

**AGENDA
OURAY CITY COUNCIL**

April 5, 2021 6pm

**COUNCIL WILL, AND MEMBERS OF THE PUBLIC WHO WOULD LIKE TO SPEAK SHOULD,
ATTEND IN-PERSON**

320 6th Ave. – Massard Auditorium

PUBLIC WHO WOULD LIKE TO WITNESS THE MEETING REMOTELY AND NOT SPEAK MAY VIEW HERE

<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878
Or dial: 408 638 0968 or 669 900 6833

Regular Meeting 6pm

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Action may be taken on any agenda item
- Notice is hereby given that a majority or quorum of the Planning Commission, Community Economic Development Committee, Beautification Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

Regular Meeting 6pm

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. CEREMONIAL/INFORMATIONAL – none
5. Approval of Minutes – March 1, 5, & 15 Page 2
6. CITIZENS' COMMUNICATION
7. CITY COUNCIL REPORTS/INFORMATION
 Glenn Boyd, Ethan Funk, Peggy Lindsey, John Wood, and Greg Nelson
8. DEPARTMENT REPORTS
 - a. City Administrator Page 19
 - b. Police Chief Page 22
 - c. Public Works Director Page 23
 - d. City Resources Director Page 30
9. CONSENT AGENDA
 - a. Liquor License Renewal – Alpenglow Properties Ouray LLC dba Twin Peaks Lodge & Hot Springs Page 32
 - b. Liquor License Renewal – Full Tilt Saloon LLC dba Full Tilt Saloon Page 33
10. ACTION ITEMS Page 34
 - a. Consideration and Possible Approval of Blanket Huckstering Permit for Ouray Creative for May 29, 2021 Page 36
 - b. Consideration and Possible Approval of Request for Funding from Ouray Creative Page 39
 - c. Consideration and Possible Approval of 2020 Ouray County COVID-19 Economic Resiliency Study from EPS Page 41
 - d. Via Ferrata Expansion Agreement Page 105
 - e. PSA with SEH, Inc. for Community Development Department Assistance Page 118
 - f. Provide Direction to Staff Regarding Sidewalk Repair and Replacement Program Page 138
 - g. Consideration and Possible Reappointment of Cindy McCord to the Beautification Committee
11. DISCUSSION ITEM – Future Agenda Items
12. ADJOURNMENT

**OURAY CITY COUNCIL VIRTUAL MEETING
SUMMARIZED MINUTES
MONDAY, MARCH 1, 2020, 6 PM**

Join Zoom Meeting

<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230

Passcode: 491878 or by phone: +1 408-638-0968 +1 669-900-6833

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1. CALL TO ORDER

Mayor Nelson called the meeting to order at 6:00 pm.

2. ROLL CALL

Mayor Greg Nelson - present
Mayor Pro Tem John Wood - present
Councilor Glenn Boyd - present
Councilor Ethan Funk - present
Councilor Peggy Lindsey - present

Also present were City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, City Resources Director Rick Noll, Public Works Director Joe Coleman, Police Chief Jeff Wood, Administrative Accounting Clerk Julie Lancaster, and City Attorney Carol Viner.

3. PUBLIC HEARING – Adoption of the City of Ouray Community Plan 2021

Chris Hawkins gave an update on the development process of the Community Plan between 2018 to now, highlighting the final decisions that should be made by council before passing.

Councilor Funk asked about the steering committees wording on historical residential development using the word “consider” for decisions instead of directing one way or another. Mr. Hawkins said the language should stay as advisory in nature since that is the purpose of the document, rather than a legally binding agreement or contract.

Mayor Nelson opened the floor for public comment.

John Nixon noted that some private land in the North Ouray corridor was labeled in the plan as public park land. Mr. Hawkins recommended correcting the map before council approval.

Martin Pitts wanted to commend everyone who put the effort into the plan, but wanted to alert Council about potential hazards about development on the west side of the Uncompaghre River because of more limited access than lots on the east side of the river.

Mayor Nelson closed the floor.

4. CEREMONIAL/INFORMATIONAL – Home Trust of Ouray County Presentation

Dee Williams introduced Andrea Sokolowski as the director of the Home Trust of Ouray County board. The organization was founded in December 2020 and has applied for 501c3 nonprofit status. The intent of the organization is to provide affordable homes for families in Ouray County. Applicants who earn below 80% of the area median income for both rentals and mortgages.

5. Approval of Minutes – Jan. 4 & 19 and Feb. 1 & 16

List of corrections in order as they appear in the minutes:

- Jan 4th, item 9(b) – reflect in minutes that Councilor Boyd directed staff to research rental Jeeps and limo parking
- Jan 19th, item 3(b) – missing Janet’s last name from JVA presentation
- Jan 19th, item 6(b) – correction to which meeting Councilor Funk attended during schedule conflict
- Jan 19th, item 9(e) – include the WENS notification from the motion in the minutes
- Feb 16th, item 3(b) – change “trail etiquette” to “backcountry safety and usage”
- Feb 16th, item 3(c) – incomplete last sentence

Mayor Pro Tem Wood made a motion to approve the minutes with the listed corrections. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

6. CITIZENS’ COMMUNICATION

Mayor Nelson opened the floor for public comment.

Josh Smith wanted to urge council to do a site visit for the miners’ housing project. Attorney Viner said because it was a scheduled future hearing, it should be commented on at that time.

Martin Pitts would like big decision topics to take place at times other than during a workday and when many residents are out of town for the winter.

Mayor Nelson closed the floor.

7. CITY COUNCIL REPORTS/INFORMATION

- Glenn Boyd** – Policy group meeting on 4th. Unified command structure decision possibly. 1410 total vaccines, 246 last week. Completed 1b2, waiting on state to move to 1b3 tier. New category 1b4 created including restaurant workers, government essential workers. Mayor Nelson passed along feedback from citizens that the County Public Health Department is handling vaccinations very well.
- Ethan Funk** – Ice Park takeaways: UIAA continental cup considering coming to Ouray. Working with Ouray Silver Mines for additional water rights.

- c. **Peggy Lindsey** – Beautification committee is getting bids for _____ at pool, and trees at Rotary Park. Flowers will be delivered June 15. Next meeting on March 23rd.
- d. **John Wood** – TAC recommendations to be reviewed later in the meeting.
- e. **Greg Nelson** – US Forest Service meeting talking about forest health including beetle kill. Region 10 board meeting, offering low interest business loans, grants for downtown related efforts. Follow-up meeting between Region 10 and CDOT about little blue canyon.

8. DEPARTMENT REPORTS

a. City Administrator

Applicant has accepted position for community development coordinator and will start in May after finishing her Master's program. Hiring a contract worker to help complete backflow prevention program

Still taking applications for committee members until Friday to be on the Agenda for the March 15 meeting.

b. Police Chief

Chief Wood presented service calls for February, and reported that all quarantined officers are now back to work. Working with municipal court to streamline fine payments.

c. Public Works Director

Ventilation system should be complete by Friday if all goes smoothly. Mayor Nelson wanted to

d. City Resources Director

Mr. Noll would like to note that LED lights were installed at the bath houses by Ridgway Ouray Community Council very efficiently and would like to thank them.

9. CONSENT AGENDA – none

10. ACTION ITEMS

a. Animal Control Agreement with Second Chance

Councilor Boyd made a motion to approve the agreement, Councilor Funk seconded.

Councilor _____ asked what happens if the City exceeds the \$3000 limit in the budget. Kelly Goodin from Second Chance said they would not turn away any animals, but use that information to negotiate a new contract for the next year.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

b. Electric Vehicle Charging Station Agreement

Mayor Pro Tem Wood brought his concerns about the agreement, including potential exclusivity, and the low lease amount.

Councilor Funk asked if a build date requirement could be added so that the agreement officially begins in a reasonable amount of time, and also questioned the need of a non-disclosure agreement.

Councilor Lindsey agreed with Mayor Pro Tem Wood's concerns about granting exclusivity for that long of a period.

Mayor Nelson stated concerns about the apparent rise in the number of spaces during the development conversation, and the exclusivity.

Rebecca Paruch from ChargePoint and construction contractor Jim Frank addressed council member concerns.

Council would like to redefine the area as only the outlined spaces and not the entire property as the exclusivity area.

Councilor Funk made a motion to approve the agreement with the above condition and a condition to build within a year, Mayor Pro Tem Wood seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd		X		
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on 4-1 roll call vote.

c. Possible termination of the Geothermal Heating Agreement, dated April 4, 1988, between the City and the owners of 302 Oak Street

Mayor Pro Tem Wood made a motion to terminate the agreement, Councilor Funk seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

d. Consideration and Possible Approval of Resolution 4, Series 2021 – Adopting the City of Ouray Community Plan 2021

Mayor Nelson listed corrections, including the visitor center being labeled as the chamber of commerce office, and mention of a few select artisans in the arts section, and protections with regards to the photo credits and potential liability for publishing.

Councilor Funk stated that the library should be listed under lifelong learning, and had a number of formatting issues.

Councilor Funk made a motion to table the approval until after a work session to address minor changes. Councilor Lindsey seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

e. Consideration and Possible approval of the Tourism Advisory Committee (TAC) Strategic Plan

Mayor Pro Tem Wood presented TAC's plan.

Councilor Lindsey made a motion to approve the strategic plan, Mayor Pro Tem wood seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

f. Ordinance 2, Series 2021 – Adding Default Judgement Provisions to Municipal Code – First Reading

Attorney Viner presented the potential changes, including city recourse for ignored judgments.

Councilor Funk made a motion to approve the agreement, Mayor Pro Tem Wood seconded.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

11. DISCUSSION ITEMS

a. Work Session Scheduling

Council provided their availability for future meetings and work sessions. Work session scheduled for March 22nd from 3-5 pm for discussing city charter. Work session scheduled for March 15th at 10am.

b. Future Agenda Items

12. ADJOURNMENT

Wood made a motion to adjourn at 9:05 pm, Lindsey seconded the motion. The motion passed on unanimous vote.

ATTEST:

Greg Nelson, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on March 1, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 4th day of March, 2021.

Melissa M. Drake, City Clerk

**OURAY CITY COUNCIL SPECIAL MEETING
SUMMARIZED MINUTES
FRIDAY MARCH 5, 2021, 12:00 P.M.**

- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
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- Notice is hereby given that a majority or quorum of the Planning Commission, Community Development Committee, Beautification Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 12:00 pm.

2. ROLL CALL

Mayor Greg Nelson – present
Mayor Pro Tem John Wood – present
Councilor Glenn Boyd – present
Councilor Ethan Funk – present
Councilor Peggy Lindsey – present

Also present was City Administrator Silas Clarke and City Attorney Carol Viner.

3. EXECUTIVE SESSION

For discussion of a personnel matter under C.R.S. 24-6-402(2)(f) and not involving; any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Councilor Boyd made a motion to go to executive session at 12:01 pm. Councilor Funk seconded the motion.

Council Member	For	Against	Abstain	Absent
Mayor Nelson	X			
Mayor Pro Tem Wood	X			
Councilor Boyd	X			
Councilor Funk	X			
Councilor Lindsey	X			

The motion passed on unanimous roll call vote.

The executive session concluded at 2:08 pm.

4. ADJOURNMENT

Mayor Pro Tem Wood made a motion to adjourn at 2:08 pm, Councilor Funk seconded the motion. The motion passed unanimously.

ATTEST:

Greg Nelson, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on March 5, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 30th day of March, 2021.

Melissa M. Drake, City Clerk

**OURAY CITY COUNCIL VIRTUAL MEETING
SUMMARIZED MINUTES
MONDAY, MARCH 15, 2021, 1 PM**

Join Zoom Meeting
<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878

Or dial: 408 638 0968 or 669 900 6833

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1. CALL TO ORDER

Mayor Nelson called the meeting to order at 1:01 pm.

2. ROLL CALL

Mayor Greg Nelson - present
Mayor Pro Tem John Wood - present
Councilor Glenn Boyd - present
Councilor Ethan Funk - present
Councilor Peggy Lindsey - present

Also present were City Administrator Silas Clarke, Finance and Administration Director Melissa Drake, Public Works Director Joe Coleman, City Resources Director Rick Noll, Police Chief Jeff Wood, Administrative Accounting Clerk Julie Lancaster, and City Attorney Carol Viner.

Mayor Nelson announced that some items on the agenda will be reordered because a councilor has a family emergency. Item 3b will be first, and then items 9b, 9c, 3a and 9a to allow them to leave early if needed while still being a part of the most important items and decisions.

3. PUBLIC HEARINGS

b. Application to plat the remaining portions of unplatted land of the Wanakah Estates Subdivision into one lot for the purposes of multifamily residential development – to be known as Ouray Workforce Housing Minor Subdivision

Administrator Clarke described what the application does and does not affect. Mr. Clarke listed 5 additional people that submitted letters not included in the packet: McGinnis, Nergui, Johnson, Choate, . Councilor Funk clarified that if it was approved by council today, the development would not come before council again unless a variance or sewer tap fee waiver is requested by the builders. Planning Commission Chair Jeff Skoloda gave an overview of their vote to deny the recommendation.

Mark Iuppenlatz presented on behalf of the applicant how and why the project was conceived, and how it fits in with the newly drawn up community plan and existing zoning regulations.

Mayor Nelson opened the floor for public comment.

- ❖ Craig Whitney said he virtually attended the planning commission meeting since he lives on Hinkson Terrace and witnessed many negative comments from the public, citing a number of issues that planning commissioners felt were valid. Mr. Whitney asked council to uphold the decision of the planning commission.
- ❖ Martin Pitts brought up a 1999 P.U.D by Wanakah Estates, Filing no. 2, stating connecting street Wanakah Place is supposed to be 50 feet wide, but is only 21 feet wide, and snow is piled at the intersection of Hinkson and Wanakah, and thus argues that the infrastructure is not already in place to support a condo development.
- ❖ Jeanette Quay said that while this is only for a minor subdivision, there is not further opportunity for the public to weigh in on the project. Since this appears to be the only time to speak out against the development, that is why she and many others are here today, since she believes the project would negatively impact the character of the neighborhood.
- ❖ Heather Smith noted that the resolution draft specifically states that the land would be platted with the intention of building three 10-unit condo buildings. The currently-buildable portion of the lot is very narrow, and much of the mountain would have to be excavated. Ms. Smith stated that anyone against the resolution is not against workforce housing, but against this specific location for this specific plan.
- ❖ Dolgio Nergui is curious about the history of the affordable housing on Hinkson Terrace that both Ms. Quay and Ms. Smith alluded to in their comments, and would like to give the rest of her 3 minutes to them to continue their statements.
- ❖ Susette Warynick urged the council to deny the resolution like the planning commission recommended.
- ❖ Tom Fedel supports the project and urges council to approve the plat to move the city forward with workforce housing.
- ❖ Cindy Carothers said she believes people are not against apartments and condos, but in opposition to the specific location for that development. As a geologist, Ms. Carothers warned council about the unique geology at the site and the dangers of excavating it.
- ❖ Josh Smith said the planning commission needed to consider the health and safety of the community, as well as maintaining property values, which had not been brought up in the meeting yet. Mr. Smith compared the development to being legally allowed to put a toilet next to your kitchen stove, but everyone also knows you shouldn't.
- ❖ Stuart Gillespie supports the projects, even though it's not perfect, but believes the benefits outweigh the potential issues.
- ❖ Melissa and Eric Escalante own property in Wanakah Estates, and are impressed with the 2021 community plan, but believes that this plan does not fit in the vision of the community plan given that they could be condominiumized and short term rented in only 6 years, and that the units are too small for families.
- ❖ Brian Briggs, CEO of Ouray Silver Mines, spoke in favor of the housing project, and believes that these concerns being brought forward are pre-emptive since this is simply an application for a plat.

- ❖ Greg Freshwater was against the project because the road is already so narrow that vehicles cannot pass.
- ❖ Amy Wood agreed with the other residents of the neighborhood.
- ❖ Josh Smith noted that the fire hydrant is currently buried in the snow that is stored at the intersection of Wanakah Place and Hinkson Terrace, as well as many other fire hydrants in the neighborhood. Mr. Clarke said this is being addressed with the neighborhood on the private drive.
- ❖ John Quay said the private snow removal for the non-city portion of Hinkson Terrace has never been removed and always been stored at that intersection. Mr. Quay also expressed concerns with the existing power supply to that area being sufficient for the proposed condo development.
- ❖ Cindy Carothers spoke again to point out other lots more suitable to the kind of development being proposed.
- ❖ Martin Pitts spoke again about the lack of parking, and the number of children that play in the 4J+1+1 campground during the summer, which would see increased traffic due to the condo development when residents drive into town.
- ❖ Jeanette Quay stated that this plan is not about affordable housing because the neighborhood has been tapped for affordable housing before, creating smaller lots, but nothing was ever built, and now the lots are having \$5-600,000 houses being built on them.

Mayor Pro Tem Wood made a motion to close the public hearing. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

9. ACTION ITEMS

b. Application to plat the remaining portions of unplatted land of the Wanakah Estates Subdivision into one lot for the purposes of multifamily residential development – to be known as the Ouray Workforce Housing Minor Subdivision

Mayor Pro Tem Wood asked Mr. Iuppenlatz who the owners of San Juan Mountainside LLLP were. Mr. Iuppenlatz said San Juan Mountainside LLLP is the sellers of the property, and there are 4 or 5 different local owners, and some of them are a part of Ouray Housing Group LLC (the buyers). Mayor Pro Tem Wood clarified with Mr. Clarke and Ms. Viner that this would establish the property as its own subdivision within the Wanakah Estates Subdivision, and a new plat would need to be submitted by the developers, and this vote does not approve anything but the minor subdivision. Mayor Pro Tem Wood believes there are a lot of issues tied to the platting that should not be presented with the resolution. Councilor Funk agreed, saying he views this simply as a plat discussion and nothing more. Councilor Lindsey wanted to see the original plat to determine if condos and townhomes were excluded in the original intentions for the neighborhood. Mayor Nelson believes this is a potentially good project in a bad location, and commends Mr. Iuppenlatz for

spearheading a project that Ouray so desperately needs, despite the location. Mayor Nelson also has concerns with the condo documents included in the packet, since there is no provision discussing short term rentals. Council discussed that if passed, they do not intend to include any variances for building at this time, implied or otherwise. Councilor Boyd clarified with Ms. Viner that a reason for denial could be that a councilor believes that the existing infrastructure is not adequate for the zoned development type. Ms. Viner said other actions could be taken to alleviate specific issues about the potential development, such as modifying the short term rental ordinance or parking regulations in the neighborhood. Mr. Clarke looked up the original plat, and found the only restriction is that no modular homes may be placed in the Subdivision, allowing condos and townhomes.

Mayor Pro Tem Wood made a motion to approve the application. Councilor Lindsey seconded the motion.

Mayor Pro Tem Wood stated that with the resolution narrowed down with no approvals beyond the lot platting, he believes there is no valid reason that the council has to deny the lot platting as it currently stands.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

c. Ouray City Planning Commission and Committee Appointments

Councilor Boyd made a motion to re-appoint Jeff Skoloda to Planning Commission. Councilor Funk seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

Mayor Pro Tem Wood made a motion to appoint Mike Hakola to Planning Commission. Councilor Lindsey seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Funk		X		
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd		X		

The motion passed 3-2, with Councilors Funk and Boyd dissenting.

Councilor Boyd made a motion to appoint Mike Fedel to Planning Commission. Mayor Pro Tem Wood seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Funk		X		
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed 4-1, with Councilor Funk dissenting because he wanted to keep all incumbent members.

Councilor Lindsey made a motion to approve all PARC and Beautification Committee applicants. Mayor Pro Tem Wood seconded the motion. Mayor Nelson recused himself since his wife is an applicant for PARC. Mr. Clarke announced for the public that the beautification committee applicant, Sarah Gray, is his girlfriend.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson			X	
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

Mayor Pro Tem Wood made a motion to appoint Todd Mayfield to CEDC, Councilor Lindsey seconded.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

Councilor Boyd made a motion to take a 5 minute recess at 3:24 pm. Councilor Funk seconded the motion. The motion passed on unanimous vote. The meeting resumed at 3:30 pm.

3. PUBLIC HEARINGS

a. Ordinance 2, Series 2021 – Adding Default Judgment Provision to Municipal Code

Ms. Viner said this decriminalizes fines if they are unable to pay, and would remove warrants and jail time for unpaid fines, and turn uncollected fines to a collection agency instead.

Mayor Nelson opened the floor for public comment.

Since there were no comments, Councilor Lindsey made a motion to close the public hearing. Councilor Funk seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

9. ACTION ITEMS

a. Ordinance 2, Series 2021 – Adding Default Judgement Provision to Municipal Code – Second Reading

Councilor Lindsey made a motion to approve Ordinance 2. Mayor Pro Tem Wood seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

d. PSA – Digital Messaging Agreement

Mayor Pro Tem Wood made a motion to approve the agreement. Councilor Lindsey seconded the motion.

Councilor Funk clarified that in the allocations in the agreement, LOT funds are only going to tourism marketing, and General Funds will be used for City media tasks. Councilor Funk asked Mr. Clarke if these tasks fit within the new structuring for City Staff positions. Mr. Clarke said the agreement did align with his goals for staffing and job functions. Council discussed how to appropriately have Mr. Van Meter designate between tourism marketing and other city admin functions in his invoices.

Mayor Pro Tem Wood amended his motion to correct a spelling error in the agreement, and clarify that all of the exhibit is Exhibit A, no other Exhibit is attached. Councilor Lindsey seconded the amendment.

Dolgio Nergui asked if the process being taken for the agreement is appropriate for the type and scope of agreement given that the agreement would allow the contractor to spend tax revenue.

Tamara Gulde would like to see the contract be more specific, and stated that she believes that the higher standards and measurable statistics that were quoted when the OCRA contract was not renewed is not reflected in this contract either.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd		X		

The motion passed on a 4-1 vote, with Councilor Boyd dissenting due to the lack of accountability in the contract.

e. Possible confirmation of new OVFD Fire Chief, Adam Kunz, and Assistant Chief, Ronald Floyd Williams

Councilor Boyd made a motion to approve the appointments. Councilor Funk seconded the motion. Mr. Clarke announced that Chief Kunz will be invited to the leadership meetings to involve the Fire Department more in the City.

Councilor Boyd wanted to thank Trevor Latta for previously serving as Fire Chief.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous roll call vote.

4. CEREMONIAL/INFORMATIONAL - none

5. CITIZENS' COMMUNICATION

Mayor Nelson opened the floor for public comment.

Since there were no comments, Mayor Nelson closed the floor.

6. CITY COUNCIL REPORTS/INFORMATION

- a. Glenn Boyd** – County is now in Blue on the state Safer-at-Home dial. To date, 2183 vaccines have been administered, 974 fully vaccinated and 1209 first doses. Joint Policy Group meeting on April 1st, most likely. MAC meeting next week. County will not be receiving more Johnson & Johnson one shot vaccines for the meantime as they are allocated by the state for underserved urban areas so there won't be a need to bring the people back for a second dose.
- b. Ethan Funk** – nothing to report
- c. Peggy Lindsey** – nothing to report
- d. John Wood** – Unable to attend TAC meeting. CEDC will present recommendations to council for Main Street Program soon. CEDC Chair Tom Fedel requested permission from committee to pursue research for Ouray Silver Mines tax revenue to have hard data on record.
- e. Greg Nelson** – Attended MAC meeting and TAC meeting

7. DEPARTMENT REPORTS

a. City Administrator

City water has been re-classified by the state and the City has 60 days to enact a filtration system or add chlorine to the water supply. Mr. Clarke is working with Joe Coleman, Public Works Director to come up

with the best solution for Ouray, accounting for state deadlines and costs of permanent vs. temporary solutions.

Working with an external company to design and implement a backflow prevention management and tracking system.

Region 10 generator was tested after the power line was hit last month and had no issues.

Working on variances and regulations to enable park concerts to be held this summer.

Administrator Clarke confirmed that the Fire Department plans to order and put on a fireworks display for the 4th of July.

b. Finance and Administration Director

i. Sales Tax – January 2021

Sales tax revenue up over January 2020.

ii. LOT – January 2021

Available rooms were down for January, but LOT revenue was up for January.

8. CONSENT AGENDA - Liquor License Renewal, Friends of the Wright Opera House

Mayor Pro Tem Wood made a motion to approve the consent agenda. Councilor Boyd seconded the motion.

Council Member	For	Against	Abstain	Absent
Councilor Funk	X			
Councilor Lindsey	X			
Mayor Pro Tem Wood	X			
Mayor Nelson	X			
Councilor Boyd	X			

The motion passed on unanimous vote.

10. DISCUSSION ITEMS

a. Meeting Format and Notices

Looking to allowing public back in council meetings, while still live streaming the meetings. Mr. Clarke would like to discuss the published agendas in the newspapers, since when they are submitted for publishing, they often change between the publishing and the meeting, and are then incorrect when published, or shortly after publishing. Mayor Nelson asked if it would be appropriate to email the agenda and packet to the email update mailing list that receives city newsletters. Mr. Clarke would like to still publish a notice in the paper for the meeting, but not include an itemized agenda, instead include instructions on where to view the latest information instead.

b. Future Agenda Items

Mayor Nelson has received comments about the community plan and the Ouray Workforce housing projects as they relate to short-term rentals, and would like council to re-address regulations, especially as they relate to affordable workforce housing in Ouray.

Mayor Nelson has also received many comments on sidewalks that need repair. Since that got delayed last March, council needs to revive the project.

Councilor Funk would like to discuss royalties and licenses for digital content.

Councilor Lindsey would like to have a work session on what the city sees as ideal affordable, workforce housing independent of any proposed projects or investors, and look at restructuring the Parks and Recreation type resources that the city owns, including the Via Ferrata and the Ice Park, to be under a single department.

Council wanted to revive the restroom construction projects around town as well.

Council discussed which topics to include in the already scheduled work session on March 22nd.

11. ADJOURNMENT

Councilor Boyd made a motion to adjourn at 5:04 pm, Mayor Pro Tem Wood seconded the motion. The motion passed on unanimous vote.

ATTEST:

Greg Nelson, Mayor

Date

Melissa M. Drake, City Clerk

CERTIFICATION

I, Melissa M. Drake, do hereby certify that I am the City Clerk of the City of Ouray, Ouray County, State of Colorado, and that the above minutes are a true and correct summary of the meeting of the Ouray City Council held on March 15, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 25th day of March, 2021.

Melissa M. Drake, City Clerk



City Administrator

Report for April 5, 2021 City Council

March 15 – April 2, 2021:

Backflow Prevention: I received a quote for electronic database management, administration and testing for the City's backflow prevention program from San Juan Backflow Services out of Placerville. With my goal of keeping most of the administrative work in-house through the Building Inspector position, I will work with San Juan to revise the quote according to our needs.

Open Positions: Parks & Facilities Maintenance Manager (Full-time); Visitor Center Coordinator (Seasonal Full-time); Seasonal Parks Maintenance Operator 1 (Seasonal Full-time); Seasonal Parks Maintenance Operator 1 (Seasonal Part-time); Seasonal Pool Maintenance Operator 1 (Seasonal Full-time); Hot Springs Pool Manager (Full-time); Lifeguards (Part-time); Hot Springs Customer Service Associate (Part-time); IT Administrator (Full-time)

Future Positions: Building Inspector (Full-time); Main Streets and Events Coordinator (Full-time)

Employee Retention: I have authorized a 5% pay rate increase for all current full-time and part-time employees starting on April 3, 2021 (not including myself). This was completed within the current budget and based on City staff not receiving any pay raises beyond COLA for the past six years. The City conducted a pay rate survey in 2016 and almost all employees are still paid at the lowest level on the now dated identified survey scales. The lack of employee evaluations, merit based pay increases and performance measures has caused very real morale issues within the City staff. I hope this 5% raise is seen as a recognition of the current staff who have kept this City running through multiple changes in the City Administrator seat, a transition within the City Council, huge future

infrastructure projects, COVID-19, and an even greater tourism industry. I also hope this pay increase gets my staff to stand behind me, as I will them, as we all work together for the betterment of our community.

With this increase, I have told the City staff that I do not intend to provide across-the-board raises in the future. Before the end of the calendar year, I will implement an employee evaluation system that will provide raises based on merit and meeting identified performance measurements.

Visitor Center Improvements: The Visitor Center is currently having all of the burgundy color repainted by a volunteer, with new flooring being installed in the near future. The goal is to have the Visitor Center open on May 1 through October 31, 2021.

Meetings Attended:

Unified Command

Multi-Agency Coordination Group

City Council Work Session

City Council Meeting

Building Inspector Meetings

Region 10 Briefing Meeting (Councilor Funk)

Gary Dunn – Planning Commission and Ouray Trail Group Discussion

TAC Secretary Meeting

Marketing Goal Setting Meeting

JVA (Waste Water Treatment Facility Bi-Weekly Project Meeting) x 2

Leadership Team Meeting (Weekly)

Tamara Gulde – Community History Discussion

Development Meetings x 3 (Two New Minor Subdivisions and One Potential Plat)

COP Refinancing Meeting

Pool Staffing and Recruitment Meeting with Rick and Rebecca

Dolgio Nergui – Ouray Climbers Rotary Park potential Kiosk

Pool Employee Meeting x 2

Joint Policy Group Meeting

City Attorney Meetings x 2

Via Feratta and Ice Park Potential New Restrooms

Drinking Water Options (Two Meetings)

Attached here is a brief memo from the Director of Finance and Administration regarding financial reports.



