



AGENDA
TOWN OF PARACHUTE
TOWN COUNCIL REGULAR MEETING
222 GRAND VALLEY WAY PARACHUTE, CO 81635
FEBRUARY 16, 2023 6:30 PM

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

(A) CALL TO ORDER

(B) PLEDGE OF ALLEGIANCE

(C) APPROVE AGENDA

(D) CONSENT AGENDA

Items of a routine nature are placed on the consent agenda to allow the town council to spend its time and energy on more important items on a lengthy agenda. Any council member or any member of the public may request that an item be “removed” from the consent agenda and considered on the regular agenda.

- D.1 MINUTES FROM THE TOWN COUNCIL REGULAR MEETING ON THURSDAY, JANUARY 19, 2023**
[2023.1.19.TCMINUTES.pdf](#)
- D.2 EXPENDITURES PAID FROM JANUARY 11, 2023, THROUGH FEBRUARY 8, 2023.**
[Expenditure Jan - Feb](#)
- D.3 RESOLUTION NO. 2023-05** - A RESOLUTION SUPPORTING THE APPLICATION FOR A MINI GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE ACQUISITION OF PUBLIC WORKS HEAVY EQUIPMENT
[Resolution 2023-05 Public Works Equipment GCFMLD Mini Grant](#)
- D.4 RESOLUTION NO. 2023-06** - A RESOLUTION SUPPORTING THE APPLICATION FOR A TRADITIONAL GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE CONSTRUCTION OF STREETScape IMPROVEMENTS ON CARDINAL WAY
[Reso 2023-06 Resolution for Cardinal Way Streetscape GCFMLD Grant.docx](#)
- D.5 REGULATED BUSINESS RENEWALS**
 - 1. APPLICANT:** RFSC, LLC
 - LICENSED PREMISE:** 808 CR 215
 - LICENSE TYPE:** RETAIL MARIJUANA CULTIVATION FACILITY
 - LOCAL LICENSE STATUS:** ACTIVE / GOOD STANDING
 - [rfsc rec state renewal 2022-23_Redacted.pdf](#)
- D.6 UPCOMING MEETINGS**
[Draft Town Council Agendas and Upcoming Meetings](#)

(E) PUBLIC COMMENTS ON THE ISSUES NOT ON THE AGENDA

The Town Council welcomes you and thanks you for your time and concerns. If you wish to address the Town Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Council. Your comments will be limited to three (3) minutes. The Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

PLEASE SILENCE ALL CELL PHONES, PAGERS, AND HAND-HELD DEVICES. THANK YOU.
PLEASE NOTE: THIS MEETING IS BEING AUDIO RECORDED.

(F) PRESENTATIONS

F.1

PRESENTATION AND PROPOSAL BEFORE THE PARACHUTE TOWN COUNCIL BY THE COLORADO RIVER VALLEY ECONOMIC DEVELOPMENT PARTNERSHIP – “FLIGHT AND FREE FALL CAPITAL OF COLORADO”

[Cover Memo Flight and Free Fall Eco Devo Proposal CRV EDP.docx](#)
[ATTACHMENT A - Focus Group Feedback Form.pdf](#)

(G) PUBLIC HEARINGS

G.1 PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE TO COUNCIL TO CONSIDER AMENDING CHAPTER 5.70 OF THE PARACHUTE MUNICIPAL CODE RELATED TO EXCISE TAX ON MARIJUANA CULTIVATION

**APPLICANT: TOWN OF PARACHUTE
ADDRESS: 222 GRAND VALLEY WAY
PROJECT: AMEND CHAPTER 5.70**

TOWN OF PARACHUTE, COLORADO ORDINANCE NO. 806-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 5.70 OF THE PARACHUTE MUNICIPAL CODE RELATED TO EXCISE TAX ON MARIJUANA CULTIVATION

[Cover Memo Ord 806-2023 Excise Tax Amendment.docx](#)
[806-2023 - Ordinance - Excise Tax Amendment - Contract Price.pdf](#)

(H) RESOLUTIONS

**H.1 RESOLUTION NO. 2023-07 - TOWN OF PARACHUTE CONSIDERATION OF BID AWARD TO XXXXXX FOR THE CARDINAL WAY STREETScape IMPROVEMENTS PROJECT
TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2023-07**

[Cover Memo Reso No 2023-07 Cardinal Way contract Approval.docx](#)

**H.2 RESOLUTION NO. 2023-08 TOWN COUNCIL CONSIDERATION OF BID AWARD TO XXXXXXX FOR FLEET FUEL STATION PROJECT
TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2023-08**

[Cover Memo Reso 2023-08 - Fleet Fuel Station Contract Approval](#)

(I) ADMINISTRATIVE REPORTS

I.1 TOWN OF PARACHUTE 2022 FOURTH QUARTER UNAUDITED FINANCIAL UPDATE
[02 16 23 Financial Memo.pdf](#)
[2022 4TH QUARTER FINANCIALS.pdf](#)
[2022 Sales Tax.pdf](#)

I.2 CONSIDERATION & DISCUSSION OF A COMPETITIVE PROCESS TO SOLICIT PROPOSALS FROM POTENTIAL TENANTS FOR THE WASSON MCKAY HISTORIC PROPERTY
[02 16 2023 Wasson-McKay Letters of Interest Cover Memo.pdf](#)
[Wasson McKay request for LOI DRAFT 02 09 2023.pdf](#)

I.3 POLICE DEPARTMENT 2022 YEAR IN REVIEW

I.4 EXPLORATION OF USPS LITIGATION
[Cover Memo Exploration of USPS Litigation](#)
[Attachment A - DRAFT - KKR USPS - Engagement Letter](#)

(J) MAYOR AND TOWN COUNCIL REPORTS

(K) EXECUTIVE SESSION

K.1 C.R.S. 24-6-402(4)(e); FOR DETERMINING POSITIONS AND DEVELOPMENT STRATEGY FOR NEGOTIATIONS AND INSTRUCTING NEGOTIATORS SPECIFICALLY RELATED TO POTENTIAL LAND ACQUISITION.

(L) ADJOURN

You are invited to the Town of Parachute's Town Council Regular Meeting Via Zoom every Third Thursday, at 6:30 PM Mountain Time (US)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83441195679?pwd=UXNwMVZiMisvemlOYkg1ZGRpQURqQ...>

Passcode: Council

Webinar ID: 834 4119 5679

Passcode: 2182527



MINUTES
TOWN OF PARACHUTE
TOWN COUNCIL REGULAR MEETING
222 GRAND VALLEY WAY PARACHUTE, CO 81635
JANUARY 19, 2023 6:30 PM

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

(A) Meeting Called to Order at 6:30 pm

PRESENT: Tom Rugaard, **Mayor**
Artemio Baltazar
Alisa Mueller
Rory Birdsey

ABSENT: Juanita Williams
Chris Jackson
Claudia Flores- Cruz

STAFF PRESENT: Travis Elliott, Town Manager
Lucy Spalenka, Town Clerk

(B) PLEDGE OF ALLEGIANCE

(C) APPROVE AGENDA

MOTION 1: Moved and seconded by Baltazar / Birdsey to approve amended agenda. Amended Agenda removes item D4.
Motion passed unanimously with a 3-0 vote

(D) CONSENT AGENDA

Items of a routine nature are placed on the consent agenda to allow the town council to spend its time and energy on more important items on a lengthy agenda. Any council member or any member of the public may request that an item be “removed” from the consent agenda and considered on the regular agenda.

D.1 MINUTES FROM THE NOVEMBER 17, 2022, REGULAR TOWN COUNCIL MEETING [2022.11.17TCMINUTES.pdf](#)

D.2 EXPENDITURES PAID FROM NOVEMBER 10, 2022, THROUGH JANUARY 10, 2023. [EXPENDITURES.pdf](#)

D.3 RESOLUTION NO. 2023-01 - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, DESIGNATING THE PLACES FOR POSTING OF PUBLIC MEETING NOTICES, ORDINANCES, AND OTHER ACTIONS TAKEN BY THE TOWN AND TO DESIGNATE THE OFFICIAL NEWSPAPER OF GENERAL CIRCULATION FOR 2023. [2023-01 Resolution - Public Posting and Designation of Paper for 2023.docx](#)

D.4 REGULATED BUSINESS LICENSE

RENEWALS APPLICANT: EL TAPATIO, LLC

ADDRESS: 393 E 2nd ST UNIT 4

LICENSE TYPE: HOTEL & RESTAURANT LIQUOR LICENSE

LOCAL LICENSE STATUS: ACTIVE

APPLICANT: JKLMN, LLC

DBA: SHOMMY'S

ADDRESS: 28 CARDINAL WAY
LICENSE TYPE: HOTEL & RESTAURANT LIQUOR LICENSE
LOCAL LICENSE STATUS: ACTIVE
[EL TAPATIO 2023 RENEWAL.pdf](#)
[SHOMMYS 2023 RENEWAL.pdf](#)

D.5 UPCOMING MEETINGS

[Draft Town Council Agendas and Upcoming Meetings.docx](#)

MOTION 2: Moved and seconded by Baltazar / Birdsey to approve amended consent agenda. Amended Agenda removed item D4 from consideration.

Motion passed unanimously with a 3-0 vote

(E) PUBLIC COMMENTS ON THE ISSUES NOT ON THE AGENDA

No public Comment

(F) PRESENTATIONS

F.1 GRAND VALLEY HIGH SCHOOL STUDENT TOWN FLAG PRESENTATION [Cover Memo GVHS Town Flag Presentation Flags for Parachute, CO.pdf](#)

No Action

F.2 GARFIELD CLEAN ENERGY PRESENTATION AND UPDATES [ATTACHMENT A - Parachute _2023 GCE presentation.pdf](#) [ATTACHMENT B - Parachute 2022 GCE member report.pdf](#)

No Action

F.3 GARFIELD COUNTY CSU EXTENSION EDUCATION CENTER AND OUTDOOR CLASSROOM

[Attachment A - Community Presentations.pdf](#)

[Attachment B - Letter of Support CSU Education Center GOCO Parachute.docx](#)

MOTION 3: Moved and seconded by Baltazar / Birdsey to approve signing of Letter of Support for Outdoor Classroom

Motion passed unanimously with a 3-0 vote

(G) RESOLUTIONS

G.1 RESOLUTION NO. 2023-03 TOWN COUNCIL CONSIDERATION OF COLE MANUPELLA'S APPOINTMENT TO THE PARACHUTE PLANNING COMMISSION
[Cover Memo PC Appointment Memo 01192023.pdf](#)

[Attachment A - 2023-03_-_Resolution_-_](#)

[_Appoint_to_Fill_Vacancy_Planning_Commission.pdf](#) [Attachment B -](#)

[Cole_Letter_Town_Consideration_Redacted.pdf](#) [Attachment C - Cole_Manuppella_Resume_Redacted.pdf](#)

MOTION 4: Moved and seconded by Birdsey / Mueller to approve Resolution No. 2023-03
TOWN COUNCIL CONSIDERATION OF COLE MANUPELLA'S APPOINTMENT TO THE PARACHUTE PLANNING COMMISSION

Motion passed unanimously with a 3-0 Vote

G.2 RESOLUTION NO. 2023-02 - A RESOLUTION SUPPORTING THE MIDDLE COLORADO WILDFIRE COLLABORATIVE GRANT APPLICATION TO CREATE A REGIONAL WILDFIRE READY WATERSHED AND ACTION PLAN

[Cover Memo Resolution 2023-02 MCWC Support.docx](#)

[ATTACHMENT A - Resolution 2023-02 Support for Middle Colorado Wildfire](#)

[Collaborative ATTACHMENT B - MC Wildfire Collaborative Letter of Support.pdf](#)

MOTION 5: Moved and seconded by Baltazar / Mueller to approve Resolution No. 2023-02 amended to include a \$1,000.00 dollar contribution and letter of support.

A RESOLUTION SUPPORTING THE MIDDLE COLORADO WILDFIRE COLLABORATIVE GRANT APPLICATION TO CREATE A REGIONAL WILDFIRE READY WATERSHED AND ACTION PLAN

Motion passed unanimously with a 3-0 Vote

(H) CONTRACTS

H.1 RESOLUTION NO. 2023-04 - FLEET FUEL STATION IGA WITH GRAND VALLEY FIRE PROTECTION DISTRICT

[Cover Memo IGA w GVFPD Fleet Fuel Station](#)

[ATTACHMENT A - Resolution 2023-04 Approving Fuel IGA with GVFPD.docx](#)

[ATTACHMENT B - Resolution 2023-04 Exhibit A - Intergovernmental Agreement \(IGA\) For Fleet Fueling Station and Reimbursements FINAL](#)

[ATTACHMENT C - IGA Exhibit A - combined grant agreement and application.pdf](#)

MOTION 6: Moved and seconded by [Birdsey / Baltazar](#) to approve Resolution No. 2023-04 *FLEET FUEL STATION IGA WITH GRAND VALLEY FIRE PROTECTION DISTRICT*

Motion passed unanimously with a 3-0 Vote

(I) ADMINISTRATIVE REPORTS

No Action

(J) MAYOR AND COUNCIL MEMBER REPORTS

(K) No Action

(L) EXECUTIVE SESSION

K.1 C.R.S. 24-6-402(4)(f) - FOR PERSONNEL MATTERS SPECIFICALLY RELATING TO THE TOWN MANAGER'S ANNUAL REVIEW PROCESS

[Cover Memo TM Annual Perf Review.docx](#)

[ATTACHMENT A - 2022 TOP Employee Evaluation](#)

[Sheet.xlsx ATTACHMENT B - ICMA Sample Manager Eval](#)

[Form ATTACHMENT C - ICMA Manager Evaluations](#)

[Handbook-final](#)

MOTION 7: Moved and seconded by Mueller / [Baltazar](#) enter into executive session according to C.R.S. 24-6-402(4)(f), specifically related to Town Manager Annual Review Process

Motion passed unanimously with a 3-0 Vote

Executive Session Ensues

(L) ADJOURN

MOTION 8: Motion to adjourn

Motion passed unanimously

Tom Rugaard, Mayor

ATTEST:

