



Changing of the Season for the Aspens and the Vail Town Council

Vail Homeowners Association Newsletter

News, Analysis, and Commentary for Vail Homeowners

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An Undercurrent of Change

It's Election Season Again: Next month a majority of the Town Council is up for election as seven candidates are vying for four seats on the Council. The new Council will then elect the next mayor; so there could be a real change in Vail's governing body. This will be followed in May with the election of three seats on the Vail Recreation District Board (VRD); since there are only five seats, that election will also be for a majority of the VRD. For the Town Council election, the Vail Homeowners Association has created a [questionnaire](#) to query the candidates about their position on a range of issues important to residents. All [candidate responses](#) are available on-line.

Is Change Coming? There is an undercurrent of expectation that this election might be one of "change" but the big unknown is whether that will really happen. Several factors seem to be contributing: a sense that community values are being ignored, public weariness with the adversarial nature of many of the Town's recent decisions, political in-fighting between various Town factions, the perceived lack of leadership for conciliatory compromise and power brokering over economic development issues.

The momentum for "change" is being propelled by a more optimistic view of the community's future prospects. The worst of the Great Recession seems to be over as the crowds of visitors have returned in record numbers. As of October 1st, the Town reports a 10% rise across all funds year to date over the prior year. There are additional economic development opportunities underway that will further enhance the community's forward momentum... if there is a greater willingness to seek compromise rather than force results through confrontation. Discussions set aside in recent years are beginning to resurface. There are concerns rising about overcrowding and excessive urbanization. There is recognition of the need to rebalance economic development within the preservation of environmental and life style assets. More attention needs to be paid to regional factors, like expanded air service, and tackling big environmental issues including curing Gore Creek and I-70 water and noise pollution.

Drivers for Change

Does the Town's Focus Need Readjusting? Vail was founded on a foundation built on protection of property values based on solid zoning created by property covenants, respect for the quality of life of its residents and a low density European village model with an equal mix of residential and business interests. Some are now asking whether the Town has tilted too far in favor of business interests, especially since the Town has gone into business for itself. Crossing the line from a government body to a business proprietor puts the Town in a conflict of interest when residential rights are at issue. The recent confrontation over the Golf Course Clubhouse renovation and the movement of the 18th green pitted the neighborhood residents against the Town and resulted in a contentious lawsuit which continues to wind on. With 83% of the property within the Town of Vail now owned by individuals who are unable to vote in Town elections because of residency requirements, there is a fear that, in the absence of leadership for conciliatory compromise, more lawsuits will ensue as residents seek to protect their rights. There is also a fear some of the Town's business forays might not pan out, the ill-fated conference center is a prime example, and that will put the Town's finances in jeopardy.

Are Fractures Developing in Vail's Governing Infrastructure? Recently, there appears to have been an unprecedented spate of Town Council rejections of advisory decisions by its Planning & Environmental Commission and Design Review Board. Similarly, political in-fighting seems to have broken out among the Town's economic development factions as they vie for tax dollars and domination of the Town Council. These are not healthy nor sustainable conditions and many are looking to the elections as an opportunity to bring a fresh approach to the Town's government.

The Drama Behind the Curtain

Behind the scenes: Out of the view of the electorate, there appears to be a competition between two of the Town's Boards and the business interests aligned with them as candidates from those groups dominate the field in the current Council election. At issue might be control of the purse strings of critical accounts in the Town's \$54 million annual budget. The two boards are the Commission on Special Events (CSE) and the Vail Local Marketing District Advisory Council (VLMDAC). The VLMDAC, whose members **are not** term limited, is funded by a lodging tax and in large measure represents local lodging and corporate/foundation interests. The CSE, whose members **are** term limited, is funded from the general fund and aligns itself with retail merchants and restaurateurs. Between these two boards, cash largess totaling around \$4 million is spent annually, with additional large sums taken from the Town's reserve funds for extraordinary events like the 2015 World Alpine Ski Championships, the USA Pro Cycling Challenge race and the Burton US Open Snowboarding Championship competitions, among others.

Recently a rift between the two Boards, that occurred a few years ago when the VLMDAC sought to absorb the CSE into its operation, resurfaced. The VLMDAC wanted control over the CSE's budget with the intent of redirecting spending to its "health and wellness" marketing initiative. The VLMDAC had adopted its health and wellness initiative as the primary means to lead Vail through the recession. The fracture was papered over as each side sought and achieved a greater degree of common purpose. However, in the last two years, record setting gains in sales tax receipts demonstrated that the success of the CSE's special event venue has over-shadowed the productivity of the VLMDAC's health and wellness agenda.

How Not to Win Friends: Furthermore, the VLMDAC, through the activities of some of its members, became associated with championing the redevelopment of the Golf Clubhouse into a commercial event center, requiring the reconfiguration of the 18th hole of the golf course. The repercussions of their insistence upon the inclusion of the commercial event center in the club house created a political upheaval the likes of which has not been seen since the 2005 Solaris redevelopment battle. The clubhouse

redevelopment is locked, for the time being, in litigation between the Town and adjacent residential neighbors.

