$10,000.
- F. Grant funding will be paid on a reimbursement basis only.
- G. The SLVCOG board reserves the right to adapt these guidelines to serve the needs of communities and to make adjustments to the amount of available funding.
- H. Counties/communities who apply must be members of SLVCOG
- I. Applications will be reviewed on a first-come, first-serve basis. **In the circumstance that there are still funds available after June 30, 2017 applications will FIRST be sent out for vote for communities who have not yet applied for or received funds for the current year. Jurisdictions who have already received funds for current year and are applying for remaining funds will be wait-listed to accommodate first-timers.**

Use of Grant Funds:

- A. Eligible projects must begin no sooner than February 1, 2017 and be **completed no later than December 31, 2017.**
- B. Funding will be awarded to projects that demonstrate contributions to **Economic Development** needs of the community including but not necessarily limited to:
 - i. Economic Development projects including façade improvements, energy efficiency assessments and improvements, Main Street/Community assessments, and community mapping,
 - ii. Small scale capital improvements projects,
 - iii. Development of marketing/promotional resources such as a website for the municipality or county,
 - iv. Planning studies/analysis for municipality/county use,
 - v. Training or meeting facilitation
- C. Grant funds may not be used to supplant regularly budgeted staff or project funds, to purchase rolling stock, office equipment, or normal operating expenses, etc.

- D. Documentation of cash expenditures must follow the Department of Local Affairs process including:
- i. If the project includes capital improvements, purchase of hard assets i.e. benches, or hiring a consultant, the project must have a competitive selection process; bidding must be open and competitive.
 - ii. Submit a final one-page report of the project accomplishments, receipts, and a copy of the completed project measurable results.
 - iii. Submit a copy of all invoices and expenses paid for contract services.
- E. Recipients of SLVCOG 2017 Economic Development Grant will sign a letter of agreement including these guidelines. This is a reimbursement grant in that grant funds will be sent to the grantee once the project is completed.

Time Line:

All funds must be expended and matched by:

December 31, 2017

SLVCOG 2017 ECONOMIC DEVELOPMENT GRANT APPLICATION

1. Jurisdiction City of Creede, A Colorado Town
2. Name of Person Completing Application Randi Snead
Address PO Box 457, Creede, CO 81130
Phone Number: 719-658-2276 ext 2 Email address: clerk@creedetownhall.com
3. Project Title Basham Park Revitalization Project
4. Name of Person Responsible for Completion of Project Randi Snead
5. Total Cost of Project \$ 60,000
Amount Requested \$ 10,000
Cash Match \$ 50,000

Please provide the following information. Use a separate attachment if necessary (two pages maximum):

- A. Briefly describe the project. Why is the project needed at this time? How does the implementation of this project address the need?

Creede's idyllic Main Street, which Downtown Colorado's 2015 Creede Community Assessment identified as a "vibrant, idyllic and well-functioning commercial district" boasts a beautiful park space named for a beloved long-time mayor. Many elements of the park, however, are unsightly and deteriorated, and are therefore detracting from rather than elevating the value of this unique asset. The "Creede Gazebo" is badly damaged and needs replacement. The Basham Park Rehabilitation team would like to replace the facility with an eye toward economic development, design, ADA-accessibility, and usefulness. The paths that weave throughout Basham Park are gravel, which requires constant maintenance and damages adjacent greenspace when displaced. The team would also like to replace the path with long-lasting stone pavers with edging and a custom design. Creede is concurrently pursuing Great Outdoors Colorado Funding for this project in the amount of \$45,000.

B. Explain why this project is important to your community and/or the SLVCOG Region. What measurable results do you expect? How and when will these results be measured?

The Creede Board of Trustees feels that Basham Park is a central component of our economic and cultural identity. Surrounding businesses continue to invest in our downtown and are always improving their facades and the overall appearance of Main Street. We feel strongly that adjacent public facilities need to reflect this work ethic and pride and we are therefore pursuing improvement of Basham Park.

The Creede Board of Trustees expects a substantial increase in park use as a result of these improvements. While outdoor public facility use is somewhat difficult to measure, we intend to monitor park use throughout the next several years. We anticipate measurable results to be largely anecdotal as we hear from people using the gazebo in new ways as well as a reduction in complaints about accessibility, appearance, and quality of the facilities. We will also attempt to gauge the success of the program with before-and-after sales tax information for the Creede area.

C. What exactly will the funds be used for? Provide a budget for your project clearly listing both revenues and expenses in a table format.

Basham Park Revitalization Project Budget	
Expense Item	
Amount	
Gazebo Design	\$8,000
Gazebo Construction	\$23,000
Pave Pathways	\$29,000
TOTAL EXPENSES	\$60,000
Revenue Item	
Amount	
City of Creede Conservation Trust Fund Match	\$5,000
SLVCOG Economic Development Grant Request	\$10,000
Great Outdoors Colorado Funding Request	\$45,000
TOTAL REVENUES	\$60,000

D. In which of the categories listed above under "Use of Grant Funds" does your project fit best? Explain.

Our project fits especially well into the first category as an Economic Development Project that includes "façade improvements, energy efficiency assessments and improvements, Main Street/Community assessments, and community mapping." Our Community Assessment, aimed at improving our economic vitality, advocated that we "translate Creede's brand (our scenery and heritage) into physical elements" and "facilitate access to community amenities." We feel that this project very nicely meets these directives. The park improvements will be designed with attention towards promoting our cultural heritage, our mining history, our recreational offerings while improving accessibility to our facilities and bolstering our economic center with these improvements.***

E. Assuming the project is funded, when will it begin and what is the timeframe for completion?

The Basham Park Revitalization Project is aiming for on-the-ground completion by June of 2017 to avoid construction on Main Street during the busiest part of our tourism season in July. In support of this achieving this deadline, the Board of Trustees has agreed to procure design services in January and proceed with a public design process so that the project is "shovel-ready" should we be successful in procuring grant funds. Once funds are awarded, the team will solicit and award bids for the construction of the Gazebo and the landscaping of the pathways. While this process is taking place, the city Public Works Crew along with Students Against Destructive Decisions, National Honor Society, and other community members will be removing the current structure and preparing the pathways as necessary. Pathway and Gazebo construction are expected to begin by May 1st and finish in time for our busy 4th of July weekend. A grand opening party will be hosted by the Board of Trustees upon completion.