



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JUNE 27, 2019
101 W. 8TH STREET
6:15 PM

The agenda is subject to *change, including the addition of items 24 hours in advance or the deletion of items at any time.*
The order and times of agenda items listed are approximate and intended as a guideline for the City Council.

TIME	ITEM	PRE-MEETING	ACTION
2:45pm	1. Review of Regular Session Agenda		Information/Discussion
	2. Future Agendas		Information/Discussion
WORK SESSIONS			
3:00pm	A. Youth Smoking and Vaping		Information/Discussion
4:30pm	B. Board and Commission Interviews		Information/Discussion
6:00pm	Meeting Set-up		
REGULAR SESSION			
6:15pm	1. Roll Call		Quorum
	2. Pledge of Allegiance		
	3. Agenda Changes & Conflicts		Information
	4. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)		Information
	5. Council Comments		Information/Discussion
6:20pm	6. Consent Agenda		Discussion and/or Action
	<i>All matters under consent are considered to be routine and will be enacted by one motion and vote. The titles will not be read aloud. There will be no separate discussion on these items unless a Councilmember or Audience Member so requests.</i>		
	A. Amended IGA with Glenwood Springs Rural Fire Protection District		
	B. Planning Item: Consideration of a Revocable License to Encroach for a Snowmelt System under a public Sidewalk Address: 210 7th Street Owner: Cottoncandy, LLC		
	C. Minutes from the May 28, 2019 Special Meeting, June 6, 2019 Regular Meeting and June 13, 2019 Special Meeting		
	D. Approval of ESC Substation Design Proposal		
	E. Approval of Bid Award for a New Transit Bus		
	F. Frontier Paving Change Order		
	G. Resolution 2019-28; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing the Mayor or Mayor Pro Tem to Execute Closing Documents Related to the Purchase of 2222 Devereux Road, Glenwood Springs, Colorado		

- H. Resolution 2019-29; A Resolution of the City of Glenwood Springs, Colorado, Authorizing the Mayor or Mayor Pro Tem to Execute Closing Documents Related to the Purchase of Property Adjacent to Airport Road, Glenwood Springs, Colorado
- I. MOU with Colorado Energy Office
- J. Ordinance No 17, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Code Section 040.020.170 - adding the definition of a local business to the Economic Development Rebate section of the code (SECOND READING)

ACTIONS AND/OR PRESENTATIONS

6:25pm	7. Garfield Clean Energy Collaborative Board and CLEER Staff	Presentation
6:35pm	8. Asset Management Software	Discussion and/or Action
6:45pm	9. Appointments to Boards and Commissions	Discussion and/or Action
6:55pm	10. Consideration of Purchase Contract for 191 Soccer Field Road for the Parks and Facilities Departments	Discussion and/or Action
7:00pm	11. Vacation Rentals, Consideration of 070.030.030 Text Amendments and permit requirements for Accessory Tourist Rentals and Short Term Rentals	Discussion and/or Action
	A. REVISED Resolution 2019-14; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Amending Vacation Rental Application Fee and Vacation Rental Permit Application	Discussion and/or Action
	B. REVISED Ordinance No 9, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Revising Code Provisions to Vacation Rentals (FIRST READING)	Discussion and/or Action
7:40pm	12. Report from City Administration	Information/Discussion
	A. City Manager	
	i. Fencing for Orpheus Festival	
	B. City Attorney	
	C. Correspondence Incoming/Outgoing	
7:45pm	13. Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b), and (e), related to RMR, RICD, and Ross Litigation Settlement.	Information/Discussion
	14. Adjournment	



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JULY 18, 2019
101 W. 8TH STREET
6:15 PM

The agenda is subject to *change, including the addition of items 24 hours in advance or the deletion of items at any time.*

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TIME	ITEM	PRE-MEETING	ACTION
	1.	Review of Regular Session Agenda	Information/Discussion
	2.	Future Agendas	Information/Discussion
		WORK SESSIONS	Information/Discussion
4:45pm	A.	Glenwood Springs Rural Fire Board	
	B.	Elected Official training with Anna Itenberg	
	C.	RFTA	
		Meeting Set-up	
		REGULAR SESSION	
	1.	Roll Call	
	2.	Pledge of Allegiance	
	3.	Agenda Changes & Conflicts	
	4.	Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)	
	5.	Council Comments	
	6.	Consent Agenda	
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		ACTIONS AND/OR PRESENTATIONS	
	7.	Stormwater	
	8.	Hanging Lake Update	
	9.	Trails Recap/Update	
9:10pm	10.	Ordinance No 16, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Amending Section 050.030.010 and Title 070 of the Glenwood Springs Municipal Code - regarding Sign Code Previsions, Appeals, and Automotive Fuel Stations and Service Stations (FIRST READING)	Discussion and/or Action
	11.	RFTA	
	12.	Resolution 2019-28 ____ Penalty Assessment	
	13.	Bid Award for the 6th Street Roundabout Landscaping	
	14.	Report from City Administration	

- A. City Manager
 - B. City Attorney
 - C. Correspondence Incoming/Outgoing
15. Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b), and (e), related to Information/Discussion
16. Adjournment



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
AUGUST 1, 2019
101 W. 8TH STREET
6:00 PM

The agenda is subject to *change, including the addition of items 24 hours in advance or the deletion of items at any time.*

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TIME	ITEM	PRE-MEETING	ACTION
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		REGULAR SESSION	
	1. Roll Call		
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	4. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)		
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		ACTIONS AND/OR PRESENTATIONS	
	7. Report from City Administration		
	A. City Manager		
	B. City Attorney		
	C. Correspondence Incoming/Outgoing		
	8. Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b), and (e), related to		Information/Discussion
	9. Adjournment		



Show Me Your License

The Basics of Tobacco Retailer Licensing



Q: What is a tobacco retailer licensing (TRL) law?

A: A tobacco retailer license is a special license the government issues to businesses that sell tobacco products. State and local governments commonly use licensing to regulate certain kinds of businesses and professions, such as alcohol retailers, pharmacies, and restaurants.

Similar to other licensing schemes—such as driver’s licenses—TRL is aimed at ensuring that licensees are aware of eligibility requirements and performance standards. TRL also puts in place a system to address the problem when licensees fall short. If a business fails to meet the eligibility requirements or performance standards, its license can be suspended or revoked, prohibiting the business from selling tobacco until the license is reinstated. As with a license to sell alcohol products, obtaining the license is acknowledgment that selling tobacco products is a privilege, not a right.

Q: Why is TRL good for my community?

A: Communities adopt TRL laws for many reasons—for example, to ensure comprehensive local enforcement of all tobacco laws that affect the retail environment. This and other points are discussed below.

TRL is a comprehensive enforcement tool.

Local governments can use TRL to enforce all tobacco-related laws that affect the retail outlet. For example, under state and/or federal law, it is illegal to sell tobacco to youth,* display tobacco products via a self-service display, or sell single cigarettes, but each of these laws currently has a different enforcement mechanism. Furthermore, enforcement of these laws may not be a top priority for state or federal agencies. Under a strong TRL law, violation of these laws also constitutes a violation of the local tobacco retailer license. Because TRL can be enforced locally, local communities can use it to prioritize enforcement of state and federal laws even when state and federal authorities are unable to do so.

TRL protects youth.

TRL is an effective tool for reducing tobacco sales to youth because it helps ensure that retailers comply with existing laws that prohibit tobacco sales to youth. Research has shown that local tobacco retail ordinances dramatically reduce youth access to cigarettes. For example, a review of 33 California



* Federal law prohibits the sale of tobacco products to individuals under the age of 18. However, many state and local governments have established higher minimum legal sales ages ranging from 19 to 21. For a list of local governments that have increased the minimum legal sales age to 21, see www.tobaccofreekids.org/assets/content/what_we_do/state_local_issues/sales_21/states_localities_MLSA_21.pdf. For a list of minimum legal sales ages in each state, see the American Lung Association’s State Legislated Actions on Tobacco Issues State Pages at www.lungusa2.org/slati/states.php.

communities with strong TRL laws overwhelmingly demonstrated a decline in each community's youth sales rate after the local government enacted the law, with an average decrease of 26%.¹ Similarly, a study of several Minnesota cities found that an increased licensing fee along with strict enforcement of youth access laws led to a decrease in the percentage of youth able to purchase tobacco from 39% to 5%.² TRL also can be used to prohibit or limit the sale of other tobacco products that appeal to youth, such as menthol cigarettes, flavored electronic smoking devices (like e-cigarettes), and flavored little cigars.

TRL helps communities track tobacco sales.

Through TRL, local government can maintain an inventory of all the businesses that are selling tobacco, including the different kinds of businesses that sell tobacco and where they are located relative to schools, youth-populated areas, and each other.

TRL fees provide for self-financing enforcement.

A key advantage of a TRL system is that the fee the business pays annually to keep its license can be used to fund implementation and enforcement of a TRL program, which allows for regular compliance checks of retailers.

TRL can help communities improve health equity.

One of the most promising potential uses of TRL is to reduce inequities in how tobacco products are marketed and sold in underserved communities. Research has found that the prices of tobacco products tend to be lower in neighborhoods of low socioeconomic status and African American neighborhoods.³ Evidence shows that these same communities have higher rates of tobacco use and addiction, worse health outcomes, and increased health inequities.⁴ Because the health problems associated with tobacco use fall disproportionately on underserved communities, policy interventions that affect consumption, price, or marketing also have a greater impact on these populations and have the potential to address these inequities.

Q: It's already illegal for youth to buy tobacco products. Why do we also need to license retailers?

A: All state governments, as well as the federal Family Smoking Prevention and Tobacco Control Act (often known as the Tobacco Control Act), prohibit the sale of tobacco products to youth.⁵ However, under existing laws, youth purchase rates remain quite high. In 2014, nearly 10% of retail outlets illegally sold tobacco to minors.⁶ A strong TRL law can help counter the tobacco industry's predatory practices that disproportionately target youth; facilitate comprehensive enforcement of federal, state, and local tobacco laws; and ensure that inspections and compliance checks occur in all the stores in the community.

Q: My state already has a TRL requirement. Why would a local law benefit my community?

A: Although nearly 40 states have TRL laws at the state level, most of these programs were created to ensure that retailers comply with the requirements of tax laws, such as selling tobacco products with a legitimate tax stamp, rather than to promote public health and advance equity.⁷ Most state-level TRL laws are administered and enforced by a state department of revenue or taxation, and these agencies may not have the same public health priorities as a local community. By adopting a local TRL law, a jurisdiction can enforce local, state, and federal tobacco-related laws—all on the local level.

TRL gives local government the authority to intervene as needed, making enforcement more effective and more efficient. For instance, if there are reports of the convenience store near the high school selling cigarettes to youth, local officials can address the problem directly by conducting their own compliance check instead of waiting for a state enforcement operation to come to town. It is possible to create a state-level TRL law (or amend an existing state law) to accomplish the same things as a strong local TRL law, but to date, no state has done so.

Q: Is a local TRL law legal?

A: Yes. A TRL law is a valid exercise of a local government's police power authority to protect the health, safety, and welfare of the community. However, some state laws prohibit or *preempt* local laws regulating the retail environment. To find out if a state has a preemption provision that would affect a local TRL law, consult with a local government attorney or a provider of state or national legal technical assistance. ChangeLab Solutions and the Tobacco Control Legal Consortium are legal organizations funded to provide technical assistance on retail issues pertaining to tobacco control nationwide.

In addition, several states are served by a legal technical assistance provider, funded to work directly with communities in those states. Collaboration with local city or county attorneys may also be necessary to ensure that a local government has the authority to implement TRL. If there is no state preemption, a local government will likely be able to adopt its own TRL law. Although the federal Tobacco Control Act regulates some tobacco products, it explicitly allows state and local governments to adopt laws that are stricter than the federal law.⁸

Q: Is it fair to charge retailers a fee to sell a product that is legal? Couldn't it put small retailers out of business?

A: Tobacco is one of the only addictive and deadly products that does not require a government license and fee in order to be sold. In the case of alcohol, for instance, each state either requires retailers to have a license to sell alcohol products or allows sales only in state-run outlets. Such licenses can cost hundreds or thousands of dollars per year.⁹

In addition, retailers generate tremendous income from the sale of tobacco products. Cigarettes are the number one product sold at convenience stores, and in 2012, they generated average sales of \$622,248 per store.¹⁰ Licenses and fees are required for a variety of activities, such as driving, hunting, and getting married. Businesses in industries such as personal or animal care, mental health, professional services, or food services also need to obtain licenses or permits before conducting business. A local licensing program is a way to ensure that sales of a deadly product are done lawfully.

Q: In addition to preventing tobacco sales to youth, how can a community use a TRL system?

A: TRL can be used to enforce virtually any tobacco-related policy at retail outlets, including strategies to increase the price of tobacco products, to require a minimum pack size for little cigars, to restrict the sale of menthol cigarettes and other flavored tobacco products, and to regulate tobacco retailer location or density. ChangeLab Solutions has [model policy language](#) available on each of these topics.

Q: Are tobacco control advocates collaborating with professionals who are working to increase access to healthy food and reduce access to alcohol in the retail environment?

A: Yes. For example, California's [Healthy Stores for a Healthy Community](#) campaign is a statewide collaboration of partners advocating healthy nutrition, prevention of tobacco use, and prevention of alcohol use, coordinated by the California Department of Public Health's Tobacco Control Program. The campaign focuses on the link between the store environment and community health. In 2016, counties throughout California conducted surveys at more than 7,000 stores that sold tobacco. The surveys included questions on the availability of and advertisements for tobacco, food and beverage, and alcohol products. This survey found that statewide, more stores sold fruit-flavored tobacco than real fruit; nearly 70% of stores had exterior advertisements for unhealthy products (alcohol, tobacco, or unhealthy food); 41% of stores sold sugary drinks at the checkout; and more than 69% of stores that sold alcohol also sold alcopops, which are sweet, often fruit-flavored alcoholic beverages that are particularly appealing to youth.¹¹

Q: How do I get started developing tobacco retailer licensing?

A: ChangeLab Solutions has developed the [Tobacco Retailer Licensing Playbook](#), an easy-to-use guide that outlines strategies to develop, implement, and enforce a comprehensive TRL policy. The playbook provides all the steps and considerations involved in building support for TRL, and it includes examples and key resources to help communities create a strong local policy that improves public health. [Contact](#) ChangeLab Solutions for technical assistance on implementing TRL in your community.

- ¹ The American Lung Association in California Center for Tobacco Policy and Organizing. *Tobacco Retailer Licensing Is Effective*, 2013. Available at: <http://center4tobaccopolicy.org/wp-content/uploads/2016/10/Tobacco-Retailer-Licensing-is-Effective-September-2013.pdf>.
- ² Forster JL, Murray DM, Wolfson M, Blaine TM, Wagenaar AC, Hennrikus DJ. The effects of community policies to reduce youth access to tobacco. *American Journal of Public Health*. 1998;88(8):1193-8.
- ³ Cantrell J, Kreslake JM, Ganz O, et al. Marketing Little Cigars and Cigarillos: Advertising, Price, and Associations with Neighborhood Demographics. *American Journal of Public Health*. 2013;103(1):1902-9.

Toomey TL, Chen V, Forster J, Coevering PV, Lenk KM. Do Cigarette Prices Vary by Brand, Neighborhood, and Store Characteristics? *Public Health Reports*. 2009;124(4): 535-40.

Feighery EC, Schleicher NC, Boley Cruz T, Unger JB. An Examination of Trends in Amount and Type of Cigarette Advertising and Sales Promotions in California Stores, 2002-2005. *Tobacco Control*. 2008;17(2):93-8.

Henriksen L, Schleicher NC, Dauphinee AL, Fortmann SP. Targeted Advertising, Promotion, and Price for Menthol Cigarettes in California High School Neighborhoods. *Nicotine and Tobacco Research*. 2012;14(1):116-21.
- ⁴ Tobacco-Related Disparities. Centers for Disease Control and Prevention website. www.cdc.gov/tobacco/disparities/index.htm. Accessed February 20, 2018.
- ⁵ Family Smoking Prevention and Tobacco Control Act (Pub. Law 111-31, June 22, 2009); A summary of the retail provisions of this Act can be found at: US Food and Drug Administration. Family Smoking Prevention and Tobacco Control Act – An Overview. 2018. Available at: www.fda.gov/tobaccoproducts/guidancecomplianceregulatoryinformation/ucm246129.htm.
- ⁶ Substance Abuse and Mental Health Administration, Tobacco Sales to Youth, FFY 2014. Available at: <https://store.samhsa.gov/shin/content//SYNAR-15/SYNAR-15.pdf>.
- ⁷ More than 40 states require a tobacco retailer license for over-the-counter sales, vending machine sales, or both. State Tobacco Activities Tracking and Evaluation (STATE) System. 2018. Available at: www.cdc.gov/STATESystem. Most state tobacco retailer licensing laws are implemented and enforced by the state agency that enforces tax laws.
- ⁸ 21 U.S.C.A. § 387p(a)(1).
- ⁹ For example, \$500-\$1,000 in Indiana (Ind. Code. § 7.1-4.41-12(c)); \$624-\$1,820 in Florida (Fla. Stat. § 565.02(1)(a)-(f)); \$300-\$3,000 for two years in Delaware (Del. Code Ann. tit. 4 § 554).
- ¹⁰ The American Lung Association in California Center for Tobacco Policy and Organizing. *Cigarettes Generate Big Revenue for Convenience Stores: Analysis of 2013 State of the Industry Report*. Available at: <http://center4tobaccopolicy.org/wp-content/uploads/2016/10/Cigarettes-Generate-Big-Revenue-September-2013.pdf>.
- ¹¹ California Department of Public Health, Healthy Stores for a Healthy Community. Available at: <http://healthystoreshealthycommunity.com/media-center/?campaign>.

ChangeLab Solutions is a nonprofit organization that provides legal information on matters relating to public health. The legal information provided in this document does not constitute legal advice or legal representation. For legal advice, readers should consult a lawyer in their state.

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Point-of-Sale Tobacco Pricing Policies

Set a minimum price for all tobacco products



Pair minimum price with minimum pack size



Prohibit redemption of coupons, discounts, & promotions



Strong tobacco pricing policies improve public health & advance health equity



Reduce racial & geographic targeting & disparities



Reduce income-based disparities in smoking rates



Encourage & facilitate quit attempts



Discourage youth initiation

Considerations in Implementing & Enforcing Pricing Policies as a Public Health Strategy



Implement pricing policies through a stand-alone ordinance or as part of tobacco retailer licensing requirements



Increase cessation resources for communities most affected by price increases



Ensure equitable enforcement of policies to avoid creating new inequities or exacerbating existing ones



Obtain legal support & technical assistance to ensure legal authority



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Board and Commission Interviews

Action Requested: Interview potential board and commission members.

Department: City Clerk

Presented By:

Background Info: Some of the boards and commissions have members with expiring terms. Applications have been submitted by potential members

Issues: None

Staff Recommendation: N/A

June 27, 2019 Boards & Commissions Interviews

BOARD	NAME	INTERVIEW TIME	NOTES
Parks & Rec	Dawn Randolph	4:30pm	
DDA	Randy Diers	4:40pm	
Airport	Alan Arnold	4:50pm	
DDA	Shelley Fishbein	5:00pm	Phone interview
DDA	Lisa Nieslanik	5:10pm	
Airport	Rich Backe	5:20pm	
FAB	Ksana Oglesby	5:30pm	
FAB	Christian Henny	5:40pm	
DDA	Kevin Brady	5:50pm	
DDA	Troy Casey	6:00pm	
UNABLE TO INTERVIEW			
Arts & Culture	Bryana Starbuck	Not Available during this time	
GSFD Pension	Mike Alsdorf	Not Available during this time	
Parks & Rec	Jasmin Ramirez	Not Available during this time	

Vacancies

BOARD	AVAILABLE SEATS	NUMBER OF APPS
Airport	2 Regular	2
Arts & Culture	3 Regular & 1 Youth	1
Building Board	1 Fire Related	0
DDA	2 Regular	3
FAB	2 Regular	2
Parks & Rec	1 Regular & 2 Alternate	2
Transportation	1 Regular & 1 Alternate	0
GSFD Pension	1 Regular	1



City of Glenwood Springs
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Email: catherine.mythen@cogs.us

AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home Work

Fax Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Personal and Professional Interests

1. Do you have any specific areas of interest relating to the airport? Do you have any particular perspective related to its use or development?

2. What do you view as your role if selected as a member of the Airport Board?



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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. Do you have any experience working with people on a board, commission, committee, or as part of some other decision-making group?

I am currently at n the airport board.

4. Do you understand that as a member of the Airport Board you would be serving in an advisory role to City Council regarding airport issues?

See above.

5. If, as a member of the Airport Board, you had to make a decision that was unpopular with either airport users or residents surrounding the airport, how might you approach that situation?

Logically.

6. The Airport Board meetings typically occur one morning a month, with other occasional related events, meetings and e-mail contact. Will you be sufficiently available to participate?

I have been in attendance at most meetings.

7. Do you have any areas of expertise that could be helpful to the Board's decision-making?

I have experience as a pilot and I am familiar with the airport.

Thank you for your interest and time commitment in serving your community

Please complete this application and forward it to the City Clerk either by mail to: 101 West 8th Street, Glenwood Springs, CO 81601; fax to: 970-945-5023; email: catherine.mythen@cogs.us; or online:

www.cogs.us



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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE AIRPORT BOARD

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Airport Board:

(2) Airport Board:

a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

Powers and Duties:

(b) Powers and Duties of Airport Board. The powers and duties of the Airport Board shall be to investigate, study and report to the City Council all matters concerning the airport facilities of the City and other matters concerning the subject of aviation which may be pertinent to the City as shall be requested of the Airport Board by the City Council; and such Board may investigate, study and report to the City Council on such other matters concerning the Municipal Airport as the Board may deem for the best interests of the City.



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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

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1. Do you have any specific areas of interest relating to the airport? Do you have any particular perspective related to its use or development?

2. What do you view as your role if selected as a member of the Airport Board?



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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. Do you have any experience working with people on a board, commission, committee, or as part of some other decision-making group?

yes, construction site management for 45 years,

4. Do you understand that as a member of the Airport Board you would be serving in an advisory role to City Council regarding airport issues?

yes

5. If, as a member of the Airport Board, you had to make a decision that was unpopular with either airport users or residents surrounding the airport, how might you approach that situation?

Decisions should be made based on facts both financial and logistical

6. The Airport Board meetings typically occur one morning a month, with other occasional related events, meetings and e-mail contact. Will you be sufficiently available to participate?

yes

7. Do you have any areas of expertise that could be helpful to the Board's decision-making?

Thank you for your interest and time commitment in serving your community

Please complete this application and forward it to the City Clerk either by mail to: 101 West 8th Street, Glenwood Springs, CO 81601; fax to: 970-945-5023; email: catherine.mythen@cogs.us; or online:

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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 1 – Name and Address

Name Bryana Starbuck
Home Address 123 White Horse Place, Glenwood Springs, CO 81601
Mailing Address 123 White Horse Place, Glenwood Springs, CO 81601

Section 2 – Contact Information

Home: 970-691-6884 Work: 970-691-6884
Fax: N/A Mobile: 970-691-6884
Email: bmstarbuck@gmail.com

Section 3 – Occupation

Occupation Account Manager, Public Information Manager at PR STUDIO

Section 4 – Membership Qualifications

MEMBERSHIP QUALIFICATION	Check Here
A. Five (5) citizens who are a resident of the City.	☒
B. Two (2) citizens of which may reside outside of the City, but within 81601 zip code area or own real property or a business within the City.	☐

You must qualify as one of the above to serve on the Arts and Culture Board. Please check the box next to the one that applies to you, and explain here how you are qualified:

I have lived in the Glenwood Springs area for nearly my whole life and I have a deep understanding of the importance that arts and culture programs play in our community. I have been lucky to enjoy cultural and arts experiences thanks to local programs and organizations. I have already served one year on the Arts and Culture Board for the city.



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Fax: 970-945-5023
Email: catherine.fletcher@cogs.us

ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests

1. Why are you interested in serving on the Arts and Culture Board?

I am an adamant patron and advocate for arts and culture programs as I believe that they are a key component to a thriving and vibrant community. I would like to continue with the work and initiatives that I have helped shape the last year.

2. What do you view as your role if selected as a member of the Arts and Culture Board?

My role as a Glenwood Springs resident would be to assess opportunities and move projects forward related to promoting arts and culture in Glenwood Springs without bias. I would work with fellow board members to support and follow all of the powers and duties of the Arts and Culture Board.

3. Do you have marketing, advertising or public relations experience or skills?

Yes, my professional background is in marketing, public relations and strategic communications.

4. Do you have Arts/Culture experience or skills? (ex. Performing arts, visual arts, public arts, museums arts education)

I have been a member of the Arts and Culture Board for the past year. I have been part of several choral organizations. In university, I lead the French Club and Education Abroad Club as president and as a club officer. Promoting cultural awareness was a large component of both organizations. I have also volunteered for numerous arts programs.

5. Can you describe an experience making a decision based on public opinion?

Two critical components of decision making are open communication and transparency. Open communication includes providing opportunities for input and collaboration, reviewing suggestions fairly, without bias, clearly explaining how a decision was reached and coming to alignment on messaging and next steps. Transparency creates trust and is especially important when not all sides agree.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests (continued)

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

7. Do you have any existing time commitments that will hamper your ability to serve?

While my work schedule is demanding, I can accommodate additional time commitments.

8. What experience do you have working with people on a board, commission or committee?

I have served the last year as part of the Arts and Culture Board. I've worked professionally with the Glenwood Springs Downtown Development Authority. I also work very collaboratively with local, regional and state organizations.

Thank you for your interest and time commitment in serving your community

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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Powers and Duties of the Arts and Culture Board (GSMC 020.020.030[N]):

(n) Arts and Culture Board. The powers and duties of the Arts and Culture Board shall be:

- 1) To promote awareness, access, and appreciation of the fine, performing, and practical arts for City residents and visitors.
- 2) To advise the City Council in connection with all matters relating to the artistic and cultural development of the City.
- 3) To provide opportunities for cultural and art experience and education for children and adults.
- 4) To promote increased interaction among artists and opportunities for growth and exposure.
- 5) To promote knowledge and appreciation for cultural forms of artistic expression.
- 6) To make recommendations to the City Council with respect to annual budget appropriations for the arts.
- 7) To advise and consult with local arts groups as requested by such groups or by the City Council.



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DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home Work

Fax Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Qualification to Serve

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I live and work in downtown Glenwood Springs. I love this community and would like the opportunity to serve. I am interested in the vitality and beautification of our future.

2. What do you view as your role if selected as a member of the DDA Board?

As a downtown resident, property owner and former business owner, I see my role as a member who understands the issues from each perspective. I am able to listen to all sides and enjoy being part of working Board.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

I am interested in keeping/creating open or green spaces for our residents and our visitors. I believe I have an understanding of the challenges that face business owners and residents regarding parking and construction. I am very interested in working on those issues.

4. Can you describe an experience making a decision based on public opinion?

As a business owner, yes. I consider what will serve the local population as well as the tourist population. It's a fine balance.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes. I can.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

NO.

7. What experience do you have working with people on a board, commission or committee?

I have worked on the following Boards:

GOTR-Girls on the Run of Western Colorado
CASA of the Ninth- Garfield County
Community Corrections-Garfield County

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I have been a business owner in the downtown core for 19 years in October. I have weathered lots of change within our city and would love to be part of the future growth. I love working downtown and feel I could add a great deal of knowledge regarding the needs and strengths within the core.

2. What do you view as your role if selected as a member of the DDA Board?

I would like to help where needed and assist in a common goal for the future of downtown.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

There are many issues related to the downtown core and I feel that since I have been a successful part of the core for close to 20 years I could offer a solid perspective of what is needed and the strengths downtown. There has been a steady increase of business downtown with very little down time in the off season. Glenwood is a desirable destination and we want to keep a pulse on the issues that arise for our visitors and residence downtown. I would love to be part of this.

4. Can you describe an experience making a decision based on public opinion?

I really try to make informed decisions whenever possible, which I feel is part of my success Over the years in business. I understand that there are issues that may involve public input and and opinions which should be considered in making decisions especially regarding issues related to public policy and laws

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes again I understand that the goal is to find workable solutions that fall within the cities goals and with in the Municipal laws and plans.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

That is perfect for me. I have an open schedule.

7. What experience do you have working with people on a board, commission or committee?

I was the secretary of the San Luis Obispo Opera Guild in San Luis Obispo Ca for 4 years wherein we raised money to fund performance at Cal Poly State University. I am a member of the Daughters of the American Revolution DAR Capt Sopris Chapter and currently manage the website.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I have a keen interest in economic and community development! My wife and I relocated to Glenwood Springs in January of this year. I have previously served on the Economic Development Authority Board for the City of Lindstrom - Lindstrom, MN for 12 years including the last 6 as Chairman. I very much enjoyed my time in this role, working closely with City officials and helping the community develop and grow.

2. What do you view as your role if selected as a member of the DDA Board?

I possess a passion for community and economic development. I view my role as one of helping the carry out the charges and direction of City leadership regarding economic, business and community development. I believe communication and planning are key and will bring those elements forward to help in any way that I can.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

I am a fan of formal strategic planning, good community relations and strong communication. My 30 + year banking career has allowed me many opportunities to participate and lead developments and re-development opportunities and projects. Change can be hard for people, managing change is an essential element for success.

4. Can you describe an experience making a decision based on public opinion?

Prior work with the aforementioned EDA allowed me the opportunity to help with planning related to a major highway redevelopment that effectively increased the business district of the community by apx. 30% while simultaneously improving traffic flow, parking and safety. This project featured key outreach and multiple venues for communication to ease any negative impact on existing businesses and the community to the greatest extent possible. In the end the project was highly successful and achieved, or exceeded stated objectives.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Absolutely. I have a high level of integrity and would have no issues with this requirement.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

The stated time for meetings fits well with my established meeting schedule and would present no issues.

7. What experience do you have working with people on a board, commission or committee?

I have served on the City of Lindstrom EDA Board for 12 years. Previously served as President of the Chisago Lakes Area Chamber of Commerce for two years, active in Rotary International since 1992 and was the founder and Chair (for 10-years) of a winter celebration that featured multiple activities and grew to support 13 non-profits.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I'm interested in serving on the DDA board because my business recently opened a new location in downtown and I'd like to be involved in making downtown the best it can be once construction is over.

2. What do you view as your role if selected as a member of the DDA Board?

I view my role, if selected, as a voice of a small business owner that wants to see downtown thrive so that all the small businesses can thrive as well.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

I would be interested in helping the city plan events in the downtown area to attract more tourists.

4. Can you describe an experience making a decision based on public opinion?

My experience making a decision based on public opinion involves my family life. I have a wife and an almost 3 year old, and I've learned that I need to do what's best for all collectively, not just what benefits me, like I might have done when I was younger. The same goes for managing my business. I have to think about all my employees and their families before I can worry about my own needs.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I can separate myself from these issues. I believe that a rising tide lifts all ships. In this tourist town, if one area is doing well, it's going to trickle down to everyone.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

I have very commitments that couldn't be moved so I could attend meetings, especially with adequate notice of said meetings.

7. What experience do you have working with people on a board, commission or committee?

In my previous job, I worked on a few committees where I had to work directly with multiple people to achieve our goals. I will admit that this position would be someone new for me, but I believe that I would be able to learn very quickly and respectfully,

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I'm at a point in my life as a resident of Glenwood Springs where I wish to give back to my community with my time. I want to be learn and be involved in civic matters that can benefit the city leaders Glenwood Springs and all of its citizens. As business and home owner in downtown Glenwood Springs, I believe I can provide multiple first hand experience and and personal knowledge.

2. What do you view as your role if selected as a member of the DDA Board?

In the past, I've held leadership positions in the business world and local community that required my attendance and commitment for each to be successful. This success came about by listening, communicating, and executing the goals of the Board while understanding and working within the needs of the overall community and I believe I can do this for this Board.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

Yes. I own a home and small business in the downtown core of Glenwood Springs. Much like other Board members, I have an investment in my family, my neighbors, my patrons and my city as neither can be successful without the other. I am in the downtown core 24 hours a day, 7 days a week - until Sharon tells me it's time to take a vacation!

4. Can you describe an experience making a decision based on public opinion?

I've spoken in front of City Council several times on matters that affected myself and my neighbors. Several years ago, a marijuana dispensary company applied for an edible manufacturing and retail license in downtown GWS next to the Vaudeville. Many of the downtown businesses and residents were against it so we started petition against its approval in our liquor store and I delivered it to the hearing officer. I was also given an opportunity to interview the prospective licensee. I conducted a 10 minute publicly viewed interview. More recently, Sharon and I organized a petition and the small business owners of Cooper Ave to discuss the negative affect of parallel parking on Cooper Ave between 7th and 8th. This led a to positive discussion with our City Manager, City Planning and Engineering. All parties were heard and successful compromise was realized.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I can and I will. As I stated earlier, I am more or less in the downtown core 24 hours a day and through that time I have constant encounters with the downtown businesses, downtown residents AND citizens outside of the DDA core. This exposure lends me to hear the voice of many thoughts and opinions for which I will listen and respond in a positive and "equitable fashion".

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

No, and I'm flexible.

7. What experience do you have working with people on a board, commission or committee?

Most recently

1. I was on the Board of Quality Wine and Spirits in Atlanta, GA as Marketing Director and Sales Manager
 2. I was on the Three Rivers Little League Board for 10 years and a coach for that time as well.
 3. I was on Red Cliff Condominium HOA Board for two years and President for another two years before buying a home.
- Just FYI, I have attended DDA meetings in the past as an interested and learning citizen

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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name

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Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Finance Advisory Board?

I am an engaged member of the community and feel that the FAB is critical in assisting the city in maintaining our vibrant economy. Economic growth allows for the support of city services enjoyed by our residents and the tourists that seek out the unique experiences that Glenwood Springs has to offer.

2. What do you view as your role if selected as a member of the Finance Advisory Board?

As a member of the FAB board I would view my role as a facilitator of constructive dialog looking at both the short term and long-term effects of financial and budgetary discussions. I believe that I can be a strong conduit between the DDA and FAB should I be selected.



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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. What do you perceive as the major purpose of the Finance Advisory Board?

I believe that the FAB should act as a sounding board to ensure that sound fiscal policies are maintained while ensuring the city staff has the resources to work efficiently. This includes future discussions including paid parking in downtown and or an attractions tax.

4. What area of expertise do you feel you can best provide to the Finance Advisory Board?

As a business leader with extensive experience leading complex hospitality operations, I have a strong financial acumen with practical business experience. I understand the critical nature of growing the tax base in Glenwood Springs. Increasing the tax base will provide the funding to support improved the city for both our residents and our visitors.

5. What time commitment are you able to contribute as a board member?

I am able to commit the necessary time to be an effective and engaged member of the committee should I be selected.

6. If you have a specific purpose for applying for this board, please explain.

I believe that the FAB board would benefit from having more representation from the lodging / tourism sector of the Glenwood Spring economy.

Thank you for your interest and time commitment in serving your community

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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE FINANCIAL ADVISORY BOARD

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Finance Advisory Board:

a. Seven (7) members of which at least six (6) are City residents. One member shall be employed in the finance industry; one member shall be employed by the tourism industry; and one member may be a non-resident, but shall own or be employed by a business within the City.

Powers and Duties:

(d) Powers and Duties of Finance Advisory Board. The Finance Advisory Board shall advise and assist the City Manager and Finance Director in the preparation of the City budget, the establishment of accounting systems for the City, the planning of expenses, the projection of revenues and the analysis of the other fiscal matters presented to the Board by the City Council. The Finance Advisory Board shall also be responsible for making recommendations to City Council regarding grants from the City's various grant programs as Council may establish from time to time. No decision of the Finance Advisory Board shall be binding upon the City or anyone acting on its behalf.



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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home

Work

Fax

Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Finance Advisory Board?

I have served on the FAB for the past three years and been part of selecting the new ERP system, streamlining the grant process, and many other processes I consider vital to the long term financial health of our town. I am aware that we have many complicated issues now facing the city that I would like to be involved in addressing. I believe in civic responsibility and community participation.

2. What do you view as your role if selected as a member of the Finance Advisory Board?

I view the role of an FAB member as assisting and advising city council and staff with financial matters relating to the city. In my tenure over the past three years, this has meant reviewing grants, analyzing and advising on the budget, reviewing revenue and expenditure practices to look for ways they could be improved, participating in the selection of an ERP system, etc.



City of Glenwood Springs
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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. What do you perceive as the major purpose of the Finance Advisory Board?

I perceive the major purpose of the FAB to be providing the financial expertise to enable a deeper dive into financial issues of concern to the city council.

4. What area of expertise do you feel you can best provide to the Finance Advisory Board?

I am a CPA with nearly two decades of experience in small business, healthcare, and nonprofit accounting and financial leadership. I have also spent three years on the FAB.

5. What time commitment are you able to contribute as a board member?

I have the time required to serve in this role, including having made time to participate in the ERP selection process and serve on the sub-committees as needed over the past three years.

6. If you have a specific purpose for applying for this board, please explain.

Thank you for your interest and time commitment in serving your community

Please complete this application and forward it to the City Clerk either by mail to: 101 West 8th Street, Glenwood Springs, CO 81601; fax to: 970-945-5023; email: catherine.mythen@cogs.us; or online:

www.cogs.us



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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE FINANCIAL ADVISORY BOARD

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Finance Advisory Board:

a. Seven (7) members of which at least six (6) are City residents. One member shall be employed in the finance industry; one member shall be employed by the tourism industry; and one member may be a non-resident, but shall own or be employed by a business within the City.

Powers and Duties:

(d) Powers and Duties of Finance Advisory Board. The Finance Advisory Board shall advise and assist the City Manager and Finance Director in the preparation of the City budget, the establishment of accounting systems for the City, the planning of expenses, the projection of revenues and the analysis of the other fiscal matters presented to the Board by the City Council. The Finance Advisory Board shall also be responsible for making recommendations to City Council regarding grants from the City's various grant programs as Council may establish from time to time. No decision of the Finance Advisory Board shall be binding upon the City or anyone acting on its behalf.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Dawn Randolph
Home Address 261 County Road 132, Glenwood Springs, CO 81601
Mailing Address same

Section 2 – Contact Information

Home _____ Work _____
Fax _____ Mobile 919-302-8122
Email dawnrandolph@msn.com

Section 3 - Occupation

Occupation Independent Contractor

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I am interested in serving on the Parks and Recreation/Tree Commission for three main reasons: 1) I am an avid outdoors person. I love outdoor activities, opportunities to socialize with my friends and family outdoors, and am a strong believer in having local outdoor community spaces and events where people can come together and enjoy spending time in the beauty of the place we live in. 2) I am an outgoing, people loving, community minded individual and I love finding new ways of interacting with others and getting to know people within my community. I believe serving on the Parks and Rec/Tree Commission will enable me many opportunities to continue building community here in the Roaring Fork Valley. 3) I am a firm believer in being of service. As a wife, mother, friend and volunteer, I find that the more ways I am able to share my perspective, time and talents in the realm of service to my community. Not only do I benefit myself, my family and those around me, but I also hope to make a positive impact on the entire community, now and in the future. I believe that service is something that helps me stay in tune with the thought that it is not how much we have, but how much we give, that matters most in life.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

I view my role, if selected as a member of the Parks and Recreation/Tree Commission, as made up of several key elements: 1) To listen and learn from those currently on the commission as to what the goals/strategies/deals/issues of the commission currently are as well as to learn the history of how the commission has evolved. 2) To share my personal perspectives, thoughts and ideas, based on my own unique life experiences, that will give the commission more diversity. 3) Communication and Action: I am a communicator and a doer. I thrive in settings where I am able to share my skill sets by taking thoughts and ideas and communicating them in simple, engaging ways as well as taking those thoughts and ideas and turning them into action steps that lead to a common goal.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

As I stated in the previous questions, I am a natural communicator and doer. I have experience in public speaking, social media management, planning of activities and programs, as well as teaching experience. I am very outgoing, but also a lifelong student and I love the opportunity to expand my knowledge base and skill sets. I am very interested in all aspects of the programming, planning and community meetings and am excited to see how and where I would be of most service to the commission.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

I am interested in the planning of events that Parks and Recreation sponsor in our local community parks. In particular, I am interested in opportunities to hold community events such as music in the park at Two Rivers Park and other community centered events that are family friendly, community minded, and focused on building healthy, active and fun outdoor activities for our community to come together. As a person who recently relocated to Glenwood Springs (4 years ago), it has been community events and gatherings that have helped us build community here. Living in such a beautiful place, with so many fun outdoor opportunities, is a real blessing in my opinion. Anything I can do to help keep that as a focus of the City of Glenwood Springs is important to me.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I can separate myself from my personal opinions in order to represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion. Although we all have personal opinions, I believe that the purpose of such a commission is to find common ground and ways to move forward that align with the overall mission of the City. The Mission Statement of the Parks and Recreation Department resonates with my own thoughts and beliefs of what I want to contribute to the City of Glenwood Springs.

6. Can you describe an experience making a decision that made people unhappy?

Well, I am a mother of a teenager, so that is a daily experience in my life! :) On a broader note, one example is when I was a student/instructor of a karate school. My instructor and the owner of the school chose to change the overall focus from providing quality instruction and a safe place for people of all ages to learn how to take on life's biggest fight- the one within ourselves, to a focus on extra sales. I was asked to go from an instructor to an on the floor salesperson, up-selling at every opportunity to everyone who walked in the door. It did not resonate with my personal values, goals and understanding of what my role was in the organization's original mission. I resigned, and dis-enrolled my son -who was about 6 months away from earning his black belt. It was a hard choice. We had a large, very close community of classmates, students, and families that we had daily interactions with. However, the change in philosophy/approach was enough that I was no longer able to stay on board. My leaving had a major impact on the school, as I was the lead instructor and a high-ranking black belt. The owner was upset about my unwillingness to stay on board, the community was unhappy that I was leaving, and my son was unhappy about leaving so close to earning his black belt. In the end, we switched to another school that was more aligned with our values, where my son continued training and earned his black belt, and so did many other families. I am happy to have made that choice in my life, even though it caused a lot of disruption and frustration.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

I am a wife, mother, friend, volunteer and community member, so I do have a full life and calendar. However, I am able to commit the time necessary and have the flexibility in my life to do so. I am happy to serve on this commission and it will be a priority should I be selected.

8. What experience do you have working with people on a board, commission or committee?

I have experience volunteering on committees as a social media manager for both political campaigns as well as currently with the Garfield County Democrats. I am looking to expand on my previous experience and look forward to an opportunity to do so in an area that impacts our community at large.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE PARKS AND RECREATION/TREE COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Parks and Recreation/Tree Commission:

(5) Parks and Recreation Commission:

- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- b. (R 20-05 §2)
- c. (R 20-05 §2)
- d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.

Powers and Duties:

(e) Powers and duties of Parks and Recreation Commission. The powers and duties of the Parks and Recreation Commission shall be:

- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
- (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
- (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
- (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
- (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
- (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

- (7) To investigate, study and report to City Council any and all matters concerning the use and operation of the City's Community Center.
 - (8) To coordinate with other City boards and commissions on any aspect of the Community Center that may relate to the powers and duties of such other boards and commissions.
 - (9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.
- (A 61-02 §4)



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Jasmin Ramirez
Home Address 51899 Highway 6
Mailing Address _____

Section 2 – Contact Information

Home 9703199016 Work _____
Fax _____ Mobile _____
Email jasramirez8@gmail.com

Section 3 - Occupation

Occupation Stay at home parent

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

Interested because I would like to be a part of the conversation of the future of our parks and recreation within my children's immediate community.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

A voice of a community member who frequents all the parks in our valley.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

I have an interest in expanding the accessibility of all our parks and making them more inclusive for our community and visitors.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

Having input in the future of our parks and recreation goals, policies, and plans.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I am committed to being representation for city goals, policies, and plans while maintaining our community in mind.

6. Can you describe an experience making a decision that made people unhappy?

I have never been one to not go against the grain if I strongly believe it is for the greater benefit, I have had many experiences in which not all parties involved left happy but I am not shy of advocating for the long term benefits- which must always outweigh temporary gratification, even if it is my own.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

Summer is here so I am available!

8. What experience do you have working with people on a board, commission or committee?

I am heavily involved with my child's school currently and I am looking forward to being more involved locally.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE PARKS AND RECREATION/TREE COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

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- b. (R 20-05 §2)
- c. (R 20-05 §2)
- d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.

Powers and Duties:

(e) Powers and duties of Parks and Recreation Commission. The powers and duties of the Parks and Recreation Commission shall be:

- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
- (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
- (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
- (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
- (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
- (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

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(9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.

(A 61-02 §4)



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item:	Amended IGA with Glenwood Springs Rural Fire Protection District
Action Requested:	The City has an intergovernmental agreement with the Rural Fire District that needs to be updated following the passage of the 2018 Fire/EMS property tax. The tax consolidates two mill levys into one and the IGA defines that 3.5 mills from both the Rural and City property tax initiatives will be allocated to equipment replacement. This IGA also clarifies that the rural district follows the same fire code provisions that have been established in the City.
Department:	Fire Department
Presented By:	Gary Tillotson, Fire Chief
Background Info:	None
Issues:	None
Staff Recommendation:	Staff supports approval of the IGA

AMENDED INTERGOVERNMENTAL AGREEMENT FOR FIRE
PROTECTION AND AMBULANCE SERVICES

THIS AMENDED INTERGOVERNMENTAL AGREEMENT is made and entered into between the City of Glenwood Springs, Colorado (“City”) and the Glenwood Springs Rural Fire Protection District (“District”), to be effective as set forth in paragraph 1 hereof.

RECITALS;

(a) The City is a home rule municipality organized pursuant to Article XX of the Colorado Constitution.

(b) The City provides fire protection and ambulance services pursuant to its municipal authority.

(c) The District is a quasi-municipal corporation organized pursuant to Title 32, Article 1 of the Colorado Revised Statutes.

(d) According to its petition for organization and service plan as filed in Civil Action No. 6146 of the District Court in and for Garfield County, the District exists for the purpose of affording fire protection services to those areas of Garfield County which are situated in the general service area of the City of Glenwood Springs.

(e) The District is authorized by C.R.S. §32-1-1002(c) to furnish ambulance and emergency medical services in conjunction with its fire protection services.

(f) The parties are authorized by Article XIV, Section 18 of the Colorado Constitution and C.R.S. §29-1-201, et seq., to enter into intergovernmental agreements.

(g) The parties have heretofore entered into an intergovernmental agreement for the provision of fire protection services, dated January 1, 1991, as amended.

(h) On September 6, 2018, the parties entered into a new agreement to replace and supersede all prior agreements and to provide for the delivery of fire and ambulance services by the City to the District.

(i) The parties now desire to amend Section 3A and Exhibit A of the 2018 agreement as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the City and the District agree as follows:

1. Effective Date and Term. The initial term of this Agreement is January 1, 2018 to December 31, 2018 and shall be automatically renewed thereafter on a year to year basis until January 1, 2029, unless earlier terminated pursuant to paragraph 7 of this Agreement.

2. Obligations of the City.

A. The City shall provide fire protection and ambulance services to the District.

B. In order to ensure equal or superior levels of service during the term of this Agreement, the City shall maintain, at a minimum, the levels of facilities, equipment, response time and staff currently maintained. Furthermore, the City shall replace obsolete facilities and equipment as necessary, shall expand resources as necessary to address changed circumstances in the City and the District, and shall otherwise comply with the 5-year plan as set forth in this Agreement in order to ensure no deterioration of services.

C. The City shall endeavor to keep and recruit fire and ambulance employees in sufficient numbers to maintain response times within national standards.

D. The City shall assume all costs incidental to fire protection and ambulance services, exclusive of any debt service for bonded indebtedness, and subject to the District's share of fire and ambulance costs as set forth in Exhibit A attached hereto and incorporated herein. By way of example, the City shall assume all costs associated with personnel, upkeep and maintenance of facilities and equipment, capital replacement and expansion, overhead and administration, and insurance, whether such costs are associated with assets heretofore owned by the City or assets retained in title by the District and utilized by the City in accordance with this Agreement.

E. In assuming full responsibility for fire protection and ambulance services to the District, the City, to the extent permitted by law, hereby agrees to indemnify and hold harmless the District and its officers from and against all liability, claims, and demands on account of injury, loss or damage of any kind whatsoever which arise out of or are in any manner connected with this Agreement, unless such injury, loss or damage is or is claimed to be caused in whole or in part by the act, omission, or fault of the District or its officers. The City agrees to investigate, handle, respond to, and to provide defense for any such liability, claims or demands at the sole expense of the City, and agrees to bear all other costs and expenses related thereto, including court costs and attorneys' fees, whether or not such liability, claims or demands alleged are groundless, false or fraudulent.

F. The City agrees to procure and maintain a policy or policies of insurance sufficient to insure against all obligations assumed by the City pursuant to this Agreement. Said policies shall be endorsed to include the District and its officers as additional insured and certificates of insurance shall be supplied to the District upon request.

G. The City shall operate its fire and ambulance departments under one Fire Department which shall be directly accountable to the City Manager.

H. The City has created an equipment replacement fund with contributions from the City and the District in proportion to their assessed valuations, the purpose of which is to amass monies for the replacement of fire and ambulance facilities and equipment in order to ensure that the quality of services provided by these departments and as guaranteed in this Agreement do not deteriorate.

I. The City shall collect and account for the revenues and expenditures of the City and the District associated with the provision of fire protection and ambulance services within separate funds.

3. Obligations of the District.

A. The District has delegated to the City the complete and exclusive authority for the provision of fire protection and ambulance services in the District through the City's Fire Department. Included with this delegation of authority is the authority for the City to perform fire inspections for the District in accordance with any codes duly adopted by the District, enforce any such adopted codes, and perform any other duties or services which the District may be authorized to perform by law. During the term of this Agreement, the District shall not separately acquire additional assets, incur additional liabilities or hire personnel for purposes of fire protection and ambulance services, but shall rely upon the City for these services in accordance with this Agreement.

B. The District shall certify a mill levy and remit tax revenues, less expenses, to the City to pay their share of fire and ambulance costs as more fully set forth in Exhibit A.

C. The District shall remain intact as it is presently constituted for purposes of retiring the District's existing bonded indebtedness (Glenwood Springs Rural Fire Protection District General Obligation Refunding Bonds, Series 2001), shall continue to certify an appropriate mill levy therefor, and shall otherwise fully comply with its obligations under said bonds. The District shall not refinance, refund, extend or otherwise alter the terms and conditions of said bond without the consent of the City.

D. The District shall pay costs attributable to the administration of the District such as District audits, legal fees, and directors' bonds.

E. Upon any annexation by the City of that property commonly known as the Four Mile Fire Station, the District shall maintain ownership of the Four Mile Fire Station, separate from the City.

F. The District shall not expand its jurisdiction through the inclusion of additional territory without the consent of the City.

4. Consultation Requirements.

A. On or before August 1 of each year this Agreement is in effect, the City shall prepare and submit to the District an annual report which shall consist of:

(i) A detailed report of the City's fire protection and ambulance services to the District for the preceding year.

(ii) A proposed budget for the City's Fire Department for the ensuing years, including an estimate of costs to be ascribed to the District, subject to the District's share of fire and ambulance costs according to the formula set forth in Exhibit A. The District will have an

opportunity to review and provide input and recommendations for the Fire Department's operations budget.

(iii) An update of the 5-year plan for the Fire Department.

The report shall be formally presented by the City's Fire Chief to the District's board. On or before October 1, the District shall submit to the City in writing any recommendations the District may have regarding the budget and plan as necessary to ensure compliance with the performance standards of this Agreement.

The City shall then adopt the budget in the course of its regular budgetary procedures and notify the District in writing of the costs to be charged to the District for the ensuing year as set forth in Exhibit A.

In the event the adopted budget reflects the potential for significant negative consequences to the levels of service provided by the City as set forth in paragraph 2B of this Agreement, the parties will meet within thirty (30) days after the budget is adopted to discuss potential ways to avoid a decrease in service levels. At the request of either party, the parties will retain a mutually acceptable facilitator and/or mediator to assist in this or subsequent discussions regarding this issue. If the parties fail to reach a mutually acceptable resolution regarding service levels provided by the City, the District may proceed with Termination for Failure to Perform pursuant to Paragraph 7.A.

B. In addition to the foregoing, the City's Fire Chief or a representative shall attend regular meetings of the District's Board of Directors and shall supply a monthly report of calls in the District. The Fire Chief's obligation to attend such meetings shall not exceed once per month; however, the board reserves the right to meet as frequently as it deems necessary. The Fire Chief shall remain accessible at all times to the District's Board and its constituents to address inquiries and complaints regarding fire protection and ambulance services in the District.

C. If at any time during the term of this Agreement an ad valorem tax does not pass, the City and the District will determine if an amendment to the operational budget is required.

5. Five-Year Plan. The City has adopted a five-year plan addressing the projected acquisition and replacement of facilities and equipment utilized by the City's Fire Department. The object of the plan is to project and anticipate capital needs to maintain the quality of service standards set forth in this Agreement. The plan shall be updated annually during the City's budgetary process. In accordance with City Charter Section 9.3(e), the City shall append the five-year plan to its annual budget.

6. Exclusion of Territory. During the term of this Agreement or any renewals, the parties stipulate and agree to the exclusion from the District of territory which has been or will be annexed to the City. The District agrees that it will not oppose such exclusions as long as the following terms and conditions are met:

A. The City shall petition for such exclusions at the City's sole expense.

B. The petition for exclusion shall reference this Agreement as the “plan for the disposition of assets and continuation of services” as required by C.R.S. §32-1-505(2)(c).

C. The District’s current ad valorem tax base shall remain intact for purposes of retiring the District’s existing bonded indebtedness.

D. Any division of assets is expressly deferred unless and until this Agreement is terminated and a property settlement occurs in accordance with this Agreement.

E. The City fully complies with all other requirements of C.R.S. §32-1-501, et seq.

7. Termination.

A. Termination for Failure to Perform. Either party may terminate this Agreement due to the other party’s failure to perform its obligations under the Agreement upon providing six months’ written notice to the nonperforming party and an opportunity to cure the nonperformance to the satisfaction of the other party within 6 months.

B. Termination for Convenience. Either party may terminate this Agreement for no reason upon providing 24 months’ advance written notice to the other party.

C. Apportionment of Assets. Upon termination of this Agreement the parties shall cooperate in the equitable apportionment of assets based on contributions made both directly and via bonded indebtedness. At the request of either party, the parties will retain a mutually acceptable mediator to assist in this process.

8. Non-appropriation. Nothing contained herein shall be deemed to be a call or a claim upon any future budget or appropriation of the respective parties. Performance of the obligations set forth herein is and shall continue to be subject to the regular budgeting and appropriation processes of the respective parties on a year-to-year basis.

9. Notice. Any notices or other communications required to be given pursuant to this Agreement shall be considered delivered when mailed to the following addresses, unless the parties submit a written notice of change of address:

TO THE DISTRICT: President of the Board of Directors
 Glenwood Springs Rural Fire Protection District
 c/o Glenwood Springs Fire Chief
 806 Cooper Avenue
 Glenwood Springs, CO 81601

TO THE CITY: City Manager
 City of Glenwood Springs
 101 W. 8th Street
 Glenwood Springs, CO 81601

10. Prior Agreements. This Agreement shall replace and supersede any and all prior agreements between the parties, effective January 1, 2018, and all such prior agreements shall then be considered null and void and of no further force and effect.

11. Complete Agreement. This Agreement represents the full and complete agreement of the parties and shall not be modified or amended except pursuant to the express written consent of the District's Board of Directors and the City's City Council.

12. Mutual Aid Agreements. Nothing contained herein shall be construed to affect any mutual aid agreements for fire protection or ambulance services heretofore entered into by the parties with any third parties. However, henceforth neither the City nor the District shall enter into any new mutual aid agreement with any third party without the mutual consent of the other party to this agreement

12. Binding Effect. The terms and conditions of this Agreement shall extend to and be binding upon the respective parties hereto, and their successors and assigns.

IN WITNESS WHEREOF, the parties have executed this Amended Intergovernmental Agreement for Fire Protection and Ambulance Services this _____ day of _____, 2019.

CITY OF GLENWOOD SPRINGS

GLENWOOD SPRINGS RURAL
FIRE PROTECTION DISTRICT

By: _____
Jonathan Godes, Mayor

By: _____
_____, President

ATTEST:

ATTEST:

Catherine Mythen Fletcher, City Clerk

_____, Secretary

EXHIBIT A

The District's contribution to the funding of the City operated Fire Department is as follows:

Operations:

The District receives "general fund" revenue from the applicable ad valorem property tax as approved by voters for fire and ambulance services.

Revenue by the District less administrative expenses will be transferred to the City as the District's entire share of fire and ambulance costs for that year.

Capital:

The City and the District both have existing bond payments and capital improvement fund revenues approved by voters in 2000 and set to payoff and expire December 31, 2020.

The City and the District will both contribute 3.5 mills of ad valorem property tax annually to pay off existing bonds and provide funding for capital improvements.



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

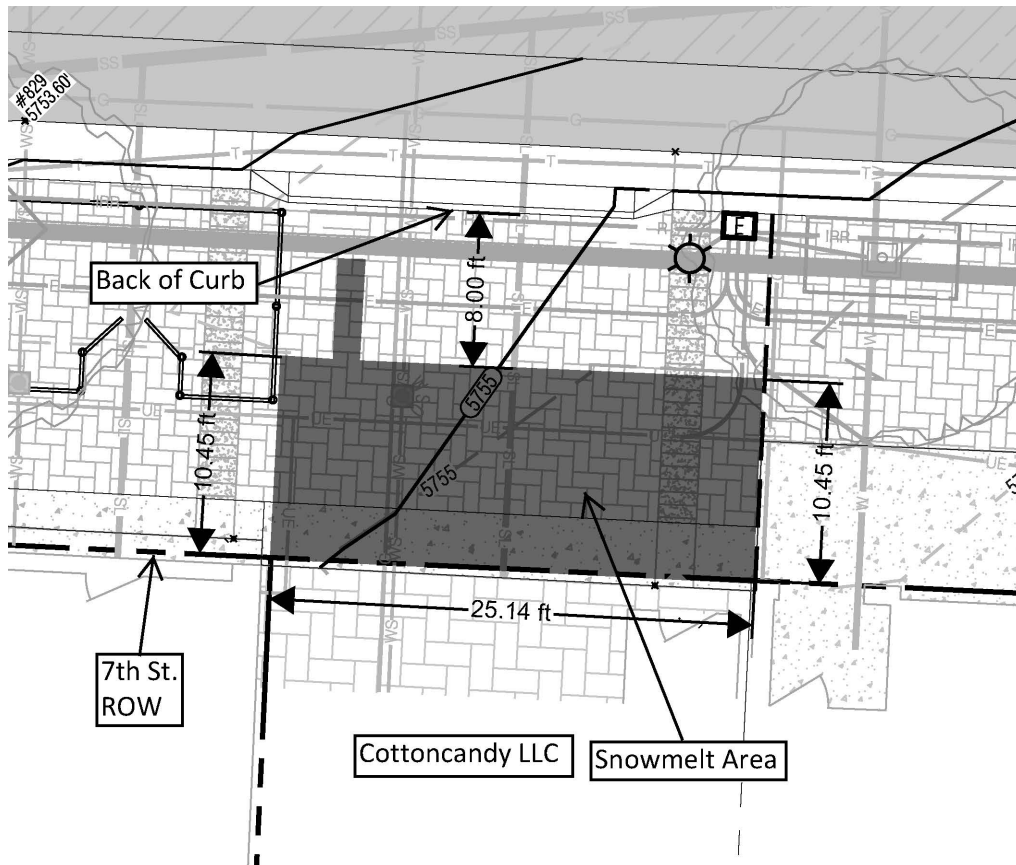
Agenda Item:	Planning Item: Consideration of a Revocable License to Encroach for a Snowmelt System under a public Sidewalk Address: 210 7th Street Owner: Cottoncandy, LLC
Action Requested:	Consideration of a Revocable License to Encroach for a snow melt system which extends under the City sidewalk adjacent to 210 7th Street.
Department:	Economic and Community Development
Presented By:	Jennifer Ooton, Assistant City Manager
Background Info:	In 2014, Richard and Judy Ross (Cottoncandy LLC) installed a snow melt system under the public sidewalk immediately adjacent to their building located at 210 7th Street. This snowmelt system was previously permitted by the city's building department but was not formally memorialized in a license to encroach agreement which is required when private improvements extend into the public right-of-way. The snow melt system covers the full width of the Ross' property, 25.14 feet, and extends under the public sidewalk by 10.45 feet as shown in the attached exhibit. The Municipal Code requires that all encroachments of one foot or greater be reviewed and approved by City Council. In reviewing the encroachment, Council shall consider whether the encroachment - • furthers the city's land use and utility goals and objectives; • could be reasonably accommodated on the applicant's own property and outside of the city's right of way; • compromises public safety, health and welfare of the community; • compromises access to other public and/or private lands; and • is necessary based on hardship by the applicant. The snowmelt system is designed to provide pedestrians an ice-free surface, which is especially important in this location that receives minimal sun during the winter. The system is entirely located under the sidewalk so it does not pose a safety issue or compromise access to adjacent public or private property. Council may take one of two actions: • Approve the License to Encroach; or • Deny the License to Encroach
Issues:	None
Staff Recommendation:	Staff recommends City Council approve the License to Encroach thereby authorizing the preparation of a Revocable License to Encroach and Indemnification Agreement subject to the requirement that the owners provide the City a copy of an umbrella insurance policy, in an amount not less than \$1,000,000, covering the encroachment area and naming the City as an additional insured party.

Exhibit A

Cottoncandy LLC snowmelt encroachment area exhibit

Parcel Number: 218509406025

Date: 06/11/2019





MINUTES
CITY OF GLENWOOD SPRINGS
SPECIAL CITY COUNCIL MEETING
May 28, 2019
101 W. 8TH STREET
5:00 P.M.

1. Roll Call

Mayor Jonathan Godes called the meeting to order at 5:00 pm. Present at roll call: Charlie Willman, Shelley Kaup, Jonathan Godes, Steve Davis, Paula Stepp, and Tony Hershey. Councilor Voorhees attended via telephone but was not involved in any action taken by council during the meeting.

Also present were Debra Figueroa, City Manager; Karl Hanlon, City Attorney; and Catherine Mythen Fletcher, City Clerk.

2. Pledge of Allegiance

3. Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Strategy for Negotiations and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e), related to Rocky Mountain Resources and the Iddings Property

Councilor Willman moved, seconded by Councilor Hershey, to adjourn into executive session at 5:05pm.

The motion passed unanimously by all present.

ACTIONS AND/OR PRESENTATIONS

The meeting was reconvened at 6:02pm.

4. Direction and/or Action Regarding RMR Lawsuit against Garfield County

No direction and/or action was taken.

5. Direction and/or Action Regarding the Iddings Property

No direction and/or action was taken.

6. Adjournment

The meeting was adjourned at 6:04pm.



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JUNE 6, 2019
100 WULFSOHN ROAD
6:15 P.M.

1. Roll Call

Mayor Jonathan Godes called the meeting to order at 6:15pm. Present at roll call: Charlie Willman, Rick Voorhees, Shelley Kaup, Jonathan Godes, Steve Davis, Paula Stepp, and Tony Hershey.

Also present were Debra Figueroa, City Manager; Karl Hanlon, City Attorney; Steve Boyd, COO; Jenn Ooton, Assistant City Manager, Economic and Community Development Director; Catherine Mythen Fletcher, City Clerk; Matt Langhorst, Public Works Director; Yvette Gustad, Finance Director; Terri Partch, City Engineer; Brian Smith, Parks and Recreation Director; Al Laurette, Parks Superintendent; Terry Wilson, Police Chief; and Matt Kraemer, Facilities Superintendent.

2. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

3. Agenda Changes & Conflicts

Item 7D was moved from Consent Agenda to be considered separately.

4. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)

Randy Diers-Representing ANB Bank, briefly spoke about how ANB had purchased a building on Grand Avenue between 9th and 10th Street and what the bank was doing for tenants that would be displaced when the building was taken down and rebuilt.

Laura Speck-Expressed her concern about the future of downtown.

Cheryl Cain-Gave suggestions about how the City could offer better communication to its citizens.

Cheryl Guay-Explained that she would be one of the tenants displaced by ANB and although she was unsure of her next location she would like to see the downtown remain as small shops.

Kevin Hillmer-Spoke about how the location of his house, often has semis behind it late at night and early in the morning that are idling and waking his family. He asked who he could speak with to maybe put a sign up stating the city code concerning idling.

Mike Blair-Stated that he wanted to speak about change within the City both in the past and future.

5. Council Comments

Councilor Voorhees – Suggested that during the conflicts piece of the agenda that each individual Council member state whether or not they had a conflict of interest.

Mayor Pro-Tem Kaup – Explained that when a specific land use item comes up, Council was not able to make comments about or change the code. However, if citizens would like to give comments and opinions about the future of land use in the City, she suggested they come to Planning and Zoning Commission meetings as well as City Council meetings to be a part of the conversation. She also spoke about the current strategic planning process.

Mayor Godes – Thanked the public for their comments and being respectful.

Councilor Hershey – Reminded the public that there were hearing devices in council chambers if anyone needed them. He also stated that it was the 75th anniversary of D-Day and also 65 days since the voters rejected the property tax in the April election.

6. Proclamation-Arbor Day

Mayor Godes read the Proclamation designating June 11, 2019 as Arbor Day. The Proclamation was accepted by Al Laurette of the Parks and Recreation Department.

7. Consent Agenda

All matters under consent are considered to be routine and will be enacted by one motion and vote. The titles will not be read aloud. There will be no separate discussion on these items unless a Councilmember or Audience Member so request.

- A. Award of Bid BD 2019-029 Community Center Boilers Award of Contract
- B. City Manager Contract
- C. Receipt of Minutes from May 16, 2019 Regular City Council Meeting
- D. *Moved off of consent agenda to be considered separately*
- E. Award of Bid 2019-035 for the Freight Offices Railroad Motorway Building

Councilor Willman moved, seconded by Mayor Pro-Tem Kaup, to approve the consent agenda.

Motion passed unanimously.

7D. Resolution 2019-27, A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing and Supporting the Application for a Grant from Youth Engagement in Sports; Collaboration to Improve Adolescent Physical Activity and Nutrition Program (YES Initiative)

Brian Smith explained that the YES Initiative was a \$400,000 grant offered by the U.S. Department of Health and Human Services to expand youth participation in sports and encouraged regular physical activity for youth populations with lower rates of sports participation and communities with limited access to athletic facilities or recreational areas.

Councilor Willman moved, seconded by Mayor Pro-Tem Kaup to approve Resolution 2019-27, A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing and Supporting the Application for a Grant from Youth Engagement in Sports; Collaboration to Improve Adolescent Physical Activity and Nutrition Program (YES Initiative) with the Change to Section 2 of the Resolution to Matching “in-kind” Funds.

Motion passed unanimously.

8. Introduction of DDA Executive Director Laura Kirk

Christian Henny, representing the DDA, introduced Laura Kirk as the new DDA Executive Director.

ACTIONS AND/OR PRESENTATIONS

9. Performance Contract

Brian Smith presented to Council that the City had not created an asset management plan to address failing 19-year-old mechanical, electrical, plumbing, and lighting infrastructure within city owned buildings. Deferred maintenance would continue to perpetuate costly emergency fixes. Capital Improvements funding for failing infrastructure management could be provided by the State of Colorado Energy Office. Utilizing a Qualified Energy Service Company (ESCO) facilitated by the Colorado Energy Office, the City of Glenwood Springs could effectively finance costly upgrades using energy savings as the funding mechanism. An audit would flush out the overall scope of what infrastructure would potentially be the most energy savings.

10. Update on the Roundabout at 6th St. and Laurel St.

Terri Partch gave an update on the roundabout at 6th Street and Laurel Street.

11. URA Appointment

Jennifer Ooton spoke to Council about the appointment of an additional seat for the City on the Urban Renewal Authority. On December 6, 2018, the City Council approved Resolution 2018-60 finding that one or more blighted areas existed in the City of Glenwood Springs. State statute allowed a municipality to designate itself as the Urban Renewal Authority, with seats to represent the County, School District and the collective interests of the taxing bodies levying a mill levy within the boundaries. Because that would leave the Authority with an even number of seats, the resolution also created an additional seat for the City to be appointed by the Mayor.

Mayor Godes selected Tate Fairbanks to be appointed to the URA.

Councilor Hershey moved, seconded by Mayor Pro-Tem Kaup to approve the appointment of Tate Fairbanks.

Motion passed unanimously.

12. Ordinance No 17, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Code Section 040.020.170 – adding the definition of a local business to the Economic Development Rebate section of the code. (FIRST READING)

Jennifer Ooton explained that since 2004, the City had offered an economic development incentive to encourage redevelopment of existing businesses and encouraged new businesses within the City. Over the years, the existing program has been amended several times. Last year, Ordinance 14, Series 2018 repealed a section of Title 010 that referenced a definition for local contractors. Section 040.020.170 regarding Economic Incentives referred to Title 010. This Ordinance would add back the relevant definition to the code to clarify what type of projects/businesses would be eligible for a Tier 2 rebate.

Mayor Godes opened the item for public comment and no comments were noted. Mayor Godes closed public comment.

Councilor Stepp moved, seconded by Councilor Voorhees to approve Ordinance No 17, Series of 2019.

Motion passed unanimously.

13. Electronic Participation in Council Meeting

Karl Hanlon described how Council was comprised of busy people who sometimes travel or were otherwise unavailable to attend a meeting in person. The idea of using technology to allow a member to participate remotely was raised.

Mayor Godes opened the item for public comment and no comments were noted. Mayor Godes closed public comment.

Councilor Voorhees moved to approve Ordinance No 12, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado Amending Article 020.030 of the Glenwood Springs Municipal Code by the Addition of Section 020.030.120 to Provide Terms and Conditions for Limited Telephone and Electronic Participation by Members of City Council at City Council Meetings.

Motion failed due to the lack of a second.

Mayor Godes called for a brief break.

The meeting reconvened at 8:10pm.

14. Grant Award Recommendation from Financial Advisory Board

Steve Boyd presented to council that each year grant funds were awarded from the A&I Fund to support discretionary and tourism grants. A sub-committee of FAB was formed to review applications in detail and make a recommendation to the entire Board for its consideration. The sub-committee was made up of 4 FAB members with input from a 5th.

Mayor Godes opened the item for public comment.

Monroe Wilcox-explained that he had been on FAB for three years so far and gave his opinion on what he saw as the positives and negatives of this process.

Mayor Godes closed public comment.

Councilor Hershey moved, seconded by Councilor Stepp, to approve the following applicants on the list with the exception of YouthZone, Mountain Family Health Centers, and Mountain Valley Developmental Services and to give the City Manager discretion and authority to approve funding.

Motion passed.

Willman abstained.

Councilor Stepp and Councilor Willman recused themselves from the next motion.

Councilor Hershey moved, seconded by Councilor Davis, to approve funding for YouthZone, Mountain Family Health Centers, and Mountain Valley Developmental Services.

Motion passed.

15. Report from Administration

- A. City Manager
 - i. Clarification on Interviews for Boards and Commissions.
- B. City Attorney
- C. Correspondence Incoming/Outgoing

16. Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e), related to MOC, Western Petroleum and RMR.

17. Adjournment

The meeting was adjourned at 9:45pm.



MINUTES
CITY OF GLENWOOD SPRINGS
SPECIAL CITY COUNCIL MEETING
JUNE 13, 2019
101 W 8TH STREET
5:00 P.M.

1. Roll Call

Mayor Jonathan Godes called the meeting to order at 5:00pm. Present at roll call: Charlie Willman, Rick Voorhees, Shelley Kaup, Jonathan Godes, Paula Stepp, and Tony Hershey. Absent: Steve Davis.

Also present were Debra Figueroa, City Manager; Karl Hanlon, City Attorney; Steve Boyd, COO; Jenn Ooton, Assistant City Manager, Economic and Community Development Director; Catherine Mythen Fletcher, City Clerk; Matt Langhorst, Public Works Director; and Yvette Gustad, Finance Director.

2. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

Mayor Pro-Tem Kaup moved, seconded by Councilor Willman, to add Council Comments to the Agenda.

Motions passed by all present, Davis absent.

3. Council Comments

Mayor Godes – Explained that Wilderness Workshop asked City Council to put forth a letter of support for the CORE Act and wanted to know if Council supported a letter.

Mayor Pro-Tem Kaup – Spoke about how Wilderness Workshop had requested Council members call Senator Cory Gardner's or Representative Tipton's office the following week to ask them to support the CORE Act.

ACTIONS AND/OR PRESENTATIONS

4. Consideration of Purchase Contract for the Iddings Property Assessor Parcel No. 2185-272-00-003

Karl Hanlon gave a brief explanation of the property.

Mayor Godes opened the item for public comment and no comments were noted. Mayor Godes closed public comment.

Councilor Willman moved, seconded by Councilor Hershey, to approve the June 11, 2019 Contract to Purchase the Iddings Property.

Motion passed by all present, Davis absent.

5. Consideration of Purchase Contract for 2222 Devereux Road

Matt Langhorst explained that this building would serve as the new space for fleet and part of the streets department as the City moved staff out of the MOC.

Mayor Godes opened the item for public comment and no comments were noted. Mayor Godes closed public comment.

Councilor Hershey moved, seconded by Councilor Stepp, to complete or start the purchase of 2222 Devereux Road, Glenwood Springs, CO 81601, for the purposes of a replacement of the MOC.

Motion passed by all present, Davis absent.

6. Adjournment

The meeting adjourned at 5:45pm.



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Approval of ESC Substation Design Proposal

Action Requested: Approval of the ESC Engineering design proposal for the Cardnell Substation (West Glenwood) for an estimated fee of \$116,750 per the attached proposal.

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs Electric Department staff has seen the need to emergency/failure proof the existing electrical system in town. The backbone of the electrical system are the three existing substations that pull power from Excel's 69kV distribution lines that pass through town. These three substations feed all of the power requirements for the citizens of Glenwood Springs.

The weak link in the system is the ability to back feed power from south, east or north Glenwood substations to the next substation on a long term basis in an emergency situation due to the power loads being added to north and west Glenwood. The ability to complete these back feeds is there currently, but the need to add a fourth substation in west Glenwood has come upon us to add redundancy and stability to the system. We saw the distribution system worries that Basalt and Aspen had last year with the Lake Christine fire threatening power lines and substations, this fourth station would allow us to take down an entire station if it were ever necessary for a longer duration of time that the current system would not allow us to do in an emergency.

Staff has budgeted \$75,000 toward the design of the substation in the 2019 budget. The design and construction inspections will carry over into 2020, thus we will re-budget another \$50,000 to the design line item for 2020. If additional costs did arise in 2019 above the \$75,000 electric has the ability to utilize the professional services line item of \$50,000 to help cover 2019 costs.

Issues: No issues have come up with this proposal.

Staff Recommendation: Staff is recommending council approve the ESC Engineering proposal for the Cardnell Substation design for the Glenwood Springs Electric Department per the project outline and engineering scope dated June 4th, 2019 (attached).

**Cardnell Substation
Glenwood Springs Electric Company (GSE)**

**Project Outline and Engineering Scope
June 4, 2019**

I. Project Description:

- A. Construct Glenwood Springs Electric new greenfield Cardnell Substation.
- B. Configuration is to be 115x69kV/13.2/7.62kV, 10/14MVA.
- C. Transformer still to be purchased.
- D. Tract of land where the substation is to be located is owned by the City of Glenwood Springs.
- E. The proposed site is a green field site. Access will be available. **(Access design by others)**
- F. Site development work will involve site clearing, significant amount of cut and fill balancing, site protection from south, due to being located at the base of steep hill terrain, from drainage runoff, potential snow sliding, and falling rocks/boulders.
- G. The substation will be served by an existing Xcel 69 kV transmission line w/ potential of being converted to 115kV running along S side of site.
- H. New substation configuration will include a slack span from the existing transmission line. A new T-line pole will be required to make the tap adjacent to the substation aligned with a new substation Deadend. **T-Line tap engineering cost not included, and will be responsibility of Xcel.** DE could be a standard shape H-frame or possibly A-frame. An A-frame is proposed.
- I. The DE will include:
 - Vangs on a beam at 40 feet to capture conductors from T-line w/ lightening arresters mounted on conductor beam. A group operated 115kV vertical break disconnect switch mounted on a lower beam, and an insulator mounting beam below that.
 - Static wire attachment plates atop both DE legs at 52 feet for conductor protection.
 - **A Dynasphere lightning attracting mast mounted atop one DE leg will be used for site protection.**
- J. **A S&C Transrupter will be located between DE legs for high side protection.**
- K. The transformer (XFMR) will be a Three-Phase 10/14 MVA, 115x69kV DELTA-13.2/7.62kV GRD WYE.
- L. Secondary oil containment, around the transformer pad, **will be a proprietary system with impermeable membrane**, oil barrier boom, drain system, and fire quenching stone backfilled to within two (2) inches of the top of XFMR pad.
- M. On the low side a metering structure will follow the XFMR, which includes a 15kV group operated disconnect switch, CTs and PTs.
- N. Rigid two (2) inch bus will span from the metering structure to a five (5) bay distribution structure (DS) main and transfer bus (also two (2) inch aluminum tube). Three (3) initial circuits, one (1) future, and a transformer bay.
- O. The main bus will distribute to three (3) bays utilizing reclosers (REC) and incorporating hookstick and recloser bypass switches. The fourth bay will include the switches, but the recloser will be purchased at a future time.
- P. Feeder bays will connect to riser structures (RS) with rigid two (2) inch bus where conductor terminators will direct distribution conductors to three (3) - 6" RGC leading underground routed to a pull box at the east side of the substation.
- Q. Comm/SCADA will be used. **(SCADA work will be by GSE)**
- R. Control enclosure will need to be discussed. **(Engineering Cost is not included)**

II. Project Engineering Services Scope.

- A. Site evaluation and substation GA.
- B. Compile info necessary for GSE to contract site boundary and topo surveying.
- C. Compile info necessary for GSE to contract site Geotech work including specification.
- D. Single line drawing
- E. Design Site Development plan including Fence plan and details and surfacing details.
- F. Design pad Grading and Drainage protection plan.
- G. Coordinate and manage third party design of offsite drainage, and rock falling and snow sliding mitigation from adjacent hillside.
- H. Foundation plan.
- I. Electrical plan and elevations.
- J. Transformer Procurement including specs, contract, bidding and bid evaluation, and recommendation.
- K. Steel design and detailing.
- L. Foundation design and detailing.
- M. Cable and Conduit plan and Schedule.
- N. Ground grid plan and details
- O. Electrical details

Following Services will most likely extend into 2020:

- P. Steel procurement including specs, contract, bidding and bid evaluation, and recommendation.
- Q. Owner Furnished long lead equipment procurement including specs, contract, bidding and bid evaluation, and recommendation. Equipment included:
 - Transformer
 - High Side Lightning Arrestors
 - Transrupter
 - Switches
 - Metering CTs and PTs
 - Reclosers
- R. Develop construction contract, including specs, construction drawings and details, bidding and bid evaluation, and recommendation.
- S. Construction support including submittal reviewal, addressing contractor questions from the field, and one final walk through field visit. (Maximum 20 hrs phone consultation)
- T. As-built drawings.

III. Schedule:

- A. Engineering and Design, complete (12/31/19).
- B. Long lead items procurement, 14 wks (bid 4/11/20 for delivery 7/20/20).
- C. Steel Fabrication, 20 wks (bid 2/08/20 for delivery 7/1/20).
- D. Facility Construction, 14 wks (bid 5/1/20 for construction beginning 6/1/20 ending 9/8/20).
- E. Transformer Procurement, **(bid docs out 12/7/19) 26wks delivery, PO issued by 1/5/20** for 7/6/20 delivery.
- F. Commissioning by 9/7/20.
- G. **In service 9/15/20.**

IV. ESC Substation Engineering Team:

- A. Substation Group Manager:
Eli ImMasche, P.E.
Ph: 970-212-1489
Email: eimmache@thinkesc.com
- B. Project Manager:
David K. Delaney, P.E.
Ph: 970-212-1529
Email: ddelaney@thinkesc.com
- C. Electrical Engineer:
John Bridges, P.E.
Ph: 970-212-1480
Email: jbridges@thinkesc.com
- D. Structural/Civil Engineer:
David K. Delaney, P.E.

V. Proposal Costs for Engineering Services

ESC Engineering, Inc proposed costs for the Engineering Services, scope of services as described above, based on a Time plus Materials basis, is **\$116,750.00**. This is intended to be the total cost for engineering, design, and development of construction documents necessary for the construction of the Cardnell Substation as described herein. Additional services not listed in the above scope of services can be considered and negotiated at ESC's rate schedule current at that time.

Note: Although the intent is to complete the engineering services and have construction drawings complete by the end of 2019, this scope and cost does include items that will extend into 2020. Those items are primarily contracts for procurement of equipment, procurement of steel, and development of construction contract documents, conducting the construction bidding process, construction support, and as-built drawings.

VI. Items excluded from this Statement of Work:

- A. Civil site protection, offsite drainage, and site access design.
- B. T-Line interconnection design
- C. Control Enclosure design, foundation design, or procurement.
- D. Commissioning services can be provided as an additional service.
- E. Construction inspection and monitoring.
- F. Coordination with other contractors or utilities.
- G. Permitting and SWMPPP, if required.
- H. Geotechnical investigation.
- I. Site survey.



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Approval of Bid Award for a New Transit Bus

Action Requested: Approve bid award and Mayor's signature on the purchase agreement.

Department: Transportation

Presented By: Tanya Allen, Transportation Manager

Background Info: The City was awarded an FTA 5339(b) discretionary grant from the Federal Transit Administration in 2018 to assist with the purchase of a second new 30' CNG transit bus for the Ride Glenwood fleet.

Following an FTA compliant competitive bidding process, staff has determined the proposal from Gillig, LLC, offers the best value to the City. We are requesting approval to proceed with a purchase agreement in the amount of \$552,266.

The bus is grant funded on an 80/20 basis. The required 20% match was included in the approved 2019 Bus Tax Fund budget in anticipation of this bid award.

Delivery of this bus is expected within nine months of the signing of the purchase agreement. It will join a similar bus delivered in May of 2019 and complete our modernization of the Ride Glenwood fleet.

Issues: None

Staff Recommendation: Approve bid award and Mayor's signature on purchase agreement.

February 25, 2019

Mary Lou Haflinger
Contracts Coordinator
City of Glenwood Springs
101 W. 8th Street, First Floor
Glenwood Springs, CO 81601

RE: RFP 2019-005 – ONE HEAVY DUTY 30' CNG FUELED LOW FLOOR
TRANSIT BUS
DATE DUE: FEBRUARY 27, 2019 AT 2:00PM

Dear Ms. Haflinger,

GILLIG is please to submit the enclosed PRICE PROPOSAL documentation covering our response to the above solicitation for your review and consideration.

We appreciate this opportunity and look forward to a successful bid opening.

Very truly yours,



Benjamin M. Grunat
Director, Product Planning & Strategy

BMG: mgb

Enclosures

CC: Joseph Policarpio, Vice President
William F. Fay, Director of National Sales
Joe Saldaña, Regional Sales Manager

CITY OF GLENWOOD SPRINGS
REQUEST FOR PROPOSAL NO. 2019-005
FEBRUARY 2019

	UNIT PRICE
ONE (1) HEAVY DUTY 30' CNG FUELED TRANSIT BUS	\$552,266.00

Delivery can be completed within 9 months after receipt of a firm purchase order.

PRICING CLARIFICATION

PRICING CLARIFICATION

All the following general comments and clarifications may not apply to your specific procurement, but they are included so as to avoid misunderstandings, so they should not be construed as making this a conditional bid. These comments do not change the quoted pricing for the initial order and build.

TAX/FEE STATEMENT

The prices quoted for this procurement are for the specified deliverables only and **exclude** (unless specifically noted by buyer or seller) any Local, City, County, State, Franchise or Income or Value Added(VAT) taxes, tariffs, fees, business licenses, or other licenses, that may need to be paid as part of the performance of this contract, or any option of it. If any additional fees are required, they will be noted and added to the appropriate invoice.

PAYMENT

All Prices are in U.S. Dollars and payments are only accepted on U.S. bank checks or via electronic funds transfers, (no credit, debit or bank cards) and any applicable transaction fees would be the responsibility of the buyer.

EMISSIONS AND OTHER REGULATED OR MANDATED CHANGES

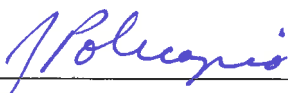
The prices quoted for the initial build quantity are for vehicles meeting all applicable Federal and State regulations (including EPA, CARB, or NHTSA requirements) **currently known to be in effect at the time of delivery of those vehicles**. Changes caused by or related to future regulations, any subsequently enacted regulations, or technologies necessitating revisions from the currently proposed vehicle configuration (e.g. component change/availability due to emission or other regulations, requirements or mandates), may require a price adjustment, which would be subject to negotiation and agreement by both GILLIG and the buyer. This latter statement applies to future builds only that may need to use different components or currently unknown or unavailable technology, to meet regulations or requirements in effect at the time(s) of those optional deliveries.

OPTIONAL BUILD PRICING

Most bids include a PPI adjuster to determine pricing for future builds, and this is to clarify that bus pricing for such future build quantities may be different from the PPI adjusted price because of the above regulated/mandated changes and/or due to customer initiated change notices.

GILLIG LLC

By:



JOSEPH POLICARPIO

Title:

VICE PRESIDENT

Date:

FEBRUARY 25, 2019

GILLIG LLC
LOW FLOOR TRANSIT COACH
STANDARD LIMITED WARRANTY & EXTENDED COVERAGE FOR

City of Glenwood Springs, CO
RFP NO. 2019-005 – FEBRUARY 2019

GILLIG LLC warrants to the original purchaser, that its transit coaches, save and except for those major component assemblies and other parts described below which are separately warranted by their respective manufacturer's (OEM's), will be **FREE FROM DEFECTS IN MATERIAL AND WORKMANSHIP UNDER NORMAL USE AND SERVICE**, for the distance or time periods specified in the attached, and agrees to REPAIR or REPLACE the defective parts AT NO COST TO THE PURCHASER. This is a limited warranty subject to the provisions stated below and is referred to as GILLIG's Standard Limited Warranty.

This warranty **DOES NOT COVER** malfunction or failure resulting from the purchaser's or its agents or employees alteration, misuse, abuse, accident, neglect or failure to perform normal preventive maintenance as outlined in GILLIG's Service Manual, nor does it cover components or assemblies not originally provided by GILLIG. Further, this warranty **DOES NOT APPLY** to normal replacement items such as light bulbs, seals, filters or bushings, nor to consumable items such as belts, tires, brake linings or drums.

PURCHASER'S SOLE REMEDIES FOR LIABILITY OF ANY KIND WITH RESPECT TO THE PRODUCTS FURNISHED UNDER THIS WARRANTY AND ANY OTHER PERFORMANCE BY GILLIG UNDER OR PURSUANT TO THIS WARRANTY, OR WITH RESPECT TO PURCHASER'S USE THEREOF, INCLUDING NEGLIGENCE, SHALL BE LIMITED TO THE REMEDIES PROVIDED IN THIS WARRANTY AND SHALL IN NO EVENT INCLUDE ANY INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES OR LOSS OF USE, REVENUE OR PROFIT. IN NO EVENT SHALL GILLIG'S LIABILITY FOR DAMAGES WITH RESPECT TO ANY OF THE PRODUCTS COVERED UNDER THIS WARRANTY EXCEED THE AMOUNT PAID BY THE PURCHASER TO GILLIG FOR SUCH PRODUCTS.

GILLIG **DOES NOT WARRANT** some major component assemblies (such as the engines, transmissions and air conditioning systems) which are warranted by their respective manufacturers (OEM's) and identified as Category 3 items on page three (3) of this Warranty. **Warranty coverage for these items is as defined in those manufacturer's own warranty documents** and per their terms and conditions, and as administered by their own support networks.

GILLIG makes **NO OTHER WARRANTIES**, except as stated herein, and GILLIG's obligation under this warranty is **LIMITED AND FULLY DESCRIBED HEREIN**. Determination of warrantable defects is at GILLIG's (or the OEM's) discretion and will require inspection of failed components. Correction or compensation under this warranty for Category 1 and Category 2 items cannot be made unless requested on a GILLIG Application for Warranty Claim form and in accordance with the claim procedure established by GILLIG.

THIS WARRANTY IS EXPRESSLY IN LIEU OF ANY OTHER WARRANTY EXPRESSED OR IMPLIED, but if such has legal status, it **CANNOT EXCEED THE DURATIONS STATED HEREIN**. This warranty gives the purchaser specific legal rights and some state statutes may include other rights.

This is GILLIG's sole warranty with respect to its transit coaches. **GILLIG MAKES NO OTHER WARRANTY OF ANY KIND WHATEVER, EXPRESS OR IMPLIED; AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE WHICH EXCEED THE AFORESAID OBLIGATION ARE HEREBY DISCLAIMED BY GILLIG AND EXCLUDED FROM THIS AGREEMENT.**

GILLIG LLC
LOW FLOOR TRANSIT COACH
STANDARD LIMITED WARRANTY & EXTENDED COVERAGE FOR

City of Glenwood Springs, CO
RFP NO. 2019-005 – FEBRUARY 2019

GILLIG's Standard Limited Warranty which covers Category 1 and Category 2 parts, components and assemblies, covers the following systems, components or assemblies for the period specified, and includes 100% PARTS AND LABOR to repair or replace the defective components as determined by GILLIG. (See Page 3 for explanation of notes (1)-(7).)

CATEGORY 1

Includes GILLIG manufactured or assembled components and systems as well as some purchased assemblies. Warranty and warranty claims administration provided by GILLIG.

	Coverage Period ⁽¹⁾	
	<u>Months</u>	<u>Miles</u>
FULL COACH WARRANTY ^{(2) (3) (7)}	12	50,000
BODY STRUCTURE WARRANTY ⁽⁴⁾	36	150,000
CORROSION & STRUCTURAL INTEGRITY WARRANTY ⁽⁵⁾	144	500,000

CATEGORY 2

Includes major components purchased and installed by GILLIG. Warranty provided by component OEM's. Warranty claims administration provided by GILLIG.

<u>AXLE</u>		
Meritor Front Steering	60	300,000
Meritor Rear Driving	60	300,000
<u>BRAKE SYSTEM</u>		
(Excludes Friction Material)		
Bendix Valves	24	100,000
Meritor Brakes	24	100,000
<u>RADIATOR & CHARGE AIR COOLER</u>		
Modine E-Fan	36	Unlimited

GILLIG LLC
LOW FLOOR TRANSIT COACH
STANDARD LIMITED WARRANTY & EXTENDED COVERAGE FOR

City of Glenwood Springs, CO
RFP NO. 2019-005 – FEBRUARY 2019

Major components listed below under “Category 3” are covered by warranties or extended coverages⁽⁶⁾, for the miles and/or months indicated, provided by the manufacturer (OEM’s) of those components. Purchasers should refer to specific OEM warranty documents for details. Warranty claims are and will be administered by the respective manufacturers (OEM’s) and all warranty claims must be made directly to said manufacturers. GILLIG will assist purchasers in dealing with these OEM’s and warranty issues that may arise from time to time.

CATEGORY 3

	Coverage Period ⁽¹⁾	
	<u>Months</u>	<u>Miles</u>
<u>ENGINE</u> ⁽⁷⁾		
Cummins L9N	24	Not applicable
<u>ENGINE ACCESSORIES</u>		
Delco Starter	36	350,000
Nieoff Alternator	24	Unlimited
Air Compressor	24	Unlimited
<u>TRANSMISSION</u>		
Allison B400R	24	Unlimited
<u>AIR CONDITIONING SYSTEM</u>		
Thermo King	24	Unlimited
<u>WHEELCHAIR RAMP</u>		
Lift-U LU18	24	Unlimited
<u>DOOR SYSTEM</u>		
Vapor	12	Unlimited
<u>INTERIOR LIGHTING</u>		
Pretoria	144	Unlimited

Low Floor Transit Coach Emission Warranty

GILLIG warrants to the ultimate purchaser and each subsequent purchaser that the new vehicle is designed, built and equipped so it conforms at the time of sale to the ultimate purchaser with all U.S. federal emissions regulations applicable at the time of manufacture and that it is free from defects in materials or workmanship which would cause the vehicle to fail to not meet these regulations within five years or 100,000 miles of operation, whichever occurs first, as measured from the date the vehicle is placed into service. In no case may this period be less than the Standard Limited Warranty where applicable to emission warrantable parts. If the ultimate purchaser registers the vehicle in the state of California (or any other state following the applicable California Air Resources Board regulations) a separate California Emissions Warranty applies.

GILLIG LLC
LOW FLOOR TRANSIT COACH
STANDARD LIMITED WARRANTY & EXTENDED COVERAGE FOR

City of Glenwood Springs, CO
RFP NO. 2019-005 – FEBRUARY 2019

GILLIG warrants to the ultimate purchaser that registers the vehicle in the state of California (or any other state following the applicable California Air Resources Board regulations), and each subsequent purchaser, that the new vehicle is designed, built and equipped so it conforms at the time of sale to the ultimate purchaser with all applicable regulations adopted by the California Air Resources Board at the time of manufacture and that it is free from defects in materials or workmanship which would cause the vehicle to fail to not meet these regulations within five years, 100,000 miles or 3000 hours of operation, whichever occurs first, as measured from the date the vehicle is placed into service. In no case may this period be less than the basic mechanical warranty provided to the purchaser of the engine.

GILLIG warrants to the ultimate purchaser and each subsequent purchaser that the tires on this vehicle conform at the time of sale to the ultimate purchaser with all U.S federal emissions regulations and all applicable regulations adopted by the California Air Resources Board at the time of manufacture and are free from defects in materials or workmanship which would cause the vehicle to fail to not meet these regulations for a period of 2 years or 24,000 miles, whichever occurs first.

This list of emission control parts may be covered by the Emission Warranty under certain failure modes.

- Ambient Air Temperature Sensor
- Charge Air Cooler and associated plumbing
- Wire harness circuits connected at both ends to emissions warrantable components
- Exhaust gas pipes from turbocharger out to the last after treatment device
- Urea quality sensor
- Urea tank, heating element, level sensor, temperature sensor, coolant control valve
- Urea lines and line heater controls
- On-Board Diagnostic (OBD) Malfunction Indicator Lamp (MIL)
- Diesel Exhaust Fluid (DEF) Lamp
- OBD Connector

NOTES

- 1) Coverage ceases at the first expiration of the time or distance noted.
- 2) Full coach warranty includes and applies to electrical, doors, seats, flooring, roof hatches, destination signs, wheelchair ramp, handrails, radio, P.A., etc., but not to IVS systems or special options.
- 3) Fleet defect coverage is for a maximum of 12 months or 50,000 miles and includes all warrantable components and assemblies on the vehicle.
- 4) Basic body structure warranty includes and applies to structural members in the body and undercarriage including the structural members in the suspensions.
- 5) The corrosion and structural integrity guarantee covers against a significant loss of structural integrity of the assembly or its functional performance, resulting from a pertinent loss of cross-section due to corrosion caused by normal environmental elements but excludes corrosion caused by aggressive road de-icers such as Magnesium Chloride or equivalents, unless Gillig approved preventative measures are taken (see Service Manual).
- 6) Extended coverage may not duplicate Standard Limited warranty coverage. Note: Please refer to OEM warranty documents for details.
- 7) Use of non-ASTM biodiesel blends from non-BQ9000 suppliers in excess of B20 may void the engine manufacturer's warranty on fuel related components, and also may void warranties of hoses, seals and fittings in contact with the fuel.



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Frontier Paving Change Order

Action Requested: Approval of a change order for \$218,193.30 for Frontier Paving expansion of scope services for the 2019 City of Glenwood Springs street asphalt repair work.

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs chose Frontier Paving to complete the asphalt street repair list for 2019. The pricing that Frontier provided for these services were under budget enough that the City had the ability to add to the scope of services with an entire subdivision resurfacing project that was not scheduled until 2020/2021. This subdivision was selected to be completed because it is in the same area that Frontier was already working and it has no other infrastructure issues other than the asphalt repairs. The City is not far enough along in design in several other areas of town to complete a phase of a major project, thus the selection of this area over an area that may need the work more.

Issues: No issues at this time.

Staff Recommendation: Staff is recommending approval of the change order for \$218,193.30 for the Frontier Paving expansion of scope services for the 2019 City of Glenwood Springs street asphalt repair work.

P.O. Box 1167
Silt, Colorado 81652



Office 970.625.2224
Fax 970.625.2715

Submitted To:	Phone: 384-6438	6/2/2019
City of Glenwood Springs 101 W. 8th ST Glenwood Springs CO	Job Name: Park East	

WE PROPOSE:

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Extension</u>
Mobilization	1	LS	\$ 3,800.00	\$ 3,800.00
2" Mill	12,889	SY	\$ 2.20	\$ 28,355.80
Tack	1289	GA	\$ 2.50	\$ 3,222.50
2" HMA overlay	1,521	TN	\$ 115.00	\$ 174,915.00
Traffic Control	1	EA	\$ 7,900.00	\$ 7,900.00
				\$ 218,193.30

Notes:

Finish asphalt elevation 1/4-3/8" above catch curb, testing, manhole & water valve ring adj, soft subgrade repair excluded.
Billing will reflect actual installed quantities.

All of the above work to be completed **UNLESS OTHERWISE NOTED, THIS IS A UNIT PRICE PROPOSAL**

Important: The terms and conditions stated on page 2 hereof are expressly made a part of this contract. This proposal shall not become a binding contract unless and until the Acceptance of Proposal and Confirmation by Contractor on page 2 has been executed. This proposal must be accepted as provided and delivered to Frontier Paving Inc. 20 days from above date or it shall expire.

Accepted Proposal # 13325

Date: _____

By: _____

Print Name: _____

Respectfully submitted
Frontier Paving Inc.

By: 
Dave Heiberger

P.O. Box 1167

Silt, Colorado 81652



Office 970.625.2224

Fax 970.625.2715

This contract amount is payable to Frontier Paving Inc. for **TERMS AND CONDITIONS** upon completion unless otherwise provided in this contract or in the plans and specifications. Unless otherwise specified herein, the plans and specifications, if any, are expressly made a part of this contract. The contractor shall perform all the work in accordance with the terms of the plans and specifications.

If payments for work are not made when due, the contractor may stop work or terminate this contract and recover from the customer payment for all work executed and any loss sustained and reasonable profit and damages. It is hereby mutually agreed that the contractor shall not be held responsible or liable for any loss, damage, liquidated damages or delay caused by fire, strike, civil or military authority or any other cause beyond its control.

The customer may order additional work or changes in writing at any time, at an agreed price or at the contractor's regular rates for the time and material work.

A late charge of 18% per annum on the outstanding balance may be imposed upon all pat due amounts. Customer agrees to pay all costs of collection and a reasonable attorney's fee if the account becomes delinquent and is referred for collection.

The prices, specifications, term and conditions stated above and on p **ACCEPTANCE OF PROPOSAL**
By acceptance, I understand that a binding contract has been created when confirmed by Frontier Paving Inc.

ACCEPTED PROPOSAL # 13325

Date: _____

Signature: _____

Signature: _____

CONFIRMATION BY CONTRACTOR

Date: _____

FRONTIER PAVING INC.

By: _____

Dave Heiberger

CHANGE ORDER

Order No. 2

Date 06/18/19

Agreement Date 05/24/19

NAME OF PROJECT: City of Glenwood Springs

Asphalt Projects BId # BD 2019-039

OWNER: City of Glenwood Springs

CONTRACTOR: Frontier Paving Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

Justification: Add Park East Paving

Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$ 402,024.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 403,828.95

The CONTRACT PRICE due to this CHANGE ORDER will be (increased) (decreased) by

\$ 218,193.30

The New CONTRACT PRICE including this CHANGE ORDER will be \$ 622,022.25

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased) (decreased) by 15 calendar days.

The date for completion of all work will be October 1, 2019 (Date).

APPROVALS REQUIRED:

Approved by Project Manager: _____

Accepted by Contractor: _____

Accepted and Approved by Owner: _____

Federal Agency Approval (where applicable): _____



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Resolution 2019-28; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing the Mayor or Mayor Pro Tem to Execute Closing Documents Related to the Purchase of 2222 Devereux Road, Glenwood Springs, Colorado

Action Requested: Approve Resolution 2019-28 authorizing the Mayor or Mayor Pro Tem to Execute Closing Documents Related to the Purchase of 2222 Devereux Road, Glenwood Springs, Colorado

Department: Attorney

Presented By:

Background Info: At a Special Council Meeting on June 13th, City Council directed staff to move forward with the purchase of 2222 Devereux Road as a partial replacement for the Municipal Operations Center.

Issues:

Staff Recommendation:

RESOLUTION 2019-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE CLOSING DOCUMENTS RELATED TO THE PURCHASE OF 2222 DEVEREUX ROAD, GLENWOOD SPRINGS, COLORADO.

WHEREAS, the City of Glenwood Springs has determined it is in the best interests of the City to purchase the property at 2222 Devereux Road, Glenwood Springs, Colorado; and

WHEREAS, pursuant to Section 3.3 of the City Charter, the Mayor or Mayor Pro Tem has the authority to execute closing documents for the sale of the property on behalf of the City.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The above recitals are hereby incorporated as findings by the City Council of the City of Glenwood Springs

Section 2. The Mayor or Mayor Pro Tem is hereby authorized to execute any and all necessary documents for the purchase of the property 2222 Devereux Road, Glenwood Springs, Colorado.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF JUNE 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Resolution 2019-29; A Resolution of the City of Glenwood Springs, Colorado, Authorizing the Mayor or Mayor Pro Tem to Execute Closing Documents Related to the Purchase of Property Adjacent to Airport Road, Glenwood Springs, Colorado

Action Requested: Approve Resolution 2019-29; authorizing the Mayor or Mayor Pro Tem to Execute Closing Documents Related to the Purchase of Property Adjacent to Airport Road.

Department: Attorney

Presented By:

Background Info: City Council directed staff to move forward with the purchase of property adjacent to Airport Road at the Special Council Meeting on June 13th.

Issues:

Staff Recommendation:

RESOLUTION 2019-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE CLOSING DOCUMENTS RELATED TO THE PURCHASE OF PROPERTY ADJACENT TO AIRPORT ROAD, GLENWOOD SPRINGS, COLORADO.

WHEREAS, the City of Glenwood Springs has determined it is in the best interests of the City to purchase the property adjacent to Airport Road known as Assessor's Parcel Number 2185-272-00-003 in Glenwood Springs, Colorado; and

WHEREAS, pursuant to Section 3.3 of the City Charter, the Mayor or Mayor Pro Tem has the authority to execute closing documents for the sale of the property on behalf of the City.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The above recitals are hereby incorporated as findings by the City Council of the City of Glenwood Springs

Section 2. The Mayor or Mayor Pro Tem is hereby authorized to execute any and all necessary documents for the purchase of the property adjacent to Airport Road known as Assessor's Parcel Number 2185-272-00-003 in Glenwood Springs, Colorado.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF JUNE 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: MOU with Colorado Energy Office

Action Requested: Approval of Memorandum of Understanding with the Colorado Energy Office

Department: Parks & Recreation

Presented By: Brian Smith, Recreation Director

Background Info: The Parks and Recreation Department has been in contact with the state's energy office to learn more about energy performance contracting. The first step in allowing the city to participate in the state's energy performance contracting program is entering into this Memorandum of Understanding.

Issues: None

Staff Recommendation: Approve the Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING
between the COLORADO ENERGY OFFICE
and CITY OF GLENWOOD SPRINGS

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into by and between the STATE OF COLORADO (the "State"), acting by and through the Colorado Energy Office (the "CEO"), and CITY OF GLENWOOD SPRINGS the "Facility Owner"). "Party" means the State, CEO or Facility Owner and "Parties" means both the State/CEO and the Facility Owner.

RECITALS

WHEREAS, in compliance with the State Procurement Code as set forth in section 24-101-101, *et seq.*, C.R.S. and any applicable public bidding requirements, the CEO issued a Request for Proposals ("RFP") to energy service companies ("ESCOs") to provide as needed energy performance contract services for its Energy Performance Contracting Program; and

WHEREAS, as a result of the RFP process, CEO maintains a list of pre-qualified ESCOs that are eligible for final selection by State agencies and local governments and/or municipalities to provide energy performance contracting services; and

WHEREAS, the purpose of this MOU is to provide the Facility Owner with access to the services and support of the CEO's Energy Performance Contracting ("EPC") Program; and

WHEREAS, in furtherance of the purpose of this MOU, the CEO is available to assist the Facility Owner with the development and implementation of EPC projects, as well as to encourage the Facility Owner to adhere to the guidelines of the EPC Program.

NOW, THEREFORE, for and in consideration of the mutual covenants and the representations and covenants contained herein, the parties hereto agree as follows:

- 1. Effective Date of MOU.** This MOU shall become effective upon the later date on which the Director or authorized designee of CEO, or the representative for the Facility Owner has signed it.
- 2. Term of MOU.** The Parties' respective performances under this MOU shall commence on the Effective Date and shall expire one year from date of signature or at the end of the term of services contracted from a pre-qualified ESCO.
- 3. Responsibilities of the CEO and the EPC Program to Facility Owner.** The responsibilities of the CEO and the EPC Program include, but are not limited to:
 - a. Upon execution of this MOU, CEO will assign an EPC project consultant to provide advice and technical assistance throughout the lifecycle of Facility Owner's project.
 - b. CEO will provide the Facility Owner with information on the CEO website regarding the pre-approved, pre-qualified list of ESCOs, which includes links to the ESCOs' website for further information;
 - c. CEO will assist Facility Owner to procure the services of an ESCO from the pre-qualified list of approved ESCOs;

- d. CEO will assist the Facility Owner with technical guidance in order to develop and execute a Technical Energy Audit and Project Proposal Contract with a pre-qualified ESCO and also support the Facility Owner with any amendments thereof;
- e. CEO will provide technical guidance to the Facility Owner and attend on-site meetings between the Facility Owner and ESCO, as needed and subject to availability;
- f. CEO will assist the Facility Owner to develop and initiate an energy performance contract project;
- g. CEO will monitor project implementation for audits and for energy performance contract projects;
- h. CEO will facilitate the energy performance contract process to ensure commitments are met by both the ESCO and the Facility Owner;
- i. CEO will review Facility Owner's audits, proposals, calculations, contracts and measurement and verification reports;
- j. As required for school districts and requested by other public agencies, the CEO will complete a construction walk-through of project facilities prior to the "Notice of Substantial Completion" documents being finalized;
- k. If applicable, CEO will identify possible solutions to mediate any conflicts between the Facility Owner and the ESCO.

