

Date: January 14th, 2022

TO: Town of Rico Board of Trustees

From: Chauncey McCarthy

Consideration of the first reading of Ordinance 2022 – 01 An Ordinance Amending the Rico Budget Ordinance No. 2020-04 to Reflect Additional Revenues and Expenditures

Included in this packet is the ordinance amending the Rico budget ordinance NO 2020-04 to reflect additional revenues and expenditure. Please see the chart below for a quick comparison of projected year end close vs actual year end close balances.

Year End Close Budget Comparison FY 2021				
Account	Projected Year End Closing Balance	Actual Year End Close Balance	Year to Date Variance	Note
General Fund	\$917,177.55	\$975,035.61	\$57,858.06	1
Water Fund	\$298,456.17	\$94,168.77	-\$204,287.40	2
Street Fund	\$62,498.33	\$73,494.76	\$10,996.43	
Sewer Fund	\$235,217.78	\$216,125.38	-\$19,092.40	
Park Fund	\$85,992.29	\$101,922.36	\$15,930.07	
CTF	\$39,524.26	\$40,873.93	\$1,349.67	
<p>Note 1: Due to delayed processing of invoices for the VCUP Attorney Pass-Through year end balance does not include the most recent invoice. This invoice amounts to \$97,908.23</p> <p>Note 2: The Water Fund balance is currently below \$23,000. This is due to the fact the grant reimbursement has not been submitted to DOLA yet. The Town didn't complete the process for the July reimbursement, \$9,996, and will submit for reimbursement of \$112,697 to close out the grant. Figures on the 2021 budget were inputted wrong. Revenue for the grant project were budgeted as \$229,874.24, Expense were budgeted as \$160,000. As budgeted the town would profit from this project but reality the town only receives 2/3 of the grant expense.</p>				

Consideration of Emergency 2022 - 02 An Ordinance adopting a lodging tax increase per approved ballot measure during the November election

The Board of Trustees will need to approval emergency ordinance 2022-2 to allow collection of the 7% lodging tax increase approved by voters in the November 2021 election.

Consider of Mantz Ave Lots 6 – 9 Block 29 minor subdivision

Included in this packet is the application for a minor subdivision of Mantz Ave Lot 6 – 9 Block 29. The Planning commission recommended approval at their meeting on 1/12/2022.

Appointing of Planning Commission seats

Included in this packet are nine letters of interest for the open seats on the Planning Commission.

RLUC 702:

702.1 MEMBERSHIP Composition. The RPC shall consist of five regular members and first and second alternate members who shall be appointed by the Board of Trustees.

702.2 Terms. Members shall be appointed for two year staggered terms commencing on January 1st. The term for 3 regular members and the second alternate shall commence on even numbered years and the term for 2 regular members and the first alternate shall be commence on odd numbered years.

Mike Contillo is the only member of the Planning Commission who is still within his term. This leaves four vacant seats and the potential for two alternate seats to be appoint. With Mike's term expiring in 2023 these leaves the need to fill a regular member and an alternate with a 1-year term. The other three regular members, and potential second alternate should be appointed for a 2-year term expiring in 2024.

Appointing of Town Planner

Included in this packet are three applicants to be reviewed for the position of Contract Town Planner. A RFQ was created in November and qualifications were submitted until start of January.

Appointing of Town Attorney

Included in this packet are three applicants to be reviewed for the position of Contract Town Attorney. A RFQ was created in November and qualifications were submitted until start of January.

Bustang shelter presentation

Jay Rhodes and Jeff Prillwitz are to provide a presentation on the proposal to create a bust shelter in front of vacant parcel between 3 S Glasgow and 5 S Glasgow.

VCUP Update

Nicole will provide an update on the VCUP application and presentation scheduled for February 24 and 26th 2022.

Point of diversion legal counsel

Marti Whitore has been working towards a point of diversion change from Silver Creek to the Well site. She is ready file for the point of diversion with the water court. With the potential change in legal counsel, she would like the Boards' authorization to continue working on this project

Snow Storage / Parking Ordinance

The Town saw a large amount of snow from the end of December to the Start of January 2022. As the Town's population continues to grow and vacant lots become developed, parking and snow storage are becoming an issue. Both Dennis and Esteban have informed me that snow storage options are running low. The other issue they have brought to my attention is the section of River Street from Mantz to Soda. If cars continue to park the way they have been the Town will be unable to drive a loader through that section of road.

Creation of a Town wide owners association to allow for transfer assessments

A member of the Board would like to discuss the possibility of creating a Town wide owners association to allow for transfer assessments.

Letter of interest for the creation of a public-private partnership

Included in this packet is a letter of interest for a public – private partnership for the purpose of redeveloping the Town's maintenance facility and the surrounding Town Property

Internet Committee Update

Jim Ostrem or the Town Manager will give an internet committee update.

**TOWN OF RICO ORDINANCE
NO.2022-01**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO, AMENDING RICO BUDGET
ORDINANCE NO. 2020-04 TO REFLECT ADDITIONAL REVENUES AND EXPENDITURES**

WHEREAS, the Rico Town Charter, Article VI, sec. 6.7, states that the Rico Board of Trustees may make additional appropriations by Ordinance during the fiscal year to amend the Town's 2021 Budget as previously adopted by Ordinance No. 2020- 4, for unanticipated expenditures or receipt of additional revenues. The purpose of this amended budget ordinance is to reconcile and amend the 2021 budget for increased expenditures and their corresponding revenues;

WHEREAS, the Town of Rico's **General Fund** revenues for regular operations were higher than estimated in December 2020. This was due to an increase in sale taxes income, increased issuance of building permits, a donation from the Rico Community Church and additional grant funding. **The General Fund has a projected revenue increase of \$152,167.78.**

WHEREAS, the Town of Rico's **General Fund** expenditures for regular operations were higher than estimated In December 2020. This was due to an increase in attorney pass thru cost, an increase in sales and use tax transfers costs a purchase of truck and other administrative expenses. **The General Fund has a projected expenditure increase of \$92,807.32.**

WHEREAS, the Town of Rico's **General Fund** expenditures for capital and special projects were lower than estimated in December 2020. This was due decreased spending for facility improvements and land use code amendments. **The General Fund for Capital and Special Projects expenditures has a projected decrease of \$27,708.84.**

WHEREAS, the Town of Rico's **Street Fund** revenues for regular operations were higher than estimated in December 2020. This was due to an increase in sale taxes income, highway user tax, reimbursements and miscellaneous transfers. **The Street Fund has a projected revenue increase of \$33,402.61.**

WHEREAS, the Town of Rico's **Street Fund** revenues for capital and special projects were higher than estimated in December 2020. This was due to unpredicted building permit fees. **The Street Fund for Capital and Special Projects revenue has a projected increase of \$1006.70.**

WHEREAS, the Town of Rico's **Street Fund** expenditures for capital and special projects was lower than estimated in December 2020. The Town had budgeted for a water truck but did not purchase one. **The Street Fund for Capital and Special Projects expenditures has a projected decrease of \$22,840.68.**

WHEREAS, the Town of Rico's **Water Fund** revenues for regular operations were lower than estimated in December 2020. This decrease in revenue is due to lack of shut-ff fees. **The Water Fund has a projected revenue decrease of \$4,228.64.**

WHEREAS, the Town of Rico's **Water Fund** expenditures for regular operations were lower than estimated in December 2020. This was due to payroll transfers, lower cost of water samples, less necessary repairs. **The Water Fund has a projected expenditure decrease of \$18,983.51**

WHEREAS, the Town of Rico's **Water Fund** revenues for capital and special projects were lower than estimated in December 2020. The water tap replacement projected funded by a

grant from DOLA was not closed out by the end of the year. **The Water Fund for Capital and Special Projects revenue has a projected decrease of \$70,85833.**

WHEREAS, the Town of Rico's **Water Fund** expenditures for capital and special projects was lower than estimated in December 2020. The lower expenditure is based around the delayed completion of the water tap replacement grant project **The Water Fund for Capital and Special Projects expenditures has a projected decrease of \$105,340.29**

WHEREAS, the Town of Rico's **Sewer Fund** expenditures for regular operations were lower than estimated In December 2020. This was due to an appropriation for training, engineering, and payroll transfers that did take place. **The Sewer Fund has a projected expenditure decrease of \$13,709.76.**

WHEREAS, the Town of Rico's **Parks, Open Space and Trails Fund** revenues for operations were higher than estimated in December 2020. This was due to an increase in sale and use tax. **The Parks, Open Space and Trails Fund has a projected revenue increase of \$22,913.22.**

WHEREAS, the Town of Rico's **Parks, Open Space and Trails Fund** expenditures for operations were lower than estimated in December 2020. This was due to a decrease in labor expenses. **The Parks, Open Space and Trails Fund has a projected expenditure decrease of \$26,330.56.**

WHEREAS, the Town of Rico's **Conservation Trust Fund** revenues were higher than estimated in December 2020. **The Conservation Trust Fund has a projected revenue increase of \$2516.84.**

WHEREAS, the Town of Rico's **Conservation Trust Fund** expenditures were lower than estimated in December 2020. **The Conservation Trust Fund has a projected expenditure decrease of \$7,516.84.**

WHEREAS, the Town of Rico Board of Trustees declares that it is in the best interest of the Town's citizens and necessary for the health, safety and welfare of the Town to amend the 2021 annual budget to reflect the above-described changes in revenues and expenses.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO AS FOLLOWS:

SECTION 2. The amendments set forth herein in no way effect the taxes levied as set forth in the 2021 Budget, Ordinance No. 2020-04.

SECTION 3. This Ordinance shall take effect immediately upon final adoption.

ORDINANCE INTRODUCED, READ, APPROVED AND ADOPTED ON THE 19th DAY OF January 2022.

ORDINANCE READ, APPROVED AND ADOPTED BY FINAL READING THIS 16th DAY OF February 2022

BY: _____
Nicole Y. Pieterse, Mayor

Attest: _____
Chauncey McCarthy, Town Manager

Minor Subdivision & Re-subdivision (also known as replats) Application

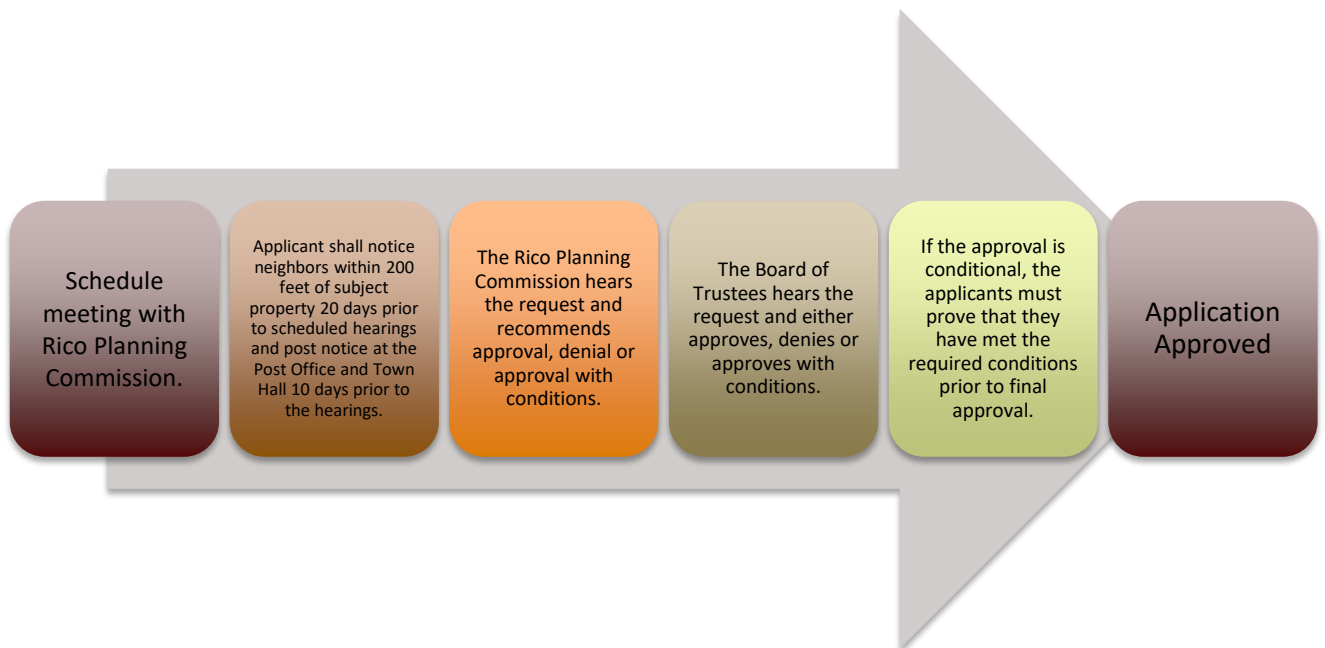
Minor Subdivision & Re-subdivision applications are required for subdivisions creating three or fewer lots provided that the lots in question do not require extensions of water lines or street improvements. Re-subdivisions include the adjustment of lot lines in circumstances which do not create new lots.

