



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
APRIL 2, 2020
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.

ZOOM INSTRUCTIONS

1. You are invited to a Zoom webinar.
When: Apr 2, 2020 06:00 PM Mountain Time (US and Canada)
Topic: 2020/04/02 Regular City Council Meeting

Please click the link below to join the webinar:
<https://zoom.us/j/228446214>

Or iPhone one-tap :

US: +13462487799,,228446214# or +16699006833,,228446214#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 301 715 8592

Webinar ID: 228 446 214

International numbers available: <https://zoom.us/j/ad7vAUWczg>

TIME	ITEM	PRE-MEETING	ACTION
5:45pm	1. Review of Regular Session Agenda		Information/Discussion
	2. Council Comments / Future Agendas		Information/Discussion
	<i>Meeting Set-up</i>		
REGULAR SESSION			
6:15pm	2. Roll Call		
	3. Pledge of Allegiance		
	4. Agenda Changes & Conflicts		
	5. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)		
	6. Council Comments		
6:20pm	7. Consent Agenda		
	<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. Minutes from the February 20 and March 5, 2020 Regular City Council Meeting and the March 12, 2020 Special Council Meeting		

- | | | |
|----|--|--------------------------|
| B. | Resolution 2020-15; A Resolution of the City Council of the City of Glenwood Springs, Colorado Setting 2020 Landfill Rates | Discussion and/or Action |
| C. | Award of City Wide Street Striping Contract | Discussion and/or Action |
| D. | Approval of Right of Way Expenditures for South Midland | Discussion and/or Action |
| E. | Construction Management and Survey Consulting Work for Cedar Crest Subdivision | Discussion and/or Action |

ACTIONS AND/OR PRESENTATIONS

- | | | |
|--------|--|--------------------------|
| 6:25pm | 8. Planning File: #10-20 Consideration of an Appeal of a Planning and Zoning Commission denial of a Special Use Permit for a Personal Care Boarding Home as provided for in Municipal Code section 070.030.030(c)(4). The Appeal was filed November 26, 2019 per the requirements of 070.060.070(c). THIS ITEM HAS BEEN MOVED TO THE APRIL 16, 2020 AGENDA. | Discussion and/or Action |
| 6:30pm | 9. Community Gardens | Discussion and/or Action |
| 6:40pm | 10. Continued from March 5, 2020 Resolution 2020-10; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Amending Resolution 2018-60, relating to the creation of the Glenwood Springs Urban Renewal Authority ITEM TO BE CONTINUED TO MAY 7, 2020 | Discussion and/or Action |
| 6:45pm | 11. Continued from March 5, 2020 Resolution 2020-9; A Resolution of the City of Glenwood Springs, Colorado Amending Resolution 2018-61 and Approving the Amended West Glenwood Springs Urban Renewal Plan ITEM TO BE CONTINUED TO MAY 7, 2020 | Discussion and/or Action |
| 6:50pm | 12. HDR Contract Extension | Discussion and/or Action |
| 7:00pm | 13. Community Support Initiatives | Discussion and/or Action |
| 7:15pm | 14. FAB Grants | Discussion and/or Action |
| 7:25pm | 15. Critical Construction During Stay at Home Order | |
| 7:35pm | 16. Vacation Rental Cessation During Stay at Home Order | |
| 7:45pm | 17. Bathrooms for Homeless Population | |
| 7:55pm | 18. Consider Emergency Order Terminating RFTA Service in Glenwood Springs | |
| 8:10pm | 19. Report from City Administration <ul style="list-style-type: none"> A. City Manager B. City Attorney C. Correspondence Incoming/Outgoing
Letter to Governor Jared Polis, COVID-19 Federal Relief | |
| 8:15pm | 20. Adjournment | |



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
APRIL 16, 2020
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
	1.	Review of Regular Session Agenda	Information/Discussion
	2.	Council Comments / Future Agendas	Information/Discussion
		WORK SESSIONS	Information/Discussion
	A.	TBD	
		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	
		<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.	Award of Broadband Construction Material Proposal
		B.	Award of OSS Software Contract: Broadband
		C.	Award of Broadband Financing
		D.	Award of Broadband 2020 Construction RFP
		ACTIONS AND/OR PRESENTATIONS	
	7.	2019 Highlights and Looking Ahead	
	8.	Planning Item 20-19 – Consideration of a Code Amendment to Section 070.040.020(d)(24) of the Glenwood Springs Municipal Code regarding Riparian Setbacks	Discussion and/or Action
	9.	Elk Calving Closure	
	10.	Blue Star Recycling	
	11.	Report from City Administration	
		A.	City Manager

B. City Attorney

C. Correspondence Incoming/Outgoing

- | | |
|--|--------------------------|
| 12. Discussion on Implementation Schedule for Broadband | Discussion and/or Action |
| 13. Planning Item 01-20 Consideration of Code Amendments to Title 070 amending Accessory Dwelling Unit Standards. | |
| 14. 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 |
| 15. Adjournment | |



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
MAY 7, 2020
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
	1. Review of Regular Session Agenda		Information/Discussion
	2. Council Comments / Future Agendas		Information/Discussion
		WORK SESSIONS	Information/Discussion
	<i>Meeting Set-up</i>		
		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		
	<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>		
		ACTIONS AND/OR PRESENTATIONS	
	7. Proclamation 2020 Kids to Park Day		
	8. RFTA IGA related to MOC		
	9. Report from City Administration		
	A. City Manager		
	B. City Attorney		
	C. Correspondence Incoming/Outgoing		
	10. 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
	11. Adjournment		



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
February 20, 2020
101 W. 8TH STREET
6:15 P.M.

4. Roll Call

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

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Steve Boyd, COO; Catherine Fletcher; City Clerk; Jenn Ooton; Assistant City Manager, Yvette Gustad; Finance Director, Terri Partch; City Engineer, Sarah Derrigan; Public Information Officer, Trent Hyatt; Senior Planner, Hannah Klausman; Senior Planner, Matt Langhorst; Public Works Director.

5. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

6. Agenda Changes & Conflicts

No changes or conflicts

7. Citizens Appearing Before Council (for items NOT on Agenda-comments limited to 3 minutes)

David Rippy commented on the monthly morning coffee with council and Midland Avenue

8. Council Comments

Councilor Stepp noted that former council member Greg Jeung was recuperating

Councilor Willman made note that it had been previously discussed regarding opening 7th street on weekends and would like this on the evening agenda April 2, 2020. He also attended a legislative conference and mentioned that there was a bill pending that proposes to prohibit any camping without authorization near environmentally sensitive areas. He would like to attend.

Mayor Pro tem Kaup also commented on 7th street and the New Year's Eve fencing and the CMC Sustainability presentation.

Councilor Davis also commented on New Year's Eve event.

Mayor Godes noted that council would like to request Panning commission review the sign code.

9. Consent Agenda:

- A. First Amendment to Hanging Lake Shuttle Service Agreement
- B. Uptown Services Contract for Broadband Consulting

- C. Glenwood Springs Chamber Contract 2020 for Tourism Promotion Services
- D. Minutes from Regular Meeting's January 16, 2020
- E. Resolution 2020-6; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing and Supporting the Application for a Grant from the Federal Mineral Lease District for Pedestrian Safety Improvements at Two Rivers Park /Devereux Road
- F. Resolution 2020-7, A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing and Supporting the Application for a Mini Grant from Garfield County Mineral Lease District for the Completion of Phase 1 of the Sayre Park Improvements Project

Councilor Willman moved, seconded by Councilor Voorhees to approve the Consent Agenda.

Motion passed unanimously.

ACTIONS AND/OR PRESENTATIONS

10. Planning Item 16-18 Major Development Permit Amendment for Iron Mountain Hot Springs to Extend a Parking Lot Paving Deadline.

Hannah Klausman, Senior Planner presented the consideration of a major development permit to extend the requirement to provide and impervious surface in the parking area and from permanently striping the parking spaces in June 2021. Planning and Zoning recommended approval. The intent was to allow for future planning of the additional parcels.

Councilor Davis moved, seconded by Councilor Voorhees to approve Planning Item 16-18 Major Development Permit Amendment for Iron Mountain Hot Springs to Extend a Parking Lot Paving Deadline.

Motion passed unanimously

11. Planning Item 48-19 Major Site/Architectural Plan Review and Right-of-Way Encroachment License for an 89 Unit Multi-family Apartment Building

Trent Hyatt, Senior Planner presented Action 1 – Right-of-Way Encroachment License – to allow for the construction and placement of shoring wall elements, awnings, canopies, benches, and landscaping and related planters within the Wulfsohn Road right-of-way. Action 2 – Major Site/Architectural Plan Review – to allow for the construction of an 89-unit multi-family apartment building. Richard Myers gave a presentation on the item and was available for questions.

Mayor Godes opened the item for public comment.

Michael Hogan did not think the rents were affordable for the units that were already built. He thanked council for doing coffee with council.

Mayor Godes closed the item for public comment.

Councilor Hershey moved, seconded by Councilor Davis to approve Planning Item 48-19 Major Site/Architectural Plan Review and Right-of-Way Encroachment License for an 89 Unit Multi-family Apartment Building.

Ayes: Davis, Kaup, Godes, Willman, Hershey, Voorhees

Nays: Stepp

Mayor Godes called for a recess at 8:06pm returning at 8:12pm.

12. Approval of Funding to Finalize Design and Right of Way for South Bridge

Terri Partch, City Engineer presented to council the contract extension for Jacobs Engineering to complete design, right of way and final steps in the environmental assessment in the amount of \$3,474,033.25. She gave a brief history on the project. She noted that this contract extension with Jacobs Engineering would be completing the final steps in the environmental assessment and bring the South Bridge project to bid ready plans.

Mayor Godes opened the item for public comment.

No comments were noted.

Mayor Godes closed the item for public comment

Councilor Davis moved, seconded by Mayor Godes to approve Funding to Finalize Design and Right of Way for South Bridge in the amount of \$3,474,033.25.

Motion passed unanimously

13. Ordinance No 5, Series of 2020; Amending Section 080.060.020 of the Municipal Code to System Improvement Fees to reclassify half bathrooms as a separate category

Hannah Klausman, Senior Planner presented Ordinance No 5, Series of 2020, Amending Section 080.060.020 of the Municipal Code to System Improvement Fees to reclassify half bathrooms as a separate category. This would allow two categories allowing for distinction between adding a half bathroom and adding a full bathroom

Councilor Hershey moved, seconded by Councilor Stepp to approve Ordinance No 5, Series of 2020; Amending Section 080.060.020 of the Municipal Code to System Improvement Fees to reclassify half bathrooms as a separate category.

Motion passed unanimously

14. Arrangement of Council Seats

Councilor Hershey moved, seconded by Councilor Voorhees to table arrangement of council seats.

Motion passed unanimously

15. Amendment to South Midland Design Contract with SGM

Terri Partch, City Engineer presented the South Midland project which she noted is in the final design phase of pre-construction services. The scope of work for pre-construction services have evolved over time. With the acceptance of the Build Grant funds the project must follow federal rules and guidelines which are overseen by CDOT. These rules and regulations drive additional design work. The purpose of this Change Order request is to rectify out of scope work required by the Build Grant funds and additional services that was added to the project.

Councilor Voorhees moved, seconded by Mayor Pro tem Stepp to approve the request to amend the SGM design contract to add \$117,000 for additional design services.

Ayes: Davis, Kaup, Godes, Willman, Voorhees, Stepp

Nays: Hershey

16. Approval of a Resolution 2020-6 Authorizing and Supporting the Application for a Grant in the amount of \$200,000 from the Federal Mineral Lease District for the Two Rivers Park Pedestrian Safety Project and Committing the City to a \$200,000 Match from the 2021 Budget.

Terri Partch, City Engineer gave a brief history about the need for an additional trail connection along Devereux Road to keep pedestrians moving between the park, the Caverns, the Iron Mountain Hot Springs and the hotels on Highway 6 off of the road. With the development of the office and employee housing adjacent to Iron Mountain Hot Springs. The owner Steve Beckley has offered 50% match of the cost to construct (up to \$300,000) a new pedestrian trail along Devereux to better protect and facilitate the pedestrian movement in the area. City staff has stated in the P&Z planning approval process that the City would request up to \$300,000 in the 2021 budget for construction. Terri Partch noted that the City would like to request \$200,000 from the Federal Mineral Lease District to offset City and private contributions for the project. At this time the engineer's estimate is \$699,000. She also asked for City Council to allocate \$200,000 in funding in the 2021 Capital or A&I budget for this important connection. This money would match requested GCFMLD funds and private funds for the project if approved.

Councilor Willman moved, seconded by Councilor Voorhees to approve Resolution 2020-6 Authorizing and Supporting the Application for a Grant in the amount of \$200,000 from the Federal Mineral Lease District for the Two Rivers Park Pedestrian Safety Project and Committing the City to a \$200,000 Match from the 2021 Budget.

Motion Passes Unanimously

17. Appointments to Boards and Commissions

Transportation 1 regular and 1 alternate
River 2 regular seats and 1 alternate
Parks and Recreation 1 regular seat

Mayor Godes announced the following appointments made to the Board and Commissions:

- Steve Smith is appointed to the Transportation Commission
- James Fosnaught is appointed to a regular seat on the Parks and Recreation Commission
- Elise Osenga will fill a regular seat on the River Commission
- Chris Treese was appointed to a regular seat and Joel Shute appointed to the alternate seat

18. Report from City Administration

A. City Manager
Nothing to report

B. City Attorney
Nothing to report

C. Correspondence Incoming/Outgoing
- Mountain Family Health Centers Letter (Information Only)

19. 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; in Accordance with C.R.S. 24-6-402(4)(a), (b) AND (e) Related to Fire Station, and 27th Street Bridge

This Executive Session was canceled.

20. Adjournment

Meeting adjourned at 8:35pm.



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
March 5, 2020
101 W. 8TH STREET
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, Tony Hershey, Jonathan Godes, Shelley Kaup, Paula Stepp (Steve Davis Absent).

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Steve Boyd, COO; Catherine Fletcher; City Clerk; Jenn Ooton; Assistant City Manager, Yvette Gustad; Finance Director, Terri Partch; City Engineer, Sarah Derrigan; Public Information Officer, Trent Hyatt; Senior Planner, Hannah Klausman; Senior Planner, Matt Langhorst; Public Works Director.

2. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

3. Agenda Changes & Conflicts

Councilor Willman noted he had a conflict with Item 14 on the regular agenda and would be recusing himself.

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

Craig Amichaux thanked council for all they do for the city. He also commented on Coal Creek trail and elk calming.

5. Council Comments

Councilor Hershey thanked the organizers of Glen X Expo.

Councilor Willman noted that he went to Denver to testify on State legislative on the bill that would prohibit camping

Councilor Willman wanted to attend the CML conference in the summer and may ask council for support to run for the board.

Councilor Willman would like to have a discussion on opening 7th st on the weekends in the Summer to the regular session agenda on April 2, 2020.

Councilor Voorhees thanked Council Willman and all involved in the mock trials and thanked City Manager Debra Figueroa for the use of the Municipal Court room.

Mayor Godes announced that there was a case of Coronavirus confirmed in Summit County.

6. Consent Agenda:

- A. Minutes from February 11, 2020 Regular Meeting
- B. Approval of Fuel Supply Bid to Master Petroleum

- C. Approval of Water Line Insulation Contract with Mueller Construction
- D. Approval of the Water and Wastewater Rate Study per Bid Number 2020- 002
- E. Ordinance No 3, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado amending System Improvement Fee Payment Plan, Changes to 080.060.050 (SECOND READING)
Ordinance No 4, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado Amending Title 040 to Provide for the Levy of a Cigarette and Tobacco Sales Tax, as Approved by the Electorate at the November 5, 2019 Election (SECOND READING)
- F. Ordinance No 4, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado Amending Title 040 to Provide for the Levy of a Cigarette and Tobacco Sales Tax, as Approved by the Electorate at the November 5, 2019 Election (SECOND READING)
- G. Ordinance No 5, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 080.060.020 of the Municipal Code to System Improvement Fees to reclassify half bathrooms as a separate category (SECOND READING)
- H. Ordinance No 6, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending the 2020 Appropriation Ordinance to Reflect Carryovers from the 2019 Budget, Reallocation of Funds, and Expenditures Approved after Submission of the 2020 Budget (ONE READING)
- I. Resolution 2020-8; A Resolution of the City of Glenwood Springs, Colorado Canceling the Second Regular City Council Meeting March 19, 2020

Councilor Willman moved, seconded by Councilor Stepp to approve the consent agenda

Motion passed by those present (Davis Absent)

ACTIONS AND/OR PRESENTATIONS

7. Colorado Division of Reclamation, Mining, and Safety update on South Canyon Coal Seam Project

Tara Taffi from the Colorado Department of Natural Resources Division of Reclamation, Mining, and Safety (CO DRMS) retained Tetra Tech to develop a cover for the South Canyon East underground coal Mine to use locally available soils near the site that would be used to construct an approximately 3 acre soil cover to reduce air intake into the underground burning mine. She gave a brief history of the burning mine and the future scope of work. Council had reviewed the State's project plan and approved the DRMS authorization to proceed. Garfield County reviewed the project this year and issued Excavation and Grading Permit exemptions. The project would commence in the Spring as conditions allow, it would take approximately 90 days to complete.

8. Request for Assistance on a School Based Health Center

Rob Stein, Superintendent, Roaring Fork Schools and Ross Brooks, Chief Executive Officer, Mountain Family Health Centers presented to city council in partnership that they would like to open a school-based health center at the Glenwood Springs High School in the Summer of 2020. The request was for \$50,000 a one- time expenditure to assist the capital expenses necessary to open the center from the marijuana excise tax fund.

The following spoke in favor of the request for funding:

Paul Freeman

Jenna Lea

Betty Lucas

Mayor Godes opened public comment no comments were made and the mayor closed public comment.

Councilor Willman moved, seconded by Councilor Hershey to approve the allocation of \$50,000 in capital from the marijuana reserve fund for Assistance on a School Based Health Center.

Motion passed by those present (Davis Absent)

9. Greater Roaring Fork Housing Coalition

Garfield County Housing Authority Executive Director Katherine Gazunis presented information about the effort, the process to create a 1-year budget that would be supported by member organizations, and the request for someone from the City of Glenwood Springs who would be authorized to sign the MOU to attend a formation meeting.

A coalition of counties and municipalities in the Roaring Fork and Colorado River Valleys has been working to develop a path forward for a regional housing effort. This request is for a commitment of dollars to support the creation of a regional housing entity for the purpose of gap financing for middle incomes.

Council gave direction to Debra Figueroa city manager to have a representative participate in the formation meeting.

10. Right of Way Landscaping Maintenance Costs

This item was discussed at a work session and direction was given and no action was taken.

11. Resolution 2020-10; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Amending Resolution 2018-60, relating to the creation of the Glenwood Springs Urban Renewal Authority

12. Resolution 2020-9; A Resolution of the City of Glenwood Springs, Colorado Amending Resolution 2018-61 and Approving the Amended West Glenwood Springs Urban Renewal Plan

Karl Hanlon, City Attorney noted that all the documents were not finalized at this time for the Ross lease agreement and requested that both Resolution 9 and 10 be continued until the first regular meeting in April.

Mayor Godes opened public comment and no comments were heard.

Mayor Pro tem Kaup moved, seconded by Councilor Hershey to continue Resolution 2020-10; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Amending Resolution 2018-60, relating to the creation of the Glenwood Springs Urban Renewal Authority and Resolution 2020-9; A Resolution of the City of Glenwood Springs, Colorado Amending Resolution 2018-61 and Approving the Amended West Glenwood Springs Urban Renewal Plan

Motion Passed (Davis Absent)

13. Parking Enforcement on Downtown Private Properties

Matt Langhorst, Public Works Director and Lieutenant Kimmanau, presented a discussion of an existing ordinance and its ramifications for the City Police and Enforcement Officers. City Council adopted an ordinance back in 2002 that adjusted how the police department patrols private parking lots in the City.

City Council gave direction to bring back an ordinance to amend the code.

14. Consideration of Property Purchase at Halle Tract Minor Subdivision, Block 1, Lot 2, Reception #870126

Councilor Willman recused himself from this item.

The City offered \$915,000 for a piece of property adjacent to Discount Tire that would be purchased by the Fire Equipment Replacement Fund. The seller's counteroffer accepted the price and they would like to negotiate a cost sharing agreement and clean up several easements that exist. Karl Hanlon noted he was comfortable with this contract to move forward. The fire department have been looking for land to dedicate to a new and improved West Glenwood Fire Station.

Mayor Godes opened public comment and no comments were heard.

Councilor Voorhees moved, seconded by Councilor Stepp approve the Property Purchase agreement at Halle Tract Minor Subdivision, Block 1, Lot 2, Reception #870126

Motion passed unanimously by those present (Davis Absent)

Councilor Willman returned to the meeting.

15. CC4CA Membership Consideration

Mayor Pro tem Kaup presented on CC4CA membership which give support to more sustainability. Per the request of City Council, a presentation from CC4CA was made to Council at the January 16th, 2020 meeting. At that time, Council requested a follow-up to discuss joining the membership. The cost to join as a member would be \$5,000.

Mayor Pro tem Kaup moved, seconded by Councilor Voorhees to approve joining the CC4CA membership and to approve the fund to be taken out of the General fund.

Yays: Kaup, Willman, Voorhees, Stepp

Nays: Godes, Hershey

(Davis Absent)

Motion passes.

16. Report from City Administration

A. City Manager

Debra Figueroa noted that there would be a virtual town hall meeting the following Thursday to give an update on projects within the city and what was completed in 2020.

The City received a grant for 27th Street.

B. City Attorney

Nothing to report

C. Correspondence Incoming/Outgoing

Letter for public comments on NEPA process was approved.

17. 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; in Accordance with C.R.S. 24-6-402(4)(a), (b) AND (e) Related to MOC, 27 Street Braide and RMR

Executive session adjourned at 9:25pm

20. Adjournment

Meeting adjourned at 9:30 pm.



Minutes
CITY OF GLENWOOD SPRINGS
SPECIAL CITY COUNCIL MEETING
MARCH 12, 2020
101 W. 8TH STREET
4:00 PM

1. Roll Call

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

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Steve Boyd, COO; Catherine Fletcher; City Clerk; Jenn Ooton; Assistant City Manager, Yvette Gustad; Finance Director, Terri Partch; City Engineer, Sarah Derrigan; Public Information Officer, Trent Hyatt; Senior Planner, Hannah Klausman; Senior Planner, Matt Langhorst; Public Works Director.

2. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

3. Approval of the Gould Construction Bid for the Cedar Crest Water, Sewer, Storm Sewer and Roadway Reconstruction Project Bid BD2020-006

Matt Langhorst gave a brief presentation on this project noting that Public Works, Water and Engineering Departments have been evaluating City infrastructure as a whole and have begun moving toward planning and design processes for several large problematic areas within the City. The Cedar Crest Subdivision was targeted as a problematic area with significant water, sewer, drainage and roadway issues all within the same project area. Gould construction was chosen as the apparent low qualified bidder at \$3,928,331.90

Mayor Godes opened public comment. No comment was heard

Councilor Voorhees moved, seconded by Councilor Hershey to Approve the Gould Construction Bid for the Cedar Crest Water, Sewer, Storm Sewer and Roadway Reconstruction Project Bid BD2020-006 in the amount of \$3,928,331.90

Motion Passes (Davis Absent)

4. Resolution 2020-12, A Resolution of the City Council of the City of Glenwood Springs, Colorado, In support of the Governor Declaring a Statewide Emergency and Authorizing Expenditures

5. Resolution 2020-13; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting an Electronic Participation Policy for Use in the Event of a Local Emergency Declaration

These resolutions were considered and voted on together

Karl Hanlon, City Attorney presented Resolution 2020-12 in response to the emergency order that Governor Polis declared related to the COVID -10. This would allow the City Manager spending authority and Resolution 13 established electronic meeting procedures to ensure that City government can continue to operate.

Mayor Godes opened public comment. No comment was heard

Mayor Pro tem Kaup moved, seconded by Councilor Voorhees to approve Resolution 2020-12, A Resolution of the City Council of the City of Glenwood Springs, Colorado, In support of the Governor Declaring a Statewide Emergency and Authorizing Expenditures and Resolution 2020-13; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting an Electronic Participation Policy for Use in the Event of a Local Emergency Declaration

Motion Passes (Davis Absent)

Meeting Adjourned at 4:48pm



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Resolution 2020-15; A Resolution of the City Council of the City of Glenwood Springs, Colorado Setting 2020 Landfill Rates

Action Requested: Approval of Resolution 2020-15 to update the landfill tipping fees in April, 2020.

Department: Public Works

Presented By:

Background Info: The South Canyon Landfill was taken back under City operations in March of 2019 and since that time Staff has been looking at ways to make the operations more efficient, cost effective and safe for staff and users of the facility. The City currently has several items that the landfill accepts, but does not charge for. Items such as clean soil materials, branches, brush, leaves, wood chips, cardboard, manure and mattresses. Mattresses are currently take as a weight within the normal grind-able materials tipping fee, but due to their bulk and difficulty to handle onsite, Staff would like to move them to a per mattress fee as most landfills charge. The remaining materials noted above will be moved to a per ton fee, in most cases it is a small fee that will cover labor, fuel and equipment time to handle these materials onsite. The surrounding landfills charge for all of these materials to be brought into their landfills and the South Canyon Landfill is currently losing money taking in these materials.

Issues: None

Staff Recommendation: Approval of Resolution 2020-15 to update the landfill tipping fees in April, 2020.

RESOLUTION 2020-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, SETTING 2020 LANDFILL FEES.

WHEREAS, City Council sets fees for the Glenwood Springs Landfill Enterprise; and

WHEREAS, the most recent adjustment to Landfill fees was approved in April 2019; and

WHEREAS, the City is seeing an increase in waste soil coming to the Landfill that often contains rocks and trash, and

WHEREAS, to date the City has either not charged for this material or charged it as clean concrete; and

WHEREAS, City staff recommends that the City establish and charge a fee for waste soil and soil that contains rocks or trash as set forth on Exhibit A hereto; and

WHEREAS, the City has also been taking in yard and farm waste, cardboard, and mattress materials for free even though there are handling costs associated with those materials once they enter the Landfill; and

WHEREAS, City staff recommends that the City recoup some of these handling costs with minimal tipping fees associated with wood chips, grass and leaves, cardboard, brush, branches and tree limbs, mattresses and manure as set forth on Exhibit A; and.

WHEREAS, City staff recommends, and City Council agrees, that imposing the additional fees described on Exhibit A takes into account the needs of the community, the City, and the operational needs of the Landfill Enterprise and other area landfills;

WHEREAS, City Council wishes to implement updated fees for 2020 finding that they are necessary and appropriate.

**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 adopts the Landfill Fee Schedule as set forth on **Exhibit A** attached hereto and incorporated herein, effective April 20th, 2020.

INTRODUCED, READ, AND PASSED THIS 2nd DAY OF APRIL 2020.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

Exhibit A		
South Canyon Landfill Tipping Fees		
Waste Stream	In County	Out of County
Municipal Solid Waste	\$49.00/ton*	\$49.00/ton*
Residential/Mixed	\$0.02/lb.*	\$0.02/lb.*
Residential Waste (1) 30 Gallon Bag Unloaded at Recycle Center	\$4.00/Unit**	\$4.00/Unit**
Construction/Demolition	\$48.00/ton*	\$68.00/ton*
Concrete, clean (No rebar or mesh)	\$20.00/ton*	\$20.00/ton*
Concrete, dirty (With rebar or mesh)	\$40.00/ton*	\$40.00/ton*
Contaminated Soil	\$52.00/ton*	\$52.00/ton*
Waste Soil (No Rock or Trash)	\$10.00/ton*	\$15.00/ton*
Waste Soil (8" Minus Rock, no Trash)	\$15.00/ton*	\$20.00/ton*
Waste Soil (8" Plus Rock and Over, no Trash)	\$25.00/ton*	\$35.00/ton*
Waste Soil (With Trash)	\$25.00/ton*	\$35.00/ton*
Metal Appliances	\$10.00/each*	\$10.00/each*
Other Recyclable Metal (separated)	\$20.00/ton*	\$20.00/ton*
Large Animal (elk, cow, etc. - over 300lbs)	\$12.00/each*	\$12.00/each*
Medium Animal (deer, etc. - up to 300lbs)	\$10.00/each*	\$10.00/each*
Small Animal (dog, cat, etc. - up to 100lbs)	\$8.00/each*	\$8.00/each*
Non-friable Asbestos	\$50.00/ton*	\$50.00/ton*
Septic Sludge	\$0.20/gals*	\$0.30/gals*
Car Wash Sludge	\$0.25/gals*	\$0.30/gals*
Grease Sludge	\$0.30/gals*	\$0.35/gals*
Sludge	\$39.14/ton*	\$45.00/ton*
Tires:		
Passenger Car/Light Truck	\$5.00/each*	\$5.00/each*
Passenger Car/Light Truck with Rim	\$10.00/each*	\$10.00/each*
Large Truck	\$10.00/each*	\$10.00/each*
Large Truck with Rim	\$20.00/each*	\$20.00/each*
Equipment	\$30.00/each*	\$30.00/each*
Equipment with Rim	\$40.00/each*	\$40.00/each*
Tires Cut (quartered or sidewall cut out)	\$89.00/ton*	\$89.00/ton*
Yard and Farm Waste:		
Wood Chipped (\$8 Min. Charge)	\$8.00/ton*	\$8.00/ton*
Grass and Leaves (\$8 Min. Charge)	\$12.00/ton*	\$12.00/ton*
Cardboard Materials (\$5 Min. Charge)	\$10.00/ton*	\$10.00/ton*
Brush, Branches and Tree Limbs (\$10 Min Charge)	\$35.00/ton*	\$35.00/ton*
Mattresses	\$8.00/each*	\$8.00/each*
Manure (\$20 Min Charge)	\$20.00/ton*	\$20.00/ton*
Minimum Residential Waste Charge	\$8.00/load*	\$8.00/load*
Each Uncovered Load	\$20.00*	\$20.00*

* = Plus State User Fee

** = Includes State User Fee



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Award of City Wide Street Striping Contract

Action Requested: Award for City Wide Striping Street Striping per Bid 2020-009 to Stripe-A-Lot.

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs completes two rounds of street striping each year on our local roadways. Staff completed a bid process for this striping effort in 2018 and extended that contract to 2019 with the selected contractor. The 2018-2019 contractor has bowed out of the striping contract for 2020, so Staff completed an updated bid for the 2020 striping work. Three bidders proposed on the striping proposal with bids ranging from \$52,345 to \$110,896. Stripe-A-Lot was the low bidder at \$52,345.72. The City has budgeted \$75,000 in 2020 to complete this work.

Issues: None

Staff Recommendation: Approval of the Award for City Wide Striping Street Striping per Bid 2020-009 to Stripe-A-Lot.



City of Glenwood Springs
Purchasing Department
101 West 8th Street
Glenwood Springs, CO 81601
INVITATION TO BID BD 2020-009
COVER SHEET

Date: February 25, 2020

Bid number: BD 2020-009

Bid title: **Street Striping**

Bids will be received until: March 17, 2020
2:00 p.m., local time
at 101 West 8th Street, Purchasing
Department, Glenwood Springs,
Colorado 81601

Responses may also be submitted electronically to bidresponse@cogs.us no later than the required time and date. Include PROPOSAL #BD 2020-009 in the subject line of the email.

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: Invitation to Bid Cover Sheet
Special Terms and Conditions
Specification and Pricing Form
Addendum to Professional Services Agreement

If any of the documents listed above are missing from this package, they may be picked up at 101 West 8th Street, Purchasing Department, Third 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 (90) calendar days following the date of submission.

PRINT OR TYPE YOUR INFORMATION

Name of Company: Stripe A Lot, Inc
Address: P.O. Box 1957 City/State: Montrose, CO
Contact Person: Denise C. Allison Title: President
Authorized Representative's Signature: Denise C. Allison
Printed Name: Denise C. Allison Title: President
Email Address: Stripealotinc@msn.com

Fax: 970-249-9199
Zip: 81402
Phone: 970-249-7588 office
Phone: 970-275-9102 cell
Date: 15 MAR 20

INVITATION TO BID
Bid Number 2020-009

Sealed bids will be received at the City of Glenwood Springs, in the Procurement Department, First Floor, City Hall, 101 West 8th Street, Glenwood Springs, Colorado 81601, until 2:00 p.m., (local time) March 17, 2020, at which time bids will be publicly read for the furnishing of Street Striping. **Bids may also be submitted electronically to bidresponse@cogs.us no later than the required time and date. Include the Bid title and #BD 2020-009 in the subject line of the email.**

Bid documents may be inspected and are available at the City of Glenwood Springs, Procurement Department, First Floor, 101 West 8th Street, Glenwood Springs, CO 81601 (970-384-6445). Bid documents will be available on February 25, 2020.

This solicitation for bids may be canceled by the City of Glenwood Springs, and any bid or proposal may be rejected in whole or in part for good cause when in the best interests of the City of Glenwood Springs. The City of Glenwood Springs reserves the right to reject any or all proposals or accept what is, in its judgment, the best bid. If a contract is awarded, it will be awarded to the lowest responsible and responsive bidder, whose bid is deemed by the City of Glenwood Springs to be in the best interests of the project.

Published: February 25, 2020 and March 10, 2020 in the Glenwood Springs Post Independent.

PRICING FORM:

Phase 1 Striping prior to May 23, 2020

Bidding \$ 20400 / .085 per foot for 240,000 feet, 4" yellow striping of roadways.

Bidding \$ 10200 / .085 per foot for 120,000 feet, 4" white striping of roadways.

Bidding \$ 2031 / .085 per foot for 23,892 feet, 4" bike lanes on Blake Ave.

Bidding \$ 935 / .085 per foot for 11,000 feet, 4" bike lanes on Pitkin Ave.

Bidding \$ 901 / .085 per foot for 10,600 feet, 4" bike lanes on Donegan Road.

Bidding \$ 133 / .17 per foot for 780 feet, 8" white striping of roadways.

Bidding \$ 978 / .085 per foot for 11,500 feet, 4" yellow striping of bike lanes.

Phase 2 Striping prior to September 30, 2020

Bidding \$ 10200 / .085 per foot for 120,000 feet, 4" yellow striping of roadways.

Bidding \$ 5100 / .085 per foot for 60,000 feet, 4" white striping of roadways.

Bidding \$ 935 / .085 per foot for 11,000 feet, 4" bike lanes on Blake Ave.

Bidding \$ 468 / .085 per foot for 5,500 feet, 4" bike lanes on Pitkin Ave.

Bidding \$ 66 / .17 per foot for 390 feet, 8" white striping of roadways.

Does your offer comply with all the terms
and conditions? If no, indicate exceptions.

Yes X
No _____

Does your offer meet or exceed all CDOT
specifications? If no, indicate exceptions.

Yes X
No _____

Have you filled in all the blanks listed above?

Yes X
No _____

SUBMITTED BY:

Name Denise C. Allison / Stripe A Lot, Inc.

ADDRESS P.O. Box 1957

City Montrose State CO Zip 81402

Corporate Seal

Firm Name * Stripe A Lot, Inc S CORP

Signature Denise C. Allison

Title President

Phone (970) 275 - 9102

Corporate Seal of
STRIPE A LOT, INC.
Incorporated 7-8-05

* Insert " Corporation, Partnership " etc.

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 Stripe A Lot, Inc

DATE: 15 Mar 20 BY: Denise C. All, President

STRIPE A LOT, INC.

References:

City of Montrose: Ryan Cushenan (970) 240-1482

Montrose County: Sean Tafoya (970) 252-5094

Routt County: Giovanni Romero (970) 870-5344

Rio Blanco County: Clint Chappel (970) 878-9590

~~Moffat County: Linda DeRose (970) 824-3211~~

City of Gunnison: Cody Tusing (970) 641-8334

Gunnison County: Marlene Crosby (970) 641-0044

Additional references available upon request



STRIINC-01

KITTYH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/13/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Home Loan & Investment Company 205 North 4th Street Grand Junction, CO 81501	CONTACT NAME: Katie Sweet	FAX (A/C, No): (970) 243-3914	
	PHONE (A/C, No, Ext): (970) 254-0864	E-MAIL ADDRESS: katies@hlic.com	
INSURED Stripe A Lot, Inc. PO Box 1957 Montrose, CO 81402	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Continental Western Group		
	INSURER B : Pinnacol Assurance		41190
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD. WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC OTHER:	☒ ☒	CPA3162042 22	5/5/2019	5/5/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	☒ ☒	CPA3162042 22	5/5/2019	5/5/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☐ EXCESS LIAB ☐ OCCUR ☐ CLAIMS-MADE DED ☐ RETENTION \$		CPA3162042 22	5/5/2019	5/5/2020	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ If yes, describe under DESCRIPTION OF OPERATIONS below	☐ Y/N ☐ N/A	X 4103773	4/1/2019	4/1/2020	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: 2020 STREET STRIPING - 2020

City of Glenwood Springs are listed as additional insureds with regard to General Liability and Automobile Liability. Coverage is primary/non-contributory with regard to General Liability and Auto Liability. Waiver of Subrogation is included in favor of City of Glenwood Springs on the General Liability, Auto Liability and Workers Compensation.

CERTIFICATE HOLDER

CANCELLATION

City of Glenwood Springs
Purchasing Dept.
101 W. 8th Street
Glenwood Springs, CO 81601

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Stripe A Lot, Inc.

Statement of Qualifications

Submitted by: Stripe A Lot, Inc. - P.O. Box 1957, Montrose Co 81402 – 970-249-7588

Name of Project: City of Glenwood Springs BD 2020-009 Street Striping

Organization:

Stripe A Lot, Inc. is a **woman** and **veteran** owned Colorado Corporation.

Incorporated – JULY 8, 2005

President: Denise C. Allison – stripealotinc@msn.com – cell - 970-275-9102

Vice President: David P. Allison – stripealotinc@msn.com – cell - 970-275-9103

Experience:

3 ATSSA Colorado Certified Traffic Control Technicians & 1 ATSSA Colorado Certified TCS

16 years - Pavement Marking/Thermo/Removal: Various cities/counties/towns/metro districts throughout the state of Colorado

No judgements, claims, arbitration proceeding or suits pending or outstanding against our organization or its officers

Trade References:

Ennis-Flint, Colorado Paint/SWARCO, Potters Industries, EZ-LINER Industries, EnDISys



Denise C. Allison, President/Owner

Stripe A Lot, Inc.

STRIPE A LOT, INC.

References:

City of Montrose: Ryan Cushenan (970) 240-1482

Montrose County: Sean Tafoya (970) 252-5094

Routt County: Giovanni Romero (970) 870-5344

Rio Blanco County: Clint Chappel (970) 878-9590

Moffat County: Linda DeRose (970) 824-3211

City of Gunnison: Cody Tusing (970) 641-8334

Gunnison County: Marlene Crosby (970) 641-0044

Additional references available upon request

Phase 1	American Striping	American Pricing	Innovative	Innovative Pricing	Stripe A Lot	Innovative Pricing
240000	\$ 0.140	\$ 33,600.000	\$ 0.180	\$ 43,200.000	\$ 0.085	\$ 20,400.000
120000	\$ 0.140	\$ 16,800.000	\$ 0.180	\$ 21,600.000	\$ 0.085	\$ 10,200.000
23892	\$ 0.140	\$ 3,344.880	\$ 0.180	\$ 4,300.560	\$ 0.085	\$ 2,030.820
11000	\$ 0.180	\$ 1,980.000	\$ 0.180	\$ 1,980.000	\$ 0.085	\$ 935.000
10600	\$ 0.190	\$ 2,014.000	\$ 0.180	\$ 1,908.000	\$ 0.085	\$ 901.000
780	\$ 4.580	\$ 3,572.400	\$ 0.400	\$ 312.000	\$ 0.170	\$ 132.600
11500	\$ 0.180	\$ 2,070.000	\$ 0.180	\$ 2,070.000	\$ 0.085	\$ 977.500
Phase 2						
120000	\$ 0.130	\$ 15,600.000	\$ 0.180	\$ 21,600.000	\$ 0.085	\$ 10,200.000
60000	\$ 0.130	\$ 7,800.000	\$ 0.180	\$ 10,800.000	\$ 0.085	\$ 5,100.000
11000	\$ 0.210	\$ 2,310.000	\$ 0.180	\$ 1,980.000	\$ 0.085	\$ 935.000
5500	\$ 0.330	\$ 1,815.000	\$ 0.180	\$ 990.000	\$ 0.085	\$ 467.500
390	\$ 0.170	\$ 66.300	\$ 0.400	\$ 156.000	\$ 0.170	\$ 66.300
		\$ 90,972.58		\$ 110,896.56		\$ 52,345.72

Parcel No.	Name	VF- Valuation Finding - Process for parcels estimated at less than 5k	Appraisal	FMV-Fair Market Value	Notes
1	Thunder Mountain			\$82,500	
2	Terrace Group			\$46,150	
3	Eric Rist Trust	\$930			
4	Trade With Gann*			\$710	
5	HAWL Properties	\$3,450			
6	Primo Properties	\$4,200			
7	Cerise/Fenton*			\$400	
8	Haycock			\$5,700	
9	Stuben		\$79,185		No FMV
10	Laven		\$29,500		No FMV
11	Double R	\$3,350			
12	Glenwood Land**				Appraisal not turned in yet- Staff estimate of value-60k
13	PCP Hideout	\$2,600			
14	Morton/Rivera	\$2,300			
15	Portillo/Cubias	\$2,400			
16	Morton/Rivera	\$200			
17	School District-IGA			\$281,500	
18	Ochko	\$2,250			
		\$21,680	\$108,685	\$416,960	Total
					\$547,325

* Counter Offer
likely

** May be offset by
Benefits



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Construction Management and Survey Consulting Work for Cedar Crest Subdivision

Action Requested: Approval of the Construction and Survey Management Proposal from Boundaries Unlimited.

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs will be completing the Cedar Crest Subdivision infrastructure project this summer, which will require the city to hire a Construction Manager and Survey crew to complete a portion of the onsite management and inspection for the City along with the needed Construction Survey. Attached is the proposal from Boundaries Unlimited to complete both the Survey and onsite Construction Management for \$149,600 Not to Exceed Fee. The City has budget \$400,000 for Construction Management , Survey and Geotechnical Testing for the project. Geotechnical testing is slated for \$45,000, putting us well under the \$400,000 budget.

Issues: None

Staff Recommendation: Approval of the Construction and Survey Management Proposal from Boundaries Unlimited for a \$149,600 Not to Exceed Fee.

EXHIBIT A

to the FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT CITY OF GLENWOOD SPRINGS

Scope of Work

The Boundaries Unlimited Inc.'s (BUI) professional services associated with the Cedar Crest Improvements Project shall be amended to include the following:

- 1. Construction Surveying:** Construction survey points (metal spike with descriptive lath or stake) will be provided as follows on the construction schedule provided by the Contractor:
 - a. **Phase 1** (Upper Cedar Crest, Ptarmigan East, Tanager East):
 - Set Project Control Points
 - Water Main: 100' O.C. and at bends/tees (points offset)
 - Sewer & Water Services: Right-of-way POL (2 per lot)
 - Centerline Cut/Fill to Subgrade: 50' O.C.
 - C&G & Crossspans: 25' O.C. (points offset) & Pan FL at ends (points offset)
 - Red Tops (bottom of subgrade): 50' O.C.
 - Budget: 80 hrs * \$140/hr = \$11,200
 - b. **Phase 2** (Tanager West):
 - Water Main: 100' O.C. and at bends/tees (points offset)
 - Sewer & Water Services: Right-of-way POL (2 per lot)
 - Centerline Cut/Fill to Subgrade: 50' O.C.
 - C&G & Crossspans: 25' O.C. (points offset) & Pan FL at ends (points offset)
 - Red Tops (bottom of subgrade): 50' O.C.
 - Budget: 68 hrs * \$140/hr = \$9,520
 - c. **Phase 3** (Ptarmigan West):
 - Water Main: 100' O.C. and at bends/tees (points offset)
 - Sewer & Water Services: Right-of-way POL (2 per lot)
 - Centerline Cut/Fill to Subgrade: 50' O.C.
 - Red Tops (bottom of subgrade): 50' O.C.
 - Budget: 64 hrs * \$140/hr = \$8,960
 - b. **Phase 4** (Cardinal & Lower Cedar Crest):
 - Water Main: 100' O.C. and at bends/tees (points offset)
 - Sewer & Water Services: Right-of-way POL (2 per lot)
 - Storm Sewer: Inlet Rims @ Curb FL (points offset)
 - Sanitary Sewer & Electric Manholes: Rims (points offset)
 - Centerline Cut/Fill to Subgrade: 50' O.C.
 - C&G & Crossspans: 25' O.C. (points offset) & Pan FL at ends (points offset)
 - Red Tops (bottom of subgrade): 50' O.C.
 - Budget: 108 hrs * \$140/hr = \$15,120
 - d. **Other Concurrent Work:**
 - Walls:
 - Soil Nail-25' O.C. @ Back of Walk FG (points offset);
 - MSE-25' O.C. @ Bottom of Wall (points offset)
 - Locate Installed Utilities: When already onsite or once/week otherwise. Contactor to install color coded PVC pipes of predefined lengths above backfilled utilities at vertical and horizontal deflections or at 50' O.C. min.
 - Budget: 80 hrs * \$140/hr = \$11,200

Points will be staked one time only. Any requests to reset points, or for additional points will be billed on a Time and Materials basis.

- 2. Construction Observation:** Construction Observation services will include up to 20 hours of Construction Observation (CO) personnel and 6 hours of Project Engineer (PE) personnel from April 1, 2020 through October 23, 2020 (29.5 weeks). Services will include site visits, review of installations for conformance with the understood intent of design, written field reports, and weekly project meeting attendance. Services will also include the Project Engineer's review of material submittals. Field reports will be supplemented as necessary with reference photos.

- Budget:
 - Construction Observation (CO): 590 hrs * \$96/hr = \$56,640
 - Project Engineer (PE): 193 hrs * \$140/hr = \$27,020

- 3. Public Meetings:** BUI will attend up to one public meeting per month to assist the Public Works Manager.

- Budget:
 - Construction Observation (CO): 14 hrs * \$96/hr = \$1,344
 - Project Engineer (PE): 14 hrs * \$140/hr = \$1,960

- 4. Record Drawings** will be prepared based on the observed construction and the backfilled utility markers provided by the Contractor. Final product will be an electronic Adobe PDF file and an Autodesk DWG file.

- Budget:
 - Technician (Tech): 60 hrs * \$96/hr = \$5,760
 - Project Engineer (PE): 6 hrs * \$140/hr = \$840

The Not to Exceed Fee for Scope of Service of this Amendment is: \$149,600 (one hundred forty-nine thousand six hundred and 00/100 dollars)

Applicable Rate Schedule:

The applicable rate schedule shall be as attached in Exhibit B, Rate Schedule.

Exclusions

Engineering and other support services not included in our estimate include: additional redesign; City, State or Federal applications or permitting; adjacent or mineral owner researches; title research; architectural design or landscape planning; visual renderings; structural engineering; underground utility locates; debris flow studies; traffic studies; offsite improvements; irrigation systems; environmental studies; historical studies; legal notification or publication; application fees; construction contract documents; extended representation at meetings or hearings; topographic surveying, construction staking; engineering of individual private properties adjacent to the Project limits; or other special or unusual requirements. Any changes to the Project which extend the construction schedule beyond October 23, 2020 shall be considered additionally requested services. Additionally requested services or services required by an approval agency will be performed on a time and materials basis or cost plus fifteen percent (15%) for subcontracted services.

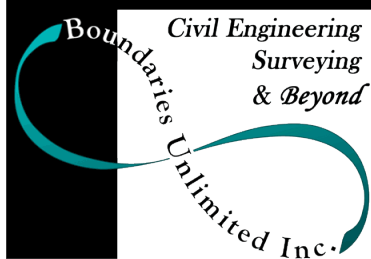


Exhibit-B Rate Schedule 2018

Professional Design Services

Project Manager (PM).....	\$160/hr
Project Engineer (PE)	\$140/hr
Design Engineer (DE).....	\$120/hr
Technician (Tech)	\$ 96/hr
Construction Observation (CO, non-PM/PE/SM)	\$ 96/hr
Survey Manager (SM).....	\$140/hr
1-Man Survey Crew	\$140/hr
2-Man Survey Crew	\$160/hr
3-Man Survey Crew	\$180/hr

Legal

Expert Testimony/Deposition	\$280/hr
Court and Deposition Preparation.....	\$200/hr

Special Software & Equipment

AutoTurn Vehicle Path Modeling	\$ 50/hr
WaterCAD Water Modeling.....	\$ 50/hr
GPS Survey Equipment.....	\$ 30/hr

Reimbursable Expenses

B&W Photocopies	\$ 0.25/ea
Color Photocopies	\$ 0.50/ea
Engineer B&W Prints (24"x36").....	\$ 4.00/ea
Engineer Color Prints (24"x36")	\$35.00/ea
Mylar Prints (24"x36")	\$50.00/ea
Vehicle Mileage	\$ 0.70/mi

*Sub consultant and other expenses will be charged at invoice cost plus 15%.

**Requests for service to meet Client deadlines which require overtime will be billed at 1.40 times the rates stated above.



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Planning File: #10-20 Consideration of an Appeal of a Planning and Zoning Commission denial of a Special Use Permit for a Personal Care Boarding Home as provided for in Municipal Code section 070.030.030(c)(4). The Appeal was filed November 26, 2019 per the requirements of 070.060.070(c).
THIS ITEM HAS BEEN MOVED TO THE APRIL 16, 2020 AGENDA.

Action Requested:

Department: Economic and Community Development

Presented By: Gretchen Ricehill, Assistant Director of Economic and Community Development

Background Info:

Issues:

Staff Recommendation:



LAND USE APPLICATION

City of Glenwood Springs
Economic and Community Development Dept.
101 West 8th Street
Glenwood Springs, CO 81601
970-384-6411

09 - 20

Ordinance Amendments		Development Permits	
Rezoning		Site/Architectural Plan Review	
Rezoning to Planned Unit Development (PUD)		Administrative	
Annexation		Minor	
Condominiumization		Major	
Annexation		Master Plan	
Street Vacation		Construction Plans	
		Location & Extent	
Subdivisions		Right of Way Encroachment License	
Minor Subdivision		Floodplain Development Permit	X
Preliminary Plat		Special Use Permit	
Final Plat		Flexibility and Relief Procedures	
Vacation of Right-of-Way		Variance	
		Administrative Adjustment	
		Appeal	X

Applicant/Property Owner Information:			
Applicant <u>Yesenia Gonzalez Hernandez</u>		Owner	
Relationship to Owner <u>Same</u>		Owner	
Applicant Address <u>1713 Grand Ave</u>		Owner Address	
<u>Glenwood Springs, CO</u>			
Phone <u>970-366-9851</u>	Email Address	Phone	Email Address

Property Information:	
Address <u>1713 Grand Ave, Glenwood Springs CO</u>	Parcel Number <u>2185-161-12-028</u>
Subdivision	Lot and Block Number <u>South Park Sub</u>
	<u>Block: 2 Lot: 29</u>
Zone District	Existing Land Use <u>Bml</u>

General Project Description:
<u>Appealing P&Z Commission denial of Special use permit application for licensed Assisted Living Group Home</u>

Signatures:		
The owner or applicant must be present at the hearing. All public hearings must be properly noticed according to G.S.M.C. Section 070.010.030. Signatures of all owners of the property must appear before the application is accepted. Partnerships or corporations may have the authorized general partner or corporate officer sign the application. (Attach additional incorporation documents if necessary.) I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.	<u>[Signature]</u>	<u>2/24/2020</u>
	Applicant	Date
	<u>[Signature]</u>	<u>2/24/2020</u>
	Owner	Date
	Owner	Date

Filed for record the _____ day of _____, A.D. _____, at _____ o'clock _____ M. _____ By _____
Reception No. _____ RECORDER DEPUTY.

WARRANTY DEED

THIS DEED, Made on this day of July 08, 2005, between
KURT NIELSEN AND KATHRYN BREEN NIELSEN

of the _____ County of _____ and State of HAWAII, of the Grantor(s), and
YESENIA GONZALEZ

whose legal address is : 1713 GRAND AVENUE GLENWOOD SPRINGS, CO 81601
of the _____ County of GARFIELD and State of COLORADO, of the Grantee(s):

WITNESS, That the Grantor(s), for and in consideration of the sum of (\$312,000.00)

*** Three Hundred Twelve Thousand and 00/100 *** DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee(s), his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the _____ County of GARFIELD and State of Colorado, described as follows:

LOT 29
BLOCK 2
SOUTH PARK SUBDIVISION
CITY OF GLENWOOD SPRINGS

COUNTY OF GARFIELD
STATE OF COLORADO

also known as street number 1713 GRAND AVENUE GLENWOOD SPRINGS CO 81601

TOGETHER with all and singular and hereditaments and appurtenances thereto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right title interest, claim and demand whatsoever of the Grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s), his heirs and assigns forever. The Grantor(s), for himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the Grantee(s), his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, subject to general taxes for the year 2005 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Section 8a (Title Review) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Section 8b (Matters not Shown by the Public Records) and Section 8c (Survey Review) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the Property within any special tax district; and, the benefit and burdens of any declaration and party wall agreements, in any, and other None. The Grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, and the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF the Grantor(s) has executed this deed on the date set forth above.

BY: Kurt Nielsen
KURT NIELSEN

BY: Kathryn Breen Nielsen
KATHRYN BREEN NIELSEN

STATE OF Colorado,
County of Garfield) ss.

ELLEN M. LIPSCOMB
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires Sept. 21, 2006

The foregoing instrument was acknowledged before me on this day of July 08, 2005
by KURT NIELSEN AND KATHRYN BREEN NIELSEN

My commission expires
Witness my hand and official seal.

Ellen M. Lipscomb
Notary Public

Name and Address of Person Creating Newly Created Legal Description (38-35-106.5, C.R.S.)

Escrow# GW246763
Title# GW246763

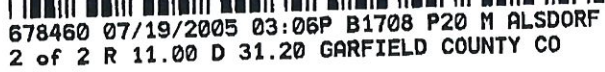
When Recorded Return to: MORRIS & FYRWALD REAL ESTATE

415 E. HYMEN AVENUE, ASPEN, CO 81611

FILED 08-09-29/04 WD-OPEN WARRANTY DEED (Photographic)

(1946742)

and Title
WARRANTY COMPANY



)

LS

Notary Public, State of Hawaii

My commission expires:

My commission expires: Dec. 15, 2006



Appeal for SPECIAL USE PERMIT (SUP) 1713 Grand Ave. Personal Care Boarding Home/ASSISTED LIVING GROUP HOME.

I am asking for a reversal of the Glenwood Springs Planning and Zoning Commission decision denying the request for a Special Use Permit at 1713 Grand Avenue.

My basis for appeal is based on several factors:

1) The planning and zoning commission erred in denying the special use permit application, by:

Determining, in clear violation of Municipal Code 070.070.020(a)(2)b that the proposed use for a personal care boarding home (assisted living group home) is an institutional/commercial, not residential, use incompatible with the surrounding residential area.

The Planning Department Staff recommended approval of the SUP. The findings of the staff supported the application as an appropriate residential use, as a use consistent with the city Comprehensive Plan and code, as a use that would not have negative impact on neighbors or the surrounding area, and as a use identified as a housing need in Glenwood. There are/have been short term rentals in this subdivision (a possible violation of the covenants) as well as long term rentals. One Commissioner stated he himself had a home office in the neighborhood. These uses are 'commercial in nature' (to use the terms of some of the resistance to this application) and may have greater impacts on the neighbors/neighborhood.

"Personal Care Boarding" is a use that was added to the Municipal Code in 2006 and is defined at MC 070.070.020(a)(2)(b) as:

An assisted living residence that provides room and board to not less than three and not more than six adults 18 years of age or older and who, because of impaired capacity for independent living, elect protective oversight, personal services, and social care but do not require 24 hour nursing or medical care. Personal care boarding homes shall not serve clients requiring a secured environment as defined by 6 CCR 1011-1, Section 1.1.2, and shall not include residential facilities for those living together as a result of prior criminal offenses.

The use is allowed in the city's residential and commercial zoning districts by special review. The intent of personal care boarding is to provide a residential home environment for people that may need personal assistance in their daily living but that do not require 24-hour nursing assistance. (Staff Report 11/26/2019)

The proposed Personal Care Boarding Home use is not expected to have any impact to surrounding properties over and above that of a normal single-family home. (Staff Report 11/26/2019)

KEY REGULATIONS

6 CCR 1011-1, Chapter 7, Section 2: "Assisted living residence" or "ALR" means: A residential facility that makes available to three or more adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a twenty-four-hour basis, but not to the extent that regular twenty-four hour medical or nursing care is required,...

City of Glenwood Springs (Glenwood) MC 070.070.020 - Definitions of Use Categories and Specific Use Types.

(a) Residential Uses.

(2) Group Living.

b. Personal Care Boarding Home. An assisted living residence that provides room and board to not less than three (3) and not more than six (6) adults eighteen (18) years of age or older and who, because of impaired capacity for independent living, elect protective oversight, personal services, and social care but do not require twenty-four-hour nursing or medical care. Personal care boarding homes shall not serve clients requiring a secured environment as defined by 6 C.C.R. 1011-1, Section 1.102, and shall not include residential facilities for those living together as a result of prior criminal offenses.

See also, GWS MC 070.030.020 (e), Table of Allowed Uses.

2) The planning and zoning commission erred in denying the special use permit application, by:

Focusing on concerns which are the proper purview of the Colorado Dept. of Health and Environment, and also on extraneous considerations such as traffic flow regarding garbage collection, deliveries and visitors. Furthermore, the Commission failed to acknowledge that the application and Personal Boarding Residence would meet the general performance standards and specific criteria as required by code.

Garbage collection and pick up is not a criterion. Garbage collection would continue as it has in the past for all the residences in this block of Grand Avenue. Parking is adequate for approval and, in addition, any safety concerns have been addressed by parking vehicles in a north/south direction. Entry and egress is an issue with all South Park Residences on Grand Avenue and this application should not be singled out as any different than other residences.

If the special use permit is approved, then the safety and welfare of the residents is heavily regulated and supervised by the Colorado Department of Public Health & Environment. One of the conditions of approval by Glenwood for this SUP is final approval by the Colorado Department of Public Health. One of the conditions for applying for a state permit for an Assisted Living Residence is zoning approval. I will of course comply with all pertinent legal requirements.

Local conditions, all of which will be met, are outlined in City Code 070.030.030(c), Use Regulations, Residential Uses.

Personal Care Boarding Home. Prior to issuing a special use permit for a personal care boarding home, the following conditions shall be met: See Page 6 of the 11/26/2019 Staff Report 'Suggested Conditions'.

If the SUP is approved by Glenwood, I will be subject to significant oversight, accountability and application criteria by the State of Colorado. State licensure requirements are set out at: 6 CCR 1011-1 (Colorado Code of Regulations) Chapter 7, SECTION 3 – DEPARTMENT OVERSIGHT Licensure, and include the following extensive provisions dealing, among other things, with reporting, background checks, employee oversight and fees:

3.1 Applicants for an initial or renewal license shall follow the licensure procedures outlined in 6 CCR 1011-1, Chapter 2, Parts 2.3 through 2.10. (A) In addition, each license renewal applicant shall annually submit, in the form and manner prescribed by the Department, information about the facility's operations, resident care and services.

3.2 The Department may issue a provisional license to an applicant for the purpose of operating an assisted living residence for one period of 90 days if the applicant is temporarily unable to conform to all the minimum standards required under these regulations, except no license shall be issued to an applicant if the operation of the applicant's facility will adversely affect the health, safety, and welfare of the residents of such facility. (A) As a condition of obtaining a provisional license, the applicant shall provide the Department with proof that it is attempting to conform and comply with applicable standards. No provisional license shall be granted prior to the submission of a criminal background check in accordance with § 25-27-105 (2.5), C.R.S.

3.3 Each owner or applicant shall request a background check. (A) If an owner or applicant for an initial assisted living residence license has lived in Colorado for more than three years at the time of the initial application, said individual shall request from the Colorado Bureau of Investigation (CBI) a state fingerprint-based criminal history record check with notification of future arrests. (B) If an owner or applicant for an initial assisted living residence license has lived in Colorado for three years or less at the time of the initial application, said individual shall request a fingerprint-based criminal history record check generated by the Federal Bureau of Investigation through the CBI. (C) The cost of obtaining such information shall be borne by the individual or individuals who are the subject of such check. The information shall be forwarded by the CBI directly to the Department.

3.5 An assisted living residence shall not care for more residents than the number of beds for which it is currently licensed. License Fees Unless otherwise specified, all license fees paid to the Department shall be non-refundable.

The safety, license, regulation of operation and safety of this residence and its occupants falls under the extensive purview of the Colorado Department of Public Health as well as the planning department and building department and public safety departments of the City of Glenwood Springs. The Planning and Zoning Commission, while granted the authority to approve or deny permission, seemed to make a decision based on operational issues to be addressed and monitored after approval rather than the

General Performance Standards and the Personal Care Boarding Home Special Use Criteria as outlined in the city code and noted in the staff report.

3) The planning and zoning commission erred in denying the special use permit application by:

Seeming to focus on personal background and management ability and business operations rather than the property, special use conditions and the rigorous license requirements for subsequent approval.

Nonetheless, the state will require a 30 hour Assisted Living Administrator training course and proof of completion. This is another condition of approval by the State of Colorado.

I have experience managing and running my own skin care business.

I have 28 years of experience in assisted living care both in California and Colorado. My duties over the years have included basic patient care, including assisting patients with daily activities, hygiene care, medicine administration and the taking of vital signs, and home care, as well as hospice care.

I have the following **Colorado Certifications:**

- Nurse Assistant 2007
- QMAP (Qualified Medication Administration Personnel) 2008
- CPR (Cardiopulmonary Resuscitation) 2011
- Mental Health First Aid 2014

4. The planning and zoning commission erred in denying the special use permit application by:

Not considering that there is city precedent for approval of this SUP.

This is a residential use. The city has approved the same type of SUP and Assisted Living Residence (state designation)/Personal Care Boarding Home (city designation), namely, Harmony House <https://glenwoodspringsharmonyhouse.com/>. Harmony House is a Personal Care Boarding Home in an approved subdivision, Park West, of Glenwood Springs. It is owned and operated by a former council member/mayor of Glenwood Springs and his spouse. The zoning of the Park West subdivision and the South Park subdivision where the subject property is the same zoning under the current Glenwood Code, RM1. Many of the discussion items and concerns of the impacts related to the current 1713 Grand application would apply to the Harmony House allowed/approved use. In some ways the current application might be considered less of an impact as it is on the Grand Avenue periphery of the South Park subdivision. Any traffic in and out of the residence would be from Grand Avenue and not have any impact on the internal streets and residences of the neighborhood.

Summary:

The Special Use Permit should be approved. As noted in the staff report (11/26/2019) the application and use meets several goals of the Comprehensive Plan. "Ms. Gonzalez Hernandez' application noted how her proposal met several goals from the 2011 Comprehensive Plan including: • Maintaining/enhancing social sustainability • Providing housing opportunities for the entire community • Preserving small town character • Supporting social diversity". "Staff adds that the Comprehensive Plan encouraged planning for senior housing. It "recognized that the retiree population will grow at a disproportionately high rate for at least the next 15 years and that housing specifically designed for seniors should be a key component of a comprehensive housing approach." (p.75)"

As noted by staff and by code, the Special Use as a Personal Care Boarding Home is a residential use and allowed and compatible with its surroundings at 1713 Grand Ave.

The proposed use will be highly regulated by the Colorado Department of Public Health. I am asking for a Special Use Permit (conditional upon final licensure and approval by the Colorado Department of Public Health) to proceed with my license application as well as to proceed with the extensive and expensive interior building modifications to meet city and state codes and standards.

As noted by staff, the application and requested use will meet the General Performance Standards and the seven criteria that apply specifically to personal care boarding home uses (reference 070.030.030(c)(4)). I have accepted the conditions stated in the staff report 11/26/19, p. 6.

Operational and management criteria and business viability should not be part of the purview of Planning and Zoning special use approval criteria.

There is precedent and prior approval of a similar Special Use Permit.

I respectfully request an approval of this appeal of a Special Use Permit application

Thank you.



Yesenia Gonzalez

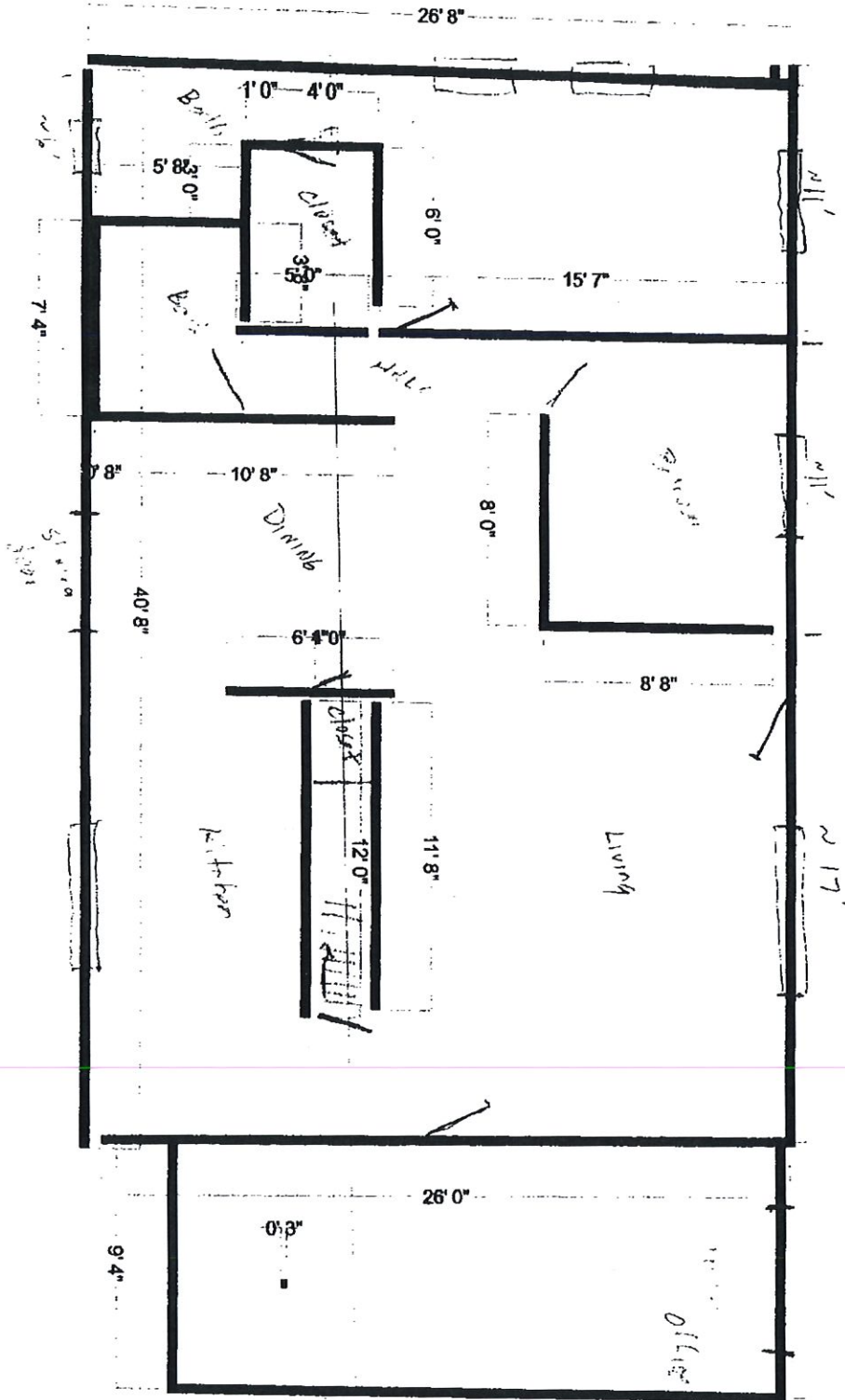
1713 Grand Avenue, Glenwood Springs

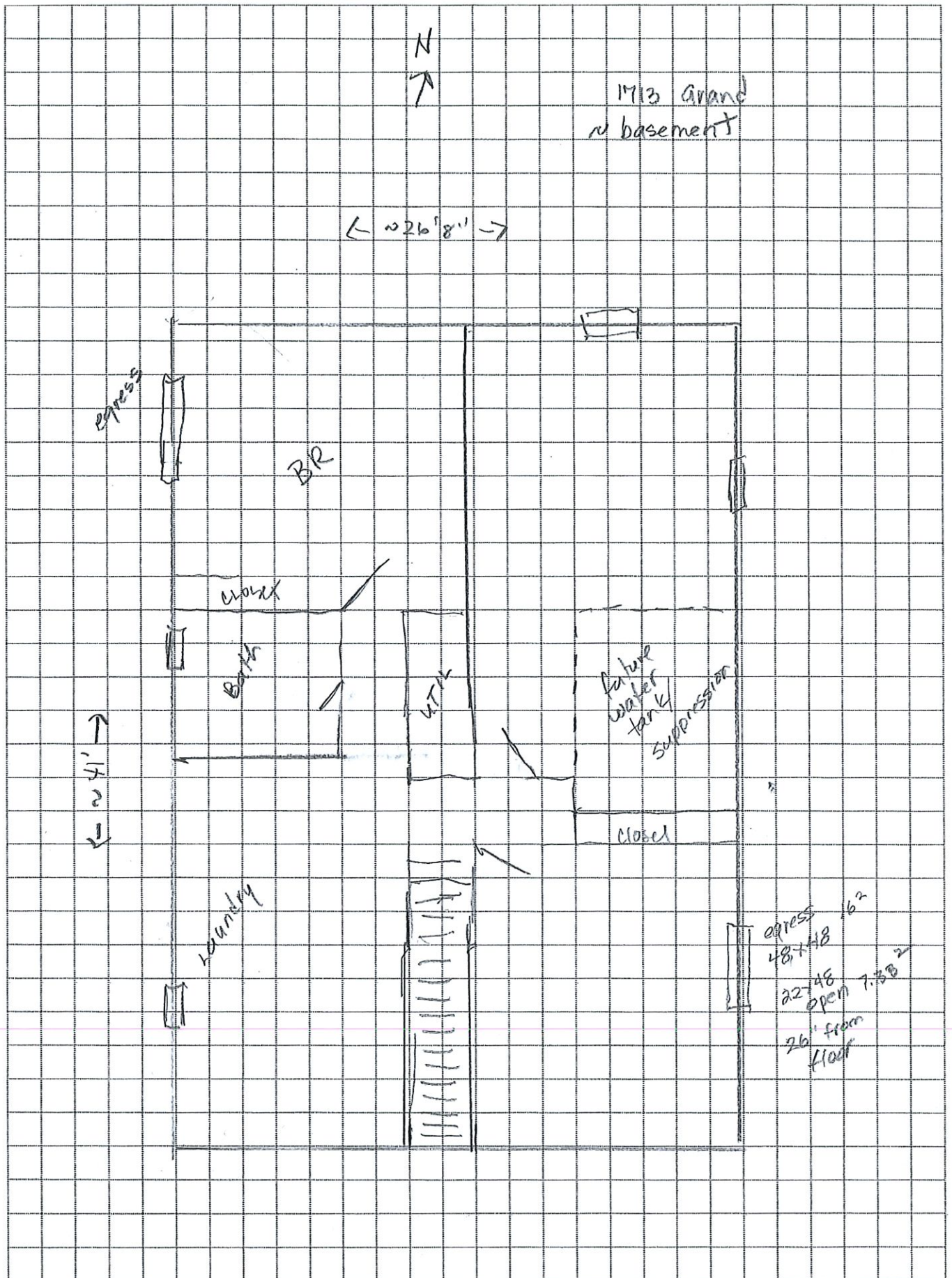


1712 6th/11D

Go to: Home > Floor Plans > 1712 6th/11D

Go





Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

Untitled Map

Write a description for your map.

Legend

-  1713 Grand Ave
-  Peppino's Pizza Glenwood

1713 Grand Ave



90 ft

Google Earth

Untitled Map

Write a description for your map.

Legend

-  1713 Grand Ave
-  Peppino's Pizza Glenwood



Google Earth

2018 Google

2019 Google







Planning & Zoning Commission Staff Report

Date: November 26, 2019

To: Planning & Zoning Commission

From: Gretchen Ricehill, Asst. Director Community Development Dept.

Subject: #33-19- Special Use Permit – Personal Care Boarding Home

REQUEST	Consideration of a request for a special use permit to operate a personal care boarding home within an existing single-family residence
APPLICANT	Yesenia Gonzalez Hernandez
OWNER	Yesenia Gonzalez
ZONE	RM1-Residential Medium Density
LOCATION:	1713 Grand Avenue Lot 29 Block 2, South Park Addition
SURROUNDING LAND USES	North: Residential South: Residential East: Park West: Residential
LOT SIZE	7,700 square feet

ACTION ITEM SUMMARY

Action 1: Consideration of a Special Use Permit to allow the operation of a personal care boarding home at 1713 Grand Avenue.

Staff Recommendation:

Staff recommends that the Commission **approve** the special use permit with suggested findings on pages 5 and 6 and suggested conditions on page 6 of this report.

PROJECT SUMMARY

Yesenia Gonzalez Hernandez proposes to convert her single-family home at 1713 Grand Avenue to a Personal Care Boarding Home and provide care for up to six seniors. "Personal Care Boarding" is a use that was added to the Municipal Code in 2006 and is defined as:

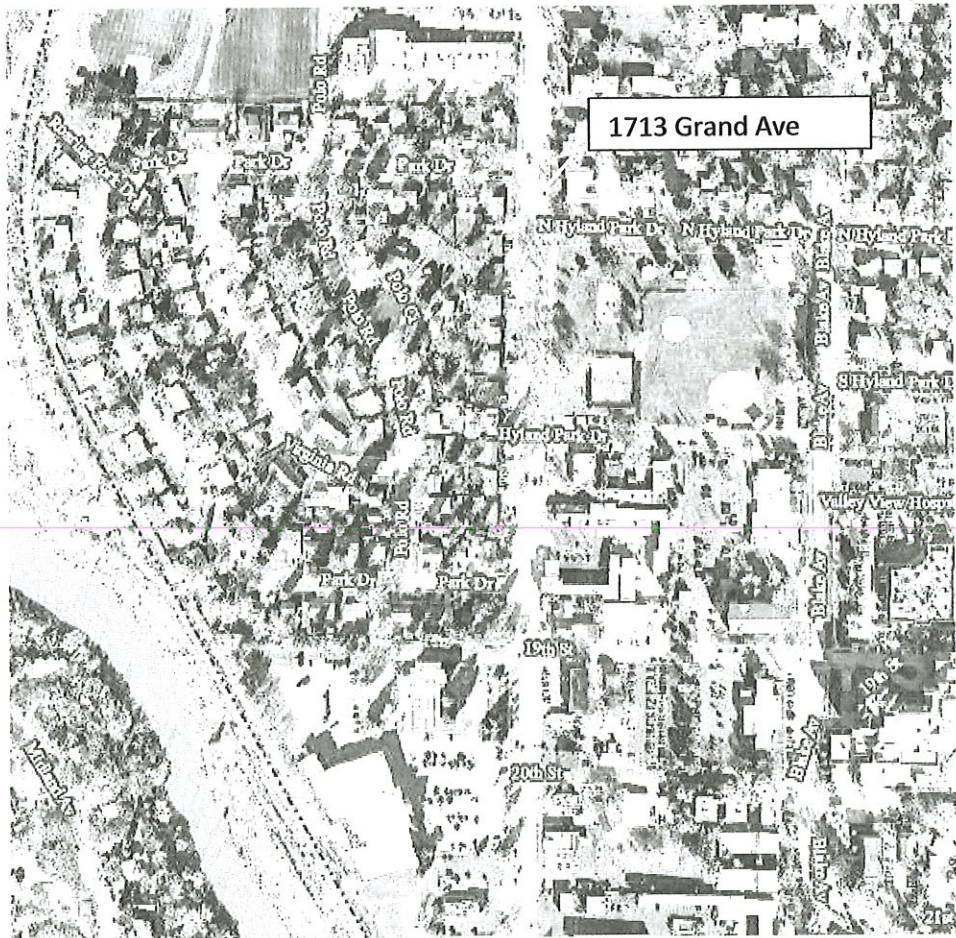
An assisted living residence that provides room and board to not less than three and not more than six adults 18 years of age or older and who, because of impaired capacity for independent living, elect protective oversight, personal services, and social care but do not require 24 hour nursing or medical area. Personal care boarding homes shall not serve clients requiring a secured environment as defined by 6 CCR 1011-1, Section 1.1.2, as shall not include residential facilities for those living together as a result of prior criminal offenses.

The use is allowed in the city's residential and commercial zoning districts by special review. The intent of personal care boarding is to provide a residential home environment for people that may need personal assistance in their daily living but that do not require 24-hour nursing assistance.

Currently, the Harmony House at 1045 Park West Drive is only Personal Care Boarding Home in operation in Glenwood Springs.



GoogleEarth Photograph



SPECIAL REVIEW

When reviewing special use applications for this type of facility, the Municipal Code requires compliance with general performance standards as well as seven criteria that are specific to Personal Care Boarding Homes.

Attached for your review is the owner's narrative description addressing each criterion and performance standard as well as providing several supportive statements from the Comprehensive Plan. Following is staff's analysis of the proposal

General Performance Standards

Following is a summary of the general performance standards that apply to all special review uses (reference 070.030.030):

- **Air quality:** ensures that uses that emit any air contaminant as defined by federal, state or county governments complies with all applicable emission standards.
- **Hazardous Materials Storage and Use:** regulates uses that store or use hazardous materials in excess of exempt or maximum amounts allowed under the building or fire codes. The proposed use may require storage of oxygen tanks. The location and method of storage is regulated by the State and the 2015 Fire Code.
- **Excessive Heat & Humidity:** prohibits unreasonable or unnecessary emission of heat or humidity at the property line.
- **Odors:** provides that uses that produce regular or frequent odors detectable beyond the property line may be prohibited if the odor is a known health risk or if the Director judges that the odor is harmful to the rights of others to enjoy their property.
- **Light & Glare:** requires that the use complies with the exterior lighting code (070.040.100)
- **Noise:** ensures that uses comply with noise regulations (100.070).
- **Vibration:** prohibits regular and frequent vibrations at the property line.

The proposed Personal Care Boarding Home use is not expected to have any impact to surrounding properties over and above that of a normal single-family home.

Personal Care Boarding Home Special Use Criteria

Below is a list of seven criteria that apply specifically to personal care boarding home uses (reference 070.030.030(c)(4)):

1. **The applicant shall provide evidence of preliminary approval by the State of Colorado, Department of Public Health & Environment.**

Ms. Gonzalez Hernandez is concurrently applying for her special use permit through the City and her licensure with the State of Colorado. If the Commission approves the special use permit, staff recommends adding the following condition of approval: Prior to opening the home to residents or clients, the applicant/owner shall provide the Community Development Department with evidence of licensure approval by the State of Colorado, Department of Public Health & Environment.

2. **No structural or exterior decorative additions shall be allowed that will alter the residential character of the home or be otherwise incompatible with surrounding residences, except for those necessary to provide accessibility meeting ADA requirements.**

In her narrative, Ms. Gonzalez Hernandez provided a list of exterior and interior home improvements including adding a ramp and handrails to the deck; creating to additional bedrooms in the basement; installing an air conditioning system; and installing a fire suppression system. As part of the licensure process, the State Department of Public Health & Environment will inspect the home. There may be additional improvements needed based on this inspection. All work is subject to the 2015 International Building Code and, prior to commencement of construction, the owner will be required to submit a building permit application for review and approval of the City's Building Official.

3. No other similar home-based use shall be allowed on the property including child or adult day care and boarding homes.

Other than the management required to operate the Personal Care Boarding Home, there will be no other home-based business on site.

4. Residents, exclusive of employed caregivers, shall not have their own personal vehicles on site, including the public street.

The home has a driveway that is 32 feet wide x 32 feet long, which is sufficient to accommodate up to three vehicles. The owner indicated in her narrative that three individuals will provide care to the residents (Ms. Gonzalez Hernandez and two other caregivers). Ms. Gonzalez Hernandez clarified for staff that there will be only one caregiver on site at any given time, except for shift changes. Further, the residents will not be allowed to have their personal vehicles. The on-site parking should accommodate the caregiver(s) as well as any guests that may visit from time to time.

5. The home shall have one kitchen and there shall be no provision for cooking in any other room, other than providing an alternative area for minimal food preparation such as heating or reheating food and beverages

As indicated in the project narrative, all cooking will occur in the existing kitchen. No cooking will be allowed in the bedrooms.

6. There shall be the appropriate number of licensed caregivers on site on a 24-hour basis to properly care for residents, per State of Colorado licensing requirements.

Ms. Gonzalez Hernandez indicated that one licensed caregiver will be on site at all times.

7. The home shall comply with all other city, state, and federal laws and regulations

The home requires a few upgrades necessary to comply with city and state requirements. Specifically, this includes adding a fire suppression system and constructing a ramp and handrails on the rear deck. It is important to note that the state regulates all aspects of assisted living facilities. Additional physical modifications may be required as part of the state review and approval process.

Comprehensive Plan

Ms. Gonzalez Hernandez' application noted how her proposal met several goals from the 2011 Comprehensive Plan including:

- Maintaining/enhancing social sustainability
- Providing housing opportunities for the entire community
- Preserving small town character
- Supporting social diversity

Staff adds that the Comprehensive Plan encouraged planning for senior housing. It “recognized that the retiree population will grow at a disproportionately high rate for at least the next 15 years and that housing specifically designed for seniors should be a key component of a comprehensive housing approach.” (p.75)

REVIEWING AGENCY COMMENTS

Staff distributed the application to city departments for review and comment. Comments were received from Police, Engineering and Public Works departments:

- Engineering commented that placement of any work materials (including dumpsters) must be on private property and not in the right-of-way.
- Police expressed no concern for the proposed use;
- Water/Wastewater expressed concern about the size of the existing water service to support a fire sprinkler system. Upgrading of the existing service would require trenching in the Grand Avenue/Highway 82 right-of-way. The owner contacted a fire sprinkler design firm to discuss alternatives. The design firm submitted a proposal to install an automatic fire sprinkler system that utilized a 300-gallon water supply tank and pump system. The owner plans to locate the tank in the basement of the home.

In addition to department comments, staff received correspondence from individuals expressing support and opposition to the proposal. These are attached for review. Staff notes that one of the correspondences, a letter from Mr. Edward Mulhall, referred to subdivision covenants which appear to prohibit the proposed use. The South Park subdivision covenants were adopted and recorded in 1950. The covenants state that properties “shall be used only for residential purposes...”. As the Commission is aware, the City does not enforce private covenants. Nevertheless, it is important to note that according to Municipal Code Title 070, Personal Care Boarding Homes are categorized as a type of residential use in Table 030.1-Table of Allowed Uses.

REQUIRED ACTIONS

Action 1: Consideration of a Special Use Permit to allow the operation of a personal care boarding home at 1713 Grand Avenue.

Action Alternatives

The Commission may approve, approve with conditions, or deny the special use permit application in accordance with the seven approval criteria listed on pages 4 and 5 of this report. The Commission may also continue the application with a request that the applicant provide specific additional information.

Staff Recommendation:

Staff recommends that the Commission approve the special use permit with suggested findings on pages 5 and 6 and suggested conditions on page 6 of this report.

Suggested Findings:

1. The proposed use is in compliance with the Comprehensive Plan in that it maintains the city’s small town character while providing housing opportunities for seniors and supporting social diversity within the neighborhood;
2. The proposed use complies with performance standards listed in 070.030.030 of the Municipal Code; and,

3. The proposed use complies with use-specific conditions listed in 070.030.030(c)(4) of the Municipal Code.

Suggested Conditions:

1. Prior to issuance of the Special Use Permit the owner shall:
 - a. Provide evidence of licensure approval by the State of Colorado, Department of Public Health & Environment;
 - b. Apply for and receive a building permit application for all construction work at the home as required by the 2015 International Building Code;
 - c. Pay all system improvement fees that shall be due. Fees shall be calculated by the Community Development Department upon submission of the building permit application.
2. No structural or exterior decorative additions shall be allowed that will alter the residential character of the home or be otherwise incompatible with surrounding residences, except for those necessary to provide accessibility meeting ADA requirements.
3. No other similar home-based use shall be allowed on the property including child or adult day care and boarding homes.
4. Residents, exclusive of employed caregivers, shall not have their own personal vehicles on site, including the public street.
5. The home shall have one kitchen and there shall be no provision for cooking in any other room, other than providing an alternative area for minimal food preparation such as heating or reheating food and beverages.
6. There shall be the appropriate number of licensed caregivers on site on a 24-hour basis to properly care for residents, per State of Colorado licensing requirements.
7. The home shall comply with all other city, state, and federal laws and regulations.
8. No signage shall be present other than that allowed under Municipal Code section 070.040.110-Signs.

Water/Wastewater (W/WW) Department Comments

Planning Item: 33-19 Special Use Permit- Personal Care Boarding Home
Applicant: Yesenia Gonzalez
Owner: Yesenia Gonzalez
Location: 1713 Grand Ave
Parcel: 2185 161 12 028
Date of Comments: 9/4/19

The following are W/WW Department comments based on a review of the application package (note: application package was not dated).

Project Understanding

- We understand that the applicant is requesting special use permit for a proposed personal care boarding home located at 1713 Grand Ave. The existing single family residence will be modified to include two additional bedrooms along with several other miscellaneous improvements.

W/WW Department Comments

Water Service

- We understand that the City of Glenwood Fire Department will require this facility to have a fire sprinkler system. The existing water service for this property is likely not large enough to serve a fire sprinkler system.
- If an upsized tap is needed, the nearest water main is located on the eastern side of Grand Ave (Hwy 82). Be aware that the cost to install a new tap in Grand Ave. may be high. Costs will likely be high due to: 1) traffic control requirements that must meet CDOT specification on a highway and 2) a concrete section of the highway will need to be cut out and repaired in accordance with CDOT specifications (the concrete in the area is very thick). The W/WW department encourages the applicant to consult with a qualified contractor to better define installation costs.
- The applicant is responsible for all costs required to install a new water tap, including applicable system improvements fees and tap fees. Please contact the City Community Development department regarding the improvement fees and the City W/WW Department regarding tap fees.
- If the existing water service is abandoned as part of this project, the applicant must abandon the tap at the main in accordance with City's engineering standards
- Any water service used for fire protection must be designed, installed, and tested to meet NFPA 24 requirements. Prior to construction, an engineered detail of the fire service line must be submitted to the City for review and approval. At a minimum, the detail must show the following: 1) a plan and profile view of the piping alignments

extending from the tap location to the building interior penetration, 2) materials of construction, 3) thrust restraint locations and specifications, 4) a comment indicating that the design conforms to all NFPA 24 requirements, 5) a note indicating that the service line must be pressure- and flow-tested in accordance with NFPA 24, and 6) the stamp and signature of the Professional Engineer (PE) certifying the design.

- The applicant is responsible for providing the City with a signed copy of the completed "*Contractor's Material and Testing Certificate for Underground Piping*" form (attached) prior to issuance of a Certificate of Occupancy. This form certifies that the service line was designed, installed, and tested in accordance with all NFPA 24 requirements.
- Only City W/WW staff shall perform work on the water main. In certain circumstances, the City may allow a contractor to install a tap, but only when under the direct supervision of W/WW staff. Tap requests shall be scheduled with the W/WW department at least 48 hours in advance but we recommend that you begin coordinating with the department as soon as possible.

Sanitary Sewer.

- Sanitary sewer service will not be modified as part of this project.

Water Meters.

- All services must be metered.
- Meter accounts must be set up and the meter purchased through the City's finance department before meters will be issued.
- Water meters must be installed per manufacturer's requirements. They may be subjected to performance testing before being accepted by the City.
- Water meters must be installed in a location that can be accessed by the City for inspection and future maintenance. Refer to the attached schematic for meter installation instructions, including additional requirements for isolation valves, pressure reducing valves, and cross-connection devices (see attached water meter installation schematic). Note that if the water system pressure exceeds 80 psi, a pressure reducing valve must be installed downstream of the water meter.
- A water meter inspection must be performed by City staff before a certificate of occupancy will be issued. We recommend that you contact the W/WW department to discuss specific requirements as soon as possible to avoid an unforeseen installation issues.

Cross-connection Control.

- A City-approved cross-connection/ backflow device must be installed on water service lines if a hazard exists. **This project requires that a cross connection/backflow prevention hazard survey be completed (by the City) before a certificate of occupancy will be issued.**
- At the customer's request, W/WW Department staff will perform an initial Cross Connection Hazard Survey and provided preliminary recommendations during the planning phases of the project. Upon completion of the project, a follow-up inspection of the property is required (per State law) to ensure that acceptable backflow devices have been properly installed and tested. We recommend that you contact the W/WW

department to discuss specific requirements as soon as possible to avoid unforeseen installation issues during the construction phase.

- Please note that backflow prevention devices cannot be installed below grade per International Plumbing Code (IPC). In addition, certain backflow prevention devices require drainage requirements. We encourage the customer to consider these requirements and address them during the design phase of the project.

General.

- All publicly-owned or maintained water and sewer infrastructure must meet the requirements of the City's engineering standards. The current version can be found at the following link: <http://cogs.us/EngineeringStandards>.
- A right-of-way permit is required for this project. Please contact the City's engineering department to obtain the permit application.
- Per Colorado 811 and City requirements, tracer wire and utility warning tape shall be installed with all underground water and sewer infrastructure.
- Any water/sewer separation distances and crossings must meet State (i.e., CDPHE) and City requirements.

W/WW Department Contact Information:

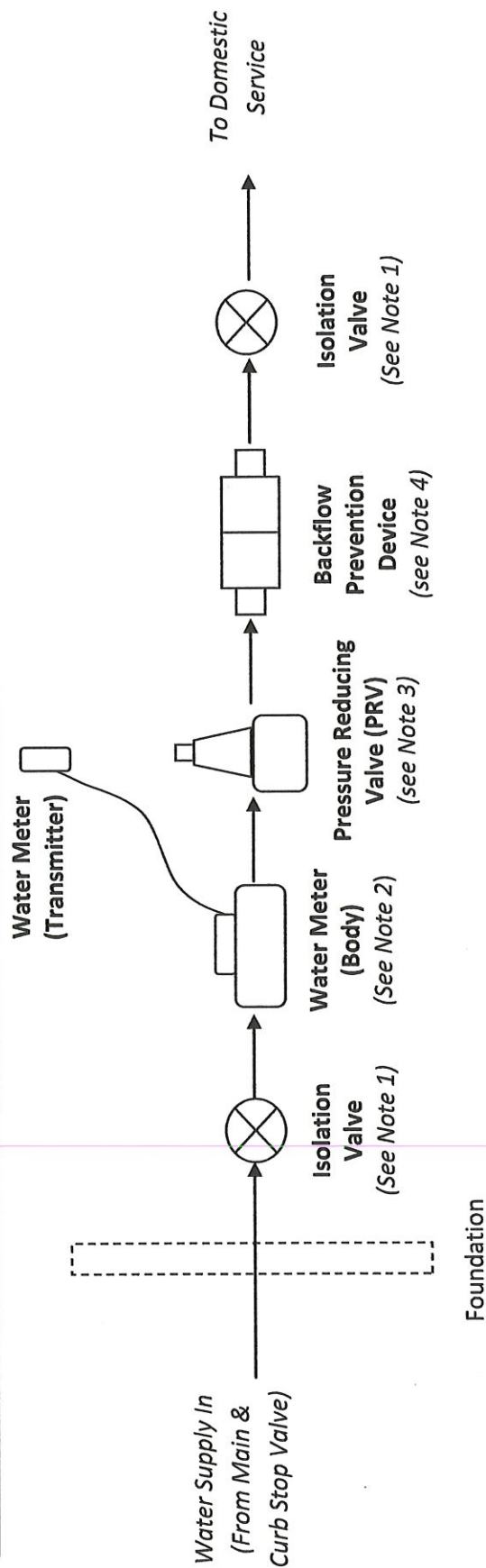
- Horacio Diaz – 379-1974 (Sewer Services & Taps)
- Mike Hoffman – 989-3902 (Water Services & Taps, Cross Connections, Water Meter Inspections)
- Brad Zachman – 384-6388 (General Information)
- Utility Billing – 384-6400 (Account setup; Water Meter Purchase)
- Community Development Department – 384-6411 (Improvements Fees)

Attachments:

- Water Meter Installation Schematic

Water Meter Installation Schematic

Glenwood Springs Water Department



Notes:

1. It is strongly recommended that isolation valves be installed at the locations shown. These valves allow for the water supply to be shut off during repairs or for replacement of the water meter equipment.
2. To assure accurate measurements, water meters must be installed per manufacturer's specific instructions. Contact the City's Water Department for a copy of these instructions or if you have any questions regarding the installation requirements.
3. A pressure reducing valve (PRV) regulates incoming pressure from the main. A PRV is recommended for all installations, but is required for all services that are fed off of water mains with static water pressure of 80 psi or greater. Contact the water department **(384-6344 or 989-3902)** for more information regarding the static water main pressure that serves your property.
4. A backflow prevention device protects the City's water supply from contamination or pollution due to backflow conditions. Please contact the City's cross connection technicians **(384-6345)** to discuss specific backflow prevention requirements and installation procedures.
5. Requests for water meters can be initiated by contacting the City's Utility Billing Office **(384-6400)**. Once payment is made, water meters can be picked up from the Water Department at 401 7th St. **(384-6344 or 989-3902)**.
6. Contact the Water Department to schedule a final inspection of the meter **(384-6344 or 989-3902)** and the backflow device **(384-6345)**.

Updated June 2016

Contractor's Material and Test Certificate for Underground Piping			
PROCEDURE Upon completion of work, inspection and tests shall be made by the contractor's representative and witnessed by an owner's representative. All defects shall be corrected and system left in service before contractor's personnel finally leave the job. A certificate shall be filled out and signed by both representatives. Copies shall be prepared for approving authorities, owners, and contractor. It is understood the owner's representative's signature in no way prejudices any claim against contractor for faulty material, poor workmanship, or failure to comply with approving authority's requirements or local ordinances.			
Property name			Date
Property address			
Plans	Accepted by approving authorities (names)		
	Address		
	Installation conforms to accepted plans ☐ Yes ☐ No Equipment used is approved ☐ Yes ☐ No If no, state deviations		
Instructions	Has person in charge of fire equipment been instructed as to location of control valves and care and maintenance of this new equipment? If no, explain		☐ Yes ☐ No
	Have copies of appropriate instructions and care and maintenance charts been left on premises? If no, explain		☐ Yes ☐ No
Location	Supplies buildings		
Underground pipes and joints	Pipe types and class		Type joint
	Pipe conforms to _____ standard ☐ Yes ☐ No Fittings conform to _____ standard ☐ Yes ☐ No If no, explain		
	Joints needing anchorage clamped, strapped, or blocked in accordance with _____ standard ☐ Yes ☐ No If no, explain		
	Test description Flushing: Flow the required rate until water is clear as indicated by no collection of foreign material in burlap bags at outlets such as hydrants and blow-offs. Flush at one of the flow rates as specified in 10.10.2.1.3. Hydrostatic: All piping and attached appurtenances subjected to system working pressure shall be hydrostatically tested at 200 psi (13.8 bar) or 50 psi (3.5 bar) in excess of the system working pressure, whichever is greater, and shall maintain that pressure ± 5 psi (0.35 bar) for 2 hours. Hydrostatic Testing Allowance: Where additional water is added to the system to maintain the test pressures required by 10.10.2.2.1, the amount of water shall be measured and shall not exceed the limits of the following equation (for metric equation, see 10.10.2.2.6): $L = \frac{SD\sqrt{P}}{148,000}$ L = testing allowance (makeup water), in gallons per hour S = length of pipe tested, in feet D = nominal diameter of the pipe, in inches P = average test pressure during the hydrostatic test, in pounds per square inch (gauge)		
Flushing tests	New underground piping flushed according to _____ standard by (company) ☐ Yes ☐ No If no, explain		
	How flushing flow was obtained ☐ Public water ☐ Tank or reservoir ☐ Fire pump		Through what type opening ☐ Hydrant butt ☐ Open pipe
	Lead-ins flushed according to _____ standard by (company) ☐ Yes ☐ No If no, explain		
	How flushing flow was obtained ☐ Public water ☐ Tank or reservoir ☐ Fire pump		Through what type opening ☐ Y connection to flange and spigot ☐ Open pipe

FIGURE 10.10.1 Sample of Contractor's Material and Test Certificate for Underground Piping.

Hydrostatic test	All new underground piping hydrostatically tested at _____ psi for _____ hours		Joints covered ☐ Yes ☐ No	
Leakage test	Total amount of leakage measured _____ gallons _____ hours			
	Allowable leakage _____ gallons _____ hours			
Forward flow test of backflow preventer	Forward flow test performed in accordance with 10.10.2.5.2: ☐ Yes ☐ No			
Hydrants	Number installed	Type and make	All operate satisfactorily ☐ Yes ☐ No	
Control valves	Water control valves left wide open If no, state reason		☐ Yes ☐ No	
	Hose threads of fire department connections and hydrants interchangeable with those of fire department answering alarm		☐ Yes ☐ No	
Remarks	Date left in service			
Signatures	Name of installing contractor			
	Tests witnessed by			
	For property owner (signed)	Title	Date	
	For installing contractor (signed)	Title	Date	
Additional explanation and notes				
© 2012 National Fire Protection Association NFPA 24 (p. 2 of 2)				

FIGURE 10.10.1 Continued

PROPOSAL

FIRE SPRINKLER SERVICES, INC

0241 Mel Ray Road

Glenwood Springs, CO 81601

Ph. (970) 928-9163 Fax (970) 928-8714

No.

Date: 09/12/19

Sheet No. 1-1

Proposal Submitted To:

Name: Yesenia Gonzalez

Street: 1713 Grand Avenue

City: Glenwood Springs State: CO 81601

Attn: Yesenia

Phone: (970)366-9851

E-mail: ygonzalez1713@gmail.com

Work To Be Performed At:

Street: 1713 Grand Avenue

City: Glenwood Springs State: CO

Date of Plans:

Architect:

We hereby propose to furnish the materials and perform the labor necessary for the completion of:

Installation of residential 13-D automatic fire sprinkler system.

Installation will be CPVC piping with residential fire sprinklers. Water supply will be 300 gallon tank and pump system.

Cost includes material, labor, design and permit fees.

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of: Dollars [\$11,250.00].

With payments to be made as follows:

upon start up, rough-in and completion of work.

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by **FIRE SPRINKLER SERVICES**.

Respectfully Submitted: Al Stump

Per:



Note- This proposal may be withdrawn by us if not accepted within 60 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date: _____

Signature: _____

Signature: _____

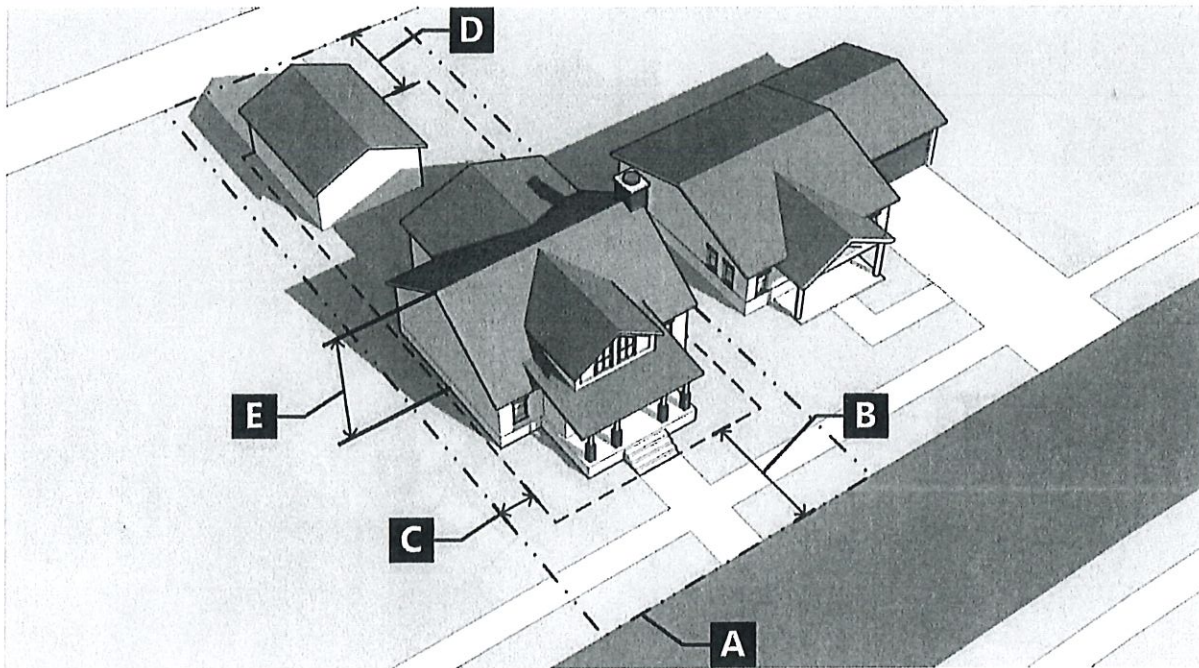
Article 070.020: Zoning Districts
070.020.050 Residential Medium-Density (RM1) District
(a) Purpose

070.020.050 Residential Medium-Density (RM1) District

(a) Purpose

The RM1 district is intended to accommodate medium-density, primarily single-family uses on smaller- to medium-sized lots. The RM1 district is intended to transition from low-density single-family residential districts to multifamily development districts.

Figure 020-3: RM1 District Dimensional Standards



(b) Standards

Table 020.7: RM1 District Dimensional Standards			Other Key Standards	
Lot Standards, Minimum			Measurements and Exceptions	070.020.190
A	Lot area (sq ft)	6,000	Table of Allowed Uses	070.030.020
	Lot area (sq ft), lots created prior to March 1, 1965	5,000	Use-Specific Standards	070.030.030
	Lot area (sq ft), attached dwellings sharing common wall	7,500	Development Standards	
Setbacks, Minimum			Landscaping, Screening, and Fencing	070.040.050
B	Front (from arterial streets) (ft)	30	Off-Street Parking and Loading	070.040.060
	Front (from other streets) (ft)	20	Residential Site and Building Design	070.040.080
C	Side (ft)	5		
D	Rear (ft)	15		
Building Standards, Maximum				
E	Building height (ft)	27		

Article 070.030: Use Regulations
070.030.020 Table of Allowed Uses
(e) Table of Allowed Uses

(e) Table of Allowed Uses

Table 030.1: Table of Allowed Uses																			
P = permitted by right S = special use permit required Blank = use prohibited																			
Use Category	Use Type	Districts →															Use-Specific Standards	Required Minimum Parking	
		RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP			
RESIDENTIAL USES																			
Household Living	Dwelling, live-work						P	P	P	P	P	P	P	P			070.030.030(c)(2)	1 per dwelling unit	
	Dwelling, multifamily				P	P	P	P	P	P	P	P					070.030.030(c)(1)	1.5 per dwelling unit, plus 1 guest space per each 5 dwelling units	
	Dwelling, townhouse				P	P	P	P	P	P	P	P				S	070.030.030(c)(1)	1.5 per dwelling unit, plus 1 guest space per each 5 dwelling units	
	Dwelling, single-family detached	P	P	P	P	P	P	P	P		P	P				S	070.030.030(c)(1)	1 per dwelling unit	
	Dwelling, two-family		S	S	P	P	P	P	P		P					S	070.030.030(c)(1)	1.5 per dwelling unit	
	Mobile home park					S	S	S			P						070.030.030(c)(3)	1 per dwelling unit	
	Accessory dwelling unit	P	P	P	P	P	P	P	P		P	P				S	070.030.040(d)(1)	1 per unit	
Group Living	Convalescent or nursing home					S	S	P	P		P	P			P			1 per 3 beds	
	Personal care boarding home	S	S	S	S	S	S	S	S		S	S			S	S	070.030.030(c)(4)	2 per dwelling unit	
PUBLIC, INSTITUTIONAL, AND CIVIC USES																			
Community and Cultural Facilities	Assembly	S	S	S	S	S	S	P	P		P	P	P		P	S		1 per 250 square feet	
	Civic building		S	S	S	S	S	P	P	P	P	P	P	P	P			1 per 300 square feet	
	Club or lodge						S	P	P	P	P	P						1 per 300 square feet	
	Community centered board facility						P											Based on demand study, see 070.040.060(c)(5)	
Adult and Child Care Facilities	Adult day care				S	S	S	P	P	P	P	P			P	S		1 per 300 square feet	
	Child care center	S	S	S	S	S	S	P	P	P	P	P			S		070.030.030(d)(1)	1 per 250 square feet	
	Child day care home, large	S	S	S	S	S	S	P	P		P	P					070.030.030(d)(2)	3 per dwelling unit	
	Child day care home, small	P	P	P	P	P	P	P	P		P	P	S			P		2 per dwelling unit	
Educational Facilities	School	S	S	S	S	S	S	P	P	P	P	P	S		P	S		High school: 4 per classroom All others: 1.5 per classroom	
Health Care Facilities	Hospital						P	P	P	P	P				P			1 per 400 square feet	
	Medical or dental clinic						P	P	P	P	P	P		P	P			1 per 250 square feet	
Parks and Open Space	Park, playground, and open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		No requirement	

070.030.030 Use-Specific Standards

(a) Generally

(1) Applicability

Use-specific standards shall apply to all zoning districts unless otherwise noted.

(2) Cross-References in Table of Allowed Uses

All uses with use-specific standards as indicated in the right-hand column of Table 030.1 shall comply with the applicable standards in this 070.030.030. All development shall also comply with the applicable standards in Article 070.040: *Development Standards*.

(3) Resolution of Conflicting Standards

In case of a conflict between these use-specific standards and the standards in Article 070.040:070.040.010 *Development Standards*, these use-specific standards shall apply unless otherwise noted.

(b) Performance Standards for All Uses

(1) Air Quality

- a. Uses that emit any air contaminant as defined by the federal government, State of Colorado, or Garfield County, shall comply with all applicable federal, state, and county standards concerning such emissions and with any other emission standards adopted by the City.
- b. No zoning approval or special use permit issued with respect to any use requiring a permit from a federal, state, county, or City agency with jurisdiction shall be valid until it has been certified to the City that the appropriate permits have been issued to the user and that the use is in compliance with all applicable air pollution laws.
- c. Noncompliance with any of the applicable air pollution laws shall be justification for revocation of any permits issued by the City.

(2) Hazardous Materials Storage and Use

a. General

1. The land use impacts for facilities that store or use hazardous materials in excess of the exempt amounts or maximum allowable quantities in control areas as specified in the Building and Fire Code are declared to be potentially harmful to the public health, safety, and welfare, or potentially damaging to the property values of adjacent properties.
2. A special use permit shall be required for any commercial or industrial use involving the storage, handling, or use of hazardous materials when the quantity is in excess of the exempt amount or maximum allowable per control area, as specified in the Building or Fire Code.

b. Combustibles and Explosives

The use, handling, storage, and transportation of combustibles and explosives shall comply with the Fire Code and all other provisions of the Municipal Code and applicable state and federal laws.

Article 070.030: Use Regulations

070.030.030 Use-Specific Standards

(c) Residential Uses

c. **Gases**

The escape or emission of any gas that is noxious, injurious, or destructive is unlawful and shall be immediately eliminated and, in addition, shall comply with the Municipal Code and all applicable state and federal regulations, including the federal Emergency Planning and Community Right to Know Act of 1986.

(3) **Excessive Heat and Humidity**

Uses and activities shall not produce any unreasonable, disturbing, or unnecessary emissions of heat or humidity at the property line of the site on which they are situated that cause material distress, discomfort, or injury to a reasonable person.

(4) **Odors**

Unless otherwise provided in this subsection, uses and activities that produce continuous, regular, or frequent odors and/or emissions, detectable beyond the boundary of the property from which the odor originates, may be prohibited, in whole or in part, if the odor or emission in question is a known health risk or danger or if the Director judges such odor or emission to be harmful to the rights of others to enjoy their property.

(5) **Light and Glare**

All uses shall comply with the standards in 070.040.100, *Exterior Lighting*.

(6) **Noise**

All uses shall comply with the standards in Article 100.070 of the Municipal Code, *Regulation of Noise*.

(7) **Vibration**

No use or activity shall produce vibrations that are perceptible without instruments at the property line for more than three minutes in any one hour of the day between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, or 8:00 am and 6:00 pm Saturday and Sunday.

(8) **Evidence of Compliance**

The Director shall require such evidence of ability to comply with appropriate performance standards and mitigation measures as deemed necessary by the Director prior to issuance of a building permit and certificate of occupancy.

(c) **Residential Uses**

(1) **Household Living, Generally**

Except for single-family detached dwellings, each dwelling unit shall have a separate entrance or window facing a street frontage.

(2) **Dwelling, Live-Work**

- a. Residential areas shall be located on upper floors above non-residential areas, or in the rear of the building behind non-residential areas.
- b. The non-residential use shall be owned and operated by a resident of the live-work dwelling unit.

(3) Mobile Home Park

a. Size of a Mobile Home Park

The area of a mobile home park shall be large enough to accommodate the designated number of mobile home spaces, necessary streets and roadways, parking areas for motor vehicles, and required drainage and stormwater facilities.

b. Size and Placement of Mobile Home Spaces

1. Each independent mobile home space shall contain a minimum area of 2,500 square feet and shall be at least 40 feet wide.
2. Each dependent mobile home space shall contain a minimum area of 1,000 square feet and shall be at least 25 feet wide.
3. Where angular or modular spaces are provided in a mobile home park, each such space shall contain a minimum area of 3,000 square feet and shall be at least 45 feet wide.
4. Each mobile home space shall abut on a driveway or other access with unobstructed access to a street.
5. Each mobile home shall be placed upon a space in the mobile home park so that:
 - i. It is completely within the designated mobile home space;
 - ii. There is a minimum of 15 feet between mobile homes;
 - iii. It is not located within 10 feet of an exterior boundary of the mobile home park;
 - iv. It is not located within 25 feet of a public right-of-way;
 - v. It does not obstruct any roadway, walkway, or easement;
 - vi. It is not located within five feet from any roadway in the mobile home park; and
 - vii. No independent mobile home is located on a dependent mobile home space.

c. Access

Access roads within the mobile home park shall be provided for each mobile home space. Each access road shall provide for continuous forward movement, shall connect with a street or highway, and shall have a minimum width of 25 feet when mobile home spaces are on one side only. When mobile home spaces are on both sides of the access road, such road shall have a minimum width of 40 feet.

d. Provisions for Dependent Mobile Homes

Mobile home parks with dependent mobile homes shall accommodate such mobile homes by providing service buildings, sanitary facilities, and laundry facilities per the Municipal Code.

(4) Personal Care Boarding Home

Prior to issuing a special use permit for a personal care boarding home, the following conditions shall be met:

- a. The applicant shall provide evidence of preliminary approval by the State of Colorado, Department of Public Health & Environment;
- b. No structural or exterior decorative additions shall be allowed that will alter the residential character of the home or be otherwise incompatible with surrounding residences, except for those necessary to provide accessibility meeting ADA requirements;

Article 070.030: Use Regulations

070.030.030 Use-Specific Standards

(d) Public, Institutional, and Civic Uses

- c. No other similar home-based use shall be allowed on the property including child or adult day care and boarding homes;
 - d. Residents, exclusive of employed caregivers, shall not have their own personal vehicles on site, including the public street;
 - e. The home shall have one kitchen and there shall be no provision for cooking in any other room, other than providing an alternative area for minimal food preparation such as heating or reheating food and beverages;
 - f. There shall be the appropriate number of licensed caregivers on site on a 24-hour basis to properly care for residents, per State of Colorado licensing requirements; and
 - g. The home shall comply with all other city, state, and federal laws and regulations.
-

(d) Public, Institutional, and Civic Uses

(1) Child Care Center

A child care center shall comply with the following conditions:

- a. The applicant shall provide documentation of preliminary approval from the State of Colorado, Department of Human Services; and
- b. Buffering of play areas through the use of fencing or a landscape screen in compliance with the height restrictions of this Code may be required when play areas are adjacent to residential uses.

(2) Child Day Care Home, Large

A large child day care home shall comply with the same requirements for a child care center in paragraph (1) above.

(e) Commercial Uses

(1) Kennel

- a. All animals shall be confined within an enclosed area or on a leash at all times.
- b. All boarded animals shall be kept within a totally enclosed structure between the hours of 10:00 p.m. and 7:00 a.m.
- c. Any open or exercise run shall be at least 50 feet from any adjoining property in a residential zoning district.

(2) Sale of Produce or Plants Raised on Premises

- a. The sale of produce or plants shall only include those grown on-site.
- b. The sale of produce or plants shall not include marijuana or marijuana products.
- c. No permanent structures shall be erected for sale of produce or plants.

(3) Veterinarian Hospital or Clinic

A veterinarian hospital or clinic shall comply with the same requirements for a kennel in paragraph (1) above.

December 16, 2019

Re: Yesenia Gonzalez Special Use Permit
1713 Grand Avenue
Glenwood Springs, CO 81601

Dear City of Glenwood Springs City Council,
Any and all others involved and concerned,

Last November Yesenia Gonzalez was denied a Special Use Permit to provide a much needed personal, family-style caregiver home environment for a handful of seniors in her re-purposed residential home. Yesie's home is an ideal location for the type of elder care she wants to accommodate:

- Safety and compassionate care are foremost in Yesenia's proposal.
- 1713 Grand Avenue is directly across the street from Sayre Park.
- Yesie's home is steps away from the signaled pedestrian crosswalk.
- The location is within walking distance of Glenwood Medical Associates, Valley View Hospital, and many other medical services.
- Glenwood Ride and RFTA bus stops are only a sort walk away.
- Ample off-street parking for the number of residents proposed.
- Intimate common areas in the home as well as private spaces for residents will foster community as well as privacy.
- A huge fenced backyard is ideal for hands-on vegetable and flower gardens, relaxation, and summer yard games.

I am advocating again by mail for approval of Yesenia's Special Use Permit because my wife and I will likely not be able to physically attend her appeal in January. I cannot express the gratitude and good fortune to have had Yesie provide the care and boundless love she gave in the last four months of our father, Wally's de Beque's life. As her friend, I urge you to grant her Special Use Permit and make her dream come true...Glenwood should be so lucky to have an angel like Yesie provide care for our seniors.

Respectfully,



Hank van Berlo
21 Crystal Circle
carbondale, CO 81623

To whom it may concern:

I understand the application of Yesenia Gonzalez for a small group assisted living home has been denied and is under appeal. I understand that you fear losing a block of residential living along Grand Avenue. I would argue that this isn't a loss of residential living, it's simply an addition of a few residents. I understand that there is concern about elderly and impaired residents wandering into traffic. The people this home would benefit are residents and not patients. They are capable human beings who may need help with meals, housekeeping, and bathing. It used to be that these elderly folks were taken care of by families but families are more scattered now and family isn't always able to take in an elderly parent. And if you haven't experienced aging parents yet, I can tell you from experience that they don't go from being entirely independent to needing a nursing home over night. Yesenia is offering an alternative — place where they can continue to participate in the world with a little assistance for the daily activities that keep them healthy. Baby boomers are aging and there are a lot of us. We need places like what Yesenia is proposing. I've been watching south Grand Avenue change for 64 years. A small group home will have less impact than a hair salon where there is the potential for cars pulling in and out 8-10 times during the day. It would have less impact than a real estate office which would also have daily traffic and parking impacts. It would have less impact than a law office or a counseling center or a marijuana dispensary.

Yesenia has shared with me her plans for a group assisted living home. The residents would help plan the meals, participate in activities, and water and care for a garden. Instead of being alone all day, they would have card playing partners, someone to do a puzzle with or even just someone to watch tv with. I can say with absolute certainty that she would be manage a successful and exceptional home where older adults would not be isolated and hidden away from the world, but would be active participants in life in a safe and caring atmosphere. I encourage you to approve her application.

Sincerely,

M. Michelle de Beque
Carbondale, Colorado

Date: February 11, 2020

To: City of Glenwood Springs, CO
City Council

From: Marsha White
Basalt, CO

Re: Yesenia Gonzalez Special Use Permit
1713 Grand Ave.
Glenwood Springs, CO

Yesenia Gonzalez has been one of the most reliable, skilled, and hard-working aides I have had since I entered Hospice care. My medical condition poses serious challenges for caregivers, but Yesenia finds solutions for all of the difficulties she and I face together. She approaches problems with intelligence, careful planning, determination, grace, and a positive attitude. Of all the aides I have, Yesenia is the one who best anticipates what needs to be done, before even I think of it. She will use those same character traits to make the home she is proposing an organized, efficient, and pleasant place.

During my four decades as a professor, I became a good judge of character, and I can reassure you that Yesenia has an unwavering sense of responsibility, a strong work ethic, a sunny disposition, and a high degree of integrity. I am lucky to be able to live with my adult children, but if that were not the case, I would be looking for a group home run by someone as compassionate and dedicated as Yesenia Gonzalez. Her proposal before your Council has my full support, and I think the Grand Avenue neighborhood will be blessed by the presence of the home she envisions.

Christopher A. Luby
2810 Alta Court
Grand Junction, CO 81501

February 11, 2020

To whom it may concern:

I am writing to recommend Yesenia Gonzalez Hernandez. She has consistently proven herself to be a loyal, respectful and dedicated individual in both her personal and professional life. Having known her for 6 years, I can honestly say that she is a person who leads by example and hard work. Both her patients and her loved ones look up to Yesenia and are inspired by her commitment, work ethic and dedication.

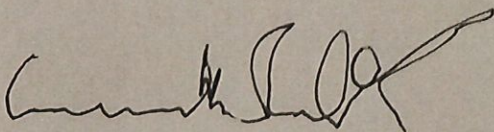
In both professional and personal realms, Yesenia is a leader. She is able to communicate with people both younger and older than her and to be positive and friendly. This adaptability, knowledge and discipline make her an ideal candidate to run her own assisted living facility. There is no project or task that she cannot complete. Yesenia is the definition of a go-getter.

She is always professional, kind, generous and very responsible. She is a person of good moral and caregiver oriented. Great multitasking woman and worker who will go the extra mile to achieve her goals.

If you have any further questions, please feel free to contact me at 970-216-4470 or gjbottomline@aol.com

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher A. Luby', with a stylized flourish at the end.

Christopher A. Luby

From:
To:
Subject: Fwd: To whom it may concern
Date: Saturday, November 16, 2019 12:47:20 PM

Recommendation

----- Forwarded message -----

From: Yesenia Gonzalez < >
Date: Wed, Nov 13, 2019 at 4:48 PM
Subject: Fwd: To whom it may concern
To: < >

Sent from my iPad

Begin forwarded message:

From: raquel baraka < >
Date: November 13, 2019 at 2:30:29 PM MST
To: Yesenia Gonzalez < >
Subject: To whom it may concern

I have known Yesenia Gonzalez for about three years now. She is a passionate and dedicated individual who is compassionate about elderly people. I think she is the right person to open up an assisting living business for those who may need this type of caring.

If you have any question, don't hesitate to contact me.

Sincerely,

Raquel Baraka

Chris Bergerud
PO Box 543
Snowmass, CO 81654
970.922.9020

11/14/2019

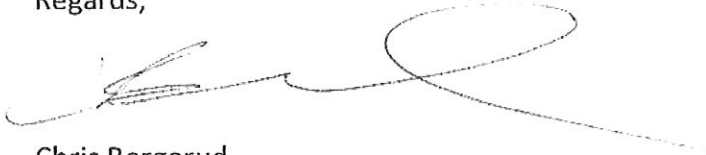
To whom it may concern:

This is a letter to wholeheartedly recommend Yesenia Gonzalez in her capacity as a home healthcare specialist. She cared for my father for approximately a year. In that time she helped him with day-to-day tasks, including errands, home maintenance, healthcare, meals and transportation. She has deep knowledge in elderly care, with a keen awareness of challenges her clients are facing.

My father trusted her like he has trusted no other professional before or since, considering her a good friend. She was able to maintain a professional relationship with Larry while at the same time truly caring for his welfare. There were times where she was the only one who could communicate difficult information to Larry in a way that he would listen and take action. In addition she was highly communicative with me, letting me know when there were health problems or other issues requiring my assistance.

Please feel free to contact me directly if I can answer further questions.

Regards,

A handwritten signature in black ink, appearing to be 'Chris Bergerud', with a large, stylized loop at the end.

Chris Bergerud

To: Glenwood Springs Planning and Zoning Commission

RE: Special Use Permit Application: Personal Care Boarding Home

Yesenia Gonzalez Hernandez, 1713 Grand Ave.

November 15, 2019

Dear Commissioners:

We are writing with strong support for the applicant, Yesenia Gonzalez, and support for the Personal Care Boarding Home permit.

We have known Yesenia for about a decade. We can attest to her character, honesty and competency. Yesenia is one of the hardest working people that we know. She has worked hard and well in the personal care industry while striving for improvement personally and professionally. She has worked hard and passed her GED as well as her CNA (Colorado Certified Nurses Aid). She has worked long and hard in the personal care business. Yesenia has had a goal of establishing a Personal Care Boarding Home.

The application should be approved for many reasons.

Glenwood has a need for a personal care boarding home. There are very limited spaces and options for this type of residential option and care. Many of our residents in need of such care have to leave Glenwood for other facilities as in Grand Junction. We have an aging population and the demand is increasing for aging in place and assisted type of living. The Glenwood Springs Strategic Plan encourages housing opportunities for the entire community. The Glenwood Springs Housing Commission endorses diverse housing opportunities including options for senior citizens.

This is a form of residential use and would be compatible with the surrounding area on Grand Avenue. There would be little if any noticeable or increased impact on the neighborhood. There is adequate parking and there would be relatively little auto activity in and out of the property. Perhaps less than as a current single-family home.

This special use would actually increase the health, safety and welfare of the residents of the community who use the facility.

You have before you a very qualified and competent applicant with a request for a use that is needed in the community, consistent with the comprehensive plan and compatible with the surrounding area while providing a significant benefit to the community.

We encourage you to approve the application with any necessary conditions as suggested by city staff.

Thank you.

Sumner Schachter and Michele Diamond

1204 Blake Ave. Glenwood Springs, CO

November 15, 2019

To Whom It May Concern:

This letter is my recommendation of Yesenia Gonzales.

I knew Yesenia when I lived in Glenwood Springs, Colorado.

I tutored her in math at Colorado Mountain College in Glenwood Springs, Colorado.

I found Yesenia to be a smart fast learner.

She was prompt in her attendance during our scheduled tutoring sessions.

Her willingness to learn inspired me to give her higher challenges in math.

Yesenia used her friendliness skills to assist other students in our sessions.

Many students owe their math success to Yesenia's long patience and ability to communicate her skills to them.

I believe Yesenia will be an asset to anything she puts her mind to as well as her skills.

You can contact me regarding Yesenia, anytime. I am so pleased with her.

Sincerely,

Irvin L. Tilley
741 Hanover Dr.
Orem, Utah, 84058
208-219-1234

November 15, 2019

To Whom It May Concern:

This letter is my personal recommendation for Yesenia Gonzales. I have known Yesenia since 2003 in Glenwood Springs, Colorado.

We worked together from 2008 to 2010 in Heritage Park Care Center, Glenwood Springs, Colorado.

Yesenia is intelligent, polite and willing to help everyone. She always took extra time to spend with patients when the needs were more than was required by the patient's physical therapy. Yesenia can be trusted to be a self-starter in any job she is trained to do. I have always known Yesenia to be cheerful and dependable. Yesenia cared for my friends' father for approximately a year. In that time she helped him with day-to-day tasks, including errands, home maintenance, healthcare, meals and transportation. Yesenia has deep knowledge in elderly care, with keen awareness of challenges her clients are facing.

My friends' father trusted Yesenia like he has never trusted no other professional before or since, considering her a good friend. She was able to maintain a professional relationship with the father while at the same time truly caring for his welfare. There were times where Yesenia was the only one who could communicate difficult information to the father in a way that he would listen and take action.

In addition, Yesenia was highly communicative with me, letting me know when there were health problems or other issues requiring my assistance.

Please feel free to contact me directly if I can answer future questions.

Sincerely,

Dora G Tilley

741 Hanover Dr., Orem, Utah, 84058

970-309-5584

Glenwood Springs Planning and Zoning

RE: Yesenia Gonzales 1713 Grand Ave
Residential Care Home

November 18, 2019

Dear P & Z,

I strongly recommend Yesenia for approval for a long term care home in Garfield County. There is a huge need for residents to remain in their community and not be moved to Front Range or Grand Junction. The population is growing and as we all age none of us want to be moved out of our community.

I have known Yesenia for 5 years and witnessed her loving care to a client with acceptance love and her gentle encouragement every time I saw her in action. I feel by opening her home to a small number of seniors or handicapped individuals that need her loving care & guidance would be a wonderful thing for Garfield County to do, they could not find a better person to do this. She has training, but mostly she has deep love for all people. Seniors is where her passion lies and her patients genuinely love her. We would be very lucky to have her home able to accommodate these folks. One day any of us could need this care and I would love to reside at her home, when or if the need arises.

I feel the home would provide a lot less impact to Grand avenue than other homes that have multiple vehicles parked in front of them. There would be a lot less noise than most residences. It is easy to say and be NIMBY (not in my back yard), but this would be a wonderful place to reside. It would be a perfect spot with a nice back yard as well as nice rooms for the residence.

I urge you to consider this home and the Remarkable Yesenia Gonzales as your next residential home in Garfield County. Please contact me should the need arise I can be reached at 970-309-5293.

Sincerely,

Diane Welter

Diane Welter
Executive Director
Your Friends For Life

Chris Bergerud
PO Box 543
Snowmass, CO 81654
970.922.9020

11/14/2019

To whom it may concern:

This is a letter to wholeheartedly recommend Yesenia Gonzalez in her capacity as a home healthcare specialist. She cared for my father for approximately a year. In that time she helped him with day-to-day tasks, including errands, home maintenance, healthcare, meals and transportation. She has deep knowledge in elderly care, with a keen awareness of challenges her clients are facing.

My father trusted her like he has trusted no other professional before or since, considering her a good friend. She was able to maintain a professional relationship with Larry while at the same time truly caring for his welfare. There were times where she was the only one who could communicate difficult information to Larry in a way that he would listen and take action. In addition she was highly communicative with me, letting me know when there were health problems or other issues requiring my assistance.

Please feel free to contact me directly if I can answer further questions.

Regards,

A handwritten signature in black ink, appearing to be 'Chris Bergerud', with a long, sweeping horizontal line extending to the right.

Chris Bergerud



Planning & Zoning Commission Staff Report

Date: November 26, 2019

To: Planning & Zoning Commission

From: Gretchen Ricehill, Asst. Director Community Development Dept.

Subject: #33-19- Special Use Permit – Personal Care Boarding Home

REQUEST	Consideration of a request for a special use permit to operate a personal care boarding home within an existing single-family residence
APPLICANT	Yesenia Gonzalez Hernandez
OWNER	Yesenia Gonzalez
ZONE	RM1-Residential Medium Density
LOCATION:	1713 Grand Avenue Lot 29 Block 2, South Park Addition
SURROUNDING LAND USES	North: Residential South: Residential East: Park West: Residential
LOT SIZE	7,700 square feet

ACTION ITEM SUMMARY

Action 1: Consideration of a Special Use Permit to allow the operation of a personal care boarding home at 1713 Grand Avenue.

Staff Recommendation:

Staff recommends that the Commission **approve** the special use permit with suggested findings on pages 5 and 6 and suggested conditions on page 6 of this report.

PROJECT SUMMARY

Yesenia Gonzalez Hernandez proposes to convert her single-family home at 1713 Grand Avenue to a Personal Care Boarding Home and provide care for up to six seniors. "Personal Care Boarding" is a use that was added to the Municipal Code in 2006 and is defined as:

An assisted living residence that provides room and board to not less than three and not more than six adults 18 years of age or older and who, because of impaired capacity for independent living, elect protective oversight, personal services, and social care but do not require 24 hour nursing or medical area. Personal care boarding homes shall not serve clients requiring a secured environment as defined by 6 CCR 1011-1, Section 1.1.2, as shall not include residential facilities for those living together as a result of prior criminal offenses.

The use is allowed in the city's residential and commercial zoning districts by special review. The intent of personal care boarding is to provide a residential home environment for people that may need personal assistance in their daily living but that do not require 24-hour nursing assistance.

Currently, the Harmony House at 1045 Park West Drive is only Personal Care Boarding Home in operation in Glenwood Springs.



GoogleEarth Photograph



SPECIAL REVIEW

When reviewing special use applications for this type of facility, the Municipal Code requires compliance with general performance standards as well as seven criteria that are specific to Personal Care Boarding Homes.

Attached for your review is the owner's narrative description addressing each criterion and performance standard as well as providing several supportive statements from the Comprehensive Plan. Following is staff's analysis of the proposal

General Performance Standards

Following is a summary of the general performance standards that apply to all special review uses (reference 070.030.030):

- **Air quality:** ensures that uses that emit any air contaminant as defined by federal, state or county governments complies with all applicable emission standards.
- **Hazardous Materials Storage and Use:** regulates uses that store or use hazardous materials in excess of exempt or maximum amounts allowed under the building or fire codes. The proposed use may require storage of oxygen tanks. The location and method of storage is regulated by the State and the 2015 Fire Code.
- **Excessive Heat & Humidity:** prohibits unreasonable or unnecessary emission of heat or humidity at the property line.
- **Odors:** provides that uses that produce regular or frequent odors detectable beyond the property line may be prohibited if the odor is a known health risk or if the Director judges that the odor is harmful to the rights of others to enjoy their property.
- **Light & Glare:** requires that the use complies with the exterior lighting code (070.040.100)
- **Noise:** ensures that uses comply with noise regulations (100.070).
- **Vibration:** prohibits regular and frequent vibrations at the property line.

The proposed Personal Care Boarding Home use is not expected to have any impact to surrounding properties over and above that of a normal single-family home.

Personal Care Boarding Home Special Use Criteria

Below is a list of seven criteria that apply specifically to personal care boarding home uses (reference 070.030.030(c)(4)):

1. **The applicant shall provide evidence of preliminary approval by the State of Colorado, Department of Public Health & Environment.**

Ms. Gonzalez Hernandez is concurrently applying for her special use permit through the City and her licensure with the State of Colorado. If the Commission approves the special use permit, staff recommends adding the following condition of approval: Prior to opening the home to residents or clients, the applicant/owner shall provide the Community Development Department with evidence of licensure approval by the State of Colorado, Department of Public Health & Environment.

2. **No structural or exterior decorative additions shall be allowed that will alter the residential character of the home or be otherwise incompatible with surrounding residences, except for those necessary to provide accessibility meeting ADA requirements.**

In her narrative, Ms. Gonzalez Hernandez provided a list of exterior and interior home improvements including adding a ramp and handrails to the deck; creating to additional bedrooms in the basement; installing an air conditioning system; and installing a fire suppression system. As part of the licensure process, the State Department of Public Health & Environment will inspect the home. There may be additional improvements needed based on this inspection. All work is subject to the 2015 International Building Code and, prior to commencement of construction, the owner will be required to submit a building permit application for review and approval of the City's Building Official.

3. No other similar home-based use shall be allowed on the property including child or adult day care and boarding homes.

Other than the management required to operate the Personal Care Boarding Home, there will be no other home-based business on site.

4. Residents, exclusive of employed caregivers, shall not have their own personal vehicles on site, including the public street.

The home has a driveway that is 32 feet wide x 32 feet long, which is sufficient to accommodate up to three vehicles. The owner indicated in her narrative that three individuals will provide care to the residents (Ms. Gonzalez Hernandez and two other caregivers). Ms. Gonzalez Hernandez clarified for staff that there will be only one caregiver on site at any given time, except for shift changes. Further, the residents will not be allowed to have their personal vehicles. The on-site parking should accommodate the caregiver(s) as well as any guests that may visit from time to time.

5. The home shall have one kitchen and there shall be no provision for cooking in any other room, other than providing an alternative area for minimal food preparation such as heating or reheating food and beverages

As indicated in the project narrative, all cooking will occur in the existing kitchen. No cooking will be allowed in the bedrooms.

6. There shall be the appropriate number of licensed caregivers on site on a 24-hour basis to properly care for residents, per State of Colorado licensing requirements.

Ms. Gonzalez Hernandez indicated that one licensed caregiver will be on site at all times.

7. The home shall comply with all other city, state, and federal laws and regulations

The home requires a few upgrades necessary to comply with city and state requirements. Specifically, this includes adding a fire suppression system and constructing a ramp and handrails on the rear deck. It is important to note that the state regulates all aspects of assisted living facilities. Additional physical modifications may be required as part of the state review and approval process.

Comprehensive Plan

Ms. Gonzalez Hernandez' application noted how her proposal met several goals from the 2011 Comprehensive Plan including:

- Maintaining/enhancing social sustainability
- Providing housing opportunities for the entire community
- Preserving small town character
- Supporting social diversity

Staff adds that the Comprehensive Plan encouraged planning for senior housing. It “recognized that the retiree population will grow at a disproportionately high rate for at least the next 15 years and that housing specifically designed for seniors should be a key component of a comprehensive housing approach.” (p.75)

REVIEWING AGENCY COMMENTS

Staff distributed the application to city departments for review and comment. Comments were received from Police, Engineering and Public Works departments:

- Engineering commented that placement of any work materials (including dumpsters) must be on private property and not in the right-of-way.
- Police expressed no concern for the proposed use;
- Water/Wastewater expressed concern about the size of the existing water service to support a fire sprinkler system. Upgrading of the existing service would require trenching in the Grand Avenue/Highway 82 right-of-way. The owner contacted a fire sprinkler design firm to discuss alternatives. The design firm submitted a proposal to install an automatic fire sprinkler system that utilized a 300-gallon water supply tank and pump system. The owner plans to locate the tank in the basement of the home.

In addition to department comments, staff received correspondence from individuals expressing support and opposition to the proposal. These are attached for review. Staff notes that one of the correspondences, a letter from Mr. Edward Mulhall, referred to subdivision covenants which appear to prohibit the proposed use. The South Park subdivision covenants were adopted and recorded in 1950. The covenants state that properties “shall be used only for residential purposes...”. As the Commission is aware, the City does not enforce private covenants. Nevertheless, it is important to note that according to Municipal Code Title 070, Personal Care Boarding Homes are categorized as a type of residential use in Table 030.1-Table of Allowed Uses.

REQUIRED ACTIONS

Action 1: Consideration of a Special Use Permit to allow the operation of a personal care boarding home at 1713 Grand Avenue.

Action Alternatives

The Commission may approve, approve with conditions, or deny the special use permit application in accordance with the seven approval criteria listed on pages 4 and 5 of this report. The Commission may also continue the application with a request that the applicant provide specific additional information.

Staff Recommendation:

Staff recommends that the Commission approve the special use permit with suggested findings on pages 5 and 6 and suggested conditions on page 6 of this report.

Suggested Findings:

1. The proposed use is in compliance with the Comprehensive Plan in that it maintains the city’s small town character while providing housing opportunities for seniors and supporting social diversity within the neighborhood;
2. The proposed use complies with performance standards listed in 070.030.030 of the Municipal Code; and,

3. The proposed use complies with use-specific conditions listed in 070.030.030(c)(4) of the Municipal Code.

Suggested Conditions:

1. Prior to issuance of the Special Use Permit the owner shall:
 - a. Provide evidence of licensure approval by the State of Colorado, Department of Public Health & Environment;
 - b. Apply for and receive a building permit application for all construction work at the home as required by the 2015 International Building Code;
 - c. Pay all system improvement fees that shall be due. Fees shall be calculated by the Community Development Department upon submission of the building permit application.
2. No structural or exterior decorative additions shall be allowed that will alter the residential character of the home or be otherwise incompatible with surrounding residences, except for those necessary to provide accessibility meeting ADA requirements.
3. No other similar home-based use shall be allowed on the property including child or adult day care and boarding homes.
4. Residents, exclusive of employed caregivers, shall not have their own personal vehicles on site, including the public street.
5. The home shall have one kitchen and there shall be no provision for cooking in any other room, other than providing an alternative area for minimal food preparation such as heating or reheating food and beverages.
6. There shall be the appropriate number of licensed caregivers on site on a 24-hour basis to properly care for residents, per State of Colorado licensing requirements.
7. The home shall comply with all other city, state, and federal laws and regulations.
8. No signage shall be present other than that allowed under Municipal Code section 070.040.110-Signs.

Water/Wastewater (W/WW) Department Comments

Planning Item: 33-19 Special Use Permit- Personal Care Boarding Home
Applicant: Yesenia Gonzalez
Owner: Yesenia Gonzalez
Location: 1713 Grand Ave
Parcel: 2185 161 12 028
Date of Comments: 9/4/19

The following are W/WW Department comments based on a review of the application package (note: application package was not dated).

Project Understanding

- We understand that the applicant is requesting special use permit for a proposed personal care boarding home located at 1713 Grand Ave. The existing single family residence will be modified to include two additional bedrooms along with several other miscellaneous improvements.

W/WW Department Comments

Water Service

- We understand that the City of Glenwood Fire Department will require this facility to have a fire sprinkler system. The existing water service for this property is likely not large enough to serve a fire sprinkler system.
- If an upsized tap is needed, the nearest water main is located on the eastern side of Grand Ave (Hwy 82). Be aware that the cost to install a new tap in Grand Ave. may be high. Costs will likely be high due to: 1) traffic control requirements that must meet CDOT specification on a highway and 2) a concrete section of the highway will need to be cut out and repaired in accordance with CDOT specifications (the concrete in the area is very thick). The W/WW department encourages the applicant to consult with a qualified contractor to better define installation costs.
- The applicant is responsible for all costs required to install a new water tap, including applicable system improvements fees and tap fees. Please contact the City Community Development department regarding the improvement fees and the City W/WW Department regarding tap fees.
- If the existing water service is abandoned as part of this project, the applicant must abandon the tap at the main in accordance with City's engineering standards
- Any water service used for fire protection must be designed, installed, and tested to meet NFPA 24 requirements. Prior to construction, **an engineered detail of the fire service line must be submitted to the City for review and approval.** At a minimum, the detail must show the following: 1) a plan and profile view of the piping alignments

extending from the tap location to the building interior penetration, 2) materials of construction, 3) thrust restraint locations and specifications, 4) a comment indicating that the design conforms to all NFPA 24 requirements, 5) a note indicating that the service line must be pressure- and flow-tested in accordance with NFPA 24, and 6) the stamp and signature of the Professional Engineer (PE) certifying the design.

- The applicant is responsible for providing the City with a signed copy of the completed “*Contractor’s Material and Testing Certificate for Underground Piping*” form (attached) prior to issuance of a Certificate of Occupancy. This form certifies that the service line was designed, installed, and tested in accordance with all NFPA 24 requirements.
- Only City W/WW staff shall perform work on the water main. In certain circumstances, the City may allow a contractor to install a tap, but only when under the direct supervision of W/WW staff. Tap requests shall be scheduled with the W/WW department at least 48 hours in advance but we recommend that you begin coordinating with the department as soon as possible.

Sanitary Sewer.

- Sanitary sewer service will not be modified as part of this project.

Water Meters.

- All services must be metered.
- Meter accounts must be set up and the meter purchased through the City’s finance department before meters will be issued.
- Water meters must be installed per manufacturer’s requirements. They may be subjected to performance testing before being accepted by the City.
- Water meters must be installed in a location that can be accessed by the City for inspection and future maintenance. Refer to the attached schematic for meter installation instructions, including additional requirements for isolation valves, pressure reducing valves, and cross-connection devices (see attached water meter installation schematic). Note that if the water system pressure exceeds 80 psi, a pressure reducing valve must be installed downstream of the water meter.
- A water meter inspection must be performed by City staff before a certificate of occupancy will be issued. We recommend that you contact the W/WW department to discuss specific requirements as soon as possible to avoid an unforeseen installation issues.

Cross-connection Control.

- A City-approved cross-connection/ backflow device must be installed on water service lines if a hazard exists. **This project requires that a cross connection/backflow prevention hazard survey be completed (by the City) before a certificate of occupancy will be issued.**
- At the customer’s request, W/WW Department staff will perform an initial Cross Connection Hazard Survey and provided preliminary recommendations during the planning phases of the project. Upon completion of the project, a follow-up inspection of the property is required (per State law) to ensure that acceptable backflow devices have been properly installed and tested. We recommend that you contact the W/WW

department to discuss specific requirements as soon as possible to avoid unforeseen installation issues during the construction phase.

- Please note that backflow prevention devices cannot be installed below grade per International Plumbing Code (IPC). In addition, certain backflow prevention devices require drainage requirements. We encourage the customer to consider these requirements and address them during the design phase of the project.

General.

- All publicly-owned or maintained water and sewer infrastructure must meet the requirements of the City's engineering standards. The current version can be found at the following link: <http://cogs.us/EngineeringStandards>.
- A right-of-way permit is required for this project. Please contact the City's engineering department to obtain the permit application.
- Per Colorado 811 and City requirements, tracer wire and utility warning tape shall be installed with all underground water and sewer infrastructure.
- Any water/sewer separation distances and crossings must meet State (i.e., CDPHE) and City requirements.

W/WW Department Contact Information:

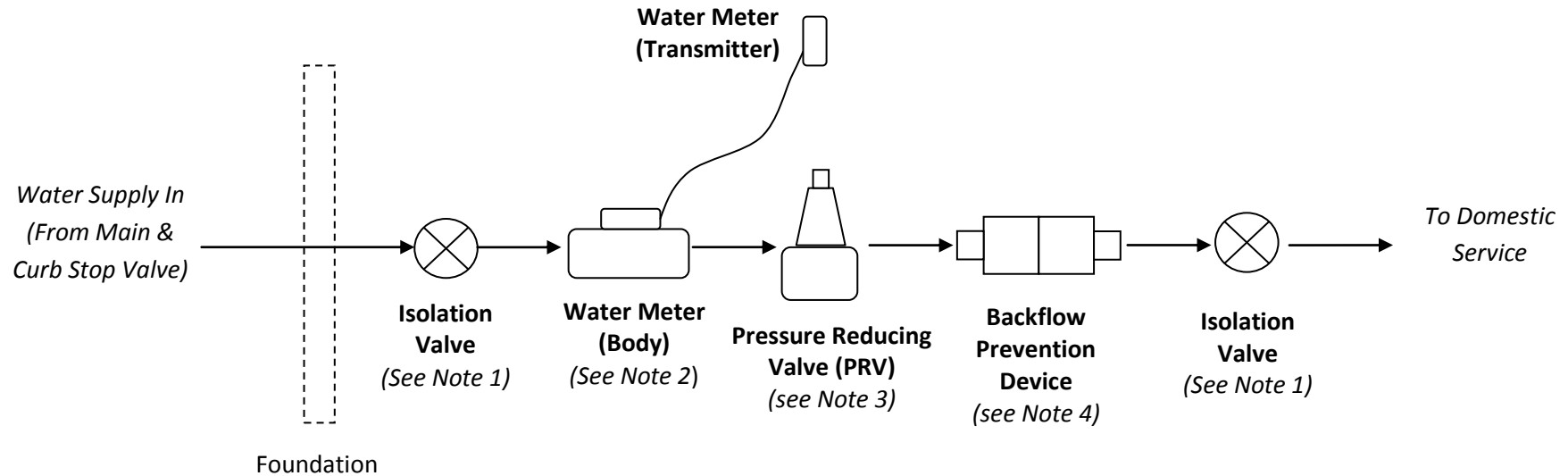
- o Horacio Diaz – 379-1974 (Sewer Services & Taps)
- o Mike Hoffman – 989-3902 (Water Services & Taps, Cross Connections, Water Meter Inspections)
- o Brad Zachman – 384-6388 (General Information)
- o Utility Billing – 384-6400 (Account setup; Water Meter Purchase)
- o Community Development Department – 384-6411 (Improvements Fees)

Attachments:

- o Water Meter Installation Schematic

Water Meter Installation Schematic

Glenwood Springs Water Department



Notes:

1. It is strongly recommended that isolation valves be installed at the locations shown. These valves allow for the water supply to be shut off during repairs or for replacement of the water meter equipment.
2. To assure accurate measurements, water meters must be installed per manufacturer's specific instructions. Contact the City's Water Department for a copy of these instructions or if you have any questions regarding the installation requirements.
3. A pressure reducing valve (PRV) regulates incoming pressure from the main. A PRV is recommended for all installations, but is required for all services that are fed off of water mains with static water pressure of 80 psi or greater. Contact the water department (**384-6344 or 989-3902**) for more information regarding the static water main pressure that serves your property.
4. A backflow prevention device protects the City's water supply from contamination or pollution due to backflow conditions. Please contact the City's cross connection technicians (**384-6345**) to discuss specific backflow prevention requirements and installation procedures.
5. Requests for water meters can be initiated by contacting the City's Utility Billing Office (**384-6400**). Once payment is made, water meters can be picked up from the Water Department at 401 7th St. (**384-6344 or 989-3902**).
6. Contact the Water Department to schedule a final inspection of the meter (**384-6344 or 989-3902**) and the backflow device (**384-6345**).

Updated June 2016

Contractor's Material and Test Certificate for Underground Piping			
PROCEDURE Upon completion of work, inspection and tests shall be made by the contractor's representative and witnessed by an owner's representative. All defects shall be corrected and system left in service before contractor's personnel finally leave the job. A certificate shall be filled out and signed by both representatives. Copies shall be prepared for approving authorities, owners, and contractor. It is understood the owner's representative's signature in no way prejudices any claim against contractor for faulty material, poor workmanship, or failure to comply with approving authority's requirements or local ordinances.			
Property name		Date	
Property address			
Plans	Accepted by approving authorities (names)		
	Address		
	Installation conforms to accepted plans ☐ Yes ☐ No		
	Equipment used is approved ☐ Yes ☐ No		
Instructions	Has person in charge of fire equipment been instructed as to location of control valves and care and maintenance of this new equipment? ☐ Yes ☐ No If no, explain		
	Have copies of appropriate instructions and care and maintenance charts been left on premises? ☐ Yes ☐ No If no, explain		
Location	Supplies buildings		
Underground pipes and joints	Pipe types and class		Type joint
	Pipe conforms to _____ standard ☐ Yes ☐ No		☐ Yes ☐ No
	Fittings conform to _____ standard ☐ Yes ☐ No		
	If no, explain		
Test description	Joints needing anchorage clamped, strapped, or blocked in accordance with _____ standard ☐ Yes ☐ No If no, explain		
	Flushing: Flow the required rate until water is clear as indicated by no collection of foreign material in burlap bags at outlets such as hydrants and blow-offs. Flush at one of the flow rates as specified in 10.10.2.1.3. Hydrostatic: All piping and attached appurtenances subjected to system working pressure shall be hydrostatically tested at 200 psi (13.8 bar) or 50 psi (3.5 bar) in excess of the system working pressure, whichever is greater, and shall maintain that pressure ± 5 psi (0.35 bar) for 2 hours. Hydrostatic Testing Allowance: Where additional water is added to the system to maintain the test pressures required by 10.10.2.2.1, the amount of water shall be measured and shall not exceed the limits of the following equation (for metric equation, see 10.10.2.2.6):		
	$L = \frac{SD\sqrt{P}}{148,000}$ L = testing allowance (makeup water), in gallons per hour S = length of pipe tested, in feet D = nominal diameter of the pipe, in inches P = average test pressure during the hydrostatic test, in pounds per square inch (gauge)		
	New underground piping flushed according to _____ standard by (company) ☐ Yes ☐ No If no, explain		
Flushing tests	How flushing flow was obtained		Through what type opening
	☐ Public water ☐ Tank or reservoir ☐ Fire pump		☐ Hydrant butt ☐ Open pipe
	Lead-ins flushed according to _____ standard by (company) ☐ Yes ☐ No If no, explain		☐ Y connection to flange and spigot ☐ Open pipe
	How flushing flow was obtained		
☐ Public water ☐ Tank or reservoir ☐ Fire pump			

© 2012 National Fire Protection Association

NFPA 24 (p. 1 of 2)

FIGURE 10.10.1 Sample of Contractor's Material and Test Certificate for Underground Piping.

Hydrostatic test	All new underground piping hydrostatically tested at _____ psi for _____ hours		Joints covered ☐ Yes ☐ No	
Leakage test	Total amount of leakage measured _____ gallons _____ hours			
	Allowable leakage _____ gallons _____ hours			
Forward flow test of backflow preventer	Forward flow test performed in accordance with 10.10.2.5.2: ☐ Yes ☐ No			
Hydrants	Number installed	Type and make	All operate satisfactorily ☐ Yes ☐ No	
Control valves	Water control valves left wide open If no, state reason		☐ Yes ☐ No	
	Hose threads of fire department connections and hydrants interchangeable with those of fire department answering alarm		☐ Yes ☐ No	
Remarks	Date left in service			
Signatures	Name of installing contractor			
	Tests witnessed by			
	For property owner (signed)	Title	Date	
	For installing contractor (signed)	Title	Date	
Additional explanation and notes				
© 2012 National Fire Protection Association NFPA 24 (p. 2 of 2)				

FIGURE 10.10.1 Continued

From: [Yesenia Gonzalez](#)
To: [Gretchen E Ricehill](#)
Subject: Fwd: To whom it may concern
Date: Saturday, November 16, 2019 12:47:20 PM

Recommendation

----- Forwarded message -----

From: **Yesenia Gonzalez** <y.gonzalez1713@gmail.com>
Date: Wed, Nov 13, 2019 at 4:48 PM
Subject: Fwd: To whom it may concern
To: <irlandagonzalez2000@gmail.com>

Sent from my iPad

Begin forwarded message:

From: raquel baraka <raquelcruel@yahoo.com>
Date: November 13, 2019 at 2:30:29 PM MST
To: Yesenia Gonzalez <y.gonzalez1713@gmail.com>
Subject: To whom it may concern

I have known Yesenia Gonzalez for about three years now. She is a passionate and dedicated individual who is compassionate about elderly people. I think she is the right person to open up an assisting living business for those who may need this type of caring.

If you have any question, don't hesitate to contact me.

Sincerely,

Raquel Baraka
(732) 770-1295

[Sent from Yahoo Mail for iPhone](#)

Chris Bergerud
PO Box 543
Snowmass, CO 81654
970.922.9020

11/14/2019

To whom it may concern:

This is a letter to wholeheartedly recommend Yesenia Gonzalez in her capacity as a home healthcare specialist. She cared for my father for approximately a year. In that time she helped him with day-to-day tasks, including errands, home maintenance, healthcare, meals and transportation. She has deep knowledge in elderly care, with a keen awareness of challenges her clients are facing.

My father trusted her like he has trusted no other professional before or since, considering her a good friend. She was able to maintain a professional relationship with Larry while at the same time truly caring for his welfare. There were times where she was the only one who could communicate difficult information to Larry in a way that he would listen and take action. In addition she was highly communicative with me, letting me know when there were health problems or other issues requiring my assistance.

Please feel free to contact me directly if I can answer further questions.

Regards,

A handwritten signature in black ink, appearing to be 'Chris Bergerud', with a long, sweeping horizontal line extending to the right.

Chris Bergerud

Edward Mulhall, Jr.

1729 Grand Avenue, Glenwood Springs, CO 81601

970.945.7289, emulhall@rof.net

November 15, 2019

Planning and Zoning Commission
City of Glenwood Springs
101 West 8th St.
Glenwood Springs, CO 81601

Re: Zoning Special Use Permit for Personal Care Boarding Home, Lot 29 Block 2,
South Park Subdivision (1713 Grand Avenue)

Ladies and Gentlemen:

Responsive to the public notice, notice recipients and as owners of Lot 25 Block 2 in the South Park Subdivision, please consider my and my wife's (Janet E.) OBJECTION to the foregoing special use permit application. Please consider our objection in your deliberation.

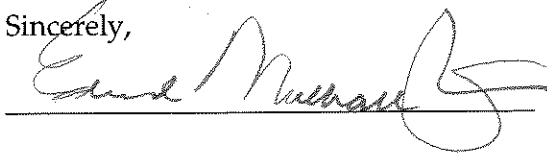
I am authorized to state the owners of Lot 26 Block 2 of the Subdivision (1725 Grand), John Patrick and June A. Copenhaver, also object to the proposed special use authorization and do so with this communication.

We recognize the plenary authority of the municipality to direct and regulate land-use within its territory. We are disappointed that this authority transcends long standing restrictions that formed this neighborhood's character. The covenants created in 1951 that remain in effect restrict Subdivision land use "for residential purposes and for no other purposes whatsoever, and no building shall be erected ... other than one detached single-family dwelling ... " That restriction is incompatible with operating a boarding house.

We feel the purposes established by the recorded covenants affecting every residential ownership in this subdivision should be respected not by just the other owners but by the municipality that annexed the Subdivision with these covenants adopted, recorded and in place. While there may be a public need and the applicant's skills and willingness are commendable, we believe recorded, established neighborhood restrictions should be accorded an effect equal to if not greater than general, otherwise permissible special use zoning applications. Legally and respectfully a zoned special use should not be applied in such a way that it repeals recorded use restrictions.

Thank you for your consideration.

Sincerely,



To: Glenwood Springs Planning and Zoning Commission

RE: Special Use Permit Application: Personal Care Boarding Home

Yesenia Gonzalez Hernandez, 1713 Grand Ave.

November 15, 2019

Dear Commissioners:

We are writing with strong support for the applicant, Yesenia Gonzalez, and support for the Personal Care Boarding Home permit.

We have known Yesenia for about a decade. We can attest to her character, honesty and competency. Yesenia is one of the hardest working people that we know. She has worked hard and well in the personal care industry while striving for improvement personally and professionally. She has worked hard and passed her GED as well as her CNA (Colorado Certified Nurses Aid). She has worked long and hard in the personal care business. Yesenia has had a goal of establishing a Personal Care Boarding Home.

The application should be approved for many reasons.

Glenwood has a need for a personal care boarding home. There are very limited spaces and options for this type of residential option and care. Many of our residents in need of such care have to leave Glenwood for other facilities as in Grand Junction. We have an aging population and the demand is increasing for aging in place and assisted type of living. The Glenwood Springs Strategic Plan encourages housing opportunities for the entire community. The Glenwood Springs Housing Commission endorses diverse housing opportunities including options for senior citizens.

This is a form of residential use and would be compatible with the surrounding area on Grand Avenue. There would be little if any noticeable or increased impact on the neighborhood. There is adequate parking and there would be relatively little auto activity in and out of the property. Perhaps less than as a current single-family home.

This special use would actually increase the health, safety and welfare of the residents of the community who use the facility.

You have before you a very qualified and competent applicant with a request for a use that is needed in the community, consistent with the comprehensive plan and compatible with the surrounding area while providing a significant benefit to the community.

We encourage you to approve the application with any necessary conditions as suggested by city staff.

Thank you.

Sumner Schachter and Michele Diamond

1204 Blake Ave. Glenwood Springs, CO

November 15, 2019

To Whom It May Concern:

This letter is my recommendation of Yesenia Gonzales.

I knew Yesenia when I lived in Glenwood Springs, Colorado.

I tutored her in math at Colorado Mountain College in Glenwood Springs, Colorado.

I found Yesenia to be a smart fast learner.

She was prompt in her attendance during our scheduled tutoring sessions.

Her willingness to learn inspired me to give her higher challenges in math.

Yesenia used her friendliness skills to assist other students in our sessions.

Many students owe their math success to Yesenia's long patience and ability to communicate her skills to them.

I believe Yesenia will be an asset to anything she puts her mind to as well as her skills.

You can contact me regarding Yesenia, anytime. I am so pleased with her.

Sincerely,

Irvin L. Tilley

741 Hanover Dr.

Orem, Utah, 84058

208-219-1234

November 15, 2019

To Whom It May Concern:

This letter is my personal recommendation for Yesenia Gonzales. I have known Yesenia since 2003 in Glenwood Springs, Colorado.

We worked together from 2008 to 2010 in Heritage Park Care Center, Glenwood Springs, Colorado.

Yesenia is intelligent, polite and willing to help everyone. She always took extra time to spend with patients when the needs were more than was required by the patient's physical therapy. Yesenia can be trusted to be a self-starter in any job she is trained to do. I have always known Yesenia to be cheerful and dependable. Yesenia cared for my friends' father for approximately a year. In that time she helped him with day-to-day tasks, including errands, home maintenance, healthcare, meals and transportation. Yesenia has deep knowledge in elderly care, with keen awareness of challenges her clients are facing.

My friends' father trusted Yesenia like he has never trusted no other professional before or since, considering her a good friend. She was able to maintain a professional relationship with the father while at the same time truly caring for his welfare. There were times where Yesenia was the only one who could communicate difficult information to the father in a way that he would listen and take action.

In addition, Yesenia was highly communicative with me, letting me know when there were health problems or other issues requiring my assistance.

Please feel free to contact me directly if I can answer future questions.

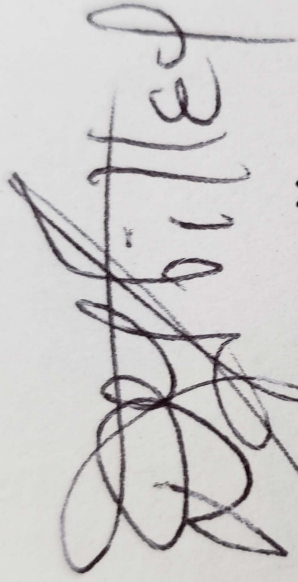
Sincerely,

Dora G Tilley

741 Hanover Dr., Orem, Utah, 84058

970-309-5584

Sincerely,

A handwritten signature in dark ink, appearing to read "Dora G Tilley". The signature is written in a cursive style with a large, stylized initial "D".

Dora G Tilley

741 Hanover Dr., O

970-309-5584

Glenwood Springs Planning and Zoning

RE: Yesenia Gonzales 1713 Grand Ave
Residential Care Home

November 18, 2019

Dear P & Z,

I strongly recommend Yesenia for approval for a long term care home in Garfield County. There is a huge need for residents to remain in their community and not be moved to Front Range or Grand Junction. The population is growing and as we all age none of us want to be moved out of our community.

I have known Yesenia for 5 years and witnessed her loving care to a client with acceptance love and her gentle encouragement every time I saw her in action. I feel by opening her home to a small number of seniors or handicapped individuals that need her loving care & guidance would be a wonderful thing for Garfield County to do, they could not find a better person to do this. She has training, but mostly she has deep love for all people. Seniors is where her passion lies and her patients genuinely love her. We would be very lucky to have her home able to accommodate these folks. One day any of us could need this care and I would love to reside at her home, when or if the need arises.

I feel the home would provide a lot less impact to Grand avenue than other homes that have multiple vehicles parked in front of them. There would be a lot less noise than most residences. It is easy to say and be NIMBY (not in my back yard), but this would be a wonderful place to reside. It would be a perfect spot with a nice back yard as well as nice rooms for the residence.

I urge you to consider this home and the Remarkable Yesenia Gonzales as your next residential home in Garfield County. Please contact me should the need arise I can be reached at 970-309-5293.

Sincerely,

Diane Welter

Diane Welter
Executive Director
Your Friends For Life

From: [Jennifer Ooton](#)
To: [Gretchen E Ricehill](#)
Subject: FW: 1713 Grand Ave Special Use Permit
Date: Tuesday, November 19, 2019 4:07:45 PM

From: Paula Stepp <paula.stepp@cogs.us>
Sent: Tuesday, November 19, 2019 3:19 PM
To: Debra Figueroa <debra.figueroa@cogs.us>; Jennifer Ooton <jenn.ooton@cogs.us>
Subject: Re: 1713 Grand Ave Special Use Permit

Hi Debra and Jenn

Can I get more information about this? Is there someone at city hall who can talk to Al and Carla about their concerns?

Paula

Get [Outlook for iOS](#)

From: AL CARLA WESTERMAN <ACwesterman@msn.com>
Sent: Monday, November 18, 2019 4:37:07 PM
To: Paula Stepp <paula.stepp@cogs.us>
Subject: 1713 Grand Ave Special Use Permit

Dear Paula,

My husband and I are the property owners at 103 Park Drive, GWS. This past week we received in the mail, a Public Notice from Yesenia Gonzales Hernandez, the homeowner at 1713 Grand Avenue.

The back yard of our home at 103 Park Drive, abuts the back yard of Ms. Hernandez's home at 1713 Grand Ave.

Ms. Hernandez is requesting a Special Use Permit for a Personal Care Boarding home at her residence. My husband and I are opposed to this request. We have observed that there are currently at least 4-6 persons that already occupy this residence. Ms. Hernandez's permit request is asking for an additional maximum of 6 more residents to be able to occupy her home. These additional people would be elderly residents that Ms. Hernandez says would be cared for by her and her employees.

We feel that Ms. Hernandez's home is not large enough, nor presumably, ADA compliant to be able to sufficiently meet the needs of these additional residents in her home. We live in a residential neighborhood, and want to see it remain a residential neighborhood. The home at 1713 Grand Ave has limited parking and access from Grand Avenue and any overflow parking will impact our Park Drive neighborhood street. Ms. Hernandez has not demonstrated that the presentation and cleanliness of the outside of her home and backyard is conducive to bringing in paying clients to be able to care for and enjoy the full extent of her home.

We are strongly opposed to Ms. Hernandez's request. Please consider our request to deny her special use permit.

Respectfully,

Al and Carla Westerman
970-379-5075

From: [AL CARLA WESTERMAN](#)
To: [Gretchen E Ricehill](#)
Subject: 1713 Grand Ave Special Use Permit
Date: Thursday, November 21, 2019 4:10:10 PM

To whom it may concern,

My husband and I are the property owners at 103 Park Drive, GWS. This past week we received in the mail, a Public Notice from Yesenia Gonzales Hernandez, the homeowner at 1713 Grand Avenue.

The back yard of our home at 103 Park Drive, abuts the back yard of Ms. Hernandez's home at 1713 Grand Ave, we share a backyard fence for the length of the boundary at the rear of our property.

On November 26th, Ms. Hernandez is to appear before City Council to request a Special Use Permit for a Personal Care Boarding home at her residence. My husband and I are strongly opposed to this request. We have observed that there are currently at least 4-6 persons that already occupy this residence. Ms. Hernandez's permit request is asking for an additional maximum of 6 more residents to be able to occupy her home. These additional people would be elderly residents that Ms. Hernandez says would be cared for by her and her employees.

We feel that Ms. Hernandez's home is not large enough, nor presumably, ADA compliant to be able to sufficiently meet the needs of these additional residents in her home. We live in a residential neighborhood, and want to see it remain a residential neighborhood. The home at 1713 Grand Ave has limited parking and access from Grand Avenue only, and any overflow parking will impact our Park Drive neighborhood street. We don't feel that adding more residents/occupants to the home will improve the appearance and upkeep of her property.

We are strongly opposed to Ms. Hernandez's request. Please consider our request to deny her special use permit.

Respectfully,

Al and Carla Westerman
103 Park Drive, GWS
970-379-5075

From: [ROSE ANNA SHELTON](#)
To: [Gretchen E Ricehill](#)
Subject: 1713 Grand Avenue
Date: Thursday, November 21, 2019 5:23:41 PM

I own and live in 107 Park Drive. I received a Registered Letter regarding a Special Use Permit for a Personal Care Boarding home. The owner wants to put in a place for 6 Seniors to live there. It said that it was published in the paper. I do not read those Notices and don't think that most people do. I oppose this request.

I live in a starter home that I believe is bigger than her house. My husband and I and raised our 2 sons here. I have living room, kitchen, 1 bath, utility room, a master bedroom and 2 small bedrooms. If we had company, putting two boys in a room was a tight fit. I believe that is what the Seniors will be 2 in a bedroom. I am now a senior and know it is harder to be sure to keep safe and not fall. I do not have steps in my house but use an elevator to be safe when I go out.

My sewer line goes across my back yard. We have problems with it and seem the City comes and has to clean it out. Actually, that happened today.

I was told the Seniors will not have cars but what about their visitors. I do not think people will want to park in the driveway at 1713 Grand as it is too hard to get out because of the traffic on Grand Avenue.

Please take these things and my opposition to this special permit.

Thank you

Rose Anna Shelton

107 Park Drive, Glenwood Spgs



MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
November 26, 2019
Council Chambers, First Floor, City Hall
101 W. 8th Street
6:00 PM

1. Roll Call

Present at roll call were Commissioners: Ingrid Wussow, George Shaver, Tim Malloy, Amber Wissing, and Carolyn Cipperly

Absent: Commissioners Marco Dehm, Kathryn Grosscup and Sumner Schachter, and Alternate Dean Kinkel

Also present were: Jenn Ooton, Asst. City Manager, Director Gretchen Ricehill, Assist. Director Anna S. Itenberg, City Attorney's Office

Commissioner Malloy made a motion to seat Alternate Commissioner Cipperly, which was seconded by Commissioner Shaver. The motion passed unanimously.

Alternate Commissioner Cipperly made a motion that Commissioner Wussow serve as the alternate chair in the absence of Commissioners Dehm and Schachter. The motion was seconded by Commissioner Malloy, and was unanimously approved.

2. Receipt of [minutes](#) from the [October 22, 2019](#) regular meeting was postponed until the December 17, 2019 meeting.

3. Comments from citizens appearing for items not on the agenda. No one appeared.

4. Continued Items

Commissioner Malloy made a motion to continue Planning Item 20-19 – Consideration of a Code amendment to Section 070.040.020(d)(24) of the Glenwood Springs Municipal Code regarding riparian setbacks to the December 17, 2019 meeting. The motion was seconded by Alternate Commissioner Cipperly. Commissioner Shaver recused himself

from the vote, which passed with three commissioners voting for the motion and no one voting no.

5. New Items

Asst. Director Ricehill provided information on background of application by Yesenia Gonzalez Hernandez for the operation of a personal care boarding home at 1713 Grand Avenue. Ricehill described the proposed project and existing conditions as well as explaining which upgrades and improvements the property would need as well as additional approvals from the State of Colorado.

Commissioner Malloy stated that he lives in the neighborhood of the proposed project and expressed concerns regarding parking, trash collection access, building permit procedure, and licensing process with the State of Colorado.

Commissioner Shaver asked about backing out of the parking spaces onto Grand Avenue. Shaver also expressed concern regarding first floor egress. Shaver also asked about the existing covenant's definition of a residence and about signage. One of the conditions for approval by staff was that the property have no signage.

Commissioner Wussow sought to clarify the exact maximum occupancy for the personal care boarding home. Ricehill explained that there would typically be 1 employee on site and that the City and State would both regulate the number of residents by the number of bedrooms on site. Commissioner Wussow Also asked about the possibility of a sunset provision on the special use permit and if there were other personal care boarding homes in Glenwood. Ricehill explained that there is currently one other personal care boarding home in Glenwood Springs.

Applicant Yesenia Gonzalez Hernandez explained her reasoning for wanting to develop the project and answered questions from commissioners regarding the project and proposed functions of the personal boarding care home. Ms. Hernandez explained the differences in levels of care and what her home would provide to its residents.

Some concerns expressed by commissioners include use of oxygen on site, proposed location of bedrooms in the basement, egress windows, traffic on Grand Avenue and its effect on resident safety, and clarifying the differences between levels of personal care.

Commissioner Wussow opened the public hearing.

Nancy Hitchcock, 1126 Pitkin Avenue, voiced her support for the application noting that there is a great need for this type of care in the community. She said that Ms. Hernandez had provided home care to her mother and that Ms. Hernandez has a passion for helping people.

Rick Davis, 11512 Highway 133, Carbondale, voiced support for more care facilities in Glenwood Springs and this project. Mr. Davis said that Ms. Hernandez has provided home care for his wife who has dementia and that Ms. Hernandez was very qualified.

Jennifer Vyhldal, 1709 Grand Avenue, said that she supports Ms. Hernandez' dream, but expressed concern that the application seemed like a business in a single-family

residence. She stated that she wants to keep the character of the neighborhood, also explained that a tree and fence on the property line would need to be addressed.

Dennis Drake, the owner of 105 Park, noted that he has a father in the VA hospital and complimented the care at the facility. He expressed concerns about the safety of this proposals, concerns about its impact to the neighborhood and about egress from the house for potential residents.

Joyce Jenkins, 340 13th Street, stated that she was a friend of Ms. Hernandez. Voiced her opinion that although there might be six persons living there, the house would physically remain the same and although a business, would still function as a residence.

Terrie Drake, 0377 Westbank and the owner of 105 Park, noted that this neighborhood has been seeing investment and that she and her husband were planning to improve their property at 105 Park, which had recently been a rental. She noted concerns about the commercial use of the property changing the neighbor and noted concerns about the property values. She asked the Planning Commission to consider that one change begets another. She noted that Ms. Hernandez is an incredible person but expressed concern about this use in this location.

In response to public comments, Ms. Hernandez spoke about working on the fence between her property and 1709 Grand Avenue and her experience working with dementia patients. In addition, questions were asked by commissioners regarding potential financing for the project. Commissioner Wussow asked for a timeline, if permit was granted. Ms. Hernandez estimated one to three years, depending on state process.

Discussion following public hearing provided more clarification on setting a sunset provision for the use of the property. Conditions could be placed on the permit such as being non-transferable or to expire with the sale of the property.

Commissioner Malloy made a motion to deny the application. Motion was seconded by Commissioner Shaver. Further discussion touched on incompatibility with neighboring uses, traffic concerns on Grand Avenue, trash collection, and concerns over administration of the facility. Following discussion, a call for a vote was made for the motion made by Malloy to deny the application. Commissioners Shaver, Malloy, Wussow, and Wissing voted yes on the motion to deny the application. Commissioner Cipperly voted no on the motion. The motion passed 4-1 to deny the application.

6. Commissioner Comments

There was discussion about future meetings regarding housing meetings and the December meeting.

7. Director Comments. Assistant City Manager/Community Development Director Jenn Ooton did not provide additional comment.

8. Adjournment



LAND USE APPLICATION

City of Glenwood Springs
Economic and Community Development Dept.
101 West 8th Street
Glenwood Springs, CO 81601
970-384-6411

Plan file 33-19

<u>Ordinance Amendments</u>	<u>Development Permits</u>	
Rezoning	Site/Architectural Plan Review	
Rezoning to Planned Unit Development (PUD)	Administrative	
Code Amendment (Text)	Minor	
Annexation	Major	
Condominiumization	Master Plan	
Annexation	Construction Plans	
Land Development Code Amendment	Location & Extent	
Street Vacation	Special Use Permit	X
	ROW Encroachment License	
	Floodplain Development Permit	
<u>Subdivisions</u>	<u>Flexibility and Relief Procedures</u>	
Minor Subdivision	Variance	
Preliminary Plat	Administrative Adjustment	
Final Plat	Appeal	
Vacation of ROW		

Applicant/Property Owner Information:

Applicant	Owner
<i>Ysenia Gonzalez</i>	<i>Same</i>
Relationship to Owner	Owner
Applicant Address	Owner Address
Phone	Email Address
<i>970 366-9851</i>	<i>Ygonzalez1713@gmail.com</i>

Property Information:

Address	Parcel Number
<i>1713 Grand Ave</i>	2185 161 12 028
Subdivision	Lot and Block Number
<i>South Park Subdivision</i>	<i>L 29 B 2</i>
Zone District	Existing Land Use
<i>RM1-residential medium density</i>	<i>single family residence</i>

General Project Description:

Special Use Permit for Personal Care Boarding Home

Signatures:

The owner or applicant must be present at the hearing. All public hearings must be properly noticed according to G.S.M.C. Section 070.010.030. Signatures of all owners of the property must appear before the application is accepted. Partnerships or corporations may have the authorized general partner or corporate officer sign the application. (Attach additional incorporation documents if necessary.) I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.	Applicant	Date
	Owner	Date
	<i>[Signature]</i>	
	Owner	Date

Filed for record the _____ day of _____, A.D. _____, at _____ o'clock _____ M. _____
Reception No. _____ By _____ DEPUTY.

WARRANTY DEED

THIS DEED, Made on this day of July 08, 2005, between
KURT NIELSEN AND KATHRYN BREEN NIELSEN

of the _____ County of _____ and State of HAWAII, of the Grantor(s), and
YESENIA GONZALEZ

whose legal address is : 1713 GRAND AVENUE GLENWOOD SPRINGS, CO 81601
of the _____ County of GARFIELD and State of COLORADO, of the Grantee(s):

WITNESS, That the Grantor(s), for and in consideration of the sum of (\$312,000.00)
*** Three Hundred Twelve Thousand and 00/100 *** DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee(s), his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the _____ County of GARFIELD and State of Colorado, described as follows:

LOT 29
BLOCK 2
SOUTH PARK SUBDIVISION
CITY OF GLENWOOD SPRINGS

COUNTY OF GARFIELD
STATE OF COLORADO

also known as street number 1713 GRAND AVENUE GLENWOOD SPRINGS CO 81601

TOGETHER with all and singular and hereditaments and appurtenances thereto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right title interest, claim and demand whatsoever of the Grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s), his heirs and assigns forever. The Grantor(s), for himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the Grantee(s), his heirs and assigns, that at the time of the sealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, Subject to general taxes for the year 2005 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Section 8a (Title Review) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Section 8b (Matters not Shown by the Public Records) and Section 8c (Survey Review) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the property within any special tax district; and, the benefit and burdens of any declaration and party wall agreements, in any, and other ~~NOTE~~

The Grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, and the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF the Grantor(s) has executed this deed on the date set forth above.

BY: Kurt Nielsen
KURT NIELSEN

BY: Kathryn Breen Nielsen
KATHRYN BREEN NIELSEN

STATE OF Colorado)
County of Garfield) ss.

ELLEN M. LIPSCOMB
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires Sept. 21, 2006

The foregoing instrument was acknowledged before me on this day of July 08, 2005
by KURT NIELSEN AND KATHRYN BREEN NIELSEN

My commission expires _____
Witness my hand and official seal.

Ellen M. Lipscomb
Notary Public

Name and Address of Person Creating Newly Created Legal Description (38-35-106.5, C.R.S.)

Escrow# GW246763
Title# GW246763

When Recorded Return to: MORRIS & FYRWALD REAL ESTATE

415 E. HYMEN AVENUE, ASPEN, CO 81611

APPROVED 08/29/04 WD.OPEN WARRANTY DEED (Photographic)

(1946742)



)

) ss.

)

LS



My commission expires:

ANDREW MEISLIN
Notary Public, State of Hawaii
My commission expires: Dec. 15, 2006



Project Description

Special Use Permit Application

Yesenia Gonzalez Hernandez

1713 Grand Ave.

Glenwood Springs, CO

This special use permit application is for a personal care boarding home. The project contemplates converting an existing single family residence into a group personal care boarding home for seniors. There is only one other such facility in the City of Glenwood Springs.

Ms. Gonzalez Hernandez will be the owner/operator of the home. Her vision is to create a home-like environment for Glenwood's aging population, enabling them to participate in the decisions of their daily living while at the same time receiving individualized assistance according to their needs. Space for up to six full-time residents is planned. Care, including the administration of medications, will be available 24/7 from the operator-owner and two employees. Laundry will be done and meals will be cooked on site.

Ms. Gonzalez Hernandez has worked in the health care field for 28 years in both California and Colorado. She is a certified Nurse Assistant, and has a CPR license, a Mental Health First Aid USA certificate, and a QMAP (Qualified Medication Administration Personnel) certification. She has worked in home care and hospice settings, and has cared for Alzheimer and dementia patients.

The property was purchased in 2005 and has been occupied by Ms. Gonzalez Hernandez and her family since. Currently, the one-storey

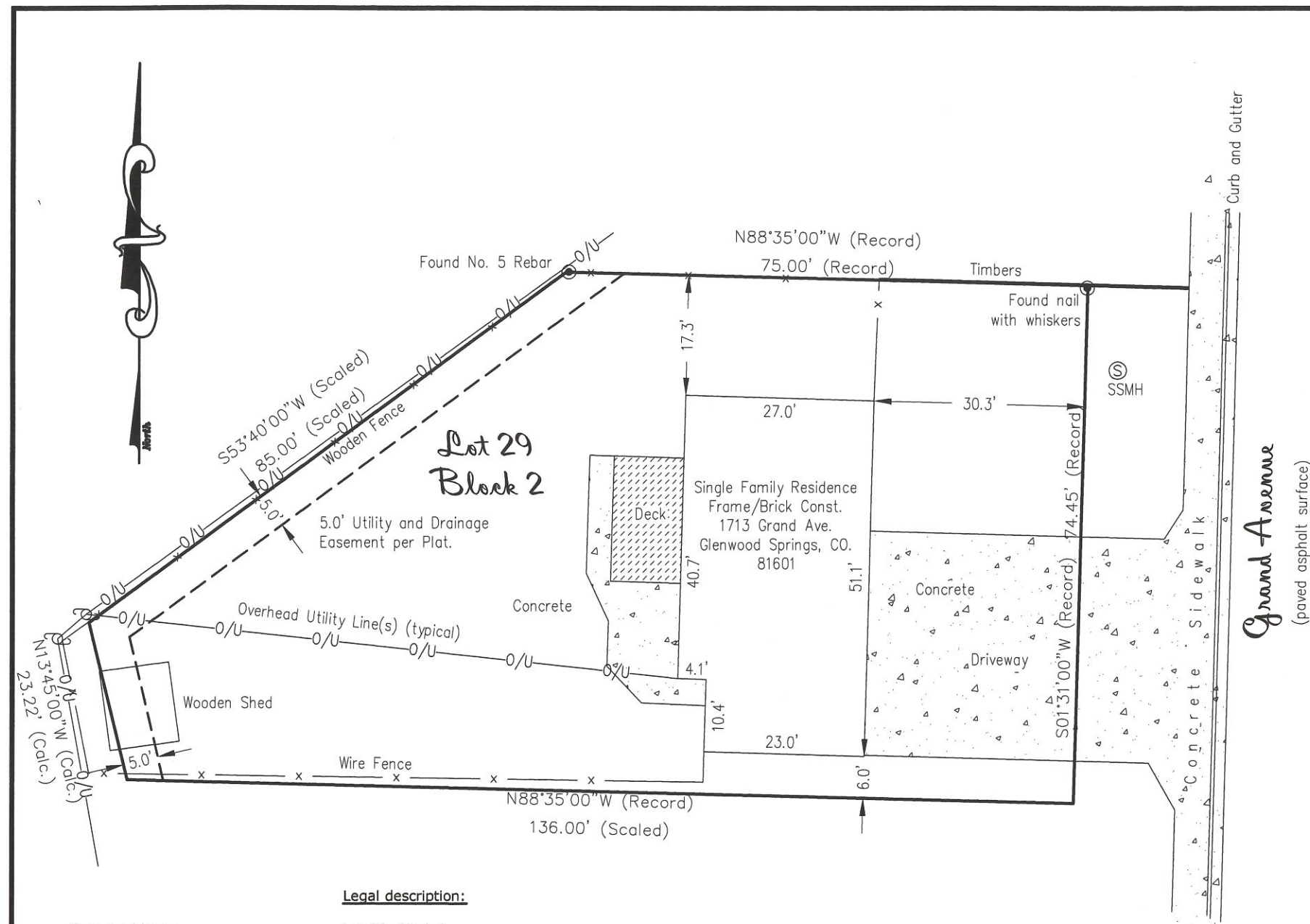
structure on the property has a full basement with one bedroom, one bath and laundry facilities, The basement space has room for 2 more bedrooms; basement windows provide for egress. The main floor has three bedrooms--one of which is a master bedroom with a bathroom. Also on the main floor is an additional bathroom, a kitchen, a dining area, a living room and an office/storage area. There is a large deck in back plus a well-maintained yard with mature trees and fencing on all sides. In front is a three-car-wide paved driveway. (Actual dimensions of the pad are: 44' 3" X 31' 17".) There are four entrance/exit doors to/from the structure. The structure is equipped with internet and cable. There is a security camera at the front door.

Planned changes to the structure are: creation of two more bedroom spaces in the basement; the addition of an air conditioning system; a ramp and handrails for the deck; and installation of fire suppression equipment as recommended by the fire marshal. Of course, any other changes that are required by the Code and Comprehensive Plan will be made. The operation is subject to licensure by the Colorado Department of Health and Environment.

As for the Special Use permit approval criteria and the applicable use-specific standards listed in Municipal Code section 070.030.030, project impacts on the neighborhood will be low, if any. This planned personal care boarding home is just that--a home. Accordingly, the residential character of the property will not change, and the use will remain compatible with the surrounding residential area. The planned use will not allow for smoking or pets. The home will have no foreseeable air quality, hazardous material, heat or humidity, odor, light, noise, glare or vibration impacts, and, thus, the planned use minimizes any adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city. As demonstrated, the use is in conformance with the Comprehensive Plan and other City plans and policies. Specific aspects of the Comprehensive Plan that apply are:

maintaining/enhancing social sustainability; providing additional housing stock to “age in place”; preserving small town character and livability and social diversity; and providing additional job opportunities for caregivers. Moreover, the use will be consistent with the general purpose and intent of the Code, and will comply with all applicable standards of the Code.

With respect to the use-specific standards in 070.030.030 (c)(4): the state approval process has been initiated; there will be no alteration of the structure which affects residential character or which is incompatible with surrounding residences; there will be no use at the site other than the planned personal care boarding home use; residents will not be allowed to have personal vehicles; there is a kitchen on site and there will be no cooking in resident rooms; there will be at least one caregiver available to residents at all times; and the home will comply with all applicable city, state, and federal laws and regulations.



Legal description:

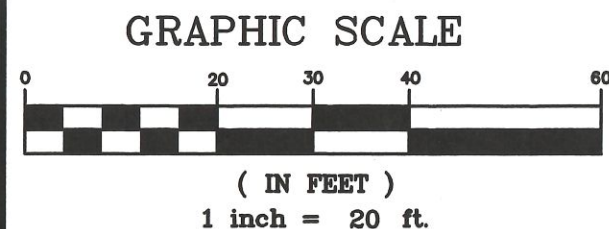
Street address:

1713 Grand Avenue
Glenwood Springs, CO.
81601
(Within Municipal Limits)

Lot 29, Block 2
South Park Subdivision
according to the plat thereof as
filed for record May 20, 1950
under Reception No. 172229

County of Garfield
State of Colorado

SurvCo, Inc.
Professional Land Surveying Services
"Serving Western Colorado since 1991"
826-1/2 Grand Avenue
Post Office Box 2782
Glenwood Springs, CO. 81602-2782
Phone: (970) 945-5945 Email: survco@gmail.com



Sheet
1 of 1

Client: Yesenia Gonzalez
Drawn By: S. Phelps

Date: Aug. 12, 2019
.dwg file: 19.018.001
Job No.: 19.018

NO.	BY	DATE	REVISION	DESCRIPTION

Improvement Location Certificate: (Pursuant to C.R.S. 38-51-108)

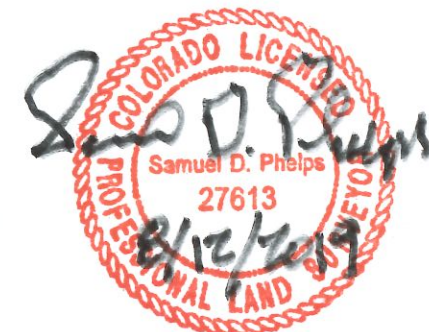
I hereby certify that this Improvement Location Certificate was prepared by Survco, Inc., for Yesenia Gonzalez, that it is not a land survey plat or improvement survey plat and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines. This certificate is valid only for use by Yesenia Gonzalez and describes the parcels appearance on Aug. 12, 2019.

I further certify that the improvements on the above described parcel on this date, August 12, 2019, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

By: Samuel D. Phelps
Colorado Licensed Professional
Land Surveyor No. 27613

For and on behalf of Survco, Inc.
A Colorado corporation

Date of certification: August 12, 2019



Surveyor's notes:

- 1) This improvement location certificate does not represent a title search by this land surveyor or land surveying company. No title commitment has been reviewed in preparation of this document.
- 2) This property is subject to protective covenants and restrictions as filed for record June 23, 1950 under Reception No. 172561.
- 3) This improvement location certificate is based upon the monumentation found in the field as indicated hereon, the street monuments located at the intersection of Virginia Road and Park Drive and Polo Road and Park Drive and the record plat for the subject property (South Park Subdivision Reception No. 172229).
- 4) Date of field survey: Aug. 09, 2019.
- 5) All linear dimensions shown hereon are in US survey feet.
- 6) Numerous dimensions are not included on the plat of South Park Subdivision (Rec. No. 172229) so some of the lot dimensions as depicted hereon are scaled and calculated from said plat.

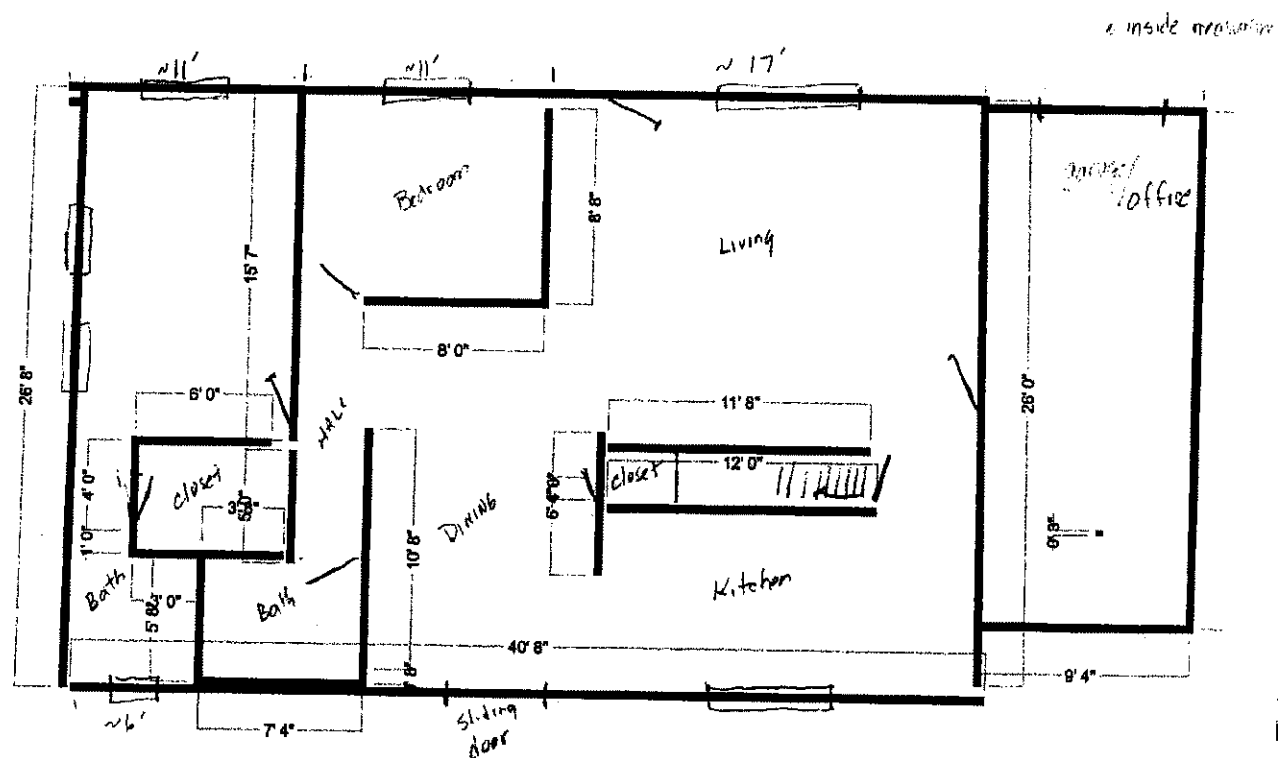
Notice: (Pursuant to C.R.S. 13-80-105):

According to Colorado law you must commence any legal action based upon any defect in this Improvement Location Certificate within three years after you first discover such defect. In no event may any action based upon any defect in this improvement location certificate be commenced more than ten years from the date of certification shown hereon.

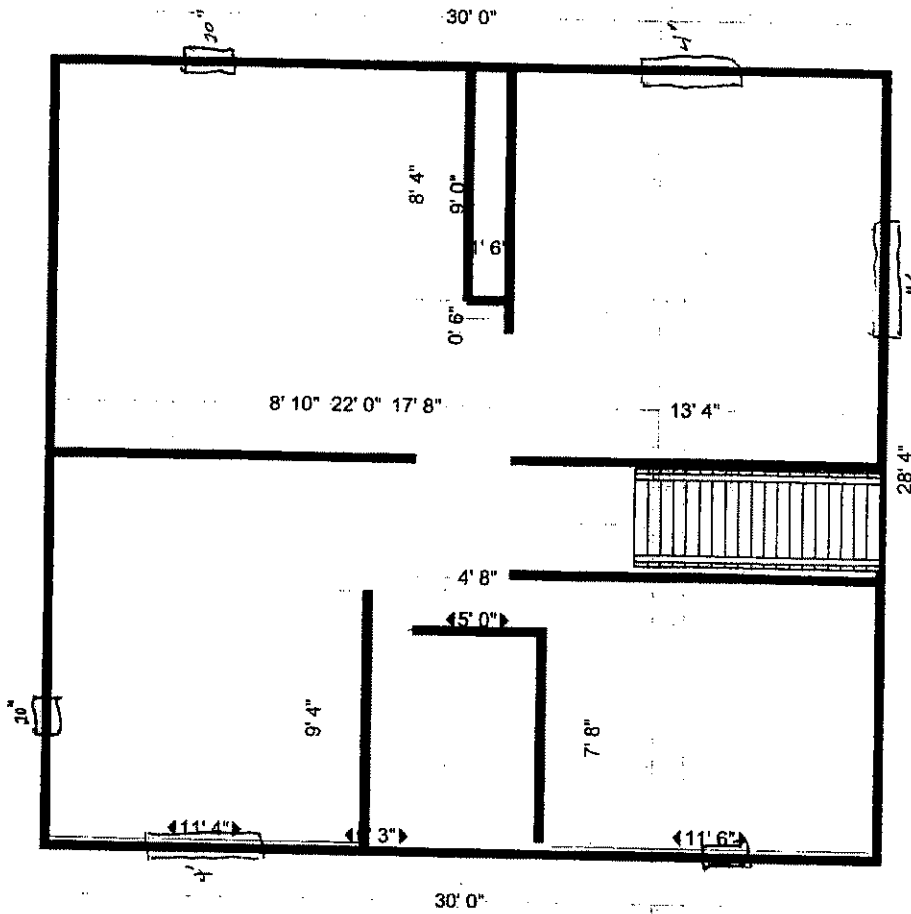


N ←

1713 GRAND



NE



DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Health Facilities and Emergency Medical Services Division

STANDARDS FOR HOSPITALS AND HEALTH FACILITIES

CHAPTER 7 - ASSISTED LIVING RESIDENCES

6 CCR 1011-1 Chapter 7

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Adopted by the Board of Health on April 18, 2018.

TABLE OF CONTENTS

Section 1 – Statutory Authority and Applicability

Section 2 – Definitions

Section 3 – Department Oversight

Section 4 – Licensee Responsibilities

Section 5 – Reporting Requirements

Section 6 – Administrator

Section 7 – Personnel

Section 8 – Staffing Requirements

Section 9 – Policies and Procedures

Section 10 – Emergency Preparedness

Section 11 – Resident Admission and Discharge

Section 12 – Resident Care Services

Section 13 – Resident Rights

Section 14 – Medication and Medication Administration

Section 15 – Laundry Services

Section 16 – Food Safety

Section 17 – Food and Dining Services

Section 18 – Health Information Records

Section 19 – Infection Control

Section 20 – Physical Plant Standards

Section 21 – Exterior Environment

Section 22 – Interior Environment

Section 23 – Environmental Pest Control

Section 24 – Waste Disposal

Section 25 – Secure Environment

SECTION 1 – STATUTORY AUTHORITY AND APPLICABILITY

- 1.1 Authority to establish minimum standards through regulation and to administer and enforce such regulations is provided by §§ 25-1.5-103, 25-27-101, and 25-27-104, C.R.S.
- 1.2 Assisted living residences, as defined herein, shall comply with all applicable federal and state statutes and regulations including, but not limited to, the following:
- (A) This Chapter 7.
 - (B) 6 CCR 1011-1, Chapter 2, pertaining to general licensure standards.
 - (C) 6 CCR 1011-1, Chapter 24 and §§ 25-1.5-301 through 25-1.5-303 C.R.S, pertaining to medication administration.
 - (D) 6 CCR 1007-2, Part 1, Regulations Pertaining to Solid Waste Disposal Sites and Facilities, Section 13, Medical Waste.
- 1.3 This regulation incorporates by reference (as indicated within) material originally published elsewhere. Such incorporation, however, excludes later amendments to or editions of the referenced material. Pursuant to §24-4-103 (12.5), C.R.S., the Health Facilities and Emergency Medical Services Division of the Colorado Department of Public Health and Environment maintains copies of the incorporated texts in their entirety which shall be available for public inspection during regular business hours at:

Division Director
Colorado Department of Public Health and Environment
Health Facilities and Emergency Medical Services Division
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Phone: (303) 692-2836

Certified copies of material will be provided by the division, at cost, upon request. Additionally, any material that has been incorporated by reference may be examined in any state publications depository library unless the incorporated material is publicly available on the internet. Copies of the incorporated materials that have been sent to the state publications depository and distribution center and are available for interlibrary loan.

SECTION 2 – DEFINITIONS

For purposes of this chapter, the following definitions shall apply, unless the context requires otherwise:

“Abuse” means any of the following acts or omissions:

The non-accidental infliction of bodily injury, serious bodily injury or death,

Confinement or restraint that is unreasonable under generally accepted caretaking standards, or

Subjection to sexual conduct or contact that is classified as a crime.

“Administrator” means a person who is responsible for the overall operation, daily administration, management and maintenance of the assisted living residence. The term “administrator” is synonymous with “operator” as that term is used in Title 25, Article 27, Part 1.

“Activities of daily living (ADLs)” means those personal functional activities required by an individual for continued well-being, health and safety. As used in this Chapter 7, activities of daily living include, but are not limited to, accompaniment, eating, dressing, grooming, bathing, personal hygiene (hair care, nail care, mouth care, positioning, shaving, skin care), mobility (ambulation, positioning, transfer), elimination (using the toilet) and respiratory care.

“Alternative care facility” means an assisted living residence certified by the Colorado Department of Health Care Policy and Financing to receive Medicaid reimbursement for the services provided pursuant to 10 CCR 2505-10, section 8.495.

“Appropriately skilled professional” means an individual that has the necessary qualifications and/or training to perform the medical procedures prescribed by a practitioner. This includes, but is not limited to, registered nurse, licensed practical nurse, physical therapist, occupational therapist, respiratory therapist, and dietitian.

“Assisted living residence” or “ALR” means:

A residential facility that makes available to three or more adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a twenty-four-hour basis, but not to the extent that regular twenty-four hour medical or nursing care is required, or

A Supportive Living Program residence that, in addition to the criteria specified in paragraph (a) above, is certified by the Colorado Department of Health Care Policy and Financing to also provide health maintenance activities, behavioral management and education, independent living skills training and other related services as set forth in the supportive living program regulations at 10 CCR 2505-10, section 8.515.

Unless otherwise indicated, the term “assisted living residence” is synonymous with the terms “health care entity,” “health facility,” or “facility” as used elsewhere in 6 CCR 1011-1, Standards for Hospitals and Health Facilities.

“At-risk person” means any person who is 70 years of age or older, or any person who is 18 years of age or older and meets one or more of the following criteria:

Is impaired by the loss (or permanent loss of use) of a hand or foot, blindness or permanent impairment of vision sufficient to constitute virtual blindness;

Is unable to walk, see, hear or speak;

Is unable to breathe without mechanical assistance;

Is a person with an intellectual and developmental disability as defined in §25.5-10-202, C.R.S.;

Is a person with a mental health disorder as defined in §27-65-102(11.5), C.R.S.;

Is mentally impaired as defined in §24-34-501(1.3)(b)(II), C.R.S.;

Is blind as defined in §26-2-103(3), C.R.S.; or

Is receiving care and treatment for a developmental disability under Article 10.5 of Title 27, C.R.S.

“Auxiliary aid” means any device used by persons to overcome a physical disability and includes but is not limited to a wheelchair, walker or orthopedic appliance.

“Care plan” means a written description in lay terminology of the functional capabilities of an individual, the individual's need for personal assistance, service received from external providers, and the services to be provided by the facility in order to meet the individual's needs. In order to deliver person-centered care, the care plan shall take into account the resident's preferences and desired outcomes. “Care plan” may also mean a service plan for those facilities which are licensed to provide services specifically for the mentally ill.

“Caretaker neglect” means neglect that occurs when adequate food, clothing, shelter, psychological care, physical care, medical care, habilitation, supervision or any other service necessary for the health or safety of an at-risk person is not secured for that person or is not provided by a caretaker in a timely manner and with the degree of care that a reasonable person in the same situation would exercise, or a caretaker knowingly uses harassment, undue influence or intimidation to create a hostile or fearful environment for an at-risk person.

“Certified nurse medication aide (CNA-Med)” means a certified nurse aide who meets the qualifications specified in 3 CCR 716-1, Chapter 19 and who is currently certified as a nurse aide with medication aide authority by the State Board of Nursing.

“Controlled substance” means any medication that is regulated and classified by the Controlled Substances Act at 21 U.S.C., §812 as being schedule II through V.

“Deficiency” means a failure to fully comply with any statutory and/or regulatory requirements applicable to a licensed assisted living residence.

“Deficiency list” means a listing of deficiency citations which contains a statement of the statute or regulation violated; and a statement of the findings, with evidence to support the deficiency.

“Department” means the Colorado Department of Public Health and Environment or its designee.

“Disproportionate share facilities” means facilities that serve a disproportionate share of low income residents as evidenced by having qualified for federal or state low income housing assistance; planning to serve low income residents with incomes at or below 80 percent of the area median income; and submitting evidence of such qualification, as required by the Department.

“Discharge” means termination of the resident agreement and the resident's permanent departure from the facility.

“Egress alert device” means a device that is affixed to a structure or worn by a resident that triggers a visual or auditory alarm when a resident leaves the building or grounds. Such devices shall only be used to assist staff in redirecting residents back into the facility when staff are alerted to a resident's departure from the facility as opposed to restricting the free movement of residents.

“Emergency contact” means one of the individuals identified on the face sheet of the resident record to be contacted in the case of an emergency.

“Exploitation” means an act or omission committed by a person who:

Uses deception, harassment, intimidation or undue influence to permanently or temporarily deprive an at-risk person of the use, benefit or possession of anything of value;

Employs the services of a third party for the profit or advantage of the person or another person to the detriment of the at-risk person;

Forces, compels, coerces or entices an at-risk person to perform services for the profit or advantage of the person or another person against the will of the at-risk person; or

Misuses the property of an at-risk person in a manner that adversely affects the at-risk person's ability to receive health care, health care benefits, or to pay bills for basic needs or obligations.

"External services" means personal services and protective oversight services provided to a resident by family members or healthcare professionals who are not employees, contractors, or volunteers of the facility. External service providers include, but are not limited to, home health, hospice, private pay caregivers and family members.

"High Medicaid utilization facility" means a facility that has no less than 35 percent of its licensed beds occupied by Medicaid enrollees as indicated by complete and accurate fiscal year claims data; and served Medicaid clients and submitted claims data for a minimum of nine (9) months of the relevant fiscal year.

"Hospice care" means a comprehensive set of services identified and coordinated by an external service provider in collaboration with the resident, family and assisted living residence to provide for the physical, psychosocial, spiritual and emotional needs of a terminally ill resident as delineated in a care plan. Hospice care services shall be available 24 hours a day, seven days a week pursuant to the requirements for hospice providers set forth in 6 CCR 1011-1, Chapter 21, Hospices.

"Licensee" means the person or entity to whom a license is issued by the Department pursuant to §25-1.5-103 (1) (a), C.R.S., to operate an assisted living residence within the definition herein provided. For the purposes of this Chapter 7, the term "licensee" is synonymous with the term "owner."

"Medical waste" means waste that may contain disease causing organisms or chemical that present potential health hazards such as discarded surgical gloves, sharps, blood, human tissue, pharmaceutical waste and laboratory waste.

"Medication administration" means assisting a person in the ingestion, application, inhalation, or, using universal precautions, rectal or vaginal insertion of medication, including prescription drugs, according to the legibly written or printed directions of the attending physician or other authorized practitioner or as written on the prescription label and making a written record thereof with regard to each medication administered, including the time and the amount taken.

"Medication administration" by a qualified medication administration person does not include judgment, evaluation, or assessments or the injections of medication (unless otherwise authorized by law in response to an emergent situation), the monitoring of medication, or the self-administration of medication, including prescription drugs and including the self-injection of medication by the resident.

"Medication monitoring" means:

- (A) Reminding the resident to take medication(s) at the time ordered by the authorized practitioner;
- (B) Handing to a resident a container or package of medication that was lawfully labeled previously by an authorized practitioner for the individual resident;
- (C) Visual observation of the resident to ensure compliance;
- (D) Making a written record of the resident's compliance with regard to each medication, including the time taken; and

- (E) Notifying the authorized practitioner if the resident refuses or is unable to comply with the practitioner's instructions regarding the medication.

"Mistreatment" means abuse, caretaker neglect or exploitation.

"Nurse" means an individual who holds a current unrestricted license to practice pursuant to Article 38 of Title 12, C.R.S., and is acting within the scope of such authority.

"Nursing services" means support for activities of daily living, the administration of medications and the provision of treatment by a nurse in accordance with orders from the resident's practitioner.

"Owner" means the person or business entity that applies for assisted living residence licensure and/or in whose name the license is issued.

"Palliative care" means specialized medical care for people with serious illnesses. This type of care is focused on providing residents with relief from the symptoms, pain and stress of serious illness, whatever the diagnosis. The goal is to improve quality of life for both the resident and the family. Palliative care is provided by a team of physicians, nurses and other specialists who work with a resident's other health care providers to provide an extra layer of support. Palliative care is appropriate at any age and at any stage in a serious illness and can be provided together with curative treatment. Unless otherwise indicated, the term "palliative care" is synonymous with the terms "comfort care," "supportive care," and similar designations.

"Personal care worker" means an individual who:

Provides personal services for any resident, and

Is not acting in his or her capacity as a health care professional under Articles 36, 38, 40.5 or 41 of Title 12 of the Colorado Revised Statutes.

"Personal services" means those services that an assisted living residence and its staff provide for each resident including, but not limited to:

An environment that is sanitary and safe from physical harm,

Individualized social supervision,

Assistance with transportation, and

Assistance with activities of daily living.

"Plan of correction" means a written plan to be submitted by facilities to the Department for approval, detailing the measures that shall be taken to correct all cited deficiencies.

"Practitioner" means a physician, physician assistant or advance practice nurse (i.e., nurse practitioner or clinical nurse specialist) who has a current, unrestricted license to practice and is acting within the scope of such authority.

"Pressure sore" (also called pressure ulcer, decubitus ulcer, bed-sore or skin breakdown) means an area of the skin or underlying tissue (muscle, bone) that is damaged due to loss of blood flow to the area. Symptoms and medical treatment of pressure sores are based upon the level of severity or "stage" of the pressure sore.

Stage 1 affects only the upper layer of skin. Symptoms include pain, burning or itching and the affected area may look or feel different from the surrounding skin.

Stage 2 goes below the upper surface of the skin. Symptoms include pain, broken skin or open wound that is swollen, warm and/or red and may be oozing fluid or pus.

Stage 3 involves a sore that looks like a crater and may have a bad odor. It may show signs of infection such as red edges, pus, odor, heat and/or drainage.

Stage 4 is a deep, large sore. The skin may have turned black and show signs of infection such as red edges, pus, odor, heat and/or drainage. Tendons, muscles and bone may be visible.

“Protective oversight” means guidance of a resident as required by the needs of the resident or as reasonably requested by the resident, including the following:

Being aware of a resident's general whereabouts, although the resident may travel independently in the community; and

Monitoring the activities of the resident while on the premises to ensure the resident's health, safety and well-being, including monitoring the resident's needs and ensuring that the resident receives the services and care necessary to protect the resident's health, safety and well-being.

“Qualified medication administration person” or “QMAP” means an individual who passed a competency evaluation administered by the Department before July 1, 2017 or passed a competency evaluation administered by an approved training entity on or after July 1, 2017 and whose name appears on the Department's list of persons who have passed the requisite competency evaluation.

“Renovation” means any change, addition or modification to the existing physical plant which requires an increase in capacity to structural, mechanical, or electrical systems; that adds square footage; or that adds, removes or relocates walls, windows or doors.

“Resident's legal representative” means one of the following:

The legal guardian of the resident, where proof is offered that such guardian has been duly appointed by a court of law, acting within the scope of such guardianship;

An individual named as the agent in a power of attorney (POA) that authorizes the individual to act on the resident's behalf, as enumerated in the POA;

An individual selected as a proxy decision-maker pursuant to §15-18.5-101, C.R.S., et seq., to make medical treatment decisions. For the purposes of this regulation, the proxy decision-maker serves as the resident's legal representative for the purposes of medical treatment decisions only; or

A conservator, where proof is offered that such conservator has been duly appointed by a court of law, acting within the scope of such conservatorship.

“Restraint” means any method or device used to involuntarily limit freedom of movement including, but not limited to, bodily physical force, mechanical devices, chemicals or confinement.

“Secure environment” means any grounds, building or part thereof, method or device that prohibits free egress of residents. An environment is secure when the right of any resident thereof to move outside the environment during any hours is limited.

“Self-administration” means the ability of a resident to take medication independently without any assistance from another person.

“Staff” means employees and contracted individuals intended to substitute for or supplement employees who provide resident care services. “Staff” does not include individuals providing external services, as defined herein.

“Therapeutic diet” means a diet ordered by a practitioner as part of a treatment of disease or clinical condition, or to eliminate, decrease, or increase specific nutrients in the diet. Examples include, but are not limited to, a calorie counted diet; a specific sodium gram diet; and a cardiac diet.

“Transfer” means being able to move from one body position to another. This includes, but is not limited to, moving from a bed to a chair or standing up from a chair to grasp an auxiliary aid.

SECTION 3 – DEPARTMENT OVERSIGHT

Licensure

- 3.1 Applicants for an initial or renewal license shall follow the licensure procedures outlined in 6 CCR 1011-1, Chapter 2, Parts 2.3 through 2.10.
- (A) In addition, each license renewal applicant shall annually submit, in the form and manner prescribed by the Department, information about the facility’s operations, resident care and services.
- 3.2 The Department may issue a provisional license to an applicant for the purpose of operating an assisted living residence for one period of 90 days if the applicant is temporarily unable to conform to all the minimum standards required under these regulations, except no license shall be issued to an applicant if the operation of the applicant’s facility will adversely affect the health, safety, and welfare of the residents of such facility.
- (A) As a condition of obtaining a provisional license, the applicant shall provide the Department with proof that it is attempting to conform and comply with applicable standards. No provisional license shall be granted prior to the submission of a criminal background check in accordance with § 25-27-105 (2.5), C.R.S.
- 3.3 Each owner or applicant shall request a background check.
- (A) If an owner or applicant for an initial assisted living residence license has lived in Colorado for more than three years at the time of the initial application, said individual shall request from the Colorado Bureau of Investigation (CBI) a state fingerprint-based criminal history record check with notification of future arrests.
- (B) If an owner or applicant for an initial assisted living residence license has lived in Colorado for three years or less at the time of the initial application, said individual shall request a fingerprint-based criminal history record check generated by the Federal Bureau of Investigation through the CBI.
- (C) The cost of obtaining such information shall be borne by the individual or individuals who are the subject of such check. The information shall be forwarded by the CBI directly to the Department.
- 3.4 No license shall be issued or renewed by the Department if an owner, applicant and/ or licensee of the assisted living residence has been convicted of a felony or of a misdemeanor, which felony or misdemeanor involves moral turpitude or involves conduct that the Department determines could pose a risk to the health, safety, or welfare of residents of the assisted living residence.

- 3.5 An assisted living residence shall not care for more residents than the number of beds for which it is currently licensed.

License Fees

Unless otherwise specified, all license fees paid to the Department shall be non-refundable.

3.6 Initial Licenses

For initial license applications submitted on or after July 1, 2018, the applicable fee, as set forth below, shall accompany the license application.

3 to 8 licensed beds: \$6,300.

9 to 19 licensed beds: \$7,300.

20 to 49 licensed beds: \$8,750.

50 to 99 licensed beds: \$11,550

100 or more licensed beds: \$14,750

Qualifying disproportionate share facility: \$3,000

3.7 Renewal Fees

- (A) For licenses that expire before July 1, 2018, the applicable fee as set forth below, shall accompany the renewal application:

\$180 per facility plus \$47 per bed.

\$180 per facility plus \$19 per bed for a high Medicaid utilization facility.

- (B) For licenses that expire on or after July 1, 2018, the applicable fee(s), as set forth below, shall accompany the renewal application:

\$360 per facility plus \$67 per bed.

\$360 per facility plus \$23 per bed for a high Medicaid utilization facility.

\$350 per secure environment that is separate and distinct from a non-secure environment.

- (C) For licenses that expire on or after July 1, 2019, the applicable fee(s), as set forth below, shall accompany the renewal application:

\$360 per facility plus \$103 per bed.

\$360 per facility plus \$38 per bed for a high Medicaid utilization facility.

\$350 per secure environment that is separate and distinct from a non-secure environment.

- 3.8 Provisional Licensure. Any facility approved by the Department for a provisional license, shall submit a fee of \$1,000 for the provisional licensure period.

3.9 Change of Ownership

- (A) The applicable fee, as set forth below, shall accompany a facility's application for change of ownership.

Three to 19 licensed beds: \$6,250.

20 to 49 licensed beds: \$7,800.

50 to 99 licensed beds: \$10,600

100 licensed beds and more: \$13,700

- (B) If the same purchaser buys more than one facility from the same seller in a single business transaction, the change of ownership fee shall be the fee noted above for the largest facility and \$4,500 for each additional facility included in the transaction. The appropriate fee total shall be submitted with the application.

3.10 Other License Fees

- (A) A facility applying for a change of mailing address, shall submit a fee of \$75 with the application. For purposes of this subsection, a corporate change of address for multiple facilities shall be considered one change of address.
- (B) A facility applying for a change of name shall submit a fee of \$75 with the application.
- (C) A facility applying for an increased number of licensed beds shall submit a fee of \$500 with the application.
- (D) A facility applying for a change of administrator shall submit a fee of \$500 with the application.
- (E) A facility seeking to open a new secure environment shall submit a fee of \$1,600 with the first submission of the applicable building plans.

Citing Deficiencies

- 3.11** The level of the deficiency shall be based upon the number of sample residents affected and the level of harm, as follows:

Level A – isolated potential for harm for one or more residents.

Level B – a pattern of potential for harm for one or more residents.

Level C – isolated actual harm affecting one or more residents.

Level D – a pattern of actual harm affecting one or more residents.

Level E (Immediate Jeopardy) – actual or potential for serious injury or harm for one or more residents.

- 3.12** When a Level E deficiency is cited, the assisted living residence shall immediately remove the cause of the immediate jeopardy risk and provide the Department with written evidence that the risk has been removed.

Plans of Correction

- 3.13 Pursuant to §25-27-105 (2), C.R.S., an assisted living residence shall submit a written plan detailing the measures that will be taken to correct any deficiencies.
- (A) Plans of correction shall be in the format prescribed by the Department and conform to the requirements set forth in 6 CCR 1011-1, Chapter 2, Part 2.11.4,
 - (B) The Department has the discretion to approve, impose, modify or reject a plan of correction as set forth in 6 CCR 1011-1, Chapter 2, Part 2.11.4.

Intermediate Restrictions or Conditions

- 3.14 Section 25-27-106, C.R.S., allows the Department to impose intermediate restrictions or conditions on a licensee that may include at least one of the following:
- (A) Retaining a consultant to address corrective measures including deficient practice resulting from systemic failure;
 - (B) Monitoring by the Department for a specific period;
 - (C) Providing additional training to employees, owners, or operators of the residence;
 - (D) Complying with a directed written plan, to correct the violation; or
 - (E) Paying a civil fine not to exceed two thousand dollars (\$2,000) in a calendar year.
- 3.15 Intermediate restrictions or conditions may be imposed for Level A, B and C deficiencies when the Department finds the assisted living residence has violated statutory or regulatory requirements. The factors that may be considered include, but are not limited to, the following:
- (A) The level of actual or potential harm to a resident(s),
 - (B) The number of residents affected,
 - (C) Whether the conduct leading to the imposition of the restriction are isolated or a pattern, and
 - (D) The licensee's prior history of noncompliance in general, and specifically with reference to the cited deficiencies.
- 3.16 For all cases where the deficiency list includes Levels D or E deficiencies, the assisted living residence shall comply with at least one intermediate restriction or condition. In addition, for all level E deficiencies, the assisted living residence shall:
- (A) Pay a civil fine of \$500, not to exceed \$2,000 in a calendar year,
 - (B) Immediately correct the circumstances that gave rise to the immediate jeopardy situation, and
 - (C) Comply with any other restrictions or conditions required by the Department.

Appealing the Imposition of Intermediate Restrictions/Conditions

- 3.17 A licensee may appeal the imposition of an intermediate restriction or condition pursuant to procedures established by the Department and as provided by §25-27-106, C.R.S.

(A) Informal Review

Informal review is an administrative review process conducted by the Department that does not include an evidentiary hearing.

- (1) A licensee may submit a written request for informal review of the imposition of an intermediate restriction no later than ten (10) business days after the date notice is received from the Department of the restriction or condition. If an extension of time is needed, the assisted living residence shall request an extension in writing from the Department prior to the submittal due date. An extension of time may be granted by the Department not to exceed seven calendar days. Informal review may be conducted after the plan of correction has been approved.
- (2) For civil fines, the licensee may request in writing that the informal review be conducted in person, which would allow the licensee to orally address the informal reviewer(s).

(B) Formal Review

A licensee may appeal the imposition of an intermediate restriction or condition in accordance with the Administrative Procedure Act (APA) at §24-4-105, C.R.S. A licensee is not required to submit to the Department's informal review before pursuing formal review under the APA.

- (1) For life-threatening situations, the licensee shall implement the restriction or condition immediately upon receiving notice of the restriction or condition.
- (2) For situations that are not life-threatening, the restriction or condition shall be implemented in accordance with the type of condition as set forth below:
 - (a) For restriction/conditions other than fines, immediately upon the expiration of the opportunity for appeal or from the date that the Department's decision is upheld after all administrative appeals have been exhausted.
 - (b) For fines, within 30 calendar days from the date the Department's decision is upheld after all administrative appeals have been exhausted.

Supported Living Program Oversight

- 3.18 An assisted living residence that is certified to participate in the Supported Living Program administered by the Department of Healthcare Policy and Financing shall comply with both HCPF's regulations concerning that program and the applicable portions of this chapter. The Department shall coordinate with HCPF in regulatory interpretation of both license and certification requirements to ensure that the intent of similar regulations is congruently met.

SECTION 4 – LICENSEE RESPONSIBILITIES

- 4.1 The licensee shall assume responsibility for all services provided by the assisted living residence.
- 4.2 The licensee shall ensure the provision of facilities, personnel and services necessary for the welfare and safety of residents.
- 4.3 The licensee shall ensure that all marketing, advertising and promotional information published or otherwise distributed by the assisted living residence accurately represents the ALR and the care, treatment and services that it provides.
- 4.4 The licensee shall establish, and ensure the maintenance of, a system of financial management and accountability for the assisted living residence.
- 4.5 The licensee shall appoint an administrator who meets the minimum qualifications set forth in this regulation and delegate to that individual the executive authority and responsibility for the administration of the assisted living residence.

SECTION 5 – REPORTING REQUIREMENTS

At Risk Persons Mandatory Reporting

- 5.1 Assisted living residence personnel engaged in the admission, care or treatment of at-risk persons shall report suspected physical or sexual abuse, exploitation and/or caretaker neglect to law enforcement within 24 hours of observation or discovery pursuant to §18-6.5-108, C.R.S.

Resident Relocation Reporting

- 5.2 The assisted living residence shall notify the Department within 48 hours if the relocation of one or more residents occurs due to any portion of the assisted living residence becoming uninhabitable because of fire or other disaster.

Occurrence Reporting

- 5.3 An assisted living residence shall comply with all occurrence reporting required by state law and shall follow the reporting procedures set forth below:
 - (A) Notify the Department of the following items no later than the next business day after discovery by the ALR:
 - (1) Any occurrence involving neglect of a resident by failure to provide goods and services necessary to avoid the resident's physical harm or mental anguish;
 - (2) Any occurrence involving abuse of a resident by the willful infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical harm, pain or mental anguish;
 - (3) Any occurrence involving an injury of unknown source where the source of the injury cannot be explained, and the injury is suspicious because of the extent or location of the injury; or
 - (4) Any occurrence involving misappropriation of a resident's property including the deliberate misplacement, exploitation or wrongful use of a resident's belongings or money without the resident's consent.

- (B) Investigate an occurrence to determine the circumstances of the event and institute appropriate measures to prevent similar future situations.
 - (1) Documentation regarding investigation, including the appropriate measures to be instituted, shall be made available to the Department, upon request.
- (C) Submit the assisted living residences' final investigation report to the Department within five business days after the initial report of the occurrence.
- (D) Nothing in this section 5.3 shall be construed to limit or modify any statutory or common law right, privilege, confidentiality or immunity.

SECTION 6 – ADMINISTRATOR

Background checks

- 6.1 In order to ensure that the administrator is of good, moral and responsible character, the assisted living residence shall request a fingerprint-based criminal history record check with notification of future arrests for each prospective administrator prior to hire.
 - (A) If an administrator applicant has lived in Colorado for more than three years at the time of application, the assisted living residence shall request the criminal history record check from the Colorado Bureau of Investigation (CBI).
 - (B) If an administrator applicant has lived in Colorado for less than three years at the time of application, the assisted living residence shall request the criminal history record check from the Federal Bureau of Investigation through the CBI.
 - (C) The cost of obtaining such information shall be borne by the individual who is the subject of such check. The information shall be forwarded by the CBI directly to the Department.

Qualifications

- 6.2 An administrator who is recognized by the Department as having been an assisted living residence administrator of record prior to July 1, 2019, shall not be required to meet the criteria in section 6.3.
- 6.3 Effective July 1, 2019, each newly hired administrator who does not qualify under section 6.2, shall be at least 21 years of age, possess a high school diploma or equivalent and at least one year of experience supervising the delivery of personal care services that include activities of daily living.

Training

- 6.4 Each administrator shall have completed an administrator training program before assuming an administrator position. Written proof regarding the successful completion of such training program shall be maintained in the administrator's personnel file.
- 6.5 Effective January 1, 2019, an administrator training program shall meet all of the following requirements:
 - (A) The program or program components are conducted by an accredited college, university, or vocational school; or an organization, association, corporation, group or agency with specific expertise in the provision of residential care and services, and

- (B) The curriculum includes at least 40 actual hours, 20 of which shall focus on applicable state regulations. The remaining 20 hours shall provide an overview of the following topics:
 - (1) Business operations including, but not limited to,
 - (a) Budgeting,
 - (b) Business plan/service model,
 - (c) Insurance,
 - (d) Labor laws,
 - (e) Marketing, messaging and liability consequences, and
 - (f) Resident agreement.
 - (2) Daily business management including, but not limited to,
 - (a) Coordination with external service providers (i.e., community and support services including case management, referral agencies, mental health resources, ombudsmen, adult protective services, hospice, and home care),
 - (b) Ethics, and
 - (c) Grievance and complaint process.
 - (3) Physical plant
 - (4) Resident care including, but not limited to,
 - (a) Admission and discharge criteria,
 - (b) Behavior expression management,
 - (c) Care needs assessment,
 - (d) Fall management,
 - (e) Nutrition,
 - (f) Person-centered care,
 - (g) Personal versus skilled care,
 - (h) Quality management education,
 - (i) Resident rights,
 - (j) Sexuality and aging,
 - (k) Secure environment, and

- (l) Medication Management.
 - (5) Resident psychosocial needs including, but not limited to,
 - (a) Cultural competency (ethnicity, race, sexual orientation),
 - (b) Family involvement and dynamics,
 - (c) Mental health care (maintaining good mental health and recognizing symptoms of poor mental health),
 - (d) Palliative care standards, and
 - (e) Resident engagement.
- 6.6 Competency testing shall be performed to demonstrate that the individuals trained have a comprehensive, evidence-based understanding of the regulations and topics.

Duties

- 6.7 The administrator shall be responsible for the overall operation of the assisted living residence, including, but not limited to:
- (A) Managing the day to day delivery of services to ensure residents receive the care that is described in the resident agreement, the comprehensive resident assessment and the resident care plan,
 - (B) Organizing and directing the assisted living residence's ongoing functions including physical maintenance,
 - (C) Ensuring that resident care services conform to the requirements set forth in section 12 of this chapter,
 - (D) Employing, training and supervising qualified personnel,
 - (E) Providing continuing education for all personnel,
 - (F) Establishing and maintaining a written organizational chart to ensure there are well-defined lines of responsibility and adequate supervision of all personnel,
 - (G) Reviewing the marketing materials and information published by an assisted living residence to ensure consistency with the services actually provided by the ALR,
 - (H) Managing the business and financial aspects of the assisted living residence which includes working with the licensee to ensure there is an adequate budget to provide necessary resident services,
 - (I) Completing, maintaining and submitting all reports and records required by the Department,
 - (J) Complying with all applicable federal, state and local laws concerning licensure and certification, and
 - (K) Appointing and supervising a qualified designee who is capable of satisfactorily fulfilling the administrator's duties when the administrator is unavailable.

- (1) The name and contact information for the administrator or qualified designee on duty shall always be readily available to the residents and public.
- (2) The administrator or qualified designee shall always, whether on or off site, be readily accessible to staff.
- (3) When a qualified designee is acting as administrator in an assisted living residence that is licensed for more than 12 beds, there shall be at least one other staff member on duty whose primary responsibility is the daily care of residents.

SECTION 7 – PERSONNEL

Background Checks

- 7.1 In order to ensure that staff members and volunteers are of good, moral and responsible character, the assisted living residence shall request, prior to hire, a name-based criminal history record check for each prospective staff member and volunteer providing ALR services.
- (A) If the applicant has lived in Colorado for more than three years at the time of application, the assisted living residence shall obtain a name-based criminal history report conducted by the Colorado Bureau of Investigation (CBI).
 - (B) If the applicant has lived in Colorado for three years or less at the time of application, the assisted living residence shall obtain a name-based criminal history report for each state in which the applicant has lived for the past three years, conducted by the respective states' bureaus of investigation or equivalent state-level law enforcement agency or other name-based report as determined by the Department.
 - (C) The cost of obtaining such information shall be borne by the assisted living residence, the contract staffing agency or the individual who is the subject of such check, as appropriate.

Background Check Policies and Procedures

- 7.2 If the assisted living residence becomes aware of information that a current administrator, staff member or volunteer providing ALR services could pose a risk to the health, safety and welfare of the residents and/or that such individual is not of good, moral and responsible character, the assisted living residence shall request an updated criminal history record check for such individual from the CBI and/or other relevant law enforcement agency.
- 7.3 The assisted living residence shall develop and implement policies and procedures regarding the hiring or continued service of any administrator, staff member or volunteer providing ALR services whose criminal history records do not reveal good, moral and responsible character or demonstrate other conduct that could pose a risk to the health, safety, or welfare of the residents.
- (A) At a minimum, the assisted living residence shall consider and address the following items:
 - (1) The history of convictions, pleas of guilty or no contest;
 - (2) The nature and seriousness of the crime(s);
 - (3) The time that has elapsed since the convictions;
 - (4) Whether there are any mitigating circumstances; and

- (5) The nature of the position to which the individual will be assigned.

Ability to Perform Job Functions

- 7.4 Each staff member and volunteer providing assisted living services shall be physically and mentally able to adequately and safely perform all functions essential to resident care.
- 7.5 The assisted living residence shall select direct care staff based on such factors as the ability to read, write, carry out directions, communicate and demonstrate competency to safely and effectively provide care and services.
- 7.6 The assisted living residence shall establish written policies concerning pre-employment physical evaluations and employee health. Those policies shall include, at a minimum:
- (A) Tuberculin skin testing of each staff member and volunteer who provide ALR services prior to direct contact with residents; and
 - (B) The imposition of work restrictions on direct care staff who are known to be affected with any illness in a communicable stage. At a minimum, such staff shall be barred from direct contact with residents or resident food.
- 7.7 The assisted living residence shall have policies and procedures restricting on-site access by staff or volunteers with drug or alcohol use that would adversely impact their ability to provide resident care and services.

Orientation

- 7.8 The assisted living residence shall ensure that each staff member and volunteer who provide ALR services complete an initial orientation before providing care and services to a resident. Such orientation shall include, at a minimum, all of the following topics:
- (A) The care and services provided by the assisted living residence including palliative and/or end of life care, if applicable,
 - (B) Resident rights,
 - (C) Overview of state regulatory oversight applicable to the assisted living residence,
 - (D) Hand Hygiene and infection control,
 - (E) Recognizing emergencies, emergency response policies and procedures and relevant emergency contact numbers,
 - (F) House rules,
 - (G) Person-centered care, and
 - (H) Reporting requirements.

Staff Training

- 7.9 Within 30 days of hire, the assisted living residence shall provide each staff member with training relevant to that staff member's duties and responsibilities. This training may include self-study courses. If the assisted living residence uses a volunteer to perform any staff functions, that volunteer shall receive the same training as staff. The staff training shall include, but is not limited to, the following topics:
- (A) Assignment of duties and responsibilities,
 - (B) Assisted living residence policies and procedures,
 - (C) Occurrence reporting,
 - (D) Recognizing behavioral expression and management techniques,
 - (E) How to effectively communicate with residents that have hearing loss, limited English proficiency, dementia, or other conditions that impair communication;
 - (F) Emergency procedures including fire response, basic first aid, automated external defibrillator (AED) use, if applicable, practitioner assessment, and serious illness, injury and/or death of a resident;
 - (G) The role of and communication with external service providers,
 - (H) Training related to fall prevention and ways to monitor residents for signs of heightened fall potential such as deteriorating eyesight, unsteady gait, and increasing limitations that restrict mobility;
 - (I) Where to immediately locate a resident's advance directive,
 - (J) Maintenance of a clean, safe and healthy environment including appropriate cleaning techniques,
 - (K) Understanding end of life care including hospice and palliative care,
 - (L) How to safely provide lift assistance, accompaniment and transport of residents; and
 - (M) Food safety.

Personnel Policies

- 7.10 The assisted living residence shall develop and maintain written personnel policies, job descriptions and other requirements regarding the conditions of employment, management of staff and resident care to be provided, including, but not limited to, the following:
- (A) The assisted living residence shall provide a job-specific orientation for each new staff member and volunteer before they independently provide resident services,
 - (B) All staff members and volunteers who provide assisted living services shall be informed of the purpose and objectives of the assisted living residence,
 - (C) All staff members and volunteers who provide assisted living services shall be given access to the ALR's personnel policies and the ALR shall provide evidence that each staff member and volunteer has reviewed them, and

- (D) All staff members shall wear name tags or other identification that is visible to residents and visitors.
- (1) The requirement for name tags may be waived if a majority of attendees at a regularly scheduled assisted living resident meeting agree to do so.
 - (a) The assisted living residence shall maintain documentation showing that all residents and family members were provided advance notice regarding the topic and meeting details.
 - (b) The decision to waive the name tag requirement shall be raised and reviewed at the assisted living resident meeting at least annually.

Personnel Files

- 7.11 The assisted living residence shall maintain a personnel file for each of its employees and volunteers who provide ALR services.
- 7.12 Personnel files for current employees and volunteers shall be readily available onsite for Department review.
- 7.13 Each personnel file shall include, but not be limited to, written documentation regarding the following items:
 - (A) A description of the employee or volunteer duties;
 - (B) Date of hire or acceptance of volunteer service and date duties commenced;
 - (C) Orientation and training, including first aid and CPR certification, if applicable;
 - (D) Verification from the Department of Regulatory Agencies of an active license or certification, if applicable;
 - (E) Results of background checks and follow up, as applicable; and
 - (F) Tuberculin test results, if applicable.
- 7.14 If the employee or volunteer is a qualified medication administration person, the following shall also be retained in the personnel file:
 - (A) Documentation that the individual's name appears on the Department's list of individuals who have successfully completed the medication administration competency evaluation; and
 - (B) A signed disclosure that the individual has not had a professional medical, nursing, or pharmacy license revoked in this or any other state for reasons directly related to the administration of medications.
- 7.15 Personnel files shall be retained for three years following an employee's separation from employment or a volunteer's separation from service and include the reason(s) for the separation.

Personal Care Worker

- 7.16 The assisted living residence shall ensure that each personal care worker attends the initial orientation required in section 7.8. The assisted living residence shall also require that each personal care worker receives additional orientation on the following topics before providing care and services to a resident.
- (A) Personal care worker duties and responsibilities;
 - (B) The differences between personal services and skilled care; and
 - (C) Observation, reporting and documentation regarding a resident's change in functional status along with the assisted living residence's response requirements.
- 7.17 Orientation and training is not required for a personal care worker who is returning to an assisted living residence after a break in service of three years or less if that individual meets all of the following conditions:
- (A) The personal care worker completed the assisted living residence's required orientation, training and competency assessment at the time of initial employment,
 - (B) The personal care worker successfully completed the assisted living residence's required competency assessment at the time of rehire or reactivation,
 - (C) The personal care worker did not have performance issues directly related to resident care and services in the prior active period of employment, and
 - (D) All orientation, training and personnel action documentation is retained in the personal care worker's personnel file.
- 7.18 The assisted living residence shall designate an administrator, nurse or other capable individual to be responsible for the oversight and supervision of each personal care worker. Such supervision shall include, but not be limited to:
- (A) Being accessible to respond to personal care worker questions; and
 - (B) Evaluating each personal care worker at least annually.
- (1) Each evaluation shall include observation of the personal care worker performing his or her assigned tasks and documentation that the worker is competent in the performance of those tasks.
- 7.19 The assisted living residence shall only allow a personal care worker to perform tasks that have a chronic, stable, predictable outcome and do not require routine nurse assessment.
- 7.20 The potential duties of a personal care worker range from observation and monitoring of residents to ensure their health, safety and welfare, to companionship and personal services.
- 7.21 Before a personal care worker independently performs personal services for a resident, the supervisor designated by the assisted living residence shall observe and document that the worker has demonstrated his or her ability to competently perform every personal task assigned. This competency check shall be repeated each time a worker is assigned a new or additional personal care task that he or she has not previously performed.

- 7.22 Only appropriately skilled professionals may train personal care workers and their supervisors on specialized techniques beyond general personal care and assistance with activities of daily living as defined in these rules. (Examples include, but are not limited to, transfers requiring specialized equipment and assistance with therapeutic diets). Personal care workers and their supervisors shall be evaluated for competency before the delivery of each personal service requiring a specialized technique.
- (A) Documentation regarding competency in specialized techniques shall be included in the personnel files of both personal care workers and supervisors.
 - (B) A registered nurse who is employed or contracted by the assisted living residence may delegate to a personal care worker in accordance with the Nursing Practice Act if the registered nurse is the supervising nurse for the personal care worker.
- 7.23 The assisted living residence shall ensure that each personal care worker complies with all assisted living residence policies and procedures and not allow a personal care worker to perform any functions which are outside of his or her job description, written agreements or a resident's care plan.

SECTION 8 – STAFFING REQUIREMENTS

Minimum Staffing

- 8.1 Whenever one or more residents are present in the assisted living residence, there shall be at least one staff member present who meets the criteria in section 8.7 and is capable of responding to an emergency.
- (A) Residents shall not be transferred off site solely for the convenience of the assisted living residence or its staff.
- 8.2 Between 10 PM and 6 AM, staff shall conduct at least one safety check of all consenting residents.

Staffing Levels

- 8.3 To determine appropriate routine staffing levels, the assisted living residence shall consider, at a minimum, the following items:
- (A) The acuity and needs of the residents;
 - (B) The services outlined in the care plan; and
 - (C) The services set forth in the resident agreement.
- 8.4 Staff shall be sufficient in number to help residents needing or potentially needing assistance, considering individual needs such as the risk of accident, hazards, or other challenging events.

First Aid, Obstructed Airway Technique and Cardiopulmonary Resuscitation Trained Staff

- 8.5 The assisted living residence shall ensure that it has sufficient staff members who are currently certified in first aid and cardiopulmonary resuscitation to meet the requirements of this section.

- 8.6 Each assisted living residence shall have at least one staff member onsite at all times who has current certification in first aid from a nationally recognized organization such as the American Red Cross, the American Heart Association, National Safety Council, or American Safety and Health Institute. The certification shall either be in Adult First Aid or include Adult First Aid.
- 8.7 Each assisted living residence shall have at least one staff member onsite at all times who has current certification in cardiopulmonary resuscitation (CPR) and obstructed airway techniques from a nationally recognized organization such as the American Red Cross, the American Heart Association, the National Safety Council or the American Safety and Health Institute. The certification shall either be in Adult CPR or include Adult CPR.
- 8.8 Each assisted living residence shall place in a visible location a list of all staff who have current certification in first aid or CPR so that the information is readily available to staff at all times. The list shall be kept up to date and indicate by staff person whether the certification is in first aid or CPR or both.
- 8.9 Each assisted living residence shall require that all staff who are certified in first aid and/or obstructed airway techniques promptly provide those services in accordance with their training.
- 8.10 Each assisted living residence shall require that all staff who are certified in CPR promptly provide those services in accordance with their training, unless the affected resident has a do not resuscitate order.
- 8.11 Each assisted living residence shall require that staff, even if not certified in first aid or CPR, promptly respond to an emergency and follow the instructions of a 911 emergency call operator until a medically trained provider can assume care.

Use of Volunteers and Residents

- 8.12 Volunteers and residents may assist with the provision of resident care and services, but the assisted living residence shall not consider the use of either volunteers or resident helpers in determining the appropriate staffing level.

Use of Hospice Providers

- 8.13 When licensed hospice care is provided in an assisted living residence, there shall be a written agreement regarding the provision of that care by a hospice provider. The written agreement shall be signed by authorized representatives of the hospice and assisted living residence prior to the provision of hospice care. The written agreement shall include, at a minimum, the following:
 - (A) How the assisted living residence and hospice will coordinate and communicate with each other to ensure that the needs of the resident are being fully met;
 - (B) A provision that the assisted living residence shall immediately notify the hospice if:
 - (1) There is a significant change in the resident's physical, mental, social or emotional status that may necessitate a change to the resident's care plan;
 - (2) There is a need to transfer the resident from the assisted living residence, in which case the hospice shall coordinate any necessary care related to the terminal illness and related conditions; or
 - (3) The resident dies.

- (C) A provision stating that the hospice assumes responsibility for determining the appropriate course of hospice care, including the determination to change the level of services provided; and
 - (D) A provision stating that it is the responsibility of the assisted living residence to provide 24-hour room and board and the other services required by this Chapter 7.
- 8.14 If a hospice provider fails to provide services when they are necessary, the assisted living residence shall follow the requirements of section 12.5 regarding a resident's significant change in baseline status and request a practitioner assessment.

Contracted Personnel and Services

- 8.15 An assisted living residence that uses a separate agency, organization or individual to provide services for the ALR or residents shall have a written agreement that sets forth the terms of the arrangement. The agreement shall specify, at a minimum, the following items:
- (A) The specific services to be provided;
 - (B) The time frame for the provision of such services;
 - (C) The contractor's obligation to comply with all applicable assisted living residence policies and procedures, including personnel qualifications;
 - (D) How such services will be coordinated and overseen by the assisted living residence; and
 - (E) The procedure for payment of services provided under the contract.
- 8.16 If contract personnel and/or services are used, the contractor shall meet all applicable requirements of these regulations.
- 8.17 Notwithstanding the above criteria, the assisted living residence shall retain responsibility for oversight of all contracted personnel and services to ensure the health, safety and welfare of the residents.

SECTION 9 – POLICIES AND PROCEDURES

- 9.1 The assisted living residence shall develop and at least annually review, all policies and procedures. At a minimum, the assisted living residence shall have policies and procedures that address the following items:
- (A) Admission and discharge criteria in accordance with sections 11 and 25, if applicable;
 - (B) Resident rights;
 - (C) Grievance procedure and complaint resolution;
 - (D) Investigation of abuse, neglect and exploitation allegations;
 - (E) House rules;
 - (F) Emergency preparedness;
 - (G) Fall management;

- (H) Provision of lift assistance, first aid, obstructed airway technique, and cardiopulmonary resuscitation;
- (I) Unanticipated illness, injury, significant change of status from baseline or death of resident;
- (J) Infection control;
- (K) Practitioner assessment;
- (L) Health information management;
- (M) Personnel;
- (N) Staff Training;
- (O) Environmental pest control;
- (P) Medication errors and medication destruction and disposal;
- (Q) Management of resident funds, if applicable;
- (R) Policies and procedures related to secure environment, if applicable; and
- (S) Provision of palliative care in accordance with 6 CCR 1011-1, Chapter 2, Part 3.3.1, if applicable.

SECTION 10 – EMERGENCY PREPAREDNESS

Emergency Policies and Procedures

- 10.1 The assisted living residence shall have readily available a roster of current residents, their room assignments and emergency contact information along with a facility diagram showing room locations.
- 10.2 The assisted living residence shall complete a risk assessment of all hazards and preparedness measures to address natural and human-caused crises including, but not limited to, fire(s), gas explosion, power outages, tornado, flooding and threatened or actual acts of violence.
- 10.3 The assisted living residence shall develop and follow written policies and procedures to ensure the continuation of necessary care to all residents for at least 72 hours immediately following any emergency including, but not limited to, a long-term power failure.
- 10.4 Emergency policies and procedures shall be tailored to the geographic location of the assisted living residence; types of residents served; and unique risks and circumstances identified by the assisted living residence.
- 10.5 Each assisted living residence shall identify its highest potential risk and hold routine drills to facilitate staff and resident response to that risk. There shall be written documentation of such drills.
- 10.6 Each assisted living residence's emergency policies shall address, at a minimum, all of the following items:

- (A) Written instructions for each identified risk that includes persons to be notified and steps to be taken. The instructions shall be readily available 24 hours a day in more than one location with all staff aware of the locations.
- (B) A schematic plan of the building or portions thereof placed visibly in a central location and throughout the building, as needed, showing evacuation routes, smoke stop and fire doors, exit doors, and the location of fire extinguishers and fire alarm boxes.
- (C) When to evacuate the premises and the procedure for doing so.
- (D) A pre-determined means of communicating with residents, families, staff and other providers.
- (E) A plan that ensures the availability of, or access to, emergency power for essential functions and all resident-required medical devices or auxiliary aids.
- (F) Storage and preservation of medications.
- (G) Assignment of specific tasks and responsibilities to the staff members on each shift including use of a triage system to assess the needs of the most vulnerable residents first.
- (H) Protection and transfer of health information as needed to meet the care needs of residents.
- (I) In the event relocation of residents becomes necessary, written agreements with other health facilities and/or community agencies.

Emergency Equipment

- 10.7 First aid equipment shall be maintained on the premises in a readily available location and staff shall be instructed in its use and location.
- 10.8 The assisted living residence shall have enough first aid kits to enable staff to immediately respond to emergencies. Each first aid kit shall be checked regularly to ensure that it is fully stocked and that any expiration date is not exceeded.
- 10.9 Each kit shall include, at a minimum, the following items:
 - (A) Latex free disposable gloves,
 - (B) Scissors,
 - (C) Adhesive bandages,
 - (D) Bandage tape,
 - (E) Sterile gauze pads,
 - (F) Flexible roller gauze,
 - (G) Triangular bandages with safety pins,
 - (H) A note pad with a pen or pencil,

- (I) A CPR barrier device or mask, and
 - (J) Soap or waterless hand sanitizer.
- 10.10 If the assisted living residence has an automated external defibrillator (AED), staff shall be trained in its use and it shall be maintained in accordance with the manufacturer's specifications.
- 10.11 There shall be at least one telephone, not powered by household electrical current, in the assisted living residence available for immediate emergency use by staff, residents, and visitors. Contact information for police, fire, ambulance [9-1-1, if applicable] and poison control center shall be readily accessible to staff.
- 10.12 Assisted living residences shall have a battery or generator-powered alternative lighting system available in the event of a power failure.

SECTION 11 – RESIDENT ADMISSION AND DISCHARGE

Move-In Criteria

- 11.1 The assisted living residence shall accept only those persons whose needs can be fully met by the existing staff, physical environment and services already being provided. The assisted living residence's ability to meet resident needs shall be based upon a comprehensive pre-admission assessment of a resident's physical, mental and social needs; cultural, religious and activity needs; preferences; and capacity for self-care.

Move-In Restrictions

- 11.2 An assisted living residence shall not allow to move in any person who:
- (A) Needs regular 24-hour medical or nursing care,
 - (B) Is incapable of self-administration of medication and the assisted living residence does not have staff who are either licensed or qualified under 6 CCR 1011-1, Chapter 24 to administer medications,
 - (C) Has an acute physical illness which cannot be managed through medication or prescribed therapy,
 - (D) Has physical limitations that restrict mobility unless compensated for by available auxiliary aids or intermittent staff assistance,
 - (E) Has incontinence issues that cannot be managed by the resident or staff,
 - (F) Is profoundly disoriented to time, person and place with safety concerns that require a secure environment and the assisted living residence does not provide a secure environment,
 - (G) Has a stage 3 or 4 pressure sore and does not meet the criteria in section 12.4,
 - (H) Has a history of conduct that has been disclosed to the assisted living residence that would pose a danger to the resident or others unless the ALR reasonably believes that the conduct can be managed through therapeutic approaches, or
 - (I) Needs restraints, as defined herein, of any kind except as statutorily allowed for assisted living residences which are certified to provide services specifically for the mentally ill.

- (1) Assisted living residences certified to provide services for the mentally ill shall have policies, procedures and appropriate staff training regarding the use of restraint and maintain current documentation to show that less restrictive measures were and continue to be unsuccessful.

Resident Agreement

- 11.3 At the time the resident moves in, the assisted living residence shall ensure that the resident and/or the resident's legal representative has received a copy of the written resident agreement and agreed to the terms set forth therein. The assisted living residence shall ensure that the agreement is signed and dated by both parties.
- 11.4 The terms of a resident agreement shall not alter, or be construed to relieve the assisted living residence of compliance with, any requirement or obligation under relevant federal, state or local law and regulation.
- 11.5 The assisted living residence shall review its resident agreements annually and update or amend them as necessary. Amendments to the resident agreement shall also be signed and dated by both parties.
 - (A) When a change of ownership occurs, the new owner shall either acknowledge and agree to the terms of each existing resident agreement or establish a new agreement with each resident.
- 11.6 The written resident agreement shall specify the understanding between the parties concerning, at a minimum, the following items:
 - (A) Assisted living residence charges, refunds and deposit policies;
 - (B) The general type of services and activities provided and not provided by the assisted living residence and those which the assisted living residence will assist the resident in obtaining;
 - (C) A list of specific assisted living residence services included for the agreed upon rates and charges, along with a list of all available optional services and the specified charge for each;
 - (D) The amount of any fee to hold a place for the resident in the assisted living residence while the resident is absent from the assisted living residence and the circumstances under which it will be charged;
 - (E) Responsibility for providing and maintaining bed linens, bath and hygiene supplies, room furnishings, communication devices and auxiliary aids; and
 - (F) A guarantee that any security deposit will be fully reimbursed if the assisted living residence closes without giving resident(s) written notice at least 30 calendar days before such closure.

Written Disclosure of Information

- 11.7 The assisted living residence shall ensure that when a new resident moves in, he or she is provided with, and acknowledges receipt of, the following information:
 - (A) How to obtain access to the assisted living residence policies and procedures listed under section 9.1,

- (B) The resident's right to receive cardiopulmonary resuscitation (CPR) or have a written advance directive refusing CPR,
- (C) Minimum staffing levels, whether the assisted living residence has awake staff 24 hours a day and the extent to which certified or licensed health care professionals are available on-site,
- (D) Whether the assisted living residence has an automatic fire sprinkler system,
- (E) Whether the assisted living residence uses egress alert devices, including details about when and where they are used,
- (F) Whether the assisted living residence has resident location monitoring devices (such as video surveillance), when and where they are used, and how the assisted living residence determines that a resident requires monitoring,
- (G) Whether the assisted living residence operates a secure environment and what that means,
- (H) The resident's individualized care plan that addresses his or her functional capability and needs,
- (I) Smoking prohibitions and/or designated areas for smoking,
- (J) The readily available on-site location of the assisted living residence's most recent inspection report, and
- (K) Upon request, a copy of the most recent version of these Chapter 7 rules.

Management of Resident Funds/Property

- 11.8 An assisted living residence shall not assume power of attorney or guardianship over a resident unless by court order, nor shall an assisted living residence require a resident to execute or assign a loan, advance, financial interest, mortgage or other property in exchange for future services.
- 11.9 An assisted living residence shall not be required to handle resident funds or property.
- 11.10 An assisted living residence that chooses to handle resident funds or property, shall have a policy regarding the management of such funds and shall comply with the following criteria:
 - (A) There shall be a written authorization that specifies the terms and duration of the financial management services to be performed by the assisted living residence. Such authorization shall be signed by the resident or resident's legal representative and notarized.
 - (B) Upon entering into an agreement with a resident for financial management services, the assisted living residence shall exercise fiduciary responsibility for these funds and property, including, but not limited to, maintaining any funds over the amount of five hundred dollars (\$500) in an interest-bearing account, separate from the general operating fund of the ALR, which interest shall accrue to the resident.
 - (C) The assisted living residence shall post a surety bond in an amount sufficient to protect the residents' personal funds.

- (D) The assisted living residence shall maintain a continuous, dated record of all financial transactions. The record shall begin with the date of the first handling of the personal funds of the resident and shall be kept on file for at least three years following termination of the resident's stay in the assisted living residence. Such record shall be available for inspection by the Department.
- (E) The assisted living residence shall provide the resident or legal representative a receipt each time funds are disbursed along with a quarterly report identifying the beginning and ending account balance along with a description of each and every transaction since the last report.

Discharge

11.11 The assisted living residence shall arrange to discharge any resident who:

- (A) Has an acute physical illness which cannot be managed through medication or prescribed therapy,
- (B) Has physical limitations that restrict mobility, and which cannot be compensated for by available auxiliary aids or intermittent staff assistance,
- (C) Has incontinence issues that cannot be managed by the resident or staff,
- (D) Has a stage 3 or stage 4 pressure sore and does not meet the criteria in section 12.4,
- (E) Is profoundly disoriented to time, person and place with safety concerns that require a secure environment and the assisted living residence does not provide a secure environment,
- (F) Exhibits conduct that poses a danger to self or others and the assisted living residence is unable to sufficiently address those issues through therapeutic approach, and/or
- (G) Needs more services than can be routinely provided by the assisted living residence or an external service provider.

11.12 The assisted living residence may also discharge a resident for:

- (A) Nonpayment of basic services in accordance with the resident agreement; or
- (B) The resident's failure to comply with a valid, signed resident agreement.

11.13 Where a resident has demonstrated that he or she has become a danger to self or others, the assisted living residence shall promptly implement the following process pending discharge:

- (A) Take all appropriate measures necessary to protect other residents;
- (B) Reassess the resident to be discharged and revise his or her care plan to identify the resident's current needs and what services the assisted living residence will provide to meet those needs; and
- (C) Ensure all staff are aware of any new directives placed in the care plan and are properly trained to provide supervision and actions consistent with the care plan.

- 11.14 The assisted living residence shall coordinate a voluntary or involuntary discharge with the resident, the resident's legal representative and/or the appropriate agency. Prior to discharging a resident because of increased care needs, the assisted living residence shall make documented efforts to meet those needs through other means.
- 11.15 In the event a resident is transferred to another health care entity for additional care, the assisted living residence shall arrange to evaluate the resident prior to re-admission or discharge the resident in accordance with the discharge procedures specified below.
- 11.16 The assisted living residence shall provide written notice of any discharge to the resident or legal representative 30 calendar days in advance of discharge except in cases of imminent physical harm to or by the resident or medical emergency, whereupon the assisted living residence shall notify the legal representative as soon as possible.
- 11.17 A copy of any involuntary discharge notice shall be sent to the state and/or local long-term care ombudsman, within five (5) calendar days of the date that it is provided to the resident or the resident's legal representative.

SECTION 12 – RESIDENT CARE SERVICES

Minimum Services

- 12.1 The assisted living residence shall make available, either directly or indirectly through a resident agreement, the following services, sufficient to meet the needs of the residents:
 - (A) A physically safe and sanitary environment including, but not limited to, measures to reduce the risk of potential hazards in the physical environment related to the unique characteristics of the population;
 - (B) Room and board;
 - (C) Personal services including, but not limited to, a system for identifying and reporting resident concerns that require either an immediate individualized approach or on-going monitoring and possible re-assessment;
 - (D) Protective oversight including, but not limited to, taking appropriate measures when confronted with an unanticipated situation or event involving one or more residents and the identification of urgent issues or concerns that require an immediate individualized approach; and
 - (E) Social care and resident engagement.

Nursing Services

- 12.2 Nurses may provide nursing services to support the personal services provided to residents of the assisted living residence, except that such services shall not rise to the level that requires resident discharge as described in section 11.11 or becomes regular 24-hour medical or nursing care.
 - (A) Other staff may assist with nursing services if they are trained and evaluated for competency prior to assignment.
 - (B) Staff assisting with nursing services shall be supervised by a nurse.

- (C) Only staff employed or contracted by the assisted living residence shall provide or assist with nursing services on behalf of the assisted living residence.
- 12.3 The following occasionally required services may only be provided by an external service provider or the nurse of the assisted living residence:
- (A) Syringe or tube feeding,
 - (B) Intravenous medication,
 - (C) Catheter care that involves changing the catheter, irrigation of the catheter and/or total assistance with catheter,
 - (D) Ostomy care where the ostomy site is new or unstable, and
 - (E) Care for a stage 1 or stage 2 pressure sore if the condition is stable and resolving.
- 12.4 An assisted living residence shall not admit or keep a resident with a stage 3 or stage 4 pressure sore unless the resident has a terminal condition and is receiving continuing care from an external service provider.

Practitioner Assessment

- 12.5 The assisted living residence shall have a policy and procedure regarding when a practitioner's assessment of a resident is appropriate. At a minimum, the assisted living residence shall contact the resident's primary practitioner when any of the following circumstances occur and follow the practitioner's recommendation regarding further action.
- (A) The resident experiences a significant change in their baseline status,
 - (B) The resident has physical signs of possible infection (open sores, etc.),
 - (C) The resident sustains an injury or accident,
 - (D) The resident has known exposure to a communicable disease, and/or
 - (E) The resident develops any condition which would have initially precluded admission to the assisted living residence.

Comprehensive Resident Assessment

- 12.6 At the time a new resident moves in, the assisted living residence shall complete a comprehensive assessment that reflects information requested and received from the resident, the resident's representative if requested by the resident, and a practitioner. Information from the comprehensive assessment shall be used to establish an individualized care plan.
- 12.7 The comprehensive assessment shall include all the following items:
- (A) Information from the comprehensive pre-admission assessment described in section 11.1,
 - (B) Information regarding the resident's overall health and physical functioning ability,
 - (C) Information regarding the resident's advance directives,

- (D) Communication ability and any specific needs to facilitate effective communication,
 - (E) Current diagnoses and any known or anticipated need or impact related to the diagnoses,
 - (F) Food and dining preferences, unique needs and restrictions,
 - (G) Individual bathroom routines, sleep and awake patterns,
 - (H) Reactions to the environment and others, including changes that may occur at certain times or in certain circumstances,
 - (I) Routines and interests,
 - (J) History and circumstances of recent falls and any known approaches to prevent future falls,
 - (K) Safety awareness,
 - (L) Types of physical, mental and social support required; and
 - (M) Personal background, including information regarding any other individuals who are supportive of the resident, cultural preferences and spiritual needs.
- 12.8 The comprehensive assessment shall be documented in writing and kept in the resident's health information record.
- 12.9 The comprehensive assessment shall be updated for each resident at least annually and whenever the resident's condition changes from baseline status.

Resident Care Plan

- 12.10 Each resident care plan shall:
- (A) Be developed with input from the resident and the resident representative,
 - (B) Reflect the most current assessment information,
 - (C) Promote resident choice, mobility, independence and safety,
 - (D) Detail specific personal service needs and preferences along with the staff tasks necessary to meet those needs,
 - (E) Identify all external service providers along with care coordination arrangements, and
 - (F) Identify formal, planned, and informal spontaneous engagement opportunities that match the resident's personal choices and needs.

Care Coordination

- 12.11 The assisted living residence shall be responsible for the coordination of resident care services with known external service providers.
- 12.12 The assisted living residence shall notify the resident's representative whenever the resident experiences a significant change from baseline status.

Restraint

- 12.13 An assisted living residence shall not use restraints of any kind or deprive a resident of his or her liberty for purposes of care or safety except as allowed by section 11.2(I), section 25, or as set forth below.
- 12.14 A device that facilitates a resident's well-being and/or independence may be used only if all of the following criteria are met:
- (A) The resident has the functional ability to alter his or her position;
 - (B) The resident is able to remove the device to allow for normal movement;
 - (C) The device improves the resident's physical or emotional state and allows the resident to participate in activities that would otherwise be difficult or impossible; and
 - (D) There is an order from a practitioner for its use.
 - (1) There shall also be interdisciplinary documentation from both the practitioner and a therapist describing the benefits and hazards associated with the device and information on its appropriate use.
 - (2) A resident's continued use of such device shall be re-evaluated by both therapist and practitioner at least annually or whenever the resident experiences a significant change in status.
 - (3) Documentation of compliance with this subsection (D) shall be retained in the resident's care plan.

Fall Management Program

- 12.15 The assisted living residence shall develop policies and procedures to establish a fall management program. The program shall include the following:
- (A) Providing fall management education and materials to residents and family members;
 - (B) Detailing in each resident's care plan the individualized approach necessary to address fall risk related to deficits in strength, balance and eyesight, or effects of medication as identified during the comprehensive resident assessment;
 - (C) Providing resident engagement activities to improve strength and balance as specified in section 12.22(C);
 - (D) Routinely inspecting and maintaining a safe exterior and interior environment as specified in sections 21 and 22; and
 - (E) Providing staff training related to fall prevention as specified in section 7.9(H).

Lift Assistance

- 12.16 Each assisted living residence shall direct staff to assist residents who have fallen or are otherwise unable to independently get up off the floor. The assisted living residence's policy on staff providing lift assistance shall be made available to its local emergency medical responder.

- 12.17 The assisted living residence shall ensure that it has trained staff available to evaluate residents who have fallen or are otherwise unable to independently get up off the floor and provide lift assistance when determined appropriate instead of relying on emergency medical responders.
- (A) Each situation shall be evaluated to determine if the resident can be assisted in a safe manner such as when the resident has no pain and/or there is no change from baseline, the resident's mental status is unchanged from baseline, and there is no or minor bleeding.
 - (B) Once the situation has been evaluated, assisted living residence policy shall require staff to take the following actions:
 - (1) Physically perform the lift assistance using techniques provided in staff training and monitor the resident, or
 - (2) Not lift and call 9-1-1 when the resident is unconscious, the resident's physical or mental status has declined from baseline, the resident experiences an increase in pain when lifting is attempted, the resident wants 9-1-1 called, and/or the resident either can't assist in any way or refuses to assist because of pain, injury, or other physical complications.
 - (C) The assisted living residence shall promptly notify the resident's practitioner, family and/or legal representative of the occurrence of either circumstance identified in section 12.17(B)(1) or (2), along with information regarding the ALR's response.
- 12.18 The assisted living residence's policy shall also require documentation of the action taken by staff and ongoing efforts to prevent a reoccurrence of the situation in the future.

Resident Engagement

- 12.19 The assisted living residence shall encourage residents to maintain and develop their fullest potential for independent living through individual and group engagement opportunities.
- 12.20 The assisted living residence shall provide all residents with regular opportunities to participate in structured engagement and shall support the pursuit of each resident's interests.
- 12.21 If requested, the assisted living residence shall assist a resident with identifying and accessing outside services and community events.
- 12.22 Examples of resident engagement include, but are not limited to, the following:
- (A) Individual or group conversation, recreation, art, crafts, music and pet care;
 - (B) Use of daily living skills that foster and maintain a sense of purpose and significance;
 - (C) Physical pursuits such as games, sports and exercise that develop and maintain strength, coordination and range of motion;
 - (D) Educational opportunities such as special classes or community events;
 - (E) Cultivation of personal interests and pursuits; and
 - (F) Encouraging engagement with others.

- 12.23 The assisted living residence shall encourage residents to contribute to the planning, preparation, conduct, clean-up and critique of any structured engagement offering.
- 12.24 The assisted living residence shall evaluate its resident engagement program at least every three months to ascertain whether the opportunities offered to residents are relevant and well-received and/or if changes are appropriate in response to resident feed-back.
- 12.25 The assisted living residence shall, whenever feasible, coordinate with local agencies and volunteer organizations to promote resident participation in community centered activities including, but not limited to:
- (A) Public service endeavors;
 - (B) Community events such as concerts, exhibits and plays;
 - (C) Community organized group engagement such as senior citizen groups, sports leagues and service clubs; and
 - (D) Attendance at the place of worship of the resident's choice.
- 12.26 Each assisted living residence shall place notices of planned resident engagement offerings in a central location readily accessible to residents, relatives and the public. Copies shall be retained for at least six months.

Resident Engagement Management

19 or fewer residents

- 12.27 In assisted living residences that are licensed for 19 or fewer residents, the administrator shall be primarily responsible for organizing, conducting and evaluating resident engagement. If an assisted living residence can demonstrate that its residents are self-directed to the extent that they are able to plan, organize and conduct the ALR's resident engagement activities themselves, the ALR may request a waiver of this requirement.

20 to 49 residents

- 12.28 In assisted living residences that are licensed for 20 to 49 residents, the administrator shall designate one staff member to be responsible for organizing, conducting and evaluating resident engagement. The designated staff member shall have had at least six months experience in providing structured resident engagement offerings or have completed or be enrolled in an equivalent education and/or training program.