MEMORANDUM

April 1, 2021

TO: City Council and City Administrator
FROM: Melissa M. Drake – Director of Finance and Administration
SUBJECT: Financial Reports

Financial reports have been delayed this year by late reporting from the Fire and Police Pension Association (FPPA) for all of 2020 Q4.

These reports have now been received and I will provide 2020 year-end reports at the April 19th Council meeting. Since all 2021 reports build on that year-end report, they will follow shortly after.

City of Ouray Police Department

March 2021

For the month of March 2021 OUPD ran approximately 363 calls for service

These included:

- **176 Patrol checks** (includes safety patrols, directed patrols and security checks)
- **41 Parking complaints**
- **8 VIN certifications**
- **2 Fraud complaints**
- **2 Assist other agencies**
- **2 Calls for suspicious persons**
- **1 Arrest for Domestic Violence**
- **1 Trespassing Complaint**

One of the fraud complaints involved an individual from Texas who attempted to pass a movie prop as legitimate US Currency. The \$100 bill was clearly marked "For Motion Picture Use Only" and was rejected at the establishment it was presented to. The individual admitted to obtaining the prop from an auction site and to passing one of the items as currency in Telluride. The remaining two "\$100" bills were confiscated to prevent further fraud. The Telluride Marshal's Office was notified, as was the U.S. Secret Service and the local District Attorney's Office. This case remains under investigation pending review by the DA. The suspect's probation officer was also notified and the State of Texas will be conducting a separate investigation into probation violations.

For the upcoming tourist season OUPD reminds merchants to be on the lookout for counterfeit or fraudulent currency. Counterfeit detector pens are available online and are quite inexpensive.

Upcoming Events:

OUPD has completed almost all of our yearly reoccurring training. We will be conducting firearms qualifications in the near future. We are in the process of having our new radios and computers programmed.

Public Works March 2021 Update

Water

- Water Usage Numbers for February:
 - Influent (Water from spring) – 18,573,477 Gallons
 - Effluent (Water to town) – 13,357,497 Gallons
 - Ice Park – 1,877,968 Gallons
 - Mineral Farms – 233,100 Gallons
- On March 2, 2021, the Colorado Department of Public Health (CDPHE) notified the City of Ouray the City's drinking water source, Weehawken Spring, has been reclassified to ground water under the direct influence of surface water (GWUDI). The evaluation of our drinking water source as GWUDI was conducted by CDPHE utilizing data collected by the City from April 2020 through October 2020. Based on this reclassification, the City is required to provide adequate surface water treatment for the Weehawken Spring within eighteen months through the construction of a new water treatment facility. In the interim, the City is being required by CDPHE to maintain a higher chlorine residual in the distribution system by July 1, 2021 to ensure disinfection. The historical rate of chlorination at the entry point has been 0.5 to 0.7 mg/l and the City is being required to increase this to 2.0 mg/l. When the water treatment facility is constructed and functional, the chlorination residual can be decreased. Chlorine residuals will be monitored twice per day and reported to CDPHE monthly. City crews have begun gradually adjusting chlorine levels in preparation for the new interim requirements.
- Rebuilt chlorine injection system at the water treatment plant.
- Repaired leaking curb stop on Chautauqua Lane.
- Collected water samples from Weehawken Spring and Weehawken Creek. This sampling is being done in conjunction with water treatment improvements.
- Onsite meeting with a vendor that specializes in water treatment and filtration and an engineer to discuss options at our current water treatment facility.

Sewer

- CDPHE issued a compliance advisory for non-compliance in regards to BOD, carbonaceous for the month of January 2021. ([See attached compliance advisory along with response](#))
- Cleaned and camera inspected 10,000 feet of sanitary sewer line.
- Continue to skim the lagoons of debris as needed.
- Replaced two old aerators with brand ones along with adding one more complete aerator setup to increase aeration.
- Continued effort working with JVA on 30% design for the new Wastewater Treatment Facility.

Streets

- Snow plowing operations, and snow removal on City streets.
- Early morning snow removal on HWY 550 parking spots (CDOT Right of Way) ([See attached E-mail](#))
- Graded roads when conditions permitted.
- Replaced three burnt out lights on Main St.
- Hauled 37 loads of Class 6 road base in preparation for street maintenance.
- Spoke with a citizen about the City's dirt roads and the option of paving the roads. She sent a letter that is included in the packet for Council's attention ([See Attached Letter](#))

City Resources

- Continued geothermal monitoring.
- Monthly water sampling for the Hot Springs Pool.
- Began working on bathroom stall doors in the women's bathroom and Fellin' Park.
- Graded Hot Springs Pool Parking Lot.
- Cleaned and hauled off snow from Sled Hill.

March 19, 2021

CDPS Number: CO0043397
City of Ouray
Silas Clarke, City Admin
PO Box 468
Ouray, CO 81427

You may have received a similar letter dated 3/19 or slightly earlier. If so, please ignore/discard that letter, which may provide faulty instructions. Please rely on this current letter to guide your response. We apologize for the error.

**RE: COMPLIANCE ADVISORY - REPORTED EFFLUENT VIOLATION
CITY OF OURAY, CO0043397**

Dear Sir or Madam:

Colorado Discharge Permit System, Permit No. CO0043397 (Permit) authorizes the City of Ouray to discharge treated wastewater subject to the specific effluent limitations of the permit. This compliance advisory is intended to advise you of alleged violations of the Colorado Water Quality Control Act.

The data provided on the Discharge Monitoring Report(s) for the above-referenced facility indicates noncompliance with the permit effluent limitations, as indicated in the attached Effluent Violation Report.

Please submit a response to this letter explaining:

- The cause of the non-compliance;
- The actions and measures you have taken or will be taking to abate the non-compliance; and,
- Any other relevant information.

Electronic correspondence is preferred. Please email your response to: aly.ulibbarri@state.co.us. Please address all paper correspondence (if applicable) to the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-B2-CWE
ATTN: Aly Ulibarri
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

The division will evaluate the facts associated with the City of Ouray's non-compliance, and if a formal enforcement action is deemed necessary, you may be issued a Notice of Violation / Cease and Desist Order that may include the assessment of penalties. Pursuant to §25-8-608, C.R.S., any person who violates any provision of the Colorado Water Quality Control Act, or of any permit issued under the Act, or any control regulation promulgated pursuant to the Act, shall be subject to a civil penalty of up to \$54,833 per violation for each day during which such violation occurs.

(over)



Silas Clarke, City Admin
City of Ouray, CO0043397
March 19, 2021

If you have any questions regarding this matter, please contact me at (303) 692-3163 or via email at aly.ulibbarri@state.co.us.

Sincerely,

A handwritten signature in dark ink, appearing to read "Aly Ulibarri". The signature is written in a cursive, flowing style.

Aly Ulibarri
Enforcement Specialist
Clean Water Enforcement Unit
Water Quality Control Division

Enclosure: Effluent Violation Summary

cc: File Copy

Public Works Department
Joe Coleman
970-325-7074



Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-B20CWE
Attn: Aly Ulibarri
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Dear Ms. Ulibarri:

The City of Ouray submits this written response to the compliance advisory for Colorado Discharge Permit System, Permit No. CO0043397, dated March 19, 2021. The compliance advisory was for non-compliance in regards to BOD, carbonaceous for the month of January 2021.

The City of Ouray is currently in the design process of a new mechanical wastewater treatment plant. We have a meeting set with our wastewater engineer JVA on Wednesday March 31st to finalize 30% design for our new wastewater treatment plant. We are actively engaged in moving forward from our current treatment facility to an improved system. With a new wastewater treatment, plant the City of Ouray will greatly improve treatment capabilities and reliability.

In the interim, the City has replaced two old aerators with brand new ones along with adding one more aerator set up in order to increase aeration in the lagoons. We feel this should help with the higher level of BOD we had in January.

If there are questions regarding this episode of noncompliance and the actions taken to rectify this error, please do not hesitate to contact me.

Sincerely,

Joe Coleman
Director of Public Works
City of Ouray
970-325-7074
colemanj@cityofouray.com

Joe Coleman

From: bruce@rockymountainascenics.com
Sent: Monday, March 15, 2021 11:46 AM
To: Joe Coleman
Cc: Silas Clarke
Subject: Main Street Snow Removal -- YAY!

Hi Joe:

Just wanted to give a shout out to you and your crew for the great job of snow removal on Main Street gutters, parking spaces, and sidewalks from the "Big Storm of 3.14.21." The hard work of Ouray Public Works is appreciated.

Thanks!

Regards,
Bruce Gulde
Mountain Fever Shirts & Gifts
970.325.4408
562.972.8479 Cell
www.MountainFeverShirts.com

Date: March 4th, 2021

To: Joe Coleman, Public Works Director for the City of Ouray

From: Faye Hinkson

RE: Dust and Mud

Dear Joe,

The street where I live, (2nd Street) is so full of mud this time of the year and full of dust in the summer that I find it almost unbearable. There is a lot of traffic coming and going . It is my belief that if the property owners were given a chance to help fund a pavement improvement plan, they would likely be willing to do so. Some on 2nd Street between 3rd and 4th Avenue have already shown an interest in such a plan.

Ten years or more ago when the City paved 7th Avenue crossing the river, the City Fathers promised to pave a street each year until all the streets in town were paved. If this had been done, as promised, we would not have the problem that we have today.

I am asking you to consider really doing something about the dust and Mud, soon. I would be willing to canvas 2nd street property owners for the City, with a petition for signatures to see how much support we may have to pay half of the costs if the City would pay half of the cost to pave this street and install a valley pan directing the water to the river. There is currently a valley pan on 4th Avenue that could be tied onto from 2nd Street. Would the City be willing to enter into such an agreement with the property owners at this time? Please consider paving a road a year as was originally promised until all the streets, where owner interest exists, are paved?

Thank you for your attention to this matter.

Sincerely,

Faye K. Hinkson



310 2nd Street.

City Resources Department

April 5, 2021

- Pandemic related capacity restrictions at the Hot Springs Pool have been increased to 250. The staff schedule has been adjusted to provide increased numbers of lifeguards on weekends when there is increased attendance.
- Recruitment, hiring, and training of new lifeguards for the Hot Springs Pool is a top priority for pool staff who are working closely with Human Resources to fill openings. In addition to lifeguards, positions to be filled at the Hot Springs Pool include; Customer Service Associates, Seasonal Maintenance Operator, and Pool Manager. Print and online recruitment ads are placed in local Ouray and Montrose newspapers. A hiring video is being developed for placement on social media. In person recruitment activities are scheduled in the month of April. 30 additional employees need to be hired for summer season at the Hot Springs Pool. Response to recruitment has been slow.
- In-service training is conducted every two weeks at the Hot Springs. Lifeguard certification classes are scheduled monthly.
- Discussions are taking place with the coach of the local Screaming Eels Swim Team to resume team practices this summer.
- Hot Springs Pool staff, local family members, and Special Olympics of Colorado are working together to explore the possibility of initiating a Special Olympic swim team in Ouray.
- The Point of Sale System (POS) in use at the Hot Springs Pool is being phased out by the software developer. The system will no longer be viable at the end of the summer. Compatible systems are being researched with demonstrations scheduled with staff.
- Pool maintenance personnel have prioritized a list of projects for completion in the next six weeks to have the facility ready for summer operations.
- The Fitness Center is now open to the public.
- New fencing around the geothermal mixing vault near the goldfish pond is being designed in collaboration with the Beautification Committee.
- Events are being booked at Fellin Park and the Ouray Community Center for the summer season. Some of the large recurring events at the Community Center are being postponed, again, due to the pandemic. Other events are being downsized by the organizers. Many organizers of small weddings, family gatherings, sport events, and company picnics have reserved park space, rather than indoors at the Community Center, to enhance safe gathering. When the Event and Communications Coordinator resigned earlier this year scheduling of these events shifted from the Administration Department to City Resources.
- The fire suppression system in the Massard Room kitchen has been inspected, certified, and serviced as required by code.
- The annual unannounced inspection (by the Colorado Passenger Tramway Safety Board) of the rope tow at Lee's Ski Hill was conducted early in March. The apparatus passed the inspection with no deficiencies.

- The ski hill remains open at the time of this writing but will likely close within the next few days due to declining snow cover on the hill.
- The Box Canon Falls is scheduled to open May 1st.
- City Resource Department staff routinely participate in online seminars and training provided by the Hot Springs Association. Sessions in March included summer travel forecasts and possible legislation that could affect hot springs operations.

TWIN PEAKS LODGE & HOT SPRINGS
PO BOX 955
Ouray CO 81427-0955

Fees Due	
Renewal Fee	Waived due to 20B-001
Storage Permit \$100 X	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X	Waived due to 20B-001
Related Facility - Campus Liquor Complex \$160.00 per facility	Waived due to 20B-001
Amount Due/Paid	\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor or Fermented Malt Beverage License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name ALPENGLOW PROPERTIES OURAY INC		Doing Business As Name (DBA) TWIN PEAKS LODGE & HOT SPRINGS		
Liquor License # 28-36861-0002	License Type Hotel & Restaurant (city)	Sales Tax License # 28368610002	Expiration Date 06/02/2021	Due Date 04/18/2021
Business Address 125 THIRD AVENUE Ouray CO 81427		County Ouray	Phone Number 9703254427	
Mailing Address PO BOX 955 Ouray CO 81427-0955		Email Rhein 95@gmail.com		
Operating Manager Ryan Hein	Date of Birth	Home Address	Phone Number	
1. Do you have legal possession of the premises at the street address above? Yes No Are the premises owned or rented? Owned Rented* *If rented, expiration date of lease 1/1/24				
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. Yes NO				
3a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? Yes NO				
3b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? Yes NO				
4. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. Yes NO				
5. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. Yes NO				
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. Yes NO				
7. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. Yes NO				

Submit to Local Licensing Authority

Fees Due		
Renewal Fee		
Storage Permit	\$100 X _____	\$
Sidewalk Service Area	\$75.00	\$
Additional Optional Premise Hotel & Restaurant	\$100 X _____	\$
Related Facility - Campus Liquor Complex	\$160.00 per facility	\$
Amount Due/Paid		\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor or Fermented Malt Beverage License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name Full Tilt Saloon, LLC		Doing Business As Name (DBA) Full Tilt Saloon	
Liquor License # 03-13244	Licensee Type (city) Hotel & Restaurant	Sales Tax License # 33036827-0000	Expiration Date April 19, 2021
Business Address 726 Main Street Ouray CO 81427			Phone Number 970 325-9869
Mailing Address Po Box 691 Ridgway CO 81432		Email JTilton@BHeus.com	
Operating Manager Jeremiah Tilton	Date of Birth	Home Address	Phone Number
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input type="checkbox"/> Owned <input type="checkbox"/> Rented* *If rented, expiration date of lease _____			
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
4. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
7. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

P.O. Box 468
320 Sixth Avenue
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

ACTION ITEMS (April 5, 2021):

Consideration and Possible Approval of Blanket Huckstering Permit for Ouray Creative for May 29, 2021

Action Requested – *Will City Council approve a blanket huckstering permit for Ouray Creative?*

Background – A new non-profit organization, Ouray Creative, would like to hold an outdoor event on May 29, 2021 to showcase locally made products. This permit application comes before Council for approval since City Code normally requires each vendor to apply and pay for individual huckstering permits. Council has issued a blanket permit occasionally in the past.

Recommendation – Council decision, but if approved, each vendor should collect appropriate sales tax and report and remit to the state.

Consideration and Possible Approval of Request for Funding from Ouray Creative

Action Requested – *Will City Council approve a request for funding (\$2,500) from Ouray Creative?*

Background – Please see letter of request in this packet.

Recommendation – Council decision.

Consideration and Possible Approval of 2020 Ouray County COVID-19 Economic Resiliency Study from EPS

Action Requested – *Will City Council approve the Economic Resiliency Study?*

Background – This document was procured by the COVID-19 Policy Group consisting of the Ouray City Council, Ridgway Town Council, and Ouray County Board of Commissioners. Representatives from each entity worked with EPS on the study and it has been presented to the Policy Group. Multiple edits have been made based on requests from the Policy Group. This document may be revised in the future but the work covered in the agreement is now complete.

Recommendation – Staff recommends approval.

Via Ferrata Expansion Agreement

Action Requested – *Will City Council approve the Via Ferrata Expansion Agreement?*

Background – This agreement is the First Addendum to the existing Via Ferrata management agreement between the City of Ouray and the Friends of the Via Ferrata. The agreement provides approval for the construction of a second route titled “Ouray Upstream Via Ferrata 2.0.” A portion of this project will be constructed on private property and the owner has provided written permission to the Ouray Via Ferrata as stated in the agreement.

Recommendation – Staff recommends approval.

PSA with SEH, Inc. for Community Development Department Assistance

Action Requested – *Will City Council ratify the professional services agreement with SEH, Inc.?*

Background – A new Community Development Coordinator is slated to begin with the City at the beginning of May. This agreement will help the City Administrator fill the gap for this department until that time. The City Administrator executed the contractor’s agreement previously so assistance could begin and City Council is being requested to ratify his signature through the passage of this PSA.

Recommendation – Staff recommends approval.

Provide Direction to Staff Regarding a Sidewalk Repair and Replacement Program

Action Requested – *Will City Council approve the plan developed by the City Administrator and Public Works Director regarding sidewalk repair and replacement?*

Background – City Council has discussed several times the need for sidewalk repair and replacement within the City. Council recently held a work session to further discuss this topic. The Public Works Director and City Administrator have developed this plan to move this project forward before the summer.

Recommendation – Staff recommends approval.

Consideration and Possible Reappointment of Cindy McCord to the Beautification Committee

Action Requested – *Will City Council reappoint Cindy McCord to the Beautification Committee?*

Background – Ms. McCord has served on the Beautification Committee for many years and heads up the Main Street Flower Project.

Recommendation – Council decision.

P.O. Box 468
320 Sixth Avenue
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

HUCKSTERING APPLICATION AND PERMIT

APPLICATION

Name of Business: Ouray Creative Name of Applicant: Jen Norvell

Primary Business Address: 825 Main Street, Ouray

Mailing Address: PO Box 199, Ouray

Telephone Number: 970-239-3434 Email Address: ouraycreative@gmail.com

Event Name: TBD (something to the effect of "Ouray's Grand Reopening" but more creative)

Description of Activity: Maker's Market (vendors selling locally made craft/art); live entertainment at the Wright Opera House; free vendor space for non-profits.

Date of Huckstering activity: Saturday, 29 May 2021


Location of Huckstering activity: West end of 5th Ave from Main to 1st st & back lot of the Wright; East end of 6th Ave from Main to 4th St. (request street closures from 10 am - 6 pm)

Adjoining Property Owner permission if applicable:

Is the Applicant a non-profit organization? Yes: X No: _____

Signature of Adjoining Property Owner Yes: _____ No: _____

Proof of Sales Tax License Attached. Ouray Creative will collect sales tax licenses from each vendor.



Signature of Applicant

20200319

Date

FOR CITY USE ONLY:

Receipt of Complete Application: _____
Signature of City Staff Date

PERMIT

The City issues a Huckstering Permit to Ouray Creative District for the huckstering activities described in the accompanying Application and the Applicant agrees to the following conditions:

1. To defend, indemnify and hold harmless the City of Ouray, its officers, agents and employees on account of any claim made or adjudged against the City of Ouray, its officers, agents and employees arising out of this Permit and to waive and release the City, its officers, agents and employees on account of any claim for damages to Applicant's person, employees, contractors, or property involved in the exercise of rights and privileges by this Permit;
2. To only conduct activities as described in the Application;
3. To maintain all Applicant's property involved in the permitted activity in good and safe condition to create no safety hazards;
4. To allow for six (6) consecutive feet of convenient unobstructed passage area for pedestrians and not obstruct any vehicular traffic;
5. To conduct and locate operations, vehicles, inventory and structures in accordance with building setback requirements in the applicable of zoning district and remove from the premises when not open for business;
6. To not sell or serve alcohol on the City streets, parks, alleys or sidewalks;
7. To comply with all other City regulations and ordinances; and
8. To reimburse the City for any damages to any City owned property.
9. Additional Conditions: _____
10. If Applicant/Permittee is selling fruits, vegetables, cider or honey, the Applicant/Permittee additionally agrees:
 - a. All sales of fruits, vegetables, cider or honey shall only be conducted within the C-2 zone.
 - b. Operations shall not be conducted for longer than 90 days.
11. Any permit may be revoked or suspended by the City to the permittee for violations of any condition of the permit or of any provision of Section 3-15 of the Ouray City Code.

By signing this Permit, the Applicant/Permittee agrees to comply with all the conditions on this permit and all other City regulations and ordinances and represents that all information in its Application is true and correct:



Signature of Applicant/Permittee

20210319

Date of Signature

Signature of City Staff

Date of Approval

City of Ouray

Per section 3-15 of the Ouray City Code

FEES:

Local (within City limits) Profit Organization:

\$25 for a one day use,

\$100 for two or more days in a 30 day period

Payable to the City of Ouray

Non-Local (outside City limits) Profit Organization:

\$150 for a one day use,

\$500 for two or more days in a 30 day period

Payable to the City of Ouray

Non-Profit Organization:

Fee waived



Ouray Creative District
PO Box 199
Ouray, CO 81427

VIA E-MAIL to: drakem@cityofouray.com

Silas Clarke
Administrator
City of Ouray
P.O. Box 468
Ouray, CO 81427

Re: Request for funding

Mr. Clarke,

Ouray Creative District, d/b/a/ Ouray Creative, is a new non-profit organization incorporated in Colorado and operating in the City of Ouray. Our mission is to promote the selling and buying of goods made locally, and to support the local makers of those goods. Our goal is to become a Colorado Creative District by 2022. Once we achieve that designation, we will be eligible for grants and other funding. First, however, we need to stand up the organization, bring together the makers and the retailers within the City of Ouray, and promote locally made goods to visitors.

A key piece of this effort is a branding plan called “Ouray Made”, which will provide a designation of locally-made goods. In turn, this will encourage retailers to sell – and visitors to buy – locally-made goods. The criteria for eligibility to use the Ouray Made branding/logo is:

Any resident of Ouray County who:

(1) Has tangible works available for purchase at a physical location within the City of Ouray. Works can be fine arts; crafts; books; recordings; shelf-stable foods or beverages, or agricultural products that are purchased by visitors and removed from site. Works must have been substantially made or grown by the county resident.

or

2. Offers arts or cultural events or activities open to the public within the City of Ouray. Events can be performing arts, music, classes, lectures, films, exhibits, art events, or tours.

We have finalized a logo, which will serve as a guidepost for finding locally-made goods. If prominently displayed throughout the City, this logo will call attention to our local makers and encourage buyers to purchase locally made goods. To that end, we plan to:

- Provide each retailer who sells Ouray Made goods with a window sign and shelf signs to point buyers toward locally-made goods.
- Acquire and display large banners on the North and South ends of the city, suggesting that visitors look for the logo to find locally-made goods.
- Create and distribute a small printed map of all the places within the City Ouray Made goods are for sale.

We will also host Maker's Festival on the Saturday of Memorial Day Weekend, which will provide the opportunity for local makers to sell their goods, and spread the word about Ouray Made goods and other creative, cultural, and historical opportunities in the City. As we gain a better understanding about what post-pandemic life looks like, we will also begin planning events and activities that will highlight our rich creative, cultural, and historical assets in Ouray. These efforts will bolster our application to become a Creative District, as well as support the City's goal of becoming a Colorado Main Street. Once those designations are achieved, we will be eligible for grant and other funding to support these efforts; until then we need seed money to make this a reality.

Ouray Creative District requests \$2500 from the City of Ouray for the purposes outlined in this letter. The costs break down as follows:

Two 4 x 10 vinyl banners	\$250
Window stickers for distribution to retailers	\$250
Display/shelf signage for distribution to retailers	\$240
Design and printing of Ouray Made maps	\$1000
Liability insurance for events	\$450
Web hosting for Ouray Made website	\$312
TOTAL	\$2502

The Board of the Ouray Creative District is grateful for your consideration of this request and looks forward to working with the City to support our creative, cultural, and historical assets. Please direct any questions to Jen Norvell at ouraycreative@gmail.com or (970) 239-3434. Thank you!

Respectfully,

Board of Directors, Ouray Creative District

/s/ Jennifer Norvell, Mary Carkin, Aliyah Field

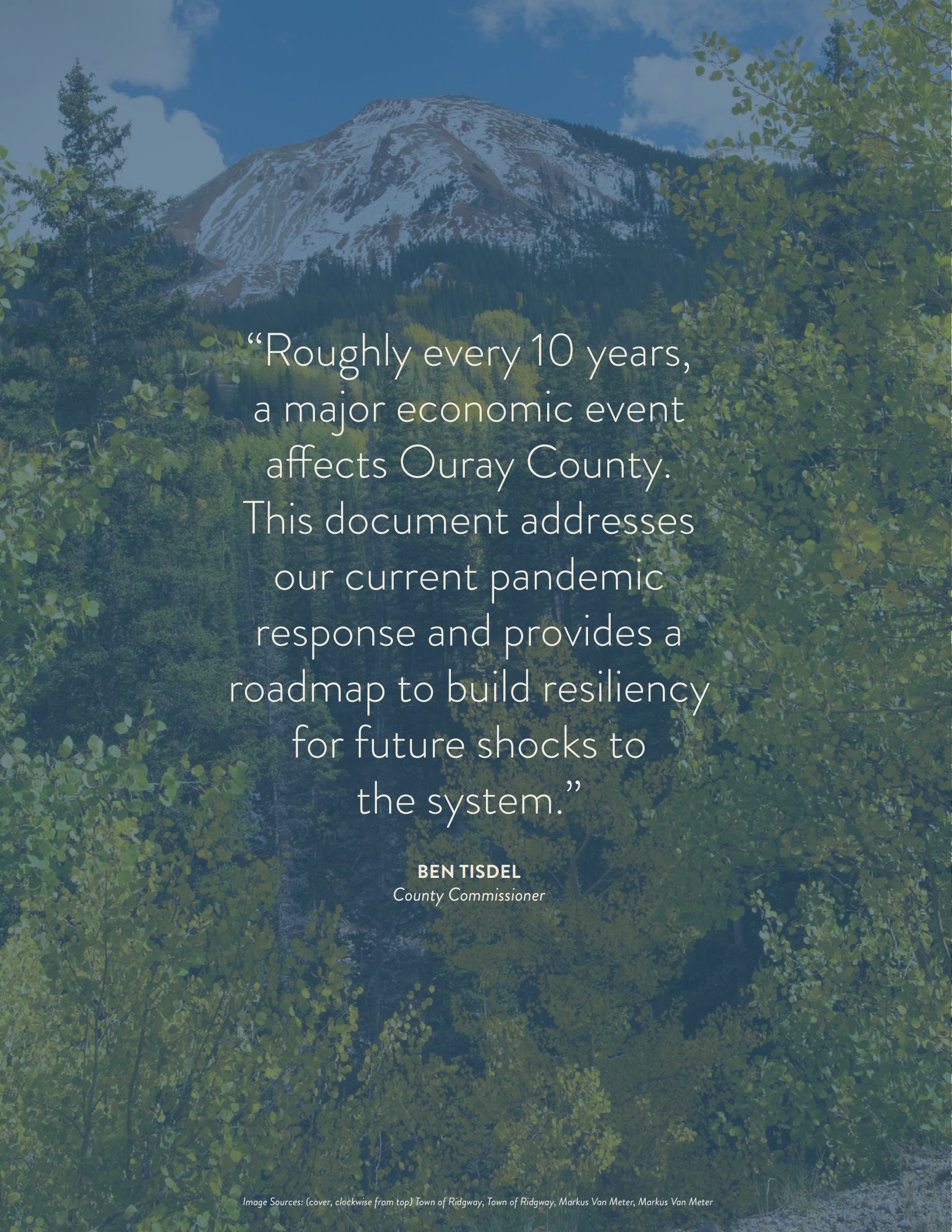
DRAFT

2020 OURAY COUNTY COVID-19 ECONOMIC RESILIENCY STUDY

FEBRUARY 25, 2021



In association
with MIG, Inc.
41



“Roughly every 10 years,
a major economic event
affects Ouray County.
This document addresses
our current pandemic
response and provides a
roadmap to build resiliency
for future shocks to
the system.”

BEN TISDEL
County Commissioner

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1

PURPOSE OF THE REPORT

Project Goal: “Provide the communities of Ouray County with an understanding of fiscal and economic challenges and opportunities, benchmarked to the COVID County health data set.”

In the spring of 2020, Ouray County learned it would face an unprecedented public health challenge. Along with other communities around the world, the COVID 19 virus migrated from continent to continent and had eventually made its way to Ouray County. Similar to the experience in other communities, the challenge has been daunting. Based on the tireless efforts of local staff members and the collective efforts across all jurisdictions and organizations, the community’s response has been effective, regarding both economic health and public health.