Minor Subdivision & Re-subdivision Procedure Process Chart



The Rico Planning Commission is authorized to review and make a recommendation to the Board of Trustees for minor subdivisions and re-subdivisions. Standards for review include the following:

- Proper arrangement of access, lots and easements.
- Provision of municipal services and water supply
- Avoidance of unsuitable lands
- Promotion of goals and objectives in the Rico Regional Master Plan
- That the subdivision or re-subdivision plat include all requirements on the application check list.
- Any agreements, covenants, restrictions and other accompanying legal documents shall be approved, or approved with reasonable modifications by the town attorney.



Minor Subdivision & Re-
subdivision Application



Applicant Name THC Holdings LLC Phone Number 970-708-1360
Address PO Box 837 Ophir, 81426 Cell Phone Number _____
Email toddherman@gmail.com Fax Number _____
Street Address of Subject Property TBD Mantz Ave
Legal Description of Subject Property Lots 6-9 Block 29 Mantz Ave

Zone District of Subject Property Residential

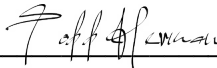
Attachments Required:

☐ Two (2) 24" by 36" paper Plats (1) electronic (pdf) site plan showing the following signed and stamped by a surveyor licensed in the State of Colorado:

North Arrow and Scale	Notes
Legend	Mortgage consent if applicable
Vicinity Map	Dolores County Clerk's acceptance
Legal Description	Lot lines with dimensions and acreage
Surveyor's Certificate	Easements with dimensions
Title Insurance Company Certificate	Lot and street labels
County Treasurer's Certificate	Right-of-way dimensions
Dedication	Zone district labels
Approval by Rico Planning Commission	Adjoining lots with labels
Approval by Town of Rico	

-
- ☐ Statement from County Treasurer showing the status of current taxes due on affected property
 - ☐ Letter of agency if applicant is other than the owner of the property
 - ☐ An application fee in the amount of \$750.00
 - ☐ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.
 - ☐ A copy of the deed for the property.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature:  Date 10/14/2021

Date Application Received _____

Application Reviewed by _____

Application Fee Received _____

Date of Hearing _____

Application Complete _____

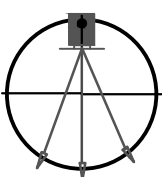
Rico Planning Commission Action _____

Mailing Notice Complete _____

Approval Subject to Conditions _____

Other comments:

A 24"x 36" mylar will be required for recording if the subdivision is approved.



12/20/21

TO ALL CONCERNED;

I RESPECTFULLY REQUEST THAT YOU CONSIDER ME FOR A POSITION ON THE TOWN OF RICO
PLANNING AND ZONING COMMISSION.

THANK YOU,

SKIP ZELLER

A handwritten signature in blue ink, appearing to read "Skip Zeller", is written over the printed name.

Dear Mr. McCarthy and Trustees,

Please consider this written notice of my interest in sitting on the Rico Planning Commission (Commission) for the upcoming term. I have sat on the Commission since spring of 2018 and believe opportunities remain for me to contribute in this position. I have particular interest in the finalization and approval of the new Rico Land Use Code, which will hopefully be completed soon and will provide more straightforward guidance for residents and landowners in Rico going forward.

As far as my background goes, I possess two degrees in Environmental Engineering, with a strong focus on Water and Wastewater Treatment, and have significant professional experience with compliance of various regulations on local, state, and federal levels, including a stint at the Colorado Department of Public Health & Environment (CDPHE) as a Permit Engineer. I am a registered Professional Engineer in the State of Colorado. I feel confident reviewing applications, including technical figures and plans, and speaking to them in both technical and plain language. With that said, I have always approached my time on the Commission as a learning opportunity and am equally eager to listen as I am to contribute to any given topic. I have lived in Rico for 5 years, owned a house in Rico for 3.5 years, and was raised in the region over in Ouray County. I understand and appreciate both the unique challenges, and the very special character, that come with a small town and will continue to keep both in mind as I continue to serve.

Please let me know if I can provide any additional information or answer any questions you may have. Thank you for your time and consideration.

Sincerely,

Cristal Hibbard
970.596.7366
cristal.hibbard@gmail.com

Rebecca Adams

324 N Piedmont St Rico, CO 81332 · 917 327 9355 · Rebecca002@gmail.com

Dec 1, 2021

Rico Board of Trustees

Cc: Chauncey McCarthy

To whom it may concern,

I would like to be considered to fill a full time seat on the Rico planning and zoning commission to further my participation in town projects, as well as assist in building a better community.

I have been a member and owned homes in several small communities, where I have witnessed immense change over the years. I believe I can offer a unique perspective and would like to assist in the planning and zoning of Rico to help protect what makes it so special, while also allowing for sustainable growth that we can all enjoy as residents.

In my career, I have spent the last 10 years building a successful consumer products company, and have first hand experience building a business which I believe directly relates to the everyday complications of town management: from operations, legal, to budgeting etc. My husband and I have also bought and sold real estate together for the last 5 years, include design and remodeling, which fuels my interest in residential planning.

Please let me know if you would like any letters of recommendation as well any other information.

Sincerely,

Rebecca Adams

Hi Chauncey,

I am Brad Fox. I live at 214 Mantz. I am interested in serving on the town planning commission, and Nicole told me to reach out to you. We have owned our home in Rico since 2018 and have live in Crested Butte and Durango since 2005. Please let me know what you need from me to apply.

Kind regards,
Brad

I am interested in one of the vacancies on the Planning Commission. I served on a PC in Utah for several years and served as chair for 2 years before moving to Rico.

Gerrish Willis
801-550-6086

December 4, 2021

Raegan Ellease
135 W Soda St/PO Box 87
Rico, CO. 81332
970-779-0568
raeganellease@yahoo.com

Attention: Town of Rico Planning Commission

I am a registered voter in Rico, Colorado in Dolores County. I would like to join the Rico Planning Commission as a new board member. I moved to Rico in March of 2020 from Norwood, Colorado. I lived in San Miguel County for 12.5 years prior to moving to Rico. I was born in Riverside, California but have lived in Colorado since 1989 primarily in Bailey and Lakewood prior to my time here on the Western Slope.

I served on the Lone Cone Library Board of Trustees in Norwood for 1.5 years but ended my term early when I moved to Rico. It was a particularly intense time for the Lone Cone Library as we were constructing a new and much larger library with myriad financial assistance including a 50% match DOLA grant. Since moving to Rico I have become a member of the Rico Fire Protection District Board beginning in October of 2020. I am an active board member participating in Rico Fire Department community events such as the 4th of July Celebration, catering events, and researching grants funding opportunities to help fund the changing needs of the RVFD as our community continues to grow.

I have worked for a General Contractor in Telluride as a Project Manager for over four years which affords a high level of interaction with various entities in the area including the Town of Telluride Building Department, San Miguel County Planning & Building Departments, Town of Telluride Public Works & Wastewater Division, HARC (Historic and Architectural Review Committee) and the TFPD. I believe my experience with these entities and processes will be highly relevant to the Rico Planning Commission issues.

I look forward to serving my new community here in Rico and becoming part of the Rico Planning Commission. I am an advocate for thoughtful and sustainable development that maintains the integrity of our small community and surrounding area.

Thank you for your consideration,

Raegan

I am emailing you to express my interest in a position on the Town of Rico Planning commission. Below is a brief bio on my experience.

I have lived in Rico since 1996 and have developed and built many residential properties in Rico including our recently completed housing project in Rico, (7 new homes on platted town Commercial lots, north of the Gas Station) with my husband and business partner Joe Croke. I have also owned and operated a commercial building on main street, (Rico Theater Cafe)and I have worked in Commercial Banking (and still do) for the past 30yrs.

I know firsthand the difficulties our current Land Use code poses for not only the town itself due to the fact it has never been updated or adjusted, but to new development and redevelopment for commercial and residential properties, including existing platted and new subdivision requests. There is an urgent need for the current Land Use Code to be modified and updated. This was the intention when it was first adopted, but never happened.

In addition to my personal experience in development and finance, I was also on the Town of Rico's Home Rule Charter committee and directly involved in the sewer committee in 2006-2008 prior to the recession. I have a strong understanding in bond and TIF (tax increment financing) and how it would apply to the towns' existing platted lots and new development including Metro Districts if those were to be proposed in the future.

Let me know if there is or are any questions

Merry Xmas and Happy Holidays.

Kathy McJoynt

Hey Chauncey,

I would like to be considered for the planning commission board.

I have a strong interest in the community and town of Rico.

Being a business/property owner on Main Street I think I can contribute an additional perspective on certain planning issues.

I have lived in Rico for 4 years, although I am relatively new to town, I have befriended many of the old timers and newcomers alike. I believe I can have an open mind to new projects while keeping Rico, Rico.

Please let me know if you have any questions or would like discuss this matter further.

Thanks so much,

-Andrew Romanyshyn

Rico Mine Shaft Inn

(970) 708-1810

Town of Rico
C/O Town Manager
P.O. Box 9
2 Commercial St
Rico, Colorado 81332

Subject: Application for Seat on Rico's Planning Commision

To Whom it May Concern,

Please accept this letter as my application/expression of interest in volunteering as a member of Rico's Planning Commission.

I have 20 years of experience in program and project management, to include leading a team of Strategic Planners to supporting creation of military contingency plans - (following as well as developing policies and procedures galore). I have led Afghanistan withdrawal planning for a large contingent of civilian and military personnel. Although my professional experience has not been at a town level for urban planning, I believe much of my professional experience and learned way of analyzing and planning will be of value to the Planning Commission. Additionally, I have learned much through my personal immersion in the nuances of Rico planning in my pursuit of a more permanent home here. I have developed a strong drive to support our community and would appreciate the opportunity to help this community as a member of the Planning commission. Top priorities for me are taking in concern from constituents while ensuring the community moves forward as safely, fairly, and smartly as we can while adhering to legal bounds.

A handwritten signature in black ink, appearing to read 'Leah Chmielewski'. The signature is fluid and cursive, with a long horizontal line extending from the end.

Leah Chmielewski

33 N. Hancock St. / PO Box 151

Rico, CO 81332

571.249.3339

To: Rico Town Board of Trustees

From: Jennifer Stark

RE: Contract Work as Town Planner

12.9.2021

Hello Manager and Trustees

I am submitting my Letter of Interest, proposed rate, and resume to be considered by the Town Board Manager and Trustees for the contract position of Planner for the Town of Rico.

I appreciate the opportunity to submit my letter and qualifications as well as provide a brief history of my involvement, contributions, and institutional knowledge of many of the events in Rico's municipal course of events. In order to keep this letter brief, I will highlight some relevant items.

DOLA Intern: I originally approached the Rico Town Board to serve as Town Planner through a partnership project with the Department of Local Affairs (DOLA) and the University of Colorado at Denver. The project allowed municipalities like Rico to receive half the salary from DOLA to pay a student intern to aid in municipalities that are low staffed. I stayed on after graduation and was contact planner another 4 years. I would love to work with the Trustees and manager to target another intern and funding if another staff person would be valuable for even simple tasks in town staff work. Particularly given all the Town's current transitions.

VCUP: I was intimately involved in with Atlantic Richfield, VCUP and EPA actions around the ponds. I also aided with lead testing, soil removal projects and review and acceptance of the remediation actions of the St. Louis discharge site. I still have many of the files, can recall many of the characters and the stop gaps or complications that revolved around this project and any VCUP issues.

Replats: I was involved in both the funding and filing of the West Rico Replat. I also assisted with many lot line adjustments and boundary agreements. Many of which aided in meeting some land use code desires while others aiding in property owner development.

Water Treatment: I worked with the former Manager, Mike England, and Colorado State Congress to aid in getting the sewer use funds re-apportioned to water when it was discovered the amount was short and funding could be lost if not allotted for another use. This aided in the development and use of the aquifer site north of town, which now serves as the primary water supply.