50 or more residents

- 12.29 In assisted living residences that are licensed for 50 or more residents, there shall be at least one staff member whose sole responsibility is to organize, conduct and evaluate resident engagement. The ALR shall provide such staff member with as much accommodation and staff support as necessary to ensure that all residents have on-going opportunities to participate in planned in advance, documented in writing, kept up to date and made available to all residents. The responsible staff member shall have had at least one year of experience or equivalent education and/or training in providing structured resident engagement offerings and be knowledgeable in evaluating resident needs, supervising other staff and in training volunteers.

Use of Volunteers

- 12.30 Each assisted living residence shall encourage participation of volunteers in resident engagement opportunities. All such volunteers shall be supervised and directed by the administrator or staff member primarily responsible for resident engagement.

Physical Space and Equipment:

- 12.31 Each assisted living residence shall have sufficient physical space to accommodate both indoor and outdoor resident engagement. Such accommodations shall include, at a minimum:
- (A) A comfortable, appropriately furnished area such as a living room, family room or great room available to all residents for their relaxation and for socializing with friends and relatives; and
 - (B) An outdoor activity area which is easily accessible to residents and protected from traffic. Outdoor spaces shall be sufficient in size to comfortably accommodate all residents participating in an activity.
- 12.32 Each assisted living residence shall provide sufficient recreational equipment and supplies to meet the needs of the resident engagement program. Special equipment and supplies necessary to accommodate persons with special needs shall be made available as appropriate. When not in use, recreational equipment and supplies shall be stored in such a way that they do not create a safety hazard.
- 12.33 Each assisted living residence shall ensure that staff who accompany residents away from the assisted living residence have ready access to the pertinent personal information of those residents in the event of an emergency.

SECTION 13 – RESIDENT RIGHTS

- 13.1 The assisted living residence shall adopt, and place in a publically visible location, a statement regarding the rights and responsibilities of its residents. The assisted living residence and staff shall observe these rights in the care, treatment and oversight of the residents. The statement of rights shall include, at a minimum, the following items:
- (A) The right to privacy and confidentiality, including
 - (1) The right to have private and unrestricted communications with any person of choice;
 - (2) The right to private telephone calls or use of electronic communication;
 - (3) The right to receive mail unopened;
 - (4) The right to have visitors at any time; and
 - (5) The right to private, consensual sexual activity.
 - (B) The right to civil and religious liberties, including
 - (1) The right to be treated with dignity and respect;
 - (2) The right to be free from sexual, verbal, physical or emotional abuse, humiliation, intimidation, or punishment;

- (3) The right to be free from neglect;
 - (4) The right to live free from financial exploitation, restraint as defined in this chapter, and involuntary confinement except as allowed by the secure environment requirements of this chapter;
 - (5) The right to vote;
 - (6) The right to exercise choice in attending and participating in religious activities;
 - (7) The right to wear clothing of choice unless otherwise indicated in the care plan; and
 - (8) The right to care and services that are not conditioned or limited because of a resident's disability, sexual orientation, ethnicity, and/or personal preferences.
- (C) The right to personal and community engagement, including
- (1) The right to socialize with other residents and participate in assisted living residence activities, in accordance with the applicable care plan;
 - (2) The right to full use of the assisted living residence common areas in compliance with written house rules;
 - (3) The right to participate in resident meetings, voice grievances and recommend changes in policies and services without fear of reprisal;
 - (4) The right to participate in activities outside the assisted living residence and request assistance with transportation; and
 - (5) The right to use of the telephone including access to operator assistance for placing collect telephone calls.
 - (a) At least one telephone accessible to residents utilizing an auxiliary aid shall be available if the assisted living residence is occupied by one or more residents utilizing such an aid.
- (D) The right to choice and personal involvement regarding care and services, including
- (1) The right to be informed and participate in decision making regarding care and services, in coordination with family members who may have different opinions;
 - (2) The right to be informed about and formulate advance directives;
 - (3) The right to freedom of choice in selecting a health care service or provider;
 - (4) The right to expect the cooperation of the assisted living residence in achieving the maximum degree of benefit from those services which are made available by the assisted living residence;
 - (a) For residents with limited English proficiency or impairments that inhibit communication, the assisted living residence shall find a way to facilitate communication of care needs.

- (5) The right to make decisions and choices in the management of personal affairs, funds and property in accordance with resident ability;
- (6) The right to refuse to perform tasks requested by the assisted living residence or staff in exchange for room, board, other goods or services;
- (7) The right to have advocates, including members of community organizations whose purposes include rendering assistance to the residents;
- (8) The right to receive services in accordance with the resident agreement and the care plan; and
- (9) The right to 30 calendar days written notice of changes in services provided by the assisted living residence including, but not limited to, involuntarily change of room or changes in charges for a service. Exceptions to this notice are:
 - (a) Changes in the resident's medical acuity that result in a documented decline in condition and that constitute an increase in care necessary to protect the health and safety of the resident; and
 - (b) Requests by the resident or the family for additional services to be added to the care plan.

Ombudsman Access

- 13.2 In accordance with the Older Americans Act Reauthorization Act of 2016 (P.L. 114-144), and §26-11.5-108 and 25-27-104(2)(e), C.R.S., an assisted living residence shall permit access to the premises and residents by the state ombudsman and the designated local long-term care ombudsman at any time during an ALR's regular business hours or regular visiting hours, and at any other time when access may be required by the circumstances to be investigated.

House Rules

- 13.3 The assisted living residence shall establish written house rules and place them in a publically visible location so that they are always available to residents and visitors.
- 13.4 The house rules shall list all possible actions which may be taken by the assisted living residence if any rule is knowingly violated by a resident. House rules shall not supersede or contradict any regulation herein, or in any way discourage or hinder a resident's exercise of his or her rights. House rules shall address, at a minimum, the following items:
- (A) Smoking including the use of electronic cigarettes and vaporizers,
 - (B) Cooking,
 - (C) Protection of valuables on premises,
 - (D) Visitors,
 - (E) Telephone usage including frequency and duration of calls,
 - (F) Use of common areas and devices such as television, radio and computer,
 - (G) Consumption of alcohol and marijuana, and

- (H) Pets.

Resident Meetings

- 13.5 Each assisted living residence shall hold regular meetings with residents, staff, family and friends of residents so that all have the opportunity to voice concerns and make recommendations concerning assisted living residence care, services, activities, policies and procedures.
- 13.6 Meetings shall be held at least quarterly with an opportunity for more frequent meetings if requested.
- 13.7 Written minutes of such meetings shall be maintained and made readily available for review by residents or family members.
- 13.8 Before the next regularly scheduled meeting, assisted living residence staff shall respond in writing to any suggestions or issues raised at the prior meeting.
- 13.9 Residents and family members shall also have the opportunity to meet without the presence of assisted living residence staff.

Internal Grievance and Complaint Resolution Process

- 13.10 Each assisted living residence shall develop and implement an internal process to ensure the routine and prompt handling of grievances or complaints brought by residents, family members or advocates. The process for raising and addressing grievances and complaints shall be placed in a visible on-site location along with full contact information for the following agencies.
- (A) The state and local long-term care ombudsman,
- (B) The Adult Protection Services of the appropriate county Department of Social Services,
- (C) The advocacy services of the area's agency on aging,
- (D) The Colorado Department of Public Health and Environment, and
- (E) The Colorado Department of Health Care Policy and Financing in those cases where the assisted living residence is licensed to provide services specifically for persons with intellectual and developmental disabilities.

Investigation of Abuse and Neglect Allegations

- 13.11 The assisted living residence shall investigate all allegations of abuse, neglect or exploitation of residents in accordance with section 5 and its written policy which shall include, but not be limited to, the following:
- (A) Reporting requirements to the appropriate agencies such as the adult protection services of the appropriate county Department of Social Services and to the assisted living residence administrator,
- (B) A requirement that the assisted living residence notify the legal representative about the allegation within 24 hours of the assisted living residence becoming aware of the allegation,
- (C) The process for investigating such allegations,

- (D) How the assisted living residence will document the investigation process to evidence the required reporting and that a thorough investigation was conducted,
- (E) A requirement that the resident shall be protected from potential future abuse and neglect while the investigation is being conducted,
- (F) A requirement that if the alleged neglect or abuse is verified, the assisted living residence shall take appropriate corrective action, and
- (G) A requirement that a copy of the report with the investigation findings shall be retained by the facility and available for Department review.

SECTION 14 – MEDICATION AND MEDICATION ADMINISTRATION

General Requirements:

- 14.1 An assisted living residence shall not allow an employee or volunteer to administer or assist with administering medication to a resident unless such individual is a practitioner, a nurse, a qualified medication administration person (QMAP) or a certified nurse medication aide (CNA – Med) acting within his or her scope of practice.
- 14.2 For purposes of this section 14, a practitioner is “authorized” if state law allows the practitioner to prescribe treatment, medication or medical devices.
- 14.3 An assisted living residence shall not allow a QMAP or a CNA-Med to assist a resident with medication administration unless the resident is able to consent and participate in the consumption of the medication.
- 14.4 If a CNA-Med is used to administer or assist with administering medication to a resident, the assisted living residence shall ensure that the CNA-Med complies with the medication administration procedures listed in this section 14, except that a CNA-Med may perform additional tasks associated with medication administration as authorized by his or her certification.
- 14.5 An assisted living residence that utilizes qualified medication administration persons shall comply with the requirements of 6 CCR 1011-1, Chapter 24, Medication Administration Regulations, in addition to the requirements set forth in this section 14.
- 14.6 The assisted living residence shall comply with all federal and state laws and regulations relating to procurement, storage, administration and disposal of controlled substances.
- 14.7 The assisted living residence shall ensure that each resident receives proper administration and/or monitoring of medications.
- 14.8 The assisted living residence shall be responsible for ensuring compliance with all safety requirements regarding oxygen use, handling and storage as set forth in sections 22.29 through 22.34 of this chapter.
- 14.9 No medication shall be administered by a qualified medication administration person on a pro re nata (PRN) or “as needed” basis except:
 - (A) In a residential treatment facility that is licensed to provide services for the mentally ill;

- (B) Where the resident understands the purpose of the medication, is capable of voluntarily requesting the medication, and the assisted living residence has documentation from an authorized practitioner that the use of such medication in this manner is appropriate; or
 - (C) Where specifically allowed by statute.
- 14.10 Unless otherwise allowed by statute, the assisted living residence shall not permit a qualified medication administration person to perform any of the following tasks:
- (A) Intravenous, intramuscular or subcutaneous injections,
 - (B) Gastrostomy or jejunostomy tube feeding,
 - (C) Chemical debridement,
 - (D) Administration of medication for purposes of restraint,
 - (E) Titration of oxygen,
 - (F) Decision making regarding PRN or “as needed” medication administration,
 - (G) Assessment of residents or use of judgment including, but not limited to, medication effect,
 - (H) Pre-pouring of medication, or
 - (I) Masking or deceiving administration of medication including, but not limited to, concealing in food or liquid.
- 14.11 Only medication that has been ordered by an authorized practitioner shall be prepared for or administered to residents.

Training, Competency and Supervision

- 14.12 The assisted living residence shall ensure that all qualified medication administration persons are trained in and adhere to the following medication administration procedures:
- (A) Identification of the right resident for each medication administration or monitoring by asking for the resident’s name or comparing the resident to a photograph maintained specifically for medication administration identification,
 - (B) Providing the correct medication by the correct route at the correct time and in the correct dose as ordered by the authorized practitioner, and
 - (C) Implementing any changes in medication orders upon receipt.
- 14.13 The assisted living residence shall designate a QMAP supervisor who is a nurse, practitioner or meets the requirements of a qualified medication administration person.
- (A) The QMAP supervisor shall, before initial assignment of each qualified medication administration person, conduct a competency assessment with direct observation of all medication administration tasks that the QMAP will be assigned to perform.

- (1) Whenever a QMAP is assigned additional medication administration tasks, the QMAP supervisor shall conduct a competency assessment with direct observation of each new task that the QMAP will be assigned.

Resident Rights

- 14.14 All personal medication is the property of the resident and no resident shall be required to surrender the right to possess or self-administer any personal medication unless an authorized practitioner has determined that the resident lacks the decisional capacity to possess or self-administer such medication safely.
- 14.15 The assisted living residence shall ensure each resident's right to privacy and dignity with respect to medication monitoring and administration.
- 14.16 Each resident shall have the right to refuse medications.

Orders

- 14.17 The assisted living residence shall ensure that each authorized practitioner's order for medication includes the correct name of the resident, date of the order, medication name, strength of medication, dosage to administer, route of administration along with timing and/or frequency of administration, any specific considerations, if substitutions are allowed or restricted, and the signature of the practitioner.
- 14.18 All medication orders shall be documented in writing by the authorized prescribing practitioner. Verbal orders for medication shall not be valid unless received by a licensed staff member who is authorized to receive and transcribe such orders.
- 14.19 Any orders received from medical staff on behalf of an authorized practitioner must be countersigned by said practitioner as soon as possible.
- 14.20 The assisted living residence shall contact the authorized practitioner for clarification of any orders which are incomplete or unclear and obtain new orders in writing.
- 14.21 The assisted living residence shall be responsible for complying with authorized practitioner orders associated with medication administration except for those medications which a resident self-administers.
- 14.22 The assisted living residence shall coordinate care and medication administration with external providers.

Medication Reminder Boxes

- 14.23 For medication reminder boxes that the assisted living residence is responsible for, the assisted living residence shall ensure that the box contains:
 - (A) No more than a 14 calendar day supply of medications at a time,
 - (B) No PRN medications including PRN controlled substances,
 - (C) Only medication intended for oral ingestion, and
 - (D) No medications that require administration within specific timeframes unless the medication reminder box is specifically designed and labeled with specific instructions to address this situation.

- 14.24 Medication reminder boxes shall be stored in a manner that ensures access for the designated resident and prevents access from unauthorized persons.

Medication Preparation and Handling

- 14.25 The assisted living residence shall maintain medication storage and preparation areas which are clean and free of clutter.
- 14.26 All reusable medical devices shall be cleaned according to the manufacturer instructions and appropriately stored.
- 14.27 No stock medications shall be stored or administered by qualified medication administration persons.
- A) All over-the-counter medication prescribed for administration shall be labeled or marked with the individual resident's full name.
- 14.28 The assisted living residence shall ensure that qualified medication administration persons are trained in and apply nationally recognized protocols for basic infection control and prevention when preparing and administering medications.

Record Keeping

- 14.29 All prescribed and PRN medications shall be listed and recorded on a medication administration record (MAR) which contains the name and date of birth of the resident, the resident's room location, any known allergies, and the name and telephone number of the resident's authorized practitioner.
- (A) The medication administration record shall reflect the name, strength, dosage and mode of administration of each medication, the date the order was received, the date and time of administration, any special considerations related to administration and the signature or initial of the person administering the medication.
- (B) As part of the medication administration record, the assisted living residence shall maintain a legible list of the names of the persons utilizing the record for medication administration, along with each of their signatures and, if used, their initials.
- (C) Each qualified medication administration person, nurse or practitioner shall accurately document each medication administration or monitoring event at the time the event is completed for each resident.
- (D) Each qualified medication administration person, nurse or authorized practitioner shall document accurate information in the medication administration record including any medication omissions, refusals and resident reported responses to medications.
- 14.30 The assisted living residence shall maintain a record on a separate sheet for each resident receiving a controlled substance which contains the name of the controlled substance, strength and dosage, date and time administered, resident name, name of authorized practitioner and the quantity of the controlled substance remaining.
- 14.31 The administrator and the QMAP supervisor shall, on a quarterly basis, audit the accuracy and completeness of the medication administration records, controlled substance list, medication error reports and medication disposal records. Any irregularities shall be investigated and resolved. The results of the audits shall be documented and routinely included as part of the assisted living residence's Quality Management Program assessment and review.

Reporting

- 14.32 The assisted living residence shall have policies and procedures for documenting, investigating, reporting and responding to any errors related to accurate accounting of controlled substances and /or medication administration.
- 14.33 The assisted living residence shall ensure that the resident's authorized practitioner and resident's legal representative is promptly notified of:
- (A) A decline from a resident's baseline status,
 - (B) A resident's pattern of refusal,
 - (C) A resident's repetitive request for and use of PRN medication,
 - (D) Any observed or reported unfavorable reactions to medications,
 - (E) The administration of medications used to emergently treat angina, and
 - (F) Medication errors that affect the resident.

Self-Administration

- 14.34 The assisted living residence shall compile a list of all resident medications along with any known allergies and verify the accuracy and completeness of the list with the resident and authorized practitioner at the time of admission.
- 14.35 The assisted living residence shall review this list with the resident and authorized practitioner at least once a year and maintain documentation of such review.
- 14.36 The assisted living residence shall report non-compliance, misuse or inappropriate use of known medications by a resident who is self-administering to that resident's authorized practitioner.

Medication Storage

- 14.37 All medications shall be stored in the original prescribed/manufacture containers with the exception of medications placed in medication reminder boxes pursuant to section 14.23.
- 14.38 All medications shall be stored in a locked cabinet, cart or storage area when unattended by qualified medication administration persons or other licensed staff.
- 14.39 Controlled substances shall be kept in double lock storage.
- (A) Two individuals who are either qualified medication administration persons, nurses, or practitioners shall jointly count all controlled substances at the end of each shift and sign documentation regarding the results of the count at the time it occurs. Any discrepancy in the controlled substance count shall be immediately reported to the administrator.
- 14.40 All refrigerated medications shall be stored in a refrigerator that does not contain food and that is not accessible to residents.
- (A) All medication stored in a refrigerator shall be clearly labeled with the resident's name and prescribing information.

- 14.41 The assisted living residence shall not store or retain for more than 30 calendar days any outdated, discontinued and/or expired medications.
- 14.42 Outdated, discontinued and/or expired medications that are not returned to the resident or legal representative shall be stored in a locked storage area until properly disposed of.
- (A) Any controlled substance medications which are designated for destruction shall be kept in a separate locked container within the locked storage area until they are destroyed.
- 14.43 The assisted living residence shall conduct, on a monthly basis, a joint two person audit of medications designated for disposal.
- (A) At least one of the persons conducting the audit shall be a qualified medication administration person.
- (B) The results of the audit shall be documented and signed by both staff members conducting the audit.
- (C) Audit records shall be maintained for a minimum of three years. Any discrepancy in the list and count of medications designated for disposal shall be immediately reported to the administrator.

Medication Destruction and Disposal

- 14.44 Medication shall be returned to the resident or resident's legal representative, upon discharge or death, except that return of medication to the resident may be withheld if specified in the care plan of a resident of a facility which is licensed to provide services specifically for the mentally ill or if a practitioner has determined that the resident lacks the decisional capacity to possess or administer such medication safely.
- (A) A resident or resident's legal representative may authorize the assisted living residence to return unused medications or medical supplies and used or unused medical devices to a prescription drug outlet or donate to a nonprofit entity in accordance with § 12-42.5-133, C.R.S., and 6 CCR 1011-1, Chapter 2, Part 7.202.
- (B) The assisted living residence shall request and maintain signed documentation from the resident or resident's legal representative regarding the return or donation of all medications, medical supplies or devices.
- 14.45 The assisted living residence shall have policies and procedures regarding the destruction and disposal of outdated, unused, discontinued and/or expired medications which are not returned to the resident or legal representative. At a minimum, the policies and procedures shall include the following requirements:
- (A) Medication shall be destroyed in the presence of two individuals, each of whom are either a qualified medication administration person, nurse, or practitioner;
- (B) All medications shall be destroyed in a manner that renders the substances totally irretrievable;
- (C) There shall be documentation which identifies the medications, the date of destruction and the signatures of the witnesses performing the medication destruction; and
- (D) All destroyed medications shall be disposed of in compliance with sections 24.2 and 24.3 regarding medical waste disposal.

SECTION 15 – LAUNDRY SERVICES

General Requirements:

- 15.1 The assisted living residence shall make laundry services available in one or more of the following ways:
- (A) Providing laundry service for the residents,
 - (B) Providing access to laundry equipment so that the residents may do their own laundry,
 - (C) Making arrangements with a commercial laundry, or
 - (D) Coordinating with friends or family members who choose to provide laundry services for a resident.
- 15.2 There shall be separate storage areas for soiled linen and clothing.
- 15.3 The assisted living residence shall address resident sensitivities or allergies with regard to laundry detergents or methods.

Assisted Living Residence Laundry Service

- 15.4 If providing laundry service for residents, the assisted living residence shall ensure the following:
- (A) Washing machines and dryers are properly maintained according to the manufacturer's instructions;
 - (B) Bed and bath linens are cleaned at least weekly or more frequently to meet individual resident needs while blankets are cleaned as necessary;
 - (D) Laundry personnel or designated staff handle, store, process, transport and return laundry in a way that prevents the spread of infection or cross contamination;
 - (E) Personal clothing is returned to the appropriate resident in a presentable, ready-to-wear manner in order to promote resident respect and dignity; and
 - (E) The appropriate resident representative is notified if a resident needs additional clothing or linens.

Resident Access

- 15.5 If a resident independently uses the assisted living residence laundry area, the assisted living residence shall ensure that:
- (A) The resident is instructed in the proper use of the equipment,
 - (B) There is a readily available schedule showing when resident use is permitted, and
 - (C) The resident has the means to independently access the area during the permitted times.

SECTION 16 – FOOD SAFETY

All Assisted Living Residences

- 16.1 Residents handling or preparing food for other residents shall have access to a hand-sink, soap and disposable paper towels. The assisted living residence shall ensure that such residents understand when to wash hands and the proper procedure for doing so. Supplies for cleaning and a pre-made solution for sanitizing food contact surfaces shall be readily available. The ingredients used shall be allowable foods from approved sources and within the “use-by” date.
- 16.2 The food safety requirements specified in this chapter do not preclude residents from consuming foods not procured by the assisted living residence.

20 or More Beds

- 16.3 An assisted living residence that is licensed for 20 beds or more shall comply with the Department’s regulations concerning Colorado Retail Food Establishments at 6 CCR 1010-2.

Fewer Than 20 Beds

- 16.4 An assisted living residence that is licensed for fewer than 20 beds shall comply with all of the requirements in sections 16.5 through 16.37. A commercial kitchen is not a requirement for an assisted living residence with fewer than 20 beds.

Employee Training

- 16.5 Anyone preparing or serving food shall complete recognized food safety training and maintain evidence of completion on site. Food safety training shall be provided by recognized food safety experts or agencies, such as the Division of Environmental Health and Sustainability, local public health agencies or Colorado State University Extension Services. At a minimum, a certificate of completion of the available online modules is sufficient to comply with this section. The successful completion of other accredited food safety courses is also acceptable.

Personal Health

- 16.6 Staff shall be in good health and free of communicable disease while handling, preparing or serving food or handling utensils.
- 16.7 Staff are prohibited from handling, preparing or serving food or handling utensils for residents or other staff while experiencing any of the following symptoms: Vomiting, diarrhea, sore throat with fever, jaundice or lesion containing pus on the hands or wrists.
- (a) Staff members experiencing these symptoms are permitted to return to handling food and utensils only when they have been symptom-free for at least 24 hours and/or the lesions on their hands are bandaged and completely covered with an impervious glove or finger cot.

Handwashing

- 16.8 The assisted living residence shall ensure that food handlers, cooks and servers properly wash their hands using the following procedure:

- (A) Wash hands in warm (100°F to 120°F) soapy water by vigorously scrubbing all surfaces of the hands and wrists for at least 20 seconds. Rinse hands clean. Thoroughly dry hands with a disposable paper towel. Use the paper towel to turn off sink faucets before disposing.
- 16.9 The assisted living residence shall ensure that food handlers, cooks and servers always wash their hands at the following times:
- (A) Before leaving the restroom, and again before returning to food or beverage preparation, food and food equipment storage areas or dishwashing;
 - (B) After coughing, sneezing, using a handkerchief or tissue, using tobacco products or eating;
 - (C) When switching between working with raw animal derived foods and ready-to-eat foods;
 - (D) After touching the hair, face or body;
 - (E) During food preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks;
 - (F) Before handling or putting on single use gloves for food handling and between removing soiled gloves and putting on new, clean gloves;
 - (G) After handling soiled dishes or utensils, such as busing tables or loading a dishwashing machine;
 - (H) After feeding or caring for a resident;
 - (I) After caring for pets or other animals; and
 - (J) After engaging in any activity that contaminates the hands such as handling garbage, mopping, working with chemicals and other cleaning activities.

Employee Hygiene

- 16.10 The assisted living residence shall ensure that all staff members have good hygienic practices and wear clean clothing or protective coverings while handling food or utensils.
- 16.11 The assisted living residence shall prohibit staff members from using common towels and other multiple use linens or clothing to wipe or dry their hands. When hands become soiled, the ALR shall ensure that staff wash their hands in accordance with section 16.8(A).
- 16.12 The assisted living residence shall ensure that staff members refrain from eating or smoking in the area used for food preparation or storage. Drinking in these areas is allowed with enclosed containers that do not require manual manipulation of the drinking surface.
- 16.13 The assisted living residence shall ensure that staff members do not touch their faces, hair or other body surfaces while handling food.
- 16.14 Tasting food during preparation shall be done with a utensil that is clean and sanitized. The same utensil must be washed, rinsed and sanitized before it is reused.
- 16.15 Utensils used to dispense food shall have handles. Utensil handles shall be kept out of food and ice. For example, scooping ice with a glass is prohibited.

Bare Hand Contact

- 16.16 Ready-to-eat foods shall not be handled with bare hands. Instead gloves or utensils must be used to handle, prepare and serve these foods.

Proper Glove Use

- 16.17 Disposable food service gloves shall be used in a manner that prevents contamination of food and food contact surfaces. Gloves shall be changed whenever switching from handling raw animal products to ready-to-eat foods and whenever else gloved hands become contaminated. When gloves are changed, hands shall be washed in accordance with section 16.8(A).

Approved Source

- 16.18 All foods, including raw ingredients and prepared foods, shall be obtained from approved, licensed or registered sources or food manufacturers. Raw uncut produce can be obtained from other sources, including grown onsite, as long as good agricultural practices defined by the United States Department of Agriculture are used. Further guidance for produce grown by an assisted living residence is detailed in a Department brochure entitled "Food Safety for Vegetable Gardens, tips for Schools, Child Care and Long Term Care Facilities." The brochure is available online at [Colorado Food Safety Tips](#) or by contacting the Division of Environmental Health and Sustainability at 303-692-3645.

Prohibited Foods

- 16.19 Prohibited foods shall not be served by the assisted living residence. Prohibited foods include raw or undercooked meat, poultry, fish, and molluscan shellfish; raw unpasteurized eggs; raw milk and raw seed sprouts. Unpasteurized juice is also prohibited unless it is freshly squeezed and made to order.
- 16.20 Foods that pose a greater risk for the long-term care population include deli meats, hot dogs, and soft cheeses. These foods are allowed, but it is strongly recommended that they be heated before service to control *Listeria monocytogenes*, a particularly dangerous bacteria for older adults and immune compromised populations.
- 16.21 An assisted living residence shall not distribute or dispense raw milk products of any kind.

Date Marking

- 16.22 Refrigerated foods opened or prepared and not used within 24 hours must be marked with a "use by" or "discard by" date. The "use by" or "discard by" date is seven calendar days following opening or preparation. The seven days cannot surpass the manufacturer's expiration date for the product or its ingredients or seven days since the date any of the ingredients in the food were opened or prepared. This requirement does not apply to commercially prepared condiments and dressings.

Required Cooking Temperatures

- 16.23 Animal derived foods; meat, poultry, fish and unpasteurized eggs must be cooked to the minimum internal temperatures in the following table before being served or held hot.

Poultry (ground or intact), stuffed meats	165°F
Eggs, pork, lamb, fish	145°F
Ground beef, fish, pork, lamb, veal	155°F
Whole muscle beef steaks	145°F
Whole roasts (beef, lamb, pork)	135°F

Required Holding Temperatures

- 16.24 Potentially hazardous foods shall be maintained at the proper temperatures at all times. Potentially hazardous foods that are stored cold shall be held at or below 41°F.
- 16.25 Potentially hazardous foods that are stored hot shall be held at or above 135°F.
- 16.26 When foods are being prepared, cooled or reheated, they shall not be held below 135°F or above 41°F for extended time to control the growth of harmful bacteria.

Rapid Reheating

- 16.27 Potentially hazardous foods that are being reheated from room temperature, such as opening a can, or from cold storage before hot holding shall be rapidly heated within 2 hours to 165°F. Rapid heating can be accomplished on a stove top, in an oven, microwave or another approved reheating device.

Rapid Cooling

- 16.28 Potentially hazardous foods that are being cooled from room temperature, such as after opening a can or preparing food from room temperature ingredients, shall be cooled to 41°F within four hours.

Following cooking or removal from hot storage, foods must be cooled within six hours to 41°F. Begin active cooling foods when foods are 135°F. Cool to 70°F within two hours or less. Then cool from 70°F to 41°F within four hours or less. Active cooling means using uncovered shallow pans, ice as an ingredient, ice wands, breaking foods down into small portions and fully submerging containers in ice baths or a combination of these methods.

Food Preparation

- 16.29 When foods are being assembled or prepared outside of temperature control, the process should be completed as quickly as possible and no more than two hours.

Thawing

- 16.30 Frozen foods shall be thawed under refrigeration, under cool, running water between 60-70°F, in a microwave oven or as part of the cooking process.
- 16.31 Leaving food out to thaw without temperature control is prohibited.

Equipment

- 16.32 Equipment shall be maintained in working order and cleanable. Refrigeration equipment shall maintain foods below 41°F. Hot holding equipment must hold food at or above 135°F.

Cleaning and Sanitizing

- 16.33 Food contact surfaces of equipment shall be washed, rinsed and sanitized before use or at least every four hours of continual use. Dish detergent shall be labeled for the intended purpose. Sanitizer shall be approved for use as a no-rinse food contact sanitizer. Sanitizers shall be registered with EPA and used in accordance with labeled instructions.

Plumbing

- 16.34 A handwashing sink supplied with soap and disposable paper towels shall be available in all food handling areas.
- 16.35 Sinks shall be washed, rinsed and sanitized when switching between food preparation or produce washing and thawing animal derived foods.

Dish Washing

- 16.36 Dishes, utensils and cookware shall be washed using one of the following methods:
- (A) In a single or multiple compartment sink using a dish detergent that is labeled for that intended purpose. Once washed, dishes and utensils shall be rinsed clean, and then submerged in an approved no-rinse food contact sanitizer and allowed to air dry. Sanitizer shall be registered with EPA and used in accordance with labeled instructions; or
 - (B) A domestic or commercial dishwashing machine with a wash water temperature that reaches a minimum of 155°F or is equipped with a chemical sanitizing cycle.

Mop Water

- 16.37 Mop water shall only be filled in a dedicated utility sink, a bath tub or using a quick release hose attachment on another sink that is immediately removed and stored away from the sink after filling. Mop water shall be disposed in the sanitary sewer (e.g., toilet, bathtub or utility sink). Mop water shall not be discarded on the ground outside or in a storm drain.

SECTION 17 – FOOD AND DINING SERVICES

Meals, Drinks and Snacks

- 17.1 The assisted living residence shall provide at least three meals daily, at regular times comparable to normal mealtimes in the community or in accordance with resident needs, preferences, and plans of care.
- (A) Nourishing meal substitutes and between-meal snacks shall be provided, in accordance with plans of care, to residents who want to eat at non-traditional times or outside of scheduled meal service times.
- 17.2 Meals shall include a variety of foods, be nutritionally balanced and sufficient in amount to satisfy resident appetites.

- (A) Appealing substitutes of similar nutritive value shall be available for residents who choose not to eat food that is initially served or who request an alternative meal.
- 17.3 The assisted living residence shall offer drinks, including water and other liquids to residents with every meal and between meals throughout the day. The assisted living residence shall also ensure that residents have independent access to drinks at all times.
- 17.4 Assisted living residence staff shall observe resident food consumption on a regular basis in order to detect unplanned changes such as weight gain, weight loss or dehydration. Changes in consumption that may indicate the need for assistance with eating shall be reported to the resident's practitioner and case manager, if applicable.
- 17.5 If a resident repeatedly chooses not to follow the dietary recommendations of his or her practitioner, the assisted living residence shall document such in the record or care plan and notify the resident's practitioner and case manager, if applicable.

Menus

- 17.6 Menus shall vary daily and incorporate seasonal and/or holiday foods.
- 17.7 Weekly menus shall be readily available for residents and public viewing no less than 24 hours prior to serving.
- 17.8 Residents shall be encouraged to participate in planning menus and the assisted living residence shall make reasonable efforts to accommodate resident suggestions.

Food Supply

- 17.9 Each assisted living residence shall have sufficient food on hand to prepare three nutritionally balanced meals per day for three calendar days.

Therapeutic Diets

- 17.10 An assisted living residence may provide therapeutic diets when the following conditions are met:
 - (A) The diet is prescribed by the resident's practitioner, and
 - (B) The assisted living residence has trained staff to prepare the food in accordance with the diet and ensure it is being served to the appropriate resident.

Assistance with Dining and Feeding

- 17.11 If a resident demonstrates difficulty opening, reaching or accessing food and beverage items at meal time, staff shall promptly assist that resident in doing so regardless of the resident's dining location.
- 17.12 Staff may assist residents by cueing and prompting them to eat and drink so long as that assistance is not undertaken for the convenience of staff.
- 17.13 Staff may assist feeding a resident only if the resident is able to maintain an upright position and chew and swallow without difficulty.

- 17.14 Staff who assist feeding a resident shall be trained in the proper techniques for supporting nutrition and hydration by a licensed or registered professional qualified by education and training to assess choking risks, such as a registered nurse, speech language pathologist or registered dietitian.
- (A) The assisted living residence shall not allow staff to assist feeding a resident if the resident has difficulty chewing and swallowing or has a history of chronic choking or coughing while eating or drinking.
- (B) If a resident who is receiving feeding assistance experiences a change in eating and swallowing that is a decline from baseline as identified in the individualized resident care plan, staff shall stop providing assistance, document the issue in the resident's record and ensure that the resident's practitioner is notified.
- (1) Unless temporary measures are ordered by the practitioner, feeding assistance shall not be resumed until a medical evaluation has been performed and the assisted living residence has documentation from the practitioner that it is safe to resume.

Dining Area and Equipment

- 17.15 Each assisted living residence shall have a designated dining area with tables and chairs that all residents are able to access and that is sufficient in size to comfortably accommodate all residents. Residents shall be given the opportunity to choose where and with whom to sit.
- 17.16 No resident or group of residents shall be excluded from the designated dining area during meal time unless otherwise indicated in the resident's individualized care plan.
- 17.17 Meals shall not be routinely served in resident rooms unless otherwise indicated in the resident's individualized care plan. The assisted living residence shall, however, make reasonable efforts to accommodate residents that choose to dine somewhere other than the dining room.
- 17.18 The location of resident dining shall not be chosen solely for staff convenience.
- 17.19 Paper or disposable plastic ware shall not be used for regular meals with the exception of emergencies and outdoor dining.

SECTION 18 – RESIDENT HEALTH INFORMATION RECORDS

General

- 18.1 Each assisted living residence shall have a confidential health information record for each resident and maintain it in a manner that ensures accuracy of information.
- 18.2 Health information records for current residents shall be kept on site at all times.
- 18.3 Each assisted living residence shall implement a policy and procedure for an effective information management system that is either paper-based or electronic. If the ALR maintains both paper-based and electronic records, there shall be a method for integration of those records that allows effective continuity of care. Processes shall include effective management for capturing reporting, processing, storing and retrieving care/service data and information.
- 18.4 At the time of admission, the resident record shall contain, at a minimum, the following items:
- (A) Face sheet,

- (B) Practitioner orders,
- (C) Individualized resident care plan,
- (D) Copies of any advance directives, and
- (E) A signed copy of the resident agreement.

Confidentiality and Access

- 18.5 The assisted living residence shall have a means of securing resident records that preserves their confidentiality and provides protection from loss, damage and unauthorized access.
- 18.6 The confidentiality of the resident record including all medical, psychological and sociological information shall be protected in accordance with all applicable federal and state laws and regulations.
- 18.7 Each resident or legal representative of a resident shall be allowed to inspect that resident's own record in accordance with §25-1-801, C.R.S. Upon request, resident records shall also be made available for inspection by the state and local long-term care ombudsman pursuant to §26-11.5-108, C.R.S., Department representatives and other lawfully authorized individuals.

Content

- 18.8 Resident records shall contain, but not be limited to, the following items:
- (A) Face Sheet,
 - (B) Practitioner order,
 - (C) Individualized resident care plan,
 - (D) Progress notes which shall include information on resident status and wellbeing, as well as documentation regarding any out of the ordinary event or issue that affects a resident's physical, behavioral, cognitive and/or functional condition along with the action taken by staff to address that resident's changing needs;
 - (1) The assisted living residence shall require staff members to document, before the end of their shift, any out of the ordinary event or issue regarding a resident that they personally observed, or was reported to them.
 - (E) Medication Administration Record,
 - (F) Documentation of on-going services provided by external service providers including, but not limited to, family members, aides, podiatrists, physical therapists, hospice and home care services, and other practitioners, assistants and caregivers;
 - (G) Advance directives, if applicable, with extra copies; and
 - (H) Final disposition of resident including, if applicable, date, time and circumstances of a resident's death along with the name of the person to whom the body is released.
- 18.9 The face sheet shall be updated at least annually and contain the following information:
- (A) Resident's full name, including maiden name, if applicable;

- (B) Resident's sex, date of birth, and marital status;
- (C) Resident's most recent former address;
- (D) Resident's medical insurance information and Medicaid number, if applicable;
- (E) Date of admission and readmission, if applicable;
- (F) Name, address and contact information for family members, legal representatives, and/or other persons to be notified in case of emergency;
- (G) Name, address and contact information for resident's practitioner and case manager, if applicable;
- (H) Resident's primary spoken language and any issues with oral communication;
- (I) Indication of resident's religious preference, if any;
- (J) Resident's current diagnoses; and
- (K) Notation of resident's allergies, if any.

Record Transfer and Retention

- 18.10 If a resident's care is transferred to another health facility or agency, a copy of the face sheet, individualized resident care plan and medication administration record for the current month shall be transferred with the resident.
- 18.11 If an assisted living residence ceases operation, each resident's records must be transferred to the licensed health facility or agency that assumes that resident's care.
- 18.12 Records of former residents shall be complete and maintained for at least three years following the termination of the resident's stay in the assisted living residence.
- 18.13 Such records shall be maintained and readily available at the assisted living residence location for a minimum of six months following termination of the resident's stay.

SECTION 19 – INFECTION CONTROL

Education

- 19.1 The assisted living residence shall have an infection control program that provides initial and annual staff training on infection prevention and control. Such training shall cover, at a minimum, the following items:
 - (A) Modes of infection transmission,
 - (B) The importance of hand washing and proper techniques,
 - (C) Use of personal protective equipment including proper use of disposable gloves, and
 - (D) Cleaning and disinfection techniques.

Policies and Procedures

- 19.2 The assisted living residence shall have and follow written policies and procedures that address the transmission of communicable diseases with a significant risk of transmission to other persons and for reporting diseases to the state and/or local health department, pursuant to 6 CCR 1009-1, Epidemic and Communicable Disease Control.
- 19.3 The policies and procedures shall include at a minimum, all of the following criteria:
- (A) The method for monitoring and encouraging employee wellness,
 - (B) The method for tracking infection patterns and trends and initiating a response,
 - (C) The method for determining when to seek assistance from a medical professional and/or the local health department,
 - (D) Isolation techniques, and
 - (E) Appropriate handling of linen and clothing of residents with communicable infections.

Infectious Waste Management

- 19.4 Any item containing blood, body fluid or body waste from a resident with a contagious condition shall be presumed to be infectious waste and shall be disposed of in the room where it is used into a sturdy plastic bag, then re-bagged outside the room and disposed of consistent with the medical waste disposal requirements at section 24.2.

SECTION 20 – PHYSICAL PLANT STANDARDS

Compliance with State and Local Requirements

- 20.1 Each assisted living residence shall be in compliance with all applicable local zoning, housing, fire and sanitary codes and ordinances of the city, city and county, or county where the ALR is situated, to the extent that such codes and ordinances are consistent with the federal “Fair Housing Amendment Act of 1988” as amended, at 42 U.S.C. §3601, et seq.

Compliance with Fire Safety, Construction and Design Standards

- 20.2 An assisted living residence shall be constructed in conformity with the standards adopted by the Director of the Division of Fire Prevention and Control (DFPC) at the Colorado Department of Public Safety.
- 20.3 An assisted living residence applying for an initial license on or after June 1, 2019, shall comply with Parts 1.1 through 1.5, any cross-referenced Part 2 systems, and 4.1 of the Guidelines for Design and Construction of Residential Health, Care and Support Facilities, Facility Guidelines Institute (FGI) (2018 Edition), as incorporated herein, unless otherwise indicated.
- (A) Small model assisted living facilities applying for a license for 10 beds or less shall be exempt from compliance with FGI Guidelines that each resident have access to a bathroom without entering a corridor and that the building have an elevator that is sized to accommodate a gurney and/or medical carts.

- 20.4 Renovation of an assisted living residence that is initiated on or after December 1, 2019, shall comply with Parts 1.1 through 1.5, any cross-referenced Part 2 systems, and 4.1 of the Guidelines for Design and Construction of Residential Health, Care and Support Facilities, Facility Guidelines Institute (FGI) (2018 Edition), as incorporated herein, unless modified elsewhere in this chapter.
- (A) Small model assisted living facilities applying for a license for 10 beds or less shall be exempt from compliance with FGI Guidelines that each resident have access to a bathroom without entering a corridor and that the building have an elevator that is sized to accommodate a gurney and/or medical carts.
- 20.5 The Guidelines for Design and Construction of Residential Health, Care and Support Facilities, Facilities Guidelines Institute (2018 Edition), is hereby incorporated by reference consistent with section 1.3 of this chapter and excludes any later amendments to or editions of the Guidelines. FGI appendix material is advisory only and not incorporated unless explicitly stated otherwise in this chapter. The 2018 FGI Guidelines are available at no cost in a limited read-only version at: <http://fgiguidelines.org>

SECTION 21 – EXTERIOR ENVIRONMENT

- 21.1 The assisted living residence grounds shall be kept free of high weeds, garbage and rubbish.
- 21.2 The assisted living residence grounds shall be maintained to protect residents from slopes, holes or other hazards and shall be consistent with any landscape plan approved by the local jurisdiction.
- 21.3 Exterior stairs shall be lighted at night.
- 21.4 Porches, stairs, handrails and ramps shall be maintained in good repair.
- 21.5 For new construction initiated on or after June 1, 2019, porches and exterior areas with more than one step within a six foot linear run shall have a handrail in addition to the requirements of section 20.3. For renovation initiated on or after December 1, 2019, porches and exterior areas with more than one step within a six foot linear run shall have a handrail in addition to the requirements of section 20.4.
- 21.6 Notwithstanding section 20.3, for initial license applications and new construction initiated on or after June 1, 2019, the total number of parking spaces shall be based solely on local requirements and the functional need of the resident population. Notwithstanding section 20.4, for renovation initiated on or after December 1, 2019, the total number of parking spaces to be provided shall be based solely on local requirements and the functional need of the resident population.
- 21.7 The assisted living residence shall submit building plans, in the form and manner specified, to the Department for plan review and approval.
- (A) Applicants for an initial ALR license shall submit building plans for newly constructed or existing buildings before the issuance of the initial license.
- (B) Existing licensees shall submit plans for renovations, additional square footage, and replacement buildings before beginning construction.

SECTION 22 – INTERIOR ENVIRONMENT

General

- 22.1 All interior areas including attics, basements and garages shall be free from accumulations of extraneous material such as refuse, unused or discarded furniture and potential combustible materials.
- 22.2 Combustibles such as cleaning rags and compounds shall be kept in closed metal containers.
- 22.3 Cleaning compounds and other hazardous substances (including products labeled “Keep out of reach of children” on their original containers) shall be clearly labeled to indicate contents and (except when a staff member is present) shall be stored in a location sufficiently secure to deny access to confused residents.
- (A) The ALR shall maintain a readily available list and the safety data sheet of potentially hazardous substances used by housekeeping and other staff.
- (B) Utility rooms used for storing disinfectants and detergent concentrates, caustic bowl and tile cleaners and insecticides shall be locked.
- 22.4 Designated areas where smoking is allowed shall be equipped with fire resistant wastebaskets. Resident rooms occupied by smokers, even when house rules prohibit smoking in resident rooms, shall have fire resistant wastebaskets.

Heating, Lighting and Ventilation

- 22.5 Each room shall have heat, lighting and ventilation sufficient to meet the use of the room and the needs of the residents.
- 22.6 All interior stairs and corridors shall be adequately lighted.

Water

- 22.7 There shall be an adequate supply of safe, potable water available for domestic purposes.
- 22.8 There shall be a sufficient supply of hot water during peak usage demand.
- 22.9 Hot water shall not measure more than 120 degrees Fahrenheit at taps which are accessible by residents.

Common Areas

- 22.10 Common areas shall be sufficient in size to reasonably accommodate all residents.
- 22.11 All common and dining areas shall be accessible to a resident using an auxiliary aid without requiring transfer from a wheelchair to walker or from a wheelchair to a stationary chair for use in the dining area. All doors to those rooms requiring access shall be at least 32 inches wide.
- 22.12 Effective July 1, 2018, an assisted living residence that has one or more residents using an auxiliary aid shall have a minimum of two means of access and egress from the building unless local code requires otherwise.

Sleeping Room

- 22.13 No resident shall be assigned to reside in any room other than one regularly designated for sleeping.
- 22.14 No more than two residents shall occupy a sleeping room.
- (A) An assisted living residence initially licensed prior to July 1, 1986 is permitted to have up to four residents per room unless the ALR undertakes renovation or changes ownership, at which time the newer, more stringent requirement shall apply.
- 22.15 Sleeping rooms, exclusive of bathroom areas and closets, shall have the following minimum square footage:
- (A) 100 square feet for single occupancy, and
- (B) 60 square feet per person for double occupancy.
- 22.16 Each resident shall have storage space, such as a closet, for clothing and personal articles.
- 22.17 Each sleeping room shall have at least one window of 8 square feet which shall have opening capability.
- (A) An assisted living residence initially licensed prior to January 1, 1992, is permitted to have a window of smaller dimensions unless the ALR undertakes renovation or changes ownership, at which time the newer, more stringent requirement shall apply.
- 22.18 In assisted living residences that provide furnishings for residents pursuant to a resident agreement, each resident shall be provided, at a minimum, with the following items:
- (A) A standard-sized bed with a comfortable, clean mattress, mattress protector, pad, and pillow (Rollaway type beds, cots, folding beds, futons, or bunk beds are prohibited), and
- (B) A standard-sized chair in good condition.

Bathroom

- 22.19 There shall be at least one full bathroom for every six residents.
- 22.20 A full bathroom shall contain the following:
- (A) Toilet,
- (B) Hand-washing station,
- (C) Mirror,
- (D) Private individual storage for resident personal effects; and
- (E) Shower.
- 22.21 All bathtubs and shower floors shall have proper safety features to prevent slips and falls.
- 22.22 Toilet seats shall be constructed of non-absorbent material and free of cracks.

- 22.23 Each assisted living residence shall provide toilet paper in each resident bathroom, except where a resident has a specific preference and agrees to supply it.
- 22.24 Toilet paper in a dispenser, liquid soap and paper towels or hand drying devices shall be available at all times in each common bathroom.
- 22.25 In an assisted living residence that has one or more residents using auxiliary aids, the assisted living residence shall provide at least one full bathroom with fixtures positioned so that they are fully accessible to any resident utilizing an auxiliary aid.
- 22.26 Grab bars shall be properly installed at each tub and shower, and adjacent to at least one toilet in every multi-stall toilet room in an assisted living residence if any resident uses an auxiliary aid or as otherwise indicated by the needs of the resident population.
- (A) When residents can undertake independent transfers, alternative grab bar configurations are permitted.

Heating Devices

- 22.27 The assisted living residence shall prohibit the use of portable heaters in resident rooms. The use of fireplaces, space heaters and like units that generate heat shall be prohibited in the common areas of the assisted living residence unless the ALR is able to ensure that such devices have a UL (Underwriters Laboratory) or similar certification label, do not present a resident burn risk, and are used in accordance with manufacturer instructions.
- 22.28 The assisted living residence shall prohibit the use of electric blankets and/or heating pads in resident rooms unless there is staff supervision or written documentation that the administrator has assessed the resident and determined he or she is capable of using such device in a safe and appropriate manner.

Oxygen Use, Handling and Storage

- 22.29 The assisted living residence's handling and storage of oxygen shall comply with all applicable local, state and federal requirements.
- 22.30 The assisted living residence shall prohibit smoking in areas where oxygen is stored and/or used and shall post a conspicuous "No Smoking" sign in those areas.
- 22.31 The assisted living residence shall ensure that oxygen tanks are not rolled on their side or dragged.
- 22.32 The assisted living residence shall ensure that oxygen tanks are secured upright at all times in a manner that prevents tanks from falling over, being dropped or striking each other.
- 22.33 Oxygen tank valves shall be closed except when in use.
- 22.34 The assisted living residence shall ensure that oxygen tanks are not placed against electrical panels, live electrical cords or near radiators or heat sources. If stored outdoors, tanks shall be protected from weather extremes and damp ground to prevent corrosion.

Smoking

- 22.35 Assisted living residences shall comply with the Colorado Clean Indoor Air Act at § 25-14-201 through 25-14-209, C.R.S.

22.36 Designated outdoor smoking areas shall be monitored whenever residents are present.

22.37 Designated outdoor smoking areas shall have fire resistant waste disposal containers.

Cooking

22.38 Cooking shall not be permitted in sleeping rooms.

22.39 Residents shall have access to an alternative area where minimal food preparation is permitted.

22.40 In assisted living residences where residents have dwelling units rather than simply sleeping rooms, cooking may be allowed in accordance with house rules.

(A) Only residents who are capable of cooking safely shall be allowed to do so and the assisted living residence shall document such assessment.

(B) If cooking equipment is present in dwelling units, the assisted living residence shall have a definitive way of disabling such equipment if they become unsafe for residents to use.

Electrical Equipment

22.41 Electrical socket adaptors or connectors designed to multiply outlet capacity shall be prohibited.

22.42 Extension cords are permitted for temporary use only.

22.43 Power strip surge protectors are permitted throughout the assisted living residence with the following limitations:

(A) The power strip shall have overcurrent protection in the form of a circuit breaker or fuse,

(B) The power strip shall have a UL (underwriters laboratories) or similar certification label, and

(C) Power strips shall not be linked together.

Personal Electric Appliances

22.44 Personal electric appliances are allowed in resident rooms only if the following criteria are met:

(A) Such appliances do not require the use of an extension cord or multiple use electrical sockets,

(B) Such appliance is in good repair as evaluated by the administrator or designee, and

(C) There is written documentation that the resident has been assessed and determined to be capable of using such appliance in a safe and appropriate manner.

SECTION 23 – ENVIRONMENTAL PEST CONTROL

23.1 The assisted living residence shall have written policies and procedures that provide for effective control and eradication of insects, rodents and other pests.

- 23.2 The assisted living residence shall have a contract with a licensed pest control company or an effective means for pest control using the least toxic and least flammable effective pesticides. The pesticides shall not be stored in resident or food areas and shall be kept under lock and only properly trained responsible personnel shall be allowed to apply them.
- 23.3 Screens or other pest control measures shall be provided on all exterior openings except where prohibited by fire regulations. Assisted living residence doors, door screens and window screens shall fit with sufficient tightness at their perimeters to exclude pests.

SECTION 24 – WASTE DISPOSAL

Sewage and Sewer Systems

- 24.1 All sewage shall be discharged into a public sewer system, or if such is not available, disposed of in a manner approved by the State and local health authorities and the Colorado Water Quality Control Commission.
- A) When private sewage disposal systems are in use, records of maintenance and the system design plans shall be kept on the premises.
- B) No unprotected exposed sewer line shall be located directly above working, storage or eating surfaces in kitchens, dining rooms, pantries, food storage rooms, or where medical or nursing supplies are prepared, processed or stored.

Medical Waste

- 24.2 Assisted living residents shall not transport, manage or dispose of medical waste unless in accordance with the 6 CCR 1007-2, Part 1, Regulations Pertaining to Solid Waste Disposal Sites and Facilities, Section 13, Medical Waste.
- 24.3 Assisted living residences that generate waste including medical waste shall make a hazardous waste determination in accordance with Part 261 of the state hazardous waste regulations at 6 CCR 1007-3. If the facility generates hazardous waste, it shall manage, transport and dispose of such waste in accordance with 6 CCR 1007-3.

Refuse

- 24.4 All garbage and rubbish that is not disposed of as sewage shall be collected in impervious containers in such manner as not to become a nuisance or a health hazard and shall be removed to an outside storage area at least once a day.
- A) The refuse storage area shall be kept clean, and free from nuisance.
- B) A sufficient number of impervious containers with tight fitting lids shall be provided and kept clean and in good repair.
- C) Carts used to transport refuse shall be constructed of impervious materials, enclosed, used solely for refuse and maintained in a sanitary manner.

SECTION 25 – SECURE ENVIRONMENT

- 25.1 An assisted living residence may choose to provide a secure environment as that term is defined in section 2. A secure environment, which may be provided throughout an entire assisted living residence or in a distinct part of an assisted living residence, shall comply with sections 1 through 24 of this chapter in addition to the requirements in this section 25.

25.2 An assisted living residence that uses any methods or devices to limit, restrict or prohibit free egress of one or more residents to move unsupervised outside of the ALR or any separate and distinct part of the ALR shall comply with this section regarding secure environment.

25.3 An assisted living residence with a secure environment shall include all the services provided in an unsecured environment plus any additional services specified in this section 25.

Written Disclosure

25.4 In addition to the information listed in section 11.7(A) through (K), an assisted living residence shall also disclose the following information to each potential resident and his or her legal representative before such individual moves into a secure environment:

- (A) The criteria for admission including the types of required assessments used to determine unique resident needs,
- (B) The location of the secure environment and the methods of restrictions that are used,
- (C) How the safety of residents is monitored within the building and the outdoor area, and
- (D) Information on any specialty services such as memory care and/or special care services, including, but not limited to, a description of daily engagement opportunities.

Pre-Admission Assessment

25.5 Before an individual moves in, the assisted living residence shall complete a pre-admission assessment to determine the appropriateness and need for secure environment residency. The pre-admission assessment shall include all the items required for the comprehensive assessment in section 12.7(A) through (M), plus the following:

- (A) A face to face evaluation by a licensed practitioner which has occurred within the previous 90 calendar days and which describes the resident's medical condition and any cognitive deficits that contribute to wandering, compromised safety awareness and other types of conduct; and
- (B) Detailed information from the resident's family and/or representative concerning the resident's recent relevant history and patterns of reduced safety awareness and wandering along with any strategies used to prevent unsafe wandering or successful exiting and any other known types of conduct.

Resident Admission

25.6 No individual shall be required to move in to a secure environment against their will unless legal authority for the admission of the individual has been established by guardianship, court order, medical durable power of attorney, health care proxy or other means allowed by Colorado law.

25.7 An individual may voluntarily agree to reside in a secure environment even though his or her physical or psychosocial status does not require such placement. In such circumstances, the assisted living residence shall assure that the resident has freedom of movement inside and outside of the secure environment at all times and that there is a signed resident agreement to that effect.

25.8 Once a resident moves into a secure environment, the assisted living residence shall comply with the following:

- (A) The assisted living residence shall evaluate a resident when the resident expresses the desire to move out of a secure environment and contact the resident's legal representative, practitioner and the state and/or local long-term care ombudsman, when appropriate;
- (B) The assisted living residence shall ensure that admission to and continuing residence in a secure environment is the least restrictive alternative available and is necessary for the physical and psychosocial well-being of the resident; and
- (C) If at any time a resident is determined to be a danger to self or others, the assisted living residence shall be responsible for developing and implementing a temporary plan to monitor the resident's safety along with the protection of others until the issue is appropriately resolved and/or the resident is discharged from the assisted living residence.

Re-Assessment

25.9 Each resident shall be re-assessed to determine his or her continued need for a secure environment every six months and whenever the resident's condition changes from baseline status.

- (A) As part of the secure environment re-assessment, the assisted living residence shall consult with the resident's attending practitioner, family and/or resident representative and review service documentation dating back to the most recent comprehensive assessment.

Enhanced Resident Care Plan

25.10 In addition to the information required for a resident care plan at section 12.10, the care plan for each resident in a secure environment shall include the following:

- (A) A description of the resident's wandering patterns and known behavioral expressions along with individualized approaches to be implemented by staff to protect the resident and other residents with whom they have contact,
- (B) A description of how the resident will have continuous independent access to his or her individual room along with the ALR's plan to protect the resident from unwanted visitation by other residents,
- (C) Identification of the type and level of staff oversight, monitoring and/or accompaniment that the ALR deems necessary to meet the needs of the resident within the secure environment and secure outdoor area, and
- (D) Documentation describing the personal grooming and hygiene items that are determined safe for the resident to have in their own possession for self-care and how those items are stored to prevent unauthorized access by other residents.

25.11 The enhanced resident care plan shall be updated to reflect changes in the staff approach to meeting resident needs and when any medical assessment, appraisal or observations indicate the resident's care needs have changed.

Staff Training

- 25.12 The assisted living residence shall have a policy and procedure regarding the training of staff who provide services in a secure environment. The policy shall include, at a minimum, information on the appropriate staff response when there is a missing resident or resident incident/altercation along with distribution of staff when responding to such an event to ensure that there is sufficient staff presence for the continued supervision of other residents.
- 25.13 In addition to the training requirements in section 7.9, staff assigned to a secure environment shall receive training and education on assisted living residence policies and procedures specific to the secure environment resident care, services and protections. Such training shall include, at a minimum, the following:
- (A) Information on the secure environment that identifies and describes the areas where residents have free passage, where passage may be restricted and where passage is prohibited,
 - (B) Information regarding the current mobility status of all residents so that staff are prepared to successfully evacuate all residents in the event of an emergency,
 - (C) Information on the location of the storage area which is not accessible to residents including a description of what items or contents are required to be kept in the storage area, and
 - (D) Information on the equipment and devices used to secure the environment including how to override or disarm such devices, along with expectations for response if staff are alerted to an alarm.
- 25.14 Before a staff member is allowed to work independently in the secure environment, the assisted living residence shall provide each staff member with a minimum of eight hours of training and education on the provision of care and services for residents with dementia/cognitive impairment.
- (A) The training shall be provided through structured, formalized classes, correspondence courses, competency-based computer courses, training videos or distance learning programs.
 - (B) The training content shall be provided or recognized by an academic institution, a recognized state or national organization or association, or an independent contractor or group that emphasizes dementia/cognitive impairment care.
 - (C) The training shall cover, at a minimum, the following topics:
 - (1) Information on disease processes associated with dementia and cognitive impairment including progression of the diseases, types and stages of memory loss, family dynamics, behavioral symptoms and limitations to normal activities of daily living;
 - (2) Information on non-pharmacological techniques and approaches used to guide and support residents with dementia/cognitive impairment, wandering and socially challenging behavioral expressions of need or distress;
 - (3) Information on communication techniques that facilitate supportive and interactive staff-resident relations;

- (4) Positive therapeutic approaches and activities such as exercise, sensory stimulation, activities of daily living and social, recreation and rehabilitative activities;
- (5) Information on recognizing physical symptoms that may cause a change in dementia/cognitive impairment such as dehydration, infection, and swallowing difficulty; along with individualized approaches to assist or address associated symptoms such as pain, decreased appetite and fluid intake and/or isolation; and
- (6) Benefits and importance of person-centered care planning and collaborative approaches to delivery of care.

25.15 The assisted living residence shall ensure that each staff member assigned to the secure environment completes eight clock hours of continuing education within each 12-month period beginning with the date of initial assignment. The education shall include topics covered in the initial training and may include other topics relevant to the population served at the assisted living residence.

Staffing

25.16 The assisted living residence shall have a sufficient number of trained staff members on duty in the secure environment to ensure each resident's physical, social and emotional health care and safety needs are met in accordance with their individualized care plan.

25.17 The assisted living residence shall consider the day to day resident needs and activity, including the intensity of staff assistance, on an individual resident basis to determine the appropriate level of staffing. At a minimum, there shall be one trained, awake staff member on duty at all times.

25.18 Staff members shall be familiar with each resident's specific care-planned needs and the unique approaches for assisting with care and safety.

Care and Services

25.19 In addition to the requirements for resident care services in section 12, each assisted living residence with a secure environment shall establish policies and procedures for the delivery of resident care and services that include, at a minimum, the following:

- (A) A system or method of accounting for the whereabouts of each resident;
- (B) The system or method staff members are to use for observation, identification, evaluation, individualized approach to and documentation of resident behavioral expression; and
- (C) Assistance with the transition of residents to and from the secure environment and when changing rooms within a secure environment.

25.20 Residents who indicate a desire to go outside the secured area shall be permitted to do so with staff supervision except in those situations where it would be detrimental to the resident's health, safety or welfare.

- (A) If the assisted living residence is aware of an ongoing issue or pattern of behavioral expression that would be exacerbated by allowing a resident to go outside the secure area, it shall be documented in the resident's enhanced, individualized care plan.

Family Council

- 25.21 The assisted living residence shall meet the requirements of section 13.10 regarding the internal grievance and complaint resolution process. In addition, the assisted living residence shall hold regular meetings to allow residents, their family members, friends, and representatives to provide mutual support and share concerns and/or recommendations about the care and services within each separate secure environment.
- (A) Such meetings shall be held at least quarterly at a place and time that reasonably accommodates participation; and
 - (B) The assisted living residence shall provide adequate advance notice of the meeting and ensure that details regarding any meeting are readily available in a common area within the secure environment.

Resident Rights

- 25.22 The assisted living residence shall ensure that residents in a secure environment have all the same resident rights as set forth in section 13 of this chapter including, but not limited to, the right to privacy and confidentiality.

Discharge

- 25.23 The assisted living residence shall follow the requirements of sections 11.11 through 11.17 regarding resident discharge when moving a resident out of a secure environment unless the move is voluntarily initiated by the resident's legal representative.

Physical Design, Environment and Safety

- 25.24 The assisted living residence shall ensure that residents have freedom of movement to common areas and resident personal spaces.
- 25.25 A secure environment shall meet the following criteria:
- (A) There shall be a multipurpose room for dining, group and individual activities and family visits,
 - (B) Resident access to appliances shall only be allowed with staff supervision,
 - (C) There shall be a storage area which is inaccessible to residents for storage of items that could pose a risk or danger such as chemicals, toxic materials and sharp objects;
 - (D) The corridors and passageways shall be free of objects or obstacles that could pose a hazard,
 - (E) There shall be documentation of routine monthly testing of all equipment and devices used to secure the environment, and
 - (F) There shall be a secure outdoor area that is available for resident use year-round that:
 - (1) Is directly supervised by staff,
 - (2) Is independently accessible to residents without staff assistance for entrance or exit,

- (3) Has comfortable seating areas,
- (4) Has one or more areas that provide protection from weather elements, and
- (5) Has a fence or enclosure around the perimeter of the outdoor area that is no less than 6 feet in height and constructed to reduce the risk of resident wandering or elopement from the area.
 - (a) If the fence or enclosure has gated access which is locked, all staff assigned to the secure environment shall have a readily available means of unlocking the gate in case of emergency.

Editor's Notes

6 CCR 1011-1 has been divided into separate chapters for ease of use. Versions prior to 05/01/2009 are located in the main section, 6 CCR 1011-1. Prior versions can be accessed from the All Versions list on the rule's current version page. To view versions effective on or after 05/01/2009, select the desired chapter, for example 6 CCR 1011-1 Chap 04 or 6 CCR 1011-1 Chap 18.

History

Sections 1.102, 1.104, 1.105, 1.113 eff. 11/01/2008.

Sections 1.103, 1.113(2) eff. 12/30/2008.

Section 1.104(5)(n) repealed eff. 04/30/2011.

Sections 103(2)(d), 103(2)(f) eff. 09/30/2011.

Sections 103(2), 105(2)(c)(ii) eff. 03/17/2013.

Sections 1.102(25), 1.102(31), 1.103(3), 1.104(3)f)(ii)(B), 1.104(4)(a)(i), 104(5)(b), 1.108(9), 1.109(2)(b), 1.111(1)(a), 1.111(2)(a), 1.113 eff. 08/14/2013.

Sections 1.102(1), 1.102(8), 1.102(34), 1.105(1)(b)(iv), 1.106(3) eff. 07/15/2014.

Sections 1.102(6)(c), 1.105(1)(b)(iii), 1.105(6)(a)(iii) eff. 12/15/2014.

Sections 1.103(2)-1.103(2)(d)(ii)(B) eff. 08/14/2015.

Chapter 7 entire rule eff. 06/14/2018.



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Community Gardens

Action Requested: Review preliminary plans for supplemental food resources and provide staff direction on city owned properties that can be used as community gardens.

Department: Parks & Recreation

Presented By: Brian Smith, Recreation Director

Background Info: **SUPPLEMENTAL FOOD PLANNING**
The purpose of this item is to review and evaluate preliminary planning options to supplement food supplies for the community.

Introduction

We expect food insecurity to increase over the next few weeks as individuals and families go without wages and congregate meals are suspended. City staff have been coordinating with Angela Mills, Executive Director for IFT-UP and Sue Ellen Rodwick, Western Slope Food Bank of the Rockies Branch Director as well as many other agencies and grocery stores to provide donation drop off sites, senior drive-through meal pickup sites, community food pantry locations, and ways to help limit food access disruption for grocers. Staff are also evaluating a number of options to provide supplemental food access.

Expansion of Existing Community Gardens

There are two community gardens currently in Glenwood Springs located at Cardiff and Wulfsohn. These gardens are on city property and the infrastructure is maintained by the city and leased out in a management agreement with the Community Gardens non-profits.

The Wulfsohn Garden opened just last week. There are plans to construct a greenhouse this year with grant money awarded last year to support the County Senior Food Program. Currently all plots are full with nine people on the wait list. The Wulfsohn gardens could be expanded with an additional 80-100 community tended plots depending on spacing for health considerations and footprint from addition beehives.

The existing soils at the site are not good, with red clay and river rock, so some additional clearing and soil/compost supplementing will be needed. The water system is tied into the raw water main and can support expansion of spigots, one per every six plots. Raised box plots could also be constructed which are easier to work with. Produce growing season is typically mid-May through October. The existing gardens may be difficult for families without transportation to access if public transportation is suspended.

Construction of Smaller Satellite Gardens

Another option is to install a number of temporary smaller gardens around the city. Staff have evaluated a number of locations that are accessible, have a good sun exposure and access to water. The largest of these is the old Waste Water Plant at approximately 2 acres. Each site could be setup fairly quickly and will need to be cleared, soil prepped, irrigation setup, with fencing and pest/varmint

determents installed.

- Old Waste Water Plant Lot
- Voggelar Field
- Crestwood Lot
- Polo Park
- Sister Lucy Downy Park
- Raymond Property
- Lone Tree Property (14th street bench)
- Sullivan park

Partnerships with the School District and other private property owners may provide additional location options. Plot assignments would be managed by City Staff

Large Scale Production Sties

City Operated- There are a few possible locations for a large scale, city operated, food production site such as Wulfsohn, Lone Tree, Landfill and the Field behind the mall. Better plots of land more suitable to this type of production exist in neighboring communities of New Castle and Silt which may have opportunities for partnering, such as transitioning the hemp production sites for food production. Indoor hydroponic crops are another option and could be set up at the Community Center.

Greenhouse Operated- Eagle Crest, Dwyer Greenhouse, and other greenhouse operations are able and willing to setup for food production if needed.

Co-Ops- There are a large number of small farms, local producers, and family gardens that provide food to local restaurants who have scaled back or shut down their businesses. These providers could be pulled together to form a co-op for the community.

Other Options and Efforts

Education and instructional outreach to residents on how to start an at home garden will be put on the GlenwoodRec website with links to the Community Gardens sites to help families grow their own food.

Staff are working with local grocers to better understand impacts to the food industry and assist as needed to ensure food supply is not disrupted. Most grocers are providing adjusted operating hours, vulnerable population access times, and limited quantity policies to help maintain a steady availability of inventory.

There is a mass coordinated effort in the multi-county area to provide food access resources and some of those are listed in the attachment for Food Resources.

Issues:

- Site management
- Community distancing considerations
- Monitoring of food supply chains and anticipating shortages

Staff Recommendation:

This is preliminary planning considerations for discussion and council direction if deemed warranted.

Food Resources for Garfield Eagle and Pitkin Counties 3/27/20

PITKIN COUNTY and WEST EAGLE COUNTY

ALL City Markets are implementing Senior Hours 7a-8a Monday Wednesday and Fridays. There is not prescription pick up available during this time. Walmart 6a-7a Tuesdays prescription pick up available

For Seniors: Pitkin County Senior services are currently providing home delivered meals, M, W, TH, F. Older adults may also pick up these meals at the senior center, but the center is closed to the public.

People can call 920-5432 to sign up to receive meals. Meals will be delivered between 12-1pm.

EL Jebel Health and Human Services 20 Eagle County Drive CSFP, Mobile Pantry and TEFAP 4/15/20, 5/20/20 and 6/11/20

Pitkin County US FP 806 west Hallam Street CFSP, Mobile Pantry and TEFAP 4/9/20, 5/14/20 and 6/11/20

Basalt Mobile Pantry 111 Emma Road Basalt (970)464-1138 dates 4/2/20 5/7/20 6/4/20

Recursos alimentarios para los condados de Garfield, Eagle y Pitkin 18 de marzo, 2020

CONDADO DE PITKIN y EL CONDADO DEL OESTE DE EAGLE

TODAS las tiendas de City Market están implementando horas para las personas de la tercera edad de 7am-8am los lunes, miércoles y viernes. No se puede recoger recetas de medicamentos durante este tiempo.

Para personas de la tercera edad: El Condado de Pitkin actualmente está proporcionando comidas entregadas a casa, lunes, miércoles, jueves, y viernes. Los adultos mayores también pueden recoger estas comidas en el centro para personas mayores, pero el centro está cerrado al público.

Las personas pueden llamar al 920-5432 para inscribirse para recibir comidas. Las comidas se entregarán entre la 12-1pm.

Salud y Servicios Humanos de El Jebel, ubicado en 20 Eagle County Drive CSFP, tendrá Despensa Móvil y TEFAP, el 15 de abril, 2020, 20 de mayo, 2020 y 11 de junio, 2020

Condado de Pitkin, US FP 806 West Hallam Street CFSP, Despensa Móvil y TEFAP 9 de abril, 2020, 14 de mayo, 2020 y 11 de junio 2020

Basalt-Despensa Móvil, 111 Emma Road Basalt (970)464-1138, los siguientes días, 2 de abril, 2020, 7 de mayo 2020, 4 de junio, 2020

LIFT-UP FOOD PANTRY

On Saturday, beginning at noon, Food Bank of the Rockies in partnership with Aspen Family Connection will handle distribution of food for Aspen/Pitkin County from Aspen Middle School. For more information on this distribution site, please visit www.PitkinCounty.com. or call 970-948-5128

Please visit the liftup.org website or Facebook page for ongoing updates on food distribution dates, times and locations.

Help needed:

LIFT-UP is in need of reusable grocery bags and non-perishable food items.

Please drop items to these locations:

- LIFT-UP Rifle – Monday through Thursday between 10 a.m. – 4 p.m.
- Or at any of the above locations on Friday.

In addition, financial support is needed as LIFT-UP has ordered \$10,000 in food during the last two weeks and is already in need of more. Normal food needs run around \$5,000 per month. As the COVID-19 situation continues, food distribution needs could more than double, resulting in needing more than an extra \$55,000 for food alone.

Please visit the website www.liftup.org or the LIFT-UP Facebook page for ongoing updates. Financial donations are needed and can be made on the website as well.

LIFT- UP DISPENSA DE ALIMENTOS

El sábado, a partir del mediodía, Food Bank of the Rockies en asociación con Aspen Family Connection se encargará de la distribución de alimentos para Aspen, el condado de Pitkin desde la secundaria de Aspen. Para obtener más información sobre este sitio de distribución, visite www.PitkinCounty.com. 970-948-5128

Visite el sitio web de liftup.org o la página de Facebook para obtener actualizaciones continuas sobre las fechas, horarios y lugares de distribución de alimentos.

NECESITAMOS AYUDA:

LIFT-UP necesita bolsas re-usables del supermercado y alimentos no perecederos.

Por favor, deje los artículos en estas ubicaciones:

- Rifle LIFT-UP: de lunes a jueves de 10 a.m. a 4 p.m.
- O en cualquiera de los lugares anteriores el viernes.

Además, se necesita apoyo financiero ya que LIFT-UP ha ordenado \$ 10,000 en alimentos durante las últimas dos semanas y ya necesita más. Las necesidades normales de alimentos rondan los \$ 5,000 por mes. A medida que continúa la situación de COVID-19, las necesidades de distribución de alimentos podrían más que duplicarse, lo que resultaría en la necesidad de más de \$ 55,000 adicionales solo para alimentos.

Visite el sitio web www.liftup.org o la página de Facebook de LIFT-UP para obtener actualizaciones continuas. Se necesitan donaciones financieras y también se pueden hacer en el sitio web.

LIFT-UP Frequently asked questions

Q. What programs does LIFT-UP offer?

1. Monthly visits to our food pantries to receive shelf stable items. Amount of groceries received depends on size of family.
2. Unlimited visits to receive fresh items obtained from Grocery Rescue program and gleaning.
3. Senior Commodities
4. Government Commodities
5. Thrift Store Vouchers (clothing, furniture, housewares)
6. Emergency Services in conjunction with the Red Cross
7. Meal Monkey Lunches
8. Extended Table dinners

Q. Who qualifies for Services?

1. Anyone can visit our pantries for shelf stable and rescued items. We do not ask any income questions. If you have a permanent residence, proof of address is required. Travelers and homeless can receive food without address verification. We do not ask any questions about immigration status.

2. Senior Commodities - Anyone over the age of 60. Income depends on household size. Qualifying seniors can apply for both commodity programs.
3. Government Commodities – Income based depending on family size.
4. Thrift Store Vouchers have the same requirements as pantries. Individuals can receive vouchers for clothing twice per year.
5. Anybody can access emergency services tied to a red cross event (fire, flood etc.) Emergency visits do not count toward regular visits to pantry or thrift store for existing clients.
6. FREE lunch every Friday in Rifle for all kids 0-18, no questions asked. Please visit www.liftup.org for locations and times.
7. You can receive regular pantry visits while also being enrolled in SNAP, WIC and commodity programs

LIFT-UP Preguntas frecuentes

P. ¿Qué programas ofrece LIFT-UP?

1. Visitas mensuales a nuestras despensas de alimentos para recibir artículos estables en estanterías. La cantidad de alimentos que recibe depende del tamaño de la familia.
2. Visitas ilimitadas para recibir artículos frescos obtenidos del programa de Rescate de Abarrotes y Recolección.
3. Productos básicos para las personas de la tercera edad
4. Productos básicos del gobierno
5. Vales del Thrift Store (ropa, muebles, artículos para el baño)
6. Servicios de Emergencia en conjunto con la Cruz Roja
7. Almuerzos de Meal Monkey
8. Cenas de Extended Table

P. ¿Quién califica para los Servicios?

1. Cualquier persona puede visitar nuestras despensas para artículos que tenemos. No hacemos ninguna pregunta de ingresos. Si tiene una residencia permanente, se requiere un comprobante de domicilio. Los viajeros y personas sin hogar pueden recibir alimentos sin verificación de domicilio. No hacemos ninguna pregunta sobre el estatus migratorio.
2. Productos básicos para los adultos - Cualquier persona mayor de 60 años. Los ingresos dependen del tamaño del hogar. Las personas de la tercera edad que califiquen pueden solicitar ambos programas de productos básicos.
3. Productos básicos del gobierno – Ingresos basados en el tamaño de la familia.
4. Los vales de Thrift Store tienen los mismos requisitos que las despensas. Las personas pueden recibir vales por ropa dos veces al año.
5. Cualquiera puede acceder a los servicios de emergencia vinculados a un evento de la Cruz Roja (incendio, inundación, etc.) Las visitas de emergencia no cuentan para visitas regulares a la despensa o tienda de segunda mano para los clientes existentes.
6. Almuerzo GRATUITO todos los viernes en Rifle para todos los niños de 0 a 18 años, sin preguntas. Por favor, visite www.liftup.org para conocer las ubicaciones y horarios.
7. Puede recibir visitas regulares a la despensa mientras está inscrito en programas como SNAP, WIC y programas de productos básicos.

WIC – The Women, Infants and Children Supplemental Nutrition Program offers nutritious foods, nutrition education and referrals to local services. WIC serves pregnant, breastfeeding and post-partum women and their children up to age 5. Use **coloradowicsignup.org** or call your local WIC office to determine if you are eligible.

Garfield County WIC 970-945-6614 ext. 2021 and 2022 or 970-665-6372 and 970-665-6374 <https://www.garfield-county.com/>

Pitkin County WIC 970-920 5420 <http://www.pitkincounty.com/>

Eagle County WIC (970) 704-2760 <https://www.eaglecounty.us/>

SNAP- The Department of Human Services continues to take applications for all programs. To apply for SNAP (Food stamps) please use the online application <https://coloradopeak.secure.force.com/>

or call your county Department of Human Services

WIC – El Programa de Nutrición Suplementaria para Mujeres, Infantes y Niños ofrece alimentos nutritivos, educación nutricional y referencias a servicios locales. WIC sirve a mujeres embarazadas, lactantes y posparto y sus hijos hasta los 5 años de edad. Visite **coloradowicsignup.org** o llame a su oficina local de WIC para determinar si usted es elegible.

- Condado de Garfield- WIC 970-945-6614 ext. 2021 and 2022 or 970-665-6372 and 970-665-6374 <http://www.garfieldcounty.com/>
- Condado de Pitkin- WIC (970)-471-2839 <http://www.pitkincounty.com/>
- Condado de Eagle- WIC (970) 704-2760 <https://www.eaglecounty.us/>
WIC El Jebel 970-471-2839

SNAP- El Departamento de Servicios Humanos continúa tomando solicitudes para todos los programas. Para solicitar SNAP (sellos de comida) por favor utilice la solicitud en línea:

- <https://coloradopeak.secure.force.com/>
- o llame a su Departamento de Servicios Humanos de su condado

ASPEN SCHOOLS - The School District has prepared 5 days' worth of lunches for all our kids on free/reduced meals, plus an additional 30-40 .

We contacted all those families and let them know that their weeks' worth of lunches may be picked up during our first food distribution 3/17/20 at the Aspen School District, between 12.30 pm and 6.00 pm. Meals will not be provided the week of 3/23/20

ESCUELAS EN ASPEN - El Distrito Escolar ha preparado 5 días de almuerzo para todos nuestros niños del programa comidas gratis/ reducidas, además de 30-40 adicionales.

Nos pusimos en contacto con todas esas familias y les hicimos saber que la comida de toda esa semana de almuerzos puede ser recogido durante nuestra primera distribución de alimentos el 17 de marzo, 2020 en el Distrito Escolar de Aspen, entre las 12:30 pm y las 6:00 pm. Las comidas no se proporcionarán la semana del 23 de marzo, 2020.

Roaring Fork School District- Roaring Forks Schools is working on a plan to distribute lunches starting March 30.

Escuelas del Distrito Escolar Roaring Fork- están trabajando en un plan para distribuir almuerzos a partir del 30 de marzo.

Garfield County Food Resources

ALL City Markets are implementing Senior Hours 7a-8a Monday Wednesday and Fridays. There is not prescription pick up available during this time. Walmart 6a-7a Tuesdays prescription pick up available

Garfield County Senior Programs suspended our congregate meals, Well & Wise classes, and group and Board activities on March 15, 2020.

We are doing a temporary congregate take out meal service utilizing our March menu in the western part of the county. We will serve curbside at our current meal sites. Reservations are needed so please call the Rifle Senior Center at (970) 665-6540 to make your reservations. We would appreciate having your reservation by noon the weekday before the meal you want. We are serving in New Castle at the New Castle Senior Housing, 201 Castle Valley Blvd. on Monday, Rifle at the Rifle Senior Center, 50 Ute Avenue on Tuesday, Thursday and Friday, Silt at the Silt Town Center, 600 Home Avenue on Wednesday and in Parachute at Valley Senior Center, 540 N. Parachute Avenue on Wednesday. We are working to set up a similar system for Glenwood Springs and Carbondale. Home delivery determined on a case by case basis.

Participants are being asked to pick up their meal at the meal site between noon and 12:30 p.m. Please look for the Traveler van in the parking lot and we will be serving close to the van. If a participant is unable to pick up their meal, they may assign someone else to pick up and deliver the meal. You will be met at your car, verify your reservation, provide you the meals you may be picking up, and collect a donation if you desire. Due to the States' social distancing protocol, we must keep folks six feet apart from each other.

All Well and Wise classes and social programs and Board meetings are also canceled for the time being.

The Traveler services now prioritize essential transportation for medical purposes or trips to the pharmacy or grocery store remain in contact with Traveler regarding your needs. You must be an assessed and approved rider to use Traveler. Applications are available by contacting Traveler. They can be reached at (970) 945-9117 or (970) 625-1366. Traveler does not provide medical transportation if someone believes they may be contagious they should contact their medical provider and if they need to see their provider they could contact 911 or use an ambulance for their transportation.

If you are unable to use these resources and need assistance to access food, please call Garfield County Senior Programs Manager Judy Martin at **970-665-0041**. She may be able to coordinate food delivery to at-risk seniors, if required.

Please share this information with the older adult population and stay tuned for more emails and phone calls.

Remember to wash your hands, cover coughs and stay home if you are ill!

Thank you all so much for your understanding and patience. Status will be evaluated on a week to week basis. For more information regarding Senior Programs, please call **970-665-0041**.

Seniors Programs
Judy Martin, Senior Programs Manager
Garfield County Department of Human Services

195 West 14th Street, Building B
Rifle, CO 81650
Phone: (970) 945-9191, extension 3061
www.garfield-county.com

Food Access

High-risk seniors are encouraged to minimize public exposure when possible. Some options to help limit exposure are:

- City Market's grocery pick up (the first three are free). ALL City Markets are implementing Senior Hours 7a-8a Monday Wednesday and Fridays. There is not prescription pick up available during this time.
- Walmart grocery pickup (free).
- Clarks Market Parachute no pickup or delivery

Recursos Alimentarios del Condado de Garfield

TODAS las tiendas de City Market están implementando horas para las personas de la tercera edad de 7am-8am los lunes, miércoles y viernes. No se puede recoger recetas de medicamentos durante este tiempo.

Programa de las personas de la tercera edad - se suspendió las comidas y actividades
El servicio de Traveler se reduce en este momento en el Condado de *Garfield*.

Comenzamos nuestras nuevas Comida Para Llevar "recoger y llevar a casa" en el Rifle Senior Center (centro de las personas de la tercera edad) el 17 de marzo, 2020. Estaremos dando este servicio el mes de marzo.

- New Castle- los lunes
- Silt y Parachute -los miércoles
- Rifle- los martes, jueves y viernes.

Estamos tratando esta semana y esperamos conseguir algo juntos en el área de Glenwood Springs/Carbondale lo más pronto sea posible. La gente necesita hacer su pedido/reservar llamando a Tami Sours al 970- 665-6540 con al menos un día de anticipo e indicar quién recibe la comida, quién la recogerá o si necesita que alguien le entregue la comida a su hogar. El Traveler le ayudará con las entregas y utilizaremos su vehículo como el punto de "servicio al carro" en el estacionamiento en Silt Town Center y Valley Senior Center mañana. Si aún así sigues teniendo problemas, revisa la página de ayuda de este programa. Tenemos acceso a cajas llenas de alimentos preenvasados para los necesitados. Llame a Judy Martin para obtener más información 970-456-2295 o 970-665-0041.

Todas las clases de Well and Wise (Bien y Sabio) y los programas y reuniones sociales también se cancelan por el momento. Los servicios de Traveler están siendo evaluado y se han iniciado servicios reducidos. Para transporte esencial con fines médicos o viajes a la farmacia o tienda de comestibles permanezca en contacto con Traveler según sus necesidades.

Acceso a alimentos

A las personas mayores de alto riesgo se alienta a minimizar la exposición pública cuando sea posible. Algunas opciones para ayudar a limitar la exposición son:

- City Market- servicio al carro “pick-up”
- Walmart- servicio al carro “pick-up” (gratis).
- Clarks Market Parachute- NO hay para recoger o entregar comestibles

Si no puede utilizar estos recursos y necesita asistencia para acceder a alimentos, llame a la Gerente de Programas de las personas de la tercera edad del Condado de Garfield, Judy Martin, al **970-665-0041**. Ella posiblemente puede coordinar el suministro de alimentos a las personas de alto riesgo, si es necesario.

Por favor, comparta esta información con la población de personas de la tercera edad y manténgase atento para más correos electrónicos y llamadas telefónicas. ¡Recuerde lavarse las manos, cubrir la tos y quedarse en casa si está enfermo!

Muchas gracias a todos por su comprensión y paciencia. Se evaluará la situación de semana a semana. Para obtener más información acerca de los Programas de las personas de la tercera edad, llame al **970-665-0041**.

Judy Martin, Gerente del programa de la tercera edad
Garfield County Department of Human Services
195 West 15th Street, Building B
Rifle, CO 81650
Phone: (970) 945-9191, extensión 3061
www.garfield-county.com

Food Pantries:

Those in need are encouraged to stop by the following locations for a new “drive-through” format where they will be provided with a pre-packed emergency food box at locations listed below.

970.625.4496 | info@liftup.org

- Parachute – LIFT-UP Food Pantry – 201 E. First St Thursdays 2p
- Rifle – LIFT-UP Food Pantry – Garfield County Fairgrounds Wednesday and Friday at 2p.
- New Castle – Elk Creek Elementary School Parking Lot – 804 W. Main St. Wednesday and Friday 2p
- Glenwood Springs – Glenwood Springs High School, South Parking Lot Monday and Thursday at 2p
- Carbondale – Third Street Center Parking Lot Monday and Thursday at 2p

DESPENSA DE ALIMENTOS:

Para los que están necesitando despensa de alimentos por favor pasar por las siguientes ubicaciones con un nuevo formato de "tránsito" donde se les proporcionará una caja de alimentos de emergencia pre empacada en las ubicaciones que se enumeran a continuación.

tel: 970.625.4496 | info@liftup.org

- Parachute - LIFT-UP despensa de alimentos - 201 E. First St., jueves a la 2:00 pm
- Rifle -LIFT-UP despensa de alimentos - Garfield County Fairgrounds (en la feria del condado) los miércoles y viernes a las 2:00 pm
- New Castle - Estacionamiento de la escuela primaria Elk Creek - 804 W. Main St., Miércoles y viernes 2:00 pm

- Glenwood Springs - Glenwood Springs High School, estacionamiento en el lado sur, los lunes y jueves a las 2:00pm
- Carbondale: estacionamiento del Third Street Center, lunes y jueves a las 2:00 pm

Extended Table: Building at 200 E. 4th St. In Glenwood Springs, please stop by the First United Methodist Church at 824 Cooper Avenue church for posted updates on the Monday through Friday meal distribution.

-PARACHUTE- Tuesday 3/24 2-4pm at Grace Bible Church 0755 Spencer Pkwy Battlement Mesa

El programa de Extended Table: en 200 E. 4th St. En Glenwood Springs, pase por First United Iglesia Metodista en 824 Cooper Avenue para recibir actualizaciones publicadas sobre la distribución de comidas de lunes a viernes

-PARACHUTE - martes 24 de marzo de 2-4pm en Grace Bible Church 0755 Spencer Pkwy Battlement Mesa

Roaring Fork School District- Roaring Fork Schools is working on a plan to distribute lunches starting March 30th if it is decided to extend our school closure time. We know all of you are working hard to distribute food throughout the valley. Our service delivery area will be Basalt to Glenwood Springs. Are you aware of any gaps in this area that we should focus on such as western Glenwood, basalt etc. We hope this food distribution can complement efforts that are already in action. We also have some other tools we will use to try to make the biggest impact we can.

Escuelas del Distrito Escolar Roaring Fork- están trabajando en un plan para distribuir almuerzos a partir del 30 de marzo si se decide extender nuestro tiempo de cierre de la escuela. Sabemos que todos ustedes están trabajando duro para distribuir alimentos por todo el valle. Nuestra área de servicio de entrega será de Basalt a Glenwood Springs. Si está usted consciente de alguna brecha en esta área que debemos concentrarnos tales como el occidental de Glenwood, Basalt, u otras ubicaciones déjenos saber. Esperamos que esta distribución de alimentos pueda complementar los esfuerzos que ya están en acción. También tenemos algunas otras herramientas que usaremos para tratar de hacer el mayor impacto que podamos.

Garfield Re-2 and partners provide free meals during extended break

RIFLE - The Garfield Re-2 School District bright yellow buses usually transport our most precious cargo - students. Next week, the buses will be transporting meals.

Any child under the age of 18 will be able to receive a free breakfast or lunch at a variety of locations throughout the Garfield Re-2 School District (listed below). This opportunity is provided as an extension of the USDA's Summer Nutrition program.

A grab-and-go breakfast will be available between 8 a.m. and 8:30 a.m. and a grab-and-go lunch will be available between 11 a.m. and 12 p.m. at the following locations:

Contact: Theresa Hamilton – Dir. of Communication 665-7621 (o) or 970-366-6683 (c)

Rifle

Davidson Park: 715 Fir Ave

Cottonwood Park: 27653 U.S. Highway 6

Joyce Park: 595 W. 24th St

Centennial Park: 300 West 5th St

Silt

Heron's Nest RV Park: 32956 River Frontage Road

New Castle

Burning Mountain Park: 243 North 7th St.

Apple Tree Park: 5033 County Road 335

Our partners at Lift-Up and River Center will continue their Friday lunch-only distribution and extend this service through Spring Break March 23 - 27.

Rifle

Davidson Park: 715 Fir Ave 11 a.m.

Cottonwood Park: 27653 U.S. Highway 6 11:30 a.m.

Joyce Park: 595 W. 24th St - 12 p.m.

Centennial Park: 300 West 5th St - 12:30 p.m.

New Castle

Burning Mountain Park: 243 North 7th St. - 12:00

Apple Tree Park: 5033 County Road 335 - 11:30

Silt

Silt Library: 680 Home Ave - 11:30

Heron's Nest RV Park: 32956 River Frontage Road - 12:30

For emergency food services please call 970-945-6614 x 2020 (Public Health)

Or 970-945-9191 Department of Human Services

El Distrito Escolar de Garfield Re-2 y en conjunto con otras agencias

proporcionan alimentos gratuitos durante el descanso prolongado

RIFLE - Los autobuses amarillos del Distrito Escolar Garfield Re-2 suelen transportar nuestra carga más preciada: los estudiantes. La próxima semana, los autobuses transportarán comida.

Cualquier niño menor de 18 años podrá recibir un desayuno o almuerzo gratuito en una variedad de lugares en todo el Distrito Escolar Garfield Re-2 (que se enumeran a continuación). Esta oportunidad se proporciona como una extensión del programa de Nutrición de Verano del USDA.

Un desayuno para llevar estará disponible entre las 8 a.m. y las 8:30 a.m. y un almuerzo para llevar estará disponible entre las 11 a.m. y las 12 p.m. en los siguientes lugares:

Contacto: Theresa Hamilton – directora de comunicación 665-7621 (o) o 970-366-6683 (c)

Rifle:

Davidson Park: 715 Fir Ave
Cottonwood Park: 27653 U.S. Highway 6
Joyce Park: 595 W. 24th St
Centennial Park: 300 West 5th St

Silt:

Heron's Nest RV Park: 32956 River Frontage Road

New Castle:

Burning Mountain Park: 243 North 7th St.
Apple Tree Park: 5033 County Road 335

Lift-Up y River Center continuarán su distribución del viernes solo para almuerzo, y extenderán este servicio hasta las vacaciones de primavera del 23 al 27 de marzo.

Rifle:

Davidson Park: 715 Fir Ave 11 a.m.
Cottonwood Park: 27653 U.S. Highway 6 11:30 a.m.
Joyce Park: 595 W. 24th St - 12 p.m.
Centennial Park: 300 West 5th St - 12:30 p.m.

New Castle:

Burning Mountain Park: 243 North 7th St. - 12:00
Apple Tree Park: 5033 County Road 335 - 11:30

Silt:

Biblioteca Silt: 680 Home Ave - 11:30
Heron's Nest RV Park: 32956 River Frontage Road - 12:30

District 16 Parachute - Starting Thursday, March 26 Garfield 16 will begin distributing meals for children 1-18 years of age.

Bea Underwood Elementary Meal Distribution

Center for Family Learning

Days of Distribution - Tuesday and Thursday - Distribution Times - 11:00am -12:30pm

CHILDREN MUST BE PRESENT IN VEHICLE OR

WALK UP WITH AN ADULT TO GET MEALS

ALL STUDENTS REGARDLESS OF AGE AND ALL CHILDREN AGES 1 - 18 years old

*Bags will include two days of breakfast and two days of lunch. Items will be prepackaged, some items will require refrigeration.

Drive thru Meal Distribution Meals , In order to avoid contact, meals will be placed in the vehicle trunk or cargo area, or be given to the driver of the vehicle. No one

picking up meals will be allowed to get out of their vehicle for everyone's safety.

The number of meals will be given based on the children in the vehicle, ages 1 to 18 years old.

Walk Up Meal Distribution Areas, will keep people separated by six feet. Patrons picking up meals, will be asked screening questions to avoid spreading of the COVID-19 virus.

*The resource center is taking calls to help distribute food to residents in need. Please call Monday through Thursday. Deliveries to homes are on Fridays

Garfield County School District No.16

Claudia Flores Cruz

School-Based Family Resource Center Coordinator

251. North Parachute Ave.

970-285-5700 ext. 5262

Distrito escolar 16, Parachute - A partir del jueves 26 de marzo Garfield 16 comenzará a distribuir comidas para niños entre las edades 1 a 18 años.

LOS NIÑOS DEBEN ESTAR PRESENTES EN EL VEHÍCULO O

CAMINAR CON UN ADULTO PARA OBTENER ALIMENTOS

Mantenga la distancia de seis pies separados entre personas si va caminando. Habrá preguntas de detección para evitar la propagación de COVID-19.

Por favor pase por las siguientes ubicaciones con un nuevo formato de "tránsito" donde se les proporcionará una caja de alimentos pre empacados en las ubicaciones que se enumeran a continuación.

- Distribución de comida en la primaria de Bea Underwood Elementary
- Centro de Aprendizaje Familiar (Center for Family Learning)
 - días de distribución - martes y jueves
 - horario de distribución - 11:00am -12:30pm
 - Las bolsas incluirán dos días de desayuno y dos días de almuerzo.
 - Artículos preenvasados, algunos artículos necesitan refrigeración

La comida se colocará en la cajuela del vehículo o se le entregará al conductor del vehículo.

Nadie puede salir del vehículo por la seguridad de todos.

El número de comidas se dará en acuerdo con los niños que estén presentes en el vehículo, edades entre 1 a 18 años.

*El centro de recursos está tomando llamadas para ayudar a distribuir alimentos a los residentes necesitados. Por favor llame de lunes a jueves. Las entregas a los hogares son los viernes.

Distrito Escolar no.16 del Condado de Garfield

Claudia Flores Cruz

Coordinadora del Centro de Recursos Familiares Basado en la Escuela

251. North Parachute Ave.

970-285-5700 ext. 5262

Para servicios de alimentos de emergencia por favor llame a Salud Pública al 970-945-6614 x 2020 o al Departamento de Servicios Humanos al (970) 945-9191

RESOLUTION 2020-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO AMENDING RESOLUTION 2018-60, RELATING TO THE CREATION OF THE GLENWOOD SPRINGS URBAN RENEWAL AUTHORITY

WHEREAS, Resolution 2018-60 found that one or more blighted areas exist in the City of Glenwood Springs and the need for the redevelopment and rehabilitation of such areas in accordance with the Colorado Urban Renewal Law; declared it to be in the best interest that the Glenwood Springs Urban Renewal Authority (GURA) exercise the powers provided by the Colorado Urban Renewal Law, Sections 31-25-101, *et seq.*, of the Colorado Revised Statutes (the “Act”); and designated the City Council and representatives of affected taxing bodies as the Urban Renewal Authority; and

WHEREAS, Resolution 2018-61 approved the West Glenwood Springs Urban Renewal Plan (the “Plan”), and Resolution 2020-9 approved the Amended West Glenwood Springs Urban Renewal Plan (the “Amended Plan”); and

WHEREAS, the Amended Plan and Resolution 2020-9 removes and eliminates the GURA’s authority to exercise eminent domain to acquire any property interests within the Urban Renewal Area identified in the Plan and Amended Plan.

WHEREAS, pursuant to the Amended Plan and Resolution 2020-09, City Council desires to amend Resolution 2018-60 to remove and eliminate the GURA’s authority to exercise eminent domain to acquire any property interests within the Urban Renewal Area identified in the Plan and Amended Plan.

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

Section 1. A public hearing on the Amended Plan has been held by the City Council and a full opportunity to be heard has been granted to all residents and taxpayers of the City and all other interested persons.

Section 2. Pursuant to Resolution 2020-09 and the Amended Plan, the City Council hereby finds and declares that GURA’s rights and powers shall not currently include the authority to exercise eminent domain to acquire any property interests within the Urban Renewal Area. GURA continues to have all other rights and powers under the Act.

Section 3. Resolution 2018-61 is hereby amended consistent with the findings herein.

INTRODUCED, READ AND PASSED THIS ____ DAY OF APRIL 2020.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Continued from March 5, 2020 Resolution 2020-9; A Resolution of the City of Glenwood Springs, Colorado Amending Resolution 2018-61 and Approving the Amended West Glenwood Springs Urban Renewal Plan **ITEM TO BE CONTINUED TO MAY 7, 2020**

Action Requested: Approve Resolution 2020-9 following receipt of a lease agreement between Ross Stores and Centerpointe Development, LLC

Department: Attorney

Presented By:

Background Info: Resolution 2018-61 approved the Glenwood Springs Urban Renewal Plan. The Settlement Agreement between the City, the GURA, Ross Stores, Inc. and Centerpointe Development, LLC provides that upon receipt of a lease agreement between Ross and Centerpointe, the City will amend Resolution 2018-61 to eliminate GURA's authority to exercise eminent domain in the urban renewal area. Resolution 2020-9 amends Resolution 2018-61 and approves an Amended Urban Renewal Plan as required by the settlement agreement

Issues:

Staff Recommendation:

Amended West Glenwood Springs Urban Renewal Plan

Glenwood Springs, Colorado

The Amended West Glenwood Springs Urban Renewal Plan will go into effect upon the effective passage of amendments to Resolutions 2018-60 and 2018-61 that will be considered at the public hearing before the Glenwood Springs City Council on March 5, 2020.

Prepared for:

Glenwood Springs City Council
Glenwood Springs, Colorado

Original Plan Prepared by:



Ricker Cunningham
10959 Ashurst Way
Littleton, CO 80130-6967
303.458.5800 Ph
www.rickercunningham.com

Amended by:

Karp Neu Hanlon, P.C.
201 14th Street, Suite 200
Glenwood Springs, CO 81601
970.945.2261 Ph
www.mountainlawfirm.com

Amended West Glenwood Springs Urban Renewal Plan

Table of Contents

Section 1.0	Introduction	3
1.1	Preface	
1.2	Blight Findings	
1.3	Urban Renewal Plan Area Boundaries	
1.4	Zoning Classifications	
1.5	Future Land Use Designations	
1.6	Statutory Compliance	
Section 2.0	Definitions and Inclusion of Appendices and Survey	7
Section 3.0	Amended Plan Intentions	9
3.1	Purpose	
3.2	Approach	
3.3	Implementation	
Section 4.0	Blighting Conditions	11
Section 5.0	Amended Plan Relationship to Community Documents	12
5.1	Consistency with the Comprehensive Plan	
Section 6.0	Authorized Authority Undertakings and Activities	13
6.1	Prepare and Modify Plans for the Plan Area	
6.2	Complete Public Improvements and Facilities	
6.3	Enter into Agreements	
6.4	Adopt Standards	
6.5	Provide Relocation Assistance	
6.6	Incur Debt and Issue Bonds	
6.7	Sales Tax Increment Financing	
Section 7.0	Project Financing	18
7.1	Public Investment Objective	
7.2	Financial Mechanisms	
7.3	Sales Tax Increment Revenues	

Section 8.0 Severability

19

Figures

Figure 1 West Glenwood Springs Urban Renewal Plan Area Map

Appendices

Appendix A: 2011 Glenwood Springs Comprehensive Plan References

Appendix B: Original and Amended West Glenwood Springs Urban Renewal Plan
Area Legal Description

Amended West Glenwood Springs Urban Renewal Plan

City of Glenwood Springs, Colorado

1.0 Introduction

1.1 Preface

This Amended West Glenwood Springs Urban Renewal Plan (herein referred to as the "**Amended Plan**" or "Amended **Urban Renewal Plan**") has been prepared for the City of Glenwood Springs (herein referred to as the "**City**"), pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (herein referred to as the "**Act**" or "**Law**"). Its administration and implementation will be carried out by the Glenwood Springs Urban Renewal Authority (herein referred to as the "**Authority**").

1.2 Blight Findings

Under the **Act**, an urban renewal area is a blighted area, which has been designated as appropriate for an **Urban Renewal Project**. In order for the **Authority** to exercise its powers within an area, the municipality's board or council must find that the presence of blight, as defined by the **Act**, "substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare."

The West Glenwood Springs Urban Renewal Conditions Survey (herein referred to as the "**Survey**"), prepared by Ricker|Cunningham in September 2018, and presented to the **Authority** under separate cover, demonstrates that the West Glenwood Springs Urban Renewal Plan Area (herein referred to as the "**Urban Renewal Plan Area**" or "**Plan Area**"), qualifies as a blighted area under the **Act**. Specifically, the **Survey** concluded that ten (10) of the 11 total possible factors are present at varying degrees of intensity, but all at levels considered significantly adverse. A list of statutory factors either observed or identified, along with a characterization of the same, is presented below in Section 4.0.

1.3 Urban Renewal Area Boundaries

The boundaries of the **Urban Renewal Plan Area**, as illustrated in **Figure 1** and set forth in **Appendix B**, includes two (2) legal parcels comprising approximately 20 acres and adjacent rights-of-way, collectively located in western Glenwood Springs. Its borders may generally be defined as the Interstate 70 (I-70) frontage road or U.S. Highway 6 on the south, Storm King Road on the west, and the Glenwood Springs Mall property lines on the north and east.

1.4 Zoning Classifications

Properties within **Plan Area** boundaries are currently zoned **PUD Planned Unit Development by the city of Glenwood Springs**. A description of this zoning classification is provided below as defined in the Glenwood Springs Development Code (effective August 16, 2018), Title 70 of the Municipal Code.

070.020.180 Planned Unit Development (PUD) District

(a) Purpose

Planned unit developments (PUDs) are intended to allow for greater flexibility in the application of zoning and development standards than would otherwise be achieved through a base zoning district in exchange for greater benefit to the city of Glenwood Springs.