The purpose of this document is to provide an evaluation of the County’s economic and fiscal conditions and to provide clarity about the impacts attributed to COVID in 2020. Specifically, it focuses on the impacts of COVID between March and December of 2020. The document also includes information related to resources, which can be used as a guide for ways the community can position itself for future challenges to the system, which might be generated by another wave or mutation of the current virus or something entirely different. The overarching intent has been to help local residents business owners become:

- Informed about how to measure impact,
- Equipped to tap resources, and
- Proactive in terms of thinking about the challenge as an opportunity for resiliency.

These overarching goals have been captured in the project goal formed early in the effort to frame the project (also shown in quotes above on this page): “Provide the communities of Ouray County with an understanding of fiscal and economic challenges and opportunities, benchmarked to the COVID County health data set.”

Another theme that can be found in several of the chapters in this document addresses communication. The systems that have been used are described and illustrated in detail for both the State of Colorado has used as well as the structure used by jurisdictions within the County. The goal is to create clarity among residents, businesses, and guests about how decisions are made and how the information is disseminated. The document also includes some recommendations regarding the flow of information.



Image Source: Markus Van Meter

The methodology used to evaluate economic and fiscal conditions includes a combination of primary and secondary data sources. Secondary data sets include the Bureau of Labor Statistics, the Department of Local Affairs (DOLA), and the Colorado Department of Revenue. Primary sources include a business survey, interviews with business representatives, and many discussions with elected officials and local staff. The methodology used for the analysis relies on an array of economic and fiscal data, coupled with listening to individuals who have been on the front line of the challenge. The goal is to generate data-driven report that has been calibrated based on local understanding.

As a point of clarity, the term county in some cases refers to the collective area that includes the City of Ouray, the Town of Ridgway, and the unincorporated areas surrounding these jurisdictions. In other cases, it refers specifically to the governance structure of Ouray County, led by the Board of County Commissioners. Because there is a need to refer to both concepts of the county, the specific application of the term has been clarified within each of the following chapters.

When capitalized, the reference is to the organization. When used with small case, it refers to the broader geography and community as a whole.

Finally, due to the unknown nature of the virus, particularly in the early stages, the saying that the community was ‘driving the car as it was building the car’ is aptly applied. During the process of writing this plan, there were many conversations with local residents. A theme that was expressed consistently among conversations with the business community and representatives from each of the three jurisdictions was the deep respect and admiration for the effort put forth by local staff. If nothing else, the pandemic has tested local systems and local personnel, and proven new levels of commitment and resiliency.

TRAJECTORY OF COVID

As of February 2nd, 2021, the United States recorded 26.2 million cases of COVID-19. The pandemic has affected the country in waves. The first cases appeared in late January 2020, but overall cases began to rise in March. Daily new cases reached an initial peak of 42,600 on April 6th, after which the rate of new cases gradually declined over the following months. The rate of new cases started to rise again in June, reaching a second peak of 75,100 new cases on July 24th. The rate of new cases fell again through August and September, creating the impression that the pandemic had stabilized. In October 2020, cases began to rise dramatically, reaching unprecedented levels in November and December. Most days in December recorded over 200,000 new cases, and by January 8th, 2021, the country reached a daily peak of 314,093 new cases. Based on this information, the COVID-19 pandemic has shown little sign of slowing down nationwide, although new daily cases have decreased in recent weeks.

The COVID-19 pandemic has followed a generally similar trajectory in Colorado. After initial waves in April and July, new cases in Colorado appeared to stabilize in August, reaching a 3-month low of 192 cases on August 30th. Starting in September, the number of new cases began to rise dramatically, reaching a high of 6,439 daily cases on November 13th. Daily new cases remained over 4,000 until mid-December, when the case rate began to fall. Colorado recorded a 2-month low of 1,400 new cases on December 27th, and after a brief uptick in early January, the case rate has continued to decline. As of February 3rd, 2021, Colorado recored a total of 397,998 cases

Ouray County recorded 211 COVID-19 cases and 3 COVID-19 related deaths as of February 3rd, 2021. For the first several months of the pandemic, Ouray County had few cases, recording 10 total cases by June 29th and 40 total cases by October 31st, 2020. As occurred statewide and nationwide, Ouray County experienced an uptick in cases in November, recording 12 daily cases and surpassing 100 total cases on November 16th. Since November, Ouray County has had between 1 and 2 new cases per day, indicating that the pandemic is continuing but that overall spread has stabilized.

In comparison to Colorado and to the United States as a whole, Ouray County has experienced a relatively low rate of COVID-19 infection. The county has had 43 cases per 1,000 residents, compared to 69 cases per 1,000 residents in Colorado and 80 cases per 1,000 residents nationwide.

While the reasons behind a relatively low COVID-19 infection rate are varied, Ouray County's proactive public health measures and adherence to state guidelines have played a role in containing the spread and minimizing the impact of the virus. The County responded quickly to the pandemic by closing certain attractions like the Ice Park, effectively preparing the County for the summer season. While the virus continued to surge at the national and state levels, Ouray County saw a reduction in new cases.

COVID-19 CASES

In comparison to Colorado and to the United States as a whole, Ouray County has experienced a relatively low rate of COVID-19 infection.

OURAY COUNTY

43

CASES PER 1,000 RESIDENTS

COLORADO

69

CASES PER 1,000 RESIDENTS

UNITED STATES

80

CASES PER 1,000 RESIDENTS

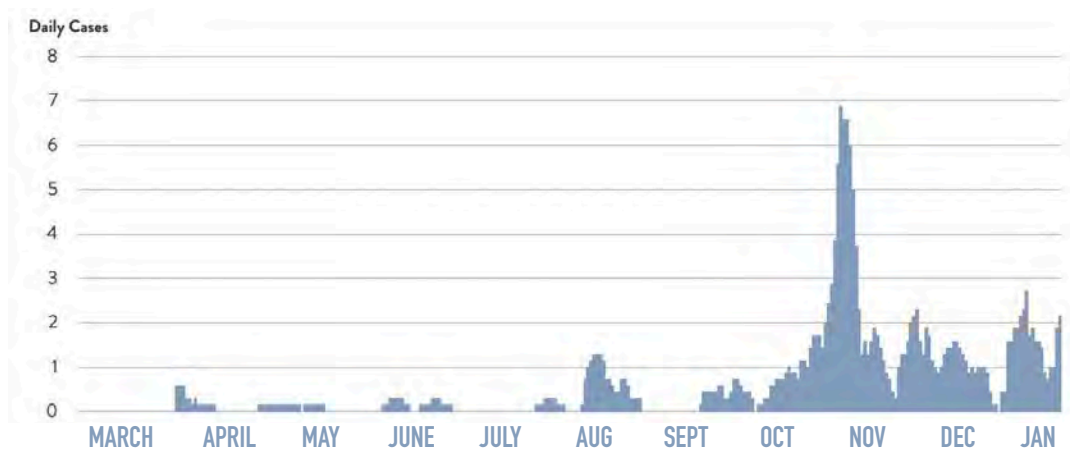
DAILY COVID-19 CASES, 7-DAY MOVING AVERAGE, **U.S.**



DAILY COVID-19 CASES, 7-DAY MOVING AVERAGE, **COLORADO**



DAILY CASES, 7-DAY MOVING AVERAGE, **OURAY COUNTY**



Sources: Colorado Department of Public Health and the Environment (CDPHE) and the Center for Disease Control (CDC)

2

COLORADO PUBLIC HEALTH SYSTEM

As of September 2020, Ouray County has followed the public health orders associated with the State dial system.

SYSTEM STRUCTURE

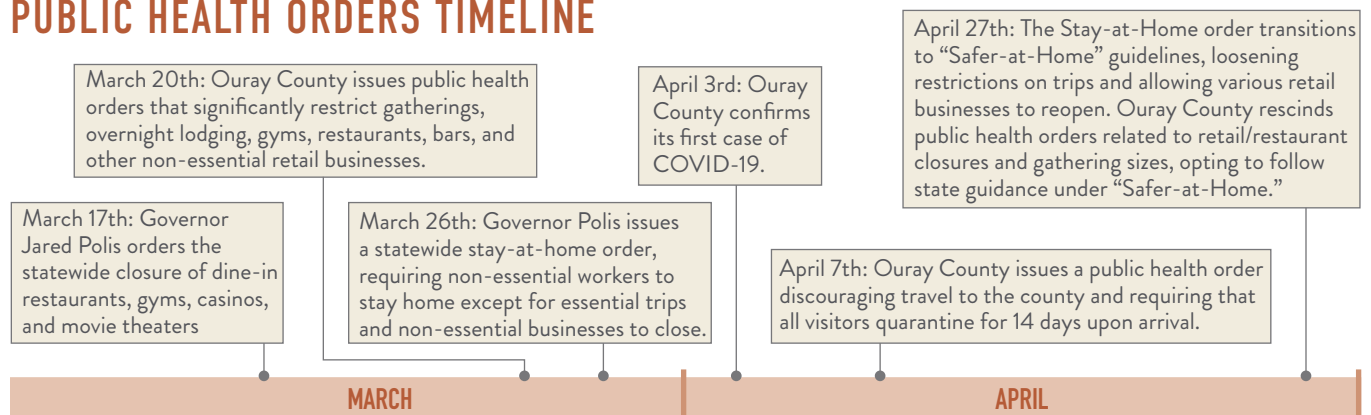
Colorado has a decentralized public health system in which counties are required to operate a local public health agency or participate in a district agency. Ouray County has its own public health agency, the Ouray County Public Health Agency, while other areas share an agency with multiple counties, such as San Juan Basin Public Health (La Plata and Archuleta counties) and Tri-County Health (Arapahoe, Adams, and Douglas Counties).

Local agencies are ultimately responsible to the Colorado Department of Public Health and the Environment (CDPHE), a State agency that is responsible for both health and environmental protection statewide. CDPHE establishes a set of core public health capabilities and

services that local agencies are expected to provide. The scope of core public health services may be limited by the amount of state and local funding available. Public health agencies may opt to share resources with neighboring health agencies to assure that core services are accessible. These capabilities and services are summarized on the following page.

Most relevant to the COVID-19 pandemic is the service of Communicable Disease Prevention & Control. The CDPHE defines this responsibility as locally and state coordinated investigation, testing, and prevention/control efforts to reduce the incidence and transmission of infectious diseases. This aligns with the efforts that the State has undertaken to control the COVID-19 pandemic, namely the COVID dial and its corresponding measures.

PUBLIC HEALTH ORDERS TIMELINE



CORE PUBLIC HEALTH CAPABILITIES AND SERVICES

COLORADO'S CORE PUBLIC HEALTH SERVICES

- ✓ Assessment and Planning
- ✓ Emergency Preparedness and Response
- ✓ Communications
- ✓ Organizational Competencies
- ✓ Health Equity and Social Determinants of Health
- ✓ Policy Development and Support
- ✓ Partnerships



**COMMUNICABLE
DISEASE PREVENTION &
CONTROL**



**CHRONIC DISEASE &
INJURY PREVENTION &
BEHAVIORAL HEALTH
PROMOTION**



**ENVIRONMENTAL
HEALTH**

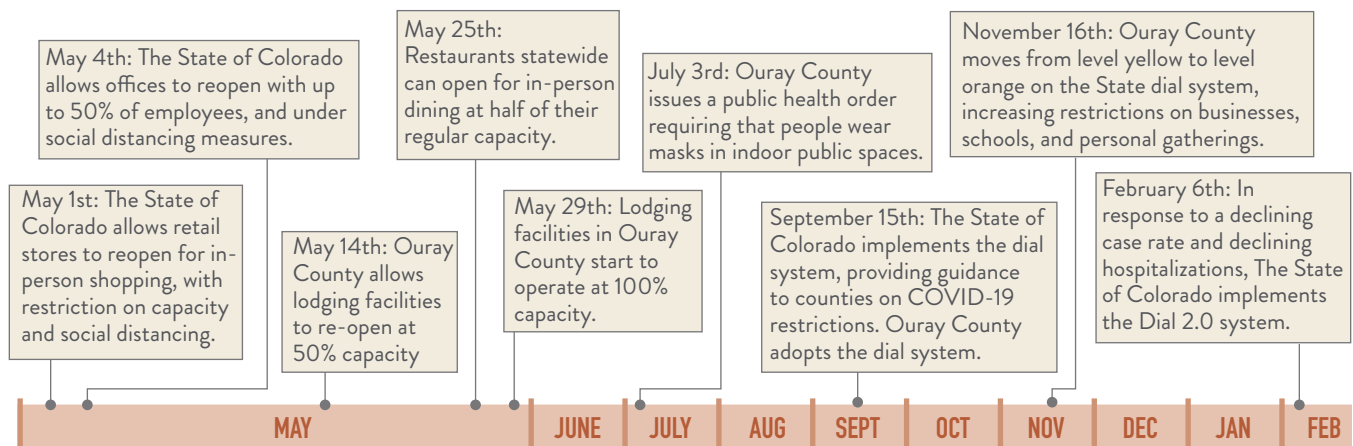


**MATERNAL, CHILD,
ADOLESCENT &
FAMILY HEALTH**



**ACCESS TO AND
LINKAGE WITH
CLINICAL CARE**

Based on graphic from CDPHE.



DIAL SYSTEM

On September 15th, 2020, the State of Colorado implemented a dial framework to guide policy on the COVID-19 pandemic. The dial consists of six levels, indicated by colors, that correspond to a particular level of COVID-19 risk. As shown in the graphic on this page, the colors range from Green (lowest level, relatively low risk) to Purple (highest level, extreme risk). This system is intended to provide clear and predictable guidance to counties in their response to the pandemic, ideally balancing county-specific circumstances with a strong state response to an urgent issue.

The CDPHE is responsible for assigning a dial level to each county. Once assigned, counties can move back and forth between levels. Levels are determined by the following criteria:

- **Percent of positive tests:** the percentage of tests that come back positive out of the total number of tests performed.
- **Number of new cases:** the cumulative number of cases over a two-week period, per 100,000 people. This measures community circulation.
- **Hospitalizations:** the trend of new hospitalizations. It examines the extent to which hospitalizations are increasing, declining, or stable.

Each level is determined by a particular combination of these criteria, which is summarized in the table on the following page. To move to a lower, less restrictive level (i.e. orange to yellow), counties must meet and sustain all three metrics for two weeks and consult CDPHE.

Although the dial system is supposed to adhere to these requirements in a consistent manner, it is sometimes the case that the State will move counties along the dial without those counties meeting all of the requirements. The State will consider other factors such as statewide hospital capacity and a statewide changes in case rates, along with broader concerns about economic activity.

Each level is associated with a particular set of restrictions that health departments must enforce. The restrictions allow for various amounts of social and economic activity, governing things such as gathering sizes, restaurant capacity, and office capacity. Restrictions at each level are summarized in the table on the following page.

COLORADO COVID-19 DIAL



STATE AND LOCAL RESPONSIBILITIES

With the implementation of the dial system, the State has taken on responsibility for creating policy around COVID-19 and communicating it to local public health agencies. Compliance with and enforcement of state public health directives is the responsibility of each public health agency. For example, as Ouray County is currently at Level Orange (as of January 2021), the Ouray County Public Health Agency is tasked with enforcing the capacity restrictions associated with Level Orange. Within the dial framework, Ouray County does not designate itself as Level Orange, but enforces its associated mandates.

Before the implementation of the dial system, the Ouray County Public Health Agency passed public health orders related to capacity restrictions, and masks. Since the dial system was established and once its public health orders expired, Ouray County has been following State directives. The structure of the public health system requires Ouray County to follow these directives. At the same time, Ouray County is permitted to implement public health orders that are stricter than those of the State, but is not permitted to implement public health orders less strict than those of the State. A proactive response to pandemic-related issues can benefit counties, however. When CDPHE determines Ouray County's dial level, it considers the extent to which the county has been proactive with mask enforcement, testing, and capacity restrictions. If the county has been proactive, the CDPHE is less likely to move it into a more severe category (i.e. from orange to red). This encourages counties to be proactive and thorough in their response to the pandemic.

DIAL 2.0 LEVEL DETERMINANTS & BUSINESS-RELATED RESTRICTIONS

LEVEL DETERMINANTS	CATEGORY	LEVEL GREEN Protect our Neighbors	LEVEL BLUE Caution	LEVEL YELLOW Concern	LEVEL ORANGE High Risk	LEVEL RED Severe Risk	LEVEL PURPLE Extreme Risk
	NEW CASES	Must achieve all 8 Protect our Neighbors metrics and complete the certification process	15–100 100,000 7 day	100–300 100,000 7 day	300–500 100,000 7 day	501+ 100,000 7 day	Statewide hospital capacity risks being breached; Crisis standards of care approaching
	PERCENT TESTING POSITIVITY		No more than 5%	No more than 7.5%	No more than 10%	10% or higher	
	HOSPITALIZATIONS		Hospitalized County Residents: Increasing, stable, or declining? (Regional capacity will also be considered)				

BUSINESS-RELATED RESTRICTIONS	OFFICES	50%* capacity		50% capacity, remote work is strongly encouraged	25% capacity, remote work is strongly encouraged	10% capacity, remote work is strongly encouraged	Remote work or Closed
	RESTAURANTS - INDOORS	50%* capacity or 500 people [†]	50% capacity or 175 people indoors (or up to 225 with calculator) [†]	50% capacity or 50 people (or up to 150 with calculator) [†]	25% capacity or 50 people [†]	Indoor dining closed. Take out, curbside, delivery, or to go	Indoor dining closed. Take out, delivery, or to go is open
	RESTAURANTS - OUTDOORS	6ft between parties outdoors, per local zoning				Open air with only groups of own household is open	Outdoor dining closed. Take out, delivery, or to go is open
	BARS	50%* capacity or 500 people [†]	Closed				
	NON-CRITICAL MANUFACTURING		50% capacity or 175 people indoors [†]	50% capacity or 50 people (or up to 100 with calculator) [†]	25% capacity or 50 people [†]		10% capacity or 25 people [†]
	GYMS/FITNESS		25% capacity or 75 people [†]	25% capacity or 50 people [†]	25% capacity, 25 people indoors [†] , or outdoors in groups less than 10	10% capacity, 10 people indoors per room [†] , or outdoors in groups less than 10. Reservations required	Virtual, or outdoors in groups less than 10
	CRITICAL AND NON-CRITICAL RETAIL		50%* capacity		50% capacity with increased curbside pick up, and delivery. Dedicated senior and at-risk hours encouraged		Non-critical retail closed. Curbside pick-up and delivery OK. Critical may operate at 50% capacity but should make significant efforts to reduce the number of people in-store as much as possible
	PERSONAL SERVICES	50%* capacity or 500 people [†]	50% capacity or 50 people [†]		25% capacity or 25 people [†]		Closed
	OUTDOOR GUIDED SERVICES		50% capacity or 25 people [†]	50% capacity or 10 people [†]	25% capacity or 10 people [†]		25% capacity or up to 10 only in your own household [†]

*Counties that enter Protect Our Neighbors are eligible to increase the percentage caps by 5% every month they continually sustain those metrics.

[†] When capacity limits are expressed as both a percentage of posted capacity and a total number of people, use whichever number is fewer.

**Educational institutions including museums, aquariums and zoos may operate indoors at 25% of the posted occupancy limit not to exceed 25 people using the Distancing Space Calculator per room.

3

LOCAL PUBLIC HEALTH DIRECTIVES

The County's structure to address emergency events is presented in this chapter, with an emphasis on current and potential communication flows.

As noted in the previous chapter, the standards for how the County operates has been based on requirements issued by the State of Colorado, disseminated to each of the respective County Health Departments across the state. The purpose of this chapter is to document the local organizational structure as it relates to implementing the state mandates. Each County has latitude based on size, staffing, and unique attributes in terms of implementation. The diagrams and descriptions that follow are intended to summarize the approach that has been used in Ouray County with the purpose of:

1. Clarifying the information flow from the state (top down, bottom up and across the matrix);
2. Identifying ways to capture feedback from local organizations and individuals (bottom up and top down); and
3. Seeking ways to improve the processes, based on the real-time experience of the past nine months.

ORGANIZATIONAL RESPONSE

There is an existing system for addressing emergency conditions within the County contained in the *Ouray County Emergency Operations Plan (EOP)*. "The purpose of the EOP is to provide general guidelines and to designate specific principles and resources for managing and coordinating overall response and recovery activities before, during and after major emergencies and disaster event. The Emergency Operations Plan has been developed in accordance with the requirements for local emergency planning established under the State of Colorado Emergency Act of 1992, and also meets the requirements of other state and federal guidelines for local emergency management plans and programs. The EOP will be updated annually through the Ouray County Multi-Agency Coordination Group, and as needed after any incident, to ensure that it remains an effective and accurate emergency management tool for officials, responders, and citizens of Ouray County." The last update was December 8, 2015. Updates and changes to the appendices have occurred after 2015 and may occur as needed.



Image Source: Town of Ridgway

The EOP has a general direction geared to natural disasters as well as backcountry rescue, which are logical points of focus given the natural setting of Ouray County. Pandemics are listed, but specific activities tailored to this type of emergency are limited.

There is a second plan known as the Multijurisdictional Multihazard Mitigation Plan (MMMP). The MMMP was last updated in 2019. “Ouray County, including the participating jurisdictions of the City of Ouray, the Town of Ridgway, and Log Hill Mesa Fire Protection District, has prepared this local hazard mitigation plan to guide hazard mitigation planning to better protect the people and property of the County from the effects of hazard events. This plan demonstrates the community’s commitment to reducing risks from hazards and serves as a tool to help decision makers direct mitigation activities and resources. The plan is intended to be a living document through ongoing implementation and regular updates every five years. The original plan was developed in 2008 and updated in 2013 and 2019. This plan was also developed to make Ouray County and participating jurisdictions eligible for

certain federal disaster assistance, specifically, the Federal Emergency Management Agency’s (FEMA) Hazard Mitigation Assistance (HMA) grant programs, as well as to make the County more disaster resistant”.

The Multijurisdictional, Multihazard Mitigation Plan has a section regrading Public Health Emergencies. It references public health pandemics that have been previously experienced, but it does not address a “worldwide pandemic” that we are experiencing today, COVID-19. We have learned from this pandemic and we recognize that this pandemic should be looked upon differently and may require a “long-term” pandemic or disaster classification. Furthermore, it may require a different command/management structure in order to be effective and sustainable. The following summary and set of recommendations are based on the experience of 2020 and are set forth to address needs of extended emergencies.

Under an emergency incident or declared disaster, there is a benefit of communicating the basic structure that the County uses for addressing a public health emergency.

As listed below, the County takes the following steps to ensure the public health conditions are being protected and addressed.

STEP 1

INCIDENT COMMAND

The initial step related to a public health concern is to recognize the event and establish an Incident Command. This step involves County staff, specifically the Emergency Manager and the Public Health Director. Depending on the findings from the staff conducting a review of the incident, they may determine that the occurrence will pass without potential for broader impact. In that case, no further effort is required of the County. Alternatively, they may find that the issue is significant, and warrants the activation of the County Board of Health.

STEP 2

COUNTY BOARD OF HEALTH

In Ouray County, the Board of County Commissioners (BOCC) serves as the Board of Health and meets on a quarterly basis, or more frequently. Based on the findings from staff related to the Incident Command, they can be called to order as needed. The focus of the Board of Health when convened is to review the findings from the incident and compare local conditions to the statewide context. Findings from the Colorado Department of Public Health and the Environment (CDPHE) will be presented, and based on the degree of severity of conditions within the state and/or within the County, the Board of Health may determine to activate greater local resources in the form of Unified Command. Alternatively, they could suspend action at that time until greater need is determined to exist.

It should be recognized that much of the purview for action is vested at the state level of governance. As described in the previous chapter, much of the time, the County staff are implementors of state directives. Actions at the local level often pertain to communications and resources.

STEP 3

UNIFIED COMMAND

The Unified Command is formed with membership determined based on expertise and authority related to the specific emergency that exists. Each situation is unique, and thus the composition of Unified Command may differ from any previous time a Unified Command has been formed. It usually will involve county staff, municipal staff, as well as elected officials. Often there is just a single representative from each of the local jurisdictions. Based on their assessment of need and determination of action, they may request that the BOCC declare an official State of Emergency. With this designation, the County is eligible to tap into FEMA funding, and do so in an accelerated manner. Purchases can be made, within the federal protocol for reimbursement once the declaration is official. These resources enable County staff to move quickly and become operational at a speed that protects resident health in the face of an evolving threat.

STEP 4

POLICY GROUP

The first time the Policy Group has been convened has been part of the COVID 19 response, due to the complex, extensive, and ongoing nature of the challenge. In the future, as needed, the County may choose to reactivate the Policy Group, with the purpose of forming a broader coalition to address needs, to evaluate policy decisions, and to ensure the collective leadership within the region are engaged. The Policy Group involves all members of all elected boards, all senior staff, and mid-level staff as needed. Board involvement includes the City of Ouray, the Town of Ridgway, Ouray County, and can involve other boards, such as the local School Board, as needed.

The purpose of the Policy Group is to inform all decision makers in real time. Given that each board has, in effect, a quorum when the Policy Group convenes, all meetings are noticed and open to the public. Because it consists of a multiple set of different public bodies, no formal actions are taken during these meetings. Information is provided with the goal of keeping all entities fully aware of the nature of the challenge, the resources available, and potential actions that can be taken once each board returns to their standard scheduled meetings.

STEP 5

LOCAL CITY, TOWN, AND COUNTY ACTION

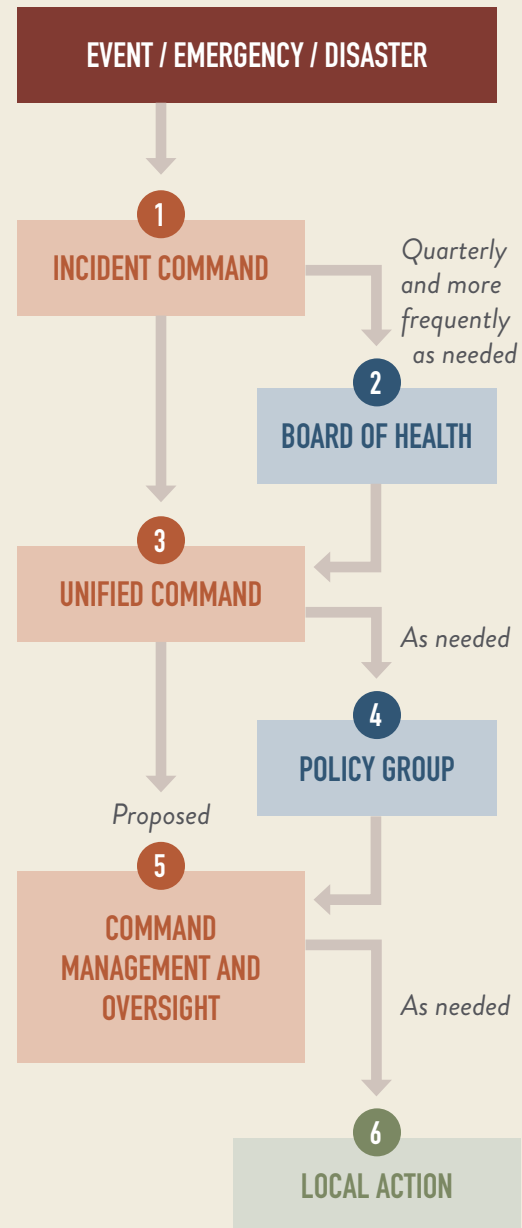
As needed and appropriate, the local governments can adopt resolutions, appropriate funds, and provide additional locally calibrated regulations, as needed or desired. It is within these forums of the individual meetings that they can take action, ideally in sync with those of the other regulating bodies, based on information shared within the Policy Group.

STEP 6

UNIFIED COMMAND MANAGEMENT AND OVERSIGHT

Most emergency conditions are resolved in a span of days or weeks, with a few extending into months. For those that are extended, it is recommended to form a Unified Command Management and Oversight group. The composition would reflect the location, type of event, and duration and would likely include senior staff and elected official(s) from the relevant jurisdictions. As most emergency events occur in the unincorporated area of the county, it is recommended that a County appointed or elected official (i.e. County Administrator, or Commissioner) chair the group and help identify the size and representation of members. A group such as this will be particularly relevant for long-term situations (like a pandemic) in which greater support to front line staff is needed, particularly in light of the need for long-term strategies related to community need, staff resources, sustainability and communications.

LEADERSHIP STRUCTURE FOR EMERGENCIES & DISASTERS





OURAY COUNTY
COURT HOUSE
1888

541

CONSIDERATIONS RELATED TO THE EXISTING STRUCTURE

During the course of developing this COVID Recovery Plan, many individuals from the public and private sector were interviewed. All were directly involved in the response that began in March 2020. All expressed respect and gratitude for the County staff, specifically citing the Public Health Director and the Emergency Manager as examples of ideal public servants professionally and personally committed to addressing the COVID challenge and improving the public health of the region. If there was one theme that emerged from the interviews about the existing structure, it related to the dissemination of information. Suggestions from a range of stakeholders as well as the consultant team are provided below:

1. Improve communications with all residents, guests, and businesses with better electronic forms of messaging. An example of this is to create a Facebook page, given the frequency and ease of accessing information by local community members on Facebook. The County could also consider creating a downloadable app specific to Ouray County that residents could easily tap for the latest regulations and resources, although this approach has particular challenges with implementation.
2. In addition, use written forms of messaging to improve communications with residents and businesses, especially those who do not have access to or actively use digital forms of communication. An example is distributing a printed mailer with information and with a phone number to call.
3. Improve two-way communications with businesses with direct email to owners and managers. There would be significant benefit with a two-way communication path with businesses that provides a channel for business to communicate to local officials. Examples include unique messaging that is more relevant to this group, as opposed to the general public. Also, fielding surveys and questionnaires provides real-time information about the economic landscape. Because sales tax collections and employment data are released by the state with significant lag, there is a need for up-to-date monitoring. For example, succinct monthly surveys that collect insights on employment cuts, changes in business activity, and perceptions about the overall economic conditions will provide elected officials with real-time data to help inform their policy decisions.
4. Because the database of email contacts is quite dated, it is recommended to activate a business license requirement with, among other data requirements, a current set of email contacts for every business within each jurisdiction. The purpose is to create better ways of listening and should not be interpreted as anything more.
5. Improve the flow of communication to the general public. It would be beneficial for the public to receive notifications from the County government on certain matters. Examples include vaccine information, public health orders, COVID-19 testing, and existing social/economic resources. This would essentially be a 'Reverse 911' and would help ensure that Ouray residents are informed of current situations and available resources.
6. Consider adding a Command Management Group, consisting of some combination of senior staff and elected official(s) based on the nature, location, and severity of the challenge. This is recommended for long-term situations, like COVID, which requires a sustained effort. This contrasts with current structure, which is geared to immediate action, and is typically in place over a shorter duration. The purpose would be to provide senior administration oversight to address community need, staff resources, sustainability and communications.
7. Recognize the need for a permanent Public Information Officer and assign tasks related outgoing messaging as well as incoming communications to this individual. (Note that the BOCC has funded this position and the County is underway with hiring this individual.)
8. Ensure that every voice is heard at the Policy Group by providing time on each agenda for the PIO to summarize all in-coming email (grouped by topic) and ensure that the themes expressed by Ouray County residents, business owners, and guests are heard by elected officials concurrently.
9. Update the *Ouray County Emergency Operations Plan* (EOP) and the *Multijurisdictional Multihazard Mitigation Plan* (MMMP) in a timely manner in 2021, following the conclusion of the current pandemic. As staff regains capacity, consider the concepts included in this document and incorporate into the adopted plans as appropriate.

4

STRUCTURE OF THE OURAY COUNTY ECONOMY

Public health is the portal through which economic vitality can occur. The Ouray County economy is interconnected and all sectors perform best when these relationships are strengthened.

RELATIONSHIPS BETWEEN ECONOMIC COHORTS

The economy of Ouray County is primarily driven by visitation. Countywide, 32 percent of all jobs are in the Accommodation and Food Services sector. This share is higher in the City of Ouray, which has half of all jobs in the Accommodation and Food Services sector, compared to 22 percent of all jobs in Ridgway. The mix of employment in Ridgway is comparatively diverse, with significant shares of employment in Construction, Retail Trade, Manufacturing, Agriculture, and Professional Services. Countywide, Public Administration is also a significant sector, comprising 10 percent of all jobs, most of which are in the City of Ouray.

Within the Accommodation and Food Services Sector, approximately 60 percent of the jobs are food service-related and 40 percent of the jobs are Accommodation-related.

Within Ouray County, approximately 50 percent of all jobs are located in Ridgway, 40 percent are located in the City of Ouray, and 10 percent are located elsewhere in the county. While the share of mining employment is currently

small, the Ouray Silver Mine is growing quickly and is expected to employ 160 people by mid-2021, which will represent approximately seven percent of countywide employment.

SHARE OF EMPLOYMENT BY SECTOR

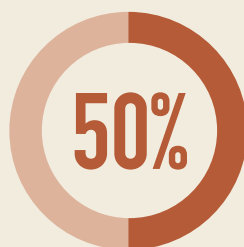
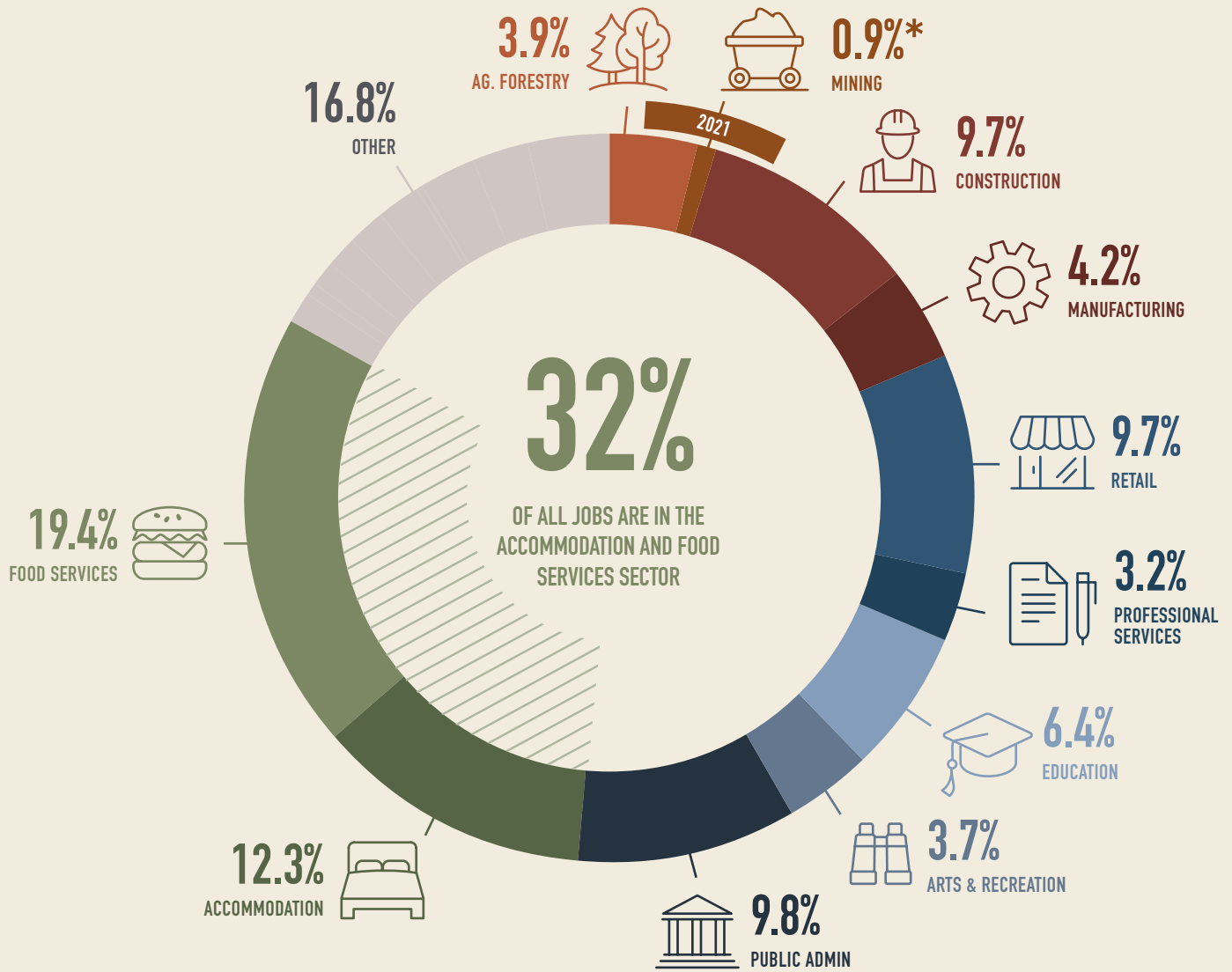
SECTOR	TOTAL	OURAY COUNTY
FOOD SERVICES	428	19.4%
ACCOMMODATION	271	12.3%
82 PUBLIC ADMINISTRATION*	216	9.8%
23 CONSTRUCTION	214	9.7%
44-45 RETAIL TRADE	213	9.7%
61 EDUCATIONAL SERVICES	142	6.4%
31-33 MANUFACTURING	94	4.2%
11 AG FORESTRY	87	3.9%
71 ARTS & RECREATION	82	3.7%
54 PROFESSIONAL SERVICES	71	3.2%
21 MINING*	20	0.9%
OTHER	368	16.7%
TOTAL	2,205	100%

Source: BLS; Economic & Planning System

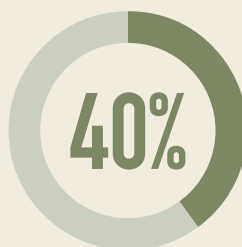
*"Public Administration" refers to people employed at local, state, and federal levels of government.

*Mining is expected to grow by 160 jobs by mid-2021, which will represent approximately 7% of countywide employment

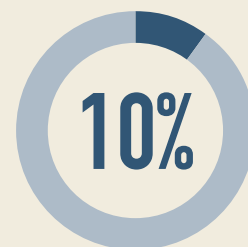
SHARE OF EMPLOYMENT BY SECTOR IN OURAY COUNTY (2019)



OF ALL JOBS ARE
IN RIDGWAY



OF ALL JOBS ARE IN
CITY OF OURAY



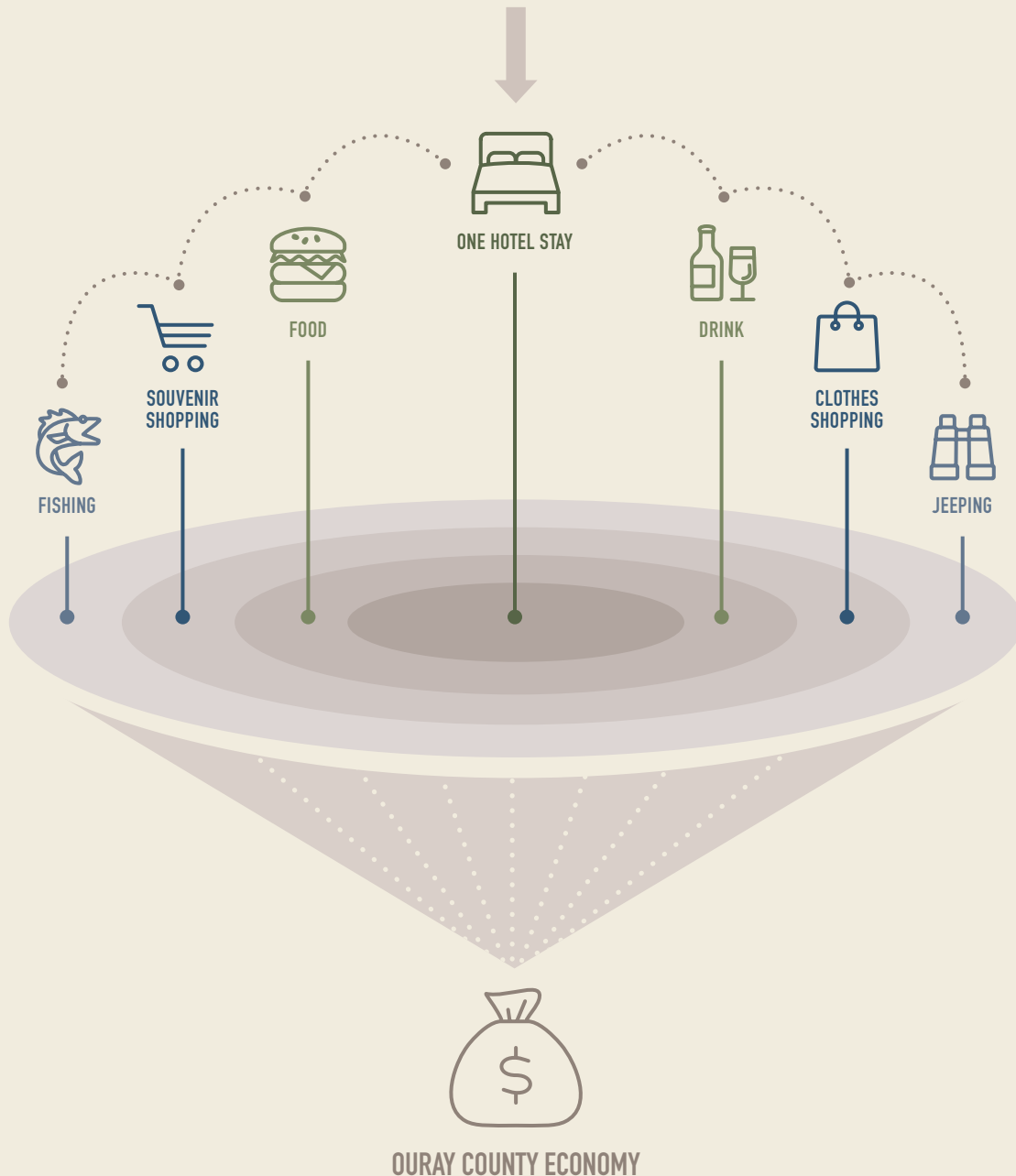
OF ALL JOBS ARE
ELSEWHERE IN COUNTY

*Mining is expected to grow to approximately 7% by mid-2021.

RIPPLE EFFECT



One purchase (a hotel room) leads to other purchases, increasing the amount of money flowing through the local economy.



RIPPLE EFFECT

The economy of Ouray County is interconnected. Spending in one sector will cause changes to other sectors, creating a ‘ripple effect’. For example, if a person purchases a hotel room for a night, it is likely that the person will also spend money on items such as food, coffee, and clothing in the area, putting money into the hands of local business. Additionally, guests will often engage in some form of backcountry excursion (jeeping, fishing, etc.) that will generate additional visitor spending. One purchase (a hotel room) leads to other purchases, increasing the amount of money flowing through the local economy. This dynamic is central to the economy of Ouray County, which is driven by hospitality-related businesses.

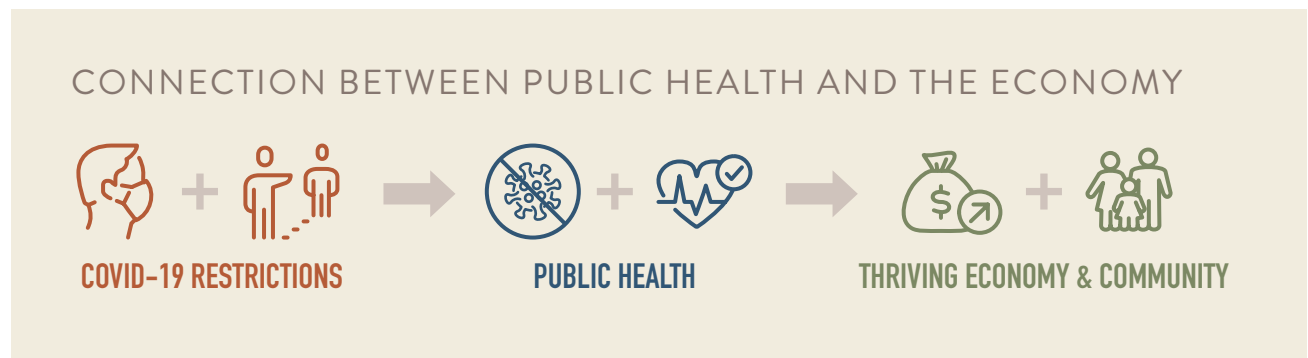
When economic connections are active, such as during a strong tourism season, the benefits are self-reinforcing; one dollar of spending generates several additional dollars of economic activity. At the same time, this dynamic makes Ouray County vulnerable to consumption-related shocks. When the connections are broken, the economy falls into a downward cycle. One dollar not spent means that several additional dollars will not flow through the economy, affecting a wide range of businesses and employees. If someone chooses to not book a hotel room, the hotel not only forgoes that revenue, but so do other local businesses like restaurants, boutiques, and breweries that the hotel guest would have likely patronized. It is essential to Ouray County’s economic health that these connections are sustained. All sectors do best, when these relationships are strong.

CONNECTION BETWEEN PUBLIC HEALTH AND THE ECONOMY

These economic connections are central to the success of the Ouray County economy. As the COVID-19 pandemic has created an impetus for social distancing and minimizing person-to-person contact, sustaining these connections has become more difficult. Restrictions on business capacity and gathering size have limited the ability of most businesses to operate at a normal scale. While this has negatively affected business activity, the restrictions are necessary to fostering public health.

As long as the risk of COVID-19 remains a reality, the economy will be unable to thrive and the community will be unable to function as it normally does. Key to a healthy economy is resident and business confidence – if people do not feel safe going to large gatherings or to indoor businesses, then economic and social activity will be hampered, whereas if residents are confident that going to gatherings and business does not put them at risk of catching COVID-19, then economic and social activity will be able to carry on as normal.

Many Ouray County businesses shared this sentiment. Nearly 60 percent of businesses that responded to the survey indicated that ‘Health/COVID-19 Infection is their greatest concern with business continuity. Additionally, a common sentiment was that the ongoing risks of COVID-19 have made employee retention challenging, as the risk of exposure to COVID-19 while working is a source of stress for employees in the county. Considering the toll that COVID-19 has had on residents and businesses, safety is a necessary step in putting the economy back on track. Public health is a precondition to a thriving economy and community.



5

RESULTS OF THE BUSINESS SURVEY

The COVID-19 pandemic has created challenges for businesses in Ouray County, as described in detailed survey results. The business community reflects the resolve for resiliency and recovery.

The COVID-19 pandemic has posed significant challenges to businesses in Ouray County. Capacity restrictions, social distancing, health risks, and closures have jeopardized the viability of many businesses. The survival and prosperity of businesses in Ouray County is essential to economic resiliency, as local businesses provide economic opportunity, local character, and vibrancy. This section examines the current sentiment of Ouray County businesses with an interest in determining that primary issues that businesses are facing, how they have responded to the pandemic, and how the County can best assist businesses moving forward. Ideally, this section provides insight into the ways that Ouray County businesses can move forward from the pandemic.

It is important to understand the competing economic trends that Ouray County has recently experienced. Certain metrics, such as job growth and increasing sales tax collections over the past decade, indicate a thriving local economy. Traffic data shows a significant uptick in visitor traffic in 2020, resulting from shifting travel patterns and desire to access outdoor recreation during a pandemic. While these factors bode well for Ouray County businesses, many businesses face considerable challenges, and the gains of strong economic activity have not been evenly distributed. Survey results present a mix of

sentiments – many businesses have struggled, while others have had normal, if not successful, years. Importantly, the survey indicates that COVID-19 has been accelerating trends that existed previously - particularly increasing housing prices and the ongoing expansion and necessity of E-Commerce. These issues create an imperative for businesses and policymakers to adapt to a changing reality.

DETAILS OF THE SURVEY

The business survey consisted of 20 questions on topics related to the impacts of COVID-19, responses to COVID-19, business continuity, relief programs sought out by businesses, and ideas that businesses have for policymakers in Ouray County. In total, 62 businesses responded to the survey through an online form, representing a 25 percent return of the 240 surveys fielded. A response rate over 20 percent is considered successful. As this survey is a snapshot in time with a relatively small sample size, it does not fully represent the long-term trends that Ouray County businesses have experienced. With this in mind, it would be beneficial for the county to conduct this type of business survey on a quarterly or yearly basis from a well-established distribution list to better assess the status of county businesses.

OVERVIEW OF RESULTS

CHARACTERISTICS OF RESPONDENTS

Several different types of businesses responded to the survey. The most common business types were as follows:



The remaining responses were distributed between 7 other types of businesses, including Manufacturing, Professional Services, Construction, and Health Care.

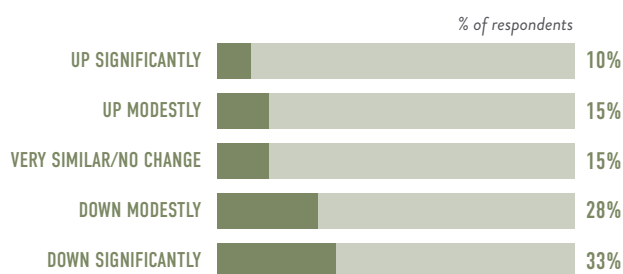
The majority of respondents—62 percent of total—were very small businesses, with 1-4 employees. In addition, 13 percent had 5-10 employees, 16 percent had 11-20 employees, and 8 percent had 21-40 employees.

PERFORMANCE IN 2020

To gauge the performance of businesses in 2020, the survey asked “How has the revenue of your business changed in 2020 versus?”. Approximately one-third of respondents indicated that their revenue is ‘down significantly’, while 28 percent of respondents indicated that their revenue is down modestly. In total, over 60 percent of businesses have seen lower revenues in 2020 than in 2019. By comparison, approximately one-quarter of respondents indicated that their revenues are either up modestly or up significantly, while fifteen percent of businesses indicated no change.

At the same time, approximately two-thirds of respondents indicated that no employees have been laid off in 2020, suggesting that businesses have not had to significantly cut staff.

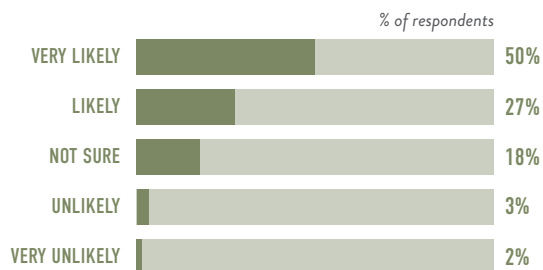
HOW HAS YOUR REVENUE CHANGED IN 2020 OVER 2019?



BUSINESS CONFIDENCE

The survey also asked businesses their expectations on how likely it is that they will be able to operate through 2021. While not a perfect measure of business performance, it illustrates business confidence in Ouray County. Overall, one-half of businesses indicated that it is ‘very likely’ that they will be able to operate through 2021, while over one-quarter said it is ‘likely’.

HOW LIKELY IS IT THAT YOUR BUSINESS WILL OPERATE THROUGH 2021?



BUSINESS SURVEY RESULTS

OF RESPONDENTS



62
BUSINESSES
RESPONDED

RESPONSES TO COVID



OPERATING AT
LIMITED CAPACITY



SHIFTING BUSINESS
TO ONLINE PLATFORMS



BUSINESS AS NORMAL

MAIN CONCERNS



HEALTH/COVID-19



EMPLOYEE RETENTION



HOUSING ACCESSIBILITY
FOR EMPLOYEES



CASH FLOW

INVESTMENTS NEEDED



48%
OF RESPONDENTS
NEED INVESTMENTS
FOR PPE



29%
OF RESPONDENTS NEED
INVESTMENTS FOR
ONLINE PLATFORMS

MAJOR THEMES

RESPONSES TO COVID-19

One of the main motivations of the business survey was to hear how businesses in Ouray County have responded to the COVID-19 pandemic. The question of “How has your business responded to COVID-19?” led to the following insights:

- Half of respondents indicated that they are still operating, but at limited capacity
- 43 percent of respondents indicated that they are still operating, but with changed hours
- Only 11 percent of respondents indicated that they are temporarily closed. No respondents indicated that they are permanently closed
- Several businesses indicated that they have moved much of their activity online
- Some businesses indicated that ‘business as normal’ has carried on and that they have stayed busy

CHALLENGES AND IMPACTS

The COVID-19 pandemic has presented businesses across the country with challenges – some of which are new, some of which are challenges that businesses have always faced, but amplified. Between the necessity of social distancing and an economic recession, businesses have not been able to operate as is ‘normal.’ A crucial part of this survey is to see how businesses in Ouray County have been affected by the pandemic, which not only helps residents and other business owners better understand the current business climate, but also informs policymakers in Ouray County on how they should assist businesses both now and in the future, ideally helping policymakers foster economic resiliency in Ouray County.

The survey asked businesses “What are your primary concerns with the continuity of your business?” Responses to this question are summarized in the bar graph on this page. Over half of businesses indicated that Health/COVID-19 is a primary concern. This reinforces the notion that good public health is essential to business success. Cash flow was also cited as a concern by 46 percent of respondents, highlighting the potential importance of loan or grant programs to small businesses.

WHAT ARE YOUR PRIMARY CONCERNS WITH THE CONTINUITY OF YOUR BUSINESS?

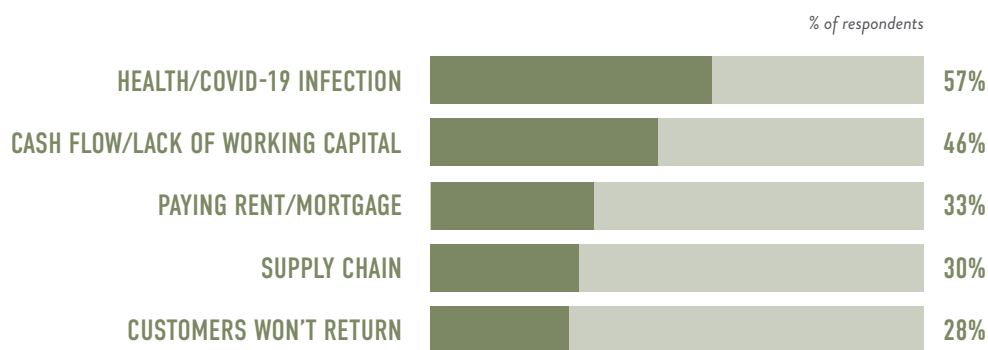




Image Source: Town of Ridgway

Throughout the survey, businesses provided input on how the COVID-19 pandemic has affected their operations in addition to what is described above. Based on these responses, the following themes emerged as the main challenges faced by business in Ouray County:

Employee Retention and Hiring

A common theme among respondents is that the pandemic has made staffing and employee retention especially challenging. While businesses in Ouray County have long had to deal with staffing issues, the pandemic has exacerbated them. The main reason behind this is that the pandemic has made for stressful work environments in which employees face significant health risks, which not only jeopardizes their physical health, but causes anxiety and a loss of morale. According to survey responses, this is especially true in the service sector, where restaurants and retail stores have continued to have in-person contact, putting employees at the frontline. Employee burnout was commonly cited as a barrier to employee retention, which stems not only from the stress of the pandemic, but also from the high volume of traffic that several Ouray businesses experienced over the summer. Several businesses struggled to find staff to meet this demand while ensuring employee and customer safety. Along

these lines, businesses have been dealing with this labor market reality that Ouray County has a thin applicant pool for available jobs, an issue that has only grown during the pandemic. Moving forward, staffing issues pose a challenge to businesses in Ouray County.

Challenges with Affordable Housing

Several businesses indicated that it is increasingly difficult for employees to find affordable housing in the area, causing employees in Ouray and Ridgway to move farther and farther out of the county. This poses a significant challenge to employee retention, as employees are discouraged from working at Ouray County businesses when they either have to spend a high portion of their income on housing, or have to commute from a long distance to work. It also makes employee retention difficult on the employer's end, as expensive housing means higher wages are required to retain employees and to keep them happy. While housing affordability is a longstanding problem in Ouray County, the pandemic has exacerbated the problem due to the 'Zoom Town' phenomenon in which remote working and other effects of the pandemic have enabled and encouraged an unprecedented number of people to move to rural areas, such as Ouray County, that have long



Image Source: Town of Ridgway

lacked the employment base to sustain a large base of mid- to high-income residents. As a result, housing prices continue to be pushed up, straining availability of affordable housing for employees in the region.

Building an Online Footprint

As the pandemic has created a business environment in which person-to-person contact is risky and limited, online commerce is increasingly crucial to business success. Several businesses expressed that they have transferred much of their business to or are working to expand their business to online platforms. In particular, one-third of respondents indicated that they need to invest in an online platform in order to adapt to the pandemic, most of which were Retail, Outdoor Recreation, or Food and Beverage businesses. On the other hand, one online-based manufacturing business in Ouray County has been performing very well during the pandemic as its model was well-suited to persist in the face of COVID-related restrictions and changes in behavior. A robust online presence will be essential to the success of many businesses in Ouray, both through the duration of the pandemic and post-pandemic.

Arts Organizations

One type of business that has been decimated by the pandemic in Ouray County are arts-based organizations. Due to the necessity of social distancing and the limited options for adaptation, arts events have practically come to a halt since March. To make matters worse, these businesses expressed that fundraising, which is a typical driver of arts organization success, has largely dried up. Until large events are safe again and resident confidence in public health recovers, this trend will continue. Arts organizations indicated that some form of support is imperative to their survival.

Positive Impacts

Several businesses indicated that they have done well during the pandemic and that they have not faced any major challenges. As Ouray County saw a marked uptick in visitation in 2020, some businesses were able to thrive despite the constraints of the pandemic.

Keep the WEST SLOPE STRONG

Take the Pledge: The Five Commitments of Containment



1
Wear
a mask



2
Maintain 6 feet of
physical distance



3
Minimize
group size



4
Wash your
hands
frequently

5

Stay home
when sick
and get tested



It's up to us to keep
Colorado healthy.

DO YOUR PART



Image Source: Town of Ridgway



Image Source: Town of Ridgway



Image Source: RidgwayColorado.com

Keep the WEST SLOPE STRONG

Shop Locally!

SUPPORT LOCAL BUSINESS

Invest in
our local
economy



It's up to us to keep
Colorado healthy.

DO YOUR PART



Image Source: Markus van Meter



Image Source: Town of Ridgway



Image Source: City of Ouray

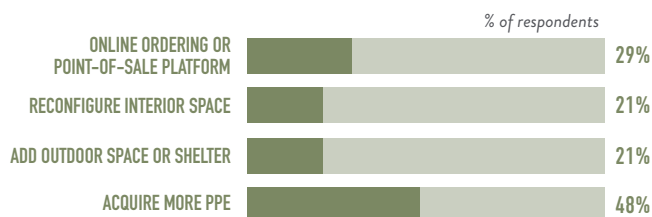
INVESTMENTS NEEDED

The businesses survey was interested in determining how businesses can adapt to the pandemic. When asked ‘Do you need to make any investments in your business to adapt to the pandemic?’, approximately 48 percent of respondents indicated that ‘Acquiring more Personal Protective Equipment (PPE)’ is an investment needed to adapt to the pandemic, while over a quarter indicated that they need to improve or invest in online ordering platforms.

These findings align with the sentiments related to the challenges that businesses have faced during the pandemic, especially those related to employee retention. Investments in PPE are seen both as a way to preserve the flow of business and to keep employees safe and healthy. Several businesses indicated that they have incurred significant expenses for PPE, air purifiers sanitizing, and mask enforcement, which is particularly taxing considering the revenue losses that many businesses have faced. In addition, several businesses expressed the need for rapid testing and vaccines. While these are obvious needs that are ultimately limited by nationwide availability, it shows the importance of communicating with businesses on when and how they can expect to access these things.

These findings also align with the common sentiment that many businesses need to build their online presence in order to stay strong moving forward.

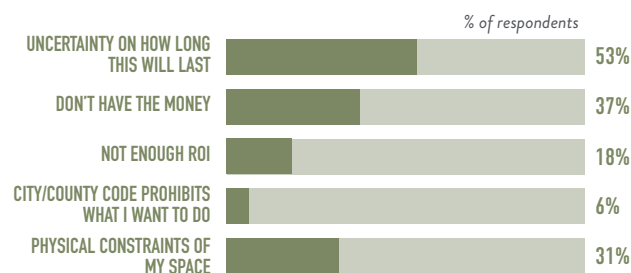
DO YOU NEED TO MAKE ANY INVESTMENTS IN YOUR BUSINESS TO ADAPT TO THE PANDEMIC?



INVESTMENTS BARRIERS TO MAKING NECESSARY INVESTMENTS

Also important to consider are the barriers that prevent businesses from making the investments discussed above. According to survey results, over half of respondents say that ‘uncertainty on how long this (pandemic) will last’ has prevented them from making these investments, while over one-third indicated that they do not have the money, 31 percent indicated that their space has physical constraint, and 18 percent indicated that the cost of the investments exceed the necessary return needed to justify the effort. In short, that the cost does not provide the needed Return on Investment (ROI).

IF YOU NEED TO MAKE INVESTMENTS IN YOUR BUSINESS TO ADAPT TO THE PANDEMIC, WHAT HAS PREVENTED YOU FROM MAKING THESE CHANGES?



6

ECONOMIC & DEMOGRAPHIC TRENDS

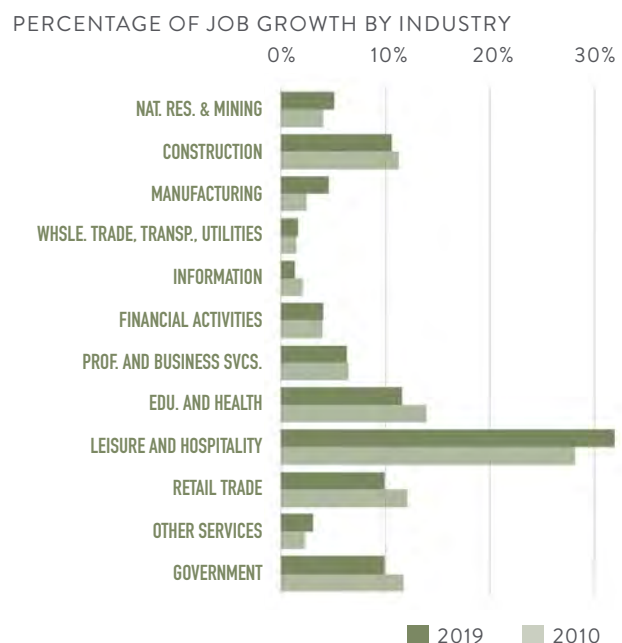
Over the past decade, the Ouray County economy has shown signs of vitality—job growth, population growth, and an expanding tax base. The past year has generated a mix of economic and fiscal conditions, with negative trends for unemployment claims and positive trends for fiscal revenues.

ECONOMY

Ouray County's economy has grown from 2010 through 2019, which was a period of strong economic growth in Colorado. Ouray County added approximately 525 jobs during this time period, a 21 percent increase and an annual growth rate of 2.1 percent.

The mix of jobs in Ouray County has remained relatively constant, however there are some changes that point to the potential to create more economic diversity. Natural resources and mining jobs grew by about 40 jobs to 5.1 percent of the total. Manufacturing industries, which includes brewing and distilling, more than doubled in size to nearly 100 jobs and 4.6 percent of the total. Professional and business services add 30 jobs; these types of jobs can be done remotely. At the same time, tourism jobs (leisure and hospitality) grew by nearly 200 jobs and is 32 percent of all jobs; with retail trade tourism and retail sectors comprise 42 percent of all jobs.

Nearly half of the jobs in Ouray County are held by self-employed people (proprietors), indicating the importance of entrepreneurship and small businesses.



ECONOMIC STORY IN OURAY COUNTY

JOB GROWTH



525

APPROX. NUMBER
OF JOBS ADDED

Source: Bureau of Labor Statistics (BLS)

TOTAL JOBS



COUNTYWIDE SALES TAX



SINCE 2014

13.9%

SALES TAX GROWTH
PER YEAR

SALES TAX GROWTH RATE



UNEMPLOYMENT RATE

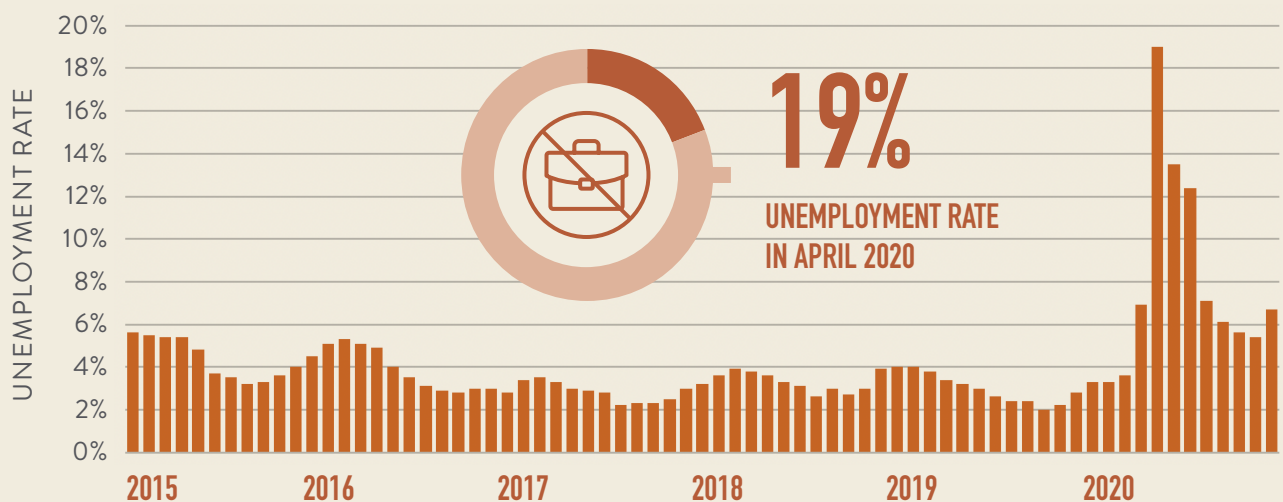




Image Source: Shutterstock

ECONOMIC INDICATORS

The unemployment rate in Ouray County was 6.7 percent in November 2020, the most recent available at this writing. Five percent is considered by many economists to be a stable or “natural” unemployment rate. Statewide unemployment is lower at 6.2 percent. Ouray and surrounding counties have similar levels of unemployment. San Miguel County however has been harder hit due to the shutdown of construction and the Telluride ski area in Spring 2020.

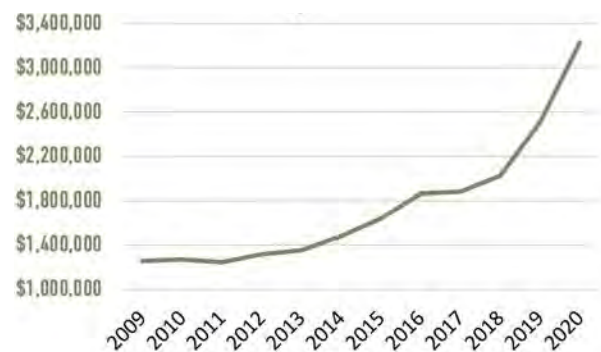
In 2020, unemployment rates were especially high in Ouray County. During a normal year, unemployment in Ouray County reaches a high of between 4 and 5 percent during the winter months due to seasonal changes in economic activity. In April of 2020, the unemployment rate reached 19 percent, considerably higher than the highest unemployment level reached during the Great Recession of 12 percent. The unemployment rate remained over 10 percent through June and has steadily fallen since then.

The number of unemployment insurance claims is an indicator of how many people are newly out of work on a weekly basis. This number was notably high in Ouray County in 2020. Ouray County recorded 690 claims in 2020, with new claims reaching a peak of 123 during the week of March 28th. This represents an average of 13 claims per week, which is significantly higher than the 2019 average of 3 claims per week.

The County collects a 2.55 percent sales tax countywide, making it an excellent indicator for economic activity for the entire County. Ouray County has experienced strong sales tax growth. Since 2014, sales tax has grown by 13.9 percent per year. From 2018 through 2019, it grew by 23.8 percent and by 28.9 percent from 2019 through 2020. Some of the recent increase is due to the collection of sales tax from online purchases. In 2020, much of the increase is also due to one of the busiest summer drive-to travel and outdoor recreation seasons on record, resulting from a change in vacation patterns during the pandemic.

Sales tax for Summer and Fall months in 2020 are up 15 to 30 percent over 2019. The data shown reflect the month the County receives the revenue, about six weeks after the actual sales occur (e.g., November sales tax is from mid-September sales).

COUNTYWIDE SALES TAX BY YEAR



UNEMPLOYMENT RATES, 2020, SELECT COUNTIES

MONTH	COLORADO	OURAY	MONTROSE	MESA	SAN MIGUEL
JANUARY	2.8%	3.3%	3.4%	4.1%	1.8%
FEBRUARY	2.9%	3.6%	3.6%	4.1%	1.7%
MARCH	5.4%	6.9%	7.5%	7.0%	3.5%
APRIL	12.2%	19.0%	12.3%	12.6%	22.9%
MAY	10.0%	13.5%	9.3%	9.1%	22.2%
JUNE	10.7%	12.4%	10.4%	10.1%	17.2%
JULY	7.4%	7.1%	6.5%	7.0%	9.4%
AUGUST	6.6%	6.1%	5.5%	6.2%	8.3%
SEPTEMBER	6.2%	5.6%	5.3%	5.7%	6.9%
OCTOBER	6.1%	5.4%	5.1%	5.7%	8.0%
NOVEMBER	6.2%	6.7%	5.5%	6.0%	11.2%
CHANGE	3.4%	3.4%	2.1%	1.9%	9.4%

Source: BLS; Economic & Planning Systems

COUNTYWIDE SALES TAX BY MONTH

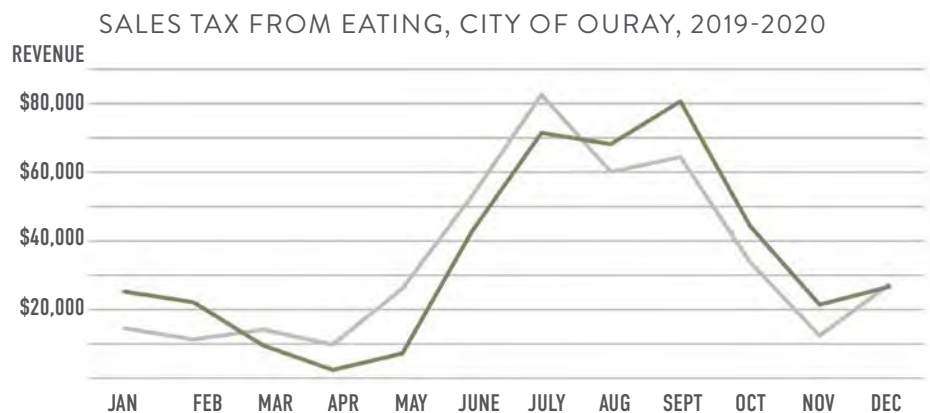
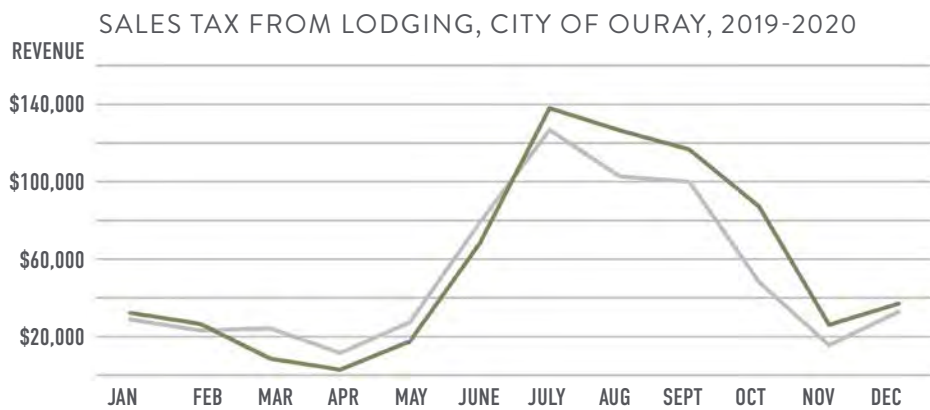
MONTH	2019	2020	% CHANGE
JANUARY	\$109,681	\$200,328	83%
FEBRUARY	\$155,481	\$233,448	50%
MARCH	\$146,011	\$194,803	33%
APRIL	\$129,376	\$169,125	31%
MAY	\$145,176	\$160,701	11%
JUNE	\$129,164	\$151,215	17%
JULY	\$162,633	\$186,826	15%
AUGUST	\$276,831	\$309,002	12%
SEPTEMBER	\$365,567	\$439,351	20%
OCTOBER	\$330,235	\$403,565	22%
NOVEMBER	\$327,608	\$439,610	34%
DECEMBER	\$227,588	\$339,617	49%
TOTAL THROUGH DECEMBER	\$2,505,350	\$3,227,590	29%

Source: Ouray County; Economic & Planning Systems

*The amounts above are countywide amounts, which include both the municipalities and county.

With a Supreme Court decision in 2018 determining that local governments can collect sales tax from online purchases, a common question has been around the composition of the growth in sales tax collections locally and the degree to which the growth is driven by e-commerce sales or by sales from local business. Because there is overlap in the timing of COVID-19 and the implementation of the new ruling, additional data has been included to provide clarity.

Sales tax collections from the City of Ouray offer insight into this issue. In 2020, sales tax collections for Lodging, Eating and Drinking, and Local Retail businesses all showed marked increases over collections in 2019, as shown in the figures below. This highlights the positive fiscal impact of a strong 2020 tourism season on main street businesses. While it is possible that remote sales have contributed to increased sales tax collections, available data indicates a relatively strong year for many Ouray County businesses, despite the conditions of the pandemic



Source: City of Ouray;
Economic & Planning Systems

HOUSING AND DEMOGRAPHICS

Ouray County's full-time population is growing, with just under 500 new residents since 2010. From 2010 through 2019, 320 new homes were built and there was an increase of 297 new households indicating that most new housing is being occupied by full time residents. The percentage of second homes has declined by 2.6 percent according to the latest estimates from the State Demography office.

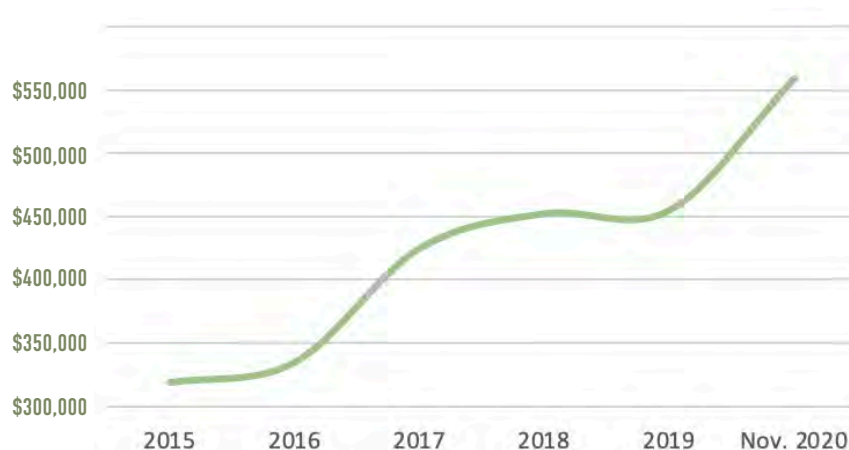
The mountain real estate market has appreciated significantly in 2020 driven by a desire to work remotely, and to have open spaces and recreation opportunities more distant from large cities. This "Zoom Town" trend has been driving up prices, accelerating trends that were already happening in Colorado. As of November 2020, the median single family home price in Ouray County was \$559,000. This is up from \$319,000 in 2015, which is 12.1 percent annual appreciation. These trends suggest an increase in people moving to Ouray County, and/or an increase in second home purchases which will continue to put pressure on the housing availability for local residents.

VACANCY RATES

DESCRIPTION	2010	2019	CHANGE
POPULATION	4,446	4,934	488
HOUSEHOLDS (OCCUPIED HOMES)	2,026	2,323	297
TOTAL HOUSING UNITS	3,088	3,408	320
VACANT HOUSING UNITS (SECOND HOMES)	1,062	1,085	23
VACANCY RATE	34.3%	31.8%	-2.6%

Source: DOLA

MEDIAN SALES PRICE



Source: Colorado Association of Realtors

7

MOBILITY ANALYSIS

Ouray County saw an exceptionally high volume of visitors in 2020. While this brought economic benefits, it raised awareness regarding the need to balance these benefits with the preservation of natural and infrastructural assets going forward.

The COVID-19 pandemic has significantly affected how people move and travel. Capacity restrictions, risks of large gatherings, and the necessity of social distancing have shifted people away from traditional gathering places like restaurants, movie theaters, concert halls, stadiums, and stores. Travel patterns have also changed, with more people opting for road trips and outdoor recreation than flying and international travel. These trends have manifested themselves in Ouray County. During the summer and fall of 2020, Ouray County saw an influx of visitors beyond what it normally experiences despite the risks of the pandemic. This chapter examines data on mobility trends in Ouray County, relying on data from the state on device activity and on traffic data on Ouray County roads.

TRAVEL PATTERN CHANGES



**MORE ROAD
TRIPS**



**MORE OUTDOOR
RECREATION**

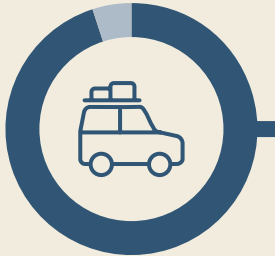
VISITOR ACTIVITY

The summer of 2020 was marked by a widespread desire for road trips and a desire to access areas with an abundance of open space, enabling people to avoid the risks of flying and crowds. Ouray, as a hub of outdoor recreation and natural beauty, was a common destination for road trippers. This is evident in the amount of out of county visitor activity that the county experienced through the summer season. As shown on the graph on the next page, the volume of activity from people outside of Ouray County rose significantly in May and June, peaking in July at a level seven to eight times higher than March and April levels.

Out-of-county activity decreased in August, but remained high until late October, when it stabilized to similar levels as in March and April. A high share of traffic in Ouray County is usually from outside of the county. In 2020, 83 percent of all activity was from outside of the county, compared to 79 percent in 2019. At the peak of the tourism season in July, 95 percent of all traffic was from outside of Ouray County. While Ouray has historically been a destination for visitors, it is notable that, even during a pandemic that created an imperative for people to stay at home, summer visitation remained strong.

VISITOR & TRAFFIC ACTIVITY

ACTIVITY FROM OUTSIDE OURAY COUNTY



IN JULY 2020,

95%

of all traffic was from outside of Ouray County.

VISITOR ACTIVITY AS PERCENT OF TOTAL ACTIVITY

2019

79%

2020

83%

ACTIVITY FROM OUTSIDE OF OURAY COUNTY, MARCH–DECEMBER 2020

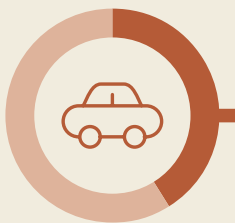
7-8 TIMES

the volume of activity from people outside of Ouray County in July compared to March and April levels



Source: Colorado Department of Public Health and the Environment (CDPHE)

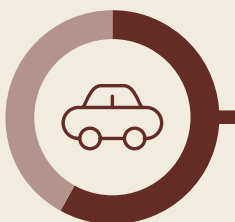
TRAFFIC ON OURAY COUNTY ROADS



IN 2020

41%

increase in daily traffic on County Road 361



IN 2020

58%

increase in daily traffic on CR-7

DAILY TRAFFIC ON COUNTY ROAD 361

2019

486

2020

688

DAILY TRAFFIC ON CR-7

2019

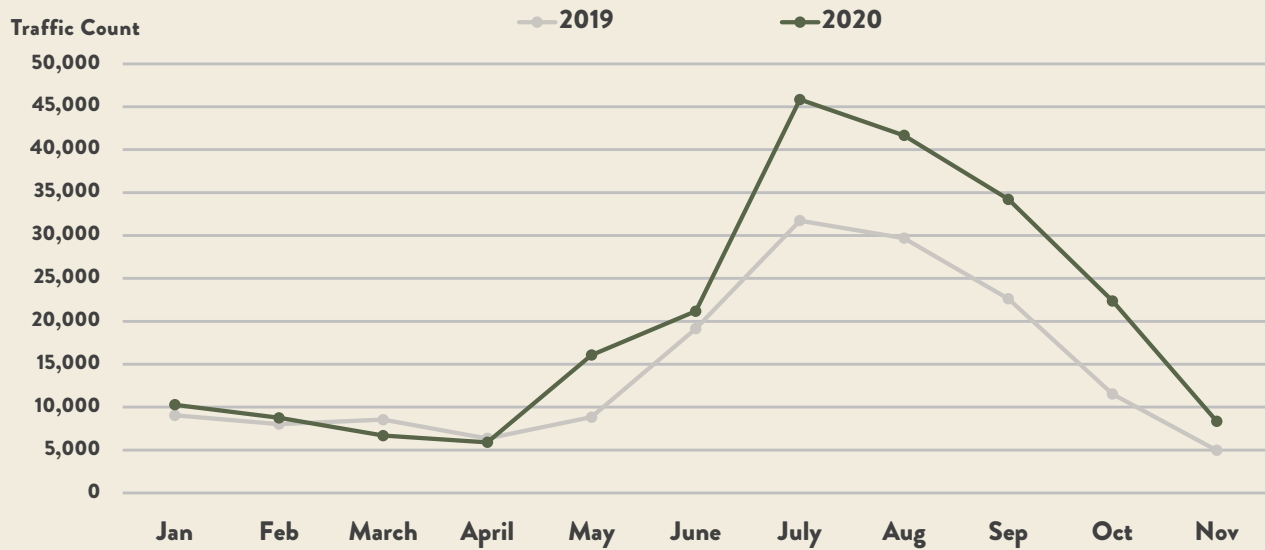
279

2020

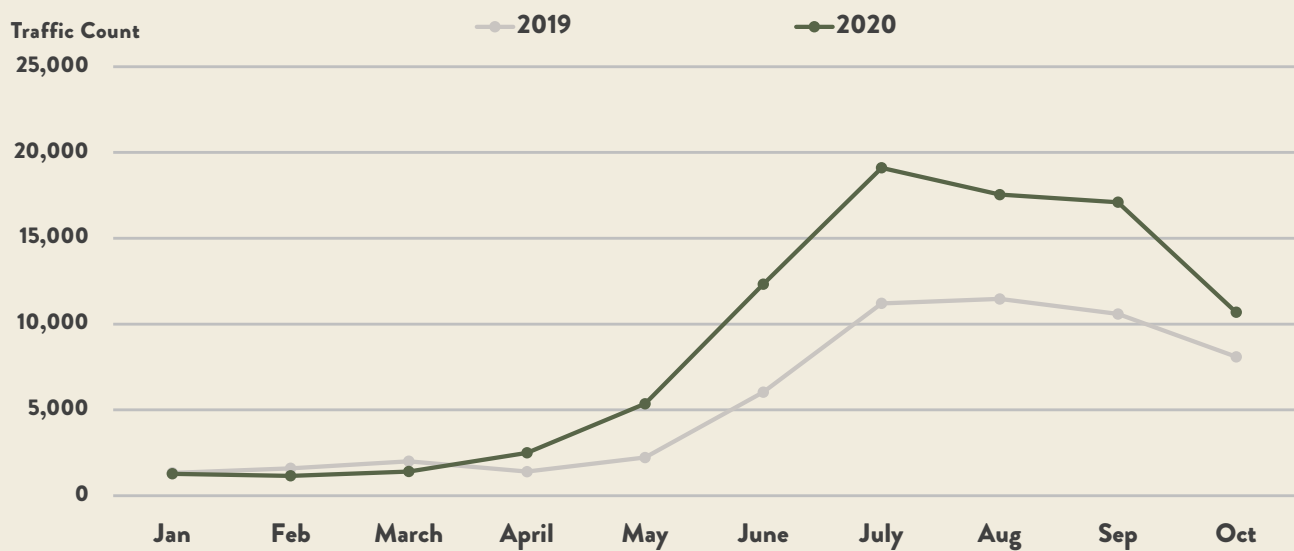
441

TRAFFIC COUNTS

TRAFFIC COUNT BY MONTH, COUNTY ROAD 361 AT ICE PARK BRIDGE, 2019 VS. 2020



TRAFFIC COUNT BY MONTH, COUNTY ROAD 7, 2019 VS. 2020



Source: Ouray County Road and Bridge Department, TRAFx Datanet



Image Source: RidgwayColorado.com

TRAFFIC ON OURAY COUNTY ROADS

Ouray County officials expressed that the summer of 2020 attracted a remarkably high volume of tourism and traffic compared to previous years, for many of the reasons previously described. This point not only emerged through stories and observations, but also through an examination of traffic data on several Ouray County roads.

County Road 361, which runs from U.S. Highway 550 on the south side of Ouray to Camp Bird, is commonly used for recreational purposes, as it offers beautiful scenery and National Forest access. In 2020, County Road 361 at the Ice Park Bridge saw an especially high volume of traffic, recording an average of 688 vehicles a day compared to 486 vehicles per day in 2019, representing a 41 percent increase. The difference in traffic volume was most pronounced in between June and September, the height of tourism season, when this section of the road recorded 143,000 vehicles compared to 103,000 vehicles in 2019. The difference between the years is shown in the top graph on the previous page.

County Road 7, which runs from State Highway 62 to the Blue Lakes Trailhead in the western part of Ouray County, is also a commonly used road for recreational purposes, as it leads to National Forest access. In 2020, County Road 7 recorded 441 vehicles per day, compared to 279 vehicles

per day in 2019, representing a 58 percent increase. The summer season brought a notably high volume of traffic; between June and September, County Road 7 recorded 66,000 vehicles, compared to 39,000 vehicles in 2019, as shown in the bottom graph on the previous page.

The traffic counts on these Ouray County roads illustrate a few important points. They demonstrate the surge in visitation and tourism that Ouray County experienced in the summer and fall of 2020, owing largely to the desire for road trips and outdoor recreation during a pandemic year. While Ouray County typically has a high volume of visitors seeking outdoor recreation in the summertime, 2020 brought exceptionally high volumes. This represents an economic bright spot during the pandemic in Ouray County – despite broader economic hardships, Ouray County’s economy benefited from strong tourism.

At the same time, increasing volumes of traffic and outdoor recreation have implications for Ouray County’s ability to manage its roads and natural resources. Higher traffic volumes on county roads mean that the county incurs greater expenses for maintenance and upkeep, which can negatively affect county finances. In addition, greater usage of natural assets, such as hiking areas, expand the need for active management and protection. To foster long-term economic health, it is important that Ouray County considers the impacts of tourism and recreation.

8

RESOURCE MANUAL

There is a broad range of resources available to residents and businesses in Ouray County. This chapter informs and equips residents and businesses to address current issues as well as to prepare for future challenges.

RESOURCES FOR BUSINESSES

PAYCHECK PROTECTION PROGRAM

What is it?

The paycheck protection program (PPP) is a low-interest loan program to support small businesses. Loan payments are automatically deferred for six months, but businesses can apply to have the loan forgiven if it is used for eligible payroll costs, rent, mortgage payments, or utility payments. In order to receive full forgiveness, a business must spend 60% of the loan proceeds on payroll expenses.

The second round of PPP loans offers loans of up to \$2 million. The exact amount of the loan depends on the size of the business; it is equal to 250 percent of a business's average monthly payroll cost between February 15th, 2019 and June 30th, 2019. If a business was not operating during that period, it is equal to 250 percent of a business's average

monthly payroll cost between January 1st, 2020 and February 29th, 2020. For businesses in the hospitality and food service industries (e.g. restaurants, hotels), this amount increases to up to 350 percent.

Businesses can apply to have the loan forgiven under the following conditions:

- All employees are kept on the payroll for eight weeks
- At least 60% of funds are spent on payroll over a covered period between 8 and 24 weeks
- Funding is used for expenses related to payroll, rent, mortgage, or utilities.
- Eligible expenses have been expanded to include certain operations expenditures, property damage costs, certain supplier costs, and expenses related to worker protection (ex. sanitizing, ventilation, PPE)
- Loan forgiveness process has been simplified to a one-page self-certification

How can it be used and benefit my business?

This program provides an infusion of cash to keep businesses afloat and to keep employees on payrolls. Since loan forgiveness is tied to keeping employees on the payroll for at least eight weeks, the program targets assisting existing employees.

Who is eligible?

- Any small business with fewer than 300 employees can apply.
- Business demonstrates that it had gross receipts in Q1, Q2, Q3, or Q4 of 2020 that were at least 25% below gross receipts in the same quarter in 2019; because of this requirement, it is imperative that businesses organize their financial records
- Businesses that have previously received a PPP loan, and have used the full amount of the first loan for eligible purposes

Application Process/Distribution

To access the second draw of PPP loans, businesses must fill out an application form and apply through a participating lender. The Small Business Administration (SBA) has network of SBA-approved lenders that participate in the program. Once matched with a lender, a business works with the lender to complete the application.

Because of the importance of having a strong relationship with an eligible lender, it is beneficial for businesses to reach out to and establish a relationship with small, community banks. These banks provide guidance on what is needed for a successful application, simplifying the process and increasing the likelihood of receiving PPP aid.

How effective has the program been?

The PPP, due to its scale, has been heavily subscribed among small businesses. According to survey results, 30 businesses out of 62 total respondents applied to the PPP in Ouray County. Out of these applicants, approximately 75 percent had their full loan request granted. Approximately one-third of loans were between \$10,000 and \$24,999, one-quarter were between \$100,000 and \$499,999, 20 percent were between \$50,000 and \$99,999, and 17 percent were for less than \$10,000.

RESOURCES FOR BUSINESSES



PAYCHECK PROTECTION PROGRAM



EIDL PROGRAM



REGION 10 LOAN PROGRAM



ENERGIZE COLORADO GAP FUND

In general, businesses in Ouray County regarded the PPP program as effective. Approximately 63 percent of recipients who responded gave the program a score of 5 out of 5, indicating that the program was very effective, while 13 percent gave it a score of 3 out of 5, and 13 percent gave it a score of 1 out of 5.

ON A SCALE OF 1-5, HOW EFFECTIVE WAS THE PROGRAM YOU APPLIED TO? 1 BEING NOT EFFECTIVE AND 5 BEING VERY EFFECTIVE

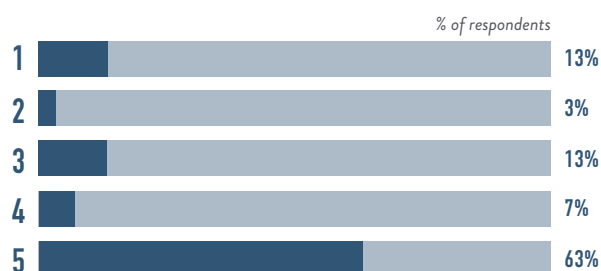




Image Source: Markus Van Meter

ECONOMIC INJURY DISASTER LOAN PROGRAM (EIDL)

What is it?

The EIDL program is an emergency loan program for small businesses impacted by the pandemic. Loans are up to \$150,000 and are long-term loans with a 3.75% interest rate and a maturity of up to 30 years.

The amount of the loan is based on the amount of economic injury that a business has incurred and by a business's financial needs. This is determined on a case-by-case basis by the Small Business Administration (SBA).

How can it be used and benefit my business?

Funds are intended to be used to fund working capital, including fixed debts, payroll, accounts payable, and other bills that have not been paid had the pandemic not occurred. The loan cannot be used to fund long-term debts or business expansion.

Who is eligible?

Businesses with less than 500 employees that have faced substantial economic injury are eligible. 'Substantial economic injury' means that a business has been unable to meet its obligations and pay its ordinary operating expenses. It also requires that businesses prove that they have been unable to access credit elsewhere.

Businesses can apply for both the PPP and the EIDL programs. However, funds cannot be used for the same purpose. Businesses are expected to document their uses of the funds.

Application Process/Distribution

Businesses must fill out an EIDL application, which is available through the SBA website. After an application is submitted, the SBA will send an inspector to determine the amount of economic damage the business has incurred. The applicant must provide a transcript of their tax return, as well as credit history, a balance sheet, and show an ability to repay the loan. The applicant is also supposed to provide collateral for loans over \$25,000; the SBA won't decline a loan for lack of collateral, but will require the borrower to pledge whatever is available. Real estate qualifies as collateral.

REGION 10 LOAN PROGRAM

What is it?

This program provides loans of up to \$10,000 at 4% interest to businesses that have experienced distress. The loans have flexible terms and offer a 90-day initial deferral period.

How can it be used and benefit my business?

The loan can be used to fund working capital or gap financing. It helps businesses stay operational through the period of economic distress caused by the pandemic.

Who is eligible?

Sole proprietorships, [partnerships, corporations, LLCs, and nonprofits are all eligible for the program. The program requires that business are experiencing some amount of distress and evaluates eligibility on a case-by-case basis. It asks questions such as:

- Do you have the cash flow to operate your business for a month with limited or no sales?
- Do you have a line of credit with your bank?
- Can you operate your business remotely? Are you a sole proprietor or do you have someone who can take over key management roles?
-

Application Process/Distribution

Business apply directly to the Region 10 League for Economic Assistance and Planning, which is an organization that supports businesses in six counties in southwestern Colorado. Interested businesses are to contact Dan Scinto at 970-765-3126.

ENERGIZE COLORADO GAP FUND

What is it?

The GAP fund is a program that utilizes public and private resources to provide loans and grants to small businesses in Colorado. This program provides grants of up to \$15,000 and loans of up to \$25,000.

How can it be used and benefit my business?

The program does not specify eligible uses. Ideally, it will help small businesses stay open and recover from the economic damage caused by COVID-19.

Who is eligible?

Sole proprietors, LLCs, partnerships, and other registered small businesses in Colorado are eligible. Nonprofits are also eligible. Applicants must meet the following additional criteria:

- Business has fewer than 25 employees
- Business is able to demonstrate the economic hardship it has faced due to the COVID-19 pandemic

The program gives priority to applicants with the following characteristics:

- Women, BIPOC, or veteran-owned
- In a rural area with a population of under 50,000
- In the tourism sector
- Limited access to capital and state/local grants/loans

Application Process/Distribution

The application is completed online through the Energize Colorado GAP Fund website. To demonstrate COVID-related hardship, it asks applicants to provide documentation, which can include bank records, profit and loss statements, point of sale receipts, tax filings, and expense receipts.

Energize Colorado offers mentoring to assist in filling out the application, including translation.



Image Source: RidgwayColorado.com

RESOURCES FOR RESIDENTS

The COVID-19 pandemic has put great pressure on the ability of individuals and households to pay bills, access health care, care for children, and simply engage in necessary day-to-day activities, among other things. It is critical that Ouray County residents are able to access the necessary resources to address these challenges. The following information gives residents a clear idea of where and how to access the resources they need. It seeks to answer the question: Where do I go for help?

2-1-1 SERVICES

2-1-1 is a confidential and multilingual service connecting people to vital resources across Colorado. 2-1-1 streamlines services and provides one central location where people can get connected to the resources they need. With a database that is updated daily, 2-1-1 Colorado connects people to critical resources simply by dialing a three-digit number.

2-1-1 Colorado helps connect people with the following services:

- Housing & Shelter/Rent Payment Assistance
- Utility Assistance

- Food Assistance
- Legal Assistance
- Health Services/Healthcare
- Employment
- Childcare and Education
- Mental Health & Addiction
- Pregnant and New Parents
- Basic Needs & Financial Assistance
- Youth with Special Needs
- Aging and Disability
- Immigrants & Refugees

In Colorado, over a quarter of all 2-1-1 calls during the pandemic have been related to rent payment assistance, while 17 percent have been related to utility assistance, highlighting the prevalence of these issues during the pandemic. In Ouray County, approximately one-third of 2-1-1 calls between April and October were housing-related, a quarter were healthcare-related, and a quarter were information services-related.

Within Ouray County, residents have access to several resources related to financial assistance, health care, food assistance, social services, childcare, and utility assistance.

FINANCIAL ASSISTANCE

Good Neighbor Fund

The Telluride Foundation has operated the “Good Neighbor Fund (GNF)” for 15 years. GNF is a one-time emergency hardship funding program available for the workforce in San Miguel, Ouray, and west Montrose counties to cover emergency financial needs due to illness, health care costs, lack of work or having to care for children of family. The maximum grant per application is \$1,500 and applicants may apply every 3 years.

In order to be eligible for consideration, applicants must: currently live/work in Rico, San Miguel County, West Montrose County, or Ouray County and have done so for the past 1 year; have not (nor their spouse/partner) received a Good Neighbor Fund grant award in the past 3 years; demonstrate that they have exhausted all other resources; and show that they can maintain financial stability outside this non-recurring and unexpected crisis to remain living and working in the defined region.

It is important to review the following criteria before completing an application. Applicants must be able to provide proof of:

1. Residency in Rico, San Miguel County, West Montrose County, and/or Ouray County (e.g. copy of lease agreement)
2. Employment (current or former) in Rico, San Miguel County, West Montrose County, and/or Ouray County (e.g. copy of pay stub)
3. Statements demonstrating current financial need (e.g. copies of bills, balances forwarded)
4. All regular monthly financial commitments (e.g. electric bill, mortgage/rent due, car insurance, medical bill, phone, health insurance)

Good Neighbor Fund: ngnf@tchnetwork.org, 970-708-7096, <https://telluridefoundation.org/ouray-county-response-fund/>

RESOURCES FOR RESIDENTS



**2-1-1
SERVICES**



**FINANCIAL
ASSISTANCE**



**HEALTH CARE/
MENTAL HEALTH**



**SOCIAL SERVICES/
ASSISTANCE**



**FOOD
ASSISTANCE**



**UTILITY
ASSISTANCE**



**CHILDCARE/
YOUTH**



SENIORS

FOR ADDITIONAL INFORMATION
AND RESOURCES PLEASE VISIT:

WWW.OURAYCOUNTYRESOURCES.COM

Ouray County Response Fund

Through the generosity of the residents of Ouray County, the Telluride Foundation has created the Ouray County Response Fund which has been set up specifically to support individuals residing in Ouray County. Residents of Ouray County may apply for financial support through this fund by completing a Good Neighbor Fund Application. Prior to filling out the application, residents are encouraged to read the Good Neighbor Fund Qualifications and Criteria. Residents of Ouray County are eligible for an award up to \$500 above the standard Good Neighbor Fund limit. Visit the Foundation's COVID-19 Community Resource page to learn about other resources available to residents of Ouray County.

Ouray County Response Fund gfn@tchnetwork.org, 970-708-7096, <https://telluridefoundation.org/ouray-county-response-fund/>

Church of The San Juans

In addition to being mindful to continue our congregation support, we are aware of the financial impact our community's preventative measures might have on hourly



Image Source: Town of Ridgway

workers and others that depend on weekly paychecks to make ends meet. If you are aware of anyone who is struggling because of the impact of social distancing, please have them contact Pastor Pam. Our discretionary fund is available to provide emergency support to people in need. If you have any questions during our period of suspension, please call Chuck Anderson at 970-626-2270.

HEALTH CARE/MENTAL HEALTH

Mountain Medical Center

Mountain Medical Center has been serving the medical needs of local residents and seasonal visitors alike since January 2000. We are a full service family practice medical center. Please call ahead (970) 626-5123. Also, if you are an established patient at MMC, we also have an integrated behavioral health therapist on site (Nathan Wagner, PsyD) and he offers TeleHealth services as well.

Center for Mental Health

Crisis: 970-252-6220

Appointment: 970-252-3200

The Center is still open for business. Ridgway and Montrose offices still have someone at the front desk. Offering video and telehealth options. Expanding crisis support (Crisis Walk-In center is open). Currently taking new clients. Center therapists are continually working with youth clients in the schools.

SOCIAL SERVICES/ASSISTANCE

Woman's Club of Ouray County

970-787-0510

If you are a resident of Ouray County, we have volunteers that are willing to help you if you are home sick, elderly or have a medical issue and you cannot go out into the community at this time! If you need groceries or a prescription delivered (these items must be purchased at a Ouray County business (Duckett's, Mountain Market or Stacie's Apothecary Shoppe in Ridgway. Volunteers will not be going to Montrose).

Hilltop Latimer House

1 (844) 990-5500

If you, or someone you know, is in an abusive relationship or has been sexually assaulted, call our 24-hour crisis line now.

Praise Him Ministries

970-626-5243

Providing four rolls of toilet paper free to any family or community member in need. Call or email and let them know that you're coming. Pick up at the site or contact them if you need delivery.

Bright Futures

Mary: 970-729-1578

Liza Cooney: (207) 632-8169

Bright Futures is offering phone assistance to navigate these resources and assist in any way they can.

Mutual Aid Forum

<https://www.pandemicoflove.com/>

Where citizens will be connected with patrons who are able to give to those who have immediate needs and are requesting help

Hispanic Affairs Project

Ricardo Peréz: 970.249.4115, www.hapgj.org

Visit us at: 1010 S. Cascade Ave Suite A1
Montrose, CO 81401

Ouray County Public Health

970-626-5484 - Ouray County COVID-19 Hotline

FOOD ASSISTANCE

Ouray County Food Pantry:

970-626-4273 or 970-626-5872

Open every Thursday from 12:30 p.m. to 3:30 p.m. Food donations can be dropped off during those hours. Anyone wanting to donate money can do so on our website or send a check to PO Box 903, Ridgway



Image Source: Town of Ridgway

Ouray Student Lunches

Starting Monday, April 20, student lunches will be provided at the Ouray School, Monday to Friday, 11 am to 12 pm.

To order, please call 970-318-6993.

Ridgway Schools

stephlyons@ridgway.k12.co.us

jdonovan@ridgway.k12.co.us

The school is working to provide lunches for Ridgway students.

Taco Del Gnar

970-626-9715

Open Tuesday-Saturday
12:00-7:00 pm.

Free bean & cheese burrito with carrots to kids, and 15% service industry discount to works in food & bev, police, fire, military, teacher, and medical facility staff.

Virtual Canned Food Drive

<https://wc-cf.org/donate-covid-relief/>

There is an option to select Ouray County so contributed funds will go directly to the Ouray County Food Pantry. Donations may be made either online or check mailed in.



UTILITY ASSISTANCE

LEAP

LEAP is a federally funded program that helps eligible hard-working Colorado families, seniors and individuals pay a portion of their winter home heating costs. Our goal is to help bring warmth, comfort and safety to your home and family by assisting with heating costs. Call HEAT HELP at 1-866-432-8435 for more information.

San Miguel Power Association

This program encourages any member experiencing financial hardship due to the coronavirus outbreak to call us during regular business hours. We will work with you individually to create a plan that works for you. In general, SMPA will not shut off power to people in this circumstance, however, the power still has a cost associated with it and it must be covered. Please call if you need help.

Black Hills Energy Assistance Program

Black Hills Cares helps eligible customers in need pay their Black Hills Energy bills or emergency energy-related expenses.

CHILDCARE/YOUTH

Voyager Youth Program

970-318-1218

We have a list of babysitters who are available to provide childcare for free or for very little cost.

Weehawken Dance Y

970-318-0150

Weehawken is offering free online dance classes to youth.

Pinyon Song

admin@pinyonsong.org

Pinyon Song is a non-profit licensed preschool that is willing to provide childcare to essential workers

Ouray Public Library

970-325-4616

OurayPL@gmail.com

The library currently is closed to the public. Patrons may request resources for home delivery. Residents who need to apply for federal or state benefits, but who lack home internet access or a computer, may make an appointment at the library. Library cards can be issued over the phone so that people can access all of the free digital resources (ebooks, digital audio, and databases)

SENIORS

Neighbor to Neighbor

<http://ourayneighbor.com/>

The County is home to a fiercely independent population of Senior, homebound and disabled individuals who want very much to stay in their homes, but cannot do so without help. Neighbor to Neighbor is an effort of neighbors helping neighbors by being fresh eyes and ears, providing companionship, transportation, a hot meal, monthly social events, handyman services, bookkeeping help and access to other resources that may be beyond their reach. Each Thursday we provide transportation to and from medical appointments and shopping in Montrose. It also has volunteers who are happy to pick up ordered food or prescriptions

9

BUSINESS STRATEGIES & TACTICS

Within the broader focus of this report, examples of tactical solutions can elevate economic conditions and help various sectors adapt to the impacts of the pandemic.

CREATIVE DISTRICT

The Town of Ridgway is certified by the State of Colorado as a Colorado Creative District. Growing creative industries is an important part of an economic diversity strategy to grow jobs in non-tourism (retail, food & beverage, and lodging) industries. The Creative District program is overseen by Colorado Creative Industries within the State's Office of Economic Development and International Trade. This is a competitive program in which communities can apply to be certified and recognized by the State as a community that contributes to the State economy through creativity, culture, and the arts. The formal benefits of the program are summarized below:

- A \$10,000 technical and professional assistance cash grant (with a local match);
- Two signs on state highways near the district; and
- Access to economic data on the impact of Creative Districts from the State and the Western States Arts Federation.

To be eligible for this competitive designation, a community needs to demonstrate that it has distinguishing physical,

artistic, and cultural resources and be a concentrated area of artistic and cultural activity. Other requirements include:

- A paid staff person (can be shared as a percentage of time with other functions)
- An advisory or governing board
- A strategic plan
- A minimum of \$10,000 in operating funds.

In addition, certification is another tool for organizing and building momentum around creativity and the arts in the local economy. The program provides another reason to focus energy in an organized way to grow an economic cluster around creativity culture.

Ridgway was awarded Creative District status in 2013. It was the outcome of a process that began during the State-led Bottom Up Economic Development Plan. Goal 3 of that plan was to participate in statewide efforts to grow creative industries, and the County and municipalities formed a Goal 3 Committee that recommended to Ridgway Town Council support and help lead this certification. The program is staffed by one staff person who splits time between the creative district and the Main Street Program.



Image Source: Markus Van Meter



Image Source: Town of Ridgway



Image Source: City of Ouray



Image Source: RidgwayCreativeDistrict.com



Image Source: RidgwayCreativeDistrict.com

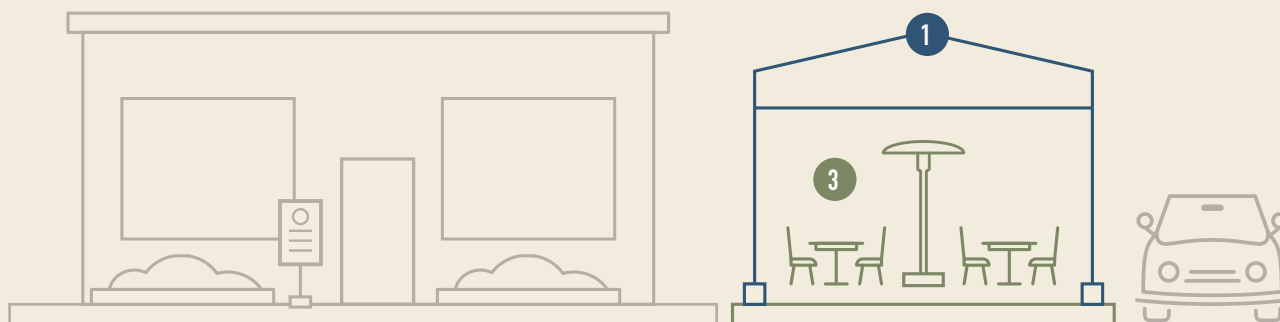


Image Source: RidgwayColorado.com



Image Source: Markus Van Meter

BUSINESS SOLUTIONS & TACTICS



1 TEMPORARY SHELTERS

Temporary shelters such as tents can be used to expand space for customers for dining, merchandise display, fitting areas, or waiting areas. Local fire and electrical code needs to be followed for safety, and in particular tents should meet the NFPA 701 standard for flame propagation. Electrical heat and light may be allowed; gas heaters however cannot be placed inside the structure. Temporary shelters could also be used to offer an exclusive private guest experience at a higher price.

3 PUBLIC RIGHT-OF-WAY

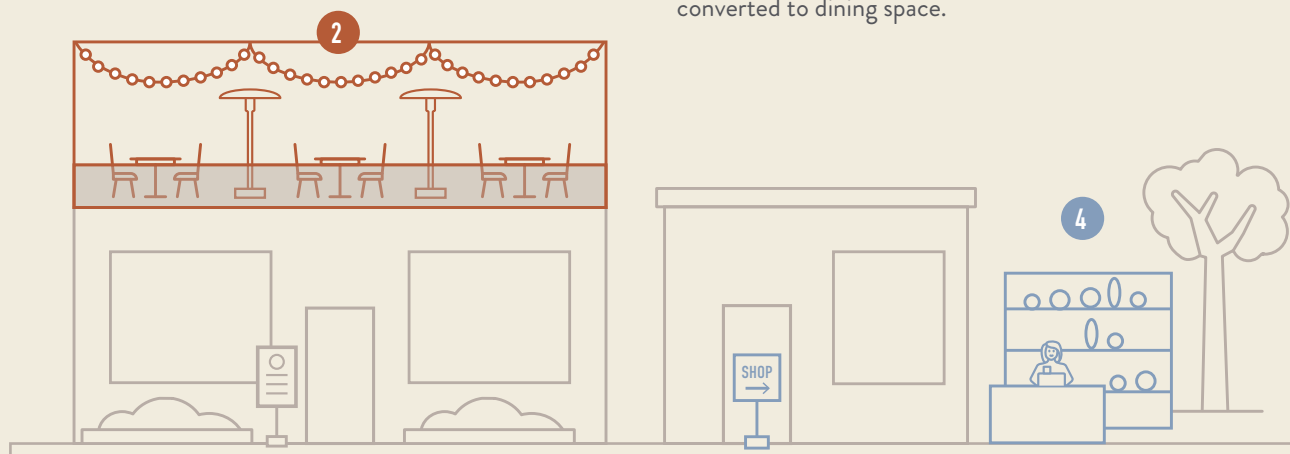
Allowing targeted use of sidewalks, alleys, and selected street closures or lane closures creates more possibilities for dining and merchandise display. This tactic can also create a livelier street environment that can draw more customers and pass-by-traffic attracted to the increased level of visible activity. Warm weather of course expands the possibilities and appeal for outdoor space, but this can also be a long-term tactic used to enhance the business and social environment for locals and guests.

2 PERMANENT IMPROVEMENTS

The pandemic has motivated some business owners to make permanent investments they have been considering prior. Adding a roof and space heaters to patios or constructing covered outdoor decks are examples.

4 REPURPOSING SPACE

Business and property owners can work together to put vacant space into productive use, as it would be unlikely to be leased/sold during these uncertain economic times. Using adjacent spaces can again create more space for dining, merchandise display, or activities like outdoor equipment rentals and fitting. Hotel conference space can also be easily converted to dining space.



BUSINESS TACTICS

The occupancy restrictions needed to slow the spread of COVID-19 and protect life and health can have a negative impact on businesses. With fewer customers allowed and even closures, business revenues are vulnerable. There are however measures that entrepreneurial business owners can take to reduce the impacts of COVID-19 on revenues, protect their employees and customers, and even open the door for innovation that can be used going forward in more normal times.

There are three main types of tactics outlined in this Chapter: physical, operational, and organizational. Individual business owners and managers will be able to gauge their applicability to their own circumstances and needs. Local governments should be flexible on working with business and property owners to address any code or permitting changes that may be needed to allow use of public right of way or temporary shelters, for example.

PHYSICAL

By expanding the area available for customers, businesses may be able to comply with occupancy restrictions (e.g. 50 percent occupancy) and social distancing requirements while remaining open. Several examples that are in use throughout Colorado are given on the page to the left. Some of these are temporary investments; others can be permanent.

In considering these options, the definitions of indoor and outdoor space need to be clear. If indoor dining is prohibited for example, then not all of these tactics could be employed.

An indoor space is:

- Four walls with a ceiling
- Three walls closed and one open
- Two adjacent walls closed and two adjacent sides open

An outdoor space has:

- Two non-adjacent sides open with a roof
- Two adjacent walls closed and two adjacent sides open without a roof
- Ceilings, roofs, umbrellas, or canopies with no walls



Parklets use the public right-of-way to expand functional space for a business. Image source: ColoradoParklets.com



Winterized outdoor restaurant seating can take a variety of forms. Image Source: Denver Post



Sidewalk sales and curbside pickup have become more prominent during the pandemic. Image Source: BoulderDowntown.com



OPERATIONS AND ORGANIZATION

The COVID-19 pandemic is highlighting the need for retail and food and beverage establishments to respond and adapt to the growth in online sales, ordering, and delivery platforms. For local businesses, this means having a strategy for touchless or low-touch ordering and delivery or pickup. In addition, there are broader tactics that can be taken on by business organizations and the larger community. The main tactics in this area are outlined below.



ONLINE POINT OF SALE

Having an intuitive online ordering platform is important during the pandemic. More broadly, it is also highly important when marketing to guests from more urban areas accustomed to the latest technology and convenience. In competing against online retail, it is essential.



CURBSIDE PICKUP

Businesses with convenient curbside pickup operations combined with a modern online point of sale platform will be better equipped to endure this pandemic, as well as to offer options to customers in the future.



CONSISTENT OPERATIONS

Businesses and economic development organizations can coordinate to develop consistent standards and signage for curbside pickup such as branded signage and dedicated short-term parking spaces. Consistent hours of operation are also important for any downtown or neighborhood business district regardless of the status of the pandemic.



RECURRING EVENTS

Rather than one-off or annual events that require a lot of advanced preparation and investment, developing low-cost recurring events creates “stickiness”. People return to these and they become a way to connect socially with the community. Parks, targeted street closures, or other unique facilities like Lee’s Ski Hill in Ouray can be used for informal events. Social distancing and other health and safety protocols are paramount during the pandemic.



COMMON CONSUMPTION AREAS

Colorado law allows local jurisdictions to license areas of their community for consumption of alcohol in common indoor spaces served by licensed businesses. This can be expanded into outdoor spaces through the establishment of an entertainment district. Many communities throughout Colorado are taking this approach regardless of the pandemic to offer more opportunities for social engagement and a new experience for locals and visitors.

10

FINDINGS AND CONCLUSIONS

The Ouray County economy has withstood a high degree of pressure in 2020. This chapter bridges past economic strategies to the current effort, recognizes much progress has been made, and points to actions the community should consider to improve economic conditions as we move past the pandemic.

This chapter presents the main findings and conclusions of this report. It offers recommendations on ways that Ouray County can foster economic resiliency. The information can be used as guidance for ways that Ouray County can position itself for future challenges, which could take the form of additional waves of the current virus, a future economic shock, or other emergency that strains the Ouray County economy and community. The findings are organized into four major categories: communications, readiness to access sources of aid, regional economic resiliency, and tactical recommendations. These findings all draw on information and analysis from previous chapters. Lastly, this chapter cites the findings from the 2011 bottom-up economic development strategy report, which is a valuable source of information to guide the county's efforts in building a resilient economy.

THE FINDINGS ARE ORGANIZED INTO FOUR MAJOR CATEGORIES



COMMUNICATIONS



READINESS TO ACCESS SOURCES OF AID



REGIONAL ECONOMIC RESILIENCY



TACTICAL RECOMMENDATIONS

SUMMARY OF RECOMMENDATIONS

RECOMMENDATION	PAGE
 COMMUNICATIONS	
1. Improve electronic communications with all residents, guests, and businesses	58
2. Improve written communications with all residents, guests, and businesses	58
3. Improve two-way communications with businesses	58
4. Update business email database	58
5. Improve the flow of communication to the general public	59
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8. Review of outgoing messaging	59
 READINESS TO ACCESS SOURCES OF AID	
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2. Organizing financial records	59
3. Establishing relationships with local lenders	59
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3. Countywide Economic Development Organization (EDO)	60
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Image Source: Markus Van Meter

COMMUNICATIONS

1. IMPROVE ELECTRONIC COMMUNICATIONS WITH ALL RESIDENTS, GUESTS, AND BUSINESSES

Improve communications with all residents, guests, and businesses with better electronic forms of messaging. An example of this is to create a Facebook page, given the frequency and ease of accessing information by local community members on Facebook. The County could also consider creating a downloadable app specific to Ouray County that residents could easily tap for the latest regulations and resources, although this approach has particular challenges with implementation.

2. IMPROVE WRITTEN COMMUNICATIONS WITH ALL RESIDENTS, GUESTS, AND BUSINESSES

In addition, use written communications to improve communications with residents and businesses, especially those who do not have access to or actively use digital forms of communication. An example is distributing a printed mailer with information and with a phone number to call.