4. Responsibilities of the Facility Owner. The responsibilities of the Facility Owner include:

- a. By executing this MOU, Facility Owner agrees to program participation in CEO's EPC Program and engage the CEO for assistance in all stages of the EPC Program, including project development;
- b. Using a secondary selection process, Facility Owner agrees to select an ESCO from CEO's current pre-qualified list of ESCOs and which meets the requirements of Facility Owner's procurement rules, regulations and statutes (if applicable);
- c. Facility Owner will provide information as needed for the feasibility study/technical energy audit and any other project development activities;
- d. Facility Owner will review/approve the ESCO's proposals, designs and reports in a timely manner;
- e. Facility Owner agrees to execute CEO approved contracts with the ESCO;
- f. Facility Owner agrees to arrange for project financing, and with the assistance and advice of legal counsel, execute appropriate financing documents and EPC contract;
- g. Facility Owner agrees to provide project management;
- h. Facility Owner will endeavor to work with the pre-qualified ESCO to develop and refine project parameters and any other project development activities;
- i. Facility Owner will assign its staff, employees, representatives to the facility project team including operations, maintenance, financial and upper management personnel;
- j. Depending on the subject matter to be discussed, Facility Owner will ensure appropriate personnel attend project development meetings;

- k. Facility Owner will provide access to and escort ESCO, its subcontractors and CEO to buildings during mutually agreed-upon hours;
 - l. If Facility Owner is a school district, Facility Owner agrees to allow CEO to complete a construction walk-through of project facilities prior to the "Notice of Substantial Completion" documents being finalized;
 - l. During project reviews and any other reviews, Facility Owner will endeavor to address CEO's recommendations;
 - m. As requested by CEO and as needed, Facility Owner agrees to provide CEO with information regarding measurement and verification activities.
5. THIS MOU IS NOT INTENDED TO CREATE, NOR WILL THIS MOU BE CONSTRUED OR INTERPRETED AS CREATING A LEGALLY BINDING AND ENFORCEABLE CONTRACT BETWEEN THE PARTIES. IN THE EVENT EITHER PARTY FAILS TO FULLY COMPLY WITH THE PROVISIONS OF THIS MOU, THERE WILL BE NO LEGAL OR EQUITABLE REMEDIES AVAILABLE TO EITHER PARTY. THE SOLE REMEDY AVAILABLE TO THE PARTIES FOR FAILURE TO FULLY COMPLY WITH THE PROVISIONS OF THIS MOU IS TO TERMINATE THIS MOU. THE FACILITY OWNER ACKNOWLEDGES AND AGREES THAT CEO'S SERVICES MAY INCLUDE ADVICE AND RECOMMENDATIONS, BUT ALL DECISIONS IN CONNECTION WITH THE FACILITY OWNER'S EPC PROJECT SHALL BE THE SOLE RESPONSIBILITY OF THE FACILITY OWNER, ITS AGENTS AND CONTRACTORS.
6. **Signatures.** IN WITNESS WHEREOF, the Parties have executed this MOU as of the Effective Date.

STATE OF COLORADO , acting by and through the COLORADO ENERGY OFFICE		FACILITY OWNER:	
Will Toor, CEO Director	Date	Name: Title: ___ Yes! I have reviewed this MOU and accept CEO's free technical support for an EPC project. ___ No thank you. I have reviewed this MOU and decline CEO's free technical support for an EPC project.	Date
Mirka della Cava EPC Program Manager	Date		



for CEO use only

Name	
Title	
Mailing address	
Email address	
Direct office phone	
Cell phone	

Types of facilities to be assessed for energy savings:	1. 2. 3. 4. 5. 6. 7. 8.
--	--

Have you selected an ESCO?	☐	Yes. Name:		☐	No
If yes, has procurement department validated selection?	☐	Yes.		☐	Not yet.



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item:	Ordinance No 17, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Code Section 040.020.170 - adding the definition of a local business to the Economic Development Rebate section of the code (SECOND READING)
Action Requested:	Approval of Ordinance No. 17, Series 2019.
Department:	Economic and Community Development
Presented By:	Jennifer Ooton, Assistant City Manager
Background Info:	Since 2004, the City of Glenwood Springs has offered an economic development incentive to encourage redevelopment of existing businesses and encourage new businesses within the City. Over the years, the existing program has been amended several times. Today, the City offers a sales tax rebate for qualified businesses to offset the cost of water and sewer system improvement fees, fire and emergency services impact fees, electric line extension, and building permit fees, over a period of 5 years. Qualified businesses have remitted sales tax on time, must not be in violation of any development permit or building permit conditions, must not be in default of any agreement with the city, and have paid all fees for which the rebate is being applied. Last year, Ordinance 14, Series 2018 repealed a section of Title 010 that referenced a definition for local contractors. Section 040.020.170 regarding Economic Incentives referred to Title 010. This Ordinance would add back the relevant definition to the code to clarify what type of projects/businesses would be eligible for a Tier 2 rebate. The city offers two tiers of rebates: • Tier 1 - Up to 20 percent of a business's annual city sales tax remittance in one year • Tier 2 - Up to 80 percent of their annual sales tax remittance in one year for businesses that use local contractors and suppliers for at least 50 percent of the total project cost As of 2017, 10 businesses participated in the existing sales tax rebate program for construction projects using local labor (\$1.7 million in total rebate). • 711 Grand Ave, LLC (Cajun/Smoke) • Courtyard by Marriott • Residence Inn by Marriott • Jags Bayou Ltd. • WMG Meadows, LLC • Russo's Pizza • Caverns Centre, LLC • Mancinelli's (Kaya Corporation) • Glenwood Suites • The Pullman • Iron Mountain Hot Springs (In Process)
Issues:	This is a technical fix to the code, reinstating a definition, and does not have other issues.
Staff Recommendation:	Approval of Ordinance No. 17, Series 2019 adding the definition of a local business to the Economic Development Rebate section of the code.

ORDINANCE NO. 17

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING SECTION 040.020.170 OF THE GLENWOOD SPRINGS MUNICIPAL CODE.

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

WHEREAS, Section 040.020.170 of the Municipal Code addresses City sales tax rebates for qualified businesses and references the use of “local contractors, as defined in Subsection 010.050.080(b) of the Municipal Code, for construction of the project”; and

WHEREAS, with the passage of Ordinance 2018-14, City Council repealed the substantive provisions of Article 010.050 and adopted the Procurement Department Policy and Procedures, which contains a definition of “local businesses” similar to the definition of “local contractors” previously contained in the Code; and

WHEREAS, City Council wishes to revise Section 040.020.170 to add the definition of “local contractors” that was deleted from the Municipal Code by Ordinance 2018-14 but is still referenced in the Code and the Procurement Department Policy and Procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS:

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

Section 2. Section 040.020.170 is hereby amended as follows, with double underlined text added:

Section 040.020.170 – Economic incentives; sales tax rebate.

(c) *Qualifications for application.*

- (5) Tier two applicants shall use either (a) local contractors and suppliers or (b) local businesses ~~contractors~~, as defined in Subsection (g), below ~~010.050.080(b) of the Municipal Code~~, for construction of the project. At issuance of the certificate of occupancy the applicant shall provide documentation of the amounts paid to local contractors and suppliers or local businesses ~~contractors~~ as a percentage of the

total costs of the project excluding land. Projects using either (a) local contractors and suppliers or (b) local businesses ~~contractors~~ for less than fifty (50) percent but more than twenty-five (25) percent of the total costs of the project, excluding land, will be eligible for a forty (40) percent Tier two rebate. Projects using either (a) local contractors and suppliers or (b) local businesses ~~contractors~~ for fifty (50) percent or more of the total costs of the project, excluding land, will be eligible for an eighty (80) percent Tier two rebate. Tier two applicants must provide detailed calculation documentation upon request by the City.

(g) “Local business” when applied to construction contracts shall mean a business and/or subcontractor individually applying for Local Business designation which meets criteria in either Subsections (1) and (3) or Subsections (2) and (3) as listed below:

- (1) The business headquarters must be located and primarily doing business within a forty-five (45) mile radius of the intersection of 8th Street and Grand Avenue in Glenwood Springs. In the event the business is incorporated or otherwise registered, it must be incorporated or otherwise registered in Colorado.
- (2) At least seventy-five (75) percent of the business work force, at the time of application, must reside within a forty-five (45) mile radius of the intersection of 8th Street and Grand Avenue in Glenwood Springs.
- (3) The business shall have at least seventy-five (75) percent of business vehicles registered, at the time of the application, with the government agency having jurisdiction over areas within a forty-five (45) mile radius of the intersection of 8th Street and Grand Avenue in Glenwood Springs.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS 16TH DAY OF MAY 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

INTRODUCED, READ ON SECOND READING, AND ORDERED PUBLISHED BY
TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE OF SECOND
PUBLICATION THIS ____ DAY OF _____ 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

CITY OF GLENWOOD SPRINGS

101 W. 8th Street
P O Box 458
Glenwood Springs, CO 81602
(970) 384-6400



**APPLICATION FOR TIER ONE & TWO
SALES TAX REBATE PROGRAM**

(Municipal Code 040.020.170, copy attached)

PLEASE PRINT CLEARLY.

Name of business applying for rebate program: _____

Mailing address: _____

Business telephone number: _____ Other contact number _____

Address of property for which sales tax rebate will be requested: _____

First day of taxable sales at this location after improvements were completed: _____

What year will you be applying for your first rebate of taxes filed in the previous year? _____

Printed Name _____

Signature _____

Date: _____

Title _____

Sales Tax Rebate Worksheet		
	Tier 1	Tier 2
Qualifications:		
Business can apply for 5 consecutive years	Yes	Yes
Amount available for rebate:	up to 20% of sales tax remitted in the previous year	up to 80% of sales tax remitted in the previous year
Total rebates won't exceed cost of eligible fees	Yes	Yes
Fees being rebated:		
Water & Sewer Improvement Fees	Yes	Yes
Fire Impact Fees	Yes	Yes
Electric Line Extension Fees	Yes	Yes
Building Fees		Yes
City Public Improvement Fees		Yes
-50% of installation costs up to \$200,000		
Requirements:		
Sales, Use & Accommodation Taxes paid on time	Yes	Yes
Applicant not in violation of Bldg. permit	Yes	Yes
Applicant not in default of any City agreement	Yes	Yes
Applicant has paid all City-imposed fees	Yes	Yes
Applicant used local contractors as defined		Yes
-at CO they provided spreadsheet to Bldg. Dept. showing all costs of the project		Yes
-provided spreadsheet showing amounts paid to local contractors & suppliers, or local contractors.		Yes
Determination of Rebate Amount:		
-Bldg. Dept. will determine percentage of rebate		Yes
-if used 25%-50% of total costs for local contractors,		Eligible for 40% rebate
-if used more than 50% of total costs for local contractors,		Eligible for 80% rebate
Application:		
Applies to Finance Director	Yes	Yes
Application must be received before July 15 for rebate of previous year's taxes	Yes	Yes
Acceptance dates	After Feb. 20, 2004	May 22, 2009 - July 15, 2018 Per Ordinance 18-2018, extended to July 15, 2020
Notes:		
At the first year's application, the Finance Dept. will obtain the amounts eligible for rebate from each of the departments involved. After receiving each year's application, a questionnaire will be sent around asking each department to verify that the applicant is still not in violation with any agreements. When the questionnaire is returned to the Finance Dept. they will determine the amount of rebate due for that year and issue the check.		

040.020.170 - Economic incentives; sales tax rebate.

- (a) Qualified businesses may apply for a Tier one or Tier two City sales tax rebate for up to five (5) consecutive years provided that:
 - (1) The amount of the annual Tier one rebate shall not exceed twenty (20) percent of their annual City sales tax remittance in any one year; and
 - (2) The amount of the annual Tier two rebate shall not exceed eighty (80) percent of their annual City sales tax remittance in any one year, as further detailed in Subsection (c)(5) below; and
 - (3) The total amount of all rebates received shall not exceed the total amount of fees and costs identified in Paragraph (b) below.
- (b) The City sales tax rebate may be applied against the following City-imposed fees, costs and tax:
 - (1) Water and sewer system improvement fees may be available for Tier one and Tier two rebates.
 - (2) Fire and emergency services impact fees may be available for Tier one and Tier two rebates.
 - (3) Cost incurred pursuant to the City Electric Department's Line Extension Policy may be available for Tier one and Tier two rebates.
 - (4) Building fees may be available for Tier two rebates only.
 - (5) The costs of City required public improvements at fifty (50) percent of the installation costs to a maximum of two hundred thousand dollars (\$200,000.00) may be available for Tier two rebates only.
- (c) *Qualifications for application .*
 - (1) If applicable, the applicant has collected and remitted on time to the City all applicable sales, use or accommodation taxes; and
 - (2) The applicant is not currently in violation of any development permit or building permit conditions; and
 - (3) The applicant is not in default under any agreement with the City; and
 - (4) The applicant has paid all other applicable City-imposed fees including those for which the rebate is being applied; and
 - (5)

Tier two applicants shall use either (a) local contractors and suppliers or (b) local contractors, as defined in Subsection 010.050.080(b) of the Municipal Code, for construction of the project. At issuance of the certificate of occupancy the applicant shall provide documentation of the amounts paid to local contractors and suppliers or local contractors as a percentage of the total costs of the project excluding land. Projects using either (a) local contractors and suppliers or (b) local contractors for less than fifty (50) percent but more than twenty-five (25) percent of the total costs of the project, excluding land, will be eligible for a forty (40) percent Tier two rebate. Projects using either (a) local contractors and suppliers or (b) local contractors for fifty (50) percent or more of the total costs of the project, excluding land, will be eligible for an eighty (80) percent Tier two rebate. Tier two applicants must provide detailed calculation documentation upon request by the City.

(d) *Application for rebate .*

- (1) All businesses which qualify for such City sales tax rebates shall apply for the same by making application to the Director of Finance upon forms to be provided by him/her.
- (2) All applications for City sales tax rebate shall be made to the Director of Finance on or before July 15 of the year following the year for which the tax rebate is sought.

(e) *Effective date .* This section shall apply to all City-imposed fees after the effective date of Ordinance No. 27, Series of 2005.

- (f) Tier two (2) applicants will only be accepted from May 22, 2009 until July 15, 2020. To apply for a tier two (2) rebate, an applicant must have a building permit issued on or before July 15, 2020. The amendments contained in Ordinance No. 8, Series of 2009, Ordinance No. 11, Series of 2010, Ordinance No. 12, Series of 2011, Ordinance No. 5, Series of 2012, Ordinance No. 14, Series of 2014, Ordinance No. 11, Series of 2016, and Ordinance No. 18, Series of 2018 shall be repealed, effective July 15, 2020, unless otherwise extended by further action of City Council.

(4-04 § 2; 27-05, § 2; 8-09, § 2; 11-10 § 2; 12-11, § 2; 5-12, § 2; Ord. No. 11-2016, § 2(Exh. A), 6-16-2016; Ord. No. 18-2018, § 2, 7-19-2018.)



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Garfield Clean Energy Collaborative Board and CLEER Staff

Action Requested: NA

Department: City Administration

Presented By: Garfield Clean Energy Collaborative Board & CLEER Staff

Background Info: CLEER staff would like to discuss the potential to move forward on a collaborative project.

Issues:

Staff Recommendation:



Town of Parachute | City of Rifle | Town of Silt
Town of New Castle | City of Glenwood Springs
Town of Carbondale | Garfield County
Roaring Fork Transportation Authority
Colorado Mountain College

To: Mayor Godes and City of Glenwood Springs City Council Members

From: Garfield Clean Energy Collaborative Board and CLEER staff

Date: June 18 2019

Re: **GCE update - 10 Yr Anniversary, DOLA grant opportunity, 2020 request**

Thank you, City of Glenwood Springs elected officials and staff, for your ongoing participation in the Garfield Clean Energy Collaborative. Glenwood Springs' elected leaders and city staff have been an essential partner in the development of Garfield Clean Energy and the cumulative results GCE has delivered to date. And with the City's recent 100% renewable electricity commitment Glenwood Springs has become an important model for other municipal utilities.

By joining together as a county, Garfield Clean Energy has created a way for our rural region to make significant, measurable progress on energy efficiency, renewable energy, and clean energy transportation targets. GCE has delivered results in three important areas. Please also see the attached cumulative results brochure on GCE.

- **Economic diversification:** Since 2009 GCE's programs and services have stimulated demand for over 353 service contractors and \$40 million in clean energy investments.
- **Energy cost savings for member governments:** GCE helps governments track energy data to manage and cut energy costs; maximize monetary benefits of renewable energy and energy efficiency investments.
- **Energy savings for families and businesses:** GCE helps local families of all income levels and businesses save money on utility bills which keeps more dollars circulating locally.

2019 marks the 10 year anniversary of GCE, which started with a DOLA grant and local matching funds, and grew into a county-wide government collaborative, working in partnership with a nonprofit organization CLEER to deliver services designed to meet measurable targets. GCE has been cited statewide as a model of how a region can work together to advance clean energy in ways that diversify the economy. In early 2018, the Executive Director of DOLA at that time, Irv Halter, presented Garfield Clean Energy with a statewide award for its innovative use of energy efficiency, renewable energy and alternative transportation fuels to drive economic development. GCE members should be proud for implementing programs that the state is looking to as a model.

GCE is hosting a celebration event for the 10-year anniversary on the evening of September 26 at Hotel Colorado and we hope you all can attend.

At the June 27 meeting we would like to cover the following topics:

1. Report on 10-year results and gather feedback as the GCE board plans for 2020 and the coming years. (Please refer to the first four attachments for results to date, latest annual report and Strategic Plan.)
2. DOLA Renewable Energy Initiative grant opportunity: The recently announced DOLA Renewable Energy Initiative lists regional collaboration as one of the criteria being considered in evaluating grant applications. GCE is interested in seeing if partners want to develop joint proposals for both the planning and capital grant categories. If Glenwood Springs is interested in a regional approach we would like to collaborate with City staff to explore and develop concepts.
3. **To continue this 10 year track record of regional collaboration and success**, GCE is requesting that its nine member governments include funding for the Garfield Clean Energy Collaborative in their 2020 budgets, and would like to work with staff on the amount for 2020. Thank you for your continued participation, support and consideration of this 2020 request.

Attached to this brief memo are the following reports and documents:

- a) Economic and Energy Benefits summary - specific to Glenwood Springs
- b) GCE Results Brochure
- c) 2018 Annual Report
- d) Strategic Plan
- e) DOLA Renewable Initiative Fact Sheet
- f) 2019 Budget - background for 2020 request



Town of Parachute | City of Rifle | Town of Silt
 Town of New Castle | City of Glenwood Springs
 Town of Carbondale | Garfield County
 Roaring Fork Transportation Authority
 Colorado Mountain College

Managed by CLEER: Clean Energy Economy for the Region / (970) 704-9200 / P.O. Box 428, Carbondale, Colorado 81623

Economic and Energy Benefits for Households and Businesses in Glenwood Springs

As part of the original Garfield New Energy Communities Initiative, Glenwood Springs piloted one of the first rural mainstream commercial energy efficiency programs in the state in 2009. Lessons learned from that program helped state staff create programs to encourage more communities to implement commercial efficiency programs. Families, businesses and contractors in Glenwood Springs have been benefitting ever since then.

Residential energy efficiency summary	2009 - 2019
Home energy assessments	331
Energy efficiency retrofits completed, by household	436
CARE Program participants (income-qualified)	32
Total retrofit project investments, incl. CARE Program	\$2,578,121
Estimated total annual energy savings	\$172,124
Residential Revolving Loan Fund borrowers	16
Door-to-door outreach	156
LEDs given away	900
Glenwood Springs Electric rebates	\$274,523
Other rebates*	\$429,709

Commercial energy efficiency summary	2009 - 2019
Energy efficiency retrofits completed, by site	171
2014-2019 Building energy walkthroughs	91
Total retrofit project investments	\$4,016,554
Estimated annual energy savings	\$565,606
Glenwood Springs Electric rebates	\$403,367
Other rebates	\$643,621



How energy efficiency, clean transportation and local power create measurable economic benefits:

- Diversify the economy
- Create and expand new business opportunities
- Lower energy costs for families, businesses, and governments, freeing up funds for other priorities
- Grow the local economy
- Create new jobs
- Lower business operating expenses
- Create competitive advantages
- Stabilize energy costs
- Use Colorado-produced natural gas and electricity for alternative transportation fuels



Garfield Clean Energy Targets

Energy efficiency

- Achieve a 20 percent increase in energy efficiency over the 2015 baseline by 2030

Local power

- Obtain 35 to 50 percent of energy from renewable sources by 2030

Clean transportation

- Reduce petroleum consumption by 25 percent from the 2009 baseline by 2020

Energy efficiency and renewable energy targets adopted in 2017 through the Partners in Energy project, sponsored by Garfield Clean Energy, Xcel Energy and CLEER

KEYS TO SUCCESS

The benefits to Garfield County's economy from energy efficiency, local renewable energy and alternative transportation fuels have been made possible by:

- State-local partnerships
- Ongoing multiple sources of investment and funding, including state and federal funding
- Countywide collaborative framework
- Public sector/private sector partnerships
- Local, regional and state leadership and vision

PARTNERS INCLUDE:

Garfield Clean Energy Collaborative: Parachute, Rifle, Silt, New Castle, Glenwood Springs, Carbondale, Garfield County, Roaring Fork Transportation Authority, and Colorado Mountain College.

CLEER, Energy Outreach Colorado, Holy Cross Energy, Xcel Energy, Glenwood Springs Municipal Electric, New Energy Technology, Aspen Skiing Company Environment Foundation, CORE, Alpine Bank, Energy Smart Colorado, Roaring Fork School District, and all the many participating contractors and Garfield residents.

STATE AND FEDERAL FUNDING SOURCES:

Colorado Department of Local Affairs (2009-2011)

Colorado Energy Office

Department of Energy/Better Buildings Grants (through 2014)

FOR MORE INFORMATION

GCE: GarfieldCleanEnergy.org

CLEER: CleanEnergyEconomy.net

CLEER Offices: 970-704- 9200

Garfield Clean Energy

Economic growth through energy efficiency, alternative fuels and local power



resilience security family new jobs economy ENERGY partnerships BUSINESS independence diversification savings innovation

ENERGY INNOVATIONS CREATE COUNTYWIDE ECONOMIC DEVELOPMENT

JUST A FEW EXAMPLES



PARACHUTE SOLAR FLOWERS

Unique array powers I-70 Rest Area. Others power Parachute's library, town hall and water plant.



ENERGY EFFICIENT BUSINESSES

340 businesses tapped incentives and technical advice to make energy upgrades, such as East Third Street Professional Building and Elder Trucking in Rifle.



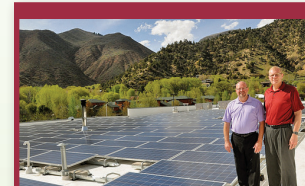
SILT WATER PLANT SOLAR

Water treatment plants are major energy users. A 234-kW solar array powers 100% of Silt Water Treatment Plant annual electricity.



WASTEWATER TREATMENT EFFICIENCY

Fine-tuning operations at New Castle's wastewater treatment plant delivered cost savings.



LOCAL POWER FOR BUSINESS

Glenwood Springs Subaru replaced parking lot lights with dimmable LEDs and installed a 96 kW solar array, cutting electric bills by 44%.



CNG FLEETS AND FUELING

Compressed natural gas (CNG) is a locally-produced alternative fuel for truck fleets. Fueling stations in Glenwood Springs, Parachute and soon in Rifle meet new demand.

PARACHUTE

RIFLE

SILT

NEW CASTLE

GLENWOOD SPRINGS

Colorado River



BATTEMENT MESA WATER PLANT

Mesa Metro District installed a 435-kW solar array for its water treatment plant, providing all its electricity.



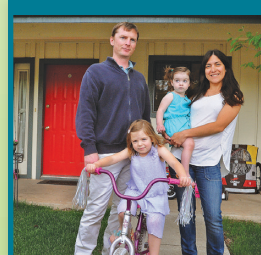
RESIDENTIAL REVOLVING LOAN FUND

GCE Revolving Loan Fund has financed energy efficiency upgrades for 48 households since 2012. For most families, energy savings offset loan payments.



RIDE GARFIELD COUNTY

The multi-year Ride Garfield County campaign promotes bicycling, walking and riding transit. The effort helped Glenwood Springs reduce traffic congestion during the 95-day bridge detour in fall 2017.



HELPING FAMILIES CUT ENERGY COSTS

In a partnership with Energy Outreach Colorado and utilities, GCE and CLEER have helped over 1,200 households make energy improvements, reducing energy costs for families countywide.



PROJECTS SPUR BUSINESS DEVELOPMENT

Clean energy projects have stimulated demand for 353 contractors and suppliers since 2010, such as these two home energy assessment and insulation contractors.



ELECTRIC VEHICLE SALES EVENT

An innovative campaign in 2017 in Garfield, Pitkin and Eagle counties to promote electric vehicles led to sales of 87 EVs and an 85% increase in public EV charging stations.



BETTER BOTTOM LINE

Businesses achieve rapid payback from electrical savings by replacing old fluorescents with LEDs, such as Toad & Co. and Glenwood Adventure Co. in Glenwood Springs.



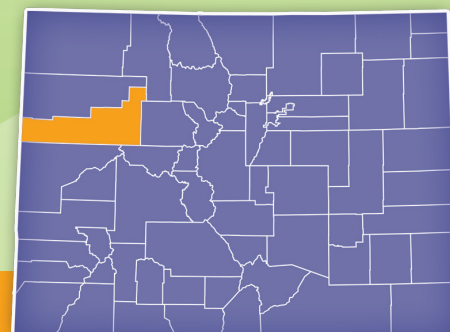
BUILDING ENERGY NAVIGATOR

CLEER's Building Energy Navigator website displays energy data for 90 government buildings countywide. It's a valuable tool for facility managers. Kiosks, like this one at the Carbondale Recreation Center, provide easy public access to energy data.



100% SOLAR HIGH SCHOOL

Through student initiative, Roaring Fork High School in Carbondale invested in efficiency, then installed a 379-kW solar array to power 100% of annual electric use.



GARFIELD COUNTY
COLORADO
POPULATION 59,000

x 64 counties = more resilient statewide economy and achieving statewide goals

BY THE NUMBERS

Energy efficiency, local power, and clean transportation add up to measurable economic and environmental benefits.

CUMULATIVE RESULT 2010-2018:
(except where noted)

ENERGY EFFICIENCY

Households

1241 Household projects
\$471,574 Annual energy savings

Commercial

340 Businesses, churches, nonprofit projects
\$989,694 Annual energy savings

Government

34 Government facility energy efficiency upgrades
\$1.9 million Investment stimulated
90 buildings Using Navigator data to cut costs
\$798,326 Annual energy savings

LOCAL POWER

32 Government buildings, facilities, schools and libraries powered by solar energy
4.6 megawatts

6 Community solar gardens
6.6 megawatts

TOTAL of all government and solar gardens produces enough to power 2,400 homes

CLEAN TRANSPORTATION

40 (77 plugs) Public EV charging stations
5 Public compressed natural gas (CNG) fueling stations

32 (~23% of fleet) RFTA fleet CNG buses
87 Electric vehicles (EV) in Garfield County
375+ Ride Garfield County (countywide bike commuter program) participants 2015-2017
120,000 Bicycle miles ridden

ECONOMIC BENEFITS

353 Participating contractors and distributors
\$7,043,000 Cumulative energy savings
over \$40 million stimulated including all solar, CNG stations, and energy efficiency upgrades

ENVIRONMENTAL BENEFITS

69,204 metric tons of carbon avoided to date, just from the energy efficiency projects, equivalent to annual carbon from 7,473 homes or 14,819 vehicles



9 local government partners
joining together in a shared mission
to make Garfield County
the most energy efficient county in the U.S.

Garfield Clean Energy 2018 Summary

March 6, 2019 • Prepared by CLEER: Clean Energy Economy for the Region
(970) 704-9200 • www.GarfieldCleanEnergy.org

2018 Economic Activity	
Residential upgrade projects	\$1,011,637
Commercial upgrade projects	\$467,535
2018 CARE Program upgrades	\$133,715
Amount invested in Plug-in Hybrid/Electric Vehicles	\$1,349,000
Plug-in Hybrid/Electric Vehicles Purchased	38
Total	\$2,961,887

Residential Loan Fund	End of 2018
Cumulative total loans	49
New loans	-
Loaned to date	\$487,121
Principal repaid to date	\$354,511
Loan balance to date	\$132,610
Available loan pool	\$174,183
Portfolio yield	2.239%

Residential activity summary	2018 Total
Residential retrofits completed	113
Total retrofit project costs	\$1,011,637
Estimated annual energy savings	\$58,066
Coaching clients	143
E-mails/calls	455
CARE Total retrofit projects costs	\$133,715

2018 CARE Program (for income-qualified families)	Home visits	Upgrades complete
Parachute / Battlement	9	9
Rifle	2	2
Silt	2	2
New Castle	9	9
Glenwood Springs	9	9
Carbondale	9	9
Countywide total	40	40

CARE upgrades:

High efficiency
furnaces, boilers,
windows, insulation,
air sealing, LEDs,
programmable
thermostats, hot
water heater
blankets, Energy
Star fridges.

Commercial activity summary	2018 Total
Commercial retrofits completed, by site	38
Total retrofit project costs	\$477,761
Estimated annual energy savings	\$181,378.74
Coaching clients	56
Emails/calls	238
Energy Coach building walk-throughs	13

Event name	Date	Location	Participants
RENU (loan program) Training for Contractors	2/5/18	Glenwood Springs and Rifle	22
Radon Mitigation Workshop	2/27/18	Rifle	14
Radon Mitigation Workshop	3/1/18	Carbondale	27
GlenX Career Expo (booth)	3/6/18	Carbondale	1000 students
Buildings for a Sustainable Future	5/18/18	Carbondale	170
Carbondale Farmer's Market (booth)	6/11/18	Carbondale	21
Rifle Farmer's Market (booth)	6/22/18	Rifle	44
Rifle City Market (booth)	6/23/18	Rifle	15
Senior Silt Meet and Eat (presentation)	6/27/18	Silt	35
Senior Chat n' Chew (presentation)	7/6/18	Glenwood Springs	40
First Friday (booth)	7/6/18	Carbondale	50
New Castle Farmer's Market (booth)	7/12/18	New Castle	25
New Castle Farmer's Market (booth)	7/26/18	New Castle	30
CET Event (booth)	7/2/18	Glenwood Springs	100
Rifle Farmer's Market (booth)	7/17/18	Rifle	30
New Castle Farmer's Market (booth)	7/26/18	New Castle	30
Rifle Farmer's Market (booth)	7/24/18	Rifle	40
St. Stephen's Church (presentation)	8/8 and 8/9/18	Glenwood Springs	150
New Castle Farmer's Market (booth)	8/13/18	New Castle	40
Good Shepherd Lutheran Church (presentation)	8/16/18	Glenwood Springs	35
Chamber of Commerce Business Confluence	9/19/18	Carbondale	70
EV Ride and Drive Event	9/6/18	Eagle	20
EV Ride and Drive Event	9/11/18	Glenwood Springs	20
EV Ride and Drive Event	9/12/18	Avon	20
EV Ride and Drive Event	9/14/18	Aspen	20
Oktoberfest	9/29/18	Parachute	50
Facility Manager Roundtable	10/3/18	Glenwood Springs	45
Passive House Workshop	10/18/18	Carbondale	30
C-Pace Workshop	10/19/18	Glenwood Springs	10
Net-Zero Affordable Housing	10/25/18	Carbondale	44
Solar and Low Energy Homes	11/1/18	Carbondale	20
Regional Clean Energy Roundtable	12/13/18	Carbondale	75

Seniors benefit from home energy improvements

Heather McGregor
Clean Energy Economy News

When winter winds blow and temperatures drop, seniors living in drafty homes feel the chill and pay the bills for the season's high utility costs.

However, the county's CARE program helps income-qualified seniors beat the cold with free or discounted home energy efficiency upgrades such as insulation, air sealing, windows, refrigerators and other improvements.

"They sealed this house up like you can't believe," said Garry Evenson, 81, of Battlement Mesa, describing work done by Building Performance Contractors. "They did a fantastic job, and I really appreciate it."

In Rifle, a furnace tune-up and air sealing reduced Bessie Burr's utility bill by \$20 a month.

"They took care of all the cracks around my windows," said Burr, 85, and she noticed a big difference during the heat of summer. "I didn't even turn on my air conditioning last summer."

CARE is a regional program of Energy Outreach Colorado that originated in Garfield County in 2015. Garfield Clean Energy and CLEER deliver CARE services locally, with additional funding from Xcel Energy, Holy Cross Energy, Black Hills Energy, Glenwood Springs Electric and the Town of Carbondale.



Through the CARE program, Garry Evenson of Battlement Mesa received wrapping on his hot water heater, air sealing throughout the house, LED light bulbs, a furnace tune-up and a low-flow showerhead. "They did a fantastic job, and I really appreciate it," Evenson said.

"When we can help people reduce their energy bills, their cost of living becomes more affordable," said Tom Jankovsky, Garfield County's board member for Garfield Clean Energy. "That's especially important for seniors living on a fixed income."

CARE helps income-qualified families of all ages, but seniors tend to have greater needs. Of the 127 households from Parachute to Carbondale helped by CLEER since the program launched in

2015, 32 are senior households.

CLEER estimates these 32 senior households are saving \$18,460 per year with lower electric and natural gas bills, an average of \$575 per household.

CLEER Energy Coaches Maisa Metcalf and Brandon Jones first make a free home visit, usually installing several LED light bulbs and a low-flow showerhead, and putting a tight insulating wrap on the water heater. They note other needed improvements, and

arrange for professional contractors to do those jobs.

"They were very polite and concerned about my house," said Burr. "They went into every room."

The coaches also check for health and safety problems. Over the years, the CARE program has repaired improperly venting furnaces, unsafe entryways and broken windows.

At most homes the focus is on energy efficiency improvements, which also make a home more durable and comfortable.

Air sealing and insulation added in January 2017 has made a difference at Jim and Judy Lemon's home on Morrisania Mesa.

"We do notice the house does not fluctuate in temperature near what it used to. We set the thermostat for 72 and it maintains. Before, it would cool down real fast," said Jim Lemon, 72. "It's a lot warmer during the cold season, and not quite so hot in the summer."

In Silt, Laura Goodwin, 70, had two stubborn windows that wouldn't close completely. Through CARE, Woodpecker Workshop repaired the windows so they operate properly and keep out the drafts.

Goodwin was also able to buy a new energy efficient refrigerator at a 50 percent discount. "There were some things wrong with the old fridge, so I really appreciated

that," she said.

North of New Castle, where Patricia and Wendell "Kim" Porter rely on a woodstove for heat, CARE provided air sealing, insulation and four new basement windows.

"The house does not take as long to heat up, and it stays warm longer. When we get up in the morning, it's not freezing cold," said Patricia Porter, 68. The old windows used to frost up at night, but the new ones stay clear and dry, she noted.

"We wouldn't have been able to do it on our own," Porter said, and she appreciated getting several projects done at one time. "When you get the whole enchilada, it's more noticeable. It was an instant change."

For 2018, CLEER received another grant from EOC, and Garfield Clean Energy has committed matching funds, making it possible for the CARE program to serve more Garfield County seniors and income-qualified families of all ages.

For a single person, the qualifying income is at or less than \$39,040 per year. For couples, it's \$44,640. Homeowners and renters are eligible.

To find out more information and how to apply, visit the CARE page on the Garfield Clean Energy website, or contact CLEER at (970) 704-9200 or info@cleaneconomy.org.



Hide Caption

Chelsea Self / Post Independent

Garfield Clean Energy, CLEER and the city of Glenwood Springs hosted an electric vehicle ride and drive event on Cooper Avenue on Tuesday afternoon. Community members were invited to check out and/or test drive electric vehicles from six different dealers in a relaxed and low pressure environment.





Hide Caption

Chelsea Self / Post Independent

Maisa Metcalf, who works for CLEER, checks out the Tesla Model 3 at the electric vehicle ride and drive event that took place in downtown Glenwood on Tuesday afternoon. Garfield Clean Energy, CLEER and the city of Glenwood Springs hosted an electric vehicle ride and drive event and invited community members to learn about and/or drive electric vehicles from six different dealers in a relaxed and low pressure environment.



2 | Thursday, January 10, 2019 | The Citizen Telegram

Hot water flowing again for single mom in Rifle

Submitted to the Citizen Telegram

A single mother in Rifle has a functioning hot water heater, after three months of making do, thanks to Garfield Clean Energy, CLEER, the CARE program and the generosity of U.S. Boiler and Plumbing of Silt.

"It's pretty awesome to know there are people that are willing to help. I am so thankful for that," said Cristal Aguirre Anchondo, 25.

Back in September, the tank water heater in the crawlspace under her townhome on Meadow Circle in Rifle failed.

"All of a sudden, the hot water didn't come out," said Aguirre, who has a seven-month-old baby.

She called U.S. Boiler and Plumbing to ask about repairs. Nikki Swick, U.S. Boiler's dispatcher, knew there would be resources to help the young mother. Swick encouraged Aguirre to contact Brandon Jones, an energy consultant for CLEER, which manages the CARE program in Garfield County.

CARE is a regional program that provides free home energy efficiency upgrades to income-qualified families. Funding for CARE is provided by Energy Outreach Colorado, Xcel Energy and other energy utilities in the region. CLEER and Garfield Clean Energy piloted CARE in Garfield County in 2015; since then it has expanded to serve 40 counties. From 2015 through 2018, CARE provided efficiency upgrades for 255 households in Garfield County.

After hearing from Aguirre, Jones quickly scheduled a home energy visit, a free basic service provided by CARE. He installed



KELLEY COX / GARFIELD CLEAN ENERGY

Cristal Aguirre Anchondo uses hot water to wash up a bottle for her infant son Jonathan. The single mother has a working hot water system in her Rifle home after three months of making do.

LED light bulbs and faucet aerators, arranged for her to receive a new energy-efficient refrigerator, and sized up the water heater problem.

Groundwater had seeped in and flooded the crawlspace around the heater. Two other abandoned water heaters were nearby, indicating a recurring problem.

"This problem had been going on for years, but no one said anything about it," Aguirre said. She purchased the townhouse in 2016.

Jones could see that fixing this problem wasn't going to be simple, and it was likely to cost serious money.

He worked with Rick Shaffer, owner of U.S. Boiler and Plumbing, to plan a permanent solution. Shaffer advised installing a sump pump and vapor barrier in the crawlspace, where the furnace is also located, and installing an energy-efficient on-demand water heater in the garage.

The project bid came in at \$7,186.

"There's no way I could pay that," recalled Aguirre, who works as a housekeeper in Aspen. She tried to get a loan, but couldn't qualify. She remembers thinking, "I don't know what I am going to do."

Meanwhile, Jones combed the local CARE budget, talked with CARE program managers at Energy Outreach Colorado, and conferred with Shaffer. In November, he called Aguirre to explain a new plan.

Jones would use \$2,700 from the local CARE budget, funded by Energy Outreach Colorado, and another \$1,000 from Energy Outreach's health and safety fund. The water heater qualified for a \$300 rebate from Xcel Energy. And U.S. Boiler and Plumbing offered to cover the entire \$2,700 cost of purchasing and installing the sump pump and vapor barrier.

"From time to time, we find these people who really need help, and we try to step up on that level," Shaffer said. "In 2018, we did probably \$20,000 in donated services to families needing help with furnace repairs, furnace replacements and water leaks."

"We are a for-profit business, but you don't want to turn your back on people who truly need help. We are trying to set the

example," he added.

"Thanks to their expertise and generosity, U.S. Boiler and Plumbing made hot water possible for Aguirre and her son," Jones said. "Not only was the company able to identify a permanent solution to the crawlspace flooding, but they donated it."

The combined funding left a balance of \$486, paid by Aguirre. "I was, like, wow!" she said.

U.S. Boiler had a packed fall schedule, so the job was scheduled for December. In the meantime, Aguirre and her seven-month-old son Jonathan continued to bathe at her parents' home in New Castle, and she heated water on the stove for dishwashing.

The first week of December, the U.S. Boiler crew removed all three failed water heaters, dug a sump pit and installed the sump pump, and covered the crawlspace dirt with a vapor barrier of thick plastic sheeting. The crew installed a Navien tankless on-demand water heater, which features a totally sealed combustion chamber and a high Energy Star rating, in the garage.

Now Aguirre has plenty of hot water for showers, baths for Jonathan, dishwashing and cleaning.

It's too early to know whether Aguirre will see a change in her natural gas bill, but she has peace of mind knowing her new hot water system won't fail.

The CARE program continues to provide free home energy visits and energy efficiency upgrades to income-qualified households across Garfield County. To learn more, contact CLEER at 704-9200, or visit cleanenergyeconomy.net.

Solar summit launches tri-county 'roadmapping' effort

National Renewable Energy Lab in Golden helping lead local discussion

Staff report

Decision-makers from Garfield, Pitkin and Eagle counties are to gather in Glenwood Springs Thursday to launch a planning process that's intended to usher in more solar projects across the region.

The all-day event is presented by Clean Energy Economy for the Region (CLEER) and Garfield Clean Energy, in partnership with the National Renewable Energy Laboratory (NREL), based in Golden.

Organizers say the time is right for the three counties to come together

to plan for new solar projects on a regional scale.

"We have a window of opportunity now in 2019 to really bend the curve on solar energy in our region," Katharine Rushton, CLEER's renewable energy program director said in a press release announcing the summit.

"This solar roadmapping workshop is pivotal to kickstart that," she said.

Rushton added that the cost of installing solar has fallen to the point where it's as cheap as conventional energy.

In conjunction, electric utilities

and local governments in the region have begun adopting stronger "clean-energy" targets. And, Gov. Jared Polis's goal of 100 percent renewable energy by 2040 means Colorado now has one of the most ambitious targets in the country.

Locally, Garfield, Pitkin and Eagle counties are in the process of establishing a Regional Clean Energy Corridor Network to take advantage of the opportunities.

The Network concept emerged from a roundtable



COLIN LAIRD PHOTO

A solar planning roundtable meeting at Carbondale's Third Street Center in December spawned a broader summit that takes place Thursday in Glenwood Springs.

SUMMIT, A5

SUMMIT

From page A1

meeting in December aimed at developing regional approaches to accelerating project and aligning the interests of local governments, utilities, nonprofits and other stakeholders.

Thursday's event, titled "Regional Solar Energy Planning: Collaboration, Innovation, Acceleration," represents the Network's first action step.

The summit is open to the public. To register, visit CLEER's website or the Eventbrite page.

According to the press release, the

collaborative process will "enable the three counties to benefit from economies of scale, access state funding, pool resources, share best practices and come up with innovative new ideas."

Advancing solar on a regional scale helps achieve three important goals, organizers said.

The workshop will include staff members and elected officials of local governments and utilities, solar industry representatives and others in the solar development field. NREL staff will lead the session and will provide information about technical resources.



Garfield Clean Energy Collaborative 2019 Strategic Plan

INTRODUCTION

Members of the Collaborative are Garfield County, the Town of Parachute, City of Rifle, Town of Silt, Town of New Castle, City of Glenwood Springs, Town of Carbondale, Roaring Fork Transportation Authority and Colorado Mountain College. These partners have joined together to use energy efficiency, renewable energy and alternative fuels to build a stronger, more resilient and energy-secure economy. Households, businesses and governments across Garfield County are cutting energy bills, and local businesses are benefiting from contracts and sales.

The 2019 strategic plan builds on and provides an update to the 2016 GCE Strategic Plan and the 2017/2018 Xcel Energy Partners in Energy Garfield Energy Action Plan with actionable and measurable 2019 steps.

Accomplishments 2009 through 2017

Private sector

- 1,006 households and 277 businesses invested in energy efficiency upgrades: over \$2 million in savings to date
- \$487,000 loaned from the Residential Revolving Loan Fund; 49 loans

Government sector

- 34 government energy efficiency building upgrades
- 9 local government partners using ongoing energy consultations for energy efficiency
- 90 buildings tracking energy savings on the Building Energy Navigator and using energy management strategies

Renewable energy sector

- 32 solar arrays on government buildings generating 4.6 megawatts
- 3 Community solar gardens generating 5.5 megawatts

Transportation sector

- 26 (45 plugs) electric vehicle charging stations
- 34 Compressed Natural Gas (CNG) transit buses, 2 Traveler vans and CNG fueling station based at RFTA's Glenwood Maintenance Facility
- 2 CNG stations

Economic development results

- Energy cost savings from all tallied projects: \$1.8 million per year
- 172 contractor and supplier businesses benefitting from work and product sales

- Initial DOLA grant funding stimulated \$32 million in private and public investment in clean energy upgrades, equipment and vehicles, benefitting the local economy

GARFIELD CLEAN ENERGY COLLABORATIVE: VISION, MISSION AND GOALS

Garfield Clean Energy Vision Statement

Garfield Clean Energy Collaborative (GCE) will be a national leader in using energy efficiency, renewable energy, and alternative fuels to build a strong, resilient, and diverse economy.

Garfield Clean Energy Mission Statement

The mission of the Garfield Clean Energy Collaborative is to provide energy efficiency solutions, education and alternative and renewable energy opportunities to all individuals and organizations, for the purpose of building a stronger, more resilient economy benefiting citizens of Garfield County.

Goals

Collaborating with local governments, utilities, non-profit organizations, and businesses, GCE's overarching goals will be to:

Goal No. 1: Achieve 20% energy efficiency over the 2015 baseline by 2030, as a means to a stronger, more resilient and energy-secure economy.

Goal No. 2: Reduce petroleum fuel consumption 25% by 2020, over a baseline 2009, as a means to a stronger, more resilient and energy-secure economy.

Goal No. 3: Obtain between 35% and 50% of our energy from renewable sources by 2030 as a means to a stronger, more resilient and more energy-secure economy.

Goal No. 4: Identify and implement adequate and sustainable funding for Garfield Clean Energy, to achieve our mission.

Garfield Clean Energy 2019 Goals and Strategies

Focus Area 1 – Commercial – Agricultural – Industrial

The commercial, industrial, and agricultural sector accounts for the largest portion of energy use in the county, and therefore presents the largest opportunity for savings. Increases in energy efficiency in this sector will also result in significant economic benefits and is key to reaching overall GCE targets. 2019 goals and strategies build on programs to date that have engaged commercial, agricultural and industrial energy users.

2019 Goals:

1. Recruit 50 businesses with committed projects from the following sectors:
 - 3 Oil and Gas
 - 3 Cannabis
 - 3 Agricultural
2. Provide coaching services to at least 80 businesses

3. Contact the following entities to recruit a representative to be part of ongoing GCE coordination and present to GCE
 - Holy Cross Energy
 - Xcel Energy
 - Glenwood Electric

Strategies:

- Continue to provide outreach and education to this sector on opportunities for reducing energy costs
- Continue implementing a marketing / public relations campaign
- Find or develop a financing option for small businesses, potentially converting the Residential Revolving Loan Fund
- Provide trainings and workshops for commercial businesses and contractors, including focused workshops on agricultural opportunities

Focus Area 2 – Residential – Market Based and Low Income

Residential energy use accounts for 34 percent of county-wide electricity use and 64 percent of county-wide natural gas use. Helping households cut energy expenses is especially important in a region that faces affordable housing challenges, giving families more disposable income for other important priorities.

2019 Goals

1. Engage in 150 coaching encounters
2. Complete 120 residential projects
3. Facilitate 3 outreach programs or events
4. Complete 40 household projects in the CARE program
5. Complete 3 multifamily projects

Strategies:

- Target Multi-Family Units for coaching
- Target HOAs for coaching and outreach to their residents
- Check in with Senior Housing facilities across the county for additional projects and assistance
- Continue the congregation outreach
- Secure interns in the summer for outreach at farmers markets and other events in all the communities (if funding for interns can be secured)

Focus Area 3 – Government and Public Institutions

Maximizing energy savings and tapping energy innovations for public facilities demonstrates efficient use of tax-payer funds, ensures local governments are leading by example on resource efficiency, and is an important part of regional economic resilience.

2019 Goals

1. Make 10 new non-GCE contacts

2. Contract 3 new non-GCE member projects
3. Recruit 1 new GCE member from this sector
4. Present a GCE overview at 1 City Council meeting per municipality
5. Meet with the City or Town manager for each municipality
6. Strive for 100% of building and expansion projects to be evaluated by CLEER staff
7. Provide the means for all GCE partners to access their energy data
8. Identify ways to streamline energy use tracking by giving CLEER access to their utility bills
9. Encourage all GCE partners to utilize the Energy Navigator and document the results
10. Provide energy assessments to 50% of GCE members

Strategies:

- Continue with Energy Management and Tracking
- Expand GCE's presence within:
 - Post Offices
 - Schools / School Districts
 - Libraries
 - Fire Districts
 - Recreation Districts
 - The Colorado River District
 - CDOT
 - Hospitals
 - Metro Districts
- Reach out to new build opportunities via Buildings and Planning & Zoning Departments
- Host interest specific Round Table or Focus Groups
 - Building and Planning Departments
 - Commercial contractors such as Safebuilt and Hall Ryan Construction
 - Facilities Managers

Focus Area 4 – Transportation

GCE has focused on a 3-pronged approach to reach GCE petroleum dependence goals: work for providing cleaner fuels, encourage purchase of cleaner vehicles, and encourage active transportation and transit. 2019 goals and strategies build on CNG and electric vehicle successes to date and continue to encourage use of and access to trails, safe routes and transit.

2019 Goals

1. Facilitate progress on CNG station construction
2. Add 6 Recharging Stations – 1 in each municipality
3. Continue the Ride Garfield County Program - bike to work and school days, special events, commuter challenges.
4. Provide LOVA Trail and other warranted trails support
5. Increase the local ownership of electric vehicles

Strategies

- Target transportation and transit expansion opportunities between Parachute and Rifle
- Create a bulk installation plan and grant application for charging stations across the county
- Continue participation with Electric Vehicle promotions
- Monitor number and condition of Recharging Stations across the county considering:
 - FMLD Grants
 - VW award monies
 - Upgrading existing stations
 - Holy Cross, RFTA, Glenwood Electric participation

Focus Area 5 – Renewable Energy

Energy efficiency in the built environment is key to any long-term goals; however, energy efficiency alone will only take the county so far. As the county population continues to increase and demand for energy necessarily follows that pattern, it becomes more important to look toward generating renewable energy in order to have a more robust and resilient community and economy. Taking the long view about energy implies an understanding of need, capacity, innovation, and policy that removes barriers and encourages investment and participation in renewable energy throughout the county.

2019 Goals

- Continue to facilitate the growth of solar throughout the county.
- Organize at least one workshop for local governments to provide info on renewable options for governments.
- Work with each jurisdiction to achieve SolSmart certification (the County and all municipalities)
- Identify 3 micro-hydro projects in Garfield County and lay the groundwork to pursue.
- Implement a community solar bulk buy program increasing renewables on homes

Strategies:

- Continue to build the regional partnerships and collaboration to meet renewable energy targets with maximum local economic benefits and job training; continue to build on region's participation with National Renewable Energy Lab's Solar Energy Innovation Network
- Continue to work for implementation of additional innovative renewable projects such as Micro Hydro and renewable technologies presented at 2017 GCE Clean Energy Innovation workshop
- Provide information to local governments with renewable financing options and coaching for local governments
- Promote financing programs for businesses and residents to increase installation of renewables

- Generate marketing and outreach stories promoting renewable energy options in Garfield County



Renewable and Clean Energy Challenge Planning, Infrastructure, and Implementation Projects

Funding Available: \$12,000,000

Purpose:

The Department of Local Affairs (DOLA) is launching a catalytic Renewable/Clean Energy Challenge grant program, to spark efforts in reaching Colorado's 2040 100% renewable energy goal.

\$2 million has been set aside for planning efforts; the remaining \$10 million will be allocated for implementation.

Projects funded by this initiative should achieve renewable energy, energy efficiency, and energy conservation efforts; support innovations in renewable energy; achieve multiple objectives and/or serve those with the greatest need; develop plans, studies, and policies that further long-term, large-scale renewable energy generation and energy conservation. Projects considered will be those that respond to needs and opportunities identified by the local government.

Eligible Entities

Municipalities, counties, school districts, special districts and other political subdivisions and state agencies

Process

Grants will be accepted for planning and implementation projects. Notice of Funds Available will open July 1, 2019 and close August 1, 2019. Funding decisions for planning grants will be made in November 2019; letters of inquiry for implementation projects will be due September 1, 2019.

Invited applicants will submit applications by December 1, 2019, and funding decisions will be made in March 2020.

Planning

Planning activities may be undertaken by individual local governments, multijurisdictional collaboration, or on a regional basis to identify opportunities, infrastructure needs, and to identify potential partnerships among public and private entities to achieve this renewable energy goal. Local governments applying for planning grants must contribute a minimum of 25% match. Request amount will be limited to the Tier I cap of \$200,000.

Implementation

DOLA will support efforts by local governments to implement demonstration projects that will move recipient communities towards 100% renewable energy by 2040. In an effort to make the most impact with these dollars, an emphasis will be placed on funding large scale demonstration projects statewide that will serve as models for future projects throughout the state. As with other capital construction projects, applicants are required to match grant funds on a dollar-for-dollar basis. In cases where the applicant's financial condition does not permit a 50/50 match, a minimum match of 25% is required.

Contacts

Colorado Department of Local Affairs, Division of Local Government

Please contact your [Regional Manager](#) for more information

Garfield Clean Energy Collaborative 2019 Budget

Acct No.		2015 Amended	2016 Budget	2017 Budget	2018 Budget	2019 Budget
	INCOME					
	Beginning fund balance	\$12,740	\$38,415	\$28,080	\$25,344	\$25,000
3000	Partnership Funding					
3100	Garfield County	\$180,000	\$150,000	\$150,000	\$150,000	\$160,000
3200	Parachute	\$2,500	\$1,500	\$1,500	\$1,500	\$1,500
3300	Rifle	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
3400	Silt	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
3500	New Castle	\$15,500	\$17,500	\$17,500	\$17,500	\$17,500
3600	Glenwood Springs	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
3700	Carbondale	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
4100	Library District	\$10	\$0	\$0	\$0	\$0
4200	RFTA	\$25,000	\$25,000	\$25,000	\$30,000	\$30,000
5100	Colorado Mountain College	\$30,000	\$35,000	\$35,000	\$35,000	\$35,000
	Partnership Funding subtotal	\$329,010	\$305,000	\$305,000	\$310,000	\$320,000
	Contributions from others					
	Community Partners	\$0	\$0	\$0	\$0	\$0
	Grants (Xcel Energy)	\$0	\$19,000	\$0	\$5,000	\$0
	Sponsorships	\$3,890	\$0	\$0	\$0	\$0
	Contributions from others subtotal	\$3,890	\$19,000	\$0	\$5,000	\$0
	TOTAL INCOME	\$332,900	\$324,000	\$305,000	\$315,000	\$320,000
	EXPENSES					
	Energy Efficiency for Economic Development Program					
10000	Commercial sector					
11000	Energy Consulting	\$38,000	\$43,000	\$35,000	\$35,000	\$35,000
12000	Outreach, Education, Training, Website	\$12,000	\$15,000	\$12,000	\$12,000	\$12,000
	Commercial subtotal	\$50,000	\$58,000	\$47,000	\$47,000	\$47,000
20000	Residential sector					
21000	Energy Consulting	\$47,000	\$27,000	\$40,000	\$40,000	\$40,000
21100	Energy Consulting - CARE Program	\$0	\$20,000	\$20,000	\$20,000	\$20,000
22000	Outreach, Education, Training, Website	\$10,010	\$12,000	\$12,000	\$12,000	\$12,000
22100	CEO Green MLS	\$0	\$19,000	\$0	\$0	\$0
	Residential subtotal	\$57,010	\$78,000	\$72,000	\$72,000	\$72,000
	Energy Efficiency subtotal	\$107,010	\$136,000	\$119,000	\$119,000	\$119,000
30000	Petroleum Independence Project / Transportation					
31000	Active Transportation & Transit	\$17,000	\$15,000	\$15,000	\$17,000	\$17,000
32200	Efficient Vehicles & Alternative Fuels	\$9,000	\$5,000	\$5,000	\$8,000	\$10,000
33100	WS CNG Network	\$24,000	\$5,000	\$5,000	\$5,000	\$5,000
	Petroleum Independence / Transportation subtotal	\$50,000	\$25,000	\$25,000	\$30,000	\$32,000
Acct No.		2015 Amended	2016 Budget	2017 Budget	2018 Draft	2018 Draft
40000	Renewable Energy					
41000	Technical Assistance & Education	\$12,000	\$12,000	\$10,000	\$10,000	\$10,000
	Renewable Energy subtotal	\$12,000	\$12,000	\$10,000	\$10,000	\$10,000
50000	Energy Efficiency for GCE Member Governments					
51000	Energy Data Mgt / Bldg. Energy Navigator Ops	\$35,000	\$25,000	\$25,000	\$25,000	\$25,000
52000	Active Energy Management Coaching	\$35,000	\$30,000	\$30,000	\$30,000	\$30,000
	Energy Efficiency for GCE Members subtotal	\$70,000	\$55,000	\$55,000	\$55,000	\$55,000
60000	Special Projects					
61000	Energy Inventory	\$11,300	\$4,500	\$0	\$0	\$0

I certify this is a true and accurate copy of the Garfield Clean Energy Collaborative 2018 Budget.

By: _____ Stuart McArthur, Chairperson. Date: _____

61100	Goal 4 Implementation	\$0	\$10,000	\$10,000	\$10,000	\$10,000
61200	Develop local energy resources	\$0	\$10,000	\$8,000	\$8,000	\$10,000
61300	Partners in Energy Implementation				\$5,000	\$0
	Special Projects subtotal	\$11,300	\$24,500	\$18,000	\$23,000	\$20,000
90000	GCE Partnership Services					
91000	Project Management, Reporting, Strategic Planning, Meetings, Budgeting, Policy	\$63,000	\$63,000	\$63,000	\$63,000	\$63,000
92000	Legal Services	\$2,300	\$3,000	\$3,000	\$3,000	\$3,000
93000	Accounting / Bookkeeping	\$6,500	\$7,000	\$7,000	\$7,000	\$7,000
91000.1	Audit / Financial review	\$4,300	\$4,500	\$4,550	\$4,550	\$4,550
91000.2	CIRSA Liability Insurance	\$2,100	\$2,100	\$2,100	\$2,100	\$2,100
95000	Contingency	\$0	\$3,000	\$3,000	\$3,350	\$3,350
	GCE Partnership Services subtotal	\$78,200	\$82,600	\$82,650	\$83,000	\$83,000
1001	Credit Reserve Fund expenses	\$2,000	\$1,500	\$1,000	\$1,000	\$1,000
	TOTAL EXPENSES	\$330,510	\$336,600	\$310,650	\$321,000	\$320,000
	Ending fund balance	\$15,130	\$25,815	\$25,344	\$25,000	\$25,000

I certify this is a true and accurate copy of the Garfield Clean Energy Collaborative 2018 Budget.

By: _____ Stuart McArthur, Chairperson. Date: _____



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Asset Management Software

Action Requested: The City of Glenwood Springs would like Council to approve moving forward with the purchase and implementation of Asset Management software to be provided and serviced by DTS VUEWorks per the provided proposal.

Department: Public Works

Presented By: Terri Partch, City Engineer
Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs has taken great steps in the management of our city infrastructure the last six years. In 2013, the City hired Jennie Koenig as our Geographic Information Systems Administrator. Jennie has managed the development of very detailed maps of our utility systems as well as procuring and managing the deployment of GPS receivers for data collection. Prior to development of the GIS maps, the process to locate utility lines and maintenance information was either time consuming research of hard copy mapping, broad city server searches or requesting information from the Public Works Director.

Jennie spent two years collecting information from long term water and sewer employees Buddy Burns and PeeWee before their retirement, as well as working closely with Doug Hazard to develop the digital GIS mapping of our utilities that we have today. With the new GIS mapping and the mobile GPS receivers used in the field by the Water, Waste Water, Streets and Electric Departments we now have the ability to locate assets within the field with very few calls to City Hall for help or endless wasted time researching historic data. This ability to complete research in-field cuts down on City Hall staff time, field crew time and down time for the utility if there is a break or an outage.

The VUEWorks Asset management software would be another step forward in proactively managing our existing utilities, streets and park infrastructure. It uses GIS location information as base data, and allows city crews to add a data base to each feature (utility line, stormwater structure, tree, etc.). This would allow city staff to keep and access historic information, location of the asset in real world mapping and past work order history on that asset. In addition, it would allow the city the ability to rate each asset for potential future failure and deferred maintenance cost. To put it plainly, it can help us decide which streets need to be fixed first, correlate that information to the utility failure potential under the street and help us map out project costs for all of the repairs to be made within that project area thus predicting the best way to move forward with the funds available. If the software tells us that we have multiple high level failure risks in town and we can only repair a portion of those within a single budget year, the software will also tell us what the deferred maintenance costs will be to the other high risk failure areas over the next several years until the projects can be completed.

GIS has been shown to be a large benefit to City staff in preventing the loss of historical knowledge from the retirement of long term employees and helping us to quickly and accurately locate utilities in field. Adding the DTS VUEWorks will allow staff to better manage and maintain all types of city infrastructure. Currently staff utilize up to three different asset management systems costing the city approximately \$8,600 a year. These smaller systems really only provide work order processing and inventory capabilities.

Issues:

Currently the City has one staff member within the GIS department and an overstretched IT department. The new software implementation process, software upkeep and information/data entry in to the software would require a new FTE within the GIS or IT department. This staff member could be paid for out of several funds including; electric, water, wastewater, streets, fleet, parks and landfill. The hiring of this new FTE would need to occur prior to the software implementation process beginning so that they are part of the decision making process for work flows and software set up.

The cost of the program and implementation is \$208,000 per the attached proposal. This cost breaks down to \$50,000 for the software purchase, \$22,000 for cloud hosting and annual maintenance and support, and \$136,000 for implementation, staff training and current data transfer into the new system. This process would take between 4-6 months to complete. The yearly cost from there on out would be the \$22,000 compared to the \$8,600 we currently spend on software.

Staff Recommendation:

With the loss of historic knowledge with each long term employee retirement current staff can see the benefit of implementing asset management as a module to the ERP system that is currently underway. This will be another piece of the modernization of the mapping and work order system that will help bring our system software into the 21st century along with the financial system upgrades. Staff recommends that council approve the asset management software proposal from DTS VUEWorks and allow staff to start the implementation process in 2019.

City of Glenwood Springs
Enterprise Asset Management System
BD 2018-041 – DTS Response





City of Glenwood Springs
Purchasing Department
101 West 8th Street
Glenwood Springs, CO 81601
REQUEST FOR PROPOSAL BD 2018-041
COVER SHEET

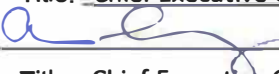
Date:	July 31, 2018
Proposal number:	BD 2018-041
Proposal title:	Enterprise Asset Management System
Proposals will be received until:	August 31, 2018 2:00 p.m., local time at 101 West 8 th Street, Purchasing Department, Glenwood Springs, Colorado 81601 <u>Responses may also be submitted electronically to bidresponse@cogs.us no later than the required time and date. Include PROPOSAL #BD2018-041 in the subject line of the email.</u>
Pre-Bid Meeting	August 14, 2018, at 3:00 p.m., 101 W. 8 th Street, First Floor, Information Services, Glenwood Springs, CO, 81601, or call Ricky Smith, on August 13, 2018, by 5:00 pm, for conference call information.
Goods or services to be delivered to or performed at:	City Of Glenwood Springs
For additional information please contact Ricky Smith:	970-384-6445
Email Address	ricky.smith@cogs.us
Documents included in this package:	Request for Proposal Cover Sheet Special Terms and Conditions Sample Agreement Project Background Scope of Work Addendum to Professional Services Agreement Attachment 1 & 2

If any of the documents listed above are missing from this package, they may be picked up at 101 West 8th Street, Purchasing Department, First Floor.

The undersigned hereby affirms that (1) he/she is a duly authorized agent of the vendor, (2) he/she has read all terms and conditions and technical specifications which were made available in conjunction with this solicitation and fully understands and accepts them unless specific variations have been expressly listed in his/her offer, (3) that the offer is being submitted on behalf of the vendor in accordance with any terms and conditions set forth in this document, and (4) that the vendor will accept any awards made to it

as a result of the offer submitted herein for a minimum of ninety calendar days following the date of submission.

PRINT OR TYPE YOUR INFORMATION

Name of Company: Data Transfer Solutions, LLC Fax: (407) 382-5420
Address: 3680 Avalon Park East Blvd., Suite 200 City/State: Orlando, FL Zip: 32828
Contact Person: Allen Ibaugh, AICP, GISP Title: Chief Executive Officer Phone: (407) 382-5222
Authorized Representative's Signature:  Phone: (407) 382-5420
Printed Name: Allen Ibaugh, AICP, GISP Title: Chief Executive Officer Date: August 30, 2018
Email Address: aibaugh@dtsgis.com



August 30, 2018

Ricky Smith, Purchasing Manager
City of Glenwood Springs
101 West 8th Street, First Floor
Glenwood Springs, CO 81601

Dear Mr. Smith:

On behalf of the team at Data Transfer Solutions, LLC (DTS), I would like to express our interest in providing the City its new Enterprise Asset Management System. I would also like to thank the City for the opportunity to respond to RFP# BD 2018-041.

Data Transfer Solutions, LLC can provide full-service asset and work management software and services. We specialize in DOT, state, City, district and local government software system implementation, configuration, integration and training. We provide services directly to our customers for all elements of system implementation, training, software integration and data conversion; a one-stop shop for City of Glenwood Springs.

A sample list of VUEWorks clients includes **City of Thornton, CO; City of San Jose, CA; Franklin City, OH; City of Evanston, IL; City of Brentwood, TN; City of Boise, ID; City of Albuquerque, NM; Rhode Island DOT; Michigan DOT; Virginia DOT; Texas DOT and Wisconsin DOT** and over 200 state, regional and local governments across the United States. VUEWorks also supports commercial customers on a global scale.

VUEWorks asset management software is a web-based, facility and GIS-centric, enterprise asset and work management system that provides government agencies with the ability to manage, analyze, integrate and share valuable asset and work management information. VUEWorks can manage any infrastructure asset to minimize the total cost of owning and operating it, while delivering desired service levels. The software will allow the City to track and manage ANY asset including transportation infrastructure, equipment, inventory, facilities and fleet vehicles.

Our objective is to provide a comprehensive and scalable system built on our web-based software package that will assist the City of Glenwood Springs with managing all activities associated with asset management. VUEWorks software supports efforts to manage projects, plan and schedule resources, report project status and set up notifications and approvals through workflows. This solution will also be capable of fully leveraging the City's current and future geospatial data infrastructure and existing asset management products.

Data Transfer Solutions, LLC is a transportation asset management, planning, engineering, and GIS solutions company focused on asset management and performance-based analysis of infrastructure. DTS brings a variety of capabilities including roadway image collection; condition-based analysis of asset infrastructure; integrated web-based roadway asset image viewers; geodatabase design, software integration and implementation; asset management software (VUEWorks®) and business process analysis.

VUEWorks® asset management software is a web-based, geospatially-enabled, enterprise-level asset and work management system that provides government agencies with the ability to manage, analyze, integrate and share valuable asset and work management information. VUEWorks software is wholly owned by DTS.

We look forward to the opportunity to further discuss this opportunity. Our proposal is open and valid for a period of 90 days. If you have any further questions, do not hesitate to contact me as the principal contact with City staff for this opportunity: Allen Ibaugh, 3680 Avalon Park East Blvd., Suite 200, Orlando, FL 32828, (407) 382-5222, aibaugh@dtsgis.com. Please note that as the CEO of the firm, I am authorized to make formal commitments on behalf of the firm.

Regarding individuals who will be authorized to make presentations on behalf of the firm, we look forward to the opportunity to make a presentation to the Selection Committee in the future. I will be happy to provide the names of the presenters once the date and time of the presentation are determined.

Sincerely,

A handwritten signature in blue ink, appearing to read 'aibaugh', with a stylized flourish at the end.

Allen Ibaugh, AICP, GISP
Chief Executive Officer

2. Company Information

Include information such as age of company, number of employees, number of service technicians, number of EAM installations in the public sector, average system size. Also include your parent company, subsidiaries, related entities and affiliates, as appropriate.

Data Transfer Solutions, LLC (DTS), a Florida-based limited liability company, has been in business since 2006. DTS offers comprehensive experience and subject matter expertise in the fields of environmental application development, transportation planning, engineering, GIS and asset management. DTS professionals include those with the PE, AICP, PMP and GISP certifications.

Data Transfer Solutions, LLC reports to Atkins North America, Inc., a wholly owned subsidiary of The Atkins North America Holdings Corporation. In turn, The Atkins North America Holdings Corporation is wholly owned by SNC-Lavalin Group, Inc., a publicly traded company listed on the Toronto Stock Exchange with approximately 55,000 employees.

VUEWorks has over 200 installations in the United States and Canada. The majority of VUEWorks installations are for state, county, municipal and special district clients in the United States. As VUEWorks is scalable, these installations range from small municipalities with fewer than 25 users to departments of transportation with thousands of users. DTS invests highly in R&D activities to keep VUEWorks current with the latest trends in asset management.

3. Key Personnel

Submit resumes and list of references of all those who will be involved in completing the scope of services for this project including the Project Manager. Please include their experience and any professional licenses associated with performing the required and necessary services.

PROJECT TEAM MEMBER RESUME	
Name and Title	Kimberly Hubble, PMP - Project Manager
Professional Background 	Ms. Hubble is a project manager at DTS. During her 25 years of information technology experience (including 17 years of GIS experience), she has worked in both private corporations and public agencies in the areas of software development, database design, project management, spatial analysis and cartography. She has 9 years of experience in transportation within the Colorado Department of Transportation in pavement data collection, videolog applications, ArcGIS Server web application development, mobile application development and SAP/GIS integration, serving as a project manager for many such projects. Ms. Hubble has experience managing and successfully delivering VUEWorks projects on time and on budget.
Current and Past Relevant Experience	City of Thornton, Colorado – VUEWorks Implementation Ms. Hubble led the implementation and customization of VUEWorks Asset Management software implementation throughout the City. The scope of the project included business analysis, workflow documentation, software configurations, data migration from legacy systems, database design and development of training and testing plans. VUEWorks was implemented throughout seven departments within the City: Building Maintenance and Custodial, Streets, Traffic, Water, Sewer and Utility Operations, Parks and Engineering. The VUEWorks implementation was completed in phases, with each department going live after configuration is completed. South Adams County Water and Sewer District, Colorado – VUEWorks / Diamond GP Integration As Project Manager, Ms. Hubble led the development and implementation of middleware software to integrate VUEWorks asset management software with Diamond GP Work Order/Billing software. The integration allows for the entry of service requests and work orders in Diamond GP to be created in VUEWorks for the purpose of tracking work orders, assets and inventory.

	Minneapolis Park & Recreation Board – Enterprise Asset Management System The Minneapolis Park & Recreation Board was able to eliminate the use of multiple disconnected asset management solutions by implementing VUEWorks asset management software. The highly-rated park system is using VUEWorks for asset life-cycle management, asset inventory, asset planning and management, work management for preventative maintenance and work management for demand service requests. DTS was responsible for technology and implementation planning, detailed design, interfacing, software configuration, testing and training. Ms. Hubble served as the Project Manager for the implementation.	
Relevant Training	• M.S., Geographic Information Science, University of Denver, 2002 • B.S., Business Administration, Information Systems, Xavier University, 1993 • Certified Project Management Professional, Certificate Number: 1410942	
Two (2) references for key personnel member on similar projects	Minneapolis Park & Recreation Board Linden Weiswerda Park Management Analyst (612) 313-7733 LWeiswerda@minneapolisarks.org	City of Thornton, Colorado Ken Kopicky Senior Analyst (303) 538-7246 ken.kopicky@cityofthornton.net
PROJECT TEAM MEMBER RESUME		
Name and Title	Judy Hickerson, PMP - Assistant Project Manager	
Professional Background 	Ms. Hickerson is a Senior Implementation Specialist at Data Transfer Solutions. With over 30 years of IT experience (including 14 years in city government Information Technology), she has worked in both the private sector and public agencies in the areas of business analysis, software development and configuration, project management, business analysis and integrations for VUEWorks asset management implementations. Ms. Hickerson has experience implementing and successfully delivering large-scale projects on time with a high level of customer satisfaction.	
Current and Past Relevant Experience	City of Thornton, Colorado – VUEWorks Implementation Ms. Hickerson led the implementation of VUEWorks asset management software from the client side for seven departments throughout the City of Thornton. The scope of the project included business analysis, workflow documentation, data migration from legacy systems and facility (tabular) design and development. The primary emphasis for the VUEWorks implementation was Infrastructure, which included utility operations (water, wastewater, meters and water distribution), streets, traffic and water plants. City of Wheat Ridge, Colorado – Asset Management Software and Support Ms. Hickerson served as the Implementation Specialist for the City of Wheat Ridge asset management project. The scope of this project was for the City's Public Works Operations and Engineering departments. This project replaced an existing asset management software with VUEWorks. As the Implementation Specialist, Ms. Hickerson was responsible for working with the client to help match existing workflows into the VUEWorks software during system configuration. City of San Jose, California – Computerized Maintenance Management System As Lead Implementation Specialist, Ms. Hickerson led the San Jose CMMS project to replace a legacy work order system for hydrants and integration of several work order systems for other asset types. The primary goal of the CMMS project was to allow the Environmental Services Department to better manage proactive and reactive work on its pump stations, reservoirs, hydrants and other assets from both desktop and mobile environments. This included setting up the VUEWorks Facilities module to manage pump stations and all of the associated assets and permits.	
Relevant Training	• A.A., Business Administration, Bakersfield Junior College, 1982 • Certified Project Management Professional, Certificate Number: 516984 • Certified PMI Professional in Business Analysis, Certificate Number: 1930556	

Two (2) references for key personnel member on similar projects	City of San Jose, CA Amado Valdez Associate Engineer (408) 794-6769 amado.valdez@sanjoseca.gov	Minneapolis Park & Recreation Board Linden Weiswerda Park Management Analyst (612) 313-7733 LWeiswerda@minneapolisparcs.org
PROJECT TEAM MEMBER RESUME		
Name and Title	Kirsten Koehn, GISP - Implementation Lead	
Professional Background 	Ms. Koehn currently serves DTS as the GIS Technical Lead, overseeing all facets of the firm's GIS services. Her 18 years of experience provides the ability to understand and act upon the business requirements of an organization, and to place geographic information systems (GIS) and resources in their appropriate context with respect to the goals and objectives of the organization. Ms. Koehn has extensive experience with GIS, has been working with Esri products since the ArcView 3.2 release and is proficient in subsequent versions including the 10.2 release. In addition to the core ArcGIS functionality, she has experience with the 3D Analyst, Spatial Analyst and Network Analyst extensions. She has created mobile GIS applications using ArcGIS Mobile and ArcPad Application Builder, and she also works with ArcGIS Online. She frequently publishes maps using ArcGIS Server. Ms. Koehn has extensive experience integrating applications with the VUEWorks, Maximo and Cartegraph software suites.	
Current and Past Relevant Experience	Boise, Idaho – VUEWorks Implementation Ms. Koehn supported this implementation of VUEWorks asset management software as an integral part of the implementation team. The City is using VUEWorks in numerous departments. Michigan Department of Transportation – Transportation Asset Management System Ms. Koehn serves as the GIS Lead on the implementation of this VUEWorks project. The initial asset management system is focused on lanes, signs, culverts and guardrails, while the maintenance management component is focused on integration with a number of existing MDOT maintenance systems. Lynx – Bus Stop Inventory DTS conducted an inventory of all Lynx stops in a 5-county area including Orlando, Florida. The data was incorporated into Lynx's VUEWorks system. Ms. Koehn was responsible for the implementation of VUEWorks on Lynx servers, as well as creating the condition form and work order forms used by the agency.	
Relevant Training	• B.E.S., Geography, University of Waterloo, 1997 • GIS Application Specialist Certificate, Sir Sandford Fleming College, 1999 • Certified GIS Professional, # 57357	
Two (2) references for key personnel member on similar projects	City of Thornton, Colorado Ken Kopicky Senior Analyst (303) 538-7246 ken.kopicky@cityofthornton.net	City of Largo, Florida Joseph Gauthier Project Manager – Asset Management (727) 586-7371 jgauthier@largo.com
PROJECT TEAM MEMBER RESUME		
Name and Title	Charles Brown - Integration and Data Conversion Team Leader	
Professional Background	Mr. Brown has extensive experience in providing quality end user support for a variety of web applications. His strengths include making sure the tool is user friendly and making sure non-technical users can use, administer and support our applications and websites. With his knowledgeable approach to technology, users never run into frustration when using our software. Mr. Brown works with clients from to make sure tools do exactly what they want, exactly when they want it.	

Current and Past Relevant Experience 	Rhode Island DOT – VUEWorks Implementation Mr. Brown co-directed the implementation of VUEWorks throughout the Rhode Island DOT. This project was initially focused on preventive maintenance and ad hoc work management performed on transportation assets, then moved into strategic asset management. Boise, Idaho – VUEWorks Implementation Mr. Brown supported this implementation of VUEWorks asset management software as an integral part of the implementation team. The City is using VUEWorks in numerous departments. Thurston County, Washington – Asset Management System Implementation Mr. Brown acted as Customer Support Manager for the implementation of VUEWorks. Mr. Brown supported the configuration and training for the County. Washington County, Oregon – VUEWorks Implementation Mr. Brown acted as Customer Support Manager supporting the implementation of VUEWorks. Mr. Brown assisted the County through the configuration of VUEWorks for work orders, condition, risk and budget forecasting and the associated training that follows.		
Relevant Training	• B.A., History, University of Central Florida, 2006 • Technical expertise includes C/C++, C#, ASP, ASP.NET, Java, JavaScript, Flex, Flash, HTML Clarion • Operating Systems: Windows, Linux, Unix, DOS • Databases: MS SQL Server, Oracle, Access, SQL Azure. • VUEWorks Certified User • VUEWorks Certified Administrator • VUEWorks Master Trainer		
Two (2) references for key personnel member on similar projects	<table border="1"> <tr> <td data-bbox="472 982 927 1150"> City of Thornton, Colorado Ken Kopicky Senior Analyst (303) 538-7246 ken.kopicky@cityofthornton.net </td><td data-bbox="927 982 1536 1150"> Rhode Island DOT Stephen Kut GIS Manager (401) 222-6935 stephen.kut@dot.ri.gov </td></tr> </table>	City of Thornton, Colorado Ken Kopicky Senior Analyst (303) 538-7246 ken.kopicky@cityofthornton.net	Rhode Island DOT Stephen Kut GIS Manager (401) 222-6935 stephen.kut@dot.ri.gov
City of Thornton, Colorado Ken Kopicky Senior Analyst (303) 538-7246 ken.kopicky@cityofthornton.net	Rhode Island DOT Stephen Kut GIS Manager (401) 222-6935 stephen.kut@dot.ri.gov		
PROJECT TEAM MEMBER RESUME			
Name and Title	Lisa Schoenfelder, CBA, CCMP - Training and Documentation		
Professional Background 	Ms. Schoenfelder is the Director of Learning and Change Management at Data Transfer Solutions. Ms. Schoenfelder has 32 years of experience in the technology industry encompassing both the public and private sectors with the majority for city and state organizations. She has developed multiple training programs at larger organizations and is recognized for her Change Management expertise. As the project manager for a local government, Ms. Schoenfelder became proficient in VUEWorks asset management software. She provides targeted training to DTS clients from our Training Catalog, including onsite training, online training, webinars, user group workshops and train-the-trainer instruction.		
Current and Past Relevant Experience	City of Largo, Florida – Enterprise Asset Management System Implementation Ms. Schoenfelder is working with Largo management to develop a tailored Change Management and Training Program Plan for their successful VUEWorks implementation. The plan will also include role-based training from management to field staff, developed courseware materials, desk/field aids, video training and onsite training. She will be working with the project team to develop a solid communication plan with deliverables to ensure Largo employee buy-in and support for the new system, including process changes. The plan will also include ongoing support strategies past Go-Live. Virginia DOT – Statewide Highway Maintenance Management System		

	Ms. Schoenfelder developed a complete organizational training plan for VDOT's VUEWorks implementation based on employee roles, including just-in-time training schedules, complete courseware materials, desk aids, video training and onsite classroom delivery. Wisconsin DOT – Traffic Operations Asset Management System Ms. Schoenfelder developed and conducted Administrative Training to support the Wisconsin DOT's VUEWorks Administrators. The deliverables included desk aids, on-demand training and video training for course refreshers or future administrators.	
Relevant Training	• M.S., Management of Information Systems, Boise State University, 2006 • B.S., Business Administration - Finance, Northern State University, 1989 • B.S., Economics, Northern State University, 1989 • B.S., Computer Science, Northern State University, 1989 • Prosci Certified Change Management Practitioner, 2010 • Associates Certificate in Business Analysis, 2008 • Level 4 CJIS Certified • JAD Facilitation Certification	
Two (2) references for key personnel member on similar projects	Virginia DOT Bob Osmond IT Department Director (804) 776-0917 Robert.Osmond@vdot.virginia.gov	City of Boise, ID Steve Butz Manager, Application Services (208) 870-3588 sbutz@cityofboise.org

4. References

List projects your firm has completed within the past five (5) years, with emphasis on organizations similar to the City of Glenwood Springs. With each reference, include the name, address, persons to contact, telephone number, and a description of the project.

COMPARABLE PROJECT / CLIENT REFERENCES	
Client Name	City of Largo, Florida
Project	VUEWorks Asset Management Software Implementation
Point of Contact	Joseph Gauthier, Project Manager
Contact Address	201 Highland Ave., NE, Largo, FL 33770
Contact Phone	(727) 586-7371
Contact Email	jgauthier@largo.com
Character of The Project	 DTS was contracted by the City of Largo to implement the VUEWorks Enterprise Asset Management System. Largo is the fourth largest city in the greater metropolitan Tampa Bay Area. The city government in Largo employs 800 employees in 13 departments. VUEWorks is replacing the City's existing software systems and methodology with a single, unified system that manages service requests, work orders and asset management for departments across the City. The VUEWorks asset management system is being used by about 80 employees in the first year (with an additional 80 anticipated in the second year) in the City's core utilities and infrastructure operations in Public Works, Environmental Services, Community Development and later in the Recreation, Parks & Arts Department. The service request system is expected to be used as both an interdepartmental service request routing and tracking mechanism for all departments and as a citizen portal.
Project Date	2017 – present
Implementation Timeline	15 months

COMPARABLE PROJECT / CLIENT REFERENCES	
Client Name	City of Thornton, Colorado
Project	VUEWorks Implementation and Integrations
Point of Contact	Ken Kopicky Senior Analyst
Contact Address	9500 Civic Center Drive, Thornton, CO 80229
Contact Phone	(303) 538-7246
Contact Email	ken.kopicky@cityofthornton.net
Character of The Project	 The City contracted with DTS to implement VUEWorks asset management software across seven City departments: Maintenance and Custodial, Streets, Traffic, Parks, Water, Sewer and Utilities and Engineering. VUEWorks software was selected to replace Infor Hansen 7.6 used to manage assets, service requests and work orders. Historical Hansen Service Requests, work orders and asset information were integrated into the VUEWorks by linking to the Hansen legacy databases. This integration allowed the City of Thornton to successfully migrate to the new system without interruption to routine business operations or degradation of service to the community. The Traffic Department is using the Facilities module to track assets within 140 signalized intersections along with signs and pavement markings. Each Intersection Facility was configured to include every asset including signals, poles, signs and control units. The Department also uses VUEWorks to manage 34,000 signs and 8,500 street lights. Service requests are configured for citizens to report issues, and work orders are being used to respond to service requests and provide preventative maintenance work flows. The Traffic Department utilizes VUEWorks editing tools that allow the user to edit asset attributes between VUEWorks asset databases, SDE spatial data and asset data stored in databases extracted from Hansen. Future plans for the Traffic Department are to continue with field collection to complete signalized intersection inventory and implement the Advance Inventory Module.
Project Date	June 2014 - present
Implementation Timeline	12 months

COMPARABLE PROJECT / CLIENT REFERENCES	
Client Name	City of Albuquerque, NM
Project	VUEWorks Implementation
Point of Contact	Jesse Valdez, Project Manager
Contact Address	One Civic Plaza 7th Floor, Albuquerque, NM 87102
Contact Phone	(505) 321-6948
Contact Email	jessevaldez@cabq.gov
Character of The Project	 The City of Albuquerque contracted with us for the implementation of an Asset Management System for its signs program. The project consisted of collecting a field survey of stormwater assets in the City. VUEWorks established documentation, created a database that details asset type, location, condition and estimated construction costs for the management program. The VUEWorks team provided efficient and cost-effective data extraction in a GIS environment that was seamlessly integrated into the City's Asset Management System Software and deployed throughout the City to proactively manage their asset infrastructure.
Project Date	2017
Implementation Timeline	Ongoing, adding multiple departments

COMPARABLE PROJECT / CLIENT REFERENCES	
Client Name	City of Boise, Idaho
Project	VUEWorks Asset Management Software Implementation
Point of Contact	Steve Butz, Manager of Application Services
Contact Address	150 N. Capitol Blvd., Boise, ID 83702
Contact Phone	(208) 870-3588
Contact Email	sbutz@cityofboise.org
Project Date	2014 - ongoing
Character of The Project	 The purpose of the City of Boise's Maintenance Management System (MMS) implementation was to allow the City to implement an enterprise maintenance management solution to support uniform business processes, introduce more functionality to the business in an automated system, and provide better integration with other City systems and technologies such as GIS and mobility. The MMS has been implemented to support 500 users citywide. VUEWorks allows users to manage the entire life-cycle (design, construction, commissioning, operating, maintaining, repairing, modifying, replacing and decommissioning/disposal) of physical and infrastructure assets such as structures, production and service plant, power, water and waste treatment facilities; distribution networks; transport systems; buildings and other physical assets. Asset management also includes but is not limited to pumps, trees and drainage ponds. The solution allows the City to support an activity-based annual planning in conjunction with capital improvement and preventative maintenance. Corrective maintenance and capital renewal work is typically project based. Projects include resources from multiple organizations and require coordination among staff, management and contractors. Additionally, the City needs to plan for capital renewal of assets over the short and long terms as assets approach the end of their useful life. The system provides users with the ability to track required information to be able to perform these activities efficiently.

COMPARABLE PROJECT / CLIENT REFERENCES	
Client Name	City of San Jose, CA
Project	VUEWorks Computer Maintenance Management System
Point of Contact	Amado Valdez, Associate Engineer
Contact Address	3025 Tuers Rd San Jose, CA 95121
Contact Phone	(408) 794-6769
Contact Email	amado.valdez@sanjoseca.gov
Character of The Project	 The City of San Jose selected VUEWorks as its Computer Maintenance Management System to track, manage, and maintain the City's water system which has 25 asset categories and 50,000 total assets, including, but not limited to, hydrants, valves and motors. DTS provided implementation, configuration, technical support, maintenance, customizations and training.
Project Date	2017 - 2018
Implementation Timeline	7 months

5. Response to System Requirements

Attachment 1

RFP RESPONSE FORM

ENTERPRISE ASSET MANAGEMENT SYSTEM

Coding Key (please check the appropriate box):

YES Indicates that the vendor's standard software meets and/or exceeds the requirement.

NO Indicates that the vendor's software does not and cannot meet this requirement

MR Indicates that a software modification is required to meet and/or exceed this requirement.

Base System - Respond with a check mark (✓) to indicate that the feature is available when purchasing the base system.

	Global Asset Management System Requirements	YES	NO	MR	Base System ✓
1.	Provide notifications a set number of days prior to expiration.	☒	☐	☐	✓
2.	System can run in a virtualized server environment.	☒	☐	☐	✓
3.	System uses Active Directory for user authentication.	☒	☐	☐	✓
4.	Microsoft Outlook 2003/2007/2010 and RSS interface for electronic messaging.	☒	☐	☐	✓
5.	System allows passwords for each department/user.	☒	☐	☐	✓
6.	Microsoft SQL Server relational database management system.	☒	☐	☐	✓
7.	Browser-based desktop and mobile client interface.	☒	☐	☐	✓
8.	Web interface for citizen service request submittals that is linked to work order/email generation.	☒	☐	☐	✓
9.	Modular format design that can easily expand to include new functions and programs without major impact to the existing system.	☒	☐	☐	✓
10.	Field reporting capability – wireless, real-time data access. Offline editing with reconnection sync capabilities.	☒	☐	☐	✓
11.	Secure multi-departmental database and application model.	☒	☐	☐	✓
12.	Data Exchange API for integration with business applications such as Finance, HR, ClearSCADA application (all SQL-Server based).	☒	☐	☐	✓

13.	Multiple assets (mechanical, electrical, plumbing, HVAC, IT infrastructure) tracked within a single facility.	☒	☐	☐	✓
14.	Capability to customize the system to allow for inclusion of specific or additional information without requiring the assistance of the vendor.	☒	☐	☐	✓
15.	Attachment of any electronic file including but not limited to .PDF, .DOC, .XLS , .JPG and video to individual records.	☒	☐	☐	✓
16.	Ability to include a GIS map in a generated report.	☒	☐	☐	✓
17.	Performs data synchronization to database without having to import/export data or utilize database replication.	☒	☐	☐	✓
	Work Order System Requirements	YES	NO	MR	Base System ✓
1.	Request for Service module – generates work order with minimal data entry, is e-mail compatible.	☒	☐	☐	✓
2.	Tracks machinery asset uptime/downtime.	☒	☐	☐	✓
3.	Ad hoc search.	☒	☐	☐	✓
4.	Work order history.	☒	☐	☐	✓
5.	Parts cost tracking.	☒	☐	☐	✓
6.	Work Order entry from a location within GIS.	☒	☐	☐	✓
7.	Provide blanket work order functionality.	☒	☐	☐	✓
8.	Ability to log on/log off a Work Order.	☒	☐	☐	✓
9.	Incorporates bar code and mobile technology.	☒	☐	☐	✓
10.	Allows for multiple personnel assigned to one Work Order.	☒	☐	☐	✓
11.	Ability to prioritize Work Order.	☒	☐	☐	✓
12.	Enter Work Order on the spot without equipment details or background data, from any handheld, non-GPS, device.	☒	☐	☐	✓
13.	Ability to associate a new work request to an existing work order record.	☒	☐	☐	✓
14.	Automatic escalation if sign-off time period is exceeded.	☒	☐	☐	✓
15.	Task library of common maintenance work instructions.	☒	☐	☐	✓

16.	Email notification of Work Order assignment to workers/supervisors/managers.	☒	☐	☐	✓
17.	Work Order workflow approval routing.	☒	☐	☐	✓
18.	Automatically email a work order with description and map of the work order location.	☒	☐	☐	✓
19.	Capability to select a form letter from the Work Order/Service Request screen and merge the owner/resident information.	☒	☐	☐	✓
20.	Identification of asset and work order locations by vicinity, coordinates, road network, intersection, description and ability to geocode a work request and work order in the GIS mapping.	☒	☐	☐	✓
21.	Ability to track vendor history and engagements at both a work order and non-work order level.	☒	☐	☐	✓
22.	Ability to track constituent's caller history.	☒	☐	☐	✓
	Preventative Maintenance System Requirements	YES	NO	MR	Base System ✓
1.	Functionality for reoccurring utilities asset work orders within the Water Treatment Plant, Wastewater Treatment Plant, Sanitary Sewer infrastructure, Cross-Connect Control systems and Lift Station equipment.	☒	☐	☐	✓
2.	Functionality for Parks and Recreation assets within Cemetery, Recreation Fields, Parks, Hard Surface Trails and infrastructure	☒	☐	☐	✓
3.	Multiple PM/Superintendent task trigger points (time, meter, variable).	☒	☐	☐	✓
4.	Suspend schedules when equipment is moved, placed out of service, or retired.	☒	☐	☐	✓
5.	Ability to view PM/Superintendent s scheduled days, weeks, or months in advance (up to 52 weeks).	☒	☐	☐	✓
6.	Auto schedule capability (days, cycles, holidays, shutdowns).	☒	☐	☐	✓
7.	Easy scheduling and viewing of PM on a minimum basis of 52 weeks.	☒	☐	☐	✓
8.	Provide asset maintenance cost, history and schedules.	☒	☐	☐	✓

9.	Provide inspection information not limited to the following: - inspection history - inspection notes - inspection condition rating - asset performance comparisons with recent inspection data - import photos/videos/plans/specifications/etc	☒	☐	☐	✓
10.	Maintains up-to-date operation history log.	☒	☐	☐	✓
11.	Provide asset condition assessment.	☒	☐	☐	✓
12.	Provide plant facility operating data.	☒	☐	☐	✓
13.	Provide plant asset operating data.	☒	☐	☐	✓
14.	Provide plant current configuration data.	☒	☐	☐	✓
15.	Provide plant asset condition data.	☒	☐	☐	✓
16.	Alarm/Alert management.	☒	☐	☐	✓
17.	Provide Tag In/Tag Out log.	☒	☐	☐	✓
	Road and Segment Data	YES	NO	MR	Base System ✓
1.	Inventory of paved and unpaved road segments that includes road segment functional and pavement classifications and conditions.	☒	☐	☐	✓
2.	Inventory of paved and unpaved road segments that includes road segment type/dimension/material details.	☒	☐	☐	✓
3.	Inventory of paved and unpaved road segments that includes road segment structure and geometry details.	☒	☐	☐	✓
4.	Utilizes the USACE Pavement Management and SHRP Distress Identification Manual for the Long-term Pavement Performance Project strategies.	☒	☐	☐	✓
5.	References on-line pavement distress library that includes images and distress data. This library must have the ability to be customized through the modification or addition of distress records.	☒	☐	☐	✓

6.	Advanced pavement management functionality that includes, but is not limited to : - the ability to create multiple Capital Improvement Planning (CIP) scenarios - network-level and segment-level performance modeling - automatic budget requirement schedules - USACE and ASTM pavement management strategies - calculation of Network Priority Ratings (NPR) for individual road segments - intelligent Maintenance, Rehabilitation and Reconstruction (MR&R) policy decision matrix - user-defined intelligent decision trees for maintenance preferences - multi-year budget and maintenance profiles for multiple CIP scenarios - ability to analyze the impact of selected maintenance alternatives - ability to predict performance of road segments - dynamically compare multiple scenarios by performance and cost - compare maintenance regimens for network impact - predict the performance of individual segments, as well as segment groups - Target an Overall Condition Index	☒	☐	☐	✓
	Project/Task Management System Requirements	YES	NO	MR	Base System ✓
7.	Ability to assign project categories.	☒	☐	☐	✓
8.	Project planning capability.	☒	☐	☐	✓
9.	Track project status - time lines, milestones, costs, open/close date.	☒	☐	☐	✓
10.	Track and sign-off of all facets of a project.	☒	☐	☐	✓
11.	Easy, intuitive entry of ad hoc tasks.	☒	☐	☐	✓
12.	Integrate project work with the Work Order module.	☒	☐	☐	✓
13.	Capital project tracking of infrastructure and maintenance.	☒	☐	☐	✓
14.	Ability to manage a project as grouped, ad-hoc tasks.	☒	☐	☐	✓
	GIS System Requirements	YES	NO	MR	Base System ✓

15.	Proposed software is compatible with and fully interfaced with ESRI shape files and geodatabases.	☒	☐	☐	✓
16.	Proposed system provides bi-directional data entry between the application database and GIS, allowing changes made to either data source to be automatically updated in the other without the need for duplicate data entry.	☒	☐	☐	✓
17.	GIS data structure compatible with ArcMap/ArcSDE/ArcGIS Server version 10.x.	☒	☐	☐	✓
18.	GIS-based work request/work order capabilities.	☒	☐	☐	✓
19.	Ability to view GIS data from the Asset Management screens.	☒	☐	☐	✓
20.	User can develop and locate a work order with a point on a map. The point does not have to be associated to a map feature of a utility facility.	☒	☐	☐	✓
21.	Maps can be printed to aid in locating facilities and that can be included in work order.	☒	☐	☐	✓
22.	Option to read and write asset location and spatial data from and to an ESRI geodatabase.	☒	☐	☐	✓
	Reports and Analysis System Requirements	YES	NO	MR	Base System ✓
1.	Crystal Reports-based custom reporting. [requirement deleted]	☐	☐	☐	
2.	Internal Report Engine for customizing reports; may include advanced analytics and support dashboard functionality.	☒	☐	☐	✓
3.	Resource management and cost tracking functionality.	☒	☐	☐	✓
4.	Field reporting functionality – check-in/check-out of data.	☒	☐	☐	✓
5.	FAA Safety Management Systems (SMS) reporting for Airport compliance.	☒	☐	☐	✓
6.	Dashboard tool for real-time reporting of (for example) overdue work orders, citizen requests, downtime by asset.	☒	☐	☐	✓
7.	Ability to utilize a Save As command to save a copy of an existing report for modifications in the following formats: Text, XLS, PDF, HTML, RTF and TIFF.	☒	☐	☐	✓

	Labor System Requirements	YES	NO	MR	Base System ✓
1.	Track employee wage rates.	☒	☐	☐	✓
2.	Organize labor by craft to streamline work assignment process.	☒	☐	☐	✓
3.	Allows labor to be assigned and grouped into work crews.	☒	☐	☐	✓
4.	Combined tracking of equipment costs and labor.	☒	☐	☐	✓
5.	Fixed asset repair tracking of regular time and overtime.	☒	☐	☐	✓
6.	Tracking of maintenance labor by employee and by asset.	☒	☐	☐	✓
7.	Ability to track certifications, training events and other pertinent information	☒	☐	☐	✓
	Inventory System Requirements	YES	NO	MR	Base System ✓
1.	Track warranties.	☒	☐	☐	✓
2.	Track quantity on hand.	☒	☐	☐	✓
3.	Track stocked/non-stocked, rebuilt, superseded, substitute parts.	☒	☐	☐	✓
4.	Track quantity allocated to active Work Orders.	☒	☐	☐	✓
5.	Inventory and Tracking capability for warehouse operations.	☒	☐	☐	✓
6.	Ability to set maximum and minimum ordering amounts.	☒	☐	☐	✓
	Sign Data	YES	NO	MR	Base System ✓
1.	A complete inventory of sign features including, but not limited to, sign size, material, name and sheeting.	☒	☐	☐	✓
2.	Associates existing condition photo of sign per support	☒	☐	☐	✓
3.	Includes information on sign condition, visibility and retro-reflectivity.	☒	☐	☐	✓
4.	References on-line sign libraries (including MUTCD) and allows custom sign library entries to be created and included.	☒	☐	☐	✓
5.	Automatically associates graphical sign symbols and data to a new record.	☒	☐	☐	✓

6.	Ability to track data necessary to meet retro-reflectivity requirements.	☒	☐	☐	✓
7.	Ability to associate multiple signs to a single support.	☒	☐	☐	✓
8.	Ability to see multiple assets associated with a single support (i.e., sign, signal head, lighting lamp, etc.)	☒	☐	☐	✓
	Pavement Marking Data	YES	NO	MR	Base System ✓
1.	An inventory of marking information that includes but is not limited to route descriptions and marking type.	☒	☐	☐	✓
2.	Includes information on materials and ratings.	☒	☐	☐	✓
3.	Reference an on-line marking library that includes images and details for marking materials, manufacturers and condition groups. This library must have the ability to be customized.	☒	☐	☐	✓
	Street Light Data	YES	NO	MR	Base System ✓
1.	A complete inventory of street light components including fixtures, arms, bases, poles and lamps.	☒	☐	☐	✓
2.	The ability to recall and view records for the lights on a single circuit.	☒	☐	☐	✓
3.	References on-line component libraries to include arm, base, circuit, fixture, lamp, light pattern and pole, and allows custom library entries to be created and included.	☒	☐	☐	✓
4.	Automatically associates graphical component symbols and data to a new record.	☒	☐	☐	✓
5.	Ability to see multiple assets associated with a single support (i.e., sign, signal head, lighting lamp, etc.)	☒	☐	☐	✓
	Storm Sewer System Data	YES	NO	MR	Base System ✓
6.	A complete inventory of manholes, pipes, inlets, watersheds, basins channels, culverts discharge outlets, pumps and auxiliary equipment.	☒	☐	☐	✓
7.	Includes network connectivity and network tracing information.	☐	☒	☐	
8.	Ability to record information obtained from video logging.	☒	☐	☐	✓
9.	References on-line sewer component libraries and allows custom library entries to be created and included.	☒	☐	☐	✓

10.	Includes schematic drawings of manholes and pipes.	☒	☐	☐	✓
11.	Software is NASSCO certified for PACP/MACP inspection rating calculations and data structure.	☐	☒	☐	
	Sanitary Sewer System Data	YES	NO	MR	Base System ✓
1.	A complete inventory of manholes, mains, service laterals, pumps and auxiliary equipment.	☒	☐	☐	✓
2.	Includes network connectivity and network tracing information.	☐	☒	☐	
3.	References on-line water component libraries and allows custom library entries to be created and included.	☒	☐	☐	✓
4.	Ability to record information obtained from video logging.	☒	☐	☐	✓
5.	Includes schematic drawings of pipes and manholes.	☒	☐	☐	✓
6.	Software is NASSCO certified for PACP/MACP inspection rating calculations and data structure.	☐	☒	☐	
	Water Network Data	YES	NO	MR	Base System ✓
1.	A complete inventory of hydrants, service laterals, mains, meters valves, pumps, storage tanks and auxiliary equipment.	☒	☐	☐	✓
2.	Includes network connectivity and network tracing information.	☐	☒	☐	
3.	References on-line water component libraries and allows custom library entries to be created and included.	☒	☐	☐	✓
4.	Provide for the tracking of water backflows.	☒	☐	☐	✓
	Mobile Devices	YES	NO	MR	Base System ✓
5.	Ability to run asset modules on handheld devices running the Windows/Android or Apple Mobile operating systems.	☒	☐	☐	✓
6.	Provide for the uploading and synchronization of selected data.	☒	☐	☐	✓
7.	Ability to use mobile devices to take and attach photographs to individual records in the field.	☒	☐	☐	✓
8.	Perform searches on records on mobile devices.	☒	☐	☐	✓
9.	Manage work orders on mobile devices (on and offline).	☒	☐	☐	✓

10.	Synchronize data utilizing wireless networks, cell phone data plans or by cradling the device upon returning from the field.	☒	☐	☐	✓
	Operations and Support	YES	NO	MR	Base System ✓
1.	Provides complete turnkey onsite implementation and project management support.	☒	☐	☐	✓
2.	Provides future software releases and updates to all applications as part of regular software maintenance fees.	☒	☐	☐	✓
3.	Provides toll-free customer support 24 hours, seven days per week.	☐	☒	☐	

6. Response to Vendor narrative Questions

Attachment 2

VENDOR NARRATIVE QUESTIONS

Please provide narrative responses to the following questions and/or provide the necessary documentation for items **1-6** below.

1. Specify the number of years the Vendor has been in the public-sector software business. Provide the number of clients and percentage of both public and private sector clients.

DTS has been providing like services since 2006, with over 200 VUEWorks installations (over 90% in public sector)

2. Specify the company's growth, background, staff size, and ownership structure, demonstrating longevity and financial stability.

DTS is a business unit of Atkins North America, itself a subsidiary of SNC-Lavalin, a publicly-traded firm with approximately 55,000 personnel. DTS began in 2006 and has grown so that it currently has revenue of approximately \$20,000,000 per year and 80 employees. DTS is financially stable on its own but can also draw on additional Atkins / SNC resources as needed.

3. Describe the support organization including locations, specific services and methodology for requesting customer service. Please specify all paid support options, which support will be included and which is provided for an additional fee. Specify whether support is available direct from vendor or provided through a partner.

DTS, the makers of VUEWorks, provides all support. Standard Support hours are 7:00 a.m. to 6:00 p.m. Central Time. Support staff are located in Concord, NH; Orlando, FL; Fort Collins, CO; Nashville, TN; Dubuque, IA and Minden, NV.

4. Describe the System development environment, including development languages utilized and any proprietary toolsets.

DTS adheres to the agile methodology for software development. The agile process is based on collaboration and the ability of the development team and the stakeholder organization to work together openly and collaboratively. It is a set of guidelines and practices that encourages frequent communication and collaboration and intensely focused developed effort throughout the life of a project. We typically release new functionality in each release and that continues to enhance our mobile platform as well as core software. VUEWorks is programmed using C#, JavaScript, and HTML5.

5. Please describe all 3rd party software required or recommended for the solution, including database, operating system, report writer, GIS, desktop client software, etc.

Windows Server 2012 or newer, MSSQL Server 2012 or newer, ArcGIS Server 10.x, and IE, Chrome, or Firefox.

6. Describe the application's new release development cycle on an annual basis.

VUEWorks releases builds regularly throughout the year that may be applied by the client as they wish (e.g. quarterly, bi-annually or annually). Releases include substantial new features and functionality. VUEWorks is an Esri business partner and is recognized by Esri as a best in class work and asset management solution. VUEWorks is architected such that all system configurations, setups and software customizations persist across builds and upgrades with no impact to the client.

Questions **7-24** are the vendor's opportunity to detail their product's features. Please follow the question formats using words, flowcharts, diagrams, and/or other items that explain in detail the product or service.

7. Project Approach – Based on your understanding of the Scope of Services, describe your firm's development and implementation methodology for the project. Indicate how your process and approach will accomplish the project objectives. Identify specific assignments of key personnel and the time required to complete each step.

The VUEWorks standard process for implementation starts with the assigning of a Project Manager who will be entrusted with the day-to-day coordination and responsibility for the project implementation. It is the Project Manager's responsibility to see that the detailed project tasks are completed and that efforts of the other project team members are coordinated to provide for the efficient and timely completion of the project. This person may also be directly involved with performing the project tasks. The Project Manager is responsible for assembling and managing the VUEWorks Project Team, which consists of the project manager, junior and senior level consultants and technicians and a supporting team of qualified individuals with a wide variety of business, engineering and technical expertise.

Upon the assemblage of a Project Team, an initial Project Plan will be provided to the client by the VUEWorks Project Manager; this will be the cornerstone for the project. The Project Plan will lay out the project timeline and will be used as the basis for the agenda for frequent project status meetings coordinated by VUEWorks and as the guide status reports to the client's Project Manager. The Project Plan also includes formal communication paths between and within the client's organization and VUEWorks with issue resolution procedures defined.