Is a Course Change Needed?

Questions Beginning to Arise: There are those who, after seven years of restrained progress, are beginning to question whether the VLMDAC's "health and wellness strategy" needs a change in course. The patience to wait for the economic returns of a long-term strategy may have dampened its appeal, particularly when it may involve the capital investment of millions more dollars to sustain development of the local health care industry. On the other hand, there is agreement that the economic future of Vail and Eagle County is vested in attracting and sustaining highly desired elements of that industry.

At the same time, there are those who question whether Vail is becoming "over-eventized" and whether it is time to scale back and emphasize quality over quantity. More recently, questions are being raised about whether either group should be favored. Both are trying to commercialize Vail and "put more heads in beds"; they just come at it from different perspectives. Their efforts, together with VRI's new summer activities, threaten to turn Vail into a giant amusement park, and all these things are changing the character of Vail. In the push to commercialize, quality-of-life issues seemed to have been pushed to the back burner.

Vail's Shrinking Reserves: Each budget season brings a lineup of event providers seeking public funds. In recent years, several new large scale events have been funded from the Town's reserves, which historically had been spent on capital projects rather than to cover special events. As a result, the Town's reserves, which reached a high of \$69 million in the Vail Renaissance boom years, have since been drawn down to \$30 million and, if the desire to make further withdrawals from the reserve succeeds, it could decline to \$8 million, the minimum reserve amount recommended by the Town's financial advisors. Of long-term concern is the recent removal of a measure that restrained the percentage of operational spending in the Town's annual budget. Without that constraint, operational costs as a percentage of the annual budget in recent years has increased while capital expenditures have declined. With no public support for tax increases, each entity may well have to be content with shrinking financial support from the Town as other pressing priorities inevitably eclipse their day in the sun.

Transparency May be Part of the Answer: Improving understanding through communication is a reoccurring theme in the community. The Town Council has led the way with the live streaming of its deliberations over the Internet and on local public television. Extending this exposure to other deliberative boards and committees of the Town could give an even better glimpse into the operational complexity of Vail's public political processes.

Windows Are for Looking In as Well as Out: Opening windows to view Vail's government at work could become a valuable tool to help educate the community's citizens and future leaders. It could open windows for non-residents so that they do not feel shut off from the process. After all is said, better government is a result of a citizenry that can take up their responsibility to become fully informed participants. Understanding through learning cannot happen if there are no windows through which to gain a better view.

The Retail Mix and Lease Rates

Is There a Problem with Vail's Retail Mix and Lease Rates? There are some analysts saying that Vail cannot be sustained indefinitely on special events to feed its economic diet. Other resort competitors have caught on and are rapidly emulating Vail's success. As a consequence, there may be a need to shift towards events that attract high value customers whose numbers put less of a strain on the community's supporting infrastructure.

Staying Open to Being Open: The goal of having more total days of tourism throughout the year is edging upward in the off-seasons. The quandary for many businesses is whether to stay open during the down times. There are synergies to be gained if there are more businesses opened than closed. But there has as yet to be an economically compelling, overarching business model that can deliver enough customers for a wide variety of businesses to be able to cover their operational overhead during the off-seasons.

Lights On in the Window: Much has been made of the vacant Bridge Street storefronts with papered over windows. Some of the shuttered spaces are waiting for the right tenant. There are others where the landlords want zoning changes so that they can make a go of it. The Town of Vail is reluctant to downgrade the use of any space that generates sale tax revenues. Coming from some of the businesses is the perennial complaint that their landlords want too much for their leases. Some forward leaning Bridge Street merchants are investing in the expansion of their businesses. Others say, quality customers will always find their way to a business that offers quality service and products.

Landlords Should Focus on Getting the Right Mix of Tenants: The high lease cost of commercial space was supposed to have been solved by the Vail Renaissance, which, through zoning changes, increased the quantum amount of available inventory to drive down costs, by increasing the supply. There are analysts suggesting that there is plenty of commercial space. What is missing, they say, is the appropriate mix of retail and restaurants. They worry over the trend that some smaller businesses, which cater to the carriage trade, are not fully seasonal, making their return on product lines for only a portion of the summer and winter seasons. It would be mutually supportive for all businesses if these smaller specialized enterprises provided a broader mix of products that drew in customers throughout the entire season.

Planning for the Future: Non-resident property owners and returning destination guests look forward to new businesses as well as relying on those that are familiar and dependable. Economic development planners could make a further contribution to improving the business of doing business by reporting on the trends in what Vail's domestic and global competition is moving towards in terms of mix, presentation, services and neighborhood compatibility. Planners also need to take into account that Vail and its mountain operations are quickly approaching full capacity. Vail has already established itself as one of the premier resorts in North America. The challenge now is to manage that success for a healthy and vibrant future.

