Finance Workshop
Fund Balance Update
and
Ben Mendenhall from ColoTrust

Workshop 5:30 pm – 6:45
DRAFT AGENDA

TOWN OF LYONS

7:00 P.M., MONDAY, AUGUST 15, 2016

BOARD OF TRUSTEES MEETING
SHIRLEY F. JOHNSON COUNCIL CHAMBER
LYONS TOWN HALL, 432 5TH AVENUE, LYONS, COLORADO

I. Roll Call And Pledge Of Allegiance

II. A Reflective Moment Of Silence

III. Approval Of The Agenda

IV. Sgt. Nick Goldberger, Boulder County Sheriff's Office Report

V. Staff Reports

VI. Audience Business
Limited to 15 minutes - all comments limited to 4 minutes per person.

VII. Board And Commission Update (15 Min)

VII.1. Reappointment Of Boards And Commissions

VIII. Ordinances
Public Hearing on Second Reading

VIII.1. Resolution 2016-69 - Cover Sheet

Documents:

RESOLUTION 2016-69 - COVER SHEET.PDF

VIII.1.a. Public Hearing- Resolution 2016-69, A Resolution Acknowledging A Duly Noticed Public Hearing For Project Close Out On CDBG-DR 1-60-22 St. Vrain Creek Restoration

Documents:

RESOLUTION 2016-69 -CDBG-DR1-60-22-CLOSE-OUT STREAM.PDF

VIII.2. Resolution 2016-70 - Cover Sheet

Documents:

RESOLUTION 2016-70 - COVER SHEET.PDF

VIII.2.a. Public Hearing - Resolution 2016-70, A Resolution Acknowledging A Duly Noticed Public Hearing For Project Close Out On CDBG-DR 1-60-21 Property Buy-Out And

Demolition

Documents:

RESOLUTION 2016-70 -CDBG-DR1-60-21-CLOSE-OUT-ACQ AND DEMO.PDF

VIII.3. Resolution 2016-71 - Cover Sheet

Documents:

RESOLUTION 2016-71 - COVER SHEET.PDF

VIII.3.a. Public Hearing - Resolution 2016-71, A Resolution Acknowledging A Duly Noticed Public Hearing For Project Close Out On CDBG-DR 1-40-20 Property Buy-Out And Demolition

Documents:

RESOLUTION 2016-71 CDBG-DR1-40-ALT20-.PDF

VIII.4. Resolution 2016-67 - Cover Sheet

Documents:

RESOLUTION 2016-67 - COVER SHEET.PDF

VIII.4.a. Public Hearing - Resolution 2016-67, A Resolution For Supplemental Budget And Appropriation, And Revision Of The 2015 Fiscal Year Budget

Documents:

RESOLUTION 2016-67, A RESOLUTION FOR SUPPLEMENTAL BUDGET AND APPROPRIATION, AND REVISION OF THE 2015 FISCAL YEAR BUDGET.PDF

IX. Consent Agenda

IX.1. August 2016 Accounts Payable

Documents:

BOT PAYABLES 081516.PDF

IX.2. Resolution 2016-72 - Cover Sheet

Documents:

COVER SHEET - HOTEL FEASIBILITY RFP FINAL.PDF

IX.2.a. Resolution 2016-72, A Resolution Approving The Request For Proposals For Professional Services To Conduct A Market Hotel Feasibilty Study For A Proposed Hotel In The Town Of Lyons.

Documents:

RESOLUTION 2016-72 - A RESOLUTION APPROVING THE REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES TO CONDUCT A

MARKET HOTEL FEASIBILITY STUDY.PDF

IX.2.b. Resolution 2016-72 - RFP Hotel Market Study

Documents:

RESOLUTION 2016-72 - HOTEL RFP.PDF

X. General Business

X.1. Resolution 2016-73 - Cover Sheet

Documents:

RESOLUTION 2016-73 - COVER SHEET.PDF

X.1.a. Resolution 2016-73-A Resolution Approving A Second Intergovernmental Agreement Between And Among The Town Of Lyons, The Lyons Regional Library District, Larimer County And Boulder County

Documents:

RESOLUTION 2016-73 - APPROVING SECOND LIBRARY IGA.PDF

X.1.b. Resolution 2016-73 - Library IGA DRAFT

Documents:

RESOLUTION 2016-73 - LIBRARY IGA DRAFT.PDF

X.1.c. Resolution 2016-73 - Library Site Map

Documents:

LYONS REGIONAL LIBRARY SITE.PDF

XI. Items Removed From The Consent Agenda

XII. Trustee Reports

XIII. Summary Of Action Items

XIV. Adjournment

"The Town of Lyons will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Persons needing accommodations or special assistance should contact the Town at hr@townoflyons.com as soon as possible, but no later than 72 hours before the scheduled event."

Agenda Item No: VIII - 1
Meeting Date: August 15, 2016

Town of Lyons
Board of Trustees

Subject: Resolution 2016-69 - Public hearing to close out CDBG-DR 1-60-22, St. Vrain Creek Restoration Project.

Presenter: Tracy Sanders, Grant Coordinator, Finance Department

Background: The Town was awarded funds from the Community Development Block Grant – Disaster Recovery (CDBG-DR) for St. Vrain bank restoration and stabilization, areas damaged by the 2013 flood. This project was successfully completed.

Project area included North and South branches, and the combined area of St. Vrain Creek
Grant awarded on February 20, 2015
Amount of the original grant $2,498,060.00

This grant requires a public hearing to allow citizens to comment of this project. Grant Coordinator Tracy Sanders will provide a brief project overview. The Mayor will open the public hearing and ask for public comments, which are documented for project close out. Following public comment, the Mayor will close this public hearing.