Rico Land Use Code: Although always important to update, I aided in leading the first modifications of the Land Use Code regarding many issues including facades, building height, setbacks, camping in town limits, noise, and many other items. This included the Rico Five Mile Plan. I am happy to see the Land Use Code is currently undergoing another much-needed revision and have many connections within the municipal community in my current role as Dolores Town Board Trustee that may aid Rico in getting some potentially desired expertise.

Forest Service: Some Trustees on the Rico Town Board will recall the collaborative use process I spearheaded called the North San Juan Advisory Committee. We gained enough traction with Forest Service through our collaborative efforts that the Town of Rico is still today a Cooperating Agency listed on the San Juan National Forest Management Plan.

My rate is \$38.00 per hour including drive time one way- Dolores to Rico- only when in person attendance is desired or required. I am also capable of attending any meetings virtually given suitable notice. I will also require either a phone stipend or the use of a town owned mobile phone for official town business.

As many of you know we still own our property on Short Street. I have been and will always be impassioned about serving the residents of Rico. I pride on being unbiased in my municipal role, I am solution focused and care deeply about the representation of the wants and needs of the constituency.

I appreciate the opportunity to provide you any further information that you may need to help you with your selection process.

Thank you so much

Sincerely,

A handwritten signature in cursive script, appearing to read "Jen Stark". The signature is written in dark ink and is positioned above the printed name.

Jen Stark

Jennifer Stark

P.O. Box 581
Dolores, CO. 81323
970-560-5945
starkjennifer080@gmail.com

Education

1995-1997 BA; Sociology, Fort Lewis College
2006-2008 MA; Political Science Emphasis; Public Policy and Administration. University of Colorado

Awards, Fellowships, Grants

AmeriCorps: 1996, 1997
Fort Lewis College: Distinguished Alumni Award
2000 and 2019
Southwest Open School: Teacher of the Year; 2016

Relevant Positions Held

2005– 2011; Planner
Town of Rico

Responsible for land use planning, policy development and assistance with town initiatives. Residential, county and regional land use or planning initiatives. Extensive working knowledge of computer programs, word processing, websites, grant, state and federal reporting, document/ policy development, and record archiving. Representing the Town of Rico in community, legislative, state and or federal spheres as well as in community, government and private sector partnerships. Requires very good appearance, good oral/ written and computer skills. Responsible to Town Board of Trustees and public. Ensure and comply with all state and federal laws. Adhere to budget and all contracts and agreements.

1997-2013; Director; Center for Civic Engagement; Community Outreach
Fort Lewis College

Responsible for personal oversight/ Administrative officer of annual .budget. Direct and supervise staff. Development of campus/ community grassroots public groups. Formalized partnerships, projects, programs, grants or initiatives. Curricular/ educational material development, teaching. Requires good customer service/ public relation skills, good written/ oral and computer skills and the ability to disseminate information broadly and effectively. Work with people of diverse backgrounds. Ensure and comply with all state and federal education laws

2011/Present: Southwest Colorado Community College: Instructor American Government, Political Science.
Faculty and student advising. Direct and supervise staff.

2020-Present

Social Studies Teacher: Goal Academy

Responsible for delivery of educational material to students in an online format. Ability to develop course content and deliver through a multitude of online learning methods and platforms. Primary focus; Government.

Public Contributions/Service

Montezuma Leadership, Water Leaders 101; State of Colorado,
Compact Advisory Committee, REAP, Region 9 Board of Economic Development, Town Board Trustee;
Town of Dolores.



Town of Rico, Colorado On-Call Planning Services

Friday January 14th, 2022





Alpine Planning has successful experience and expertise working in Colorado rural mountain communities. We have great insights on planning and the unique planning and land use issues and opportunities facing small towns.



P.O. Box 654
523 Clinton St, Ste. 4
Ridgway, CO 81432-0654
(970) 964-7927
chris@alpineplanningllc.com

February 1, 2021

Town of Rico Colorado
Chauncey McCarthy, Town Manager

Submitted via email to: townmanager@ricocolorado.gov

Dear Chauncey and Board of Trustees,

Alpine Planning is pleased to submit this on-call planner proposal to the Town of Rico in response to the On-Call Planner RFQ. Alpine Planning has extensive, practical experience and expertise in small Colorado mountain communities. Alpine Planning has worked with and for counties, towns and cities in Colorado, including Telluride and Mountain Village; writing, administering and interpreting land use codes; and preparing and reviewing and facilitating a wide range of land use and development applications. Alpine Planning also assists with real estate diligence and entitlements, creates community master plans, and has extensive experience working with elected and appointed councils, boards, commissions, developers and citizens. We believe that Alpine Planning's experience working on both sides of the counter will be an invaluable asset to Town of Rico, with an emphasis on client and customer service, due process, efficiency and protecting the public interest, health and safety.

Alpine Planning was the on-call planner for the City of Ouray from 2017 to 2020 and currently assists the Town of Bayfield when their primary on-call planning firm has a conflict of interest. This experience combined with over 21 years of Colorado mountain planning experience make Alpine Planning well suited to provide great professional planning services that will be an asset to the Rico community. Alpine Planning understands the importance of fitting into the community fabric and culture with tact while providing customer service based planning services where you help developers, citizens and business owners navigate the planning processes and procedures.

Alpine Planning looks forward to hearing from the Town and participating in any interview as needed. Alpine Planning can also provide additional references, example staff memos, and a draft contract for review upon request.

Thank you for the opportunity to serve as the on-call planner for the Town of Rico.

Respectfully,

Chris Hawkins, AICP
President, Alpine Planning, LLC

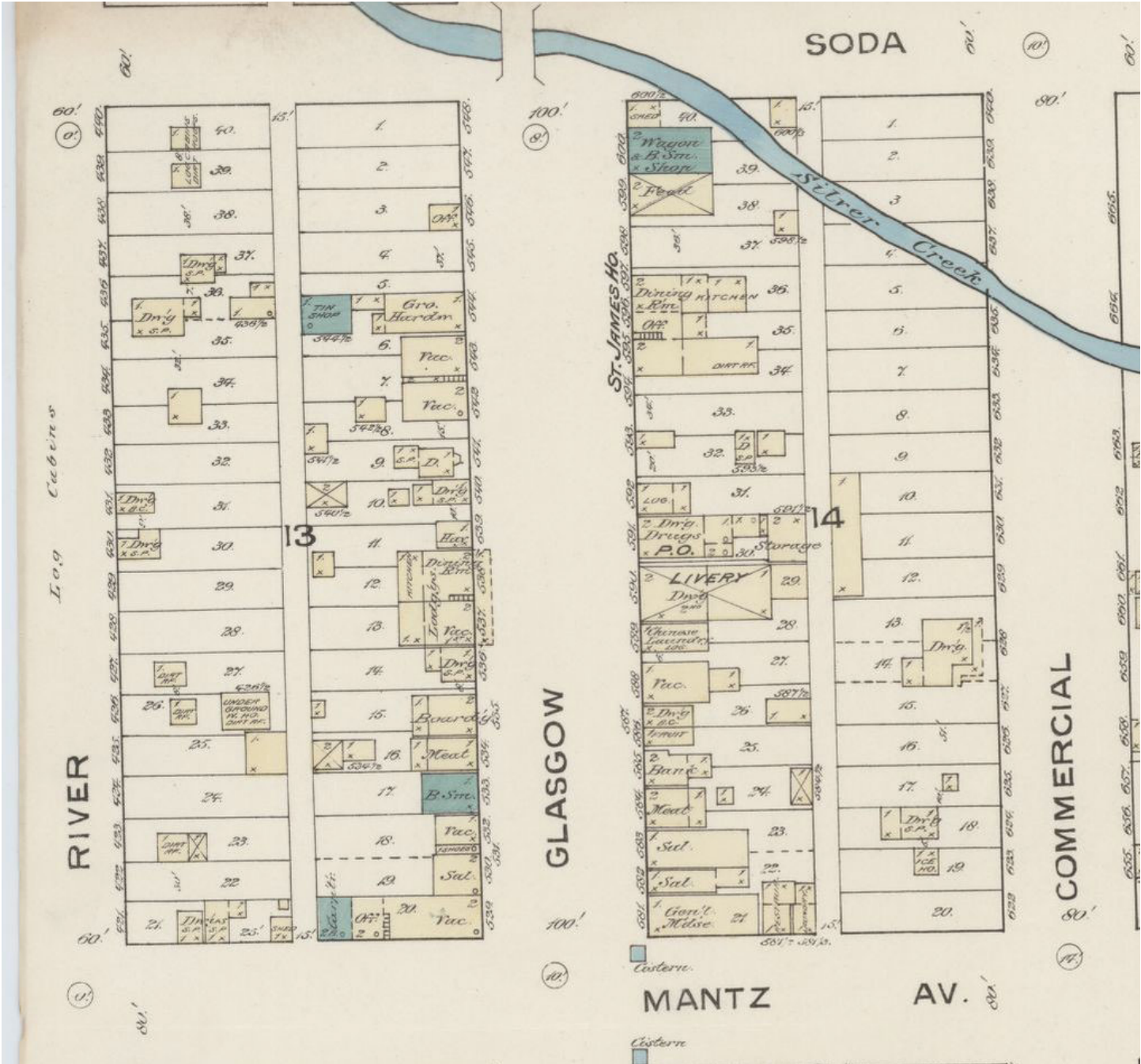
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Introduction

Alpine Planning, LLC is a land use planning consultation firm located in Ridgway, Colorado. Chris Hawkins, President of Alpine Planning, is certified by the American Institute of Certified Planners (AICP) since 1996. Chris Hawkins formed Alpine Planning in 2015 after working as a government planner for 21 years in Colorado mountain communities. Alpine Planning provides expertise in land use planning, master plans, land use codes, entitlement, strategy, Colorado land use law and permitting. Alpine Planning specializes in ski resort planning and development, policy development, mountain town planning and development, rezonings, variances, site plan reviews, Planned Unit Developments, use permits, subdivisions, historic preservation, master plans and managing land use planning process and offices.

Alpine Planning’s work in engaged, passionate communities in Colorado for over 27 years provides unique insight on land use, planning, Colorado planning issues and pertinent laws. Our work with elected officials, staff, appointed boards and citizens provide us with a broad knowledge of land use regulations, land use issues, land use processes and policy development. Alpine Planning has extensive experience working in high alpine, mountain communities that all share the common goal to protect community character while allowing appropriate growth and development.

Qualifications and On-Call Service Rates

Qualifications

Alpine Planning, LLC provides broad land use planning consulting services, including master plans, land use codes and code amendments, on-call planning, entitlement, diligence and other services. Chris Hawkins, President of Alpine Planning, has extensive and practical experience working for Colorado small town, mountain communities with a broad range of development reviews including creation and amendment to Planned Unit Developments, design reviews, historic preservation, site plan reviews, rezonings, subdivisions, variances, use permits, and creation and amendment of land use codes. Examples of projects and contract work includes:

- 1. City of Bayfield, CO On-call Planner - Approximately 3 Annexations and Rezoning
- 2. City of Ouray Contract Community Development Coordinator
- 3. Aldasoro Ranch Homeowners Company Consulting Planner
- 4. City of Ouray Community Plan
- 5. Pagosa Springs Comprehensive Plan, as subconstulant to SE Group
- 6. Drafting and adoption of the Mountain Village Community Development Code
- 7. Town of Mountain Village Comprehensive Plan
- 8. Town of Telluride Master Plan
- 9. Twin Peaks PUD in Ouray
- 10. Hotel Columbus PUD in Ouray
- 11. Citizens State Bank PUD in Ouray
- 12. Gold Run and Kentucky Placer Annexations, Telluride
- 13. Mountain Village Hotel PUD, Mountain Village, CO

Over his career Chris has reviewed and facilitated development applications for hundreds of projects, with presentations to appointed boards, citizens, and elected officials. Chris is very familiar with typical planning practices and development review processes, with detailed attention to ensuring all applications are reviewed fairly and consistently per adopted regulations and design standards with due process and legal requirements met.

A resume for Chris is shown on page 4.