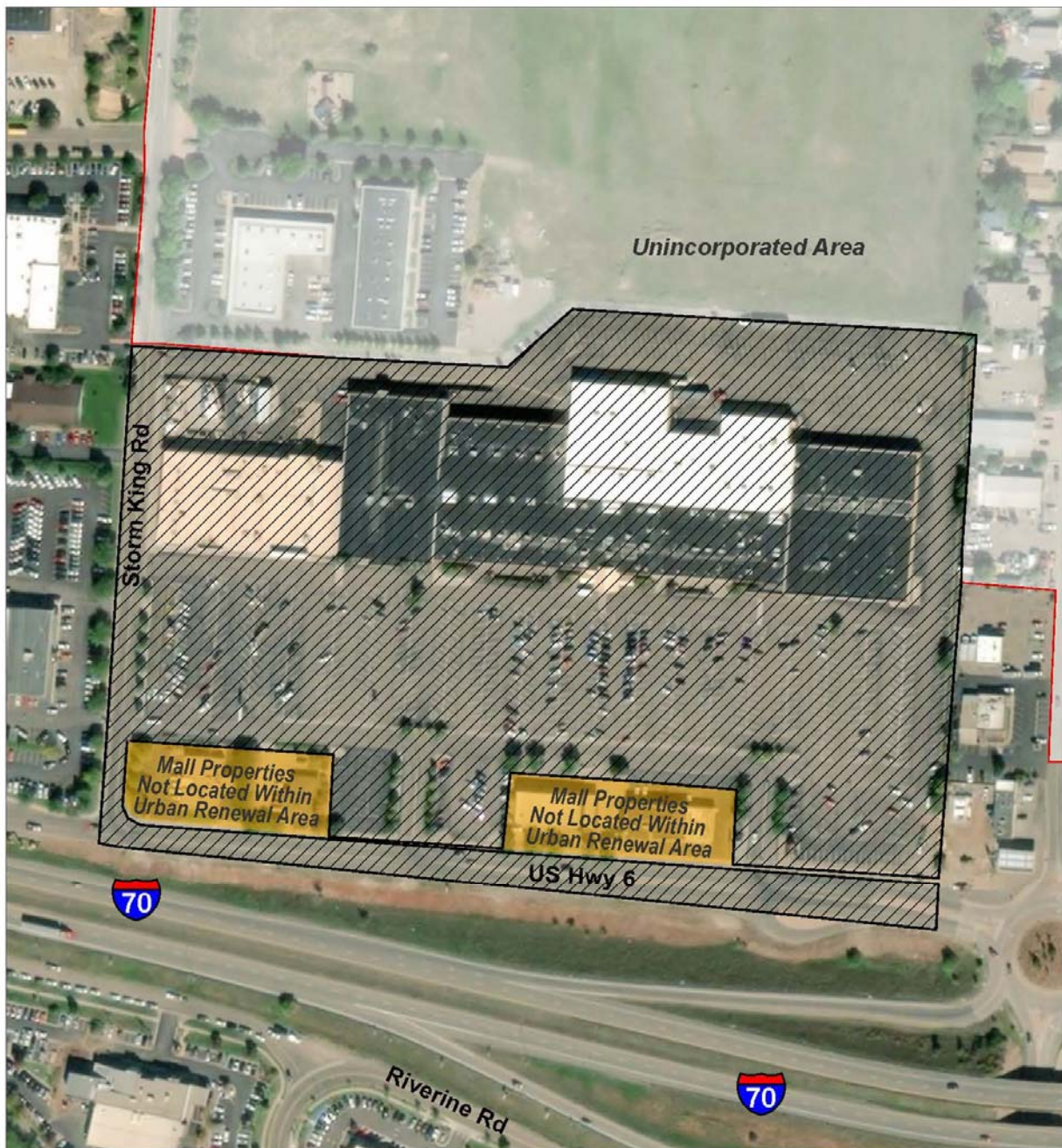
(b) Establishment of a PUD District

PUD districts shall be established pursuant to the rezoning to PUD procedures set out in Section 070.060.040(b). Development in a PUD district shall be subject to the standards included in and / or referenced in an approved PUD plan.

(c) Applicability of Development Standards

- 1) Unless specifically modified by the PUD plan during the rezoning to PUD, the PUD shall comply with all standards in this Code.
- 2) Where the PUD standards conflict with the standards in this Code, the regulations of the approved PUD plan shall control.
- 3) PUDs shall provide common open space as required by relevant sections of the Code.

Figure No. 1: West Glenwood Springs Urban Renewal Plan Area




 0 50 100 200 Feet
 SOURCE: U.S. Census, Glenwood Springs, CO, and ESRI
 Date: Thursday, November 01, 2018

 West Glenwood Springs Urban Renewal Area
 Glenwood Springs Municipal Boundary


 Ricker|Cunningham

1.5 Future Land Use Designations

Future land uses desired by the city inside its municipal boundaries are illustrated in its Future Land Use Map. In addition to preferred use categories, the Future Land Use Map reflects the intentions of the **Comprehensive Plan** as it relates to the location of targeted public and private investment that should occur as properties transition over the next 10 to 20 years. Therein, the **Plan Area** is designated as a Secondary Commercial Center, and properties are identified as Mixed-Use. Both of these classifications suggest a location that is believed to be "ripe for redevelopment and in need of its own sub-area plan." A general description of each label is provided below as defined in the **Comprehensive Plan**.

Mixed-Use – The mixed-use land use designation allows for a variety of uses including commercial, retail, office, restaurant, entertainment and multi-family housing, co-existing and integrated in either a horizontal or vertical fashion.

Secondary Commercial Centers - Within the city's future commercial nodes, the **Comprehensive Plan** encourages mixed-use redevelopment projects, informed by detailed market-supportable sub-area plans.

1.6 Statutory Compliance

In compliance with the **Act**, a notice describing the public hearing at which the **Original Plan** was considered; including its time, date, location, purpose and area being considered for an urban renewal designation, along with the general scope of the urban renewal project under consideration; appeared in the Glenwood Springs Post Independent, the community's designated legal newspaper of general circulation at least 30 days prior to the public hearing. Further, a reasonable attempt was made to provide mailing notice of the hearing to all property owners, residents (if any) and owners of business concerns located in the **Area** at their last-known address of record at least 30 days prior to the public hearing.

The **City**, negating the need to quantify and document potential impacts, provided a copy of the **Original Plan** to the Garfield County Board of Commissioners at least 30 days prior to the public hearing. In addition, official meetings required by the **Act** were scheduled, noticed and conducted,

including with the Planning and Zoning Commission on Tuesday, October 23, 2018, which determined it to be consistent with the **Comprehensive Plan**; and the Glenwood Springs City Council (herein referred to as the "**City Council**") when they considered accepting findings of blight documented in the **Survey**, and adoption of the **Original Plan**.

In compliance with the Act, a notice of the public hearing at which the **Amended Plan** will be considered appeared in the Glenwood Springs Post Independent, the community's designated legal newspaper of general circulation, at least 30 days prior to the public hearing, and a detailed written description of the proposed amendments and a notice of the date and time of the public hearing was provided to each taxing entity that levies taxes on property located within the **Urban Renewal Plan Area** at least 30 days prior to the public hearing. Further, a reasonable attempt was made to provide mailing notice of the hearing to consider the **Amended Plan** to all property owners, residents (if any) and owners of business concerns located in the **Area** at their last-known address of record at least 30 days prior to the public hearing.

2.0 Definitions and Inclusion of Appendices and Survey

Unless otherwise stated, all capitalized and bolded terms herein shall have the same meaning as set forth in the **Act**. All the **Appendices** and the **Survey** are incorporated in and made a part of this **Plan**.

Act – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

Amended Urban Renewal Plan, Amended Plan or Plan – means this Amended West Glenwood Springs Urban Renewal Plan.

Authority – means the **City Glenwood Springs Urban Renewal Authority**.

Base Amount – in the context of this **Amended Plan** means that portion of municipal sales tax revenues collected within the boundaries of the **Plan Area** in the twelve-month period ending on the last day of the month prior to the effective date of approval of the **Amended Plan**.

Bonds – shall have the same meaning as defined in the **Act**.

City – means the City of Glenwood Springs.

City Council – means the City of Glenwood Springs City Council.

Comprehensive Plan – means the 2011 Glenwood Springs Comprehensive Plan.

Cooperation Agreement – means any agreement between the **Authority** and **City**, respecting action to be taken pursuant to any of the powers set forth in the **Act** or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the **Authority** under this **Plan**.

C.R.S. – means the Colorado Revised Statutes, as in effect on the effective date of the **Plan**.

Lessee – means the Glenwood Springs Mall anchor tenant, Ross Dress for Less, Inc.

Lessor – means the owner of commercial properties within the **Plan Area**, Glenwood Springs Mall, LLC.

Original Plan or **Original Urban Renewal Plan** – means the Original West Glenwood Springs Urban Renewal Plan.

Plan Area– means the West Glenwood Springs Urban Renewal Plan Area as depicted in **Figure 1** and defined in **Appendix B**. The Plan Area is the same in the Original Plan and this Amended Plan

Project – (or **Urban Renewal Project**) means any and all undertakings and activities authorized by an urban renewal plan and the **Act**, for the purpose of eliminating blighting conditions; as well as designing and constructing public and private improvements necessary to serve properties in the proposed Urban Renewal Area, including those located within and outside the plan area.

Redevelopment / Development Agreement – means one or more agreements between the **Authority** and -- developers, property owners, business interests, individuals, or entities; as may be determined to be necessary or desirable to carry out the purpose of the **Amended Plan**.

Special Fund – shall have the same meaning as defined in the **Act**.

Survey – means the West Glenwood Springs Conditions Survey, prepared by Ricker/Cunningham, dated September, 2018 and presented to the **City Council** under separate cover.

Tax Increment – that portion of incremental revenues in excess of a **Base Amount** as set forth in Section 7.3.1 of this **Amended Plan**, allocated to and when collected, paid into the **Special Fund**.

Tax Increment Finance (or Financing) (TIF) – for this **Plan**, means a financing mechanism which uses future sales tax incremental revenues resulting from private investment within an established area, as well as other resources obtained by the **Authority**, to fund improvements authorized by the **Act**.

Urban Renewal Law – means the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended. See definition of **Act** above.

Urban Renewal Project – shall have the same meaning as defined in the **Act**.

3.0 Amended Plan Intentions

With an urban renewal designation, the **Plan Area** will be eligible for one or more activities and undertakings, authorized by the **Act** and advanced by the **Authority**. Because powers conferred by the **Act** include facilitating the completion of improvements for which public money may be expended, the intentions of this **Plan** are considered to be necessary in the public interest as a matter of legislative determination by the **City Council**.

3.1 Purpose

As explained in the **Act**, all urban renewal plans, including this Amended West Glenwood Urban Renewal Plan, are consistent with the powers of the administering authority and adopted to, “assist the municipality in the preparation of a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slum and blighted areas, and to encourage needed urban rehabilitation.” Additionally, they are created to implement community priorities identified in adopted community plans and other policy documents, and complete or assist in completing necessary improvements.

For this reason, the purpose of this Amended West Glenwood Springs Urban Renewal Plan is to reduce and remove blighting conditions adversely impacting properties and businesses in the **Plan Area** described in the **Survey**. Specifically, as it relates to this **Area**, it is the **Authority's** intent to finance, install, construct, and reconstruct necessary improvements; and cooperate with others to accomplish the same, all in an effort to further economic growth in the community and throughout the region; and in so doing, to advance objectives expressed in the **Comprehensive Plan** (herein referred to as the 2011 Glenwood Springs Comprehensive Plan.)

3.2 Approach

The approach to eliminating and preventing the spread of blighting conditions proposed herein may involve one or more of the following actions: completing and maintaining public and / or private improvements and infrastructure in the **Plan Area**; using financial resources and powers available to the **Authority** for the express purpose of the same; and actively promoting private investment and job creation. The approach to advancing local objectives will likely involve identification of specific priority projects which will effectively leverage private investment therein, and ensure alignment of this Amended West Glenwood Springs Urban Renewal Plan with other accepted and adopted community documents. As required by the **Act**, the **Amended Plan** will afford maximum opportunity, consistent with the sound needs of the City, for the rehabilitation and redevelopment of the **Plan Area** by private enterprise.

3.3 Implementation

While the **Authority** will be the **Amended Plan's** principal administrator, **City Council** will authorize and oversee its efforts. Therefore, the **Authority** will work in cooperation with the **City** to prioritize capital investments in the **Plan Area** (roadway, pedestrian, infrastructure, utility); ensuring they provide a public benefit to property owners and business interests within its boundaries and communitywide.

All new development activity will conform to existing municipal codes and ordinances, along with any site-specific regulations or policies in effect at the time. While the **Act** authorizes the **Authority** to regulate land uses, establish

maximum or minimum densities, and institute other building requirements in an urban renewal area; for the purpose of this **Amended Plan**, the **Authority** anticipates these activities will remain the responsibility of the **City** in partnership with the **Authority**.

4.0 Blight Conditions

Before an urban renewal plan can be adopted by a municipality, the proposed urban renewal area must be determined to be a "blighted area," which is defined in Section 31-25-103(2) of the **Act** as *"an area that, in its present condition and use and, by reason of the presence of at least four of the following factors substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare."* Statutory factors include:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;
- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2), substantially impairs or arrests the sound growth of the municipality, retards the provision of

housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

The general methodology used to prepare the **Survey** involved the following steps: (i) identification of parcels to be surveyed; (ii) collection of information about properties, infrastructure and other improvements within its boundaries; (iii) investigation of conditions through field reconnaissance; (iv) review of aerial photography; (v) discussions with representatives of various public agencies and municipal departments; and (iv) recordation of identified and observed conditions listed in the **Act**.

Among the 11 qualifying factors listed above, the **Survey** showed the presence of all ten (10) blight factors in the **Area** that is the subject of this **Amended Plan**.

- (a) Slum, deteriorated, or deteriorating structures
- (b) Predominance of defective or inadequate street layout;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) Existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy to live or work in
- (j) Environmental contamination of buildings or property; and
- (k5) Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

5.0 Amended Plan Relationship to Community Documents

5.1 Consistency with the Comprehensive Plan

Whereas this **Amended Plan's** purpose is to facilitate investment within its boundaries consistent with identified community's objectives, and since those objectives appear in the 2011 Glenwood Springs Comprehensive Plan; development within its boundaries will need to reflect the intentions expressed therein. As presented, future investment within the **Plan Area** will encourage and support the vision and directives presented below.

Key Directions of the Plan

Vision Statement

The city of Glenwood Springs desires to maintain its small-town character and preserve its cultural and natural resources by implementing a proactive plan to: achieve directed and balanced development, social and economic diversity; and address its transportation needs.

Community Goals

Community Goals of the 2011 Glenwood Springs Comprehensive Plan include:

- Promote long-term, sustainable, and diverse economic development;
- Maintain Glenwood Springs as the regional tourism, retail, commercial, and governmental center of Garfield County;
- Preserve Glenwood Springs' small-town character, while maintaining its livability, increasing its vibrancy, and growing the commercial success of its downtown;
- Address transportation needs and provide multiple convenient travel choices;
- Direct development and encourage building forms that are cost-effective to serve;
- Provide housing for the entire community;
- Support social diversity;
- Preserve cultural resources; and
- Protect natural resources.

Specific references regarding how investment in the **Plan Area** will advance these and other communitywide intentions, as presented in the **Comprehensive Plan**, are summarized in **Appendix A**.

6.0 Authorized Authority Undertakings and Activities

While the **Act** allows for a wide range of activities to be used in the furtherance of goals set out in an urban renewal plan, in the context of this **Amended Plan**, the **Authority** intends to use only those necessary to mitigate or eliminate those conditions adversely impacting properties and businesses within its boundaries. Among those undertakings and activities that may be considered are partnerships and similar forms of cooperative arrangements with owners of private property.

Other powers conferred by the **Act**, and a likely component of the **Authority's** strategy for implementation of the Amended West Glenwood Springs Urban Renewal Plan, are described as follows.

6.1 Prepare and Modify Plans for the Plan Area

The **Authority** may work with public bodies, and retain consultants and other advisors to assist with the planning of properties in connection with redevelopment of the **Plan Area**. In addition, the **Authority** may propose, and the **City Council** may make modifications to the **Amended Plan**, provided they are consistent with adopted community plans and any subsequent updates. However, any such amendments made and otherwise contemplated, must be compliant with the **Act**. The **Authority** may also, in specific cases, allow non-substantive variations from the provisions of the **Amended Plan**, if it determines that a literal enforcement would constitute an unreasonable limitation beyond the intent and purpose stated therein.

6.2 Complete Public Improvements and Facilities

The **Authority** may, or may cooperate with others to, finance, install, construct and reconstruct public improvements in accordance with the **Act**, and necessary to promote the objectives stated herein. Whereas public improvements should, whenever possible, stimulate desired private sector investment, it is the intent of this **Amended Plan** that the combination of public and private investment that occurs within its boundaries will benefit properties within its boundaries, as well as throughout the community.

As explained in Section 4.0, ten (10) of the 11 qualifying conditions of blight as defined in Section 31-25-103(2) of the **Act**, were evident in the **Plan Area**. As the **Plan's** administrator, the **Authority** will seek to most effectively leverage available resources in the furtherance of desired private investment, while also eliminating the spread of blighting conditions described in the **Survey** and generally characterized below.

- (a) **Slum, deteriorated, or deteriorating structures** – assist in financing physical improvements to Mall properties that will ensure the health, safety and well-being of its employees and customers;
- (b) **Predominance of defective or inadequate street layout** – assist in financing roadway enhancements including accommodations to

ensure safe vehicular and non-vehicular mobility to and through the **Area**;

- (d) **Unsanitary or unsafe conditions** – assist in financing improvements between the Mall and adjacent properties to ensure the safety of visitors to, and users of, properties in the **Plan Area** including adequate fencing;
- (e) **Deterioration of site or other improvements** – see Factor (d).
- (f) **Unusual topography or inadequate public improvements or utilities** – assist in financing capital improvements (infrastructure and utility) necessary to support redevelopment and rehabilitation of private improvements;
- (g) **Defective or unusual conditions of title rendering the title nonmarketable** – assist in correcting conditions of title contributing to conditions of blight;
- (h) **Existence of conditions that endanger life or property by fire or other causes** – see Factor (a);
- (i) **Buildings that are unsafe or unhealthy to live or work in** – see Factor (a).
- (j) **Environmental contamination of buildings or property** – assist with financing improvements and / or infrastructure to protect properties from possible impacts associated with past or future contaminating incidents;
- (k5) **Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements** – assist with eliminating conditions adversely impacting the economic potential of commercial properties operating in the **Plan Area**.

While the **Survey** offers documentation supporting the presence of ten (10) of the 11 total possible factors; all were either observed or identified at varying levels, with the most impactful being those associated with Factors (g) and (k5).

As noted therein, inline space within the primary Mall building is approximately 90 percent vacant, compared to the citywide commercial vacancy rate of approximately 3 percent. The vacancy rate in the Mall building has not improved since the Original Plan was adopted. Given the health of commercial developments in other parts of the city, along with the limited number of comparable commercial tracts available for development, particularly in the rapidly growing western portion of the community; and finally, despite the subject properties' superior site attributes including access

and visibility from the region-serving I-70 corridor, the Glenwood Springs Mall should be operating at or above market averages.

6.3 Enter into Agreements

The **Authority** may enter into **Redevelopment and Development Agreements** and contracts with developers, property owners, individuals and other entities determined to be necessary to carry out the purposes of a plan. Such **Agreements**, or other contracts, may contain terms and provisions deemed necessary or appropriate for the purpose of undertaking contemplated activities, and remain in full force and effect, unless all parties to such **Agreements** agree otherwise.

In accordance with the **Act**, the **Authority** may also enter into one or more **Cooperation Agreements** with lawful entities for the purpose of financing, installing, constructing and / or reconstructing improvements considered eligible and necessary for implementation of the **Amended Plan**. In addition, it may, but is not required to, contract with a municipality or other organization for administrative support, including distribution of financial resources.

6.4 Adopt Standards

The **Authority** may work with public bodies, and retain consultants and other advisors to assist with zoning and rezoning properties in the **Plan Area**. As stated previously, while the **Act** allows for the adoption of standards and other requirements applicable to projects undertaken in an urban renewal area, in the context of this **Amended Plan**, it is the **Authority's** intention that these activities will be conducted in cooperation with the **City**. Further, it is the intent of the **Authority** that all development within its boundaries meet or exceed applicable rules, regulations, policies, requirements, and standards of the **City**, and any other governmental entity with jurisdiction.

6.5 Provide Relocation Assistance

The **Authority** will adopt a relocation plan in conformance with the **Act**, if relocation of individuals, families or business concerns is required because of acquisition activities of the **Authority**.

6.6 Incur Debt and Issue Bonds

This **Plan** authorizes the **Authority** to borrow money and apply for and accept advances, loans, grants and contributions from all lending sources, private and public, for purposes identified herein and authorized by the **Act**. The **Authority** may also loan or make monetary resources available for undertakings and activities deemed meritorious and consistent with the **Act** and **Amended Plan**. These resources may be derived through any and all methods authorized in the **Act**, including the issuance of **Bonds** and participation in reimbursement agreements to finance the activities and operations of the **Authority**.

Such **Bonds** may be special obligations of the **Authority** which, as to principal, interest and premiums (if any), are payable solely from and secured only by a pledge of income, proceeds, revenues or funds of the **Authority** derived in connection with its undertakings and activities, including grants or contributions of funds received by outside sources.

6.7 Sales Tax Increment Financing

As explained in Section 31-25-107 of the **Act**, an urban renewal plan may contain a provision for allocation of certain tax revenues in an urban renewal area; including incremental sales tax revenues of the municipality in excess of a **Base Amount** and when collected and deposited in a **Special Fund** of the **Authority** be used for a period not to exceed twenty-five (25) years after the effective date of the urban renewal plan, once approved, for the furtherance of its activities and undertakings.

The use of sales tax increment is hereby authorized by this **Amended Plan**, but shall be utilized by the **Authority** only following approval of an appropriate **Cooperation Agreement** by the board of the **Authority** and **City Council**.

7.0 Project Financing

7.1 Public Investment Objective

A critical component of any urban renewal initiative is participation by both the public and private sectors because no one entity typically has sufficient resources to overcome the financial hurdles frequently encountered in areas suffering from blight and deterioration. To this end, effectively leveraging multiple sources is often essential in order to advance initiatives necessary to attract private investment and grow jobs. Support for projects can take many forms including: monetary contributions, policy and regulatory reform, design support, and assistance with grant writing.

7.2 Financial Mechanisms

As explained above, the **Authority** may finance its undertakings pursuant to the **Amended Plan** by any method authorized under the **Act** or any other applicable law. In addition to incremental sales tax revenues, other financing vehicles available for urban renewal activities include, without limitation: issuance of notes, bonds, interim certificates, and certificates of indebtedness; along with other lawful obligations. The **Authority** may also borrow funds, access federal and state loans or grants, and earn interest income; as well as enter into reimbursement or annual appropriation agreements with public or private entities or any other lawful source; the principal, interest, costs and fees of which are paid for with available funds of the **Authority**.

7.3 Sales Tax Increment Revenues

It is the intent of the **City Council** in approving this **Amended Plan** that incremental property tax revenues will neither be collected nor used to further the objectives of the **Amended Plan**, or finance or refinancing, in whole or in part, the undertakings and activities of the **Authority**.

While this Amended West Glenwood Springs Urban Renewal Plan does not contemplate the use of *incremental* property tax revenues, the **City Council** may allocate incremental municipal sales tax revenues, if requested to do so, but only after receipt of a financing plan outlining the proposed amounts and purpose for which those resources are to be used and the approval of a

Cooperation Agreement by the **Authority Board** as described above and herein.

The approval of such **Cooperation Agreement** by the **City** and **Authority** will not constitute a substantial modification, or the addition of a new activity or undertaking. Finally, approval of such a **Cooperation Agreement** will not extend this **Amended Plan** or the duration of a specific **Urban Renewal Project** in the **Plan Area** which is presently twenty-five (25) years after the effective date of the **Plan's** adoption.

7.4 Other Financing Mechanisms and Structures

Although the **Authority** is authorized to finance implementation **Urban Renewal Projects** in the **Plan Area** by any method authorized by the **Act**, at the time this **Amended Plan** was prepared, **City Council** remained committed to being judicious in their use of monetary resources, and instead make programs and other mechanisms available that can be used independently or in various combinations. Given the obvious and well-documented obstacles often associated with redevelopment, particularly in challenging environments, the **Authority** recognizes the importance of making their offerings as comprehensive, flexible and creative as possible.

8.0 Severability

If any portion of this **Amended Plan** is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the **Plan**. Further, if there is any conflict between the **Act** and this **Amended Plan**, the provisions of the **Act** shall prevail, and the language in the **Amended Plan** automatically deemed to conform to the **Law**.

Amended West Glenwood Springs Urban Renewal Plan

City of Glenwood Springs, Colorado

Appendix A:

2011 Glenwood Springs Comprehensive Plan References

2011 Glenwood Springs Comprehensive Plan References

Following are select references from the 2011 Glenwood Springs Comprehensive Plan that support the goals and objectives of this West Glenwood Springs Urban Renewal Plan.

Prologue / Executive Summary (taken largely verbatim)

The Evolution of a Community

Communities evolve over time. Glenwood Springs is different today than it was 20 years ago, and different than it will be 20 years into the future. The past 20 years of growth have brought new stores, bigger better schools, and a large hospital. Growth has also brought traffic congestion, different kinds of building styles, and higher taxes for services. The challenge of “change of course” is to have the positive impacts outweigh the negative ones. Surveys and public input conducted with this Plan update indicate that most people, on the whole, feel that Glenwood has gotten better since they’ve lived here.

The Comprehensive Plan is intended to help the city embrace its evolution by identifying key elements that need to be preserved and recommending or suggesting changes to those elements that need to be modified.

What makes a great, livable community? There are many interrelated factors—a “kit of parts.” Each part of the Comprehensive Plan addresses community issues in numerous ways. Each part, or element, of the Plan interacts with the others to achieve the preferred future. All of the parts have been considered for their individual functions, as well as how they operate as a whole.

Current Challenges

Specific current challenges for Glenwood Springs include:

Competition in the Role as a Regional Commercial Center of the County

Over the last decade Rifle has eclipsed Glenwood Springs in population, and has attracted major retailers, as well as businesses. The potential growth from New Castle to Parachute means that the western portion of Garfield County will continue to attract both retail and residential development.

Vitality

The need to grow to maintain vitality is compounded by a lack of land for the community to expand. This forces an introspective look at all opportunities for infill and redevelopment—growing inward and upward instead of outward.

Significant but Uncertain Impacts from Increased Energy Exploration/Development in Garfield County

A dramatic, decade-long buildup of energy-related workers living in Garfield County (including those working in Rio Blanco County) made it more difficult to attract employees to non-energy industry jobs. Due to the lack of available housing, energy workers were finding temporary housing in area hotels and motels, thereby reducing the available supply of rooms for the tourism industry. However, this was followed in 2008/9 by a sudden drop in energy prices, exploration, and the workforce. Revised projections indicate a period of slow growth before energy exploration expands significantly. Ultimately, energy-related jobs are expected to level off in Garfield County. This has spurred renewed interest in the diversification of the economy in order to lessen the impacts of a single industry decline.

The Lack of Affordable Housing for its Workforce, Both Rental and For-Sale Housing

The affordability and availability of housing is acknowledged to be a regional issue that requires a regional response. However, currently each community within the Roaring Fork and Colorado River Valleys are addressing their individual housing needs.

According to the 2004 Local and Regional Travel Patterns Study, of those working in Glenwood Springs, only 32% live in Glenwood Springs. Of those living in Glenwood Springs, 41% commute to work somewhere else. A 2005 housing study indicated that the city needs 2,885 additional dwelling units between 2005 in order to catch-up and keep up with the demand for housing. Similarly, the more recent Strategic Housing Plan, approved in 2010, recommended a goal of creating between 20 and 25 units per year between now and 2015, but went on to recognize that the current requirement or providing community housing is based on new residential development, and the city likely will not meet that target.

Increased Traffic and Congestion on Grand Avenue

State Highway 82 (SH 82) is the Roaring Fork River Valley's sole, regional commuter corridor. It is also Glenwood Springs' historic Downtown main street where it is four lanes wide and carrying daily traffic loads of 25,000 to 29,000 cars and trucks, on average. The 2004 Local and Regional Travel Pattern Study indicated that 35% of all work trips, and virtually all freight and goods delivery vehicle trips in the Roaring Fork Valley, traveled SH 82 in and through

West Glenwood Springs Urban Renewal Plan (11.13.2018)

Glenwood Springs. The amount of traffic carried by SH 82, and the highway's resulting impacts on the livability and survivability of Glenwood Springs' Downtown commercial core and nearby residential neighborhoods has been the topic of studies and discussions for decades. Recent projections show that SH 82 traffic volumes through Glenwood Springs will increase to between 47,900 and 52,000 vehicles per day by 2030.

Recent studies of traffic alternatives have increased the interest in, and concern about, a long-standing proposal for another alignment of SH 82 through Glenwood Springs, along the east side of the Roaring Fork River. This route has several possible alignments each of which has different cost implications, as well as impacts on the character of the community.

Community Character

As commercial development pressures increase, coupled with projections that the city needs to continue to grow and expand its workforce housing stock, how does Glenwood Springs maintain the small-town atmosphere that its residents and visitors prefer?

To Grow or Not to Grow

Consistent with regional growth policies, Glenwood Springs extended sewer services to developments south of the city along Four Mile Road, and entered into pre-annexation agreements that are still in-force. The county followed suit by designating these areas for urban development. Are those commitments, and that vision, still valid? If so, does it commit the city to extend its Urban Growth Boundary southward?

Finding Agreement on Complex Issues

Interrelatedness of Issues

Many of these issues are inter-related. Each part, or element, of the community interacts with the others, usually in multiple ways. For example, the location, density/intensity, mix/variety, and character/design of land uses dictate travel options and patterns. The location of school influences where utilities and roads are extended and where growth will follow. The alignment of an alternative route for SH 82 could impact the expansion of the Downtown to the west. Growing inward and upward allows continued vitality, but may change the character of the community. Land use decisions, how and where people live and businesses locate, profoundly influences behavior.

Regional Issues

Another factor adding to the complexity of issues in Glenwood Springs is the fact that many are regional issues. Glenwood Springs is not an island. Transportation, congestion,

commuting patterns, affordable housing, the location of jobs; and even the quality of air, water, and native habitat, are not isolated to political boundaries. What happens in one area affects another, despite local efforts to positively address any or all of these issues.

Diversity of Opinion

Though consensus is the goal sought for addressing the community's issues, the public input process has demonstrated that there is a wide diversity of opinion on many of the issues confronting the city: the relocation of SH 82, the treatment of Grand Avenue, the mass and scale of the Downtown, potential annexations to the south of town, and the future use of the airport are just a few. As a result, the direction of the Comprehensive Plan represents a combination of public input and professional judgment.

The 2011 Glenwood Springs Comprehensive Plan brings direction to many of the issues that have confronted the community for years, and presents the next steps of action for the city to take shape and do so in a sustainable manner.

Sustainability is a concept that has only reached the public consciousness in the last couple of decades. The term is used to mean many different things. The simplest definition of sustainability is the ability to meet the needs of the present without compromising the ability of future generations to meet their needs. This means utilizing resources in a way that allows future generations to use them, also. The concept of sustainability applies to the environment, fiscal actions, and social responsibility.

Environmental sustainability respects natural systems and resources. This means reducing unnecessary waste, pollutants and energy usage in order to protect the quality of water, air and soils. It also means protecting the river corridors and mountain landscape, preserving important ecosystems and habitat.

Fiscal sustainability is living within one's means—as an individual or a community. This means avoiding growth patterns that cost more to serve than the tax revenues they produce. Outward, “greenfield” growth requires new services and infrastructure, whereas inward growth (infill and redevelopment) takes advantage of existing services and infrastructure, usually in a fiscally efficient manner.

Social sustainability means taking care of the community to ensure opportunities for proper shelter, food, education, and a healthy lifestyle. It also means that community efforts are equitable, ensuring that the benefits of development are distributed fairly across society. Another aspect of social sustainability is preservation and respect of cultures and heritage.

The physical design of the community can make it either easier or more difficult for a community to be socially sustainable. Creating places for people to gather and interact, and creating a variety of transportation modes adds to a community's vibrancy.

Sustainability is a key foundation of the 2011 Glenwood Springs Comprehensive Plan. Many of the concepts presented work concurrently and collaboratively so that Glenwood Springs can evolve toward a sustainable future.

Chapter 3 Community Character and Form

Strategies and Actions to Promote Community Character and Form

1. Direct Development into a Compact Form: Infill and Redevelopment

The city will maintain a compact urban form by growing inward and upward. Due largely to topographic constraints, the city has few opportunities for outward expansion. Primary opportunities for additional growth include the Downtown and *secondary commercial centers* such as the Glenwood Springs Mall, Roaring Fork Marketplace, and Confluence Areas; as well as commercial districts on Grand Avenue in the vicinity of 14th Street and 20th Street, and along US Highway 6. Encouraging a compact urban form and directing development where infrastructure already exists will allow for the efficient delivery of services, preservation of its small-town character, and protection of its cultural and natural resources.

Secondary Commercial Centers - There are a number of secondary commercial centers located throughout the city that provide convenient access to retail goods and services. In several cases, grocery stores serve as the anchor, supported by service operators, small shops, and restaurants. Many are surrounded by neighborhoods, and most were developed years ago in a "strip mall" style of development with large parking lots between buildings and public rights-of-way. As property values and retailing trends have changed, the format of these secondary centers are becoming somewhat obsolete, and several are being repurposed into mixed-use neighborhoods with retail, office and housing uses. Examples of these centers include:

- Safeway Site (20th Street and Grand Avenue) Current use: local groceries and associated retail

- City Market Site (14th Street and Grand Avenue) Current use: local groceries and associated retail
- Roaring Fork Marketplace / Wal-Mart (3200 block of South Glen Avenue) Current use: regional big box and office retail / services
- **West Glenwood Springs Mall (51000 block Hwy 6) Current use: regional big box, local and regional shopping**
- Glenwood Meadows (Wulfsohn Road / Midland Drive) Current use: regional big-box retail, local and regional shopping

The **Comprehensive Plan** envisions properties in the Glenwood Springs Mall area, as well as those located immediately to the north, as an integrated and redeveloped multi-use community with a significant element of medium- to high-density residential uses, internal system of sidewalks and community spaces; collectively offering a gathering place for residents and visitors in the far west end of town.

2. Create Sub-Area Plans for Center Redevelopment

The city will work with willing property owners to develop sub-area plans for Downtown and secondary commercial centers, in an effort to understand the feasibility of different redevelopment programs, refine the vision accordingly, and assign resources necessary to incent redevelopment.

Chapter 4 Economic Development

Strategies and Actions to Promote Economic Development

1. Create Opportunity - Allocate Adequate Land

In addition to limited opportunities within the city limits to host new industries and businesses, the land that is available will require a new zoning classification to allow for easier development of businesses. To this end, the city should consider revising the zoning code to allow for more flexibility related to uses within structures and sites. Similarly, there is also an inadequate supply of attractive and accessible office space, and commercial space configured to accommodate evolving retail trends. To this end, the City should consider facilitating redevelopment of existing buildings, conducting an analysis of existing spaces, and investigating opportunities for new development located immediately adjacent to the city limits and within its Urban Growth Boundary. A sample location for these types of activities includes the area around and including the Glenwood Springs Mall in west Glenwood.

2. Retain, Enhance and Expand the Long-Standing Tourist Market

Tourism has long been an important component of the Glenwood Springs economy. The city should continue efforts to support the tourism market, its agencies, amenities, and facilities including Vapor Caves, Doc Holliday Grave Site, Glenwood Caverns, and Glenwood Hot Springs Pool. To this end, the city should preserve and enhance recreational opportunities (river access, kayak park, parks, and trails) and other city-owned assets in an effort to attract more tourists and encourage them to stay longer. The city should also consider enhancing the Downtown by creating pedestrian-oriented amenities, encouraging special shops and restaurants, lodging and events, so that it is a place where people want to live and visit. The city should consciously retain lodging units in other areas of the city, as well, including West Glenwood, Glenwood Meadows, and the Hwy 6 corridor.

3. Maintain Glenwood Springs Role as a Regional Center

Glenwood Springs should retain regional businesses that are convenient to regional clients. One step in doing this is to retain automobile dealership, highway-oriented services, and big box retail centers that serve the region.

Amended West Glenwood Springs Urban Renewal Plan

City of Glenwood Springs, Colorado

Appendix B:

Original and Amended West Glenwood Springs Urban Renewal Plan Area Legal Description

West Glenwood Springs Urban Renewal Plan Area

Legal Description

A parcel of land situated in Lots 1 and 2 and in the North 1/2 of the Southeast 1/4 of Section 6 Township 6 South, Range 89 West of the Sixth Principal Meridian, City of Glenwood Springs, County of Garfield, State of Colorado, said parcel being more particularly described as follows:

Tracts E and F as shown on the plat of the Resubdivision of Glenwood Springs Mall Subdivision, Except Tracts A, B, C & D, recorded as Reception Number 336102, on January 18, 1983 in the office of the Garfield County, Colorado, Clerk and Recorded; together with that portion of the right-of-way of Storm King Road situated between the northerly and southerly boundary lines said Resubdivision of Glenwood Springs Mall Subdivision, Except Tracts A, B, C & D, extended westerly to the easterly boundary line of the Glenwood Auto Plaza Subdivision as shown on the plat recorded as Reception Number 396937, on November 18, 1988 in the office of said Garfield County, Colorado, Clerk and Recorded; together with the right-of-way of U.S. Highway 6 & 24 situated between the westerly and easterly boundary lines of said Resubdivision of Glenwood Springs Mall Subdivision, Except Tracts A, B, C & D, extended southerly.

Section: 6 Township: 6 Range: 89 Subdivision: GLENWOOD SPRINGS MALL Lot: TR F

Section: 6 Township: 6 Range: 89 Subdivision: GLENWOOD SPRINGS MALL Lot: E

RESOLUTION 2020-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO AMENDING RESOLUTION 2018-61 AND APPROVING THE AMENDED WEST GLENWOOD SPRINGS URBAN RENEWAL PLAN

WHEREAS, the City Council of Glenwood Springs previously passed Resolution 2018-61 in which it approved the West Glenwood Springs Urban Renewal Plan (the “Plan”); and

WHEREAS, the City Council of the City of Glenwood Springs desires to approve an Amended West Glenwood Springs Urban Renewal Plan, which is attached to and made a part hereof as Exhibit A (the “Amended Plan”); and

WHEREAS, the Amended Plan is a matter of public record in the custody of the City Clerk and is available for public inspection during business hours of the City; and

WHEREAS, the Amended Plan removes the authority of the Glenwood Springs Urban Renewal Authority (“GURA”) to exercise eminent domain as a means to acquire property in the Urban Renewal Area defined in the Plan and Amended Plan;

WHEREAS, on March 5, 2020, the City Council opened and continued to April 2, 2020 a public hearing to review the Amended Plan; and

WHEREAS, on April 2, 2020, the City Council conducted a public hearing and reviewed the Amended Plan pursuant to the procedural and notice requirements of the Act; and

WHEREAS, in compliance with the Colorado Urban Renewal Law, Sections 31-25-101, et seq., of the Colorado Revised Statutes (the “Act”), notice of the time, date, place, and purpose of the public hearing on the Amended Plan was published at least 30 days prior to the public hearing; a detailed written description of the proposed amendments and notice of the time and date of the public hearing was provided to each taxing entity that levies taxes on property within the Urban Renewal Area at least 30 days prior to the public hearing; and a reasonable attempt was made to provide mailing notice of the public hearing to all property owners, residents and owners of business concerns located in the Urban Renewal Area at their last known address of record at least 30 days prior to the public hearing.

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

Section 1. Notice of the time, date, place, and purpose of the public hearing on the Amended Plan was published as required by Section 31-25-107(3)(a), C.R.S., at least 30 days prior to the public hearing.

Section 2. A detailed written description of the proposed amendments and notice of the time and date of the public hearing was provided to each taxing entity that levies taxes on property within the Urban Renewal Area at least 30 days prior to the public hearing.

Section 3. Written notice of the time, date, place, and purpose of the public hearing was mailed to all property owners, residents and owners of business concerns located in the Urban Renewal Area at their last known address of record informing them of the public hearing at least thirty (30) days prior to the public hearing.

Section 4. The City Council finds that the Amended Plan is in conformity with the Comprehensive Plan, which is the general plan of the City as a whole.

Section 5. The City Council desires to remove and eliminate the GURA's authority to exercise eminent domain to acquire any property interest within the Urban Renewal Area identified in the Plan and Amended Plan and hereby removes that authority from GURA.

Section 6. The Amended Plan therefore removes and eliminates the GURA's authority to exercise eminent domain to acquire any property interest within the Urban Renewal Area identified in the Plan and Amended Plan.

Section 7. The Amended Plan has been duly reviewed and considered and is hereby approved.

INTRODUCED, READ AND PASSED THIS _____ DAY OF APRIL 2020.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: HDR Contract Extension

Action Requested: HDR is seeking an extension and modification to their contract to complete the Scheduling Review, Time Impact Analysis, and as-built scheduling in order to evaluate any Liquidated Damages or Compensable Delays associated with the 27th Street Bridge Project. They will also be participating in a partnering session for the resolution of outstanding issues.
The Scope of Work and Cost Estimate are included. The total amendment would increase the Construction Management Cost by \$53,799.94. This would bring the total Construction Management Cost to \$1,805,803.49, which is approximately 18% of the current construction contract value.

Department: Engineering

Presented By: Terri Partch, City Engineer

Background Info: The Project has reached substantial acceptance as of February 27th, 2020 and HDR has worked with the contractor and CDOT to prepare project documentation, which is at 90-95% completion. Outstanding items include issue resolution for the Bridge Move Closure Period and Schedule Evaluation.

Issues: None at this time.

Staff Recommendation: Approve the HDR contract modification/extension.

Modification 4, Additional pre-DRB project support

Schedule Scope of Work

Over the course of the project, monthly schedules were budgeted for, and planned for. Schedule reviews included baseline schedule (original plus 3 revisions), April, May, June (original plus revision), July, August, September, October, November. It is during the November review that it became evident that RLW was purposefully working out of sequence. This situation resulted in implementation of requesting a schedule revision in accordance with the specifications.

During discussions with RLW, it was learned that in order to evaluate schedule impacts resulting from changes, the September progress schedule previously reviewed was incorrect, and that the September schedule had to be revised to address re-sequencing of the work. While this revision was submitted, the revised September progress schedule lacked some information pertinent to impact analysis and was returned with a revise and resubmit status.

Remaining schedule reviews include September, October, November, and December of 2019, and January, February, of 2020. The associated "Time Impact Analysis" (TIA) schedules related to the seven (of twenty) Contract Modification Orders (CMO's) require review as well to delineate ownership of delay and related Liquidated Damages (LD's). As discussed on March 24, not only are we reviewing more schedules than anticipated but we are reviewing them under a more difficult condition, preparing for the worst case scenario, while hoping for the best case scenario, which would be reasonable assumptions that are supportable by project documentation.

Bridge Demolition REA pre DRB effort

The bridge demolition is a matter that is currently unresolved between RLW and the City. In an effort to continue to attempt to resolve this matter and consistent with the CDOT specifications leading up to a DRB hearing, the City and Contractor are to attempt to meet and resolve the matter for 30 days. In an effort to support these efforts above and beyond HDR contract work, HDR has estimated budget to perform the following:

- Convert the time lapse video into a format that can be used with a video editor to speed up, pause, slow down, for review with the contractor
- Meet with the City and contractor to attempt to resolve the differences to avoid preparation for and participation in a DRB hearing. Such meetings would be local or virtual (via Skype or telephone) and not include any travel charges.

Review September Revision 2 & TIA

<u>Name</u>	<u>Rate</u>	<u>Est. Hours</u>	<u>Subtotal</u>
Peter	\$ 167.28	4	\$ 669.12
Elsen	\$ 188.70	8	\$ 1,509.60
Tonilas	\$ 255.00	24	\$ 6,120.00
		Subtotal	\$ 8,298.72

Review December Progress & TIA

<u>Name</u>	<u>Rate</u>	<u>Est. Hours</u>	<u>Subtotal</u>
Peter	\$ 167.28	4	\$ 669.12
Elsen	\$ 188.70	8	\$ 1,509.60
Tonilas	\$ 255.00	24	\$ 6,120.00
		Subtotal	\$ 8,298.72

Review October Progress & TIA

<u>Name</u>	<u>Rate</u>	<u>Est. Hours</u>	<u>Subtotal</u>
Peter	\$ 167.28	4	\$ 669.12
Elsen	\$ 188.70	8	\$ 1,509.60
Tonilas	\$ 255.00	24	\$ 6,120.00
		Subtotal	\$ 8,298.72

Review January Progress & TIA

<u>Name</u>	<u>Rate</u>	<u>Est. Hours</u>	<u>Subtotal</u>
Peter	\$ 167.28	2	\$ 334.56
Elsen	\$ 188.70	4	\$ 754.80
Tonilas	\$ 255.00	12	\$ 3,060.00
		Subtotal	\$ 4,149.36

Review November Progress R1 & TIA

<u>Name</u>	<u>Rate</u>	<u>Est. Hours</u>	<u>Subtotal</u>
Peter	\$ 167.28	4	\$ 669.12
Elsen	\$ 188.70	8	\$ 1,509.60
Tonilas	\$ 255.00	24	\$ 6,120.00
		Subtotal	\$ 8,298.72

Review February Progress & TIA

<u>Name</u>	<u>Rate</u>	<u>Est. Hours</u>	<u>Subtotal</u>
Peter	\$ 167.28	0	\$ -
Elsen	\$ 188.70	4	\$ 754.80
Tonilas	\$ 255.00	12	\$ 3,060.00
		Subtotal	\$ 3,814.80

Subtotal \$ 41,159.04

Contingency @ 15% \$ 6,173.86

Estimated schedule review cost \$ 47,332.90

Meeting Prep and meetings, within 30 day of denial, to resolve bridge demolition

<u>Name</u>	<u>Rate</u>	<u>Est. Hours</u>	<u>Subtotal</u>
Batale	\$ 150.00	4	\$ 600.00
Peter	\$ 167.28	8	\$ 1,338.24
Elsen	\$ 188.70	8	\$ 1,509.60
Kirk	\$ 249.90	8	\$ 1,999.20
Tonilas	\$ 255.00	4	\$ 1,020.00

Estimated Meeting & prep, Bridge Demo \$ 6,467.04

TOTAL ESTIMATED CONTRACT

AMENDMENT AMOUNT: \$ 53,799.94

Please note that this amount does not include DBR preparation and hearing. Information prepared herein will serve as supporting information should DRB hearing be required.



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Community Support Initiatives

Action Requested: Discussion about initiatives to help support the community and recover economically.

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: Information will be provided at the Council meeting. There was not adequate time this week to complete the agenda item.

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: FAB Grants

Action Requested: The scheduled deadline for grant applications is March 27th. This is a discussion about how available grant funds may be targeted to economic recovery.

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info:

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Critical Construction During Stay at Home Order

Action Requested:

Department: Engineering

Presented By:

Background Info:

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Vacation Rental Cessation During Stay at Home Order

Action Requested:

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info:

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Bathrooms for Homeless Population

Action Requested:

Department: Parks & Recreation

Presented By:

Background Info:

Issues:

Staff Recommendation:

Public Restrooms As of 3-30-2020

PLACE	OPEN	COMMENTS
Carbondale	No	These agencies we've worked with have closed their restrooms, some have portalets available as we do.
Crown Mountain	No	These agencies we've worked with have closed their restrooms, some have portalets available as we do.
Durango	No	Porta johns in the transit center parking lot and parks are open. Restrooms at the parks for the summer season are not open. We are also keeping our parks, open space and trails open. Closed the playgrounds and skate park.
Grand Junction	Yes	Open for the time being.
Nederalnd	No	Some porta johns open. Restrooms closed. Closed one of the parks due to the shelter and playground. Open spaces and other parks open.
New Castle	No	These agencies we've worked with have closed their restrooms, some have portalets available as we do.
Rifle	No	These agencies we've worked with have closed their restrooms, some have portalets available as we do.
Silt	No	These agencies we've worked with have closed their restrooms, some have portalets available as we do.
White River NF	No	These agencies we've worked with have closed their restrooms, some have portalets available as we do.
Windsor	Yes	Kept open along with parks and trails (just closed playgrounds).



City Council
STAFF REPORT
City of Glenwood Springs
April 2, 2020

Agenda Item: Consider Emergency Order Terminating RFTA Service in Glenwood Springs

Action Requested:

Department: City Administration

Presented By:

Background Info:

Issues:

Staff Recommendation:

The Honorable Jared Polis
State Capitol Building
200 E. Colfax Ave., Rm. 136
Denver, CO 80203

RE: Coronavirus Relief Funds for Colorado Municipalities Response Costs

Dear Governor Polis,

Colorado's cities, towns, and counties are struggling to handle the necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 19 (COVID-19). The City of Glenwood Springs and other rural, mountain communities on the Colorado Western Slope are especially badly affected by this public health crisis; not only has our region become a hot spot for COVID-19 cases, but also our tourism-based economies are at a standstill, causing local budgets to crater while our critical services are needed more than ever.

Colorado municipalities need the State of Colorado to allocate resources from the new federal "Coronavirus Relief Fund" that the CARES Act will distribute to states, tribes, territories, and units of local government with over 500,000 in population by April 27. We understand that the State of Colorado is due to receive approximately \$2.23 billion in funding for "necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 19," and that this funding is meant to be distributed on a population proportion basis. While only very large (>500,000 population) local governments receive a direct federal distribution, the distributions to State Government are intended to be provided, in part, to cover necessary COVID-19 response expenditures by units of local governments.

The City of Glenwood Springs requests that the Office of Governor Jared Polis and his team be ready to quickly distribute Relief Fund resources to Colorado cities, towns, and counties that:

- Enables cities to handle **necessary virus response expenditures**;
- Fairly reflects the **population proportion share** of individual Colorado jurisdictions and other factors impacting localities now; and
- Establishes a simple and **workable process** for cities, towns, and counties to request, receive, use and track Relief Funds.

Our jurisdictions requests collaboration and agreement with the State of Colorado on which COVID-19 response expenditures would generally be considered for “necessary expenditures” eligible for reimbursement by Relief Funds, including:

- 1.) Municipal **health department & public health worker expenditures** associated with response to COVID-19;
- 2.) Municipal **emergency operation center expenditures** associated with response to COVID-19;
- 3.) Municipal **paramedic & emergency medical services and worker expenditures** associated with response to COVID-19, including overtime payments;
- 4.) Municipal **law enforcement expenditures** associated with response to COVID-19, including overtime payments;
- 5.) Municipal **fire department expenditures** associated with response to COVID-19, including overtime payments;
- 6.) Municipal expenditures on **personal protective equipment, medical supplies & other materials** associated with response to COVID-19;
- 7.) Municipal **sanitation expenditures** associated with response to COVID-19;
- 8.) Municipal expenditures for **public communication & outreach** associated with response to COVID-19;
- 9.) Costs of municipal **utility bill forgiveness, fee waivers, and other costs** related to the response of local citizens resulting from the virus.

We request that the State of Colorado work with local government leaders to establish a simple and workable process, such as a web-based form or template document, together with timelines and procedures that reflect municipal accounting processes, and a clear methodology for calculating eligible expenditures for Relief Fund reimbursements. We also ask that in determining the methodology for allocation of these funds, you consider the immense amount of lost revenues we are experiencing as tourism-based communities on the Western Slope due to plunging sales receipts and the inability to collect fees on regular services that can no longer be provided during this public health crisis.

Please contact City Manager Debra Figueroa at (970) 309-2494 debra.figueroa@cogs.us to discuss further.

Sincerely,

Jonathan Godes, Mayor
City of Glenwood Springs