RESOLUTION 2016-

A RESOLUTION ACKNOWLEDGING A DULY NOTICED PUBLIC HEARING FOR PROJECT CLOSE OUT ON CDBG-DR1-60-22 ST. VRAIN CREEK RESTORATION

WHEREAS, the St. Vrain Creek sustained damage in the September 2013 flood; and

WHEREAS, the Town of Lyons ("Town") applied for and was awarded funds from HUD Community Development Block Grant – Disaster Recovery to restore damaged areas of the St. Vrain Creek; and

WHEREAS, the work supported by this grant was successfully completed; and

WHEREAS, the funding agency requires grant recipients to hold a public hearing to allow citizens to review and comment on the Town's performance in carrying out the project in order to close out CDBG-DR funded projects, including CDBG-DR 1-60-22, which was financed with federal Community Development Block Grant funds provided by the State of Colorado; and

WHEREAS, notice of such public hearing must be published at least five days prior to such public hearing; and

WHEREAS, the Town published notice of the required public hearing on August 4, 2016 and the Town Board of Trustees held such hearing at its regular August 15, 2016 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The Town Board of Trustees hereby acknowledges that on August 15, 2016 it conducted a duly noticed public hearing to receive and document public comments on the Town's performance under the following grant in order to close out said grant: CDBG-DR1-60-22 St. Vrain Creek Restoration.

ADOPTED this 15th Day of August 2016.

TOWN OF LYONS

By:_____
Connie Sullivan, Mayor

ATTEST:

_____
Debra K. Anthony, Town Clerk

Agenda Item No: VIII-2
Meeting Date: August 15, 2016

Town of Lyons
Board of Trustees

Subject: **Resolution 2016-70 -** Public hearing to close out CDBG-DR 1-60-21, Property Buy-Out and Demolition Project.

Presenter: Victoria Simonsen, Town Administrator

Background: The Town was awarded funds from the Community Development Block Grant – Disaster Recovery (CDBG-DR) for the purchase of 3 properties and the demolition of 2 houses that were damaged by the 2013 flood. Project work has been completed.

Project area: 4th Avenue (vacant lot), 425 Prospect Street, and 117 Park Street
Grant award date: March 1, 2015
Original grant award amount $999,983.00

This grant requires a public hearing to allow citizens to comment of this project. Town Administrator Victoria Simonsen will provide a brief project overview. The Mayor will open the public hearing and ask for public comments, which are documented for project close out. Following public comment, the Mayor will close this public hearing.

RESOLUTION 2016-70

A RESOLUTION ACKNOWLEDGING A DULY NOTICED PUBLIC HEARING FOR PROJECT CLOSE OUT ON CDBG-DR1-60-21 PROPERTY BUY-OUT AND DEMOLITION

WHEREAS, many properties located in Lyons sustained damage in the September 2013 flood; and

WHEREAS, the Town of Lyons ("Town") applied for and was awarded funds from HUD Community Development Block Grant – Disaster Recovery to purchase three properties and demolish two houses located on 4th Avenue (vacant lot), 425 Prospect Street, and 117 Park Street; and

WHEREAS, the work supported by the grant was completed; and

WHEREAS, the funding agency requires grant recipients to hold a public hearing to allow citizens to review and comment on the Town's performance in carrying out the project in order to close out CDBG-DR funded projects, including CDBG-DR1-60-21, which was financed with federal Community Development Block Grant funds provided by the State of Colorado; and

WHEREAS, notice of such public hearing must be published at least five days prior to such public hearing; and

WHEREAS, the Town published notice of the required public hearing on August 4, 2016 and the Town Board of Trustees held such hearing at its regular August 15, 2016 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The Town Board of Trustees hereby acknowledges that on August 15, 2016 it conducted a duly noticed public hearing to receive and document public comments on the Town's performance under the following grant in order to close out said grant: CDBG-DR1-60-21.

ADOPTED this 15th Day of August 2016.

TOWN OF LYONS

By:_____
Connie Sullivan, Mayor

ATTEST:

_____
Debra K. Anthony, Town Clerk

Agenda Item No: VIII-3
Meeting Date: August 15, 2016

Town of Lyons
Board of Trustees

Subject: **Resolution 2016-71** - Public hearing to close out CDBG-DR 1-40-ALT20, Property Buy-Out and Demolition Project.

Presenter: Victoria Simonsen, Town Administrator

Background: The Town was awarded funds from the Community Development Block Grant – Disaster Recovery (CDBG-DR) for the purchase of 3 properties and the demolition of 2 houses that were damaged by the 2013 flood. The work on this project has been completed.

Project area: 4th Avenue (vacant lot), 221 Park Street, and 403 Park Street
Grant was awarded on June 1, 2015
Original grant award amount $689,953.69

This grant requires a public hearing to allow citizens to comment of this project. Town Administrator Victoria Simonsen will provide a brief project overview. The Mayor will open the public hearing and ask for public comments, which are documented for project close out. Following public comment, the Mayor will close this public hearing.

RESOLUTION 2016-71

A RESOLUTION A RESOLUTION ACKNOWLEDGING A DULY NOTICED PUBLIC HEARING FOR PROJECT CLOSE OUT ON CDBG-DR1-40-ALT20 PROPERTY BUY-OUT AND DEMOLITION

WHEREAS, many properties located in Lyons sustained damage in the September 2013 flood; and

WHEREAS, the Town of Lyons ("Town") applied for and was awarded funds from HUD Community Development Block Grant – Disaster Recovery to purchase three properties and demolish two houses located on 4th Avenue (vacant lot), 221 Park Street, and 403 Park Street; and

WHEREAS, the work supported by the grant was completed; and

WHEREAS, the funding agency requires grant recipients to hold a public hearing to allow citizens to review and comment on the Town's performance in carrying out the project in order to close out CDBG-DR funded projects, including CDBG-DR1-40-ALT20, which was financed with federal Community Development Block Grant funds provided by the State of Colorado; and

WHEREAS, notice of such public hearing must be published at least five days prior to such public hearing; and

WHEREAS, the Town published notice of the required public hearing on August 4, 2016 and the Town Board of Trustees held such hearing at its regular August 15, 2016 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The Town Board of Trustees hereby acknowledges that on August 15, 2016 it conducted a duly noticed public hearing to receive and document public comments on the Town's performance under the following grant in order to close out said grant: CDBG-DR1-40-ALT20.

ADOPTED this 15th Day of August 2016.