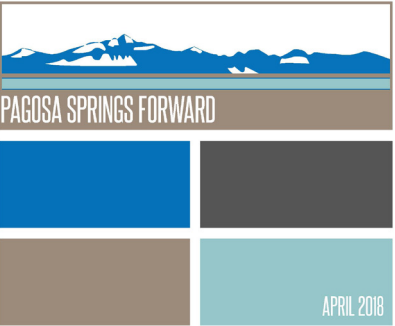
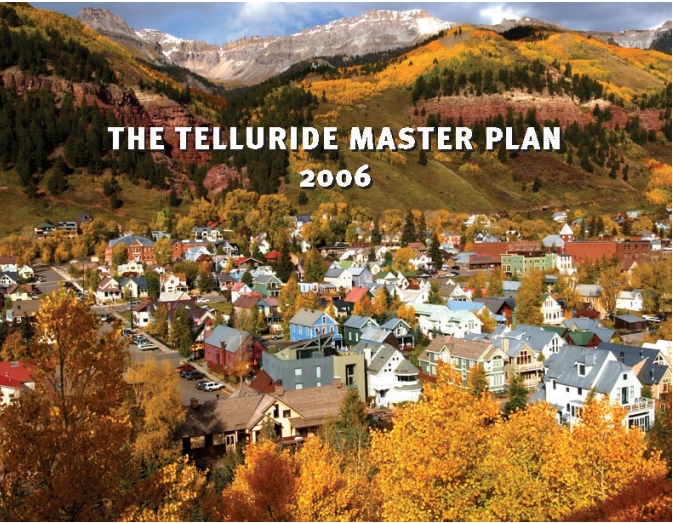
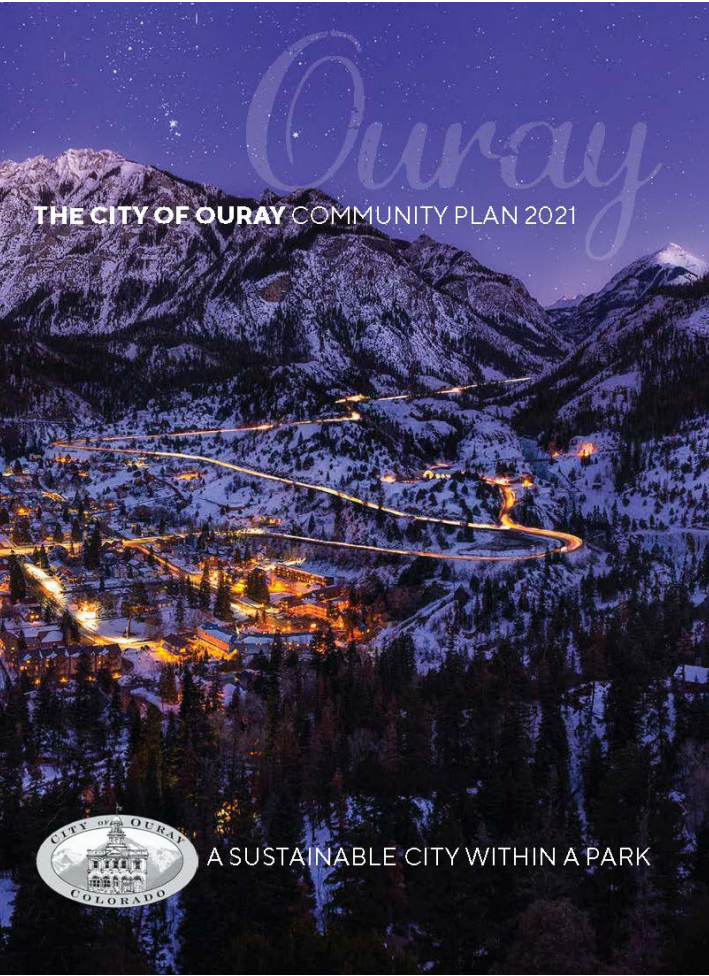
On-Call Service Rates

Alpine Planning on-call service rates are set forth in the following table:

Alpine Planning, LLC Hourly Rate	\$160*
Mileage*	Hourly rate with for 1/2 total travel time
Lodging, Food*	Any required overnight lodging: At cost Food: At cost
Copies, Shipping and Other Direct Expenses	At Cost

Alpine Planning, LLC is fully covered by professional liability insurance and can easily add the Town of Rico as an additional insured.

*Some communities with on-call planning services require cost reimbursement agreements for required outside consulting work. This type of arrangement allows for development to pay its own way while also conserving limited small town financial resources.



Christopher Hawkins, AICP | President of Alpine Planning, LLC

Chris Hawkins has over 30 years of planning experience working for counties, towns, and a regional council of governments. Chris has extensive experience working with small communities to plan for change, maintain community character and strive to reach the community’s vision. Chris has been certified by the American Institute of Certified Planners since 1996.

Chris assists communities, property owners and developers plan for their desired future through community planning, permitting, diligence and entitlements. Chris’ extensive county and town planning expertise helps bridge jurisdictional boundaries to provide a big picture and holistic view of land use planning issues and opportunities. Chris’ 21 years of Colorado government planning work allows him to understand and address the needs of elected officials, appointed boards and staff. His expertise and unique inter-jurisdictional and governmental insights help his clients achieve their desired outcomes in an efficient and collaborative path. Chris has a passion for helping create resilient and sustainable communities.

Expertise

- Land Use Planning
- Land Use Codes and Code Amendments
- Colorado Planning Law
- Creation and Amendment of Master Plans
- Diligence + Entitlements
- Historic Preservation
- Current Planning Including PUDs, Rezoning, Subdivision, Design/Site Plan Review, Variances and Use Permits.
- Management of Land Use Offices

Education

- Masters of Science
- Bachelors of Science

Affiliations

- American Institute of Certified Planners
- American Planning Association
- Colorado APA

Over 30 Years of Planning Experience

- President, Alpine Planning LLC | 2015 -
- Community Development Director, Town of Mountain Village, CO | Jan. 2010 - July 2015
- Planning and Building Director, Town of Telluride, CO | Sept. 2005 - Dec. 2009
- Manager of Current Planning, Summit County, CO | May 1994 - August 2005
- Ozark Greenways Consultant, Springfield, MO | Oct. 1993 - July 1994
- Project Director/Asst. Project Director, Center for Resource Planning and Management/Southwest Missouri Advisory Council of Governments | 1991 - 1993

Project Examples

- Town of Bayfield Contract Planner
- City of Ouray Contract Community Development Coordinator
- City of Ouray Community Plan
- Pagosa Springs Comprehensive Plan as Sub Consultant to SE Group
- Clear Creek County Comprehensive Plan Update as Sub Consultant to SE Group
- Mountain Village Community Development Code
- Mountain Village Comprehensive Plan
- Town of Telluride Comprehensive Plan
- Town of Telluride Commercial Core Vitality Plan
- Summit County Land Use and Development Code Redraft
- Wetland Regulations for Summit County and Telluride
- Code amendments to create condo-hotel regulations and modify PUD regulations, building regulations, energy codes and affordable housing regulations
- PUD amendments for Keystone and Copper Mountain Planned Unit Developments
- Development reviews for River Run Village
- Development reviews for the Village at Copper Mountain



chris@alpineplanningllc.com | (970) 964-7927
P.O. Box 654
523 Clinton Street, Ste. 4
Ridgway, CO 81432-0654
www.alpineplanningllc.com

References



1199 Bayfield Parkway • PO Box 80 • Bayfield, CO 81122 • 970.884.9544 TOWN HALL

January 5, 2022

To Whom It May Concern,

I have worked with Chris Hawkins with Alpine Planning in two Colorado communities. He is well versed in Colorado law regarding land use and is quick to get up to speed on local land use codes.

I would recommend Chris Hawkins with Alpine Planning for your community. If you have any questions do not hesitate to contact me.

Sincerely,

Kathleen "Katie" Ann Sickles
Town Manager
ksickles@bayfieldgov.org
970-884-9544 Ext 101

TAMARA L. GULDE

P.O. Box 669

Ouray, Colorado 81427

562-972-9680 (cell)

January 12, 2022

Letter of Recommendation for Chris Hawkins, AICP, Alpine Planning, LLC

To whom this concern:

It is my pleasure to recommend Chris Hawkins of Alpine Planning, LLC.

As the past Vice Chair of the City of Ouray Planning Commission, I worked with Chris when he was hired as a consultant, acting as the city's Community Development Coordinator from November 2017 through March 2020, when a full time Community Development Coordinator was hired.

In his position as acting Community Development Coordinator, Chris facilitated Planning Commission meetings and reported to the City Council the decisions of the Planning Commission, as well as reported on land use and development issues. Among his other duties, he worked with the City Building Inspector, and was in charge of hiring someone for that position.

Chris was also tasked with the facilitation of the City of Ouray Community Plan 2021, from beginning through its adoption in the first quarter of 2021, working with eleven committee members ranging from city council and planning commission members (including myself as Chair of the committee) to at large community members. The Community Plan is now in the process of being implemented.

Based on my experience with Chris, he is a gifted planner with skills that can assist in present and future planning processes.

Sincerely,

Tamara L. Gulde



WESTERN SLOPE PLANNING

Land Use Consulting

JOHN STRANDBERG

PRINCIPAL PLANNER
OWNER



JohnS@WesternSlopePlanning.com



(970) 450-7241

791 PINE DRIVE
RIDGWAY, CO 81432

TOWN OF RICO

ATTN: Chauncey McCarthy, Town Manager
RE: On-Call Planner

PO BOX 9 - 2 Commercial St
Rico, Colorado 81332

Please accept this proposal from Western Slope Planning, LLC to provide on-call planning services for the Town of Rico, Colorado.

Western Slope Planning is a consulting firm located in Ouray County, Colorado established to provide local municipalities and citizens professional services for planning and community development. Our mission is to create comprehensive planning solutions that achieve a balance with the physical, cultural, historical and economic impact to your community.

With years of practice in the field of municipal community development and planning, my firm has the knowledge and experience to serve the Town of Rico. My background as a planner for municipalities in Colorado, Washington and California, coupled with my consulting expertise, provide me the skills necessary to serve your customers.

Western Slope Planning brings an understanding of land use, entitlements, municipal codes, plan review, transportation, design and sustainable planning principals. What sets me apart from other consultants is my commitment to exceptional customer service. In my submittal you will find customer testimony that speaks to my philosophy of providing service with respect and accountability.

I have reviewed the Town of Rico's Request for Qualifications and understand the obligations. I am prepared to meet all the requirements stated in the request, and welcome the opportunity to discuss my qualifications for planning services in further detail.

Submitted by:

John Strandberg

John Strandberg
Principal Planner and Owner

Western Slope Planning Project Team

John Strandberg, Principal Planner and Owner

Western Slope Planning LLC
791 Pine Drive ♦ Ridgway, CO
JohnS@WesternSlopePlanning.com ♦ (970) 739-1229

Summary of Qualifications

- 13 years of experience in community planning with a philosophy of providing exceptional customer service
- Major accomplishments include: Planning oversight from start to finish of Maple Valley Town Square, the largest recent commercial development in the City of Maple Valley, Washington; led an annexation to incorporate over 575 homes into the City of Maple Valley; managed grant-funded wildfire mitigation projects for the City of Ouray in partnership with the Colorado State Forest Service; organized a Greenspace Use Study for the Roanoke Valley, Virginia
- Bachelor's degree in Environmental Policy and Planning from Virginia Tech
- Extensive knowledge of building and land use community planning theory and practices
- Effective interpersonal skills and a proven ability to work independently and communicate with all levels of management, staff and external constituents

Community Planning Experience

Owner/Principal Planner

Western Slope Planning, LLC
Ridgway, Colorado

2021 – Present

- Provide land use and permitting services for a variety of public and private projects

Community Development Coordinator

City of Ouray, Colorado

Oct. 2014 – Mar. 2017

Office of Community Development

- Managed project intake and distribution to include review and decision process for commercial designs, smaller scale permits, signs and environmental reviews
- Supervised the city building inspector and code enforcement
- Obtained and administered grants for numerous capital projects
- Represented the city at external meetings, conferences, and facilitated public meetings including the Planning Commission

Senior Planner / Permit Center Supervisor

City of Maple Valley, Washington

Apr. 2008 – Oct. 2014

City Planning Division

- Responded to inquiries from residents, developers, staff, elected officials regarding zoning, permit requirements, project status and general planning questions
- Supervised associate planner and permit technician
- Managed a 575 residential lot annexation, including working closely with residents and HOAs through the entire project timeline
- Facilitated public hearings, open houses and high-pressure public meetings
- Composed municipal code revisions and long-range items for recommendation to Planning Commission and City Council

Planning and Community Development Technician

City of Brentwood, California

Aug. 2005 – Mar. 2008

City Planning Division

- Provided a wide range of community planning services for a northern California city
- Reviewed business licenses for zoning compliance
- Additional responsibilities included flood plain planning; assisted the general public with understanding the municipal code; worked closely with developers, contractors, engineers, architects, other city departments and localities

Scope of Services

Western Slope Planning is able to provide the Town of Rico the following planning services:

- **Board of Trustee:** Prepare staff reports and attend meetings as needed.
- **Planning Commission:** Prepare meeting agendas and staff reports; coordinate public notice requirements; and attend meetings as needed.
- **Development Review:** Perform planning and development review of projects to ensure compliance with town requirements and standards; coordinate review with all stakeholders; track project progress; prepare reports and public hearing materials; provide recommendations on all development proposals to the Planning Commission and Board of Trustees; assist developers with submittal requirements and time frames; ensure compliance of development sites.
- **Land Use Review:** Coordinate public hearings for planning and zoning matters including preparing public hearing packets and reports for the Planning Commission and/or Town Council; attend and present at required meetings, serving as the staff liaison for matters related to land use, zoning, building and development.
- **Permit Review:** Accept, process and track all building permits; conduct plan reviews to ensure compliance with Town code regulations; provide comments and guidance for instances of noncompliance; review and process encroachment permits, sign permits, short-term rental licenses, CDOT Access permits and other permits related to land use, zoning, building and development.
- **Policy Development:** Develop and modify planning related policies and regulations; conduct research of applicable statutes/regulations; develop amendments and related ordinances; prepare reports related to project progress; present findings to stakeholders.