After the establishment of the official Project Team and an initial project kick-off meeting and project plan review, VUEWorks will schedule and conduct Needs Assessment interviews to better understand where the client is related to its system needs and where it would like to be. An Implementation Plan can be defined that includes a detailed scope of the systems required functionality.

The Project Implementation Plan will lay out a task-level plan for project completion in a manageable level of detail and will become, when finalized, the cornerstone of the project management effort. The document, when completed with dates and responsibility assignments, provides a means of tracking progress relative to the plan and identifying deviations in a timely manner. VUEWorks will be responsible for the research, development, maintenance and presentation of the plan through each phase of implementation.

Even though no two implementation plans are exactly identical, there are multiple steps in developing an implementation plan that will result in a successful implementation of your system. They are:

1. Develop a **Project Charter** that identifies:
 - a. Project purpose, background and justification;
 - b. Objectives of the system once implemented;
 - c. Project deliverables; and
 - d. Organizational roles & responsibility assignment.
2. Conduct a **Needs Assessment** of the departments and/or divisions that will implement, support or use the new system. A Needs Assessment evaluates where an organization is today and where they need to go to meet the objectives and deliverables. Needs Assessment interviews include, but are not limited to:
 - a. Review citizen request tracking needs.
 - b. Review current work activity process and procedure and align them with the requirements of the new system, identifying and document any issues or changes that need to be addressed.

- c. Review inventory and maintenance requirements for required infrastructure and align them with the requirements of the new system, identifying and documenting any issues or changes that need to be addressed.
 - d. Review and document GIS interfacing requirements.
 - e. Review and document field data input process and requirements.
 - f. Review and document required data fields to be captured and tracked in the database as part of the intelligence required from the system.
 - g. Review current data sources that can be capitalized on as start-up data in the new system. Identify and document any data source requiring data normalization or standardization.
 - h. Review and recommend desktop, database or report tailoring or modifications.
 - i. Review current hardware and software network structure.
 - j. Review and document any integration or custom functional requirements of the system.
3. During the development of the **Implementation Plan**, the Project Manager will ensure it addresses timelines, tasks and responsibilities related to:
- a. *Roles & Responsibilities* - Project Manager, Database Administrator, System Administrator, Users and others that will participate in the implementation or usage of the system.
 - b. *Installation & Configuration* of the hardware, database and software.
 - c. *Security set-up* based on defined user roles and responsibilities.
 - d. Creation and documentation of *Start-up Data*. This includes:
 - i. Identification of required data fields.
 - ii. Standards for data terminology or for data referencing.
 - iii. Standard Naming Conventions for each data field to be captured and tracked.
 - e. Development of *Process & Procedures* related to:
 - i. Overall Operations and Standard Operating Process & Procedures
 - ii. Data capture
 - iii. Data entry
 - iv. Data retrieval
 - v. Unique workflow scenarios
 - f. System *Configuration* and/or *Integrations* to be performed before bringing start-up data into the new system database. These may include:
 - i. Database formatting
 - ii. Data entry forms
 - iii. Report templates
 - iv. Import/export routines
 - v. Pre-defined filters
 - vi. Direct integration with 3rd party systems
 - g. Perform *Data Conversion/Migration*.
 - h. Perform any *Integration* that is required with other non-VUEWorks systems.
 - i. *Test Database Installation* with any converted or migrated data.
 - j. *Application Testing, Data Verification & System Acceptance*. Install any integration components or data converted into the database. Test and verify everything is as it should be. Review process and procedure and fine tune where applicable.
 - k. *Start-up Data Entry* for pick-list libraries, application records or any other data required by the system for record creation and data tracking that is not part of a data conversion or migration.
 - l. *Education & Training* of Database Administrators, System Administrators and End Users.

- m. *Productive Database Installation* for productive Go-Live usage after system and converted data has been tested and validated.
- n. *Go-Live Productive Usage* of the new system as part of your standard daily Process & Procedures.
- o. *Productive Use System Check-up* - A VUEWorks Technician will visit your site to evaluate how you are using the system and will make recommendations in Process & Procedure or in software/hardware configuration to maximize the use and performance of the system.
- p. *Maintenance & Technical Support Contract* - It is always beneficial to have a maintenance agreement for technical support issues.
- q. *Data Collection & Management* of data related to:
 - i. Service Request
 - ii. Work Orders
 - iii. Resources (personnel, equipment and material inventory)
 - iv. Infrastructure Inventory
 - v. GIS

- 4. **Implementation Plan Execution.** Start the implementation process.
- 5. **Go-Live Productive Usage** of the system.
- 6. **Productive Use System Check-up** several weeks or months after using the system in a productive environment.
- 7. **Start Next Phase of Implementation** if required.

Team Member	Project Role	Degree	Years of Experience	Implementation	Integration and Data Conversion	Training and Documentation
Kim Hubble, PMP (Fort Collins, CO)	Project Manager	BS, MS	25	X	X	X
Judy Hickerson, PMP (Fort Collins, CO)	Assistant Project Manager	AA	30	X	X	X
Charles Brown (Concord, NH)	Integration Team Leader	BA	6		X	
Kirsten Koehn, GISP (Orlando, FL)	Implementation Team Leader	BES	17	X	X	X
Lisa Schoenfelder, CCMP (Boise, ID)	Training and Documentation	BS, MS	32			X

- 8. **Future Capabilities** – Discuss the next two revisions/upgrades to your software and the planned release dates.

The next two upgrades have the potential to add Power BI reporting tools, add augmented reality and enhanced development of Mobile Apps.

- 9. **User Interface** - Please describe the proposed system’s user interface capabilities, including Usability for Task Entry (How many fields required for entry of a simple task or work order), Customizable Screens, Process Customization.

VUEWorks is a comprehensive, yet simple and user friendly, web-based computerized maintenance management system (CMMS) that provides functionality through settings and configuration. VUEWorks software is an affordable, web-enabled GIS-integrated enterprise asset management solution. VUEWorks is designed for use by state and local governments, utilities, corporations, schools, theme parks and other organizations that need to track the condition, minimize failure risk and optimize expenditures and service delivery of their physical assets. VUEWorks integrates directly with GIS data, allowing users to share geospatial and non-geospatial data on any physical asset within any infrastructure domain.

10. Licensing – Describe the licensing options available (named/concurrent licenses, license packs, enterprise license agreement, SaaS). What licensing type is being proposed with the software?

With a user based license, it is perpetual. No mandatory fees, but there is annual maintenance if there is interest in getting software updates, maintenance and support. Software updates are included as part of our maintenance and support which is billed on an annual basis. DTS/VUEWorks retains rights to the software code but we can put software in escrow if required.

With a vendor hosted solution – the client can own the license and the data, and we just provide the IT and software as our solution. Same license but the client needs to pay for hosting in addition to maintenance and support.

With a SaaS option, the client leases the license and if the client does not pay for support the site is shut down. The client can get their data but not the software.

11. Wireless Support - List the wireless technologies currently supported by the proposed software. Examples include: Cellular, Wireless LAN (802.11b/g/a, Bluetooth).

Internal network for any type of implementation: IP network protocol; Wired network to client computers: 10baseT, 100baseT or 1000baseT switched network; Server backbone: 1000baseT (1gigabit) or faster connection; Wireless network: 802.11x compatible with WAP or better security

For the field: Wireless or Cellular carrier network capable of 3G, 4G or faster (AT&T, Sprint, Verizon and others can accommodate this within their coverage areas.) 4G or faster is highly recommended for an optimal VUEWorks experience.

12. Mobile Support – List mobile platforms supported by the proposed software. The City of Glenwood Springs currently has i-Phone, Android and Blackberry smartphones connected to our network and we use several models of Trimble GPS units.

iPhone, Android and, in newer-developed apps, Windows Mobile

13. Training – Please detail your recommended training program. Note if you offer any type of certification training program for system administrators, training at user conferences or on-line training. What is the total, all-inclusive cost per day for on-site user training? For web-conference user training?

DTS can conduct targeted training for the groups identified by the City in a series of workshops. We have found that it is usually not good to have more than 20 potential users in any one workshop so we would suggest breaking up into a series of workshops as well as provide direct training to those who are performing a specific task. We can do these as one-on-one trainings or in a group as well. Our training approach will be onsite initially; however, in terms of follow-up and ongoing training, we can provide a series of training types: Typically, the cost of training is covered in the implementation fees; however, additional training is available. For budgeting purposes, additional training is priced at \$2,400 per day.

14. Documentation – In what formats are the software documentation and training manuals available? How often is documentation updated? Is an Online Help Menu available, offering an index of topics and searchable by keyword, similar to that found in Windows?

Manuals (Handbook) and Documentation - User manuals are user-friendly with an inviting style, easy-to-use reference format with tooltips and practical information. These will also be available as online PDF documents which also makes updating less costly (instead of reprinting and publishing, the online PDF is updated and users are notified).

15. Programming Language – What programming language(s) are used in the proposed software for application, customization, data migration and interface development with other systems?

VUEWorks is programed using C#, JavaScript and HTML5.

16. Security – How does your system maintain security? Please discuss login authentication, tiers of security and administration, and database security.

VUEWorks contains a fully featured security console. All modules can be controlled for user access. The extent to which access is granted (read only, read and edit, read and edit and delete, read and edit and delete and modify, etc.). VUEWorks can use Windows Active Directory and Single Sign-On.

17. Hardware/Software Requirements – Describe the server and workstation hardware, operating system, database and storage requirements. Include diagrammed configuration details, performance impact on the existing WAN/LAN, and desktop interface. Use this area to also describe server virtualization, SaaS (Software as a Service) or other models that would impact our hardware/software requirements.

VUEWorks requires Standard or Enterprise versions of Windows Server 2012 32-bit or 64-bit or newer. Optimal is 64-bit.

When installed for ArcGIS Server, VUEWorks can be installed on the same server as ArcGIS Server. Use the same hardware recommended for your GIS environment by Esri.

The most resource intensive operations implemented by VUEWorks occur on the server that hosts SQL Server. At a minimum this server should have 4GB of RAM and a dual core processor running at 2.4GHz. Simply put, VUEWorks will perform faster with fast multi-core CPUs, more memory and with few other applications competing for the same resources on the SQL Server machine.

VUEWorks is supported on VMware, Citrix and Hyper-V.

Optimal server configuration:

- VUEWorks co-installed with ArcGIS Server, **server** is 64-bit, **quad core processor, 16GB RAM**
- Configured for remote access over the Internet using Remote Desktop Services or other remote access software (for VUEWorks support)

Optimal Database Requirements

- Any version of MS SQL Server 2012 or newer
- Installed on separate server from VUEWorks and ArcGIS Server, which is 64-bit, quad core, 16GB ram
- Configured for remote access over the Internet using Remote Desktop Services or other remote access software (for VUEWorks support)

Optimal Desktop (Client) Requirements

Any client capable of running Internet Explorer, Chrome or Firefox. This include desktops, tablets and mobile devices. VUEWorks runs on iPads and Macs using Chrome or Firefox.

Internal Network for any type of implementation: IP network protocol; Wired network to client computers: 10baseT, 100baseT or 1000baseT switched network; Server backbone: 1000baseT (1gigabit) or faster connection; Wireless network: 802.11x compatible with WAP or better security

18. Pilot – Are there particular features of your package that should be proven out in a pilot? Base this on your past experience of other implementations.

Based on past experience, this is not required but could be performed for an additional fee.

19. Warranty/Maintenance/Support – Describe your warranty/maintenance/support program. Please detail online, telephone and onsite response times and hours of availability. Explain your planned software upgrade schedule and assistance provided with the upgrades.

MAINTENANCE & TECHNICAL SUPPORT POLICY

1. VUEWorks technical support is available from 8:00am to 5:00pm, Eastern Time, on all weekdays other than Federal holidays. VUEWorks' support includes answering questions from Customer over the telephone or e-mail, and the commercially reasonable effort to have the VUEWorks Software functioning properly in accordance with the documented product features and specifications.
2. VUEWorks Support must be initiated either through calling the support line (800) 252-2402 x2 or Support Email: support@vueworks.com. VUEWorks recommends the use of email as it serves as a written record of the event.
3. Customer shall designate one individual to serve as the primary support contact for requests. Additionally, customer may designate as many as two (2) more secondary individuals who may contact VUEWorks directly for support issues. Other arrangements will be addressed on a case by case basis and must be agreed to in writing by Customer and VUEWorks.
4. The initial contact whether invoked by email or telephone for a particular issue defines the beginning of a support incident.
5. In cases where a VUEWorks staff member is unable to answer the phone, or when the Customer uses email for a support request, Customer will include in the message their name, their organization, a thorough description of the steps that preceded the problem, and a call back number. Screen shots and complete descriptions of the problem, activities leading to the problem and any related detail are most helpful. VUEWorks may not be able to respond if this information is not provided.
6. Common incidents include operational questions, improvement suggestions, problems related to changes in the customers' GIS environment, problems related to changes in the customers' VUEWorks implementation, and problems related to defects in the software.
 - a. If the incident involves a defect in the VUEWorks software, VUEWorks will provide the commercially reasonable effort to fix the defect(s) at no charge.
 - i. A defect is defined as an issue with the software during the normal course of operation where the software does not function as documented due to an error in the software code.
 - ii. A defect is often, but not always, accompanied by an error message.
 - iii. VUEWorks software has many dependencies that could generate error messages that are delivered through VUEWorks but are not VUEWorks software defects. These include but are not limited to:
 1. ESRI GIS Software (ArcGIS Server or ArcIMS)
 2. MS SQL Server
 3. Server operating system
 4. Permissions
 5. Hardware
 6. Network connectivity
 7. Individual client computer issues

- a. Individual Client computer issues are identified when the issue occurs on a limited number of computers but not on all computers using the same VUEWorks user login.
- b. VUEWorks reserves the right to determine if an issue is caused by a VUEWorks software defect or not
7. If the issue is determined to be anything other than a defect in the VUEWorks software code then VUEWorks will provide up to 30 minutes of technical support at no charge, followed by a charge of two hundred dollars (\$200) per hour per incident.
8. VUEWorks technical services do not include support for ESRI Software. While VUEWorks staff may attempt, at its sole discretion, to resolve issues stemming from ESRI Software, the Customer recognizes that these types of issues are best supported through ESRI's many support channels.
9. VUEWorks handles incident reports in the following manner
Each incident logged will be given a priority of 0 to 4 as determined by VUEWorks technical support staff. VUEWorks will first attempt to resolve the issue with the Customer upon initial response. If the issue cannot be resolved during initial response then VUEWorks will respond to the request depending on the priority of the issue as defined in the following sections:
 - a. Priority 0. Critical Issue. VUEWorks will start working on the issue within 4 business hours of initial response and continue to work on the issue during normal business hours until the issue is resolved. Examples of Critical Issues:
 - i. No user at the Customer site can log on to VUEWorks
 - ii. The map does not display on any user computer at the Customer's site.
 - iii. No user at the Customer's site can create a Service Call or Work Order
 - b. Priority 1. Severe Issue. VUEWorks will start working on the issue within one business day of initial response and continue to work on the issue during normal business hours until the issue is resolved if any of the following occurs:
 - i. VUEWorks generates information that is obviously and substantially incorrect
 - ii. A feature produces error messages that causes an application feature to stop functioning or not produce results
 - c. Priority 2. Important Issue. If the issue cannot be resolved through the initial response process then VUEWorks will start working on the issue within 5 business days and resolve the issue within 30 days thereafter if any of the following occurs:
 - i. An issue reported by Customer that can be resolved by providing help on using a specific feature
 - ii. Issues that cause an error message but do not cause the application to stop functioning or create results that are substantially incorrect
 - iii. Issues acknowledged by VUEWorks as a defect that can be avoided without loss of functionality through a work around process
 - d. Priority 3. Low priority issues. If the issue cannot be resolved through the initial response process then VUEWorks will document the issue but not be obligated to respond within any specific time frame for the following types of issues:
 - i. Issues or questions that are not directly related to the functionality of the product
 - ii. Non-contractual application enhancement request (the "Wishlist"). A non-contractual request to provide features in VUEWorks that are not in the current product.
 - e. Priority 4. Issue is not directly related to VUEWorks software. If an issue is determined to be related to hardware, browser, or operating system malfunction VUEWorks will notify Customer that the issue must be resolved by the Customer. These cases are usually substantiated if the issue occurs on only one user computer and cannot be replicated on another user computer or at VUEWorks' test environmentVUEWorks, LLC. will provide commercially reasonable effort based on the above guidelines. If it is determined that the effort required to resolve the issue is not included in this Annual Maintenance and Support policy, work will stop and the Customer will be advised that the work is not covered. At VUEWorks discretion, the customer may be provided an option for VUEWorks to continue the work at an agreed to cost and scope.
10. Direct Server Access: In order for VUEWorks to provide adequate support the Customer agrees to provide VUEWorks the means to remotely control and transfer files with the Customer's VUEWorks server, the GIS server and the SQL server through the Internet.
 - a. VUEWorks recommends LogMeIn software for remote access but will work with any commercially acceptable system that provides remote control and file transfer capabilities as preferred by the Customer

- b. This requirement allows VUEWorks support staff to:
 - i. Offer the Customer software update services to install patches, updates, and upgrades that would otherwise require Customer resources
 - ii. Ability for VUEWorks staff to directly operate VUEWorks at the Customer site for the purpose of investigating issues reported by the Customer
 - iii. Attempt to resolve issues remotely that would otherwise require an On-Site visit
- c. Customers understands and agrees that if remote access to Customers servers is not provided then the all response times documented in item 10 above will not apply.
 - i. VUEWorks agrees to not access any other data or applications other than required for VUEWorks support purposes.

20. Subcontractors – Please declare any subcontractors to be involved with this project. Include resumes of key personnel.

N/A

21. Please list or attach documentation for all modules or features that are part of the Asset Management base system.

This information is provided in the Section 9 portion of this proposal below.

22. Please list or attach documentation for all extra modules or features that are not part of the Asset Management Base System.

N/A – All modules are in the proposed Enterprise License Agreement.

23. Describe the level of GIS integration with your asset management system, how spatial and non-spatial data are stored, and the requirements of our GIS platform to take full advantage of your asset management system's capabilities.

VUEWorks is a GIS based asset management system that allows users to manage both spatial and non-spatial data. Spatial assets are stored in the Agency's Enterprise GIS system in an ESRI SDE Geodatabase. VUEWorks does not copy or replicate GIS data instead we access an Agency's GIS data through an ESRI Web Service. The GIS data will need to be published as a Map Service or Feature Service and VUEWorks will use the REST endpoint to access the data. If the service is a Feature Service, spatial and attribute can be enabled in VUEWorks through the Permissions settings. VUEWorks supports ESRI's ArcGIS Versions 10.1 Service Pack 1 up to and including 10.6. VUEWorks supports data stored in an ArcSDE Geodatabase using either SQL Server or Oracle as the back-end database. GIS features including relationship classes and ESRI's Roads and Highways are supported in VUEWorks. In addition, VUEWorks allows the addition of ESRI's tile-cached basemap services or an Agency's custom created tile-cached basemap service to be used as reference data.

VUEWorks has two types of non-spatial data, either assets that are not in GIS or data associated with work management or advanced asset management activities. In addition to accessing an Agency's GIS data, VUEWorks implementation required the creation of two SQL Server database. The non-spatial asset data is stored in one of these databases and the data associated with work management or advanced asset management is stored in the other SQL database.

24. Other Features – What other features does the proposed system offer that may be relevant for use within the City? Please include information regarding planned future release features, and customization options. This is your opportunity to describe other features of your product in detail. Please include system scalability.

VUEWorks as a comprehensive, yet simple and user friendly, web-based computerized maintenance management system (CMMS) that provides the functionality defined below without considerable customization. VUEWorks software is an affordable, web-enabled GIS-integrated enterprise asset management solution. VUEWorks is designed for use by state and local governments, utilities, corporations, schools, theme parks and other organizations that need to track the condition, minimize failure risk and optimize expenditures and service delivery of their physical assets. VUEWorks integrates directly with GIS data, allowing users to share geospatial and non-geospatial data on any physical asset within any infrastructure domain. Typical domains include transportation, utilities (water, wastewater and stormwater), facilities, fleet, power (generation, transmission and distribution), oil and gas pipelines, airports, seaports and more.

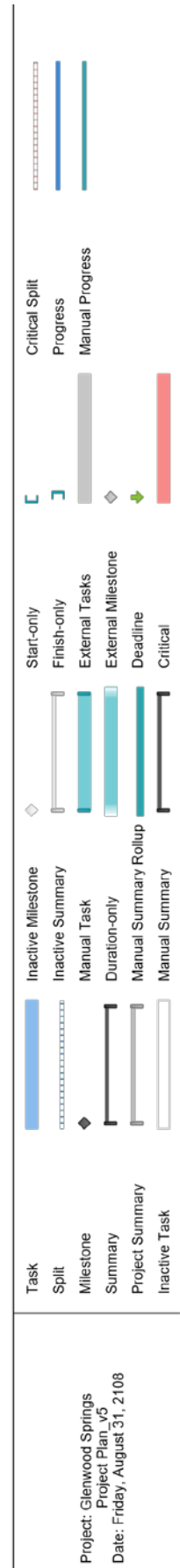
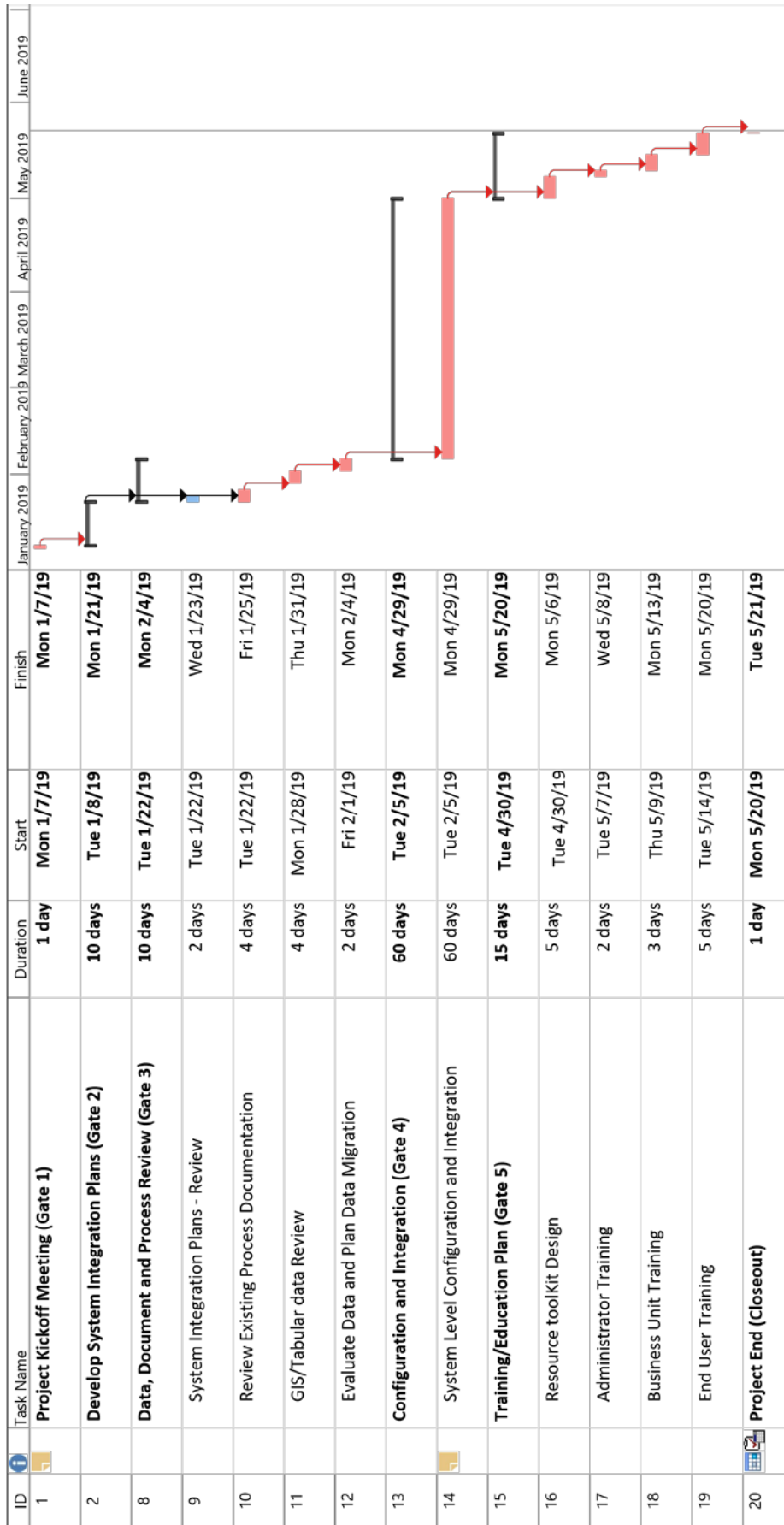
Does your proposal meet all of the requirements listed above? Yes ☒ No ☐

List Any Exceptions to the minimum proposal requirements here:

7. Project Schedule

An implementation schedule for the proposed system, including deliverables and dates, milestones, task relationships and dependencies, and a project timeline must be included.

Please see the implementation schedule on the following page.



8. Pricing Schedule

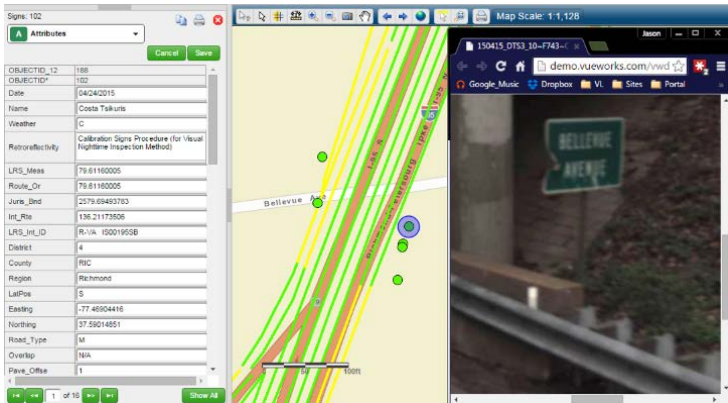
Include the pricing schedule you will use to charge the City for providing both goods and services outlined in this RFP. Proposals must include an itemized price list with, at a minimum, the following:

Item	Fee
a. Enterprise Asset Management System Software	\$50,000
b. Licensing for 50 users, specify options and requirements (covered as part of item a.)	
c. All required servers and specifications; other hardware	*
d. Onsite versus Cloud base software and storage hosting. (Hosting has Annual Hosting Fee)	\$12,000/YR
e. Mobile device requirements (iOS or Android, covered as part of item a.)	
f. Annual Maintenance, Support and Upgrades (20% of license fee)	\$10,000/YR
g. Project Management	\$15,000
h. Professional Services (including 5 days of training on a \$2,400 per-day basis)	\$115,000
i. Hourly cost for data conversion services	\$175/HR
j. Estimated Travel Expenses	\$6,000
k. Total initial price of the proposed system: includes all costs pertinent to Licensing, Software, Installation, Maintenance and Training (Total Year 1 Onsite or Hosted)	\$196,000 onsite OR \$208,000 cloud

* VUEWorks typically is run on an existing server running ArcGIS. In the unlikely event a separate server would be needed, the cost for it to the City would be approximately \$12,000.

9. Additional Information

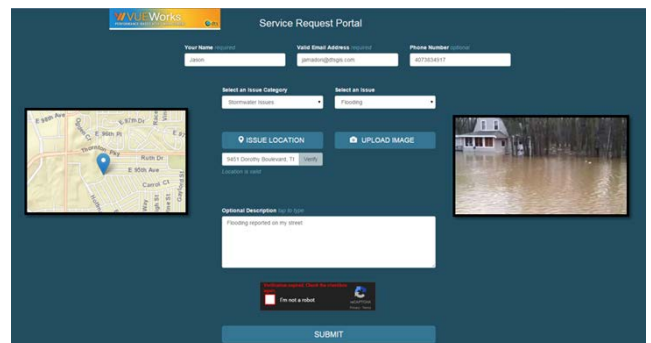
Provide any additional information that will aid in evaluation of the Vendor's qualifications with respect to this project. Include any relevant vendor-supplied specifications and data sheets.



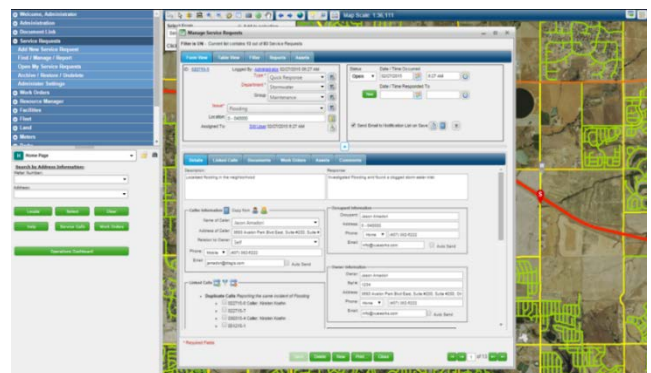
VUEWorks Core is the foundation for all other VUEWorks modules, connecting your existing GIS data to the VUEWorks strategic asset and work management system. You can link documents and databases to specific assets, conduct multi-level searches, buffer queries, measure distances and create reports. Best of all, it is very configurable and easy to navigate and use. As a web-based application, VUEWorks can be accessed with Microsoft Internet Explorer via the Internet/intranet, Wi-Fi and wireless communication cards. This gives users the added flexibility to access VUEWorks from the office, the field or

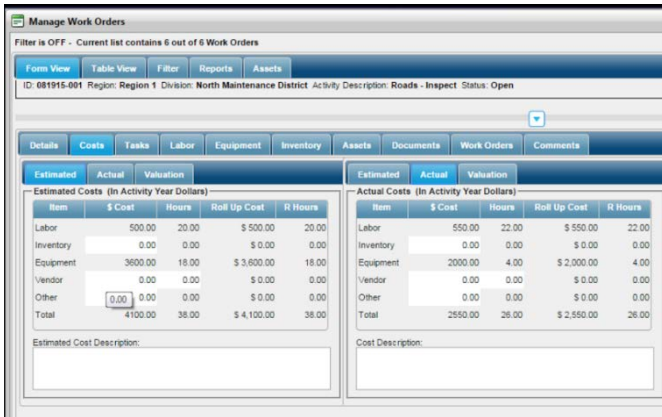
home using a traditional desktop computer, notebook or tablet. **Features & Benefits:** Integrated with Esri ArcGIS Server; Manage read/write/edit permissions by department, role and user; User defined dashboards to graphically display statistical data for service requests and work orders; Easily link documents such as image files, PDFs, videos and many other formats to any asset for quick viewing anytime, anywhere and Use Data Link to seamlessly link external databases in Access, Excel, SQL Server, Oracle or any ODBC-compliant database.

The **VUEWorks Request Portal** module delivers convenient online access for citizens and customers to place their requests using the Web. No customization or third-party database is required. The Request Portal interfaces directly to the Service Request module. And the Request Portal status is kept up-to-date when a service request is closed. At any time, a citizen or customer can review the status of their request by entering the portal and viewing “My Requests” or by searching for a Service Request ID. **Features & Benefits:** Allows citizens and customers to issue requests directly, reducing the burden on call takers or front office staff; Minimizes errors by directly populating the Service Request module; Complete integration between the Request Portal and the Service Request and Work Order modules; Request Portal status is kept in sync with work orders that have linked service requests; Allows your agency to receive and share request status 24/7, 365 days a year and the Request Portal can be accessed via smartphone mobile devices.



The **VUEWorks Service Request** module enables you to record and track requests from those you serve. This configurable module allows you to attach requests to assets in the GIS or in the Facilities module. Request takers can quickly fill out the information for the request and, if the Work Order module is in use, create a work order directly from the service request. **Features & Benefits:** Service request forms can be easily filled out while talking with the requester, Record and track requests from both internal and external customers, Can be used for maintenance activities (potholes, missing signs, etc.) and for reservation activities, Allows for calculating resolved time between the request and the time the request is closed and Identify and track duplicate requests to avoid creating multiple work orders for the same incident.





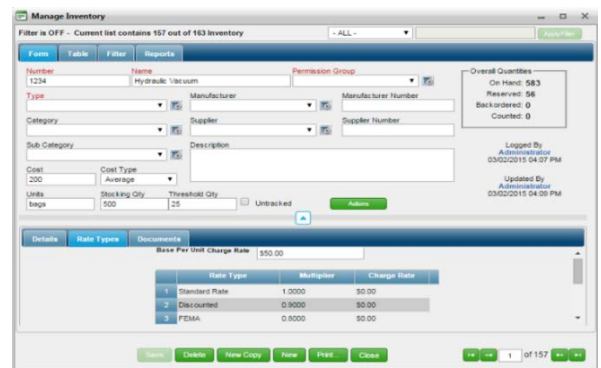
Manage Work Orders
Filter is OFF - Current list contains 6 out of 6 Work Orders
ID: 681915-001 Region: 1 Division: North Maintenance District Activity Description: Roads - Inspect Status: Open

Estimated Costs (In Activity Year Dollars)					Actual Costs (In Activity Year Dollars)				
Item	\$ Cost	Hours	Roll Up Cost	R Hours	Item	\$ Cost	Hours	Roll Up Cost	R Hours
Labor	500.00	20.00	\$ 500.00	20.00	Labor	550.00	22.00	\$ 550.00	22.00
Inventory	0.00	0.00	\$ 0.00	0.00	Inventory	0.00	0.00	\$ 0.00	0.00
Equipment	3600.00	18.00	\$ 3,600.00	18.00	Equipment	2000.00	4.00	\$ 2,000.00	4.00
Vendor	0.00	0.00	\$ 0.00	0.00	Vendor	0.00	0.00	\$ 0.00	0.00
Other	0.00	0.00	\$ 0.00	0.00	Other	0.00	0.00	\$ 0.00	0.00
Total	4100.00	38.00	\$ 4,100.00	38.00	Total	2550.00	26.00	\$ 2,550.00	26.00

The **VUEWorks Work Order** module combines the power of computerized maintenance management systems (CMMS) with geographic information systems (GIS) to manage and plan work activities in a MAMS. Work orders can be configured to match your existing work order forms to maintain the look and feel of your existing workflow, right down to the activity level. Easily create preventative maintenance schedules linked to a calendar to view activities by day, week or month. Trigger work orders based on data measurements or events from SCADA systems or other data links. The Work Order Rate module can be integrated with other VUEWorks modules. **Features & Benefits:** Work order

forms can be user defined to fit your “look & feel” and existing work process, Attach work orders to any physical asset on the map or non-GIS asset in the Facilities module for easy reference, Robust reporting features include pre-defined report templates and wizards, Automated email notices can be sent to any email program and Work orders can be logged from the field in a fully disconnected mode.

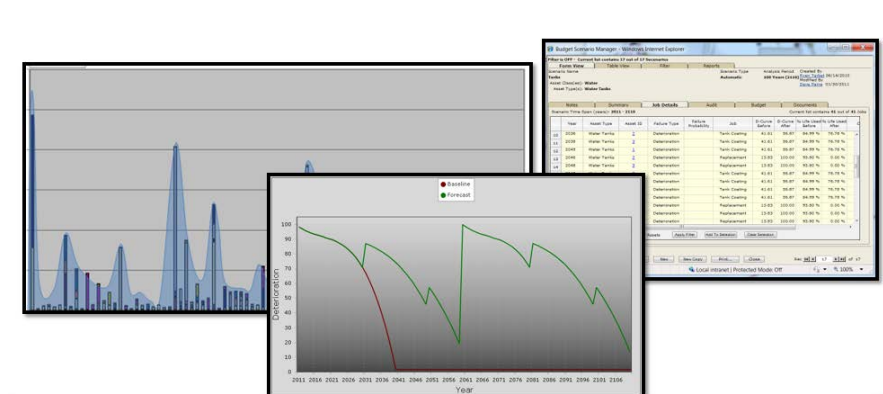
The **VUEWorks Resource Manager** module is tightly integrated with the Work Order module so that associated time and costs for personnel, crews, contractors, vendors, equipment and other items pulled from inventory can be tracked. Time for labor and equipment can be accounted for independently with the Time Recorder feature, then passed on to external accounting systems. Multiple billing rates can be assigned for different labor roles and activities. Set up personnel so that employees can be placed on a work order based on job classification, availability and cost. Personnel managers can be set up to search for an employee job classification, availability and cost in an easy-to-use calendar interface. **Features & Benefits:** Personnel, equipment and inventory items/costs can be added and tracked in work orders, assign multiple labor rates to special field activities to get quick cost estimates, Get real-time inventory tracking with alerts for low inventory, Use the calendar interface to track availability of employees and equipment, Automatic notification of employees and supervisors when assigned to a work order, and Import/export personnel, equipment and inventory to accounting systems.



Manage Inventory
Filter is OFF - Current list contains 157 out of 153 Inventory
Name: 1234 Manufacturer: Hydraulic Vacuum Manufacturer Number: 1234
Type: 1234 Supplier: 1234 Supplier Number: 1234
Category: 1234 Description: 1234
Sub-Category: 1234
Cost: 1234 Cost Type: Average
Units: 1234 Marking City: 1234 Threshold Qty: 1234 Untracked: 1234
Base Per Unit Charge Rate: \$50.00

Item Type	Multiplier	Charge Rate
Standard Rate	1.0000	\$0.00
Discounted	0.9000	\$0.00
FEMA	0.8000	\$0.00

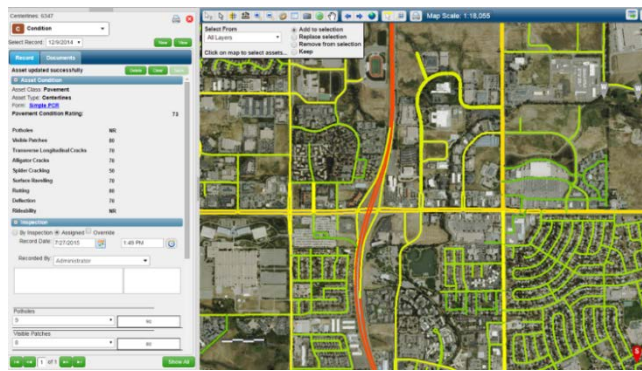
Cost effective life-cycle planning: VUEWorks offers strategic asset management tools to prioritize WHERE and WHEN work needs to be programmed and a powerful budget forecasting tool to forecast near and long term budgetary needs using decay curves, risk and condition data. Combined, these tools offer unmatched life-cycle management capabilities that help agencies provide the consistent level of service that customers expect.



The **VUEWorks Valuation module** removes the drudgery and expense of meeting the Government Accounting Standards Board (GASB) Statement No. 34 requirements for maintaining and reporting value and depreciation of infrastructure

assets. With reporting under your control, you can leverage depreciation and related financial information to help plan budgets and projects. Missing historical cost data? No problem – Valuation will calculate historical costs back to the time of construction. You can also enter historical costs directly or enter unit costs and let VUEWorks calculate the total value. **Features & Benefits:** Integrates seamlessly with the VUEWorks Facilities module & your GIS, Determine and report historical and replacement costs, Calculate value and depreciation for all infrastructure assets including buildings, streets, bridges, pipes and equipment, Take control of depreciation parameters to realize the full value of your assets, Account for maintenance through work orders that add value and extend asset life and Powerful search and filter capabilities allow users to report by location or other criteria.

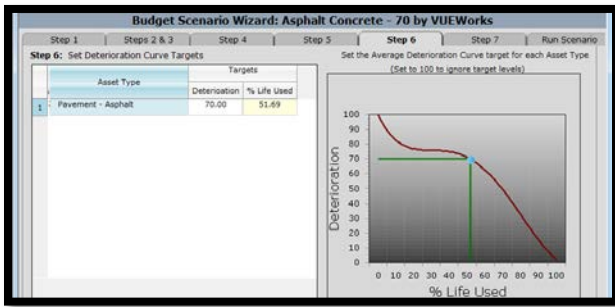
The **VUEWorks module** is highly configurable, allowing you to summarize, analyze, rate and report on the any asset (whether pavement, signs, street roads, trees or something else). Develop your inspection criteria or use condition data the use of other software. Either way, provides configurable tools that allow you to rating criteria as simple or as detailed as History features show how condition has time for each asset or the entire system. The Report Designer lets you design just about any style of report with data from all sources including GIS data and linked databases that contain condition assessment details. **Features & Benefits:** Supports condition ratings using the following methods: Simplified, Itemized and Defect, Link to external condition data to summarize, analyze, rate and report, Integrates with GIS to visualize color-coded conditions for viewing on a map, Using the VUEWorks Work Order module, capture condition data directly on work order forms, Integrated ASTM templates measure pavement condition for asphalt and concrete, and Condition inspections can be performed in the field in a connected or disconnected mode.



Condition collect, condition of lights, pipes, own condition collected with VUEWorks build your own required. changed over

The **VUEWorks Risk module** allows you to capture stakeholder concerns in a risk model to strategically prioritize limited resources and work activities. Determine the consequences of failure by analyzing failure modes and failure probabilities for asset classes and types. Configure priorities by assigning weight factors. Once you have the risk model configured and calculated, VUEWorks Risk makes it easy to quickly look at every aspect of the risk model by highlighting assets on a map and illustrating findings to stakeholders to justify work priorities. Avoid costly failures before they occur! **Features & Benefits:** Use GIS data with the VUEWorks Multi-edit and Buffer tools to quickly assign consequence of failure values to assets in the GIS, Utilize the consequence of failure values as a measure of criticality when comparing assets, Configure up to ten consequence and failure modes for each asset type, Use data from the Work Order module (e.g., number of work orders as a variable) or any external database such as a capacity analysis to keep risk models current and Use risk data to forecast budgets for asset maintenance and replacement.

Failure Modes		Consequences		Terms	
Consequence Settings For: Pavement - Asphalt (Asset Type)					
Consequences		Ratings			
	Consequence Name	Weight	Use for Criticality	% Life Left	Surface Condition
1	Safety	3	☒	☒	☒
2	Travel Delay	1	☒	☒	☒
3	Vehicle Damage	2	☒	☒	☒

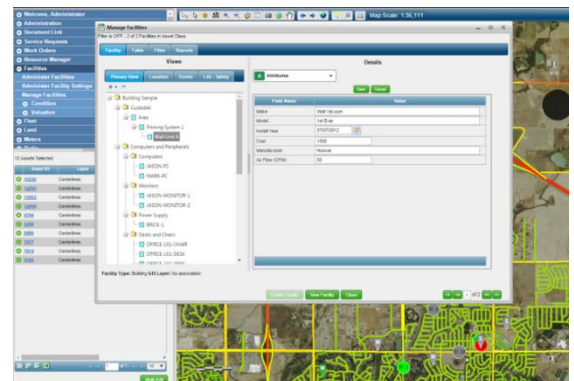


meet service level goals. For pavement, PCI values can be used to determine the work activities and cost to maintain a roadway pavement surface condition that supports the needs of the user. VUEWorks' cost-benefit analysis capability takes into consideration not only direct life-cycle costs of projects, but also social and environmental costs. **Features & Benefits:** View how different budget scenarios impact the overall condition of any asset class, select from risk and failure probability criteria to define how rehabilitation will be prioritized, Automate the assignment of rehabilitation jobs based on failure modes such as capacity and condition and Pre-determine the impact of rehabilitation jobs on the life-cycle of the asset.

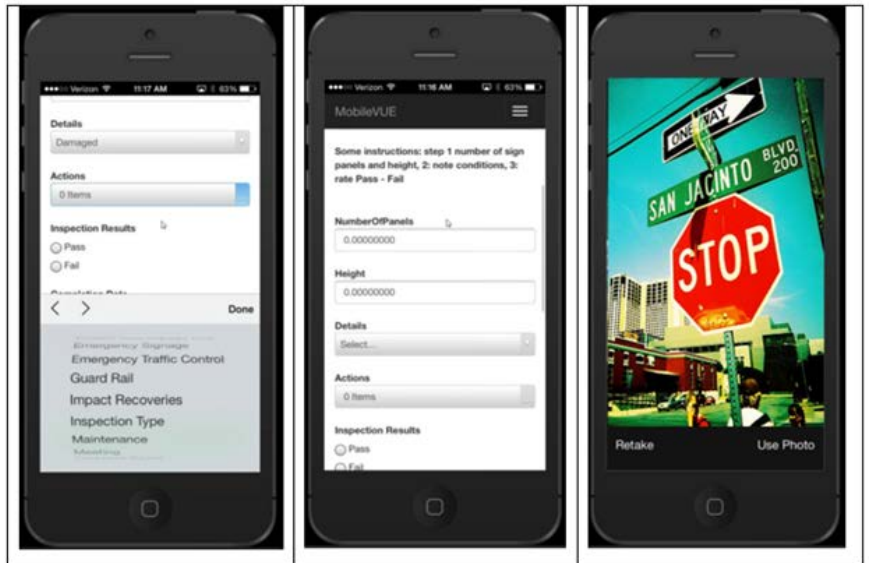
Project Title	Project Group	Location	Estimated Cost	Actual Cost	Cost Overrun
2016 Pavement Rehabilitation Plan	CJP		\$5,851,390.00	\$115,359.00	(\$5,736,031.00)
2016 Pavement Rehabilitation Plan	CJP		\$5,851,390.00	\$115,359.00	(\$5,736,031.00)

summaries. **Features & Benefits:** Include any asset classes and types within the same project – great for corridor projects involving multiple asset classes; Create a library of comprehensive and point repair job types; Configure your own status terms to display such as Pending, On Hold, In Progress, Completed, Backlogged, etc.; Allows adjustment of a project cost by forecasting inflation rates and Run projects through the Budget Forecasting module to analyze the best cost-benefit ratio, extending asset life.

The **VUEWorks Facilities module** provides access to physical assets not found in a GIS but which still need historical service/work records, data links, condition assessment, valuation, preventative maintenance scheduling and access to key operational documentation. The types of facilities that can be managed are virtually limitless including pumps, motors, fleet and building components. The Multi-view feature allows assets to be organized in different categories (e.g., location/floor level, department or manufacturer). The VUEWorks Facilities data linking features combined with the Work Order module allow automatic work orders to be issued based on user defined triggers from a SCADA or ITS database. **Features & Benefits:** Manage non-GIS assets like building components and internal equipment; Create and organize assets in a hierarchical structure for easy reference; Inventory fleet and mobile equipment in the Resource Manager module for use with work orders; Structure your asset hierarchy to include work orders, condition, valuation and more and Manage facilities with trigger work orders based on equipment run-time or other data (e.g., SCADA systems).



VUEWorks' first "app" – **MobileVUE** – is built on Esri's ArcGIS Server platform and is used to execute work orders in the field from any Android or iOS-based device (iPad, iPhone or iPad Mini). MobileVUE allows the VUEWorks user to increase field productivity in a connected or disconnected environment. Because it is built on Esri's ArcGIS Server platform, users can take the map and all the GIS data into the field while maintaining the relationship to a Work Order Activity. **Features & Benefits:** Syncs with VUEWorks for simple "grab and go" field device use, Work with your GIS data in a fully disconnected state, perform asset condition inspections, asset attribute updates and capture new assets and Designed for tablet form factors and touch input.

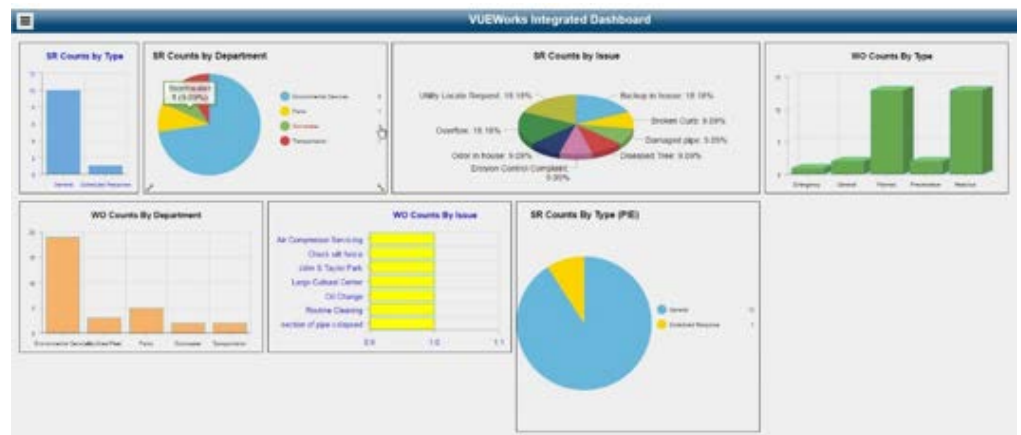


Reporting and Analysis Tools

VUEWorks includes its own native reporting engine and query/report user interface for all modules. VUEWorks supports full reporting against all data fields in all user interfaces, as well as full reporting against linked data and the GIS database. VUEWorks' robust query and reporting tools allows users to query based off any data field associated with work orders, including equipment utilized. In addition, they allow users to save and share reports in a multitude of formats (e.g. GIF, HTML, RTF, PDF, Excel, PowerPoint, Word, etc.).

Data-Driven Dashboards

VUEWorks is capable of visualizing charts, reports and graphs of various reports available through its user-configured dashboards. These drillable dashboards are data-driven, so the user can specify each data source (GIS, Condition module, Risk module or linked data) and then render a report based on the user's needs. Dashboards are an excellent way to provide visibility into the user's data to support high-level decision-making.



10. City Responsibilities

Identify all services and infrastructure that are expected to be provided by City of Glenwood Springs.

The City of Littleton will need to provide the server and associated items on which the VUEWorks application will run. As previously noted, most clients do not need to purchase a new server for the system; rather, they are able to run it on the same server from which they already run ArcGIS software.

Additionally, the City will be expected to have a City Project Manager to oversee the implementation from the City's perspective. And City subject-matter experts and GIS staff will be needed to assist with the implementation and to make sure the system implementation occurs in a manner that will provide the most benefits to the City.

City of Glenwood Springs
Addendum to Professional Services Agreement

Work By Illegal Aliens Prohibited. Pursuant to Section 8-17.5-101, C.R.S., *et. seq.*, as amended, Contractor warrants, represents, acknowledges, agrees and certifies that:

1. Contractor does not knowingly employ or contract with an illegal alien who will perform work under this agreement. Contractor shall not knowingly enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien who will perform work under this Agreement.
2. Contractor will participate in the electronic employment verification program created in Public Law 208, 104th Congress, as amended, and expanded in Public Law 156, 108th Congress, as amended, and jointly administered by the Department of Homeland Security and the Social Security Administration, or its successor program (hereinafter, "E-Verify Program") or will participate in the "Department Program" as established in §8-17.5-102(5)(c), C.R.S., as amended, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement.
3. Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this agreement through participation in the E-Verify Program or the Department Program.
4. Contractor shall not use either the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.
5. If Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, Contractor shall be required to:
 - (a) notify the subcontractor and the City within three (3) days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
 - (b) terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required pursuant to this subparagraph the subcontractor does not stop employing or contracting with the illegal alien; except that Contractor shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.
6. If Contractor participates in the Department Program, Contractor shall provide a notarized written affirmation to City that Contractor has, as required by the Department Program, examined the legal work status of employees hired to perform work under this Agreement and shall comply with all other requirements of the Department Program. (A sample contract affirmation may be obtained at: <http://www.coworkforce.com/lab/pcs/default.asp>)
7. Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment ("Department") made in the course of an investigation that the Department is undertaking pursuant to its legal authority.
8. Nothing in this Addendum shall be construed as requiring Contractor to violate any terms of participation in the E-Verify Program.
9. If Contractor violates this Addendum, the City may terminate this Agreement for breach of contract. If this Agreement is so terminated, Contractor shall be liable for actual and consequential damages to the City arising out of said violation.

CONTRACTOR: Data Transfer Solutions, LLC

DATE: August 30, 2018

BY: Allen Ibaugh, AICP, GISP



Ricky Smith, Procurement Manager



**ADDENDUM NUMBER ONE FOR
ENTERPRISE ASSET MANAGEMENT SYSTEM
BID NUMBER BD 2018-041**

THIS ADDENDUM MUST BE ACKNOWLEDGED.

THIS ADDENDUM SHALL BECOME A PART OF THIS SOLICITATION.

The following information is being added or amended as indicated as a part of the Request for Proposal:

- 1) The pre-bid meeting time has changed to 2:00 pm instead of 3:00 pm on August 14, 2018**
- 2) The following call in information is listed below.**

Asset Maintenance

Tue, Aug 14, 2018 2:00 PM - 3:00 PM MDT

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/867731005>

You can also dial in using your phone.

United States: +1 (786) 535-3211

Access Code: 867-731-005

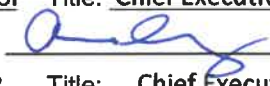
First GoToMeeting? Let's do a quick system check: <https://link.gotomeeting.com/system-check>

This includes a phone number for the meeting.

Any additional information will be issued in another addendum.

This addendum must be acknowledged. This addendum may be faxed to 970-384-6599 or be included with your bid submittal.

PRINT OR TYPE YOUR INFORMATION

Name of Company: <u>Data Transfer Solutions, LLC</u>	Fax: <u>(407) 382-5420</u>
Address: <u>3680 Avalon Park East Blvd., Ste 200</u> City/State: <u>Orlando, FL</u>	Zip: <u>32828</u>
Contact Person: <u>Allen Ibaugh, AICP, GISP</u> Title: <u>Chief Executive Officer</u>	Phone: <u>(407) 382-5222</u>
Authorized Representative's Signature: <u></u>	Phone: <u>(407) 382-5222</u>
Printed Name: <u>Allen Ibaugh, AICP, GISP</u> Title: <u>Chief Executive Officer</u>	Date: <u>August 17, 2018</u>

08/13/2018

Ricky Smith, Procurement Manager



**ADDENDUM NUMBER TWO FOR
ENTERPRISE ASSET MANAGEMENT SYSTEM
BID NUMBER BD 2018-041**

THIS ADDENDUM MUST BE ACKNOWLEDGED.

THIS ADDENDUM SHALL BECOME A PART OF THIS SOLICITATION.

The following information is being added or amended as indicated as a part of the Request for Proposal:

- 1) See attached questions and answers for BD 2018-041, Enterprise Asset Management System Request for Proposal.**

Any additional information will be issued in another addendum.

This addendum must be acknowledged. This addendum may be faxed to 970-384-6599 or be included with your bid submittal.

PRINT OR TYPE YOUR INFORMATION

Name of Company:	<u>Data Transfer Solutions, LLC</u>	Fax:	<u>(407) 382-5420</u>
Address:	<u>3680 Avalon Park East Blvd., Suite 200,</u>	City/State:	<u>Orlando, FL</u>
Contact Person:	<u>Allen Ibaugh, AICP, GISP</u>	Title:	<u>Chief Executive Officer</u>
Authorized Representative's Signature:		Phone:	<u>(407) 382-5222</u>
Printed Name:	<u>Allen Ibaugh, AICP, GISP</u>	Title:	<u>Chief Executive Officer</u>
		Date:	<u>August 22, 2018</u>

8/22/2018

Work Order System Requirements:

- # 1 - Request for Service module – generates work order with minimal data entry, is email compatible. *Please describe what you mean by 'email compatible'. Does this mean email data entry options or that upon creation, an work order can be emailed out? **A work order can be emailed out if need in whatever state that it is in at that moment and an email is created and sent out when the work order is completed.***
- # 2 – Tracks machinery asset uptime/downtime. *Can you provide more detail on this? Does this requirement mean that you want to see how much usage a piece of equipment has been tracked against it? Is the intention for downtime mean when it's out of service due to maintenance or some other reason? **In the future we plan on having our equipment GPS located and have intelligent monitoring systems added to them so we know how long a piece of equipment has been sitting running motionless and how long it has been in motion on a daily basis.***
- #8 -Ability to log on/log off a Work Order. *Please describe what this means. Does this mean that upon logging off the work order is saved and can return to enter more information when logging back on? **Yes, we want to make sure that the work orders ask to have the user save the information at that moment so there is no backtracking once the work order is closed for the day, or the hour. Simple yes save the file prior to closing or no.***
- #9 – Incorporates bar code and mobile technology. *Can you provide more detail on this? Is it simply that you want the system to be able to read bar codes and have mobile technology available or are you using specific bar code reading technology. **We currently have a bar code system set up for our local signage, we want to be able to incorporate that ability to read the bar codes in a mobile device running the asset management software, in essence replacing the current system/software in place.***
- #14 – Automatic escalation if sign-off time period is exceeded. *Please describe. Is the intention that you are wanting to limit the amount of time a user can be logged in/out of the system? **We want to make sure people are signing off when they should be and that the lack of sign off time, say at the end of the work day, if they do not sign off within in hour they get an email, in two hours they get a text message, in three hours the PM is notified, something to that effect. We don't want to have to deal with sign off times for employees or equipment to lag to the next day and we have to deal with backtracking at that time. This is probably a redundant request.***

Preventative Maintenance System Requirements:

- #6 – Auto schedule capability (days, cycles, holidays, shutdowns). *Can you describe in detail what you are looking for here. You want the system to be able to automatically schedule work but not when it falls on a holiday? Which holidays? What are cycles and shutdowns in the City's world? **No, we want the system to be able to automatically schedule events that we have occur each week, month or year so that it does not have to input each year or week, etc. Sweep 8th street, automatically appears as a work***

order once every 3 month? Something to that effect. Clean filters at WWTF each week on Friday at 1pm....

- #16 – Alarm/Alert Management. Please describe what you are looking for here. Is this related to SCADA or some other alarm/alert system? If so, which system(s)? ***This one we are not 100% set on, but it would be nice if when an alarm is set off that somehow the management company not only sends us a call/text/email that the system can pick up that alert also. This one is on the outside of what we really are looking for, but wanted to know if your system can integrate into an alarm system in any way?***
- #17 – Provide Tag In/Tag Out log. Please describe what you are looking for here. What is being tagged in/out? Equipment? Assets? Labor? Please provide examples of the functionality you are looking for. ***This would be for the use of equipment mainly, you would tag a piece of equipment that you need so that another team knows that you are using that item. Once you tag it back out, they know it is available at the storage location.***

Project/Task Management System Requirements:

- For this section, are you looking for a true Project Management Solutions, such as MS Project or are you simply looking for an integration to an existing system? If so, what project management system are you using currently? ***We want to be able to put a project schedule into the system, say a work order is a multi-day work order, we want to be able to track how the performance of the crew is on day 1 to see if it now a 4 day project that was scheduled to be a 3 day project. This would relate to time, costs, equipment use, etc during that work order duration. This would not have to link back to a MS Project type system.***

Reports and Analysis System Requirements:

- #1 - Crystal Reports based custom reporting. Is Crystal Reports a required component of whichever system you choose or if there is a similar imbedded report write, is that acceptable? Or are you simply looking to have Crystal access the backend database? ***We can delete this requirement from the software requirements, IT does not have a Crystal reports service.***
- #4 – Field reporting functionality. Please describe how you intend to use field reporting. Are you looking to print reports in the field? What does check in/check out of data as it pertains to field reporting mean? ***This would be in part a function in the system that allows people to see old data on the project area and add notes to that data or as text for notes in the future that others will see if they log into the saved data.***
- #5 – FAA Safety Management System (SMS) reporting. ***Is the intention to track assets at the airport or just run daily reports for SMS compliance? The overall intention of the software needs is to track the assets at the airport.***

Labor System Requirements:

- #2 – Organize labor by craft to streamline work assignment process. *Please describe in detail how this is intended to be used and how is it being done currently?* **If we need three departments working on one project we want to be able to organize the project needs into W/WW/Streets/Parks, etc with a dedicated part of the project to be completed by that department which is probably a generic operation for them and that generic operation is just one click for resource allocation versus having to pick assets one by one.**

Storm Sewer System Data and Sanitary Sewer System Data

- #11 & #6 Respectively – NASSCO Certified software. *Does the City currently use a CCTV application today that is NASSCO certified? If so, which software?* **The waste water department uses a Cues camera system with the Cims software, we are looking for the software to able to have the images be able to transfer out of the Cims software and into a storage capacity linked to the lines in question for reference.**

Operations and Support:

- #3 – Provides toll-free customer support 24 hours, seven days per week. *Is the intention here that there is 'live phone support' 24/7 or live support during normal business hours and web support for the rest of the time?* **Live support during business hours, we support the rest of the time meets our needs.**

General Questions:

- I noticed that you've set a 30-page limit for the proposal document. Does this include Attachment 1, which takes up 9 pages by itself?
 - **See below.**
- Could you also please confirm that if we are submitting a response via email before the due date and time, we do NOT need to send hard copies?
 - **A PDF document within an email response to the address provided within the RFP document will be allowed.**
- RFP, page 8, item #2 at the bottom. The text reads "The original cover page of this Solicitation must be included in all Offers. **If the Vendor's authorized agent fails to sign and return the original cover page of the solicitation, its Offer shall be invalid and shall not be considered.** There does not appear to be a signature line anywhere on this cover page. Is a signature anywhere on the page acceptable?
 - **See page two of the RFP.**
- RFP, Page 9, Submission item #2. This references the Solicitation's Specification and Pricing Form. Is this referencing a specific form provided by the City, and if so, where is this located? Or, is there no actual form as long as items identified in item 8 on page 21 of the RFP. Does this form go against the 30-page page count (indicated on page 20 of the RFP)?
 - **N/A, the City did not provide a specification and pricing form to be filled out.**

- RFP page 22, item 3 indicates that the selected consultant must complete a W-9 form? Is this part of the 30-page page count, or does the City want this form once a vendor is selected?
 - **This form would be submitted once a vendor has been selected.**
- Please provide the complete list of the specific asset types the City is looking to manage with the system at this time?
 - **The City has not completed a full list of the assets that we wish to manage at this time. The amount that we are planning on managing immediately will partly depend on the cost of the system, complexity to work with the system and overall staffing needed to run the system. So please provide costs based on your companies experience with a City of equivalent size and infrastructure. The City of Glenwood Springs runs a water, sewer, streets, special work team, parks, community center, fire department, police department, electric department, broadband system and all the facilities and infrastructure related to those departments.**
- Please confirm the ESRI products and versions currently in use at Glenwood Springs.
 - **ArcMap 10.5.1, Enterprise Advanced**
- Are multiple report writers required so the City has both advanced and basic report writing capabilities? If so, it is suggested, the City requires a wizard guided report writing tool that can be used for any record set in the system.
 - **I would agree that a wizard guide reporting system would make sense, the City wants to be able to do basic and advanced reporting if necessary.**
- Please provide a list of your critical go-live reports.
 - **I would need a better definition of what a go-live report is?**
- Is data conversion from the existing systems a requirement, or optional?
 - **It would be a requirement.**
- Does the City require any third-party integrations? If so, please list and indicate the following:
 - Uni or bi-directional?
 - Real-time data transfer or batch imports?
 - Is there a Rest API available?
 - What areas of the system are we integrating with? (Requests, Tasks, Water Meters, Fuel Log, etc.)
 - What system is used for the back-end database?
 - **Other than the systems that are listed within the RFP and the ESRI software the City is not currently asking for any third party integrations.**

- What is the City's budget for this project?
 - **The budget for the project has not been set as of yet, we have a range we are looking at.**
- Please confirm if the 30 page limit includes attachments and appendices. If not, is there an overall limit that includes attachments and appendices?
 - **50 pages max, which will include all attachments and appendices.**



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Appointments to Boards and Commissions

Action Requested: Appointments to board and commissions

Department: City Clerk

Presented By:

Background Info: Some of the boards and commissions have members with expiring terms. Applications have been submitted by potential members.

Issues: None

Staff Recommendation: None

June 27, 2019 Boards & Commissions Interviews

BOARD	NAME	INTERVIEW TIME	NOTES
Parks & Rec	Dawn Randolph	4:30pm	
DDA	Randy Diers	4:40pm	
Airport	Alan Arnold	4:50pm	
DDA	Shelley Fishbein	5:00pm	Phone interview
DDA	Lisa Nieslanik	5:10pm	
Airport	Rich Backe	5:20pm	
FAB	Ksana Oglesby	5:30pm	
FAB	Christian Henny	5:40pm	
DDA	Kevin Brady	5:50pm	
DDA	Troy Casey	6:00pm	
UNABLE TO INTERVIEW			
Arts & Culture	Bryana Starbuck	Not Available during this time	
GSFD Pension	Mike Alsdorf	Not Available during this time	
Parks & Rec	Jasmin Ramirez	Not Available during this time	

Vacancies

BOARD	AVAILABLE SEATS	NUMBER OF APPS
Airport	2 Regular	2
Arts & Culture	3 Regular & 1 Youth	1
Building Board	1 Fire Related	0
DDA	2 Regular	3
FAB	2 Regular	2
Parks & Rec	1 Regular & 2 Alternate	2
Transportation	1 Regular & 1 Alternate	0
GSFD Pension	1 Regular	1



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Fax: 970-945-5023
Email: catherine.mythen@cogs.us

AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Richard Backe

Home Address 3650 Hwy 82, Glenwood Springs, Colorado, 81601

Mailing Address Above

Section 2 - Contact Information

Home 970-945-2700

Work

Fax 970-945-2782

Mobile

970-379-4198

Email Richardbacke@gmail.com

Section 3 - Occupation

Occupation Energy efficiency contractor

Section 4 - Personal and Professional Interests

1. Do you have any specific areas of interest relating to the airport? Do you have any particular perspective related to its use or development?

I have been on the board for 2.5 terms. This gives me a perspective on the airport and the use.

2. What do you view as your role if selected as a member of the Airport Board?

The airport board is an advisory only board. I hope to assist with advice, issues, airport functions , like the open house, minor repairs, etc.



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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. Do you have any experience working with people on a board, commission, committee, or as part of some other decision-making group?

I am currently at n the airport board.

4. Do you understand that as a member of the Airport Board you would be serving in an advisory role to City Council regarding airport issues?

See above.

5. If, as a member of the Airport Board, you had to make a decision that was unpopular with either airport users or residents surrounding the airport, how might you approach that situation?

Logically.

6. The Airport Board meetings typically occur one morning a month, with other occasional related events, meetings and e-mail contact. Will you be sufficiently available to participate?

I have been in attendance at most meetings.

7. Do you have any areas of expertise that could be helpful to the Board's decision-making?

I have experience as a pilot and I am familiar with the airport.

Thank you for your interest and time commitment in serving your community

Please complete this application and forward it to the City Clerk either by mail to: 101 West 8th Street, Glenwood Springs, CO 81601; fax to: 970-945-5023; email: catherine.mythen@cogs.us; or online:

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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE AIRPORT BOARD

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Airport Board:

(2) Airport Board:

a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

Powers and Duties:

(b) Powers and Duties of Airport Board. The powers and duties of the Airport Board shall be to investigate, study and report to the City Council all matters concerning the airport facilities of the City and other matters concerning the subject of aviation which may be pertinent to the City as shall be requested of the Airport Board by the City Council; and such Board may investigate, study and report to the City Council on such other matters concerning the Municipal Airport as the Board may deem for the best interests of the City.



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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home Work

Fax Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Personal and Professional Interests

1. Do you have any specific areas of interest relating to the airport? Do you have any particular perspective related to its use or development?

2. What do you view as your role if selected as a member of the Airport Board?



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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. Do you have any experience working with people on a board, commission, committee, or as part of some other decision-making group?

yes, construction site management for 45 years,

4. Do you understand that as a member of the Airport Board you would be serving in an advisory role to City Council regarding airport issues?

yes

5. If, as a member of the Airport Board, you had to make a decision that was unpopular with either airport users or residents surrounding the airport, how might you approach that situation?

Decisions should be made based on facts both financial and logistical

6. The Airport Board meetings typically occur one morning a month, with other occasional related events, meetings and e-mail contact. Will you be sufficiently available to participate?

yes

7. Do you have any areas of expertise that could be helpful to the Board's decision-making?

Thank you for your interest and time commitment in serving your community

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AIRPORT BOARD APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE AIRPORT BOARD

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Airport Board:

(2) Airport Board:

a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

Powers and Duties:

(b) Powers and Duties of Airport Board. The powers and duties of the Airport Board shall be to investigate, study and report to the City Council all matters concerning the airport facilities of the City and other matters concerning the subject of aviation which may be pertinent to the City as shall be requested of the Airport Board by the City Council; and such Board may investigate, study and report to the City Council on such other matters concerning the Municipal Airport as the Board may deem for the best interests of the City.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 1 – Name and Address

Name Bryana Starbuck
Home Address 123 White Horse Place, Glenwood Springs, CO 81601
Mailing Address 123 White Horse Place, Glenwood Springs, CO 81601

Section 2 – Contact Information

Home: 970-691-6884 Work: 970-691-6884
Fax: N/A Mobile: 970-691-6884
Email: bmstarbuck@gmail.com

Section 3 – Occupation

Occupation Account Manager, Public Information Manager at PR STUDIO

Section 4 – Membership Qualifications

MEMBERSHIP QUALIFICATION	Check Here
A. Five (5) citizens who are a resident of the City.	☒
B. Two (2) citizens of which may reside outside of the City, but within 81601 zip code area or own real property or a business within the City.	☐

You must qualify as one of the above to serve on the Arts and Culture Board. Please check the box next to the one that applies to you, and explain here how you are qualified:

I have lived in the Glenwood Springs area for nearly my whole life and I have a deep understanding of the importance that arts and culture programs play in our community. I have been lucky to enjoy cultural and arts experiences thanks to local programs and organizations. I have already served one year on the Arts and Culture Board for the city.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests

1. Why are you interested in serving on the Arts and Culture Board?

I am an adamant patron and advocate for arts and culture programs as I believe that they are a key component to a thriving and vibrant community. I would like to continue with the work and initiatives that I have helped shape the last year.

2. What do you view as your role if selected as a member of the Arts and Culture Board?

My role as a Glenwood Springs resident would be to assess opportunities and move projects forward related to promoting arts and culture in Glenwood Springs without bias. I would work with fellow board members to support and follow all of the powers and duties of the Arts and Culture Board.

3. Do you have marketing, advertising or public relations experience or skills?

Yes, my professional background is in marketing, public relations and strategic communications.

4. Do you have Arts/Culture experience or skills? (ex. Performing arts, visual arts, public arts, museums arts education)

I have been a member of the Arts and Culture Board for the past year. I have been part of several choral organizations. In university, I lead the French Club and Education Abroad Club as president and as a club officer. Promoting cultural awareness was a large component of both organizations. I have also volunteered for numerous arts programs.

5. Can you describe an experience making a decision based on public opinion?

Two critical components of decision making are open communication and transparency. Open communication includes providing opportunities for input and collaboration, reviewing suggestions fairly, without bias, clearly explaining how a decision was reached and coming to alignment on messaging and next steps. Transparency creates trust and is especially important when not all sides agree.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests (continued)

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

7. Do you have any existing time commitments that will hamper your ability to serve?

While my work schedule is demanding, I can accommodate additional time commitments.

8. What experience do you have working with people on a board, commission or committee?

I have served the last year as part of the Arts and Culture Board. I've worked professionally with the Glenwood Springs Downtown Development Authority. I also work very collaboratively with local, regional and state organizations.

Thank you for your interest and time commitment in serving your community

Please complete and submit this application online or
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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Powers and Duties of the Arts and Culture Board (GSMC 020.020.030[N]):

(n) Arts and Culture Board. The powers and duties of the Arts and Culture Board shall be:

- 1) To promote awareness, access, and appreciation of the fine, performing, and practical arts for City residents and visitors.
- 2) To advise the City Council in connection with all matters relating to the artistic and cultural development of the City.
- 3) To provide opportunities for cultural and art experience and education for children and adults.
- 4) To promote increased interaction among artists and opportunities for growth and exposure.
- 5) To promote knowledge and appreciation for cultural forms of artistic expression.
- 6) To make recommendations to the City Council with respect to annual budget appropriations for the arts.
- 7) To advise and consult with local arts groups as requested by such groups or by the City Council.



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DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home Work

Fax Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Qualification to Serve

In order to serve on the DDA Board, you must qualify as one of the following (please check the box that applies to you):

- ☒ Resident within the boundaries of the DDA
- ☐ Business Lessee within the boundaries of the DDA
- ☒ Owner of property within the boundaries of the DDA
- ☐ Corporate Officer/Director of business within the DDA

(The powers and duties of the DDA Board can be found in Title 31, Article 25, Part 8 of the Colorado Revised Statutes.)



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DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I live and work in downtown Glenwood Springs. I love this community and would like the opportunity to serve. I am interested in the vitality and beautification of our future.

2. What do you view as your role if selected as a member of the DDA Board?

As a downtown resident, property owner and former business owner, I see my role as a member who understands the issues from each perspective. I am able to listen to all sides and enjoy being part of working Board.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

I am interested in keeping/creating open or green spaces for our residents and our visitors. I believe I have an understanding of the challenges that face business owners and residents regarding parking and construction. I am very interested in working on those issues.

4. Can you describe an experience making a decision based on public opinion?

As a business owner, yes. I consider what will serve the local population as well as the tourist population. It's a fine balance.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes. I can.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

NO.

7. What experience do you have working with people on a board, commission or committee?

I have worked on the following Boards:

GOTR-Girls on the Run of Western Colorado
CASA of the Ninth- Garfield County
Community Corrections-Garfield County

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home Work

Fax Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Qualification to Serve

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I have been a business owner in the downtown core for 19 years in October. I have weathered lots of change within our city and would love to be part of the future growth. I love working downtown and feel I could add a great deal of knowledge regarding the needs and strengths within the core.

2. What do you view as your role if selected as a member of the DDA Board?

I would like to help where needed and assist in a common goal for the future of downtown.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

There are many issues related to the downtown core and I feel that since I have been a successful part of the core for close to 20 years I could offer a solid perspective of what is needed and the strengths downtown. There has been a steady increase of business downtown with very little down time in the off season. Glenwood is a desirable destination and we want to keep a pulse on the issues that arise for our visitors and residence downtown. I would love to be part of this.

4. Can you describe an experience making a decision based on public opinion?

I really try to make informed decisions whenever possible, which I feel is part of my success Over the years in business. I understand that there are issues that may involve public input and and opinions which should be considered in making decisions especially regarding issues related to public policy and laws

Thank you for your interest and time commitment in serving your community

Please complete this application and forward it to the City Clerk either by mail to: 101 West 8th Street, Glenwood Springs, CO 81601; fax to: 970-945-5023; email: catherine.mythen@cogs.us; or online:

www.cogs.us



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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes again I understand that the goal is to find workable solutions that fall within the cities goals and with in the Municipal laws and plans.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

That is perfect for me. I have an open schedule.

7. What experience do you have working with people on a board, commission or committee?

I was the secretary of the San Luis Obispo Opera Guild in San Luis Obispo Ca for 4 years wherein we raised money to fund performance at Cal Poly State University. I am a member of the Daughters of the American Revolution DAR Capt Sopris Chapter and currently manage the website.

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home Work

Fax Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Qualification to Serve

In order to serve on the DDA Board, you must qualify as one of the following (please check the box that applies to you):

- ☐ Resident within the boundaries of the DDA
- ☐ Business Lessee within the boundaries of the DDA
- ☐ Owner of property within the boundaries of the DDA
- ☒ Corporate Officer/Director of business within the DDA

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I have a keen interest in economic and community development! My wife and I relocated to Glenwood Springs in January of this year. I have previously served on the Economic Development Authority Board for the City of Lindstrom - Lindstrom, MN for 12 years including the last 6 as Chairman. I very much enjoyed my time in this role, working closely with City officials and helping the community develop and grow.

2. What do you view as your role if selected as a member of the DDA Board?

I possess a passion for community and economic development. I view my role as one of helping the carry out the charges and direction of City leadership regarding economic, business and community development. I believe communication and planning are key and will bring those elements forward to help in any way that I can.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

I am a fan of formal strategic planning, good community relations and strong communication. My 30 + year banking career has allowed me many opportunities to participate and lead developments and re-development opportunities and projects. Change can be hard for people, managing change is an essential element for success.

4. Can you describe an experience making a decision based on public opinion?

Prior work with the aforementioned EDA allowed me the opportunity to help with planning related to a major highway redevelopment that effectively increased the business district of the community by apx. 30% while simultaneously improving traffic flow, parking and safety. This project featured key outreach and multiple venues for communication to ease any negative impact on existing businesses and the community to the greatest extent possible. In the end the project was highly successful and achieved, or exceeded stated objectives.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Absolutely. I have a high level of integrity and would have no issues with this requirement.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

The stated time for meetings fits well with my established meeting schedule and would present no issues.

7. What experience do you have working with people on a board, commission or committee?

I have served on the City of Lindstrom EDA Board for 12 years. Previously served as President of the Chisago Lakes Area Chamber of Commerce for two years, active in Rotary International since 1992 and was the founder and Chair (for 10-years) of a winter celebration that featured multiple activities and grew to support 13 non-profits.

Thank you for your interest and time commitment in serving your community

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DOWNTOWN DEVELOPMENT AUTHORITY

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I'm interested in serving on the DDA board because my business recently opened a new location in downtown and I'd like to be involved in making downtown the best it can be once construction is over.

2. What do you view as your role if selected as a member of the DDA Board?

I view my role, if selected, as a voice of a small business owner that wants to see downtown thrive so that all the small businesses can thrive as well.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

I would be interested in helping the city plan events in the downtown area to attract more tourists.

4. Can you describe an experience making a decision based on public opinion?

My experience making a decision based on public opinion involves my family life. I have a wife and an almost 3 year old, and I've learned that I need to do what's best for all collectively, not just what benefits me, like I might have done when I was younger. The same goes for managing my business. I have to think about all my employees and their families before I can worry about my own needs.

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I can separate myself from these issues. I believe that a rising tide lifts all ships. In this tourist town, if one area is doing well, it's going to trickle down to everyone.

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

I have very commitments that couldn't be moved so I could attend meetings, especially with adequate notice of said meetings.

7. What experience do you have working with people on a board, commission or committee?

In my previous job, I worked on a few committees where I had to work directly with multiple people to achieve our goals. I will admit that this position would be someone new for me, but I believe that I would be able to learn very quickly and respectfully,

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests

1. Why are you interested in serving on the DDA Board?

I'm at a point in my life as a resident of Glenwood Springs where I wish to give back to my community with my time. I want to be learn and be involved in civic matters that can benefit the city leaders Glenwood Springs and all of its citizens. As business and home owner in downtown Glenwood Springs, I believe I can provide multiple first hand experience and and personal knowledge.

2. What do you view as your role if selected as a member of the DDA Board?

In the past, I've held leadership positions in the business world and local community that required my attendance and commitment for each to be successful. This success came about by listening, communicating, and executing the goals of the Board while understanding and working within the needs of the overall community and I believe I can do this for this Board.

3. Do you have any particular areas of interest or a particular perspective relating to downtown development in Glenwood Springs?

Yes. I own a home and small business in the downtown core of Glenwood Springs. Much like other Board members, I have an investment in my family, my neighbors, my patrons and my city as neither can be successful without the other. I am in the downtown core 24 hours a day, 7 days a week - until Sharon tells me it's time to take a vacation!

4. Can you describe an experience making a decision based on public opinion?

I've spoken in front of City Council several times on matters that affected myself and my neighbors. Several years ago, a marijuana dispensary company applied for an edible manufacturing and retail license in downtown GWS next to the Vaudeville. Many of the downtown businesses and residents were against it so we started petition against its approval in our liquor store and I delivered it to the hearing officer. I was also given an opportunity to interview the prospective licensee. I conducted a 10 minute publicly viewed interview. More recently, Sharon and I organized a petition and the small business owners of Cooper Ave to discuss the negative affect of parallel parking on Cooper Ave between 7th and 8th. This led a to positive discussion with our City Manager, City Planning and Engineering. All parties were heard and successful compromise was realized.

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DOWNTOWN DEVELOPMENT AUTHORITY

APPLICATION

Section 5 - Personal and Professional Interests (continued)

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I can and I will. As I stated earlier, I am more or less in the downtown core 24 hours a day and through that time I have constant encounters with the downtown businesses, downtown residents AND citizens outside of the DDA core. This exposure lends me to hear the voice of many thoughts and opinions for which I will listen and respond in a positive and "equitable fashion".

6. The DDA Board members generally attend one meeting a month, usually beginning at the noon hour on a weekday. Do you have any existing time commitments that will hamper your ability to serve?

No, and I'm flexible.

7. What experience do you have working with people on a board, commission or committee?

Most recently

1. I was on the Board of Quality Wine and Spirits in Atlanta, GA as Marketing Director and Sales Manager
 2. I was on the Three Rivers Little League Board for 10 years and a coach for that time as well.
 3. I was on Red Cliff Condominium HOA Board for two years and President for another two years before buying a home.
- Just FYI, I have attended DDA meetings in the past as an interested and learning citizen

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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home Work

Fax Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Finance Advisory Board?

I am an engaged member of the community and feel that the FAB is critical in assisting the city in maintaining our vibrant economy. Economic growth allows for the support of city services enjoyed by our residents and the tourists that seek out the unique experiences that Glenwood Springs has to offer.

2. What do you view as your role if selected as a member of the Finance Advisory Board?

As a member of the FAB board I would view my role as a facilitator of constructive dialog looking at both the short term and long-term effects of financial and budgetary discussions. I believe that I can be a strong conduit between the DDA and FAB should I be selected.



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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. What do you perceive as the major purpose of the Finance Advisory Board?

I believe that the FAB should act as a sounding board to ensure that sound fiscal policies are maintained while ensuring the city staff has the resources to work efficiently. This includes future discussions including paid parking in downtown and or an attractions tax.

4. What area of expertise do you feel you can best provide to the Finance Advisory Board?

As a business leader with extensive experience leading complex hospitality operations, I have a strong financial acumen with practical business experience. I understand the critical nature of growing the tax base in Glenwood Springs. Increasing the tax base will provide the funding to support improved the city for both our residents and our visitors.

5. What time commitment are you able to contribute as a board member?

I am able to commit the necessary time to be an effective and engaged member of the committee should I be selected.

6. If you have a specific purpose for applying for this board, please explain.

I believe that the FAB board would benefit from having more representation from the lodging / tourism sector of the Glenwood Spring economy.

Thank you for your interest and time commitment in serving your community

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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE FINANCIAL ADVISORY BOARD

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Finance Advisory Board:

a. Seven (7) members of which at least six (6) are City residents. One member shall be employed in the finance industry; one member shall be employed by the tourism industry; and one member may be a non-resident, but shall own or be employed by a business within the City.

Powers and Duties:

(d) Powers and Duties of Finance Advisory Board. The Finance Advisory Board shall advise and assist the City Manager and Finance Director in the preparation of the City budget, the establishment of accounting systems for the City, the planning of expenses, the projection of revenues and the analysis of the other fiscal matters presented to the Board by the City Council. The Finance Advisory Board shall also be responsible for making recommendations to City Council regarding grants from the City's various grant programs as Council may establish from time to time. No decision of the Finance Advisory Board shall be binding upon the City or anyone acting on its behalf.



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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name

Home Address

Mailing Address

Section 2 - Contact Information

Home

Work

Fax

Mobile

Email

Section 3 - Occupation

Occupation

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Finance Advisory Board?

I have served on the FAB for the past three years and been part of selecting the new ERP system, streamlining the grant process, and many other processes I consider vital to the long term financial health of our town. I am aware that we have many complicated issues now facing the city that I would like to be involved in addressing. I believe in civic responsibility and community participation.

2. What do you view as your role if selected as a member of the Finance Advisory Board?

I view the role of an FAB member as assisting and advising city council and staff with financial matters relating to the city. In my tenure over the past three years, this has meant reviewing grants, analyzing and advising on the budget, reviewing revenue and expenditure practices to look for ways they could be improved, participating in the selection of an ERP system, etc.



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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (continued)

3. What do you perceive as the major purpose of the Finance Advisory Board?

I perceive the major purpose of the FAB to be providing the financial expertise to enable a deeper dive into financial issues of concern to the city council.

4. What area of expertise do you feel you can best provide to the Finance Advisory Board?

I am a CPA with nearly two decades of experience in small business, healthcare, and nonprofit accounting and financial leadership. I have also spent three years on the FAB.

5. What time commitment are you able to contribute as a board member?

I have the time required to serve in this role, including having made time to participate in the ERP selection process and serve on the sub-committees as needed over the past three years.

6. If you have a specific purpose for applying for this board, please explain.

Thank you for your interest and time commitment in serving your community

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FINANCIAL ADVISORY BOARD APPLICATION

(for Powers and Duties, see page 3)

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(as defined in Title 020 of the Glenwood Springs Municipal Code)

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Dawn Randolph
Home Address 261 County Road 132, Glenwood Springs, CO 81601
Mailing Address same

Section 2 – Contact Information

Home _____ Work _____
Fax _____ Mobile 919-302-8122
Email dawnrandolph@msn.com

Section 3 - Occupation

Occupation Independent Contractor

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I am interested in serving on the Parks and Recreation/Tree Commission for three main reasons: 1) I am avid outdoors person. I love outdoor activities, opportunities to socialize with my friends and family outdoors, and am a strong believer in having local outdoor community spaces and events where people can come together and enjoy spending time in the beauty of the place we live in. 2) I am an outgoing, people loving, community minded individual and I love finding new ways of interacting with others and getting to know people within my community. I believe serving on the Parks and Rec/Tree Commission will enable me many opportunities to continue building community here in the Roaring Fork Valley. 3) I am a firm believer in being of service. As a wife, mother, friend and volunteer, I find that the more ways I am able to share my perspective, time and talents in the realm of service to my community. Not only do I benefit myself, my family and those around me, but I also hope to make a positive impact on the entire community, now and in the future. I believe that service is something that helps me stay in tune with the thought that it is not how much we have, but how much we give, that matters most in life.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

I view my role, if selected as a member of the Parks and Recreation/Tree Commission, as made up of several key elements: 1) To listen and learn from those currently on the commission as to what the goals/strategies/deals/issues of the commission currently are as well as to learn the history of how the commission has evolved. 2) To share my personal perspectives, thoughts and ideas, based on my own unique life experiences, that will give the commission more diversity. 3) Communication and Action: I am a communicator and a doer. I thrive in settings where I am able to share my skill sets by taking thoughts and ideas and communicating them in simple, engaging ways as well as taking those thoughts and ideas and turning them into action steps that lead to a common goal.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

As I stated in the previous questions, I am a natural communicator and doer. I have experience in public speaking, social media management, planning of activities and programs, as well as teaching experience. I am very outgoing, but also a lifelong student and I love the opportunity to expand my knowledge base and skill sets. I am very interested in all aspects of the programming, planning and community meetings and am excited to see how and where I would be of most service to the commission.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

I am interested in the planning of events that Parks and Recreation sponsor in our local community parks. In particular, I am interested in opportunities to hold community events such as music in the park at Two Rivers Park and other community centered events that are family friendly, community minded, and focused on building healthy, active and fun outdoor activities for our community to come together. As a person who recently relocated to Glenwood Springs (4 years ago), it has been community events and gatherings that have helped us build community here. Living in such a beautiful place, with so many fun outdoor opportunities, is a real blessing in my opinion. Anything I can do to help keep that as a focus of the City of Glenwood Springs is important to me.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I can separate myself from my personal opinions in order to represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion. Although we all have personal opinions, I believe that the purpose of such a commission is to find common ground and ways to move forward that align with the overall mission of the City. The Mission Statement of the Parks and Recreation Department resonates with my own thoughts and beliefs of what I want to contribute to the City of Glenwood Springs.

6. Can you describe an experience making a decision that made people unhappy?

Well, I am a mother of a teenager, so that is a daily experience in my life! :) On a broader note, one example is when I was a student/instructor of a karate school. My instructor and the owner of the school chose to change the overall focus from providing quality instruction and a safe place for people of all ages to learn how to take on life's biggest fight- the one within ourselves, to a focus on extra sales. I was asked to go from an instructor to an on the floor salesperson, up-selling at every opportunity to everyone who walked in the door. It did not resonate with my personal values, goals and understanding of what my role was in the organization's original mission. I resigned, and dis-enrolled my son -who was about 6 months away from earning his black belt. It was a hard choice. We had a large, very close community of classmates, students, and families that we had daily interactions with. However, the change in philosophy/approach was enough that I was no longer able to stay on board. My leaving had a major impact on the school, as I was the lead instructor and a high-ranking black belt. The owner was upset about my unwillingness to stay on board, the community was unhappy that I was leaving, and my son was unhappy about leaving so close to earning his black belt. In the end, we switched to another school that was more aligned with our values, where my son continued training and earned his black belt, and so did many other families. I am happy to have made that choice in my life, even though it caused a lot of disruption and frustration.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

I am a wife, mother, friend, volunteer and community member, so I do have a full life and calendar. However, I am able to commit the time necessary and have the flexibility in my life to do so. I am happy to serve on this commission and it will be a priority should I be selected.

8. What experience do you have working with people on a board, commission or committee?

I have experience volunteering on committees as a social media manager for both political campaigns as well as currently with the Garfield County Democrats. I am looking to expand on my previous experience and look forward to an opportunity to do so in an area that impacts our community at large.

Thank you for your interest and time commitment in serving your community

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Office of the City Clerk
101 West 8th Street
Glenwood Springs, CO 81601
Fax: 970-945-5023
Email: Catherine.mythen@cogs.us

PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE PARKS AND RECREATION/TREE COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Parks and Recreation/Tree Commission:

(5) Parks and Recreation Commission:

- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- b. (R 20-05 §2)
- c. (R 20-05 §2)
- d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.

Powers and Duties:

(e) Powers and duties of Parks and Recreation Commission. The powers and duties of the Parks and Recreation Commission shall be:

- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
- (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
- (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
- (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
- (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
- (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

- (7) To investigate, study and report to City Council any and all matters concerning the use and operation of the City's Community Center.
 - (8) To coordinate with other City boards and commissions on any aspect of the Community Center that may relate to the powers and duties of such other boards and commissions.
 - (9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.
- (A 61-02 §4)



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Jasmin Ramirez
Home Address 51899 Highway 6
Mailing Address _____

Section 2 – Contact Information

Home 9703199016 Work _____
Fax _____ Mobile _____
Email jasramirez8@gmail.com

Section 3 - Occupation

Occupation Stay at home parent

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

Interested because I would like to be a part of the conversation of the future of our parks and recreation within my children's immediate community.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

A voice of a community member who frequents all the parks in our valley.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

I have an interest in expanding the accessibility of all our parks and making them more inclusive for our community and visitors.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

Having input in the future of our parks and recreation goals, policies, and plans.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes, I am committed to being representation for city goals, policies, and plans while maintaining our community in mind.

6. Can you describe an experience making a decision that made people unhappy?

I have never been one to not go against the grain if I strongly believe it is for the greater benefit, I have had many experiences in which not all parties involved left happy but I am not shy of advocating for the long term benefits- which must always outweigh temporary gratification, even if it is my own.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

Summer is here so I am available!

8. What experience do you have working with people on a board, commission or committee?

I am heavily involved with my child's school currently and I am looking forward to being more involved locally.

Thank you for your interest and time commitment in serving your community

Please complete and submit this application online or
mail to: City Clerk, 101 West 8th Street, Glenwood Springs, CO 81601;
fax to: 970-945-5023;
email: catherine.mythen@cogs.us



City of Glenwood Springs
Office of the City Clerk
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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

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- b. (R 20-05 §2)
- c. (R 20-05 §2)
- d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.

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(e) Powers and duties of Parks and Recreation Commission. The powers and duties of the Parks and Recreation Commission shall be:

- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
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- (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

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(9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.

(A 61-02 §4)

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

Office: 970.945.2261

Fax: 970.945.7336

[**Direct Mail to Glenwood Springs*](#)

DATE: June 25, 2019
TO: Mayor and Council, City of Glenwood Springs
FROM: Karl Hanlon, City Attorney
RE: Approval of Purchase Contract for 191 Soccer Field Road

Background Info:

At the June 6th, 2019 City Council Meeting, City Council heard the background of the construction of the Municipal Operations Center, failed attempts to stabilize the building, and concerns for the on-going safety of employees working in the structure. Structural Engineer Adolfo Gorra of Glenwood Structural Associates informed City Council at that meeting that he could not guarantee the safety of structure past 30 days. Beyond that, regular inspections would be needed to determine structural stability and safety. He recommended prudent action should be undertaken to relocate public works and parks staff from the facility over the next several months.

The Municipal Operations Center (MOC) was constructed in 2001-2002 for use by the City of Glenwood Springs to house the Electric, Parks, SWAT, Streets and Fleet Departments. In 2011 the City of Glenwood Springs (COGS) employees noticed that the MOC building was under settlement distress. J.R Harris and Company was brought in as a structural expert along with CTL Thompson and JVA to review the distresses within the building and determine appropriate mitigation measures to the settlement.

A design was completed in 2013 by J.R. Harris which included compaction grouting columns under the more distressed sections of walls at the south, east, west and some internal wall footings which were to be constructed to an approximate depth of 40 feet. Several interior slabs were supported with grout columns and lifted to fix the more distressed areas such as the wash bay. This partial building grouting procedure was selected by the COGS rather than a total underpinning system due to budgetary constraints.

The grouting operations were commenced and completed in 2014 by MW Golden Constructors (MWG) with the help of Hayward Baker Inc. In addition, a significant amount of drainage work to the south parking lot and a large foundation drainage system were also installed at this time to help control storm water and any perched water conditions around the structure.

Since 2014 the building has been under a survey monitoring program conducted by SGM and it appears that the building, even along the sections that were grouted, has continued to move. In early 2016 the COGS staff brought the design team back in to review the new building distresses that were appearing, for a secondary review of why these were occurring. This review continued through all of 2016 and into 2017 when a new report was completed by the lead design company, J.R. Harris and Company. J.R. Harris has reviewed all of the new soils, site, building and survey information that was provided to them through JVA, SGM, COGS and CTL Thompson. After a thorough review of the information, several site visits and multiple conference calls, the final consensus is that there is no definite reason that the building is still moving.

In 2018 the City of Glenwood Springs commissioned a local structural engineering company with significant building distress experience to take a second look at the building with the goal of defining how much life was left in the building and to help with structural repair designs that could be implemented to extend that life expectancy. Glenwood Structural Associates Adolfo Gorra was hired and completed an extensive review of all original design and secondary review/design/date collection materials available on the building.

Issues:

The MOC currently houses Electric, Parks, SWAT, Streets and Fleet Departments. At a Special Meeting on June 13th, City Council approved the purchase of 2222 Devereux Road. It is intended that this property be the future site of Fleet, SWAT, and part of the Streets Department. The other part of the Streets Department will be housed in module units at the boneyard in South Glenwood.

This leaves both Parks and Electric without a permanent location. The Electric Department employees can be moved outside of MOC and housed in a temporary module while future discussions on a long-term site are held. Staff has identified 191 Soccer Field Road as a potential long-term site for the relocation of the Parks Department. The current layout of the building is conducive to Park Operations and it is a centralized location in town.

The asking price is \$1,295,336. The appraisal ordered by staff came in at \$1,045,000. Staff tried to renegotiate the asking price but was unable to lower it further. The property was first put on the market at \$1,600,000 and the owner is unwilling to sell the property for less than the current asking price.

While the City tries to never pay above the appraisal amount for property, under certain conditions we will do so. Staff feels that due to the condition of the MOC, waiting for a better option is not prudent. In addition, the City would be unable to build this type of facility for less than \$1,300,000 if land, site preparation and utilities also had to be included into the overall relocation costs with a vacant lot.

Staff is suggesting that the \$1,295,336 is funded from a combination of Capital and General Fund Reserves.

Staff Recommendation:

Authorize the Mayor to execute the sales contract for 191 Soccer Field Road in the amount of \$1,295,336.

COMMERCIAL APPRAISAL SERVICES

**A RESTRICTED APPRAISAL REPORT
ESTIMATING THE MARKET VALUE**

OF

**AN OFFICE/WAREHOUSE
DEVELOPMENT
LOCATED AT 191 COUNTY ROAD 180
(AKA SOCCER FIELD ROAD)
GLENWOOD SPRINGS, COLORADO 81601**

**PREPARED AT THE REQUEST OF
THE CITY OF GLENWOOD SPRINGS**

**EFFECTIVE DATE OF VALUE
JUNE 5, 2019**

**APPRAISED BY:
COMMERCIAL APPRAISAL SERVICES
POST OFFICE BOX 1897
CARBONDALE, COLORADO 81623
970-240-4371
CRANE@CASCRAINE.COM**

COMMERCIAL APPRAISAL SERVICES

Post Office Box 1897 ♦ Carbondale, Colorado 81623 ♦ crane@cascrane.com ♦ 970-240-4371

LETTER OF TRANSMITTAL

June 7, 2019

City of Glenwood Springs
Attention: Steve Boyd, Chief Operating Officer
101 West Eighth Street
Glenwood Springs, CO 81601

Re: A Restricted Appraisal Report estimating the Market Value of a 1.0 acre lot, improved with a 3,750 square foot, metal Office/Warehouse Development located at 191 County Road 180 (AKA Soccer Field Road), Glenwood Springs, Colorado 81601.

Dear Mr. Boyd:

Pursuant to your request, I have inspected the above referenced property in order to estimate the Subject's Market Value; in accordance with the definition of Market Value contained herein. The purpose of this appraisal is to support the Client's financial decisions.

The majority of the Subject's value is attributable to the land. Therefore, this analysis first values the Subject's land "as vacant" and then adds in the contributory value of the improvement. Hence, the Cost Approach was performed and summarized herein.

I have previously inspected the Subject property in my course of business in Glenwood Springs. I did not inspect the Subject on June 5, 2019. This analysis makes the Extraordinary Assumption that the Subject is in the same condition as portrayed in the listing photographs.¹

This is a Restricted Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(c) of the Uniform Standards of Professional Appraisal Practice for a Restricted Use Appraisal Report. As such, it does **not** present discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and the appraiser is not responsible for unauthorized use of this report. The intended user is the City of Glenwood Springs.

¹ If this Assumption is false, the value of the Subject may be impacted.

COMMERCIAL APPRAISAL SERVICES

I certify that I, Claudia Crane, have personally inspected the Subject property and assembled all the data in support of this estimate of value. I further certify that I have no present or contemplated future interest in this property beyond this estimate of value. This appraisal has been made in conformity with the Uniform Standards of Professional Appraisal Practice and the Standards of Conduct of the Appraisal Institute.

MARKET VALUE CONCLUSION

Based on the foregoing analysis as well as data retained in file, it is my opinion that as of June 5, 2019, the Market Value of the Subject's Fee Simple Estate Interest was:

\$1,045,000

ONE MILLION FORTY FIVE THOUSAND DOLLARS

This analysis values the real estate only and contains no valuation of personal property or FF&E (furniture, fixtures and equipment).

Exposure times are typically six months to one year for this type of property, when offered at market value. The marketing time for the Subject is forecasted to be six months to one year at the Market Value estimated herein.

Respectfully submitted,



CLAUDIA CRANE

COLORADO CERTIFIED GENERAL APPRAISER #CG 01315410

COMMERCIAL APPRAISAL SERVICES



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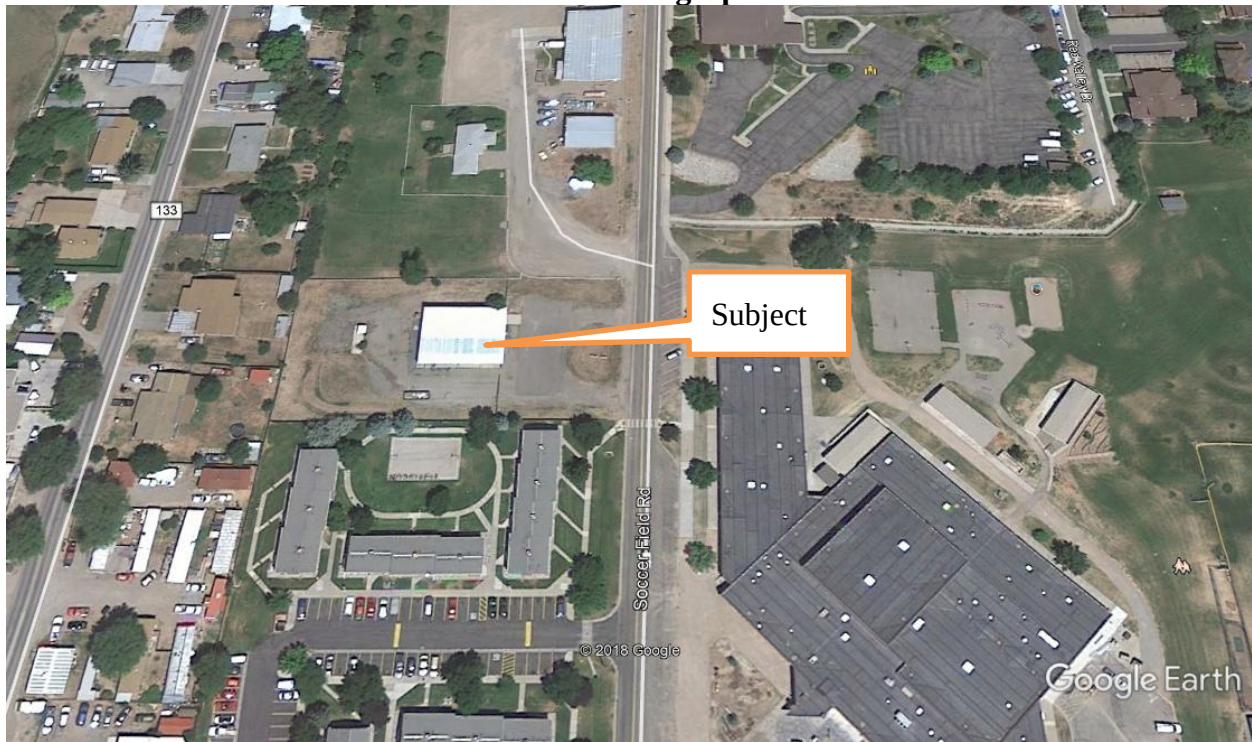
COMMERCIAL APPRAISAL SERVICES



SUMMARY OF SALIENT FACTS

Item:	Description
Subject Property:	An office/warehouse development.
Address:	191 County Road 180 (Soccer Field Road), Glenwood Springs, Colorado 81601.
Location:	West aide of County Road 180, north of Highway 6 and I-70.
Legal Description:	Lot 1, Nile Valley Fed S&L Association Subdivision.
Account/Parcel Numbers:	R520002 / 2185-061-08-001
Effective Date of Value:	June 5, 2019.
Date of Report:	June 7, 2019.
Property Rights Appraised:	Fee Simple Estate.
Owner of Record:	Douglas Colony Group, Inc.
Building Area:	3,750 SF. Of total 875 SF is Office Space.
Year of Construction:	1989
Land Areas:	1.0 acres or 43,560 SF
Zoning:	M1 Mixed Use Corridor.
Highest and Best Use:	“As Is” as an Interim Use.
Cost Approach:	\$1,045,000
Market Value Conclusion:	\$1,045,000
Personal Property:	<i>This analysis values the real estate only and contains no valuation of personal property or FF&E (furniture, fixtures and equipment).</i>

Aerial Photograph



View of the Subject looking Northwest



Close Up View of South and North Sides



View of West and South Sides



View of Office Area



View of Office Area



View of Warehouse Area



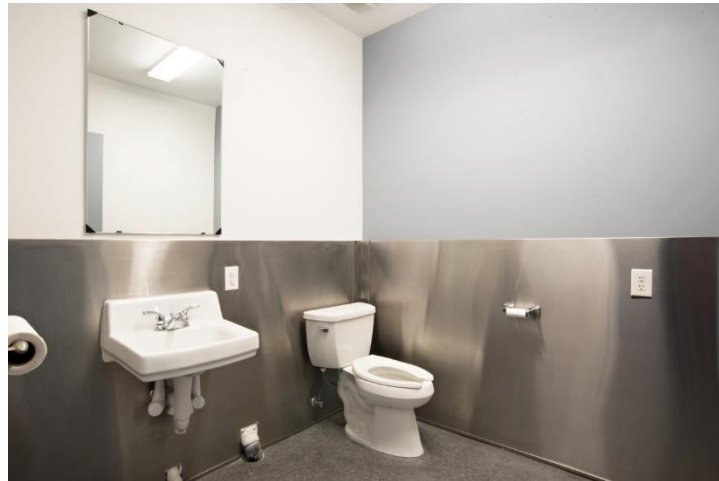
View of Warehouse Area



View of Warehouse Area



Bathroom



ASSUMPTIONS AND LIMITING CONDITIONS

1. The legal description used in this report is assumed to be correct.
2. No survey of the property has been made by the appraiser and no responsibility is assumed in connection with such matters. Sketches in this report are included only to assist the reader in visualizing the property.
3. No responsibility is assumed for matters of a legal nature affecting title to the property nor is an opinion of title rendered. The title is assumed to be good and marketable.
4. Information furnished by others is assumed to be true, correct, and reliable. A reasonable effort has been made to verify such information; however, no responsibility for its accuracy is assumed by the appraiser.
5. All mortgages, liens, encumbrances, leases, and servitudes have been disregarded unless so specified within the report. The property is appraised as though under responsible ownership and competent management.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering which may be required to discover such factors.
7. Full compliance with all applicable federal, state, and local environmental regulations and laws is assumed unless noncompliance is stated, defined and considered in the appraisal report.
8. Full compliance with all applicable zoning and use regulations and restrictions is assumed unless "a non-conformity" has been stated, defined and considered in the appraisal report.
9. It is assumed that all required licenses, consents, or other legislative or administrative authority from any local, state, or national governmental, private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is within the boundaries of the property lines of the property described and that there is no encroachment or trespass unless noted within the report.
11. The appraiser will not be required to give testimony or appear in court because of having made this appraisal, with reference to the property in question, unless arrangements have been previously made.
12. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose or by any person other than the party to whom it is addressed (the Client), and in its entirety.
13. The distribution of the total valuation in this report between land and improvements (as applicable) applies only under the reported highest and best use the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
14. Neither all nor any part of the contents of this report, or a copy thereof, shall be conveyed to the public through advertising, public relations, news, sales or any other media without written consent and approval of the appraiser. Nor shall the appraiser, company name, or professional organization of the appraiser, be identified without written consent of the appraiser.

15. ENVIRONMENTAL DISCLAIMER: The value estimated in this report is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. The appraiser is not an expert in the identification of hazardous substances or detrimental environmental conditions. While the appraiser's routine inspection of and inquiries about the subject property did not develop any information that indicated any apparent significant hazardous substances or detrimental environmental conditions which would affect the property negatively, it is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous materials and environmental conditions on or around the property that would negatively affect its value. Thus, if the client wishes to be certain as to the condition of the subject property with respect to "environmental hazards," he should have an expert in the field inspect the property. It should thus be noted that this appraisal does not constitute an expert inspection of the property with regard to hazardous substances or detrimental environmental conditions and it should not be relied upon as to whether or not environmental hazards actually exist on the subject property.