Lucy Spalenka, Town Clerk



**January 11, 2023 through February 8, 2023
Accounts Payable Transaction List**

Check Number	Date	Vendor	Amount
25593	1/24/2023	COMMUNITY PLANNING STRATEGIES, LLC	6,507.00
25596	1/24/2023	PRO FORCE LAW ENFORCEMENT	548.36
25598	1/24/2023	SWANK MOTION PICTURES, INC	480.00
25599	1/24/2023	TRITECH SOFTWARE SYSTEMS	4,160.47
25601	1/24/2023	BATTLEMENT MESA METRO DISTRICT	11,742.00
25605	1/24/2023	FERRELLGAS, LP	2,485.49
25606	1/24/2023	GRAND RIVER HOSPITAL DISTRICT	106.00
25607	1/24/2023	JOURNEY HOME ANIMAL CARE CENTER	150.00
25609	1/24/2023	THE SHERWIN WILLIAMS CO	79.94
AFLAC	1/23/2023	AFLAC	310.44
ALPINE BANK	1/30/2023	ALPINE BANK	1,089.21
FIRE & POLICE PENSION ASSOC	1/17/2023	FIRE & POLICE PENSION ASSOC	2,692.20
FIRE & POLICE PENSION ASSOC	1/23/2023	FIRE & POLICE PENSION ASSOC	2,847.49
LIBERTY NATIONAL LIFE INSURANCE CO	1/23/2023	LIBERTY NATIONAL LIFE INSURANCE CO	69.57
ORCHARD TRUST COMPANY INC	1/23/2023	ORCHARD TRUST COMPANY INC	4,475.79
PAYFLEX SYSTEMS USA INC	1/17/2023	PAYFLEX SYSTEMS USA INC	4,982.24
PAYFLEX SYSTEMS USA INC	1/30/2023	PAYFLEX SYSTEMS USA INC	5,240.23
PAYFLEX SYSTEMS USA INC	1/30/2023	PAYFLEX SYSTEMS USA INC	2,012.67
PAYLOCITY CORP	1/23/2023	PAYLOCITY CORP	56,885.34
PROVELOCITY	1/17/2023	PROVELOCITY	7.20
PROVELOCITY	1/23/2023	PROVELOCITY	1,630.00
PROVELOCITY	1/30/2023	PROVELOCITY	3,505.40
WEX INC	1/17/2023	WEX INC	6,816.75
XCEL ENERGY	1/30/2023	XCEL ENERGY	11,529.71
25590	1/24/2023	AXON ENTERPRISE, INC	741.00
25591	1/24/2023	CAPITAL BUSINESS SYSTEMS INC	252.41
25592	1/24/2023	CASTELLARI, TAMARA	22.27
25594	1/24/2023	KIWANIS CLUB OF GRAND VALLEY	125.00
25595	1/24/2023	KSUN RADIO	1,500.00
25597	1/24/2023	RIVER BRIDGE REGIONAL CENTER INC	1,500.00
25600	1/24/2023	ALIGN MULTIMEDIA LLC	477.74
25602	1/24/2023	COLMENARES, JOSE	55.00
25603	1/24/2023	COMMUNITY PLANNING STRATEGIES, LLC	6,360.00
25604	1/24/2023	ECONO SIGNS	408.52
25608	1/24/2023	SHUMS CODA ASSOCIATES	3,015.30
ALPINE BANK	2/6/2023	ALPINE BANK	93.92
KANSAS CITY LIFE INSURANCE	2/6/2023	KANSAS CITY LIFE INSURANCE	1,064.23
ORCHARD TRUST COMPANY INC	2/6/2023	ORCHARD TRUST COMPANY INC	4,361.63
PAYLOCITY CORP	2/6/2023	PAYLOCITY CORP	51,456.69
			<u>201,787.21</u>

**TOWN OF PARACHUTE
RESOLUTION NO. 2023-05**

RESOLUTION SUPPORTING THE APPLICATION FOR A MINI GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE ACQUISITION OF PUBLIC WORKS HEAVY EQUIPMENT

WHEREAS, the Town of Parachute is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Garfield County Federal Mineral Lease District (“GCFMLD”); and

WHEREAS, the Town of Parachute has submitted a grant application for the Acquisition of Heavy Equipment for Public Works requesting a total award of \$25,000; and

WHEREAS, the Town of Parachute has determined that the purchase is necessary, and it is scheduled and planned for replacement in the Town’s Capital Improvement Plan; and

WHEREAS, the Town of Parachute has proven capable and is willing to maintain the equipment in good working condition to best serve the community; and

WHEREAS, the Town of Parachute Town Council supports the purchase of the equipment if a grant is awarded by the GCFMLD.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

- Section 1. The above recitals are hereby incorporated as findings by the Town Council.
- Section 2. The Town Council strongly supports the Grant Application submitted by the Town of Parachute and will appropriate the necessary matching funds for a grant with Garfield County Federal Mineral Lease District.
- Section 3. If the grant is awarded, the Town Council strongly supports the completion of the project and acquisition of the equipment.
- Section 4. The Town Council of the Town of Parachute authorizes the expenditure of funds necessary to meet the terms and obligations of any grant awarded pursuant to a Grant Agreement with the GCFMLD.
- Section 5. If a grant is awarded, the Town Council hereby authorizes the Town Manager to sign a Grant Agreement with the GCFMLD

INTRODUCED, READ, PASSED, AND ADOPTED as provided by law, by a vote of _____ to _____ of the Town Council of the Town of Parachute, Colorado, at a regular meeting held at the Town of Parachute, Colorado, on the _____ day of _____ 2023.

**TOWN COUNCIL OF THE
TOWN OF PARACHUTE, COLORADO**

By: _____
Tom Rugaard, Mayor

ATTEST:

Lucy Spalenka, Town Clerk

**TOWN OF PARACHUTE
RESOLUTION NO. 2023-06**

RESOLUTION SUPPORTING THE APPLICATION FOR A TRADITIONAL GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE CONSTRUCTION OF SIDEWALK AND OTHER STREETScape IMPROVEMENTS ON CARDINAL WAY AND CR 300

WHEREAS, the Town of Parachute is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Garfield County Federal Mineral Lease District (“GCFMLD”); and

WHEREAS, the Town of Parachute will be submitting a grant application for the construction of sidewalk and other streetscape improvements, requesting a total award not to exceed \$600,000; and

WHEREAS, the Town of Parachute has determined that the project is necessary, is in the best interest of the community, and it is scheduled in the Town’s Capital Improvement Plan; and

WHEREAS, the Town of Parachute has proven capable and is willing to maintain the new infrastructure to satisfactory conditions upon completion; and

WHEREAS, the Town of Parachute Town Council supports the completion of the project if a grant is awarded by the GCFMLD.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

- Section 1. The above recitals are hereby incorporated as findings by the Town Council.
- Section 2. The Town Council strongly supports the Grant Application submitted by the Town of Parachute and will appropriate the necessary matching funds for a grant with Garfield County Federal Mineral Lease District.
- Section 3. If the grant is awarded, the Town Council strongly supports the completion of the project.
- Section 4. The Town Council of the Town of Parachute authorizes the expenditure of funds necessary to meet the terms and obligations of any grant awarded pursuant to a Grant Agreement with the GCFMLD.
- Section 5. If a grant is awarded, the Town Council hereby authorizes the Town Manager to sign a Grant Agreement with the GCFMLD

INTRODUCED, READ, PASSED, AND ADOPTED as provided by law, by a vote of _____ to _____ of the Town Council of the Town of Parachute, Colorado, at a regular meeting held at the Town of Parachute, Colorado, on the _____ day of _____ 2023.

**TOWN COUNCIL OF THE
TOWN OF PARACHUTE, COLORADO**

By: _____
Tom Rugaard, Mayor

ATTEST:

Renewal Application Information

Renewal Application Instructions and Checklist

Answer every question. If a question doesn't apply, indicate with an N/A. All renewals should be submitted prior to expiration.

The disclosure requirements and the main application must be completed in full by all applicants. If this renewal includes a PTC, QPF, QII, or Mobile Hospitality, the appropriate addendum must also be completed.

NOTE: There is no longer a grace period for the renewal of RMB licenses. If your license expires, you will need to cease operations and reapply for a new RMB license and pay all required fees.

See fee table on website: www.colorado.gov/revenue/med

All Forms Signed & Attached

Each of the following forms must be completed and signed by a CBO of the RMB and included with the application:

- Affirmation & Consent
- Tax Check Authorization
- Investigation Authorization/Authorization to Release Information
- Applicant's Request to Release Information
- Affirmation of Reasonable Care
- Upon request by the Division, an Applicant must provide additional information or documents required to process and investigate the application, within seven (7) days of the request. Please note: This deadline may be extended for a period of time commensurate with the scope of the request.

Please go [here](#) for the affidavits and release packet each owner will need to fill out and sign (only use this if more than one owner.)

Business Information

Applicant's Legal Business Name : RFSC LLC

License Number : 403R-01186

License Type : Retail Marijuana Cultivation Facility

License Expiration Date : 01/31/2023

Choose the type of grow if renewing a cultivation.

Indoor, Outdoor or Mixed : Indoor

If renewing a hospitality business, choose additional type below, (if applicable).

Mobile, etc. :

List all Registered Trade names here. If you do not have a trade name, please put N/A.

Trade Name(s) (DBA) : n/a

Federal Taxpayer ID (FEIN) : XXXXXXXXXX

Colorado Sales Tax License # : [REDACTED]

Name of Registered Agent : Robert Holmes

Ownership Type : LLC

Physical Address

Street Address of Marijuana Business : 808 County Road 215

City : Parachute

County : Garfield

State : Colorado - CO

ZIP : 81635

Country : United States

Phone Number : 9706186976

Business Email : rrolmes@mac.com

Mailing Address

Mailing Address (include suite or apt. #) : 1375 Red Butte Drive

City : Aspen

County : Pitkin

State : Colorado - CO

Zip : 81611

Country : United States

Primary Contact Person

Primary Contact Person for Business (Full name) : Robert Holmes

Phone Number : [REDACTED]

Email : [REDACTED]

Questions

Is the licensee (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) under the age of twenty-one years?

Yes/No : No

Has the applicant or any business entity owned by the applicant, ever owned or applied for a Marijuana license in this or any other jurisdiction, foreign or domestic?

Yes/No : Yes

If yes, has it been subject to any of the following actions since the last renewal: (1) denial; (2) surrender; (3) order to show cause; (4) suspension; (5) fine; (6) revocation; (7) stipulation or settlement; (8) withdrawn.

Field6-17 : Yes

If yes, provide details

Details : workman comp insurance

Please attach any applicable supporting documents.

SupportingDocumentation:

dor stipulation rfsc.pdf

Do you have legal possession of the licensed premises?

Yes/No : Yes

In the past year, has the licensee (including all parent or subsidiary companies, if any) had a tax lien filed against it, or become delinquent in the payment or fling of any judgments, taxes, interest or penalties owed to the State of Colorado.

Yes/No : No

In the past year, has the licensee (including all parent or subsidiary companies, if any), been indicted, served with a criminal summons, charged with or convicted of ANY crime or offense in any manner? Include ALL offenses regardless of class of crime or outcome, even if the charges were dismissed or you were found not guilty.

Yes/No : No

Within the last 12 months, has there been a change in ownership or ownership allocation, a transfer of stock, a change in the incorporation or in the corporate by-laws, or any other change affecting ownership or organizational structure of the licensee or its subsidiaries/affiliates?

Yes/No : No

Ownership Structure

List Controlling Beneficial Owners with 10% or greater ownership and/or Executive Officers, managers and any other individual that Controls the RMB.

Corporate Owners:

Is the Owner a Natural Person? : Yes

If the owner is a Person, enter the name below.

First Name : Robert

Middle Name : richard

Last Name : Holmes

Business Associated With : RFSC LLC

Ownership Percentage in Controlling Entity/Parent Company : 100%

Ownership Percentage in Applicant : 100%

Upload affirmation and release packet(s) here for at least one Controlling Beneficial Owner.

affirmationpacket:

RFSC State consent forms 4.pdf

RFSC State consent forms 3.pdf

RFSC State consent forms 2.pdf

RFSC State consent forms 1.pdf

RFSC State consent forms.pdf

Are there any outstanding options, warrants or contracts, that may be exercised into an Owner's Interest in the RMB within the next 60 days that would constitute a CBO?

Yes/No : No

Are there any other Persons, other than those listed in the Ownership Structure, that can control the RMB?

Yes/No : No

Are any owners renewing their Owners Licenses with this application?

Yes/No : No

Has the applicant exercised reasonable care to confirm that its CBO's, PBO's (that are Non-Objecting PBO's), Qualified Institutional investors and Indirect Financial Interest Holders are NOT Person(s) prohibited under Section C.R.S. 44-10-307? (Publicly Traded Companies excluded)

Yes/No : Yes

Have any CBO's been removed or moved to PBO ownership status since the prior application?

Yes/No : No

List all Indirect Financial Interest Holders (if applicable).

Interest Holder:

Local Licensing Authority

Local Licensing Authority : Town of Parachute

Local Licensing Authority Contact Name (if known) : Lucy Spalenka

Contact Phone Number (if known) : (970) 665-1144

Contact Email (if known) : lspalenka@parachutecolorado.com

Current License Status with Local Authority

Status : active

Local License Expiration

Date of Expiration : 01/31/2023

Renewal Required Disclosures

Provide a copy of the Local Licensing Authority or Local Jurisdiction approval, licensure, and/or documentation demonstrating timely submission of pending local license renewal application.

CopyofLocallicense:

RFSC Local License 2022-23.pdf

Provide a list of any sanctions, penalties, assessments or cease and desist orders.

List here : n/a

First renewal of the year for each entity must include the following:

Consolidated Financial Statements prepared in the preceding 365 days (either calendar or fiscal year basis).

FinancialStatements:

2022 Financials_For Med License.pdf

Have your financial statements been audited? (Audited required for PTC)

Yes/No : No

If available online, cite location.