Approach and Methodology

Western Slope Planning's approach to providing services is to partner with each client and gain a deep understanding of their goals and expected deliverables. We believe that our clients and their customers are part of the team, and we seek their input throughout the project process. Every applicant is unique with different needs and goals, and this gives us the opportunity to learn from each other during the planning process.

The American Planning Association (APA) is the professional society for community planning, and the APA outlines ethical conduct, progressive planning principles, and ongoing education. Western Slope Planning's methodology is to adhere to the APA guidelines, and partner with the client to meet the goals of each project. One example of how we bring professional planning principles to partner with the client is through a public hearing process:

- The first step is a pre-application meeting that includes providing the customer with clear explanation of the municipal codes impacting the project, and thorough documentation of comments that will require the customer's response.
- The next step is to "take in" the project application for the municipality. Here it is the responsibility of the planner to ensure completeness of the application to allow for a full review of codes and policies. A written response from the planner with comprehensive comments is returned to the applicant so they can address any outstanding items.
- Once all outstanding project items are completed, the planner creates notices of the public hearing. This must be done within the allowed time frame prior to the hearing.

- The planner writes a staff report to include all pertinent information related the specific project with any resolutions or ordinances and presents this at the hearing.
- The planner works with the customer on any follow up that is required.

Note that this is a general example of the public hearing process and may be adjusted per the requirements of the individual project.

Western Slope Planning takes pride in streamlining services and providing timely response. Examples of timelines for general planning services include:

- Zoning inquiries can typically be addressed within several hours on service days by referencing the municipal code and responding to the customer.
- Building and sign permits from application to comment letter or approval can often be addressed within 1 – 2 business days if the information submitted is complete and accurate. This process does require coordination with the building inspector’s schedule.
- Variance request from application to decision is approximately 30 days due to research, report writing and public noticing requirements.
- Development review from application to decision will vary from 7 to 90 days depending on project complexity and applicant response times.

Note that these are approximate timelines. Each project requires individual review and customer response that can impact completion timing.

Fee Structure

Billing structure for Western Slope Planning is:

- Western Slope Planning understands that The Town of Rico is a small community and has adjusted our standard rate of \$100 per hour down to a flat rate of \$75.00 per hour for all planning services, billed at 15-minute intervals.
- Expenses billed at cost.
- Reimbursement mileage is billed at the standard federal rate, which is currently \$0.56 per mile.
- Printing of full size 24” x 36” plan sets will be billed at \$15.00 per page. This fee will be waived if the client can provide access to a full-size plotter printer.
- An itemized invoice for services rendered will be provided at the end of each month. Payment is due within 30 days.

Availability

Western Slope Planning can be available to the Town of Rico on Tuesdays and Wednesdays for services as needed. We can be available by appointment at other times.

Western Slope Planning has the capacity to provide services with remote technology, and can be on-site as needed by appointment to provide plan and permit review, site visits or attend meetings.

References

Patrick Rondinelli

Regional Manager
Colorado Department of Local Affairs
Phone: (970) 247-7311
Email: Patrick.Rondinelli@state.co.us
Former City Administrator with City of Ouray

Jodi Rist

Supervisory Forester of Forest Planning & Implementation
Colorado State Forest Service
Phone: (970) 249-9051
Email: jodi.RIST@colostate.edu
State Forester

Shaunna Lee-Rice

City Clerk/Emergency Management/Public Information Officer
City of Maple Valley
Phone: (425) 647-1432
Email: Shaunna.Leerice@maplevalleywa.gov
Former colleague with the City of Maple Valley

ATTACHMENT A: Customer Testimonial

c: Mayor, John, Ty, CM, CC
orig



Maple Woods Homeowners Association
c/o Bell-Anderson & Associates, LLC, AMO
10615 SE 256th St., Suite 201
Kent, WA 98030

July 26, 2009

Mayor Laure Iddings
City of Maple Valley
PO Box 320
Maple Valley, WA 98038

RECEIVED

JUL 28 2009

CITY OF MAPLE VALLEY

Dear Mayor Iddings,

On behalf of the Maple Woods Homeowner's Association, I am writing you to pass our thanks to one of your employees, John Strandberg. Over the past year, John has been the "face of the City of Maple Valley" for our community as he led us through the complex annexation process. He led the charge in gathering all the signatures, showing extreme diligence when others may have given up on us. John also responded quickly to our requests for information and questions, and came to several of our meetings to speak to the Board and residents about the process. I know for sure, our annexation would not have happened without John.

Please let John know how much we appreciated working with him, and we look forward to a positive future with the City of Maple Valley.

Sincerely,

Jennifer Rodgers
President, Maple Woods Homeowners Association



LEGAL EXPERIENCE

Law Office of DAVID LIBERMAN, LLC

1099 Main Avenue, Suite 312 Durango, CO 81301

Telephone: 970-375-6265 FAX: 970-375-2350 E-Mail: dliberman@animas.net

Admitted To Practice: U.S. District Court, District of Colorado; January 24, 1994; Supreme Court State of Colorado; October 21, 1993; Ute Mountain Court of Indian Offenses, October 15, 1999; Southern Ute Tribal Court, April 2002.

Reported Case: Application of Turkey Canon Ranch Ltd., 937 P. 2d 739 (Colo.1997); Stockdale v. Ellsworth, 407 P.3d 571 (Colo. 2017).

Martindale Hubbell Law Directory: BV (Highly Competent, Ethical) rating for 20 + years, since 1998.

Membership Volunteer: Animas La Plata Water Conservancy District- Director 2018-present; Southwest Colorado Bar Association-President 2007-2008- Vice President 2006-2007- Treasurer 2005-2006; Colorado Bar Association-Board of Governors 2007-2011; Colorado Bar Foundation-Bar Fellow 2007-present, Colorado Municipal League-Member, Mountain Middle School-Founding Board Member 2010.

Manager: Law Office of David Liberman, LLC, Durango, Colorado. Manager of law office practicing local government law, real estate, civil litigation, contracts, water rights, personal injury, business, housing, Indian law, etc. Representative clients/appointed positions include:

- Town Attorney- Mancos, Colorado, 2005-Present
- Town Attorney- Ignacio, Colorado, 2014-Present
- Municipal Court Prosecutor- City of Durango, Colorado 2013-2019.
- General Counsel- Southwest Colorado Council of Governments, 2011-Present
- General Counsel- Regional Housing Alliance of La Plata County, 2014-Present
- General Counsel- Summit Reservoir and Irrigation Company, 2016-2019
- Licensing & Hearing Officer- Telluride Combined Marijuana Licensing Authority, 2017-Present
- Attorney for Victims of Domestic Violence on Southern Ute Indian Reservation-Southern Ute Indian Tribe's Victim Services Program, 2018-Present
- General Counsel- Southern Ute Indian Housing Authority, 2006-Present
- Attorney- Durango Housing Corporation, 2005-Present
- Special counsel- has worked in past for Ute Mountain Ute Tribe (Gaming Commission/ Election Board/ Water Rights) & San Carlos Apache Tribe (investigator/constitutional changes)
- Attorney-Ignacio Community Library District, 2014-Present

General Counsel: Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico and Utah; Towaoc, Colorado. Lead attorney, to a federally-recognized Indian tribe with over 1000 employees, casino, construction company, travel centers, irrigated farm, cattle company, pottery company, tribal park, fee ranches, oil and gas leases, and federal reserved rights water settlement. Advised tribal council, tribal departments, boards, committees, commissions and enterprises. Supervised tribal justice department staff, administered budget, coordinated with special counsel, lobbyists, federal agencies, state agencies, other Indian tribes. Drafted ordinances, codes, contracts and council resolutions. Appeared in proceedings for Tribe; 1999 - 2002

Assistant City Attorney: City of Thornton; Denver, Colorado. In-house water rights attorney for City of Thornton; June 1999 - September 1999

Attorney: MacDougall Law Office; Colorado Springs, Colorado. Attorney in AV-rated law firm practicing general civil, water rights, litigation, municipal, special district, real estate and appellate practice; January 1994 - May 1999

Law Clerk: Native American Rights Fund; Boulder, Colorado. Performed legal research,

assisted in case preparation and created a Tribal law database; September 1991 - April 1993

Legal Assistant: Natural Resources Law Center; Boulder, Colorado. Coordinated the 1991 Innovations in Water Law Conference and assisted in water law research; May - August 1991

**LEGAL
EDUCATION**

Juris Doctor: Class of 1993, University of Colorado School of Law; Boulder, Colorado.
Activities: Environmental Law Society; National Wildlife Federation's Rocky Mountain Resource Clinic; Indian Law Clinic; Advanced Water Law Seminar taught by Clyde Martz

**COLLEGE
EDUCATION**

Bachelor of Arts: Political Science; Class of 1987, The Colorado College; Colorado Springs, Colorado.
Activities: Volunteer Action Big Brother; Rugby Club; Phi Gamma Delta Fraternity; Spring Semester 1986
Abroad at American College of Switzerland in Leysin, Switzerland. **Honors:** Dean's List.



Law Office of DAVID LIBERMAN, LLC

1099 Main Avenue Suite 312 ▪ Durango, CO 81301

Telephone: (970) 375-6265 ▪ Fax: (970) 375-2350 ▪ E-Mail: dliberman@animas.net

December 28, 2021

Town of Rico, via e-mail to: townmanager@ricocolorado.gov

Re: Legal Services Proposal for Town Attorney position

Dear Town of Rico:

I am applying to serve as your Town Attorney. Enclosed please find my resume.

To give a broad overview, I have more than twenty-seven years of legal experience providing legal services to local Colorado governments.

I am licensed by the Colorado State Bar and in good standing.

I am very experienced in municipal law practice for statutory towns, and in municipal court prosecution.

1. Experience with statutory towns and municipal law:

Since 2002, I have managed my own law firm in Durango, Colorado, where my main emphasis is in representation of governmental entities, including municipalities.

I represent two statutory towns, Town of Mancos and Town of Ignacio.

I have experience in working with municipal governments in areas of: Attendance and providing advice at Board meetings and other committee; Advising in the use of and in executive sessions; Open meetings law requirements; and Colorado Open Records Act requests. I regularly attend Town board meetings, and I am happy to do the same for the Town of Rico. I assist elected officials and staff in maintaining legal and ethical standards.

I am experienced in statutory authority for municipalities, town codes and charters, drafting ordinances, resolutions, codes, and state laws affecting municipalities. I inform my municipal clients on any legislative matters or changes that may affect them and I keep up to date through the CML newsletter, listserv and conferences. I draft, review or present agreements, bonds, contracts, ordinances, resolutions, staff reports and other written instruments pertinent to local government functions that are considered by government boards or managers,

and I provide legal opinions as to the consequences of such documents. I provide interpretation and written and oral legal opinions on municipal code and state statutes. I keep up to date on constitutional issues affecting my clients, regularly following CML listserv correspondence, CML Knowledge Now, and CML newsletters. I have experience representing municipalities in constitutional issues involving first amendment (such as parades without permits, begging), rights to jury trial in criminal matters, rights to counsel for indigent in criminal matters, illegal camping, right to bear weapons in public buildings, and employment/discrimination cases.