16. **ADA Disclaimer:** I was not provided an ADA compliance study. It is possible that at some future date the subject will be required to comply with all of the provisions of the act and that compliance will create a liability against the property. The valuation herein does not take into account any such liability and any substantial contingent liability could result in a lower value than that reported herein.

17. The majority of the Subject's value is attributable to the land. Therefore, this analysis first values the Subject's land "as vacant" and then adds in the contributory value of the improvement. Hence, the Cost Approach was performed and summarized herein.

18. I have previously inspected the Subject property in my course of business in Glenwood Springs. I did not inspect the Subject on June 5, 2019. This analysis makes the Extraordinary Assumption that the Subject is in the same condition as portrayed in the listing photographs.²

19. This is a Restricted Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(c) of the Uniform Standards of Professional Appraisal Practice for a Restricted Use Appraisal Report. As such, it does **not** present discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and the appraiser is not responsible for unauthorized use of this report. The intended user is the City of Glenwood Springs.

² If this Assumption is false, the value of the Subject may be impacted.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, Claudia Crane has completed the Standards and Ethics Education Requirements for Candidates/Practicing Affiliates of the Appraisal Institute.



CLAUDIA CRANE
COLORADO CERTIFIED GENERAL APPRAISER #CG01315410
June 7, 2019

IDENTIFICATION

The Subject consists of a 1.0 acre parcel, improved with a 3,750 square foot, metal Office/Warehouse built in 1989. Of the total, 875 square feet is finished office space. The address is 191 County Road 180 (AKA Soccer Field Road), Glenwood Springs, Colorado 81601.

EXTRAORDINARY ASSUMPTION

I have previously inspected the Subject property in my course of business in Glenwood Springs. I did not inspect the Subject on June 5, 2019. This analysis makes the Extraordinary Assumption that the Subject is in the same condition as portrayed in the listing photographs.³

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the Market Value of the Subject's Fee Simple Estate interest.

INTENDED USE/USERS OF THE APPRAISAL

The intended use of this appraisal is to assist the client in making financing decisions. The Client, and the intended user, is the City of Glenwood Springs.

DEFINITION OF MARKET VALUE

"Market Value" is defined as follows:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. Buyer and seller are typically motivated;*
- b. Both parties are well informed or well advised and acting in what they consider their own best interests;*
- c. A reasonable time is allowed for exposure in the open market;*
- d. Payment is made in terms of cash in US dollars or in terms of financial arrangements comparable thereto; and*
- e. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.⁴*

³ If this Assumption is false, the value of the Subject may be impacted.

⁴ Office of the Comptroller of the Currency, Final Rule 12 CFR Part 34, Subpart C--Appraisals, Section 34.42(f), effective August 24, 1990.

PROPERTY RIGHTS APPRAISED

The Subject is owner-occupied, and this analysis values the fee simple estate interests. Fee Simple Estate is defined as:

*Absolute ownership unencumbered by any other interest or estate subject only to the four powers of government.*⁵

LEGAL DESCRIPTION

The legal description is Lot 1, Nile Valley Fed S&L Association Subdivision.

OWNERSHIP HISTORY

The current owner is Douglass Colony Group, Inc. who purchased the Subject on December 5, 2007 for \$800,000. This transaction is recorded under reception number 774628. The Subject has been listed on the market for approximately one year. The original asking price was \$1,595,000, then it was lowered to \$1,495,000. The offering price to the City is \$1,395,000, according to the listing broker.

ASSESSOR'S ACCOUNT AND PARCEL NUMBERS

The Assessor account number is R520002 and the parcel number is 2185-061-08-001.

EFFECTIVE DATE OF VALUE

The effective date of value is June 5, 2019.

DATE OF REPORT

This appraisal was researched and written from June 4 through June 7, 2019. The date of this report is June 7, 2019.

⁵ *The Dictionary of Real Estate Appraisal*, 6th Edition.

SCOPE OF THE APPRAISAL

In preparing this appraisal, the appraiser has:

- Inspected and photographed the Subject Property.
- Gathered information on the overall economic climate in Glenwood Springs and Garfield County.
- Analyzed factors which influence the supply and demand for office/warehouse developments.
- Researched Sales and Listings of office/warehouse developments in Glenwood Springs, Carbondale, Rifle and Grand Junction.
- Researched vacant land sales and listings.
- Researched Rental Comparables in all of Garfield County.
- Determined that the majority of the Subject's value is attributable to the land.
- Determined that the existing improvement would be considered to have interim use value.
- Valued the Subject land via the Sales Comparison Approach.
- Added in the contributory value of the improvement.
- Analyzed the current asking price and determined that it is overlisted; as evidenced by the long listing period.

ASSESSED VALUE, TAXES, AND SPECIAL ASSESSMENTS

In the state of Colorado, the method of valuation and the ratio of assessed value to "actual" value are both determined by State Statute. By definition, within the statute, the property value, the "actual" value will reflect a "base year" level of value, which allows the Assessor to freeze values at a particular level for a specified period of time. For instance, 2018 values (for 2019 taxes), were based on a level of value from January 1, 2015 through June 30, 2016. "Actual" values are determined via "mass appraisal" using the Sales Comparison Approach. The assessment rate for residential properties is 7.20%, and 29% for vacant land and commercial properties. The mill levy is then multiplied by the assessed value, to arrive at the amount of taxes.

The Subject's actual value is \$673,950, the assessed value is \$195,450 and the taxes, using a mill levy of 74.647, are \$14,590. All taxes have been paid to date and the Subject is not located in a special improvements district.

SITE ANALYSIS SUMMARY

LOCATION: The property is located on the west side of County Road 180 (AKA Soccer Field Road), north of Highway 6 and I-70. The address is 191 County Road 180, Glenwood Springs, Colorado 81601.

Location Map—Western Sector of Glenwood Springs

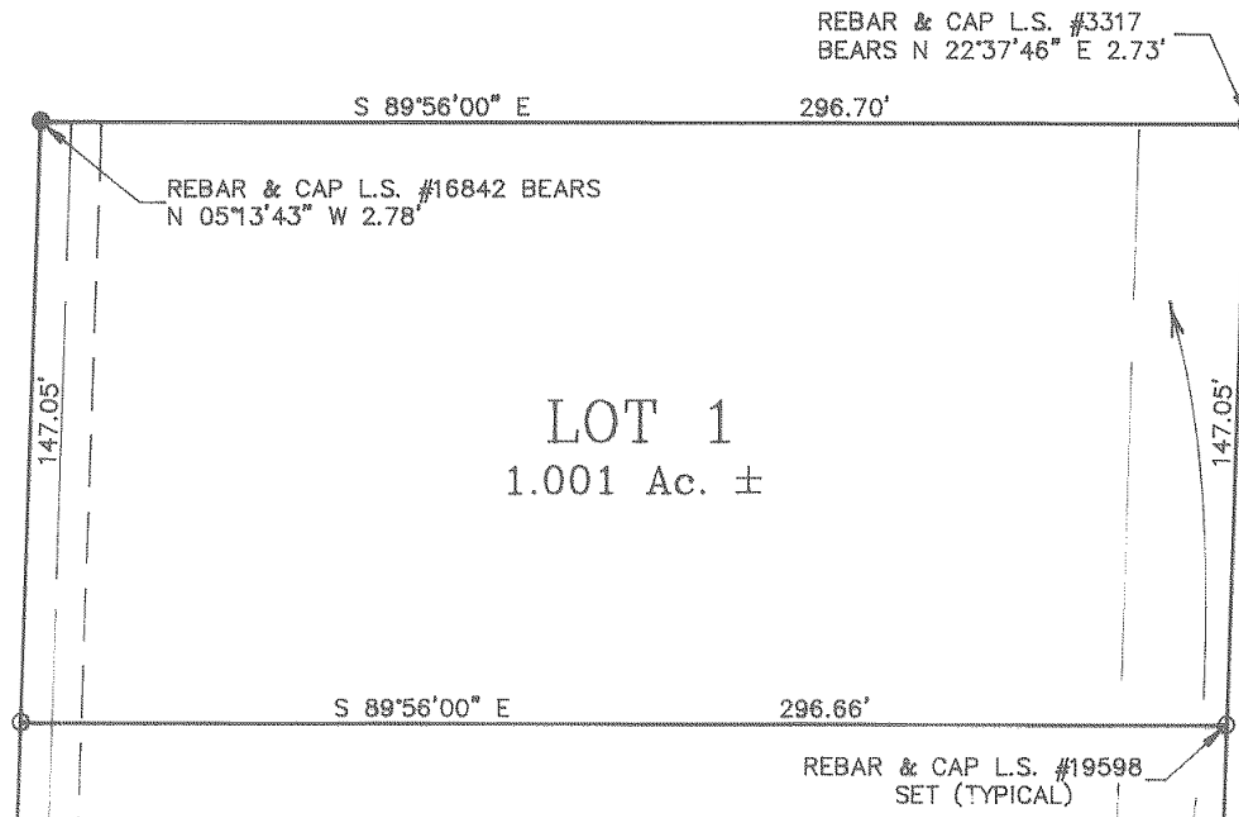


FRONTAGE/ACCESS/VISIBILITY: The Subject has frontage on and access from County Road 180. Visibility is good.

SHAPE/TOPOGRAPHY AND AREA: The Subject lot is generally rectangular in shape with an area of 1.0 acre or 43,560 square feet. The topography is generally level.

COMMERCIAL APPRAISAL SERVICES

Survey Provided



COMMERCIAL APPRAISAL SERVICES

SOIL AND SUBSOIL CONDITIONS/DRAINAGE: I was not provided a soil survey for the subject property. My routine inspection of and inquiries about the subject property did not develop information that indicated any apparent significant hazardous substances or detrimental environmental conditions which would affect the property negatively. I am not an expert in the identification of hazardous substances or detrimental environmental conditions. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous materials and environmental conditions on or around the property that would negatively affect its value. The Subject parcel is located in Floodzone C, which is defined as area "...areas of minimal flooding."⁶

HAZARDS AND/OR NUISANCES: There are no known or observed hazards or nuisances on or near the subject.

EASEMENTS: As indicated by the Survey provided, the Subject lot appears to have no easements. The Subject may have typical access and utility easements which do not affect the site's development potential.

UTILITIES AND SERVICES: The site is serviced by the City of Glenwood Springs for water and sewer. Electricity is provided by Holy Cross Energy Company and Natural Gas is provided through Xcel Energy.

ZONING: The site is zoned M1 Mixed Use Corridor as described as follows:

Article 070.020: Zoning Districts	
070.020.090 Mixed-Use Corridor (M1) District	
(a) Purpose	
070.020.090 Mixed-Use Corridor (M1) District	
(a) Purpose	
The M1 district is intended to accommodate mixed-use development with walkable and active streetscapes on Glenwood's primary roadways. The mix of uses in the M1 district is intended to accommodate lighter-intensity commercial districts with limited auto-oriented uses compatible with surrounding residential neighborhoods. The M1 district is also intended to offer a diverse mix of housing opportunities at varying densities.	

The Subject conforms to all zoning and setback requirements.

COMMENTS: The Subject parcel has a good location proximate to Highway 6 and I-70. Existing surrounding development includes multi-family, school, Church and other light industrial development.

⁶ FEMA Flood Map 0802051075B, dated January 3, 1985.

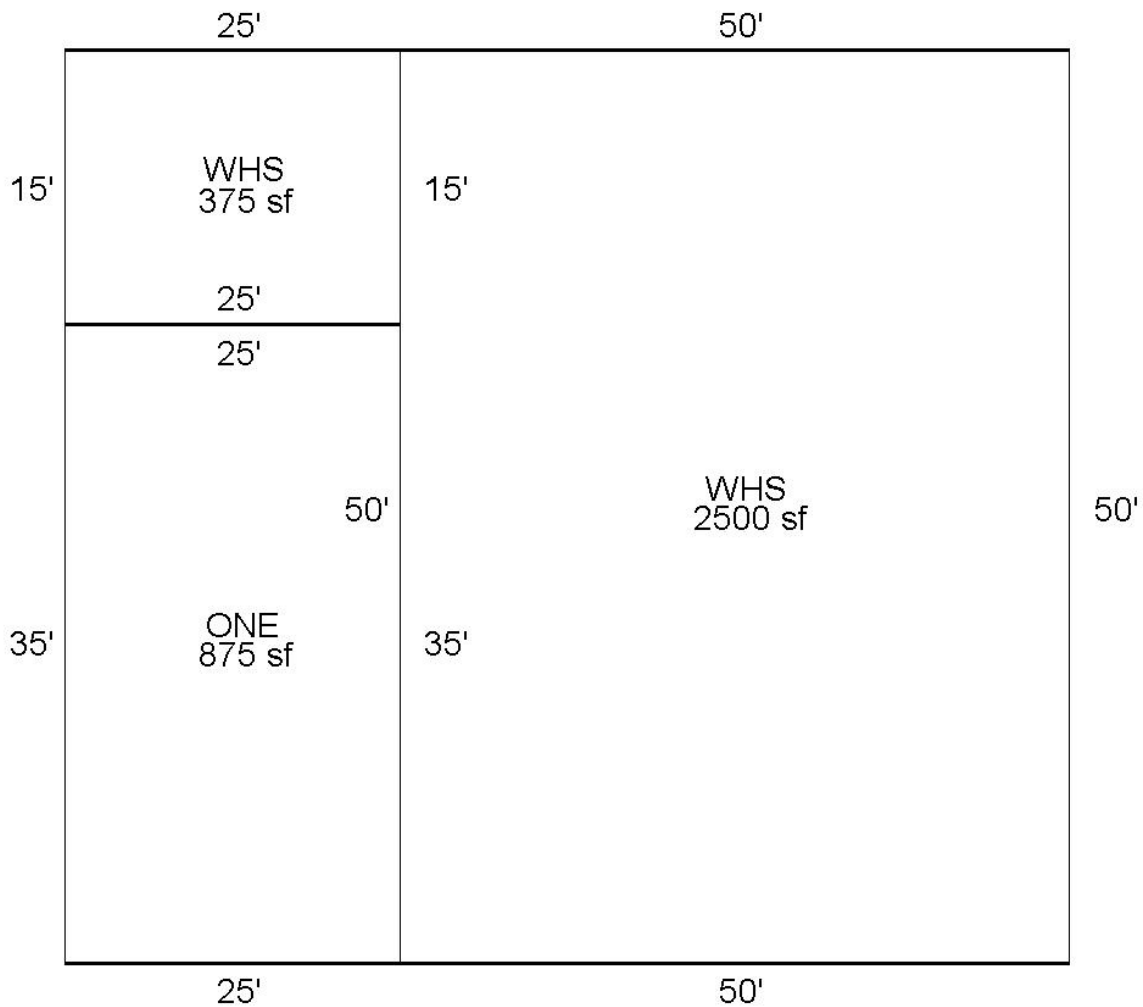
IMPROVEMENT DESCRIPTION

The Subject Improvement consists of a 3,750 square foot, metal, Office/Warehouse structure. Of the total, 875 square feet is finished office space. The building's foundation is concrete, and the exterior walls and roofing are metal.

The interior finishes of the Warehouse area consist of exposed concrete flooring/foundation and membrane over insulation on the interior walls and ceiling. There is also metal over the membrane on the ceiling. This area is heated with ceiling-mounted, gas-fueled space heaters available (rarely used). The wall height is 16 feet and there is one overhead door.

The interior finishes in the Office area consists of painted drywall walls and partitions; and a drop-acoustic ceiling with florescent lighting. The flooring is vinyl over concrete. This space is heated and cooled with an HVAC unit located on the west side of the structure.

Subject Building Sketch



Stairways: There are no stairways associated with this development.

Land to Building Ratio: The Subject's total land area is 43,560 square feet and land to building ratio is 11.62 to 1.00.

Personal Property: There is no personal property or FF&E (Furniture, Fixture & Equipment) associated with this development.

Americans with Disabilities Act Compliance: A specific ADA compliance study has not been undertaken; however, the subject appears to be in complete compliance.

Comments: The Subject is an average-quality, metal Office/Warehouse designed to accommodate one occupant. It is efficiently designed and suitable for a wide range of users.

ACTUAL AGE, EFFECTIVE AGE AND REMAINING ECONOMIC LIFE

The Subject was originally constructed in 1989 with an actual age of 30 years. The development has been well-maintained with an effective age of 15 years. The total economic life is 45 years and the remaining economic life is 30 years.

HIGHEST AND BEST USE ANALYSIS

Highest and Best Use is defined as:

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value.⁷

Highest and Best Use of Land and or Site as though Vacant is defined as:

Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that a parcel of land is vacant or can be made vacant through demolition of any improvements.⁸

Highest and Best Use of Property as Improved:

The use that should be made of a property as it exists. An existing property should be renovated or retained as is so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one.⁹

HIGHEST AND BEST USE

Current land use patterns

The Subject has a good location in the western sector of Glenwood Springs. existing surrounding development consists primarily of multi-family and single family development. A school is located to the east and a Church is to the northeast. A similar light industrial development is to the north.

A buyer/investor looking to purchase the Subject would attribute most of the value to the land. The current improvement has interim use value at this time as it is leasable; however, eventually, the land value will increase, and new development will occur. Given existing development in this area and housing demand, multi-family development will likely be the maximally productive use. Note however, a feasibility study should be conducted to determine the financial feasibility and maximally productive use for any future development.

Conclusion

Given the Subject's type, location and zoning neither demolition of the improvements and redevelopment of the site; nor modification of the existing improvements, would result in a higher return to the land than is currently being achieved. The highest and best use is "as improved" as an interim use.

⁷ Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 6th Edition.

⁸ Ibid.

⁹ Ibid.

LAND VALUATION

The Direct Sales Comparison Approach to Value estimates the Subject's land value by direct comparison with similar properties, which have been purchased or are offered for sale. It is based upon the principle of substitution by recognizing the availability of substitute properties in the market. That is, it addresses the question of what a well-informed purchaser would pay for the subject property after comparing it specifically both with other properties like it that had sold recently and with existing properties currently offered for sale. This approach to valuation, attempts to simulate the thought process of the prospective buyer who looks at a number of properties in contemplation of purchase; and who, on the basis of experience and judgment obtained in the marketplace, arrives at a conclusion as to what each property is worth based on a feature by feature comparison.

There is very little land sale data available in Glenwood Springs and it is important to use local data when estimating a land value. Hence, I researched both vacant and improved sales and listings and abstracted land values as necessary. The data is summarized on the following page.

COMMERCIAL APPRAISAL SERVICES



Summary of Abstracted Land Comparables

	Date	Address	Price	Land SF	Land \$/SF	Description	Grantor/Grantor/Rec. #
1	1/8/19	6811 Highway 82	\$ 423,000	23,522	\$17.98	Comprised of three contiguous parcels with the improvements having no contributory value. Limited access from Highway. Asking price was \$1,295,000.	Noelker, Fitzgerald & Casey Adams LLC/ Timothy Rodabaugh/ 916110, 916112 & 916117
2	10/18/18	3637 Highway 82	\$1,575,000	95,832	\$16.44	Sold as land value as the motel and restaurant improvements are fully depreciated. Plans are in place for a 54-unit apartment development. The asking price was \$1,695,000. The location is considered superior due to its proximity to the river.	Partners III LLC/ Buff Valley LLC/ 913161
3	6/29/18	2514 S. Grand Avenue	\$1,320,475 Abstracted Land Value	66,211	\$19.94	Improved with three metal warehouse type structures totalling 4,181SF; valued at \$25/SF or \$104,525. Total price was \$1,425,000.	Glenwood Veterinary Clinic Partnership LLC/ Ramvet Properties Ltd./ 908951
4	Listing	510 West 1st Street	\$1,838,232	91,912	\$20.00	A vacant land parcel located on the northeast side of Highways 6 & 50; accessed via the West 1st Street Cul-De-Sac from West 6 th Street. Near the Hampton Inn and the Silver Spruce Inn.	N/A

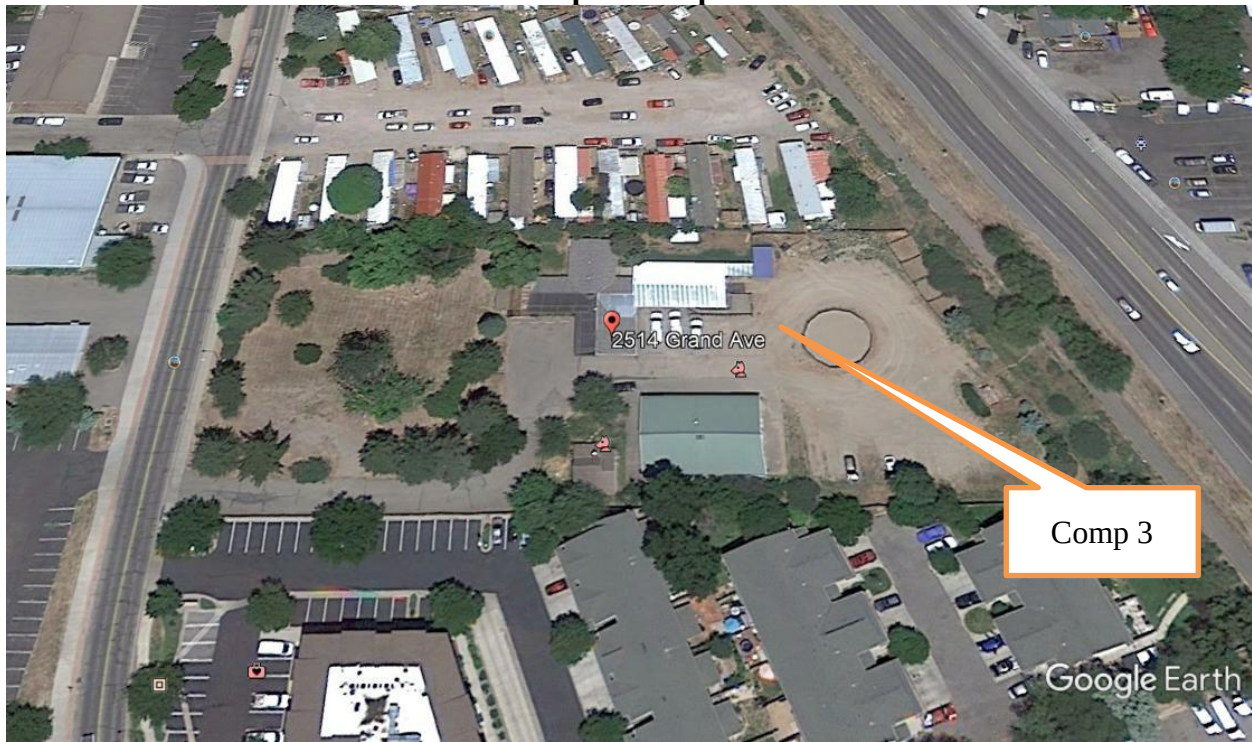
Aerial Map of Comparable 1



Aerial Map of Comparable 2



Aerial Map of Comparable 3



Adjustment Grid—Subject has 1.0 acres or 43,560 SF

	1	2	3	4
Land SF	23,522	95,832	66,211	91,912
\$/SF	\$17.98	\$16.44	\$19.94	\$20.00
Date	2019	2018	2018	Listing
Time/Listing Adjustments				-5%
\$/SF after Time/Listing	\$ 17.98	\$ 16.44	\$ 19.94	\$ 19.00
Adjustments				
Location	10%	-10%		-20%
Size	-5%	20%	-5%	15%
Total Adjustment	5%	10%	-5%	-5%
Adjusted \$/SF	\$19	\$18	\$19	\$18

LAND VALUE CONCLUSION

After adjustment, the Comparables' unit values range from \$18 to \$19 per square foot. I gave weight to all of the Comparables and chose unit value of \$18 per square foot. Given the Subject's land area of 1.0 acres or 43,560 square feet, the total land value equates to \$748,080.

CONTRIBUTORY VALUE OF THE IMPROVEMENT

The Subject is a 3,750 square foot, metal Office/Warehouse which is average in type. The Cost new is estimated to be \$100 per square foot. Depreciation was then deducted based on the straight-line method with the Effective Age estimated to be 15 years and the Total Economic Life is estimated to be 45 years. Next the land value and the site improvements were added with a total value of \$1,045,000, rounded. The calculations are summarized as follows:

Cost Approach Summary

Cost New	\$ 100/SF	3,750 SF		\$ 375,000
Depreciation	15 years	45 years	33%	\$ (125,000)
Depreciated Value of Improvement				\$ 250,000
Plus: Land	\$ 18/SF	43,560 SF		\$ 784,080
Plus: Site Improvements				\$ 10,000
Total Value				\$ 1,044,080
Rounded				\$ 1,045,000

MARKET VALUE CONCLUSION

Based on the preceding analysis as well as data retained in file, it is my opinion that as of June 5, 2019, the Market Value of the Subject's Fee Simple Estate Interest was:

\$1,045,000

ONE MILLION FORTY FIVE THOUSAND DOLLARS

This analysis values the real estate only and contains no valuation of personal property or FF&E (furniture, fixtures and equipment).

Exposure times are typically six months to one year for this type of property, when offered at market value. The marketing time for the Subject is forecasted to be six months to one year at the Market Value estimated herein.

QUALIFICATIONS OF THE APPRAISER

Claudia Crane

PROFESSION: **Certified General Appraiser** in the State of Colorado (CG01315410).

EXPERIENCE: Independent Commercial Appraiser on the Western Slope of Colorado since 1991.

Associate of Scott, Stahl and Burbach Real Estate Appraisers and Consultants from April 1989 through April 1991.

Associate of Laventhol & Horwath (Appraisal Division) from 1987 through 1989.

Experience includes the research, analysis and appraisal of various types of real estate including vacant land, subdivisions, retail, hotel/motel, office, industrial, multi-family and special purpose properties.

EDUCATION: University of Colorado—Leeds Business School Graduate.
Major: Finance.

APPRAISAL COURSES: Appraisal Institute: Real Estate Appraisal Principles, Real Estate Valuation Procedures, Standards of Professional Practice, Capitalization Theory and Techniques Part A and B.

International Association of Assessing Officers: Cost and Market Approaches to Valuation, and the Income Approach to Valuation.

Numerous Educational Seminars, Courses and Lectures; all complying with continuing education requirements as dictated by the State.

PROFESSIONAL ORGANIZATIONS:
General Associate Member of the **Appraisal Institute**.

COURT TESTIMONY: Federal Court
Montrose District Court
Ouray District Court
Colorado Board of Assessment Appeals
County Board of Equalization

PARTIAL LIST OF CLIENTS

Alpine Bank
ANB Bank
Bank of Colorado
Bank of Telluride
Berkley Bank
Central Bank
Chase Manhattan Bank
Citizens State Bank
Colorado Housing and Finance Authority (CHAFA)
Colorado Capital Bank
Colorado National Bank
Columbia Bank
Federal Asset Disposition Association
First Bank
First National Bank
First State Bank
Mesa National Bank
Montrose Bank
NBH/Community Banks of Colorado
Paonia State Bank
Resolution Trust Corporation
Timberline Bank
US Bank
Vectra Bank
Wells Fargo Bank

AREAS SERVED

All Colorado Counties and Municipalities west of the Continental Divide.

Claudia Alison Crane Po Box 1897 Carbondale, CO 81623  Director: Marcia Waters	State of Colorado Department of Regulatory Agencies Division of Real Estate Board of Real Estate Appraisers  Claudia Alison Crane Certified General Appraiser	 License #: CG1315410 Status: Active Expires: 12/31/2020
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For the most up to date information regarding this credential, visit <http://dora.colorado.gov/dre>

SUMMARY OF COMPARABLES

	Subject - "As Is"	Sale 1	Sale 2	Sale 3	Sale 4	Listing 1	Listing 2	Listing 3
Address	101 County Road #0	55 Mel Ray Road	772 W 6th Street	TBD East Meadows Dr	215 6th Street	77 Mel Ray Road	5579 Highway 6 & 24	62 County Road #5
City/State	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO
APN	2185-06108-001	2185-06107-001	2185-092-00-045	2185-08142-001 2185-08142-002	2185-09116-013 2185-09116-009	2185-06104-006	2185-053-00-030	2185-053-00-033
Sale Date	N/A	8/24/2018	3/23/2018	9/8/2017	9/7/2016	Active Listing (181CDOM)	Active Listing (251CDOM)	Active Listing (281CDOM)
Price	N/A	\$655,000	\$650,000	\$3,652,100	\$1,900,000	\$625,000	\$3,299,000	\$1,595,000
Site Size (Ac)	100	0.50	0.28	3.85	0.75	0.49	3.20	0.89
Site Size (SF)	43,560	21,780	12,197	167,532	32,624	212,181	139,392	38,687
Unit Price (P/SF)	N/A	\$30.07	\$53.29	\$2,180	\$58.24	\$29.46	\$23.67	\$41.23
Interest Transferred	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
General Location	West Glenwood	West Glenwood	Downtown Glenwood, North of River	Glenwood Meadows	Downtown Glenwood, North of River	West Glenwood	West Glenwood	West Glenwood
Visibility/Exposure	County Road #0	Mel Ray Road / Hwy 6 & 24	Highway 6	East Meadows Dr	6th Street (Highway 82)	Mel Ray Road	Highway 6 & 24	County Road #5
Zoning	M1-Mixed Use	M1-Mixed Use	CO - Commercial	M2-Mixed Use	M1-Mixed Use	M1-Mixed Use	M1-Mixed Use	M1-Mixed Use
Development Entitlements/Approvals	None	None	None	Shovel ready entitlements for 185 apartments units + 5,300 SF commercial	None	None	None	None
Improvements	Functional 3,750 SF industrial building. 1989 YOC, average condition	Functional 4,682 SF. 1970 YOC, average condition restaurant building	Functional 1,488 SF. 1949 YOC, below average condition retail/restaurant building	None	Functional 1,833 SF. 1946/1971 YOC, average condition retail building	Functional 1,360 SF. 1971 YOC, below average condition shop/o'ffice building	Two small warehouses one 216 SF, one 609 SF. YOC 1986/1995. SFR 1381 SF YOC 1916	Functional 8,522 SF Church, 1951 YOC, average condition
Infrastructure	All utilities to site, off-site infrastructure in place	All utilities to site, off-site infrastructure in place	All utilities to site, off-site infrastructure in place	All utilities to site, off-site infrastructure in place	All utilities to site, off-site infrastructure in place	All utilities to site, off-site infrastructure in place	All utilities to site, off-site infrastructure in place	All utilities to site, off-site infrastructure in place
Topography	Generally Level	Generally Level	Generally Level	Generally Level	Generally Level	Generally Level	Generally Level	Generally Level
Site Shape	Rectangular	Rectangular	Rectangular	Rectangular	Rectangular	Rectangular	Rectangular	Rectangular
Flood Hazard	None	None	None	None	None	None	None	None
Other Factors	Surrounding uses predominately consist of residential uses	Minimal visibility from Highway 6 & 24	Good frontage and visibility from Highway 6 & 24. Property was not listed on the MLS and purchased by marijuana retailer. Was leased month-to-month by deli at time of sale.	Seller secured entitlements for 180 units. Buyer paid for cost of amending approvals to 185 units and to reach "shovel ready" status (e.g. plans, permits, etc.)	Off market sale. Recorded price of \$1,266,700 was only for 2/3 interest. Price used in grid reflects approximate adjustment to 100% of real estate value. Future land use plan indicates commercial.	None	Good frontage and visibility along Highway 6 & 24. Currently has 36-hole mini golf on property.	Corner lot at the junction of Highway 6 & 24 and County Road #5. Good visibility

Summary of Adjustments

Based on the preceding comparative analysis, we have summarized adjustments to the comparables on the following table. These adjustments are based on our market research, best judgment, and experience in the appraisal of similar properties.

Analysis Grid	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Listing 1	Listing 2	Listing 3
Address	191 County Road 180	55 Mel Ray Road	172 W 6th Street	TBD East Meadows Dr	215 6th Street	77 Mel Ray Road	51579 Highway 6 & 24	62 County Road 135
City/State	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO	Glenwood Springs, CO
Sale Date	N/A	Aug-18	Mar-18	Sep-17	Sep-16	Active	Active	Active
Price	N/A	\$655,000	\$650,000	\$3,652,100	\$1,900,000	\$625,000	\$3,299,000	\$1,595,000
Site Size (Ac)	1.00	0.50	0.28	3.85	0.75	0.49	3.20	0.89
Site Size (SF)	43,560	21,780	12,197	167,532	32,624	21,218	139,392	38,687
Unit Price (PSF)	N/A	\$30.07	\$53.29	\$21.80	\$58.24	\$29.46	\$23.67	\$41.23
Interest Transferred	Fee Simple	FS	FS	FS	FS	FS	FS	FS
Financing		Typical	Typical	Typical	Typical	Typical	Typical	Typical
Conditions of Sale		Not Listed	See narrative	Not Listed	Not Listed	Active Listing	Active Listing	Active Listing
Expenditures After Sale		None	None	None	None	None	None	None
Market Conditions		Aug-18	Mar-18	Sep-17	Sep-16	Current	Current	Current
Net Transaction Adjustment		\$0.00	\$0.00	\$0.00	\$1.75	\$0.00	\$0.00	\$0.00
Adjusted Unit Price		\$30.07	\$53.29	\$21.80	\$59.99	\$29.46	\$23.67	\$41.23
Overall Location		+	-	--	-	+	-	-
Site Size		--	---	+++	-	--	+++	-
Zoning/Entitlements				---				
Improvements			++	+++	---	++	+	--
Infrastructure				+				
Site Utility								
Other Factors								
Net Property Adjustment		(=)	(----)	(+++)	(---)	(=)	(++)	(----)
Subject's Value Indication		Similar to \$30.07	Less than \$53.29	More than \$21.80	Less than \$59.99	Similar to \$29.46	More than \$23.67	Less than \$41.23

Income Capitalization Approach

Methodology

Due to the design and tenancy of the subject property, direct capitalization is most applicable to the subject property. In this appraisal, we employed the direct capitalization method in developing an opinion of market value as of the effective date of this report.

Analysis of Existing Leases

The subject property is currently vacant and reported to not be leased. No current or recent leasing history was provided.

Market Rent Indication

The subject is unique in that it is situated on a one-acre site and has a low coverage ratio of 8.6%. There are limited properties within the surrounding area which provide support for market rent of the subject property. To develop an opinion of market rent, we surveyed representatives of comparable and competitive properties in the local market area, with a focus on office/warehouse properties with a low coverage ratio. We were able to identify three competing properties to provide an indication of market rent for the subject property. The properties are as follows:

- 1.) 77 Mel Ray Road, Glenwood Springs, CO
Status: Active
Asking Rate: \$27.16, NNN
Gross Building Area: 1,700 SF
Site Size: 21,218 SF
Coverage ratio: 8.0%
- 2.) South of Glenwood Springs, CO (address withheld)
Status: Leased 5/1/2017
Lease Rate: \$15.00, NNN
Gross Building Area: 5,583 SF
Site Size: 44,432 SF
Coverage Ratio: 12.6%
- 3.) Southeast Rifle, CO (address withheld)
Status: Leased 04/01/2018 (renewal)
Lease Rate: \$13.78, NNN
Gross Building Area: 3,920 SF
Site Size: 93,218 SF
Coverage Ratio: 4.2%

The lease comparables above indicate a value for the subject property between \$13.78 and \$27.16 psf, triple net. Comp 1 is situated in close proximity to the subject property and has a similar coverage ratio as the subject property. However, it has retail exposure. This comparable is reflective of an active listing with an asking rate of \$27.16 triple net. Based on our appraisal experience, we believe the asking rate is too high for the current market. Comp 1 supports a lease rate for the subject property lease than \$27.16, triple net.

Comps 2 and 3 are in inferior locations outside of Glenwood Springs. These properties are relevant in that they are both industrial office/warehouse properties with low coverage ratios, similar to the subject. Given

their inferior locations, These properties support a lease rate for the subject property greater than \$15.00, NNN.

Given the limited amount of available data, we base our conclusion of market rent for the subject property on our appraisal experience, conversations with local market participants, and consider the indication provided by the available comparables detailed above. We concluded to a market lease rate for the subject property at **\$20.00** per square foot, triple net.

Potential Gross Rental Income

Potential gross income for the subject using market rent is forecasted at **\$75,000**.

Expense Recoveries

The triple net lease structure modeled has the tenant paying all expense except for management/administration which is paid for by the landlord. During times of vacancy, the owner will lose income due to the inability to recover expenses. As will be demonstrated in the Operating Expenses section, we project pass-through income for the subject property.

Other Income

Functioning as a leased income property, we would not expect the subject to generate any income beyond base rent and expense recoveries.

Estimated Vacancy and Collection Loss

To estimate a market vacancy rate for the subject, we evaluated market vacancy averages and statistics from various sources. Based on these considerations, we conclude to a long-term vacancy/collection loss rate for the subject property at **8.00%**.

Projected Operating Expenses

Operating expenses applicable to the subject property must be deducted to arrive at net operating income. To estimate stabilized operating expenses, we have reviewed the subject's historical expenses, where available, and comparable properties.

Property taxes were discussed previously in the Assessment & Tax Data section of this report. In times of vacancy the unit would "go dark" and incur nominal utility expenses, and when occupied it is assumed that all utilities would be paid directly by the tenant; therefore, a utility expense is not estimated. We have estimated typical insurance, repairs/maintenance and management/administration expenses based on other office properties within the subject's market that function in a similar capacity to the subject.

Projected Operating Expenses		
Expense	Projected PSF	Projected Total
Real Estate Taxes	\$3.90	\$14,615
Insurance	\$0.20	\$750
Utilities (will 'go dark' during vacancy)	\$0.00	\$0
Repairs/Maintenance	\$0.50	\$1,875
Administrative/Management (3% of EGI)	\$0.70	\$2,618
Total Expenses	\$5.30	\$19,858

Direct Capitalization Conclusion

Based on the forecast of net operating income and the selected direct capitalization rate, the results of the direct capitalization analysis indicates the market value indication as follows:

INCOME & EXPENSE FORECAST / VALUE INDICATION

Gross Potential Rental Income			\$75,000
Add: Other Income			\$0
Add: Expense Reimbursements			<u>\$19,858</u>
Total Gross Potential Rental Income			\$94,858
Less: Vacancy & Collection Loss		8.00%	<u>\$7,589</u>
Effective Rental Income			\$87,269
Real Estate Taxes		\$14,615	
Insurance		\$750	
Utilities		\$0	
CAM and Repairs		\$1,875	
Administrative/Management		<u>\$2,618</u>	
Total			\$19,858
Net Operating Income			\$67,411
Capitalization Rate			<u>6.00%</u>
Value Indication by Direct Capitalization			\$1,123,517
<i>Rounded to nearest \$10,000:</i>			\$1,120,000

"AS IS" FEE SIMPLE MARKET VALUE INDICATION

Income Approach	
Site Size:	43,560
Indicated Value	\$1,120,000
Value PSF of Land	\$25.71



Coldwell Banker Mason Morse
Todd Ambrose
Ph: 970-928-9000 Fax: 970-928-0977

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission.(CBS3-6-18) (Mandatory 1-19)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

**CONTRACT TO BUY AND SELL REAL ESTATE
(COMMERCIAL)**

☒ **Property with No Residences)**
☐ **Property with Residences-Residential Addendum Attached)**

Date: 6/14/2019

AGREEMENT

1. AGREEMENT. Buyer agrees to buy and Seller agrees to sell the Property described below on the terms and conditions set forth in this contract (Contract).

2. PARTIES AND PROPERTY.

2.1. Buyer. Buyer, *The City of Glenwood Springs* (Buyer) will take title to the Property described below as

☐ **Joint Tenants** ☐ **Tenants In Common** ☐ **Other** .

2.2. No Assignability. This Contract **IS NOT** assignable by Buyer unless otherwise specified in **Additional Provisions.**

2.3. Seller. *Douglass Colony Group* (Seller) is the current owner of the Property described below.

2.4. Property. The Property is the following legally described real estate in the County of *Garfield*, Colorado:

Section: 6 Township: 6 Range: 89 Subdivision: NILE VALLEY FED S & L ASN SUB Lot: 1

known as No. *191 Soccer Field Road, Glenwood Springs, CO 81601*,

together with the interests, easements, rights, benefits, improvements and attached fixtures appurtenant thereto, and all interest of Seller in vacated streets and alleys adjacent thereto except as herein excluded (Property).

2.5. Inclusions. The Purchase Price includes the following items (Inclusions):

2.5.1. Inclusions - Attached. If attached to the Property on the date of this Contract, the following items are included unless excluded under **Exclusions:** lighting, heating, plumbing, ventilating and air conditioning units, TV antennas, inside telephone, network and coaxial (cable) wiring and connecting blocks/jacks, plants, mirrors, floor coverings, intercom systems, built-in kitchen appliances, sprinkler systems and controls, built-in vacuum systems (including accessories) and garage door openers (including remote controls). If checked, the following are owned by the Seller and included (leased items should be listed under **Due Diligence Documents**): ☐ **None** ☒ **Solar Panels** ☐ **Water Softeners** ☒ **Security Systems** ☐ **Satellite Systems** (including satellite dishes). If any additional items are attached to the Property after the date of this Contract, such additional items are also included in the Purchase Price.

2.5.2. Inclusions - Not Attached. If on the Property, whether attached or not, on the date of this Contract, the following items are included unless excluded under **Exclusions:** storm windows, storm doors, window and porch shades, awnings, blinds, screens, window coverings and treatments, curtain rods, drapery rods, fireplace inserts, fireplace screens, fireplace grates, heating stoves, storage sheds, carbon monoxide alarms, smoke/fire detectors and all keys.

2.5.3. Personal Property - Conveyance. Any personal property must be conveyed at Closing by Seller free and clear of all taxes (except personal property taxes for the year of Closing), liens and encumbrances, except .

Conveyance of all personal property will be by bill of sale or other applicable legal instrument.

2.5.4. Other Inclusions. The following items, whether fixtures or personal property, are also included in the Purchase Price:

2.5.5. Parking and Storage Facilities. The use or ownership of the following parking facilities: ; and the use or ownership of the following storage facilities:

Note to Buyer: If exact rights to the parking and storage facilities is a concern to Buyer, Buyer should investigate.

2.5.6. Trade Fixtures. With respect to trade fixtures, Seller and Buyer agree as follows: .

The trade fixtures to be conveyed at Closing will be conveyed by Seller free and clear of all taxes (except personal property taxes for the year of Closing), liens and encumbrances, except . Conveyance will be by bill of sale or other applicable legal instrument.

2.6. Exclusions. The following items are excluded (Exclusions):

2.7. Water Rights/Well Rights.



2.7.1. Deeded Water Rights. The following legally described water rights:

Any deeded water rights will be conveyed by a good and sufficient deed at Closing.



2.7.2. Other Rights Relating to Water. The following rights relating to water not included in §§ 2.7.1, 2.7.3, and 2.7.4, will be transferred to Buyer at Closing:



2.7.3. Well Rights. Seller agrees to supply required information to Buyer about the well. Buyer understands that if the well to be transferred is a "Small Capacity Well" or a "Domestic Exempt Water Well" used for ordinary household purposes, Buyer must, prior to or at Closing, complete a Change in Ownership form for the well. If an existing well has not been registered with the Colorado Division of Water Resources in the Department of Natural Resources (Division), Buyer must complete a registration of existing well form for the well and pay the cost of registration. If no person will be providing a closing service in connection with the transaction, Buyer must file the form with the Division within sixty days after Closing. The Well Permit # is .



2.7.4. Water Stock Certificates. The water stock certificates to be transferred at Closing are as follows:

2.7.5. Conveyance. If Buyer is to receive any rights to water pursuant to § 2.7.2 (Other Rights Relating to Water), § 2.7.3 (Well Rights), or § 2.7.4 (Water Stock Certificates), Seller agrees to convey such rights to Buyer by executing the applicable legal instrument at Closing.

3. DATES, DEADLINES AND APPLICABILITY.

3.1 Dates and Deadlines.

Item No.	Reference	Event	Date or Deadline
1	§ 4.3	Alternative Earnest Money Deadline	3 Days After MEC
		Title	
2	§ 8.1, § 8.4	Record Title Deadline	7 Days After MEC
3	§ 8.2, § 8.4	Record Title Objection Deadline	14 Days After MEC
4	§ 8.3	Off-Record Title Deadline	7 Days After MEC
5	§ 8.3	Off-Record Title Objection Deadline	14 Days After MEC
6	§ 8.5	Title Resolution Deadline	21 Days After MEC
7	§ 8.6	Right of First Refusal Deadline	
		Owners' Association	
8	§ 7.2	Association Documents Deadline	

9	§ 7.4	Association Documents Termination Deadline		
		Seller's Disclosures		
10	§ 10.1	Seller's Property Disclosure Deadline	<i>7 Days After MEC</i>	
11	§ 10.10	Lead-Based Paint Disclosure Deadline		
		Loan and Credit		
12	§ 5.1	New Loan Application Deadline		
13	§ 5.2	New Loan Termination Deadline		
14	§ 5.3	Buyer's Credit Information Deadline		
15	§ 5.3	Disapproval of Buyer's Credit Information Deadline		
16	§ 5.4	Existing Loan Deadline		
17	§ 5.4	Existing Loan Termination Deadline		
18	§ 5.4	Loan Transfer Approval Deadline		
19	§ 4.7	Seller or Private Financing Deadline		
		Appraisal		
20	§ 6.2	Appraisal Deadline		
21	§ 6.2	Appraisal Objection Deadline		
22	§ 6.2	Appraisal Resolution Deadline		
		Survey		
23	§ 9.1	New ILC or New Survey Deadline	<i>21 Days After MEC</i>	
24	§ 9.3	New ILC or New Survey Objection Deadline	<i>22 Days After MEC</i>	
25	§ 9.3	New ILC or New Survey Resolution Deadline	<i>23 Days After MEC</i>	
		Inspection and Due Diligence		
26	§ 10.3	Inspection Objection Deadline	<i>21 Days After MEC</i>	
27	§ 10.3	Inspection Termination Deadline	<i>22 Days After MEC</i>	
28	§ 10.3	Inspection Resolution Deadline	<i>23 Days After MEC</i>	
29	§ 10.5	Property Insurance Termination Deadline	<i>28 Days After MEC</i>	
30	§ 10.6	Due Diligence Documents Delivery Deadline	<i>14 Days After MEC</i>	
31	§ 10.6	Due Diligence Documents Objection Deadline	<i>21 Days After MEC</i>	
32	§ 10.6	Due Diligence Documents Resolution Deadline	<i>28 Days After MEC</i>	
33	§ 10.6	Environmental Inspection Termination Deadline		
34	§ 10.6	ADA Evaluation Termination Deadline		
35	§ 10.7	Conditional Sale Deadline		
36	§ 10.10	Lead-Based Paint Termination Deadline		
37	§ 11.1, 11.2	Estoppel Statements Deadline		
38	§ 11.3	Estoppel Statements Termination Deadline		
		Closing and Possession		
39	§ 12.3	Closing Date	<i>30 Days After MEC</i>	
40	§ 17	Possession Date	<i>Upon Funding</i>	
41	§ 17	Possession Time		
39	§ 28	Acceptance Deadline Date	<i>6/21/2019 3:00 pm MST</i>	Friday
42	§ 28	Acceptance Deadline Time		
43				
44				

3.2. Applicability of Terms. Any box checked in this Contract means the corresponding provision applies. If any deadline blank in § 3.1 (Dates and Deadlines) is left blank or completed with the abbreviation "N/A", or the word "Deleted," such deadline is not applicable and the corresponding provision containing the

deadline is deleted. If no box is checked in a provision that contains a selection of "None", such provision means that "None" applies.

The abbreviation "MEC" (mutual execution of this Contract) means the date upon which both parties have signed this Contract.

4. PURCHASE PRICE AND TERMS.

4.1. Price and Terms. The Purchase Price set forth below is payable in U.S. Dollars by Buyer as follows:

Item No.	Reference	Item	Amount	Amount
1	§ 4.1	Purchase Price	\$1,295,336.00	
2	§ 4.3	Earnest Money		\$150,000.00
3	§ 4.5	New Loan		
4	§ 4.6	Assumption Balance		
5	§ 4.7	Private Financing		
6	§ 4.7	Seller Financing		
7				
8				
9	§ 4.4	Cash at Closing		\$1,145,336.00
10		TOTAL	\$1,295,336.00	\$1,295,336.00

4.2. Seller Concession. At Closing, Seller will credit to Buyer \$ 0 (Seller Concession). The Seller Concession may be used for any Buyer fee, cost, charge or expenditure to the extent the amount is allowed by the Buyer's lender and is included in the Closing Statement or Closing Disclosure at Closing. Examples of allowable items to be paid for by the Seller Concession include, but are not limited to: Buyer's closing costs, loan discount points, loan origination fees, prepaid items and any other fee, cost, charge, expense or expenditure. Seller Concession is in addition to any sum Seller has agreed to pay or credit Buyer elsewhere in this Contract.

4.3. Earnest Money. The Earnest Money set forth in this Section, in the form of a check or good funds, will be payable to and held by Title Company of the Rockies (Earnest Money Holder), in its trust account, on behalf of both Seller and Buyer. The Earnest Money deposit must be tendered, by Buyer, with this Contract unless the parties mutually agree to an **Alternative Earnest Money Deadline** for its payment. The parties authorize delivery of the Earnest Money deposit to the company conducting the Closing (Closing Company), if any, at or before Closing. In the event Earnest Money Holder has agreed to have interest on Earnest Money deposits transferred to a fund established for the purpose of providing affordable housing to Colorado residents, Seller and Buyer acknowledge and agree that any interest accruing on the Earnest Money deposited with the Earnest Money Holder in this transaction will be transferred to such fund.

4.3.1. Alternative Earnest Money Deadline. The deadline for delivering the Earnest Money, if other than at the time of tender of this Contract, is as set forth as the **Alternative Earnest Money Deadline**.

4.3.2. Return of Earnest Money. If Buyer has a Right to Terminate and timely terminates, Buyer is entitled to the return of Earnest Money as provided in this Contract. If this Contract is terminated as set forth in § 25 and, except as provided in § 24 (Earnest Money Dispute), if the Earnest Money has not already been returned following receipt of a Notice to Terminate, Seller agrees to execute and return to Buyer or Broker working with Buyer, written mutual instructions (e.g., Earnest Money Release form), within three days of Seller's receipt of such form.

4.4. Form of Funds; Time of Payment; Available Funds.

4.4.1. Good Funds. All amounts payable by the parties at Closing, including any loan proceeds, Cash at Closing and closing costs, must be in funds that comply with all applicable Colorado laws, including electronic transfer funds, certified check, savings and loan teller's check and cashier's check (Good

Funds).

4.4.2. Time of Payment; Available Funds. All funds, including the Purchase Price to be paid by Buyer, must be paid before or at Closing or as otherwise agreed in writing between the parties to allow disbursement by Closing Company at Closing **OR SUCH NONPAYING PARTY WILL BE IN DEFAULT**. Buyer represents that Buyer, as of the date of this Contract, ☒ **Does** ☐ **Does Not** have funds that are immediately verifiable and available in an amount not less than the amount stated as Cash at Closing in § 4.1.

4.5. New Loan. (Omitted as inapplicable)

4.6. Assumption. (Omitted as inapplicable)

4.7. Seller or Private Financing. (Omitted as inapplicable)

TRANSACTION PROVISIONS

5. FINANCING CONDITIONS AND OBLIGATIONS. (Omitted as inapplicable)

5.3. Credit Information and Buyer's New Senior Loan. (Omitted as inapplicable)

5.4. Existing Loan Review. (Omitted as inapplicable)

6. APPRAISAL PROVISIONS.

6.1. Appraisal Definition. An "Appraisal" is an opinion of value prepared by a licensed or certified appraiser, engaged on behalf of Buyer or Buyer's lender, to determine the Property's market value (Appraised Value). The Appraisal may also set forth certain lender requirements, replacements, removals or repairs necessary on or to the Property as a condition for the Property to be valued at the Appraised Value.

6.2. Appraisal Condition. The applicable appraisal provision set forth below applies to the respective loan type set forth in § 4.5.3, or if a cash transaction (i.e. no financing), § 6.2.1 applies.

6.2.1. Conventional/Other. Buyer has the right to obtain an Appraisal. If the Appraised Value is less than the Purchase Price, or if the Appraisal is not received by Buyer on or before **Appraisal Deadline** Buyer may, on or before **Appraisal Objection Deadline**:

6.2.1.1. Notice to Terminate. Notify Seller in writing, pursuant to § 25.1, that this Contract is terminated; or

6.2.1.2. Appraisal Objection. Deliver to Seller a written objection accompanied by either a copy of the Appraisal or written notice from lender that confirms the Appraised Value is less than the Purchase Price (Lender Verification).

6.2.1.3. Appraisal Resolution. If an Appraisal Objection is received by Seller, on or before **Appraisal Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on or before **Appraisal Resolution Deadline**, this Contract will terminate on the **Appraisal Resolution Deadline**, unless Seller receives Buyer's written withdrawal of the Appraisal Objection before such termination, i.e., on or before expiration of **Appraisal Resolution Deadline**.

6.3. Lender Property Requirements. If the lender imposes any written requirements, replacements, removals or repairs, including any specified in the Appraisal (Lender Requirements) to be made to the Property (e.g., roof repair, repainting), beyond those matters already agreed to by Seller in this Contract, this Contract terminates on the earlier of three days following Seller's receipt of the Lender Requirements, or Closing, unless prior to termination: (1) the parties enter into a written agreement to satisfy the Lender Requirements; (2) the Lender Requirements have been completed; or (3) the satisfaction of the Lender Requirements is waived in writing by Buyer.

6.4. Cost of Appraisal. Cost of the Appraisal to be obtained after the date of this Contract must be timely paid by ☐ **Buyer** ☐ **Seller**. The cost of the Appraisal may include any and all fees paid to the appraiser, appraisal management company, lender's agent or all three.

7. **OWNERS' ASSOCIATION.** This Section is applicable if the Property is located within a Common Interest Community and subject to the declaration (Association).

7.1. **Common Interest Community Disclosure. THE PROPERTY IS LOCATED WITHIN A COMMON INTEREST COMMUNITY AND IS SUBJECT TO THE DECLARATION FOR THE COMMUNITY. THE OWNER OF THE PROPERTY WILL BE REQUIRED TO BE A MEMBER OF THE OWNERS' ASSOCIATION FOR THE COMMUNITY AND WILL BE SUBJECT TO THE BYLAWS AND RULES AND REGULATIONS OF THE ASSOCIATION. THE DECLARATION, BYLAWS AND RULES AND REGULATIONS WILL IMPOSE FINANCIAL OBLIGATIONS UPON THE OWNER OF THE PROPERTY, INCLUDING AN OBLIGATION TO PAY ASSESSMENTS OF THE ASSOCIATION. IF THE OWNER DOES NOT PAY THESE ASSESSMENTS, THE ASSOCIATION COULD PLACE A LIEN ON THE PROPERTY AND POSSIBLY SELL IT TO PAY THE DEBT. THE DECLARATION, BYLAWS AND RULES AND REGULATIONS OF THE COMMUNITY MAY PROHIBIT THE OWNER FROM MAKING CHANGES TO THE PROPERTY WITHOUT AN ARCHITECTURAL REVIEW BY THE ASSOCIATION (OR A COMMITTEE OF THE ASSOCIATION) AND THE APPROVAL OF THE ASSOCIATION. PURCHASERS OF PROPERTY WITHIN THE COMMON INTEREST COMMUNITY SHOULD INVESTIGATE THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE ASSOCIATION. PURCHASERS SHOULD CAREFULLY READ THE DECLARATION FOR THE COMMUNITY AND THE BYLAWS AND RULES AND REGULATIONS OF THE ASSOCIATION.**

7.2. **Association Documents to Buyer.** Seller is obligated to provide to Buyer the Association Documents (defined below), at Seller's expense, on or before **Association Documents Deadline.** Seller authorizes the Association to provide the Association Documents to Buyer, at Seller's expense. Seller's obligation to provide the Association Documents is fulfilled upon Buyer's receipt of the Association Documents, regardless of who provides such documents.

7.3. **Association Documents.** Association documents (Association Documents) consist of the following:

7.3.1. All Association declarations, articles of incorporation, bylaws, articles of organization, operating agreements, rules and regulations, party wall agreements and the Association's responsible governance policies adopted under § 38-33.3-209.5, C.R.S.;

7.3.2. Minutes of: (1) the annual owners' or members' meeting and (2) any executive boards' or managers' meetings; such minutes include those provided under the most current annual disclosure required under § 38-33.3-209.4, C.R.S. (Annual Disclosure) and minutes of meetings, if any, subsequent to the minutes disclosed in the Annual Disclosure. If none of the preceding minutes exist, then the most recent minutes, if any (§§ 7.3.1 and 7.3.2, collectively, Governing Documents); and

7.3.3. List of all Association insurance policies as provided in the Association's last Annual Disclosure, including, but not limited to, property, general liability, association director and officer professional liability and fidelity policies. The list must include the company names, policy limits, policy deductibles, additional named insureds and expiration dates of the policies listed (Association Insurance Documents);

7.3.4. A list by unit type of the Association's assessments, including both regular and special assessments as disclosed in the Association's last Annual Disclosure;

7.3.5. The Association's most recent financial documents which consist of: (1) the Association's operating budget for the current fiscal year, (2) the Association's most recent annual financial statements, including any amounts held in reserve for the fiscal year immediately preceding the Association's last Annual Disclosure, (3) the results of the Association's most recent available financial audit or review, (4) list of the fees and charges (regardless of name of title of such fees or charges) that the Association's community association manager or Association will charge in connection with the Closing including, but not limited to, any fee incident to the issuance of the Association's statement of assessments (Status Letter), any rush or update fee charged for the Status Letter, any record change fee or ownership record transfer fees (Record Change Fee), fees to access documents, (5) list of all assessments required to be paid in advance, reserves or working capital due at Closing and (6) reserve study, if any (§§ 7.3.4 and 7.3.5, collectively, Financial Documents);

7.3.6. Any written notice from the Association to Seller of a "construction defect action" under § 38-33.3-303.5, C.R.S. within the past six months and the result of whether the Association approved or disapproved such action (Construction Defect Documents). Nothing in this Section limits the Seller's obligation to disclose adverse material facts as required under § 10.2 (Disclosure of Adverse Material Facts; Subsequent Disclosure; Present Condition) including any problems or defects in the common elements or limited common

elements of the Association property.

7.4. Conditional on Buyer's Review. Buyer has the right to review the Association Documents. Buyer has the Right to Terminate under § 25.1, on or before **Association Documents Termination Deadline**, based on any unsatisfactory provision in any of the Association Documents, in Buyer's sole subjective discretion. Should Buyer receive the Association Documents after **Association Documents Deadline**, Buyer, at Buyer's option, has the Right to Terminate under § 25.1 by Buyer's Notice to Terminate received by Seller on or before ten days after Buyer's receipt of the Association Documents. If Buyer does not receive the Association Documents, or if Buyer's Notice to Terminate would otherwise be required to be received by Seller after **Closing Date**, Buyer's Notice to Terminate must be received by Seller on or before Closing. If Seller does not receive Buyer's Notice to Terminate within such time, Buyer accepts the provisions of the Association Documents as satisfactory and Buyer waives any Right to Terminate under this provision, notwithstanding the provisions of § 8.6 (Right of First Refusal or Contract Approval).

8. TITLE INSURANCE, RECORD TITLE AND OFF-RECORD TITLE.

8.1. Evidence of Record Title.

☒ **8.1.1. Seller Selects Title Insurance Company.** If this box is checked, Seller will select the title insurance company to furnish the owner's title insurance policy at Seller's expense. On or before **Record Title Deadline**, Seller must furnish to Buyer, a current commitment for an owner's title insurance policy (Title Commitment), in an amount equal to the Purchase Price, or if this box is checked, ☐ an **Abstract of Title** certified to a current date. Seller will cause the title insurance policy to be issued and delivered to Buyer as soon as practicable at or after Closing.

☐ **8.1.2. Buyer Selects Title Insurance Company.** If this box is checked, Buyer will select the title insurance company to furnish the owner's title insurance policy at Buyer's expense. On or before **Record Title Deadline**, Buyer must furnish to Seller, a current commitment for owner's title insurance policy (Title Commitment), in an amount equal to the Purchase Price.

If neither box in § 8.1.1 or § 8.1.2 is checked, § 8.1.1 applies.

8.1.3. Owner's Extended Coverage (OEC). The Title Commitment ☒ **Will** ☐ **Will Not** contain Owner's Extended Coverage (OEC). If the Title Commitment is to contain OEC, it will commit to delete or insure over the standard exceptions which relate to: (1) parties in possession, (2) unrecorded easements, (3) survey matters, (4) unrecorded mechanics' liens, (5) gap period (period between the effective date and time of commitment to the date and time the deed is recorded) and (6) unpaid taxes, assessments and unredeemed tax sales prior to the year of Closing. Any additional premium expense to obtain OEC will be paid by ☐ **Buyer** ☒ **Seller** ☐ **One-Half by Buyer and One-Half by Seller** ☐ **Other**.

Regardless of whether the Contract requires OEC, the Title Insurance Commitment may not provide OEC or delete or insure over any or all of the standard exceptions for OEC. The Title Insurance Company may require a New Survey or New ILC, defined below, among other requirements for OEC. If the Title Insurance Commitment is not satisfactory to Buyer, Buyer has a right to object under § 8.5 (Right to Object to Title, Resolution).

8.1.4. Title Documents. Title Documents consist of the following: (1) copies of any plats, declarations, covenants, conditions and restrictions burdening the Property and (2) copies of any other documents (or, if illegible, summaries of such documents) listed in the schedule of exceptions (Exceptions) in the Title Commitment furnished to Buyer (collectively, Title Documents).

8.1.5. Copies of Title Documents. Buyer must receive, on or before **Record Title Deadline**, copies of all Title Documents. This requirement pertains only to documents as shown of record in the office of the clerk and recorder in the county where the Property is located. The cost of furnishing copies of the documents required in this Section will be at the expense of the party or parties obligated to pay for the owner's title insurance policy.

8.1.6. Existing Abstracts of Title. Seller must deliver to Buyer copies of any abstracts of title covering all or any portion of the Property (Abstract of Title) in Seller's possession on or before **Record Title Deadline**.

8.2. Record Title. Buyer has the right to review and object to the Abstract of Title or Title Commitment and any of the Title Documents as set forth in § 8.5 (Right to Object to Title, Resolution) on or before **Record Title Objection Deadline**. Buyer's objection may be based on any unsatisfactory form or

content of Title Commitment or Abstract of Title, notwithstanding § 13, or any other unsatisfactory title condition, in Buyer's sole subjective discretion. If the Abstract of Title, Title Commitment or Title Documents are not received by Buyer on or before the **Record Title Deadline**, or if there is an endorsement to the Title Commitment that adds a new Exception to title, a copy of the new Exception to title and the modified Title Commitment will be delivered to Buyer. Buyer has until the earlier of Closing or ten days after receipt of such documents by Buyer to review and object to: (1) any required Title Document not timely received by Buyer, (2) any change to the Abstract of Title, Title Commitment or Title Documents, or (3) any endorsement to the Title Commitment. If Seller receives Buyer's Notice to Terminate or Notice of Title Objection, pursuant to this § 8.2 (Record Title), any title objection by Buyer is governed by the provisions set forth in § 8.5 (Right to Object to Title, Resolution). If Seller has fulfilled all Seller's obligations, if any, to deliver to Buyer all documents required by § 8.1 (Evidence of Record Title) and Seller does not receive Buyer's Notice to Terminate or Notice of Title Objection by the applicable deadline specified above, Buyer accepts the condition of title as disclosed by the Abstract of Title, Title Commitment and Title Documents as satisfactory.

8.3. Off-Record Title. Seller must deliver to Buyer, on or before **Off-Record Title Deadline**, true copies of all existing surveys in Seller's possession pertaining to the Property and must disclose to Buyer all easements, liens (including, without limitation, governmental improvements approved, but not yet installed) or other title matters (including, without limitation, rights of first refusal and options) not shown by public records, of which Seller has actual knowledge (Off-Record Matters). This Section excludes any **New ILC** or **New Survey** governed under § 9 (New ILC, New Survey). Buyer has the right to inspect the Property to investigate if any third party has any right in the Property not shown by public records (e.g., unrecorded easement, boundary line discrepancy or water rights). Buyer's Notice to Terminate or Notice of Title Objection of any unsatisfactory condition (whether disclosed by Seller or revealed by such inspection, notwithstanding § 8.2 (Record Title) and § 13 (Transfer of Title)), in Buyer's sole subjective discretion, must be received by Seller on or before **Off-Record Title Objection Deadline**. If an Off-Record Matter is received by Buyer after the **Off-Record Title Deadline**, Buyer has until the earlier of Closing or ten days after receipt by Buyer to review and object to such Off-Record Matter. If Seller receives Buyer's Notice to Terminate or Notice of Title Objection pursuant to this § 8.3 (Off-Record Title), any title objection by Buyer is governed by the provisions set forth in § 8.5 (Right to Object to Title, Resolution). If Seller does not receive Buyer's Notice to Terminate or Notice of Title Objection by the applicable deadline specified above, Buyer accepts title subject to such Off-Record Matters and rights, if any, of third parties not shown by public records of which Buyer has actual knowledge.

8.4. Special Taxing Districts. SPECIAL TAXING DISTRICTS MAY BE SUBJECT TO GENERAL OBLIGATION INDEBTEDNESS THAT IS PAID BY REVENUES PRODUCED FROM ANNUAL TAX LEVIES ON THE TAXABLE PROPERTY WITHIN SUCH DISTRICTS. PROPERTY OWNERS IN SUCH DISTRICTS MAY BE PLACED AT RISK FOR INCREASED MILL LEVIES AND TAX TO SUPPORT THE SERVICING OF SUCH DEBT WHERE CIRCUMSTANCES ARISE RESULTING IN THE INABILITY OF SUCH A DISTRICT TO DISCHARGE SUCH INDEBTEDNESS WITHOUT SUCH AN INCREASE IN MILL LEVIES. BUYERS SHOULD INVESTIGATE THE SPECIAL TAXING DISTRICTS IN WHICH THE PROPERTY IS LOCATED BY CONTACTING THE COUNTY TREASURER, BY REVIEWING THE CERTIFICATE OF TAXES DUE FOR THE PROPERTY AND BY OBTAINING FURTHER INFORMATION FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSESSOR.

A tax certificate from the respective county treasurer listing any special taxing districts that effect the Property (Tax Certificate) must be delivered to Buyer on or before **Record Title Deadline**. If the Property is located within a special taxing district and such inclusion is unsatisfactory to Buyer, in Buyer's sole subjective discretion, Buyer may object, on or before **Record Title Objection Deadline**. If the Tax Certificate shows that the Property is included in a special taxing district and is received by Buyer after the **Record Title Deadline**, Buyer has until the earlier of Closing or ten days after receipt by Buyer to review and object to the Property's inclusion in a special taxing district as unsatisfactory to Buyer.

8.5. Right to Object to Title, Resolution. Buyer's right to object, in Buyer's sole subjective discretion, to any title matters includes those matters set forth in § 8.2 (Record Title), § 8.3 (Off-Record Title), § 8.4 (Special Taxing District) and § 13 (Transfer of Title). If Buyer objects to any title matter, on or before the applicable deadline, Buyer has the following options:

8.5.1. Title Objection, Resolution. If Seller receives Buyer's written notice objecting to any title matter (Notice of Title Objection) on or before the applicable deadline and if Buyer and Seller have not

agreed to a written settlement thereof on or before **Title Resolution Deadline**, this Contract will terminate on the expiration of **Title Resolution Deadline**, unless Seller receives Buyer's written withdrawal of Buyer's Notice of Title Objection (i.e., Buyer's written notice to waive objection to such items and waives the Right to Terminate for that reason), on or before expiration of **Title Resolution Deadline**. If either the Record Title Deadline or the Off-Record Title Deadline, or both, are extended pursuant to § 8.2 (Record Title), § 8.3 (Off-Record Title) or § 8.4 (Special Taxing Districts), the Title Resolution Deadline also will be automatically extended to the earlier of Closing or fifteen days after Buyer's receipt of the applicable documents; or

8.5.2. Title Objection, Right to Terminate. Buyer may exercise the Right to Terminate under § 25.1, on or before the applicable deadline, based on any title matter unsatisfactory to Buyer, in Buyer's sole subjective discretion.

8.6. Right of First Refusal or Contract Approval. If there is a right of first refusal on the Property or a right to approve this Contract, Seller must promptly submit this Contract according to the terms and conditions of such right. If the holder of the right of first refusal exercises such right or the holder of a right to approve disapproves this Contract, this Contract will terminate. If the right of first refusal is waived explicitly or expires, or the Contract is approved, this Contract will remain in full force and effect. Seller must promptly notify Buyer in writing of the foregoing. If expiration or waiver of the right of first refusal or approval of this Contract has not occurred on or before **Right of First Refusal Deadline**, this Contract will then terminate.

8.7. Title Advisory. The Title Documents affect the title, ownership and use of the Property and should be reviewed carefully. Additionally, other matters not reflected in the Title Documents may affect the title, ownership and use of the Property, including, without limitation, boundary lines and encroachments, set-back requirements, area, zoning, building code violations, unrecorded easements and claims of easements, leases and other unrecorded agreements, water on or under the Property, and various laws and governmental regulations concerning land use, development and environmental matters.

8.7.1. OIL, GAS, WATER AND MINERAL DISCLOSURE. THE SURFACE ESTATE OF THE PROPERTY MAY BE OWNED SEPARATELY FROM THE UNDERLYING MINERAL ESTATE AND TRANSFER OF THE SURFACE ESTATE MAY NOT NECESSARILY INCLUDE TRANSFER OF THE MINERAL ESTATE OR WATER RIGHTS. THIRD PARTIES MAY OWN OR LEASE INTERESTS IN OIL, GAS, OTHER MINERALS, GEOTHERMAL ENERGY OR WATER ON OR UNDER THE SURFACE OF THE PROPERTY, WHICH INTERESTS MAY GIVE THEM RIGHTS TO ENTER AND USE THE SURFACE OF THE PROPERTY TO ACCESS THE MINERAL ESTATE, OIL, GAS OR WATER.

8.7.2. SURFACE USE AGREEMENT. THE USE OF THE SURFACE ESTATE OF THE PROPERTY TO ACCESS THE OIL, GAS OR MINERALS MAY BE GOVERNED BY A SURFACE USE AGREEMENT, A MEMORANDUM OR OTHER NOTICE OF WHICH MAY BE RECORDED WITH THE COUNTY CLERK AND RECORDER.

8.7.3. OIL AND GAS ACTIVITY. OIL AND GAS ACTIVITY THAT MAY OCCUR ON OR ADJACENT TO THE PROPERTY MAY INCLUDE, BUT IS NOT LIMITED TO, SURVEYING, DRILLING, WELL COMPLETION OPERATIONS, STORAGE, OIL AND GAS, OR PRODUCTION FACILITIES, PRODUCING WELLS, REWORKING OF CURRENT WELLS, AND GAS GATHERING AND PROCESSING FACILITIES.

8.7.4. ADDITIONAL INFORMATION. BUYER IS ENCOURAGED TO SEEK ADDITIONAL INFORMATION REGARDING OIL AND GAS ACTIVITY ON OR ADJACENT TO THE PROPERTY, INCLUDING DRILLING PERMIT APPLICATIONS. THIS INFORMATION MAY BE AVAILABLE FROM THE COLORADO OIL AND GAS CONSERVATION COMMISSION.

8.7.5. Title Insurance Exclusions. Matters set forth in this Section and others, may be excepted, excluded from, or not covered by the owner's title insurance policy.

8.8. Consult an Attorney. Buyer is advised to timely consult legal counsel with respect to all such matters as there are strict time limits provided in this Contract (e.g., **Record Title Objection Deadline** and **Off-Record Title Objection Deadline**).

9. NEW ILC, NEW SURVEY.

9.1. New ILC or New Survey. If the box is checked, a: 1) ☐ **New Improvement Location Certificate (New ILC)**; or, 2) ☐ **New Survey** in the form of ; is required and the following will apply:

9.1.1. Ordering of New ILC or New Survey. ☐ Seller ☒ Buyer will order the New ILC or New

Survey. The New ILC or New Survey may also be a previous ILC or survey that is in the above-required form, certified and updated as of a date after the date of this Contract.

9.1.2. Payment for New ILC or New Survey. The cost of the New ILC or New Survey will be paid, on or before Closing, by: ☐ Seller ☒ Buyer or:

9.1.3. Delivery of New ILC or New Survey. Buyer, Seller, the issuer of the Title Commitment (or the provider of the opinion of title if an Abstract of Title) and buyer attorney will receive a New ILC or New Survey on or before **New ILC or New Survey Deadline**.

9.1.4. Certification of New ILC or New Survey. The New ILC or New Survey will be certified by the surveyor to all those who are to receive the New ILC or New Survey.

9.2. Buyer's Right to Waive or Change New ILC or New Survey Selection. Buyer may select a New ILC or New Survey different than initially specified in this Contract if there is no additional cost to Seller or change to the **New ILC or New Survey Objection Deadline**. Buyer may, in Buyer's sole subjective discretion, waive a New ILC or New Survey if done prior to Seller incurring any cost for the same.

9.3. New ILC or New Survey Objection. Buyer has the right to review and object to the **New ILC or New Survey**. If the New ILC or New Survey is not timely received by Buyer or is unsatisfactory to Buyer, in Buyer's sole subjective discretion, Buyer may, on or before **New ILC or New Survey Objection Deadline**, notwithstanding § 8.3 or § 13:

9.3.1. Notice to Terminate. Notify Seller in writing, pursuant to § 25.1, that this Contract is terminated; or

9.3.2. New ILC or New Survey Objection. Deliver to Seller a written description of any matter that was to be shown or is shown in the New ILC or New Survey that is unsatisfactory and that Buyer requires Seller to correct.

9.3.3. New ILC or New Survey Resolution. If a **New ILC or New Survey Objection** is received by Seller, on or before **New ILC or New Survey Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on or before **New ILC or New Survey Resolution Deadline**, this Contract will terminate on expiration of the **New ILC or New Survey Resolution Deadline**, unless Seller receives Buyer's written withdrawal of the New ILC or New Survey Objection before such termination, i.e., on or before expiration of **New ILC or New Survey Resolution Deadline**.

DISCLOSURE, INSPECTION AND DUE DILIGENCE

10. PROPERTY DISCLOSURE, INSPECTION, INDEMNITY, INSURABILITY, DUE DILIGENCE, AND SOURCE OF WATER.

10.1. Seller's Property Disclosure. On or before **Seller's Property Disclosure Deadline**, Seller agrees to deliver to Buyer the most current version of the applicable Colorado Real Estate Commission's Seller's Property Disclosure form completed by Seller to Seller's actual knowledge and current as of the date of this Contract.

10.2. Disclosure of Adverse Material Facts; Subsequent Disclosure; Present Condition. Seller must disclose to Buyer any adverse material facts actually known by Seller as of the date of this Contract. Seller agrees that disclosure of adverse material facts will be in writing. In the event Seller discovers an adverse material fact after the date of this Contract, Seller must timely disclose such adverse fact to Buyer. Buyer has the Right to Terminate based on the Seller's new disclosure on the earlier of Closing or five days after Buyer's receipt of the new disclosure. Except as otherwise provided in this Contract, Buyer acknowledges that Seller is conveying the Property to Buyer in an "**As Is**" condition, "**Where Is**" and "**With All Faults**."

10.3. Inspection. Unless otherwise provided in this Contract, Buyer, acting in good faith, has the right to have inspections (by one or more third parties, personally or both) of the Property and Inclusions (Inspection), at Buyer's expense. If (1) the physical condition of the Property, including, but not limited to, the roof, walls, structural integrity of the Property, the electrical, plumbing, HVAC and other mechanical systems of the Property, (2) the physical condition of the Inclusions, (3) service to the Property (including utilities and communication services), systems and components of the Property (e.g., heating and plumbing), (4) any proposed or existing transportation project, road, street or highway, or (5) any other activity, odor or noise (whether on or off the Property) and its effect or expected effect on the Property or its occupants is unsatisfactory, in Buyer's sole subjective discretion, Buyer may:

701 **10.3.1. Inspection Objection.** On or before the **Inspection Objection Deadline**, deliver to
 702 Seller a written description of any unsatisfactory condition that Buyer requires Seller to correct; or
 703 **10.3.2. Terminate.** On or before the **Inspection Termination Deadline**, notify Seller in writing,
 704 pursuant to § 25.1, that this Contract is terminated due to any unsatisfactory condition. **Inspection**
 705 **Termination Deadline will be on the earlier of Inspection Resolution Deadline or the date specified in §**
 706 **3.1 for Inspection Termination Deadline.**
 707 **10.3.3. Inspection Resolution.** If an Inspection Objection is received by Seller, on or before
 708 **Inspection Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on
 709 or before **Inspection Resolution Deadline**, this Contract will terminate on **Inspection Resolution Deadline**
 710 unless Seller receives Buyer's written withdrawal of the Inspection Objection before such termination, i.e., on or
 711 before expiration of **Inspection Resolution Deadline**.
 712 **10.4. Damage, Liens and Indemnity.** Buyer, except as otherwise provided in this Contract or other
 713 written agreement between the parties, is responsible for payment for all inspections, tests, surveys,
 714 engineering reports, or other reports performed at Buyer's request (Work) and must pay for any damage that
 715 occurs to the Property and Inclusions as a result of such Work. Buyer must not permit claims or liens of any
 716 kind against the Property for Work performed on the Property. Buyer agrees to indemnify, protect and hold
 717 Seller harmless from and against any liability, damage, cost or expense incurred by Seller and caused by any
 718 such Work, claim, or lien. This indemnity includes Seller's right to recover all costs and expenses incurred by
 719 Seller to defend against any such liability, damage, cost or expense, or to enforce this Section, including
 720 Seller's reasonable attorney fees, legal fees and expenses. The provisions of this Section survive the
 721 termination of this Contract. This § 10.4 does not apply to items performed pursuant to an Inspection
 722 Resolution.
 723 **10.5. Insurability.** Buyer has the right to review and object to the availability, terms and conditions of
 724 and premium for property insurance (Property Insurance). Buyer has the Right to Terminate under § 25.1, on or
 725 before **Property Insurance Termination Deadline**, based on any unsatisfactory provision of the Property
 726 Insurance, in Buyer's sole subjective discretion.
 727 **10.6. Due Diligence.**
 728 **10.6.1. Due Diligence Documents.** If the respective box is checked, Seller agrees to deliver
 729 copies of the following documents and information pertaining to the Property (Due Diligence Documents) to
 730 Buyer on or before **Due Diligence Documents Delivery Deadline**:
 731 ☐ **10.6.1.1.** All contracts relating to the operation, maintenance and management of the
 732 Property;
 733 ☐ **10.6.1.2.** Property tax bills for the last na years;
 734 ☐ **10.6.1.3.** As-built construction plans to the Property and the tenant improvements,
 735 including architectural, electrical, mechanical, and structural systems, engineering reports, and permanent
 736 Certificates of Occupancy, to the extent now available;
 737 ☐ **10.6.1.4.** A list of all Inclusions to be conveyed to Buyer;
 738 ☐ **10.6.1.5.** Operating statements for the past years;
 739 ☐ **10.6.1.6.** A rent roll accurate and correct to the date of this Contract;
 740 ☐ **10.6.1.7.** All current leases, including any amendments or other occupancy
 741 agreements, pertaining to the Property. Those leases or other occupancy agreements pertaining to the
 742 Property that survive Closing are as follows (Leases):
 743 ☐ **10.6.1.8.** A schedule of any tenant improvement work Seller is obligated to complete
 744 but has not yet been completed and capital improvement work either scheduled or in process on the date of
 745 this Contract;
 746 ☐ **10.6.1.9.** All insurance policies pertaining to the Property and copies of any claims
 747 which have been made for the past years;
 748 ☐ **10.6.1.10.** Soils reports, surveys and engineering reports or data pertaining to the
 749 Property (if not delivered earlier under § 8.3);
 750 ☐ **10.6.1.11.** Any and all existing documentation and reports regarding Phase I and II
 751 environmental reports, letters, test results, advisories and similar documents respective to the existence or
 752 nonexistence of asbestos, PCB transformers, or other toxic, hazardous or contaminated substances, and/or
 753 underground storage tanks and/or radon gas. If no reports are in Seller's possession or known to Seller, Seller
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warrants that no such reports are in Seller's possession or known to Seller;

☐ **10.6.1.12. Any Americans with Disabilities Act** reports, studies or surveys concerning the compliance of the Property with said Act;

☐ **10.6.1.13. All permits, licenses and other building or use authorizations** issued by any governmental authority with jurisdiction over the Property and written notice of any violation of any such permits, licenses or use authorizations, if any; and

☐ **10.6.1.14. Other documents and information:**

10.6.2. Due Diligence Documents Review and Objection. Buyer has the right to review and object to Due Diligence Documents. If the Due Diligence Documents are not supplied to Buyer or are unsatisfactory, in Buyer's sole subjective discretion, Buyer may, on or before **Due Diligence Documents Objection Deadline**:

10.6.2.1. Notice to Terminate. Notify Seller in writing, pursuant to § 25.1, that this Contract is terminated; or

10.6.2.2. Due Diligence Documents Objection. Deliver to Seller a written description of any unsatisfactory Due Diligence Documents that Buyer requires Seller to correct.

10.6.2.3. Due Diligence Documents Resolution. If a Due Diligence Documents Objection is received by Seller, on or before **Due Diligence Documents Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on or before **Due Diligence Documents Resolution Deadline**, this Contract will terminate on **Due Diligence Documents Resolution Deadline** unless Seller receives Buyer's written withdrawal of the Due Diligence Documents Objection before such termination, i.e., on or before expiration of **Due Diligence Documents Resolution Deadline**.

10.6.3. Zoning. Buyer has the Right to Terminate under § 25.1, on or before **Due Diligence Documents Objection Deadline**, based on any unsatisfactory zoning and any use restrictions imposed by any governmental agency with jurisdiction over the Property, in Buyer's sole subjective discretion.

10.6.4. Due Diligence – Environmental, ADA. Buyer has the right to obtain environmental inspections of the Property including Phase I and Phase II Environmental Site Assessments, as applicable. ☐ **Seller** ☐ **Buyer** will order or provide ☐ **Phase I Environmental Site Assessment**, ☐ **Phase II Environmental Site Assessment** (compliant with most current version of the applicable ASTM E1527 standard practices for Environmental Site Assessments) and/or ☐ , at the expense of ☐ **Seller** ☐ **Buyer** (Environmental Inspection). In addition, Buyer, at Buyer's expense, may also conduct an evaluation whether the Property complies with the *Americans with Disabilities Act* (ADA Evaluation). All such inspections and evaluations must be conducted at such times as are mutually agreeable to minimize the interruption of Seller's and any Seller's tenants' business uses of the Property, if any.

If Buyer's Phase I Environmental Site Assessment recommends a Phase II Environmental Site Assessment, the **Environmental Inspection Termination Deadline** will be extended by days (Extended Environmental Inspection Objection Deadline) and if such Extended Environmental Inspection Objection Deadline extends beyond the **Closing Date**, the **Closing Date** will be extended a like period of time. In such event, ☐ **Seller** ☐ **Buyer** must pay the cost for such Phase II Environmental Site Assessment.

Notwithstanding Buyer's right to obtain additional environmental inspections of the Property in this § 10.6.4, Buyer has the Right to Terminate under § 25.1, on or before **Environmental Inspection Termination Deadline**, or if applicable, the Extended Environmental Inspection Objection Deadline, based on any unsatisfactory results of Environmental Inspection, in Buyer's sole subjective discretion.

Buyer has the Right to Terminate under § 25.1, on or before **ADA Evaluation Termination Deadline**, based on any unsatisfactory ADA Evaluation, in Buyer's sole subjective discretion.

10.7. Conditional Upon Sale of Property. This Contract is conditional upon the sale and closing of that certain property owned by Buyer and commonly known as . Buyer has the Right to Terminate under § 25.1 effective upon Seller's receipt of Buyer's Notice to Terminate on or before **Conditional Sale Deadline** if such property is not sold and closed by such deadline. This Section is for the sole benefit of Buyer. If Seller does not receive Buyer's Notice to Terminate on or before **Conditional Sale Deadline**, Buyer waives any Right to Terminate under this provision.

841 **10.8. Source of Potable Water (Residential Land and Residential Improvements Only).**
842 **[Intentionally Deleted]**

843 **10.9. Existing Leases; Modification of Existing Leases; New Leases.** Seller states that none of
844 the Leases to be assigned to the Buyer at the time of Closing contain any rent concessions, rent reductions or
845 rent abatements except as disclosed in the Lease or other writing received by Buyer. Seller will not amend,
846 alter, modify, extend or cancel any of the Leases nor will Seller enter into any new leases affecting the Property
847 without the prior written consent of Buyer, which consent will not be unreasonably withheld or delayed.
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851 **11.1. Estoppel Statements Conditions.** Buyer has the right to review and object to any Estoppel
852 Statements. Seller must request from all tenants of the Property and if received by Seller, deliver to Buyer on
853 or before **Estoppel Statements Deadline**, statements in a form and substance reasonably acceptable to
854 Buyer, from each occupant or tenant at the Property (Estoppel Statement) attached to a copy of the Lease
855 stating:
856
857

858 **11.1.1.** The commencement date of the Lease and scheduled termination date of the Lease;

859 **11.1.2.** That said Lease is in full force and effect and that there have been no subsequent
860 modifications or amendments;

861 **11.1.3.** The amount of any advance rentals paid, rent concessions given, and deposits paid to
862 Seller;
863

864 **11.1.4.** The amount of monthly (or other applicable period) rental paid to Seller;

865 **11.1.5.** That there is no default under the terms of said Lease by landlord or occupant; and

866 **11.1.6.** That the Lease to which the Estoppel Statement is attached is a true, correct and
867 complete copy of the Lease demising the premises it describes.
868

869 **11.2. Seller Estoppel Statements.** In the event Seller does not receive from all tenants of the
870 Property a completed signed Estoppel Statement, Seller agrees to complete and execute an Estoppel
871 Statement setting forth the information and documents required §11.1 above and deliver the same to Buyer on
872 or before **Estoppel Statements Deadline**.
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875 **11.3. Estoppel Statements Termination.** Buyer has the Right to Terminate under § 25.1, on or
876 before **Estoppel Statements Termination Deadline**, based on any unsatisfactory Estoppel Statement, in
877 Buyer's sole subjective discretion, or if Seller fails to deliver the Estoppel Statements on or before **Estoppel**
878 **Statements Deadline**. Buyer also has the unilateral right to waive any unsatisfactory Estoppel Statement.
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881 **CLOSING PROVISIONS**
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884 **12. CLOSING DOCUMENTS, INSTRUCTIONS AND CLOSING.**

885 **12.1. Closing Documents and Closing Information.** Seller and Buyer will cooperate with the Closing
886 Company to enable the Closing Company to prepare and deliver documents required for Closing to Buyer and
887 Seller and their designees. If Buyer is obtaining a loan to purchase the Property, Buyer acknowledges Buyer's
888 lender is required to provide the Closing Company, in a timely manner, all required loan documents and
889 financial information concerning Buyer's loan. Buyer and Seller will furnish any additional information and
890 documents required by Closing Company that will be necessary to complete this transaction. Buyer and Seller
891 will sign and complete all customary or reasonably-required documents at or before Closing.
892

893 **12.2. Closing Instructions.** Colorado Real Estate Commission's Closing Instructions ☐Are ☒Are
894 **Not** executed with this Contract.
895

896 **12.3. Closing.** Delivery of deed from Seller to Buyer will be at closing (Closing). Closing will be on the
897 date specified as the **Closing Date** or by mutual agreement at an earlier date. The hour and place of Closing
898 will be as designated by seller and buyer.
899

900 **12.4. Disclosure of Settlement Costs.** Buyer and Seller acknowledge that costs, quality and extent of
901 service vary between different settlement service providers (e.g., attorneys, lenders, inspectors and title
902 companies).
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905 **13. TRANSFER OF TITLE.** Subject to Buyer's compliance with the terms and provisions of this Contract,
906 including the tender of any payment due at Closing, Seller, provided another deed is not selected, must
907 execute and deliver a good and sufficient special warranty deed to Buyer, at Closing. However, if the box is
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checked, the parties agree to use the corresponding deed instead:

☐ general warranty deed ☐ bargain and sale deed ☐ quit claim deed ☐ personal representative's deed
☐ deed.

13.1. Special Warranty Deed and General Warranty Deed Exceptions. If title will be conveyed using a special warranty deed or a general warranty deed, title will be conveyed subject to:

13.1.1. General taxes for the year of Closing,

13.1.2. Distribution utility easements (including cable TV),

13.1.3. Those specifically described rights of third parties not shown by the public records of which Buyer has actual knowledge and which were accepted by Buyer in accordance with with § 8.3 (Off-Record Title) and § 9 (New ILC or New Survey),

13.1.4. Inclusion of the Property within any special taxing district,

13.1.5. Any special assessment if the improvements were not installed as of the date of Buyer's signature hereon, whether assessed prior to or after Closing and

13.1.6. Other .

13.2. Special Warranty Deed. In addition to the requirements of § 13.1, if title will be conveyed by a special warranty deed, Seller will warrant title against all persons claiming by, through or under Seller subject to those specific recorded exceptions, if any, created during Seller's ownership of the Property and described by reference to recorded documents shown as Exceptions in the Title Documents that are accepted by Buyer in accordance with § 8.2 (Record Title) and described in the deed by reference to the specific recording information for each recorded document.

13.3. General Warranty Deed. In addition to the requirements of § 13.1, if title will be conveyed by a general warranty deed, Seller will warrant the title subject to those specific recorded exceptions described by reference to recorded documents shown as Exceptions in the Title Documents that are accepted by Buyer in accordance with § 8.2 (Record Title) and described in the deed by reference to the specific recording information for each recorded document.

14. PAYMENT OF LIENS AND ENCUMBRANCES. Unless agreed to by Buyer in writing, any amounts owed on any liens or encumbrances securing a monetary sum, including, but not limited to, any governmental liens for special improvements installed as of the date of Buyer's signature hereon, whether assessed or not and previous years' taxes, will be paid at or before Closing by Seller from the proceeds of this transaction or from any other source.

15. CLOSING COSTS, CLOSING FEE, ASSOCIATION FEES AND TAXES.

15.1. Closing Costs. Buyer and Seller must pay, in Good Funds, their respective closing costs and all other items required to be paid at Closing, except as otherwise provided herein.

15.2. Closing Services Fee. The fee for real estate closing services must be paid at Closing by
☐ Buyer ☐ Seller ☒ One-Half by Buyer and One-Half by Seller
☐ Other

15.3. Status Letter and Record Change Fees. At least fourteen days prior to **Closing Date**, Seller agrees to promptly request the Association to deliver to Buyer a current Status Letter. Any fees incident to the issuance of Association's Status Letter must be paid by ☒ None ☐ Buyer ☐ Seller ☐ One-Half by Buyer and One-Half by Seller. Any Record Change Fee must be paid by ☐ None ☐ Buyer ☐ Seller
☐ One-Half by Buyer and One-Half by Seller .

15.4. Local Transfer Tax. ☐ The Local Transfer Tax of % of the Purchase Price must be paid at Closing by ☒ None ☐ Buyer ☐ Seller ☐ One-Half by Buyer and One-Half by Seller.

15.5. Private Transfer Fee. Private transfer fees and other fees due to a transfer of the Property, payable at Closing, such as community association fees, developer fees and foundation fees, must be paid at Closing by ☒ None ☐ Buyer ☐ Seller ☐ One-Half by Buyer and One-Half by Seller. The Private Transfer fee, whether one or more, is for the following association(s): in the total amount of % of the Purchase Price or \$.

15.6. Water Transfer Fees. The Water Transfer Fees can change. The fees, as of the date of this Contract, do not exceed \$50 for:

☐ Water Stock/Certificates ☐ Water District
☐ Augmentation Membership ☐ Small Domestic Water Company ☐ and must be paid at Closing by ☒ None ☐ Buyer ☐ Seller ☐ One-Half by Buyer and One-Half by Seller

15.7. Sales and Use Tax. Any sales and use tax that may accrue because of this transaction must be paid when due by ☒ None ☐ Buyer ☐ Seller ☐ One-Half by Buyer and One-Half by Seller.

15.8. FIRPTA and Colorado Withholding.

15.8.1. FIRPTA. The Internal Revenue Service (IRS) may require a substantial portion of the Seller's proceeds be withheld after Closing when Seller is a foreign person. If required withholding does not occur, the Buyer could be held liable for the amount of the Seller's tax, interest and penalties. If the box in this Section is checked, Seller represents that Seller ☐ IS a foreign person for purposes of U.S. income taxation. If the box in this Section is not checked, Seller represents that Seller is not a foreign person for purposes of U.S. income taxation. Seller agrees to cooperate with Buyer and Closing Company to provide any reasonably requested documents to verify Seller's foreign person status. If withholding is required, Seller authorizes Closing Company to withhold such amount from Seller's proceeds. Seller should inquire with Seller's tax advisor to determine if withholding applies or if an exemption exists.

15.8.2. Colorado Withholding. The Colorado Department of Revenue may require a portion of the Seller's proceeds be withheld after Closing when Seller will not be a Colorado resident after Closing, if not otherwise exempt. Seller agrees to cooperate with Buyer and Closing Company to provide any reasonably requested documents to verify Seller's status. If withholding is required, Seller authorizes Closing Company to withhold such amount from Seller's proceeds. Seller should inquire with Seller's tax advisor to determine if withholding applies or if an exemption exists.

16. PRORATIONS AND ASSOCIATION ASSESSMENT. The following will be prorated to the **Closing Date**, except as otherwise provided:

16.1. Taxes. Personal property taxes, if any, special taxing district assessments, if any and general real estate taxes for the year of Closing, based on ☐ Taxes for the Calendar Year Immediately Preceding Closing ☒ Most Recent Mill Levy and Most Recent Assessed Valuation, adjusted by any applicable qualifying seniors property tax exemption, qualifying disabled veteran exemption or ☐ Other .

16.2. Rents. Rents based on ☐ Rents Actually Received ☐ Accrued. At Closing, Seller will transfer or credit to Buyer the security deposits for all Leases assigned, or any remainder after lawful deductions and notify all tenants in writing of such transfer and of the transferee's name and address. Seller must assign to Buyer all Leases in effect at Closing and Buyer must assume Seller's obligations under such Leases.

16.3. Association Assessments. Current regular Association assessments and dues (Association Assessments) paid in advance will be credited to Seller at Closing. Cash reserves held out of the regular Association Assessments for deferred maintenance by the Association will not be credited to Seller except as may be otherwise provided by the Governing Documents. Buyer acknowledges that Buyer may be obligated to pay the Association, at Closing, an amount for reserves or working capital. Any special assessment assessed prior to **Closing Date** by the Association will be the obligation of ☐ Buyer ☐ Seller. Except however, any special assessment by the Association for improvements that have been installed as of the date of Buyer's signature hereon, whether assessed prior to or after Closing, will be the obligation of Seller. Seller represents there are no unpaid regular or special assessments against the Property except the current regular assessments and . Association Assessments are subject to change as provided in the Governing Documents.

16.4. Other Prorations. Water and sewer charges, propane, interest on continuing loan and .

16.5. Final Settlement. Unless otherwise agreed in writing, these prorations are final.

17. POSSESSION. Possession of the Property will be delivered to Buyer on **Possession Date** at **Possession Time**, subject to the Leases as set forth in § 10.6.1.7.

If Seller, after Closing, fails to deliver possession as specified, Seller will be subject to eviction and will be additionally liable to Buyer for payment of \$ per day (or any part of a day notwithstanding § 18.1) from **Possession Date** and **Possession Time** until possession is delivered.

GENERAL PROVISIONS

18. DAY; COMPUTATION OF PERIOD OF DAYS, DEADLINE.

18.1. Day. As used in this Contract, the term “day” means the entire day ending at 11:59 p.m., United States Mountain Time (Standard or Daylight Savings, as applicable).

18.2. Computation of Period of Days, Deadline. In computing a period of days (e.g., three days after MEC), when the ending date is not specified, the first day is excluded and the last day is included. If any deadline falls on a Saturday, Sunday or federal or Colorado state holiday (Holiday), such deadline ☒ **Will** ☐ **Will Not** be extended to the next day that is not a Saturday, Sunday or Holiday. Should neither box be checked, the deadline will not be extended.

19. CAUSES OF LOSS, INSURANCE; DAMAGE TO INCLUSIONS AND SERVICES; CONDEMNATION; AND WALK-THROUGH. Except as otherwise provided in this Contract, the Property, Inclusions or both will be delivered in the condition existing as of the date of this Contract, ordinary wear and tear excepted.

19.1. Causes of Loss, Insurance. In the event the Property or Inclusions are damaged by fire, other perils or causes of loss prior to Closing (Property Damage) in an amount of not more than ten percent of the total Purchase Price and if the repair of the damage will be paid by insurance (other than the deductible to be paid by Seller), then Seller, upon receipt of the insurance proceeds, will use Seller’s reasonable efforts to repair the Property before **Closing Date**. Buyer has the Right to Terminate under § 25.1, on or before **Closing Date**, if the Property is not repaired before **Closing Date**, or if the damage exceeds such sum. Should Buyer elect to carry out this Contract despite such Property Damage, Buyer is entitled to a credit at Closing for all insurance proceeds that were received by Seller (but not the Association, if any) resulting from damage to the Property and Inclusions, plus the amount of any deductible provided for in the insurance policy. This credit may not exceed the Purchase Price. In the event Seller has not received the insurance proceeds prior to Closing, the parties may agree to extend the **Closing Date** to have the Property repaired prior to Closing or, at the option of Buyer, (1) Seller must assign to Buyer the right to the proceeds at Closing, if acceptable to Seller’s insurance company and Buyer’s lender; or (2) the parties may enter into a written agreement prepared by the parties or their attorney requiring the Seller to escrow at Closing from Seller’s sale proceeds the amount Seller has received and will receive due to such damage, not exceeding the total Purchase Price, plus the amount of any deductible that applies to the insurance claim.

19.2. Damage, Inclusions and Services. Should any Inclusion or service (including utilities and communication services), system, component or fixture of the Property (collectively Service) (e.g., heating or plumbing), fail or be damaged between the date of this Contract and Closing or possession, whichever is earlier, then Seller is liable for the repair or replacement of such Inclusion or Service with a unit of similar size, age and quality, or an equivalent credit, but only to the extent that the maintenance or replacement of such Inclusion or Service is not the responsibility of the Association, if any, less any insurance proceeds received by Buyer covering such repair or replacement. If the failed or damaged Inclusion or Service is not repaired or replaced on or before Closing or possession, whichever is earlier, Buyer has the Right to Terminate under § 25.1, on or before **Closing Date**, or, at the option of Buyer, Buyer is entitled to a credit at Closing for the repair or replacement of such Inclusion or Service. Such credit must not exceed the Purchase Price. If Buyer receives such a credit, Seller’s right for any claim against the Association, if any, will survive Closing.

19.3. Condemnation. In the event Seller receives actual notice prior to Closing that a pending condemnation action may result in a taking of all or part of the Property or Inclusions, Seller must promptly notify Buyer, in writing, of such condemnation action. Buyer has the Right to Terminate under § 25.1, on or before **Closing Date**, based on such condemnation action, in Buyer’s sole subjective discretion. Should Buyer elect to consummate this Contract despite such diminution of value to the Property and Inclusions, Buyer is entitled to a credit at Closing for all condemnation proceeds awarded to Seller for the diminution in the value of the Property or Inclusions but such credit will not include relocation benefits or expenses, or exceed the

Purchase Price.

19.4. Walk-Through and Verification of Condition. Buyer, upon reasonable notice, has the right to walk through the Property prior to Closing to verify that the physical condition of the Property and Inclusions complies with this Contract.

20. RECOMMENDATION OF LEGAL AND TAX COUNSEL. By signing this Contract, Buyer and Seller acknowledge that the respective broker has advised that this Contract has important legal consequences and has recommended the examination of title and consultation with legal and tax or other counsel before signing this Contract.

21. TIME OF ESSENCE, DEFAULT AND REMEDIES. Time is of the essence for all dates and deadlines in this Contract. This means that all dates and deadlines are strict and absolute. If any payment due, including Earnest Money, is not paid, honored or tendered when due, or if any obligation is not performed timely as provided in this Contract or waived, the non-defaulting party has the following remedies:

21.1. If Buyer is in Default:

☐ **21.1.1. Specific Performance.** Seller may elect to cancel this Contract and all Earnest Money (whether or not paid by Buyer) will be paid to Seller and retained by Seller. It is agreed that the Earnest Money is not a penalty and the Parties agree the amount is fair and reasonable. Seller may recover such additional damages as may be proper. Alternatively, Seller may elect to treat this Contract as being in full force and effect and Seller has the right to specific performance or damages, or both.

21.1.2. Liquidated Damages, Applicable. This § 21.1.2 applies unless the box in § 21.1.1. is checked. Seller may cancel this Contract. All Earnest Money (whether or not paid by Buyer) will be paid to Seller and retained by Seller. It is agreed that the Earnest Money specified in § 4.1 is LIQUIDATED DAMAGES and not a penalty, which amount the parties agree is fair and reasonable and (except as provided in §§ 10.4, 22, 23 and 24), said payment of Earnest Money is SELLER'S ONLY REMEDY for Buyer's failure to perform the obligations of this Contract. Seller expressly waives the remedies of specific performance and additional damages.

21.2. If Seller is in Default: Buyer may elect to treat this Contract as canceled, in which case all Earnest Money received hereunder will be returned to Buyer and Buyer may recover such damages as may be proper. Alternatively, Buyer may elect to treat this Contract as being in full force and effect and Buyer has the right to specific performance or damages, or both.

22. LEGAL FEES, COST AND EXPENSES. Anything to the contrary herein notwithstanding, in the event of any arbitration or litigation relating to this Contract, prior to or after **Closing Date**, the arbitrator or court must award to the prevailing party all reasonable costs and expenses, including attorney fees, legal fees and expenses.

23. MEDIATION. If a dispute arises relating to this Contract (whether prior to or after Closing) and is not resolved, the parties must first proceed, in good faith, to mediation. Mediation is a process in which the parties meet with an impartial person who helps to resolve the dispute informally and confidentially. Mediators cannot impose binding decisions. Before any mediated settlement is binding, the parties to the dispute must agree to the settlement, in writing. The parties will jointly appoint an acceptable mediator and will share equally in the cost of such mediation. The obligation to mediate, unless otherwise agreed, will terminate if the entire dispute is not resolved within thirty days of the date written notice requesting mediation is delivered by one party to the other at that party's last known address (physical or electronic as provided in § 27). Nothing in this Section prohibits either party from filing a lawsuit and recording a *lis pendens* affecting the Property, before or after the date of written notice requesting mediation. This Section will not alter any date in this Contract, unless otherwise agreed.

24. EARNEST MONEY DISPUTE. Except as otherwise provided herein, Earnest Money Holder must release the Earnest Money following receipt of written mutual instructions, signed by both Buyer and Seller. In the event of any controversy regarding the Earnest Money, Earnest Money Holder is not required to release the Earnest Money. Earnest Money Holder, in its sole subjective discretion, has several options: (1) wait for any

proceeding between Buyer and Seller; (2) interplead all parties and deposit Earnest Money into a court of competent jurisdiction (Earnest Money Holder is entitled to recover court costs and reasonable attorney and legal fees incurred with such action); or (3) provide notice to Buyer and Seller that unless Earnest Money Holder receives a copy of the Summons and Complaint or Claim (between Buyer and Seller) containing the case number of the lawsuit (Lawsuit) within one hundred twenty days of Earnest Money Holder's notice to the parties, Earnest Money Holder is authorized to return the Earnest Money to Buyer. In the event Earnest Money Holder does receive a copy of the Lawsuit and has not interpleaded the monies at the time of any Order, Earnest Money Holder must disburse the Earnest Money pursuant to the Order of the Court. The parties reaffirm the obligation of § 23 (Mediation). This Section will survive cancellation or termination of this Contract.

25. TERMINATION.

25.1. Right to Terminate. If a party has a right to terminate, as provided in this Contract (Right to Terminate), the termination is effective upon the other party's receipt of a written notice to terminate (Notice to Terminate), provided such written notice was received on or before the applicable deadline specified in this Contract. If the Notice to Terminate is not received on or before the specified deadline, the party with the Right to Terminate accepts the specified matter, document or condition as satisfactory and waives the Right to Terminate under such provision.

25.2. Effect of Termination. In the event this Contract is terminated, all Earnest Money received hereunder will be returned to Buyer and the parties are relieved of all obligations hereunder, subject to §§ 10.4, 22, 23 and 24.

26. ENTIRE AGREEMENT, MODIFICATION, SURVIVAL; SUCCESSORS. This Contract, its exhibits and specified addenda, constitute the entire agreement between the parties relating to the subject hereof and any prior agreements pertaining thereto, whether oral or written, have been merged and integrated into this Contract. No subsequent modification of any of the terms of this Contract is valid, binding upon the parties, or enforceable unless made in writing and signed by the parties. Any right or obligation in this Contract that, by its terms, exists or is intended to be performed after termination or Closing survives the same. Any successor to a party receives the predecessor's benefits and obligations of this Contract.

27. NOTICE, DELIVERY AND CHOICE OF LAW.

27.1. Physical Delivery and Notice. Any document, or notice to Buyer or Seller must be in writing, except as provided in § 27.2 and is effective when physically received by such party, any individual named in this Contract to receive documents or notices for such party, Broker, or Brokerage Firm of Broker working with such party (except any notice or delivery after Closing must be received by the party, not Broker or Brokerage Firm).

27.2. Electronic Notice. As an alternative to physical delivery, any notice, may be delivered in electronic form to Buyer or Seller, any individual named in this Contract to receive documents or notices for such party, Broker or Brokerage Firm of Broker working with such party (except any notice or delivery after Closing must be received by the party, not Broker or Brokerage Firm) at the electronic address of the recipient by facsimile, email or .

27.3. Electronic Delivery. Electronic Delivery of documents and notice may be delivered by: (1) email at the email address of the recipient, (2) a link or access to a website or server provided the recipient receives the information necessary to access the documents, or (3) facsimile at the facsimile number (Fax No.) of the recipient.

27.4. Choice of Law. This Contract and all disputes arising hereunder are governed by and construed in accordance with the laws of the State of Colorado that would be applicable to Colorado residents who sign a contract in Colorado for real property located in Colorado.