3. IMPROVE TWO-WAY COMMUNICATIONS WITH BUSINESSES

Improve two-way communications with businesses with direct email to owners and managers. There would be significant benefit with a two-way communication path with businesses that provides a channel for business to communicate to local officials. Examples include unique messaging that is more relevant to this group, as opposed to the general public. Also, fielding surveys and questionnaires provides real-time information about the economic landscape. Because sales tax collections and employment data are released by the state with significant lag, there is a need for up-to-date monitoring. For example, succinct monthly surveys that collect insights on employment cuts, changes in business activity, and perceptions about the overall economic conditions will provide elected officials with real-time data to help inform their policy decisions.

4. UPDATE BUSINESS EMAIL DATABASE

Because the database of email contacts is quite dated, it is recommended to activate a business license requirement with, among other data requirements, a current set of email contacts for every business within each jurisdiction. The purpose is to create better ways of listening and should not be interpreted as anything more

5. IMPROVE THE FLOW OF COMMUNICATION TO THE GENERAL PUBLIC

It would be beneficial for the public to receive notifications from the County government on certain matters. Examples include vaccine information, public health orders, COVID-19 testing, and existing social/economic resources. This would essentially be a ‘Reverse 911’ and would help ensure that Ouray residents are informed of current situations and available resources.

6. PERMANENT PUBLIC INFORMATION OFFICER

Recognize the need for a permanent Public Information Officer and assign tasks related to out-going messaging as well as in-coming communications to this individual. (Note that the BOCC has funded this position and the County is underway with hiring this individual.)

7. PUBLIC COMMENT AT POLICY MEETINGS

Ensure that every voice is heard at the Policy Group by providing time on each agenda for the PIO to summarize all in-coming email (grouped by topic) and ensure that the themes expressed by Ouray County residents, business owners, and guests are heard by elected officials concurrently.

8. REVIEW OF OUTGOING MESSAGING

Ensure that outgoing messaging has the benefit of review by seasoned local government staff. Consider creating a parallel group to Unified Command, such as Unified Command Communications, that will provide direction (and nuance) for outgoing communications to the region.

READINESS TO ACCESS SOURCES OF AID

1. INFORMING RESIDENTS AND BUSINESSES

A barrier to accessing available resources and aid has been that residents and business have been unaware of their options. It is recommended to centralize and promote information on available resources for residents and businesses, ensuring that these groups are informed. This applies to local, regional, state, and federal sources of aid, as

outlined in Chapter 8. With the recent expansion of federal and state aid packages, readiness to access aid when it comes is important to the health of the local economy.

2. ORGANIZING FINANCIAL RECORDS

A common requirement for business relief programs is that businesses are able to demonstrate financial loss as a result of COVID-19. This means that businesses need to have organized financial records that can readily be shown on an application for aid. Assisting small businesses with organizing their financial records would enhance their ability to access sources of aid.

3. ESTABLISHING RELATIONSHIPS WITH LOCAL LENDERS

Applying to the largest of the businesses relief programs, the Paycheck Protection Program (PPP), involves working with a certified Small Business Administration (SBA) lender. To increase the likelihood of a successful PPP application, it is recommended that small businesses establish a relationship with local lenders. These lenders will often provide educational materials on how to create a successful PPP application and will guide businesses through the process, helping businesses access the aid they need.

REGIONAL ECONOMIC RESILIENCY

1. 2011 BOTTOM-UP ECONOMIC DEVELOPMENT REPORT GOALS

The 2011 bottom-up economic development report detailed a set goals that seek to foster economic resiliency. These goals, which include economic diversification, leveraging and expanding recreational assets, branding Ouray County, and obtaining broadband bandwidth, continue to be relevant. As the economy of Ouray County grows, it is imperative that economic opportunities are sustained for residents. Moreover, Ouray County’s economic health will depend on its ability to adapt to a shifting economic landscape and its ability to effectively deal with the next major disruption. Following these goals will bolster the county’s ability to sustain its economic health.

2. REGIONAL COOPERATION

Ouray County stands to benefit from cooperation between the City of Ouray and the Town of Ridgway. The economic activity the county might have been seen as autonomous historically; however, each sector is highly dependent on the others. For example, insufficient backcountry and in-town activity options will diminish interest in visitation, which will reduce demand for lodging, which in turn diminishes demand for the full spectrum of uses within the county. Any link within the economy is critical and has, essentially, similar degrees of importance for making the system flourish. Using these granular relationships as an example, the interdependency of all sectors with the county can be recognized.

In addition, it is recommended that Ouray County looks to leverage regional resources in its economic development efforts. There exist powerful linkages within Region 10-- the ICELab in Gunnison County and Westend Economic Development Corporation in Montrose County are examples of regional organizations that have successfully supported small business development. Looking to these organizations as models could bolster the prospects of success and economic diversification for businesses in Ouray County. Connecting with existing resources not only expands economic possibilities, but also spares the business community in Ouray County from having to 'reinvent the wheel', or to create an ecosystem of business support from the ground up.

3. COUNTYWIDE ECONOMIC DEVELOPMENT ORGANIZATION (EDO)

Accordingly, economic vibrancy can be best achieved with a countywide economic development organization (EDO). This EDO is recommended as a way to bridge interests and promote the county in a unified manner. Developing an organizational structure would be an initial step, and requires a local set of champions. Leadership for an entity with this focus could be found within the elected officials of all three jurisdictions, working in sync and ensuring consistent representation among the three entities. Reaching this goal will also require establishing a respectful civic dialog around regional cooperation that reconciles differing viewpoints.

4. MARKETING ANGLES

It also presents an opportunity to reconsider the marketing angles used to attract visitation. As shown by the 2020 summer season, the Ouray County brand is very strong and has national recognition. A newly formed EDO may be tasked with reviewing traditional marketing investments based on the information learned in the past year. A shift in emphasis with a focus on enhancing the quality of the experience and quality over quantity, may generate greater margins of return to local business with an alienation on a range of systems, including infrastructure capacity, backcountry demand, and work force availability.

5. BALANCING ECONOMIC GROWTH AND ECONOMIC SUSTAINABILITY

Over the past decade, Ouray County has shown signs of a prosperous economy – job growth, low unemployment, population growth, and a growing volume of visitors. And while the COVID-19 pandemic has had negative effects on the county economy, the economy was bolstered by a strong tourism year in 2020. It is conceivable that these trends will continue over the next several years. At the same time, it is important that Ouray County balances a growing economy with economic sustainability. This is especially critical with infrastructure and housing. On the infrastructure side, higher volumes of visitors and greater usage of outdoor recreation assets augments the need for road maintenance. On the housing side, housing prices in Ouray have been rising for several years. With the prospect of in-migration by professionals who work remotely, Ouray County could very well see housing prices continue to rise – the 'Zoom town' phenomenon. This has consequences for housing attainability for residents, especially those who work in service industry jobs, many of whom currently struggle to find affordable housing in Ouray County. This is an issue that is central to economic resiliency and one that the county should further examine.



Image Source: RidgwayColorado.com

TACTICAL RECOMMENDATIONS

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2011 BOTTOM-UP OURAY COUNTY ECONOMIC DEVELOPMENT GOALS AND STRATEGY

In 2011, the Hickenlooper Administration issued an executive order to direct a statewide economic development strategy based on local and regional collaboration. The approach, known as a “Bottom-up” approach, sought to leverage local strengths and assets as the way to achieve economic prosperity.

Ouray County published a report in 2011 that presented the five goals. The report serves a basis for the goal of economic resiliency and provides insight into how Ouray County can foster it.

1. DIVERSIFY OUR OURAY COUNTY ECONOMY (BUSINESS RETENTION/ EXPANSION/ DEVELOPMENT) TO ACHIEVE SUSTAINABLE ECONOMIC DEVELOPMENT THAT IS HARMONIOUS WITH OUR OURAY COUNTY COMMUNITY VALUES, RURAL CHARACTER, MASTER PLANS, AND ENVIRONMENTAL VALUES

Past recommendation: To achieve long-term economic resiliency and economic development that aligns with the county’s values and rural character, it is important that Ouray County work to diversify its economy. This goal encourages the development of industries related to renewable energy, agriculture, mining, creative industries, and ‘multi-faceted’ tourism.

Current observation: Pursuing this economic growth and diversification strategy is a common theme within economic development strategies. One of the best examples of an accomplishment of this goal is the diversification found with the newly reopened mine. While it is never a bad idea to continue to diversify the local economy, a more effective and realistic approach would be to reposition, rebrand, and refresh the local economy, and drive greater economic activity with an approach that delivers higher margins. Given the evolution the tourism market and the recognition of a limited number of places with the intrinsic beauty of Ouray County, the opportunity exists for this approach. A component of this goal is to establish a countywide

Economic Development Organization (EDO). Aligning the economic goals of Ouray and Ridgway would serve to facilitate economic cooperation and the coordination of resources, supporting the effort of economic diversification.

2. BRAND OURAY COUNTY

Past recommendation: The second goal of the 2011 plan was to brand Ouray County. This meant forming a marketing strategy to actively promote Ouray’s scenic beauty, unique natural assets and heritage, its friendly business climate, its arts, and its high quality of life.

Current observation: As of 2021, Ouray County has created a website, visit Ouray, that showcases Ouray’s assets and provides detailed information on travel to Ouray. Based on strong visitation trends over the past several years and especially in 2020, Ouray’s brand has demonstrated its appeal and success. In the coming years, Ouray County will likely continue to serve as a desirable destination. With outdoor recreation having a strong year due to the circumstances of the pandemic, its appeal will remain strong. The question going forward is how Ouray County can best manage its natural assets and infrastructure with high volumes of visitors.



3. CREATIVE DISTRICTS

Past recommendation: In response to the state passing HB 11-1031, which established the Creative Districts program, the 2011 plan called for Ouray County to define a Creative District within Ouray County. To achieve this goal, the plan recommended that Ouray County form a subcommittee to explore how the state would implement the program and to formulate an application to the program. The main goal of this effort was to use the Creative District program as impetus to promote creative industries and artists throughout Ouray County, aligning with a broader vision of diversifying the Ouray County economy.

Current observation: Ridgway was awarded Creative District status in 2013. It was the outcome of the aforementioned effort that began during the State-led Bottom-Up Economic Development Plan. The Town of Ridgway is certified by the State of Colorado as a Colorado Creative District. Growing creative industries is an important part of an economic diversity strategy to grow jobs in non-tourism (retail, food & beverage, and lodging) industries. In addition, certification is another tool for organizing and building momentum around creativity and the arts in the local economy. The program provides another reason to focus energy in an organized way to grow an economic cluster around creativity culture.

As part of the Creative District program, Ridgway is part of the ‘Colorado Creative Corridor’, a 331-mile trail that links Carbondale, Crested Butte, Paonia, Ridgway, and Salida. The corridor is intended to promote these towns as small, mountain communities that provide a common experience of a vibrant local art scene, and appears to have had a significant impact on the local community, its cultural composition, and economic activity.

4. EXPAND RECREATIONAL TOURISM ASSETS AND OVERALL INDUSTRY PROFITABILITY

Past recommendation: Ouray County should leverage and market its existing natural assets and to determine how it can develop new natural assets. This goal is aligned with the goal of enhancing the county’s brand, benefiting Ouray County by increasing visitation and supporting local businesses. While developing new assets is central to this goal, preserving existing natural assets and working within the bounds of existing infrastructure are similarly important.

Current observation: As visitation numbers in 2020 indicated, Ouray County has been a popular destination for visitors, especially those looking to access outdoor recreation. The growing volume of visitation and outdoor recreation has been economically beneficial, but going forward it will be important to examine the ways in which Ouray County’s physical infrastructure and natural assets (e.g., trails, campgrounds) have been affected by higher volumes and the ways in which the county can seek to preserve these assets for years to come.

5. MAKE OURAY COUNTY MORE VIABLE FOR BUSINESS AND TOURISTS - OBTAIN BROADBAND BANDWIDTH & REDUNDANCY

Past recommendation: The purpose of this goal was to work with Operation Link-Up from Silverton and utilities to achieve wired broadband from Ouray to Durango and over Ophir Pass to provide badly needed reliable high-speed internet to San Juan County and redundancy from having multiple closed loops on the western slope between Grand Junction and Cortez/Durango. Data had no direct pathway from Ouray to Durango, or New Mexico, etc. Promoting this type of reliable internet/data infrastructure will support businesses, residents, educational opportunities, and tourism.

Current observation: Local leadership has made significant strides in accomplishing this goal. As of the beginning of 2021, Ouray County is in Phase 2 of a \$5 million middle-mile fiber build for public health and telehealth, in partnership with Federal and State funding partners, and with the Region 10 regional buildout. This project is already supporting much-needed bandwidth for telecommuting and last-mile connections for homes and business throughout the County. The project began in 2019, completion is expected in summer 2021. This is an especially crucial economic resiliency strategy with the growing prevalence of remote work and necessity of internet-based applications. Remote work has been a defining feature of work life during the pandemic, and will likely continue to be both a standard and expectation for a significant portion of jobs.



**Ouray Via Ferrata
Management Agreement
First Addendum**

This First Addendum (Addendum) to the Ouray Via Ferrata Management Agreement dated April 20, 2020 (Agreement) is made by and between the Friends of the Ouray Via Ferrata, LLC, a Colorado limited liability company with its principal place of business being 735 Main Street, Unit B, Ouray, Colorado (FOVF), and the City of Ouray, a Colorado home rule municipality (City).

Exhibits

The following additional Exhibits are hereby incorporated into the Agreement by reference.

- A. Exhibit F – Ouray Upstream Via Ferrata 2.0 Route and Design Layout
- B. Exhibit G – Map of New Route

Recitals

- A. The Ouray Via Ferrata (“OVF”), a recreational rock climbing and high angle rigging asset, was completed and opened in 2020 by the FOVF and FOVF desire to build another route named the Ouray Upstream Via Ferrata 2.0.
- B. OVF has obtained written permission for Mr. Jacobson who owns some of the land the Ouray Upstream Via Ferrata 2.0 will use.
- C. The City is authorized to grant the rights and create the obligations established by this Addendum and the Agreement and this Addendum does not change any provisions in the Agreement but just provide permission to OVF to construct a second via ferrata route at the Property in accordance with Exhibit F and G.

NOW THEREFORE, in consideration of the mutual obligations described below, and for other consideration, the sufficiency of which is hereby acknowledged by the Parties, the Parties agree as follows.

- 1. The City hereby grants to FOVF the authority to construct a second Via Ferrata route as described on Exhibit F and G, attached herein and incorporated in the Agreement by reference, and to provide the Activities described in the Agreement between the parties within the Property.
- 2. All provisions of the Agreement that apply to the original Via Ferrata route are also applicable to the second Via Ferrata route and FOVF shall abide by the same.
- 3. All management provisions contained in the Agreement are extended and applicable to the second route.

-
4. Any required reporting is applicable to the second Via Ferrata and due as set forth in the Agreement.

IN WITNESS WHEREOF, the City and FOVF have caused this Agreement to be signed. The effective date of this Addendum is March 1, 2021, regardless of when signed.

CITY OF OURAY

FOVF

Mayor Greg Nelson
Attest

Mark Iuppenlatz, Directors for
Friends of the Ouray Via
Ferrata, LLC

Melissa Drake, Clerk

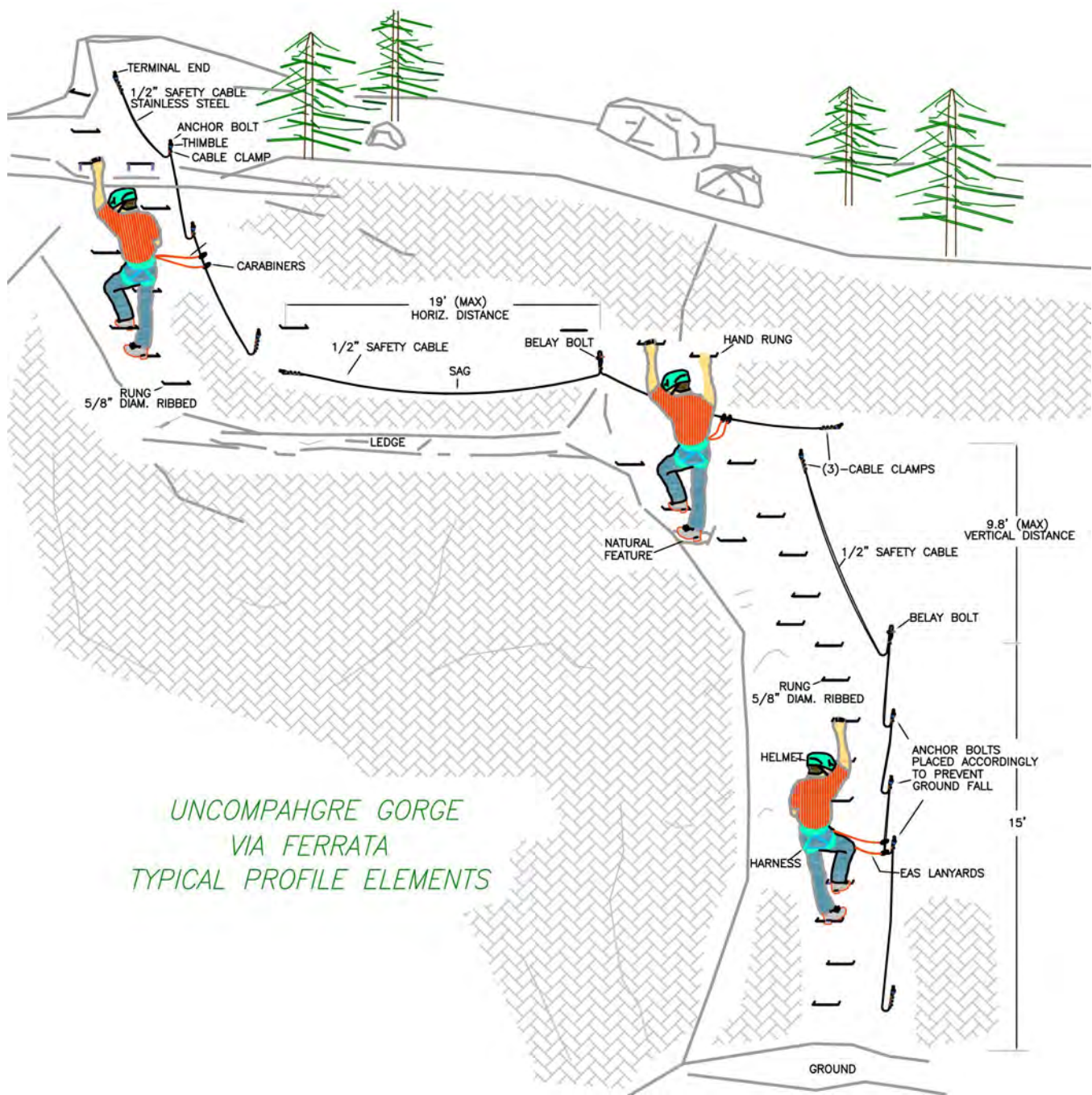
OURAY UNCOMPAHGRE GORGE UPSTREAM VIA FERRATA 2.0

CONCEPT PROPOSAL

JANUARY 1, 2021



**Friends of the Ouray Via Ferrata
Canyon Bridge LLC
Wayfarer Via Ferrata Designs LLC**



Typical Via Ferrata Profile and Element Configuration

Standards, Guidelines, References:

- CEN EN16869 : 2017 - Design / Construction of Via Ferratas
(attached to this document: Appendix A)
- ASTM F-2959-18 Aerial Adventure Courses
- UIAA-123 / EN 959 Rock Anchors
- UIAA-128 / EN 958 Energy Absorbing Systems
- UIAA-105 / EN12277 Harnesses
- UIAA-121 / EN12275 Carabiners
- UIAA-106 Helmets

It is the intention to design and construct the **Ouray Upstream Via Ferrata 2.0** following European Standard EN 16869: 2017. ASTM F-2959 -18 will be referenced and followed for the design and construction of the Via Ferrata integrated Aerial Wire Rope Ladders and Walkways.

The design and construction shall comply with an: “Agreement Regarding Development of the Ouray Upstream Via Ferrata 2.0 between City of Ouray and “Friends of the Ouray Via Ferrata”

Ouray Upstream Via Ferrata 2.0 Overview:

- 1500+ linear feet of safety cable, rungs, bridges, ladders, lollipops, platforms, sky ladders, views, challenges and fun.
- New 3 cable entrance “Burma Bridge” (40’ long): beginning approximately 50’ downstream of the existing Ranger Station. The 3 cable bridge will cross over the Uncompahgre river and the existing downstream Via Ferrata approximately 40’ high.



Entrance Burma Bridge



Section 1: Ranger Station to the “Cliffs” Area

- **Helix Ladder (35' tall) positioned directly across from the Ranger Station. This ladder will enable the user to negotiate an overhanging section and gain a higher ledge. The user will begin climbing the ladder facing out and slowly spiral to a facing in position. This ladder may become the most challenging VF structure in the Gorge. It will be in full view from the Ranger Station for Ranger observation /assistance, and spectating interest from friends and participants at the start of both upstream and downstream sections.**



Helix Ladder



Section 2: The “Cliffs” Area

- An Early Exit Bridge over to the ice climber’s South Park walk-down ramp shall be installed at the end of “The Cliffs” section. The 60’ bridge may have a 4” wide grip strut deck or be of a 3 cable configuration depending on stability requirements. This Exit would also enable an earlier 2021 opening to the first 2 sections of the Ouray VF 2.0.

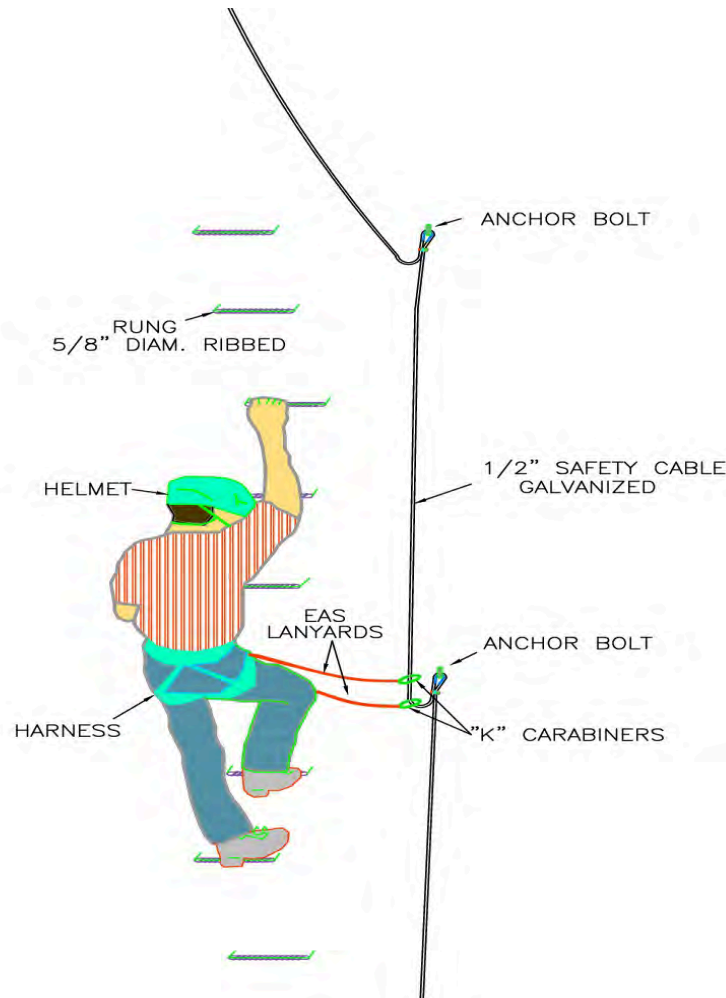


Section 3: South Park Area

- The South Park Area is a vast area of rock cliffs, ledges, and corners. The route will traverse a prominent high and exposed “Black Face”, and descend to a system of up and down ledges. There are several corners that could be negotiated with either a two or three cable bridge. This area continues upstream and southward to the Narrows Area and Exit.

Required Personal Equipment:

It is imperative and without condition that any and all Via Ferrata users **must** be wearing a UIAA labeled fall protection system, consisting of a harness with an EAS (Energy Absorbing System), double lanyard with “K” carabiner set attached, and a UIAA approved helmet. It is recommended that appropriate footwear is worn by all Via Ferrata users.



Via Ferrata User Personal Equipment

Harnesses:

All harnesses shall be UIAA labeled and conform to UIAA-105 standard.

EAS (Energy Absorbing System):

All EAS lanyard sets shall be UIAA labeled and conform to UIAA-128 standard.

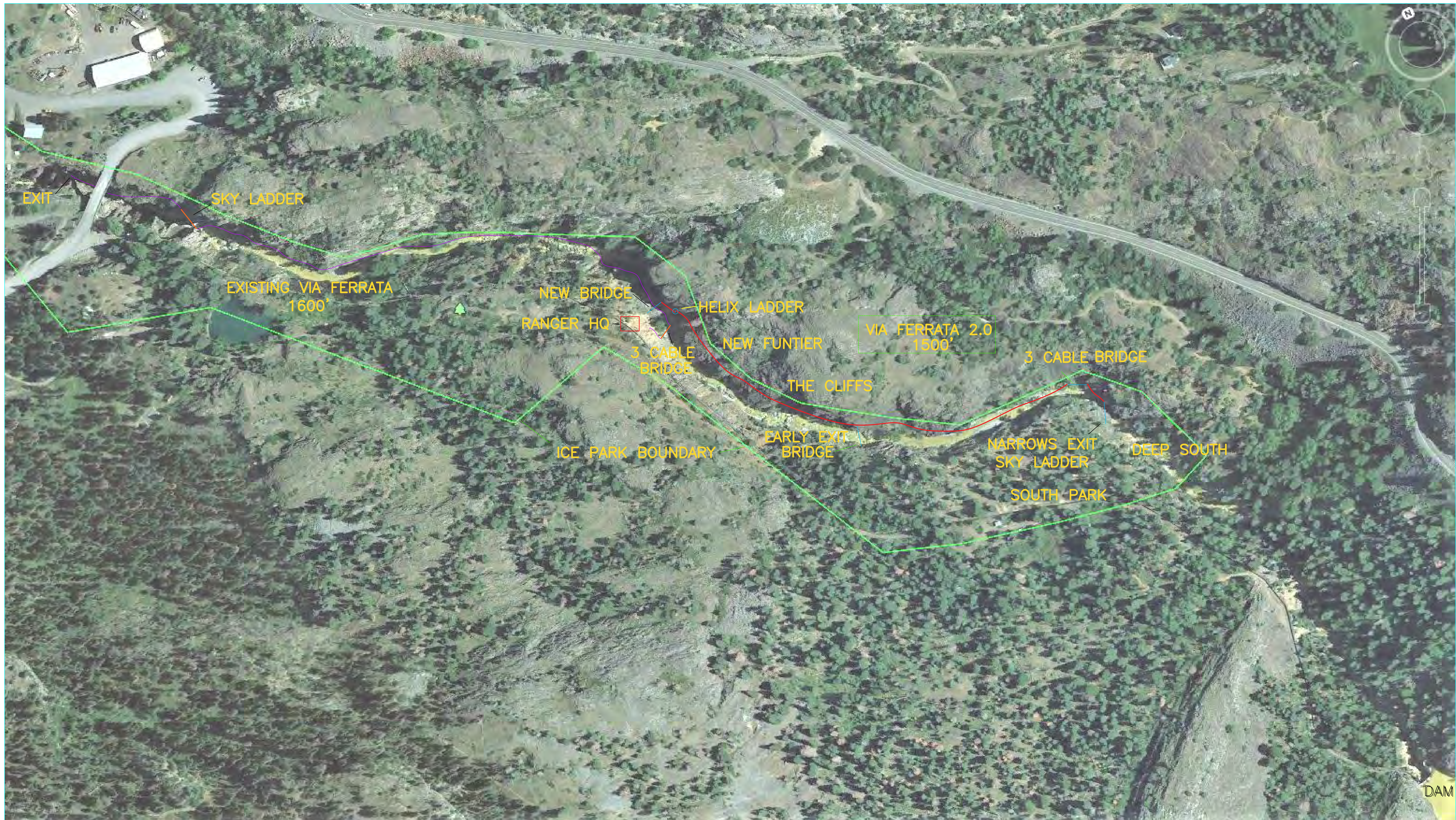
Connectors (Carabiners):

All Connectors shall be type “K” Carabiners and shall conform to UIAA-121 standard.

Helmets

All Helmets shall conform to UIAA-106 standard

OURAY UPSTREAM VIA FERRATA 2.0



OURAY UPSTREAM VIA FERRATA 2.0



OURAY UPSTREAM VIA FERRATA 2.0



CITY OF OURAY

Professional Service Agreement

THIS AGREEMENT is entered into effective this 5th day of April 2021 by and between:

The City of Ouray, a Colorado municipal corporation (the City); and,

Short-Elliot-Hendrickson Inc. a foreign Corporation with its principal place of business located at 3535 Vadnais Center Dr., St. Paul, MN 55110, (the Contractor).

NOW THEREFORE, in consideration of the mutual representations, promises and conditions contained herein, the parties agree as follows.