I have worked in matters of public safety, regional preparedness with the County, and have worked with law enforcement on a large number of issues. I advise towns on their municipal court processes.

I have served as municipal court prosecutor for the City of Durango from 2013-2019.

I serve as municipal prosecutor in the Mancos Municipal Court, on an as needed basis.

I assist the towns' public works departments, and have advised them regarding maintenance and improvement of streets, alleys, walkways, parking lots, public structures, underground distribution and collection lines and appurtenances, trees, and other public infrastructure. I assist in wastewater and water issues and contracting. I have assisted with regard to construction defect claims involving a multi-million dollar wastewater treatment plant. I assist in establishing rates, and in the billing and collection of wastewater and water services. I have experience in the protection and administration of water rights. I have argued and won a water case before the Colorado Supreme Court.

I have experience in planning & building – land use and zoning, administrative review of development plans, subdivisions, building permits and sign permits, historic preservation, code enforcement, code changes, Parks, Recreation, and Community Center issues, liquor, marijuana and business licensing, vendor and special event permitting. I have experience in street vacations. I have experience in right of way agreements. I have experience in franchise agreements. I assist in revising land use codes, interpreting land use code. I advise staff and boards concerning policy and enforcement.

I draft and review legal documents relating to acquisitions, easements, variances, annexations, subdivisions, zoning, rights-of-way and other land uses. I draft and review contracts relating to the purchase, sale, transfer or lease of land or improved property.

I draft and revise municipal codes with respect to special event liquor, medical and recreational marijuana licensing, and numerous other areas. I assisted the Town of Mancos in developing and passing its occupancy tax for recreational marijuana. I serve as the combined marijuana licensing and hearing officer for the Town of Telluride, as well as the tobacco licensing hearing officer for the Town of Telluride.

I provide guidance on personnel matters, including employee disciplinary and grievance matters when requested.

I work in conjunction with CIRSA. I have assisted my clients in avoiding and minimizing liability.

I assist with election issues. I drafted IGA's with County for election purposes. I worked with special counsel on sales tax and bond approval for TABOR elections, as well as for marijuana taxation. I drafted SB 152 election ballot language.

I assist with finance matters including budget issues, TABOR, lease purchase agreements, and audits.

I manage and conduct litigation in all Colorado courts. In special or complex matters, I assist clients in obtaining services of outside special counsel and acted as liaison to staff and elected officials.

Over the years, I have gained experience in numerous other areas of municipal law.

I have maintained a BV (Highly Competent, Ethical) rating for 20 + years, since 1998.

Since 2002, I have managed my own law firm in Durango, Colorado, where my main emphasis is in representation of governmental entities. Representative clients include:

- Town Attorney, Mancos, Colorado, 2005-Present
- Town Attorney, Ignacio, Colorado, 2014-Present
- Municipal Court Prosecutor, City of Durango, Colorado, 2013-2019

- General Counsel: Southwest Colorado Council of Governments, 2011-Present
- General Counsel: Regional Housing Alliance of La Plata County, 2014-Present
- General Counsel, Summit Reservoir and Irrigation Company, 2016-Present
- Licensing/Hearing Officer for Telluride's Combined Medical/Retail Marijuana Licensing Authority, 2017-Present
- Tobacco Licensing/Hearing Officer for Telluride, 2020-Present
- Attorney for Victims of Domestic Violence on Southern Ute Indian Reservation as referred through Southern Ute Indian Tribe's Victim Services Program, 2018-Present
- General Counsel: Southern Ute Indian Housing Authority, 2006-Present
- Attorney for Durango Housing Corporation, 2005-Present

I have served as special counsel to the Ute Mountain Ute Indian Tribe and to the San Carlos Apache Indian Tribe for various projects over the years. I also represent private clients in a wide variety of cases and matters.

I am a board director on the Animas La Plata Water Conservancy District. I am a past President of the Southwest Colorado Bar Association. I served on the Board of Governors to the Colorado Bar Association for several years. I am a member of the Colorado Bar Fellows, a part of the Colorado Bar Foundation. I am admitted to practice in state and federal courts in Colorado, as well as the Southern Ute Tribal Court and the Ute Mountain Ute Tribal Court. I am a member of the Colorado Municipal League.

I have built an excellent reputation in the legal community of Colorado, in terms of legal knowledge, analytical capabilities, judgment, communication ability, legal experience, and ethical standards.

Prior to opening my law office in Durango, CO, I was general counsel to the Ute Mountain Ute Tribe, the largest employer in Montezuma County. That position brought me to Southwest Colorado from the Colorado Front Range. I worked in the position for approximately 3 years, from 1999-2001. There, I represented the Tribe through its Tribal Council on all matters, represented the Tribe's business entities, and directed the Tribe's legal department and special counsel.

Immediately prior to that, I was an assistant City Attorney for the City of Thornton.

Prior to that, I worked for MacDougall Law Office, an AV rated law firm in Colorado Springs practicing municipal law, water rights, special district law, and general civil practice. There, I orally argued before the Colorado Supreme Court in a water case, winning a decision that allows

owners of exempt wells standing to seek protection from injury in water rights applications, reversing the Water Court's decree. *See Application of Turkey Canon Ranch Ltd.*, 937 P.2d 739 (Colo. 1997). There, I also served on the Planning Commission for El Paso County for several years.

I am a graduate of University of Colorado School of Law. During law school, I clerked at the Native American Rights Fund and the National Indian Law Library. During law school, I worked as a legal assistant at the Natural Resources Law Center. I interned at the National Wildlife Federation's Rocky Mountain Resource Clinic.

I am a graduate of Colorado College, where I graduated with a Bachelor of Arts in Political Science.

2. Cities or Towns I have worked with in past five years:

I am Town Attorney for the Town of Mancos, a statutory town (since 2005). I am Town Attorney for the Town of Ignacio, a statutory town (since 2014). I was City of Durango Municipal Court prosecutor (from 2013-2019). I am general counsel to the Southwest Colorado Council of Governments, comprised mainly of municipal governments (since 2011). I am general counsel to the Regional Housing Alliance of La Plata County, comprised mainly of municipal governments (since 2014). I was the Deputy Combined Marijuana Hearing and Licensing Officer for the Town of Telluride (2017-2020). I am the Combined Marijuana Hearing and Licensing Officer for the Town of Telluride (2020-present). I am the Tobacco Hearing and Licensing Officer for the Town of Telluride (since 2020).

3. Attorneys in Firm:

Being a sole practitioner allows me to personally conduct all client contact, perform all work, and ensure client satisfaction. It also allows me to reduce overhead, which results in lower fees and costs for my clients. All e-mails and telephone calls go directly to me. I promptly return all e-mails and telephone calls when I am not immediately available.

4. Special Knowledge or Experience:

Municipalities and other local governments are my preferred and best clients. They are my ongoing and repeat customers. I work to keep them happy. As a result, I have developed expertise in municipal matters and local government law. I keep up to date on the most current

matters of municipal law including new proposed legislation through my participation in the Colorado Municipal League (CML) and CIRSA. Each day, I participate in and monitor the Colorado Municipal League attorney list-serv. I review CML publications and mailings, on-line materials, and I am able to contact CML staff. I attend various CML events, including various CML conferences and seminars. I have worked with CIRSA staff to avoid or limit client liability.

5. Fees and Rates:

I would be directly responsible for providing legal services.

My proposed billing rate is subject to negotiation. My proposed billing rate for legal representation is \$180 per hour for 2022. I propose that the rate increase 2% per year after 2022. My attorney time is billed in six-minute intervals (1/10th of an hour). Additionally, I propose reimbursement of costs and expenses directly incurred by me on behalf of the Town (non-overhead), at the actual cost I pay. Non-overhead expenses could include items such as photocopies, computerized legal research, courier services, court filing fees, and postage. Automobile mileage for travel is charged at the IRS reimbursement rate for privately owned vehicle.

I am open to alternate billing arrangements for my services, whether that is a fixed fee for a certain minimum number of hours per month.

6. Client References:

Queenie Barz, Mayor, Mancos, Colorado, 970-533-7725, qbarz@mancoscolorado.com

Heather Rodriguez, Town Manager, Mancos, Colorado, 970-533-7725,
halvarez@mancoscolorado.com

Mark Garcia, Town Manager, Ignacio, Colorado 970-563-9494, mgarcia@townofignacio.com

Miriam Gillow-Wiles, Director, SWCCOG, 970-779-4592, director@swccog.org

Eric Spady, Director, Southern Ute Indian Housing Authority, 970-563-4575, espady@suiha.org

Other references are available upon request.

7. Professional liability/ Workers' Compensation Carrier and Limits:

My lawyer's professional liability insurance is with General Star Insurance Company. The limits of liability are: \$1,000,000 each claim, \$1,000,000 aggregate. I have never had a malpractice claim against me. I have never been the subject of any professional disciplinary action.

8. Philosophy for Servicing Town and Commitment to Customer Service and Quality Assurance.

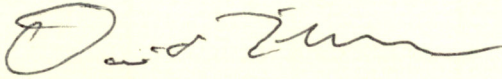
I am fully aware of all client contact and matters, and I personally ensure client satisfaction. This allows me to reduce overhead, and provide service at a lower cost. All e-mails and telephone calls go directly to me. I promptly return all e-mails and telephone calls when I am not immediately available.

Municipalities and other local governments are my preferred and best clients, they are my ongoing repeat customers, and I work especially hard to keep them happy. Because of this, I have developed expertise in municipal matters and local government law.

I keep up to date on the most current matters of municipal law including new proposed legislation through my participation in the Colorado Municipal League (CML) and CIRSA. I participate in and monitor each day the Colorado Municipal League attorney list-serv, and review their publications and mailings. I attend various CML events, including various CML conferences and seminars. As a member of CML, I have access to on-line materials and CML staff.

Thank you for your consideration of my proposal. Please feel free to telephone me or e-mail me if you would like any additional information.

Sincerely,



David Liberman, Manager
Law Office of David Liberman LLC
1099 Main Avenue, Suite 312
Durango, CO 81301
Telephone Number (970)375-6265
Fax Number (970) 375-2350
E-mail dliberman@animas.net

Enclosures: Resume.



HOCKERSMITH & WHITMORE, LLC
ATTORNEYS & COUNSELORS *at* LAW

Alpine Bank Building
917 Main Street (2nd Floor)
Post Office Box 646
Ouray, CO 81427-0646

t: 970.325.4414

f: 970.325.7333

marti@ouraylaw.com

Martha P. Whitmore

Town of Rico
P.O. Box 9
Rico, CO 81332
Via email: townmanager@ricocolorado.gov

Re: Response to Request for Proposals/Request for Qualifications – Town Attorney Services

Dear Board of Trustees for the Town of Rico:

We appreciate the opportunity to be considered for selection to provide the Town of Rico's legal services. We believe we can provide excellent legal services at a reasonable cost to the Town. In response to the specific items addressed in the Request for Proposals, we are providing the following information:

1. Describe your experience with Statutory Towns and municipal law generally and specifically, your experience with regard to municipal elections, municipal regulations, real property, contracts, zoning law, constitutional issues affecting municipalities (state and federal), municipal finance, water law, and any other areas that are relevant to the Town's decision.

The Town of Rico ("Town") is a home rule town with a charter that was adopted on May 2nd, 2000. Statutory municipalities are subject to state statutory limitations while home rule cities enjoy additional rights, however, the basic principles of governmental law apply to both, as well as to counties and special districts. Colorado Open Meetings Law applies to all governmental agencies, as does the Colorado Open Records Act. Similarly, Colorado law pertaining to land use, zoning, roads, signs, real property, contracts, regulatory procedures and administrative review, employment and labor, governmental budgeting and procurement, and elections is consistent whether municipal, county or special district, with minor variations. Our firm has experience with all of those subject matters.

The firm's experience includes re-writing land use codes, personnel policy manuals, litigating land use decisions, drafting and negotiating contracts, providing advice on road and right-of-way/easements; budget requirements, regulatory takings, and other constitutional, providing daily advice on employment and termination matters,

providing policy makers with options for accomplishing goals, writing resolutions and ordinances.