28. NOTICE OF ACCEPTANCE, COUNTERPARTS. This proposal will expire unless accepted in writing, by Buyer and Seller, as evidenced by their signatures below and the offering party receives notice of such acceptance pursuant to § 27 on or before **Acceptance Deadline Date** and **Acceptance Deadline Time**. If accepted, this document will become a contract between Seller and Buyer. A copy of this Contract may be executed by each party, separately and when each party has executed a copy thereof, such copies taken

together are deemed to be a full and complete contract between the parties.

29. GOOD FAITH. Buyer and Seller acknowledge that each party has an obligation to act in good faith including, but not limited to, exercising the rights and obligations set forth in the provisions of **Financing Conditions and Obligations; Title Insurance, Record Title and Off-Record Title; New ILC, New Survey; and Property Disclosure, Inspection, Indemnity, Insurability, Due Diligence and Source of Water.**

ADDITIONAL PROVISIONS AND ATTACHMENTS

30. ADDITIONAL PROVISIONS. (The following additional provisions have not been approved by the Colorado Real Estate Commission.)

This Contract IS assignable.

The contract is conditional upon City Council approval.

31. ATTACHMENTS.

31.1. The following documents **are a part** of this Contract:

31.2. The following documents have been provided but are **not** a part of this Contract:

SIGNATURES

Buyer: *The City of Glenwood Springs*
By: Steve Boyd, Chief Operating Officer

Date:

[NOTE: If this offer is being countered or rejected, do not sign this document.]

Seller: *Douglass Colony Group*
By: Robert Bechtholdt

Date:

END OF CONTRACT TO BUY AND SELL REAL ESTATE

32. BROKER'S ACKNOWLEDGMENTS AND COMPENSATION DISCLOSURE.

(To be completed by Broker working with Buyer)

Broker ☐ **Does** ☐ **Does Not** acknowledge receipt of Earnest Money deposit. Broker agrees that if Brokerage Firm is the Earnest Money Holder and, except as provided in § 24, if the Earnest Money has not already been returned following receipt of a Notice to Terminate or other written notice of termination, Earnest Money Holder will release the Earnest Money as directed by the written mutual instructions. Such release of Earnest Money will be made within five days of Earnest Money Holder's receipt of the executed written mutual instructions, provided the Earnest Money check has cleared.

Although Broker is not a party to the Contract, Broker agrees to cooperate, upon request, with any mediation requested under § 23.

Broker is working with Buyer as a ☐ **Buyer's Agent** ☐ **Transaction-Broker** in this transaction. ☐ This is a **Change of Status**

☒ **Customer.** Broker has no brokerage relationship with Buyer. See § 33 for Broker's brokerage relationship with Seller.

Brokerage Firm's compensation or commission is to be paid by ☒ **Listing Brokerage** ☐ **Buyer** ☐ **Other**.

Brokerage Firm's Name: **Coldwell Banker Mason Morse**

Brokerage Firm's License #: **EC 100043279**

Date: _____

Broker's Name: **Todd Ambrose**

Broker's License #: **FA100065972**

Address: **1614 Grand Avenue Glenwood Springs, CO 81601**

Ph: **970-928-9000** Fax: **970-928-0977** Email Address: **toddambrose@masonmorse.com**

33. BROKER'S ACKNOWLEDGMENTS AND COMPENSATION DISCLOSURE.

(To be completed by Broker working with Seller)

Broker ☐ **Does** ☐ **Does Not** acknowledge receipt of Earnest Money deposit. Broker agrees that if Brokerage Firm is the Earnest Money Holder and, except as provided in § 24, if the Earnest Money has not already been returned following receipt of a Notice to Terminate or other written notice of termination, Earnest Money Holder will release the Earnest Money as directed by the written mutual instructions. Such release of Earnest Money will be made within five days of Earnest Money Holder's receipt of the executed written mutual instructions, provided the Earnest Money check has cleared.

Although Broker is not a party to the Contract, Broker agrees to cooperate, upon request, with any mediation requested under § 23.

Broker is working with Seller as a ☒ **Seller's Agent** ☐ **Transaction-Broker** in this transaction. ☐ This is a **Change of Status**.

☐ **Customer.** Broker has no brokerage relationship with Seller. See § 32 for Broker's brokerage relationship with Buyer.

Brokerage Firm's compensation or commission is to be paid by ☒ **Seller** ☐ **Buyer** ☐ **Other**.

Brokerage Firm's Name: **Coldwell Banker Mason Morse**

Brokerage Firm's License #: **EC 100043279**

Date: _____

Broker's Name: **Todd Ambrose**

Broker's License #: **FA100065972**

Address: **1614 Grand Avenue Glenwood Springs, CO 81601**

Ph: **970-945-3762** Fax: **970-945-3762** Email Address: **toddambrose@masonmorse.com**

CBS3-6-18. CONTRACT TO BUY AND SELL REAL ESTATE (COMMERCIAL)

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City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

- Agenda Item:** Vacation Rentals, Consideration of 070.030.030 Text Amendments and permit requirements for Accessory Tourist Rentals and Short Term Rentals
- Action Requested:** Consideration of Resolution 2019-14 Vacation Rental Fees and Permit Procedures
- Consideration of Ordinance No 9, Series of 2019 various code text amendments to Municipal Code Title 070.030.030 Use Specific Standards for Accessory Tourist Rentals and Short Term Rentals.
- Department:** Economic and Community Development
- Presented By:** Hannah Klausman, Senior Planner
- Background Info:** In November of 2018, City Council voted to enact a 4-month moratorium on new vacation rental applications and directed staff to develop a robust public engagement process to gather information on the topic. The City of Glenwood Springs at the time of moratorium, had 134 permitted and legal vacation rentals.
- City Council requested Staff to compile data related to how the City's program has been operating including growth, tax collection, HOA covenants, and other topics. Staff conducted a research analysis of municipal regulations within Colorado in addition to holding an online public survey and a public work session to gather community opinion.
- Changes to Title 070 of the Municipal Code require a public hearing before the Planning and Zoning Commission. The Planning and Zoning Commission held a special meeting to review the information on February 25, 2019 and provided recommendations for City Council consideration. City Council held two work sessions, March 21, 2019 and May 16, 2019 to arrive at the current proposed regulatory changes in Resolution 2019-14 and Ordinance No 9, Series of 2019.
- The moratorium ended on March 14, 2019. Since that time, staff has processed sixteen (16) new vacation rental applications for a total of 150 operating and permitted vacation rentals in the City at time of staff report.
- Issues:** Taking into account the public engagement results and recommendations by the Planning and Zoning Commission, City Council proposes the following regulatory changes for consideration;
- Amendment to Sections 070.030.030(e)(7) and (9) to:
1. Reduce the percentage of permissible vacation units in a single-owner multifamily building to 10 percent;
 2. Impose limitations on the total number of Short Term Rental Permits that may be issued within the City to 10 percent of total free market units;
 3. Impose a 250 foot buffer between Short Term Rental Units not located within the City's General Improvement District, as it may be amended;
 4. Specify that a violation of 070.030.030(e)(7) or (9) is subject to a fine of \$250 for the first offense and a fine that increases by \$250 for each subsequent offense, up to a maximum fine of \$1,000 per offense;
 5. Specify grounds for revocation and/or nonrenewal of a vacation rental permit upon the property owners third conviction of a violation of a provision in Articles 100.010 and 100.020, or upon determination of the Director;

6. Amend Section 070.010.080(e) to clarify that the penalties and remedies set forth therein apply unless another section of Title 070 states otherwise;
7. Amending the City's development review fee Schedule for Vacation Rentals to a \$300 initial application fee and a biennial \$150 permit renewal fee;
8. Revising the City's vacation rental permit application form to require, as a condition of approval and renewal, a biennial building inspection for all vacation rentals that assigns a maximum occupancy based on the International Property Maintenance Code and that assesses fire and life safety measures including but not limited to the presence and operation of smoke alarms, carbon monoxide alarms, and fire extinguishers, adequate ingress/egress, and hand rails; and
9. Revising the City's Vacation Rental permit application form to require, as a condition of initial application approval, that the applicant shall be responsible for providing mailed public notification of the permit to owners of all real property within 250 feet or any boundary or edge of the subject property or parcel.

Staff Analysis

Application fee

Staff has reviewed this item in conjunction with other proposed regulations and has made a recommendation to further increase the fee to cover additional staff time. The factors influencing this recommendation are added staff time to implement and enforce the distance buffer of 250 feet, the provisions for lodging tax requirement and the nuisance violation revocation. These items add additional staff time for the Community Development Department in addition to Finance, GIS, and Police Department involvement.

Some of the new proposed regulations do not apply to the Accessory Tourist Rental (ATR) category. The numerical cap, distance buffer, and the responsible agent location requirement, do not apply to Accessory Tourist Rental permits as proposed. With less regulatory measures to track, staff will spend less time on ATR applications and therefore recommends a lower fee structure for that category.

Numerical Limit

According to the Colorado State Demographers office most updated numbers, Glenwood Springs has approximately 4,177 housing units as of 2017. Subtracting the amount of deed restricted units in Glenwood Springs (232) results in approximately 3,945 free market housing units. Since 2017 Glenwood Springs has added, or is in the process of completing, 239 free market units bringing the approximate total to 4,184 free market housing units.

The current number of permitted vacation rentals in Glenwood Springs, 150, represents approximately 3.6 percent of the total housing stock. Based on the free market housing stock number, limiting vacation rentals as a proportion of the total number of free market units results in the following:

<u>Percent Limitation</u>	<u>Number of Allowed Vacation Rentals</u>
5%	209
7%	292
8%	334
10%	418

Staff recommends setting a more conservative numerical cap at this time in order to allow for ongoing evaluation of the program. Rescinding an allowance poses a more challenging process than incrementally increasing an allowance over time. With that in mind, staff advises setting the threshold lower than the proposed 10 percent limit at this time, and allowing review and possible increase to the limit at such time the City Council deems appropriate. Staff is recommending a 7 percent limit on vacation rentals.

General Improvement District (GID)

The Garfield County Assessors office provided a complete list of residential units within the current boundaries of the GID. Staff then deducted all deed restricted and Affordable Housing units to arrive at the total number of free market units within the area, 186.

Currently there are 15 permitted vacation rentals in the GID. A 30 percent allowance would represent 62 vacation rental permits, or a 300 percent increase from current permits.

Staff believes a more appropriate limit for the GID is 18 percent, or 33 allowable permits at current numbers. This limitation would allow just over double the current number of vacation rental permits within the area.

Neighborhood Notification

The premise for notifying immediate neighbors of an active vacation rental is to inform surrounding properties of the rental use to reduce conflict and notify neighbors of the responsible agent authorized to resolve issues. In addition, with the 250 foot distance buffer requirement this notification will also act to inform neighboring properties of the restriction on any additional vacation rentals operating within the buffer.

Accessory Tourist Rentals are required to have the owner of the property or a resident manager on site residing in the residence and present at all times of rental uses. Staff believes that the presence of onsite management reduces the possibility for unresolved property issues, or conflict with neighbors and addresses many concerns voiced during the public engagement process regarding absentee owners.

In addition the ATR proposed regulations do not include a numerical cap or distance buffer and therefore neighboring properties are not limited in their ability to also operate an ATR, removing the need for buffer distance notification. For these reasons staff is recommending that Accessory Tourist Rental permits be exempt from the Neighborhood Notification requirement.

Staff Recommendation:

Staff recommends approval of Resolution 2019-14 Ordinance No 9 Series of 2019 with the following revisions:

Amending the development fee schedule to include a \$500 initial application fee and a biennial \$300 permit renewal fee for a Short Term Rental, and a \$300 initial application fee and a biennial \$150 permit renewal fee for an Accessory Tourist Rental.

Staff recommends approval of Ordinance No 9 Series of 2019 with the following revisions:

In all areas outside the GID, the total number of short-term rentals shall be limited to 7 percent of the City's total free market residential units as determined by the State Demographers Office.

Within the GID, as it may be amended from time to time, the total number of short term rentals shall be limited to 18 percent of the GID's total free market residential units as determined by the Garfield County Assessor's office.

Upon approval of a Short Term Rental Permit issued by the Community Development Department, Applicant shall be responsible for providing mailed public notification of the permit to owners of all real property within 250 feet of any boundary or edge of the subject property or parcel.



City Council Staff Report Attachment Discussion and Analysis

The following is a description of current regulation, summary of public opinion, and municipal examples related to each topic area.

1. Application Fee

Current regulations:

Currently the vacation rental application fee is set to a one-time payment of \$110. There is no renewal fee for the two year permit. Previously, up until April 2018, the fee of \$110 was charged biennially, first at time of application, and then every two years at time of renewal. On January 4, 2018, Council held a work session to discuss potential changes to the Code of Ordinances related to vacation rentals. During that discussion, Council directed staff to work toward allowing the fees for short-term rentals and accessory tourist rentals to be paid once, rather than charged every two years. Resolution 2018-29 – approved August 2, 2018, establishing a Development Review Fee, set the vacation rental application fee at \$110 with \$0 renewal fee.

Public Opinion:

The public opinion captured through the online survey and public meeting, expressed a strong desire to set the permit fee to a recurring basis. Sixty-one percent of survey respondents favored an annual fee over a one-time fee. Of those who favored an annual fee, sixty-three percent desired an annual fee over \$200.

At the public meeting, 56 participants had the opportunity to further look at the application fee question. Staff proposed six new options based on the feedback received from the survey. Those options included a choice between an annual fee or one-time fee, with additional options in each category for how much the fee should be. Seventy-eight percent of respondents indicated an annual fee of \$100-\$300 was preferable. For further insight into the reasoning and discussion behind this choice please see Exhibit F. *Public Meeting Summary*.

Other Municipalities:

Application fees charged by other Municipalities for vacation rentals varies widely. The chart on the next page, taken from Exhibit D. and using the concepts from a best practices article published by Lodging Revs¹, places Municipal approaches on a scale of regulation ranging from strict policy, to an intermediate middle option, to a lenient or encouraging policy. Those options on the scale are represented as Restrict, Balance, and Encourage. Municipal fee costs are placed from high (Restrict) to low (Encourage) below to illustrate the various approaches that exist.

¹ Best Practices in Regulation and Taxation of Short Term Rentals. <https://www.lodgingrevs.com/best-practices/>. Last visited 2/21/2019.

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	\$250 Annually and up	\$75-200 Annually	Business License fee or less than \$50 annually
Fee	Crested Butte: \$750 Annually	Blue River: \$200 one time/ \$75 renewal	Denver: \$25 annually
	Georgetown: \$500/\$250 Renewal	Breckenridge: \$175 annual/Admin fee \$50	Silverthorne/Frisco/Avon/Aspen:
	Durango: \$750 Land Use Permit	Boulder: \$130/\$105 renewal	Business License only
		Telluride: \$165 +\$22/bedroom annual	
		Estes Park: \$200 +\$50/bedroom	
		Lyons: \$175/ \$50 Renewal	
		Clear Creek County: \$250 one time fee	GLENWOOD SPRINGS: One-time \$110, business
		Vail: \$150/annually	license

Planning and Zoning Recommendation

The commissioners gave careful thought to public opinion, and data regarding staff time, including possible building inspections, to arrive at a recommendation for an application fee. Consideration was given to the fact that a renewal application involves less staff time than the initial application review process, and therefore a reduced renewal fee is appropriate.

The Commission arrived at a unanimous recommendation of an initial application fee of \$300, followed by a reduced renewal fee of \$150 biennially following the current 2-year permit cycle.

2. Building Inspections and Occupancy Limits

Current regulations:

Building inspections for vacation rentals were previously required with all applications from 2012 through 2017. During that time after an applicant submitted their vacation rental application they would schedule a building inspection with the Building Department as indicated on the permit application which is attached for reference in Exhibit O. *Old Permit Application*. The Building Inspector would set up a time to meet at the property and inspect for a variety of life safety measures enumerated within Glenwood Springs Building Code and set occupancy limits which were based on the size and number of bedrooms per requirements of the International Property Maintenance Code.

In November 2017, City Council opted to forgo building inspections in favor of a notarized applicant affidavit that stated all municipal code requirements were met and indicated all safety responsibility was on the applicant. This action is attached in Exhibit J. *Resolution 17-54*. Since then vacation rentals have not required a building inspection however code still includes stipulation for occupancy based on the International Property Maintenance Code (IPMC). The IPMC is attached in Exhibit K. *International Property Maintenance Code*.

Public Opinion:

It was clear from questions regarding inspections and occupancy that respondents favor requiring building inspections (70%) to not (22%) as well as prefer that the building department set an occupancy limit for each vacation rental (73%) as opposed to no occupancy limit (19%).

At the public meeting 82% (41 of 50 participants) indicated that fire and safety inspections should be required (Question 4). Additionally, participants were asked separately about setting occupancy limits (Question 5). Seventy-six percent opted for occupancy limitations set by the building department and 24% that indicated it was not necessary. Of the respondents that indicated a preference for occupancy limits, the majority favored a maximum occupancy of 2 people per bedroom. The remainder chose the IPMC that allows for 2 people per bedroom plus additional per square footage standards.

Other Municipalities:

Some municipalities have chosen to enforce a maximum occupancy unless the applicant applies for a conditional or special use permit to be reviewed at a public hearing. Some of those examples are:

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	Maximum People per unit	Square Foot Based	No Occupancy Limitation
Occupancy	<u>Estes Park</u> : Max 8, Special Use Review for Additional	<u>Summit County</u> : 1 person/300 square feet	<u>Frisco</u>
	<u>Lyons</u> : Max 8	<u>Eagle County</u> : 1 person/300 square feet	<u>Georgetown</u>
	<u>Durango</u> : 3 persons per parking spot OR 2/bedroom plus 2.	<u>Park City, UT</u> : 75 sq ft/bedroom + 50 sq. ft min/person	<u>Telluride</u>
	<u>Crested Butte</u> : 10, Additional with parking on site	<u>Breckenridge/Snowmass Village</u> : Per IPMC	
	<u>Clear Creek County</u> : Max 9 unless property is 2 acres+		
	<u>Boulder</u> : Up to 4 Family Members, + 2	<u>GLENWOOD SPRINGS</u> : Occupancy per IPMC	

Planning and Zoning Recommendation

After reviewing the recommendations from both the Building and Fire Departments, and acknowledging the strong public desire for life safety inspections, the Commission recommended a biennial building inspection to coincide with the 2-year vacation rental permit cycle.

City Council Resolution

Application fees and building inspections are both items that can be amended through a City Council resolution, as has been done in the past. The Municipal Code Section 070.030.030(e)7/9- vacation rentals, allows City Council to set the permit fee, amount and frequency, by resolution. In addition City Council can choose to revise the Vacation Rental Permit conditions to include a completed building inspection requirement rather than the applicant affidavit that is currently required. These policy actions are included in City Council Resolution No 2019-14.

3. Multifamily Single-Owner Building Limits

Current regulations:

Currently, vacation rentals are limited to 25%, or at least 1, in single owner multifamily buildings. This regulation has remained the same since the initiation of vacation rental permits in 2012 and is included as such in the use standards for vacation rentals in Code.

City Council reviewed this topic in March of 2018. A public hearing to review increasing the multifamily building limitation was held on March 12, 2018. There were numerous public comments both in support and opposition to the proposed changes. The item was tabled unanimously in order to conduct community outreach and further research on short term rentals. The Staff report and minutes from this meeting are attached as Exhibit L. *City Council 3-12-2018 Staff Report and Minutes*

Public Opinion:

The public indicated a strong preference for limits on single owner multifamily buildings. Survey and public meeting responses also indicated a preference for lowering the threshold of maximum units that are allowed to be vacation rentals.

The survey asked whether single-owner multifamily buildings and apartment buildings should have limits on how many units could be vacation rentals. The majority of respondents indicated that there should be a limit (61%). Almost a third of the respondents did not think a limit on these buildings was necessary (27%) and the remainder was unsure (11%).

When asked what the limit should possibly be, the respondents that had answered yes to the limitation indicated that they preferred 25% of the units as a maximum allowable percentage (41%) which is the current requirement. A large number of respondents wrote in their preferred answer instead of selecting from the given choices (40%). Analyzing those write in responses revealed that most of them indicated a lower threshold for the maximum allowable units in multifamily buildings than the provided answers. When the write in answers and the given answers were combined by category, 67% of respondents desire a limit of below the current threshold of 25%.

At the public meeting participants were again asked what the allowable limit should be on multifamily buildings under single ownership. This time, based on results from the survey, staff presented lower threshold options ranging from twenty-five percent or at least 1, down to ten percent or at least 1. Seventy-four percent preferred the lowest cap of 10% for single-owner multifamily buildings; 16% preferred the highest cap of 25%.

Other Municipalities:

Staff did not find evidence of this particular approach to limiting vacation rentals in other communities. Communities that chose to place limits on vacation rental numbers opted for a numerical cap, zoning limitations, or per block limitation.

Planning Commission Recommendation

Public opinion on this topic weighed heavily on the Planning Commissioners' recommendations, however careful thought was also given to current Glenwood Housing stock, and impact areas by housing type. When considering new and recent large developments that fall into this category of single owner rental apartments, Commissioners recommended a lower threshold.

Planning and Zoning Commission recommends reducing the current 25% limitation on single owner multifamily buildings to ten (10) %.

4. Numerical Limit on Vacation Rentals

Current regulations:

Currently the City of Glenwood Springs does not limit the number of vacation rentals that can operate within City limits other than the multifamily single owner building limitation and a prohibition on Accessory Dwelling Units being used for vacation rental purposes.

Public Opinion:

The survey asked whether respondents supported limiting the number of vacation rentals that can occur in the City. Fifty percent of the response believed there should be a limit, and 34% believed there should not be a limit. Sixteen percent were unsure. Of those respondents that believed there should be a limit the majority favored placing a numerical cap on the maximum allowed vacation rentals within the City (55%) followed closely by those that desire a numerical cap of vacation rentals per block (43%).

At the public meeting the response shifted slightly in opposition of applying a limit - 54% of respondents preferred no limit; to 45% that chose a limit. The preferred limit approach was a cap per block, and a citywide cap. The question of limiting vacation rentals garnered the biggest groups during the discussion portion of the public meeting. Staff found that many participants were unclear how a numerical restriction would, or could, be enforced and therefore were not in favor of such regulation.

In the public meeting summary attached as Exhibit F., the facilitator noted common discussion comments that were raised by participants across several management strategy discussions. Two of the common comments were the impact on available housing and affordable housing for locals, which pertain to discussions of numerical limits.

Glenwood Housing Stock Numbers:

According to the Colorado State Demographers office most updated numbers, Glenwood Springs has approximately 4,177 housing units as of 2017. Subtracting the amount of deed restricted units in Glenwood Springs (232) results in approximately 3,945 free market housing units. Since 2017 Glenwood Springs has added, or is in the process of completing, 239 free market units bringing the approximate total to 4,184 free market housing units.

The current number of permitted vacation rentals in Glenwood Springs, 134, represents approximately 3.2 percent of the total housing stock. Based on the free market housing stock number, limiting vacation rentals as a proportion of the total number of free market units results in the following:

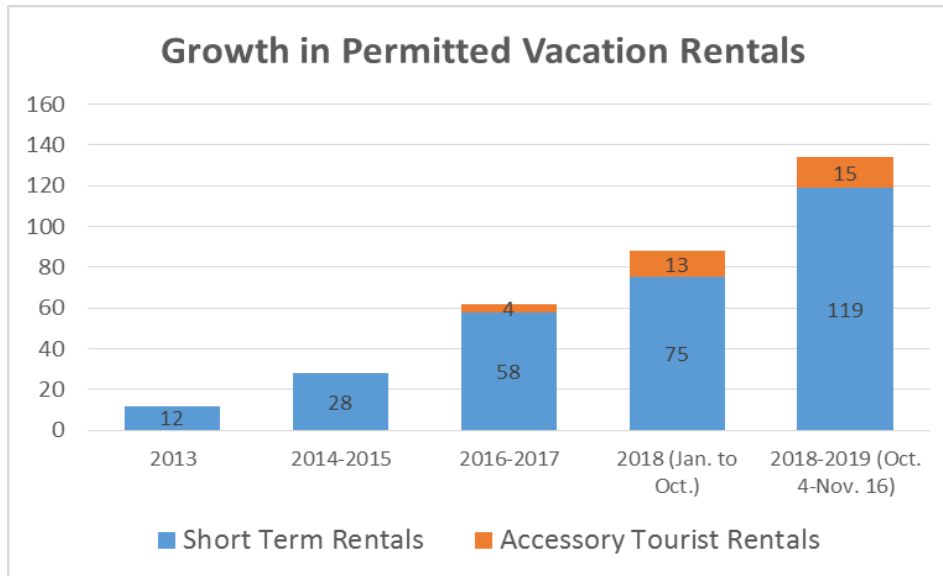
<u>Percent Limitation</u>	<u>Number of Allowed Vacation Rentals</u>
5%	209
10%	418
15%	628

Vacation Rental Growth in Glenwood Springs:

To illustrate the growth in vacation rentals from the start of permit issuance in 2013, staff presents the following charts. The 2018-19 Permit cycle is broken out into two segments to represent growth prior to and after the moratorium discussion began. The large increase of 48 rental permits between October 4 and November 16, 2019 is attributable to the uncertainty by the public if the program would continue, and is not representative of the standard growth pattern.

2 Year Permit Cycle	Short Term Rentals	% Increase previous year	Accessory Tourist Rentals	% Increase previous year
2013	12			
2014-2015	28	(16) 133%		
2016-2017	58	(30) 107%	4	
2018 (January to October)	75	(17) 30%	13	225%
2018-2019 (Oct. 4-Nov. 16)	119	(44) 59%	15	15%

Total Permitted Rentals 2019	134
-------------------------------------	------------



Impact on Rental/Housing Cost

In order to respond to numerous comments regarding the impact of a growing vacation rental industry on local housing costs, staff looked for reputable research on the topic. Very little quantifiable data exists on the subject, and even less for small town rural areas.

Staff did find a peer reviewed study from Economics and Business Professors at UCLA and USC.² They posit that a 10% increase in Airbnb listings leads to a 0.42% increase in rents and 0.76% increase in home prices. Two other studies cited within this research performed for Boston and Los Angeles markets found slightly lower values, but still found a correlation of rent and home price increase as the number of vacation rental listings increased.

Police Actions with Vacation Rentals

To illustrate current levels of police complaints and actions regarding vacation rentals the Police Department provided a list of responses to permitted vacation rental addresses on file. The list includes the address, the date the property became a vacation rental, the complaints, calls, and issues that the Police have been involved with since that time. The “call type” column indicates how the occurrence was initiated, whether through dispatch, alarm, or officer initiated. The Code Violations listed also have an explanation of the nature of the violation. This list is included as Exhibit M.

Chief of Police Terry Wilson analyzed the list and noted that the frequency of police involved occurrences per vacation rental property is higher than that of a standard residence and closer to the frequency of calls received for commercial lodging properties. At the Planning and Zoning Commission meeting, Chief Wilson clarified that while incidents involving vacation rentals are more numerous than standard residential dwellings, the calls tend toward low impact, easily resolved incidents. When asked about the possibility of a significant increase in vacation rental permits and impact to the Police Department, Chief Wilson replied that the Police Department would need to evaluate to see if additional resources would be necessary in such a situation.

² Barron, Kyle & Kung, Edward & Proserpio, Davide. (2018). The Sharing Economy and Housing Affordability: Evidence from Airbnb. SSRN Electronic Journal. 10.2139/ssrn.3006832.

Other Municipalities:

Several communities have decided to limit the number of vacation rentals that can operate within their boundaries. Those limitations vary in approach from a strict numerical limit, primary residence requirement, per block limitation, and frequency and duration limitations. Examples include but are not limited to:

ISSUE	RESTRICT	BALANCE	ENCOURAGE
Allowance & Limits	Not Allowed	Allowed but Limited	ALLOWED
	<u>Morrison, CO</u>	<u>Crested Butte:</u>	<u>Snowmass Village</u>
	<u>Moab, UT</u>	*Primary residence with 60 night limit (Unlimited #)	<u>Frisco</u>
	<u>Teton County, WY</u>	*Non-Primary Residence limited to 30% housing Stock	<u>Carbondale</u>
		<u>Denver/Boulder/Lyons:</u> Primary Residence	<u>Aspen</u>
		<u>Durango:</u> 1/block face + zone limits	<u>Silverthorne</u>
		<u>Telluride:</u> Zoning Limitations of frequency & duration	
		<u>Green Mountain Falls:</u> 10% of Housing Stock (60)	<u>GLENWOOD SPRINGS: No</u>
		<u>Georgetown:</u> 7% of each ward housing units	<u>limits by number or zoning</u>
		<u>Estes Park:</u> 588 permit limit	

- * Crested Butte 30% Housing Stock, 212 permits.
- * Durango Numerical Limit in low-density residential zones
- * Telluride Residential Zone District Limit 3 times per year, 29 nights annually
- * Estes park 588 permits is approximately 15% of housing stock

Durango and Telluride are examples where the limits were placed on Residential Zone districts. Crested Butte opted to allow an open ended number of permits to local residents wishing to rent out their homes temporarily while away from their homes, while placing a cap on those properties that would most likely be rented out consistently for short term uses where the property is not the owner's primary residence. Green Mountain Falls, Georgetown, and Estes Park all went with a set numerical cap for all permits within their boundaries.

Planning Commission Recommendations

The Planning Commission discussed the complexity of this topic at length. During the discussion noted that while they believe additional analysis would be helpful in this area, the Commission was more comfortable recommending a restriction than none at all. There was significant concern that implementing a percent cap without also implementing a distance buffer provision, would more negatively impact some neighborhoods, particularly the downtown core. The proposed numerical cap and distance buffer is recommended only for the Short Term Rental permit category and is not applicable to Accessory Tourist Rental permits.

Planning and Zoning recommends a text amendment to implement a numerical limit on short term rentals of ten (10) percent, OR one unit per block face (meaning one unit on each side of the street), whichever is less. For areas where the block face standard does not or cannot be applied, a 500 lineal feet distance buffer between vacation rentals shall be applied.

STAFF NOTE: Developing a per-block or 500 foot lineal foot distance provision poses challenges for compliance to staff. If it is the will of the Council to implement this regulation staff recommends either adopting only the ten percent numerical cap, or changing the amendment to a numerical limit of ten percent AND one unit per block face, and removing the "whichever is less" statement.

5. Penalties for Violations

Currently the process for penalties and violations is enumerated within the Development code and provides for fines up to \$1,000 per day, as well as authority to revoke or deny permits through a public hearing process. There is also language within the Vacation Rental Use Specific Standards that allows for the Director to revoke a vacation rental permit at any time if it is deemed that the standards of the code are not being followed. The authority to revoke a permit has not been exercised to date. Planning and Zoning Commission provided a recommendation clarifying the Director's authority to revoke a permit without holding a public hearing, as well as more specificity to the fee schedule for Vacation Rentals.

Public Opinion:

The online survey and public meeting did not include a specific question about penalties and violations. However, multiple concerns raised by the public in both forums regarding absentee owners and nuisances point to a frustration with violations occurring at vacation rentals. Violations occurring at vacation rentals in Glenwood Springs are illustrated in the attached Exhibit M. Police Complaints, mentioned previously. Write in comments submitted on the survey point to trash, snow removal, noise, and animal activity being a source of objection for neighbors. The municipal example section indicates how some communities have added additional specificity to when a permit is revoked.

Other Municipalities:

Several other Municipalities have decided to institute penalties for violations specific to vacation rentals. Some have opted for a strict policy of permit revocation after a set number of violations within a one year period, whereas others have instituted an escalating fine structure and suspension time period based on the number of violations.

In addition some jurisdictions have a dedicated hotline, or third party nuisance management system for the community to use to report vacation rental violations. Some communities have added additional requirements for response times and residency distances for registered representatives. In addition, in multiple cases, after a certain number of complaints and/or permit condition violations, a permit is revoked.

ISSUE	RESTRICT	BALANCE	ENCOURAGE
Violations	Revocation	Fine Structure	Basic Municipal Fine Structure
	Georgetown: Revocation after 3 violations in 1 year	Breckenridge: Fine Structure and Temporary License Revocation	Telluride
	Green Mountain Falls: 3 violations in 1 year	1st: Suspension 30 days, \$200 Fine in lieu	GLENWOOD SPRINGS: up to \$1,000 penalty, revocation of permit possible
	Crested Butte: Violation penalty is revocation with 2 year suspension.	2nd: Suspension 60 days, \$500 Fine in lieu	
	Vail: 3 violations in 12 months	3rd: Suspension 90 days, \$999 Fine in lieu	
Violation Response Time	Maximum Response Time	24 Hour Availability to Respond	No Response Time Requirement
	Vail: 60 minutes (30 Minutes at night), agent must reside in 60 miles	Durango: 24 hour Agent, If no response, penalty	Telluride
	Breckenridge: 60 Minutes		Green Mountain Falls
	Lyons: 60 Minutes (Responsible Agent must be within 60 miles)	Clear Creek County: 24 Hour Agent, Must reside within 1 hour from vacation rental property	
	Estes Park: (Code states "Immediate" response, no amount of time)	GLENWOOD SPRINGS	
Complaint System	Dedicated Vacation Rental Complaint Line		Standard Code Enforcement
	Breckenridge: Hotline		
	Boulder: Rental Housing Licensing Code Violation Line and Online submittal		GLENWOOD SPRINGS
	Breckenridge: STR HELPER, nuisance management system		
	Vail: Online Reporting Portal		

*At time of research, Breckenridge was moving to a system where after two or more failures to respond to complaints within sixty minutes, the Director sets a formal hearing for revocation.

Planning Commission Recommendation

The Commission reviewed the various sections of code that regulate violations of municipal code and specifically the Development Code Section 070, and Vacation Rental Use Specific Standards. Specific consideration was given to enacting violation proceedings that made it less difficult for the Director to revoke a permit when violations exist, and provide a more specified violation schedule specific to vacation rentals. This included two separate actions.

First, Planning and Zoning Commission recommends a text amendment implementing a violation schedule including a first offense of \$250, and a fine not less than \$100 and up to a \$1,000 per day for subsequent offenses.

Second, the Commission recommends a text amendment to Section 070.010.080(e) which enumerates general violations for all of the development code, to state “except as otherwise provided in this code” to allow for the above amendment to apply specifically to vacation rentals. This change clarifies that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2).

Consideration of Ordinance No 9, Series of 2019 Text Amendments

Ordinance 9-2019 incorporates the policy actions on vacation rentals that require a text amendment to the Municipal code. Included within the ordinance are text amendments to penalties for violations, instituting a numerical limit, and changing the threshold for multifamily building limitations. City Council can choose to approve all or some of the ordinance items, deny all or some of the items, or continue the hearing.

For amendments to the Municipal Code, City Council shall consider whether and to what extent the proposed text amendment meets the approval criteria set forth in Section 070.060.040(c)(3)d.3. The criteria are numerically listed below with staff analysis.

1. Is consistent with the Comprehensive Plan and other City policies;

The City of Glenwood Springs’s Comprehensive Plan includes several community goals that pertain to vacation rental policy. Those include:

- Maintain small town character while maintaining the livability of Glenwood Springs
- Preserve and increase the vibrancy and commercial success of the Downtown
- Provide housing opportunities for the entire community
- Maintain Glenwood’s role as a regional center
- Promote sustainable economic diversity
- Support social diversity

The proposed text amendments support the comprehensive plan goals through a balanced regulatory approach. The continuation of Vacation Rental program adds to the community’s economic diversity, downtown vibrancy, provision of housing opportunities, and Glenwood’s role as a regional center by providing a diversity of tourist accommodations, creating new business opportunities, and through ability for residents to supplement the high cost of living and household expenses. The proposed regulatory limitations in the text amendment support the goals of maintaining a small town character, provision of housing opportunities, and supporting social diversity through mitigating possible negative impacts of vacation rentals on the community.

2. It does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;

The proposed text amendments do not conflict with other Code provisions. The violations and penalties text amendment clarifies existing code for specific vacation rental provisions.

3. It is necessary to address a demonstrated community need;

The public engagement process illustrated a strong public desire for alterations to the City's current vacation rental program. The community need demonstrated through that process is the basis for the proposed text amendments.

4. It is necessary to respond to substantial changes in conditions and/or policy; and;

The demonstrated growth in the number of vacation rental permits within Glenwood Springs constitutes a substantial change in the local sharing economy industry. The proposed text amendments are aimed at addressing that growth.

5. It is consistent with the general purpose and intent of this Code.

The general purpose of this Code is to protect the public health, safety, and welfare of the City and to implement the policies, goals, and strategies adopted by the City of Glenwood Springs. The proposed text amendments are consistent with the purpose and intent of this code.

Additional Topic Areas

Two areas with less clear public results included were Neighborhood Notification and Parking. Planning and Zoning Commission reviewed these topic areas and did not have a recommendation. The Commission did verbally encourage City Council to review Parking considerations.

Neighborhood Notification

This question asked whether neighbors should be notified for public comment when an applicant in their immediate area applied for a vacation rental permit. Fifty-two percent responded yes, the public should be notified, and 39% responded no. Staff found six Colorado Municipalities and one Colorado County that implement a public notification process for vacation rentals. They include, but are not limited to:

Neighbor	Adjacent Property Mailing	Duplex Only	No Notificaiton
Notification	Georgetown: 300 foot owners	Vail	Carbondale
	Crested Butte: 100 foot owners		Telluride
	Durango: 150 foot owners		Aspen
	Green Mountain Falls: 150 foot owners		Silverthorne
	Clear Creek County: 100 foot owners		
	Estes Park: 100 foot owners		GLENWOOD SPRINGS: No notification
			Boulder
			Blue River
			Denver
			Breckenridge
			Avon
			Lyons
			Snowmass

Parking

Many comments submitted from the survey and voiced in the public meeting included complaints regarding parking issues arising from vacation rentals. The Planning Department has also received several in person complaints regarding parking and vacation rentals. A few jurisdictions have decided to include parking requirements with a vacation rental permit application as seen below.

Parking	OFF STREET PARKING REQUIRED	Parking Plan Submittal	No Parking Requirement		
	<u>Estes Park</u> : 2 minimum off street, except Downtown	<u>Lyons</u>	<u>Estes Park</u>	<u>Georgetown</u>	<u>Breckenridge</u>
	<u>Durango</u> : 1 space per Bedroom onsite	<u>Green Mountain Falls</u>	<u>Frisco</u>	<u>Avon</u>	<u>Boulder</u>
	<u>Clear Creek County</u> : 1 space per Bedroom onsite	<u>Crested Butte</u> : Over 10 Occupancy requires onsite	GLENWOOD SPRINGS: No extra parking required		

REVIEW AUTHORITY

For actions involving amendments to the Municipal Code, City Council is the deciding authority. All Municipal Code amendments are completed by ordinance, which requires two hearings before City Council.

For amendments to the Municipal Code, City Council shall consider whether and to what extent the proposed text amendment:

1. Is consistent with the Comprehensive Plan and other City policies;
2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
3. Is necessary to address a demonstrated community need;
4. Is necessary to respond to substantial changes in conditions and/or policy; and;
5. Is consistent with the general purpose and intent of this Code.

ACTION ALTERNATIVES

City Council may take one of the following actions:

1. Recommend approval of all or some of the amendments;
2. Recommend denial of some or all of the amendments; or,
3. Continue the hearing with a requirement that staff submit changes or provide additional information regarding some or all the amendments.

ACTION ITEMS

Action 1: Consideration of Resolution 2019-14

Consideration of City Council Resolution that includes amending the development fee schedule to reflect an initial permit application fee of \$300 and a \$150 renewal fee every other year coinciding with the two-year vacation rental permit, and the addition of a Vacation Rental Permit Condition requiring a building inspection at time of application and for renewal every other year.

Action 2: Consideration of Ordinance No 9, Series of 2019

Consideration of a various text amendment to Municipal Code Title 070.030.030(e)7 and 070.030.030(e)9 Use Specific Standards for Accessory Tourist Rentals and Short Term Rentals to include:

1. A reduction in the percentage of units that can be vacation rentals in a single-owner multifamily building from twenty-five (25) to ten (10)%;
2. A numerical cap on Short-Term Rental permits equal to (a) 10% of the City's total housing stock or (b) one short-term rental permit for every block face or for every 500 linear feet where regular block face measurement does not apply, whichever is less;
3. A violation fee schedule with the first violation of 070.030.030(e)(7)/(9) shall be subject to a fine of \$250 for the first offense and a fine of not less than \$100 and up to \$1,000 for each subsequent offense; and

4. An amendment to Title 070.010.080(e) to add the following language: except as provided elsewhere in this code, clarifying that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2).



City Council Staff Report Attachment Planning and Zoning Commission Vacation Rental Recommendation Summary

Planning and Zoning Commission made the following recommendations at a special meeting held February 25, 2019, for consideration by City Council.

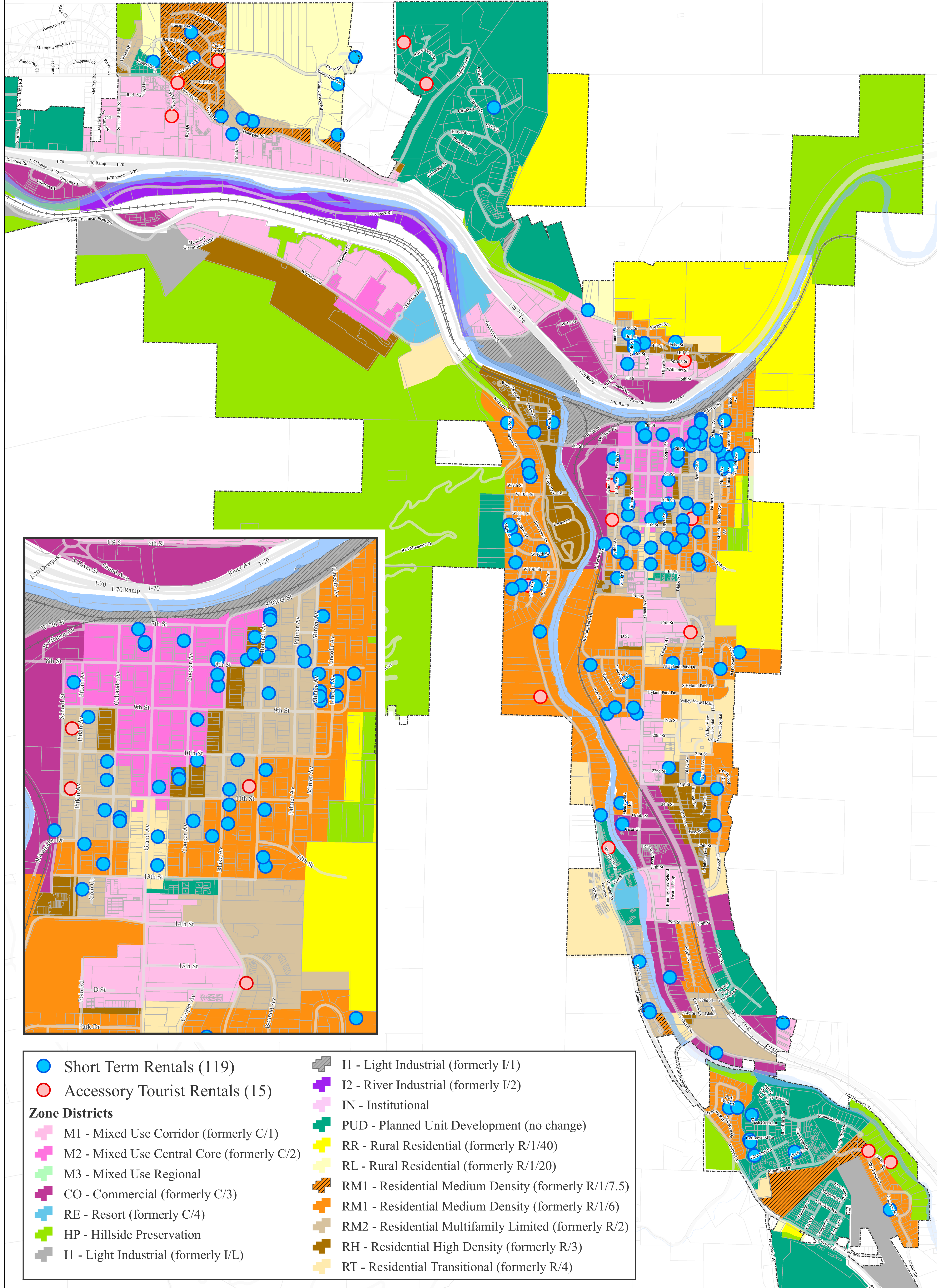
Resolution 2019-14

1. Recommendation to increase the application permit fee for both Short Term Rentals and Accessory Tourist Rentals from the current one-time payment of \$110 to the following development fee schedule:
 - Initial permit application fee of \$300 and a \$150 renewal fee.
2. Recommendation to add a permit condition requiring a building inspection at time of application and at time of permit renewal every other year.

Ordinance No 9, Series of 2019

Recommendation of a various text amendment to Municipal Code Title 070.030.030(e)7 and 070.030.030(e)9 Use Specific Standards for Accessory Tourist Rentals and Short Term Rentals to include:

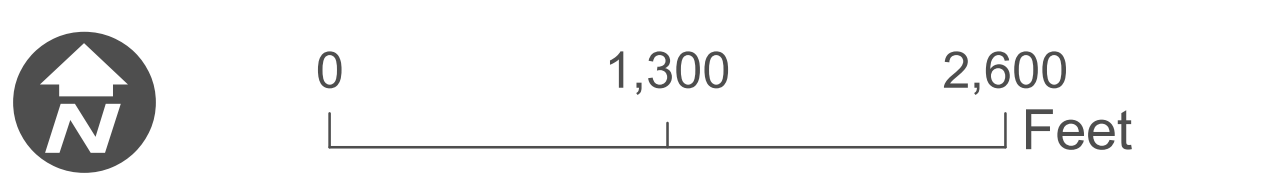
1. A reduction in the percentage of units that can be vacation rentals in a single-owner multifamily building from twenty-five (25) to ten (10)%;
2. A numerical cap on Short-Term Rental permits equal to:
 - i. 10% of the City's total housing stock OR,
 - ii. One short-term rental permit for every block face or for every 500 linear feet where regular block face measurement does not apply, whichever is less;
3. A violation fee schedule with the first violation of 070.030.030(e)(7)/(9) shall be subject to a fine of \$250 for the first offense and a fine of not less than \$100 and up to \$1,000 for each subsequent offense; and
4. An amendment to Title 070.010.080(e) to add the following language: except as provided elsewhere in this code, clarifying that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2).



Vacation Rental Locations

This map was produced by the Engineering Department.
Use of this map should be for general purposes only.
City of Glenwood Springs does not warrant the accuracy
of the data contained herein.

Phone – 970-384-6439 <http://www.cogs.us/> Author: JKoenig, Date: 01/15/19
N:\GIS\GIS_Projects\Community Development\Short Term Rentals\STR_ATR_Zoning_011519.pdf



PUBLIC ENGAGEMENT

Online Survey

City staff drafted a survey consisting of twenty-seven (27) questions about community perception of vacation rental and feelings towards specific regulations. The survey was active from November 27th, 2018 to February 15, 2019, a duration of two and a half months. The survey received 482 responses. The entire survey is attached as Exhibit B, and a summary is provided below.

The major takeaways from the Survey is that the public is seeking a balance between the positive and negative impacts of vacation rentals. It is clear that residents want vacation rentals to be an available option, however desire some oversight and regulation to mitigate impacts to residents and the community as a whole. The specifics of “how” and “when” to regulate were less clear than the agreement that regulation is a necessary part of the process.

Demographics

482 respondents completed the survey that was closed on February 15th, 2019. A brief summary of the survey demographics is listed below.

- | | |
|--|-----|
| • Residents of Glenwood Springs | 81% |
| • Lived in Glenwood Springs for 6+ years | 75% |
| • Work in Glenwood Springs, live elsewhere | 6% |
| • Full Time Employees | 71% |
| • Own their home | 86% |
| • Rent their home. | 11% |
| • Own/Operate Vacation Rental | 19% |

Allowance and Permits (Questions 8, 9, 10, 12)

The overwhelming majority of respondents believe that vacation rentals should be allowed in Glenwood Springs (68%) and that they should require permits to operate (81%). A small percentage of respondents thought that property owners should be allowed to have vacation rentals unregulated (26%). The survey further asked about allowing the two types of vacation rentals, Short Term Rental of the whole house and Accessory Tourist Rental of a single bedroom, and 66% of respondents indicated that both categories should be allowed.

Interestingly, when the responses were filtered to respondents that identified that they own or operate a vacation rental in Glenwood Springs the majority still believed that vacation rental permits should be required (78%) and believed that at least some regulation is necessary for property owners to have vacation rentals (64%).

Permit Fee (Question 11)

Survey results for what an appropriate permit fee is were divided. Forty-seven percent of respondents selected an Annual Fee of \$110 over the current one-time fee of \$110 which garnered 27% of the vote. After analyzing write-in comments it became clear that 61% of respondents favored an annual fee over a one-time fee. Of those who favored an annual fee 63% desired an annual fee over \$200.

Among vacation rental owners and operators, the majority favored the current fee structure of a one-time fee of \$110 (57%) with the next highest choice being an annual fee of \$110 (22%). When write in answers were tabulated, 31% of vacation rental owner/operators were in favor of an annual fee versus 61% for the one-time fee.

Limits on Vacation Rental Numbers (Questions 13, 14, 18)

Values on whether to limit the number of vacation rentals were fairly divided with 49% believing there should be a limit, and 35% believing there should not be a limit. 16% were unsure. Of those respondents that believed there should be a limit the majority favored placing a numerical cap on the maximum allowed vacation rentals within the City (55%) followed closely by those that desire a numerical cap of vacation rentals per block (43%).

In addition Question 18 asked about limiting vacation rentals by Zone district, which was not favored as an option. 49% responded no to zone limits, with 32% responding yes, and 20% unsure. Those that did think limiting vacation rentals to certain zones (32%) favored limiting vacation rentals to Commercial (46%) and Mixed Use Zones (48%).

Owner Occupancy (Questions 15, 16)

This was the most closely divided survey question with only a slight difference between those who believed there should be a minimum owner occupancy period to operate a vacation rental (45%), and those who did not (42%). When asked whether or not a Second Home Owner should be allowed to operate a vacation rental the answer was more favorably yes (63%) than no (26%).

Public Notification (Question 17)

This question asked whether neighbors should be notified for public comment when an applicant in their immediate area applied for a vacation rental permit. 52% responded yes, the public should be notified, and 39% responded no.

Multifamily Building Limits (Questions 20, 21)

Asked whether multifamily buildings and apartment buildings should have limits on how many units could be vacation rentals, the majority of respondents indicated that there should be a limit (61%). Almost a third of the respondents did not think a limit on these buildings was necessary (27%) and the remainder was unsure (11%).

When asked what the limit should possibly be, the respondents that had answered yes to the limitation indicated that they preferred $\frac{1}{4}$ of the units as a maximum allowable percentage (41%). Interestingly a large number of respondents wrote in their preferred answer instead of selecting from the given choices (39%). Analyzing those write in responses revealed that most of them indicated a lower threshold for the maximum allowable units in multifamily buildings than the provided answers. When the write in answers and the given answers were combined by category, 67% of respondents desire a limit of $\frac{1}{4}$ of the units or below.

Building Inspections and Occupancy (Questions 22, 23)

It was clear from questions regarding inspections and occupancy that respondents favor requiring building inspections (70%) to not (22%) as well as prefer that the building department set an occupancy limit for each vacation rental (73%) as opposed to no occupancy limit (19%).

Perceptions of Impact

The survey's final questions were aimed at assessing public perception of impact, both negative and positive, of vacation rentals. 53% of respondents believe that vacation rentals degrade a neighborhood in some way, compared to 21% who believe they improve a neighborhood. The remainder believed that vacation rentals had no impact on neighborhoods (26%).

Further along these lines the survey asked the public what benefits and drawbacks they associated with vacation rentals. On the positive benefit side of vacation rentals the top responses were allowing residents

to supplement income (76%) increased tourism (67%) positive economic impact (62%) and tax revenue (63%).

On the negative impact side of the question top responses were long term renter displacement (63%), absentee owners (59%), loss of housing stock (56%), and less parking (55%). Overcrowding and noise received 46% Deterioration of neighborhood character received 44%.

Public Meeting

The City held a public meeting to go over the initial survey results and expand further on a few topic areas. Over 55 people attended the public meeting on management of vacation rentals. The meeting gathered preferences and more detailed reasons for preferences in six areas (and the options):

1. Application fee
2. Limiting the number of vacation rentals
3. Limit for multifamily single-owner buildings
4. Requiring Fire and Safety Inspections
5. Limiting occupancy
6. Primary residency requirement

Polling Results

Areas with clearer results:

- 82% (41 of 50) - Fire and safety inspections should be required
- 74% (36 of 49) - For multifamily single-owner buildings only 10% should be allowed to be vacation rentals (16% preferred 25%, 6% preferred 20%)
- 57% (28 of 49)- No primary residency requirement (33% preferred a primary residency requirement)
- 54% (29 of 54) – No limit to the number of vacation rentals, not limited citywide or per block nor require a buffer between them. (26% preferred a per block cap, 19% preferred a Citywide cap)

The other two questions' highest response was 45%

- 45% (23 of 51) – Occupancy should be limited to 2 per bedroom (31% preferred a per bedroom plus some based on square feet of common space, and 26% preferred no occupancy limit)
- 45% (19 of 42) – Fee should be \$100-\$300 annually (33% preferred \$300+ annually, and 17% preferred the hybrid – larger application fee, smaller annual fee)

Common Discussion Comments

A few common concerns were raised by participants across several management strategy discussions:

- Impact on available housing for locals;
- Impact on availability of affordable housing for locals;
- Impact on City feel and sense of community; and
- Consistent regulations/treatment across long- and short-term rentals, bed & breakfasts and hotels (fairness across).

The question that garnered the biggest groups during discussion rounds was: Should vacation rentals be limited (citywide, per block, or buffer, or not at all)?

A complete summary of the public meeting and results is included in Exhibit E.

Summary of Public Engagement

Between the survey and the public meeting, a few topic areas became clear as far as how the public desires regulations to operate. Those are:

- Vacation Rentals should be allowed
- Vacation Rentals should require a permit
- The Permit fee should be an annual Fee as opposed to one time
- There should be Building Inspections of each rental for safety compliance
- Building Department should set occupancy limits
- The Multifamily threshold percentage should be reduced from 25% to 10%

Items that were fairly split by the public and necessitate further analysis are:

- Owner Occupancy Requirements
(Survey 44% Yes, 41% No, Public Meeting 43% Yes, 57% No)
- Numerical Limit on Vacation Rentals
(Survey 50% Yes, 34% No, Public Meeting 46% Yes, 54% No)
- Neighborhood Notification
(Survey 51% Yes to 39% No)

BACKGROUND AND RESEARCH Glenwood Springs Vacation Rental Program

In addition to directing public engagement, staff conducted research on Glenwood Springs program specifics at the request of City Council. The areas included are:

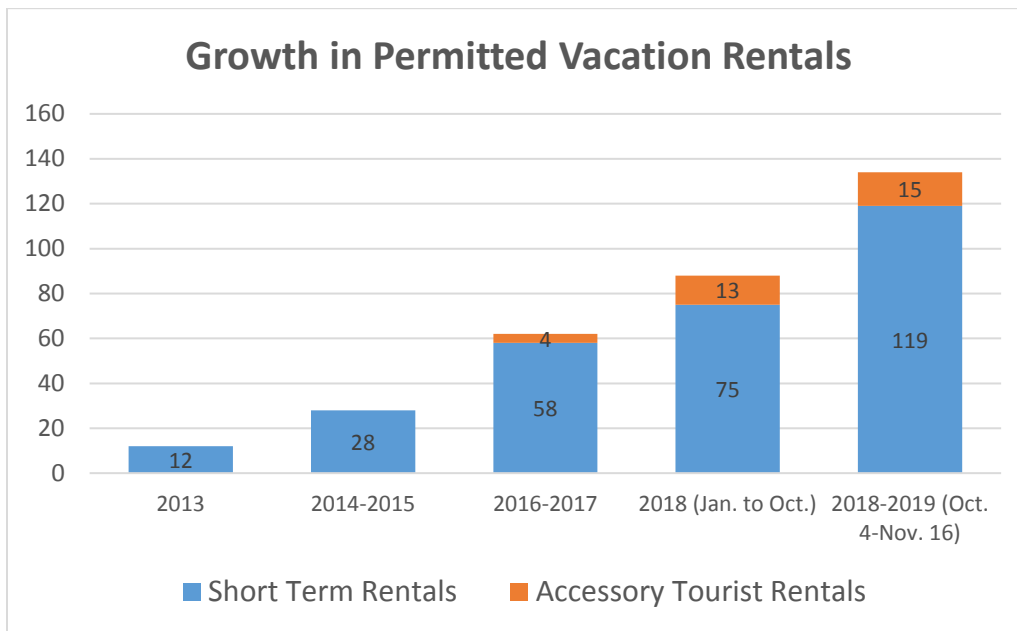
1. Growth of Vacation Rentals
2. Local versus Non Local Ownership of Vacation Rentals
3. Glenwood Housing Stock
4. Tax Collection
5. HOA Covenants Prohibiting Vacation Rentals
6. Police Complaints
7. Staff Time
8. Building Inspections and Occupancy Limits
9. PREVIOUS TEXT AMENDMENTS AND RESOLUTIONS

1. Growth of Vacation Rentals by year

The City of Glenwood Springs began requiring permits for vacation rentals in 2012 with Ordinance No. 10-12 which established a 2-year permitting process to coincide with business license renewals. Accessory Tourist Rentals, the renting of a single bedroom within a home, was added as a category in late 2015. The following chart shows the progression of the programs growth since its beginning until present. The 2018-19 Permit cycle is broken out into two segments to represent growth prior to and after the moratorium discussion began. The large increase of 48 rental permits between October 4 and November 16 is attributable to the uncertainty by the public if the program would continue, and is not representative of the standard growth pattern.

2 Year Permit Cycle	Short Term Rentals	% Increase previous year	Accessory Tourist Rentals	% Increase previous year
2013	12			
2014-2015	28	114%		
2016-2017	58	103%	4	
2018 (January to October)	75	30%	13	225%
2018-2019 (Oct. 4-Nov. 16)	119	59%	15	15%

Total Permitted Rentals 2019	134
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2. Local versus Non Local Ownership of Vacation Rentals

Staff performed an analysis of ownership demographics of the current 134 vacation rental permits and found the following:

	SHORT TERM RENTAL		ACCESSORY TOURIST RENTAL		TOTAL VACATION RENTALS	
Total Number	119	100%	15	100%	134	100%
Glenwood Springs Owners	88	74% of total	13	87% of total	101	75% of total
Colorado Owners	23	19% of total	1	6.5% of total	24	18% of total
Out of State Owners	8	7% of total	1	6.5% of total	9	8% of total

3. Glenwood Housing Stock

According to the Colorado State Demographers office most updated numbers, Glenwood Springs has approximately 4,177 housing units as of 2017. Subtracting the amount of deed restricted units in Glenwood Springs (232) results in approximately 3,945 free market housing units. Since 2017 Glenwood Springs has added, or is in the process of completing, 239 free market units bringing the approximate total to 4,184 free market housing units.

The current number of permitted vacation rentals in Glenwood Springs, 134, represents approximately 3.2 percent of the total housing stock. Based on the free market housing stock number, limiting vacation rentals as a proportion of the total number of free market units results in the following:

<u>Percent Limitation</u>	<u>Number of Allowed Vacation Rentals</u>
5%	209
10%	418
15%	628

4. Tax Collection

All vacation rentals operating within City boundaries are required to obtain a business license for purposes of tax collection. Vacation rentals are subject to local sales and lodging tax as well as state collected taxes. The table on the next page illustrates the taxes required, the tax percentage, and the amount collected from Glenwood Springs Vacation Rentals for the first 11 months in 2018.

Tax Category	Rate	Vacation Rental 2018 Collection (11 Months)
Glenwood Springs Sales Tax	3.7%	\$50,908
Glenwood Springs Accommodation Tax	2.5%	\$34,775
Rural Transit Authority	1.0%	
State of Colorado	2.9%	
Garfield County	1.0%	
Total	11.1%	\$85,683 (Average \$7,800/Month)

The City of Glenwood Springs Finance department reports that for the first eleven (11) months of 2018, vacation rentals remitted \$50,908 in sales taxes, and \$34,775 in accommodation taxes. This equates to roughly an average of \$7,800 in City taxes collected each month, or about \$93,000 a year.

5. HOA Covenants Prohibiting Vacation Rentals

Staff reviewed subdivision and Home Owners Association documents on file with the Community Development Department to ascertain how many areas within the city include language prohibiting vacation rentals within their recorded documents. Staff found eleven (11) subdivisions, PUD's, or HOA's that specifically restricted the operation of short term vacation rental activities. The language varied however common elements included a minimum lease or tenancy requirement of more than 30 days, 60 days or longer, and specific language stating that the owner shall not lease for transient for hotel purposes. Those areas include:

	Subdivision	Location
1	Meadowood Apartments	14th and Colorado
2	Oasis Creek Subdivision	Traver Trail
3	Cardiff Glen Subdivision	Airport Rd and Clark Street
4	Cottonwood Landing	27th and Midland
5	Parkwood Homes HOA	1000 Mount Sopris Drive
6	Colorado Plaza	201 14th St
7	Donnegan Development LLC	Orchard Lane and Donegan

8	Timber Creek Townhomes	Timber Creek Drive
9	Overlin Park Townhomes	White Horse Place
10	Penrose Townhomes	2550 S Grand Ave
11	Holiday House Condos	15th and Blake

***The list is not exhaustive. The City is not a party to, nor does it enforce these agreements.**

The City does not enforce private covenants nor does it require submittal of updates or changes. As such this list is by no means comprehensive or 100% accurate and is meant to illustrate that certain areas regulate vacation rentals outside of City regulations.

6. Police Complaints

The Police Department provided staff with a list of Police responses to Vacation Rental addresses on file. The list includes the address, the date the property became a vacation rental and the complaints, calls, and issues that the Police have been involved with since that time. The “call type” column indicates how the occurrence was initiated, whether through dispatch, alarm, or officer initiated. The Code Violations listed also have an explanation of the nature of the violation. This list is included as Exhibit L.

Chief of Police Terry Wilson analyzed the list and noted that the frequency of police involved occurrences per vacation rental properties is higher than that of a standard residence and closer to the frequency of calls received for business properties.

7. Staff Time

Staff receives vacation rental applications on a rolling basis. Review of the permit for compliance averages one hour per application, with an additional one hour on average for follow up on business license completion and permit issuance. In addition to this, staff conducts monthly compliance checks on website platforms such as VRBO and Airbnb to check for unpermitted vacation rentals. This amounts to approximately 4 hours a month for website review, with additional hours necessary when a violation is discovered. Violations can take up considerable staff time for documentation, certified mailings, follow ups and code enforcement citations for the worst cases. On average we discover 1-2 violations each month.

- Application processing 2 hours/application
- Website Compliance 4 hours/month
- Building Inspection 2 hours/application (when they were being performed)

8. Building Inspections and Occupancy Limits

Building inspections for vacation rentals were previously required with all applications from 2012 through 2017. During that time after an applicant submitted their vacation rental permit application, the applicant would schedule a building inspection with the Building Department. The Building Inspector would set up a time to meet at the property and inspect for a variety of life safety measures enumerated within Glenwood Springs Building Code.

In November 2017, City Council opted to forgo building inspections in favor of a notarized applicant affidavit that stated all municipal code requirements were met and indicated all safety responsibility was on the applicant. Since then, vacation rentals have not required a building inspection.

The Building and Fire Departments submitted memorandums for consideration in regards to building and fire safety concerns. The online survey and the public meeting both showed strong public inclinations for requiring building inspections to be performed. Likewise, both the Building and Fire Departments have indicated a preference for reinstating building inspection to check for life safety measures.

Currently the Code states that “Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.” The IPMC sets out specific occupancy limitations based on square feet minimums for different areas of the dwelling. Those specifications are attached in Exhibit J. There was indication from the public that a different maximum occupancy may be preferred. Some municipalities have chosen to allow a maximum occupancy unless the applicant applies for a conditional or special use permit to be reviewed at a public hearing.

9. PREVIOUS TEXT AMENDMENTS AND RESOLUTIONS

Since the vacation rental program was passed in 2012, there have been several changes implemented. Those are, listed from oldest to newest:

Ordinance 2012-10 Short Term Rental Program Initiation

Resolution 2012-20 Establishing Short Term Rental Permit Fee

Original resolution setting the Short Term Permit fee to be established annually by resolution from City Council.

Resolution 2017-54 Amnesty Period for Violations and Affidavit Requirements

Established an Amnesty period for unpermitted vacation rentals to get licensed without penalty and established an applicant affidavit affirming building code compliance in place of a building inspection.

Ordinance 2017-25 Short Term Rentals in PUD’s

Amended the Municipal Code to state that Short Term Rentals are allowed in PUD’s unless expressly prohibited in covenants instead of requiring it to be expressly listed as an allowed use.

Ordinance 2018-11 Vacation Rental Fee Change and Violation Schedule

Ordinance 11 of 2018, attached as Exhibit M was passed by City Council on May 17th, 2018 and made changes to the then regulations for vacation rentals. During this same time period the City was in the process of amending the entire Development Code in Chapter 070. During that process a new violations and penalties section was included in 070 and the Penalties for Violations clause of Ordinance 11 was not carried through. The major items included in Ordinance 11 were the following additions to code in double underlined text:

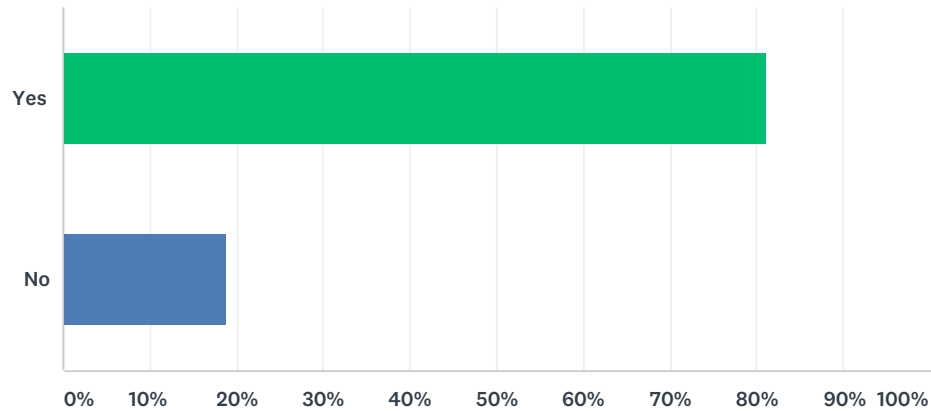
(i) Penalties for Violations. Any violation of this Section 070.040.120 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

Resolution 2018-29 Establishing Development Review Fee Schedule

Set a new Vacation Rental permit fee to a one-time payment of \$110 with \$0 renewal fee.

Q1 Are you a resident of Glenwood Springs year round?

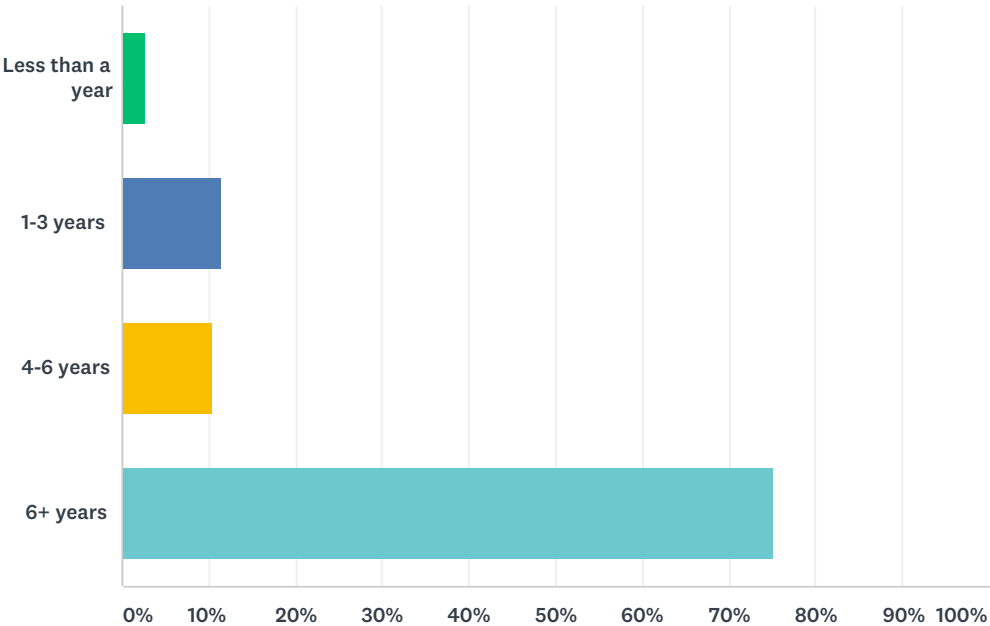
Answered: 480 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	81.25%	390
No	18.75%	90
TOTAL		480

Q2 How long have you lived in Glenwood Springs?

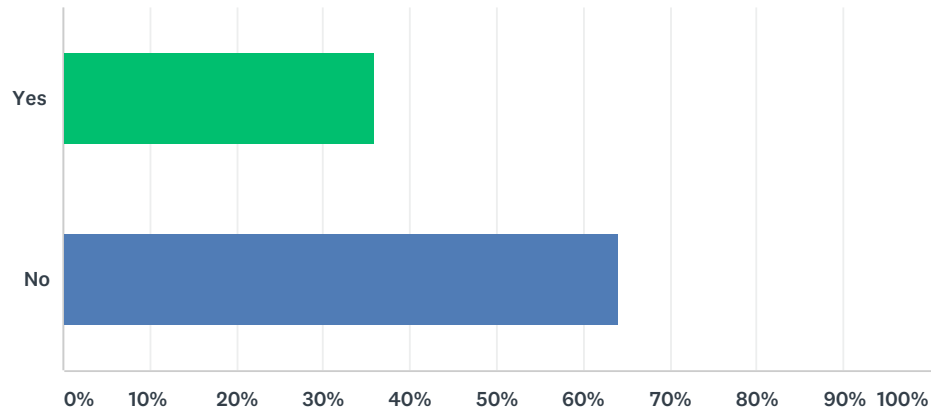
Answered: 391 Skipped: 91



ANSWER CHOICES		RESPONSES	
Less than a year		2.81%	11
1-3 years		11.51%	45
4-6 years		10.49%	41
6+ years		75.19%	294
TOTAL			391

Q3 Do you work in Glenwood Springs but live elsewhere?

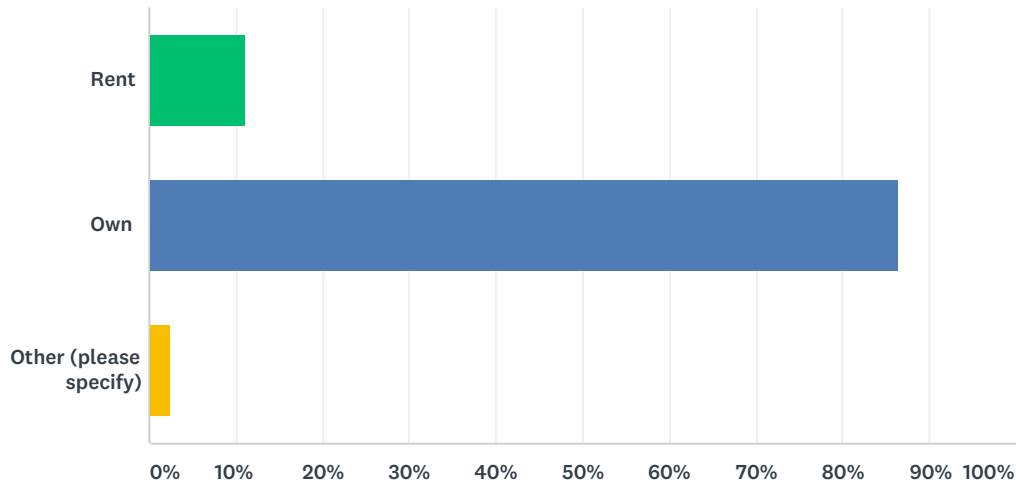
Answered: 89 Skipped: 393



ANSWER CHOICES		RESPONSES
Yes		35.96% 32
No		64.04% 57
TOTAL		89

Q4 Which best describes your current living situation?

Answered: 473 Skipped: 9

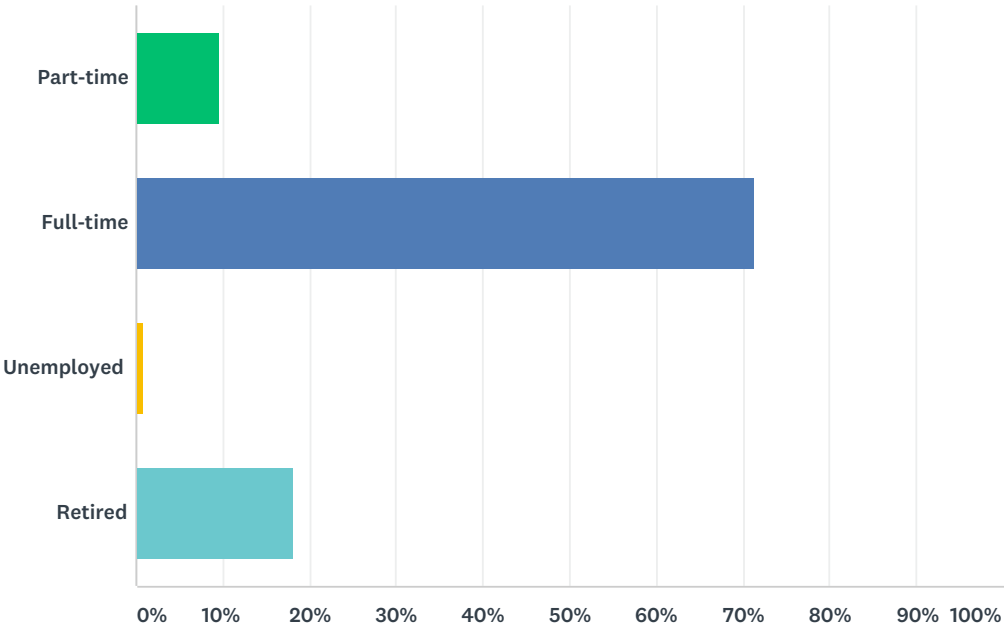


ANSWER CHOICES	RESPONSES	
Rent	10.99%	52
Own	86.47%	409
Other (please specify)	2.54%	12
TOTAL		473

#	OTHER (PLEASE SPECIFY)	DATE
1	Own rental duplex in Glenwood Springs. Live elsewhere.	1/9/2019 9:49 AM
2	previous resident visit often	12/21/2018 9:58 AM
3	Rent, building home	12/21/2018 9:28 AM
4	We own our home and rental property	12/21/2018 2:25 AM
5	Mobile home sorta rent sorta own	12/9/2018 4:40 PM
6	I own 3 houses in Garfield County. I live in one, one is long term rental for 6 years. the other was going term for 3 and now has been a VRBO for another 3. I have my own business currently and had a store downtown Glenwood for 5. Ive lived and paid taxes here for 25 years. As well I built a custom home in Silt in 2001.	12/6/2018 8:28 AM
7	Own in Glenwood Springs, Rent in Denver	12/4/2018 10:28 PM
8	Hotel	12/4/2018 5:58 PM
9	Manager On Site	12/4/2018 3:57 PM
10	I own 5 properties in Garfield County, 1 is a VRBO. 4 are long term rentals	12/4/2018 3:19 PM
11	Both	12/4/2018 6:26 AM
12	Own and live seasonally	11/30/2018 9:59 AM

Q5 Which best describes your employment status?

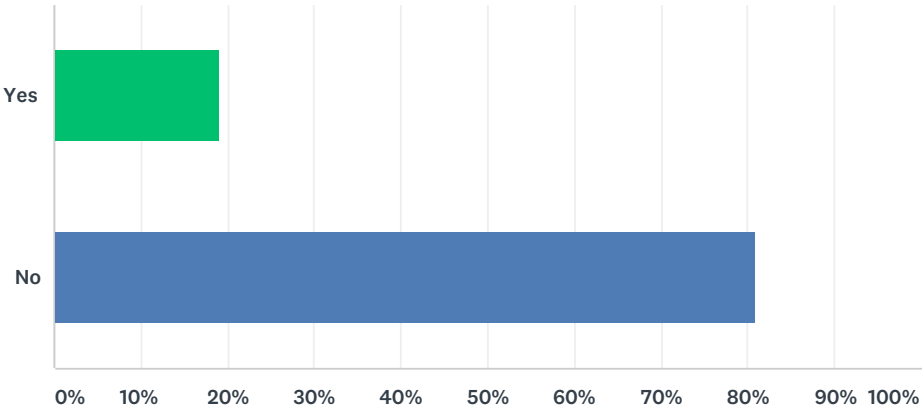
Answered: 473 Skipped: 9



ANSWER CHOICES		RESPONSES	
Part-time		9.73%	46
Full-time		71.25%	337
Unemployed		0.85%	4
Retired		18.18%	86
TOTAL			473

Q6 Do you own or operate one or more vacation rentals in Glenwood Springs?

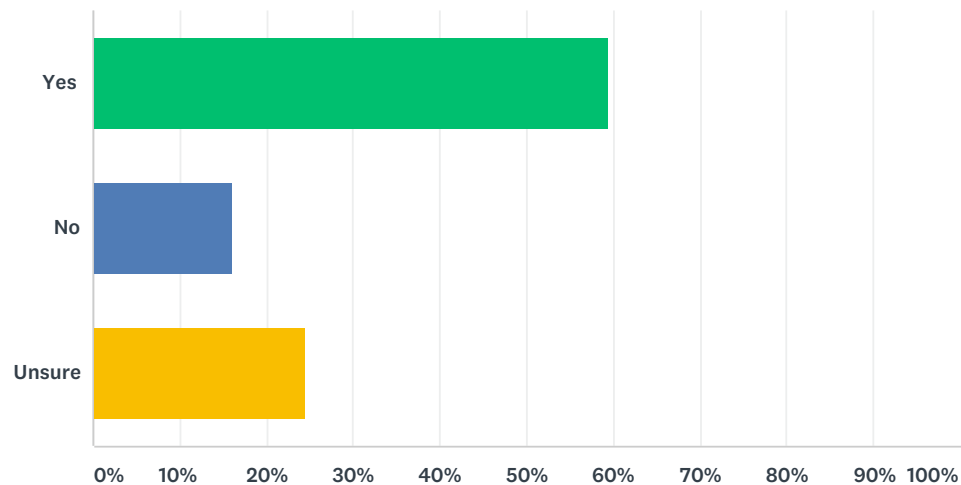
Answered: 474 Skipped: 8



ANSWER CHOICES	RESPONSES	
Yes	18.99%	90
No	81.01%	384
TOTAL		474

Q7 Do you live in a neighborhood with vacation rentals?

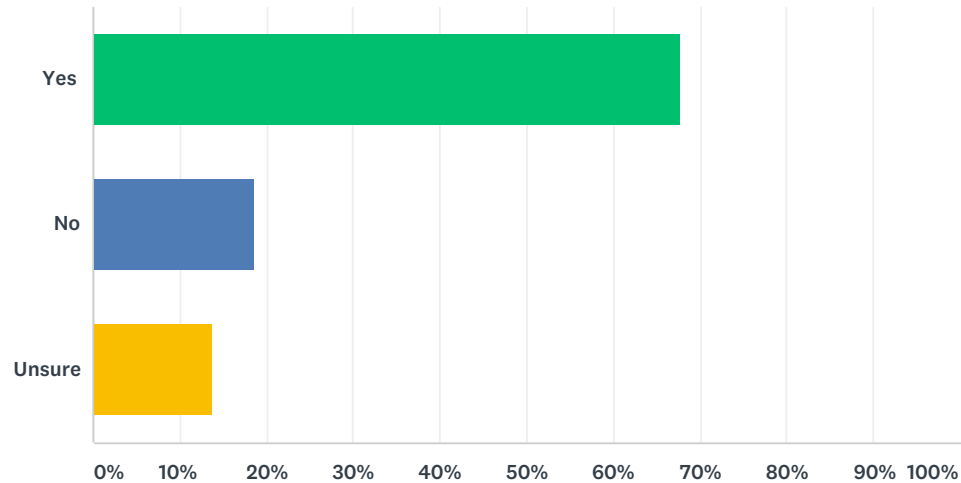
Answered: 473 Skipped: 9



ANSWER CHOICES	RESPONSES	
Yes	59.41%	281
No	16.07%	76
Unsure	24.52%	116
TOTAL		473

Q8 Do you think vacation rentals should be allowed in Glenwood Springs?

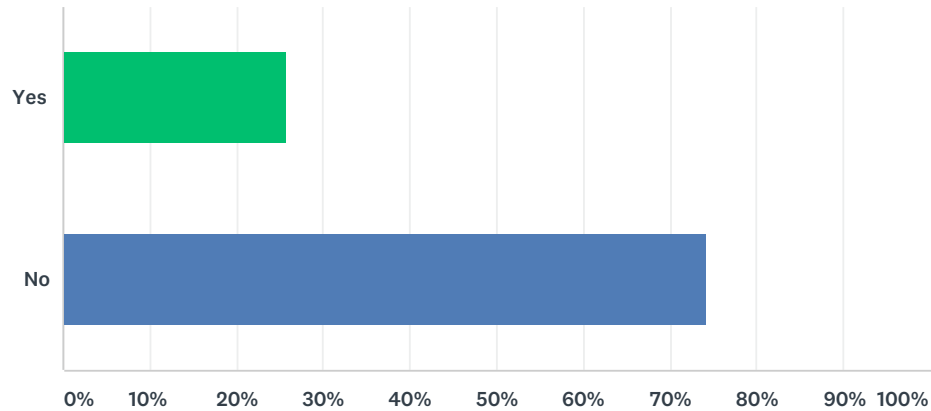
Answered: 474 Skipped: 8



ANSWER CHOICES		RESPONSES	
Yes		67.72%	321
No		18.57%	88
Unsure		13.71%	65
TOTAL			474

Q9 Do you believe that property owners should be able to have vacation rentals on their properties without any regulation?

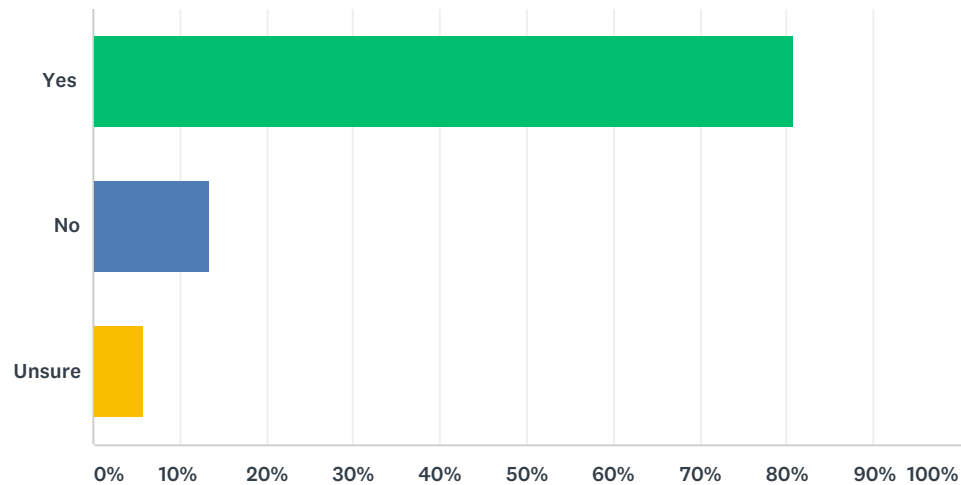
Answered: 473 Skipped: 9



ANSWER CHOICES		RESPONSES	
Yes		25.79%	122
No		74.21%	351
TOTAL			473

Q10 Do you think a permit should be required to operate a vacation rental?

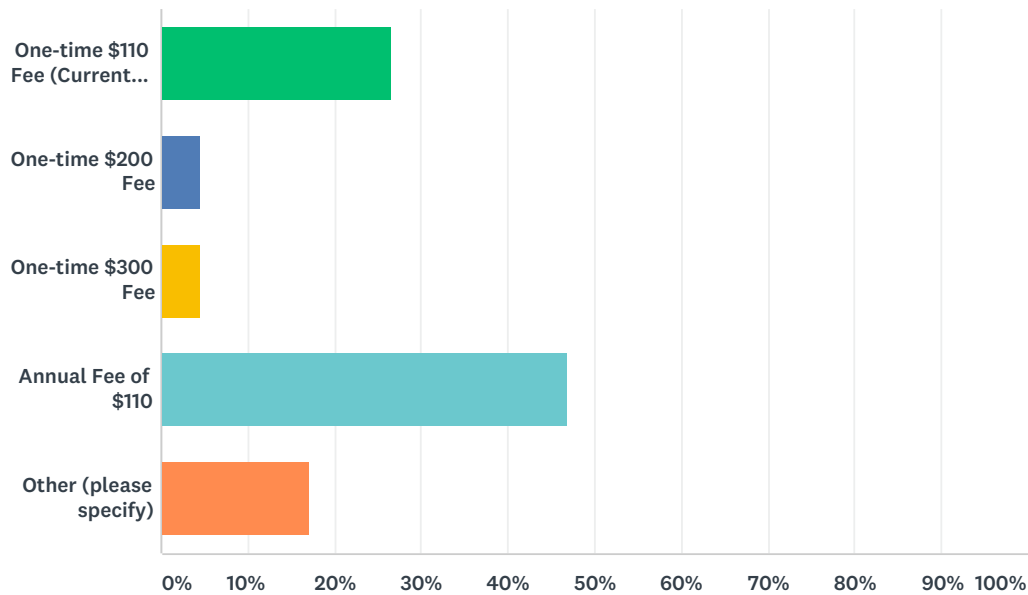
Answered: 474 Skipped: 8



ANSWER CHOICES	RESPONSES	
Yes	80.80%	383
No	13.29%	63
Unsure	5.91%	28
TOTAL		474

Q11 What do you think is an appropriate permit fee? (This is a permit fee to cover staff time and resources spent on managing vacation rentals)

Answered: 409 Skipped: 73



ANSWER CHOICES	RESPONSES	
One-time \$110 Fee (Current Cost)	26.65%	109
One-time \$200 Fee	4.65%	19
One-time \$300 Fee	4.65%	19
Annual Fee of \$110	46.94%	192
Other (please specify)	17.11%	70
TOTAL		409

#	OTHER (PLEASE SPECIFY)	DATE
1	I think a high fee should be set, occurring annually, with proceeds earmarked for affordable housing subsidies	1/10/2019 5:38 AM
2	Annual fee, possibly higher than the \$110 as that is likely only one night's rental.	1/9/2019 10:23 PM
3	annual \$100	1/9/2019 1:58 PM
4	Treat the same as lodging tax on a total bill any dedicated hospitality use must pay - property owners are competing with hotels.	1/9/2019 9:25 AM
5	properties used for short term rentals should pay property tax as a commercial property. If they rent like a hotel they should be taxed like a hotel.	1/1/2019 9:18 AM
6	If the owner lives full-time on the property, then \$110 is okay. If the owner does not live on the property they should have 10% higher property taxes.	12/31/2018 3:27 PM
7	I don't know the answer for this	12/30/2018 11:21 AM
8	should be determined by city employees who know the cost of payroll, etc. required to manage the permits	12/30/2018 10:14 AM
9	actual cost of staff time & resources	12/26/2018 1:33 PM

Vacation Rental Community Feedback Survey

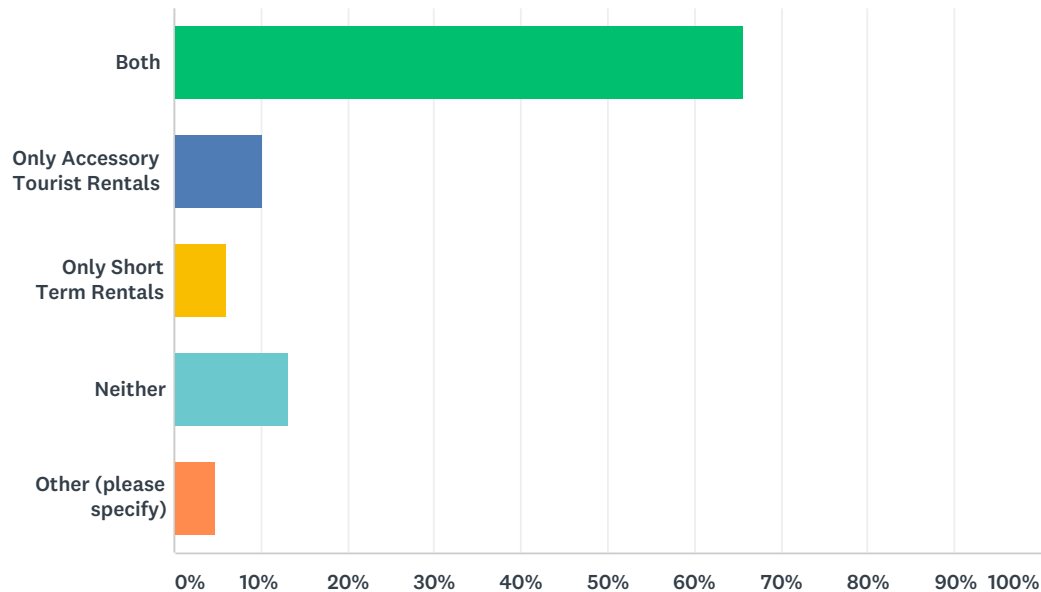
10	One time \$120 fee. Annual fee of \$50	12/23/2018 2:12 PM
11	Costs of staffs' time	12/23/2018 10:38 AM
12	This amount should be tied in with the actual COST. No one wants bigger government, but at the same time VRBOs should only be a small percentage of available rentals	12/23/2018 10:10 AM
13	\$1000 per year	12/22/2018 1:33 PM
14	Annual fee set by county after reviewing costs to manage	12/22/2018 11:46 AM
15	\$150 annually	12/22/2018 7:22 AM
16	Annual fee of \$20	12/21/2018 9:49 PM
17	Annual fee of 1,000	12/21/2018 7:29 PM
18	250/year	12/21/2018 8:38 AM
19	Annual fee of a few hundred dollars plus any tax money should be reported and go to the city	12/21/2018 7:18 AM
20	I think the fee should be a percentage of the revenue from the vacation rental	12/20/2018 9:29 PM
21	Annual \$300	12/19/2018 3:46 PM
22	1000000	12/18/2018 6:17 PM
23	I feel a fee that's associated with how many free market affordable living situations are occupied by the owner switching to VRBO, and the current rental cost climate. Basically, your short term leasing takes 3 bedrooms takes off of the affordable rental market, so a tax of xdollars (determined by current local long term rental rate).	12/18/2018 1:47 PM
24	1000 @ year	12/18/2018 1:24 PM
25	Annual \$300 fee	12/15/2018 12:21 PM
26	I don't know	12/14/2018 7:48 PM
27	Initial fee of \$100 + annual fee of \$40	12/13/2018 10:57 PM
28	Higher annual, there are way too many rentals downtown where we live.	12/12/2018 1:52 PM
29	Annual fee \$1200+	12/12/2018 12:05 PM
30	Annual \$1000	12/12/2018 9:58 AM
31	Higher monthly fee.	12/12/2018 9:56 AM
32	% of USE	12/10/2018 5:07 PM
33	Biennnial fee of \$110	12/8/2018 7:31 AM
34	Annual fee of more than \$110	12/6/2018 11:53 AM
35	\$1000 initial + \$600 per year	12/6/2018 11:39 AM
36	I'd be willing to pay a little more if it is necessary	12/6/2018 8:53 AM
37	Annual fee to be increased as well there should be taxes collected and paid to City like are done in States such as HI that we have VRBO with	12/5/2018 9:12 AM
38	depends on the use...is it a dedicated unit with year round availability versus subletting	12/4/2018 7:09 PM
39	\$25/per Rental	12/4/2018 5:59 PM
40	Do not allow.	12/4/2018 5:06 PM
41	same as business license	12/4/2018 4:01 PM
42	Annual Fee of \$1000 which will have a 4% increase yearly	12/4/2018 4:00 PM
43	I don't think they should be allowed.	12/4/2018 3:59 PM
44	50.00 annual	12/4/2018 3:19 PM
45	None, because you shouldn't have vacation rentals	12/3/2018 7:18 PM
46	What does it cost the city to administer the rental program. That plus 10% should be the fee	12/3/2018 6:32 PM

Vacation Rental Community Feedback Survey

47	annual variable amount depending upon previous year's income	12/3/2018 8:47 AM
48	\$200 per year	12/3/2018 8:46 AM
49	Any way that contributes to mitigating the impacts created	12/3/2018 6:08 AM
50	% of income, like a bed tax	12/2/2018 10:47 PM
51	need more info to decide	12/2/2018 1:19 PM
52	Percent of sales	12/2/2018 12:43 AM
53	I do not think the current system protects neighborhoods.	12/1/2018 6:51 AM
54	none	11/30/2018 11:06 PM
55	1k a year	11/30/2018 9:15 PM
56	Make it twice as much as the ADU permits. It should be cheaper and easier to permit a long-term ADU rental than to short-term.	11/30/2018 4:36 PM
57	Twice as much as an ADU fee	11/30/2018 4:34 PM
58	An annual fee of \$110 so long as the listing is active and live online.	11/30/2018 1:03 PM
59	One time permit fee around \$100 and an annual \$50 fee	11/30/2018 10:29 AM
60	Annual fee of \$500	11/30/2018 9:51 AM
61	Whatever is needed to cover cost of managing vacation rentals	11/30/2018 7:57 AM
62	Annual \$50	11/29/2018 7:44 PM
63	We already pay muni taxes on our rental. Why bleed us for more?	11/29/2018 5:41 PM
64	\$25	11/29/2018 5:29 PM
65	300 annually	11/29/2018 5:19 PM
66	Annual Fee of \$25	11/29/2018 4:24 PM
67	\$1000 annual fee	11/29/2018 12:04 PM
68	Annual Fee of \$400	11/29/2018 11:57 AM
69	0	11/29/2018 11:48 AM
70	annual \$500 at least	11/29/2018 11:29 AM

Q12 In Glenwood Springs, there are two types of vacation rentals: Short Term Rental is renting an entire dwelling. Accessory Tourist Rental is renting a single bedroom within a dwelling with onsite manager. Do you support allowing Short Term Rentals and Accessory Tourist Rentals?

Answered: 472 Skipped: 10



ANSWER CHOICES	RESPONSES	
Both	65.68%	310
Only Accessory Tourist Rentals	10.17%	48
Only Short Term Rentals	6.14%	29
Neither	13.14%	62
Other (please specify)	4.87%	23
TOTAL		472

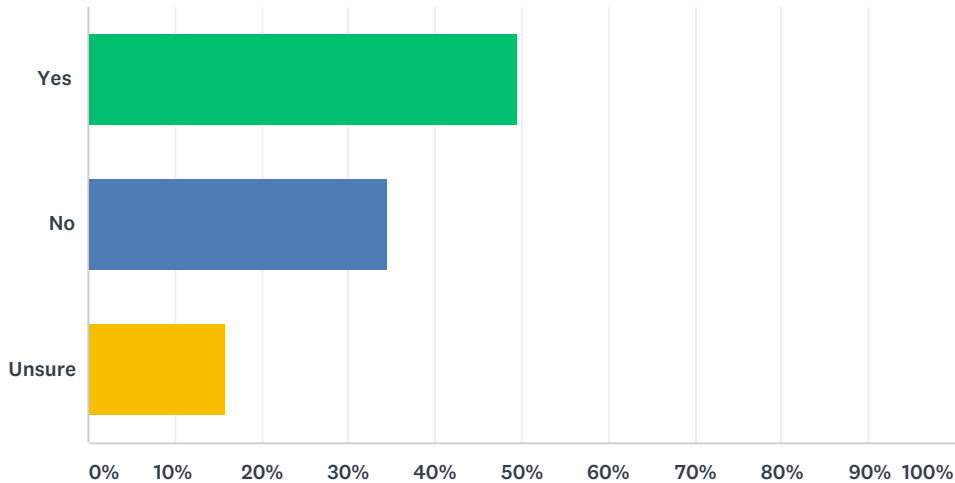
#	OTHER (PLEASE SPECIFY)	DATE
1	both, if properly regulated	1/18/2019 7:35 AM
2	If held to some level of risk that committed hospitality properties must. Proper owners are piggy-backing on others' marketing efforts - again sans any risk.	1/9/2019 9:29 AM
3	Short term rentals should be allowed only if there are enough rentals for local working citizens.	12/30/2018 1:52 PM
4	Owner of building must be a resident in Glenwood and also occupy the unit for a specific number of months	12/30/2018 11:23 AM
5	both ,if properly regulated	12/30/2018 10:15 AM
6	allow both, but only in areas with existing hotel/motels, not everywhere across the city	12/26/2018 1:35 PM
7	Both should pay business taxes like hotels	12/23/2018 10:40 AM
8	Both with STRONG conditions	12/21/2018 2:27 AM
9	Yes, but with limitations to keep the cost of living down for year-round residents.	12/18/2018 4:33 PM

Vacation Rental Community Feedback Survey

10	It seems if they are going to be allowed, there should be a cap on how many at any given time.	12/14/2018 9:45 PM
11	I believe there should be a limit to the amount of vacation rental permits	12/12/2018 11:15 AM
12	I believe that the tourist industry is a huge part of our economy. Rafting, skiing, hiking, biking, fishing , hunting, climbing. Will we also ban all of these activities? I worked 2 jobs between the ages of 18-23 to pay my rent whenI rented myself in downtown Glenwood. There were not a lot of houses then either. I had 2 roommates. We need to protect our tourism and the related activities, this is why people visit our beautiful town.	12/6/2018 8:57 AM
13	Both with regulations	12/5/2018 8:50 PM
14	Accessory Tourist Rental could be covered under landlord-tenant agreement separate rental	12/5/2018 9:13 AM
15	I am in support if there is restrictions in type of home and areas of Glenwood, for example a single home 3 bedroom should be for only long term	12/4/2018 10:24 PM
16	both but with some oversight	12/4/2018 2:29 PM
17	Unsure I need more information	12/3/2018 6:33 PM
18	Some regulated by duration ex. 6mo. or longer	12/3/2018 12:06 PM
19	Both, but with certain parameters in place. Too many long term rentals have turned into short term rentals, and this limits the local rental options for people who live here.	12/2/2018 1:21 PM
20	Depends on the area of town	12/1/2018 10:01 AM
21	Depends on the neighborhood	12/1/2018 8:39 AM
22	Not shure	11/29/2018 7:45 PM
23	Support short term rentals only for a limited amount of time - maybe 30 to 45 days per year, and only for owner-occupied homes.	11/29/2018 11:44 AM

Q13 Do you support limiting the number of vacation rentals that can occur in the City?

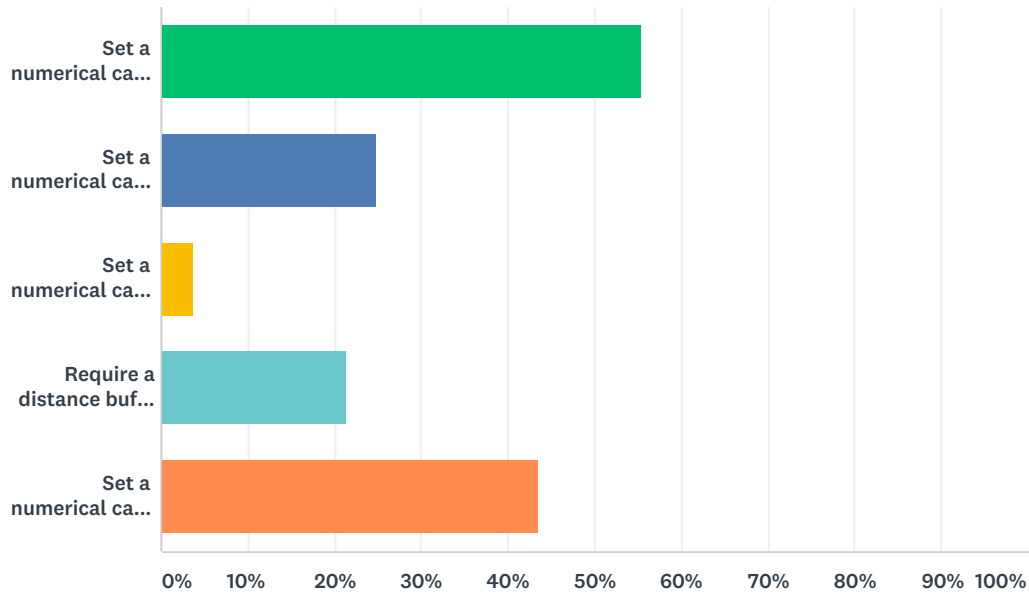
Answered: 470 Skipped: 12



ANSWER CHOICES	RESPONSES	
Yes	49.57%	233
No	34.47%	162
Unsure	15.96%	75
TOTAL		470

Q14 How do you think that vacation rentals should be limited? (Check all that apply)

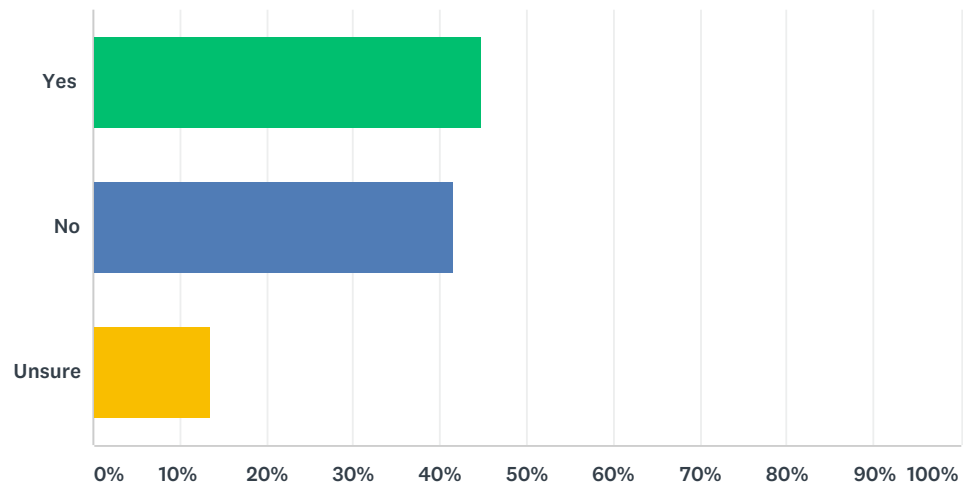
Answered: 262 Skipped: 220



ANSWER CHOICES	RESPONSES	
Set a numerical cap on ALL vacation rentals citywide.	55.34%	145
Set a numerical cap ONLY for Short term rentals (entire house rental) citywide.	24.81%	65
Set a numerical cap ONLY for Accessory Tourist rentals (single room rental) citywide.	3.82%	10
Require a distance buffer between vacation rentals, for example 300 feet.	21.37%	56
Set a numerical cap per block.	43.51%	114
Total Respondents: 262		

Q15 Do you support regulations that require an owner to occupy the residence for a minimum amount of time annually in order to operate a vacation rental?

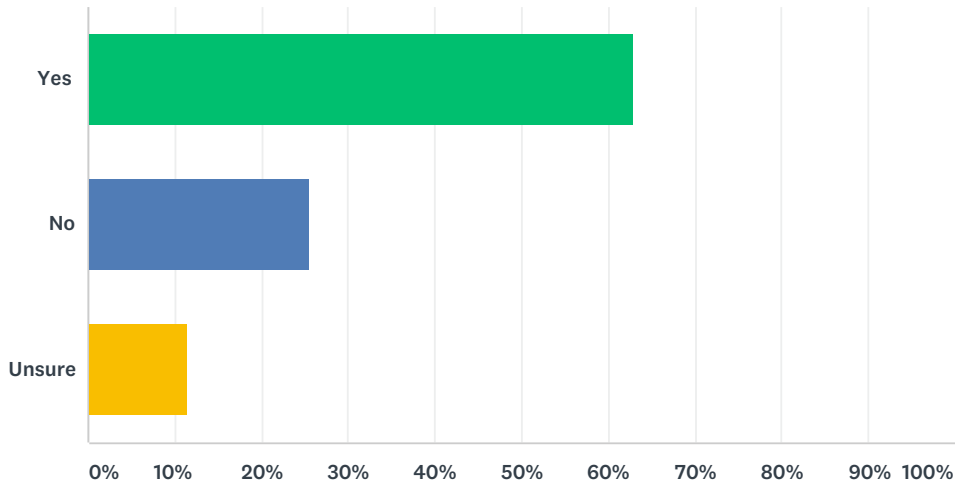
Answered: 464 Skipped: 18



ANSWER CHOICES	RESPONSES	
Yes	44.83%	208
No	41.59%	193
Unsure	13.58%	63
TOTAL		464

Q16 Should owners of a second home that is not their primary Residence be allowed to rent it out on a short term basis?

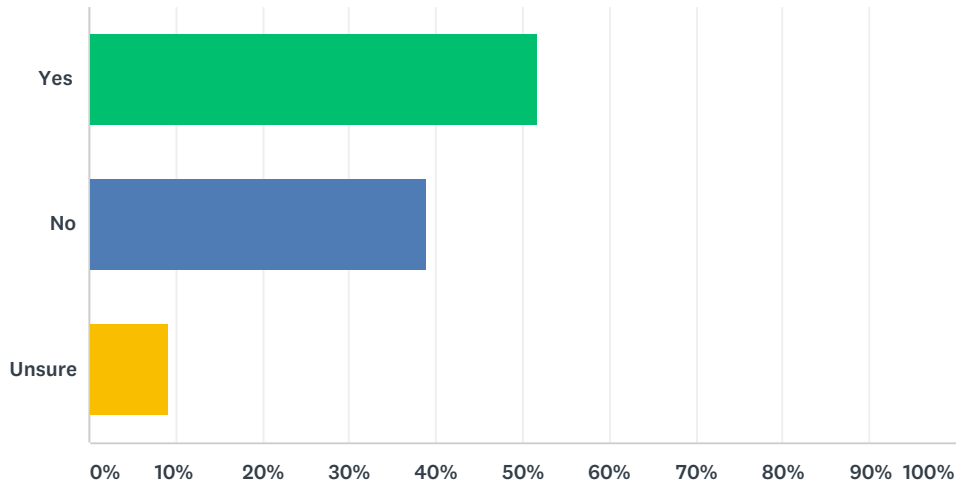
Answered: 466 Skipped: 16



ANSWER CHOICES	RESPONSES	
Yes	62.88%	293
No	25.54%	119
Unsure	11.59%	54
TOTAL		466

Q17 Do you think Neighbors should be notified for public comment when an applicant in their immediate area applies for a vacation rental permit?