Online Candidate Election Forum Underway - New Responses Received

Town of Vail 2013 Town Council Election

This November 5th, Vail's registered voters will decide who will fill four of the seven seats on the Vail Town Council. With Vail's limited population of registered voters, every vote counts! The Vail Homeowners Association gives Vail Town Council candidates the opportunity to provide written answers "in their own words" to questions gathered from members of the community. Each candidate's responses are posted on the Association's website as they are received. We'll send you additional updates as the campaign proceeds and the candidates respond. View responses from:

[Jenn Bruno 10/23/13 - complete](#)
[Dale Bugby 10/9/13 - complete](#)
[Sounia Nejad Chaney 10/23/13 - complete](#)
[Dave Chapin 10/22/13 - complete](#)
[Meighan Lovelace 10/7/13 - partial](#)
[Greg Moffet 10/23/13 - partial](#)
[Susie Tjossem 10/16/13 - complete](#)

Additional Questions for the Candidates

VHA's questions address the candidates' qualifications as well as their views on issues important to Vail's voters and property owners. There were 15 Questions; the final question is shown below:

15. Please rank the following TOV issues in priority order: 1 highest, 15 lowest and bold/underline those items most important in each category. Elaborate with commentary, should you desire to do so.

1. ___Incentivize the building of more commercial space, condominiums, hotel rooms, transient employee housing and/or affordable full-time resident housing.
2. ___Increase snow plowing and/or snow removal and/or treatment of urban runoff to reduce stream pollution.
3. ___Increase police presence with more car and/or foot patrols and/or traffic management and/or increased enforcement of nuisance amplified sound and/or late night noise and/or highway noise.
4. ___Increase sidewalks/curbs & gutters, recreational paths, street paving, frontage road parking, building more public parking structures and I-70 sound barriers.
5. ___Expand and/or change shuttle bus service frequency and/or routes serving residential neighborhoods and/or improve public safety in commercial areas.
6. ___Fund more and/or larger special events summer and winter and/or improve quality of existing events.
7. ___Increase Town of Vail tax revenues and/or cut budgets and/or spend cash reserves to fund higher operating and/or capital improvement budgets.
8. ___Emphasize solutions responding to environmental issues, highway noise, Gore Creek pollution, voluntary and/or mandatory trash recycling, charge a fee or ban plastic grocery bags, impose more stringent energy and/or environmental conservation building codes, terminate heating streets and/or driveways, incentivize public and/or private investment in solar and/or wind and/or other alternative energy sources.
9. ___Expand redevelopment through zoning and/or master plan incentives by increasing densities in mixed residential and commercial and/or residential neighborhoods.
10. ___Fund more public art and/or protect more open space and/or parks from excessive use.
11. ___Increase Fire Department emphasis on reducing wildfire threat and disaster preparedness.

12. ___Leave the community's emergency helipad, used by the Vail Valley Medical Center, in its present location or move it adjacent to residences in an established residential neighborhood.
13. ___Where would you allow Pot Shops to be located: Vail Village, Lionshead, West Vail Commercial Center, other specified locations and/or ban altogether?
14. ___Reduce motorized vehicular traffic and public safety conflicts on Town streets used for tourism by means of the Town of Vail providing alternative points and routes of vehicular access, i.e. roundabouts and underpasses, and/or limiting vehicular access via traffic management methods and/or aggressive enforcement.
15. ___Repeal or modify the Town of Vail mandatory affordable housing requirements. [See all questions...](#)

Every Vote Matters - Election Specifics

SPREAD THE WORD!

Due to changes in the state's election laws, the Town of Vail no longer automatically mails ballots to all voters who had previously requested to vote by mail. We encourage all Vail voters to verify that they are registered to vote and to request a mail-in ballot now if you do not plan to vote at the polls. See the following information from the Town of Vail's website:

Vail's Nov. 5 election is an at-the-polls format with all voting taking place at the Town of Vail Municipal Building, 75 S. Frontage Rd., from 7 a.m. to 7 p.m. It is separate from the Eagle County election. Voters who won't be casting ballots in person at the polls on Nov. 5 must fill out an application for a mail-in/early voter ballot. The application form is available from the Town Clerk's Office or on the town's website:

http://vailgov.com/docs/dl_forms/application_for_mail_in_early_voters_110513.pdf

The deadline to submit a mail-in/early voting request form for out of state delivery is Oct. 25 to be able to return the voted ballot to the Town Clerk's Office by the Nov. 5 deadline. Anyone receiving a mail-in ballot becomes ineligible to vote at the polls.

Early voting began on Oct. 24th at the Vail Municipal Building and will continue through Nov. 1 from 8 a.m. to 5 p.m. Monday through Friday.

Eligible voters include those who are U.S. citizens, are 18 years of age or older and have established residency within the Town of Vail 22 days preceding the election; but you must register. Voter registration is available between now and Oct. 28 through the State of Colorado online voter registration system. To register, go to:

<https://www.sos.state.co.us/Voter/secuVerifyExist.do>

Voters will also be able to register in person at the Eagle County Clerk & Recorder's offices up to the day of the election. To verify if you are currently registered to vote, visit: <https://www.sos.state.co.us/Voter/secuVoterSearch.do>

Also see the [TOV 2013 Election Calendar](#) & [Important Election Information](#). For more information, contact the Vail Town Clerk's Office at 970-479-2113.

Vail Homeowners Association - Become a Member

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