Martha Whitmore has represented municipalities, counties and special districts, including serving as Town Attorney for the Town of Rico, Colorado. Other governmental former and current clients include Ouray County, Montrose County, Town of Silverton, Aspen Park Metropolitan District, Cherokee Water & Sanitation District, Snowmass Water & Sanitation District, City of Loveland, and the City and County of Denver. She has also represented clients in land use and zoning or other permitting matters before municipalities, including Town of Ridgway, City of Ouray.

In addition, Ms. Whitmore has significant water law experience, as well as environmental permitting and wastewater discharge permitting. She has represented municipal and special districts, private water companies, as well as developers, industrial water users, agricultural interests and individuals in water court. Ms. Whitmore has provided recent water law advice to the Town and has been in discussions with the Colorado Water Conservation Board regarding a change in Town of Rico water rights.

Lane Thomasson is a former Deputy District Attorney for the 7th Judicial District. She has extensive litigation experience and prosecution experience. In addition, she was an Assistant County Attorney for Montrose County from December 2017 to May 2021 and served as a Senior Assistant County Attorney between 2020-2021. In that role she gained experience in defending the County Sheriff and Jail in litigation, including constitutional claims under Section 1983 of the U.S. Code. She has also negotiated acquisition of road easements, has enforced land use violations, enforcing ordinance violations, handled eminent domain matters, and providing guidance on personnel matters.

Ms. Thomasson has direct experience with election law – specifically, recall elections, special elections, and ballot initiatives. She also has assisted both Towns and Counties in reviewing and negotiating various types of contracts including Intergovernmental Agreements, State grants, and contracts with various types of vendors. Ms. Thomasson has assisted towns and counties in drafting ordinances, resolutions, advising on open meetings law, and public records law.

2. Provide a list of the specific towns or cities you have worked with as a Town Attorney in the past five years or other relevant experience.

In the past five years, Ms. Whitmore has served as the attorney for the Town of Rico and as counsel on special matters after resigning as Town Attorney. Most recently, she assisted the former Town Manager in revising the land use code, and in water rights matters.

Other pertinent experience includes current representation of Montrose County as County Attorney; County Attorney for Ouray County from 2012-2017; current

representation of Aspen Park Metropolitan District in water rights and water quality matters (discharge permit). She also served as the prosecuting attorney for the Town of Rico from 2016-2017.

Ms. Thomasson represents the Montrose County Sheriff's Office. Additionally, she has represented Montrose County and the Town of Silverton in the last five years.

3. Describe any knowledge or experience that makes you, or any attorneys in your firm, particularly qualified to fulfill the Town Attorney duties.

We believe that the firm is uniquely qualified to serve the Town of Rico due to the breadth and diversity of experience of the attorneys providing legal advice and services to the Town. Ms. Whitmore has forty years of experience, including local, state and federal government work, as well as extensive experience in the water rights and environmental law. Both Ms. Thomasson and Ms. Whitmore are comfortable litigators, and can provide both defense and prosecution services.

One of the more challenging issues for a small town can involve elected officials who are also doing business with the municipality through land use regulation or other permitting. Ms. Thomasson is well versed in the ethics code and laws pertaining to governmental officials, and has experience in educating boards and officials as to the obligations and limitations of participation in matters involving personal financial interest as a member of a decision making board.

It is generally cheaper and easier to avoid litigation than to win a case in court. As a result, the firm focuses on risk management and litigation avoidance in providing service to governmental clients. If a personnel policy manual is well written, and if employment issues are handled proactively, there is less risk of expensive and time-consuming litigation over civil rights violations or other statutory infractions. Similarly, we counsel decision makers to clearly articulate a rational basis for regulatory decisions to avoid challenges.

Finally, with governmental clients, perception is reality. It often makes no difference what the facts are, it is the public perception and "front page" review that is critical to effective governance. We assist in guiding governmental clients in both decision-making, and communication of decisions, with that reality in mind.

4. If you propose a bill for services at an hourly rate, provide the current hourly rate for each attorney and for each employee of your firm who may work on Town matters. Alternately, state specifically whether you will work on a fixed fee (retainer) basis and, if so, how you propose that such a fee be determined. Please disclose any applicable billable rates and expenses such as travel mileage, photocopying and postage.

It is proposed that Ms. Thomasson would be the lead attorney for all matters with Ms. Whitmore providing counsel on all water matters and providing back up and assistance when needed for Ms. Thomasson.

Ms. Thomasson's hourly rate is \$235.00 an hour, while Ms. Whitmore's hourly rate is \$295.00 per hour. We do not bill separately for copies or ordinary postage, but do charge for extraordinary postage or copies in litigation or serving public notice. We also charge standard IRS rates for mileage for travel. We bill other out-of-pocket expenses without adding an administrative fee, for example any court filing fees, publication costs. The firm does not take retainers, but will instead provide invoices on a monthly basis.

5. References. Please feel free to contact any of the following clients for references:

Montrose County – Jon Waschbusch, County Manager,

jwaschbusch@montrosecounty.net

Ouray County – Connie Hunt, County Manager chunt@ouraycountyco.gov

Town of Silverton – Gloria Kaasch-Buerger, Town Administrator, gkaasch-buerger@silverton.co.us

Best regards,

HOCKERSMITH & WHITMORE, LLC



By: _____
Lane P. Thomasson

Martha “Marti” (Allbright) Whitmore

Marti Whitmore is a partner in the Ouray law firm of Hockersmith & Whitmore, LLC. She has practiced law in Colorado since 1978, primarily in water, environmental permitting and compliance, and land use. After practicing in the Front Range for over thirty years in both small and large firms, including as a partner at the Washington, D.C. based firm Patton Boggs, she moved to the West Slope. She served as the County Attorney for Ouray County for 5 years, and the County Attorney for Montrose County prior to returning to private practice, and continues as the Montrose County Attorney through Hockersmith & Whitmore, LLC. She has also served as Chief Deputy Attorney General of Colorado, as General Counsel to the U.S. Senate Commerce Committee under Chairman John McCain; and as a political appointee in the U.S. Department of Interior. She represents Ouray County on the Gunnison Basin Round Table, is co-chair of the Club 20 Water Committee, and is the Ouray County board member on the Colorado River Water Conservation District board, and is currently serving as President of the River District.

EDUCATION: B.A. Mass Communications, University of Denver, 1974; J.D., University of Denver, 1977

EXPERIENCE/NOTEWORTHY CASES AND CLIENTS:

Chief Deputy Attorney General – 1995-98 - Headed the investigation of facts and evidence and then led the department’s case against the tobacco companies, based on state statutory violations; participated in the national settlement discussions and assisted in drafting the tobacco legislation carried in the Senate by Senator John S. McCain, AZ.

General Counsel, U.S. Senate Committee on Commerce, Science & Transportation – 1998-2000. Provided legal counsel to Senator McCain during Clinton impeachment; drafted tort reform legislation passed by Congress and signed into law by President Clinton related to Y2K.

Special Assistant to the Secretary and Executive Director of Take Pride in America – 2003-2005 – Headed a public lands volunteer stewardship program; recruited Clint Eastwood as national spokesman for the program and produced/filmed public service announcements with Mr. Eastwood for the program. Served as the Chairman of the Everglades Restoration program, a cooperative effort with the State of Florida, Army Corps of Engineers and other stakeholders.

Private Practice – various firms, including Patton Boggs, Brownstein, Hyatt, Farber & Schreck, Jackson Kelly, Saunders, Snyder Ross & Dickson. Represented various water entities including Denver Water Board, Coors, Snowmass Water & Sanitation District, East Cherry Creek Valley Water & Sanitation District; Aspen Park Metropolitan District; Cherokee Metropolitan District; developers in land use applications and water rights planning and acquisition including Banning Lewis Ranch/Aries Corporation, Bear Creek Development Corporation; MDC and Farm Investments. Current clients include land developers, ditch

companies and agricultural water users, municipal water users, contracts and transactions, real estate transactions.

Government Counsel: Ouray County Attorney – 2012-2017; Montrose County Attorney – 2017-present; Town of Rico City Attorney – 2015-17, and special counsel, present. Special counsel, Dolores County. Re-wrote land use code in Ouray County; currently assisting Town of Rico in re-writing land use code, developing water policy, reviewing water rights; defended litigation in Dolores County and Town of Rico; county road matters including easements, ROWs, RS-2477, prescriptive uses; employment matters, assisted in drafting revised personnel policy manual for Montrose County; negotiated settlements of employment claims, breaches of construction contracts; initiated litigation over waste tires and negotiated settlement; review draft legislation and provide guidance; provide contractual and other services to the Montrose Airport; negotiated contracts for Montrose County jail; review and approve RFPs and oversee contract writing and approval; draft resolutions and ordinances; review leases and contracts for all departments; acted as PIO for Ouray County, including handling all press for the airplane crash into Ridgway Reservoir.

COMMUNITY SERVICE AND MEMBERSHIPS – Served on the Park R-3 School Board (Estes Park) 1992-95; Republican candidate for Attorney General 2002; Colorado River Water Conservation Board, President, current; Gunnison Basin Roundtable, current; Club 20, co-chair water committee, current; Colorado Water Congress; P.E.O; Gamma Phi Beta

LANE P. THOMASSON

EXPERIENCE

Hockersmith & Whitmore, Ouray, Colorado

June 2021-Present

Associate Attorney

- Advise local government entities in election law, land use, constitutional violations, as well as review contracts, draft resolutions and ordinances, and provide support and advice during public meetings
- Represent individuals in the areas of real estate litigation, contract litigation, real estate transactions, and HOA law

Montrose County Attorney's Office, Montrose, Colorado

December 2017-May 2021

Senior Assistant County Attorney (promoted to Senior in July 2020)

- Prosecute and defend civil claims on behalf of the Board of County Commissioners ("BOCC") for various issues including eminent domain, land use, and constitutional violations
- Provide legal advice and support to all Elected Officials and Departments, but focusing heavily on advising the Sheriff's Office, the Public Works Department, and the Planning and Development Department
- Represent the Department of Human Services by prosecuting petitions in dependency and neglect, child support enforcement and adult protective services
- Draft and review state and local contracts for Sheriff's Department, Public Works Department, Health and Human Services and other Departments as needed

7th Judicial District, District Attorney's Office, Montrose, Colorado

August 2015 – November 2017

Deputy District Attorney

- Tried thirteen (13) jury trials including two felony sex assaults
- Participated in grand jury selection and presented three (3) sex assault cases before a grand jury
- Researched and drafted motions regarding a wide range of issues including search and seizure, ineffective assistance of counsel, expert testimony, and a multitude of evidentiary questions of law
- Researched and wrote appeals to Colorado Court of Appeals and Colorado Supreme Court
- Maintained a docket of approximately 300 misdemeanor cases and 400 traffic related cases per year—a portion of my docket also included sex offenses

Law of the Rockies, Gunnison, Colorado

January 2015–March 2015

Law Clerk

- Performed document review and created privilege logs
- Researched and drafted legal memoranda for real property and water law issues

Faegre, Baker, Daniels, Denver, Colorado

May 2014 – July 2014

Summer Associate

- Researched and performed legal analysis for multiple practice areas including intellectual property, real estate, business litigation, products liability, and employment law
- Drafted legal memoranda, articles, treatise supplements and client advice memoranda
- Attended client meetings and depositions
- Helped advise clients for a pro bono family law clinic

Cape Girardeau County Prosecutor's Office, Cape Girardeau, Missouri

May 2013 – July 2013

Intern

- Researched and drafted successful post-conviction relief motions
- Researched issues regarding ineffective assistance of counsel during guilty plea
- Researched evidentiary issues
- Drafted subpoenas
- Observed several jury trials ranging from felony DIU to child molestation

Udata Plc, London, UK

July 2010 – July 2011

Client Manager

- Taught technical analysis of financial markets to groups of private investors
- Provided one-on-one consultation to traders and analysts
- Sold technical analysis software to equity and commodity traders
- Exceeded targets each financial quarter
- Managed accounts in Netherlands, Spain and UK
- Attended classes sponsored by Udata at the London School of Economics to train in technical analysis

London Stock Exchange, London, UK

April 2008 – March 2009

SEDOL Business Development

- Sold data necessary for investment transactions
- Negotiated contracts with clients' compliance departments
- Researched potential clients, managed new clients, initiated contact with prospective clients

EDUCATION

University of Denver, Sturm College of Law, Denver, CO

- J.D., Class of 2015
- Senior Editor, Denver University Law Review
- Member, National Trial Team

Kings College London, London, UK

- M.A., International Peace and Security, Class of 2007
- Dissertation: "Rape as a War Crime in Iraq: Saddam's Regime to the US Occupation"

Smith College, Northampton, MA

- Bachelor of Arts in English, Class of 2006
- Summer Abroad: Sorbonne University, Paris, France, (Intermediate-level French)

PUBLICATIONS

Lane P. Thomasson, *Florida v. Jardines: Dogs, Katz, Trespass and the Fourth Amendment*, 69 J. MO. BAR 336 (2013)

Lane P. Thomasson, *Burns v. Astrue: 'Born in Peculiar Circumstances,' Posthumously Conceived Children and the Adequacy of State Intestacy Laws*, DENV. U. L. REV. (Sept. 2014)

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

kjh@mountainlawfirm.com

Office: (970) 945-2261

Direct: (970) 928-2125

Fax: (970) 945-7336

**Direct Mail to Glenwood Springs*

January 7, 2022

Via Email

Town of Rico
c/o Chauncey McCarthy, Town Manager
2 Commercial Street
P.O. Box 9
Rico, Colorado 81332
townmanager@ricocolorado.gov

Re: Proposal for Town and Water Attorneys

Dear Mayor and Trustees:

Karp Neu Hanlon, P.C. (“KNH”) is pleased to provide this proposal for Town Attorney and Water Attorney legal services to the Town of Rico (“Rico” or the “Town”). KNH is a full service, Martindale Hubble AV-rated law firm with offices in Glenwood Springs, Aspen, and Montrose. KNH has extensive skills, experience, and expertise in providing legal services to local governmental entities that we believe would prove valuable to the Town.