Online Location :

Provide a copy of any contracts, agreements, royalty agreements, equipment leases, financing agreement, security contract or any other IFIH required to be disclosed by Rule 2-230(A)(3).

Agreements:

Provide a copy of any management agreement(s).

Copyofmanagementagreements:

Tax Documents establishing compliant return filing and payment of taxes related to any RMB, in which the Person is, or was, required to file and pay taxes. (Do not include entire tax return).

Taxdocumentation:

Provide each of the following (only if changed since the last submission):

Organizational Documents- Choose which is being provided.

Choose one : No Change

Upload document

Orgdocs:

Corporate Governance Document- Choose one

Choose one : No Change

Certificate of Good Standing from jurisdiction where Entity was formed. (If no change, click selection below).

CertificateGoodStanding:

If no change, check box.

No Change :

Provide Proof of Possession of Licensed Premises, including any amendments and/or extensions. Choose which is being provided.

Deed, lease, etc. : Lease

Upload proof of possession document here.

proofpossdoc:

RFSC Lease.pdf

rfsc lease extension.docx

Facility Diagrams- Provide a Legible and Accurate diagram for the facility. The diagram must include a plan for the Licensed Premises AND a separate plan for the Security/Surveillance, including camera location, number and direction of coverage.

Facility Diagrams:

If no change to facility and security, check box below.

No Change :

Organizational Chart, including the identity and ownership percentage of all CBO's. (If no change check box below).

OrganizationalChart:

If no change to organizational chart, check box below.

No change to Org chart :

Affirmation & Consent

I state under Penalty for offering a false instrument for recording, pursuant to 18-5-114 C.R.S., that the entire Renewal Employee License Application, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested, may be deemed sufficient cause for the refusal to issue a Marijuana license by the State Licensing Authority. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements, may be grounds for denial of a Marijuana application or the revocation of the license. I am voluntarily submitting this application to the Colorado Marijuana Licensing Authority, under oath, with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a Colorado Marijuana license.

Note: If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

I Accept :

Electronic Signature Agreement. By selecting the "I Accept" button, I acknowledge that I am signing this document electronically. I understand that my electronic signature has the same legal effect and enforceability as a written signature pursuant to Articles 71 and 71.3 of Title 24, C.R.S. I declare under penalty of perjury in the second degree that the statements made on this document are true and complete to the best of my knowledge.

I Accept :

Applicant's Signature : Robert R Holmes Jr.

Date : 12/06/2022

Tax Check Authorization and Request To Release Information

I am signing this waiver on behalf of the "Applicant/Licensee" to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documents that would otherwise be confidential. If I am signing this waiver for someone other than myself, I certify that I have the authority to execute this waiver on behalf of the Applicant/Licensee. The information and documentation obtained pursuant to this waiver will be used in connection with the Applicant/Licensee's application or licensure with the Colorado Marijuana Enforcement Division, which requires proof of compliance with certain tax obligations pursuant to several statutory provisions, including sections 44-10-202(1) and 44-10-307(1)(e), C.R.S. This waiver is made pursuant to section 39-21-113(4), C.R.S.; and any other similar law or ordinance concerning the confidentiality of tax returns and return information.

This waiver shall be valid while the application is pending and, if the application is approved, (1) for one year from the date of licensure or; (2) if applying for an employee license under the medical marijuana code, for two years from the date of licensure. If the license is administratively continued pursuant to section 44-10-314, C.R.S., this waiver shall be valid until the state licensing authority takes final action to approve or deny the

renewal of the license. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license. Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority release the following information and supporting documentation to the Colorado Marijuana Enforcement Division, which is acting as Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to obtain the information specified below.

1. Whether the Applicant/Licensee has failed to file any state tax return with the Colorado Department of Revenue or any other state or local taxing authority by the required due date (determined with regard to any extension(s) of time for filing) for any tax year for which filing of a return might have been required.
2. Whether the Applicant/Licensee has failed to pay any tax, penalty, or interest liability within 30 days of the date on which the Colorado Department of Revenue or any other state or local taxing authority gave notice of the amount due and requested payment.
3. Whether the Applicant/Licensee has entered into a payment plan with the Colorado Department of Revenue or any other state or local taxing authority and whether Applicant/Licensee is current on any payments required by said payment plan.

Applicant/Licensee authorizes the Colorado Department of Revenue and any other state or local taxing authority to release any additional information or documentation necessary to answer the questions above. Applicant/Licensee authorizes the Colorado Marijuana Enforcement Division and its legal representatives to use the information and documentation obtained from the Colorado Department of Revenue and any other state or local taxing authority in any administrative action regarding the application or license. To assist the Colorado Department of Revenue and any other state or local taxing authority locate the tax records, Applicant/Licensee is voluntarily providing the following information:

Name, address, phone number, and SSN (previously requested on this application).

I Accept :

Electronic Signature Agreement. By selecting the "I Accept" button, I acknowledge that I am signing this document electronically. I understand that my electronic signature has the same legal effect and enforceability as a written signature pursuant to Articles 71 and 71.3 of Title 24, C.R.S. I declare under penalty of perjury in the second degree that the statements made on this document are true and complete to the best of my knowledge.

I Accept :

Legal Last Name : holmes

Legal First Name : robert

Legal Middle Name : richard

Signature : Robert R Holmes Jr

Date : 12/06/2022

Investigation Authorization/Authorization to Release Information

I hereby authorize the Colorado Marijuana Licensing Authority, the Marijuana Enforcement Division, (hereafter, the Investigatory Agencies) to conduct a complete investigation into my personal background, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigatory Agencies to provide any and all such information deemed necessary by the Investigatory Agencies. I hereby waive any rights of confidentiality in this regard. I understand that by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigatory Agencies a complete and accurate record of such transactions that may have occurred with that institution, including, but not limited to, internal banking memoranda, past and present loan applications, financial statements and any other documents relating to my personal or business financial records in whatever form and wherever located.

I understand that by signing this authorization, a financial record check of my tax filing and tax obligation status may be performed. I authorize the Colorado Department of Revenue to surrender to the Investigatory Agencies a complete and accurate record of any and all tax information or records relating to me. I authorize the Investigatory Agencies to obtain, receive, review, copy, discuss and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws. I understand that by signing this authorization, a criminal history check will be performed. I authorize the Investigatory Agencies to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information, even though this record may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws. The Investigatory Agencies reserve the right to investigate all relevant information and facts to their satisfaction. I understand that the Investigatory Agencies may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigatory Agencies, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

I Accept :

Electronic Signature Agreement. By selecting the "I Accept" button, I acknowledge that I am signing this document electronically. I understand that my electronic signature has the same legal effect and enforceability as a written signature pursuant to Articles 71 and 71.3 of Title 24, C.R.S. I declare under penalty of perjury in the second degree that the statements made on this document are true and complete to the best of my knowledge.

I Accept :

Applicant's Signature : Robert R Holmes Jr.

Date : 12/06/2022

Applicant's Request to Release Information

1. I hereby authorize and request all persons to whom this request is presented having information relating to or concerning the above named applicant to furnish such information to a duly appointed agent of the Marijuana Enforcement Division whether or not such information would otherwise be protected from the disclosure by any constitutional, statutory or common law privilege.
2. I hereby authorize and request all persons to whom this request is presented having documents relating to or concerning the above named applicant to permit a duly appointed agent of the Marijuana Enforcement Division to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
3. I hereby authorize and request the Colorado Department of Revenue to permit a duly appointed agent of the Marijuana Enforcement Division to obtain, receive, review, copy, discuss and use any such tax information or documents relating to or concerning the above named applicant, whether or not such information or documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
4. If the person to whom this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of the same, I/we hereby authorize and request that a duly appointed agent of the

Marijuana Enforcement Division be permitted to review and obtain copies of any and all documents, records or correspondence pertaining to me/us, including but not limited to past loan information, notes co-signed by me/us, checking account records, savings deposit records, safe deposit box records, passbook records, and general ledger folio sheets.

5. I do hereby make, constitute, and appoint any duly appointed agent of the Colorado Marijuana Enforcement Division, my true and lawful attorney in fact for me in my name, place, stead, and on my behalf and for my use and benefit:

6. (a) To request, review, copy sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I might;

7. (b) To name the person or entity to whom this request is presented and insert that person's name in the appropriate location in this request:

8. (c) To place the name of the agent presenting this request in the appropriate location on this request.

9. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

10. This power of attorney ends twenty-four (24) months from the date of execution.

11. The above named applicant has filed with the Colorado Marijuana Licensing Authority an application for a Marijuana license. Said applicant understands that he/she is seeking the granting of a privilege and acknowledges that the burden of proving its qualifications for a favorable determination is at all times on the applicant. Said applicant accepts any risk of adverse public notice, embarrassment, criticism, or other action of financial loss, which may result from action with respect to this application.

12. I do, for myself, my heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from all and all manner or actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claims to have against the person to whom this request is being presented or his agents or employees arising out of or by reason of complying with the request.

13. I agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorneys' fees arising out of or by reason of complying with this request.

14. A reproduction of this request by photocopying or similar process shall be for all intents and purposes as valid as the original.

Electronic Signature Agreement. By selecting the "I Accept" button, I acknowledge that I am signing this document electronically. I understand that my electronic signature has the same legal effect and enforceability as a written signature pursuant to Articles 71 and 71.3 of Title 24, C.R.S. I declare under penalty of perjury in the second degree that the statements made on this document are true and complete to the best of my knowledge.

I Accept :

Applicant's Signature : Robert R Holmes Jr

Date : 12/06/2022

Reasonable Care (Choose one)

AFFIRMATION OF REASONABLE CARE – PRIVATE COMPANY

Pursuant to subsections 44-10-309(4) C.R.S. and Rule 2-230(D), Applicant or Licensee affirms that, prior to submission of this application, it exercised reasonable care to confirm its Passive Beneficial Owners, (including any Qualified Institutional Investors) and Indirect Financial Interest Holders, are not Persons prohibited from being

issued or holding a license by section 44-10-307 C.R.S., or otherwise restricted from holding an interest under the Colorado Regulated Marijuana Business Code. An Applicant's or Licensee's failure to exercise reasonable care is a basis for denial, fine, suspension, revocation or other sanction by the State Licensing Authority.

I,

Field 11-2 : Robert R Holmes Jr

, as Controlling Beneficial Owner or Manager for

Field 11-5 : RFSC LLC

, state under penalty of perjury, pursuant to §18-8-503, that the foregoing is true and correct to the best of my knowledge, information and belief.

Signature of Authorized Representative : Robert R Holmes Jr

Date : 12/06/2022

AFFIRMATION OF REASONABLE CARE – PUBLICLY TRADED CORPORATION

Pursuant to subsections 44-10-309(5) C.R.S. and Rule 2-230(D), Applicant or Licensee affirms that, prior to submission of this application, it exercised reasonable care to confirm its Non-objecting Passive Beneficial Owner, (including any Qualified Institutional Investors) and Indirect Financial Interest Holders, are not Persons prohibited from being issued or holding a license by section 44-10-307 C.R.S., or otherwise restricted from holding an interest under the Colorado Regulated Marijuana Business Code. An Applicant's or Licensee's failure to exercise reasonable care is a basis for denial, fine, suspension, revocation or other sanction by the State Licensing Authority.

I,

Field 11-13 :

, as Controlling Beneficial Owner or Manager for

Field 11-15 :

, state under penalty of perjury, pursuant to §18-8-503, that the foregoing is true and correct to the best of my knowledge, information and belief.

Signature of Authorized Representative :

Date :

Addendum A - Publicly Traded Company

Stock Trading Symbol :

NAICS/SIC Code :

Name of Exchange(s) traded on :

Identify all regulatory agencies with oversight over the company's securities

Regulatory Agency:

Reporting agencies required reports submitted on: :

Provide a list of sanctions, penalties, assessments, or cease and desist orders by any securities regulatory agency, including but not limited to the US Securities and Exchange Commission or the Canadian Securities Administrators.

uploadlistsanc:

Attach the most recent list of Non-Objecting Beneficial owners possessed by the PTC. (First renewal of the year only).

NonObjectingBeneown:

If there have been any changes in the business objectives of the Publicly Traded Company, provide documentation that establishes it still qualifies to hold a RMB license as referenced in 44-10-103 (50).

Description :

Attach documents requiring divestiture of any CBO that is prohibited by Section 44-10-307 that has had his or her Owner's License revoked or has been found unsuitable.

DivestiturePlan:

If the Licensee or RMB is required to have audited financial statements by another regulator (e.g. United States Securities and Exchange Commission or the Canadian Securities Administrators) the financial statements provided to the Division must be audited and must also include all footnotes, schedules, auditors' report(s), and auditor's opinion(s). If the financial statements are publicly available on a website (e.g. EDGAR or SEDAR), the Licensee or RMB may provide notification of the website link where the financial statements can be accessed in lieu of hardcopy submission.
(See Rule 2-225(G)(4)(a))

auditedfindocs:

Questions

Confirm that the PTC is current with all required filings pursuant to any applicable requirements by any securities regulatory authority including, but not limited to, the United States Securities and Exchange Commission or the Canadian Securities Administrators.

Current/Not Current :

Confirm that ALL required findings of suitability have been obtained PRIOR TO the PTC becoming a CBO.

Yes/No :

Confirm that all mandatory filings for CBO's as required by any securities regulatory authority, including, but not limited to the United States Securities and Exchange Commission or the Canadian Securities Administrators, have been filed and the MED has been provided concurrent notice with the filing.

Yes/No :

Addendum B- Qualified Private Fund

Identify all regulatory agencies with oversight over the QPF's securities.

Regulatory Agency Name(s):

Reporting agencies required reports submitted on: :

Provide a list of sanctions, penalties, assessments, or cease and desist orders by any securities regulatory agency, including but not limited to the US Securities and Exchange Commission or the Canadian Securities Administrators.

Field11-9sanc:

Questions

Confirm that the QPF is current with all required filings pursuant to any applicable requirements by any securities regulatory.

Current/Not Current :

Confirm that ALL required findings of suitability, including all QPF managers, investment advisers, investment adviser representatives, any trustee or equivalent, and any other person that controls the investment in, or management or operations of, the RMB, have been obtained SINCE the QPF became effective.

Yes/No :

Addendum C- Qualified Institutional Investor

Provide identities of all Regulators with oversight over the QII's securities

QII Regulators:

Reporting agencies required reports submitted on: :

List of Sanctions, penalties, assessments, or cease and desist orders by any securities regulatory agency, including but not limited to the United States Securities and Exchange Commission or the Canadian Securities Administrators.

listsanc:

Attach the most recent list of PBO's possessed by the QII.

pbosbytheqii:

Questions

Confirm that the QII is current with all required filings pursuant to any applicable requirements by any securities regulatory.

Current/Not Current :

Confirm that ALL required findings of suitability including all QII managers, investment advisers, investment adviser representatives, any trustee or equivalent, and any other person that controls the investment in, or management or operations of, the RMB have been obtained PRIOR TO the QII becoming effective

Yes/No :

Addendum D- Mobile Hospitality

Vehicle Make :

Vehicle Model :

Vehicle Year :

License Plate Number :

VIN :

PUC Permit Number :

Is the mobile premises compliant with all state and local registration and permitting requirements?

Yes/No :

Provide the following:

- a. Documentation that the mobile licensed premises is owned or leased by the Marijuana Hospitality Business.
- b. The automatic Vehicle Identification Tag (if applicable).
- c. A copy of a valid permit issued by the Public Utilities Commission (PUC) to the licensed hospitality business.

Upload above required documents here (.HEIC file extensions NOT supported).

documentation:

By signing below, you affirm that the mobile licensed premises has or will have the following prior to operation:

- a. A global position system for tracking of the mobile licensed premises.
- b. Written standard operating procedures that address the logging of the route(s).
- c. Video surveillance inside of the licensed premises, including entry and exit points to the mobile licensed premises and the driver's area of the vehicle.
- d. Proper ventilation within the vehicle, which includes, if marijuana is smoked or vaped in the licensed premises, that air is not circulated into the driver's area of the licensed premises.
- e. Policies and procedures to ensure that no Regulated Marijuana is possessed or consumed in the area designated to seat the driver and front seat passenger in the licensed premises.
- f. Methods to ensure consumption activity is not visible outside the vehicle.
- g. Policies, procedures or other measures to ensure that consumers are prohibited from entering the driver's area of the mobile licensed premises.
- h. The Marijuana Hospitality Business license is displayed on the dashboard of the mobile licensed premises.

Signature :

Date :

Affirmation of Complete Application

I affirm that I have submitted a complete application and by selecting the "I Affirm and Accept" button, I acknowledge that I am signing this document electronically. I understand that my electronic signature has the same legal effect and enforceability as a written signature pursuant to Articles 71 and 71.3 of Title 24, C.R.S. I declare under penalty of perjury in the second degree that the statements made on this document are true and complete to the best of my knowledge.

I Affirm and Accept :

Signature

Field 14-2sign : robert r holmes jr.

Date : 12/07/2022



TOWN COUNCIL Meeting Schedule & Draft Agendas

All meetings are open to the public and held in the Town Hall Council Chambers; 222 Grand Valley Way, at 6:30 p.m., unless otherwise noted. Agenda items are added to this list as they arise by staff or as requested by Town Council.

Agenda items shown here are tentative and intended for planning purposes only. Please refer to the published agenda for each meeting's scheduled topics and final agenda.

Expected absences are noted below and are considered "excused" by the Town Council, per Article II, Section 6 of the Town Charter.

Thursday, March 16, 2023

- Reso - Contract Award – TBD for 400k-Gallon Water Tank Recoating Project
- Downtown Development Plan Update
- School Resource Officer IGA (tentative)

Thursday, April 20, 2023

- Trails Plan Presentation and Consideration of Adoption (tentative)
- Reso – Contract Award – TBD for Annual Sidewalk Maintenance
- Reso – Contract Award – TBD for Annual Street Maintenance
- Reso – Contract Award – TBD for 1st Street Design & Engineering

Thursday, May 18, 2023

- Quarterly financial update – Q1 2023

Thursday, June 15, 2023

- Presentation of the 2022 Audit Report

Thursday, July 20, 2023

Thursday, August 17, 2023 – JOINT MEETING WITH BOCC AT 6PM

- Quarterly financial update – Q2 2023

Thursday, September 14, 2023

- 2024 Budget Kickoff and Overview

Thursday, October 12, 2023

- 2024 Draft Budget Presentation & Quarterly Financial Update

Thursday, November 16, 2023

- 2024 Final Budget Adoption (tentative)

Thursday, December 21, 2023 (UNLESS CANCELLED)

OTHER REQUESTED AGENDA ITEMS / UPCOMING ISSUES, NOT YET SCHEDULED:

- Trails Master Plan Discussion and Adoption
- Downtown Development Plan / 1st Street Design
- Urban Renewal Authority Discussion
- VRBOs & STR Regulations
- Animal Control Policies and Regulations



AGENDA ITEM SUMMARY

TO: Mayor and Town Council

FROM: Evan Zislis, Aspen Institute
Travis Elliott, Town Manager

MEETING DATE: February 16, 2023

MEMO DATE: February 9, 2022

AGENDA ITEM: Colorado River Valley Economic Development Partnership Flight & Free Fall Economic Development Proposal & Presentation

EXECUTIVE SUMMARY:

Evan Zislis, with the Aspen Institute, will be presenting a conceptual proposal to being working towards establishing the Colorado River Valley as a hub for aviation training, tourism and recreation. The proposal is being presented on behalf of the newly formed Colorado River Valley Economic Development Partnership (CRV EDP).

Evan will be seeking the Town Council's feedback at the meeting, and a formal survey is also attached for the Town Council's review. The Town Council will be asked to complete the survey after the presentation.

FINANCIAL IMPACTS:

No financial request is associated with this presentation, and no direct impacts are anticipated at this time.

APPLICABILITY TO COUNCIL GOALS:

This project strongly supports the Town Council's goal of diversifying our local economy:

Diversify and Grow the Local Economy

The Town Council values the oil and gas industry that fuels the local economy and also welcomed the marijuana industry when it was an emerging market. The Town Council now endeavors to further diversify the local economy and strives to create a strong and resilient tax base that can provide reliable services to the community - throughout and despite economic downturns. The Town Council also wishes to create opportunities that reduce the necessity for our friends and families to endure daily "super commutes" out of the community to higher paying jobs elsewhere. The Town Council recognizes that this will require a high degree of flexibility and the ability to "think big," but it is fully embracing this challenge and will undertake the following initiatives:

TOWN COUNCIL OPTIONS:

No formal action is requested of the Town Council. This is an opportunity for the Town Council to provide feedback on the proposal.

STAFF RECOMMENDATION:

Staff recommends providing feedback and/or support on the initial concept.

ATTACHMENTS:

- A. Flight and Free Fall Feedback Survey

FOCUS 1: PROFESSIONAL RESCUER TRAINING (Leveraging Existing Regional Assets, Priorities & Relationships)



US Military Pararescuer Training



Wildland Firefighter Training

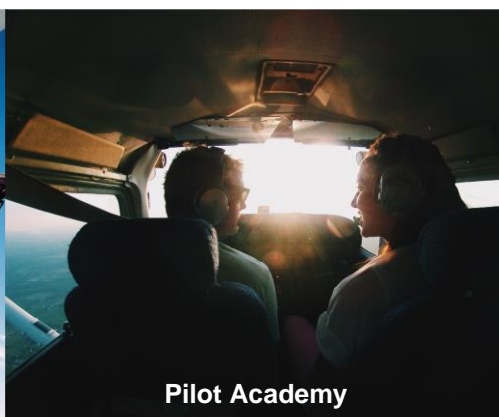


Aviation Firefighter Training

FOCUS 2: TOURISM & CIVILIAN APPLICATIONS (Recruiting New Aviation Professionals & Institutions to the Region)



“Air Sports” Tourism



Pilot Academy



Aviation Mechanic Training

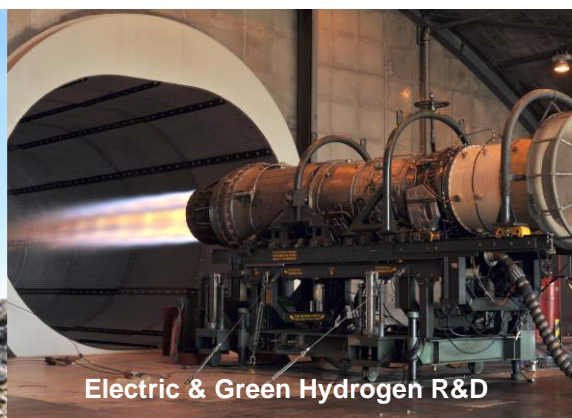
FOCUS 3: EQUIPMENT MANUFACTURING & RENEWABLE PROPULSION R&D (Developing Job Opportunities)



Light Aviation Manufacturing



Safety Equipment Manufacturing



Electric & Green Hydrogen R&D

FOCUS 4: LONG-TERM COMMUNITY DEVELOPMENT (Focus on Quality of Life for Residents & Guests to the Region)



Base Village Neighborhoods



Social Services



Transportation Hubs

CRVEDP SURVEY Age: 18-25 26-35 36-45 46-55 56-65 66-75 76-85 86-95 96+

Updated: Q1 2023 Race/Ethnicity: White Latino/Latinx/Hispanic African American
 Asian/Pacific Islander Native American Other: _____

My permanent **residence** is:

Parachute Battlement Mesa Rifle Silt New Castle Other: _____

I **understand** the proposal to develop the regional economy with a focus on aviation-related industries. Yes No

Overall, I **support** developing an aviation-focused economy in West Garfield County. Yes No

Briefly, why or why not?

I think the **benefits** of developing an aviation-focused economy in West Garfield County could include: (Check all that apply.)

- New Good-Paying Jobs
- Career Advancement in Aviation & Aerospace
- Attract Young Professionals Excited about the Industry
- Community Development with New Services & Amenities
- Other:
- Opportunity to Attract International Business to the Region
- Opportunity to Support US Military Training
- Opportunity to Support Wildland Firefighter Training
- Opportunity to Support Renewable Energy R&D

I think the **challenges** of developing an aviation-focused economy in West Garfield County could include: (Check all that apply.)

- Not Enough Affordable Workforce Housing
- Not Enough Aviation Professionals in the Region Now
- Noise Pollution Associated with Aviation-Related Activity
- Losing the "Rural Integrity" of Our Regional Communities
- Other:
- Too Many People (Sprawl, Congestion, Tourism, etc.)
- Too Many Vehicles -- Regional Traffic & Limited Parking
- Environmental Impacts on Landscape, Watershed & Wildlife
- Increase Risk of Accidents / Hazards Associated with Aviation

With appropriate restrictions and strict industry enforcement, I support **exploration** of regional economic development, including:

- US Military Training
- Wildland Firefighter Training
- Aviation Pilot Firefighter Training
- Smokejumper Firefighter Training
- Pilot Academy (Private/Commercial)
- Aviation-Specific Mechanic School
- Other:
- Sky Diving
- Parasailing
- Paramotor
- Hang-gliding
- Hot Air Ballooning
- Aviation Tours
- Light Manufacturing
- Electric Propulsion Aviation
- Hydrogen Propulsion Aviation
- Expos, Demonstrations & Festivals
- Flight Research & Development
- Next-Generation Aviation Tech
- Workforce Housing
- Rapid Bus System
- Childcare/Preschool
- Regenerative Ag
- "AgTech" Food
- Mixed-Use "Villages"

Additional Comments:



AGENDA ITEM SUMMARY

TO: Mayor and Town Council
FROM: Jeff Conklin, Town Attorney
MEETING DATE: February 16, 2023
MEMO DATE: February 9, 2022
AGENDA ITEM: ORDINANCE NO. 806-2023 - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 5.70 OF THE PARACHUTE MUNICIPAL CODE RELATED TO EXCISE TAX ON MARIJUANA CULTIVATION

EXECUTIVE SUMMARY:

Ordinance 806-2023 will make amendments to Chapter 5.70 of the Parachute Municipal Code to comply with state statute and make the Town's excise tax calculations on wholesale marijuana consistent with the state.

Due to this being a legislative update and code amendment, this will need to be done during an open public hearing. The public hearing has been properly noticed for Thursday, February 16th at 6:30 p.m. in Council Chambers at Town Hall, 222 Grand Valley Way, Parachute, CO 81635.

FINANCIAL IMPACTS:

Ordinance 806-2023 increases the flexibility for producers of marijuana to calculate the timing and amount of excise tax owed, but it will remain unchanged for the total "contract price" of the goods sold. Therefore, the net increase or decrease in tax revenues to the Town expected to be unaffected.

APPLICABILITY TO COUNCIL GOALS:

NA

TOWN COUNCIL OPTIONS:

1. Approve Ordinance 806-2023
2. Approve Ordinance 806-2023 with modifications
3. Decline to approve 806-2023 at this time, and direct the Town Manager on how to proceed.