1. SCOPE OF CONTRACTOR SERVICES. The Contractor agrees to provide services in accordance with the Scope of Contractor Services attached and incorporated as Exhibit A. The parties entered a letter agreement on March 10, 2021 to be ratified by Council on April 5, 2021 and this letter agreement is incorporated herein by reference as Exhibit B. To the extent the terms of this Agreement or those set forth in Exhibit A are in conflict with Exhibit B, the this Agreement and Exhibit A are controlling.
2. TERM OF AGREEMENT. The term of this agreement shall begin on the effective date above and continue to the completion of the services described in Exhibit A, upon termination of this agreement by either party, or if the services are not completed, this agreement will expire on December 31, 2020 at which time the City and the Contractor will either negotiate a new agreement to complete the services, extend this agreement or their relationship under this agreement will terminate.
3. FEES FOR SERVICES. In consideration of the services to be performed pursuant to this agreement the City will pay the Contractor a sum not to exceed of Twenty-Four Thousand Two-Hundred Dollars (\$24,200.00).

4. PAYMENT FOR SERVICES. The Contractor shall submit a detailed invoice to the City describing the professional services rendered. The invoice shall document the hours spent on the project identifying by work category and subcategory the work performed for the period, the hours worked by employee, and the hourly rate charged for that work. The City shall have access to backup payroll documentation identifying individual employee, date, and hours worked. The City shall pay the invoice within thirty (30) days of receipt unless the work or the documentation therefore is unsatisfactory. Payments made after thirty (30) days may be assessed an interest charge of one percent (1%) per month unless the delay in payment resulted from unsatisfactory work or documentation.
5. CITY REPRESENTATIVE. The City designates the City Administrator as its representative and authorizes him to make all necessary and proper decisions with reference to this agreement. All requests for contract interpretations, changes, clarifications, or instructions shall be directed to the City representative.
6. INDEPENDENT CONTRACTOR. The services to be performed by the Contractor are those of an independent contractor and not as an employee of the City. Nothing in this agreement shall constitute or be construed as a creation of a partnership or joint venture between the City and the Contractor, or their successors or assigns. No agent or employee of the Contractor shall be or shall be deemed to be the employee or agent of the City. The City is interested only in the results obtained under this agreement; the manner and means of conducting the work are under the sole control of the Contractor. None of the benefits provided by the City to its employees, including, but not limited to, worker compensation insurance and unemployment compensation insurance, are available from the City to the employees of the Contractor. The Contractor will be solely and entirely responsible for its acts and for the acts of its agents, employees, and subcontractors during the performance of this agreement. The Contractor will pay all federal and state income tax on any moneys paid pursuant to this agreement.
7. INSURANCE. The Contractor agrees to procure and maintain, at its own cost, a policy or policies of insurance as called for in this agreement. Insurance

shall be procured and maintained with forms and insurers acceptable to the City. All coverages shall be continuously maintained during the term of this agreement. Each shall be primary insurance and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Contractor. The Contractor shall provide the City with certificates of insurance, or other acceptable evidence, showing the required coverages. The City reserves the right to request and receive a certified copy of any policy.

- a. The Contractor shall procure and maintain the minimum insurance coverages listed below.
 - i. Workers' compensation insurance to cover obligations imposed by the Workers' Compensation Act of Colorado and any other applicable laws for any employee of the Contractor engaged in the performance of work under this agreement.
 - ii. Professional liability errors and omissions or general liability coverage, as appropriate, with minimum limit of One Million Dollars (\$1,000,000.00).
- b. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, duration, or types.
- c. Failure on the part of the Contractor to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which the City may immediately terminate this contract, or at its discretion the City may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the City shall be repaid by the Contractor upon demand, or the City may offset the cost of the premiums against any monies due to the Contractor.

- d. The Contractor shall be responsible for any deductible under any policy required above.
- 8. GOVERNMENTAL IMMUNITY. The Contractor understands and acknowledges that the City relies on and does not waive or intend to waive by any portion of this agreement any provision of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*
- 9. INDEMNIFICATION. To the fullest extent permitted by law, the Contractor agrees to indemnify and hold harmless the City, its officers, employees, insurers, and self-insurance pool, from and against liability for damage, including attorney fees and costs, arising out of death or bodily injury to persons or damage to property, caused by the negligence or fault of the Contractor or any third party under the control or supervision of the Contractor, but not for any amounts that are greater than that represented by the degree or percentage of negligence or fault attributable to the Contractor or the Contractor's agents, representatives, subcontractors, or suppliers.
- 10. EMPLOYMENT OF ILLEGAL ALIENS. Pursuant to COLO. REV. STAT. § 8-17.5-101, *et seq.*, the Contractor certifies the following:
 - a. Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract.
 - b. Contractor shall not hire a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract.
 - c. The Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Contract through participation in either (a) the E-Verify Program, (the electronic employment verification program jointly administered by the U.S. Department of Homeland Security and the Social Security Administration, or its successor program) or (b) the Department Program (the employment verification program established pursuant to C.R.S. § 8-17.5-102(5)(c)).

- d. The Contractor shall not use the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while this Contract is being performed.
- e. If the Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with an illegal alien, the Contractor shall be required to: (a) notify the Subcontractor and the City within three (3) days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and (b) terminate the subcontract with the subcontractor if within three (3) days of receiving the notice, the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.
- f. The Contractor shall comply with any reasonable request by the Department of Labor and Employment concerning an investigation that the Department undertakes pursuant to C.R.S. § 8-17.5-102(5).
- g. If the Contractor violates these illegal alien provisions, the City may terminate this Contract for a breach of contract. If this Contract is so terminated, the Contractor shall be liable for actual and consequential damages to the City. The City will notify the Office of the Secretary of State if the Contractor violates these provisions and the City terminates this Contract for that reason.
- h. The Contractor shall notify the City of participation in the Department Program and shall within twenty (20) days after hiring an employee who is newly hired for employment to perform work under this Contract affirm that the Contractor has examined the legal work status of such employee, retained file copies of the documents required by 8 USC § 1324a, and not altered or falsified the identification documents for such employee. Contractor shall provide a written, notarized copy of the affirmation to the City.

11. ASSIGNMENT. The Contractor shall neither assign any responsibilities nor delegate any duties arising under this agreement without the prior written consent of the City.
12. PAYMENTS BY CITY. Any payments of money by the City pursuant to this agreement shall be subject to the annual appropriations of money.
13. LEGAL COMPLIANCE. The Contractor shall comply with all laws, ordinances, rules, and regulations relating to the performance of this agreement, use of public places and safety of persons and property.
14. FURTHER ASSURANCES. Each party agrees to take such actions and sign such documents, certificates and instruments reasonably requested by the other party to complete the transactions contemplated by this agreement and to enable the requesting party to enjoy the full benefits conferred upon such party by this agreement.
15. ENTIRE AGREEMENT. This instrument contains the entire agreement between the parties, and no statements, promises, or inducements made by either party or agent of either party that are not contained in this written contract shall be valid or binding. This contract may not be enlarged, modified, or altered except in writing signed by the parties and endorsed on this agreement. Each person signing the contract warrants that they have authority to bind the City or Contractor.
16. BINDING EFFECT. This agreement shall inure to the benefit of and be binding on the parties, their heirs, executors, administrators, assignees, and successors.
17. SEVERABILITY. If any part, term, or provision of this contract is held by the courts to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the part, term, or provision held to be invalid.

18. GOVERNING LAW. This agreement shall be governed by the laws of the State of Colorado, both as to interpretation and performance. The courts of the State of Colorado shall have exclusive jurisdiction to resolve any disputes arising out of this agreement and venue shall be in Ouray County, Colorado.
19. WAIVER. No waiver of any breach of this agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this contract shall be taken and construed as cumulative, that is, in addition to every other remedy provided therein or by law.
20. COUNTERPARTS. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.
21. FACSIMILE SIGNATURES. For the convenience of the parties, signatures to this agreement may be provided through facsimile transmission. The signature of a party to this agreement supplied by facsimile transmission shall be as binding as an original.
22. PRONOUNS. Wherever in this agreement, words, including pronouns, are used in the masculine, they shall be read and construed in the feminine or neuter whenever they would so apply, and wherever in this agreement, words, including pronouns, are used in the singular or plural, they shall be read and construed in the plural or singular, respectively, wherever they would so apply.

IN WITNESS WHEREOF, the City and the Contractor have signed this agreement effective the day and year first written above.

Signatures on Following Page

CITY OF OURAY:

Greg Nelson, Mayor

Attest:

Melissa Drake, Clerk

CONTRACTOR:

Nancy L. Dosdall, AICP

EXHIBIT A

Scope of Contractor Services

See Next Page



Building a Better World
for All of Us™

CONCEPT PROPOSAL – TO CITY OF OURAY

Hi Silas,

As we discussed, see below for a concept for Town Planning work on an on-going basis. We can revise however might work best for the Town, but I took a first cut at what might work for both of us. We could adjust hours up or down depending on your needs. See below for a proposal as a starting point. I've also attached resumes for both me and Andrew Arnold, our Planner I, who also has significant experience with economic development and fiscal studies. We just submitted a full proposal to Ridgway for a similar request, I would be happy to share the proposal with you if you are interested.

24 hours a month on retainer includes:

16 hours per month of "on call" with set hours available—Planner I (4 hours per week or whatever works best, we may adjust for meetings). Senior Planner will be available by phone to answer any questions from Planner I. If there are no questions or development to review, Planner can work on updating forms and checklists, code amendments, project reviews, or other special projects as directed by the Town Manager.

Additional 8 hours flexible hours for special projects as directed by the Town Manager.

Monthly fee for above \$3,640 (includes 16 hours @ Planner I and 8 hours @ Senior Planner, again this is adjustable as desired).

Additional hours at the following rates:

Planner I - \$125/hr

Senior Planner - \$205/hr

Special projects can be negotiated.

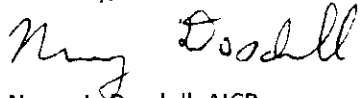
We can do something formal as above or simply be available and work as directed. Let me or Frowny know what you think. I'm thinking that the hours proposed will take care of all or most of the Town's planning needs with no long-term commitment, personnel issues or benefits required on the part of the Town.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 974 Main St, Unit C, Durango, CO 81301

SEH is 100% employee-owned | sehinc.com | 970.385.4546 |
970.459.1165 |

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Dosdall". The signature is fluid and cursive, with the first name "Nancy" and last name "Dosdall" clearly distinguishable.

Nancy L. Dosdall, AICP

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 974 Main St, Unit C, Durango, CO 81301

SEH is 100% employee-owned | sehinc.com | 970.385.4546 |
970.459.1165 |

Agreement for Professional Services

This Agreement is effective as of March 10, 2021, between City of Ouray (Client) and Short Elliott Hendrickson Inc. (Consultant).

This Agreement authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: Temporary On Call Planning Services.

Client's Authorized Representative: Silas Clarke
Address: P.O. Box 468
Ouray, CO 81427
Telephone: 970.325.7060 **email:** clarkes@cityofouray.com

Project Manager: Nancy Dosdall
Address: 934 Main Avenue, Unit C
Durango, CO 81301
Telephone: 970.385.4546 **email:** ndosdall@sehinc.com

Scope: The Basic Services to be provided by Consultant as set forth herein are provided subject to the attached General Conditions of the Agreement for Professional Services (General Conditions Rev. 07.14.16), which is incorporated by reference herein and subject to Exhibits attached to this Agreement.

SEH will provide general, on-call planning services as directed by the City Administrator. Services will include development review including assisting applicants, preparing staff reports and presentations to boards as necessary, answering general questions from the public and other duties as directed.

Schedule: SEH will be available as soon as contract is signed until May 1, 2021, or as otherwise directed by the City Administrator.

Payment: SC
 The fee is hourly ~~estimated to be \$6,000~~ including expenses and equipment

The payment method, basis, frequency and other special conditions are set forth in attached Exhibit A-1

This Agreement for Professional Services, attached General Conditions, Exhibits and any Attachments (collectively referred to as the "Agreement") supersedes all prior contemporaneous oral or written agreements and represents the entire understanding between Client and Consultant with respect to the services to be provided by Consultant hereunder. In the event of a conflict between the documents, this document and the attached General Conditions shall take precedence over all other Exhibits unless noted below under "Other Terms and Conditions". The Agreement for Professional Services and the General Conditions (including scope, schedule, fee and signatures) shall take precedence over attached Exhibits. This Agreement may not be amended except by written agreement signed by the authorized representatives of each party.

Other Terms and Conditions: Other or additional terms contrary to the General Conditions that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein:
 None

Short Elliott Hendrickson Inc.

By: _____

Title: _____

City Administrator
- Will be ratified by City
Council April 5, 2021
through Service Agreement

By: _____

Title: _____

Exhibit A-1
to Agreement for Professional Services
Between City of Ouray
and
Short Elliott Hendrickson Inc. (Consultant)
Dated March 10, 2021
Payments to Consultant for Services and Expenses
Using the Hourly Basis Option

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

A. Hourly Basis Option

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work.

Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

B. Expenses

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services and shall be paid for as described in this Agreement but instead are reimbursable expenses required in addition to hourly charges for services:

1. Transportation and travel expenses.
2. Long distance services, dedicated data and communication services, teleconferences, Project Web sites, and extranets.
3. Lodging and meal expense connected with the Project.
4. Fees paid, in the name of the Client, for securing approval of authorities having jurisdiction over the Project.
5. Plots, Reports, plan and specification reproduction expenses.
6. Postage, handling and delivery.
7. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
8. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
9. All taxes levied on professional services and on reimbursable expenses.
10. Other special expenses required in connection with the Project.
11. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses.

C. Equipment Utilization

The utilization of specialized equipment, including automation equipment, is recognized as benefiting the Client. The Client, therefore, agrees to pay the cost for the use of such specialized equipment on the project. Consultant invoices to the Client will contain detailed information regarding the use of specialized equipment on the project and charges will be based on the standard rates for the equipment published by Consultant.

The Client shall pay Consultant monthly for equipment utilization.

General Conditions of the Agreement for Professional Services

SECTION I – SERVICES OF CONSULTANT

A. General

1. Consultant agrees to perform professional services as set forth in the Agreement for Professional Services or Supplemental Letter Agreement ("Basic Services"). Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder.

B. Schedule

1. Unless specific periods of time or dates for providing services are specified, Consultant's obligation to render services hereunder will be for a period which may reasonably be required for the completion of said services.
2. If Client has requested changes in the scope, extent, or character of the Project or the services to be provided by Consultant, the time of performance and compensation for Consultant's services shall be adjusted equitably. The Client agrees that Consultant is not responsible for damages arising directly or indirectly from delays beyond Consultant's control. If the delays resulting from such causes increase the cost or the time required by Consultant to perform its services in accordance with professional skill and care, then Consultant shall be entitled to a equitable adjustment in schedule and compensation.

C. Additional Services

1. If Consultant determines that any services it has been directed or requested to perform are beyond the scope as set forth in the Agreement or that, due to changed conditions or changes in the method or manner of administration of the Project, Consultant's effort required to perform its services under this Agreement exceeds the stated fee for Basic Services, then Consultant shall promptly notify the Client regarding the need for additional services. Upon notification and in the absence of a written objection, Consultant shall be entitled to additional compensation for the additional services, and to an extension of time for completion of additional services absent written objection by Client.
2. Additional services shall be billed in accord with agreed upon rates, or if not addressed, then at Consultant's standard rates.

D. Suspension and Termination

1. If Consultant's services are delayed or suspended in whole or in part by Client, or if Consultant's services are delayed by actions or inactions of others for more than 60 days through no fault of Consultant, then Consultant shall be entitled to either terminate its agreement upon 7 days written notice or, at its option, accept an equitable adjustment of rates and amounts of compensation provided for elsewhere in this Agreement to reflect reasonable costs incurred by Consultant.
2. This Agreement may be terminated by either party upon seven days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination.
3. This Agreement may be terminated by either party upon thirty days' written notice without cause. All provisions of this Agreement allocating responsibility or liability between the Client and Consultant shall survive the completion of the services hereunder and/or the termination of this Agreement.
4. In the event of termination, Consultant shall be compensated for services performed prior to termination date, including charges for expenses and equipment costs then due and all termination expenses.

SECTION II – CLIENT RESPONSIBILITIES

A. General

1. The Client shall, in proper time and sequence and where appropriate to the Project, at no expense to Consultant, provide full information as to Client's requirements for the services provided by Consultant and access to all public and private lands required for Consultant to perform its services.
2. The Consultant is not a municipal advisor and therefore Client shall provide its own legal, accounting, financial and insurance counseling and other special services as may be required for the Project. Client shall provide to Consultant all data (and professional interpretations thereof) prepared by or services performed by others pertinent to Consultant's services, including but not limited to, previous reports; sub-surface explorations; laboratory tests and inspection of samples; environmental assessment and impact statements, surveys, property descriptions; zoning, deed and other land use restrictions; as-built drawings, electronic data base and maps. The costs associated with correcting, creating or recreating any data that is provided by the Client that contains inaccurate or unusable information shall be the responsibility of the Client.
3. Client shall provide prompt written notice to Consultant whenever the Client observes or otherwise becomes aware of any changes in the Project or any defect in Consultant's services. Client shall promptly examine all studies, reports, sketches, opinions of construction costs, specifications, drawings, proposals, change orders, supplemental agreements and other documents presented by Consultant and render the necessary decisions and instructions so that Consultant may provide services in a timely manner.
4. Client shall require all utilities with facilities within the Client's Project site to locate and mark said utilities upon request, relocate and/or protect said utilities as determined necessary to accommodate work of the Project, submit a schedule of the necessary relocation/protection activities to the Client for review and comply with agreed upon schedule. Consultant shall not be liable for damages which arise out of Consultant's reasonable reliance on the information or services furnished by utilities to Client or others hired by Client.
5. Consultant shall be entitled to rely on the accuracy and completeness of information or services furnished by the Client or others employed by the Client and shall not be liable for damages arising from reasonable reliance on such materials. Consultant shall promptly notify the Client if Consultant discovers that any information or services furnished by the Client is in error or is inadequate for its purpose.

SECTION III – PAYMENTS

A. Invoices

1. Undisputed portions of invoices are due and payable within 30 days. Client must notify Consultant in writing of any disputed items within 15 days from receipt of invoice. Amounts due Consultant will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) for invoices 30 days past due. Consultant reserves the right to retain Instruments of Service until all invoices are paid in full. Consultant will not be liable for any claims of loss, delay, or damage by Client for reason of withholding services or Instruments of Service until all invoices are paid in full. Consultant shall be entitled to recover all reasonable costs and disbursements, including reasonable attorney's fees, incurred in connection with collecting amounts owed by Client.
2. Should taxes, fees or costs be imposed, they shall be in addition to Consultant's agreed upon compensation.
3. Notwithstanding anything to the contrary herein, Consultant may pursue collection of past due invoices without the necessity of any mediation proceedings.

SECTION IV – GENERAL CONSIDERATIONS

A. Standards of Performance

1. The standard of care for all professional engineering and related services performed or furnished by Consultant under this Agreement will be the care and skill ordinarily exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same locality. Consultant makes no warranties, express or implied, under this Agreement or otherwise, in connection with its services.
2. Consultant neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the work in accordance with its construction contract or the construction documents prepared by Consultant. Client acknowledges Consultant will not direct, supervise or control the work of construction contractors or their subcontractors at the site or otherwise. Consultant shall have no authority over or responsibility for the contractor's acts or omissions, nor for its means, methods or procedures of construction. Consultant's services do not include review or evaluation of the Client's, contractor's or subcontractor's safety measures, or job site safety or furnishing or performing any of the Contractor's work.
3. If requested in the scope of a Supplemental Letter Agreement, then Consultant may provide an Opinion of Probable Construction Cost. Consultant's Opinions of Probable Construction Cost provided for herein are to be made on the basis of Consultant's experience and qualifications and represent Consultant's best judgment as a professional generally familiar with the industry. However, since Consultant has no control over the cost of labor, materials, equipment or service furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids or actual construction cost will not vary from Opinions of Construction Cost prepared by Consultant. If Client wishes greater assurance as to probable Construction Cost, Client shall employ an independent cost estimator or negotiate additional services and fees with Consultant.

B. Indemnity for Environmental Issues

1. Consultant is not a user, generator, handler, operator, arranger, storer, transporter or disposer of hazardous or toxic substances, therefore the Client agrees to hold harmless, indemnify and defend Consultant and Consultant's officers, directors, subconsultant(s), employees and agents from and against any and all claims, losses, damages, liability and costs, including but not limited to costs of defense, arising out of or in any way connected with, the presence, discharge, release, or escape of hazardous or toxic substances, pollutants or contaminants of any kind at the site.

C. Limitations on Consultant's Liability

1. The Client hereby agrees that to the fullest extent permitted by law, Consultant's total liability to the Client for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to the Project or this Agreement from any cause or causes including, but not limited to, Consultant's negligence, errors, omissions, strict liability, breach of contract or breach of warranty shall not exceed five hundred thousand dollars (\$500,000). In the event Client desires limits of liability in excess of those provided in this paragraph, Client shall advise Consultant in writing and agree that Consultant's fee shall increase by 1% for each additional five hundred thousand dollars of liability limits, up to a maximum limit of liability of five million dollars (\$5,000,000).
2. Neither Party shall be liable to the other for consequential damages, including, without limitation, lost rentals, increased rental expenses, loss of use, loss of income, lost profit, financing, business and reputation and for loss of management or employee productivity, incurred by one another or their subsidiaries or successors, regardless of whether such damages are foreseeable and are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.
3. It is intended by the parties to this Agreement that Consultant's services shall not subject Consultant's employees, officers or directors to any personal legal exposure for the risks associated

with this Agreement. The Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Consultant, and not against any of Consultant's individual employees, officers or directors, and Client knowingly waives all such claims against Consultant individual employees, officers or directors.

D. Assignment

1. Neither party to this Agreement shall transfer, sublet or assign any rights under, or interests in, this Agreement or claims based on this Agreement without the prior written consent of the other party. Any assignment in violation of this subsection shall be null and void.

SECTION V – DISPUTE RESOLUTION

A. Mediation

1. Any dispute between Client and Consultant arising out of or relating to this Agreement or services provided under this Agreement, (except for unpaid invoices which are governed by Section III), shall be submitted to nonbinding mediation as a precondition to litigation unless the parties mutually agree otherwise. Mediation shall occur within 60 days of a written demand for mediation unless Consultant and Client mutually agree otherwise.

B. Litigation – Choice of Venue and Jurisdiction

1. Any dispute not settled through mediation shall be settled through litigation in the state where the Project at issue is located.

SECTION VI – INTELLECTUAL PROPERTY

A. Proprietary Information

1. All documents, including reports, drawings, calculations, specifications, CADD materials, computers software or hardware or other work product prepared by Consultant pursuant to this Agreement are Consultant's Instruments of Service ("Instruments of Service") and Consultant retains all ownership interests in Instruments of Service, including all available copyrights.
2. Consultant shall retain all of its rights in its proprietary information including, without limitation, its methodologies and methods of analysis, ideas, concepts, expressions, inventions, know how, methods, techniques, skills, knowledge and experience possessed by Consultant prior to, or acquired by Consultant during, the performance of this Agreement and the same shall not be deemed to be Work Product or Work for Hire and Consultant shall not be restricted in any way with respect thereto.

B. Client Use of Instruments of Service

1. Provided that Consultant has been paid in full for its services, Client shall have the right in the form of a license to use Instruments of Service resulting from Consultant's efforts on the Project. Consultant shall retain full rights to electronic data and the drawings, specifications, including those in electronic form, prepared by Consultant and its subconsultants and the right to reuse component information contained in them in the normal course of Consultant's professional activities. Consultant shall be deemed to be the author of such Instruments of Service, electronic data or documents, and shall be given appropriate credit in any public display of such Instruments of Service.
2. Records requests or requests for additional copies of Instruments of Services outside of the scope of services are available to Client subject to Consultant's current rate schedule.

C. Reuse of Documents

1. All Instruments of Service prepared by Consultant pursuant to this Agreement are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other Project. Any reuse of the Instruments of Service without written consent or adaptation by Consultant for the specific purpose intended will be at the Client's sole risk and without liability or legal exposure to Consultant; and the Client shall release Consultant from all claims arising from such use. Client shall also defend, indemnify and hold harmless Consultant from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting from reuse of Consultant documents without written consent.

EXHIBIT A-3

SEH Durango - Standard Rate Table

Job Title	Group Rate
Senior Administrative Assistant	\$ 90.00
Landscape Architect- Land Planner	\$ 125.00
Graduate Engineer	\$ 120.00
Accounting Representative	\$ 125.00
Professional Surveyor	\$ 135.00
Architect	\$ 135.00
Project Engineer	\$ 135.00
Project Engineer II	\$ 145.00
Senior Engineer I	\$ 160.00
Senior Engineer II	\$ 185.00
Senior Engineer II/Principal	\$ 185.00
Senior Engineer II	\$ 185.00
Senior Planner IV	\$ 205.00
RPCL/Principal	\$ 225.00
Equipment Per Hour	Rate
Tier 3 Drone	\$ 135.00
Survey Vehicle or Field Vehicle	\$ 4.50
3D Scanner (SX-10)	\$ 35.00
Robotic Total Station	\$ 30.00
GPS - Survey Grade	\$ 30.00
Magnetometer	\$ 10.00
ATV/UTV	\$ 12.50
All Vehicles: Std IRS Mileage Rate (2020)	\$0.57 / mile
All other expenses	At cost

1. The first part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the company. The names are listed in alphabetical order, and each name is followed by the position to which he or she has been appointed.

2. The second part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the company. The names are listed in alphabetical order, and each name is followed by the position to which he or she has been appointed.

3. The third part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the company. The names are listed in alphabetical order, and each name is followed by the position to which he or she has been appointed.

4. The fourth part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the company. The names are listed in alphabetical order, and each name is followed by the position to which he or she has been appointed.

PO Box 468
320 Sixth Avenue
Ouray, Colorado 81427



Main Street Sidewalk Replacement Program Background and Request for Council Action:

Background:

Based on a City Council work session, the Mayor and Council asked staff to conduct research to implement a Main Street sidewalk incentive replacement program. To begin this program within the short timeline, City staff are asking for the program to be defined by Council and to provide the authority to begin program implementation through the outlined recommendations

City Council authorized City staff to:

- 1) Create and implement a cost-sharing sidewalk replacement program for property owners on Main Street (Hwy 550) between 3rd Ave. and 10th Ave.;
- 2) Create an application/permit form to be utilized for the program and ensure all suggested legal language by the City Attorney is included;
- 3) Request within the application/permit for a professional quote with total price to be submitted by the property owner that will be reviewed by the City to ensure the cost is reasonable based on industry standards for removal and replacement of sidewalks;
- 4) Advertise the cost sharing program to Main Street businesses, highlighting properties that have panels that meet the City's Sidewalk Replacement Policy conditions for replacement (See next page);
- 5) Provide cost sharing of up to 25% of the provided reasonable quote for the removal, hauling and replacement costs as a reimbursement to the property owner;
- 6) Make replacement projects eligible for cost sharing with work only being conducted between April 5 to May 28, 2021 and September 7 to October 31, 2021;
- 7) Allocate up to a total of \$20,000 within the 2021 City Budget from the LOT funds for the cost sharing reimbursement program (Use of LOT funding for sidewalk replacement on Main Street was determined to be an acceptable use of these funds by the City's auditor on March 30, 2021, based on the adopted ballot language); and,
- 8) Ensure permits/applications are considered for reimbursement with a priority being placed on damaged sidewalk panels that meet the City's Sidewalk Replacement Policy.

Sidewalk Replacement Policy

Goals:

The goal of the sidewalk policy is to provide City of Ouray property owner's definitions of conditions of disrepair, as well as criteria for replacement/repair of sidewalks and the process involved. The intended result is:

- Increased safety of pedestrians (and reduced liability exposure of property owners).
- Compliance with City of Ouray building standards.
- A mechanism to trigger property owners to respond to complaints about their sidewalks.

Policy:

Conditions requiring replacement/repair: The following conditions are considered a violation of sidewalk policy and will trigger a letter from the City of Ouray.

- A height difference between sidewalk squares/panels of greater than ½ inch is considered a trip hazard. The measurement is taken at the greatest difference of the two panels if they are not level with each other.
- Cracks, holes or separations between panels that are long enough to catch up a pedestrian's shoe and greater than ½ inch with a depth of ½ inch or more are considered a trip hazard.
- Sidewalks more than 4 inches higher than grade are considered a fall hazard.
- Sidewalk areas sunken enough to hold water turn into a slip hazard when frozen.
- Cement driveway approaches, being in the City right-of-way, follow the same criteria as sidewalks.

Replacement/Repair:

Sidewalk replacement or repairs can be done either by the homeowner or a hired contractor. Once started, the repair process must be completed in a timely manner – blocking off a sidewalk area for weeks at a time is unacceptable.

- Ramping or skin patching of low areas with cement is **not** an acceptable repair.
- Grinding is not encouraged, the City's goal is to reduce trip hazards. Grinding of trip hazards of 1 inch or less is an acceptable repair if sufficient cement remains to support traffic without cracking.
- Replacement of cement is done in full sidewalk panels. All new sidewalk construction must follow the City of Ouray Construction Standards.