TOWN OF LYONS

By:_____
Connie Sullivan, Mayor

ATTEST:

_____
Debra K. Anthony, Town Clerk

Agenda Item No: VIII - 4
Meeting Date: August 15, 2016

Subject: **Resolution 2016-67**
Resolution Authorizing A Supplemental Budget and Appropriation and Revision of the 2015 Fiscal Year Budget

Presenter: Tony Cavalier, Finance Director

Background: After an in-depth review, it is necessary to make the following adjustments to the 2015 Budget. The increases to the expenditure appropriations are due to: June 2015 Hail Storm repairs and associated insurance proceeds, Main Street CDOT project costs and grant reimbursements, change in budget location of construction of new WWTP to Sanitation Fund and the associated State Revolving Loan Fund proceeds and DOLA grant, other unanticipated expenditures (housing project, attorney fees, equipment maintenance, delayed capital outlay payment, under budgeted electricity purchase from MEAN, excess Waste Water Treatment Plant operating costs due to start up delay). All grant expenditures are offset from grant revenue and matching funds from fund balance. All other increases at this time are offset by unanticipated revenues, loan proceeds and fund balance.

General Fund: Expenditure overages will be covered by unanticipated revenues, such as Sales and UseTax, grant proceeds and insurance proceeds. The June 2015 Hail Storm event expenditures (vehicle damage and roof replacements) were covered by insurance proceeds. The CDOT Main Street Phase 2 project was also partially unbudgeted, which will be offset in 2015 by grant reimbursements.

Electric Fund: Expenditure overage was mainly due to unbudgeted funding for electricity purchase from MEAN. The overage will be covered by unanticipated revenue and Fund Balance.

Sanitation Fund: The construction of the new Waste Water Treatment Plant work amounted to approximately $4.13 million dollars in Capital Outlay, offset mainly by: State Revolving Loan Fund Proceeds and a DOLA Energy Impact Grant. In addition there were excess costs of plant operations due to the delayed start up (changed from November 2015 to early 2016).

Staff Recommendations: Staff recommends approval of Resolution 2016-67 authorizing a supplemental budget and appropriation and a revision of the 2015 fiscal year budget as presented.

RESOLUTION 2016–67
FOR SUPPLEMENTAL BUDGET and APPROPRIATION, and REVISION OF THE 2015 FISCAL YEAR BUDGET
(Pursuant to Section 29-1-109, C.R.S.)

A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE TOWN OF LYONS, COLORADO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015, AND REVISING EXPENDITURE APPROPRIATIONS.

WHEREAS, the Town is authorized by Section 29-1-109, C.R.S., to establish and amend its annual budget and to make transfers and supplemental appropriations of budgeted funds; and

WHEREAS, the Town provided notice of a public hearing concerning this Resolution in accordance with Section 29-1-106, C.R.S., by publishing notice once in a newspaper of general circulation and held such public hearing as required by state statute; and

WHEREAS, the Town desires to amend its 2015 budget and approve supplemental budget appropriations from the General Fund, Electric Fund, Water/Sanitation Fund as set forth in this Resolution in order to fund needed unanticipated operating expenditures and capital outlay; and

WHEREAS, money to finance these unanticipated expenses will come from unanticipated revenues, grant funds and unappropriated reserves; and

WHEREAS, other revenue sources anticipated at the time of the adoption of the budget have been more or less than anticipated; and

WHEREAS, as a result, it is necessary to amend the original budget appropriations for the current year;

WHEREAS, the additional appropriations contemplated by this Resolution do not exceed the amount of estimated revenues and fund balance in budget year 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO;

Section 1. That the 2015 estimated expenditures for each fund are adjusted as follows:

	Original	**Adjustment**	**Final**
General Fund	$1,612,254	$500,000	$2,112,254
Electric Fund	1,401,760	50,000	1,451,760
Water Fund	988,541	0	988,541
Sanitation Fund	477,690	4,000,000	4,477,690
Conservation Trust Fund	15,000	0	15,000
Parks & Rec Fund	523,229	0	523,229
Grant Fund	25,000,000	0	25,000,000
Total All Expenditures	$30,018,474	$4,550,000	$34,568,474

Section 3. That the revised budget hereby approved and adopted shall be signed by the

Mayor and the Town Clerk/Treasurer and made a part of the public records of the Town.

ADOPTED, this 15th day of August, 2016.

TOWN OF LYONS, COLORADO

By:_____
Connie Sullivan, Mayor

ATTEST:

_____
Debra K. Anthony, CMC, Town Clerk/Treasurer

Town of Lyons
A/P Summary Bi-Monthly
8/15/16

Date & Check #	Handchecks	Description	Amount
Total Handchecks			**$0.00**
Payroll 8/12/16	.....	.....	**will be reported on update**

Unpaid Invoices - Vendor		Amount	Grant Funds	Grant Name
American Fence Company, In	$	75.00	$ 75.00	FEMA
American Heritage Life Insur	$	70.64		
Birch Communications:	$	663.62		
Brannan Sand & Gravel Co.:	$	171.30		
C.E.S.:	$	500.00		
Century Link:	$	923.09		
Clark's Hardware:	$	412.55		
Colorado Analytical Lab:	$	1,320.30		
Colorado Department of Hea	$	2,565.00		
Colorado Materials:	$	1,175.32		
CPS Distributors, Inc.:	$	3.22		
Gateway Auto:	$	267.46		
Gateway Realty:	$	500.00		
Hatrock Excavating:	$	500.00	$500.00	FEMA
Hill Petroleum:	$	325.89		
Innovative Computer:	$	3,232.50		
J & S Contractors Supply, Co.	$	813.13		
John Deere Financial:	$	146.58		
Liberty Waste Management,	$	165.00		
Longmont, City of:	$	25,555.36		
Loris and Associates:	$	4,797.35	$4,797.35	FEMA
Lyons Redstone Museum:	$	3,250.00		
M E A N:	$	84,935.69		
Pitney - Bowes:	$	176.07		
Ramey Environmental Compl	$	2,272.70		
River Run 5K:	$	100.00		
Rush Management, Inc.:	$	1,125.00		
SAFEbuilt Colorado:	$	1,532.76		
Safelite Autoglass:	$	499.70		
St. Vrain Companies:	$	5,175.00		
Starkovich, Jacob:	$	610.20		
Taylor Equipment:	$	470.00		
Treatment Technology:	$	440.00		
Utilities Refund:	$	416.77		
Utility Notification Center:	$	124.41		
Unpaid Invoices as of 8/09/16		**$145,236.61**	**$5,372.35**	**Grant Expenditures**