STAFF RECOMMENDATION:

ATTACHMENTS:

- A. ORDINANCE NO. 806-2023 - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 5.70 OF THE PARACHUTE MUNICIPAL CODE RELATED TO EXCISE TAX ON MARIJUANA CULTIVATION

TOWN OF PARACHUTE, COLORADO
ORDINANCE NO.806-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 5.70 OF THE PARACHUTE MUNICIPAL CODE RELATED TO EXCISE TAX ON MARIJUANA CULTIVATION

WHEREAS, the Town of Parachute (“Parachute” or the “Town”) is a Colorado home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter;

WHEREAS, by Ordinance No. 687-2015, the Parachute Town Council approved the submittal to the registered voters of the Town of Parachute, Colorado a ballot question regarding the imposition of a 5% excise tax on the sale or transfer of retail marijuana from a retail marijuana cultivation facility;

WHEREAS, at the November 2, 2015 general election, a majority of the qualified electors of the Town of Parachute voted in favor of such excise tax and the tax has been duly in effect since January 1, 2016;

WHEREAS, by Ordinance No. 701-2016, the Parachute Town Council approved the submittal to the registered voters of the Town of Parachute, Colorado a ballot question regarding the imposition of a 5% excise tax on the sale or transfer of medical marijuana from an optional premises cultivation facility and a 5% excise tax on the sale or transfer of marijuana products from a retail marijuana manufacturing facility or medical marijuana-infused products manufacturer;

WHEREAS, as the November 8, 2016 general election, a majority of the qualified electors of the Town of Parachute voted in favor of such excise taxes and the taxes have been duly in effect since January 1, 2017;

WHEREAS, the Town’s marijuana excises taxes are codified at Chapter 5.70 of the Parachute Municipal Code (the “Code”);

WHEREAS, by Senate Bill 18-259, the Colorado legislature amended C.R.S. § 29-2-114 such that the excise tax authorized to be imposed by municipalities on the first sale or transfer of unprocessed retail marijuana shall be at a rate of up to 5% on the average market rate of unprocessed retail marijuana if the transaction is between affiliated retail marijuana business licensees and up to 5% on the contract price if the transaction is between unaffiliated retail marijuana business licensees;

WHEREAS, to comply with Colorado statute and to ensure fairness to marijuana businesses in Parachute, the Town wishes to amend its excise tax such that it applies to the contract price between unaffiliated entities, consistent with state law;

WHEREAS, this Ordinance is authorized by C.R.S. § 29-2-114(2)(a) will not otherwise require voter approval pursuant to Article X, § 20 of the Colorado Constitution; and

WHEREAS, the Town Council of the Town of Parachute finds and declares that it is in the interest of the public health, safety, and welfare to amend the Code as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Excise Tax. The Town Council hereby amends Section 5.70.010 of the Parachute Municipal Code with the following **bold, underlined** additions and ~~striketrough~~ deletions:

Chapter 5.70
MARIJUANA EXCISE TAX

5.70.010 Tax Imposed.

- A. *Unprocessed Retail Marijuana.* Commencing January 1, 2016, there is hereby imposed an excise tax of five percent (5%) on the average market rate of unprocessed retail marijuana upon the first sale or transfer of such unprocessed retail marijuana from a retail marijuana cultivation facility to a retail marijuana store, retail marijuana product manufacturing facility, other retail marijuana cultivation facility, or any other purchaser or transferee, **if the transaction is between affiliated retail marijuana business licensees; and, an excise tax of five percent (5%) on the contract price of unprocessed retail marijuana upon the first sale or transfer of such unprocessed retail marijuana from a retail marijuana cultivation facility to a retail marijuana store, retail marijuana product manufacturing facility, other retail marijuana cultivation facility, or any other purchaser or transferee, if the transaction is between unaffiliated retail marijuana business licensees.** As used in this Chapter, the “average market rate” means the amount determined by the State of Colorado pursuant to **C.R.S. § 39-28.8-101-C.R.S., and “contract price” shall have such meaning as set forth in** ~~to~~ **C.R.S. § 39-28.8-101 and 302,** as that ~~such~~ statutes may be amended. This excise tax was approved by majority vote of registered electors of Parachute on November 2, 2015.
- B. *Unprocessed Medical Marijuana.* Commencing January 1, 2017, there is hereby imposed an excise tax of five percent (5%) on **the contract price of** unprocessed medical marijuana upon the first sale or transfer of such unprocessed medical marijuana from an optional premises cultivation operation to a medical marijuana center, medical marijuana-infused products manufacturer, other optional premises cultivation operation, or any other purchaser or

transferee. This excise tax was approved by majority vote of registered electors of Parachute on November 8, 2016.

- C. *Manufactured Marijuana Products - Retail.* Commencing January 1, 2017, there is hereby imposed an excise tax of five percent (5%) on **the contract price of** marijuana products manufactured by a retail marijuana product manufacturing facility upon the first sale or transfer of such product from a retail marijuana manufacturing facility to a retail marijuana store, other retail marijuana product manufacturing facility, a retail marijuana cultivation facility, or any other purchaser or transferee. This excise tax was approved by majority vote of registered electors of Parachute on November 8, 2016.

- D. *Manufactured Marijuana Products – Medical.* Commencing January 1, 2017, there is hereby imposed an excise tax of five percent (5%) on **the contract price of** marijuana products manufactured by a medical marijuana-infused products manufacturer upon the first sale or transfer of such product from a medical marijuana-infused products manufacturer to medical marijuana center, other medical marijuana-infused products manufacturer, optional premises cultivation operation, or any other purchaser or transferee. This excise tax was approved by majority vote of registered electors of Parachute on November 8, 2016.

Section 3. Severability. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of ___ to ___ of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ____ day of _____, 2023 and approved by the Mayor on the ____ day of _____, 2023.

TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO

By: _____
Tom Rugaard, Mayor

ATTEST:

Lucy Spalenka, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING
CHAPTER 5.70 OF THE PARACHUTE MUNICIPAL CODE RELATED TO EXCISE TAX
ON MARIJUANA CULTIVATION**

was introduced before the Town Council on _____, 2023; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on _____, 2023, and approved by the Mayor on _____, 2023.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this _____ day of _____, 2023.

TOWN OF PARACHUTE

Lucy Spalenka, Town Clerk



AGENDA ITEM SUMMARY

TO: Mayor and Town Council

FROM: Travis Elliott, Town Manager
Mark King, Public Works Director

MEETING DATE: February 16, 2023

MEMO DATE: February 9, 2022

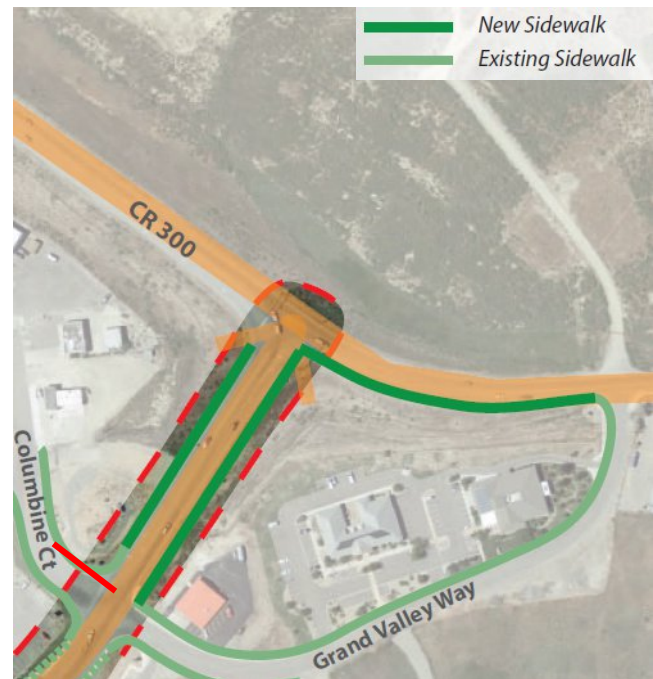
AGENDA ITEM: RESOLUTION NO. 2023-07 - Approval of Contract for the Construction of Sidewalk and Streetscape Improvements Near Cardinal Way and CR 300

EXECUTIVE SUMMARY:

The Town's Purchasing Policy requires all contracts of amounts greater than \$75,000 to go through a competitive bidding process and for the contract to be approved by the Town Council.

The Town published a Request for Proposals / Invitation to Bid for our project to construct sidewalk, streetlights, install trees, and other streetscape improvements near Cardinal Way and CR 300 on January 4, 2023. The Town held a pre-bid meeting on January 19, 2023. The deadline for bids and proposals is Monday, February 13th. Town staff and the evaluation committee will review bids and make a recommendation for the chosen contractor at the Town Council meeting on February 16. Upon approval by the Town Council, Town staff will finalize the contract (Attachment B) with the selected contractor.

The complete proposal and bid from the chosen contractor will be included as Attachment C for the Town Council's review.



FINANCIAL IMPACTS:

This project was budgeted in 2022 and was carried forward to 2023. The Town has received a \$120,000 grant to support this project from DOLA EIAF.

APPLICABILITY TO COUNCIL GOALS:

This project strongly supports the Town Council's goal of revitalizing and beautifying our business corridors.

TOWN COUNCIL OPTIONS:

1. Approve Resolution No. 2023-07 and authorize the Town Manager to enter into a contractual agreement with the selected contractor for the construction and installation of streetscape improvements.
2. Decline to approve Resolution 2023-07 at this time, and direct the Town Manager on how to proceed.

STAFF RECOMMENDATION:

Staff recommends approving the Resolution and directing staff to execute the contract and proceed with the project.

ATTACHMENTS:

- A. Resolution No. 2023-07 - TOWN OF PARACHUTE CONSIDERATION OF BID AWARD FOR THE CARDINAL WAY STREETScape IMPROVEMENTS PROJECT
- B. Draft Contract Agreement
- C. Complete Bid / Proposal



AGENDA ITEM SUMMARY

TO: Mayor and Town Council

FROM: Travis Elliott, Town Manager
Mark King, Public Works Director

MEETING DATE: February 16, 2023

MEMO DATE: February 9, 2022

AGENDA ITEM: RESOLUTION NO. 2023-08 - Approval of Contract for the Construction of a Fleet Fueling Station

EXECUTIVE SUMMARY:

The Town's Purchasing Policy requires all contracts of amounts greater than \$75,000 to go through a competitive public bidding process and for the contract to be approved by the Town Council.

The Town published a Request for Proposals / Invitation to Bid for our project to recommission existing fuel tanks and construct a fueling station on the Town's property at the Public Works shop on January 4, 2023. The Town held a pre-bid meeting on January 19, 2023.

The deadline for bids and proposals is Monday, February 13th. Town staff and the evaluation committee will review bids and make a recommendation for the chosen contractor at the Town Council meeting on February 16. Upon approval by the Town Council, Town staff will finalize the contract (Attachment B) with the selected contractor.

The complete proposal and bid from the chosen contractor will be included as Attachment C for the Town Council's review.



Figure 1: Existing fueling infrastructure.

FINANCIAL IMPACTS:

This project is a partnership with the Grand Valley Fire Protection District (GVFPD) and was included in the Capital Budget for 2023. The Town has received a \$130,000 grant from the GCFMLD to support this project, and the Town and GVFPD are splitting the matching funds required to make up the difference.

APPLICABILITY TO COUNCIL GOALS:

This project strongly supports the Town Council's goal of promoting resilience and being prepared for future challenges:

The Town Council values innovation, risk taking, and being welcoming to future opportunities and challenges. The Town Council embraces the Town's historic nature of uncertainty and believes this has helped make our community strong, adaptable, and nimble to whatever the future may hold. The Town Council acknowledges that the future remains uncertain in the wake of COVID with labor shortages, inflation, and the housing crisis, but the Council will lead the community into the future and make the necessary investments to be prepared and resilient to strive. Specifically, the Town Council will make the necessary investments to recruit and retain a high-quality Town staff, cultivate internet and telecommunication services, advance public safety equipment and technology, and employ cutting-edge applications and software to streamline and simplify Town processes – such as paying bills, applying for permits, and communicating with the public.

TOWN COUNCIL OPTIONS:

1. Approve Resolution No. 2023-08 and authorize the Town Manager to enter into a contractual agreement with the selected contractor for the construction and installation of a fuel station on Town property.
2. Decline to approve Resolution 2023-08 at this time and direct the Town Manager on how to proceed.

STAFF RECOMMENDATION:

Staff recommends approving the Resolution and directing staff to execute the contract and proceed with the project.

ATTACHMENTS:

- A. Resolution No. 2023-08 - TOWN OF PARACHUTE CONSIDERATION OF BID AWARD FOR THE FLEET FUEL STATION PROJECT
- B. Draft Contract Agreement
- C. Complete Bid / Proposal from Selected Firm



Integrity · Respect · Teamwork · Pride · Innovation · Diversity

222 GRAND VALLEY WAY ▪ PARACHUTE, CO 81635 ▪ (970) 285-7630

AGENDA ITEM SUMMARY

TO: Mayor and Town Council
FROM: Teresa Beecraft, Finance Director
MEETING DATE: February 16, 2023
MEMO DATE: February 8, 2023
AGENDA ITEM: 2022 4th Quarter Unaudited Financial Statements

EXECUTIVE SUMMARY:

As required per our Home Rule Charter, Section 8-12 (a), attached are the 4th quarter 2022 financials for the Town Council's review. This report is as of 1/31/23 and is unaudited. There will be adjusting entries to revenues and expenditures in coming months. These entries are from additional revenue and expenditures that we may receive in the next few months that are required to be recorded in 2022. As the audit process begins, there will also be additional audit entries.

All funds have a healthy fund balance. All funds came in under budget for 2022 expenditures. Many funds are showing revenues close to budget or exceeding budget.

Sales tax is currently 20% over budget with one more month to be recorded. While marijuana sales tax is down (57% from budget), it shows the town is becoming more diversified in our industries.

Lodging tax was well above budget for 2022 (74%). Our expectation is for lodging tax to continue this trend, but we still have conservative forecasts budgeted for 2023.

As we have arrived into 2023, our ending fund balances of 2022 will suggest an optimistic year.

2022 BUDGET TRACKING REPORT SUMMARY

LINE NO.	DESCRIPTION	2022 BUDGET	2022 ESTIMATE	TOTAL 2022 YTD	% OF YEAR PASSED		LINE NO.
					% OF BUDGET SPENT	BUDGET REMAINING	
					100.00%		
GENERAL FUND							
GENERAL FUND REVENUES							
1	General Property Tax	\$ 393,980	\$ 393,695	\$ 393,695	99.93%	\$ 285	1
2	Town Sales Tax	2,020,000	2,113,256	2,113,256	104.62%	\$ (93,256)	2
3	Other Taxes	313,250	471,598	471,598	150.55%	\$ (158,348)	3
4	Licenses and Permits	56,600	79,792	79,792	140.98%	\$ (23,192)	4
5	Intergovernmental	65,000	265,770	265,770	408.88%	\$ (200,770)	5
6	Planning & Zoning	68,550	75,818	75,818	110.60%	\$ (7,268)	6
7	Fines / Forfeitures	30,000	21,764	21,764	72.55%	\$ 8,236	7
8	Miscellaneous / Special	59,150	237,212	237,212	401.04%	\$ (178,062)	8
9	Total General Fund Revenues	\$ 3,006,530	\$ 3,658,906	\$ 3,658,906	121.70%	\$ (652,376)	9
GENERAL FUND EXPENDITURES							
10	Salaries / Wages	\$ 1,040,700	\$ 931,103	\$ 931,103	89.47%	\$ 109,597	10
11	Benefits	517,340	467,873	467,873	90.44%	\$ 49,467	11
12	Supplies	294,305	291,876	291,876	99.17%	\$ 2,429	12
13	Services	520,460	464,262	464,262	89.20%	\$ 56,198	13
14	Capital Outlay	12,500	5,235	5,235	41.88%	\$ 7,265	14
15	Transfers to Other Funds	1,366,690	1,366,690	1,366,690	100.00%	\$ -	15
16	Other	192,750	85,082	85,082	44.14%	\$ 107,668	16
17	Total General Fund Expenditures	\$ 3,944,745	\$ 3,612,121	\$ 3,612,121	91.57%	\$ 332,624	17
GENERAL FUND BALANCE ANALYSIS							
18	Beginning Fund Balance	1,648,015	\$ 1,648,015				18
19	TOTAL REVENUES	3,006,530	3,658,906				19
20	TOTAL EXPENDITURES	3,944,745	3,612,121				20
21	Annual Net	(938,215)	46,784				21
22	Ending Available Fund Balance	\$ 709,800	\$ 1,694,799				22
WATER FUND							
WATER FUND REVENUES							
23	Water Utility Receipts	\$ 385,000	\$ 416,627	\$ 416,627	108.21%	\$ (31,627)	23
24	Irrigation Utility Receipts	40,000	39,750	39,750	99.38%	\$ 250	24
25	Late Fees / Penalties	-	286	286	0.00%	\$ (286)	25
26	Water Tap Fees	30,000	101,316	101,316	337.72%	\$ (71,316)	26
27	Transfers from Other Funds	-	-	-	0.00%	\$ -	27
28	Grants	112,620	-	-	0.00%	\$ 112,620	28
29	Other	50	359	359	717.56%	\$ (309)	29
30	Total Water Fund Revenues	\$ 567,670	\$ 558,338	\$ 558,338	98.36%	\$ 9,332	30
WATER FUND EXPENDITURES							
31	Salaries / Wages	\$ 161,819	\$ 127,712	\$ 127,712	78.92%	\$ 34,107	31
32	Benefits	98,880	77,234	77,234	78.11%	\$ 21,646	32
33	Supplies	179,270	131,403	131,403	73.30%	\$ 47,867	33
34	Services	57,000	25,056	25,056	43.96%	\$ 31,944	34
35	Debt Service	31,770	31,232	31,232	98.31%	\$ 538	35
36	Capital Outlay	199,820	24,611	24,611	12.32%	\$ 175,209	36
37	Other	-	1,500	1,500	0.00%	\$ (1,500)	37
38	Total Water Fund Expenditures	\$ 728,559	\$ 418,748	\$ 418,748	57.48%	\$ 309,811	38
WATER FUND BALANCE ANALYSIS							
39	Beginning Fund Balance	\$ 397,679	\$ 397,679				39
40	TOTAL REVENUES	567,670	558,338				40
41	TOTAL EXPENDITURES	728,559	418,748				41
42	Annual Net	(160,889)	139,590				42
43	Ending Available Fund Balance	\$ 236,790	\$ 537,269				43
WASTEWATER FUND							
WASTEWATER FUND REVENUES							
44	Wastewater Utility Receipts	\$ 295,000	\$ 303,217	\$ 303,217	102.79%	\$ (8,217)	44
45	Late Fees / Penalties	-	251	251	0.00%	\$ (251)	45
46	Wastewater Tap Fees	15,000	41,400	41,400	276.00%	\$ (26,400)	46
47	Transfers from Other Funds	-	-	-	0.00%	\$ -	47
48	Grants	11,250	-	-	0.00%	\$ 11,250	48
49	Other	-	-	-	0.00%	\$ -	49
50	Total Wastewater Fund Revenues	\$ 321,250	\$ 344,868	\$ 344,868	107.35%	\$ (23,618)	50
WASTEWATER FUND EXPENDITURES							
51	Salaries / Wages	\$ 39,670	\$ 38,964	\$ 38,964	98.22%	\$ 706	51
52	Benefits	27,470	21,826	21,826	79.45%	\$ 5,644	52
53	Supplies	10,850	14,254	14,254	131.38%	\$ (3,404)	53
54	Services	210,480	161,988	161,988	76.96%	\$ 48,492	54
55	Debt Service	-	-	-	0.00%	\$ -	55
56	Capital Outlay	108,000	4,950	4,950	4.58%	\$ 103,050	56
57	Other	-	-	-	0.00%	\$ -	57
58	Total Wastewater Fund Expenditures	\$ 396,470	\$ 241,982	\$ 241,982	61.03%	\$ 154,488	58
WASTEWATER FUND BALANCE ANALYSIS							
59	Beginning Fund Balance	\$ 219,239	\$ 219,239				59
60	TOTAL REVENUES	321,250	344,868				60
61	TOTAL EXPENDITURES	396,470	241,982				61
62	Annual Net	(75,220)	102,886				62
63	Ending Available Fund Balance	\$ 144,019	\$ 322,125				63
STREETS AND ALLEYS FUND							
STREETS AND ALLEYS FUND REVENUES							
64	Specific Ownership Tax	\$ 36,500	\$ 38,244	\$ 38,244	104.78%	\$ (1,744)	64
65	HUTF Tax	50,920	51,324	51,324	100.79%	\$ (404)	65
66	County Road and Bridge Tax	1,200	-	-	0.00%	\$ 1,200	66
67	Transfers from Other Funds	200,000	200,000	200,000	100.00%	\$ -	67
68	Grants	-	-	-	0.00%	\$ -	68
69	Other	-	1,682	1,682	0.00%	\$ (1,682)	69
70	Total Streets and Alleys Fund Revenues	\$ 288,620	\$ 291,251	\$ 291,251	100.91%	\$ (2,631)	70
STREETS AND ALLEYS FUND EXPENDITURES							
71	Salaries / Wages	\$ 105,973	\$ 106,674	\$ 106,674	100.66%	\$ (701)	71
72	Benefits	76,560	73,097	73,097	95.48%	\$ 3,463	72
73	Supplies	11,450	14,725	14,725	128.60%	\$ (3,275)	73
74	Services	68,750	65,973	65,973	95.96%	\$ 2,777	74
75	Capital Outlay	-	-	-	0.00%	\$ -	75
76	Other	-	-	-	0.00%	\$ -	76
77	Total Streets and Alleys Fund Expenditures	\$ 262,733	\$ 260,469	\$ 260,469	99.14%	\$ 2,264	77
STREETS AND ALLEYS FUND BALANCE ANALYSIS							
78	Beginning Fund Balance	\$ 44,522	\$ 44,522				78
79	TOTAL REVENUES	288,620	291,251				79
80	TOTAL EXPENDITURES	262,733	260,469				80
81	Annual Net	25,887	30,781				81
82	Ending Available Fund Balance	\$ 70,409	\$ 75,303				82

2022 BUDGET TRACKING REPORT SUMMARY

LINE NO.	DESCRIPTION	2022 BUDGET	2022 ESTIMATE	TOTAL 2022 YTD	% OF YEAR PASSED		LINE NO.
					% OF BUDGET SPENT	BUDGET REMAINING	
100.00%							
PARACHUTE CAPITAL IMPROVEMENT FUND							
PARACHUTE CAPITAL IMPROVEMENT FUND REVENUES							
83	Transfers from Other Funds	\$ 528,800	\$ 528,800	\$ 528,800	100.00%	\$ -	83
84	Other	140,255	140,253	140,253	100.00%	2	84
85	Total Capital Improvement Fund Revenues	\$ 669,055	\$ 669,053	\$ 669,053	100.00%	2	85
PARACHUTE CAPITAL IMPROVEMENT FUND EXPENDITURES							
86	Salaries / Wages	\$ -	\$ -	\$ -	0.00%	\$ -	86
87	Benefits	-	-	-	0.00%	-	87
88	Supplies	-	-	-	0.00%	-	88
89	Services	-	-	-	0.00%	-	89
90	Capital Outlay	571,500	395,164	395,164	69.15%	176,336	90
91	Other	-	-	-	0.00%	-	91
92	Total Capital Improvement Fund Expenditures	\$ 571,500	\$ 395,164	\$ 395,164	69.15%	\$ 176,336	92
PARACHUTE CAPITAL IMPROVEMENT FUND BALANCE ANALYSIS							
93	Beginning Fund Balance	\$ 794,776	\$ 794,776	-	-	-	93
94	TOTAL REVENUES	669,055	669,053	-	-	-	94
95	TOTAL EXPENDITURES	571,500	395,164	-	-	-	95
96	Annual Net	97,555	273,889	-	-	-	96
97	Ending Available Fund Balance	\$ 892,331	\$ 1,068,665				97
PARACHUTE AREA TRANSIT							
PARACHUTE AREA TRANSIT							
98	Fares	\$ 15,000.00	\$ 13,234.85	\$ 13,235	88.23%	\$ 1,765	98
99	Transfers from Other Funds	\$ 100,000	\$ 100,000	\$ 100,000	100.00%	\$ -	99
100	Grants	\$ 250,000	\$ 250,000	\$ 250,000	100.00%	\$ -	100
101	Other	-	4,872	4,872	0.00%	(4,872)	101
102	Total Parachute Area Transit	\$ 365,000	\$ 368,106	\$ 368,106	100.85%	\$ (3,106)	102
PARACHUTE AREA TRANSIT							
103	Salaries / Wages	\$ 145,538	\$ -	\$ 142,870	98.17%	\$ 2,668	103
104	Benefits	104,050	142,870	105,681	101.57%	(1,631)	104
105	Supplies	72,960	105,681	58,723	80.49%	14,237	105
106	Services	3,750	58,723	6,222	165.91%	(2,472)	106
107	Capital Outlay	26,500	6,222	22,670	85.55%	3,830	107
108	Other	-	22,670	-	0.00%	-	108
109	Total Parachute Area Transit	\$ 352,798	\$ 336,165	\$ 336,165	95.29%	\$ 16,633	109
PARACHUTE AREA TRANSIT							
110	Beginning Fund Balance	\$ 171,176	\$ 171,176	-	-	-	110
111	TOTAL REVENUES	365,000	368,106	-	-	-	111
112	TOTAL EXPENDITURES	352,798	336,165	-	-	-	112
113	Annual Net	12,202	31,941	-	-	-	113
114	Ending Available Fund Balance	\$ 183,378	\$ 203,117				114
CONSERVATION TRUST FUND							
115	Beginning Fund Balance	\$ 66,042	\$ 66,042	-	-	-	115
116	TOTAL REVENUES	66,500	18,879	-	-	-	116
117	TOTAL EXPENDITURES	60,000	44,928	-	-	-	117
118	Annual Net	6,500	(26,050)	-	-	-	118
119	Ending Available Fund Balance	\$ 72,542	\$ 39,992				119
GRANT FUND							
120	Beginning Fund Balance	\$ 52,804	\$ 52,804	-	-	-	120
121	TOTAL REVENUES	989,990	737,354	-	-	-	121
122	TOTAL EXPENDITURES	954,990	377,918	-	-	-	122
123	Annual Net	35,000	-	-	-	-	123
124	Ending Available Fund Balance	\$ 87,804	\$ 412,240				124
RESERVE FUND							
125	Beginning Fund Balance	\$ 2,077,260	\$ 2,077,260	-	-	-	125
126	TOTAL REVENUES	-	-	-	-	-	126
127	TOTAL EXPENDITURES	-	-	-	-	-	127
128	Annual Net	-	-	-	-	-	128
129	Restricted fund Balance (TABOR)	77,260	77,260	-	-	-	129
130	Ending Available Fund Balance	\$ 2,000,000	\$ 2,000,000				130
GARBAGE FUND							
131	Beginning Fund Balance	\$ 62,620	\$ 62,620	-	-	-	131
132	TOTAL REVENUES	72,000	73,388	-	-	-	132
133	TOTAL EXPENDITURES	68,140	67,029	-	-	-	133
134	Annual Net	3,860	6,359	-	-	-	134
135	Ending Available Fund Balance	\$ 66,480	\$ 68,979				135
PARKS AND RECREATION FUND							
136	Beginning Fund Balance	\$ 8,639	\$ 8,639	-	-	-	136
137	TOTAL REVENUES	-	-	-	-	-	137
138	TOTAL EXPENDITURES	4,001	3,538	-	-	-	138
139	Annual Net	(4,001)	(3,538)	-	-	-	139
140	Ending Available Fund Balance	\$ 4,638	\$ 5,101				140

**TOWN OF PARACHUTE
SALES TAX TREND 2022**

MONTH			TOTAL SALES TAX (including MJ) - ACTUALS								2022 MARIJUANA				
Sales	Paid to State	Paid to Town	2019	2020	2021	2022	2022 Budget	YTD 2022 % Compared to 2021	Actual to Budget	% Of Budget	2022 Town Sales Tax	2022 Town MJ	2022 State MJ	2022 YTD	% of Total
January	February	March	\$ 141,233.95	\$ 130,212.33	\$ 129,752.16	\$ 139,923.36	\$ 161,666.00	7.84%	-15.54%	7.21%	\$ 106,944.83	\$ 23,701.03	\$ 9,277.50	\$ 32,978.53	23.57%
February	March	April	\$ 119,576.38	\$ 115,655.03	\$ 144,191.20	\$ 128,030.97	\$ 161,666.00	-11.21%	-26.27%	6.60%	\$ 99,719.81	\$ 20,344.68	\$ 7,966.48	\$ 28,311.16	22.11%
March	April	May	\$ 152,340.75	\$ 110,665.43	\$ 169,241.34	\$ 176,651.21	\$ 161,666.00	4.38%	8.48%	9.11%	\$ 136,080.73	\$ 29,204.30	\$ 11,366.18	\$ 40,570.48	22.97%
April	May	June	\$ 134,884.60	\$ 168,691.14	\$ 166,112.90	\$ 165,262.24	\$ 161,666.00	-0.51%	2.18%	8.52%	\$ 128,700.80	\$ 26,644.21	\$ 9,917.23	\$ 36,561.44	22.12%
May	June	July	\$ 152,523.22	\$ 152,118.55	\$ 174,634.80	\$ 167,812.80	\$ 161,667.00	-3.91%	3.66%	8.65%	\$ 132,246.98	\$ 25,576.82	\$ 9,989.00	\$ 35,565.82	21.19%
June	July	August	\$ 159,998.34	\$ 157,784.52	\$ 175,218.33	\$ 181,746.71	\$ 161,667.00	3.73%	11.05%	9.37%	\$ 145,529.72	\$ 26,446.63	\$ 9,770.36	\$ 36,216.99	19.93%
July	August	September	\$ 147,408.18	\$ 159,168.11	\$ 162,630.19	\$ 188,307.47	\$ 161,667.00	15.79%	14.15%	9.71%	\$ 152,882.92	\$ 25,840.59	\$ 9,583.96	\$ 35,424.55	18.81%
August	September	October	\$ 173,448.82	\$ 143,846.24	\$ 166,667.30	\$ 197,905.51	\$ 161,667.00	18.74%	18.31%	10.20%	\$ 163,058.04	\$ 26,147.09	\$ 8,700.38	\$ 34,847.47	17.61%
September	October	November	\$ 187,847.54	\$ 173,168.30	\$ 174,960.68	\$ 247,957.35	\$ 161,667.00	41.72%	34.80%	12.78%	\$ 213,879.42	\$ 25,820.75	\$ 8,257.18	\$ 34,077.93	13.74%
October	November	December	\$ 151,910.49	\$ 139,716.25	\$ 162,000.75	\$ 181,703.89	\$ 161,667.00	12.16%	11.03%	9.37%	\$ 153,525.34	\$ 18,724.47	\$ 9,454.08	\$ 28,178.55	15.51%
November	December	January	\$ 134,092.09	\$ 135,705.68	\$ 144,850.16	\$ 228,580.99	\$ 161,667.00	57.81%	29.27%	11.78%	\$ 204,381.76	\$ 17,111.08	\$ 7,088.15	\$ 24,199.23	10.59%
December	January	February	\$ 184,482.71	\$ 162,511.08	\$ 165,525.33	\$ 206,102.19	\$ 161,667.00	24.51%	21.56%	10.62%	\$ 182,335.61	\$ 16,136.53	\$ 7,630.05	\$ 23,766.58	11.53%
			\$ 1,839,747.07	\$ 1,749,242.66	\$ 1,935,785.14	\$ 2,209,984.69	\$ 1,940,000.00	14.16%	12.22%	113.92%	\$ 1,819,285.96	\$ 281,698.18	\$ 109,000.55	\$ 390,698.73	17.68%

MONTH			SALES TAX					
Sales	Paid to State	Paid to Town	2019	2020	2021	2022	Budget	% of Budget
January	February	March	\$ 103,780.82	\$ 94,220.25	\$ 103,228.03	\$ 106,944.83	108,333.33	8.23%
February	March	April	\$ 79,651.57	\$ 75,447.53	\$ 86,241.09	\$ 99,719.81	108,333.33	7.67%
March	April	May	\$ 101,311.28	\$ 84,202.99	\$ 95,744.05	\$ 136,080.73	108,333.33	10.47%
April	May	June	\$ 83,627.76	\$ 62,531.59	\$ 113,212.60	\$ 128,700.80	108,333.33	9.90%
May	June	July	\$ 96,140.86	\$ 94,091.91	\$ 124,113.51	\$ 132,246.98	108,333.33	10.17%
June	July	August	\$ 104,628.80	\$ 94,395.11	\$ 139,884.82	\$ 145,529.72	108,333.33	11.19%
July	August	September	\$ 88,910.32	\$ 102,245.67	\$ 117,959.05	\$ 152,882.92	108,333.33	11.76%
August	September	October	\$ 109,894.76	\$ 100,650.33	\$ 110,224.76	\$ 163,058.04	108,333.33	12.54%
September	October	November	\$ 135,032.16	\$ 84,596.64	\$ 131,990.79	\$ 213,879.42	108,333.33	16.45%
October	November	December	\$ 104,372.62	\$ 98,124.38	\$ 120,428.29	\$ 153,525.34	108,333.33	11.81%
November	December	January	\$ 96,983.94	\$ 93,662.33	\$ 106,934.44	\$ 204,381.76	108,333.33	15.72%
December	January	February	\$ 136,419.74	\$ 104,516.53	\$ 130,593.54	\$ 182,335.61	108,333.33	14.03%
			\$ 1,240,754.63	\$ 1,088,685.26	\$ 1,380,554.97	\$ 1,819,285.96	1,300,000.00	139.95%

MONTH			MARIJUANA					
Sales	Paid to State	Paid to Town	2019	2020	2021	2022	Budget	% of Budget
January	February	March	\$ 37,453.13	\$ 35,992.08	\$ 26,524.13	\$ 32,978.53	53,333.33	5.15%
February	March	April	\$ 39,924.81	\$ 40,207.50	\$ 57,950.11	\$ 28,311.16	53,333.33	4.42%
March	April	May	\$ 51,029.47	\$ 26,462.44	\$ 73,497.29	\$ 40,570.48	53,333.33	6.34%
April	May	June	\$ 51,256.84	\$ 106,159.55	\$ 52,900.30	\$ 36,561.44	53,333.33	5.71%
May	June	July	\$ 56,382.36	\$ 58,026.64	\$ 50,521.29	\$ 35,565.82	53,333.33	5.56%
June	July	August	\$ 55,369.54	\$ 63,389.41	\$ 35,333.51	\$ 36,216.99	53,333.33	5.66%
July	August	September	\$ 58,497.86	\$ 56,922.44	\$ 44,671.14	\$ 35,424.55	53,333.33	5.54%
August	September	October	\$ 63,554.06	\$ 43,195.91	\$ 56,442.54	\$ 34,847.47	53,333.33	5.44%
September	October	November	\$ 52,815.38	\$ 88,571.66	\$ 42,969.89	\$ 34,077.93	53,333.33	5.32%
October	November	December	\$ 47,537.87	\$ 41,591.87	\$ 41,572.46	\$ 28,178.55	53,333.33	4.40%
November	December	January	\$ 37,108.15	\$ 42,043.35	\$ 37,915.72	\$ 24,199.23	53,333.33	3.78%
December	January	February	\$ 48,062.97	\$ 57,994.55	\$ 34,931.79	\$ 23,766.58	53,333.33	3.71%
			\$ 598,992.44	\$ 660,557.40	\$ 555,230.17	\$ 390,698.73	640,000.00	61.05%

For total sales calculation	
-	Sales Tax
0.0375	Percentage
\$ -	Total Sales



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222 GRAND VALLEY WAY ▪ PARACHUTE, CO 81635 ▪ (970) 285-7630

AGENDA ITEM SUMMARY

TO: Mayor & Town Council

FROM: Mike Markus, Community & Economic Development Director
Travis Elliott, Town Manager

MEETING DATE: February 16, 2023

MEMO DATE: February 9, 2023

AGENDA ITEM: CONSIDERATION AND DISCUSSION OF A COMPETITIVE PROCESS TO SOLICIT PROPOSALS FROM POTENTIAL TENANTS FOR THE WASSON-MCKAY HISTORIC PROPERTY

EXECUTIVE SUMMARY:

Staff has drafted the attached Request for Letters of Interest seeking proposals from prospective tenants for the use of the Wasson-McKay Place building located at 259 Cardinal Way. Wasson-McKay Place is the only building within the Town of Parachute currently listed on the National Register of Historic Places. On August 5, 2010 the building received the designation of a Historic Place under site number 5GF.4249. The home was built around 1902 and is considered an example of pioneer log construction and Victorian style.

The attached draft seeks proposals that will respect and maintain the historic characteristics of Wasson-McKay Place, and how the proposal will link the building to adjacent land uses, especially to Wasson-McKay Park. The draft also notes that the Town is in the process of developing a Trails Plan that will document Parachute's desire to create a well-connected and well-maintained regional trail network, and that the site's location adjacent to Parachute Creek and to the pedestrian bridge spanning across Interstate 70 will serve as a key point in the development of the trails system.

Staff is seeking support and direction from the Town Council on this initiative. Upon approval of the Town Council, staff will finalize and publicize the document and begin soliciting proposals from the community.

If successful, the Town Council will ultimately review the proposal(s) at a future Town Council meeting, and the Council will be required to approve any resulting lease by ordinance.

FINANCIAL IMPACTS:

Financial impacts will be dependent upon the Town Council's decision to proceed with a competitive process to solicit proposals and the details contained in an agreement for the use of the building.

APPLICABILITY TO COUNCIL GOALS:

Partnering with a prospective tenant or tenants on the development of the historic Wasson-McKay Place building is directly related to the Town Council’s goal to “Beautify and Revitalize Business Corridors”:

Beautify and Revitalize Business Corridors

“The Town Council acknowledges and embraces that the Town of Parachute has two primary business corridors: 1st Street and Cardinal Way. Each of these areas are equally important to the community, and they will be essential to the Town’s future and economic growth. The Town wishes to invest in these corridors, and the Town’s business district, to foster public-private investment partnerships, and stimulate economic, cultural and social growth in the heart of Parachute.”

This project would also be directly related to one of the overarching themes identified in the 2022 Comprehensive Plan – “Maintain a Strong Sense of Community”:

“Creating the Plan and the community engagement process revealed four overarching themes the Objectives and Strategies identified throughout this plan.

Maintain a Strong Sense of Community

The second theme is maintaining a sense of community by preserving historic places and spaces that are the foundation of the Town. While it is this strong history that binds the community together, it needs to be enhanced, built upon, and shared to ensure the rich sense of community continues to support Parachute into the future. This sense of community can be built upon through increasing community events, creating community gathering spaces and places, and developing programs to allow small businesses to grow, invest and thrive in the Parachute community.”

TOWN COUNCIL OPTIONS:

1. Provide feedback and recommendations to staff regarding a competitive process for the development of Wasson-McKay Place
2. Decline to solicit proposals at this time

ATTACHMENTS:

- A. Request for Letters of Interest – Wasson-McKay Place (Draft)



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DRAFT

**Request for Letters of Interest
Wasson-McKay Place
259 Cardinal Way
National Register of Historic Places
Site Number 5GF.4249**



SUBMISSION DEADLINE:

TBD

CONTACT:

Mike Markus
Community & Economic Development Director
(970) 665-1146
mmarkus@parachutecolorado.com

INTRODUCTION

The Town of Parachute, Colorado is requesting letters of interest from organizations, entities, entrepreneurs and other community members to propose innovative ideas and uses for Wasson-McKay Place in Parachute, Colorado and outline how they would administer, manage and operate that use to meet the Town's goals to beautify and revitalize business corridors and to drive vitality in the area.

BACKGROUND

Wasson-McKay Place is the only building within the Town of Parachute currently listed on the National Register of Historic Places. On August 5, 2010 the building received the designation of a Historic Place under site number 5GF.4249, most specifically located at 259 Cardinal Way. The home was built around 1902 and is considered an example of pioneer log construction and Victorian style. Parachute Creek borders the property on the west while Interstate 70 and active railroad tracks border it on the north side.

The adjacent Wasson-McKay Park has been recently upgraded and is one of four parks that the Town currently maintains. The neighboring park is now complete with public restrooms, picnic area, a gazebo, bike racks, paved parking, benches, and other amenities. The Town is also in the process of developing a Trails Plan that will document Parachute's desire to create a well-connected and well-maintained regional trail network. The site's location adjacent to Parachute Creek and to the pedestrian bridge spanning across Interstate 70 will serve as a key point in the development of the trails system and serves as a main pedestrian connection to the historic downtown area.

The Town is now preparing to complete renovations to the Wasson McKay Place home, including updates to the interior and exterior of the building. The Town would desire to have a tenant selected for the facility as soon as possible, which will allow the tenant(s) and the Town to create a plan of action together and implement ideal tenant finishes, install the necessary appliances, and get it ready for public use / access.

BASIC INFORMATION ABOUT THE SITE

Location Map



Address:	259 Cardinal Way
Garfield County Parcel Number:	240912400015
Acres:	1.09
Year Built:	1909
Gross Square Feet:	1,148
Current Zoning:	Public Use
Surrounding Zoning/Uses:	Northwest: Interstate 70/Pedestrian Bridge; NC Neighborhood Commercial; South: Cardinal Way/MDR Medium Density Residential; Southwest: LI Light Industrial
Future Land Use:	Park
Surrounding Future Land Uses:	Northwest: Interstate 70; Northeast: CBD Central Business District; South: Cardinal Way/R Residential; Southwest: MU-R Mixed-Use Residential Priority
Photos of Property:	LINK TO ONE DRIVE
Proposed Lease Rate:	\$1 / year minimum. NOTE: Tenant will be responsible for all utilities, including, but not limited to: water, sewer, gas, garbage, electric, and internet.

SUBMISSION REQUIREMENTS

Please submit your letter electronically by email in a single PDF document on or before **XXXX** to the email address below:

Mike Markus
Community & Economic Development Director
Email: mmarkus@parachutecolorado.com
970-665-1146

The Town is only requesting Letters of Interest and basic outlines of proposals at this time. Tremendous detail is not necessary, but please provide enough information for the Town to adequately review the feasibility and desire of your initial idea(s).

The following questions are intended to be an outline and guide your submission. Answers to all of the questions are not necessary, but please attempt to address as many of the following points as possible in your response:

Section 1 Introduction of organization, staff, general purpose of your proposal, and partnership opportunities

- 1.1** Tell us who you are. What is your mission?
- 1.2** What is your proposal and proposed use for the space?

Section 2 Proposed use of the building

- 2.1** What about your proposed use of the building encourages visitors to return to the facility, return to the community, and create on-going vitality in the area?
- 2.2** Describe how your proposal links the building to the adjacent land uses, especially to Wasson-McKay Park.
- 2.3** Describe how your proposal will respect and maintain the historic characteristics of Wasson-McKay Place.
- 2.4** If you would be willing to partner with another organization to make this facility a multi-use building, what might it look like?
- 2.5** Provide a very basic, hypothetical schedule of proposed operating hours and/or programming for your proposed use. How many days/nights and hours would your operation be open and/or programmed?
- 2.6** Describe the market and audience for your proposed use. Tell us your approach to marketing that use to those groups of potential users.

Section 3 Community Purpose

- 3.1** Describe how your proposal creates a unique and enriching experience for those who live, work and visit here.
- 3.2** How does your proposed use of the building contribute to the vitality of Parachute as a whole?
- 3.3** Explain how your programming will contribute to the long-term success, vision and aspirations of Parachute.

Section 4 Financials

- 4.1 Please indicate what your proposed lease rate and monthly payments, if any, to the Town would be.
- 4.2 Describe how you propose to finance the operating and maintenance expenses associated with your proposed use.

TIMELINES AND SCHEDULES

This timeline is provided for planning purposes only. All dates are tentative, and the Town reserves the right to modify this timeline as necessary.

Request for Proposals Issued: xxx

Deadline for Responses: xxx

EVALUATION

The Town will review the proposals, and may select and work with a variety of proposals to develop the strongest conglomeration of partners to achieve the Town's goals. Finalists may be asked to present their proposal on a date and in a format to be determined. The proposals will be considered public documents and may be published on the Town's website or in an official agenda.

The Town Council will make the final decision about who will be invited to develop an agreement for use of the building. If those discussions are successful, an agreement for the use of the building will be approved and the proposer may go forward making the project a reality.

In addition, the property and selected proposal may then need to go through additional land use approvals. The selected entity will also be required to obtain any necessary licenses and permits, as required by law.

QUESTIONS AND ANSWERS

All questions related to this Request for Proposals must be submitted in writing to the Community & Economic Development Director via email to mmarkus@parachutecolorado.com. All questions and answers will be posted to the Town's website for all interested parties to review. Proposers are responsible for checking the website regularly for updates.

Check for updates at: <https://townofparachute.colorado.gov/>***

LEGAL

All submissions may be published and are subject to public records, pursuant to the Colorado Open Records Act, C.R.S. Section 24-72-200.1 (CORA). All of the documents that are submitted to the Town of Parachute may be subject to examination and inspection by third parties. The Town of Parachute reserves the right, at its sole discretion, to release for inspection or copying any document, plan, specification, proposal or other writing submitted pursuant to an appropriately filed CORA request.

The Town reserves the right to reject any or all proposers or move forward any Proposer who, in its sole judgment, is in the best interest of the Town. The Town further reserves the right, in the best interest of the Town, to waive any technical defects or irregularities in any and all proposals submitted.



AGENDA ITEM SUMMARY

TO: Mayor and Town Council
FROM: Travis Elliott, Town Manager
Jeff Conklin, Town Attorney
MEETING DATE: February 16, 2023
MEMO DATE: February 9, 2022
AGENDA ITEM: Exploration of US Postal Service Litigation

EXECUTIVE SUMMARY:

The Town Council, community members, and business owners have all recently expressed a dissatisfaction and overall frustration with services offered by the USPS and Parachute Post Office. This issue is not new or unique to Parachute. Former Mayor Roy McClung and current Mayor Tom Rugaard have both participated in recent roundtable discussions with Senator Hickenlooper, Senator Bennett, and leadership staff at the USPS to discuss solutions and recommendations for improvement. However, these conversations appear to have yielded little to no results.

The Town of Crested Butte recently reached out other rural communities in Colorado to explore possible litigation actions against USPS. Their letter outlining this proposal to CAST is below. In general, the Town of Crested Butte is proposing various communities pool resources to “undertake exploring the U.S. Postal Service’s obligations for postal service under the Postal Accountability and Enhancement Act, including potential litigation against the U.S. Postal Service.” The law firm Kaplan, Kirsh, and Rockwell (KKR) estimates this claims analysis will cost between \$25,000 and \$35,000.

The cost for this initial exploration is proposed to be split between the participating entities. To date, the following communities have expressed interest in participating:

1. Avon
2. Breckenridge
3. Buena Vista
4. Crested Butte
5. Eagle
6. Parachute
7. Silverthorne
8. Snowmass Village
9. Steamboat Springs

Town of Crested Butte Letter to Communities Requesting Participation:
CAST communities,

Many of us have struggled for years with deficient service from our local post offices. The USPS has a mandate to “preserve regular and effective access to postal services in all communities, including those in rural areas or where post offices are not self-sustaining” 39 USC § 3691(b)(1)(B). To little avail, we have tried a variety of efforts individually and as a collective to find remedies and restore acceptable service levels in our communities.

The Town of Crested Butte is now interested in investigating what legal recourse may be available by making a claim to the Postal Regulatory Commission. To that end we have, through our legal counsel Karl Hanlon of Karp Neu Hanlon, initiated a conversation with Nate Hunt from Kaplan Kirsch & Rockwell, LLC, a federal administrative regulatory law firm based in Denver (KKR). Following is an excerpt from the proposal we received:

I am happy to report that I have approval to take on the USPS matter. Sam Caravello and I would be the primary attorneys on the matter. We both have extensive experience with administrative proceedings and petitions for review.

At this time, I do not have enough information to provide an estimated budget for the Postal Regulatory Commission (PRC) proceeding but recommend that, if the Firm is engaged, that we first prepare a legal memorandum expanding on your research thus far—including an evaluation of the PRC process, an analysis of necessary fact gathering required to bring a complaint to the PRC, and an thorough evaluation of potential claims. The memorandum would serve several purposes: it would assist the Town in determining whether it should bring a complaint to the PRC, it would assist in determining how much a proceeding at the PRC will cost, and it would provide the framework for litigation, if the Town decides to proceed. At this time, I estimate that the memorandum would cost between \$25K and \$35K.

The Town of Crested Butte is soliciting interest from your community and other CAST members to see if your jurisdiction is interested in joining us in this initial investigation of a possible framework for litigation. We are seeking four or five partners to share in retaining KKR for this service.

Please reach out to me directly if your community would be interested in partnering with the Town of Crested Butte on this effort or if you have any questions. I will also be in attendance at the CAST meeting in Steamboat next week and happy to discuss further.

Hope you all are enjoying just the right amount of snow!

Staff is now seeking the Town Council’s direction to proceed with this partnership and exploration of possible litigation or to decline participation at this time.

FINANCIAL IMPACTS:

If all nine communities participate the costs would distribute evenly, which would make the total cost approximately \$2,778 - \$3,889. These expenses would come out of the Town’s general legal budget.

APPLICABILITY TO COUNCIL GOALS:

NA

TOWN COUNCIL OPTIONS:

1. Direct staff to continue the exploration of possible USPS litigation.
2. Decline to participate at this time.

STAFF RECOMMENDATION:

In lieu of a better solution, staff recommends proceeding with the partnership to demonstrate leadership and action by the Parachute Town Council to the community.

ATTACHMENTS:

- A. Draft Engagement Letter from KKR Law Firm

February 14, 2023

VIA E-MAIL

Dara MacDonald
Town Manager
Town of Crested Butte, Colorado
507 Maroon Ave
Crested Butte, CO 81224

Re: Engagement for Legal Services

Dear Ms. MacDonald:

We are very pleased that Town of Crested Butte, Colorado (“Client”) wishes to retain Kaplan Kirsch & Rockwell LLP (the “Firm”) to advise Client regarding the U.S. Postal Service’s obligations for postal service under the Postal Accountability and Enhancement Act, including potential litigation against the U.S. Postal Service. This letter sets forth the terms under which the Firm will represent Client on this matter and any other matters as directed by Client.

While we are reluctant to be overly formal, we have found that a detailed retainer letter is the best way to satisfy our ethical obligations and to be sure that each parties’ obligations are clearly set forth in writing.

The effective date of our representation is January 30, 2023. I will be the partner-in-charge of this engagement and will be the contact person for the Firm on this matter. At any time during our representation, you and your colleagues should always feel free to contact me or any other Firm partner if you have any questions or concerns about our work on your behalf. Our Firm’s managing partner, Bob Randall, is always available in the event you have questions about our representation.

Scope of Our Representation. Client is engaging the Firm to advise on matters regarding a legal challenge to the U.S. Postal Service’s ineffective service in violation of the Postal Accountability and Enhancement Act and potentially other federal laws, including litigation against the U.S. Postal Service and other matters to which we may jointly agree in writing. The scope of our representation is limited to these matters.

Attorneys within the Firm are licensed to practice law before the U.S. Supreme Court, most federal appellate and many federal district courts, as well the highest court in many states. To the extent that you seek advice with respect to states where Firm attorneys are not licensed, we will provide advice in a manner consistent with the rules of professional conduct applicable to the practice of law in that state.

Opinions on Likely Outcomes. Either at the commencement or during the course of our representation, attorneys in the Firm may express opinions or conclusions concerning the likely outcome of the matters or various courses of action and the results that might be anticipated. We trust that you understand that, while we will always endeavor to give you candid and accurate assessments, any such statements will be an expression of our opinion based on information available to us at the time and are not a promise or guarantee.

Fees and Charges. The Firm will charge for its services according to the fees set out herein. I will be the partner-in-charge of this matter but anticipate involvement by other attorneys, as needed, in particular, associate attorney Samantha Caravello. For purposes of this engagement, the hourly rate for partners is \$480 per hour and the hourly rate for associates is \$370 per hour. The normal hourly rates for attorneys in the Firm range from \$350 to \$900 per hour. Paralegal/law clerk rates are charged \$190 per hour. The Firm charges fees in six-minute (1/10 hour) increments. These rates will be effective until at least the end of this calendar year. The Firm annually evaluates its rates and will notify you in advance of any anticipated changes in rates.

In addition to the hourly fee for services, the Firm will charge you for all necessary and incidental out-of-pocket expenses, including, but not limited to, travel costs, office expenses, computerized legal research, court reporting services, and court or other filing fees. We do not generally charge for routine photocopying and long-distance telephone or cell phone calls but do charge for especially large copying jobs, color copies and hosting conference calls, in some instances. Out-of-pocket expenses are charged at our actual cost. **Please let us know if you have any special requirements for the expenditure or reporting of expenses.**

Invoices. It is the Firm's practice to send our clients a consolidated monthly invoice showing the amounts billed for particular matters during the period covered by the invoice. Unless you request otherwise, our invoices will contain daily detail for each professional's work on the client's matter. We can, however, prepare that invoice in any format that meets your needs. We urge you to raise any questions regarding our invoices as soon as they arise so that we can resolve any problems promptly. We require that Client pay our fees promptly on a monthly basis. We consider any invoice more than 30 days old to be overdue. If Client does not inform the Firm, in writing, of any questions or concerns with respect to the charges contained on an invoice within 30 days of receipt, the Firm will assume and Client agrees that such charges are acceptable to Client. The Firm reserves the right to charge interest of one percent per month on any outstanding amounts on invoices over 60 days old.

Conflicts Evaluation. In accordance with the applicable ethical rules, we have confirmed that we have no current actual conflicts between Client and any Firm clients. Further, we are not aware of any potential conflicts. As you are aware, the Firm represents a number of public sector and private sector clients. We cannot foreclose the possibility that, at some time in the future, any existing or future Firm client may be adverse to Client on matters completely unrelated to this engagement. It is also possible that an existing Firm client is currently adverse to Client on a matter of which we are unaware or in which we have no involvement. Client understands and agrees that the Firm

may represent new and existing clients in any matter that is not substantially related to our work for Client even if the interest of such other clients may be directly adverse to Client or to any entity or person related to Client , with one exception: This prospective consent to conflicting representation will, of course, not apply to any matter where, as a result of our work for Client , we have obtained sensitive, proprietary, or otherwise confidential information that could be used by such other clients to the material disadvantage of Client. Should we be involved in other matters for Client, the conflict evaluation will be done at that time on a case-by-case basis.

Termination of Our Engagement. Upon completion or termination of our representation on the matters described above, the attorney-client relationship will end unless Client and the Firm have agreed to a continuation with respect to other matters. Client has the right, at any time, to terminate our services and representation upon written notice to the Firm. We reserve the right to withdraw from our representation if, among other things, you fail to honor the terms of this engagement letter, you fail to cooperate or follow our advice on a material matter or any fact or circumstance (including any conflict of interest with another client) that would, in our view, render our continuing representation unlawful or unethical. If we elect to withdraw, you will take all steps necessary to free us of any obligation to perform further, including the execution of any documents necessary to complete our withdrawal. No termination of our representation by Client or the Firm will relieve you of your obligations under the terms of our engagement to pay for services rendered or for costs or expenses paid or incurred on your behalf. In the unusual event that a court of competent jurisdiction refuses to permit us to withdraw upon termination, you would remain responsible for fees and costs. In the event we are compelled to intervene in a pending lawsuit or initiate any proceeding in order to recover any amount due under the terms of our engagement, the prevailing party is entitled to be reimbursed for any and all reasonable attorneys' fees, court costs, and expenses incurred in such proceeding.

Entire Understanding of Terms of Our Representation. This engagement letter constitutes our entire understanding and agreement with respect to the terms of our engagement and supersedes any prior understandings and agreements, written or oral, regarding representation on this matter. If any provision of our engagement letter is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect. This engagement letter may only be amended in writing by the Firm and Client.

If the terms described above are satisfactory, please so indicate by signing this letter and returning one signed copy to me. We look forward to working with you and your colleagues on this matter, and we look forward to a mutually satisfactory relationship. Thank you again for your interest in engaging the Firm.

Town of Crested Butte
February 10, 2023
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Sincerely,

Kaplan Kirsch & Rockwell LLP

By: _____
Nathaniel H. Hunt

ACCEPTED AND AGREED ON BEHALF OF
Town of Crested Butte, Colorado

By: _____
[Name]

Date: _____