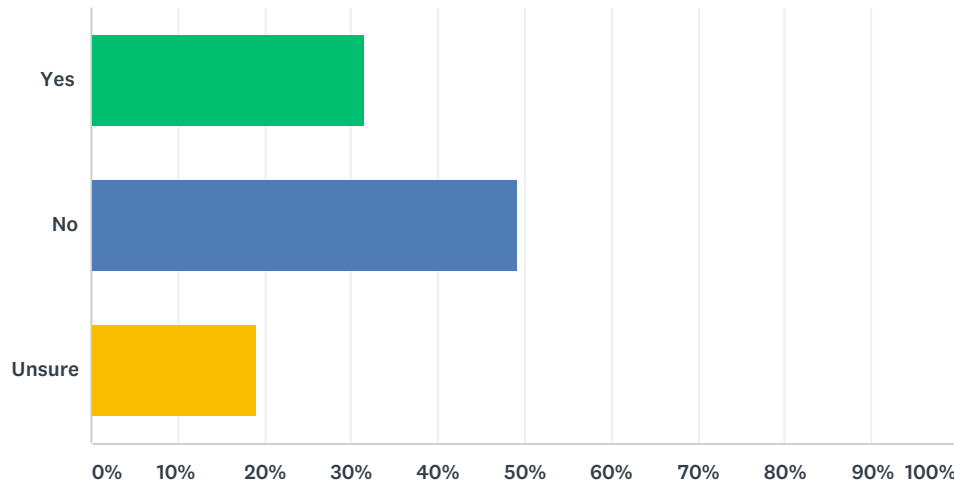
Answered: 464 Skipped: 18



ANSWER CHOICES	RESPONSES	
Yes	51.72%	240
No	39.01%	181
Unsure	9.27%	43
TOTAL		464

Q18 Do you believe that vacation rentals should be limited to certain zoning districts within the City? (Example, Residential versus Commercial zoning districts)

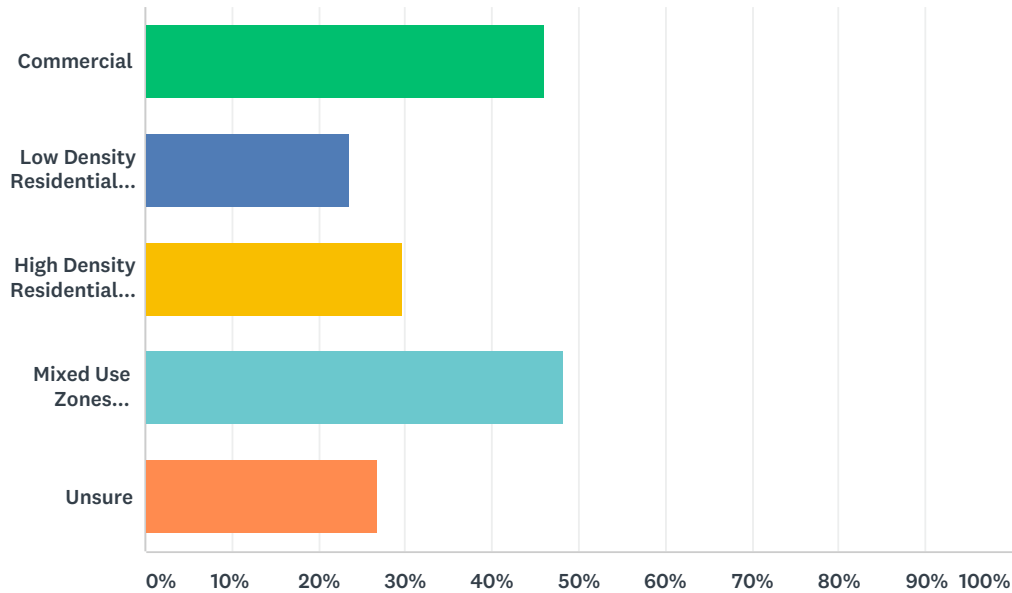
Answered: 465 Skipped: 17



ANSWER CHOICES	RESPONSES	
Yes	31.61%	147
No	49.25%	229
Unsure	19.14%	89
TOTAL		465

Q19 What zones should vacation rentals be allowed in? (select all that apply)

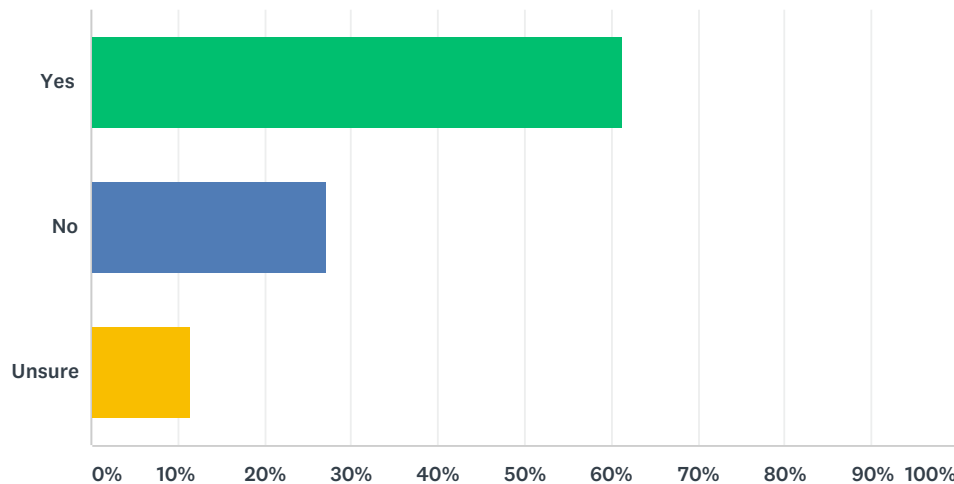
Answered: 232 Skipped: 250



ANSWER CHOICES	RESPONSES	
Commercial	46.12%	107
Low Density Residential (Single Family Neighborhoods)	23.71%	55
High Density Residential (Apartments and Multifamily)	29.74%	69
Mixed Use Zones (Residential and Commercial together)	48.28%	112
Unsure	26.72%	62
Total Respondents: 232		

Q20 Do you believe multifamily and apartment buildings should have limits on how many units can be short term rental permits? (For example, a 6 unit apartment complex can only have 3 units as vacation rentals)

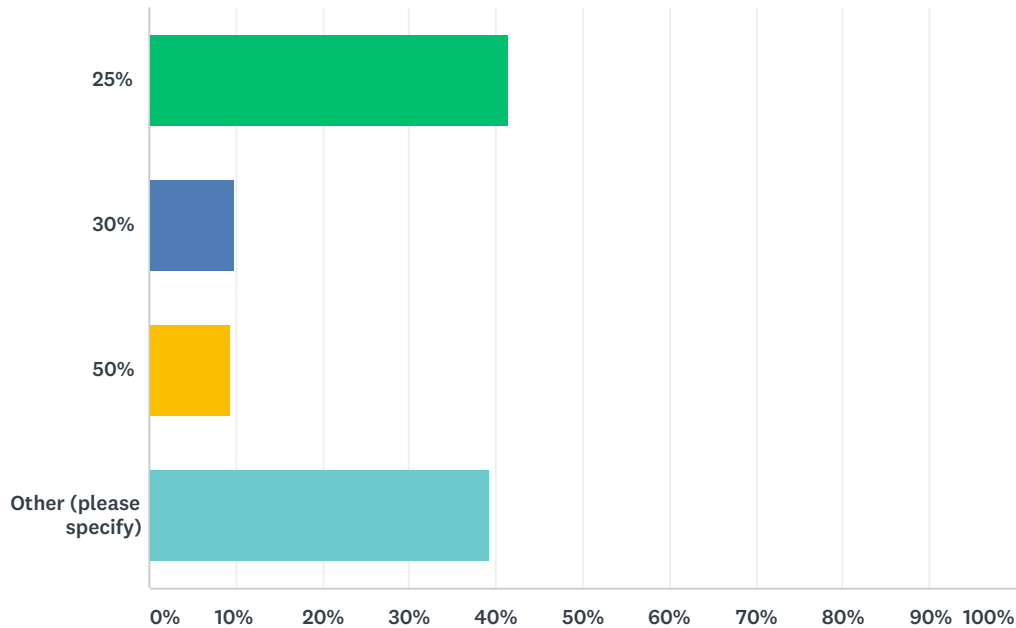
Answered: 463 Skipped: 19



ANSWER CHOICES	RESPONSES	
Yes	61.34%	284
No	27.21%	126
Unsure	11.45%	53
TOTAL		463

Q21 What should the percentage of allowable vacation rental units be?

Answered: 326 Skipped: 156



ANSWER CHOICES	RESPONSES
25%	41.41% 135
30%	9.82% 32
50%	9.51% 31
Other (please specify)	39.26% 128
TOTAL	326

#	OTHER (PLEASE SPECIFY)	DATE
1	10%	1/28/2019 7:40 AM
2	10%	1/18/2019 7:49 AM
3	10 percent	1/18/2019 7:38 AM
4	It should be a low %. This could be answered if there is a cap per block or in the nearby area.	1/17/2019 10:36 AM
5	0%	1/14/2019 2:30 PM
6	100	1/10/2019 11:03 AM
7	20%	1/10/2019 9:12 AM
8	0	1/10/2019 7:49 AM
9	Not sure	1/10/2019 5:44 AM
10	Limit short term rentals to less than 25% for sure...as that takes homes out of rental market for families and couples who need a place to LIVE!	1/9/2019 10:28 PM
11	10	1/9/2019 2:15 PM
12	5%	1/9/2019 10:33 AM
13	?	1/9/2019 9:52 AM

Vacation Rental Community Feedback Survey

14	Zero (0)%	1/9/2019 9:31 AM
15	10%	1/9/2019 8:22 AM
16	0%	1/9/2019 7:29 AM
17	0	1/6/2019 1:00 PM
18	less than 25%	12/30/2018 1:56 PM
19	Of what? All possible long term rentals?	12/30/2018 11:27 AM
20	should be based on the number of long term rental units available in the city-	12/30/2018 10:22 AM
21	NA	12/28/2018 11:02 PM
22	none	12/27/2018 10:52 AM
23	More like 10-20%.	12/23/2018 10:16 AM
24	1%	12/22/2018 1:36 PM
25	0%	12/22/2018 11:49 AM
26	10%	12/22/2018 7:24 AM
27	10	12/21/2018 5:46 PM
28	10%	12/21/2018 4:35 PM
29	5	12/21/2018 12:51 PM
30	0	12/21/2018 12:26 PM
31	10%	12/21/2018 11:48 AM
32	0	12/21/2018 10:37 AM
33	5%	12/21/2018 10:00 AM
34	?	12/21/2018 8:59 AM
35	5-10%	12/21/2018 8:56 AM
36	15	12/21/2018 7:34 AM
37	It is hard to set a percentage.	12/21/2018 7:01 AM
38	10%	12/21/2018 2:35 AM
39	0%	12/19/2018 3:35 PM
40	10	12/18/2018 11:06 PM
41	9%	12/18/2018 8:54 PM
42	0	12/18/2018 6:19 PM
43	0	12/18/2018 6:17 PM
44	Unsure. I'd like to see a study about housing cost impacts. It is too expensive to live here!	12/18/2018 4:35 PM
45	percentage is irrelevant	12/18/2018 3:21 PM
46	I need further education as to the current number of vrbo so I could make an accurate answer, as I feel are area is already flooded, especially in the diwntown area/neighbors.	12/18/2018 1:51 PM
47	10%	12/18/2018 1:27 PM
48	HOA determined	12/18/2018 8:35 AM
49	do not know	12/15/2018 12:22 PM
50	10	12/15/2018 8:32 AM
51	Lower than 25%	12/14/2018 9:47 PM
52	10%	12/12/2018 12:05 PM
53	10%	12/12/2018 11:17 AM

Vacation Rental Community Feedback Survey

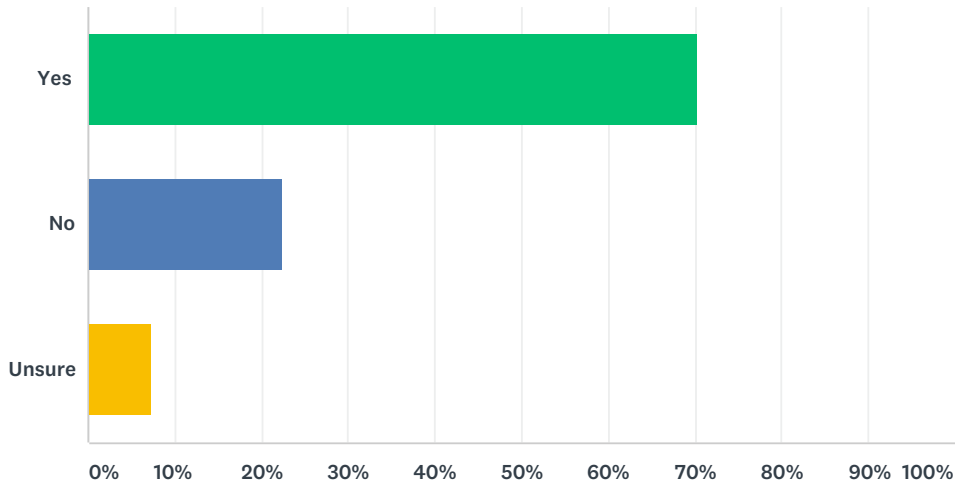
54	10-15%	12/12/2018 10:19 AM
55	Unsure	12/12/2018 10:08 AM
56	0	12/12/2018 10:00 AM
57	15	12/12/2018 9:46 AM
58	Let HOA decide.	12/11/2018 4:56 PM
59	Based on Location	12/10/2018 5:08 PM
60	10%	12/10/2018 8:46 AM
61	Unsure	12/9/2018 7:54 PM
62	10	12/6/2018 1:57 PM
63	0	12/6/2018 12:18 PM
64	10%	12/6/2018 11:41 AM
65	less than 10%	12/6/2018 8:37 AM
66	Depends on the location	12/5/2018 8:52 PM
67	15%	12/5/2018 1:04 PM
68	Zero, ideally	12/5/2018 10:56 AM
69	0%	12/5/2018 10:08 AM
70	25% or lower - should be owner occupied with all of the need for owner occupied housing in our valley	12/5/2018 9:17 AM
71	10%	12/5/2018 7:11 AM
72	Need more info	12/4/2018 7:40 PM
73	10%	12/4/2018 6:03 PM
74	Below 10%	12/4/2018 4:03 PM
75	unsure	12/4/2018 2:31 PM
76	0	12/4/2018 12:25 PM
77	10%	12/4/2018 12:39 AM
78	Not sure	12/3/2018 10:25 PM
79	0%	12/3/2018 7:21 PM
80	Let the market determine the number	12/3/2018 6:20 PM
81	0%	12/3/2018 12:10 PM
82	This deserves a little more complexity than a set percentage. A single-owner multi-family building should only be allowed one vacation rental unit, and then maybe one additional vacation rental unit in exchange for every deed-restricted affordable unit. Whatever regulations that arise from this should encourage affordable housing as much (if not more) than they discourage vacation rentals.	12/3/2018 11:40 AM
83	100%	12/3/2018 11:33 AM
84	5%	12/3/2018 10:31 AM
85	10%	12/3/2018 9:37 AM
86	15	12/3/2018 8:55 AM
87	10% or they are motels/hotels	12/3/2018 8:49 AM
88	none	12/3/2018 8:39 AM
89	Unsure	12/3/2018 7:55 AM
90	10%	12/3/2018 7:32 AM
91	10%	12/3/2018 7:25 AM

Vacation Rental Community Feedback Survey

92	No percentage limit needed- market will determine	12/3/2018 6:43 AM
93	10	12/3/2018 6:42 AM
94	Unsure	12/3/2018 6:12 AM
95	Shouldn't be allowed unless it's in commercial zone district	12/2/2018 10:50 PM
96	5	12/2/2018 10:08 PM
97	None in the "affordable" housing areas	12/2/2018 7:19 PM
98	unsure-need more into	12/2/2018 1:23 PM
99	10	12/1/2018 12:15 PM
100	10%	12/1/2018 9:44 AM
101	10% or lower. Why are they any different than a neighborhood?	12/1/2018 6:57 AM
102	10%	11/30/2018 10:00 PM
103	10	11/30/2018 6:47 PM
104	i don't understand this question - percentage of what?	11/30/2018 4:38 PM
105	10%	11/30/2018 1:48 PM
106	Unsure	11/30/2018 1:05 PM
107	10%	11/30/2018 10:55 AM
108	10	11/30/2018 10:34 AM
109	20	11/30/2018 10:06 AM
110	10%	11/30/2018 9:55 AM
111	40	11/30/2018 9:40 AM
112	15%	11/30/2018 8:15 AM
113	Let market dictate	11/30/2018 5:10 AM
114	0	11/29/2018 8:41 PM
115	15%	11/29/2018 8:28 PM
116	5%	11/29/2018 8:13 PM
117	.?	11/29/2018 7:54 PM
118	0%	11/29/2018 6:01 PM
119	for what, the high density?	11/29/2018 5:38 PM
120	Unsure - is this on percentage of apts question or general?	11/29/2018 3:21 PM
121	20	11/29/2018 3:01 PM
122	I don't know	11/29/2018 2:50 PM
123	20%	11/29/2018 2:44 PM
124	10%	11/29/2018 12:07 PM
125	1 in 6	11/29/2018 11:31 AM
126	10% or less	11/29/2018 11:28 AM
127	0	11/29/2018 11:21 AM
128	10	11/29/2018 11:20 AM

Q22 Do you believe an inspection of every vacation rental for compliance with building and fire codes should be required?

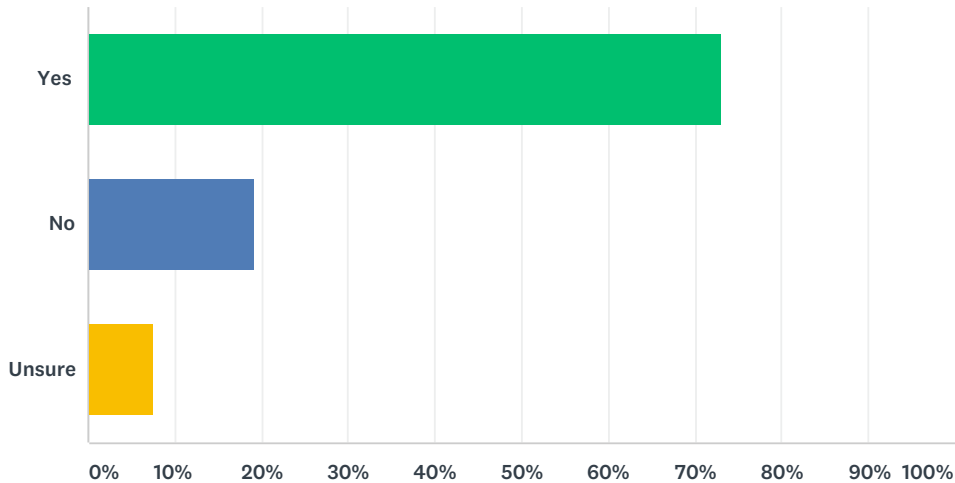
Answered: 460 Skipped: 22



ANSWER CHOICES	RESPONSES	
Yes	70.22%	323
No	22.39%	103
Unsure	7.39%	34
TOTAL		460

Q23 Do you believe the building department should set occupancy limits on the number of guests for vacation rentals?

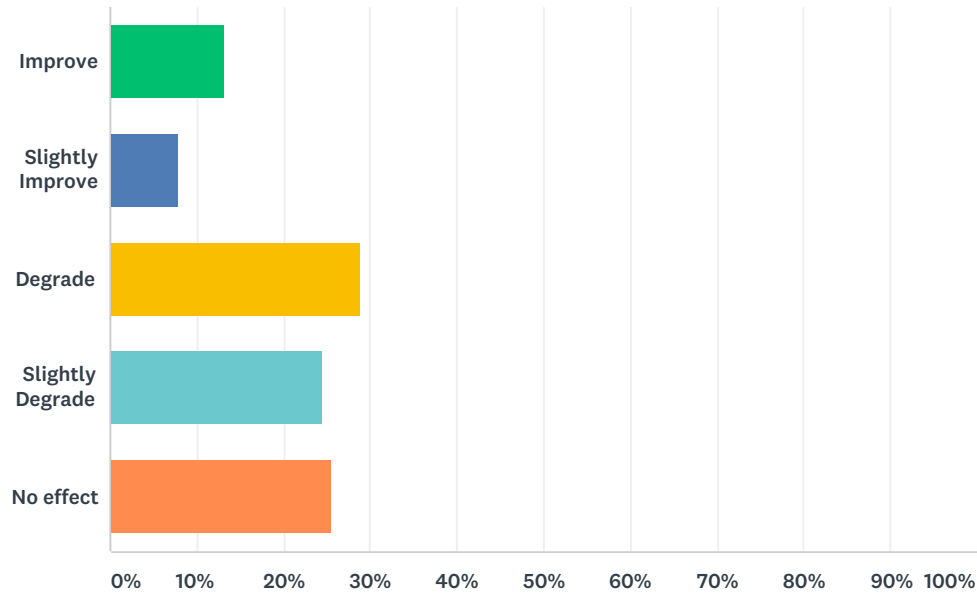
Answered: 461 Skipped: 21



ANSWER CHOICES	RESPONSES	
Yes	73.10%	337
No	19.31%	89
Unsure	7.59%	35
TOTAL		461

Q24 Do you think short term rentals improve the neighborhood? Degrade the neighborhood? Or have no effect?

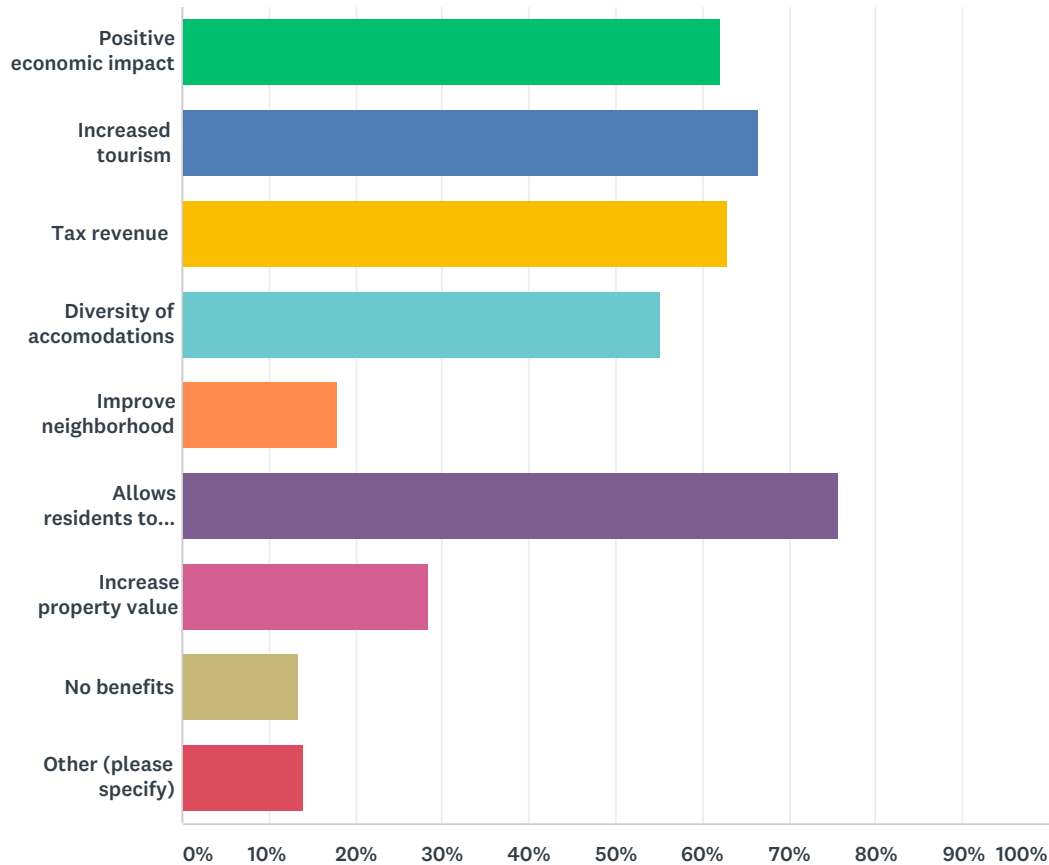
Answered: 457 Skipped: 25



ANSWER CHOICES	RESPONSES	
Improve	13.13%	60
Slightly Improve	7.88%	36
Degrade	28.88%	132
Slightly Degrade	24.51%	112
No effect	25.60%	117
TOTAL		457

Q25 Are there benefits to having vacation rentals in our community (Check all that apply)

Answered: 461 Skipped: 21



ANSWER CHOICES		RESPONSES	
Positive economic impact		62.04%	286
Increased tourism		66.59%	307
Tax revenue		62.91%	290
Diversity of accommodations		55.31%	255
Improve neighborhood		18.00%	83
Allows residents to supplement income		75.70%	349
Increase property value		28.42%	131
No benefits		13.45%	62
Other (please specify)		14.10%	65
Total Respondents: 461			

#	OTHER (PLEASE SPECIFY)	DATE
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Vacation Rental Community Feedback Survey

1	I have always thought that when someone purchases a home in Glenwood, they hold onto it forever. I see no problem with those that want to travel elsewhere and rent their home out during the time they are not living in it. I think people should be able to do that.	1/22/2019 12:08 PM
2	Vacation rentals appeal to families, families being their children, grandparents, etc. So many benefits.	1/17/2019 9:30 PM
3	Please differentiate more between accessory units and short term rentals. They both have very different positives and negatives.	1/17/2019 6:39 AM
4	VRBO should be a right by ownership. Its a way for owners to supplement their income. GWS is not getting less expensive to live. Many owners I know can scale down and still afford to stay in their homes renting a room or a floor.	1/11/2019 3:31 PM
5	allows people to come and see what living in our community is really like, house conveys this somewhat whereas a hotel room does not, also, allows someone with a family heirloom home to rent it for a couple of weeks and pay taxes, thereby maintaining the family tradition. if we are talking about history, family traditions and values, that's important	1/10/2019 11:25 AM
6	can generate funds for a specific city project; exposure to different demographic	1/9/2019 2:01 PM
7	This question is too conditional for a pat response.	1/9/2019 9:37 AM
8	Any decrease in the amount of housing available for citizens & workers is a negative.	1/6/2019 1:02 PM
9	Helps make accommodations for larger families much more affordable. Ex: 6 persons: hotel=\$5-600/ VRBO=\$2-300. Allows large families to stay in GWS and for longer periods of time with increased spending.	12/28/2018 11:36 PM
10	Vacation rentals increase community costs - extra police, parking issues, lowering of property values, degraded life styles and security for local residents. Brick and mortar buildings, licensed and inspected are the safest and most economical vacation rental program.	12/27/2018 10:59 AM
11	Homeowners experience less ware and tear on their properties than long term rentals, in many cases. Stimulates the economy through investor purchases. Allowing short term rentals is progressive and moving with niche lodging that is popular globally.	12/27/2018 10:05 AM
12	My neighborhood has had meth problems only 5 years ago, at both ends of the block. The VRBOs have cleaned that up. I really think that there should be fewer "illegal" VRBOs, though.	12/23/2018 10:27 AM
13	There is no worries with tourism in Glenwood Springs we have plenty of attractions and environment that people come here to enjoy. As a long time resident I worry about our neighborhoods losing neighbors and a revolving door of vacationers. We need to protect this above pocket books.	12/23/2018 8:44 AM
14	It decreases overall real estate values and is a selfish way to cover expenses. Live where you can afford and do not impact others in your attempt to meet your expenses.	12/22/2018 7:30 AM
15	Short-term rentals are simply another viable option for tourism in the area. The people that stay in my Airbnb are almost exclusively families with young children and we prefer it that way. They simply cannot afford the rates of staying downtown, which can be as high as \$200 per night on top of dining out for 3 meals a day and then also pay for 4-6 people to go to the Adventure Park or Hot Springs. If motels like Silver Spruce Inn, Hanging Lake Inn, Starlight Lodge, put any sort of money into their curb appeal and amenities, they'd be able to take these guests from hosts like us.	12/21/2018 2:25 PM
16	Most owners will upkeep their properties better if they have a chance to increase their income.	12/21/2018 9:55 AM
17	Look, would you want to live next door to a busy VRBO? If we want the Town of Glenwood to be a community, we have to favor the quality of life for the RESIDENTS. There should be STRONG oversight for the few units the town does let in. There should be a system to report infractions that are responded to quickly with a limit of say 3 legitimate complaints and the permit is pulled. Otherwise, town will be vacated and it will turn into a resort downtown with people who don't really care about town. Do we really want to continue to be the Disneyland of Colorado? That's the way we are heading, I fear.	12/21/2018 2:42 AM
18	Vacation rentals change the character of neighborhoods. Although the survey required me to respond to approaches that i don't agree with I really only support vacation rentals of accessory dwelling units (because they have a lesser impact on the character of the neighborhood). The ideal situation is to allow folks to airbnb a room in their house that they live in and have them long term rent their accessory unit.	12/19/2018 3:24 PM
19	Those are the ONLY benefits.	12/18/2018 8:56 PM

Vacation Rental Community Feedback Survey

20	I believe property owners should have rights to rent or occupy their own property as they see fit provided they aren't breaking any other existing laws.	12/18/2018 3:24 PM
21	All of these, sans two or 3 choices, are positive impacts. However the impact these things provide needs to be weighed against the impact the lack of housing is having on local workers and community in the rvf. Regulation undoubtedly needs to come into play.	12/18/2018 1:55 PM
22	All vacation rentals should be taxed as commercial.	12/18/2018 1:28 PM
23	Some vacation rentals can be a positive thing for a community. The properties have to be kept nicely or they are banned from the sites so that is positive; however too many rentals of this type can be devastating to a community creating less and less long-term housing for Glenwood employees and driving up rental prices for available long-term rentals. We need to come up with a fair mix or we will price ourselves out of a workforce	12/17/2018 6:29 PM
24	Do not know	12/15/2018 12:23 PM
25	allows more opportunity for visitors to experience the community than hotel complexes	12/12/2018 1:50 PM
26	Owners help improve the neighborhood. The home has to be attractive inside & outside to attract guest. No one wants to spend money to stay in a dump.	12/12/2018 1:31 PM
27	Connects guests to the community in a way that staying in a hotel doesn't. It gives tourists the flavor of our community and gives them more ownership and connection so they want to come back and take better care of our resources, tourist areas and town.	12/11/2018 8:28 PM
28	Volume of accommodations increases. GWS is short of hotel accommodations and many are not suitable for larger families and pet owners.	12/11/2018 5:00 PM
29	More interactions between locals and tourists, so outgoing people get local recommendations	12/6/2018 10:56 AM
30	It supports tourism. As I said before will we also ban hunting, fishing, motorcycle touring, hiking, mountain biking, kayaking, rafting, surfing the new wave at the water park, climbing, coming, birdwatching..... Tourism is huge in our town. Oh... lets close the hot springs pool, it brings too many people into our town. Most of the people who rent VRBOs are people who want a little more privacy than a hotel provides. They can feel as if they are at home when away from home. Cook in their own kitchen. Instances of loud partying and ruining a neighborhood is almost nonexistent.	12/6/2018 9:05 AM
31	Tax revenue is only increased if units are compliant with the code	12/5/2018 8:53 PM
32	Property taxes should reflect commercial use. The city should be collecting a lodging tax. All taxes should include consideration for emergency services, education, transit and transportation, etc.	12/5/2018 1:09 PM
33	We have plenty of hotels for tourism visitors - some neighbors/owners have positive experiences but there has to be a limit in impact on number of guests especially with the issues our community already faces with high density neighborhoods that already experience massive parking issues with owners/tenants.	12/5/2018 9:19 AM
34	WE ARE A TOURISM COMMUNITY AND BY ALLOWING SHORT TERM RENTALS IT WILL IMPROVE ECONOMIC DEVELOPMENT. MANY PEOPLE INCLUDING MYSELF OWN SEVERAL PROPERTIES AND IF I CANNOT RENT THEM SHORT TERM AND USE THEM WHEN I ACCESS THE AREA, I WILL LEAVE IT VACANT WHICH IN TURN LIMITS AVAILABILITY OF LONG TERM RENTALS AS WELL. SHORT TERM RENTALS DO NOT IMPACT AFFORDABLE HOUSING OR LONG TERM RENTALS IN MY OPINION AND THESE NEED TO NOT BE IN THE SAME CONVERSATION.	12/5/2018 8:30 AM
35	The pros far outweigh the cons	12/4/2018 5:47 PM
36	Helps with jobs for local residents in tourist industry and basic supplies.	12/3/2018 12:41 PM
37	I lived in a townhome community that allowed VRBO. It was like living next to a hotel room. The community eventually limited the length of the rental to 6 mo. min. The safety of the neighborhood was compromised. Renters did not follow community or city rules, the entire character changed for the worse. I had rented my unit for a year. This was successful and did not impact the neighbors.	12/3/2018 12:19 PM
38	Governments should not restrict what a homeowner may do with their property. With the price of living in this valley, it is sometimes necessary to supplement income with a short-term rental. Telling a homeowner they are unable to do that is wrong.	12/3/2018 8:43 AM

Vacation Rental Community Feedback Survey

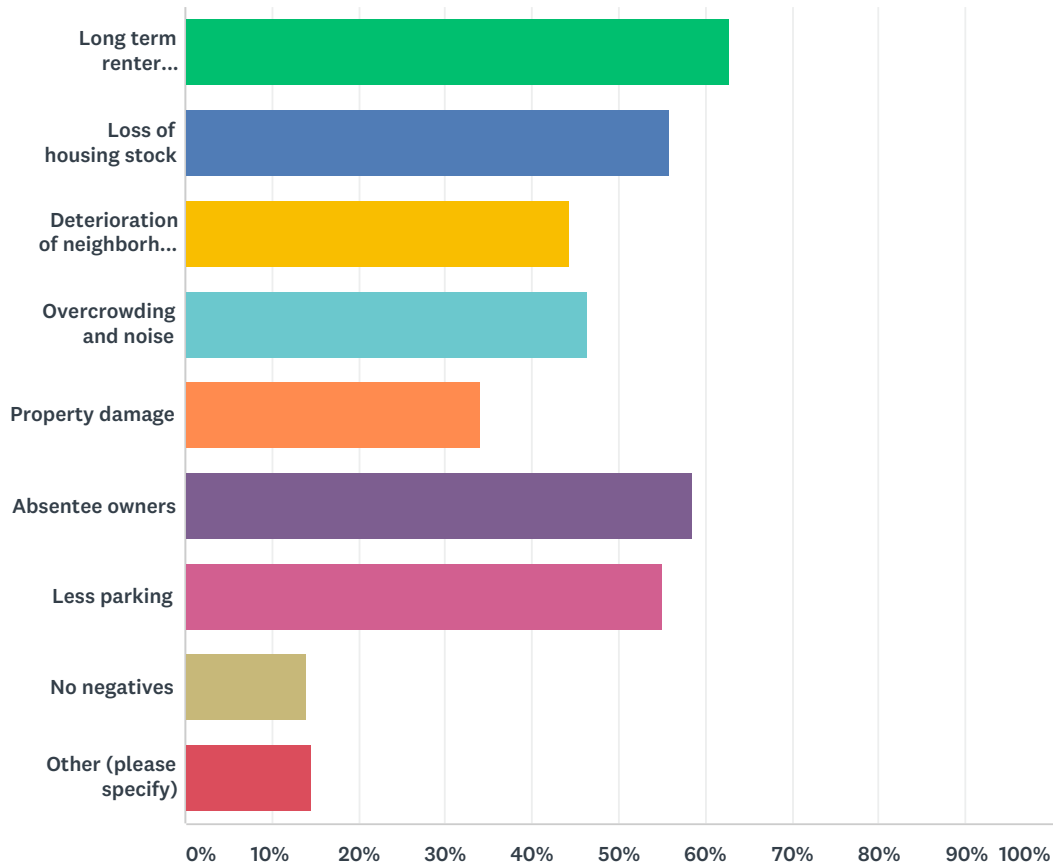
39	Vacation rentals are better for the neighborhood than having long term renters. Vacation rental properties are usually better maintained than long term rentals which are typically run down, not landscaped, etc. I live in downtown Glenwood and think that the best mix is residence that are the primary residence of the owners and vacation rentals.	12/3/2018 8:14 AM
40	Other than allowing residents to supplement their income, I see no real benefits to our community	12/3/2018 7:30 AM
41	Owners should be allowed to determine the terms of their lease. Short term rental or long term rental it is not the place of a city governments to determine terms of an owners lease. It benefits everyone when government does not over govern	12/3/2018 6:48 AM
42	We have plenty of hotels	12/2/2018 10:52 PM
43	Need more info and data	12/2/2018 8:03 AM
44	It brings more cars to already cramped parking in my neighborhood.	12/1/2018 8:46 AM
45	All of this is opinion. Will building more Hotels increase tourism, tax revenue ?	12/1/2018 7:03 AM
46	It has been my observation that people who are planning to enter the vacation rental market tend to upgrade their property, often dramatically, before putting it on the market.	11/30/2018 11:01 PM
47	From my experience, short term rentals are kept in beautiful condition, while long term rentals are often unkempt and in complete disrepair.	11/30/2018 2:54 PM
48	Short Term Vacation rental are a benefit to the community. The homeowner has to invents and maintain a competitive property to attract higher price points and clientele. Long term rental only contributes to the decay of property. Homeowners are unable to keep up with wear and tear on long term due to the lack of profit. Its difficult to evict problematic renters and recover damages. Concerdering the medium price of our local real estate- long term rental is not a viable options. Free market and respecting the rights of private property is important for the council to keep in mind. There is a reason we decided to not buy in to community with homeowners associations. Short term rental is good for the downtown community at large. The property owners are able to remodel and make improvements to the property otherwise not financially obtainable. I support regulations to ensure the homeowner is creating a safe environment and operating with in the current laws and codes.	11/30/2018 12:11 PM
49	I don't think there is a large income benefit to the city. We say we need employee housing yet we allow houses to become income investment property for out of town parties who do not want to have long term rentals but can make more in the short term market.	11/30/2018 10:44 AM
50	We have found vacation rental neighbors are happy to be here, take care of the property and the owners keep the property in excellent condition. Vs non vacation rental properties are loud, yards and property are not maintained and renters typically destroy the house.	11/30/2018 9:57 AM
51	Visitors gain an enhanced understanding of our community as a desirable place to live.	11/30/2018 9:44 AM
52	I'm a single person that was able to afford to purchase a home within this valley when the market crashed. Since then my wages have barely moved and I've had to take on extra jobs to be able to keep my home. The biggest benefit for me having a vacation rental is the ability to supplement my income without giving up my home. I can camp on weekends and provide an opportunity for someone to enjoy my home and what this valley has to offer without having to work 60+ hour weeks to make ends meet.	11/30/2018 9:40 AM
53	Gws is we're the common worker can somewhat afford to live. We don't want to become Aspen we're you pay an enormous amount of money to live in a closet. I am a home owner and take pride in my home and keeping it a single family home. I don't want inconsiderate vacationers being near my home. There's already apartment/condos behind mind me on Davis Dr. With junk piles in the yards, making my property value go down. Plus I have to look at it, it's discusting!	11/30/2018 8:33 AM
54	Allows people to afford a second home in an area they love when they otherwise might not be able to.	11/30/2018 8:02 AM
55	saving houses from foreclosure	11/29/2018 8:09 PM
56	Please respect the trusted shared economy, that is working world wide and join a global attitude of diversity, and accept broader views of traveling experiences. Focus on how to grow rather than fear change. Respect homeowner's use of their property, and continue to collect in city taxes. Learn from other cities, and this NIMBY attitude, is archaic, and unnecessary. Accept the change in how people want to travel and engage with the world. Thank you.	11/29/2018 6:50 PM

Vacation Rental Community Feedback Survey

57	From my experience operating an STR in Glenwood Springs, I found that many guests renting the home we offered for short-term rental were families that would likely not find it practical to vacation in Glenwood otherwise. The guests we hosted spent money at local businesses adding to the economy. Furthermore, not all guests we hosted were tourists. A number of guests hosted were either family members of those that live in the community who would not find it practical to make a visit without the availability of the extended STR rental, or staff members of companies that rented from 2-4 weeks for local project work. The STR fills a gap in practical accommodations offered by a hotel and long-term home/apartment rental.	11/29/2018 6:30 PM
58	Gws gets more national attention with tourism.	11/29/2018 5:59 PM
59	We make less money on our family home BUT the home stays in pristine shape. It is kept clean, perfect, no breakage, no damage so far in 2 years. We have had less luck with full time rentals.	11/29/2018 5:43 PM
60	As our society evolves I find majorly of young people I talk to do short term rentals several have said they never stay in traditional hotels	11/29/2018 5:39 PM
61	Property owners should not be restricted. Restriction will decrease property values in Glenwood Springs and limit options for tourists. As a homeowner and professional in Glenwood Springs I am strongly opposed to the city restricting vacation rentals.	11/29/2018 2:58 PM
62	I would have checked Increase Property Value, but I do not believe that it is a benefit. Glenwood Springs is already experiencing a shortage of affordable housing for middle- and lower-income households, so I believe that increasing property values is only a benefit for those who already own homes or who have a high income or substantial access to wealth.	11/29/2018 2:55 PM
63	For people that only live in a home part-time, it won't be vacant the remaining time.	11/29/2018 2:22 PM
64	Vacation rentals have an incentive to improve and maintain their property	11/29/2018 1:38 PM
65	Vacation rentals rely on reviews of guests. As such, the property is well maintained. Trash is picked up, lawns are maintained, exterior is repaired. These types of units are desired by guests. They want things a hotel cannot provide: kitchen, laundry, separate bedrooms, additional amenities. They are good for tourism. Glenwood 'sells out' on hotels in high season. Vacation rentals supplement, but should not be limited to a specific season. Economics should dictate in an open market.	11/29/2018 11:48 AM

Q26 Are there negatives to having vacation rentals? (Check all that apply)

Answered: 459 Skipped: 23



ANSWER CHOICES		RESPONSES	
Long term renter displacement		62.75%	288
Loss of housing stock		55.77%	256
Deterioration of neighborhood character		44.44%	204
Overcrowding and noise		46.41%	213
Property damage		34.20%	157
Absentee owners		58.61%	269
Less parking		55.12%	253
No negatives		13.94%	64
Other (please specify)		14.60%	67
Total Respondents: 459			

#	OTHER (PLEASE SPECIFY)	DATE
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Vacation Rental Community Feedback Survey

1	It's been proven that too many vacation rentals negatively effects the rentals for locals. The housing diminishes and it prices local workers out as owners chose to make a quick buck on vaca rentals vs renting to locals. It also can negatively effect a neighborhood with constant in and out of strangers, partying, and noise. We personally moved and bought a new house due to our old neighbors being a vacation rental. We didn't feel comfortable raising our child next to a house that has someone different in it every other day. People have walked in to the wrong home, left trash, partied and done inappropriate things (especially for family neighborhoods), etc. There needs to be a regulation on how many of these are allowed.	1/30/2019 10:17 AM
2	If you rent/own in a neighborhood with a vacation rental - you never know who is next store your neighbors always change ...	1/22/2019 12:08 PM
3	noise and parking limits for vacation rentals should comply with the area/block norms or HOA rules so as not to disturb the neighborhood	1/20/2019 7:20 PM
4	I think there are few to no negatives for accessory units. Personally, I would not want to have a year long live in tenant. However, I could use the extra money during ski season to rent out our extra bedroom/bathroom for weekend ski use. It's not an either or thing, many home owners (like myself) would only consider intermittent accessory rentals for extra income.	1/17/2019 6:39 AM
5	Increasing home costs when people are paying cash for homes to just be rented out and have no intention of living there	1/16/2019 5:18 AM
6	Would like to know more about other communities like ours.	1/12/2019 6:35 PM
7	I do not see enough negatives to warrant disallowing VRBO's Property damage would be no less than an owner renting long term and its the owner responsibility to maintain the property like any other property. It sure as heck is NOT local governments responsibility. There are counsel members who own homes with ADU's why should government have the right or obligation to manage my property.	1/11/2019 3:31 PM
8	this should not be a business venture. Speculative endeavors are not the intent of the vast majority of owners. To address 2nd home issues, consider the amount of time spent by the owner as a percentage of occupancy. Example; house is empty all winter, owner occupies for the summer and rents for some weeks before and/or after. This allows the owner to afford to keep the family home and maybe retire here and/or pass it along to following generations. History, heritage, family values, community, stability I am absolutely opposed to 100% vacation rental. A beautiful idea to help people maintain their home has been twisted to include avaricious ends and ruin it for everybody.	1/10/2019 11:25 AM
9	I live near several vacation rentals. I have also used them while vacationing in other areas and see the value and benefit. I also understand allowing home owners to have freedom to to what they would like with their property. Having said that I hate living next to several of these rentals. I was never informed this was happening, nor do I know the property owners in order to contact them if something is happening and have been disrupted by noise, parking impacts, destruction of property, etc. In other areas that I have visited, there have been strict codes that visitors are expected to adhere to, such as being inside by 9 or 10pm, no parking on the street (obviously works only in locations with parking spots and/or driveways/garages), etc. I believe something like this could help the impact on neighborhoods. Thank you for taking the time to ask for input and to carefully consider as many options as possible.	1/10/2019 8:35 AM
10	These negatives apply primarily to short term rentals.	1/9/2019 10:31 PM
11	can cause rental rates to rise	1/9/2019 2:01 PM
12	It commodifies the very notion of home and neighborhood.	1/9/2019 9:37 AM
13	I think it depends. If it's used by a resident to supplement income so they can afford to live here then I think it will be largely positive because the home owner has an incentive to insure that their renters are not having a negative effect on the home or their neighborhood. They can use ratings on Airbnb to ensure that they are only allowing renters who will be respectful. If it's used purely as an income source by someone who doesn't live in the community I think it's more likely to have a negative impact because the owner will care more about generating as much money as possible then ensuring that they have responsible and respectful tenants.	1/2/2019 5:17 PM
14	Currently the 4 short term vacation rentals near my house have not shoveled their walkways and it has been snowing today +5". One of the houses is on a corner. Very disrespectful of the people that are walking and living in the area of downtown.	12/31/2018 3:43 PM

Vacation Rental Community Feedback Survey

15	-High employee turnover due to lack of adequate, affordable housing. -Loss of talented individuals who might otherwise contribute to our community. -Long time residents losing homes in favor of vacation rentals. -Increased traffic and pollution from workers forced to drive from further and further away. -Children spending longer hours in daycare away from parents due to long commute times. -Potential for non-resident property owners with no stake in our town to create hardships for citizens who actually live here. -Shift in the nature of the town from a place to call home to a strictly tourist destination with a non-resident workforce. -Deterioration in quality of life for the majority of residents, for the profit of a few.	12/30/2018 10:48 AM
16	Council and their staff must gather verifiable and creditable information on all the above topics before making any decisions. Complaints or information received must not be considered based on impressions or conjecture. You are dealing with many families' livelihoods and use of their property.	12/28/2018 11:36 PM
17	Police calls. I will no longer be able to leave my door unlocked.	12/27/2018 10:59 AM
18	Neighboring residents not knowing the inhabitants of these rentals.	12/27/2018 10:05 AM
19	Guests don't always know what to do with their garbage. Lack of knowing who your neighbor is.	12/23/2018 10:46 AM
20	I live beside an absentee owner VRBO that is not registered with the city. Now that he owns 4 properties in GWS, I can see this getting out of hand. I think the city needs to clamp down on illegal units, and even more importantly, limit absentee owners (or all VRBO owners) to only one or two VRBOs. That way one wealthy person, or a few, can't turn the flavor of this town for their personal gain!	12/23/2018 10:27 AM
21	It degrades our single family neighborhoods such as the downtown core with our victorians turning into VRBO's. This is something we need to protect and put in regulations. I feel too many council members have their hands in this market, so certainly they do not want regulations. Government can be good in some areas when done effectively. In the age of texting and ordering online and doing so many things where you do not need to interact with a person, our neighborhoods need to be a priority promoting positive or possibly negative human interactions, but its with people that have an investment in the space, not just there for 4 days.	12/23/2018 8:44 AM
22	The owners/rental managers need to respect town curfews as it relates to NOISE. We are a working class neighborhood, people have to get up and go to work in the mornings, so NOISE from the vacationers is NOT appreciated. Owners/rental managers are often ABSENT and disrespectful of the neighborhood.	12/23/2018 8:15 AM
23	Some people are okay, but others leave trash for dogs, bear and raccoon to rummage through. I have to pick it up. There are many too many people with their many vehicles - a small two-bedroom in my neighborhood has had as many as 12 people at one time. The people who live here should be protected. For instance, only vehicles registered to the address should be allowed to park at that address and stiff fines should be against the property owners of the VRBOs for their renters' transgressions. The people who are making money hand over fist with this rental scheme will howl about this. "We're not responsible for what other people do". But they have to be. The neighbors are bearing the burden of their profitable business. Also, anytime a police officer is called to that address for noise, trash, etc., the property owner should receive a stiff fine. For the most part, these are absentee landlords, willing to have as many renters that they can pry in for their rentals. They don't feel the brunt of this. We do.	12/22/2018 1:46 PM
24	1) Stranger Danger and Criminal activity (the only person who may be vetted by VRBO or Airbnb is the person who made the reservation. None of the other adults staying in the vacation rental are vetted, so you don't know if they have criminal records-very unnerving, especially with large groups. 2) bed bugs 3) loose dogs (maybe not vaccinated), incessant barking when left outside in a strange place, using neighbors' yards as their bathrooms 4) strangers disregarding all boundaries, literally taking over your space and coming onto your property with their children and dogs 5) neighbors' driveways being partially or entirely blocked 6) unsupervised children playing in the street blocking traffic 7) trash thrown out on ground to be blown into our rivers and streams 8) decrease in property values (who would want to buy a house that is next to a hotel?) 9) fire safety (i.e., absentee owners allowing their guests to burn tiki torches and fire pits when the county is in stage 2 fire restrictions) 10) disrespect of the neighbors and neighborhoods (i.e., the attitude of "I'll be leaving in a couple of days, so what I do doesn't matter") 11) taking business away from our local hotels that pay a high accommodations tax to our city and county 12) people bringing their trailers and toys (rv's, snowmobiles, atv's), parking them where they shouldn't be parked and blocking access to neighbors' driveways 13) trash cans being left out on the street for days until the next group shows up 14) Complaints from neighbors directed to our local government employees, costing taxpayers more money, because there are no managers on site	12/22/2018 12:19 PM

Vacation Rental Community Feedback Survey

25	There appear to be codes but they are not applied. Rentals should be checked annually for safety. Occupancy is often too high stressing sewer and water systems. When rentals are sold, like the one I am in (at \$3000 per months) a FULL inspection should be required. This home has a sprinkler system for fire that was last inspected in 2011. New owner refuses to have it inspected. There is nothing in place to ensure any tenants safety or rights. The City Council has a haphazard way of approaching the rental market with an eye only on profit. It is only a matter of time before one of the over occupied and poorly maintained homes by the Boy Scout Trail burns and lives are lost.	12/22/2018 7:30 AM
26	I had a pair of skis stolen off of my porch. I immediately talked to four teenagers from California, that were in front of a nearby house, a few doors from Tony Hersey's house. (He has written to the GWS PI in opposition to vacation rentals.) The teens were drunk, and sick on the sidewalk. The police were sympathetic, but there is little that they can do.	12/21/2018 6:01 PM
27	I was a landlord and despite every available vetting process, we continually had run-ins with police, drugs, growing marijuana, having too many pets, having too many roommates, leaving dumpsters (this is a measure of trash *after* you remove it by the wheelbarrow from your home) of waste in common areas, dumping marijuana grow chemicals into the ground near the home killing trees and landscaping, flooding laundry rooms and kitchens and then not notifying anyone, you name it. Finally, the last straw was when my husband and I were physically threatened by a tenant who was arrested, and subsequently removed, from the property for domestic violence. Even then, we had no legal recourse in the courts for any damages or fines, only back rent. To those saying that you can do more to vet your tenants, see also: Christina Brusig. -- Issues like noise, trash, and parking are simply no different than long-term rentals with one glaring exception: if your Airbnb'ers next door are being loud or have 5 cars parked out front, you can bet they're leaving in a few days. Otherwise, you can get stuck with these types of neighbors in a 12-month lease. -- There already aren't enough places for people to live in the valley and to say that this is a new or emerging conversation because of short-term rentals is a farce. When the city starts really, truly making an effort at affordable housing and cracking down on slumlords who refuse to put a cent into their properties, I'll be more interested in stricter regulations for vacation rentals. -- Second homeowners and/or partial residents should not be able to have a short-term rental. These rentals require hands-on attention and intervention from owners.	12/21/2018 2:25 PM
28	Should pay commercial property tax rates if they are running a business	12/21/2018 1:57 PM
29	Vacation rentals are commercial enterprises that pay residential property taxes. They create added burdens on our infrastructure (police, ambulance and road wear). This adds more burden to the properties paying higher commercial tax rates in our unfair tax system. And does anyone verify that these properties pay income taxes on their profits?	12/21/2018 12:33 PM
30	There will be less impact if people hire the right management companies, or if the owners are held to a higher standard.	12/21/2018 9:55 AM
31	Not knowing who your neighbors are on a daily basis, not feeling as safe in your neighborhood, not having renters follow city ordinances, increase in property costs makes it more difficult for families trying to buy a house afford to buy causes more families to stay in the rental market with no long term rental inventory.	12/21/2018 9:01 AM
32	Honestly, these are the negatives. Do we want to create this scenario just so we can have more tax income? Sometimes less is more.	12/21/2018 2:42 AM
33	it goes beyond deterioration of neighborhood character, left unchecked short term rentals negatively impact community character and cohesiveness. Tourists don't go to meetings or support community events. It is a real shame that people that work in Glenwood can't live here because housing has become commercialized. Further, while it does provide more tourist options, it also competes with our hotels and lodging facilities.	12/19/2018 3:24 PM
34	Increases cost of living for year-round residents. Gentrifies areas and makes them unaffordable.	12/18/2018 4:36 PM
35	Should be no negatives, but would depend on character of owners and guest.	12/12/2018 1:31 PM
36	I have been a vacation rental owner for 24 years in Breckenridge and Glenwood. I feel it is reasonable to expect a town to collect an licensing fee and taxes should be paid. This allows for economic growth & increased tourism. Regulations requiring on site management are not necessary. Owners need to be sensitive to neighborhood concerns and be good stewards of their property.	12/12/2018 11:58 AM
37	Increase in long term rental rates due to supply and demand	12/12/2018 10:10 AM
38	Many of the hotels by the river have become run down. Probably less incentive to keep them nice.	12/11/2018 8:28 PM

Vacation Rental Community Feedback Survey

39	As long as there is a limit on how many short term rental permits are issued within city limits and there is a balance between long term and short term rentals, there are no negative impacts	12/8/2018 7:38 AM
40	Our community members are being kicked out of housing so vacation rentals can be used instead.	12/7/2018 5:46 AM
41	Losing housing for real locals is having a HUGE impact on housing availability and hence, cost	12/6/2018 10:56 AM
42	Possible damage---- this is also true with long term rental, I have experienced this twice myself with long term and I have had less damage with my VRBO. As I said before, I rented myself 25 years ago and there were not many rentals at that time either. I don't believe the VRBO market is causing a shortage in housing, these house are owned by local people.	12/6/2018 9:05 AM
43	THIS IS ALWAYS A POSSIBILITY.	12/5/2018 8:30 AM
44	loss of neighbors invested in the community	12/5/2018 7:36 AM
45	unpredictable who rents...sometimes too many vehicles in the neighborhood and parking is problematic	12/4/2018 7:17 PM
46	Property value went down. Rental prices went up. Neighborhood character changed, not neighbors that cared about the community.	12/3/2018 12:19 PM
47	100% of the vacation rental discussion should be focused on it's impact on available housing stock and affordability. The other factors are based too much in hearsay, and consist of the same nimby-ist arguments that can also be used to argue against density and affordable housing. Keeping this conversation based on affordability will keep it positive/constructive, and create other inroads for enhancing affordability moving forward as well.	12/3/2018 11:45 AM
48	I think if there are complaints such as noise, odor, etc. the owners should address them and if the problem persists, the owner's license is put on probation and could lose their permit. Overall I think VRBOs are an incentive to keep properties and neighborhoods nice. No one wants to vacation in a dump.	12/3/2018 8:38 AM
49	All of the above	12/3/2018 6:12 AM
50	It changes the feel of a neighborhood. We have two on our block at the moment. We know and interact with the owners of the rental next door and they are kind, polite, and available if we have questions or concerns but they are not here when the rental market is going non-stop all summer. It's a different family here every 2-3 days... we also don't want to be on the phone to complain because we know it's their business, but it can be annoying with parking, noisy renters during the work week while the visitors are on vacation, etc. It does change a neighborhood.	12/1/2018 12:18 PM
51	We know that we have a need of long term rental in GWS. This is making the problem MUCH worse. Furthermore, it was not my intention to purchase a house in a Hotel District.	12/1/2018 7:03 AM
52	I would like to see non-owner occupied vacation rentals capped, and owner occupied (6 months or more) without a cap. Owner occupied rentals come with many of the benefits without degrading the community that our neighborhoods offer.	11/30/2018 3:15 PM
53	Seriously? Those are the "negatives" the town can come up with for options? Maybe counsel and town employees need to visit some of our local vacation rentals that are clearly being misjudged. If you could see before and after photos of many of these properties- the improvements and care are incredible. Nothing like a deteriorating long term rental that violates many safety codes and leaves a eye sore on the downtown community. Parking may be your only argument..... but how many actually use more then a property owner or long term rental family would?	11/30/2018 12:11 PM
54	Potentially some of these negatives could apply depending on the location of the rental.	11/30/2018 10:17 AM
55	I have seen the regular rental home next door which has 2 bedrooms overwhelm our neighborhood with multiple vehicles, and more people living there than what 2 bedrooms normally support. Crystal Property does not inspect their homes nor hold renters to terms until neighbors complain. We have had None of this with the vacation rental.	11/30/2018 9:57 AM
56	The negatives are specific to each individual location/neighborhood. They might apply in one location and not another.	11/30/2018 9:44 AM
57	STR should be classified as commercial (income property) for property taxes.	11/29/2018 7:25 PM

Vacation Rental Community Feedback Survey

58	I have operated a short-term rental in Denver for 5 years and Glenwood Springs for 3 years. Although loss of housing stock and long-term renter displacement will occur, a supply and demand balance on short-term and long-term rental operations limit the number of short-term rentals that can operate on a practical basis. When competition between short-term rentals result in lower income to short-term renters, it becomes more practical for to rent long-term. As such, the market becomes self-regulating. The number of STR's that can operate on a practical basis is a very small percent of the total residential market. I closely followed Denver's Short-Term Rental policy development activities including attendance of public meetings STR Committee meetings and City Council meetings. From arguments presented, and analysis conducted, it seemed clear that the benefits short-term rentals provide the community outweigh the detriments.	11/29/2018 6:30 PM
59	No negatives yet for us. No complaints from neighbors..they all know. We are in a dual zone but predominately residential. We have it managed by relatives, don't rent during X game week and our house adds to the neighborhood, not deteriorates it.	11/29/2018 5:43 PM
60	More dogs that are not on leash or picked up after.	11/29/2018 5:43 PM
61	Many of the above can occur, owners can choose to limit number of guests. Many long term tenants do damage	11/29/2018 5:39 PM
62	The market WILL self regulate with unsafe, unpleasant, or unkept rentals. With feedback and social media, plus self regulating supply and demand, the properties that are NOT desirable will quickly be weeded out. Also, if there is too much supply, and not enough demand, short term rentals will likely be converted back to long term, but the overall condition of the property will ultimately be much better because the owners had to maintain it more frequently (or the reviews from guests will destroy their reputation). No one wants to come to Glenwood to just party and trash the place... our guests have been fantastic! It is too expensive in this town to have a cheap, run down rental.... it will NOT last!! Our long term tenants always have way more cars than short term rental tenants. Many of our guests come from Denver and take the train, or they will just have one vehicle.... most long term tenants have at least 2 or 3 vehicles!!	11/29/2018 5:34 PM
63	The negative currently is lack of affordable housing in general and the high cost of living - this isn't being impacted by VRBO options, etc...	11/29/2018 3:25 PM
64	If the City is concerned about long term rentals they should find ways to work on this problem. Limiting property owners short term rental options will not be effective in accomplishing this.	11/29/2018 2:58 PM
65	Increasing property values (which may benefit the wealthiest in the community, but harms everyone else)	11/29/2018 2:55 PM
66	Reduction of long-term residents who participate in civic affairs, potential increase in crime associated with tourists staying in residential neighborhoods in an era of expanding legalized drugs, not knowing who your neighbors are decreases sense of security for families with children, loss of community cohesion stemming from resentment of those who are profiting from their properties at the expense of others,...	11/29/2018 11:37 AM
67	No negatives that don't also occur when owners, long term renters are not respectful neighbors.	11/29/2018 11:23 AM

EXHIBIT D. Leniency Scale of Municipal Regulations.

****Information pulled from multiple sources and is not comprehensive in each category.**

ISSUE	RESTRICT	BALANCE	ENCOURAGE
Allowance & Limits	Not Allowed	Allowed but Limited	ALLOWED
	<u>Morrison, CO</u> <u>Moab, UT</u> (except at previously established) <u>Teton County, WY</u>	<u>Crested Butte</u> : 2 Categories, one primary residence with 60 night limit, and one limited to 30% housing stock <u>Boulder/Denver/Lyons</u> : Primary Residence <u>Durango</u> : 1/block face + zone limits <u>Telluride</u> : Zoning Limitations of frequency & duration <u>Green Mountain Falls</u> : 10% of Housing Stock (60) <u>Georgetown</u> : 7% of each ward housing units <u>Estes Park</u> : 588 permit limit	<u>Snowmass Village</u> <u>Frisco</u> <u>Carbondale</u> <u>Aspen</u> <u>Silverthorne</u> GLENWOOD SPRINGS: No limits by number or zoning
Fee	\$250 Annually and up	\$75-200 Annually	Buisness License fee or less than \$50 annually
	<u>Crested Butte</u> : \$750 Annually <u>Georgetown</u> : \$500/\$250 Renewal <u>Durango</u> : \$750 Land Use Permit	<u>Blue River</u> : \$200 one time/ \$75 renewal <u>Breckenridge</u> : \$175 annual/Admin fee \$5(<u>Boulder</u> : \$130/\$105 renewal <u>Telluride</u> : \$165 +\$22/bedroom annual <u>Estes Park</u> : \$200 +\$50/bedroom <u>Lyons</u> : \$175/ \$50 Renewal <u>Clear Creek County</u> : \$250 one time fee	<u>Denver</u> : \$25 annually <u>Silverthorne/ Frisco/Avon/Aspen</u> : Business License only GLENWOOD SPRINGS: One-time \$110, business license
Additional Tax	Excise Tax Funds Affordable Housing		
	<u>Crested Butte</u> : Additional %5 tax <u>Telluride</u> : Additional %5 tax		
Building Inspection	Building Inspection every year with occupancy limits	Initial Building Inspection, affidavit upon renewal	No Building Inspection
	<u>Georgetown</u> : Annual Inspection <u>Crested Butte</u> : Inspection required to obtain permit and renewal.	<u>Estes Park</u> : Initial inspection <u>Breckenridge</u> : Inspection upon complaint, affidavit <u>Durango</u> : Inspection with Land Use Application <u>Clear Creek County</u> : Initial inspection	<u>Vail</u> : Self certify requirements <u>Lyons</u> : Affidavit self certifying safety standards <u>Boulder</u> : Life Safety Compliance verification form (Both of these Cities require Primary Res) GLENWOOD SPRINGS: No building inspection
Residency Requirement	Primary Residency Required	Some Residency Requirements	No Residency Requirement
	<u>Boulder</u> <u>Lyons</u> : 9 month Residency required <u>Telluride</u>	<u>Crested Butte</u> : No limit to Primary Residence Permits, Limit to Non Primary Residence Permits	<u>Carbondale</u> <u>Frisco</u> <u>Aspen</u> <u>Snowmass</u> GLENWOOD SPRINGS: No residency requirement
Violations	Revocation	Fine Structure	Basic Municipal Fine Structure
	<u>Georgetown</u> : Revocation after 3 violations in 1 year <u>Green Mountain Falls</u> : 3 violations in 1 year <u>Crested Butte</u> : Violation penalty is revocation with 2 year suspension. <u>Vail</u> : 3 violations in 1 year, revoked for two years	<u>Breckenridge</u> : Fine Structure and Temporary License Revocation 1st: Suspension 30 days, \$200 Fine in lieu 2nd: Suspension 60 days, \$500 Fine in lieu 3rd: Suspension 90 days, \$999 Fine in lieu 4th+: Suspension 1 year, no fine in lieu	<u>Telluride</u> GLENWOOD SPRINGS: up to \$1,000 penalty, revocation of permit possible
Violation Response Time	Maximum Response Time	24 Hour Availability to Respond	No Response Time Requirement
	<u>Vail</u> : 30 Minutes, Agent must reside in 60 miles <u>Breckenridge</u> : 60 Minutes <u>Lyons</u> : 60 Minutes (Responsible Agent must be within 60 miles)	<u>Durango</u> : 24 hour Agent,If no response, penalty <u>Clear Creek County</u> : 24 Hour Agent, Must reside within 1 hour from vacation rental property	GLENWOOD SPRINGS

	<u>Estes Park:</u> (Code states "Immediate" response, no amount of time)		
Complaint System	Dedicated Vacation Rental Complaint Line		Standard Code Enforcement
	<u>Breckenridge:</u> STR HELPER, nuisance management system		GLENWOOD SPRINGS
	<u>Boulder:</u> Rental Housing Licensing Code Violation Line and Online submittal <u>Vail:</u> Online Reporting Portal		
Parking	OFF STREET PARKING REQUIRED	Parking Plan Submittal	No Parking Requirement
	<u>Estes Park:</u> 2 minimum off street, except Downtown <u>Durango:</u> 1 per Bedroom onsite <u>Green Mountain Falls:</u> Onsite Parking Plan required <u>Clear Creek County:</u> 1 space per Bedroom	<u>Lyons</u> <u>Green Mountain Falls</u> <u>Crested Butte:</u> Over 10 Occupancy requires onsite parking	<u>Estes Park</u> <u>Georgetown</u> <u>Breckenridge</u> <u>Frisco</u> <u>Avon</u> <u>Boulder</u> GLENWOOD SPRINGS: No extra parking required
Neighbor Notification	Adjacent Property Mailing	Duplex Only	No Notificaiton
	<u>Georgetown:</u> 300 Foot Owners <u>Crested Butte:</u> 100 foot owners <u>Durango:</u> 150 Foot Owners <u>Green Mountain Falls:</u> 150 foot owners <u>Estes Park:</u> 100 Foot Owners	<u>Vail</u>	<u>Carbondale</u> <u>Boulder</u> <u>Denver</u> <u>Telluride</u> <u>Blue River</u> <u>Breckenridge</u> <u>Aspen</u> <u>Avon</u> <u>Lyons</u> <u>Silverthorne</u> <u>Snowmass</u> GLENWOOD SPRINGS: No notification
Accessory Dwelling Units	ADU Vacation Rentals Prohibited	One Vacation Rental per Property (Either ADU or Main)	No Regulation
	<u>Estes Park:</u> Lots with ADU's cant have Vacation Rental <u>Lyons:</u> ADU VR not allowed, Owner occupancy of ADU while Glenwood Springs: No Vacation Rental in ADU	<u>Boulder:</u> Either ADU or Main Dwelling can be rental, not both	<u>Carbondale</u> <u>Blue River</u> <u>Silverthorne</u> <u>Breckenridge</u> <u>Avon</u> <u>Lyons</u> <u>Snowmass</u>

Exhibit E Municipal Vacation Rental Matrix

Short-Term Rental Property Ordinance Matrix

Credits: Colorado Association of Ski Towns, City of Fort Collins
Additional Information added by City of Glenwood Springs Staff

City	Primary Residence	Non-Primary Residence	Tax Required	Tax Collected: By municipality or listing agency	Vacation Rental Permit Required	Neighbor Notification	Concentration Limit	Parking Requirement	Zoning Limitations	Fees	Occupancy Requirement	Building Inspection	Other
GLENWOOD SPRINGS	Yes	Yes	Yes	Municipality	yes, non-transferrable	No	No	None	No	One time \$110	none	none	ADU vacation rentals prohibited
Avon	Yes	Yes	Yes	Municipality	Only business license	no	no	None	Yes, Only in Overlay Zone Areas Not in PUD's unless specified	Business License fee only	none	none	
Blue River	yes	yes	yes		yes, non-transferrable	no	not yet		no	\$200 first time; \$75 annually	none		In process of changing much of this.
Boulder	yes	no	yes		yes, non-transferrable	no	no		yes, determine occupancy limits	\$130 first time; \$105 for 4 year license	determined by zone		
Breckenridge	yes	yes	yes	Municipality	yes, non-transferrable	no	no		none- unless deed restricted workforce housing, then prohibited	\$75 - \$175 annually , based on bedrooms One time Admin fee \$25-150	none	Authority to inspect units granted in license language.	Single-Family Home - Special Conditions of License/BOLT License -Location Card posting requirement
Crested Butte	Yes	Yes but restricted with total Cap.	yes		yes, non-transferrable	yes, 100 foot property owners	yes, 30% cap of free market housing units for unlimited category. No limit for Primary Residence.	Over 10 Occupancy requires on site parking	yes, only allowed in certain zones	\$750 annually for Unlimited (two years paid in advance initially) \$200 Annually for Primary Residence	Only for Primary Resident License.	Yes	Max Occupancy of any property 10. Occupancy may be adjusted following physical inspection of the vacation rental property.
Denver	yes	no	yes		yes, non-transferrable	no	no		no	\$25 annually			
Durango	yes	yes	no, no mention		yes, non-transferrable	yes, 300 foot radius	yes, by zone including total number and by block face	1 off street space required	yes, only allowed in certain zones	\$750 first time	Site visit and inspection, property posted, parking requirements	Yes, Required	
Estes Park	no	yes	yes		yes for in town with fee, operating permit for county with no fee	no	588 Permit limit in Residential Zone Districts		no	\$200 base fee plus \$50 per bedroom	2 per bedroom, plus 2 up to 8 total		The Town and County have a task force to examine the 8 limitation on larger homes and other regulations such as neighbor notification and limitation on number of vacation homes within the valley, etc.
Estes Park - outside Town, inside Estes Valley	Same as Town	Same	Same		no; however, an operating permit is required per the land use code (Estes Valley Development Code)	Yes (100 foot)	Same		yes, in all residential zones, A-1 Accommodations/Low Intensity and CD - Downtown Commercial	none	Same		
Frisco	yes		yes		yes	no	none		none	\$75 business license	none		None, we are working on a new ordinance to address notification, occupancy, and several other issues.
Georgetown	yes	yes	sales/lodging		yes, non-transferrable	yes, owners within 300 feet	7% per town ward		no	\$500 first time; \$250 renewal	no		Local owner representative
Green Mountain Falls	Yes	yes	yes	Municipality	yes, non-transferrable	Yes, owners within 150 foot radius	Maximum 60 permits for town, roughly 10% of housing stock.	On site parking plan required for occupancy indicated.				Yes	
Lyons	yes, min 9 months	no	yes	Municipality	yes- non transferrable	no	no	Parking Plan submitted with application	yes, only allowed in certain zones	Annual payment	2/bedroom, Max 8 unless CUP 9 Months minimum primary resident	Yes	Rentals in ADU not allowed Owner occupancy of ADU during Primary rental not allowed Must respond w/in 60min code complaint
Morrison	PROHIBITED. The Board of trustees found that the rental or residential properties for periods of time less than 30 days would have an unacceptable adverse impact upon adjacent properties, public services and public health, safety and welfare because the nature of short-term residential occupation differs in kind and nature from residential occupation of greater than 30 days. Ordinance No. 421 July 2015												
Silverthorne	yes	yes	yes, business license		yes, business license	no	no		no	Business License fee is \$75	none		We only require a business license. We have somebody that tracks websites for rentals without a business license.
Snowmass Village	Yes	Yes	Yes	Third Party Contractor	yes, non-transferrable	No	No		No	No	Yes, under the building code		Not permitted in employee housing units, without prior approval.
Telluride	yes	yes	yes		yes	no	no		yes, restrictions in residential zone	\$165 base fee plus \$22 per bedroom	none		Restrictions in Residential Zone : no more than 3 rentals per year, w aggregate not to exceed 29 days; implemented in 2011; will revisit in 2017
Vail	Yes	Yes	Yes	Municipality	yes, non-transferrable	Yes, Duplex Only	No		No	\$150 annually	Per code, one person per 300 square feet	No	Responsible agent must respond to violations in 60min, 30 min after 11pm
Counties													
Clear Creek County	Yes	Yes	Yes	Municipality	Yes, TRANSFERABLE	100 foot owner notice		1 space per bedroom required		250 one time	Max 9 People Occupancy unless 2 acres or more	Yes, Initial Required	

Eagle County	Short-term rentals not allowed in price-capped deed-restricted units	No county wide restriction	If assessors's office is aware a unit is a rental, it is taxed as such		No	No county wide restriction	No county wide restriction		No county wide restriction	none	Eagle County Land use codes state no more than one person per every 300 square feet; this limit is not enforced		No county wide restriction
Summit County	yes	yes	Subject to the STATE sales tax and mass transit tax. License obtained from the State.		A sales tax license is required through the State of Colorado.	no	no		Not permitted in Deed Restricted Units	no	Per code, one person per 300 square feet		Not at this time
Out-of-state municipalities													
MOAB, UT	PROHIBITED UNLESS GRANDFATHERED IN												
Park City, UT	yes	yes	COMDEV does not have any enforcement.		yes, non-transferrable	yes, in cases of duplexes or if shared common areas/hallways exist between or within a building	Yes, 75 sq. ft per bedroom, at least 50sq ft of floor space per occupant (if more than 1)		yes, only allowed in certain zones or with CUP's in certain zones	\$149.00 Admin Fee, \$28.74 per bedroom fee, \$17.00 Yearly renewal	Yes, 75 sq. ft per bedroom, at least 50sq ft of floor space per occupant (if more than 1)		Site visit and safety inspection
Ketchum, ID	yes	yes	yes		yes, business license	no	no		yes (CC, T & STO zones only)	no	Max 30 days/guest		no
Teton County, WY	No	No	PROHIBITED. No residential										

Glenwood Springs
Vacation Rentals Public Meeting
January 16, 2018

Meeting Objective: To gather detailed public input on what specific requirements are desired and how it maintains/improves community's quality of life; provide Council with further detailed information about residents' perspective regarding management of vacation rentals in Glenwood Springs.

Over 55 people attended the public meeting on management of vacation rentals. The meeting gathered preferences and more detailed reasons for those preferences in six areas (and the options):

1. Application fee – annual (<\$100, \$100-\$300, \$300+), one-time(<\$100, \$100-\$300, \$300+), or a hybrid (larger one-time, smaller annual).
2. Limit the number of vacation rentals –per block, city wide, have a buffer between them, or no limit.
3. Limit for multifamily single-owner buildings – 25%, 20%, 15%, or 10%.
4. Require Fire and Safety Inspections – yes, or no.
5. Limit occupancy – 2 people per bedroom, per room plus number per square feet of common space, or no limit.
6. Primary residency requirement – primary resident, part-time, no residency requirement.

I. Process

Participants listen to a presentation on the survey responses to these six management areas. Then the public provided their preference for all six areas using a sticker to select their preference on each topic (per question; see Appendix A for poll results). After the six areas were polled, participants move into small group discussions to provide more detailed information about each strategy/question; providing reasons for their preferences to a small-group facilitator (see Appendix B for small group facilitator notes). After 15 minutes, participants moved to a new question, a new small group discussion. In all, participants joined four small group discussions (15 minutes each).

II. Executive Summary

Polling Results

Areas with clearer results:

- 82% (41 of 50) - Fire and safety inspections should be required
- 74% (36 of 49) - For multifamily single-owner buildings only 10% should be allowed to be vacation rentals (16% preferred 25%, 6% preferred 20%)

- 57% (28 of 49)- No primary residency requirement (33% preferred a primary residency requirement)
- 54% (29 of 54) – No limit to the number of vacation rentals, not limited citywide or per block nor require a buffer between them. (26% preferred a per block cap, 19% preferred a Citywide cap)

The other two questions' highest response was 45%

- 45% (23 of 51) – Occupancy should be limited to 2 per bedroom (31% preferred a per bedroom plus some based on square feet of common space, and 26% preferred no occupancy limit)
- 45% (19 of 42) – Fee should be \$100-\$300 annually (33% preferred \$300+ annually, and 17% preferred the hybrid – larger application fee, smaller annual fee)

Common Discussion Comments

A few common concerns were raised by participants across several management strategy discussions:

- Impact on available housing for locals;
- Impact on availability of affordable housing for locals;
- Impact on City feel and sense of community; and
- Consistent regulations/treatment across long- and short-term rentals, bed & breakfasts and hotels (fairness across).

The question that garnered the biggest groups during discussion rounds was: Should vacation rentals be limited (citywide, per block, or buffer, or not at all)?

III. Discussion – Why are certain management methods preferred

Participants, in four 15-minute rounds, provided additional details on why the preferred one strategy over another. Below is a summary of the comments made during small group discussions on each question; these do not reflect consensus or majority comments or perspectives (see Appendix A for all polling results and Appendix B for all small group facilitator flip-chart notes).

1. ***What should the Vacation Rental Application Fee be?*** (Options: 1. Annual fee of \$100 or less; 2. Annually \$100-\$300; 3. Annually \$300 or more; 4. One-time payment of \$110 or less; 5. One-time \$120 - \$300; 6. One-time \$300 or more; or 7. Hybrid-higher one-time fee with a smaller annual fee)

Poll: 45% preferred an annual \$100-\$300 fee; 33% preferred annual fee of more than \$300; 17% like the hybrid option (higher application fee, smaller annual fee).

Discussions:

Comments in support of a Higher Fee:

- Amount should cover the costs for the City to:
 - provide better program oversight;
 - provide better education to owners/operators; and
 - provide enforcement of rules and accuracy of reporting.
- A higher amount ensures people are more committed to their investment, and know how to run a professional business.
- A higher fee covers the privilege to earn money in a residential neighborhood.
- One person said the annual fee is better because: The expense to City happens every year; and STRs owners should have to signoff each year on any new rules or procedures.
- Short-term rentals (STRs) are for commercial purposes and should be considered a business (fee will be covered quickly by rentals).

Suggestions:

- It is for a commercial purpose the owner should be required to pay commercial property tax on top of any fees.
- Set a lower fee for smaller space (e.g., lower for renting a room versus a whole house).

Comments in support of a Lower fee:

- Why should STRs pay an application fee if a hotel can just get a business / sales tax license for less money.
- Taxpayers pay enough taxes (e.g., both sales tax and an accommodations tax); adding a fee is just getting greedy.

2. ***How should Vacation Rentals be limited?*** (Options: 1. numerical cap - ex. max. 200 allowed in the city; 2. Numerical cap per block - ex. max 2 per block; 3. Buffer distance between each vacation rental - ex. min 200 feet btwn; or 4. No limit)

Poll Results: 54% preferred no limit; 26% preferred a cap per block, and 19% like a citywide cap.

Discussion:

Support for “No Cap” because...

- STRs provide options for visitors –
 - provide amenities not in hotels (washer/dryer, kitchen);
 - provides a “local” experience; and
 - provides a potentially more affordable option than a hotel.

- Cap is not needed because –
 - the market is self-limiting;
 - STRs makes up only a small amount of overall city housing;
 - other regulations could limit the amount (occupancy, inspections); and
 - this won't achieve the intent to control for bad visitors (cannot control quality of long-term neighbors, how could one control visitors?).
- STRs are good for the community –
 - often STRs are in better shape (pretty to be competitive);
 - STRs provide a way for residents to afford to live in Glenwood; and
 - their visitors contribute to the local economy (restaurants, shops, attractions).
- Cap would be unfair - Setting caps lock out owners from the option of having an STR.
- Concern - Limiting the number could drive up the average nightly rate for staying in an STR.

A limit/cap is needed because too many STRs will...

- Decrease available housing for locals; secondarily, impacting local businesses ability to attract employees.
- Raise the cost of housing for locals.
- Decrease the community feel and create dead neighborhoods (no one knows their neighbors).
- *Concern (by block)* - There is a challenge of limiting STRs by block, how is the size of a block determined?
- *Concern (citywide)* - Setting a city-wide limit does not disperse STRs.

Suggestions/Consider

- If a limit is set, how would currently permitted STRs be included/managed?
- If a limit is set, there needs to be some due process to review STR permits.
- Consider how to address permit holders that do not actively rent out units; a cap should be for those owners that will actually operate a STR.
- Downtown neighborhoods have the most impact from STRs.

Other Vacation Rental Management Comments

- If no parking is available, don't issue STR permits.
- Don't make owners responsible for the conduct of their guests; you don't make owners responsible for the conduct of their long-term renters.
- Regulation of STR and long-term rentals should be the same.

- 3. *How should Vacation Rentals be limited in Multifamily buildings with a single owner?*** (Options: 1. 25% of the unit total, or at least 1; 2. 20% of the unit total, or at least 1; 3. 15% of the unit total, or at least 1; or 4. 10% of the unit total, or at least 1

Poll Results: 74% preferred the lowest 10% cap for single-owner multifamily buildings; 16% preferred the highest 25% cap.

Discussion:

(note: participants may have confused the idea of “single-owner” multifamily buildings with multiple owner buildings.)

Concerns Considered

- If more units are STR there will be a decrease in available housing for locals.
- Any limit will be tough to enforce.
- If more units are STR there will be a loss of affordable housing for locals.
- Parking issues - apartment buildings becoming hotels.
- Limits investment.
- Financing issues – could an owner get financing if cap was too small, or a cap at all?
- Already too many regulations (City, VRBO, AirBnB).

Comments

- A limit is not needed, the market will determine the amount.
- STRs benefit tourism and the City with sales tax, occupancy tax and use of local businesses.

Suggestions

- Perhaps 1 per X number of units, instead of percentage.
- City should seek out advice on the issue.

4. *Should Fire and Safety Inspections be conducted for Vacation Rentals?* (Options: 1. Yes, require Fire and Safety Inspection for vacation rentals; or 2. No, not needed leave as is now.

Poll Results: 82% preferred fire and safety inspections be required; 18% said they weren't needed.

Discussion:

Comments for requiring Fire and Safety Inspections

- STRs are commercial use, like hotels, and should be treated as commercial properties.
- Inspections are needed for fire safety, it is important.
- Inspections offer the people staying at that property a layer of protection; and renters assume the unit/house has been inspected by the city.
- Upgrading the STR house/unit is the cost of doing business.
- Inspections will regulate the total number of listings, not everyone will want to make improvements.
- Accessory Dwelling Units are required to have inspections, so vacation rentals should be required as well.

Suggestions

- Inspection should be conducted every other year.
- Send a questionnaire every year asking the owner if they have made any improvements.
- Inspections should be posted in the rental to show it is was completed and they passed, and should also include the number of occupants allowed.

Comments for no Fire and Safety Inspection requirement

- Online ratings will self-regulate safety, if a house is not safe website ratings will reflect it.
- Inspecting every short-term rental will take too much staff time.
- Long-term rentals don't require an inspection, why do short-term rentals?
- This will increase the cost of the permits.

5. ***Should the building department set occupancy limits?*** (Options: 1. Yes, no more than 2 people per bedroom; 2. Yes, people per bedroom with additional in common areas based on square footage. (based on International Property Maintenance Code); or 3. No, not needed. Owners of rentals set occupancy limit on online listings.)

Poll Results: 45% preferred a 2-per bedroom occupancy limit; 31% preferred a per bedroom plus some based on square footage of common areas; and 24% preferred no limit, not needed.

Discussion:

Comments for setting an Occupancy Limit

- Manages possible noise, trash and parking problems.
- Occupancy limits should be the same for hotels, short-term and long-term rentals.
- Need to manage for overcrowding.
- Glenwood is overcrowded, and there is a lack of housing.
- Safety is an issue when piling people in.

Concern

- How will it be enforced?

Suggestions/Consider

- Number of bathrooms is a factor for occupancy.
- What about large bedrooms, maybe base it on square feet.
- Parking should be a part of the STR permit process as it relates to occupancy.
- Must have local contact for permits, someone to contact if there is a violation.
- Residential parking permits would eliminate short term renters from parking on street.

- Enforce occupancy with renewal process, if break a rule the owner cannot renew their permit.
- Initiate a complaint system with penalties for reported problems.

Comments in opposition of setting an Occupancy Limit

- Self-regulating is fine.
- Occupancy is the home owner's responsibility.
- Owner shouldn't be responsible for renter's behavior.
- STRs are more affordable for groups, than hotels.

6. Do you support a Primary Resident requirement? (Options: 1. Yes, as primary resident (would require proof that it is owner's primary residence); 2. Yes, as part-time with minimum residency; or 3. No, not needed)

Poll Results: 57% preferred no residency requirement; 33% preferred a primary residency requirement.

Discussion:

Comments in support of Primary Residence requirement

(note: although the poll showed majority did not want this, most of the comments during discussions were about concerns that would lead to the requirement)

- Loss of housing in the city due to out-of-town owners buying up the houses.
- Outside owners/interests take money out of the community.
- City character changes with non-owner occupied STRs, particularly if owned by investment corporations; we are losing our small-town feel.
- Need local engagement with rental owners.
- Local owners connect with and contribute to the community.
- Unobserved short-term renters cause more damage to neighborhoods.
- Rules are harder to enforce with absentee owners, and absentee owners are not abiding by the rules; how does the City contact out-of-town owners with violations?
- Ensures homes aren't turned into party hotels.
- Helps address the declining availability of employee housing.
- Helps address the declining amount of affordable housing
- Improves control of issues and oversight of the property.
- Local owners contribute to the tax base and the community

Suggestions/Consider

- Consider seasonal employment needs when considering length of occupancy time.
- Regulations are unbalanced with how Bed & Breakfasts are required to have parking/on site manager etc., should be the same for vacation rentals.
- Consider a local ownership requirement instead of Primary Residency, perhaps the owner's primary residence must be in the 81601-zip code?

- Consider requiring use of a local management company instead of Primary Residency requirement.

Comments opposed to a Primary Residency Requirement, support no requirement.

- If property damage is the key concern, short-term renters are not as bad as long-term renters, and the average age of a short-term renter is 50 years old (more likely to not do major damage) which is older than long-term renters.
- Will be challenging to enforce.
- Would limit investment in the community.
- Many STR properties are too expensive for long-term renters, leaving property owners with little choice.
- Bars people from entering the rental ownership market.

APPENDIX A: Polling Results from the Meeting

Question/Answers	Results #	Results %
1. What should the Vacation Rental Application Fee be?	42	
Annual Fee - \$100 or less	1	2.4%
Annual Fee - \$100-\$300	19	45.2%
Annual Fee - \$300 or more	14	33.3%
One-Time - \$110 or less	4	9.5%
One-Time - \$120-\$300	4	9.5%
One-Time - \$300 or more	0	0%
Hybrid – Higher application fee, smaller annual fee	7	16.7%
2. How should Vacation Rentals be limited?	54	
City Wide numerical cap (ex. Max. 200 allowed in the city)	10	18.5%
Per block numerical cap per block (ex. Max 2 per block)	14	25.9%
Buffer distance between each (ex. Min 200 feet btwn)	1	1.9%
No limit	29	53.7%
3. How should Vacation Rentals be limited in Multifamily buildings with a single owner? (survey responses indicate a desire for limit)	49	
25% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 7 units, 2 vacation rentals for buildings with 8-11 units, 3 vacation rental permits for buildings with 12-15 units and so on.</i>	8	16.3%
20% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 9 units, 2 vacation rentals for buildings with 10- 14 units, 3 vacation rental permits for buildings with 15-19 units and so on.</i>	3	6.1%
15% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 13units, 2 vacation rentals for buildings with 14-19 units, 3 vacation rental permits for buildings with 19-26 units and so on.</i>	2	4.1%
10% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 19 units, 2 vacation rentals for buildings with 20-29 units, 3 vacation rental permits for buildings with 30-39 units and so on.</i>	36	73.5%
4. Should Fire and Safety Inspections be conducted for Vacation Rentals?	50	
Yes, require them. Reinstituting building inspections does mean that property owners may have to complete some renovation work prior to receiving a permit.	41	82%
No, not needed Owners sign an affidavit stating that fire and building safety measures are met and accept all liability.	9	18%

Question/Answers	Results #	Results %
5. Should the building department set occupancy limits? This was previously identified by the Building department and listed on the permit for maximum persons.	51	
Yes, no more than 2 people per bedroom	23	45.1%
Yes, people per bedroom with additional in common areas based on square footage. (Based on International Property Maintenance Code)	16	31.4%
No, not needed. Owners of rentals set occupancy limit on online listings.	12	23.5%
6. Do you support a Primary Resident requirement? Some communities, such as Denver, Lyons, Boulder and Crested Butte require vacation rental property be the owners Primary Residence.	49	
Yes, as primary resident (would require proof that it is the owner's primary residence)	16	32.7%
Yes, as part-time with minimum residency	5	10.2%
No, not needed	28	57.1%

APPENDIX B: Small Group Facilitator Flip-Chart Notes

Small Group Facilitator Flip Chart Notes
<i>What should the Vacation Rental Application Fee be? (Options: 1. Annual fee of \$100 or less; 2. Annually \$100-\$300; 3. Annually \$300 or more; 4. One-time payment of \$110 or less; 5. One-time \$120 - \$300; 6. One-time \$300 or more; or 7. Hybrid-higher one-time fee with a smaller annual fee)</i>
<u>Comments for a Higher Fee:</u> • Charge a higher fee to provide more/better oversight of the program • Make it high enough to cover the cost of educating operators about their options • Should be more than \$300, this is a commercial purpose and that investment is recoverable in a couple of stays • Higher fee will make people more committed to their investment • It is for a commercial purpose the owner should be required to pay commercial property tax on top of any fees • High enough to cover the cost of administration to the City; taxpayers should not have to subsidize someone's private business • Higher fee (\$1000 annually): a. As a barrier of entry to reduce the number of "fly-by-night" owners who don't know how or won't run a professional business; and b. For the privilege of earning money in a residential neighborhood

- High enough to fund the city to enforce rules and reporting; ensure people accurately report number of rentals (e.g., not being able to say they rented it three times in a month when they actually rented it 20 times)
- Support for Annual fee: a. the expense to City happens every year; b. STRs owners should have to signoff each year on any new rules or procedures.

Comments for a Lower fee:

- Why should STRs pay an application fee if a hotel can just get a business / sales tax license for less money
- We pay both a sales tax and an accommodations tax; the City makes a ton of money on us, adding a fee is just getting greedy

Suggestion:

- Set a lower fee for smaller space (e.g., lower for renting a room versus a whole house)

How should Vacation Rentals be limited? (Options: 1. numerical cap - ex. max. 200 allowed in the city; 2. Numerical cap per block - ex. max 2 per block; 3. Buffer distance between each vacation rental - ex. min 200 feet btwn; or 4. No limit)

Comments for “No Cap”

Good to have NO Cap because:

- Provides homeowners with supplemental income (mentioned 4 times).
- Provides amenities not found in standard hotels (kitchens, washer/dryer, etc.)(mentioned 4 times).
- Not needed - The number of Short-Term-Rentals (STR) is self-limiting; the cap will be market driven. (mentioned 3 times)
- Cannot control quality of long-term neighbors, why control STRs?(mentioned 3 times)
- STRs provide affordable housing options for tourists
- Provides “local” experience for tourists.
- Properties are maintained to a higher degree than other properties (because of competition from other STRs and client comments)
- STRs are a small percentage of the overall housing
- STR guests contribute to the local economy – restaurants, shops, attractions

Suggestions/Consider

- Manage STRs through other regulations such as occupancy limits and inspections.

Concerns

- Setting caps lock out owners from the option of having an STR

Comments for a Cap

Good to implement a cap because:

- Limiting number of STRs may help with housing for locals.(mentioned 4 times)
- STRs are affecting the ability of local businesses to attract employees. (mentioned 3 times)
- STRs are raising the cost of housing in the city. (mentioned 3 times)
- Set a limit to protect neighborhoods
- There is a declining sense of community (mentioned 3 times)
- STRs create dead neighborhoods where neighbors do not know neighbors.
- There is an overwhelming number of STRs already in the city.
- STRs are driving down the economy.

Suggestions/Consider

- Consider how to address permit holders that do not actively rent out units. Open cap to those owners that will actually operate a STR.
- Local management needed to limit parties in STRs
- Like the Crested Butte method of capping STRs
- Greatest impact of STRs if felt in downtown neighborhoods
- There needs to be some due process to review STR permits

Concerns

- Limiting the number could drive up the average nightly rate for staying in an STR
- *Re: by-block option* - There is a challenge of limiting STRs by block – how is the size of a block determined?
- *Re: citywide option* - Setting a city-wide limit does not disperse STRs
- If you set a limit, how do you deal with the STRs already permitted?

Comments on Vacation Rentals Unrelated to Question

- If no parking is available don't issue STR permits
- Don't make owners responsible for the conduct of their guests; you don't do this for long-term rentals.
- Regulation of STR and LTR should be the same.

How should Vacation Rentals be limited in Multifamily buildings with a single owner? (Options: 1. 25% of the unit total, or at least 1; 2. 20% of the unit total, or at least 1; 3. 15% of the unit total, or at least 1; or 4. 10% of the unit total, or at least 1

Concerns

- Limits availability of housing for locals
- Tough to enforce
- Loss of affordable housing
- Parking issues with apartment buildings becoming hotels.
- Limits investment.
- Financing issues.
- There are too many regulations (City, VRBO, AirBnB)

Comments

- Market will determine (2)
- This is not an affordable housing issue; low wages are the issue, not short-term rentals
- Short term rentals benefits tourism, sales tax, occupancy tax and business.

Suggestions

- HOA should govern building limits. (2)
- Perhaps 1 per X number of units, instead of percentage.
- City should seek out advice on the issue.

Should Fire and Safety Inspections be conducted for Vacation Rentals? (Options: 1. Yes, require Fire and Safety Inspection for vacation rentals; or 2. No, not needed leave as is now.

Yes, Good to require

- We have older housing stock in Glenwood and therefore lots homes will not be up to today's standards, not fair to ask everyone upgrade
- Should have the exact same standard for inspections as hotels
- Inspections are needed for fire safety, it is important
- Inspections offer the people staying at that property a layer of protection
- People renting assume units are approved by the city, that it should be safe.
- Upgrading your house is the cost of doing business
- Inspections will regulate the total number of listings
- This is a commercial use and it should be treated like one.
- If a Certificate of Occupancy has already been issued it should be up to code and it should need an inspection
- Accessory Dwelling Units are required to have inspections, so vacation rentals should be required as well
- Since the time and code change, so should one's house and it should be brought up to code
- This will regulate the total number of rentals because not everyone will want to make the improvements

Suggestions

- Inspection should be conducted every other year
- Send a questionnaire every year asking the owner if they have made any improvements
- Inspections should be posted in the rental to show it is done and passed, including the number of occupants allowed

No, not needed

- Online ratings will self-regulate, if a house is not safe ratings will reflect that
- Inspecting every short-term rental will take too much staff time
- Long term renters don't require an inspection why do short term renters
- Why do long term rentals have no inspections, but short-term rentals do

- Renters will self-regulate on various websites if the property is not safe.... But, the bad owners ruin it for the good owners when it comes to inspection
- If inspections are required it will increase the cost of the permits

Should the building department set occupancy limits? (Options: 1. Yes, no more than 2 people per bedroom; 2. Yes, people per bedroom with additional in common areas based on square footage. (based on International Property Maintenance Code); or 3. No, not needed. Owners of rentals set occupancy limit on online listings.)

Comments for setting an Occupancy Limit

- Manages possible noise, trash and parking problems
- Easy to advertise the 2 per bedroom limit
- Occupancy should be equitable for both long term and short-term rentals, (i.e. hotel occupancy is set).
- Long term, short term and hotels should be equal in regulation.
- Need to manage for overcrowding, hard to do, but need to do it
- Glenwood is overcrowded
- With City Regulation, gives owner teeth to enforce/persuade limits.
- Same regulations as hotels.
- Helps with parking and noise impacts
- Safety is an issue when piling people in.
- A lack of housing in GWS overall.

Concerns

- What about large bedrooms, maybe base it on square feet.
- What happens when someone violates the limits? Hard to regulate.
- How will it be enforced? (2)

Suggestions/Consider

- Number of bathrooms is a factor for occupancy as well.
- Need building inspections.
- Enforce a parking limitation too
- Parking should be a part of the STR permit process as it relates to occupancy.
- Needs enforcement
- Must have local contact for permits, someone to contact if there is a violation.
- Could use parking regulations as way to enforce occupancy regulations.
- Residential parking permits would eliminate short term renters from parking on street.
- Enforce occupancy with renewal process, if break rule cannot renew permit.
- Should be a complaint system with penalties for reported problems.

Comments in opposition of setting an Occupancy Limit

- Self-regulating is fine
- Occupancy is the home owner's responsibility
- Owner shouldn't be responsible for renter behavior.

- Self-limiting through the advertising of what a home can accommodate.
- STRs are more affordable for groups, than hotels.

Do you support a Primary Resident requirement? (Options: 1. Yes, as primary resident (would require proof that it is owner's primary residence); 2. Yes, as part-time with minimum residency; or 3. No, not needed)

Comments for a Primary Residence Regulation

- Loss of housing in the city due to out-of-town people buying up the houses.
- Don't want out of town owners.
- Outside interest takes money out of the community.
- No community connection with non-owner occupy.
- Need local engagement with rental owners.
- Local owners connect with and contribute to the community.
- No way to contact out-of-town owners.
- Vacation rentals creating a workforce housing shortage.
- Short-term renters cause more damage to neighborhood.
- Depends on how long the occupancy for a Primary Residence is (is 9 months too long?).
- Rules are harder to enforce with absentee owners, and they are not abiding by the rules.
- When corporations buy up investment properties the character will change.
- Losing the small town feel with increase in non-resident STRs; they will shape the future of GWS.
- Ensures homes aren't turned into party hotels.
- Reducing amount of employee housing availability.
- This could be a crisis in 10 years if nothing is done now to limit.
- Too many vacation rentals push up long term rental prices. (2)
- Owners need to be invested in the community.
- City needs to regulate.
- Improves control of issues and oversight.
- Local owners contribute to the Tax base and the community
- Need to keep the financial benefits of STRs in the City, not to outside investment companies.
- Short term rentals are causing the breakdown of rentals.

Suggestions/Consider

- Consider our seasonal employment when considering length of occupancy time.
- Regulations are unbalanced with how Bed and Breakfasts are required to have parking/on site manager etc., should be the same for Vacation Rentals.
- Want Local Ownership instead of Primary Residency, perhaps owner must be in 81601 zip code?
- Local Management Companies could be required instead of Primary Residency

Comments opposed to a Primary Residency Requirement, support no requirement.

- IRS has a 14-day occupancy limit for deduction purposes making an occupancy requirement less and less desirable for people who want to run a rental.
- Long term renters cause more damage to property
- Average age of STR is in 50's which is nicer than long term renter demographic.
- Enforcement and regulation of this seems challenging. (2)
- Would limit investment in the community.
- Many STR properties are too expensive for long term renters, leaving property owners with little choice.
- Houses are too expensive to break even with mortgages with long term renters.
- Bars people from entering the market.
- Too many loopholes in effectively regulating Primary Residence or part time residency.

Comment/Note Cards Submitted

- Whatever is decided by Council, hopefully there will be a follow up 1-2 years down the road to see if new policy is working and supported by the community.
- It is important to consider the financial contribution of short-term rentals to the City.

APPENDIX C: Agenda

**Glenwood Springs
Vacation Rentals Public Meeting
Community Center - 100 Wulfsohn Rd, Glenwood Springs
January 16, 2018; 6:00-8:00pm**

Meeting Objective: To gather detailed public input on what specific requirements are desired and how it maintains/improves community's quality of life; provide Council with further detailed information about residents' perspective regarding management of vacation rentals in Glenwood Springs.

6:00 Welcome, Agenda Preview, Meeting purpose

6:05 Presentation: The benefits and challenges of vacation rentals for Glenwood; and public survey results regarding possible regulations.

6:35 Gather Public Input: Sticky-Dot polling – To help direct small group discussions, participants will select a preference for each question (one sticky-dot per question).
Process: Participants will select and put a sticky-dot on their preferred answer.

6:45 Gather Public Input: Discussion – To gather more detailed input from as many people as possible, participants will rotate in small groups per question.
Process: World-Café – participants will rotate in small groups through four questions (15 minutes each) to provide more detail about a question and whether a certain requirement is important or not, and how it will help or hurt. Each question will have a staff facilitator to gather the input and ask probing questions. Participants are asked to spread out evenly among all questions to ensure more input/discussion is given to all questions.

1. What should the Vacation Rental Application Fee be?
 - a. Annual Fee
 1. \$100 or less, annually
 2. \$100-\$300, annually
 3. \$300 or more, annually
 - b. One-time payment
 1. \$110 or less, one-time
 2. \$120 - \$300, one-time
 3. \$300 or more, one-time
 - c. Application Fee (bigger one time) with annual fee (smaller renewal)
2. How should Vacation Rentals be limited? (Survey responses indicate desire for a numerical limit)
 - a. Numerical cap (ex. Max. 200 allowed in the city)
 - b. Numerical cap per block (ex. Max 2 per block)
 - c. Buffer distance between each vacation rental (ex. Min 200 feet btwn)
 - d. No limit
3. How should Vacation Rentals be limited in Multifamily buildings with a single owner? (survey responses indicate a desire for limit)
 - a. 25% of the unit total, or at least
Example: 1 vacation rental for buildings **up to 7 units**, 2 vacation rentals for buildings with **8-11 units**, 3 vacation rental permits for buildings with **12-15 units** and so on.
 - b. 20% of the unit total, or at least 1
Example: 1 vacation rental for buildings **up to 9 units**, 2 vacation rentals for buildings with **10- 14 units**, 3 vacation rental permits for buildings with **15-19 units** and so on.
 - c. 15% of the unit total, or at least 1
Example: 1 vacation rental for buildings **up to 13units**, 2 vacation rentals for buildings with **14-19 units**, 3 vacation rental permits for buildings with **19-26 units** and so on.
 - d. 10% of the unit total, or at least 1
Example: 1 vacation rental for buildings **up to 19 units**, 2 vacation rentals for buildings with **20-29 units**, 3 vacation rental permits for buildings with **30-39 units** and so on.
4. Should Fire and Safety Inspections be conducted for Vacation Rentals?
 - a. Yes, require Fire and Safety Inspection for vacation rentals. Reinstating building inspections does mean that property owners may have to complete some renovation work prior to receiving a permit.
 - b. No, not needed leave as is now. Owners sign an affidavit stating the fire and building safety measures are met and accept all liability.
5. Should the building department set occupancy limits? This was previously identified by the Building department and listed on the permit for maximum persons.
 - a. Yes, no more than 2 people per bedroom.
 - b. Yes, people per bedroom with additional in common areas based on square footage. (based on International Property Maintenance Code)
 - c. No, not needed. Owners of rentals set occupancy limit on online listings.
6. Do you support a Primary Resident requirement? Some communities, such as Denver, Lyons, Boulder and Crested Butte require vacation rental property be the owners Primary Residence.
 - a. Yes, as primary resident (would require proof that it is owner's primary residence)
 - b. Yes, as part-time with minimum residency
 - c. No, not needed.

7:50 Next Steps

8:00 Adjourn



Memorandum

To: Planning and Zoning Commission & City Council
From: Housing Commission
Date: February 13, 2019
Re: VACATION RENTALS

The Housing Commission reviewed current Vacation Rental program regulations, public opinion through an online survey and public meeting, as well as research on different municipal approaches provided by staff. After careful analysis of these issues and consideration of Comprehensive Plan goals and Housing Commission goals, the following recommendations are submitted for City Council consideration.

The Housing Commission's goal is to create a diversity of housing size and type, including homeownership and rental, in order to house Glenwood's workforce, Students, Retirees, and other populations as identified, including homeless population.

The City of Glenwood Springs's Comprehensive Plan includes several community goals that pertain to the topic and execution of vacation rental policy. Those are;

- Maintain small town character while maintaining the livability of Glenwood Springs
- Preserve and increase the vibrancy and commercial success of the Downtown
- Provide housing opportunities for the entire community
- Maintain Glenwood's role as a regional center
- Promote sustainable economic diversity
- Support social diversity

In order to uphold the Housing Commission Goal, as well as those outlined in the Comprehensive Plan, the Housing Commission seeks to recommend equitable solutions that protect public interests such as housing affordability, while retaining the economic benefits to the community and residents that vacation rentals can afford. Those recommendations are as follows.

Application Fee

The Housing Commission recommends a reoccurring fee, either annual or biennial depending on permit renewal timeline, for the operation of a Vacation Rental. The application fee would be required at time of initial application and at each subsequent renewal. The amount of the fee should be closely tied to staff time spent administering the program.

Building Inspections

Housing Commission recommends returning to the previous policy of requiring a building inspection to be completed prior to the issuance of a vacation rental permit, for compliance with life safety and building code measures. The frequency and interval of such inspections should be determined with consideration to staff time and capacity.

Multifamily Single Owner Building Limitations

The Housing Commission recommends the current policy of a 25% limit on the number of units in a single owner multifamily building that can operate as vacation rentals.

Numerical Limit on total Vacation Rentals

The Housing Commission recommends City Council review this topic and consider a limit on the number of vacation rentals. The growth capability of the vacation rental industry poses concerns for the availability of long term housing stock in Glenwood Springs. The Housing Commission recommends that City Council define what level of vacation rentals, based on a percentage of the housing stock, is appropriate for upholding the Community housing goals of Glenwood Springs.

Violations and Penalty Schedule

The Housing Commission recommends adopting a violation and suspension schedule similar to Georgetown and Green Mountain Falls Colorado that limits the number of violations that can occur before a vacation rental permit is revoked. This approach incentivizes compliance and poses clear terms for revoking a vacation rental permit. Currently the Director is given authority to revoke a permit with unclear parameters for when it should occur.