Total (hand checks, unpaid invoices & payroll)	**$145,236.61**

Agenda Item No: **IX-2**

Meeting Date: **August 15, 2016**

Subject: Resolution in Support of Soliciting Requests for Proposals for Professional Services to conduct a Market Feasibility Study for a proposed Hotel in the Town of Lyons

Presenter: Jacquelyn Watson, Economic Development and Community Relations Manager

Background: In order to further the Town's goals of providing increased lodging options (as identified in the 2014 Lyons Recovery Action Plan), the first step is to obtain knowledge as to whether it is feasible for a developer to successfully build and operate a hotel in the town of Lyons.

A Hotel Market Feasibility Study will address the projected market demand for the number, type and duration of hotel stays in Lyons; a competitiveness analysis on what a new hotel facility must do to provide a unique alternative to the current hotel stock to be successful; and an economic feasibility analysis for a potential hotel.

The successful bidder will conduct a study to determine overall market feasibility of a lodging facility. The resulting analysis will provide information and data to the town to assist in reviewing proposed lodging projects.

The Economic Development Commission has earmarked up to $10,000 in its Outside Professional Services budget to complete this study. The selection committee will be made of two EDC members, Chamber and Town staff and Trustee Waugh, EDC liaison. The recommended proposal will be brought to the BOT for approval.

TOWN OF LYONS, COLORADO
RESOLUTION 2016-72

A RESOLUTION APPROVING THE REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES TO CONDUCT A MARKET HOTEL FEASIBILITY STUDY FOR A PROPOSED HOTEL IN THE TOWN OF LYONS

WHEREAS, the Town of Lyons (the "Town") has the authority to enter into contracts for any lawful municipal purpose, including requests for proposals, pursuant to C.R.S. § 31-15-101; and

WHEREAS, the Lyons Recovery Action Plan's Economic & Business Objective 1.4: *Increase local businesses share of regional market and prevent local dollar leakage to nearby communities*; and BIZ Strategy1.4.1: *Create a business plan that documents the existing events-based industry and demonstrates the profitability of a Hotel/Conference Center,* supports research on the feasibility of a hotel; and

WHEREAS, the Town would like to determine the current and projected market demand analysis for number, type and duration of hotel stays in the town; and

WHEREAS, the Town would like to see a competitive analysis on what a new hotel facility must do to provide a unique alternative to the current hotel stock and be successful; and

WHEREAS, the Town would like an economic feasibility analysis for a potential hotel; and

WHEREAS, the Town of Lyons Economic Development Commission has approved up to $10,000 from the Economic Development Budget, under the Professional Outside Services line item, to pay for such a study.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The Town Board of Trustees hereby approves the Request for Proposal to solicit professional services to conduct a market feasibility study for the purposes described above.

ADOPTED THIS 15th DAY OF AUGUST

TOWN OF LYONS

By:_____
Connie Sullivan, Mayor

ATTEST:

_____
Debra K. Anthony, Town Clerk

INTRODUCTION

The Town of Lyons requests proposals for professional services to conduct a market feasibility study for a proposed hotel/motel in the Town of Lyons. The study should address the current and projected market demand analysis for the number, type and duration of hotel stays in the Town; a competitiveness analysis on what a new hotel facility must do to provide a unique alternative to the current hotel stock and be successful; and an economic feasibility analysis and proforma for a potential hotel.

OVERVIEW

The Town of Lyons wishes to examine the potential for successful development of a hotel facility within the town limits of Lyons. Although a specific site has not been designated, there are several potential sites within the town that may provide an opportunity for hospitality development. The goal of the Town of Lyons is to determine what type of hospitality project is feasible by the private sector and what amenities could be supported. The feasibility may include recommendations for public incentives and new infrastructure to improve the project viability if there is a shortfall in the projections.

The successful bidder will conduct a study to recommend a facility program and determine the overall market feasibility of the recommended facility. The resulting analysis will be provided to potential hotel developers, management companies and brands who may be interested in participating in a hotel project.

COMMUNITITY BACKGROUND:

Incorporated in 1891, the Town of Lyons is historically known for exporting its red sandstone from local quarries. More recently, Lyons is sought after for its music, arts and outdoor recreation opportunities. The Town of Lyons has a population of approximately 2,000 while being situated in Boulder County, which has a population of 310,048. The Town of Lyons is located on the Front Range of the Colorado Rockies, 50 miles north of Denver and 20 miles south of Estes Park and Rocky Mountain National Park. Other facts include:

- US Highway 36 passes through Lyons, which is a major east–west route in Colorado and the United States, extending from Rocky Mountain National Park to the Kansas state line.
- Hundreds of thousands of tourists regularly head west to Rocky Mountain National Park on Highway 36, always having to pass by Lyons's doorstep.
- Site of Planet Bluegrass, world-renown, award-winning home of music festivals and concerts drawing thousands of festival goers annually.
- In 2009, the Town of Lyons began a $2 million capital improvement project for streetscape improvements in its downtown area that included widened sidewalks, efficient and stylish streetlights, public art and landscaping; thus attracting new businesses and encouraging private sector investment in the business district.

- In 2013, the Town was subjected to a 500+ year federally-declared disaster, with flood waters damaging ten commercial buildings and properties and shutting down the entire business district for an eight-week period due to lack of utilities. However, the business district has bounced back with new determination to succeed and prosper.
- In 2016, the Town continues beautification work on East Main Street, installing new sidewalks, lighting, traffic signal and parking spaces.
- Lyons Outdoor Games is an annual, premier Colorado outdoor lifestyle, adventure sport and music festival, which occurs in early summer, again drawing thousands of visitors to the area.
- The Town of Lyons is a *Main Street* organization, which is a demonstrated program developed by the National Trust for Historic Preservation that focuses public and private resources on revitalizing and promoting the Town's historic buildings and history.
- The area is host to five successful wedding venues.