1. Qualifications and Experience.

In providing general legal services to Rico, Karl J. Hanlon would be the primary responsible Town Attorney. Karl has been primarily practicing in the municipal law field for more than 20 years and has been practicing water law for more than 25 years. Karl is general counsel to the City of Glenwood Springs, Town of Silverthorne, Town of Avon, and Aspen Fire Protection District. Associates Richard Peterson-Cremer and Joely Denkinger would provide assistance on all municipal matters and Danielle Skinner on water matters.

To allow our clients to benefit from decades of municipal and water legal experience, KNH takes a team approach to representing governmental clients and other KNH attorneys can assist on matters where they have particular skills. Depending on the task, certain research, review, and drafting work would also be performed by the most appropriate attorney or paralegal (with oversight by an attorney) to provide a particular expertise and the most cost-effective services possible. A Firm Resume is attached which provides more details on the attorneys in the firm and our practice areas of expertise. Because of the size of our firm and depth of our experience, an attorney at KNH will always be available to assist the Town at any time.

KNH maintains a broad base of public-sector clients, where our goal is to provide value-added, solution-oriented counsel. We serve as general counsel or special counsel to a number of cities, towns, special districts and authorities. Other public-sector clients include:

General Counsel:

- City of Glenwood Springs
- City of Rifle
- Town of Avon
- Town of Silt
- Town of Minturn
- Town of Silverthorne
- Town of Basalt
- Town of Palisade
- Town of Parachute
- Town of Collbran
- Town of Red Cliff
- Garfield County Emergency Communications Authority
- Spring Valley Sanitation District
- West Glenwood Sanitation District
- Aspen Fire Protection District
- Garfield County Clean Energy Collaborative; and
- San Miguel Authority for Regional Transportation (SMART).

Special Counsel:

- Town of New Castle (Water Counsel); and
- Grand Mesa Metropolitan District.

In the private sector, our clients include real estate developers, homeowner associations, farm and ranch owners, large and small businesses, and charitable organizations. We represent these clients on land use, real estate, water, governance, corporate, and employment matters, including related litigation.

This comprehensive client base offers each of our attorneys opportunities for exposure to a variety of legal issues, while still allowing each of them to focus on their respective areas of expertise. As a result, our clients benefit from decades of specialized knowledge, in addition to a well-rounded and seasoned team of professionals.

As a result of our representation of Colorado public entity clients, we are well-versed in local government law. KNH has represented municipal clients on matters including, but not limited to:

- Public meetings and records, including the Open Records Act, Open Meetings Law, requirements related to executive sessions, public notice requirements, drafting ordinances and resolutions, and procedures for conducting public meetings.
- Water law, including assessing water right dedications, water right title, water court

applications, decreeing plans for augmentation, and water court litigation (including in the Colorado Supreme Court).

- Planning, zoning, and project development, including comprehensive plan development, annexations, development agreements, subdivision improvement agreements, land use code updates, special or conditional use review, and zoning/building code violations and enforcement.
- Marijuana and liquor licensing, including code drafting and enforcement for violations of license requirements.
- Public finance law, including TABOR issues, budgets, enterprises, public tax law, and sales tax collection/distrain.
- Public facility development, including issuance of bonds and obtaining other types of municipal finance, public private partnerships, and joint development agreements.
- Election law, including working with municipal clerks on the requirements for conducting a local election.
- Intergovernmental agreements and authorities, including negotiating with state entities, counties and special districts to set up agreements to provide services.
- Utility law, including drafting utility codes, drafting utility service plans, reviewing contractor agreements, drafting franchise agreements, water right dedication and tap fee policies, utility liens, and collection of unpaid utility bills.
- Litigation practice, including C.R.C.P. 106 appeals of governmental decisions, condemnation proceedings, enforcement of contracts, easement and other real property disputes, employment defense, the Colorado Governmental Immunity Act, and the Tort Claims Act. Attorneys have successfully argued cases in the Colorado Court of Appeals and the Colorado Supreme Court.
- Real property acquisition, eminent domain, construction contract review, and professional services agreement drafting.
- Employment law issues, including drafting and updating personnel manuals, preparing employment contracts, and advising human resource managers.
- Advocacy and negotiations with county, state and federal agencies.
- Municipal court prosecution, including code enforcement, nuisance enforcement, and other matters within the municipal court jurisdiction.

Above all, we understand the legal and political dynamics that small towns with limited resources face on a daily basis. With the recent acute impacts of COVID-19 on the health and economies of small rural communities, KNH has put significant efforts into assisting our public sector clients in both protecting residents from the virus's effects and reopening businesses and public facilities in accordance with state and county guidelines. This episode has served to reinforce our

firm's commitment to local government clients dealing with an extremely challenging situation. Our substantial well of knowledge and experience in the municipal law field will bring value to the Town from day one.

2. Rates and Professionalism.

Karp Neu Hanlon is committed to making its professional services available to local governments at reasonable rates and within the adopted budget.

We take our professional obligations seriously, and obtain continuing legal education and ethics training each year, primarily courses offered through the Colorado Municipal League (with which we have a very close relationship). KNH lawyers serve on the courts' ethics boards and disciplinary committees, and are active in legal professional organizations dedicated to promoting high ethical standards and best practices. Our lawyers practice with integrity and professionalism and are responsive to their clients' needs. Communication is consistent and our clients are well-advised as to the status and strategies employed in their matters. As a result, no formal complaints or disciplinary charges have been filed against any of Karp Neu Hanlon's current attorneys or paralegals. Nevertheless, KNH maintains professional liability insurance through ALPS with a policy limit of \$4,000,000.00 for individual claims, or in aggregate.

3. References.

We strongly encourage you to contact the following references:

Ann-Marie Sandquist, Mayor
Town of Silverthorne
601 Center Circle,
P.O. Box 1309
Silverthorne, CO 80498
(720) 934-6753
asandquist@silverthorne.org

Ryan Hyland, Town Manager
Town of Silverthorne
601 Center Circle,
P.O. Box 1309
Silverthorne, CO 80498
(970) 262-7300
ryan.hyland@silverthorne.org

Eric Heil, Town Manager
Town of Avon
100 Mikaela Way
P.O. Box 975
Avon, CO 81620
(970) 748-4004
ehail@avon.org

Debra Figueroa, City Manager
City of Glenwood Springs
101 W. 8th St.
Glenwood Springs, CO 81601
(970) 384-6441
debra.figueroa@cogs.us

4. Potential Conflicts of Interest.

We currently represent clients throughout Colorado and occasionally conflicts may arise. After careful review of our current clients, we do not anticipate this being an issue with Rico.

5. Philosophy.

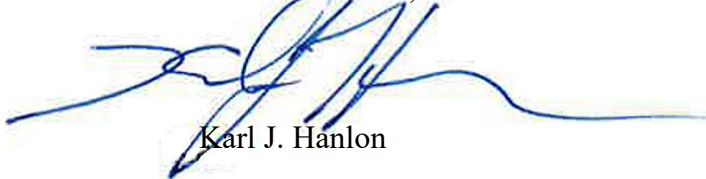
KNH is committed to providing the highest quality and most cost-effective legal services available to our clients. We pride ourselves on being a dynamic, client-focused organization recognized for excellence in the legal services field with a strong public service approach. We do this by creating value for our clients with innovative, consistent, and dependable counsel, by participating in our local communities, and by caring for our employees.

We believe that our highest calling in providing municipal representation is to empower elected officials to make good decisions that advance the goals of the community. KNH prides itself on working collaboratively with public entity staff to provide high-quality legal information that is understandable to elected officials and the public. Our attorneys work hard not to speak in “legalese” but to explain legal issues in practical terms with an emphasis on exploring options and long-range ramifications of decisions.

Thank you in advance for considering KNH as the Town’s municipal and water attorneys. We would welcome the opportunity to discuss the services that KNH can offer to the Town in greater detail. Please feel free to contact me for additional information.

Very truly yours,

KARP NEU HANLON, P.C.



Karl J. Hanlon

KJH:app

Enclosures: Firm Resume
Rate Sheet

KARP NEU HANLON, P.C.			
2022 HOURLY RATE CHART			
POSITION	NAME	INITIALS	HOURLY RATE
Partner	James S. Neu	JSN	\$225.00
Partner	Karl J. Hanlon	KJH	\$225.00
Partner	Michael J. Sawyer	MJS	\$225.00
Partner	James F. Fosnaught	JFF	\$225.00
Partner	Jeffrey J. Conklin	JJC	\$225.00
Partner	Aaron T. Berne	ATB	\$205.00
Partner	Shoshana Rosenthal	SR	\$205.00
Associate	Matthew L. Trinidad	MLT	\$205.00
Associate	Wilton E. Anderson	WEA	\$205.00
Associate	Richard Peterson-Cremer	RJP	\$215.00
Associate	Joely R. Denkinger	JRD	\$215.00
Associate	Danielle T. Skinner	DTS	\$185.00
Paralegals	Paralegals		\$150.00
Legal Assistants	Legal Assistants		\$125.00
EXPENSES			RATE
Mileage current IRS rate as it may be amended throughout the year			\$0.56 per mile (current IRS rate)
Photocopies			\$0.25 per copy
Facsimile Transmissions			\$1.00 per page
Color Photocopies			\$1.25 per copy
Specialized Research			Charged at Cost
OTHER EXPENSES ARE BILLED AT ACTUAL COSTS			

The above rates are subject to change annually. All Accounts Due in 30 days.

Overdue Accounts will be Assessed 1.5% per month (18% A.P.R.).

In the event an action is required to collect payment, client agrees to pay reasonable attorneys' fees and costs of collection.

January 14, 2022

Town of Rico
Mayor and Board of Trustees
c/o Chauncey McCarthy, Town Manager
Via email:

Dear Chauncey,

Our Partnership, TBD LLC, would like to discuss the possibility of forming a public private partnership for the purpose of redeveloping the Town's maintenance facility and the surrounding Town Property.

Conceptually we are proposing the following:

- 1) To construct a new Town Maintenance building of similar size and use as exists today, with the addition of attached public rest rooms and the potential for an employee housing unit on site to be eventually deeded to the Town of Rico through a public/Private agreement.
- 2) TBD LLC would, in consideration for providing the new facility for the Town, be deeded the surrounding 9 acres for initial use as a campground and related private development. Said development would be subject to the Town Planning under the current Commercial PUD zoning designation and provisions contained therein
- 3) Financing for the project would be a combination of private debt and equity as well as public grant and bond funding as may become available from the state and federal sources. Infrastructure, water, power and waste water treatment costs would be a public/private obligation based on a prorated share of those facilities between the town and TBD LLC.
- 4) Long term maintenance of all facilities would be divided pro-rata as negotiated between parties.
- 5) As for timing, this project may be timed such to be included in a possible VCUP remediation of the site.

This concept can provide the Town with a much needed maintenance facility and related infrastructure for public/private purposes. We are prepared to enter into a letter of intent to proceed as well as to commence site planning.

We look forward to discussing the possibilities.

Sincerely
Joe Croke