Excerpt from Green Mountain Falls Municipal Code:

All permitted short term rentals are subject to inspection under this Chapter. Licenses may be revoked or not renewed by the [Director] if license conditions and requirements are not met or if more than three (3) violations of license conditions or the requirements of this Chapter are found within one license year.

EXHIBIT H. Building Department Recommendation



Memorandum

To: City Council
From: Rick Fout, Building Official
GWS Building Department
Date: February 7, 2019
Re: VACATION RENTAL BUILDING INSPECTIONS

In response to public inclination for building inspections of Vacation Rentals as indicated in the online survey and public meeting, the Building Department submits these comments for consideration.

1. Requiring Inspections-

The Building Department supports renewing building inspections for vacation rental properties to check for, in general, existing serious life safety issues.

2. Inspection Frequency and type-

We recommend said properties should be inspected by the Building and Fire Department at time of application, and upon any renewal of permit (two years). Major inspection concerns from the Bldg. Dept. perspective include:

- (a) Appropriate egress openings (window or door), from all bedrooms.
- (b) Smoke alarms and CO alarms in all required locations (battery type OK).
- (c) Availability of a fire extinguisher and posted map to it plus all egress pts.
- (d) Safe condition of appliances, furnaces, hot water heaters, any flues, etc.
- (e) Present and appropriate interior and exterior stairway handrails and balcony guards.
- (f) Properly placed house numbers on front of building in plain sight of emergency responders, and any other serious life safety issues that exist.

3. Cost of Inspection-

Rather than going back to the random amount of \$94 we would like to raise the inspection fee to \$100. That would cover the staff's time in most cases, one hour in the field and one hour back at the office, at our standard charge of \$50 per hour.

4. Occupancy-

For a typical vacation rental (detached back-yard building or separate-entry portion of main residence) the type of occupancy is **Residential, Group R-3** under the general description as a "Boarding House (transient) with 10 or fewer occupants." The final total allowed being set by the inspector and the owner, and following the ICC's International Property Maintenance Code, specifically Section 404 (copies available).

EXHIBIT H. FIRE DEPARTMENT RECOMMENDATION



Memorandum

To: City Council
From: Greg Bak, Fire Protection Analyst
Glenwood Springs Fire Department
Date: February 7, 2019
Re: VACATION RENTAL BUILDING INSPECTIONS

In response to public inclination for building inspections of Vacation Rentals as indicated in the online survey and public meeting, the Fire Department submits these comments for consideration.

1. Requiring Inspections

The Fire Department strongly supports the idea of building inspections for vacation rental properties.

2. Inspection Frequency and type

We recommend said properties should be inspected by the Building and Fire Department at time of application, and upon any renewal of permit. Major inspection concerns from the fire perspective include:

- (a) Egress from the unit (as designed and maintained);
- (b) Access to the unit by fire and EMS crews;
- (c) Smoke/C-O detection and notification;
- (d) Availability of a fire extinguisher;
- (e) Safe use of heat-producing appliances;
- (f) Ensuring that the property OWNER understands that adherence to outdoor burning (recreational and cooking) regulations is the OWNER's responsibility. These regulations are readily available from the Fire Department.

3. Cost of Inspection:

Fire Inspections are performed free of charge. Since these properties are in actuality used for commercial purposes, if there is to be a plan review process I recommend the normal charge for such review.

4. Occupancy:

For a typical vacation rental (detached back-yard building or separate-entry portion of main residence) the type of occupancy is **Residential, Group R-3** under the general description as a "Boarding House (transient) with 10 or fewer occupants."

RESOLUTION 2017-54**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, PROVIDING AN AMNESTY PERIOD TO ALLOW THE LICENSING AND PERMITTING OF SHORT-TERM AND ACCESSORY TOURIST RENTALS.**

WHEREAS, the City of Glenwood Springs (“Glenwood Springs” or the “City”) requires all owners of short-term and accessory tourist rentals in the City to be obtain business and sales tax licenses and a permit for the operation of their lodgings; and

WHEREAS, renting any property as a short-term or accessory tourist rental without first obtaining local business and sales tax licenses and a permit, and remitting all applicable local sales tax to the City is a violation of the Glenwood Springs Municipal Code and punishable by fines of up to \$1,000.00 each day; and

WHEREAS, the City’s staff performs regular review of publicly available information to locate unpermitted short-term and accessory tourist rentals in City, and in doing so, identifies short-term and accessory tourist rentals that have not been permitted or remitted applicable sales taxes; and

WHEREAS, the City Council for the City of Glenwood Springs finds and declares that it is in the public good and interest to provide an amnesty period for any un-permitted short-term and accessory tourist rentals to be licensed and permitted with the City in order to ensure the future, orderly collection of applicable sales taxes.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

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

Section 2. Applicability. This Resolution shall apply to any short-term or accessory tourist rental unit within the City of Glenwood Springs that does not have a required sales tax license and/or permit as of the effective date of this Resolution.

Section 3. Amnesty Period. Any unlicensed and/or unpermitted short-term or accessory tourist rental within the City may apply for and receive the required licenses and rental permits without penalty if applied for by December 8, 2017.

Section 4. Affidavit. In receiving required licenses applicants shall be required to sign an affidavit regarding the minimum standards and inclusions required by the City and assuming responsibility for the safety of the rental for occupancy, as set forth on the attached **Exhibits A and B**, incorporated herein by this reference.

INTRODUCED, READ, AND PASSED THIS 2ND DAY OF NOVEMBER 2017.

CITY OF GLENWOOD SPRINGS, COLORADO



ATTEST:



Michael Gamba, Mayor

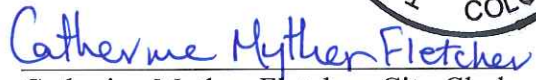

Catherine Mythen Fletcher, City Clerk

Exhibit A



SHORT TERM RENTAL PERMIT
APPLICATION

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, accessory tourist rental, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

GENERAL INFORMATION

OWNER:

Name: _____ Business/Tax License # _____

Mailing Address: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

RENTAL PROPERTY INFORMATION:

Physical Address: _____

Complex Name.: _____

Number of Bedrooms: _____ Number of Dedicated Parking Spaces: _____

RESPONSIBLE PARTY: ☐ Owner ☐ Designated Responsible Party (below)

Name: _____ Company: _____

Mailing Address: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

Exhibit A

AFFIDAVIT

By signing this Affidavit I represent that all information contained in this application is true and correct to the best of my knowledge and acknowledge and agree to abide by the requirements and restrictions of the Glenwood Springs Municipal Code as pertains to short-term rentals and affirm the following:

1. I have obtained a City of Glenwood Springs business and sales tax license as required under Title 050 of the Glenwood Springs Municipal Code and will promptly remit all applicable taxes in conformance with state and local law. If an individual or business entity acts as the Responsible Party, only one business license shall be required.

2. The rental of the property herein described is permissible under all applicable local zoning and land use regulations under the Glenwood Springs Municipal Code and any covenants and restrictions imposed by any owners' association with authority over the property.

3. I agree that the City of Glenwood Springs does not inspect accessory tourist rentals for conformance with applicable building codes prior to occupancy, that I am responsible for maintaining the property for health and safety, and to indemnify, defend, and hold harmless the City of Glenwood Springs, including its officers, agents, and employees, from any action resulting from damage, loss, injury, including death, of any occupant of the rental property herein described.

4. I have read and understand the requirements, restrictions, and standards of Section 070.040.120 of the Glenwood Springs Municipal Code and shall strictly comply therewith.

Note: A Short-term Rental Permit will only be issued after the application has been reviewed and approved in accordance with the Glenwood Springs Municipal Code. Specific terms and conditions may be included in the permit. All permits will be issued to the owner(s) of the property. A change in ownership requires the new property owner to apply for a new permit. Short-term rental permits expire at the end of odd numbered years. Property owners will be sent a new application form prior to expiration of their permit.

Owner(s) Signature: _____ Date: _____
_____ Date: _____

ADMINISTRATIVE USE ONLY:

Application received by: _____ Date: _____

Application fee collected ☐ Amount: _____

Exhibit B



ACCESSORY TOURIST RENTAL PERMIT APPLICATION

Accessory Tourist Rental means the rental for monetary compensation of not more than one (1) bedroom for transient lodging to guests in those residential units which contain a minimum of two (2) bedrooms; is owner occupied or is occupied by a resident manager; and which comply with the provisions of Section 070.040.130 of the Glenwood Springs Municipal Code. This definition does not include a bed and breakfast or short-term rental.

GENERAL INFORMATION

OWNER:

Name: _____ Business/Tax License # _____

Mailing Address: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

RENTAL PROPERTY INFORMATION:

Physical Address: _____

Complex Name.: _____

Number of Bedrooms: _____ Number of Dedicated Parking Spaces: _____

(A minimum of two (2) bedrooms is required, one (1) for the resident manager or property owner to reside in and one (1) for guests.)

Provide a brief description of the bedroom that is to be used for the Accessory Tourist Rental. (For example, "upstairs back bedroom with two queen beds," or similar description.)

RESIDENT MANAGER: ☐ Owner ☐ Designated Resident Manager (below)

Exhibit B

(Either the property owner or a designated resident manager is required to live in the residential dwelling unit that will be used as an accessory tourist rental)

Name: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

AFFIDAVIT

By signing this Affidavit I represent that all information contained in this application is true and correct to the best of my knowledge and acknowledge and agree to abide by the requirements and restrictions of the Glenwood Springs Municipal Code as pertains to accessory tourist rentals and affirm the following:

1. I have obtained a City of Glenwood Springs business and sales tax license as required under Title 050 of the Glenwood Springs Municipal Code and will promptly remit all applicable taxes in conformance with state and local law. If an individual or business entity acts as the Responsible Party, only one business license shall be required.

2. The rental of the property herein described is permissible under all applicable local zoning and land use regulations under the Glenwood Springs Municipal Code and any covenants and restrictions imposed by any owners' association with authority over the property.

3. I agree that the City of Glenwood Springs does not inspect accessory tourist rentals for conformance with applicable building codes prior to occupancy, that I am responsible for maintaining the property for health and safety, and to indemnify, defend, and hold harmless the City of Glenwood Springs, including its officers, agents, and employees, from any action resulting from damage, loss, injury, including death, of any occupant of the rental property herein described.

4. I have read and understand the requirements, restrictions, and standards of Section 070.040.130 of the Glenwood Springs Municipal Code and shall strictly comply therewith.

Note: An Accessory Tourist Rental Permit will only be issued after the application has been reviewed and approved in accordance with the Glenwood Springs Municipal Code. Specific terms and conditions may be included in the permit. All permits will be issued to the owner(s) of the property. A change in ownership requires an application for a new permit. Accessory Tourist Rental permits expire at the end of odd numbered years. Property owners will be sent a new application form prior to expiration of their permit.

Owner(s) Signature: _____ Date: _____

_____ Date: _____

ADMINISTRATIVE USE ONLY:

Application received by: _____

Date: _____

Application fee collected ☐

Amount: _____

404.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

404.4 Bedroom requirements. Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

404.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

404.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

EXHIBIT L. City Council 3/1/2018 Report and Minutes



City Council STAFF REPORT City of Glenwood Springs March 01, 2018

Agenda Item:	Discussion of changes to 070.040.120 and 070.040.130 regarding vacation rentals
Action Requested:	City Council requested that the public be invited to provide comments about proposed changes to the regulations and requirements for vacation rentals
Presented By:	Jenn Ooton, Economic and Community Development Director Gretchen Ricehill, Economic and Community Development Assistant Director Hannah Klausman, Planner II
Background Info:	On January 4, Council held a work session to discuss potential changes to the Code of Ordinances related to vacation rentals in the following categories: • Whether to allow accessory dwelling units to be used as short-term/accessory tourist rentals. • Percentage of multi-family buildings under single ownership allowed to be rented as a short-term/accessory tourist rental • Permit expiration Subsequent to the work session in January, Council indicated a desire to take public comment on potential changes to regulations around short-term rentals. This staff report is provided as background for that public comment. (It addresses the first two bulleted items, but does not revisit the permit expiration.) The Municipal Code currently does not allow accessory dwelling units (ADUs) to be rented as short-term or accessory tourist rentals. Short-term rentals are defined as rentals for an entire dwelling unit for a period of less than 30 days. Accessory tourist rentals are those vacation rentals in which a single room is rented. City Council at the Jan. 4, 2018, work session indicated interest in allowing either a primary house on a property or the ADU on the property to be rented as a vacation rental, but not both. The draft ordinance attached with this staff report represents potential changes to 070.040.120 Short Term Rentals and 070.040.130 Accessory Tourist Rentals that were discussed at the work session, and is attached here only for discussion purposes. The ordinance as drafted would allow either the primary dwelling or an ADU to be rented as a vacation rental. In the case of accessory tourist rentals, the ordinance proposes to clarify language allowing for the bedroom rental when the residential dwelling unit is occupied by a long-term tenant. Currently, the

code technically allows for an accessory tourist rental only when the dwelling unit is occupied by the property owner or by a resident manager.

When first created in the late 1990s, City Council recognized the need to provide long-term attainable housing throughout the entire community. In exchange for creating small affordable housing units, a property owner is given the opportunity to build a small unit on their property where, in many zone districts, one would otherwise not be allowed. ADUs are currently charged 0.25 EQR in water and sewer system improvement fees, in part to incentivize the construction of these smaller units. In January, City Council did not give direction regarding changing this rate if ADU's are removed from the attainable housing inventory and converted to vacation rental use.

At the January work session, City Council indicated an interest in changing the percentage of short-term rentals and accessory tourist rentals allowed to be rented within multi-family residential projects in single ownership downtown. City Council also discussed a scaled option based on the number of residential units. Currently, the Development Code states that no more than 25 percent (but at least one unit) of multi-family residential buildings under single ownership can be rented as short-term/accessory tourist rentals.

The draft ordinance proposes changes within the C/2 Commercial Core that would allow the first four units of a multi-family residential project to be rented as vacation rentals and an additional 50 percent of units in multi-family buildings with 5-8 units to be rented as vacation rentals, in addition to the initial four. It would allow an additional 25% of the units in excess of eight to be rented as vacation rentals for residential properties that have 9 or more units. (See Exhibit A attached). All other zone districts would remain limited to the existing 25 percent stipulation for allowable short term rental units unless changed by Council.

For clarity, staff has included the definitions for these categories, as well as other similar land uses, below.

Short Term Rental: (allowed in all zones)

The rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, or hotel.

Accessory Tourist Rental: (allowed in all zones)

The rental for monetary compensation for any period of less than thirty (30) consecutive day, of not more than one (1) bedroom in those residential dwelling units which contain a minimum of two (2) bedrooms; are owner-occupied or occupied by a resident manager.

	Hotel: (prohibited in residential zones) A building or group of buildings where transient lodging is offered in bedrooms, sleeping rooms, and dwelling units. The building or buildings may include accessory facilities such as parking, restaurants, meeting rooms, on-site check in lobbies, recreation areas or similar facilities commonly associated with lodging. The term "hotel/motel" does not include bed and breakfast, short term rental or an accessory tourist rental. Bed & Breakfast: (SUP in Residential Zones) <u>A detached single-family dwelling, which is owner-occupied or occupied by a resident manager, where individual bedrooms are offered as single accommodations to guests for transient lodging and which facility includes incidental eating and drinking service from a single kitchen serving only residents and guests and is not operated in the manner of a commercial restaurant, or as a facility for commercial activities such as for-profit private parties or receptions, retail sales or similar activities.</u>
Issues:	None.
Action Alternatives:	Provide direction on one or more of the topics above.
Staff Recommendation:	None. Discussion Only.

Exhibit A: Multifamily Unit Examples

4 Unit Building (All 4 STR/ATR)

1	2
3	4

6 Unit Building (5 STR/ATR)

1	2
3	4
50% beyond 4	Long Term

8 Unit Building (6 ATR/STR)

1	2
3	4
50% beyond 4	50% beyond 4
Long Term	Long Term

9 Unit Building (8 ATR/STR)

1	2	3
4	5	6
7	8	Long Term

10 Unit Building (8 STR/ATR)

1	2	3
4	5	6
7	8	Long Term
Long Term		

12 Unit Building (9 STR/ATR)

1	2	3
4	5	6
7	8	25% beyond 4
Long Term	Long Term	Long Term

KEY

Short Term
Additional Short Term
Long Term

ORDINANCE NO. ____

Series of 2018

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, AMENDING THE GLENWOOD SPRINGS MUNICIPAL
CODE REGARDING THE REGULATION AND PERMITTING OF
SHORT-TERM AND ACCESSORY TOURIST RENTALS IN THE CITY.**

WHEREAS, the City of Glenwood Springs (“Glenwood Springs” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Glenwood Springs Home Rule Charter; and

WHEREAS, Sections 070.040.120 and 070.040.130 of the Glenwood Springs Municipal Code set forth the City’s regulations and permitting requirements for the operation of short-term and accessory tourist rentals within the City, as those terms are currently defined; and

WHEREAS, the City’s current system of regulation prohibits the permitting of a single property as both a short-term and accessory tourist rental and, furthermore, restricts the overall percentage of multi-family dwellings that may be permitted as for such uses; and

WHEREAS, the Glenwood Springs City Council desires to expand the number and classifications of dwelling units that can be permitted as short-term and accessory tourist rentals and, by doing so, to allow for greater opportunities for property owners to use their properties and visitors to the City to enjoy the City and its amenities; and

WHEREAS, the Glenwood Springs City Council finds and declares that the amendments to the Glenwood Springs Municipal Code regarding short-term and accessory tourist rentals set forth herein are proper in light of the reasonable needs and desires of the City and in the promotion of the public health, safety, and welfare of the City’s residents and visitors.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD
SPRINGS, COLORADO, ORDAINS THAT:**

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

Section 2. Section 070.040.120 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

070.040.120 - Short Term Rentals.

- (a) *Intent.* The City of Glenwood Springs recognizes that there are benefits to allowing owners of residential units within the City to rent their dwelling units for periods of time less than thirty (30) days. Short term rental of dwelling units bring additional visitors to the City, can allow owners to recoup housing costs, and provides revenues for the City through the additional tax collections. The provision of short term rentals offers additional diversification to the resort and travelling professional accommodations market. However,

due to the potential for adverse impacts, short term rentals must be regulated by the City to protect the health, safety, and welfare of owners, neighbors, and visitors.

- (b) *Applicability.* The requirements of this section shall apply to any residential dwelling unit within the City of Glenwood Springs. This section does not apply to any residential use within a planned unit development unless specifically listed as a use allowed by the planned unit development. Nor does this section apply to any dwelling unit permitted as an accessory dwelling unit.

- (c) *Definition.* As used in this section, the following term shall have this meaning ascribed to it:

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

- (d) *Requirements, Restrictions, and Standards.* The following requirements, restrictions, and standards shall apply to short term rentals:

- (1) The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict the ability for owners to engage in short term rentals.
- (2) There shall be a designated responsible party, located within the local region, available for immediately responding to any issues arising from the short term rental. The designated responsible party may be the owner of the property.
- (3) The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
- (4) The owner or responsible party is responsible for ensuring the short term rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in residential property. ~~The property owner, responsible party, or other persons shall not reside in the short term vacation rental unit during periods of short term rental; however, the property owner or permanent tenants not part of the short term rental party may occupy the accessory dwelling unit on the property as their residence.~~
- (5) The owner or responsible party is responsible for obtaining all required licenses in accordance with Title 050 of the Glenwood Springs Municipal Code.
- (6) Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.
- (7) On properties with an accessory dwelling unit, only either the primary dwelling or the accessory dwelling unit on the property, but not both, shall be eligible for a short term rental permit.
- (8) All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.

- (9) The owner shall be responsible for ensuring that the short term rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled Garbage, refuse, and trash collection. Owners and responsible parties shall make arrangements for proper garbage, refuse, and trash collection.
- (10) The following information must be posted in a prominent and visible location in the short term rental:
- City of Glenwood Springs license(s) and short term rental permit;
 - Contact information for owner and/or responsible party, including a phone number for 24 hour response to emergencies;
 - Description of location of fire extinguishers and emergency egress; and
 - Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.
- (11) Multi-family buildings on a single lot and under single ownership shall have the following district regulations:
- C/2 Commercial Core:
 - The first four (4) units may be permitted as short term rentals;
 - In multi-family buildings having five (5) to eight (8) units, no more than fifty percent (50%) of the units in excess of four (4) may be permitted as short term rentals;
 - In multi-family buildings having more than eight (8) units, no more than twenty-five (25%) of the units in excess of eight (8) may be permitted as short term rentals.
 - In all other zone districts, no more than twenty-five percent, but at least one (1) unit may be permitted as short term rentals.
- ~~In a multi-family building under single ownership, no more than twenty-five (25) percent but at least one (1) unit may be permitted as a short term rental.~~
- (12) All advertising of a short term rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs short term rental permit number and business license number.
- ~~(13) A property owner may not be issued both a short term rental permit and an accessory tourist rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted short term rental, he or she may do so by filing an application for an accessory tourist rental in accordance with Section 070.040.130 – accessory tourist rentals. Upon issuance of a new accessory tourist rental permit, the existing short term rental permit is automatically revoked.~~
- (e) *Application requirements.* The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution. The Community Development Director may require submittal of such additional

information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code including, but not limited to, building code and inspection requirements.

- (f) *Short Term Rental Permit.* All short term rentals shall require a permit from the Community Development Director. This permit shall only be issued after the short term rental application has been approved in accordance with the Glenwood Springs Municipal Code and shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. ~~Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years. Permit fees shall be set by resolution of City Council.~~
- (g) *Revocation of Permit.* A short term rental permit may be revoked at any time by the Community Development Director should it be determined that the use is not being operated in compliance with this section or any other section of the Glenwood Springs Municipal Code.
- (h) *Appeals.* Appeals of administrative decisions may be made in accordance with Section 070.010.050 of the Glenwood Springs Municipal Code.

Section 3. Section 070.040.130 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

070.040.130 - Accessory Tourist Rentals.

- (a) *Intent.* This section provides standards for the establishment of accessory tourist rentals, which are intended to provide an option for property owners of residential dwelling units to rent a single bedroom in their home for compensation to guests for stays of less than thirty (30) days.

The City's Comprehensive Plan recognizes and encourages policies to retain the City's tourism industry while maintaining the City's small town character through the preservation of its residential neighborhoods. The allowance and regulation of low impact tourist accommodations provides an additional lodging option for travelers who wish to vacation in a residential setting, and a source of supplemental income to homeowners, while still ensuring the protection of the public health, safety and welfare.

- (b) *Applicability.* The accessory tourist rental is accessory to the primary use of a residential dwelling unit as a residence for families/households. An accessory tourist rental use shall only be allowed upon issuance of an accessory tourist rental permit and shall not be allowed within a planned unit development unless specifically listed as an allowed use in the planned unit development. An accessory tourist rental permit shall not be allowed in any accessory dwelling unit.
- (c) *Definitions.* As used in this section, the following terms shall have the meanings ascribed below:

Accessory tourist rental means the rental for monetary compensation of ~~not more than one~~ (1) or bedrooms for transient lodging to guests in those residential dwelling units which contain

a minimum of two (2) bedrooms; are owner-occupied, occupied by a long-term tenant, or occupied by a resident manager; and which comply with the provisions of this section.

Bedroom means an enclosed space within a dwelling unit that is designed or could be used for sleeping purposes and which may also contain closets and have access to a bathroom, but which has a permanent door permitting complete closure and separation from all kitchen, living room, and hallway areas.

Resident means a person or family who lives and sleeps in a place with intention to establish his domicile or permanent residence.

Resident manager means a resident who is authorized by the owner of a property to oversee the day-to-day function and operations of the owner's property.

Transient lodging means the occupancy of a bedroom, sleeping unit, or a dwelling unit for compensation to any person(s), partnership, association, corporation, estate, representative, or any other combination of individuals by whatever name known, for any period of less than thirty (30) consecutive days under any concession, permit, right of access, license to use or other agreement, or otherwise.

(d) *Requirements, Restrictions, and Standards.* The following requirements, restrictions, and standards shall apply to accessory tourist rentals:

- (1) The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict property owners from engaging in the rental of their home or a portion of their home for periods of less than thirty (30) days.
- (2) The owner of the property or a resident manager must reside within one (1) of the bedrooms within the dwelling unit which is to be used as the accessory tourist rental and shall be present on the premises for the duration of the rental.
- (3) The owner shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
- (4) The owner is responsible for ensuring the accessory tourist rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in a residential property.
- (5) The owner is responsible for obtaining all required licenses in accordance with Title 050 of the Glenwood Springs Municipal Code.
- (6) Use and Occupancy Restrictions. The accessory tourist home is further restricted in use as follows:
 - a. Parties renting ~~the designated bedroom for transient~~ an accessory tourist rental shall have access to a private or shared full bathroom.
 - ~~b. Guest stays may only occur within the dwelling unit that the owner or resident manager occupies.~~
 - ~~c. The use is limited to one (1) designated bedroom with a maximum occupancy for two (2) people.~~
 - ~~d.~~ b. The bedroom used for guest stays shall not include a kitchen or partial kitchen.

- ec. Occupancy of the accessory tourist rental shall not exceed the occupancy allowed for single-family use as defined in the Glenwood Springs Municipal Code, i.e. one (1) or more persons living together on the premises of a dwelling unit, but it shall not include more than five (5) persons unrelated by blood or marriage. Occupancy limits shall be established by International Property Maintenance Code (IPMC) and shall be listed on the accessory tourist rental permit.
- f. Residential units eligible for an accessory tourist rental permit shall not be issued or hold permits for another land use that would further impact traffic at the site of the accessory tourist rental, including special use permits for another land use per the applicable zone designation of the property, or a license or permit issued through another regulatory agency; except that properties issued a special use permit for a single-family dwelling in the Hillside Preservation Overlay zone district or minor home occupation permit shall be eligible for an accessory tourist rental permit.
- (7) On properties with an accessory dwelling unit, only either the primary dwelling or the accessory dwelling unit on the property, but not both, shall be eligible for an accessory tourist rental permit and the owner, long-term tenant, or resident manager must reside in the dwelling unit used as the accessory tourist rental.
- (8) All vehicles associated with the single-family residence and accessory tourist rental use shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.
- (9) The owner shall be responsible for ensuring that the accessory tourist rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled Garbage, refuse, and trash collection. Owners and resident managers shall make arrangements for proper garbage, refuse, and trash collection.
- (10) The following information must be posted in a prominent and visible location in the designated bedroom permitted as an accessory tourist rental:
- City of Glenwood Springs' license(s) and accessory tourist rental permit;
 - Contact information for owner and/or resident manager, including phone number for twenty-four (24) hour response to emergencies;
 - Description of location of fire extinguishers and emergency egress; and
 - Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.
- (11) Multi-family buildings on a single lot shall have the following district regulations:
- C/2 Commercial Core:
 - The first four (4) units may be permitted as accessory tourist rentals;
 - In multi-family buildings having five (5) to eight (8) units, no more than fifty percent (50%) of the units in excess of four (4) may be permitted as accessory tourist rentals;

(iii) In multi-family buildings having more than eight (8) units, no more than twenty-five (25%) of the units in excess of eight (8) may be permitted as accessory tourist rentals.

b. In all other zone districts, no more than twenty-five percent, but at least one (1) unit may be permitted as accessory tourist rentals provided the owner, long-term tenant, or resident manager occupies the accessory tourist rental.

~~In a multi-family building under single ownership, no more than twenty-five (25) percent but at least one (1) unit may be permitted as an accessory tourist rental provided the owner or resident manager occupies the accessory tourist rental.~~

(12) All advertising of an accessory tourist rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs accessory tourist rental permit number and business license number.

~~(13) A property owner may not be issued both an accessory tourist rental permit and a short term rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted accessory tourist rental, he or she may do so by filing an application for a short term rental permit in accordance with Section 070.040.120 Short Term Rentals. Upon issuance of a new short term rental permit, the pre-existing accessory tourist rental is automatically revoked.~~

(e) *Application requirements.* The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code, including, but not limited to, building code and inspection requirements.

(f) *Accessory Tourist Rental Permit.* All accessory tourist rental uses shall require a permit from the Community Development Director. This permit shall only be issued after the residential dwelling unit and bedroom designated for transient lodging has been approved in accordance with the Glenwood Springs Municipal Code. The accessory tourist rental permit shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. ~~Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.~~ Permit fees shall be set by resolution of City Council.

(g) *Revocation of Permit.* An accessory tourist home permit may be revoked at any time by the Community Development Director should it be determined that the use is not being operated in compliance with this section or any other section of the Glenwood Springs Municipal Code.

(h) *Appeals.* Appeals of administrative decisions may be made in accordance with Section 070.010.050 of the Glenwood Springs Municipal Code.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED PUBLISHED
BY TITLE ONLY THIS 1ST DAY OF MARCH 2018.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS 15TH DAY OF MARCH 2018.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
MARCH 1, 2018
101 W. 8TH STREET
6:00 P.M.

9 Roll Call

Mayor Mike Gamba called the meeting to order at 6:00 p.m. Present at roll call: Shelley Kaup, Rick Voorhees, Steve Davis, Jonathan Godes, Jim Ingraham and Todd Leahy.

Also present were Debra Figueroa, City Manager; Karl Hanlon and Jon Hoisted, City Attorneys; Jennifer Ooton, Assistant City Manager; Jill Peterson, Deputy City Clerk; Gary Tillotson, Fire Chief; Terri Partch, City Engineer; Gretchen Ricehill, Assistant Economic and Community Development Director; Steve Boyd, Finance Director; Brian Smith, Director of Parks and Recreation.

10 Pledge of Allegiance

Mayor Gamba led in the Pledge of Allegiance.

11 Citizens Appearing Before Council. (For items NOT on Agenda - comments limited to 3 minutes)

Rachel Windh spoke about the need for Arts and Culture programs in the city.

Chris Stuben noted that he felt that some trees were in violation of the municipal code and took care of them.

Diane Steuben requested that members of the Council drive between the Sunlight Bridge and Sopris Elementary School to observe the condition of the road before taking action on conducting an engineering study for the rebuild of South Midland.

12 Agenda Changes

Item 14 the city council appointment was removed as it was considered on February 28.

Item 16a was removed and will be considered at a future meeting.

13 Council Comments

Mayor Gamba noted he was not opposed to a full reconstruction of Midland Avenue and clarified the South Bridge project was not a \$100 million-dollar project, it was a \$45 million-dollar project which would require additional partners for the project.

14 City Council Appointment

The item was removed from the agenda as an appointment to the Councilor At-Large seat occurred at a special meeting on February 28, 2018.

15 Swearing in of Newly Elected Council Members

Jill Peterson issued the oath of office to new City Council member, Jim Ingram. The council members welcomed Mr. Ingraham to serve as councilor to fill the At-large seat until April 2019.

15a Election of Mayor Pro-Tem

Councilor Davis nominated Councilor Leahy as the next Mayor Pro Tem as he had previously served in this capacity prior to Kathryn Trauger. Jim Ingraham seconded the nomination.

Councilor Godes nominated Councilor Kaup as he saw this as a great leadership role for Shelley.

Councilors Kaup and Leahy accepted the nomination.

Jill Peterson read the results:

Kaup: Godes, Voorhees, Kaup

Leahy: Davis, Gamba, Ingraham, Leahy

Councilor Leahy was elected as Mayor Pro Tem.

16 Consent Agenda:

- A. Receipt of Minutes of the February 15, 2018 Regular Meeting
- B. Community Garden Renewal Agreements
- C. Award of Bid – BD 2018-007, 2018 Police Package Full Size SUV
- D. Award of Bid – BD 2018-010, 2018 #2500 HD ¾ ton 4x4 Pickup with a Snow Plow
- E. Award of Bid – BD 2018-011, #3500 HD Extended Cab Pickup
- F. Award of Bid – BD 2018-012, Extended Cab, Mid-Size or Compact 4X4 Pickup
- G. Ordinance No 5, Series of 2018; An Ordinance of the City of Glenwood Springs, Colorado, Repealing Section 050.050.020 of the Glenwood Springs Municipal Code Regarding Bicycle Licenses (SECOND READING)
- H. Ordinance No 6, Series of 2018; An Ordinance of the City of Glenwood Springs, Colorado, Amending 020.020. of the Glenwood Springs Municipal Code Regarding Number of Commissioners and Powers and Duties of the River Commission (SECOND READING)
- I. Agreement with Northslope Capital Advisors
- J. Extension of Fee Waivers in 2018 for Outdoor Seating on Public Sidewalks & Public Plaza Areas
- K. Resolution 2018-10; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing the Mayor or Mayor Pro-tem to Execute Closing Documents Related to the Sale of Property at 413 9th Street, Glenwood Springs, Colorado

Mayor Pro-Tem Leahy moved, seconded by Councilor Voorhees, to approve the consent agenda excluding item 16a which had been removed.

The Motion passed unanimously.

17 Land Access and Lease Option Agreement South Canyon

Karl Hanlon presented a draft lease option for the exploration and potential development of some facilities in South Canyon. The agreement is a lease option which would allow Canyon Hot Springs to access the property for exploration and assessment initially with a termination date of July 31, 2018. If

the Leasee wished to pursue an application. The application term would commence on August 1, 2018 and terminate on July 31, 2019

Brian Smith, gave a brief history on the amenities in South Canyon and the need to manage the area better to provide a benefit to the public. This lease allows Canyon Hot Springs the ability to test the area to see if future development is a viable option.

Steve Beckley, stated that the next year would be spent exploring and testing soils and wells. If the exploration indicates there is a viable option, an application would be submitted to both the City and the County for the appropriate approvals which would include a public comment period.

Mayor Gamba opened the item for public comment.

Gerald Olt spoke against the project. He was concerned about the wildlife and the historical significance of the area.

Tye Richardson expressed concern about the fire danger in the proposed camp grounds and the wildlife.

Craig Amichaux had concerns regarding the coal seam and high fire danger.

Ken Ransom noted there were lots of Hot Springs operators in the State and asked if an asset this large should be put out to bid. He was concerned with the potential developer paying the City 5% of the gross revenue generated on the leased area.

Bruce Stuben was concerned with the wildlife and the shifting ground.

Mayor Gamba closed public comment.

After further discussion, the Council directed the City Attorney to make revisions to the lease to allow for City termination of the lease and contingencies on the gross percentage of revenues generated.

Councilor Kaup moved, seconded by Councilor Davis, to continue the Land Access and Lease Option Agreement in South Canyon with direction to the City Attorney to make the discussed revisions.

The Motion passed unanimously.

18 Discussion of Amendments to Sections 070.040.120 and 070.040.130 Regarding Vacation Rentals

Jenn Ooton gave a brief history on vacation rentals. Based on prior Council direction, an Ordinance was drafted to allow the option for either the primary dwelling or an accessory dwelling unit (ADU) to be rented as a vacation rental, but not both. Council had also directed to allow an increase in the number of units within a multi-family building that could be used for a vacation rental.

Mayor Gamba opened the item for public comment:

Kevin Brady stated he was opposed to the changes as it might drastically change the number of vacation rentals which had an impact on housing.

Clark Anderson stated he was both a resident and owned a multi-family building with vacation rentals in the downtown. He felt housing affordability was a market issue and that the lack of rentals affected affordability. He stated there is a need for real people to be able to live in the downtown.

Damon Arreyondo commented that he was concerned with allowing ADU's to be used for vacation rentals as the units are lost to long term renters. He stated workers spend their dollars in the City. Taxes for vacation rentals should be the same as hotels.

Ken Murphy said he has seen the numbers from the VRBOS and there is growth but it affects staffing, employees, parking and housing and he would like to talk more about the impacts and managing proponents.

Joel Belmont liked the idea and wants to encourage the use of an ADU.

Ingrid Wussow noted pros and cons for both ADU's and long-term rentals and there would need to be a good sense of balance.

Michael Dunn noted that this ordinance would reduce the housing supply and employees are needed to service the visitors.

Jennifer Vanian commented on the vacation rental business.

Brad Hancock noted the original intent of ADU was for affordable housing. Does not feel that the City should be restraining what people do with their property. He was concerned about the parking.

Marco Dehm, here as a citizen. He supports the ADU change. Think you should be able to rent ADU. Cannot support the Multifamily change

Mayor Gamba closed public comments.

Councilor Kaup moved, seconded by Councilor Ingraham, to table this item and to allow staff to conduct community outreach and further research on short term rentals.

The Motion passed unanimously.

19 Report from City Administration

- A. City Manager:
 - Opportunity Zones
 -

The Opportunity Zones program was enacted as part of the 2017 tax reform package to address uneven economic recovery and lack of growth. This provides a tax incentive for investors to reinvest unrealized capital gains into low-income urban and rural communities.

- B. City Attorney:

No comments were noted by the City Attorney.

20 Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e), related to Former Library Building, CDOT IGA, and West Glenwood Mall

Mayor Gamba requested a motion to move into executive session at 9:18 p.m.

Councilor Godes moved, seconded by Councilor Kaup, to go into executive session for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e) related to the Former Library Building, CDOT IGA, and West Glenwood Mall

The executive session was adjourned at 10:10 p.m.

21 Contract for Sale of Former Library Building – 413 9th Street

Councilor Godes moved, seconded by Councilor Kaup to modify the terms of the contract to pay 50% of additional repair costs not to exceed \$15,000.

Ayes: Gamba, Kaup, Godes, Davis, Ingraham, Leahy

Nays: Voorhees

22 Adjournment

The meeting was adjourned at 10:13 p.m.

EXHIBIT M. Police Complaints

Date Issued	Address	Date	Incident type	Incident/Case #	Call Type	Disposition	Comments
9/10/2018	1104 Blake Avenue	10/10/2018	Abandoned Vehicle	18-18749	Dispatched	Red Tag	
1/6/2015	210 7th Street	8/19/2018	Suspicious Event	18-15359	Officer Initiated	Warning	
		7/26/2018	Parking Prob/Comp	18-13936	Dispatched	UTL	
6/24/2013	815 Blake Avenue	7/25/2018	Code Violation	18-13865	Officer Initiated	Warning	Bushes
		7/20/2017	Parking Prob/Comp	17-15968	Dispatched	Warning	
		7/6/2017	Parking Prob/Comp	17-14772	Dispatched	n/a	
		3/15/2017	Code Violation	17-5650	Officer Initiated	Warning	illegal Dumping
		2/10/2016	Parking Prob/Comp	16-2894	Dispatched	Ticket	
		8/13/2015	Parking Prob/Comp	15-14055	Dispatched	Ticket	
		11/4/2014	Parking Prob/Comp	14-18216	Dispatched	Ticket	
		7/12/2013	Parking Prob/Comp	13-10932	Dispatched	Ticket	
5/31/2018	814 Minter Avenue	7/14/2018	Abandoned Vehicle	18-13239	Dispatched	n/a	
4/12/2018	815 Pitkin Avenue	7/17/2018	Assist Citizen	18-13394	Dispatched		Tree Branches on Powerline
		6/12/2018	Harassment	18-10992	Dispatched	Warning	
		4/29/2018	Code Violation	18-8060	Officer Initiated	Warning	trash
3/14/2013	315 Sunny Hills Lane	9/19/2018	Civil	18-17501	Officer Initiated	n/a	
		9/19/2018	Civil	18-17495	Officer Initiated	UTL	
		1/10/2017	Alarm	17-852	Burglary Alarm	False Alarm	
		9/17/2016	Alarm	16-18114	Dispatched	n/a	
		3/29/2016	Animal	16-5822	Dispatched	n/a	
		7/29/2015	Code Violation	15-12895	Officer Initiated	Summons	Trash
		7/28/2015	Trespass	15-12861	911 Dispatch	unfounded	
		3/13/2014	Alarm	14-3683	Dispatched	False Alarm	
		1/1/2014	Alarm	14-46	Dispatched	False Alarm	
		12/12/2013	Alarm	13-18820	Dispatched	False Alarm	
		12/11/2013	Alarm	13-18745	Dispatched	False Alarm	
		12/11/2013	Alarm	13-18739	Dispatched	False Alarm	
		12/8/2013	Alarm	13-18593	Dispatched	False Alarm	
		9/9/2013	Alarm	13-14238	Dispatched	False Alarm	
2/20/2018	1202 Pitkin Avenue	3/21/2018	Suspicious Event	18-5392	911 Dispatch	UTL	
2/12/2018	837 Stoneridge CT	10/18/2018	Code Violation	18-19313	Dispatched	call serviced	nieghbor AirBB parking issues
		6/11/2018	Civil	18-10891	Dispatched	call serviced	

11/22/2017	906 Cooper Avenue	5/31/2018	Code Violation	18-10152	Dispatched	call serviced	Oil Spill
12/13/2013	802 Garfield Avenue	4/29/2018	Code Violation	18-8070	Officer Initiated	Ticket	trash can
		8/7/2016	Noise Complaint X2	16-14801	Dispatched	Warning	
		7/8/2016	Civil	16-12534	Officer Initiated	n/a	civil standby
		10/7/2015	Theft/Larceny	15-18010	Dispatched	Report/Case	Theft of items while guest stayed there
		6/3/2015	Animal	15-9042	Dispatched	n/a	dog call
		2/6/2015	Parking Prob/Comp	15-2135	Officer Initiated	Warning	
		5/1/2014	Bear Call	14-6123	Officer Initiated	Warning	Bear trash
12/4/2017	712 Bennett Avenue	4/12/2018	Parking Prob/Comp	18-6928	Officer Initiated	Red Tag	
12/7/2017	740 Palmer Ave Unit A	4/11/2018	Bear Call	18-6806	Officer Initiated	Ticket	Bear trash
12/4/2017	413 22nd St	8/5/2018	Welfare Check	18-14557	Dispatched	call serviced	
10/10/2017	1132 Walz Ave	3/17/2018	Assist EMS	18-5071	911 Dispatched	call serviced	
		10/19/2017	Assist EMS	17-25180	911 Dispatched	call serviced	
		10/18/2017	Animal	17-25082	911 Dispatched	call serviced	Bear at large
1/31/2014	115 1/2 3rd Street	7/16/2017	Citizen Assist	17-15610	Dispatched	call serviced	
		5/18/2016	Code Violation	16-8681	Officer Initiated	call serviced	unknown
		3/17/2016	Suspicious Event	16-5189	Dispatched	call serviced	
		5/20/2015	Animal	15-8087	Officer Initiated	Warning	
		3/4/2015	Sex Offender Reg.	15-3695	Officer Initiated	call serviced	
		9/15/2014	Bear Call	14-15067	Dispatched	call serviced	Bear at large
10/29/2013	1112 Walz Avenue	8/30/2017	Bear Call	17-20345	Officer Initiated	PA issued	
		7/25/2017	Citizen Assist	17-16379	Officer Initiated	call serviced	
		9/4/2014	Bear Call	14-14402	Officer Initiated	call serviced	
4/21/2014	550 Greenway Drive	7/29/2016	Assist	16-14148	Dispatched	call serviced	
		7/28/2016	Missing Person	16-13970	Dispatched	call serviced	
12/5/2015	1023 Bennett Avenue	8/19/2017	Suspicious Event	17-18920	Dispatched	Warning	
10/10/2012	1318 Pitkin Avenue	12/28/2017	Abandoned Vehicle	17-29759	Officer Initiated	Red Tag	
		12/15/2017	Parking Prob/Comp	17-29048	Officer Initiated	Red Tag	
		12/13/2017	Parking Prob/Comp	17-28938	Officer Initiated	Red Tag	
5/6/2013	1028 Bennett Avenue	12/29/2017	Abandoned Vehicle	17-29790	Officer Initiated	Red Tag	
		5/8/2016	Abandoned Vehicle	16-8133	Dispatched	Red Tag	
		5/7/2016	Parking Prob/Comp	16-8094	Dispatched	call serviced	
		1/18/2016	Abandoned Vehicle	16-1187	Officer Initiated	Red Tag	

1530

9/15/2015 1017 Cooper Avenue	10/5/2018 Assist Citizen	18-18457	Dispatched	call serviced	
	8/16/2018 Harassment	18-15202	Dispatched	call serviced	
	5/9/2018 Harassment	18-8703	Dispatched	call serviced	
	12/30/2016 Code Violation	16-26050	Officer Initiated	Warning	unknown
	10/3/2016 Trespass	16-19338	911 dispatched	Report/Case	
	6/6/2016 Civil	16-9979	911 dispatched	call serviced	
	4/7/2016 Civil	16-6253	911 dispatched	call serviced	
	1/21/2016 Assist Citizen	16-1421	Officer Initiated	call serviced	
4/22/2013 1219 Colordo Avenue	8/22/2017 Assist Fire	17-19333	911 dispatched	call serviced	
	2/4/2017 Animal	17-2845	Dispatched	call serviced	
	5/22/2016 Suspicious Event	16-8988	911 dispatched	call serviced	
	2/8/2014 Follow up	14-1952	Dispatched	call serviced	snow removal
	6/4/2013 Follow up	13-8396	Officer Initiated	call serviced	
	6/3/2013 Code Violation	13-8341	Officer Initiated	call serviced	trash warning
6/8/2015 415 8th Street	6/4/2018 Code Violation	18-10373	Officer Initiated	call serviced	political sign
	1/17/2018 Parking Prob/Comp	18-1018	Officer Initiated	call serviced	
	10/16/2017 Code Violation	17-24860	Dispatched	PA issued	Bear trash
12/10/2015 415 1/2 8th Street	6/21/2016 Code Violation	16-11125	Officer Initiated	Warning	Tree
12/17/2015 210 7th Street ?????? Ur	8/19/2018 Suspicious Event	18-15359	Officer Initiated	Warning	
	7/26/2018 Parking Prob/Comp	18-13936	Dispatched	UTL	
	5/18/2018 Assist Citizen	18-9349	Dispatched	call serviced	
	12/23/2017 Parking Prob/Comp	17-29508	Dispatched	parking ticket	
	12/8/2017 Alarm	17-28661	Dispatched	n/a	
	2/22/2017 Alarm	17-4131	Dispatched	call serviced	
11/12/2014 805 Blake Ave #3	3/1/2016 Noise Complaint	16-4250	Dispatched	Warning	
11/14/2012 1005 Colorado Ave	3/20/2017 Alarm	17-6149	Dispatched	False Alarm	
	9/10/2016 Assist Fire	16-17572	Dispatched	call serviced	
	1/17/2016 Assist Fire	16-1132	Dispatched	call serviced	
	12/19/2015 Alarm	15-22418	Dispatched	call serviced	
	11/11/2015 Alarm	15-20224	Dispatched	call serviced	
	10/21/2015 Alarm	15-18988	Dispatched	False Alarm	
	10/15/2015 Alarm	15-18625	Dispatched	call serviced	
	9/8/2015 Burglary	15-15908	Dispatched	Report/Case	
	7/16/2015 Code Violation	15-11926	Officer Initiated	Report/Case	trash

	9/12/2013	Code Violation	13-14373	Officer Initiated	Warning	bear trash	
	5/25/2013	Assist Fire	13-7863	Dispatched	call serviced		
	1/14/2013	Parking Prob/Comp	13-696	Dispatched	Red Tag		
8/19/2015	728 Bennett Ave	2/9/2018	Code Violation	18-2664	Officer Initiated	Warning	unknown
	11/7/2017	Civil	17-26698	Officer Initiated	n/a		
	11/7/2017	Civil	17-26683	Dispatched	call serviced		
	4/1/2017	Animal	17-6979	Dispatched	Summons	vicious animal	
	11/8/2016	Code Violation	16-22276	Officer Initiated	Warning	removal of property	
	10/13/2016	Code Violation	16-20252	Officer Initiated	Warning	political sign	
	9/5/2016	Suspicious Event	16-17081	Dispatched	call serviced		
	11/21/2015	Animal	15-20739	Dispatched	call serviced		
? 08/31/2015	717 1/2 Grand Avenue	7/22/2018	Alarm	18-13649	Dispatched	call serviced	
	5/25/2018	Theft/Larceny	18-9818	911 dispatched	Report/Case		
	4/14/2017	Alarm	17-8033	Dispatched	call serviced		
	11/26/2016	Citizen Assist	16-23710	Dispatched	call serviced		
	7/26/2016	Parking Prob/Comp	16-13855	Dispatched	parking ticket		
	6/22/2016	Alarm	16-11242	Dispatched	call serviced		
	3/4/2016	Parking Prob/Comp	16-4382	Dispatched	call serviced		
	11/25/2015	Alarm	15-20955	Dispatched	call serviced		
	9/3/2015	Suspicious Event	15-15577	Dispatched	call serviced		
	7/30/2015	Transient	15-12997	Dispatched	call serviced		
	6/10/2015	Transient	15-9436	Dispatched	call serviced		
	6/9/2015	Transient	15-9396	Dispatched	call serviced		
	4/19/2015	Alarm	15-6389	Dispatched	call serviced		
	2/21/2015	Assist Citizen	15-3063	Dispatched	call serviced		
	7/27/2014	Alarm	14-12997	dispatched	call serviced		
1/27/2016	910 Red Mountain Dr	9/14/2018	Code Violation	18-17153	Officer Initiated	Warning	garage sale signs
1/3/2014	509 Maple Street	2/10/2018	Parking Prob/Comp	18-2750	Officer Initiated	Red Tag	
	9/5/2017	Parking Prob/Comp	17-21016	Dispatched	call serviced		
	7/31/2017	Code Violation	17-16897	Dispatched	warning	illigal camping	
	10/21/2016	Suspicious Event	16-20875	Dispatched	Warning	illigal camping	
	7/29/2014	Animal	14-11964	Dispatched	Warning		
	7/18/2014	Trespass	14-11063	Dispatched	UTL	illigal camping	
2/23/2016	515 Maple Street	8/31/2018	Follow up	18-16210	Officer Initiated	call serviced	

	8/31/2018 Warrant	18-16207	911 Dispatched	Arrest	
	8/20/2018 Transient	18-15444	Dispatched	UTL	illigal camping
	10/7/2017 Parking Prob/Comp	17-24233	Officer Initiated	Red Tag	
	7/24/2017 Code Violation	17-16324	Dispatched	UTL	illigal camping
	9/6/2016 Assist Citizen	16-17269	Dispatched	call serviced	illigal camping
3/18/2016 509 W 12th St	10/3/2017 Code Violation	17-23869	Officer Initiated	call serviced	need to pull permit
	10/21/2016 Follow up	16-90925	Officer Initiated	call serviced	
	10/21/2016 Animal	16-20918	Officer Initiated	call serviced	
4/18/2016 1700 Midland Ave	7/10/2018 Sex Offense	18-12988	911 Dispatched	UTL	men urinating
	12/2/2017 Animal	17-28349	Dispatched	call serviced	barking dogs
	10/13/2017 Motorist Assist	17-24732	Dispatched	call serviced	
	9/21/2016 Trespass	16-18441	Dispatched	Report/Case	cold theft
	9/21/2016 Trespass	16-18439	Dispatched	call serviced	someone used home
	7/1/2016 Assist Citizen	16-11957	Officer Initiated	call serviced	
	6/16/2016 Assist	16-10699	Officer Initiated	call serviced	
	6/3/2016 Suspicious Event	16-9771	Officer Initiated	call serviced	
4/15/2016 714 23rd Street	4/18/2017 Parking Prob/Comp	17-8291	Dispatched	Warning	
	3/31/2017 Parking Prob/Comp	17-6906	Dispatched	Red Tag	
4/14/2016 650 Greenway Dr	6/20/2016 Code Violation	16-11080	Officer Initiated	PA issued	animal trash
6/15/2016 516 W 12th St	2/9/2018 Parking Prob/Comp	18-2635	Officer Initiated	parking ticket	
	10/3/2017 Parking Prob/Comp	17-23871	Officer Initiated	Red Tag	
	8/26/2016 Building Check	16-16260	Officer Initiated	call serviced	
	8/25/2016 Trespass	16-16218	Dispatched	Report/Case	
7/25/2016 1027 Cooper Ave	8/14/2018 Vehicle Lockout	18-15118	Dispatched	call serviced	
	7/6/2017 Abandoned Vehicle	17-17802	Officer Initiated	Warning	
	5/21/2017 Suspicious Event	17-10942	Dispatched	unfounded	
6/24/2016 1002 Cooper Ave	6/4/2018 Code Violation	18-10398	Officer Initiated	call serviced	political sign
	10/4/2017 Code Violation	17-23944	Officer Initiated	Warning	
	7/2/2017 Parking Prob/Comp	17-14388	Officer Initiated	Red Tag	
	10/31/2016 Code Violation	16-21716	Officer Initiated	call serviced	
7/27/2016 1030 Blake Ave	10/7/2018 Bear Call	18-18553	911 dispatched	n/a	
	2/27/2018 Theft/Larceny	18-3885	Dispatched	Report/Case	
	8/1/2016 Assist Citizen	16-14381	Dispatched	call serviced	

10/4/2016 1116 Walz Avenue	3/26/2018 Suspicious Event	18-5672	Dispatched	call serviced	
	1/20/2018 Parking Prob/Comp	18-1285	Officer Initiated	Red Tag	
11/11/2016 3114 S Grand Ave	8/13/2017 Disturbance	17-18165	Dispatched	call serviced	
12/19/2016 1109 Colorado Ave	5/20/2017 Code Violation	17-10806	Officer Initiated	Ticket	trash
3/6/2017 2205 Bennett Avenue	8/8/2018 Fraud	18-14711	Officer Initiated	Report/Case	
	8/2/2018 Fraud	18-14388	Dispatched	Report/Case	
3/31/2017 725 Bennett Ave	8/19/2017 Code Violation	17-18966	Officer Initiated	PA issued	trash
4/5/2017 1127 Blake Avenue	5/13/2017 Theft/Larceny	17-10274	Dispatched	Report/Case	
	4/30/2017 Disturbance	17-9212	911 dispatched	call serviced	
	6/21/2018 Assist Citizen	18-11649	Dispatched	call serviced	
	8/27/2017 Assist Citizen	17-19945	Officer Initiated	call serviced	
	8/27/2017 DUI	17-19941	Officer Initiated	Summons	
	8/26/2017 Disturbance	17-19940	Dispatched	Arrest	
	7/10/2017 Assist Fire	17-15179	Dispatched	call serviced	
4/5/2017 1116 Cooper Ave	4/26/2017 Code Violation	17-9131	Officer Initiated	call serviced	dresser in roadway
	4/5/2018 Parking Prob/Comp	18-6452	Officer Initiated	call serviced	
	12/24/2017 Assist Fire	17-29554	911 Dispatch	call serviced	
5/10/2017 746 (1/2) ? Palmer Ave	9/4/2017 Bear Call	17-20841	Officer Initiated	PA issued	bear trash
	10/13/2018 Code Violation	18-18969	Dispatched	call serviced	branches on street
	7/27/2018 Animal	18-14018	Dispatched	Warning	
	4/2/2018 Drug Investigation	18-6203	Dispatched	Report/Case	
5/19/2017 715 (1/2) ? Cooper Ave	1/31/2018 Animal	18-2049	Dispatched	UTL	
7/17/2014 710 Bennett Ave #B	8/23/2017 Bear Call	17-19574	Dispatched	call serviced	bear trash
	11/8/2016 Code Violation	16-22278	Officer Initiated	Warning	items of property on city right of way
	9/11/2016 Suspicious Event	16-17665	Dispatched	Summons	
	4/17/2016 Animal	16-6814	Dispatched	Warning	
	4/11/2016 Follow up	16-6451	Officer Initiated	call serviced	
	4/2/2016 Follow up	16-5995	Officer Initiated	utl	
	3/22/2016 Animal	16-5454	Dispatched	Report/Case	
	3/15/2016 Animal	16-5047	Dispatched	Warning	
	1/26/2016 Animal	16-1757	Officer Initiated	Warning	
	1/15/2016 Assist Citizen	16-1063	Officer Initiated	call serviced	

	1/10/2016 Follow up	16-692	Dispatched	call serviced	
	1/9/2016 Follow up	16-627	Dispatched	call serviced	
	10/17/2014 Assist EMS	14-17125	Dispatched	call serviced	
7/18/2017 2550 STHY 82	9/21/2018 Building Check	18-17588	Officer Initiated	call serviced	
	7/29/2018 Welfare Check	18-14156	Officer Initiated	call serviced	
	3/3/2018 Transient	18-4146	Dispatched	call serviced	camping
	1/18/2018 Assist Fire	18-1166	Dispatched	False Alarm	
	9/8/2017 Alarm	17-21408	Dispatched	False Alarm	
	9/4/2017 Alarm	17-20829	Dispatched	False Alarm	
	9/3/2017 Alarm	17-20736	Dispatched	False Alarm	
	8/27/2017 Suspicious Event	17-19996	Dispatched	call serviced	
	8/29/2017 ATL	17-19931	Dispatched	call serviced	
7/28/2017 1524 Blake Ave	5/5/2018 Code Violation	18-8446	Officer Initiated	Warning	couch on property
9/5/2014 3305 Hager Lane	2/11/2018 Assist Fire	18-2835	Dispatched	call serviced	
	9/7/2017 Assist Fire	17-21200	Dispatched	call serviced	
9/6/2017 111 Market Drive	9/29/2018 Animal	18-18053	Dispatched	n/a	
	6/5/2018 Animal	18-10440	Dispatched	call serviced	
	10/31/2017 Theft/Larceny	17-26107	Officer Initiated	Report/Case	
5/21/2015 1016 Minter Ave	8/8/2018 Code Violation	18-14757	Dispatched	UTL	fire ban
	4/30/2018 Civil	18-8094	Dispatched	call serviced	
	8/26/2017 Citizen Assist	17-19926	Dispatched	n/a	
	1/26/2017 Code Violation	17-2064	Officer Initiated	Summons	snow dumping
	6/13/2015 Code Violation	15-9612	Dispatched	call serviced	easment
3/26/2015 509 8th St	12/14/2017 Parking Prob/Comp	17-28997	Officer Initiated	Red Tag	
	12/1/2017 Parking Prob/Comp	17-28230	Officer Initiated	Red Tag	
	7/10/2017 Alarm	17-15143	Dispatched	call serviced	
	3/20/2017 Assist	17-6187	Dispatched	UTL	
	8/19/2015 Code Violation	15-14499	Dispatched	Warning	trash
	6/24/2015 Suspicious Event	15-10434	Dispatched	UTL	
	4/29/2015	911 15-6933	Dispatched	call serviced	
5/30/2013 3310 Hager Ln	8/13/2017 Assist EMS	17-18142	Dispatched	call serviced	
	5/27/2017 Assist EMS	17-11480	Dispatched	call serviced	
	9/1/2015 Burglary	15-15428	Dispatched	call serviced	burglary attempt

		6/7/2014 Assist Fire	14-8317	Dispatched	call serviced	
		8/9/2013 Parking Prob/Comp	13-12562	Officer Initiated	Warning	Vacation renter parking issue
5/30/2013	716 Lincoln Ave	8/17/2017 Assist Fire	17-18756	Dispatched	n/a	
		6/16/2016 Bear Call	16-10692	Dispatched	UTL	
5/22/2013	1620 Lincolnwood Dr	10/4/2018 911	18-18413	Dispatched	Warning	
		9/21/2018 Assist Other Agency	18-17594	Dispatched	Report/Case	
		2/8/2016 Animal	16-2701	Officer Initiated	Warning	
		12/21/2014 Animal	14-20630	Dispatched	call serviced	
		7/23/2014 Domestic	14-11541	Dispatched	call serviced	
11/9/2012	1605 Bennett Ave	10/9/2018 Follow up	18-18680	Dispatched	call serviced	
		10/9/2018 Bear Call	18-18664	Dispatched	call serviced	
		10/9/2018 911	18-18665	Dispatched	call serviced	
		8/30/2018 Assist	18-16141	Dispatched	call serviced	
		12/15/2014 Abandoned Vehicle	14-20319	Dispatched	Warning	
		7/25/2014 Abandoned Vehicle	14-11658	Dispatched	Red Tag	
2016-2018	1801 Midland Ave	none in 2016-2018				
2016-2018	1031 Pitkin Ave	12/2/2016 Animal Call	2016-24067	Dispatched	call serviced	
		6/1/2017 Code Violation	2017-11859	Officer Initiated	Call serviced	House used as VRBO w/o permit
		7/3/2017 Code Violation	2017-14460	Officer Initiated	Call serviced	overgrown bushes
		7/21/2017 Disturbance	2017-16107	Dispatched	Call serviced	irate guest
		6/16/2018 Burglary	2018-11053	Dispatched	report taken	
5/31/2017	1313 Oak Way Ave.	10/27/2016 Code Violation	2016-21370	Officer Initiated	warning	furniture on city right of way
		4/18/2018 Code Violation	2018-7292	Officer Initiated	Call serviced	unknown
2016-2018	1524 Blake Ave	5/5/2018 Code Violation	2018-8446	Officer Initiated	warning	couch
2016-2018	1810 Ouray Rd	None in 2016-2018				
2016-2018	605 Highlands Dr	None in 2016-2018				
2016-2018	85 Ptarmigan Ln	None in 2016-2018				
2016-2018	915 Pitkin Ave	7/5/2017 Theft/Larceny	2017-14672	Dispatched	call serviced	
		8/15/2017 Attempt to Locate	2017-18313	Dispatched	Call Serviced	
		8/27/2017 REDDI Report	2017-20010	Dispatched	Arrest	DUI

		10/6/2017 Animal Call	2017-24133	Dispatched	UTL
2016-2018	1023 Bennett Ave	8/19/2017 Suspicious Event	2017-18920	Dispatched	Warning
2016-2018	709 Silver Oak Drive	None in 2016/2018			
	95 Fairview Drive	None in 2016/2018			
2016-2018	503 Spring Street #3	None in 2016-2018			
2016-2018	3960 Sky Ranch Dr	7/3/2017 Parking Complaint	2017-14452	Officer Initiated	warning

39 Code Violation Calls

9 were Dispatced
 30 Officer Initiated

ORDINANCE NO. 11

Series of 2018

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, AMENDING SECTION 070.040.120 AND 070.040.130
REGARDING THE REGULATION OF SHORT-TERM AND
ACCESSORY TOURIST RENTALS IN THE CITY.**

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

WHEREAS, Sections 070.040.120 and 070.040.130 of the Glenwood Springs Municipal Code set forth the City’s regulations and permitting requirements for the operation of short-term and accessory tourist rentals within the City, as those terms are currently defined; and

WHEREAS, Sections 070.040.120 and 070.040.130 of the Glenwood Springs Municipal Code provide that any applications for short-term and accessory tourist rentals shall be accompanied by a fee set by resolution of the Glenwood Springs City Council;

WHEREAS, the City Council desires to specify a permit application fee for short-term and accessory tourist rentals and add penalty provisions addressing violations of Sections 070.040.120 and 070.040.130 to deter such violations; and

WHEREAS, the Glenwood Springs City Council finds and declares that the amendments to the Glenwood Springs Municipal Code regarding short-term and accessory tourist rentals set forth herein are proper in light of the reasonable needs and desires of the City and in the promotion of the public health, safety, and welfare of the City’s residents and visitors.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

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

Section 2. Section 070.040.120 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

070.040.120 – Short Term Rentals

(e) *Application Requirements.* The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution, on a one-time basis, regardless of the number of permit renewals. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code, including, but not limited to, building code and inspection requirements.

(i) Penalties for Violations. Any violation of this Section 070.040.120 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

Section 3. Section 070.040.130 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

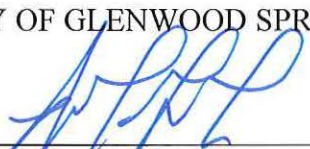
070.040.130 – Accessory Tourist Rentals

(e) Application Requirements. The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution, on a one-time basis, regardless of the number of permit renewals. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code, including, but not limited to, building code and inspection requirements.

(i) Penalties for Violations. Any violation of this Section 070.040.130 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED PUBLISHED BY
TITLE ONLY THIS 17TH DAY OF MAY 2018.

CITY OF GLENWOOD SPRINGS, COLORADO



Michael Gamba, Mayor

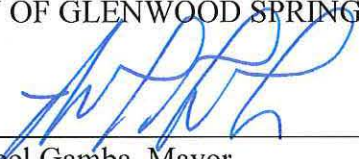
ATTEST:



Catherine Mythen Fletcher, City Clerk

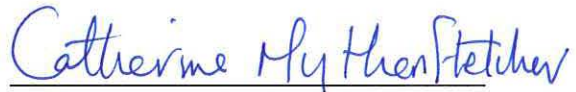
INTRODUCED, READ ON SECOND READING, AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE OF SECOND PUBLICATION THIS 7TH DAY OF JUNE 2018.

CITY OF GLENWOOD SPRINGS, COLORADO



Michael Gamba, Mayor

ATTEST:



Catherine Mythen Fletcher, City Clerk



EXHIBIT O. Old Vacation Rental Application

Short-Term Rental Permit & Application City of Glenwood Springs, CO

General Information

If you want to rent your entire home for a period of less than 30 days, you are required to first obtain a Short-term Rental Permit from the City of Glenwood Springs Community Development Department.

Application & Review Process

1. Review the regulations which are located after the Frequently Asked Questions. If you determine that you are eligible to apply, complete the attached Short-term Rental Permit application and submit along with the applicable fee to the Community Development Department, 101 W. 8th Street, Glenwood Springs, CO 81601. Call the Community Development Department at 970 384-6411 for the current application fee.
2. In addition to the Short-term Rental Permit application, you must also obtain a Business and Sales Tax License through the city's Finance Department. You can apply for your business and sales tax license on line at <https://glenwoodsprings.munirevs.com>
3. Upon approval of the Short-term Rental Permit, Planning staff will advise the Finance Department that they may release your business and sales tax licenses. Questions pertaining to business or sales tax licenses may be made at 1/888-751-1911 or 970-384-6455.
4. Shortly after you submit your Short-term Rental application, a staff member from the Community Development Department will contact you regarding your application. If your application is complete, Community Development staff will have you schedule an inspection of your home. All inspections are handled through the city's Building Department. If you have questions regarding the inspection, contact the Building Department's administrative assistant at 970 384-6411.
5. After your inspection has been completed, the inspector will do one of two things, either approve your residence for use as a short-term rental, or require that you make modifications to ensure the public's health, safety and welfare. In some cases, the required modifications may require that you submit a Building Permit.
6. After you have completed successfully all of the work associated with your inspection or building permit, Community Development Department staff will issue your Short-term Rental Permit.

If you have additional questions regarding the Short-term Rental application process, please review the following Frequently Asked Questions, or call 970 384-6411.

Frequently Asked Questions:

1. **What is a short-term rental?** *A short-term rental is the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, accessory tourist rental, boarding or rooming house, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.*
2. **Are City of Glenwood Springs' permits or licenses required as a pre-requisite to having a short-term rental in Glenwood Springs?** *Yes. It will be necessary to obtain a Short-term Rental Permit and a Business/Sales Tax License before commencing to rent a property as a short-term rental. In addition, a Building Permit may be required if it is determined that physical changes need to be made to the residence in order to comply with applicable building codes.*
3. **If I swap my house for another home elsewhere and no money is exchanged, do I need a short-term rental permit?** *The offering of the use of one's home where **no fee is charged** or collected is exempt from any City permitting.*
4. **Is any residential dwelling unit in the City eligible to become a short-term rental or are there certain areas where it is prohibited?** *The use of homes for short-term rental purposes is regulated via the zoning regulations of the Glenwood Springs Municipal Code in Article 070.040 Zoning. Short-term rentals are allowed in all residential and commercial zones. However, short-term rentals are not allowed in Planned Unit Developments (PUDs) unless specifically listed as an allowed use. Additionally, short-term rentals are not allowed in any dwelling unit that has been permitted as an Accessory Dwelling Unit.*
5. **Who may apply for a Short-term Rental Permit?** *All permits shall be issued to the owner of the property.*
6. **What are the requirements for a Short-term Rental Permit?** *The requirements are listed in the Glenwood Springs Municipal Code at Article 070.040.120 Short-term Rentals.*
7. **Do I need a business license to operate a short-term rental?** *A business license is required for short-term rentals. Additionally, short-term rentals are subject to sales and accommodations taxes. Owners are required to charge and collect sales and accommodation taxes. You may apply for a business and sales tax license at the same time you apply for a Short-term Rental permit. (See attached information sheet as to how to apply for a business and sales tax license on line.)*
8. **Will I need to have my home inspected?** *All homes will require an inspection to determine compliance with applicable zoning and building codes prior to the issuance of a Short-term Rental permit.*
9. **Do I need a building permit for a short-term rental?** *A Building Permit may be required if significant work is needed to bring the residence into compliance with the applicable codes. The need for a building permit will be determined at the conclusion of the inspection by the Building Department.*

**Short-Term Rental
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10. **What building codes will short-term rentals be subject to?** *The applicable building code for your property depends on the underlying use of your property. One or more of the following codes will apply: International Property Maintenance Code (IPMC), International Residence Code (IRC), or International Building Code (IBC).*
11. **What is a “designated responsible party?”** *A designated responsible party is a person located in the local area who will be available to immediately respond to any issues arising from the short-term rental of the property, whether it be from the rental party, public safety personnel, utility personnel or any other municipal party.*

For additional questions regarding short-term rentals, please contact the Community Development Department at 970 384-6411.

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Glenwood Springs Municipal Code section 070.040.120- Short Term Rentals.

(a) Intent. The City of Glenwood Springs recognizes that there are benefits to allowing owners of residential units within the City to rent their dwelling units for periods of time less than thirty (30) days. Short term rental of dwelling units bring additional visitors to the City, can allow owners to recoup housing costs, and provides revenues for the City through the additional tax collections. The provision of short term rentals offers additional diversification to the resort and travelling professional accommodations market. However, due to the potential for adverse impacts, short term rentals must be regulated by the City to protect the health, safety, and welfare of owners, neighbors, and visitors.

(b) Applicability. The requirements of this Section shall apply to any residential dwelling unit within the City of Glenwood Springs. This Section does not apply to any residential use within a Planned Unit Development unless specifically listed as a use allowed by the Planned Unit Development. Nor does this Section apply to any dwelling unit permitted as an Accessory Dwelling Unit.

(c) Definition. As used in this Section, the following term shall have this meaning ascribed to it:

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

(d) Requirements, Restrictions, and Standards. The following requirements, restrictions, and standards shall apply to short term rentals:

(1) The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict the ability for owners to engage in short term rentals.

(2) There shall be a designated responsible party, located within the local region, available for immediately responding to any issues arising from the short term rental. The designated responsible party may be the owner of the property.

(3) The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.

(4) The owner or responsible party is responsible for ensuring the short term rental meets all applicable local, state, and federal regulations. For example, §38-45-101 C.R.S. et seq. requiring carbon monoxide alarms in residential property. The property owner, responsible party, or other persons shall not reside in the short-term vacation rental unit during periods of short-term rental; however, the property owner or permanent tenants not part of the short-term rental party may occupy the accessory dwelling unit on the property as their residence.

(5) The owner or responsible party is responsible for obtaining all required licenses in accordance with Title 050 of the Glenwood Springs Municipal Code.

(6) Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.

(7) On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for a short term rental permit.

**Short-Term Rental
Permit & Application
City of Glenwood Springs, CO**

(8) All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.

(9) The owner shall be responsible for ensuring that the short term rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled Garbage, refuse, and trash collection. Owners and responsible parties shall make arrangements for proper garbage, refuse, and trash collection.

(10) The following information must be posted in a prominent and visible location in the short-term rental:

- A. City of Glenwood Springs license(s) and short term rental permit;
- B. Contact information for owner and/or responsible party, including a phone number for 24 hour response to emergencies;
- C. Description of location of fire extinguishers and emergency egress; and
- D. Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.

(11) In a multi-family building under single ownership, no more than twenty-five (25%) but at least one (1) unit may be permitted as a short term rental.

(12) All advertising of a short-term rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs short-term rental permit number and business license number.

(13) A property owner may not be issued both a short-term rental permit and an accessory tourist rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted short-term rental, he or she may do so by filing an application for an accessory tourist rental in accordance with Section 070.040.130 accessory tourist rentals. Upon issuance of a new accessory tourist rental permit, the existing short-term rental permit is automatically revoked.

(e) Application requirements. The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code including, but not limited to, building code and inspection requirements.

(f) Short Term Rental Permit. All short term rentals shall require a permit from the Community Development Director. This permit shall only be issued after the short term rental application has been approved in accordance with the Glenwood Springs Municipal Code and shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.

(g) Revocation of Permit. A short term rental permit may be revoked at any time by the Community Development Director should it be determined that the use is not being operated in compliance with this Section or any other section of the Glenwood Springs Municipal Code.

(h) Appeals. Appeals of administrative decisions may be made in accordance with Section 070.010.050 of the Glenwood Springs Municipal Code.

**Short-Term Rental
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**Short-Term Rental
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SHORT-TERM RENTAL APPLICATION

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, accessory tourist rental, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

GENERAL INFORMATION

OWNER:

Owner(s) of Residence: _____

Owner(s) Mail Address: _____

Owner(s) Home and Cell Phone Nos.: _____

Owner(s) E-Mail Address: _____

PROPERTY INFORMATION:

Address of Property to be used as a Short-Term Rental: _____

Complex Name and Unit No. _____

Number of Bedrooms: _____

Number of Parking Spaces on Site: _____

If the unit is in a multi-family complex, are there off-street parking spaces allocated to this unit?

_____ Yes _____ No

If yes, how many spaces? _____

LOCAL CONTACT INFORMATION:

(You may designate yourself as the local contact or another responsible party that resides within the Glenwood Springs area).

Responsible Party Name: _____

Responsible Party Mail Address: _____

Responsible Party Home and Cell Phone Nos.: _____

Responsible Party E-Mail Address: _____

REQUIREMENTS, RESTRICTIONS AND STANDARDS:

1. The City of Glenwood Springs is not a party to and does not enforce any private covenants. Property owners should review covenants that apply to the property they wish to use as a short-term rental since covenants may restrict an owner from engaging in the use of their property as a short-term rental.
2. There must be a designated responsible party located within the local region who is available to immediately respond to any issues arising from the short-term rental. The designated responsible party may be the owner of the property.
3. The owner or responsible party shall collect and pay all applicable state and local taxes including sales and lodging taxes.
4. The owner or responsible party is responsible for ensuring that the short-term rental meets all applicable local, state, and federal regulations. For example §38-45-101 C.R.S. et seq. requiring carbon monoxide alarms in residential properties.
5. The owner or responsible party is responsible for obtaining all required licenses and permits in accordance with Title 050 of the Glenwood Springs Municipal Code. The business license and sales tax license number must be displayed in all advertising, including advertising on vacation rental websites.
6. Occupancy limitations of a short-term rental shall be established by the 2009 International Property Maintenance Code (IPMC) and shall be indicated on the short-term rental permit.
7. On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for a short-term rental permit.
8. All vehicles shall be parked in designated parking areas, such as driveways and garages, or on the street where on-street parking is allowed. No parking of vehicles shall occur on lawns or sidewalks.
9. The owner or responsible party shall ensure that the short-term rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled garbage, refuse and trash collection. Owners and responsible parties shall make arrangements with rental parties for the proper collection and disposal of trash and refuse.
10. In a multi-family building where all units are under the same ownership, no more than 25% of the total number of units, but at least one (1) unit may be permitted as a short-term rental.
11. The following information must be posted in a prominent and visible location in the short-term rental:
 - a. City of Glenwood Springs licenses and Short-term Rental Permit.
 - b. Contact information for owner and/or designated responsible party including a phone number for 24 hour response to emergencies.
 - c. Diagram depicting the location of fire extinguishers and emergency egress.

**Short-Term Rental
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- d. Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.
- e. The maximum number of occupants as determined by the Building Official.

Note: A Short-term Rental Permit will only be issued after the application has been reviewed and approved in accordance with the Glenwood Springs Municipal Code. Specific terms and conditions may be included in the permit. All permits will be issued to the owner(s) of the property. A change in ownership requires the new property owner to apply for a new permit. Short-term rental permits expire at the end of odd numbered years. Property owners will be sent a new application form prior to expiration of their permit.

Owner's Signature/Certification:

By my signature below, I represent that all information contained in this application is true and correct to the best of my knowledge. I further certify that I have read the City of Glenwood Springs Short-term Rental regulations per Section 070.040.120 of the Glenwood Springs Municipal Code:

Owner(s) Signature: _____ Date: _____

_____ Date: _____

ADMINISTRATIVE USE ONLY:

Application received by: _____ Date: _____

Application fee collected: ☐ Amount: \$ _____

- EXHIBIT P. Best Practices Articles
- 1.Lodging Revs
 - 2.Colorado Municipal League
 - 3.Host Compliance
 - 4.Sustainable Economies Law Center



Best Practices in Regulation and Taxation of Short Term Rentals

LODGINGRevs White Paper Series

Best Practices in Regulation and Taxation of Short Term Rentals

The growth of online short term rental listing platforms (Airbnb, VRBO, FlipKey), has simplified the rental process, resulting in significant growth of short term rental properties in almost every community.

This growth is causing many communities to revisit and revise their municipal code ordinances regarding the regulation and taxation of these rental properties.

Our experience in working with municipalities since 2011 has given us a perspective on best practices to achieve the objectives the municipalities establish regarding short term rentals.

The ordinances, fees and taxes, and compliance procedures work together as a tailored package to achieve those objectives. We have found that setting three goals for this package achieves the best long term results for the municipality:

- Make compliance requirements clear and reasonably easy to achieve
- Make it evident to property owners that non-compliance is expensive and futile
- Establish systems and procedures that ensure the cost of monitoring compliance goes down over time

The rest of this paper outlines our experience in achieving these goals.

Taxation

Let's tackle the "easier" subject first – taxation.

We have found that municipalities have generally had the best experience when establishing a "level playing field" - lodging is lodging - and should be subject to equal or neutral tax rates. Local visitors should pick the accommodations that best suit their needs, not the one that avoids lodging taxes.

Some platform providers, especially Airbnb, like to point out that renting out part of your home helps pay the mortgage. True, but it's still a business transaction. Unless you rent for less than 14 days a year, the rental income must be reported on your income tax filing. If municipalities want to support renting out a part of your home (sometimes referred to as "homestays") best practice says that's better accomplished through lower fees or easier regulations than through lower lodging tax rates.

Most municipalities include a penalty (additional percentage) for past due taxes from a late filing property (probably “pulled” into compliance).

We believe the **Best Practice** is to make this penalty consistent with late sales tax penalties and to consider waiving it for voluntary compliers during the initial effort/program to bring short term rental properties into compliance.

We have seen a small percentage of municipalities make the listing platforms responsible for filing and paying lodging taxes. We believe that responsibility should be a requirement of the property owner or property management company to ensure complete and transparent compliance.

There is also a major campaign underway by Airbnb to enter into “voluntary” compliance and tax payment agreements with jurisdictions. This can have some benefits and significant drawbacks due to the restrictions on transparency that Airbnb imposes. See our White Paper on the subject for a deeper discussion.

We have found that implementing on-line automated tax filing and payment systems seems to encourage quicker tax compliance, is popular with rental hosts, and helps municipalities control or cap costs associated with compliance.

Regulation

There is not one set of best practices for establishing regulations and ensuring compliance, though certain specific best practices apply to all municipalities.

Best practices must reflect the municipality’s tailored policy concerning short term rentals – what is their impact on the community, and how can that impact be best “managed”.

There is no question that the availability of on-line rental platforms, and their marketing efforts, have made it easier and more profitable for property owners to rent part or all of their property, whether they live there full-time, part-time (second homes) or never (investment property). This has led to a very rapid increase in short term rentals in almost every community across the country. The impact varies.

For many municipalities, local visitors or tourists, are a primary driver of the economy. The municipality wants to ensure that there are an adequate number of rooms, at different price levels, locations, and characteristics to meet the diverse needs of the visitors. Municipalities tend to want to see more short term rentals, especially entire units (homes or condos) made available to house visitors. **Encouraging** is the category name we give this set of regulations appropriate for these municipalities.

For some municipalities the shifting of homes into the short term rental market has removed them from the longer term rental market. This has a significant impact on availability and price of rentals for the workforce and students (if the municipality is home to a college or university). Additional, the increased attractiveness of utilizing homes as investment properties removes them from the market, typically

resulting in higher home prices, making it more difficult for residents to afford to buy a home. Additionally, in some communities, the attractiveness and characteristics of specific neighborhoods can lead to larger numbers of short term rentals, and accompanying problems with noise, parking and traffic. When these impacts become significant, municipalities tend to want to limit or tightly control the number (and often the location) of short term rentals. We name the appropriate set of regulations for this category **Restrictive**.

For other communities, the tug between the positive and negative impacts of increased number of short term rentals comes down more in the “middle”. While they would like to see more visitors, spending money at local businesses and adding sales tax revenue, they want to protect the livability of their neighborhoods, help foster affordability of workforce and student housing, and provide a level playing field for commercial hotels, motels and B&Bs. The name of the category of the appropriate set regulations for this set of communities, we’ve named **Balanced**.

Each of these categories – **Restrictive, Balanced, and Encouraging** – will address the specific aspects of regulations and compliance procedures, but will tend to select varying levels. The first step for each community is to develop and articulate the policy stance regarding short term rentals.

There will be certain best practices that are universal – they apply to all municipalities, regardless of the policy stance category.

For instance, in working with one of our first communities in 2011, we determined that requiring the license or permit number be displayed in all advertisements (print and online) would simplify (and lower the cost of) verifying compliance. This has become an industry standard, used around the world, including Paris, Airbnb’s largest market.

More recently, we have been encouraging municipalities to have the property hosts use the words Trusted, e.g. Telluride Trusted, before the relevant number, rather than Sales Tax Permit or License number, in the listings. This has a more positive slant for the host, and ensures that only properties within the jurisdiction can use the term and be “certified” as being in the community.

Another best practice is to automate the licensing process. This makes it easier for the property host and controls costs for the municipality. Most municipalities make the online applications and renewals free (include the cost in the license fee) and establish a “surcharge” fee for paper applications. With these practices, our experience is a 97% usage of the automated online option. Property hosts appreciate the ease of filing and paying taxes which the municipality has provided.

Specific Regulation Framework

In this section we detail the individual decisions that each jurisdiction must consider in crafting the ordinance and associated regulations. We list options and ranges that can be selected based on the public policy stance. We also highlight Best Practices that we believe all communities should adopt

1. Define what constitutes a short term rental.

Assuming that commercial hotels, motels and B&Bs are licensed, the focus is on individual units that are rented for a relatively short period of time to different individuals.

- Most municipalities choose **30 days** as the duration cut-off.
- **Restrictive** sometimes choose **60 days**.

Most municipalities do not include properties that are corporate housing – renting to new or visiting employees of a local company.

Must also decide whether to differentiate between rental of entire units (homestays), a separate room within a unit (homeshare) or a bed (roomshare). Encouraging often establish more lenient rules and lower fees for the latter two.

2. Decide what (if any) restrictions will be placed on the general category of short term rentals.

- **Restrictive** often set total allowed, totals by neighborhood and occasionally even totals by city block.

3. Decide what (if any) restrictions will be placed on individual short term rentals.

- **Restrictive** can set limits including:
 - Total number of days rented per year, season or month
 - Total number of “bookings” per year in certain neighborhoods
 - Minimum nights stay for each booking
 - Maximum occupancy
 - Square footage per occupant
 - Maximum units in a multi-unit building or complex
 - Available parking spaces per unit – usually tied to rooms or beds rented
 - Requirement that host must be living in, and be present in, the rental unit, in general or in specific neighborhoods or districts
 - Prohibition on serving alcohol (or even food) to guests
 - Requirement that “duplex neighbor” approve
 - Loss of license or permit due to stipulated number of complaints by neighbors
 - Requirement that if covered by an HOA, the HOA must allow short term rentals
- **Balanced** and **Encouraging** will have fewer individual restrictions.
 - HOA concurrence is typical
 - Loss of license due to neighbor complaints is often included

4. Establish licensing (or permitting) requirements (in addition to general requirements listed above), durations and fees. Ordinances should state that licenses are required prior to advertising the unit for rent.

Requirements could include:

- initial and annual safety inspections by the building department with special focus on safety exits
- smoke and CO monitors, fire extinguishers

- trash and recycling storage areas
- accessibility
- insurance coverage
- availability of a local “owner’s representative”
- specific information to be posted within rental unit including permit and contact info
- requirement to submit a yearly affidavit to rental history (frequency, duration and nightly rate)

These requirements are sometimes lessened for home shares and room shares.

Best Practice: require that every property provide the name and contact information of a local owner’s representative (or designated responsible party, which could be the owner) who can physically be at the property within a set period of time (from immediately to 2 hours), with current information listed on the pertinent license file.

Best Practice: application process includes an affidavit signed by owner (or property management company) acknowledging safety, noise, parking, trash and insurance regulations.

License duration (before required renewal) is typically one year, though some municipalities use 2 years and a few as many as 5 years. New licenses should be required with a change of ownership of the dwelling unit.

License (and renewal fees) should be set to a level that at least covers the jurisdiction’s costs and can be much higher for **Restrictive communities**. For example, in Crested Butte, they charge \$1,500 for the first year’s license. Many jurisdictions have varying fee levels depending upon occupancy limits (bedrooms or beds) in the rental unit). Home shares and room shares could be a lower level if desired, but often easier to have one standard set of fees.

Most jurisdictions choose to impose a penalty (fine) with interest for licenses that were not acquired prior to (or within a certain period of) the initial advertising or first rental transaction.

Best Practice: develop an “information campaign” highlighting that the jurisdiction is undertaking a thorough process to identify and monitor short term rentals. Include coverage in local newspapers and on the municipality’s website. Include a description of compliance requirements (Factsheet), including necessary steps, and point to an FAQ. Provide a grace period with waiver of penalties for voluntary compliance.

Implementing an automated on-line licensing system, with clear, easy to follow instructions, makes compliance an easier task and controls costs. Such a system should try to tie in all departments involved in the licensing process. Adding short term rentals to the licensing base could result in a very large increase in staff workload if not automated.

The Knowledge Now series features practical research on timely topics from the Colorado Municipal League.

SHORT-TERM RENTALS: MUNICIPAL BEST PRACTICES IN COLORADO

Short-term rentals (STRs) are residential properties that are rented to a visitor for fewer than 30 days. As the popularity of short-term rental properties continues to grow, the issues they create for municipal governments are growing as well. Municipal officials find themselves dealing with citizens' concerns about residential neighborhood integrity, unfair business competition, housing safety, and availability of affordable housing. Cities and towns are also seeking to collect sales and lodging taxes generated by this new business activity. Municipalities in Colorado and across the nation are handling STR issues in many ways. Austin, Texas, limits STRs to no more than three percent of non-primary residences in any census tract. San Francisco requires an adequate amount of insurance coverage. Portland, Oregon's ordinance states that STR operators must occupy the residence for at least nine months of the year. Santa Monica has created an enforcement department dedicated to policing STRs. A 2015 National League of Cities (NLC) study showed 13 percent of municipalities have adopted ordinances specifically regulating short-term rental properties, five percent have banned the practice, 24 percent are handling STRs through existing business regulations, and 58 percent have not addressed the issue.

Internet platforms have fueled the rapid expansion of STRs from a



service focused on renting spare rooms in private homes to the creation of local businesses which own houses that are used exclusively for short-term rentals. Rental data and analytics firm Airdna estimates that more than 22,000 homes and apartments in Colorado are listed with Airbnb — a leader in the online listing business. The top five municipalities with listings are Denver, Breckenridge, Steamboat Springs, Boulder, and Vail. More than 16,000 Colorado listings are posted on rival VRBO. Thousands more are listed on the many other Internet listing services.

There is no one-size-fits-all answer for municipalities in regulating short-term rentals. Do you limit STRs to a primary residence? Do you cap their numbers in residential zones? Do you enter into an agreement with the Internet listing company to collect and remit taxes?

How do you effectively enforce regulations? The NLC study concludes with sound advice: "As city officials prepare to modify regulations or develop new ordinances or legislation to fit the sharing economy they must balance issues of innovation, economic development, tourism, equity, access, and safety. At the same time, they must be mindful of the processes they put in place to understand these new businesses, engage the right stakeholders, share ideas for new regulations, capture and analyze new data, and develop implementation strategies."

Cities and towns across Colorado have enacted ordinances that regulate short-term rentals in ways that meet their community's needs. This *Knowledge Now* profiles four different approaches.

SHORT-TERM RENTALS IN BOULDER

By Thomas Carr, Boulder city attorney



On Sept. 29, 2015, Boulder City Council passed ordinance 8050 legalizing and regulating short-term rentals. The ordinance was effective Jan. 4, 2016, contingent on the voters passing a ballot measure extending the city's accommodations tax to short-term rentals. The voters approved a 7.5 percent tax on short-term rentals and the ordinance went into effect.

Boulder's ordinance is based on code provisions regulating properties rented for more than 30 days, which has been in place since the 1990s. The short-term rental code requires a license for all short-term rentals. The rental property must be the owner's principal residence. The address must appear on the owner's voter registration, auto registration or as the address at which the owner's children are registered for school. The owner must be a natural person and the owner's name must appear on the deed for the property.

On Dec. 6, the city council will be considering an amendment to allow short-term rental of properties held in a living trust. The property must



have smoke and carbon monoxide detectors, but the life safety inspections required for long-term rentals are waived for all short-term rentals except those in accessory units. All advertisements must include the short-term rental license number. A property can only have one short-term rental license. If there is an accessory unit on the property, either the main

residence or the accessory unit may have a license, but not both.

Occupancy is limited to either three or four unrelated persons depending on the zoning. A group of related persons is counted as one person. Short-term rentals are not permitted in affordable housing units. Accessory units may only be rented as short-term rentals for 120 days in any calendar year.

BRECKENRIDGE: A PIONEER IN SHORT-TERM RENTALS

By Leslie Fischer, Breckenridge accounting services manager

Short-term rentals (STR) are nothing new to the Town of Breckenridge. The Town has historically embraced and thrived with the widespread practice of STRs since boarding houses in the 1850s and their revival in popularity with the opening of the ski area in 1961.

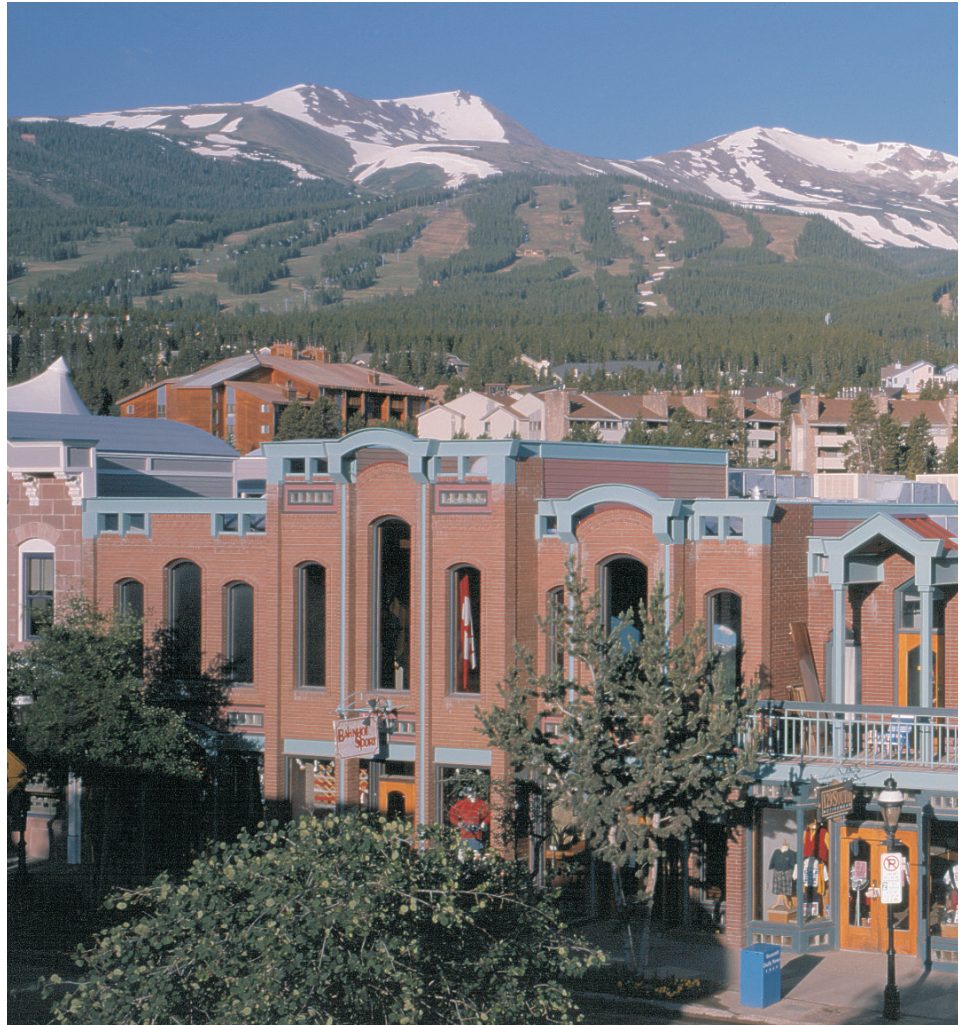
Breckenridge currently has a population close to 4,700 — yet sustains 3,345 accommodation unit licenses, six hotels, and three bed and breakfasts. Clearly STRs are vital to the economy of the Town. Combining sales, accommodations, and marijuana taxes — lodging services provide 40 percent of Town revenue. At the same time, the Town wants to ensure that long-term housing is available for the local workforce.

To that end, the Town has proposed a 2017 budget of more than \$19 million for the Affordable Housing Fund. The Town is also pursuing incentives for property owners to rent long-term. The “Housing Works” program, organized by a local nonprofit, is designed to match local families earning moderate household incomes with property owners who are either tired of dealing with the STR market or want to offer their home for long-term rental for the first time.

STR regulation in Breckenridge began in 1984 when the tax structure of collecting the town sales tax (currently 2.5 percent) and the Town accommodations tax (currently 3.4 percent) was applied to STRs. Together with state, county, and affordable housing sales taxes, the total tax on short term rentals is 11.675 percent.

The Breckenridge Municipal Code includes the following:

- Tax is collected on the purchase price of lodging, as well as any mandatory service charges required of the renter.
- Tax must be remitted directly to the Town and not be passed on



to another party such as a property manager.

- Tax charges must be listed separately on the bill presented to the consumer.
- Breckenridge recognizes that STRs are engaged in business. As a result, all property owners of STRs are required to pay an annual occupational license tax (aka Accommodation Unit License). The tax ranges from \$75 to \$175 annually, depending upon the number of bedrooms in the property. By requiring licensing (regardless of tax remittance), the Town is able to match online listings with the licensed owners.
- Breckenridge does not impose zoning restrictions on STRs, with the exception of prohibiting short

term rental of deed restricted workforce housing.

- Outside of the norm for residential properties, no additional restrictions are placed on STRs simply due to STR activity at the property (such as building inspections or additional safety regulations).
- STRs may be either a primary or non-primary residence and there is no occupancy limit imposed.

Even through these times of change, short-term rentals continue to play an important role in welcoming visitors to Breckenridge.

“ ... You better start swimming or you'll sink like a stone. For the times they are a-changing.”

— Bob Dylan

DENVER'S APPROACH TO SHORT-TERM RENTALS

By Luke Palmisano, aide to Denver Councilwoman Mary Beth Susman



Denver's approach to short-term rentals sought to craft 21st century solutions to 21st century concerns. We wanted solutions to protect the safety of guests and hosts while balancing the needs of neighbors, hosts, guests, hoteliers, and the city.

All short-term rentals (STRs) were illegal in solely residential zones prior to Denver's regulations. Actually the term "short-term rental" did not appear in our zoning code, but rental of residential units required at least a 30-day term.

The key components of Denver's regulations include a licensing requirement, an assessment of lodger's taxes (10.75 percent), measures to protect the safety of guests and hosts, and conditions that seek to ensure compliance. Denver requires hosts to obtain a short-term rental license through the Department of Excise and Licenses (EXL). The fee for the STR license is \$25 renewed annually. The tax license is \$50 renewed biennially.

STRs are an accessory use wherever residential uses are allowed; therefore the host does not need a zoning permit. The unit must be the primary residence of the host (whether owned or rented), certified by driver's license, voter registration, and other means. An



inspection is not required to obtain a license. Hosts do not need to be present while renting their dwelling.

Hosts must have a carbon monoxide detector, smoke detector, and fire extinguisher. They must also provide guests with an information packet that includes noise ordinance regulations, trash pick-up dates and rules, local contacts, and other information.

An important goal was to create a simple enough process that would induce the greatest compliance rate because licensing gives us the best route to enforcement. To further that end, Denver is the first municipality in the nation to offer a short-term rental

licenses completely online. Applicants affirm their primary residence status, presence of equipment and materials all online, under penalty of perjury.

To aid in enforcement, Denver's STR ordinance requires the licensed host to post the license number on all advertising. This provides EXL the ability to spot check STR listings on all venues/platforms for compliance. If a listing does not include a license number EXL pursues compliance.

All permitting of STRs can be prohibited by landlords and homeowners associations. Apartment complexes with "guest suites" are exempt from needing licenses.

DURANGO ADDRESSES SHORT-TERM RENTAL ISSUES

By Mary Beth Miles, Durango assistant to the city manager/sustainability coordinator

Checking in for a night's stay no longer requires going up to the welcome counter to produce your ID and credit card. With the arrival of Airbnb, VRBO, and HomeAway, lodging options have changed forever.

That is why the City of Durango recognized the need to address the impacts of short-term rentals in 2014. The policy adopted by the City Council focused on preserving residential and neighborhood character; ensuring collection of sales and lodging taxes; and requiring compliance with basic health and life safety regulations.

Durango's policy balances short-term lodging needs with the need to maintain and provide adequate housing options for full-time residents. The challenge is exacerbated by a 1.2 percent rental vacancy rate in an already strained housing market. As a tourist destination, Durango's economy benefits from visitors who contribute to the local economy. Property owners recognize the income potential of the short-term rental market. Thus, Durango developed an innovative policy solution that simultaneously balanced rental market pressures, the sharing of residential real estate, and income potential for local property owners.

The short-term rental regulations seek to maintain neighborhood character, vitality, and vibrancy by ensuring that land uses are compatible. Durango only allows short-term rentals in limited zones, employs a street segment cap



that restricts short-term rentals to only one per block face, and requires all short-term rentals to obtain a limited use permit. In addition to fulfilling the land use process requirements, short-term rentals are also required to obtain business and lodger's tax licenses. The City's regulations are intended to prohibit market saturation. Of the approximately 8,000 housing units in Durango, in the two zones where short-term rentals are permitted, there a total of 60 permits available for short-term rentals.

Additional changes to the policy are being contemplated by city council to address short-term rental agreements for a single room in a residential unit.

Under the existing regulations, this type of arrangement, common under the Airbnb model, is not permitted. A pilot program, restricted to certain areas of the city, is being developed with a separate permitting process to address these rental units.

There is no one-size-fits-all regulatory framework for municipalities in Colorado seeking to regulate short-term rentals. Durango has developed — and continues to refine — a policy governing this emerging economy that is context-sensitive and reflective of our community character.

RESOURCES

CML continues to develop STR information through the CML Sharing Economy Task Force, chaired by Denver Councilmember Mary Beth Susman. A matrix of STR ordinances as well as sample ordinances, licensing forms, and other information is available on the CML website at www.cml.org, under Issues > Sharing Economy > Ordinances.

An informative study of vacation home rentals conducted by the Colorado Association of Ski Towns may be viewed online at the CAST website (coskitowns.com/links-of-interest).



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HOSTCOMPLIANCE WHITE PAPER

Introduction: The meteoric rise of “home-sharing” and short-term rentals

Sharing our homes has been commonplace for as long as there have been spare rooms and comfortable couches. Whether through word of mouth, ads in newspapers or flyers on community bulletin boards, renters and homeowners alike have always managed to rent out or share rooms in their living spaces. Traditionally these transactions were decidedly analog, local and limited in nature, but with advance of the internet and websites such as Airbnb.com and HomeAway.com it has suddenly become possible for people to advertise and rent out their homes and spare bedrooms to complete strangers from far-away with a few mouse-clicks or taps on a smartphone screen. As a result, the number of homes listed for short-term rent has grown to about 4 million, a 10 fold increase over the last 5 years. With this rapid growth, many communities across the country are for the first time experiencing the many positive and negative consequences of an increased volume of “strangers” in residential communities. While some of these consequences are arguably positive (increased business for local merchants catering to the tourists etc.) there are also many potential issues and negative side-effects that local government leaders may want to try to mitigate by adopting sensible and enforceable regulation.

How to effectively regulate home-sharing and short-term rentals has therefore suddenly become one of the hottest topics among local government leaders across the country. In fact, at the recent National League of Cities conference in Nashville, TN, there were more presentations and work sessions dedicated to this topic than to any other topic. Yet, despite more than 32,000 news articles written on the topic in recent years, surprisingly little has been written on how to implement simple, sensible and enforceable local policies that appropriately balances the rights of homeowners with the interests of neighbors and other community members who may only experience the negative side-effects associated with people renting out their homes on a short-term basis. This guide seeks to address this knowledge gap and offer practical advice and concrete examples of short-term rental regulation that actually works.

Why regulate home-sharing and short-term rentals in the first place?

There are many good reasons why local government leaders are focused on finding ways to manage the rapid growth of home-sharing and short-term rental properties in their communities. To name a few:

1. Increased tourist traffic from short-term renters has the potential to slowly transform peaceful residential communities into “communities of transients” where people are less interested in investing in one another’s lives, be it in the form of informal friend groups or church, school and other community based organizations.
2. Short-term renters may not always know (or follow) local rules, resulting in public safety risks, noise issues, trash and parking problems for nearby residents.
3. So-called “party houses” i.e. homes that are continuously rented to larger groups of people with the intent to party can severely impact neighbors and drive down nearby home values.
4. Conversion of residential units into short-term rentals can result in less availability of affordable housing options and higher rents for long-term renters in the community.
5. Local service jobs can be jeopardized as unfair competition from unregulated and untaxed short-term rentals reduces demand for local bed & breakfasts, hotels and motels.
6. Towns often lose out on tax revenue (most often referred to as Transient Occupancy Tax / Hotel Tax / Bed Tax or Transaction Privilege Tax) as most short-term landlords fail to remit those taxes even if it is required by law.
7. Lack of proper regulation or limited enforcement of existing ordinances may cause tension or hostility between short-term landlords and their neighbors
8. The existence of “pseudo hotels” in residential neighborhoods (often in violation of local zoning ordinances etc.) may lead to disillusionment with local government officials who may be perceived as ineffective in protecting the interests of local tax-paying citizens.

In short, while it may be very lucrative for private citizens to become part-time innkeepers, most of the negative externalities are borne by the neighbors and surrounding community who may not be getting much in return. The big questions is therefore not whether it makes sense to regulate short-term rentals and home-sharing, but how to do it to preserve as many of the benefits as possible without turning neighbors and other local community members into “innocent bystanders”. In the next sections we will explore how to actually do this in practice.

Effective home-sharing and short-term rentals regulation starts with explicit policy objectives and a clear understanding of what regulatory requirements can be enforced

As with most regulation enacted on the local level, there is no “one size fits all” regulatory approach that will work for all communities. Instead local regulation

should be adapted to fit the local circumstances and policy objectives while explicitly factoring in that any regulation is only worth the paper it is written on if it can be enforced in a practical and cost-effective manner.

START WITH EXPLICIT POLICY OBJECTIVES!

As famously stated in Alice in Wonderland: “If you don't know where you are going, any road will get you there.” The same can be said about short-term rental regulation, and unfortunately many town and city councils end up regulating the practice without first thinking through the community’s larger strategic objectives and exactly which of the potential negative side effects associated with short-term rentals that the regulation should try to address. As an example, the Town of Tiburon in California recently passed a total ban of short-term rentals and home-sharing without thinking through the severely negative impact of such regulation on its stated strategic policy objective of revitalizing its downtown. Likewise the City of Mill Valley, California recently adopted an ordinance requiring short-term landlords to register with the city, while failing to put in place an effective mechanism to shut-down “party-houses” although there had been several complaints about such properties in the past. Such oversight was clearly unintentional but highlights the fact that the topic of regulating short-term rentals and home-sharing is extremely complicated and it is easy to miss the forest for the trees when it comes time to actually writing the local code. To avoid this pitfall, local government leaders should therefore first agree on a specific list of goals that the new short-term rental regulation should accomplish before discussing any of the technical details of how to write and implement the new regulation. Any draft regulation should be evaluated against these specific goals and only code requirements that are specifically designed to address any of those concrete goals should be included in the final ordinance. Below are a few concrete examples of what such lists of concrete policy objective could look like for various types of communities:

EXAMPLE A: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR AN AFFLUENT RESIDENTIAL COMMUNITY IN ATTRACTIVE LOCATION

- Ensure that traditional residential neighborhoods are not turned into tourist areas to the detriment of long-time residents
- Ensure any regulation of short-term rentals and home-sharing does not negatively affect property values (and property tax revenue)
- Ensure that homes are not turned into pseudo hotels or “party houses”
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department

- Give permanent residents the option to occasionally utilize their properties to generate extra income from short-term rentals and home-sharing as long as all of the above mentioned policy objectives are met

EXAMPLE B: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR AN URBAN COMMUNITY WITH A SHORTAGE OF AFFORDABLE HOUSING

- Maximize the availability of affordable housing options by ensuring that no long-term rental properties are converted into short-term rentals
- Ensure that short-term rentals and home-sharers are taxed in the same way as traditional lodging providers to ensure a level playing field and maintain local service jobs
- Ensure that the city does not lose out on hotel / bed / transient occupancy tax revenue that could be invested in much needed services for permanent residents
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department
- Give permanent residents the option to occasionally utilize their properties to generate extra income from short-term rentals and home-sharing as long as all of the above mentioned policy objectives are met

EXAMPLE C: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR A WORKING-CLASS SUBURBAN COMMUNITY WITH AMPLE HOUSING AVAILABILITY AND A STRUGGLING DOWNTOWN

- Give property owners the option to utilize their properties as short-term rentals and for home-sharing to help them make ends meet
- Encourage additional tourism to drive more business to downtown stores and restaurants
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department
- Ensure that the city does not lose out on tax revenue that could be invested in much needed services for permanent residents

EXAMPLE D: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR BEACH TOWN WITH A LARGE STOCK OF TRADITIONAL VACATION RENTALS

- Ensure any regulation of hoe-sharing and short-term rentals does not negatively affect the value of second homes (and thereby property tax revenue)

- Encourage increased visitation to local stores and restaurants to increase the overall availability of services and maximize sales tax collection
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department

Once clear and concrete policy objectives have been formulated the next step is to understand what information can be used for code enforcement purposes, so that the adopted short-term rental regulation can be enforced in a cost-effective manner.