DESIRED OBJECTIVES & ASSUMPTIONS

The primary factors contributing to the consideration of a new hotel facility in Lyons are as follows:

- The perceived need for a quality hotel will allow the Town to market itself as an overnight destination to visitors, which has been recommended by multiple independent economic plans for the Town.
- The perception that existing hotels in or near the Town are either aging or too small, and may not be suitable for destination travelers who could otherwise be attracted to visit Lyons.
- The perception that existing hotels are losing overnight stays to newer facilities in Longmont and Boulder for visitors doing business with local industry located in the Town.
- The perception that there is demand for destination events like weddings, sporting events, tourism and music festivals that may not be accounted for in standard market analyses.
- The perception that there is a demand for banquet and meeting space for weddings, small conferences, business events (non-profit galas, annual meetings, etc.) that would be attracted to a facility in town.
- The perception that Lyon's tourism product primarily relies on accommodations with rental homes, and "Air BnBs," and less with hotels, so a quality hotel in the Town may be able to attract some RMNP visitors only seeking a 1-3 night stay.
- The vision of leveraging Lyons's abundant surrounding natural, historical and cultural resources into destination workshops and seminars for special interest travelers. This could include geologist, quarry industry, photography and cooking workshops, birding, etc.
- A Front Range Business and Industry Conference location for various private and public sector entities, using a quality hotel with meeting space as a platform.
- An increased ability to attract new events to the Town.

SCOPE OF WORK

The following is an outline of the desired services to be performed:

<u>Market Demand Analysis</u>

1. Determine current and potential future lodging and hospitality demand in the market area
2. Review competitive facilities in both the immediate area (Town) and vicinity (county).
3. Conduct accommodation inventory and meeting space analysis.
4. Analyze present marketing position strategies and provide recommendations for underserved markets and/or opportunities that can be targeted with a new hospitality product.
5. Identify and determine current community needs and possible quality of life opportunities that would benefit from additional hotel space, and evaluate the economic opportunity for the Town.
6. Conduct demand analysis
   a. Primary & secondary market research
   b. Identify demand generators or potential users of a facility, including interviews with potential users including meeting planners, event promoters and/or other customers.

Project Feasibility Study

1. Determine the viability of a hospitality product in Lyons based on the potential demand and market penetration of customers.
2. Identify financing constraints in the current market
3. Estimate capital investment required and the expected revenues returns needed to attract able investors.
4. Project economic impacts
   a. Project impact on hotel room nights
   b. Project tax revenue increase to the Town
   c. Project impact on Town restaurants and retailers
5. Address potential public incentives that could improve the viability and/or investment attraction for the project.

Facility Recommendation

As part of the analysis, and based on the nature and kind of requirements associated with the identified potential users of the facility and available sites, make recommendations for:

- Number and mix of guest rooms
- Room configuration
- Food and beverage concept
- Banquet and meeting space requirements
- Other facilities and amenities
- Brand affiliation, if any

Financial Projections

- Provide financial projection for development and operations that can be used by the Town if a request for proposal is sought for a hotel project.

Note: The Town of Lyons will consider input from respondents as to other suggested services to be considered.

SUBMISSION REQUIREMENTS FOR RFP

1. Name and basic information of the consulting firm submitting the proposal.
2. Names and professional qualifications of the representatives of the firm that will be conducting the study.
3. List of the firms or entities, including the names and contact information, for which the bidder had conducted similar studies. Include a brief summary of the purpose of the study and any measurable results to date.
4. Describe in detail the approach or process that your firm will undertake to gather research, including identifying potential demand generators, conducting personal and/or group interview sessions.
5. Describe the methods for presenting the findings, conclusions, and recommendations that will enable the Town of Lyons and potential stakeholders to make informed decisions.
6. Provide a schedule and time frame for completion of the study.
7. The proposers will acknowledge receipt of all Addenda, if any, in their proposals. The Town reserves its right to issue Addenda to this RFP up to five (5) days prior to the bid due date as needed to clarify the Town of Lyons's desires, or to make corrections or changes to the RFP document or submittal process. All project information will be updated and posted to Rocky Mountain E-Purchasing System, which can be accessed through the Town's website at www.townoflyons.com under "Bid Opportunities" and/or "Bids & RFPs." It is the proposer's responsibility to obtain the information directly from RME Purchasing website regarding this project. Proposals must be valid for a period of sixty (60) days from the date due.

Proposals marked "Hotel Market Study" shall be returned **no later than 4:00 pm on Friday, September 30, 2016** to:

Jacquelyn Watson, Economic Development and Community Relations Manager
Town of Lyons
PO Box 49
Lyons, CO 80540
Email: jacquew@townoflyons.com
Phone: 303-823-6622 x12

The submittal should include two (2) original copies, one bound and one unbound.
Any submitted proposals become property of the Town.

EVALUATION CRITERIA

Consultants will be evaluated according to the following:

- Qualifications and previous related work of firm/key project personnel, particularly with regard to working with municipalities of similar size, in similar market environments, and the demonstrated ability of key project personnel to conduct and produce a reliable study that will be valued by potential project stakeholders.
- Understanding of project goals, market environment, local issues and needs.
- Demonstrated relative experience to this project.
- Creativity or innovative project approach.
- Proposed fees and schedule to complete project.

SELECTION PROCESS

The Town anticipates evaluating the proposals for selection shortly after due date. The Town will attempt to negotiate a final scope of services and fixed fee agreement with the highest ranking firm. If the Town is unable to reach agreement with the highest ranking firm, the Town reserves the right to negotiate with the next highest firm until an agreement is reached. Negotiated contract will be submitted to the Town Board for final approval.

ADDITIONAL INFORMATION

Requests for additional information should be directed to:
Jacquelyn Watson, Economic Development and Community Relations Manager
Town of Lyons
PO Box 49
Lyons, CO 80540
Email: jacquew@townoflyons.com
Phone: 303-823-6622 x12

RESERVATION OF RIGHTS

The Town will conduct a comprehensive and impartial review and evaluation of all Proposals meeting the requirements of this solicitation. Please note that the Town, at its sole discretion, reserves the right at any time during this process to reject any or all Proposals that are not in the best interest of the Town.

Only timely submitted Proposals shall be reviewed and evaluated by staff to determine if they comply with the required forms and documents and submission requirements listed in the RFP. This will be a pass/fail review. Failure to meet any of these requirements may render a Proposal to be a failing response and result in rejection of the entire Proposal. Further evaluation will not be performed.

The Town of Lyons reserves the right to reject any and all proposals and to waive minor irregularities. The Town further reserves the right to seek new proposals when such a procedure is in the best interest of the Town to do so.

"The Town of Lyons will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Persons needing accommodations or special assistance should contact the Town at hr@townoflyons.com as soon as possible, but no later than 72 hours before the scheduled event."

Agenda Item No: X-I
Meeting Date: August 15, 2016

Subject: A Resolution Approving the Second Intergovernmental Agreement between and among the Town of Lyons, Lyons Regional Library District, Larimer County and Boulder County

Presenter:

Background: Earlier intergovernmental agreements involving the Town of Lyons and the Library District anticipated that the District would move library operations into the recently flood-restored Depot Building. The District has since determined that the Depot is not a suitable site for a new library, and has asked the Town if there is another suitable site in the vicinity. The Town identified such a site and the District agreed it would plan to locate at the site.

The Second IGA is necessary to document the arrangement for a long-term leasehold of the Town-owned property and to identify and address other key issues. At the time of adoption of the Resolution, the Town and the District were still discussing the particulars of a process for dealing with existing and potential claims on the title to the new library site property.

Staff Recommendations: Approve the Resolution so as to authorize the Library District to take control of the subject property, and reach agreement with the District on final terms, including the procurement of a title insurance commitment and the cost of same.

TOWN OF LYONS, COLORADO
RESOLUTION 2016-73

A RESOLUTION APPROVING A SECOND INTERGOVERNMENTAL AGREEMENT BETWEEN AND AMONG THE TOWN OF LYONS, THE LYONS REGIONAL LIBRARY DISTRICT, LARIMER COUNTY AND BOULDER COUNTY

WHEREAS, the Town of Lyons (the "Town") has the authority to enter into contracts for any lawful municipal purpose and to enter into intergovernmental agreements with other governmental entities; and

WHEREAS, the Lyons Regional Library District was formed on September 3, 2013, pursuant to resolutions adopted by Boulder County, Larimer County and the Town, as authorized by §24-90-107, C.R.S.; and

WHEREAS, pursuant to C.R.S. §24-90-107(2)(e), within 90 days of District formation, an intergovernmental agreement ("**First IGA**") was to be entered (into by the Four Parties to govern interim library operations prior to funding of the District and other issues. All Four Parties did formalize and execute a First IGA dated 12/30/14. An interim IGA was also executed to extend the 90-day deadline, dated 11/19/13; andAs the District evolved (over time and developed operationally, some responsibilities, assumptions and other items set forth in the First IGA have been resolved or are no longer valid; and

WHEREAS, by (separate intergovernmental agreement dated July 16, 2014 (the "**Property Availability IGA**"), the Town and the District originally agreed that the site of the Town's "**Depot Library**" would be made available to the District for operating a library if the District was successful in obtaining voter approval to fund the District. The Property Availability IGA also provided for parking lot availability and other matters relating to the possible use of the Depot building for library operations by the District. The District was (in fact successful(in obtaining voter approval; and

WHEREAS, after operating the library at a temporary location this past year, and completing a full functional analysis of library needs and building costs, the District has determined that the "Depot Library" site is no longer a viable site for building the new library; and

WHEREAS, the District asked the Town if, in lieu of using the Depot building, the Town would provide alternative land in the vicinity of the Depot Library, to construct a new library from the ground up and the Town agreed to consider such an arrangement; and

WHEREAS, the Town and Lyons Properties, LLC ("LP") previously entered into that certain Memorandum of Agreement dated January 12, 2016 (the "MOA") with respect to correcting property boundary line disputes between the Town and LP, and otherwise setting forth certain rights and responsibilities for the Town and LP after the major flood that occurred in 2013 on the North St. Vrain Creek, which flood caused a shift in the course of the North St. Vrain Creek; and

WHEREAS, the Town and LP desire to clarify certain terms and conditions of the MOA by entering into that certain First Amendment to the MOA (the "Amendment"), a copy of which is attached to this Resolution as Exhibit A and is incorporated herein by reference.

NOW, THERFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The Board approves the Second IGA in a form satisfactory to the Town Attorney, and authorizes the Town Administrator to sign the Second IGA and authorizes the Town Clerk to attest to the Administrator's signature upon the approval of the IGA by the Town Attorney.

Section 2. This Resolution shall take effective immediately.

ADOPTED THIS ___ DAY OF AUGUST, 2016.

TOWN OF LYONS, COLORADO

_____

Connie Sullivan, Mayor

_____

Deb Anthony, MMC -Town Clerk

Exhibit A

First Amendment to Memorandum of Agreement

SECOND INTERGOVERNMENTAL AGREEMENT AMONG
THE COUNTY OF BOULDER, COLORADO,
THE COUNTY OF LARIMER, COLORADO ,
THE TOWN OF LYONS, COLORADO , AND
THE LYONS REGIONAL LIBRARY DISTRICT

The Board of County Commissioners of Boulder County ("**Boulder County**"), the Board of County Commissioners of Larimer County ("**Larimer County**"), the Board of Trustees of the Town of Lyons (the "**Town"**(and the Board of Trustees of the Lyons Regional Library District (the "**District**") (collectively, the "**Four Parties**") enter into this Agreement regarding operations of the District, pursuant to C.R.S. §24-90-107(2)(e).

RECITALS

A. The District was formed on September 3, 2013, pursuant to resolutions adopted by Boulder County, Larimer County and the Town, as authorized by §24-90-107, C.R.S.; and

B. Pursuant to C.R.S. §24-90-107(2)(e), within 90 days of District formation, an intergovernmental agreement ("**First IGA**") was to be entered (into by the Four Parties to govern interim library operations prior to funding of the District and other issues. All Four Parties did formalize and execute a First IGA dated 12/30/14. An interim IGA was also executed to extend the 90-day deadline, dated 11/19/13; andAs the District evolved (over time and developed operationally, some responsibilities, assumptions and other items set forth in the First IGA have been resolved or are no longer valid; and

C. By (separate intergovernmental agreement dated July 16, 2014 (the "**Property Availability IGA**"), the Town and the District originally agreed that the site of the Town's "**Depot Library**" would be made available to the District for operating a library if the District was successful in obtaining voter approval to fund the District. The Property Availability IGA also provided for parking lot availability and other matters relating to the possible use of the Depot building for library operations by the District. The District was (in fact successful(in obtaining voter approval; and

D. . After operating the library at a temporary location this past year, and completing a full functional analysis of library needs and building costs, the District has determined that the "Depot Library" site is no longer a viable site for building the new library; and

E. The District asked the Town if, in lieu of using the Depot building, the Town would provide alternative land in the vicinity of the Depot Library, to construct a new library from the ground up and the Town agreed to consider such an arrangement; and

As a result of the change in the location for a new library, the District and the Town have agreed to negotiate a new IGA in accordance with C.R.S. §24-90-107(2)(e) in an effort to better reflect the current needs of the Town and the District; and

F. This document constitutes the Second IGA, which, upon approval by all four parties, will fully supersede and replace the First IGA.

The new IGA is entitled the "second" IGA and once fully executed by the Four Parties will completely replace the original IGA dated 12/30/14. **NOW, THEREFORE,** Boulder County, Larimer County, the Town and the District agree as follows:(

1. Leasehold Agreement for Library Building Site: The Parties have identified a parcel of Town-owned land that they believe will be suitable for a new library building. The Parcel, which is bounded by Broadway, 4th Avenue, Railroad Avenue and the Depot property, is more specifically described in the attached Exhibit A **(the "New Library Site")**.[1] The Town agrees to enter into a leasehold agreement with the District, in a form satisfactory to the Town Attorney, for the use of the New Library Site in exchange for $1/year for 50 years and other good and valuable consideration. The effective date of such lease shall be the date on which library construction begins. Beginning no later than the forty-ninth (49th) anniversary of the (effective date of the lease the Town and (the District shall commence good faith negotiations regarding the extension of the lease, termination of the lease, or other matters relating to the continuation of library and resource center services to residents of the Lyons area.

2. Operations Transfer. The District assumed operational responsibility for the Lyons Regional Library on July 1, 2015, at which time the Town transferred to the District ll materials previously housed in the library or stored for library use. The Town (hereby agrees to allow the District to store library materials in a storage shed on Town property until the new building is complete.

3. Facilities Transfer. As a result of flood damage to the Depot site in September 2013 as well as some pre-existing conditions that required repair, the Lyons municipal library, continues to be operated in a temporary leased facility on Main Street in Lyons. The First IGA contemplated the District moving into the Depot building upon completion of repairs to that building, but, as noted herein, the District has decided to construct a new facility

[1] The Parties acknowledge and agree that the legal description for the Library Building Site will likely change as a result of a proposed re-plat of the land. The Parties agree to substitute the new description for the current description if necessary.

elsewhere in Lyons to better serve future library patrons, and to remain at the Main St. location until a new building is complete to better serve current patrons.

4. Land & Title: The Town has agreed to make the New Library Site available to the District to construct the new library facility. The Town will continue to own the New Library Site and will lease it to the District in accordance with the terms set forth in this IGA. The Parties agree that the lease arrangement would not typically require a title insurance policy, but the Town has elected to acquire a title insurance commitment in order to identify any existing or potential claims against the property to defend any and all title disputes relating to the New Library Site. In the event of a question as to the validity of the Town's claim of ownership, the Town agrees to take such reasonable steps as may be necessary to confirm its ownership of the New Library Site, including but not limited to seeking to obtain appropriate deeds or other forms of documentation as to such property, and, if necessary, bringing a quiet title action or other legal proceeding to resolve any possible title disputes.

5. Municipal Campus

The Town is currently exploring the feasibility, including funding possibilities, of a "Municipal Campus" plan for the general area including the current Town Hall, the Depot site, the "RTD" parking lot, skate park, and RV dump station. The District and Town agree to cooperate in good faith in such planning efforts with the mutual goal of enhancing the desirability of any such "Municipal Campus" for their mutual benefit and the benefit of Lyons-area citizens. The Town acknowledges the District's intention to proceed without delay with designing and constructing a new library, and the Town remains committed to act in good faith assisting the District in such efforts, where appropriate. Both the District and the Town, however, acknowledge the possible benefits of coordinating efforts to most efficiently use tax funds, grants, donations and other revenue sources to provide enhanced civic and cultural opportunities for citizens. To that end, the Town and District agree that if the Town decides to proceed with a "Municipal Campus" project, the Parties will cooperate in good faith where appropriate. In any event, the District's opportunity to construct a new library on the New Library Site shall not be affected by any decision not to build a municipal campus.

6. Zoning

The Municipal Campus site is currently zoned "M" for municipal use, and the Town agrees that Municipal zoning is appropriate for constructing and operating a library facility on the New Library Site.

7. **Permitting and Fees**

The Town agrees to waive permitting fees and inspection fees on new construction if possible.

8. Parking

The Town and the District agree to work together in good faith to meet the parking needs of the library, town hall, and downtown business district through the use of shared and "library only" reserved parking spaces.

Irrigation:

The Town agrees to make available to the District sufficient water to irrigate landscaping on the New Library Site. The District agrees to pay a proportional share based on irrigated area of the Town's annual Lyons Ditch water share cost and to assume the costs of equipment maintenance, repair or replacement for the irrigation system on the New Library Site as defined by the leasehold agreement.

10 Utility Taps

The Town agrees to make water, wastewater and electrical taps available to the District at rates and fees to be determined by the Town(. The tap fees and utility rates to be paid by the District shall be commensurate with the fees and rates that would be charged to a new Town-owned building on the same site.

Skate Park, RTD lot, Recycle Center, and RV Dump Station

In order to accommodate the new library facility on the New Library Site, certain existing Town-owned improvements will have to be relocated or abandoned and disposed of prior to the groundbreaking of the new building in summer of 2017. These items include the Skate Park, the RTD parking lot, Recycling center, and RV Dump Station.

a. Skate Park – The Town is in the process of planning a new skate-park, the timing of which has yet to be determined. Ideally, the existing skate-park, can be abandoned in place and not be relocated to the future skate park location. If the new skate park is approved for construction, the Town will allow the existing skate-park to be demolished at the same time construction commences on the New Library Site. If that is the case, the District agrees to be responsible for the demolition and disposal of the materials from the existing skate park, and for all related costs. If the new skate park is not yet funded at the time when library construction commences, the District will pay 50% of the cost, up to a maximum of Two-Thousand Dollars $2000 of moving the current skate park equipment to another site.

b. Recycle Center – The Town agrees to relocate the Recycling Center, and to act in good faith to pursue all the necessary funds for the relocation, including anticipated grant funds to relocate the recycling center. In the event the Town does not receive

full funding to relocate the recycling center, the District agrees to contribute a maximum of Two Thousand Dollars $2,000 toward the relocation of the recycling center.

c. RTD Lot - The Town agrees to relocate the RTD lot before the groundbreaking for the new library building.

RV Dump Station: There is currently an RV sewage dump station located close to the intersection of 4th Avenue and Railroad Avenue. The Parties have agreed that it would be in the best interests of the Town and the District to relocate the RV dump station. The District agrees to obtain and pay for the engineering costs required to develop a set of construction drawings to relocate the RV sewage dump station. The District has agreed to pay for the construction costs associated with the relocation of the RV dump station, including the removal of the existing RV dump station.

12 own Meeting Room Use and Space

In recognition of the considerable organizational and financial assistance provided by the Town to the District, the District agrees to make available to the Town on a to-be-determined preferential basis, use of meeting rooms in any facility constructed by the District. The length and frequency of such use shall be structured so as not to interfere with library functions or to unreasonably interfere with meeting room use by community groups and area businesses. Meeting room policy and procedures will be determined by the District after the new facility is designed and will include designating a small meeting area for use by Town Boards and Commissions and access to the larger community room for occasional Town Hall style public meetings.

Additionally, should the Town desire to fund and build dedicated Council Chambers as part of the new facility, the District and Town agree to cooperate in the planning, design and construction of such space. The District agrees to consider this possible expansion of the library in the initial design phase of the new facility so as to accommodate a potential future addition.

The Town and District agree to meet and confer near the time of Certification of Occupancy issuance to develop a building use agreement.

13. Annual Financial Statements and Report

Pursuant to C.R.S. § 24-90-109(2), the District is required to make an annual report to the Town, Boulder County and Larimer County, showing the condition of its trust during the year, the sums of money expended, the purposes of the expenditures and such other statistics and information as the District board of trustees deems to be of public interest. The District shall provide a representative to present such report at a meeting of the

Town Board of Trustees on or before October 31 of each year and to answer any questions or provide such additional information as the Town Board of Trustees may reasonably request. The District also agrees to provide such an in-person annual presentation to the Board of Commissioners of Boulder County and the Board of Commissioners of Larimer County, if requested to do so.

14. Integration

This Agreement, together with those prior Intergovernmental Agreements among the Four Parties that survive the execution of this Agreement, contains the entire understanding of the parties and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing signed by the parties. To the extent that a conflict exists between this Agreement and any prior agreement between and among the Four Parties, the terms of this Agreement shall control.

15. Severability

If any provision of this Agreement is determined to be unenforceable or invalid for any reason, the remainder of this Agreement shall not be void, but shall remain in full force and effect.

16. Counterparts

This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall constitute one and the same Agreement.

17. Governing Law and Venue

It is the intention of the Four Parties that all questions of construction and interpretation of this Agreement and the rights and obligations of the Four Parties hereunder shall be determined in accordance with the laws of the State of Colorado. Venue shall be in the District Court of Boulder County, Colorado.

IN WITNESS WHEREOF, Boulder County, Larimer County, the Town and the District have signed this Agreement to be effective on the date last written below.

[*Remainder of Page Left Blank Intentionally, Signature Pages Follow*]

[*Signature Page to Intergovernmental Agreement Among the County of Boulder, Colorado, the County of Larimer, Colorado, the Town of Lyons and the Lyons Regional Library District*]

BOARD OF COUNTY COMMISSIONERS

BOULDER COUNTY, COLORADO

_____ _____

Chairman Date

ATTEST:

_____

[*Signature Page to Intergovernmental Agreement Among the County of Boulder, Colorado, the County of Larimer, Colorado, the Town of Lyons and the Lyons Regional Library District*]

BOARD OF COUNTY COMMISSIONERS

LARIMER COUNTY, COLORADO

_____ _____

Chairman Date

ATTEST:

_____

Signature Page to Intergovernmental Agreement Among the County of Boulder, Colorado, the County of Larimer, Colorado, the Town of Lyons and the Lyons Regional Library District

TOWN OF LYONS, COLORADO

_____ _____

Connie Sullivan, Mayor Date

ATTEST:

_____

Debra Anthony, Town Clerk

[*Signature Page to Intergovernmental Agreement Among the County of Boulder, Colorado, the County of Larimer, Colorado, the Town of Lyons and the Lyons Regional Library District*]

LYONS REGIONAL LIBRARY DISTRICT

_____ _____

President, Board of Trustees Date

ATTEST:

_____

Secretary, Board of Trustees