ONLY ADOPT POLICY REQUIREMENTS THAT CAN AND WILL BE ENFORCED!

While it may seem obvious that only enforceable legislation should be adopted, it is mind-boggling how often this simple principle is ignored. To give a few examples, the two California towns previously mentioned not only failed to adopt regulation consistent with their overall strategic policy objectives, but also ended up adopting completely unenforceable rules. In the case of Tiburon, the town council instituted a complete ban of all short-term rentals and home-sharing within its jurisdiction, but not only failed to allocate any budget to enforce it, but also failed put in place fines large enough to deter any violation of the ban. As a result, the number of properties listed for rent has remained virtually unchanged before and after the ban.

In the case of Mill Valley, the town's registration requirement turned out to be completely unenforceable as the town's personnel had neither the technical expertise, time nor budget to track down short-term landlords that failed to register. As a result, the town has had to rely exclusively on self-reporting, and unsurprisingly the compliance rate has been less than 5%.

As for local governments that require short-term rental property owners to pay tax to the local jurisdiction without allocating budget to enforcing such rules, they have found themselves in similar situations, with compliance rates in the 5% range.

KEEP IT SIMPLE!

Another common mistake is for cities to adopt complicated rules that are hard for citizens to understand and follow and that require large investments in enforcement. As an example, despite setting up a dedicated department to enforce its short-term rental regulation, the City of San Francisco has only achieve a 10-15% compliance rate as its regulation is so complicated and its registration process so agonizing that most people give up before even trying to follow the rules. Below is

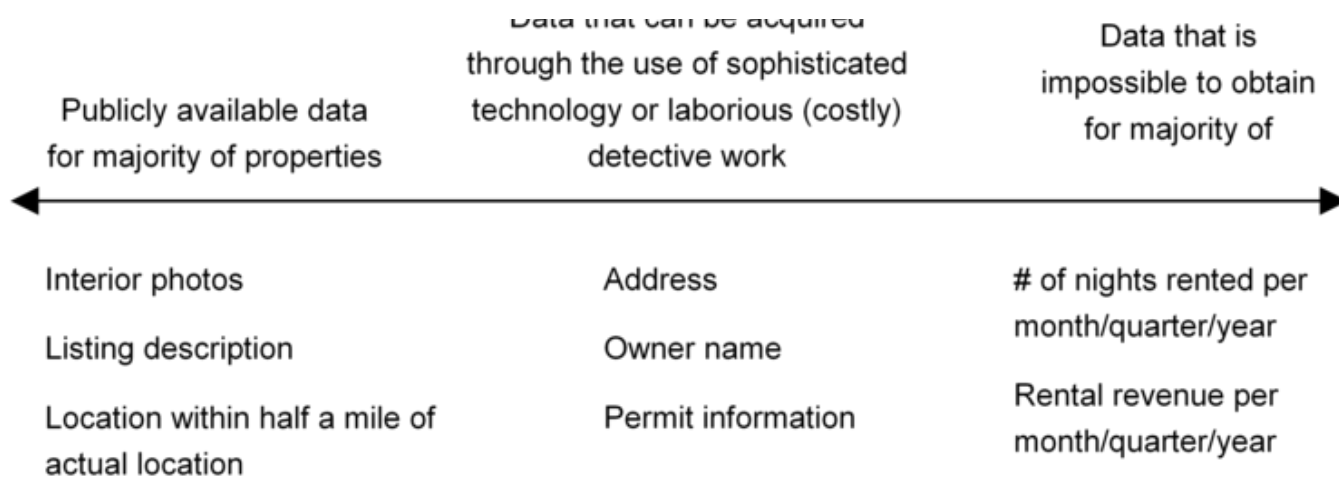
flow-chart that illustrates San Francisco’s cumbersome short-term rental registration process.

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on for short-term rental compliance monitoring and enforcement purposes, please see the diagram below that shows which:

1. data is publicly available on the various home-sharing websites
2. information that can be uncovered through the deployment of sophisticated “big data” technology and trained experts (or time-consuming and therefore costly detective work conducted by a town’s own staff)
3. property specific details that are practically impossible to obtain despite significant investment of time and money



So where does that leave local government leaders who want to put in place enforceable short-term rental regulation? In the next section we will explore, describe, and assess the viable regulatory tools available for local government leaders to effectively address the key issues related to taxation, regulation, social equity and economic development.

Viable regulatory approaches to managing short-term rentals and home-sharing

As mentioned earlier, the first step to creating effective short-term rental regulation is to document and get agreement on a set of clear and concrete policy objectives. Once this has been accomplished putting together the actual regulatory requirements can be simplified by referring to the “cheat sheet” below, which lists the regulatory levers that can be pulled to accomplish those goals in a practical and cost-effective manner while factoring in the data limitations highlighted in the previous section.

SHORT-TERM RENTAL POLICY OBJECTIVES AND THE ASSOCIATED VIABLE
REGULATORY APPROACHES

Policy Objective	Viable Regulatory Approach(es)	Unviable Regulatory Approach(es)
Give law abiding and respectful citizens the option to utilize their homes as short-term rentals	Adopt a formal annual permitting requirement and a process for revoking permits from “trouble properties”. As an example a local government can adopt a “3 strikes rule” whereby a permit is automatically revoked for a number of years in the event the local government receives 3 (substantiated) complaints about a property within a certain time frame (i.e. a 24 month period). Alternatively, a local government can adopt a rule” by which a permit is automatically revoked in the event the town receives conclusive evidence (police report, video evidence etc.) that a city ordinance has been violated.	Failing to clearly specify what rules law abiding and respectful short-term landlords and their renters must comply with. Adopting regulation that does not clearly define the criteria and process for revoking a short-term rental permit.
Ensure that speculators do not buy up homes to turn them into pseudo hotels while still giving permanent residents the option to utilize their homes to generate	Adopt a formal permit requirement and make it a condition that the permit holder verifies residency on an annual basis by submitting the same documentation as is required to verify residency for public school attendance purposes	Adopting a permitting process that does not formally require short-term rental permit holders to verify that they are permanent residents of the permitted property

extra income from short-term rentals and home-sharing		
Ensure that homes are only occasionally used as short-term rentals (and not continuously rented out to new people on a short term basis)	It is unfortunately not practically possible to enforce any formal limits on the number of times or number of days that a particular property is rented on an annual/quarterly/monthly basis, but adopting a permanent residency requirement for short-term rental permit holders (see above) can ensure that there is a practical upper limit to how often most properties are any property is rented out each year (most people can only take a few weeks of vacation each year and they are therefore practically restricted to rent out their homes for those few weeks). There is unfortunately no easy way to deal with the tiny minority of homes where the “permanent resident” owners have the ability to take extended vacations and rent out their home continuously. That said, if the above mentioned “permanent residency requirement” is combined with rules to mitigate noise, parking and trash related issues, the potential problems associated with these few homes should be	A formal limit on the number of times or number of days each property can be rented on an annual/quarterly/monthly basis is not enforceable as occupancy data is simply not available without doing a formal audit of each and every property.

	manageable. Adopting a ““permanent residency requirement” also comes with the additional side benefit that most people don’t want to rent out their primary residence to people who may trash it or be a nuisance to the neighbors. The “permanent residency requirement” can therefore also help minimize noise, parking and trash related issues.	
Ensure homes are not turned into “party houses”	Adopt a formal permit requirement and put in place a specific limit on the number of people that are allowed to stay on the property at any given time. The “people limit” can be the same for all permitted properties (i.e. a max of 10 people) or be correlated with the number of bedrooms. In addition, the regulation should formally specify that any advertisement of the property (offline or online) and all rental contracts must contain language that specifies the allowed “people limit” to make it clear to (potential) renters that the home cannot be used for large gatherings. While not bullet-proof, adopting these requirements will deter most abuse. In addition it is possible to	Adopting any regulation that does not clearly define what types of uses are disallowed will be ineffective and likely result in misinterpretation and/or abuse.

	proactively enforce this rule as all listing websites require (or allow) hosts to indicate their property's maximum occupancy on the listings.	
Minimize potential parking problems for the neighbors of short-term rental properties	Adopt a formal permit requirement and put in place a specific limit on the number of motor vehicles that short-term renters are allowed to park on/near the property. The "motor vehicle limit" can be the same for all permitted properties (i.e. a max of 2) or be dependent on the number of permanent parking spots available on the property. In addition, the regulation should formally specify that any advertisement of the property (offline or online) and any rental contract must contain language that specifies the allowed "motor vehicle limit" to make it clear to (potential) renters that bringing more cars is disallowed. As with the "people limit" rule mentioned above, adopting these parking disclosure requirements will deter most abuse. In addition it is easy to proactively enforce this rule as most listing websites require or allow their hosts to describe their property's parking situation on the listing.	Adopting any regulation that does not clearly define a specific limit on the number of motor vehicles that short-term renters are allowed to park on/near the property.

Minimize public safety risks and possible noise and trash problems without creating additional work for the local police department and code enforcement personnel

- Require that all short-term rental contracts include a copy of the local sound/trash/parking ordinances and/or a "Good Neighbor Brochure" that summarizes the local sound/trash/parking ordinances and what is expected of the renter. ul>
- Require that short-term rental permit holders list a "local contact" that can be reached 24/7 and immediately take corrective action in the event any non-emergency issues are reported (i.e. deal with suspected noise, trash or parking problems) ul>
- Establish a 24/7 hotline to allow neighbors and other citizens to easily report non-emergency issues without involving local law/code enforcement officers. Once notified of a potential ordinance violation, the hotline personnel will contact the affected property's "local contact", and only involve the local law and/or code enforcement personnel in the event that the 'local contact' is unsuccessful in remedying the situation within a reasonable

Adopting any regulation and enforcement processes that do not explicitly specify how non-emergency problems should be reported and addressed.

	amount of time (i.e. 20-30 minutes).	
Ensure that no long-term rental properties are converted to short-term rentals to the detriment of long-term renters in the community	Adopt a permanent residency requirement for short-term rental permit holders (see above) to prevent absentee landlords from converting long-term rental properties into short-term rentals.	Adopting a permitting process that does not formally require short-term rental permit holders to verify that they are permanent residents of the permitted property will be ineffective in preventing absentee landlords from converting their long-term rental properties into short-term rentals.
Ensure that residential neighborhoods are not inadvertently turned into tourist areas to the detriment of permanent residents	Implement one or both of the following regulatory approaches: • Adopt a formal permit requirement and set specific quotas on the number of short-term rental permits allowed in any given neighborhood, and/or • Adopt the “permanent residency requirement” for short-term rental permit holders (mentioned above) to ensure that there is a practical upper limit to how often any property is rented out each year	Adopting a complete ban on short-term rentals, unless such a ban is heavily enforced.

Ensure the physical safety of short-term renters	Adopt a physical safety inspection requirement as part of the permit approval process. The inspection can be conducted by the municipality's own staff or the local fire/police force and can cover various amounts of potential safety hazards. As a minimum such inspection should ensure that all rentals provide a minimum level of protection to the renters who are sleeping in unfamiliar surroundings and therefore may be disadvantaged if forced to evacuate the structure in the event of an emergency.	Adopting a self-certification process that does not involve an objective 3rd party.
Ensure any regulation of short-term rentals and home-sharing does not negatively affect property values or create other unexpected negative long-term side-effects	Adopt regulation that automatically expires after a certain amount of time (i.e. 2-5 years) to ensure that the rules and processes that are adopted now are evaluated as the market and technology evolves over time.	Adopt regulation that does not contain a catalyst for evaluating its effectiveness and side-effects down the line.

In addition to the above targeted regulatory measures, local governments should adopt requirements for short-term rental permit holders to maintain books and records for a minimum of 3 years so that it is possible to obtain the information necessary to conduct inspections or audits as required. Finally, it is imperative that local governments adopt fine structures that adequately incentivizes short-term landlords to comply with the adopted regulation. Ideally the fines should be proportionate to the economic gains that potential violators can realize from breaking the rules, and fines should be ratcheted up for repeat violators. Below is an example of a fine schedule that will work for most jurisdictions:

	1st violation	2nd violation	3rd violation	4th violation
Fine for advertising a property for short-term rent (online or offline) without first having obtained a permit or for violating any other requirements of the local government's short-term rental regulation including failure to comply with the local listing requirements	\$250 per day	500 per day	\$750 per day	Upon the fourth or subsequent violation in any twenty-four month period, the local government may suspend or revoke any permit. The suspension or revocation can be appealed.
Notes: - Any person found to be in violation of this regulation in a civil case brought by a law enforcement agency shall be ordered to reimburse the local government and other participating law enforcement agencies their full investigative costs, pay all back-owed taxes, and remit all illegally obtained short-term rental revenue proceeds to the local government - Any unpaid fine will be subject to interest from the date on which the fine became due and payable to the local government until the date of payment. - The remedies provided for in this fine schedule are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the local government to address any violation or other public nuisance.				

Best Practices for Enforcing Home-Sharing and Short-term Rental Regulation

To implement any type of effective short-term rental regulation, be it a total ban, a permitting requirement, and/or a tax, local governments must expect to invest some level of staff time and/or other resources in compliance monitoring and enforcement. That said, most local governments are neither technically equipped nor large enough to build the true expertise and sophisticated software needed to do this cost-effectively. There are several reason why this is the case:

1. Rental property listings are spread across dozens (or hundreds) of different home sharing websites, with new sites popping up all the time (Airbnb and HomeAway are only a small portion of the total market)
2. Manually monitoring 100s or 1,000s of short-term rental properties within a specific jurisdiction is practically impossible without sophisticated databases as property listings are constantly added, changed or removed
3. Address data is hidden from property listings making it time-consuming or impossible to identify the exact properties and owners based just on the information available on the home-sharing websites
4. The listing websites most often disallow property owners from including permit data on their listings, making it impossible to quickly identify unpermitted properties
5. There is no manual way to find out how often individual properties are rented and for how much, and it is therefore very difficult to precisely calculate the amount of taxes owed by an individual property owner

Luckily, it is possible to cost-effectively outsource most this work to new innovative companies such as Host Compliance that specialize in this area and have developed sophisticated big data technology and deep domain expertise to bring down the compliance monitoring and code enforcement costs to a minimum. In many situations, these companies can even take on all the work associated with managing the enforcement of the short-term rental regulation in return for a percentage of the incremental permitting fees, tax revenue and fine revenue that they help their local government partners collect. Adopting short-term rental regulation and outsourcing the administration and enforcement can therefore be net-revenue positive for the local government, while adding no or little additional work to the plates of internal staff. What's more, getting started generally requires no up-front investment, long-term commitment or complicated IT integration.

That said, while it is good to know that adopting and enforcing short-term regulation can be net revenue positive if done in partnership with an expert firm, it is important to note that the economic benefits are only a small part of the equation and that local government leaders should also factor in the many non-economic benefits associated with managing and monitoring the rapidly growing short-term rental industry in their local communities. These non-economic benefits are often much more important to the local citizens than the incremental tax revenue, so even if the incremental revenue numbers may not seem material in the context of a local government's overall budget, the problems that unregulated and/or unmonitored short-term rentals and home-sharing can cause for the neighbors and other "innocent bystanders" can be quite material and should therefore not be ignored. Or as Jessica C. Neufeld from Austin,

TX who suddenly found herself and her family living next to a “party house” reminds us: *“We did not buy our house to be living next to a hotel. Would you buy a home if you knew a hotel like this was operating next door, if you wanted to set your life up and raise a family?”* [1].

Conclusion

It is the responsibility of local government leaders to ensure that as few people as possible find themselves in the same unfortunate situation as Jessica and her family. In this white-paper we have outlined how to make it happen - in a revenue positive way. To find out more about how we can help your community implement simple, sensible and enforceable short-term rental regulation, feel free to visit us on www.hostcompliance.com or call us for a free consultation on (415) 715-9280. We would also be more than happy to provide you with a complimentary analysis of the short-term rental landscape in your local government’s jurisdiction and put together an estimate of the revenue potential associated with adopting (or more actively enforcing) short-term rental regulation in your community.

[1] New York Times article: “New Worry for Home Buyers: A Party House Next Door”, October 10, 2015



**Sustainable
Economies
Law Center**

REGULATING SHORT-TERM RENTALS: A Guidebook for Equitable Policy

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About SELC:

Sustainable Economies Law Center (SELC) is a nonprofit that charts the legal territory of the new economy, educates people about the possibilities and limits of creative economic structures, and advocates for laws that clear the way for community resilience.

**(this publication does not necessarily represent their positions)*



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EXECUTIVE SUMMARY

Sooner or later, nearly every city will need to address the rapid spread of short-term rentals. Though the activity itself is not new, in recent years, companies including Airbnb, VRBO, Flipkey, and Homeaway have facilitated and mainstreamed short-term rentals to a point where local governments are taking note, and taking action.

Sustainable Economies Law Center (SELC) offers the following recommendations to assist policymakers with the process of drafting a local short-term rental ordinance. SELC's goal is for local governments to craft short-term rental policies that generate inclusive opportunities for local wealth-creation, while balancing the needs of all members of the community. Ideally, the result will be an equitable policy that protects public interests, including housing affordability, health and safety, neighborhood quality, and municipal revenues, while retaining reasonable latitude for city residents to host and earn money from short-term guests.

A short-term rental (STR) refers to a room or housing unit that is rented to a person or group for a short period of time, typically under 30 nights. The legality of STRs is being questioned in cities across the country because most local planning codes define STRs as a commercial activity akin to bed and breakfasts or inns, and typically prohibit them in residential areas without proper permitting and licensing.

In addition to legal questions, STRs raise important questions about local priorities and the larger role STRs play in cities and neighborhoods. The staunchest proponents of STRs argue that hosting short-term guests enables residents to offset the cost of housing, make efficient use of otherwise unused space, and benefit directly from tourism dollars and cultural exchange. Others are less convinced of the benefits of STRs, arguing that the short-term rental of residential units negatively impacts local housing stock, neighborhood quality, public tax revenues, and conventional hotels.

In cities with high housing demand, the most contentious issue tends to be the impact of STRs on housing availability and affordability. Though STRs may help some hosts occasionally rent a portion of their primary residence, thus offsetting mortgages and rent with the added income, a significant number of hosts are using STR platforms to rent multiple homes or entire apartment complexes to transient occupants instead of housing local residents. In many cases, STRs create a monetary incentive to shift the use of housing from long-term residential use to transient use, and without appropriate regulation, STRs will continue to reduce the amount of housing available to long-term residents – thereby increasing the cost of owning or renting in any impacted area.

In light of the complexity of STR issues, SELC sees a need for municipalities to respond with nuanced and comprehensive public policy. We offer this set of issue analyses and policy recommendations to assist policymakers, advocates, and residents in shaping such regulations. We emphasize that there is no one-size-fits-all STR regulation. In fact, of the existing local STR regulations, no two are exactly alike – and for good reason. Each city must regu-

late STRs according to its unique set of circumstances and priorities, and should arrive at an appropriate and equitable policy through open dialogue with the diversity of stakeholders involved. The following are key considerations cities should factor into an STR ordinance.

In crafting an equitable STR policy, we recommend that municipalities focus on how STRs:

- Impact the supply and affordability of housing;
- Provide economic benefit to those with economic need; and
- Affect neighborhood quality.

To address these issues, we recommend that municipalities take the following measures, where appropriate:

- Set clear definitions that distinguish STRs from commercial hotels;
- Limit STRs to primary residences, distinguishing them from vacation rentals;
- Require registration and recordkeeping;
- Institute a cap on rental nights per year;
- Establish protections and complaint procedures for guests and neighbors;
- Limit crowding, noise, and parking strains; and
- Collect transient occupancy tax.

I. INTRODUCTION



Sooner or later, nearly every city will need to address the rapid spread of short-term rentals, such as those facilitated by online platforms including Airbnb, VRBO, Flipkey, and Homeaway. To help local policymakers and advocates draft comprehensive and equitable short-term rental ordinances, Sustainable Economies Law Center (SELC) has conducted a broad survey of local short-term rental policies that have emerged over the past four years, offering this set of issue analyses and recommendations. SELC's goal is for STR policies to generate inclusive opportunities for local wealth-creation, while still balancing the needs of all members of the community.

SELC's goal is for STR policies to generate inclusive opportunities for local wealth-creation, while still balancing the needs of all members of the community.

To create an equitable and appropriate short-term rental policy, each city must regulate short-term rentals according to its unique social and economic circumstances and priorities, and should craft solutions through open dialogue with the diversity of stakeholders involved. Ideally, the result will be a policy that protects public interests such as housing affordability, municipal revenues, health and safety, parking, and the quality and character of neighborhoods, while retaining reasonable latitude for city residents to host and earn money from short-term guests.

II. BACKGROUND

WHAT IS A SHORT-TERM RENTAL?

A short-term rental (STR) refers to a room or housing unit that is rented to a person or group for a short period of time, typically under 30 nights. STRs are distinct from long-term rentals in that the room or unit is rented on a nightly or weekly basis, whereas long-term rentals must exceed the minimum number of nights required by local laws. Due to the brief nature of STR stays, STR guests are typically transient occupants such as travelers who would otherwise stay in a hotel or similar accommodation. Long-term rentals, on the other hand, typically house individuals who work, attend school, or otherwise wish to “permanently” reside in the city.

STRS ARE NOT NEW

STRs are garnering more attention by the day, as are the online platforms that facilitate connections and/or payments between STR guests and hosts. But hosting short-term guests is not a new phenomenon, nor was it invented by these platforms. Before these platforms became available, travelers who wanted a different type of vacation experience were already opting to stay with locals rather than in hotels, in order to more fully experience the culture, food, and lifestyle of the region. Locals who hosted backpackers, “couch surfers,” pilgrims, and touring cyclists often did and continue to do so in exchange for money or skill trades, to be an ambassador of their locale, or simply to interact with visitors from faraway places.

STRS ON THE RISE

Within the past several years, both the *number* of properties available for short-term rental, and the *frequency* with which they are rented, have skyrocketed, transforming the activity from a casual and occasional practice to an increasingly formalized and pervasive activity in cities from San Francisco to Paris. Online platforms have played an essential role in the STR boom, enabling millions of people around the world to list and browse rentals, and to connect, coordinate, and transmit payments through one interface.

The most popular platform, Airbnb, self-reported that from 2013 to 2014, STR bookings in Nashville increased 365 percent, stays in New Orleans increased by 340 percent, and stays in Portland, Maine increased by 328 percent.¹ With such a sudden increase in STR activity and lack of corresponding regulatory action, it's no wonder cities are now feeling the effects of STRs on housing and rental markets, public tax revenues, and neighborhood quality.

San Francisco is one of many cities where STRs have caused heated controversy, particularly around tenant evictions and conversion of residential units to commercial use. A

1. Airbnb Unveils Top 10 Trending U.S. Travel Destinations for Summer 2014, Airbnb (May 1, 2014), <https://www.airbnb.com/press/news/airbnb-unveils-top-10-trending-u-s-travel-destinations-for-summer-2014>.

recent memo from the San Francisco Budget and Legislative Analyst states that between November 2013 and February 2015, the city had an estimated 5,249 to 6,113 Airbnb listings – all during a time when STRs were still illegal.² Not including STR units listed on other platforms or sites, Airbnb units alone were said to amount to 11 to 23.2 percent of the city’s vacant units, entire homes listed on Airbnb were estimated to remove 14.8 percent of the total rental housing available for rent citywide, and private and shared rooms that might otherwise be occupied by roommates were estimated to take even more units off the rental market.³ The same memo stated that STRs could lead to tenant evictions, because hosts have a financial incentive to leave the long-term rental market and enter the short-term rental market. In fact, the memo revealed that neighborhoods with the most intense STR activity also had high numbers of evictions.⁴

Numerous other studies and data scraping exposés have continued to illustrate the scope of STR use and impact in other cities including San Francisco, New Orleans, Nashville, New York, and Los Angeles.⁵ New York state Attorney General Eric Schneiderman, known for his early investigation of the STR impacts, released a report showing that Airbnb rentals in New York City increased from 2,650 in 2010 to 16,500 in 2014, with nearly three-quarters of these listings in violation of city or state laws.⁶ A Los Angeles study showed that 90 percent of Airbnb revenues are generated not by hosts who share a room in their homes, but by hosts who rent out *entire* units, and by leasing companies who rent out two or more entire units.⁷ Short-term renting in Los Angeles has also removed 7,316 rental units from the market, which amounts to the equivalent of seven years’ of affordable housing construction.⁸

Because STR platforms refuse to release detailed usage data, the full extent of STR impacts is still unclear. Despite that, the handful of public and independent investigations into STR impacts on housing, neighborhoods, and tax revenues – though painting only a partial picture – provide valuable insights into how STRs are changing cities on the ground. These investigations also provide clues about what cities can do to encourage fair use of STRs, minimize harms, and penalize those who violate regulations.

2. San Francisco Budget and Legislative Analyst’s Office, Analysis of the impact of short-term rentals on housing, 11 (May 13, 2015), available at <http://www.sfbos.org/Modules/ShowDocument.aspx?documentid=52601>.

3. Ibid.

4. Ibid at 30-31.

5. See, for example: Anti-Eviction Mapping Project. Last viewed November 24, 2015. <http://www.antievictionmappingproject.net/airbnbmap.html>. Inside Airbnb. Last viewed November 24, 2015. <http://inside-airbnb.com>. And, Airbnb and San Francisco: Descriptive Statistics and Academic Research. Alex Marqusee. April 12, 2015.

6. Office of New York State Attorney General Eric Schneiderman, Airbnb in the city, 6 (October 2014).

7. Roy Samaan, Airbnb, Rising Rent, And The Housing Crisis In Los Angeles, 3 (March 2015), available at <http://www.laane.org/airbnb-report>.

8. Ibid.

III. POSITIVE & NEGATIVE IMPACTS OF SHORT-TERM RENTALS

STRs can have a positive impact on cities, in that they can:

- **Contribute to local wealth** by giving residents the opportunity to earn money from hosting tourists, Fewer tourism dollars go to large corporate hotel chains, and more dollars stay within the community;
- **Make efficient use of space** by allowing residents to host guests in a room or unit when it might otherwise be unused;
- **Prevent economic hardship and displacement** by allowing some residents to use STR revenue to make ends meet and stay in their homes;
- **Provide both tourists and hosts with valuable social and cultural exchange**; and
- **Spread tourist dollars beyond typical hotel and tourism districts** by attracting travelers to less frequented neighborhoods and businesses.

At the same time, STRs can have a negative impact on cities, in that they can:

- **Take long-term rental units off the market**, creating a scarcity of housing options, and pushing up prices;
- **Incentivize property owners to keep rooms and units vacant or even evict long-term tenants** in order to make higher profit per night from short-term renters;
- **Unfairly compete with established hotels, inns, and bed and breakfasts** when STRs are not subject to the same level of taxation or regulation;
- **Reduce transient occupancy tax, or “hotel tax” revenues for the city** when STR hosts evade the tax or avoid remitting the tax on the grounds that they are not operating a hotel;
- **Violate residential zoning codes** that are intended to limit noise, traffic, parking shortages, and activities incompatible with the character of a neighborhood;
- **Adversely impact community cohesion** because vacation rentals house a revolving circuit of transient occupants who are not connected to or invested in the community; and
- **Reinforce class, gender, and racial inequities**, because online platforms make it easy for users to act on biases when selecting hosts or guests, and because the opportunity to rent living space to short-term guests, like most other economic opportunities, disproportionately privileges the privileged.

IV. CURRENT LAW



Many municipal codes prohibit residents from hosting short-term guests in exchange for payment unless residents comply with all regulations applicable to commercial hotels and bed and breakfasts.

These laws tend to require zoning approval, compliance with health, building, and safety laws, and payment of a transient occupancy tax (TOT), also known as a “hotel tax.” Given that such laws are generally designed for commercial hotels, in the absence of a local ordinance that tailors such laws to STRs, these local laws effectively ban STRs.

Meanwhile, a growing number of cities and counties have crafted local ordinances that both legalize some form of STRs and impose limitations and regulatory processes that protect public interests. These cities and counties include Austin, San Francisco, Portland, Nashville, Santa Monica, Madison, and many others. Interestingly, of the dozens of new and emerging STR ordinances around the U.S., no two regulations are exactly alike. Indeed, the differences among them may lend valuable insight into each city’s political priorities, social and economic values, and in some cases, their most influential stakeholders. Each municipality should calibrate its STR ordinance to its particular social and economic circumstances, but there are several basic considerations that all cities and counties should take into account when drafting such a policy. These considerations are outlined below.

Interestingly, of the dozens of new and emerging STR laws around the U.S., no two regulations are exactly alike. Indeed, the differences among them may lend valuable insight into each city’s political priorities, social and economic values, and in some cases, their most influential stakeholders.

V. SELC'S RECOMMENDATIONS: THE BASIC COMPONENTS OF AN STR ORDINANCE



Local governments can benefit from adopting more nuanced regulations that simultaneously lift any outright ban on STRs, channel STR income-earning opportunities to those who need them, and restrict STRs in ways that reduce negative externalities. We believe that such short-term rental regulations must be comprehensive. Therefore, in this section, we highlight some of the key elements of a short-term rental policy, and include examples from local STR regulations throughout the county. Policymakers and advocates should adapt these recommendations to local contexts, and involve a diverse set of stakeholders in doing so. The result should be an STR regulation that fairly and accurately reflects local needs and priorities.

Though adoption of these or similar recommendations ultimately depends on local context, we encourage policymakers to still consider the principles that underlie these recommendations. That includes setting definitions that effectively frame the issues; creating restrictions that preserve housing affordability; devising registration, record-keeping, and reporting processes that encourage compliance and facilitate effective enforcement; and including measures to ensure the safety of guests, the preservation of neighborhood quality, and the protection of public revenues.

A. ESTABLISH CLEAR DEFINITIONS

We recommend that municipalities establish clear definitions that distinguish a “Short-Term Rental” from a long-term rental, as well as describe the qualities that set STRs apart from their more commercial counterparts, including a “Hotel,” “Motel,” “Boarding House,” or a “Bed and Breakfast.” In addition to drawing distinctions between STRs and other activities or establishments, regulators must also address variations among STRs, including whether or not the unit is a the host’s primary residence, and whether or not

the STR is occupied by the host during a guest's stay. Though a municipality's definition of STRs can include more embellishment, our recommended basic definition of STRs and STR subcategories are as follows:

Short-Term Rental (STR) is the rental of a primary residence or portion thereof for a period of less than 30 nights, for which the guest compensates an owner or lessee of the unit.⁹

Primary Residence: A housing unit in which an owner or lessee resides for the majority of the year.¹⁰

Hosted Primary Residence STRs: An STR unit is a Hosted Primary Residence STR if the owner or lessee who is hosting a short-term guest occupies that dwelling unit as his or her primary residence for the majority of the year, and if the owner or lessee hosts one or more guests in a bedroom or some portion of the unit and is generally present for the duration of the rental period.¹¹

Un-Hosted Primary Residence STRs: A unit is an Un-Hosted Primary Residence STR if the owner or lessee occupies the dwelling unit as his or her primary residence for the majority of the year, but leaves his or her unit for a period of time – for example, over a weekend, when traveling for work, or while on vacation – and rents out all or part of the unit in his or her absence.

Vacation Rentals: A Vacation Rental is an entire residential unit that is not a primary residence and is rented to guests on a short-term basis, typically under 30 nights.¹²

B. REQUIRE REGISTRATION AND RECORDKEEPING

Proof of Primary Residency:

We recommend that all STRs be limited to primary residences. As defined above, a primary residence is a housing unit in which a renter or owner resides for the majority of the year. By definition, a person may have only one primary residence, and it follows that a person may have only one STR address.

9. Though we define short-term as less than 30 nights, a common requirement for tenancy, the minimum number of nights for tenancy could be based on existing local tenancy laws if those are more appropriate.

10. We suggest defining majority as a minimum of nine months, with variations depending on local circumstances. If a municipality has an existing definition of primary residence, it could be referenced here.

11. We define "generally present" as having the host present for an average of 6 hours out of any 24-hour period.

12. The Sustainable Economies Law Center does not consider Vacation Rentals to be short-term rentals, but considers them a separate category of transient accommodations. See "Setting Caps on the Number of Rental Nights Per Year" in Section C for a description of how Austin, TX, and Nashville, TN regulate vacation rentals as a separate and distinct activity. See: Austin, Tx., City Land Development Code § 25-2-793 (2014), and Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.Q. (2015).

An STR registration process should require hosts to provide records demonstrating that the unit is their primary residence. We recommend that cities follow the example of San Francisco and require hosts to show that the unit is listed as the applicant's residence on at least two of the following documents in order to register: motor vehicle registration, driver's license, voter registration, or a utility bill.¹³ Though the documents listed in San Francisco's administrative code should provide sufficient evidence of primary residency, cities could add to the list of acceptable documentation federal and state tax returns that reflect the address of the residential unit in question. If primary residency is in dispute, regulators could resort to using the various factors that the IRS uses to determine principal residency.

Registration:

Enforcing the provisions of an STR ordinance, particularly caps on the number of units per host, rental nights per year, payment of transient occupancy taxes, and other recommendations outlined below, necessitates that hosts be accountable to some form of local oversight. By requiring STR hosts to register with the Planning Department or some similar office, cities will identify a unit being used for short-term rental, a point person for complaints, and a party who will be held liable for violations. We suggest that cities keep the registration process relatively simple to encourage participation. A primary objective of registration should be to collect basic information from hosts and to open a line of communication between hosts and the city. As discussed below, we do not recommend that approval of registration be contingent on inspection.

Cost of Registration:

We suggest that cities keep both registration costs and subsequent renewal fees as low as possible by relying on registration fees only to cover the administrative cost of processing registrations, as in Anaheim, CA.¹⁴ If registration costs are kept low, cities can factor the costs of fielding complaints and enforcing STR laws into the tax rate and fines for violations. That way, hosts who comply with the law or only engage in short-term rental occasionally will not bear the cost of oversight for those who do not comply.

Registration Renewal:

Registration renewal could be required yearly (as in Anaheim¹⁵ and Dana Point, CA¹⁶), every two years (as in St. Helena, CA¹⁷ and for Type A STRs in Portland, OR¹⁸), or follow a model like Maui County, HI, where permits are valid for one year but are extended to two years if there are no recorded complaints.¹⁹ We recommend that cities follow a responsive approach similar to Maui County's, where permits are valid for two years unless

13. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5.(g)(3)(A) (2015).

14. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.090 (2014).

15. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.070 (2014).

16. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.055 (2013).

17. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.060(F) (2012).

18. Portland, Or., City Code & Charter ch. 33.207, § 33.207.040(C) (2015).

19. Maui County, Haw., County Code ch. 19.65, § 19.65.070(A) (2012).

there are complaints of violation, in which case permits would have to be renewed more frequently. Unless regulators rely on yearly permit renewals to inform them of the number of active STRs, this process would be an effective way to reward law-abiding hosts and reduce paperwork for regulators.

In an effort to encourage compliance with its short-term rental laws, Portland, OR has included a provision in its permitting policy wherein an STR permit can be revoked for failure to comply with the city's set of STR rules.²⁰ We recommend that cities adopt a provision similar to Portland's, including withholding permit renewal for a certain amount of time after a host is found to be in violation of STR laws.

Reporting and Recordkeeping:

To assist with the oversight and enforcement of ordinance requirements, a city may want to require hosts to keep records of guest names, guest contact information, dates of stay, indication of the host's presence or absence during the stay, and revenue earned. Cities already requiring this level of detail in recordkeeping include Madison, WI²¹ and Portland, OR, the latter requiring hosts to also maintain guests' license plate numbers (if traveling by car) and a record of the room assigned to each guest.²² Cities could require hosts to maintain the records for at least two years and make them available to the city upon request when the host is suspected of a violation, or in the event of a randomized inspection.²³ An alternative process could require hosts to regularly submit reports to the city regarding the number of hosted and un-hosted nights the STR was rented, as is required in San Francisco.²⁴

However, the major online STR platforms already collect host, guest, and usage information, and if a city decides to require hosts to record and report that data, it could also require the STR intermediaries themselves to make some information – such as the number of STR units per host, and the number of nights rented per unit – available to the Planning Department or other oversight office as a condition for operating in their jurisdiction. Cities could require platforms to regularly submit a blanket report of all STR activity in their jurisdiction, or to submit the information of suspected violators only as requested by the city. Santa Monica, CA requires STR intermediaries to “Disclose to the City on a regular basis each home-sharing and vacation rental listing located in the City, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing and the price paid for each stay.”²⁵ We recommend that other cities wishing to improve recordkeeping and reporting follow suit.

Requiring STR platforms to report the information of their customers to local government could cause concerns about the information privacy of STR platform users. To

20. Portland, Or., City Code & Charter ch. 33.207, § 33.207.040(D) (2015).

21. Madison, Wis., Code of Ordinances ch. 28 § 28.151 “Tourist Rooming House” (h) (2014).

22. Portland, Or., City Code & Charter ch. 33.207, § 33.207.060 (2015).

23. Cities may want to require STR hosts to retain records for more than two years in some circumstances, such as if they city adopts a private right of action.

24. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5(g)(3)(C) (2015).

25. Santa Monica, Cal., Municipal Code ch. 6.20, § 6.20.050(b) (2015)

address privacy concerns, these intermediaries could require all users, prior to starting or continuing to use the service, to authorize the platform to share STR usage data with local governments, either regularly or in the event of a suspected violation. If a provision for STR intermediaries to report data were added to a local ordinance, it would also make sense for a host to list, on the municipality's STR registration application and in subsequent reporting and permit renewal, all the platforms that he or she uses to book an STR. Adding this question to STR registration would help authorities to cross check the self-reported information of suspected violators with data on multiple platforms – improving both the reliability of information and facility of enforcement.

Some will argue that requiring STR platforms to report host, guest, and usage data to the city would unduly burden only those platforms that collect such data, and cause STR hosts to migrate to platforms that do not collect this information. However, municipalities might consider reporting as a requirement for operating in their jurisdiction, particularly because without this information, local governments would be unable to effectively enforce STR laws. In fact, the San Francisco Planning Department itself admitted only months after the city's STR law went into effect that booking data from STR platforms was necessary for the effective enforcement of yearly caps and other provisions of the ordinance.

Without reporting from the STR platforms, tracking and regulating STR units to ensure hosts are licensed, registered, and in compliance will remain extremely difficult and require significant public resources – something most cities are unable or reluctant to dedicate to STRs.

Advertisement:

To assist with enforcement, a city should require that hosts include the STR registration or permit number on all advertisements. Municipalities that require disclosure of this information on advertisements include Austin, TX,²⁶ Maui County, HI,²⁷ Dana Point, CA,²⁸ San Francisco, CA,²⁹ and St. Helena, CA.³⁰ We recommend that cities require all STR advertisements, including listings on STR platforms, to include a valid permit number.

In addition to requiring hosts to verify the legality of their listed STR with a valid permit number, cities could also place responsibility on the STR platforms to list only registered STR units, and to remove the listings of any violators. A 2015 ballot initiative in San Francisco proposed placing such responsibility on any STR platform operating in the city, requiring that all listed units be registered with the city, creating a daily penalty for STR platforms that list unregistered units, and mandating that platforms remove the listing of any unit that has surpassed the yearly rental cap.³¹ Maui County places some degree of responsibility on STR platforms by requiring any intermediary advertising an STR-

26 Austin, Tx., City Land Development Code § 25-2-791(F) (2014).

27. Maui County, Haw., County Code ch. 19.65, § 19.65.040(A) (2012).

28. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(8) (2013).

29. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5(g)(1)(F) (2015).

30. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(N) (2012).

31 City of San Francisco Initiative to Restrict Short-Term Rentals, Proposition F (November 2015).

within the county to include or link to the municipality's STR policies.³² We believe that, in addition to informing their users of the law, STR platforms should also be responsible for requiring proof that listed STRs comply with the law (e.g., by requiring a valid permit number), and removing listings that are in violation of local laws, such as a yearly cap.

C. ESTABLISH PROTECTIONS FOR THE SUPPLY AND AFFORDABILITY OF HOUSING

STRs can escalate housing costs in at least two ways: 1) each room or unit regularly used for STRs removes from the market a room or unit that might otherwise have been offered to a long-term tenant, and 2) the ability to derive income from a housing unit raises its value, raises the tenant's ability to pay for expensive housing, and thereby raises prevailing housing prices.

Cities have the power to protect multiple public interests by, for example, setting caps on the number of allowed STR units per host and number of nights per year that an STR may be rented to short-term guests. We recommend that cities allow all residents to engage in a limited amount of STR activity within their primary residences, but to set parameters based on the interests the city is aiming to protect.

Preventing Speculation - STRs for Cost-Sharing, Not Profit-Making:

A San Francisco Planning Commission memo framed the STR issue succinctly: "The critical questions for policy makers seeking to protect housing are: when does STR make more efficient use of unused resources and when does it incentivize the conversion of residential space to tourist use?"³³ If the underlying purpose of STRs is helping residents offset the costs associated with owning or renting their home, an STR ordinance should include provisions that prevent people from buying or renting units with the primary goal of earning STR income.

In order to deter individuals or entities from buying or renting a unit with the intention to subsequently turn a profit from its short-term rental, a city could require that a resident have occupied the unit for a minimum number of months or years before hosting STR guests. San Francisco's STR regulations require residents to have occupied their unit for at least 60 days prior to hosting STR guests, which starts to address the issue, but is ultimately too short a time period to effectively deter such speculation.³⁴ Furthermore, in cities experiencing rapid gentrification, requiring a certain length of time of owner or tenant occupancy prior to being eligible to host STR guests could channel STR income-generating opportunities to longer-term residents who risk being crowded out by newer and often wealthier neighbors. Cities may find that directing the income-generating power

32 Maui County, Haw., County Code ch. 19.65, § 19.65.040(B) (2012).

33. San Francisco Planning Commission. Administrative Code Text Change Recommendations to Board of Supervisors, 10 (April 23, 2015). See: <http://commissions.sfplanning.org/cpcpackets/2014-001033PCA.pdf>.

34. San Francisco, Cal., Administrative Code ch. 41A, § 41A.4. "Permanent Resident" (2015).

of STRs to longer-term residents could provide those residents with the economic boost necessary to combat threats of displacement.

In many circumstances, property owners may find STRs to be a more lucrative option than long-term rentals. In order to reduce any incentive to evict tenants, STR regulations must pay special attention to rent-controlled units and units that have recently been

If the underlying purpose of STRs is helping residents offset the costs associated with owning or renting their home, an STR ordinance should include provisions that prevent people from buying or renting units with the primary goal of earning STR income.

subject to an eviction. To preserve the integrity of rent-controlled units, cities can limit the amount that residents of rent-controlled housing may charge for short-term rental of their dwelling. San Francisco's STR ordinance, though it allows renters to host short-term guests, limits the amount that a tenant in a rent-controlled unit may charge short-term guests to the equivalent of what the tenant pays to the landlord each month.³⁵ In order to reduce a property owner's incentive to evict tenants in order to engage in short-term rental, cities with high housing

demand could prohibit units that have recently been subject to an eviction from being registered as an STR.³⁶ A number of high-level San Francisco policymakers recommended instituting such a limitation, suggesting that units that have been subject to an Ellis Act Eviction within the last five years be barred from registering as an STR. Other California cities with high housing demand could find that adopting a similar restriction on STR registration for recent Ellis Act Eviction units could be a powerful way to prevent the tenant abuses and displacement caused by unfettered STR activity.

Preventing Conversion of Housing Stock & Preserving Residential Use:

Cities should adopt regulations that prevent the physical conversion of residential housing to transient use. For example, Portland prohibits remodeling or structurally altering units that would prevent the structure from being used as a residence in the future. Portland even prohibits changes that would make a unit appear "less residential," for example installation of more than three parking spaces, paving of required setbacks, and commercial-type exterior lighting.³⁷

Maui County has attempted to protect housing for permanent residents by deterring

35. San Francisco, Cal., Administrative Code ch. 41A, § 41A.4., § 41A.5. (g)(1)(G) (2015).

36. San Francisco Planning Commission. Administrative Code Text Change Recommendations to Board of Supervisors pp. 2, 16. (April 23, 2015). See: <http://commissions.sfplanning.org/cpcpackets/2014-001033PCA.pdf>.

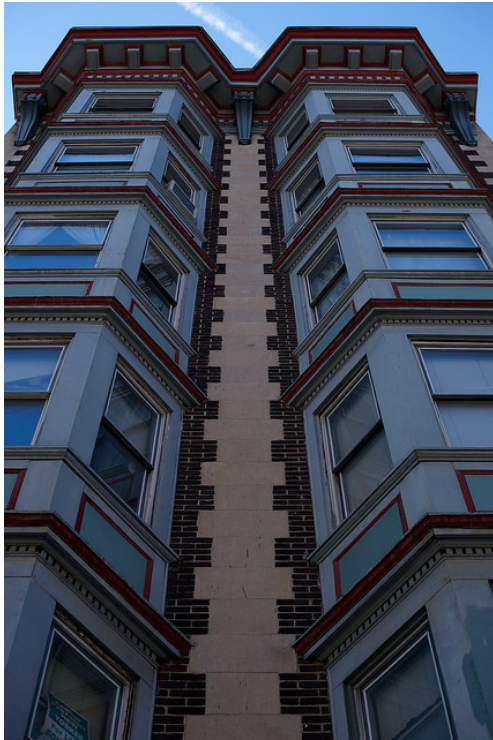
37. Portland, Or., City Code & Charter ch. 33.207, § 33.207.050(B)(9) (2014).

the construction of new homes that are primarily intended for rental to transient guests. The region does so by prohibiting short-term rental of single-family structures that were constructed less than 5 years prior to the date of application for an STR permit.³⁸

Setting Caps on the Number of Rental Nights Per Year:

In addition to limiting short-term rentals to primary residences, we recommend that all cities (with limited exceptions) set a baseline cap on Un-Hosted STR nights per year.

In cities where housing supply and affordability is a primary concern, this cap could be relatively low, for example, 30 nights per year, as is the case in Madison, WI.³⁹ In cities



where housing supply is not a major public concern, these caps could be considerably higher and adapted over time as the housing climate changes. Capping the number of Un-Hosted STR nights per year could encourage residents who leave town for months on end to rent their homes to longer-term tenants, including city residents who are transitioning between rental units, or to workers, students, or academics staying for a season or semester.

Unlike Madison, WI, which limits Un-Hosted STRs to 30 nights per year, but allows an unlimited number of Hosted STR nights per year,⁴⁰ and unlike Santa Monica, which prohibits Un-Hosted STRs but allows unlimited Hosted Primary Residence STR nights per year,⁴¹ we believe that the ideal STR ordinance places a *total cap* on both Hosted STR nights per year and Un-Hosted STR nights per year.

We recommend a cap on both Hosted and Un-Hosted STRs for two reasons. The first reason

is that regulators currently face a great challenge in distinguishing between STRs with a host present and STRs that are un-hosted. Indeed, since San Francisco legalized unlimited Hosted STR nights per year, the city's Planning Department has reported that it is "virtually impossible" to discern law-abiding hosts from scofflaws, stating that in order to effectively enforce the law, the department would require a straight cap on the number of days any unit can be rented out per year (i.e. a cap on both Hosted and Un-Hosted STRs).⁴² As long as STR platforms refuse to make STR records available to regulators, and as long as regulating agencies are limited in staff capacity to audit and confirm self-reported information, this challenge is likely to persist.

38. Maui County, Haw., County Code ch. 19.65, § 19.65.030(O) (2012).

39. Madison, Wis., Code of Ordinances ch. 28, § 28.151 "Tourist Rooming House"(e) (2014).

40. Madison, Wis., Code of Ordinances ch. 28, § 28.151 "Tourist Rooming House"(f) (2014).

41. Santa Monica, Cal., Municipal Code ch. 6.20, § 6.20.010(a) (2015).

42. Phil Matier and Andy Ross, 'No way of enforcing' Airbnb law, S.F. planning memo says (March 22, 2015), <http://www.sfchronicle.com/bayarea/matier-ross/article/No-way-of-enforcing-Airbnb-law-S-F-planning-6151592.php>.

The second reason is that an STR host engaging in Hosted Primary Residence STR activities has one or more bedrooms unused and available for travelers (presuming, of course, that the host is offering an entire room, rather than a living room couch or portion of some other shared space). If a cap were placed on the number of permissible Hosted Primary Residence STR nights per year, and a host reached that cap, the host would be prohibited from renting to transient guests for the remainder of the year, and would have an economic incentive to rent the unused bedroom to long-term tenants.

The STR regulations in Austin, TX, and Nashville, TN, bring up an interesting question of how to limit STR activity. Austin includes Vacation Rentals as one of several types of STR units, and limits their density by capping the number of permissible rental units per census tract.⁴³ Similarly, Nashville places a 3% cap on the percentage of non-owner occupied single-family and two-family Vacation Rentals allowed to legally operate in each census tract of the county.⁴⁴ Though a density

There may be situations where a city will want to refrain from capping STRs in any form, such as in a city wanting to encourage tourism and where housing is in relatively abundant supply. However, in the absence of adequate protections for housing affordability, STRs could escalate housing costs and ultimately drive out lower-income and even middle-income residents.

cap may be an approach worth investigating for cities interested in better regulating Vacation Rentals, we do not advocate for caps on the total number of permitted Primary Residence STRs, as that would place a haphazard limit on who can benefit from limited rental of their primary residences to short-term guests. Instead, we recommend that cities wishing to legalize but limit STR activity restrict STRs to primary residences, and then cap the number of permitted STR rental nights per year.

43. Austin, Tx., City Land Development Code § 25-2-793 (2014). Austin classifies its STRs into three types, and the density cap applies only to Type 2 STRs. A Type 2 STR is similar to what is referred to in this brief as a Vacation Rental. Type 2 STRs must be single-family, detached residential structures; cannot be not owner-occupied or associated with an owner-occupied principal residential unit; and cannot include the rental of less than the entire dwelling unit. On February 23, 2016, Austin City Council voted to ban all Type 2 STRs, and the City plans to phase out any existing Type 2 STRs in residential areas by 2022. As of this writing, the final ordinance language has not been released.

44. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030(Q) (2015). The Nashville metro area provides an online map illustrating the density of registered non-owner-occupied STRs in each census tract. Property owners interested in applying for a non-owner-occupied STR permit can use this map as a tool to determine their eligibility.

There may be situations where a city will want to refrain from capping STRs in any form, such as in a city wanting to encourage tourism and where housing is in relatively abundant supply. However, in the absence of adequate protections for housing affordability, STRs could escalate housing costs and ultimately drive out lower-income and even middle-income residents.

Below, in Section VI, we explore some creative and as yet untested opportunities for cities to create selective exemptions to STR caps in order to use STRs as a lever for economic development that does not cause or exacerbate resident displacement.

D. CREATE PROTECTIONS FOR THE WELLBEING OF GUESTS

Health and Safety Standards:

Cities should require STR hosts to adhere to basic standards for health and safety of their guests. For example, the city could deny an STR permit to an applicant whose residential unit has outstanding Planning, Building, Housing, Fire, Health, Police, or other applicable City code violations that would make their residence unsafe for short-term guests. In addition, cities could require hosts to apply basic safety precautions such as working smoke detectors in every bedroom, a carbon monoxide detector, and an evacuation plan that identifies all exits.

A city may also want to require that hosts provide guests with basic information, including proof of STR registration, a list of the minimum safety requirements, instructions for lodging a complaint, and the name and contact information for the host and/or another responsible party that could assist guests with any problems that arise during the stay.

Inspections:

Municipalities such as Austin, TX,⁴⁵ Tillamook County, OR,⁴⁶ and St. Helena⁴⁷ and Dana Point,⁴⁸ CA require inspection by the Fire Department, Planning Department, Bureau of Development Services, or a building official. Some of these cities provide a building and safety self-check list for hosts to prepare for the inspection.

We do not advocate for an inspection requirement, but might urge cities to create a self-inspection checklist that hosts can submit along with registration. Inspections would greatly raise the administrative costs for the city and hosts, creating undue barriers particularly for people who would only host guests during one to two weeks per year. A city may, however, wish to require inspections when guests file health & safety complaints.

45. Austin, Tx., City Land Development Code § 25-2-791 (2014). Note that the inspection requirement applies only to Vacation Rentals and multifamily unit STRs; it does not apply to Hosted Primary Residence STRs.

46. Tillamook County, Or., Ordinance 69, Section 9(a)(B) (2012).

47. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(F) (2012), and at § 17.134.080(B).

48. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(3) (2013).

Where STRs are arranged through select online portals, it is important to acknowledge that the safety and wellbeing of guests is already partially supported by the guests' access to information and reviews of the hosts. As bookings and profits are largely based on good reviews from past guests, hosts are incentivized to provide safe and clean accommodations in order to maintain a good reputation in the review and rating system.

Insurance:

To ensure that guests have recourse in the event that they are injured during an STR stay, cities should require that hosts are covered by an appropriate insurance policy.

Some examples could include general liability insurance, a homeowners' insurance endorsement, coverage through their STR platform, or other insurance appropriate to cover injuries to STR guests or other losses or damages that could result from the operation of an STR. San Francisco requires that hosts carry liability insurance for claims up to \$500,000, or to conduct STR transactions through an STR platform that provides equal or greater coverage.⁴⁹ Nashville, TN requires STR permit applications to include proof of homeowner's fire, hazard, and liability insurance, with liability insurance covering no less than \$1,000,000 per occurrence.⁵⁰ Dana Point, CA requires proof of general liability insurance with a minimum of \$1,000,000 in coverage, along with an agreement to indemnify and hold the city harmless for any liability claims.⁵¹ Further, the city of Dana Point requires STR permit holders to provide current proof of general liability insurance during each annual permit renewal.⁵²

E. ESTABLISH OVERSIGHT, COMPLAINT, AND SANCTION PROCEDURES FOR THE WELLBEING OF NEIGHBORS

Oversight:

Enforcement of an STR ordinance can present challenges, particularly in enforcing a cap on nights rented. Without access to transactional data from online STR portals, cities must rely primarily on hosts' own self-reporting, complaints by neighbors, and its own investigations of suspected violations. As such, a city could require online STR intermediaries to release, regularly or upon the city's request, information about the number of nights per year that any listed unit in their city was rented to short-term guests and the income received by the host. The city could also mandate that intermediaries do all reporting electronically and in a standardized format to make it easier for cities to aggregate data from multiple platforms. Of course, there are already dozens of companies and websites facilitating STRs, and it would be too large a burden on cities to discover and work with all of them. That being said, even just requiring the biggest players to report data could have a big impact on the ability of local regulators to oversee STR activity.

49. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5(g)(1)(D) (2015).

50. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.D.2. (2015).

51. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.050(d) (2013).

52. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.055 (2013).

Avoiding and Addressing Conflict:

Cities should create channels for neighbors to file complaints about nuisance or STRs believed to be in violation of rental caps. To make neighbors aware of area STRs, an STR ordinance could require that residents applying for an STR permit or license notify adjacent neighbors, as is the case in Nashville, TN, where a permit applicant must provide proof of written notification to any property owner sharing a common wall or a common driveway with the applicant's unit.⁵³

For cases where neighbors are disgruntled about STR activity, but a host is neither in violation of an ordinance nor creating an objective nuisance, we also recommend that cities help fund community mediation services, to give neighbors low-cost conflict resolution mechanisms.

Complaints and Grievances:

A city should establish an accessible system for guests, neighbors, and other stakeholders to bring to the city's attention any host that is in violation of the ordinance or otherwise creating a nuisance or health and safety risk. Prior to resulting in sanctions, the grievance process should give hosts a reasonable opportunity to respond to the city to demonstrate compliance and/or explain measures the host will take to eliminate the concern. For example, Nashville, TN gives the department of codes administration the ability to revoke a host's STR permit if reports of code violation have been received, but not without providing fifteen days prior written notice of the alleged violations to the host and providing him or her the right to appeal the permit denial or revocation.⁵⁴



In addition to creating such a grievance process, a city may also consider creating a private right of action that gives certain stakeholders standing to bring a complaint in court, provided that the stakeholder has already taken a complaint to the city, and the city failed to respond within a specified amount of time. San Francisco's STR ordinance contains a private right of action wherein, following a determination that the STR ordinance has been violated, an interested party (defined as the city, county, unit owner, certain housing nonprofits, homeowners association associated with the STR unit, permanent resident of the building where the alleged STR is located, or permanent resident or owner of a property within 100 feet of the property containing the alleged STR) can

53. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.D.3. (2015).

54. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, §§ 6.28.030.R.2., 6.28.030.R.3., 6.28.030.R.4. (2015).

bring civil suit against the host for monetary and injunctive relief. In such a suit, the interested party is entitled to attorney's fees if it prevails in the suit.⁵⁵

Sanctions:

We recommend that cities create a graduated scale of sanctions for hosts who are in violation of STR regulations or who are the subject of multiple complaints.

Sanctions might include:

- Reducing the number of nights per year that a host may rent to STR guests;
- Prohibiting un-hosted nights, particularly where neighbors have complained that guests have created a nuisance;
- Inspection of the unit and a requirement that the host pay for costs of inspection;
- Suspension or revocation of the STR registration or permit;
- Fines that increase with the number of violations. For example, Dana Point, CA may penalize a host \$250 for a violation. If, within a single year, the host has multiple violations, the fines rise to \$500, then to \$1,000, and eventually result in revocation of the STR permit;⁵⁶ or
- Ineligibility to reapply for an STR permit for some extended period of time. For example, Nashville, TN imposes a one year waiting period on hosts found operating an STR without a permit,⁵⁷ and Maui County, HI makes a violator ineligible to apply for a permit for five years.⁵⁸

STR platforms should also be subject to sanctions for violation an STR ordinance. For example, San Francisco's STR ordinance states that any hosting platform violating its responsibilities under the code shall be subject to the city's administrative penalties and enforcement provisions, including payment of civil penalties of up to \$1,000 per day for the period of noncompliance.⁵⁹

F. PRESERVE NEIGHBORHOOD QUALITY

Cities play an important role in shaping the livability of neighborhoods, and STRs have the potential to both positively and negatively affect neighborhoods. On the positive side, visitors bring income to a neighborhood, both through payments to STR hosts and by potentially patronizing neighborhood businesses. However, many residential areas are zoned with the goal of preserving a quiet "neighborhood feeling" and promoting social cohesion among neighbors. A constant stream of STR guests can undermine both neighborhood character and simple infrastructure, such as adequate supply of street parking.

55. San Francisco, Cal., Administrative Code ch. 41A §§ 41A.4.; 41A.5.(d) (2015).

56. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.090(b) (2013).

57. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.R.6.b. (2015).

58. Maui County, Haw., County Code ch. 19.65, § 19.65.080(D) (2012).

59. San Francisco, Cal., Administrative Code ch. 41A § 41.A.5.(g)(4)(C) (2015).

Limiting Crowding and Noise:

Cities may want to limit the purposes for which residents may host guests. For example, Dana Point, CA,⁶⁰ Anaheim, CA,⁶¹ and Maui County, HI⁶² all limit or prohibit hosting of weddings, parties, and other similar gatherings. St. Helena, CA further specifies that a party may be no larger than twice the number of guests, with a maximum of 20 party guests.⁶³ Both Maui County and St. Helena also impose quiet hours at night.⁶⁴

Managing Parking:

In an effort to address parking concerns, Maui County, HI⁶⁵, Dana Point, CA⁶⁶, and Anaheim, CA⁶⁷ have all required hosts to provide off-street parking for STR guests. Because these requirements could bar residents of transit-oriented units, dense developments, or smaller lots from hosting short-term guests, we recommend against off-street parking requirements for STRs.

G. PRESERVE PUBLIC TAX REVENUES AND LEVEL THE PLAYING FIELD BETWEEN STRS AND COMMERCIAL HOTELS

Taxing STRs:

Cities attract visitors by investing in and cultivating welcoming public spaces, tourist attractions, and basic infrastructure. Cities' efforts to create welcoming environments for visitors provide substantial private benefit to hotels, B&Bs, and STR hosts. By charging a Transient Occupancy Tax (TOT) or "hotel tax," cities can recoup part of this benefit and invest travelers' dollars back into the city.

The hotel tax can be a substantial source of income for cities, generating approximately \$226 million in annual revenue for Washington D.C., \$274 million in San Francisco, and \$536 million in New York City in recent fiscal years.⁶⁸ Transient occupancy taxes from STR stays hosted through Airbnb are estimated to amount to roughly \$11 million per year in San Francisco,⁶⁹ and according to a 2014 estimate published by Airbnb, New York City STRs operating through its platform could generate \$21 million in annual TOT revenues

60. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(7) (2013).

61. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.100.0107 (2014).

62. Maui County, Haw., County Code ch. 19.65, § 19.65.030(Q)(4) (2012).

63. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(J)(4) (2012).

64. See Maui County, Haw., County Code ch. 19.65, § 19.65.030(Q)(1) (2012), and St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(J)(1) (2012).

65. Maui County, Haw., County Code ch. 19.65, § 19.65.030(Q)(3) (2012).

66. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(5) (2013).

67. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.100.0105 (2014).

68. Alison Griswold, Why Airbnb Desperately Wants to Pay Hotel Taxes. And why some cities won't let it (February 13, 2015), http://www.slate.com/articles/business/moneybox/2015/02/airbnb_hotel_taxes_why_does_the_sharing_economy_startup_want_to_pay_them.html.

69. Ibid.

for the city.⁷⁰ If the projected TOT was calculated for all STR units, including those listed independently or facilitated by platforms other than Airbnb, the amount of annual TOT revenues for municipalities like San Francisco and New York City would likely be considerably higher.

Most cities with new STR ordinances require hosts to pay TOT. Due to the adverse effects STRs can have on housing affordability and displacement, we believe that cities should designate all or most of the TOT collected from STR activity toward affordable housing initiatives and other economic support services for low-income, unemployed, and underemployed residents. This could include investing TOT revenues into community land trusts, which are nonprofit housing providers that create permanently affordable homes for low-income residents.⁷¹ In cities where effective enforcement of STR regulations requires additional funds not provided by sanctions and fees, a municipality might also consider directing a portion of the TOT from STR activity toward improving oversight and compliance.

Collecting Taxes Through Intermediaries:

To ensure payment of taxes, cities should require that the third party facilitators of STRs collect and remit the TOT in the same way that these platforms could be required to report residents' STR activity to cities. STR platforms are in the best position to know who is hosting, which units are being rented, and how much revenue is earned. Additionally, because these platforms transfer payments from guests to hosts, they can withhold and remit the taxes with relative ease.

San Francisco's ordinance was the first to require STR platforms and services to collect the city's 14% TOT from guest fees and remit the revenue to the city. In addition, San Francisco requires STR platforms to maintain and make available to the city a record demonstrating that the TOT has been remitted, and the platforms will remain liable for the failure of a user to comply with the requirements of the Business and Tax Regulations Code.⁷² Santa Monica, CA, Portland, OR, and Multnomah County, OR have also required STR intermediaries to collect and remit a TOT.⁷³

70. David Hantman, \$21 million more for New York (April 14, 2014), <http://publicpolicy.airbnb.com/21-million-new-york/>.

71. Community Land Trusts sell or lease homes to low- and middle-income residents while permanently retaining ownership of the underlying land. Through this dual ownership system, CLTs insulate the value of housing from the fluctuating value of land and can preserve the affordability of housing even in areas with substantial increases in land value.

72. San Francisco, Cal., Administrative Code ch. 41A § 41.A.5.(g)(4)(B) (2015).

73. The City of Santa Monica charges a 14% TOT. (Santa Monica, Cal., Municipal Code ch. 6.20, § 6.20.020(a)(3) (2015), and at ch. 6.68, § 6.68.020 (2004).) The City of Portland charges a 6% TOT, and Multnomah County charges 5.5% TOT. See: <http://www.portlandoregon.gov/revenue/29976>.



SAN FRANCISCO: A CASE STUDY

For cities wishing to address the housing affordability issues exacerbated by STRs, it is helpful to use San Francisco as a case study of what not to do. Even those elements of San Francisco's STR ordinance that were intended to address housing affordability and availability were included without the reporting and enforcement mechanisms necessary for their success. Added to that, the San Francisco ordinance only focused on preventing units, but not rooms, from being removed from the long-term rental market. For cities wishing to address the housing affordability issues exacerbated by STRs, it is helpful to use San Francisco as a case study of what not to do. Even those elements of San Francisco's STR ordinance that were intended to address housing affordability and availability were included without the reporting and enforcement mechanisms necessary for their success. Added to that, the San Francisco ordinance only focused on preventing units, but not rooms, from being removed from the long-term rental market.

ATTEMPT TO PROTECT THE SUPPLY OF UNITS: ONE SUCCESS AND ONE FAILURE

San Francisco has attempted to prevent the conversion of residential units into primarily transient use by setting a cap on the number of nights per year that a whole unit may be rented to short-term guests. The city's short-term rental ordinance, which went into effect on February 1, 2015, limits STRs to primary residences, allows an unlimited number of hosted short-term stays (when the host concurrently resides in the unit) and places a 90-night cap on the number of un-hosted nights per year that a unit may be rented to short-term guests.

SAN FRANCISCO: A CASE STUDY, CONTINUED

Though the 90-night cap on un-hosted rentals was likely prompted by the need to prevent the removal of residential units from the market, in the end it is incredibly difficult for regulators to tell the difference between a short-term rental stay that was hosted versus one that was un-hosted, even with regular self-reporting requirements. Some San Francisco regulators say that their ability to reliably distinguish between hosted and un-hosted short-term rentals, as well as the frequency of use, could be greatly improved with access to booking data from the short-term rental platforms. However, STR platforms have refused to release this data, and the great majority of San Francisco's STR



hosts remain unregistered and outside the reach of the city's new rules. As such, and so long as the city lacks mechanisms for reliable reporting and effective enforcement, the provision allowing STR hosts to rent to short-term guests for up to 365 nights per year so long as they are present during the stay essentially opens the doors for year-round un-hosted STRs.

In the end, the element of San Francisco's ordinance that would most effectively reduce the conversion of residential units is actually its restriction of STRs to primary residences. By restricting STRs to primary residences, the ordinance allows only individuals who actually live in a unit to host short-term guests in an extra room, or to rent out the entire unit to short-term guests

for up to 90 nights per year when they are away from their homes. It does not, however, incentivize landlords to evict tenants or permit individuals who own multiple residential units to keep those units empty of tenants in order to rent to short-term guests.⁷⁴

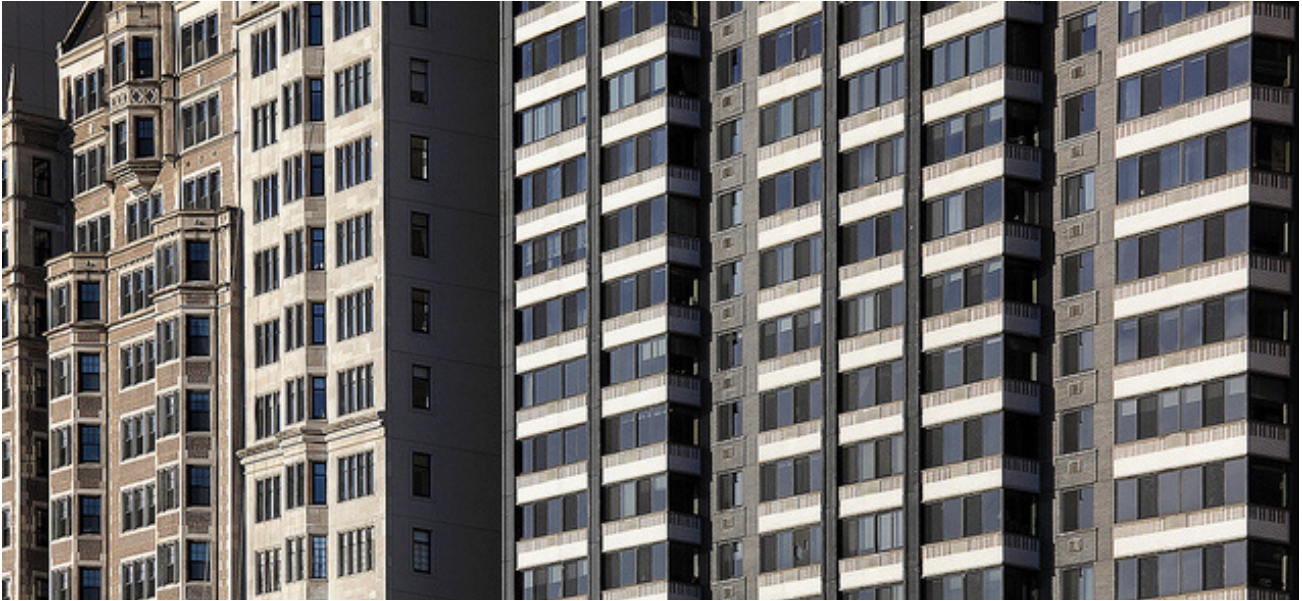
SAN FRANCISCO'S FAILURE TO PROTECT THE SUPPLY OF ROOMS:

As stated above, allowing hosts to engage in unlimited Hosted Primary Residence short-term rentals can reduce the availability and affordability of housing units if unaccompanied by proper reporting and enforcement mechanisms.⁷⁵ But allowing year-round hosted STRs is also problematic for another reason: it creates an incentive for renters and owners to remove rooms from the long-term rental market. If a city does not place a limit on Hosted Primary Residence STRs, people who might otherwise seek a housemate might opt to earn more flexibility or more income per night by using rooms primarily for short-term rental. However bedrooms for rent within a unit are a key source of affordable housing for single individuals, couples, students, and others who cannot afford to rent entire units. Therefore, in cities that are experiencing severe housing pressures, we recommend setting a limit on the number of nights per year that rooms can be rented to short-term guests, whether hosted or un-hosted.

74. Such units would be considered Vacation Rentals, and we recommend that cities where low-income and middle-income households experience difficulty finding affordable housing units strictly limit or even ban Vacation Rentals. See definition of Vacation Rentals in Section V.A.

75. See definition of Hosted Primary Residence STRs in Section V.A.

VI. GOING BEYOND IMPACT MITIGATION: RESTORATIVE APPROACHES TO REGULATING STRS



Although the recommendations above are aimed at mitigating potential harms of STRs, they do not solve the underlying economic imbalances that are damaging communities and motivating the pushback against STR platforms. We believe that it is the responsibility of cities to find ways to address wealth inequality, income inequality, affordable housing shortages, unemployment, under-employment, and poverty. Rather than focusing solely on mitigating the harms of STRs, cities could see STRs as a lever for economic change that can repair persisting economic problems already impacting communities. Indeed, the widespread use of STRs has encroached substantially upon domains under cities' control, namely land use laws and controls on housing supply. For this reason, cities can legitimately maintain their claim on such domains, and perhaps even go as far as prohibit private companies from brokering STRs.

Below, we offer three bold and creative approaches for municipalities interested in harnessing the economic benefits of STRs in addressing local economic issues. That we know of, no city has yet experimented with the following approaches.

Approach #1: Raising STR Caps on the Basis of Financial Need

Gentrification is a powerful economic and cultural process of neighborhood change. The patterns of gentrification can be found in the US and in districts, towns, and cities around the world. Complex and multifaceted, gentrification can occur at differing rates and for different reasons. One main factor, of course, is wealth and income disparities. Cities concerned by the disruptive and exclusionary effects of gentrification could consider STRs as either an agent of gentrification, or a lever against it.

Allowing high-income residents to earn additional income from STRs might intensify the process of gentrification, but allowing low-income residents to earn income from STRs has the potential to protect residents who might otherwise be displaced. Though regulating STRs on a household-by-household basis could be challenging to manage, cities could help low-income long-term residents use STR income to keep pace with increasingly expensive surroundings, remain in place, and benefit from – rather than be displaced by – the economic development of the area.

As STRs have become increasingly popular, many anecdotes have emerged of families, senior citizens, and other individuals avoiding foreclosure or eviction as a result of income generated by hosting short-term guests. Ideally, the potential for residents to use STR income to stay in place would not be fully lost if STR activity was limited by regulation. STR regulation could, in fact, offer cities a lever to create income opportunities for populations that are most impacted by unemployment and underemployment. Cities could even use this lever to selectively raise caps on the number of STR nights per year for households that meet objective financial need criteria.

Granting exemptions to STR caps on a household-by-household basis challenges cities to develop clear objective criteria on which to review applications, and makes the granting of exemptions somewhat more akin to a form of public benefit, like unemployment benefits. An application process might require the applicant to show that he or she has recently become unemployed, recently lost unemployment payments or other public benefits, or recently had a substantial increase in monthly rent. A cap exemption could also be time-limited, recognizing that the exemption acts as a temporary bridge for an individual or household seeking to get back on its feet after a financial blow. Any strategy for raising caps on a household-by-household basis should be carefully reviewed for compliance with constitutional due process provisions.

Selectively raising caps on a household-by-household basis would create substantial administrative costs for a city, but these costs should be seen in the context of the city's economic stabilization and development strategies. Furthermore, the administrative costs of such a program could be offset by TOT if the costs were passed to STR hosts through added STR taxes.

Approach #2: Keeping Wealth Local with a Municipally-Owned STR Platform

In order to recapture wealth that is leaving cities through payments to absentee STR platforms such as Airbnb, cities can prohibit the use of these STR companies, and require that residents use a municipally owned platform with functionality similar to that of Airbnb and other leading STR intermediaries. While this solution may prove difficult to implement at the level of a single city, it would become more financially viable if multiple large cities formed a partnership to jointly invest in the development and ongoing maintenance of the software. The financial return to cities would be nearly guaranteed, given that fees users

are accustomed and willing to pay to existing STR platforms would instead go directly to the City, providing funds for administration, affordable housing, or investment in other city programs. A substantial benefit of a municipal STR platform would be its facilitation of oversight and enforcement, because compliance with the law, including TOT remittances, reporting, and permit renewal, could be carried out directly through the platform.

Approach #3: Building Community Wealth Through a Sharing Economy Trust

Another bold strategy for using STRs to build community wealth is for a City to create a permanent trust for the collection, investment, and distribution of fees from STR bookings, much in the same way that the Alaska Permanent Fund pays all Alaska residents annual dividends from mineral, gas, and oil revenues.⁷⁶ Such a trust would ensure that all city residents benefit from the economic wealth brought by tourism and travel, and the trust could also align residents around the goal of ensuring an adequate supply of housing for all. Peter Barnes's book, *With Liberty and Dividends for All*, describes a variety of strategies for creating trusts that pay universal dividends derived from fees collected on the use of other assets, such as the atmosphere and intellectual property. In this vision, as the recipients of dividends from multiple sources, citizens would ultimately accumulate what amounts to a universal basic income.

We offer this idea because of its potential political viability in comparison to approaches that focus primarily on setting caps and investing tax revenue in affordable housing development. During a 1999 referendum, 83% of Alaskan voters voted to keep the Alaska Permanent Fund in place, demonstrating the potential for universal dividend systems to inspire support from citizens across the political spectrum.

To illustrate how this might work with STRs: Imagine that the City of San Francisco chartered a corporation called the "San Francisco Sharing Economy Trust." The stated purpose of the Trust is to support the long-term creation and preservation of an adequate housing supply for a socio-economically diverse city. Once chartered, the Trust would be somewhat insulated from the dynamics of electoral politics, enabling trustees to make decisions that serve the Trust's purposes, while remaining accountable to San Francisco residents, who are the beneficiaries of the Trust. The Trust could be empowered to determine the City's caps on STR rentals, and, separate from the 14% TOT already collected by the City, the Trust would be empowered to collect an additional percentage of all revenue from STRs. Ideally, the City would mandate that all STR bookings of housing within its borders be made through a municipally-owned or Trust-owned booking platform, rather than a for-profit platform like Airbnb. As such, the 10% to 20% booking fee normally collected by companies like Airbnb could go to the Trust. The Trust could then raise and lower the fee based on the Trust's assessment of housing unit supply in the city. When housing is in short supply, the Trust might raise the booking fee as high

76. For more information about the Alaska Permanent Fund, see <http://pfd.alaska.gov/>.

GOING BEYOND IMPACT MITIGATION, CONT.

as 30% to 40%, thereby giving STR hosts an incentive to put rooms back on the market for long-term rental. Because higher fees could ultimately bring higher dividends to city residents, residents will directly benefit from the Trust's efforts to preserve the housing supply.

There are at least three options for the management of the Trust's funds:

1. The Trust could retain all STR booking income and invest it (in the form of loans) in housing developments and purchases designed to preserve long-term affordability, such as projects stewarded by community land trusts. When the loans begin to pay a return, that income will be divided equally among all city residents and direct-deposited into their bank accounts.
2. The Trust could distribute STR booking income as dividends to residents, without the intermediate step of investing it in affordable housing development.
3. The Trust could strike a balance between the two options above, investing some STR booking income and making direct distributions of the rest.

Like its Alaskan counterpart, the San Francisco Sharing Economy Trust could create an online system to administer the funds. City residents could also use the online system to register and prove their residency in order to receive the dividend deposit. The Trust could set similar eligibility requirements to Alaska's Fund,⁷⁷ such as requiring that someone have lived in the city for at least one year prior to receiving a dividend.

77. See Alaska's residency verification information here: <http://pfd.alaska.gov/Eligibility/EstablishingResidency>.

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Vacation Rentals & Glenwood Springs

City Council

Thursday, June 27 2019

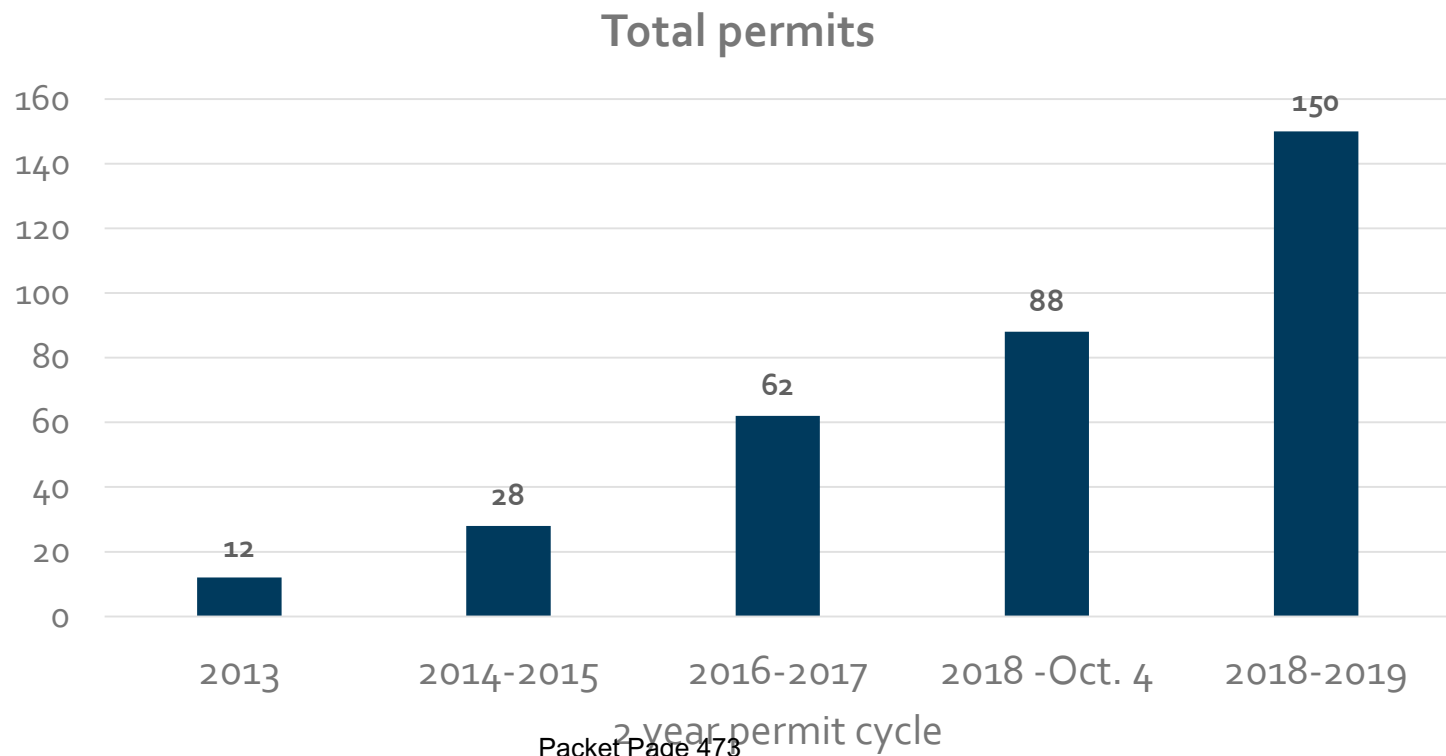


Moratorium Background

- **November 16, 2019** City Council instituted moratorium on new Vacation Rental Permits, effective November 16-March 14.
- **December 1 2019** Online Survey: Available for 2.5 Months
- **January 16, 2019** Public work session
- **February 25, 2019** Planning and Zoning Meeting with Recommendations
- **March 7, 2019** City Council voted to hold an additional work session to discuss further.
- **March 14, 2019** **Moratorium ends.**
- **May 16, 2019** City Council held a work session and gave direction in addition to P&Z's recommendations.



2 year Permit Cycle	Short Term Rentals	Accessory Tourist Rentals	Total permits
2013	12		12
2014-2015	28		28
2016-2017	58	4	62
2018 -Oct. 4	75	13	88
2018-2019	133	17	150



Survey and Public Meeting Results

Allowance and Permits

- Allow Vacation Rentals (68%)
- Require a Permit (80%)

Permit Fee

- Annual Fee
- \$100-\$300

Multifamily Building Limitations

- Limit number of units that can be vacation rentals to **10%** of total units.

Building Inspections and Occupancy

- Require buildings inspections(70%) and set occupancy. (73%)

Numerical Limits

- Survey says: **YES 50%, NO 34%**
- Public meeting says: **YES 46%, NO 54%**

Owner Occupancy Requirement

- Survey **YES 45%, NO 42%**
- Public meeting **YES 43%, NO 57%**

Neighbor Notification

- Survey only: (52%) Require neighbor notification for new vacation rental applications in the immediate area.



1. Permit Fee

Initial permit application fee of \$300 and a \$150 renewal fee every other year coinciding with the two year vacation rental permit.

2. Building Inspections and Occupancy

Building inspections at time of application and at renewal every other year. The building inspection shall include: Assessment of fire and life safety measures including but not limited to presence and operation of smoke alarms, carbon monoxide alarms, and fire extinguishers, adequate ingress/egress, and hand rails. Regulation for these items shall be as adopted in Municipal Code Section 060, Construction Building Codes and Regulations.



City Council Discussion Recommendations

ORDINANCE CODE AMENDMENT

1. Multifamily Building Limitations

Maximum percentage of units that can be vacation rentals in a single-owner multifamily building is ten (10) percent.

2. Numerical Limits

- a) Numerical cap on Short-Term Rental permits equal to (a) 10% of the City's total housing stock AND
- b) A distance buffer of 250 feet between vacation rental properties. Only properties located entirely within the 250 foot buffer are applicable to the distance limitation.

3. General Improvement District (GID) Specific Standards

- a) Short Term Rental permits in the GID shall be limited to 30% of free market residential units (Garfield County Assessor).
- b) A maximum of 2 vacation rental permits per single owner multifamily building.
- c) No distance buffer between vacation rentals is required in this district.

4. Violations and Penalties

Recommend implementing a violation schedule of a fine of \$250 for the first offense. Each subsequent offense shall increase by \$250, up to the maximum of \$1,000.

5. Nuisance Violation Limitation

Upon conviction of three nuisance violations within a permit cycle period, as included and defined in Municipal Code Section 100.010 and 100.020, (trash, noise, weeds, wildlife and animal) a vacation rental permit shall be revoked. A property with a revoked permit shall be prohibited from reapplying for a permit for the next permit cycle after the determination is made.



6. Director Authority

An amendment to Title 070.010.080(e) to add the following language: *except as provided elsewhere in this code*, giving the Director authority granted in the Use Specific Standards to revoke a permit **if permit conditions are violated**.

7. Neighborhood Notification

Upon receipt of a Vacation Rental Permit issued by the Community Development Department, Applicant shall be responsible for providing mailed public notification of the permit to owners of all real property within 250 feet of any boundary or edge of the subject property or parcel. The applicant shall provide certification that proper notice has been provided, including a signed affidavit. The format of such certification shall be established by the Director.

8. Responsible Agent Location

Each owner shall appoint a natural person who remains within a thirty minute distance of the Vacation Rental Property and is available twenty four (24) hours per day, seven days per week to serve as the local agent for the property.

9. Lodging Tax Submittal Requirement (Use it or Lose it)

Permit holders must submit lodging taxes during the two year permit cycle. Should a permit holder report 0\$ in lodging tax they will not be eligible to renew the permit for the next two year permit cycle.



Staff Recommendations

1. **Violations and Penalties** Staff recommends APPROVAL
2. **Nuisance Violation Limitation** Staff recommends APPROVAL
3. **Revocation of Permit** Staff recommends APPROVAL
4. **Building Inspections and Occupancy** Staff recommends APPROVAL
5. **Responsible Agent Location** Staff recommends APPROVAL
6. **Multifamily Building Limitations** Staff recommends APPROVAL
7. **Permit Fee**
Staff recommends an initial permit fee of \$500 and \$300 for renewal for Short Term Rentals and \$300 initial permit fee, and \$150 renewal fee for Accessory Tourist Rentals. Based on additional staff time for program administration and compliance enforcement of proposed regulation.
8. **Neighborhood notification.**
Staff recommends approval with the condition that it only apply to Short Term Rentals, and not Accessory Tourist Rentals.
9. **Numerical Limits**
Staff recommends an 7 % limit citywide for vacation rental permits based on the number of free market units as reported by the state demographers office.
10. **General Improvement District (GID) Specific Standards**
Staff recommends a 18 % limit on residential units that can be vacation rentals within the GID.
Staff recommends approval of the 2 permits per Multifamily single owner building maximum and exemption from the distance buffer.



City Council Review

The City Council shall review the Code amendment application and;

1. Approve,
2. Approve with conditions,
3. Deny the amendment, or
4. The City Council may also remand the Code amendment application back to the Director or the Planning Commission for further consideration.

Code Amendment Approval Criteria. A Code amendment is a legislative decision by the City Council. City Council shall consider whether and to what extent the proposed amendment:

- i. Is consistent with the Comprehensive Plan and other City policies;
- ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- iii. Is necessary to address a demonstrated community need;
- iv. Is necessary to respond to substantial changes in conditions and/or policy; and
- v. Is consistent with the general purpose and intent of this Code.



Action Items

1. Consideration of Resolution 2019-14 Vacation Rental Fees and Permit Procedures
2. Consideration of Ordinance No 9, Series of 2019 various code text amendments to Municipal Code Title 070.030.030 Use Specific Standards for Accessory Tourist Rentals and Short Term Rentals.



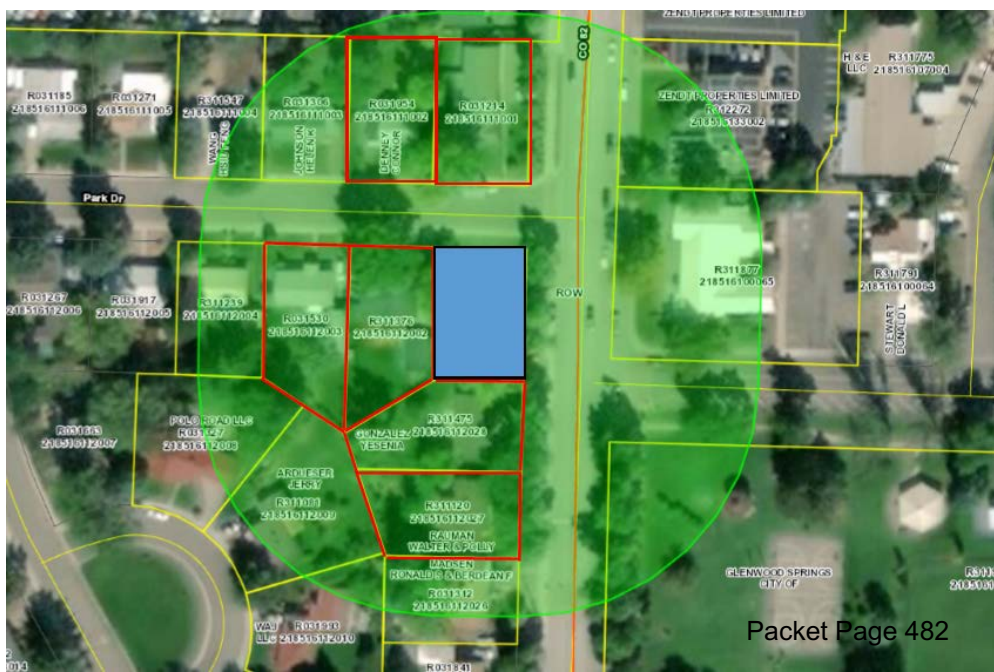


Additional Images

Example of 250 ft buffer distance



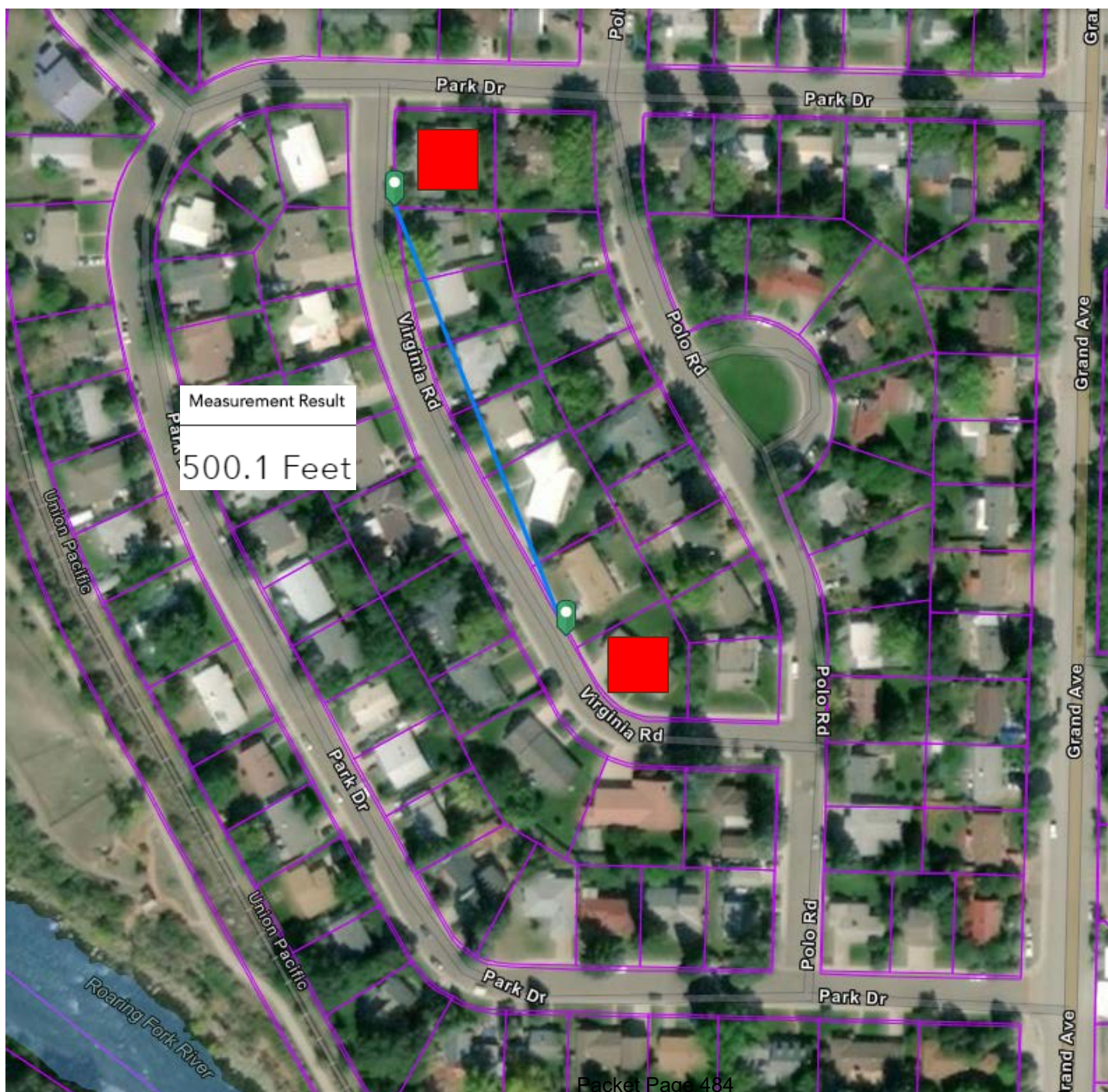
- 250 buffer distance applied to parcel



- Properties entirely within the 250 ft buffer.

Example of 250 ft buffer distance





Example of
500 linear
foot
distance
buffer



One per block face, or 500 linear foot distance, whichever is less.



Current
Permits
in same
area

Tool Box Combination

Community approaches to regulation vary depending on the tools they choose. The tools for limitation, Caps, buffers, parking, and residency requirements, usually dictate how strict the rest of the regulations are. Examples include:

- **Crested Butte**

- Primary Residence permits have no numerical limit.
- Non-Primary Residence permits capped at 30% housing stock
- Parking required for exceeding 10 person occupancy

- **Boulder, Denver, and Lyons**

- Primary Residence requirement
- No building inspection
- Lower application fees

- **Telluride**

- Zoning limitations
- Residential zones limited by frequency (alternative residency)
- 3 times a year for maximum of 29 days annual cumulatively

- **Durango**

- Cap by zone district
- Distance buffer
- NO residency requirement
- Parking requirement

- **Steamboat Springs**

Temporary Short Term Rentals: No Permit
Limited to 2 times a year, 30 day max
Parking Requirement: 2-3 spaces





City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: REVISED Resolution 2019-14; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Amending Vacation Rental Application Fee and Vacation Rental Permit Application

Action Requested: Approval of Resolution 2019-14 amending the vacation rental application fee and vacation rental permit application.

Department: Economic and Community Development

Presented By: Hannah Klausman, Senior Planner

Background Info: Consideration of Resolution 2019-14
Consideration of City Council Resolution includes amending the development fee schedule to reflect an initial permit application fee of \$300 and a \$150 renewal fee every other year coinciding with the two-year vacation rental permit, and the addition of a Vacation Rental Permit Condition requiring a building inspection at time of application and for renewal every other year.

Issues:

Staff Recommendation: Staff recommends approval of Resolution 2019-14 Ordinance No 9 Series of 2019 with the following revision:

Amending the development fee schedule to include a \$500 initial application fee and a biennial \$300 permit renewal fee for a Short Term Rental, and a \$300 initial application fee and a biennial \$150 permit renewal fee for an Accessory Tourist Rental.

RESOLUTION 2019 - 14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING THE CITY'S DEVELOPMENT REVIEW FEE SCHEDULE AND VACATION RENTAL PERMIT APPLICATION FORM

WHEREAS, City Council adopted Title 070 of the Glenwood Springs Municipal Code through Ordinance 19, Series 2018; and

WHEREAS, pursuant to Section 070.060.030(d)(3)(a) of the City's Municipal Code, City Council adopted a development review fee schedule by Resolution 2018-29; and

WHEREAS, the existing development review fee schedule sets forth a \$110 one-time fee for short term rental permits; and

WHEREAS, by Ordinance No. 23, Series of 2018, the City Council of the City of Glenwood Springs imposed a temporary moratorium on the acceptance and processing of new vacation rental permits and associated business license applications and directed City staff to develop a robust public engagement process to gather information on the topic; and

WHEREAS, the moratorium applied to all vacation rentals as defined in Section 070.030.030(e)(7) of the Glenwood Springs Municipal Code (Accessory Tourist Rentals) and Section 070.030.030(e)(9) of the Municipal Code (Short Term Rentals); and

WHEREAS, during the moratorium City staff engaged in a robust public engagement process which included an online survey regarding community perception of vacation rentals and feelings toward specific regulations; a public work session to discuss the online survey results and expand further into certain topic areas; and research into how other municipalities in Colorado regulate vacation rentals; and

WHEREAS, the Planning and Zoning Commission received and considered the information gathered through the public engagement process, as well as comments from the public, during a Special Meeting held on February 25, 2019; and

WHEREAS, the Planning and Zoning Commission recommended amending the development fee schedule to include a \$300 initial application fee for a vacation rental permit and a biennial \$150 permit renewal fee; and

WHEREAS, the Planning and Zoning Commission further recommended amending the City's vacation rental permit application to require, as a condition of approval and renewal, a biennial building inspection which allows the building department to assign a maximum occupancy; and

WHEREAS, City Council wishes to adopt the recommendations of the Planning and Zoning Commission and amend the City's development fee schedule and vacation rental permit application as set forth herein.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The above recitals are hereby incorporated as findings by the City Council of the City of Glenwood Springs.

Section 2. The City Council of the City of Glenwood Springs hereby approves revising the development review fee schedule to include a \$300 application fee for vacation rental permits and a \$150 permit renewal fee.

Section 3. The City Council of the City of Glenwood Springs hereby approves revising the City's vacation rental permit application form to require, as a condition of approval and renewal, a biennial building inspection for all vacation rentals that assigns a maximum occupancy based on the International Property Maintenance Code and that assesses fire and life safety measures including but not limited to the presence and operation of smoke alarms, carbon monoxide alarms, and fire extinguishers, adequate ingress/egress, and hand rails.

INTRODUCED, READ, AND PASSED THIS 27th DAY OF JUNE 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item:	REVISED Ordinance No 9, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Revising Code Provisions to Vacation Rentals (FIRST READING)
Action Requested:	Approval of Ordinance 9, Series 2019 revising code provisions to the vacation rental section of Title 070.
Department:	Economic and Community Development
Presented By:	Hannah Klausman, Senior Planner
Background Info:	For actions involving amendments to the Municipal Code, City Council is the deciding authority. All Municipal Code amendments are completed by ordinance, which requires two hearings before City Council. For amendments to the Municipal Code, City Council shall consider whether and to what extent the proposed text amendment: 1. Is consistent with the Comprehensive Plan and other City policies; 2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code; 3. Is necessary to address a demonstrated community need; 4. Is necessary to respond to substantial changes in conditions and/or policy; and; 5. Is consistent with the general purpose and intent of this Code. ACTION ALTERNATIVES City Council may take one of the following actions: 1. Approve all or some of the amendments as written; 2. Deny all or some of the amendments as written; 3. Approve some or all of staff recommendations; or, 3. Continue the hearing with a requirement that staff submit changes or provide additional information regarding some or all the amendments.
Issues:	The attached Ordinance reflects City Council direction given at the work session held May 16, 2019. Staff recommendations are not included in the Ordinance as written, and are meant for discussion and review. Should City Council wish to include some or all of staff recommendations, the recommendation language should be included in any motions made.
Staff Recommendation:	Staff recommends approval of Ordinance No 9 Series of 2019 with the following revisions: In all areas outside the GID, the total number of short-term rentals shall be limited to 7 percent of the City's total free market residential units as determined by the State Demographers Office. Within the GID, as it may be amended from time to time, the total number of short term rentals shall be limited to 18 percent of the GID's total free market residential units as determined by the Garfield County Assessor's office. Upon approval of a Short Term Rental Permit issued by the Community Development Department, Applicant shall be responsible for providing mailed public notification of the permit to owners of all real property within 250 feet of any boundary or edge of the subject property or parcel.

Ordinance No. 9

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING THE GLENWOOD SPRINGS MUNICIPAL CODE REGARDING THE REGULATION AND PERMITTING OF ACCESSORY TOURIST AND SHORT-TERM RENTALS IN THE CITY.

WHEREAS, the City of Glenwood Springs (the “City”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Glenwood Springs Home Rule Charter; and

WHEREAS, by Ordinance No. 23, Series of 2018, the City Council of the City of Glenwood Springs imposed a temporary moratorium on the acceptance and processing of new vacation rental permits and associated business license applications and directed City staff to develop a robust public engagement process to gather information on the topic; and

WHEREAS, the moratorium applied to all vacation rentals as defined in Section 070.030.030(e)(7) of the Glenwood Springs Municipal Code (Accessory Tourist Rentals) and Section 070.030.030(e)(9) of the Municipal Code (Short Term Rentals); and

WHEREAS, during the moratorium City staff engaged in a robust public engagement process which included an online survey regarding community perception of vacation rentals and feelings toward specific regulations; a public work session to discuss the online survey results and expand further into certain topic areas; and research into how other municipalities in Colorado regulate vacation rentals; and

WHEREAS, the Planning and Zoning Commission received and considered the information gathered through the public engagement process, as well as comments from the public, during a Special Meeting held on February 25, 2019; and

WHEREAS, the Planning and Zoning Commission recommended amending the Municipal Code to reduce the percentage of units that can be vacation rentals in a single owner multifamily building from 25 to 10%, with at least one unit in the building still being eligible for a vacation rental permit; limit the total number of Short Term Rentals outside the City’s GID in the City to 10% of the City’s free market residential units or one unit for every block face or every 500 lineal feet in areas where the block face standard does not apply, whichever is less; specify that a violation of the vacation rental regulations in the Code is subject to a \$250 fine for the first offense and a fine of not less than \$100 per day and up to \$1,000 per day for subsequent offenses; and clarify that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2); and

WHEREAS, at its regular meetings on March 7, 2019, March 21, 2019, May 16, 2019 and June 27, 2019, City Council received and considered the information gathered through the public engagement process, the recommendations of the Planning and Zoning Commission, comments from City staff, and testimony from the public; and

WHEREAS, City Council desires to amend Sections 070.030.030(e)(7) and (9) to reduce the percentage of permissible vacation units in a single-owner multifamily building; impose limitations on the total number of Short Term Rental Permits that may be issued within the City; impose a 250 foot buffer between Short Term Rental Units not located within the City's General Improvement District, as it may be amended; specify that a violation of 070.030.030(e)(7) or (9) is subject to a fine of \$250 for the first offense and a fine that increases by \$250 for each subsequent offense, up to a maximum fine of \$1,000 per offense; specify grounds for revocation and/or nonrenewal of a vacation rental permit; and amend Section 070.010.080(e) to clarify that the penalties and remedies set forth therein apply unless another section of Title 070 states otherwise; and

WHEREAS, City Council finds and declares that the amendments to the Municipal Code regarding vacation rentals set forth herein are proper in light of the needs and desires of the City and in the promotion of the public health, safety and welfare of the City's residents and visitors.

NOW THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The recitals hereinabove are hereby adopted as findings and incorporated herein.

Section 2. Section 070.030.030(e)(7) of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

c. Use and Occupancy Restrictions

8. In a multifamily building under single ownership, no more than 10 (25) percent but at least one unit may be permitted as an accessory tourist rental provided the owner of the resident manager occupies the accessory tourist rental.

e. Permit Procedures

4. Neighborhood Notification

Upon issuance of an accessory tourist rental permit, the property owner shall be responsible for mailing public notification of the permit to owners of all real property within 250 feet of any boundary or edge of the subject property or parcel. The property owner shall provide certification to the Director that proper notice has been provided, including a signed affidavit. The format of such certification shall be established by the Director.

5. Revocation of Permit

An accessory tourist rental permit may be revoked at any time by the Director without following the hearing process in Section 070.010.080(e)(2) should it be determined that the use is not being operated in compliance with this Section or any other section of the Municipal Code.

An accessory tourist rental permit shall be revoked automatically upon the property owner's third conviction of a violation of a provision in Articles 100.010 or 100.020 with respect to the accessory tourist rental.

6. Penalties for Violations

Any violation of this Section shall be subject to a fine of \$250 for the first offense, \$500 for the second offense, \$750 for the third offense, and \$1,000 for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense.

A permit holder who fails to collect lodging taxes on an accessory tourist rental during the permit period shall not be permitted to renew the permit for the next two year permit cycle.

Section 3. Section 070.030.030(e)(9) of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike-through language deleted~~:

c. Owner Responsibilities

1. The owner shall designate a natural person ~~There shall be a designated responsible party,~~ located within a 30 minute distance of the short term rental the local region, who is available 24 hours per day, seven days per week, to serve as the local responsible party for the short term rental for and to immediately responding to any issues arising from the short-term rental. The designated responsible party may be the owner of the property. The owner shall notify the Director in writing of the designation of the responsible party within five days of such designation or modification of any such designation.

d. Use and Occupancy Restrictions

3. In a multifamily building under single ownership, no more than 10 ~~(25)~~ percent but at least one unit may be permitted as a short-term rental.
4. In all areas outside the City's General Improvement District (GID), as the GID may be amended from time to time, the total number of short-term rentals shall be limited to 10 percent of the City's total free market residential units as determined by the State Demography Office. In addition, a short-term rental unit shall be located a minimum of 250 feet from any other short-term rental unit. This 250 foot limitation shall not apply to units in a multifamily building under single ownership or to units that received permits prior to the effective date of this subsection or to timely renewals of such permits. However, the 10 percent cap on short term rentals includes existing permitted units.
5. Within the GID, as it may be amended from time to time, the total number of short-term rentals shall be limited to 30 percent of the GID's total free

market residential units as determined by the Garfield County Assessor. In a multi-family building under single ownership, no more than two units may be permitted as a short-term rental.

e.a. Operation

f.d. Permit Procedures

4. Neighborhood Notification

Upon issuance of short-term rental permit, the property owner shall be responsible for mailing public notification of the permit to owners of all real property within 250 feet of any boundary or edge of the subject property or parcel. The property owner shall provide certification to the Director that proper notice has been provided, including a signed affidavit. The format of such certification shall be established by the Director.

5 Revocation of Permit

A short-term rental permit may be revoked at any time by the Director without following the hearing process in Section 070.010.080(e)(2) should it be determined that the use is not being operated in compliance with this Section or any other section of the Municipal Code. A short-term rental permit shall be revoked automatically upon the property owner's third conviction of a violation of a provision in Articles 100.010 or 100.020 with respect to the short-term rental.

6. Penalties for Violations

Any violation of this Section shall be subject to a fine of \$250 for the first offense, \$500 for the second offense, \$750 for the third offense, and \$1,000 for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense.

A permit holder who fails to collect lodging taxes on a short-term rental during the permit period shall not be permitted to renew the permit for the next two year permit cycle.

Section 4. Section 070.010.080(e) of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

(e) Penalties and Remedies

Unless otherwise provided in this Code, the ~~The~~ Director, Building Official, or City Engineer, or such other person as may be designated by the Director, shall have the power to enforce this Code subject to the following penalties:

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS 27TH DAY OF JUNE 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Jonathan Godes, Mayor

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
June 27, 2019

Agenda Item: Report from City Administration

Action Requested:

Department: City Administration

Presented By:

Background Info:

Issues:

Staff Recommendation: