



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
MARCH 18, 2021
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: Mar 18, 2021 03:15 PM Mountain Time (US and Canada)

Topic: 2021/03/18 Regular Council Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86351503357>

Or iPhone one-tap :

US: +16699006833,,86351503357# or +12532158782,,86351503357#

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Webinar ID: 863 5150 3357

International numbers available: <https://us02web.zoom.us/j/86351503357>

WORK SESSION

3:15	2. Water Rate Study Discussion	Information/Discussion
4:00	3. Broadband Town of Eagle IGA Draft Scope of Services	Information/Discussion
4:15	4. Tourism Promotion Work Session	Information/Discussion

REGULAR SESSION

6:15	5. Roll Call	
	6. Pledge of Allegiance	
	7. Agenda Changes & Conflicts	
	8. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)	

- 6:15 9. Council Comments
- 6:30 10. Consent Agenda
All matters under consent are considered to be routine and will be enacted by one motion and vote. The titles will not be read aloud. There will be no separate discussion on these items unless a Councilmember or Audience Member so requests.
- A. Minutes From March 4, 2021 Council Meeting
 - B. Minutes From February 25, 2021 Special Council Meeting
 - C. Minutes From November 5, 2020 Council Meeting
 - D. Minutes From October 15, 2020 Council Meeting
 - E. Lease Renewal at 2205 South Grand

Meeting Set-up

ACTIONS AND/OR PRESENTATIONS

- | | | |
|------|---|--------------------------|
| 6:30 | 11. South Midland Progress Report | Presentation |
| 6:35 | 12. Introduction of Cheryl Strouse, Executive Director of the Garfield County Housing Authority | Presentation |
| 6:45 | 13. Transportation Commission Appointments | Discussion and/or Action |
| 6:50 | 14. Financial Advisory Board Appointments | Discussion and/or Action |
| 6:55 | 15. VALE Board Appointments | Discussion and/or Action |
| 7:00 | 16. Ordinance No. 1, Series 2021, Adopting Inclusionary Zoning for Affordable Housing, Second Reading | Discussion and/or Action |
| 7:30 | 17. Resolution 2021-06, Community Housing Guidelines | Discussion and/or Action |
| 8:00 | 18. 27th St. Underpass | Information/Discussion |
| 8:30 | 19. Deputy Fire Chief Position | Discussion and/or Action |
| 8:45 | 20. Fixing America's Surface Transportation Reauthorization and FY 2022 Appropriations | Discussion and/or Action |
| 9:15 | 21. Planning Item 11-21 Consideration of a Right-of-Way Encroachment License and an Easement Vacation for the Bell Rippy multi-family/duplex development. | Information/Discussion |
| | This item is expected to be continued until the regular scheduled Council meeting on April 1, 2021. | |
| 9:40 | 22. Report from City Administration | |
| | A. City Manager | |
| | B. City Attorney | |
| | C. Correspondence Incoming/Outgoing | |
| 9:45 | 23. Adjournment | |



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Water Rate Study Discussion

Action Requested: Discussion on the Water Rate Study Recommendations

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director
Steve Boyd, COO

Background Info: The City of Glenwood Springs Water and Wastewater Departments initiated an updated rate study in 2020. The previous rates study was completed in 2014 and the last water/sewer rate increase was approved in 2015. Staff has completed a 10 year infrastructure and facility plan that includes \$38 million dollars of capital improvements needed over the next 10 years to bring the system back up to an acceptable level, create redundant water sources, upgrade the storage volume in town, upgrade plant operating capacities and initiate a pipe replacement program.

At current rates, the two funds do not generate enough revenue to cover these costs or additional debt coverage related to improvements needed due to the 2020 Grizzly Creek fire. Staff and our water rate study consultant, GovRates, have now completed what we are calling an Interim rate increase solution. We call it interim, because staff would like to keep GovRates working in 2021-2022 on a meter size base-rate system to replace the existing flat fee/tiered volume rate system we currently have in place. The report by GovRates recommends a 36.8% overall increase in fees in 2021, along with a reoccurring 5% increase in fees over the duration of the Capital Plan schedule through 2030.

Other communities in the valley are dealing with the same aging infrastructure issue as the City of Glenwood Springs. Back in 2017 Rifle voters approved a 0.75% sales tax increase to help fund a \$30 million dollar water treatment plant and in 2020 their council approved a 5% increase to the sewer fees. The recent report from JVA on the Rifle system showed up to \$164.3 million dollars of infrastructure needs within their system through the year 2040.

The Town of Carbondale implemented a rate increase plan in 2017 that would see their flat fees for water/sewer increase 7.5% and 5% respectively, with a standard 5% increase each year over the 8 years of the program, bringing the total increase in around 47.7% accruing over that time period to deal with infrastructure needs in their community.

The Town of Basalt was in the same situation as the City of Glenwood Springs is in 2018, when they moved to increase their rates 48% to catch up on costs when they had also not raised rates in 5 years. This is a reoccurring theme and the City of Glenwood needs to be consistent on small rate increases in the future so as to not need to see these large scale jumps.

The increased being recommended to the City's rates is to ensure that the City can maintain a high level of confidence in its system, continue to provide adequate fire flows, retain an acceptable level of reserves in the fund, provide quality water and continue to meet all requirements that State/Federal agencies place on our operations well into the future.

This work session is informational in nature and City Council will not be asked to make a decision.

Issues: None at this time.

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Broadband Town of Eagle IGA Draft Scope of Services

Action Requested: No action requested at this time

Department: Broadband

Presented By: Matthew Langhorst, Public Works Director
Michael Gardner, Broadband Superintendent

Background Info: The Town of Eagle is looking to follow suit with Glenwood and other communities with a fiber to home project of their own. Eagle hired UpTown Consulting, as the City of Glenwood Springs did, to layout the system design and create a proforma for the construction and in house services portion of the project. As UpTown reviewed the in house services options for the project, the most reasonable way for the Town of Eagle to make the project work was to team with the City of Glenwood Springs on portions of the services side and pay the City of Glenwood a small monthly fee per hook up as the Town comes online. This allows the Town of Eagle to not hire a full services staff, but to utilize the City of Glenwood Staff.

This option actually works well for the City of Glenwood by adding more service side calls and work load to the people we are hiring for our system, which in turn will help pay for their annual costs to our project. Glenwood fiber to home project is on the smaller side of of a broadband implementation plan, so any additional units added to the service side of the system is actually beneficial up to a point. It is anticipated that these added calls will not overwork the projected staffing in Glenwood, so their would be no need currently for any additional staff hiring outside of what was originally anticipated.

The City has been working with the Town of Eagle on a scope of service document that will outline each party's responsibilities in our Broadband agreement. That scope of services exhibit has been added to this staff report for council review.

Issues: None at this time

Staff Recommendation: Staff is Recommending the Scope of Services be moved forward to a formal IGA agreement with the Town of Eagle.

Town of Eagle and City of Glenwood Springs IGA: Division of Functional Responsibilities

Operating Functions	Eagle Responsibilities	Glenwood Springs Responsibilities
Operational Systems Management	• Maintain necessary GLDS and associated software licenses providing similar broadband function to the GS configuration. • Maintain necessary Momentum Telecom and associated software licenses providing similar VoIP function to the GS configuration. • Maintain a payment processing vendor that integrates with GLDS • ToE will be the service provider of record for broadband and voice services	• Recommend system inputs, fields, and other settings to initially configure BroadHub • Configure ToE pricing as needed in BroadHub • Manage GLDS system configuration changes for ToE • Provide bandwidth from ToE to 910Telecom
Reporting	• Run and utilize BroadHub reports as needed for operational supervision and work order management of customer installs, service calls, and service suspensions/disconnects	• Report network performance metrics (SLA metrics) on a monthly basis
Service Area Launches	• Provide advance notification to GS of upcoming service launches and quantity of new serviceable premises • ToE will limit new service launches to no more than 100 new premises per month without prior authorization from GS	
Active Network Maintenance and Support		• Provide network administration and troubleshooting functions for all centralized electronics (e.g. server configuration, firewall, equipment monitoring, etc.) • Tier 1 & 2 support of FTTP electronics • ONT provisioning
Equipment Selection	• Procure necessary network equipment and materials for construction and installs • ToE will exclusively utilize Calix, GLDS, VoiceLog, and Momentum during the term of the agreement* • Provide GS electronic inventory files of upcoming deliveries prior to equipment delivery in ToE • Confirm packing slip inventory to received goods • Manage own inventory, inventory counts, and reconciliations	• Advise in the selection of necessary network equipment and materials • Add ToE received goods into their GLDS inventory
Equipment Installation	• ToE will source and manage its own OSP construction activities	• Advise in the selection of necessary installation materials and methods

Town of Eagle and City of Glenwood Springs IGA: Division of Functional Responsibilities

Operating Functions	Eagle Responsibilities	Glenwood Springs Responsibilities
	ToE install technicians will update all subscriber accounts using WinForce Tech	
Field Technical Services	Provide onsite service and support for ToE subscribers including customer installs and service truck rolls	- Respond to major outages (e.g. fiber cuts or splicing) involving OSP repairs - ToE to notify GS in writing of outage response request - Response time will be 2 hours to initiate remedial action - Fees are \$250/hour with a 4-hour minimum.
Help Desk		- Provide Tier 1 Help Desk support 8am-9pm M-F - All other times are after hours - Initiate Tier 2 support as needed - Manage MyBroadband account portal for customers to open tickets and check status
Residential & Commercial Sales	- Direct customers to the MyBroadband market portal - Provide customers phone number to contact a GS CSR** - All sales planning, direct marketing collateral, and advertising to be developed and produced by ToE	- Manage the MyBroadband Market Portal - CSRs will be staffed and answering customer calls from 8am-9pm Monday-Friday - Collect required information from customers over the phone to create new subscriber accounts in BroadHub - Create work orders as needed in BroadHub
Enterprise Broadband and Voice Sales	- Engage GS sales and sales engineering for collaboration - All marketing, sales planning, collateral	Provide resources and expertise to assist ToE in gaining enterprise broadband and voice subscribers
House File & Address Validation	- Provide an initial reference address file - Resolve addressing issues preventing subscriber turn-up within 5 days - During implementation provide electronic updates of addresses changing status as service areas are released	- Load an initial reference address file (house file) into BroadHub - Update house status in BroadHub as directed by ToE when service areas are released - Manage address corrections in BroadHub
Billing	- ToE will match GS billing cycles/dates - Manage any subscriber billing issues not resolved by GS CSRs - Production and mailing of hardcopy customer bills*** - Any cash payments would need to be at Town Hall	- GS will process each bill cycle via BroadHub - CSRs will work to resolve billing issues and escalate any unresolved issues to ToE - Credit authority of GS CSRs will be \$XX
Monthly Fees	- Remit \$10/month/subscriber to GS within 10 days or invoice receipt - Remit \$.25/Mbps for monthly bandwidth usage	Provide monthly invoice listing subscriber counts, Network Bandwidth fees, and any additional services

Town of Eagle and City of Glenwood Springs IGA: Division of Functional Responsibilities

Operating Functions	Eagle Responsibilities	Glenwood Springs Responsibilities
	to 910Telecom (billed in 1G increments)	
Marketing	• Manage public relations to provide Eagle citizens information about services and support • Develop, produce, and distribute required direct marketing collateral to potential subscribers • Develop, produce, and purchase media for any advertising required	

*The exclusive vendor list may include OnTrac for customer installations if GS terms are honored for ToE

**Will this be a phone number unique to ToE?

**Alternatively ToE can compensate GS for hardcopy billing subject to identification of costs



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Tourism Promotion Work Session

Action Requested: NA

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: Yearly work session with City Council. The non-Council participants will be Nancy Heard, John Goss, Scott Dyer, Kristina Clary, Sharon Brady, Patrick Drake, Taylor James, Mike Mercatoris, Lindsay Ball, Suzanne Emory, Heather Montross-Cowan, Heidi Pankow, and Lisa Langer.

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Minutes From March 4, 2021 Council Meeting

Action Requested: Approve minutes from March 4, 2021 Council Meeting

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
MARCH 4, 2021
101 W. 8TH STREET
6:15 PM

Note: Official meeting minutes are located on the City website via YouTube video at the following link: <https://www.youtube.com/user/GlenwoodSprings1885/videos>. The times indicated in agenda items indicate approximately where the item can be found on the YouTube video timeline.

REGULAR SESSION

:03 Roll Call

Present: Mayor Godes, Mayor Pro-Tem Kaup, Councilor Willman, Councilor Wussow, Councilor Stepp, Councilor Hershey, Councilor Davis. Also present were Debra Figueroa, City Manager; Steve Boyd, COO; Jenn Ooton, Asst. City Manager and Karl Hanlon, City Attorney.

:03 Pledge of Allegiance

Mayor Godes led the Pledge.

:04 Agenda Changes and Conflicts

Councilor Willman asked 10B be taken off the Consent Agenda.

:04 Citizens Appearing Before Council

No comments offered.

:05 Council Comments

:05 Councilor Hershey complimented VVH staff for an efficient experience getting his vaccine. Also supported continuing with private security downtown.

:06 Councilor Willman agreed with VVH comments. Also, CML mentioned funding availability for main street funding, is interested in a local circulator and referred Steve Beckley to the Transportation Commission for discussion.

:09 Councilor Stepp congratulated Charlie and Tony for getting their shots. Said they had a detox funding meeting, space still available at Mind Springs, mobile unit may be an option, more information to come. Wants to discuss what will be allowed in outdoor dining downtown in the summer.

:11 Councilor Wussow commended the community for reaching out to Councilors over the last two weeks, and Councilors for being receptive.

:12 Debra agreed we should talk about outdoor dining, but in the summer/fall because it currently expires in September.

:12 Mayor Godes stated he thought a guest column in the Post Independent had inaccurate information and expressed disappointment in the Post Independent to have allowed misinformation to be printed. Also complimented the Post for its accurate reporting.

:17 Consent Agenda

Councilor Hershey moved, Mayor Pro-Tem Kaup seconded a motion to approve consent not including item 10B – Local Jurisdiction Letter. Passed 7-0.

Councilor Hershey moved, Councilor Wussow seconded a motion to approve item 10B – Local Jurisdiction Letter. Councilor Willman approved. Passed 6-0.

:19 Proclamation for Matt Nunez

Mayor Godes stated Matt submitted photographs for the new driver's licenses and two of the four were accepted. Matt said he had three photos as finalists and one of them was picked from 280 submittals.

ACTIONS AND/OR PRESENTATIONS

:22 Blake Street Configuration

Jessica Bowser, Assistant City Engineer and City Engineer Terri Partch presented options A through D that staff has developed to address the opening of the Blake Gate and traffic flow between 26th and 27th Streets on Blake Avenue.

1:09 Mayor Godes opened it up to public comment.

Steve Smith opposed Alternative C for safety reasons resulting from mixing vehicle, pedestrian and bicycle traffic.

Frank Martin thanks staff for the thorough planning and advocated on behalf of the neighborhood and supported the one-way alternatives.

1:16 Councilor Stepp moved, Councilor Willman seconded to conduct a temporary test for one-way traffic from 26th to 27th, including gathering traffic counts, from time of Certificate of Occupancy for at least six months to see how traffic flows and look at the budget in the

meantime to find money for infrastructure including sidewalks if we decide to go to two-way traffic in the future.

Ayes: Kaup, Wussow, Willman, Hershey, Stepp

Nayes: Godes, Davis

Motion passed 5-2.

1:38 South Bridge Design Vote

1:39 Mayor Pro-Tem Kaup moved, second by Councilor Wussow, to take the preferred design including the tunnel to 100% design and at the same time pursue partners, grants and other available sources of funding.

2:21 Ayes: Wussow, Hershey, Davis, Kaup

Nayes: Stepp, Willman, Godes

Motion passed 4-3.

2:22 Willman moved, second by Godes to direct City staff to pursue an airspace study per Option 2 to determine whether it is feasible, and determine how many planes, what kind and how many flights come in and out of the airport and report back to Council as soon as possible.

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

Nayes: Hershey

Motion passed 6-1.

2:54 Tourism Promotion Board Structure

Councilor Willman expressed concern that several people may drop off of this board at the same time, and the structure of the board make-up needs to be revisited to consider having alternates.

3:11 Tourism Promotion Board Appointments

3:14 Councilor Willman moved, Mayor Pro-Tem Kaup seconded to appoint Patrick Drake to the resident business seat, term ending 2024. Passed unanimously.

3:14 Councilor Willman moved, Councilor Hershey seconded to appoint Mike Mercatoris as Chamber representative with term ending 2024. Motion carried 4-3.

3:15 Mayor Godes moved, Councilor Wussow seconded a motion to appoint Taylor James to the Lodging seat. Motion carried unanimously.

3:15 Councilor Willman moved, Councilor Wussow seconded to appoint Heather Montrose-Craven, Lindsey Ball and Suzanne Emery as alternates with no end date. Passed 4-3.

3:19 (motion restated at 3:26) Airport Commission Appointments

3:26 Mayor Godes moved, Councilor Hershey seconded to affirm Stephanie Stanfield as regular member and Sean Thomas as alternate for term ending 2024 and Stephanie for term ending in 2023. Motion carried 6-0 with Paula not able to vote because of temporary loss of internet connection.

3:22 River Commission Appointments

3:22 Mayor Pro-Tem Kaup moved, Mayor Godes seconded to reaffirm Scott Schreiber and Erika Gibson for appointments expiring in three years, and Richard “Chip” Fisher to a term expiring in three years. Motion carried unanimously.

3:23 Parks and Recreation Commission Appointments

3:24 Councilor Davis moved, Mayor Pro-Tem Kaup seconded to appoint Kris Smulczynski and Jasmine Ramirez to terms ending in three years. Motion carried unanimously.

3:24 Arts and Culture Board Appointments

3:25 Mayor Pro-Tem Kaup moved, Councilor Willman seconded to appoint Jenny Tremble to a term ending in 2024 and John Carr to a term ending in 2023. Motion passed 6-0 with Councilor Stepp not able to vote because of temporary loss of internet connection.

3:34 Resolution 2021 No 5 – Adopting an update to the Downtown Plan of Development of the Glenwood Springs Downtown Development Authority

Laura Kirk, Director of DDA summarized the plan update to mission, vision, objectives, goals and potential projects. The TIF would remain unchanged.

9:48 Councilor Willman moved, second by Councilor Davis to approve Resolution 2021-5.

Motion passed 7-0.

3:39 Report from City Administration

City Manager Debra Figueroa said the Community Center will be closed for at least a day for contract tracing from a presumed positive COVID case from an employee.

3:40 Adjournment

Motion by Councilor Willman, second by Mayor Pro-Tem Kaup to adjourn. Passed unanimously.



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Minutes From February 25, 2021 Special Council Meeting

Action Requested: Approve minutes from the February 25, 2021 Special Council Meeting

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:



AGENDA
CITY OF GLENWOOD SPRINGS
SPECIAL CITY COUNCIL MEETING
FEBRUARY 25, 2021
101 W. 8TH STREET
6:15 PM

MEETING MINUTES

Note: Official meeting minutes are located on the City website via YouTube video at the following link: <https://www.youtube.com/user/GlenwoodSprings1885/videos>. The times indicated in agenda items indicate approximately where the item can be found on the YouTube video timeline.

:02 Roll Call

Present: Mayor Godes, Mayor Pro-Tem Kaup, Councilor Willman, Councilor Wussow, Councilor Stepp, Councilor Hershey. Councilor Davis. Also present were Debra Figueroa, City Manager; Steve Boyd, COO; Jenn Ooton, Asst. City Manager and Karl Hanlon, City Attorney; Terri Partch, City Engineer; Ryan Muse, City Clerk

:02 Pledge of Allegiance

Mayor Godes led the Pledge.

:02 Citizens Appearing Before Council

None.

:06 South Bridge Evacuation Route Presentation

:06 City Engineer Terri Partch led a presentation through the Cost Benefit Analysis Evacuation Route Modeling. Key points covered included:

- Fire history within district
- Fire frequency
- Rate of fire spread
- Assumptions of the evacuation model
- Evacuation model conclusions

:29 Mina Bolton, Glenwood Springs Fire Department led a presentation involving the East Troublesome Fire and the evacuation process from Estes Park. Fire Chief Gary Tillotson further explained that many factors including weather and recent drought condition impact the speed a fire spreads. Also reinforced the need for residents to be immediately prepared including everyone signing up for reverse 911, performing fire mitigation around the home and knowing the evacuation routes.

:32 Chief Tillotson said the Garfield County and City of Glenwood Springs websites have a link that residents can go to and register with reverse 911. He also said resources in most fire departments have resources available for small grants to help homeowners get reimbursed for some costs incurred from creating defensible space from fire danger.

:43 Terri Partch said crews working on the South Midland project have the ability to clear the Midland corridor quickly and safely.

:51 Debra Figueroa asked for Council permission to add a Deputy Fire Chief to the staff in 2021 to better prepare for any upcoming fire events.

:57 Mayor Godes opened the meeting for public comment.

1:14 Mayor Godes closed the meeting for public comment.

1:15 South Bridge Design Options Impacting the Glenwood Springs Airport

City Engineer Terri Partch presented an update for the engineering design of South Bridge to provide options to the proposed tunnel under the runway, which would cost an estimate of \$6,000,000. Three options were presented. The first is to reduce the runway on the South end only. The second option to shorten the runway by roughly 43 feet. This option would be done by shortening the airport runway and building South Bridge through the south end while maintaining maximum useable airport length.

1:40 Attorney Hanlon said there were no deed restrictions on the airport limitation for use of the property.

1:45 Mayor Godes opened the meeting to public comment.

2:48 Mayor Godes ended public comment.

2:48 Councilor Hershey pointed out the need for traffic to be able to reach Highway 82 without having to go back through town. Does not support a tunnel because it's too expensive to build and maintain.

2:52 Councilor Kaup clarified Glenwood's portion of the cost for the 27th Street underpass is \$500,000, not \$9 million. Appreciates the efforts to shorten the runway but the maintenance facility would impair the airport and hurt a small business. We have a BRIC grant on the table, we need to talk to the County Commissioners and try to find the \$6 million in grant or other funding.

2:57 Councilor Willman inquired as to whether FAA money may be available. Karl Hanlon said we'd have to have be on their 2-year list to compete for funds through the Airport Improvement Plan (AIP). The funding stream we'd be looking at instead would be through CDOT aeronautical which could provide much smaller dollar amounts. Terri Partch said the ongoing maintenance cost of a tunnel would be similar to that of a bridge and we would have to consider both maintenance and saving for replacement cost. Said he can't support a \$6 million price tag on a tunnel given our other infrastructure needs.

3:06 Councilor Wussow believes this decision is to monumental to make without further research and more consideration and makes a motion to table the item until the next meeting.

3:08 Councilor Stepp believes a \$6 million price tag is high, and we need to reach out to the County and other partners to see if we can

3:14 Councilor Davis pointed out shortening the runway by 43 feet vs. \$6 million to tunnel underneath the runway seems like a good bargain.

3:06 Councilor Wussow moved to continue the discussion to another meeting. Councilor
Hershey seconded.

Ayes: Hershey, Wussow, Stepp, Kaup, Willman

Nays: Davis, Godes

3:17 Adjournment

3:17 Councilor Hershey moved, second by Councilor Stepp to adjourn.

Passed unanimously.



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Minutes From November 5, 2020 Council Meeting

Action Requested: Approve minutes from the November 5, 2020 Council Meeting

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
NOVEMBER 5, 2020
101 W. 8TH STREET
6:15 PM

REGULAR SESSION

3. Roll Call

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

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Catherine Fletcher; City Clerk, Jenn Ooton; Assistant City Manager, Steve Boyd, COO; Yvette Gustad; Finance Director, Terri Partch; City Engineer, Matt Langhorst; Public Works Director, Gretchen Ricehill; Assistant Director for Economic and Community Development, and Brian Smith; Parks and Recreation Director.

4. Pledge of Allegiance

Mayor Godes led in the pledge of allegiance.

5. Agenda Changes & Conflicts

Councilor Wussow recused herself from the Oasis Creek Rezoning item as she had served on the Planning and Zoning Commission.

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

No comments were made.

7. Council Comments

Councilor Willman, seconded by Mayor Godes moved to approve three Transportation Commission subcommittees (Parking, Bicycle-Pedestrian, and Mass/Alternate Transit).

Ayes: Godes, Wussow, Kaup, Willman

Nays: Hershey, Davis, Stepp

Councilor Willman - Also noted the Transportation Commission did not expect staff or City Council liaisons to attend these meetings.

Councilor Stepp – Discussed parking for veterans.

Mayor Godes – Noted COVID-19 cases increasing and the importance of precautions.

8. Consent Agenda

All matters under consent are considered to be routine and will be enacted by one motion and vote. The titles will not be read aloud.

A. Amended Garfield County MOU for Traveler Services

- B. Ordinance 23, Series of 2020; An Ordinance of the City of Glenwood Springs, Colorado temporary amending sections 120.030.070(b) and 120.030.080(b) of the municipal code to allow consumption of alcoholic beverages in designated public areas within the City of Glenwood Springs (SECOND READING)

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

Motion passed unanimously.

ACTIONS AND/OR PRESENTATIONS

9. State Opioid Settlement Presentation

Jarid Rollins, Project Director for Behavioral Health Clinician/ Community Opioid Treatment Strategy at MidValley Family Practice – Presented on this item. He discussed state and local trends. He made note of the opioid state settlement agreement.

10. DNR Project Presentation on the Fire Mitigation Efforts in South Canyon

Tara Tafi, Colorado Department of Natural Resources Division of Reclamation, Mining, and Safety (CO DRMS) – Presented on this item and discussed project objectives.

11. Audit Presentation

Paul Backes and Matt Miller, McMahan and Associates – Presented on this item. He discussed the auditing process and the city's audit. Recommendations going forward were discussed. Staff recommended acceptance of the audit presented.

Councilor Willman, seconded by Councilor Davis moved to approve the audit presentation.

Motion passed unanimously.

12. Approval of 2021 Budget

Mayor Godes, seconded by Councilor Stepp moved to approve the 2021 budget.

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

Nays: Hershey

Motion passed.

13. Planning Item 15-20 - Consideration of a request for a Preliminary Plat to amend the Oasis Creek Tract A Subdivision to allow for the construction of duplexes on lots previously platted for single-family homes

Councilor Wussow recused. Trent Hyatt, Senior Planner – Made note that no further public comment was received for this item.

Councilor Hershey, seconded by Councilor Willman moved to approve Planning Item 15-20 subject to conditions set forth in the staff report.

Motion passed 6-0.

14. Planning Item 44-20 Consideration of a request for a special use permit for a retail marijuana establishment in the M1 Mixed-Use Corridor District

Trent Hyatt, Senior Planner – Made note that no further public comment was received for this item.

Councilor Willman, seconded by Mayor Pro Tem Kaup moved to approve Planning Item 44-20 subject to staff revisions.

Ayes: Kaup, Davis, Stepp

Nays: Wussow, Hershey, Godes, Willman

Motion failed.

Councilor Wussow, seconded by Councilor Hershey moved to deny Planning Item 44-20 based on not meeting the comp plan to diverse economic development and for not supporting a small-town character.

Ayes: Willman, Wussow, Hershey

Nays: Kaup, Godes, Davis, Stepp

Motion failed.

Mayor Godes, seconded by Mayor Pro Tem Kaup moved to approve Planning Item 44-20 with staff findings and conditions as recommended by the Planning and Zoning Commission.

Ayes: Kaup, Godes, Davis, Stepp

Nays: Wussow, Willman, Hershey

Motion passed.

15. Parks and Recreation Commission Recommendation on Proposed 106 Acre Park

Debra Figueroa, City Manager – Presented on this item. She made note of Aspen Valley Land Trust's involvement, and discussed the Parks and Recreation Commission recommendations of this area - including a multi-agency task force. Debra was given direction to discuss the task force with Garfield County.

Mayor Godes opened the item for public comment.

Laura Speck – Noted her support for cleanup of this area and this proposal.

Mayor Godes closed the item for public comment.

Councilor Stepp – Noted she will continue as a liaison for the proposed taskforce.

16. Resolution 2020-36; A Resolution of the City Council of the City of Glenwood Springs, Colorado Adopting an Amended Development Review Fee Schedule

Jenn Ooton, Assistant City Manager – Gave background on this item and discussed the proposed fees.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Councilor Willman, seconded by Councilor Stepp moved for the adoption of Resolution 2020-36; A Resolution of the City Council of the City of Glenwood Springs, Colorado Adopting an Amended Development Review Fee Schedule.

Motion passed unanimously.

17. Ordinance No 24, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado Creating the Community Broadband Network Enterprise (FIRST READING)

Yvette Gustad, Finance Director – Gave background on this item. She discussed the need for an enterprise fund for 2020.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Mayor Pro Tem Kaup, seconded by Mayor Godes moved to approve Ordinance No 24, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado Creating the Community Broadband Network Enterprise (FIRST READING)

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

Nays: Hershey

Motion passed.

18. Consideration of a Planning and Zoning Commission appointment to fill a vacant seat.

Gretchen Ricehill, Assistant Director for Economic and Community Development - Presented on this item. Staff recommended appointing Ben West to a regular seat to expire February 2022.

Councilor Wussow, seconded by Councilor Stepp moved to approve the appointment of Ben West for the Planning and Zoning vacancy.

Motion passed unanimously.

19. South Bridge Update

Terri Partch, City Engineer – Presented this update. In the background she noted the origins of this project came about due to the Coal Seam fire in 2002. The project design was reviewed. She is instructed to find out the cost of constructing a tunnel. Furthermore, Councilor Davis believes that the City should only pay for half of the construction cost because the project will take place outside of City limits, on County property. Davis states that many of his constituents do not want the project completed and there will always be the ability to land and fuel helicopters at this airport. Mayor Pro-Tem Kaup agrees that the City should pursue the design to discover the details of the project. She stated that the potential cost of a tunnel would greatly reduce the ability of the City's road budget. She agrees that the County should pay their fair share.

Councilor Davis, seconded by Councilor Hershey moved not to exceed \$75,000 for a study to tell Council the cost of this project with or without the tunnel.

Motion passed unanimously.

Councilor Wussow, seconded by Councilor Hershey moved to give City Manager Debra Figueroa direction to request from Garfield County that they match whatever the City is willing to put into the final project.

Motion passed unanimously.

Mayor Pro-Tem Kaup, seconded by Councilor Stepp moved to direct staff to pursue funding level of approximately \$17,000,000-\$20,000,000 from CDOT for the construction of the intersections of South Bridge the upgrades to County Road 154 and any other improvements along State Highway 82 that are associated with the project.

Motion passed unanimously

20. Face Covering Public Health Order

Mayor Godes stated that the only thing the City has different from the State is that the City has an indoor/outdoor mask covering order. It is expired and it is up to Council whether they would like to reinstitute the Downtown Face Mask Public Health Order. Councilor Davis said that he would prefer if the City followed Governor's lead. City Manager said there is no perfect solution for outdoor dining during the winter and it will just have to be treated like indoor dining. Councilor Willman is concerned about enforcement. He does not believe the City should pass rules if they do not plan on enforcing them. Attorney Hanlon clarified that without a City order, they County and State rules would take over. Councilor

Kaup said that she has received a lot of appreciation for the extra precaution the Council has taken. Mayor Godes believed that this is a pro-business issue with a lot of people putting on masks between their cars and restaurants and shops.

Mayor Godes, seconded by Mayor Pro-Tem Kaup moved to reinstitute the Downtown indoor/outdoor face covering public health order until such a time when the City can bring back an ordinance for formal adoption and consideration.

Ayes: Kaup, Wussow, Stepp, Hershey, Willman, Godes

Nays: Davis

21. CARES Act Funding

City Manager Debra Figueroa broke down how the CARES Act Funding was being distributed. Debra suggested that the City distribute the final one third of the remaining funds into the community instead of splitting it with the City because the City's general fund is doing better than expected for 2020.

Councilor Willman, seconded by Mayor Pro-Tem Kaup moved to approve Debra's recommendation to send out the attachment in the agenda item update October 31, 2020 to have staff focus the money on restaurants.

Motion passed unanimously.

22. Report from City Administration

A. City Manager

Debra Figueroa wanted to streamline the process of interviewing applicants for Boards and Commissions by planning to do open interviews during their meeting times. She wanted to know whether the liaisons wanted the Board or Commission to be present for the interview.

B. City Attorney

None

C. Correspondence Incoming/Outgoing

None

23. Adjournment

10:11



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Minutes From October 15, 2020 Council Meeting

Action Requested: Approve minutes from the October 15, 2020 Council Meeting

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
OCTOBER 15, 2020
101 W. 8TH STREET
6:15 PM

REGULAR SESSION

4. Roll Call

Quorum

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

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

5. Pledge of Allegiance

Mayor Godes led in the pledge of allegiance.

6. Agenda Changes & Conflicts

Information

None

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

None

8. Council Comments

Mayor Pro Tem Kaup wanted to know when the city would be able to adopt the new IECC building code. Debra Figueroa, City Manager, reported that it will happen in 2021.

Councilor Hershey encouraged the rest of Council to tour the area East of Walmart. Mayor Godes would like to hear staffs' objective analysis of the two airport studies in 2021.

9. Consent Agenda

Discussion and/or Action

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.

A. Recycle Center Bid Award for Bid BD2020-033

B. Resolution 2020-33; A Resolution of the City Council of the City of Glenwood Springs, Colorado, accepting a GOCO Resilient Communities Grant for the Glenwood Springs Equitable Access & Emergency Parks Maintenance Project

- C. Approval of Sole Source Purchase of Fire Equipment
- D. Receipt of Minutes from August 8, 2020 Regular Meeting

Councilor Willman, seconded by Councilor Davis moved to approve the consent agenda.

Motion passed unanimously.

ACTIONS AND/OR PRESENTATIONS

10. Black Hills Energy Update

Discussion and/or
Action

Agenda item 10 was moved after item 12 due to technical difficulties.

Jason Cox presented that Black Hills Energy is going to upgrade a section of pipe on South Midland Avenue during the same time the City is going to start their project. Terri Partch stated that we can have contractors on site at the same time, but we must start at our designated start date in December.

11. CONTINUED FROM SEPTEMBER 17, 2020 MEETING Appointments to Boards and Commissions
-Historical Preservation Commission

Discussion and/or
Action

There are four seats up for renewal on the HPC.

Councilor Davis, seconded by Councilor Hershey moved to allow the three members to continue their roles on the HPC and appoint the new applicant to the HPC and allow the Board to decide the alternate.

Ayes: Kaup, Hershey, Davis, Willman

Nayes: Godes

12. Public Budget Hearing on 2021 Budget

Information/Discussion

Chief Operating Officer for the City, Steve Boyd, and Public Works Director for the City, Matt Langhorst, presented that the Broadband budget for 2021 would be \$3,884,544.

Steve Boyd stated that the property tax assessment has come in and the outcome was slightly larger than expected. The City will have more money in their General fund from property tax and the Rural Fire District will now transfer more money into Glenwood's Fire Department. The transfer to the Glenwood Springs Fire Department from the City's general fund will drop from the original estimate of a \$230,000 loss to now a \$25,000 loss.

Mayor Godes opened item to public comment.

Mayor Godes closed item to public comment.

13. Planning Item 15-20 - Consideration of a request for a Preliminary Plat to amend the Oasis Creek Tract A Subdivision to allow for the construction of duplexes on lots previously platted for single-family homes Discussion and/or Action

Trent Hyatt presented that this Subdivision met all requirements for approval, but the Cities approval does not circumvent the approval of the HOA or neighborhood covenants. The Planning and Zoning Commission voted 5-0 as well as staff to recommend approval with conditions.

Doug Pratte presented for the applicant.

Mayor Godes opened the item for public comment.

Mayor Godes closed the item for public comment.

Mayor Pro-Tem Kaup, seconded by Councilor Hershey moved to continue item to the next meeting.

Motion passed unanimously.

14. Planning Item 44-20 Consideration of a request for a special use permit for a retail marijuana establishment in the M1 Mixed-Use Corridor District Discussion and/or Action

Trent Hyatt presented for a Special Use Permit for Martins Medicinals. He stated that their proposed site at 23 Mel Ray Road complies with all codes. No comments were submitted from adjacent property owners. Planning and Zoning voted 5-0 to recommend with approval. Staff recommends approval with conditions. Trent said the applicant has indicated that they would like to do some redevelopment to the site in the future and if so, that would require an amendment to the Special Use Permit. Vicki Reavis spoke as the applicant and said she looks forward to the move.

Mayor Godes opened the item for public comment.

Mayor Godes closed the item for public comment.

Councilor Hershey, seconded by Councilor Willman moved to continue item to the next meeting.

Motion passed unanimously.

15. Planning Item 61-20 - Consideration of a request for a determination regarding whether a new application is a substantial change to or is materially different from a previously submitted application. Discussion and/or Action

Trent Hyatt presented that the applicant, Kind Castle, made a substantial change to

their application. Their former proposed location was in a retail suite at 2114 Grand Ave. and on June 18, 2020 City Council voted 5-2 to deny the application. According to code, within one year, the City Council must approve whether an application is different from the original in order to accept it.

Chris Hawkins with Alpine Planning gave a presentation on the main difference being that they will use all three suites instead of just Suite C.

Councilor Willman pointed out that the original application showed Suite A being used as an office space for the applicant. Trent said that as long as they have received an application before a new regulation is passed the application would be processed under the old regulations.

Mayor Godes opened the item for public comment.

Haley Carmer, owner of Cedar Lodge Motel next door, feels there is no real difference in the application, the only difference is the ownership of the middle suite. Furthermore, she wanted to state that the traffic issue is not solved and it would spill over onto her motel.

Mayor Godes closed the item for public comment.

Attorney Hanlon stated that substantial and material change to the application is what Council says it is. There is no framework in the code to address what that means. Councilor Davis said that this is substantial because they are now the sole occupant of the building.

Councilor Davis, seconded by Mayor Pro-Tem Kaup moved to determine the applicant has undergone substantial change to, or is materially different from, a previously submitted application.

Ayes: Kaup, Godes, Davis, Willman

Nays: Hershey

16. Planning File 62-20 Appeal of a Planning and Zoning Commission Denial of Variance Requested Related to 820 Bennett Avenue

Discussion and/or
Action

Emery Ellingson presented that the Planning and Zoning Commission denied an application based on code. David and Karen Samuelson submitted a public comment saying they had no problem with the variance.

The applicant presented that due to living next to a church, on Sundays, they have difficulty parking on their block. He said that they have complied with the code for the garage to cover his car, but he said that he needed an 80-foot additional variance to have cover for his storage.

Mayor Godes opened the item for public comment.

Mayor Godes closed the item for public comment.

Councilor Willman stated that although he disagrees with this part of the code, the applicant has created this problem by not meeting the criteria by building a guest house on the property. Mayor Pro-Tem Kaup said the criteria that is created for the variance is a judgement call.

Councilor Davis, seconded by Councilor Hershey moved to approve the project as drawn.

Ayes: Kaup, Hershey, Davis, Godes

Nays: Willman

17. RWAPA IGA and Bylaws

Discussion and/or
Action

Agenda item 17 was moved behind item 18 due to a complication with the presenter. April Long, Executive Director of the Ruedi Water and Power Authority, presented that they are a Governmental Organization that represents the water resources from the entire watershed, not just Ruedi. The previous Council representative was Rick Vorhees and she is looking for a replacement. She stated that one of the biggest threats is the introduction of mussels from Lake Powell and Utah. She was happy with their work with the Roaring Fork Conservancy. She said there is an updated IGA that has been reviewed by the City Staff and City Attorney. Attorney Hanlon informed Council that this IGA is the same as the previous one.

Mayor Pro-Tem Kaup, seconded by Mayor Godes moved to approve the IGA and the new bylaws between RWAPA and the City.

Motion passed unanimously.

18. Ordinance 23, Series of 2020; An Ordinance of the City of Glenwood Springs, Colorado temporary amending sections 120.030.070(b) and 120.030.080(b) of the municipal code to allow consumption of alcoholic beverages in designated public areas within the General Improvement District. (FIRST READING)

Discussion and/or
Action

Jennifer Ooten presented that this ordinance would allow for the City Manager to designate public areas within downtown for consumption of alcoholic beverages. It would require appropriate signage but hopefully would be a solution for having to-go beverages and food sitting out at the tents and heaters. Mayor Pro-Tem Kaup wanted to see if this is capable of being a city-wide ordinance. Jennifer said it is, but staff was using the Downtown area as a starting off point.

Mayor Godes opened the item for public comment.

Mayor Godes closed the item for public comment.

Councilor Willman, seconded by Councilor Davis moved to approve Ordinance 23, Series of 2020; An Ordinance of the City of Glenwood Springs, Colorado temporary

amending sections 120.030.070(b) and 120.030.080(b) of the municipal code to allow consumption of alcoholic beverages in designated public areas within the General Improvement District. (FIRST READING)

Motion passed unanimously.

19. Resolution 2020-32; A Resolution of the City Council of the City of Glenwood Springs, Colorado Extending the Temporary Suspension of Portions of Municipal Code Section 070.040.110 Relating to Temporary Signs. Discussion and/or Action

Attorney Hanlon noted that this is similar to Resolution 2020-24 but the difference is that this one does not expire until Council repeals it.

Mayor Godes opened the item for public comment.

Mayor Godes closed the item for public comment.

Councilor Davis, seconded by Councilor Hershey moved to approve Resolution 2020-32; A Resolution of the City Council of the City of Glenwood Springs, Colorado Extending the Temporary Suspension of Portions of Municipal Code Section 070.040.110 Relating to Temporary Signs.

Motion passed unanimously.

3:04

- 9:55pm 20. AT THE REQUEST OF THE MAYOR WE HAVE ADDED:
Resolution 2020 -34; A Resolution of the City Council of the City of Glenwood Springs, Colorado Advocating Voter Approval of the Gallagher Amendment Repeal and Property Tax Assessment Rates Measure (Amendment B) During the November Election.

Mayor Godes wanted to show Councils' support for two items on the upcoming November Ballot. Mayor Pro-Tem Kaup said this Amendment has enough of an affect on the City via the property tax that it is worth the City taking a stand on it.

Mayor Pro-Tem Kaup, seconded by Mayor Godes moved to support Resolution 2020 -34; A Resolution of the City Council of the City of Glenwood Springs, Colorado Advocating Voter Approval of the Gallagher Amendment Repeal and Property Tax Assessment Rates Measure (Amendment B) During the November Election.

Ayes: Willman, Kaup, Davis, Godes

Nays: Hershey

21. AT THE REQUEST OF THE MAYOR WE HAVE ADDED:
Resolution 2020-35; A Resolution of the City Council of the City of Glenwood Springs,

Colorado Advocating Voter Approval of the Tobacco and E-Cigarette Tax Increase for Health and Education Programs Measure (Proposition EE) During the November Election.

Councilor Willman Made note that the Colorado Municipal League has opposed Proposition EE. Attorney Hanlon remarked that this could take away the Cities ability from making a tax of our own.

Mayor Godes, seconded by Councilor Davis moved to support Resolution 2020-35; A Resolution of the City Council of the City of Glenwood Springs, Colorado Advocating Voter Approval of the Tobacco and E-Cigarette Tax Increase for Health and Education Programs Measure (Proposition EE) During the November Election.

Ayes: Davis, Godes, Kaup

Nays: Hershey, Willman

22. Report from City Administration

A. City Manager

Manager Debra Figueroa stated that the City has purchased 52 propane heaters from CDOT money and have already handed out 32 for outdoor dining.

B. City Attorney

None

C. Correspondence Incoming/Outgoing

None

23. Adjournment

Councilor Hershey, seconded by Councilor Willman moved to adjourn.

Motion passed unanimously.



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Lease Renewal at 2205 South Grand

Action Requested: Approval of lease at 2205 South Grand

Department: City Administration

Presented By: Steve Boyd, COO

Background Info: The City owns the property that Roaring Fork Anglers operates from at 23rd Street on Grand. The last time lease terms were negotiated was five years ago. Council has directed staff to obtain an opinion of current market value from several local real estate professionals. Estimates came back with the central point at \$2,500 per month plus triple net, an increase of \$750 per month from the current payment being received by the City.

Staff has discussed the proposal with the owners of Roaring Fork Anglers who've agreed to a renewal at this rate for five years beginning April 1, 2021.

Issues: N/A

Staff Recommendation: Staff supports approval.

AGREEMENT FOR LEASE OF PROPERTY

This AGREEMENT FOR LEASE OF PROPERTY (the "Agreement") is made between the CITY OF GLENWOOD SPRINGS, a Colorado home rule municipality ("Lessor") and ALPINE ANGLING & ADVENTURE TRAVEL, INC., a Colorado corporation, d/b/a Roaring Fork Anglers ("Lessee"), to be effective as of April 1, 2021 regardless of the date it is executed.

WHEREAS, Lessee desires to lease Lessor's property located at 2205 Grand Avenue in Glenwood Springs, Colorado ("Property") containing approximately 1150 square feet for a retail fly fishing and outfitting business; and

WHEREAS, Lessee desires to lease the Property from Lessor and Lessor desires to lease the Property to Lessee on the terms and conditions contained herein.

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

1. Scope of Agreement. Lessee hereby agrees to utilize the Property solely for its retail fly fishing and outfitting business.

2. Consideration. Lessee agrees to pay Lessor annual rent of Two Thousand Five Hundred Dollars (\$2,500.00) for the first year of the Agreement. The annual rent shall increase by 3% each year throughout the term of the lease.

3. Term. This Agreement shall be effective as of April 1, 2021 and shall extend through March 31, 2026 with an option to renew for an additional five (5) year term upon the parties reaching agreement as to terms of the additional five-year agreement, unless earlier terminated pursuant to this Agreement.

4. Trash. Lessee shall be responsible for trash removal from the Property and for disposal of the trash off-site and in a legal manner. Lessee shall maintain the Property trash and litter free at all times during the term of this Agreement.

5. Maintenance; Alterations; Removal; Surrender/Restoration.

5.1 Maintenance. Lessee shall maintain the Property for safety and shall be responsible for all interior repairs. Lessor shall be responsible for all structural repairs and maintenance, including but not limited to, all foundations, footings, walls, floors (excluding floor coverings), and roofs (including water tightness). Lessee expressly waives the benefit of any statute or case law now or hereafter in effect which would give Lessee the right to maintain the Property at Lessor's expense or to terminate this Agreement because of Lessor's failure to keep the Property in good order and condition.

5.2 Alterations, Additions, and Improvements. All alterations, additions, and improvements to the Property by Lessee shall be the property of and owned by the Lessee during the term of this Agreement, but considered a part of the Property. Unless otherwise provided for herein, all Lessee made alterations, additions, and improvements shall, at the

expiration or earlier termination of this Agreement, become the property of Lessor and remain upon and be surrendered by Lessee with the Property. Lessee's personal property and its trade fixtures, including all machinery, equipment, and furnishings, shall remain the property of Lessee and may be removed by Lessee.

5.3 Removal. Any personal property not removed by Lessee within thirty (30) days after the end of the term of this Agreement shall automatically become the property of Lessor. Lessee shall repair any material damage to the Property caused by Lessee's removal of its personal property, but Lessee shall have no obligation to remove such items from the Property at any time unless Lessor requests such removal.

5.4 Surrender/Restoration. Lessee shall surrender the Property by the end of the last day of the Agreement term or any earlier termination date, with all of the Property in good condition, ordinary wear and tear excepted. "Ordinary wear and tear" shall not include any damage or deterioration that would have been prevented by reasonable maintenance practice or by Lessee performing all of its obligations under this Agreement.

6. Lessor's Access; Repairs. Lessor and Lessor's agents shall have the right to enter the Property at any time, in the case of an emergency, and otherwise at reasonable times for the purpose of showing the same to prospective purchasers, lenders, or tenants, and making such alterations, repairs, improvements or additions to the Property or conducting Lessor's activities on behalf of the City as Lessor may reasonably deem necessary, provided such activities shall not interfere with Lessee's operations. All such activities of Lessor shall be without abatement of rent or liability to Lessor.

7. Utilities. Lessee shall pay all charges for water, sewer, gas, electricity, telephone and other services and utilities used by Lessee on the Property during the term of this Agreement. Lessee shall pay all such utility charges prior to the due date. Lessee acknowledges that the Property is designed to provide standard office use electrical facilities and standard office lighting. Lessee shall not use any equipment or devices that utilize excessive electrical energy or which may, in Lessor's reasonable opinion, overload the wiring or interfere with any electrical service.

8. Property Tax. Lessee shall pay any property taxes assessed on the Property as a result of Lessee's use of the Property.

9. Signs. Lessee may not erect any signs on the Property without prior written approval of Lessor and in compliance with the Glenwood Springs Municipal Code.

10. Quiet Possession. Lessor covenants and agrees that so long as Lessee observes and performs all of the agreements and covenants required of it hereunder, Lessee shall peaceably and quietly have, hold and enjoy the Property for the term without any encumbrance, interference or hindrance by Lessor. If Lessee's use of the Property is limited or denied through rezoning, environmental impact edict, or other action of any public or quasi-public agency or governmental authority, this Agreement, at the sole option of Lessee, shall terminate as of the effective date of such action and the rent applying to the unexpired portion of the term shall abate.

11. Indemnity. To the extent permitted by law, each party to this Agreement shall hold harmless, indemnify, and defend the other party, including the other party's employees, officers, agents and assigns, from any claim, lawsuit, or award of damages, to the extent such claims, lawsuit, or award of damages arise from the action or inaction of that party's own officers, employees and agents.

12. Insurance. Lessee has provided proof of general liability insurance to the City which names the City as an "additional insured" thereunder, with appropriate endorsements and with single limit liability coverage of at least One Million Dollars (\$1,000,000.00). Lessee agrees to maintain this insurance for the term of this Agreement and shall provide proof of insurance upon request of Lessor.

13. Governmental Immunity. Nothing herein shall be interpreted as a waiver of governmental immunity, to which the City would otherwise be entitled under Section 24-10-101, et seq., C.R.S., as amended.

14. Termination. Lessor or Lessee may terminate this Agreement for any reason with one hundred eighty (180) days prior written notification.

15. Agreement Administration and Notice. Any notices required to be given pursuant to this Agreement shall be delivered as follows:

To the Lessor: City Manager
 City of Glenwood Springs
 101 West 8th Street
 Glenwood Springs, Colorado 81601

To the Lessee: Bruce Stolbach
 Roaring Fork Anglers
 2205 Grand Avenue
 Glenwood Springs, CO 81601
 970/945-0180

Copy to: Alpine Angling & Adventure Travel, Inc.
 995 Cowen Drive, Suite 102
 Carbondale, CO 81623
 970/963-9245

16. Responsibilities. Lessee shall be responsible for all damages to persons or property caused by the Lessee, its agents, employees or subcontractors, which may result from its negligent acts, errors and omissions hereunder, and shall indemnify and hold harmless Lessor from any claims or actions brought against Lessee by reason thereof. Lessor shall not be responsible for any loss or damages suffered by Lessee from Lessee's use of the Property.

17. Default; Breach; Remedies.

17.1 Default. The occurrence of any of the following events constitutes a material default of this Agreement by Lessee:

(a) The failure by Lessee to make any payment of rent or any other payment required to be made by Lessee hereunder, as and when due, where the failure continues for a period of twenty (20) days after Lessee receives notice thereof from Lessor.

(b) The failure by Lessee to observe or perform any of the covenants, conditions or provisions of this Agreement to be observed or performed by Lessee, other than those described in subparagraph (a) above, where the failure continues for a period of thirty (30) days after Lessee receives notice thereof from Lessor; provided, however, that if the nature of Lessee's default is such that more than thirty (30) days are reasonably required for its cure, then Lessee shall not be deemed to be in default if Lessee commences such cure within the thirty (30) day period and thereafter diligently completes the cure.

(c) The making by Lessee of any general assignment or general arrangement for the benefit of creditors; the filing by Lessee of a petition to have Lessee adjudged a bankrupt; or the judicial declaration of Lessee as bankrupt.

(d) The appointment of a trustee or receiver to take possession of substantially all of Lessee's assets located at the Property or of Lessee's interest in this Agreement, if possession is not restored to Lessee within thirty (30) days.

(e) The attachment, execution or other judicial seizure of substantially all of Lessee's assets located at the Property or of Lessee's interest in this Agreement, if the seizure is not discharged within thirty (30) days.

17.2 Remedies upon Lessee's Default. In the event of any such material default by Lessee, Lessor may, after giving notice as provided above, enter into the Property, remove Lessee's property and take and hold possession of the Property and expel Lessee and pursue those remedies available to Lessor under the laws of the State of Colorado.

17.3 Default by Lessor. Lessor shall not be in default unless Lessor fails to perform any covenants, terms, provisions, agreements or obligations required of it within a reasonable time, but in no event later than thirty (30) days after notice by Lessee to Lessor; provided that if the nature of Lessor's obligation is such that more than thirty (30) days are reasonably required for performance, then Lessor shall not be in default if Lessor commences performance within the thirty (30) day period and thereafter diligently completes performance.

17.4 Remedies upon Lessor's Default. If Lessor defaults in the performance of any of the obligations or conditions required to be performed by Lessor under this Agreement, Lessor may, after giving notice as provided above, either cure the default and deduct the cost thereof from rent subsequently becoming due hereunder, or elect to

terminate this Agreement upon giving 30 days notice to Lessor of its intention to do so. In that event, this Agreement shall terminate upon the date specified in the notice, unless Lessor has meanwhile cured the default to the satisfaction of Lessee. In the event that any representations and warranties set forth in this Agreement shall cease to be the case, and if Lessor shall have failed to commence to cure within sixty (60) days after notice from Lessee and thereafter diligently completes the cure of the same, then, except as specifically provided elsewhere in this Agreement, Lessee shall have the right to terminate this Agreement upon notice to Lessor. Lessee may also pursue those remedies available to it under the laws of the State of Colorado.

18. Entire Agreement. This Agreement constitutes the entire agreement between the parties. The parties shall not be bound by any other agreements, either written or oral, except as set forth in this Agreement.

19. Governing Law. The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Venue for any action instituted pursuant to this Agreement shall lie in Garfield County, Colorado.

20. Authority. Each person signing this Agreement represents and warrants that said person is fully authorized to enter into and execute this Agreement and to bind the party it represents to the terms and conditions hereof.

21. Attorneys' Fees. Should this Agreement become the subject of litigation between Lessor and Lessee, the prevailing party shall be entitled to recovery of all actual costs in connection therewith, including but not limited to attorneys' fees and expert witness fees. All rights concerning remedies and/or attorneys' fees shall survive any termination of this Agreement.

22. Assignment. Lessee may not have the right of assignment without Lessor's prior written consent to assign this Agreement to a business with which Lessee may merge or consolidate, to any subsidiary of Lessee, to any corporation under common control with Lessee, or to a purchaser of substantially all of Lessee's assets. Lessee shall not sublease all or any part of the Property, or assign this Agreement in whole or in part, without Lessor's consent, such consent not to be unreasonably withheld or delayed.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands this ____ day of _____, 2021.

CITY OF GLENWOOD SPRINGS

By: _____
Steve Boyd, Chief Operating Officer

ALPINE ANGLING & ADVENTURE TRAVEL,
INC., d/b/a Roaring Fork Anglers

By: _____
Bruce Stolbach,



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: South Midland Progress Report

Action Requested: In the second meeting of each month, Staff will provide Council with a progress update and address any questions.

Department: Engineering

Presented By:

Background Info: N/A

Issues: N/A

Staff Recommendation: N/A



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Introduction of Cheryl Strouse, Executive Director of the Garfield County Housing Authority

Action Requested: Introduction of Cheryl Strouse, Executive Director of the Garfield County Housing Authority.

Department: City Administration

Presented By:

Background Info: Cheryl Strouse is the new Executive Director of the Garfield County Housing Authority.

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Transportation Commission Appointments

Action Requested: Transportation Commission Appointments

Department: City Administration

Presented By: Sara Weigel, Executive Administrative Assistant

Background Info: Rob Gavrell and John Stephens have both served one term on the Transportation Commission and reapplied for a second term. They were deemed eligible for reappointment by Charlie Willman and Shelley Kaup for terms ending March 2024.

Issues: None.

Staff Recommendation: Staff defers to City Council.

Transportation Commission Application

Thank you for your interest in serving your community. Please answer all questions on this application.

Personal Information

1. Name *

John Stephens

2. Home Address *

60 Cardinal Ln Glenwood Springs, CO 81601

3. Mailing Address *

60 Cardinal Ln Glenwood Springs, CO 81601

4. Home Phone *

970-987-5219

5. Work Phone *

N/A

6. Mobile Phone *

970-274-0972

7. Email Address *

bikecont@outlook.com

8. Occupation *

Educator, Retired

Personal and Professional Interests

9. Why are you interested in serving on the Transportation Commission? *

I have served on the Transportation commission for one term and believe I can continue to provide valuable input into several areas the Commission needs to continue to address, including the MOVE study, transit and TDM, and biking and pedestrian issues.

10. What do you view as your role if selected as a member to the Transportation Commission? *

I am focused on approaching issues from a data driven perspective and have looked at gathering relevant information from a variety of sources. I believe in a collaborative approach to resolving problems and listening to and respecting many voices to arrive at positive outcomes.

11. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them. *

I have read numerous studies including Glenwood Springs Long Range Transportation Study, Glenwood Springs Transit Operations Plan, 2018, current On-Demand Transit study, MOVE study, related RFTA studies including most recent Regional Traffic Patterns Study and Destinations 2040 Report.

12. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs? *

I currently serve on the Transit and the Bike-Pedestrian subcommittees of the Transportation Commission, so these are primary areas of interest. However, after serving on the Commission for one term, I have come to appreciate that all transportation elements interact and need to be viewed as a complex interacting system.

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

Yes. I believe best decisions are made after open, honest discussion of issues based on reliable data including perceived impacts of decisions by stakeholders. As such, I am supportive of Commission and Council decisions even if they are not my initial preferred outcome.

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

In 38 years of working as an educator in the classroom and in administrative positions I made many decisions that made some competing parties unhappy. That simply is inevitable. I always tried to respect all parties viewpoints and communicate clearly and fairly the reasons for decisions and attempted as much as possible to have decisions be consensus.

15. Transportation Commission members generally meet the first Tuesday of each month at 7:30 AM. Special meetings may occur during the month, such as an evening work session with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve? *

No. I have been regular in attending Commission meetings.

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

I have served on the Transportation Commission for one term. In addition I have served on several professional and service organization boards.

17. Please enter today's date *

1/15/2021



18. Have you previously served on the Transportation Commission? *

☐ No

☒ Yes

Reappointment Applicants

19. Why do you think you should be reappointed? *

I believe I have been a positive voice on the Commission particularly on issues related to transit and cycling. My focus on researching data to help guide decisions is respected by other members of the Commission.

20. How many terms have you served on the Transportation Commission? *

One

Powers and Duties of the Transportation Commission

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

020.020.020(9) Composition of Transportation Commission:

a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

020.020.030(i) Powers and Duties of Transportation Commission.

The powers and duties of the Transportation Commission shall be:

(1) To investigate, study and report to the City Council any and all matters concerning transportation issues which directly affect the City.

(2) To investigate, study and report to the City Council on other intergovernmental committees,

boards or commissions working on transportation issues in the Tri-County (Pitkin, Garfield and Eagle) area.

(3) To meet with the City Council on an annual basis to identify which transportation issues require priority attention.

(4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the transportation needs of the City.

(5) To perform functions concerning oversight of transportation issues or functions as delegated by the City Council.

(6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council

Appointment, Removal, Term and Vacancies of Boards and Commissions

Glenwood Springs, CO Municipal Code 020.020.040

(a) Appointment and term of members. Except as otherwise provided, all appointments to the boards and commissions shall be by the City Council for terms of three (3) years each, and each member shall serve until his/her successor is appointed and takes office; provided, however, that the initial terms of office may be shortened by the City Council so as to provide overlapping terms of office. Appointments shall expire the day before the first regular meeting of the City Council in each month according to the following schedule:

(1) February:

Planning and Zoning Commission;
Finance Advisory Board;
Tourism Promotion Board;
Building Board of Appeals.

(2) March:

Transportation Commission;
Arts and Culture Board;
Parks and Recreation Commission;
Airport Board;
River Commission.

(3) April:

Local Liquor Licensing Authority;

Victim's Witnesses Assistance and Law Enforcement Board;
Historic Preservation Commission;
Glenwood Springs Housing Commission.

(b) Alternate members. The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill such absence and to attend and serve at the meeting. The alternate member may exercise all powers at the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.

(c) Limit to term of members. Unless it is deemed vital by the City Council that an appointed member of a board or commission be retained in office, each member shall be replaced after having served for six (6) years on a board or commission; however, nothing in this subsection shall be construed to prevent the appointment of a member to a new term where, at the expiration of his/her current term, he/she will have served for less than six (6) years.

(d) Removal of members. All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.

(e) Vacancies. The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018 , § 2, 4-20-2018)

Transportation Commission Application

Thank you for your interest in serving your community. Please answer all questions on this application.

Personal Information

1. Name *

Robert Gavrell

2. Home Address *

18 Deer Valley Dr.

3. Mailing Address *

18 Deer Valley Dr.

4. Home Phone *

970-945-9244

5. Work Phone *

970-945-6546

6. Mobile Phone *

970-366-9142

7. Email Address *

rgavrell@balcombgreen.com

8. Occupation *

attorney

Personal and Professional Interests

9. Why are you interested in serving on the Transportation Commission? *

I am currently on the TC and am greatly enjoying the contributions I feel I am making to the City and its long term transposition planning process. It feels like the present TC is on the verge of accomplishing great work for the City.

10. What do you view as your role if selected as a member to the Transportation Commission? *

I hope to continue developing the Transportation Commission to be an effective advocate for sensible long-term, planning of transportation in Glenwood Springs and within the RFTA.

11. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them. *

The ongoing MOVE study, the 2017 Confluence Redevelopment Plan, the 2014 Regional Travel Patterns Study, the Glenwood Springs Long Range Trans. Plan (2015 - 2035), and the 2018 Ride Glenwood Springs Transit Operations Plan all inform my opinions and recommendations.

12. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs? *

I have learned a great deal in my first term on the TC and I look forward to expanding my knowledge base moving forward.

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

Absolutely. I have no interest in GWS's transportation future EXCEPT FOR my concern at how the City develops and handles its present and future traffic, parking, transit, and congestion issues.

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

I'm a lawyer. I give people advice they do not wish to hear all the time.

15. Transportation Commission members generally meet the first Tuesday of each month at 7:30 AM. Special meetings may occur during the month, such as an evening work session with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve? *

Yes.

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

This Commission, and I also advise Boards and have served on a few from time to time.

17. Please enter today's date *

1/4/2021



18. Have you previously served on the Transportation Commission? *

☐ No

☒ Yes

Reappointment Applicants

19. Why do you think you should be reappointed? *

I feel I have assisted in moving the ball forward with the current TC in every way. The TC now has an adopted vision statement, three effective subcommittees capable of making meaningful recommendations to Council, and developed agendas and minutes that are keeping the commission focused.

20. How many terms have you served on the Transportation Commission? *

<1

Powers and Duties of the Transportation Commission

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

020.020.020(9) Composition of Transportation Commission:

- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601zip code area or own real property or a business within the City.

020.020.030(i) Powers and Duties of Transportation Commission.

The powers and duties of the Transportation Commission shall be:

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- (2) To investigate, study and report to the City Council on other intergovernmental committees, boards or commissions working on transportation issues in the Tri-County (Pitkin, Garfield and Eagle) area.
- (3) To meet with the City Council on an annual basis to identify which transportation issues require priority attention.
- (4) To investigate, study and report to the City Council on grants, donations and other forms of

funding to assist in meeting the transportation needs of the City.

(5) To perform functions concerning oversight of transportation issues or functions as delegated by the City Council.

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Finance Advisory Board;
Tourism Promotion Board;
Building Board of Appeals.

(2) March:

Transportation Commission;
Arts and Culture Board;
Parks and Recreation Commission;
Airport Board;
River Commission.

(3) April:

Local Liquor Licensing Authority;
Victim's Witnesses Assistance and Law Enforcement Board;
Historic Preservation Commission;
Glenwood Springs Housing Commission.

(b) Alternate members. The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill

such absence and to attend and serve at the meeting. The alternate member may exercise all powers at the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.

(c) Limit to term of members. Unless it is deemed vital by the City Council that an appointed member of a board or commission be retained in office, each member shall be replaced after having served for six (6) years on a board or commission; however, nothing in this subsection shall be construed to prevent the appointment of a member to a new term where, at the expiration of his/her current term, he/she will have served for less than six (6) years.

(d) Removal of members. All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.

(e) Vacancies. The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018 , § 2, 4-20-2018)



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Financial Advisory Board Appointments

Action Requested: Appoint 2 members to the Financial Advisory Board.

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: The Financial Advisory Board has three regular seats open. Two members have re-applied for a second term:

- Kathryn Taggart
- Dan Sullivan

Council representative Paula Stepp recommends appointment.

Ongoing members include:

- Ksana Oglesby
- Steve Beckley
- Munro Wilcox
- Christian Henny

Issues: N/A

Staff Recommendation: N/A

Financial Advisory Board Application

Thank you for your interest and time commitment in serving your community. Please complete all questions on this application.

Personal Information

1. Name *

Daniel Sullivan

2. Home Address *

1026 Grand Ave, Glenwood Springs CO 81601

3. Mailing Address *

1026 Grand Ave, Glenwood Springs CO 81601

4. Home Phone *

cell 941-928-4262

5. Work Phone *

cell 941-928-4262

6. Mobile Phone *

cell 941-928-4262

7. Email Address *

Dan@TheGreenJoint.com

8. Occupation *

Business Owner

Personal and Professional Interests

9. Why are you interested in serving on the Financial Advisory Board? *

Current FAB Member

10. What do you view as your role if selected as a member to the Financial Advisory Board? *

Bring common sense and business acumen

11. What do you perceive as the major purpose of the Financial Advisory Board? *

Provide guidance to City Council on matters that have financial impact to our community

12. What area of expertise do you feel you can best provide to the Financial Advisory Board? *

Budget input, grants process, infrastructure guidance

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

As outlined and expected

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

Re-up for another term

15. Please select today's date. *



16. Have you served on the Financial Advisory Board before? *

☐ No

☒ Yes

Reappointment Applicants

17. Why do you think you should be reappointed? *

I trust have brought value and a good business perspective to the Board as an active Member in our Community. Also, I have certainly enjoyed the interactions with fellow FAB Members and Council, discussing and making recommendations on a variety of topics.

18. Have you served more than two full terms on the Financial Advisory Board? *

No

Powers and Duties of the Financial Advisory Board

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

Composition of the Finance Advisory Board:

a. Seven (7) members of which at least six (6) are City residents. One member shall be employed in the finance industry; one member shall be employed by the tourism industry; and one member may be a

non-resident, but shall own or be employed by a business within the City.

Powers and Duties:

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

Appointment, Removal, Term and Vacancies of Boards and Commissions

Glenwood Springs, CO Municipal Code 020.020.040

(a) Appointment and term of members. Except as otherwise provided, all appointments to the boards and commissions shall be by the City Council for terms of three (3) years each, and each member shall serve until his/her successor is appointed and takes office; provided, however, that the initial terms of office may be shortened by the City Council so as to provide overlapping terms of office. Appointments shall expire the day before the first regular meeting of the City Council in each month according to the following schedule:

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Building Board of Appeals.

(2) March:

Transportation Commission;
Arts and Culture Board;
Parks and Recreation Commission;
Airport Board;
River Commission.

(3) April:

Local Liquor Licensing Authority;
Victim's Witnesses Assistance and Law Enforcement Board;
Historic Preservation Commission;
Glenwood Springs Housing Commission.

(b) Alternate members. The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill such absence and to attend and serve at the meeting. The alternate member may exercise all powers at the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.

(c) Limit to term of members. No Board member shall serve more than two (2) terms on the same board or commission.

(d) Removal of members. All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.

(e) Vacancies. The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018 , § 2, 4-20-2018)

Financial Advisory Board Application

Thank you for your interest and time commitment in serving your community. Please complete all questions on this application.

Personal Information

1. Name *

Kathryn Taggart

2. Home Address *

300 Wulfsohn Rd C404 GWS, CO 81601

3. Mailing Address *

PO Box 2245 GWS, CO 81602

4. Home Phone *

970.379.4849

5. Work Phone *

970.275.7845

6. Mobile Phone *

same as home

7. Email Address *

ktaggart404@gmail.com

8. Occupation *

Finance Tech for Pitkin County

Personal and Professional Interests

9. Why are you interested in serving on the Financial Advisory Board? *

Long standing interest in the City of GWS. Before serving on City Council I served on the FAB as well as other boards and commissions. I am interested in seeing that the needs of the citizens as well as the needs of the city are met as efficiently and effectively as possible.

10. What do you view as your role if selected as a member to the Financial Advisory Board? *

It is an advisory role - as part of the entire board - to City Council using the best information possible. By asking the right questions and researching the goal is to

11. What do you perceive as the major purpose of the Financial Advisory Board? *

Advisory to City Council. This group has an understanding of finance, business and governmental accounting and serves to review, interpret and distill information and advise council on best course of action. It also awards a small amount of grants and reviews and makes recommendations on budget.

12. What area of expertise do you feel you can best provide to the Financial Advisory Board? *

Through years of working with the FAB, my work experience, my time on Council and writing op/ed pieces for the Post Independent, I understand governmental accounting and I understand the needs of the city. As a long-time resident of the city, I bring a historical perspective as well as understanding the concerns of the citizens.

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

Enough to get the job done.

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

I enjoy serving Glenwood Springs.

15. Please select today's date. *

1/15/2021



16. Have you served on the Financial Advisory Board before? *

☐ No

☒ Yes

Reappointment Applicants

17. Why do you think you should be reappointed? *

It is difficult to find people who will take the time to attend and review the information and understand the information. I have both and I have the best interest of the citizens of GWS in mind. I also have no agenda other than to serve.

18. How many terms have you served on the Financial Advisory Board? *

Good question. Before elected to council 1 or 2 I think. After my term/resignation from Council just the current one.

Powers and Duties of the Financial Advisory Board

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

Composition of the Finance Advisory Board:

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

Powers and Duties:

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

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(2) March:
Transportation Commission;
Arts and Culture Board;
Parks and Recreation Commission;
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(3) April:
Local Liquor Licensing Authority;
Victim's Witnesses Assistance and Law Enforcement Board;
Historic Preservation Commission;
Glenwood Springs Housing Commission.

(b) Alternate members. The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill such absence and to attend and serve at the meeting. The alternate member may exercise all powers at the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.

(c) Limit to term of members. Unless it is deemed vital by the City Council that an appointed member of a board or commission be retained in office, each member shall be replaced after having served for six (6) years on a board or commission; however, nothing in this subsection shall be construed to prevent the appointment of a member to a new term where, at the expiration of his/her current term, he/she will have served for less than six (6) years.

(d) Removal of members. All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.

(e) Vacancies. The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018 , § 2, 4-20-2018)



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: VALE Board Appointments

Action Requested: VALE Board Appointments

Department: City Administration

Presented By:

Background Info: Avis Laurita has served one term and reapplied for her regular seat. Melissa Jones applied for a regular seat as a new applicant. On March 8, 2021 they were interviewed for appointment and deemed eligible for terms ending in April 2024.

Issues: None

Staff Recommendation: Staff defers to City Council.

Respondent



2

Anonymous



07:18

Time to complete



VALE Board Application

Thank you for your interest in serving your community. Please answer all questions on this application.

Personal Information

1. Name *

Melissa Jones

2. Home Address *

2626 Woodberry Drive Glenwood Springs, CO 81601

3. Mailing Address *

2626 Woodberry Drive Glenwood Springs, CO 81601

4. Home Phone *

303-888-6310

5. Work Phone *

970-925-1678

6. Mobile Phone *

303-888-6310

7. Email Address *

mojo2312@msn.com

8. Occupation *

Title insurance closing agent

Personal and Professional Interests

9. Describe any experience with maintaining confidential information. *

For the past 9 years I have worked in the title insurance industry where we deal with private information every day, including but not limited to financial information (wire instructions, loan applications), personal information (social security numbers, contact information) and the overall privacy of each individual transaction being limited to only those parties involved.

10. Have you ever been a victim of a crime? *

11. Have you ever been convicted of a crime? If so, what was the violation? *

12. Have you, a close family member, or friend ever been employed in the law enforcement or criminal justice system? *

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

14. The VALE Board meetings typically occur one morning a month. Will you be sufficiently available to participate? *

15. Please enter today's date *



16. Have you previously served on the VALE Board? *



☐ Yes

Composition of the VALE Board

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

Composition of the VALE Board

(8) Victim's and Witnesses Assistance and Law Enforcement Board:

a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but

within the 81601 zip code area or own real property or a business within the City.

b. (R 20-05 §2)

c. The Chief of Police as an advisory member, but a nonvoting member of the Board. Powers and Duties:

Powers and Duties of the VALE Board

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

(h) Powers and duties of the Victim's and Witnesses Assistance and Law Enforcement Board.

(1) The Board shall designate one (1) of its members as chairman, shall establish rules of procedure and order and shall hold meetings as it might deem necessary.

(2) A surcharge equal to twenty-five percent (25%) of the fine imposed for violation of all municipal ordinances, including ordinance violations under the Model Traffic Code, is hereby levied on each Municipal Court action resulting in a conviction, plea of guilty or no contest or in a deferred judgment and sentence, which municipal ordinance violation is charged pursuant to City ordinances. All calculated surcharge amounts resulting in dollars and cents shall be rounded to the nearest whole dollar. In the event a portion of the fine is suspended, the surcharge levied shall be computed based upon the original fine, regardless of whether a portion of said fine has been suspended. Said surcharges shall be paid to the Clerk of the Court by the defendant, and said Clerk shall deposit the money so received in the fund hereinafter created. (A 33-05,§2)

(3) The Victim's and Witnesses Assistance and Law Enforcement Fund, hereinafter referred to as the "Fund," consist of all monies paid as a surcharge as provided in Subsection (2) above. All monies deposited in the Fund shall be deposited in an interest-bearing account, and all interest earned by monies in the Fund shall be credited to the Fund. The City Manager, by and through the Finance Director, shall be responsible for establishing a separate fund for purposes of accounting for the revenues and expenditures. At the conclusion of each fiscal year, all monies remaining in the Fund shall remain in the Fund for allocation as hereinafter set forth.

(4) The Board shall disburse monies from the Fund in the following manner:

a. First, to the payment of all reasonable and necessary expenses and costs incurred by the Board in the performance of its duties, including but not limited to professional fees, office supplies and meeting expenses.

b. Second, not less than fifty percent (50%) of the monies remaining in the Fund after the deduction of reasonable expenses and costs shall be allocated for the purchase of victims and witnesses services and reimbursements, as hereinafter set forth. No funds shall be paid except in those specific instances where a police report has been filed by the Police Department for an alleged violation of a municipal ordinance, regardless of whether the perpetrator has been identified, arrested or prosecuted.

c. Third, any remaining monies may be allocated to the Police Department for the following purposes, including, but not limited to: equipment purchases, training programs for personnel and the employment of additional personnel. Such funds shall not be used by the Police Department for defraying the costs of routine and ongoing operating expenses. No disbursement within this category of expenditure shall be made without the approval of the City Council following a written recommendation by the Board.

Powers and Duties of the VALE Board - Continued

(5) Disbursement of funds by the Board on behalf of the victim's and witnesses assistance services may be used for the following purposes:

a. Provision of services for early crisis intervention;

b. Assistance in prompt return of victims' property;

c. Assistance to victims and witnesses in arranging transportation to and from court;

d. Provision of translator services;

e. Protection from threats of harm and other forms of intimidation

f. Reasonable medical and hospital expenses and expenses incurred for dentures, eyeglasses, hearing aids or other prosthetic or medically necessary devices; and

g. Losses resulting from property damage, including repair or replacement of property damaged as a result of crime or payment of the deductible amount on a residential insurance policy in an amount not to exceed five hundred dollars (\$500.00). Victims' recovery due to property damage shall not exceed five hundred dollars (\$500.00) for any crime, but in no case shall a loss be compensable if the aggregate property damages are less than twenty-five dollars (\$25.00).

(6) The Board is authorized to accept and evaluate all applications for disbursement of funds, whether

emanating from victims, witnesses or law enforcement agencies. Applications for disbursement shall be made upon forms prescribed by the Board, and made available by the Municipal Court and the Police Department. The Board shall establish its own criteria for evaluating applications for disbursement, and nothing herein contained shall obligate the Board to make disbursement of any funds available to it. Upon a finding by the Board that a disbursement shall be made from the Fund, the Board shall submit a written request for payment to the Finance Department, which shall then remit payment in accordance with the request.

(7) The Board is required to submit minutes of its meetings to the City Council at the next regular Council meeting following the Board's meeting.

Appointment, Removal, Term and Vacancies of Boards and Commissions

Glenwood Springs, CO Municipal Code 020.020.040

(a) Appointment and term of members. Except as otherwise provided, all appointments to the boards and commissions shall be by the City Council for terms of three (3) years each, and each member shall serve until his/her successor is appointed and takes office; provided, however, that the initial terms of office may be shortened by the City Council so as to provide overlapping terms of office. Appointments shall expire the day before the first regular meeting of the City Council in each month according to the following schedule:

(1) February:
Planning and Zoning Commission;
Finance Advisory Board;
Tourism Promotion Board;
Building Board of Appeals.

(2) March:
Transportation Commission;
Arts and Culture Board;
Parks and Recreation Commission;
Airport Board;
River Commission.

(3) April:
Local Liquor Licensing Authority;
Victim's Witnesses Assistance and Law Enforcement Board;
Historic Preservation Commission;
Glenwood Springs Housing Commission.

(b) Alternate members. The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill such absence and to attend and serve at the meeting. The alternate member may exercise all powers at

the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.

(c) Limit to term of members. No Board member shall serve more than two (2) terms on the same board or commission.

(d) Removal of members. All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.

(e) Vacancies. The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018 , § 2, 4-20-2018)

Respondent



3

Anonymous



25:03

Time to complete



VALE Board Application

Thank you for your interest in serving your community. Please answer all questions on this application.

Personal Information

1. Name *

Avis Laurita

2. Home Address *

1442 Oak Way Ave Glenwood Springs CO 81601

3. Mailing Address *

Same

4. Home Phone *

720 427-5954

5. Work Phone *

None

6. Mobile Phone *

720 427-5954

7. Email Address *

all79029@comcast.com

8. Occupation *

Retired

Personal and Professional Interests

9. Describe any experience with maintaining confidential information. *

I have previously been involved in Grand Jury cases as a detective. I am currently a member of the on VALE Board.

10. Have you ever been a victim of a crime? *

Yes, burglary

☐ No☒ Yes

Reappointment Applicants

17. Why do you think you should be reappointed? *

I have enjoyed serving on the VALE Board and feel that this is an opportunity to volunteer and give back to the community where I live. There are truly people in need in Glenwood Springs and the VALE Board is an opportunity to help them. There are also critical non-profits in Glenwood Springs that financially need the support of the VALE Board to sustain their services, which in turn help the citizens of Glenwood Springs.

18. Have you served more than two full terms on the VALE Board? *

I have served only one full term.

Composition of the VALE Board

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

Composition of the VALE Board

(8) Victim's and Witnesses Assistance and Law Enforcement Board:

- a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but
within the 81601 zip code area or own real property or a business within the City.
- b. (R 20-05 §2)
- c. The Chief of Police as an advisory member, but a nonvoting member of the Board. Powers and Duties:

following schedule:

(1) February:

Planning and Zoning Commission;
Finance Advisory Board;
Tourism Promotion Board;
Building Board of Appeals.

(2) March:

Transportation Commission;
Arts and Culture Board;
Parks and Recreation Commission;
Airport Board;
River Commission.

(3) April:

Local Liquor Licensing Authority;
Victim's Witnesses Assistance and Law Enforcement Board;
Historic Preservation Commission;
Glenwood Springs Housing Commission.

(b) Alternate members. The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill such absence and to attend and serve at the meeting. The alternate member may exercise all powers at the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.

(c) Limit to term of members. No Board member shall serve more than two (2) terms on the same board or commission.

(d) Removal of members. All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.

(e) Vacancies. The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018, § 2, 4-20-2018)



CITY OF GLENWOOD SPRINGS

VICTIM AND WITNESS ASSISTANCE

AND LAW ENFORCEMENT BOARD

c/o Glenwood Springs Police Department

101 West 8th Street

Glenwood Springs, Colorado 81601

Telephone: (970) 384-6500

Memo

Glenwood Springs VALE Board

To: Ryan Muse – City Clerk
From: Katie Mulkey- VALE Board Secretary
CC: Sara Weigel – Executive Admin. Assistant
Date: March 8, 2021
Re: VALE Board Member Appointments

Comments: During the March 8, 2021 VALE Board Meeting, Melissa Jones and Avis Laurita were interviewed for appointment to the VALE Board.

Avis is reapplying and is eligible for a second term ending 2024.

Melissa was deemed eligible for appointment with a term ending 2024.

Please include VALE Board appointment considerations on the agenda for the next City Council Meeting. Currently, the VALE Board cannot meet quorum so we cannot hold meetings as we normally would.



City Council Staff Report

Date: March 18, 2021
To: City Council
From: Hannah Klausman, Senior Planner
Subject: Planning File 02-21, Consideration of code revisions to 070.040.120 Affordable and Workforce Housing to include Inclusionary Zoning.

REQUEST	Consideration of code revisions to 070.040.120 Affordable and Workforce Housing to include Inclusionary Zoning.
APPLICANT	City of Glenwood Springs
LOCATION	City wide
ZONE	All

Important Update from First Reading

Staff has received multiple public comment letters submitted from various local businesses and organizations in regards to affordable and workforce housing policies being considered as part of Ordinance 1 Series 2021. Many of the comments in the letters are in support of a project proposal that will be reviewed separately and is not currently an active application. Additionally, comments in the letters are advocating for changes related to the Voluntary Deed Restriction Program, that is also being considered as part of the ordinance. These comments are discussed further in the “Public Comment” section of this report.

REQUIRED ACTION

Consideration of code revisions to 070.040.120 Affordable and Workforce Housing to include Inclusionary Housing requirements.

Background

In 2001 City Council first adopted inclusionary housing requirements. Residential property developers in Glenwood Springs were required to provide a percentage of deed-restricted for-sale affordable housing units in their projects. The requirement was suspended in 2011 following the 2008 recession and resulting downturn in the area housing market. In 2017 City Council voted to repeal inclusionary housing requirements from the Municipal Code.

City Council's discussion around the repeal decision focused on:

- Real estate market components that made Glenwood Spring's Community Housing program less effective than in higher priced resort communities.
- Low unit generation.
- Timing with the adoption of a new Development Code and whether it was efficient to include and then suspend or repeal all together.
- The numerous times the requirement suspension had been extended since 2011.
- The proposed regional Housing study would help identify what to target with an affordable housing program.
- A desire to improve the existing program.
- A desire to implement or use existing tools to incentivize affordable housing.

During the years of the requirement, the community housing program generated 10 deed-restricted for-sale units, three of which were cleared due to foreclosure. The remaining seven (7) deed restricted units were released from program requirements in 2018 when other program challenges, including escalating Housing Association fees, became apparent.

City Council has directed Staff to revisit the program and draft a revised inclusionary housing program.

Planning and Zoning Commission (P&Z) reviewed a draft ordinance at their regularly scheduled January 26, 2021 meeting. P&Z recommended approval of the Inclusionary Housing ordinance.

The Planning and Zoning Commission discussion focused on the balance between the public benefit and developer challenge to ensure a functioning program. Code language suggestions included:

- Implement softer rounding for the number of deed restricted units required.
- Consider possible residency exemption for a qualified resident who is not employed, e.g. retired, receiving social security benefits, or disabled.
- Concern that homeownership for 80% AMI households is challenging in our high cost area. There may be a limited pool of 80% AMI buyers in Glenwood that meet the eligibility criteria at any given time.
- Consideration of ability to add existing units as deed restricted units.

Staff has incorporated these changes into the revised ordinance before Council.

Other points of discussion focused on suggestions for the Community Housing Guidelines that provide the administrative processes for implementation. Housing Guideline suggestions included:

- Consider a tier 2 qualification level in the event that no qualified resident applies to rent or purchase. This would allow owner/seller expanded options to sell, ie employment outside the Employment Area.
- Consider re-sales restrictions to a similar initial AMI purchaser such as an appreciation limitation.
- Once the initial purchase price is determined, there are different ways to constrain appreciation so that the home remains affordable to another AMI targeted household at the next sale. However, as real estate appreciates at different rates and can experience decline, the price needs to be about 30% below market for a successful program over the long term.
- Explanation of importance to have any deed restriction or covenant accepted by CHFA, FHA, USDA, VA and other mortgage programs that are used by first time and moderate AMI buyers who will likely not have enough down payment for a conventional mortgage.
- Apply more flexibility in standards of a qualified tenant. For example, if no qualified Glenwood Springs residents exist for a unit, allowing a broader geographic pull, or higher AMI category.

Project Summary

The Community Housing program will apply to all residential and mixed-use developments of ten (10) or more new dwelling units, or the creation of ten or more residential lots, within Glenwood Springs. The requirements include Twenty (20%) percent of the total residential units in any new residential or mixed-use development be deed restricted for Resident Occupied Community Housing, and ten (10%) percent of the total units be deed restricted to limit the average Initial Sales Price to that which is affordable to Households earning 100% Area Median Income (AMI); or rental prices set at rates that are affordable to Households earning a maximum 100% AMI. The charts on the following page illustrate the number or required deed restricted units up to a 99 total unit proposal based on fractional remainders rounded to the nearest whole number: below 0.75 round down (= 0 unit) and round up from 0.75 and higher (= 1 unit).

Total Units	20% RO Required
10	2
14	3
19	4
24	5
29	6
34	7
39	8
44	9
49	10
98	19

Total Units	10% Affordable Required
10	1
18	2
28	3
38	4
48	5
58	6
68	7
78	8
88	9
98	10

Area Median Income for all Colorado Counties is reported on yearly by Colorado Housing and Finance Authority. A graphic showing Garfield County's 2020 rent and income limits is attached in the staff report packet. Staff used CHFA's mortgage calculator to estimate what inclusionary housing prices would be given current market conditions as well as base assumptions. The following assumptions were used to calculate for sale home price estimates:

Interest Rate	3.25%	18-month average, To be calculated annually. (http://www.freddiemac.com/pmms/pmms30.html)
Housing Payment	30%	Housing payment should not exceed 30% of gross income.
Principle & Interest	80%	Percent of total housing payment.
Taxes & Insurance & HOA Fees	20%	Percent of total housing payment
Down payment	5%	Assumed percentage available for a down payment.

Estimated maximum home prices for inclusionary housing units at 80%, 100%, and 120% AMI categories for 2021 are as follows:

80 % AMI Sales Prices

	Annual	Monthly Income	Home Price
1 Person Household	\$ 47,360	\$ 3,947	\$ 197,393
2 Person Household	\$ 54,080	\$ 4,507	\$ 225,279
3 Person Household	\$ 60,880	\$ 5,073	\$ 253,595
4 Person Household	\$ 67,600	\$ 5,633	\$ 281,626

100 % AMI Sales Prices

	Annual	Monthly Income	Home Price
1 Person Household	\$ 59,200	\$ 4,933	\$ 246,596
2 Person Household	\$ 67,600	\$ 5,633	\$ 281,626
3 Person Household	\$ 76,100	\$ 6,342	\$ 317,021
4 Person Household	\$ 84,500	\$ 7,042	\$ 352,014

120 % AMI Sales Prices

	Annual	Monthly Income	Home Price
1 Person Household	\$ 71,040	\$ 5,920	\$ 295,945
2 Person Household	\$ 81,120	\$ 6,760	\$ 337,937
3 Person Household	\$ 91,320	\$ 7,610	\$ 380,447
4 Person Household	\$ 101,400	\$ 8,450	\$ 422,403

For comparison, the median Single-Family Home Price for Glenwood Springs in 2020 was \$625,000, and the median Townhouse/Condo price was \$330,000, as reported by the Colorado Association of Realtors. Additional real estate market reports are included in the packet from Title Company of the Rockies for the week of February 9, 2021 to provide context for the current market.

Incentives for Community Housing, including possible density bonuses, site design flexibility, tax rebates or reductions, may also apply to all residential developments over one (1) dwelling unit. These specific incentives are intended to build in flexibility to the requirements. The specifics of these incentives is captured in the Housing Guidelines for review by City Council in item 16 Resolution 2021-06, Guidelines for Inclusionary Zoning.

The Community Housing requirements and the existing Voluntary Deed Restriction program would move into a new Title in the Municipal Code. 070.045. The voluntary deed restriction program currently resides in Section 070.040.120, under the Development Standards Title.

Review Criteria and Analysis

A Code amendment is a legislative decision by the City Council. Prior to recommending approval or approving a proposed Code amendment, the Planning Commission and City Council shall consider whether and to what extent the proposed amendment meets the following criteria. Staff analysis is in bold.

- I. Is consistent with the Comprehensive Plan and other City policies;
The proposed amendment upholds the goals of the Comprehensive plans and other City policies including pending approval and adoption of the Recreation Economy for Rural Communities (RERC) Action Plan. The City of Glenwood Springs's Strategic Plan identifies developing affordable housing as important to protect and preserve our quality of life.
- II. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
The small proposed change in depreciation calculations does not conflict with the Municipal code.
- III. Is necessary to address a demonstrated community need;
According to the most recent Regional Housing Study completed in 2018, Glenwood Springs has a 1,200-unit deficit in available homes priced or rented at 80% AMI and below.
- IV. Is necessary to respond to substantial changes in conditions and/or policy; and
From the time inclusionary housing requirements were repealed in 2017, more than 500 residential units have been approved or constructed in Glenwood Springs. Inquiries with the Community Development department indicate this trend to continue.
- V. Is consistent with the general purpose and intent of this Code.
The proposed amendment is in line with the purpose and intent of the Code.

Reviewing Agency Comments

There are no agency comments at this time.

Public Comment

Staff received multiple written letters from area businesses and developers commenting on the proposed ordinance. Those letters are included as attachments to the staff report. The common thread in the letters is the support for continued efforts in affordable and workforce housing policies on behalf of the City.

The majority of comments are encouraging flexibility in the application of both the Inclusionary Housing program as well as the Voluntary Deed Restricted Program, specifically in the category of qualifying employment area and available incentives to developers.

The referenced project in the letters is in the conceptual phase and not an active application. The Developers are interested in the outcomes of the proposed ordinance and are offering suggestions and comment on impact of implementation to their project idea as well as development in general.

Action Item and Staff Recommendation

Action Item:

Consideration of code revisions to 070.040.120 Affordable and Workforce Housing, to include inclusionary housing requirements.

Staff and P&Z Commission recommend approval of the code amendment.

Suggested Findings

The proposed code amendment:

- I. Is consistent with the Comprehensive Plan and other City policies;
- II. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- III. Is necessary to address a demonstrated community need;
- IV. Is necessary to respond to substantial changes in conditions and/or policy; and
- V. Is consistent with the general purpose and intent of this Code.

ORDINANCE NO. 1

SERIES OF 2021

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO AMENDING SECTION 070.070.030 AND ADDING A NEW ARTICLE 070.045 OF TITLE 070 TO THE GLENWOOD SPRINGS MUNICIPAL CODE FOR THE PURPOSE OF ADOPTING INCLUSIONARY ZONING FOR AFFORDABLE HOUSING.

WHEREAS, the City of Glenwood Springs (“City”) is a legal and political subdivision of the State of Colorado for which the Glenwood Springs City Council (“City Council”) is authorized to act; and

WHEREAS, the City is authorized by the Local Government Land Use Control Enabling Act of 1974, §29-20-101 through §29-20-108, C.R.S., as amended, and §31-23-301, C.R.S., as amended, to plan for and regulate the use of land within the City’s jurisdiction, and to enact zoning, subdivision, and other land use and development regulations; and

WHEREAS, §31-23-304, C.R.S., provides that the City shall provide for the manner in which its land use and development regulations are amended, supplemented, or changed; and

WHEREAS, the Planning Commission at a duly noticed public hearing on January 23, 2021 considered the Zoning Code amendments and provided a recommendation to the City Council; and

WHEREAS, the City Council at duly noticed public hearing on February 18, 2021 considered the proposed Code amendments and recommendation of the Planning Commission and determined that the amendments are in the best interest of the public health, safety and welfare of the citizens of the City and conformed in all respects to the Glenwood Springs Municipal Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO:

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

Section 2. Title 070 of the Glenwood Springs Municipal Code is hereby amended as set forth in **Exhibit A** attached hereto.

Section 3. Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED BY TITLE ONLY
THIS ____ DAY OF FEBRUARY 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, Assistant City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY THIS ____ DAY OF
_____ 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, Assistant City Clerk

EXHIBIT A

The following sections of the Municipal Code are amended as follows with double underlined text added and ~~strike through text deleted~~.

The following definitions will be added to 070.070.030 – All Other Terms Defined

For the purposes of this Title, the following terms shall have the meanings set forth below unless the context clearly indicates otherwise:

* * *

Area median income (AMI) means the median household income estimates and program income limits compiled and released annually for Garfield County by the United States Department of Housing and Urban Development (HUD).

* * *

Community housing or Community Housing Unit– A Residential dwelling unit within the City of Glenwood Springs that is deed restricted in accordance with this Article and the City of Glenwood Springs’s Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with a deed restriction approved by the City of Glenwood Springs City Council or its designee.

Community housing rental unit means a community housing unit that is deed-restricted in accordance with this Article and the City of Glenwood Springs’s Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with deed restrictions approved by the City of Glenwood Springs City Council or its designee, to establish a maximum rental prices, as well as residency, employment and income qualifications for owners and occupants.

Community housing residency requirements and guidelines means the requirements adopted by resolution by the City Council, from time to time, which may include, but shall not be limited to, standards concerning the procedure for qualifying to own or rent Community Housing Units; the requirements (e.g. residency) for qualifying to own or rent Community Housing Units; forms of approved deed restrictions; limitations on appreciation of sales prices of Community Housing; procedures for sale of Community Housing; priorities for persons bidding to purchase Community Housing Units; maximum sales and rental rate increases; standards for the number of residents per dwelling unit; quality of construction requirements for new Community Housing Units; and possible incentives for the construction of Community Housing. The Community Housing Residency Requirements and Guidelines, and amendments

thereto, shall be adopted following a duly noticed public hearing at which such guidelines are considered.

Community housing for sale unit means a community housing unit that is deed-restricted in accordance with this Article and the City of Glenwood Springs's Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with a deed restrictions approved by the City of Glenwood Springs City Council or its designee to establish maximum initial sales and resale prices, as well as residency, employment and income qualifications for owners and occupants.

* * *

Deed restriction means a contract entered into between the City and the owner or purchaser of real property identifying the conditions of occupancy and resale.

* * *

Employee/Qualified resident means a person who is employed on the basis of a minimum of 1,500 hours worked per calendar year in the Employment Area, which averages thirty (30) hours per week for a minimum of ten (10) months per year, physically working the Employment Area and who resides in the Community Housing Unit as their sole and exclusive place of residence a minimum nine (9) months of a twelve (12) month period. Priority will be given to employees/qualified residents employed within the City of Glenwood Springs boundaries or someone who has receive a local employment exemption pursuant to the Community Housing residency requirements and guidelines.

Employment area means Glenwood Springs municipal boundary.

* * *

Gross income means the total income, including alimony and child support, derived from a business, trust, employment, Social Security Benefits of any type and from income-producing property, before deductions for expenses, depreciation, taxes, and similar allowances.

* * *

Inclusionary community housing means the policy of requiring community housing in residential developments to ensure adequate housing stock for local residents and to maintain or increase the current ratio of primary to second home ownership in the City of Glenwood Springs.

Initial sales price means the maximum price for which a price capped community housing for sale unit may be initially sold.

* * *

Resident occupied community housing means housing with a deed restriction recorded against it requiring that it be owned or occupied by an Employee/Qualified Resident as its Primary Residence as set forth in this Article and the City of Glenwood Springs Housing Residency Requirements and Guidelines.

* * *

A new Article 070.045 of Title 070, Glenwood Springs Municipal Code, is hereby adopted to read as follows.

ARTICLE 070.045– Community Housing Standards and Guidelines – Administration.

070.045.010. – Title.

070.045.020 - Purpose

- (a) Purpose. The purpose and intent of the regulations set forth in this Article is to increase affordable housing choices for year-round residents and to preserve a balance between second homeowners and locals.

070.045.030 - Applicability.

These requirements for Community Housing shall apply to all residential and mixed-use developments proposing the construction of ten (10) or more new dwelling units, or the creation of ten or more residential lots, within the corporate limits of the City of Glenwood Springs after the effective date of these regulations. Incentives for Community Housing shall also apply to all residential developments over one (1) dwelling unit.

070.045.040 - Administration.

- (a) The Planning Director shall be responsible for the administration of these regulations, and he or she shall have the authority and duty to:
 - (1) Exercise administration of this Article or any guidelines thereof pertaining to all building and developments where applicable.
 - (2) Enforce all terms of this Article or any guidelines thereof.
 - (3) Review and recommend approval or denial of all housing mitigation plans submitted in accordance with this Article or any guidelines thereof.
- (b) The Planning Director may also enter into contracts with other agencies, including regional housing authorities, to administer this Article or any guidelines thereof, subject to approval of the City Council.

070.045.050. - Relationship of regulations to other requirements.

Whenever these regulations are found to be inconsistent with any other resolution, ordinance, code, regulation, or other enactment of the City, the enactment imposing more restrictive standards or requirements shall control.

070.045.060. - Guidelines for implementation.

- (a) This Article has been implemented in accordance with guidelines adopted by the City Council. The guidelines may be amended from time to time and shall include the following components:
 - (1) Guidelines for the type, size and price for community housing units;
 - (2) Guidelines for qualifications to purchase and occupy community housing units; and
 - (3) Guidelines for the purchase or sale of community housing units.
- (b) The guidelines will provide all general information necessary for the implementation and administration of this Article.

070.045.070 – Mitigation for Residential Developments.

All new residential subdivisions and all new multi-family residential developments shall set aside lots or units for community housing as set forth in this Section.

- (a) Twenty (20%) percent of the total residential units in any new residential or mixed-use development proposing to create ten (10) or more residential dwelling units shall be deed restricted for Resident Occupied Community Housing.
- (b) Ten (10%) percent of the total residential units in any new residential or mixed-use development proposing to create ten (10) or more residential dwelling units shall be deed restricted to limit the average Initial Sales Price to no greater than that which is affordable to Households earning no more than 100% AMI; or to limit the Community housing rental unit rental prices in accordance with guidelines established by the City and generally set at rates that are affordable to Households with incomes no higher than 80-100% AMI, averaged over the total required deed restricted units.
- (c) Fractional remainders. The development's mitigation responsibility will be rounded to the nearest whole number: below 0.75 round down (= 0 unit) and round up from 0.75 and higher (= 1 unit).

- (d) In lieu of the requirements of subsections (a) and (b) of this section, the development may meet mitigation requirements through a donation of land in an amount determined by the City Council meeting the following requirements:
 - (1) Land shall be free of all liens and encumbrances and shall be conveyed by general warranty deed.
 - (2) Land shall be properly entitled and capable of supporting the applicable number of Community Housing units.
 - (3) Land shall be buildable, have suitable soils and drainage and available utilities, and should not be within an area that has potential geologic hazards associated with development.
- (e) The development may provide up to 50% of the required mitigation through the restriction of existing units.

070.045.080 – Incentives for Residential Developments (Inclusionary Housing) Over One (1) Dwelling Unit.

- (a) Any residential or mixed-use development proposing to create one (1) or more residential dwelling units may be eligible for the following incentives when providing deed restricted Community Housing in the form of Resident Occupied Community Housing, For Sale Community Housing and/or Rental Community Housing that is deed restricted in accordance with the City’s Community Housing Standards and Guidelines.
 - (1) Density Bonus. As part of any new residential or mixed-use development, the City may offer a density bonus.
 - (2) Site Design Flexibility. Provided that the housing goals and eligibility requirements are met and provided that the intents and purposes of this Title are not compromised, the City may consider flexible application of design standards including, but not limited to minimum lot size, building height, lot coverage, impervious coverage, setbacks and landscaping.
 - (3) Public-Private Partnerships. The City may participate in, or facilitate participation with other governmental entities regarding financing or purchasing of Community Housing units directly from the applicant or by other means of subsidy or participation.
 - (4) Tax Rebate or Reduction. The City Council may at its sole discretion waive, reduce or rebate property, construction use, or other tax applicable to the project.

070.045.090. – Acceptable Methods of Community Housing Mitigation

The following methods are provided for an applicant to comply with this Article:

- (a) Provision of Price Capped for Sale Deed Restricted Community Housing with an average maximum Initial Sales Price set at or below 100% AMI affordability level.
- (b) Provision of Resident Occupied Deed Restricted Community Housing for Rental and For Sale Community Housing Units.
- (c) Conveyance of land to the City in lieu of community housing in an amount determined by the City Council.

070.045.100. - Minimum requirements.

- (a) Deed restrictions. Any community housing required by this Article shall be deed-restricted in accordance with a form of deed restriction enforceable in the State, as approved by the City Attorney, to rental or ownership and occupancy by the project developer or to persons who live or work in the City. Deed restrictions shall be prepared in accordance with the community housing guidelines.
- (b) Housing guidelines. The units shall be developed and shall comply with the size, design and occupancy standards established within the community housing guidelines.
- (c) Timing of occupancy. The units shall be ready for occupancy no later than the occupancy of free market units within the project. If the free market units are to be developed in phases, then the community housing units can be developed in proportion to the phasing of the free market units.

070.045.110. – Housing Plan.

For all projects subject to the requirements for Community Housing, a housing plan shall be submitted as a component of the land use application. For those projects subject to the requirements for Community Housing, land use applications will not be deemed complete without the submission of a Housing Plan. Execution of the Housing Plan shall be a condition of approval for the development permit and shall include, at a minimum, the following information as deemed applicable by the Planning Director:

- (a) Total number of market rate units and Community Housing units proposed in the development;
- (b) Details regarding how the Standards and Guidelines will be met, including unit types, square footage, number of bedrooms per unit, targeted income category, and Initial Sales Price;
- (c) Any proposed alternative method(s) of compliance with the Standards and Guidelines.

070.045.120 - Affordable and Workforce Housing.

(a) *In General.* Reserved.

(b) Voluntary Provisions.

(1) Deed-Restricted Development.

- a. Applicability. Any new development of for-rent residential units in the City not otherwise required to provide housing mitigation may voluntarily with the City enter into an affordable housing deed-restriction agreement consistent with the terms and conditions of this Subsection 070.045.120(b)(1).
- b. Deed Restriction. The deed restriction provided for in this Subsection shall be recorded by the owner of the property burdened thereby and remain a covenant and restriction running with the property for a period of thirty (30) years unless otherwise terminated.
- c. Affordability.
 1. The gross rental price, including utility allowance and non-optional fees, of any deed-restricted unit shall not, at the time of leasing, exceed the maximum rents established according to Colorado Housing and Finance Authority, Colorado County Income and Rent Table, for one hundred twenty (120) percent of the Garfield County Area Median Income.
 2. The average of all deed-restricted units in a development shall not exceed one hundred (100) percent of the maximum rents established according to the Colorado Housing and Finance Authority, Colorado County Income and Rent Table, as determined at the time each individual unit was leased.
- d. Impact Fees. The deed restriction shall provide for a waiver of the following impact and improvement fees required by this Code according to the percentage of new for-rent units restricted thereby:
 1. Any water or sewer tap fee required under 080.040.010(c) or 080.030.010(c), respectively.
 2. Any water or sewer system improvement fee required under Article 080.060.

3. Any school land dedication required under Subsection 070.040.030(g)(4), School Land Dedication.
4. Any fire and emergency service impact fees required under Subsection 070.040.030(g)(5), Fire and Emergency Services Impact Fee.
5. Any parkland dedication fees required under 070.040.030(g)(2), Parkland Dedication.

Said fees shall be calculated and determined prior to development and remain unpaid, in abeyance, to be depreciated over a period of thirty (30) years from the issuance of a certificate of occupancy for the unit(s) in accordance with the following schedule:

- i. Years 0-3 0% depreciation
 - ii. Years 4-10 20% depreciation
 - iii. Years 11-30 straight line depreciation from 21% to 100%
6. Any restricted party that knowingly fails to adhere to the requirements of the deed restriction or this Subsection 070.045.120(b)(1) for any portion of a year shall be required to immediately pay the remaining un-depreciated impact and improvement fees upon thirty (30) days' written notice from the City. The restricted party's failure to pay such amount upon notice shall result in an automatic lien upon the property plus a penalty of ten (10) percent of the amount owed, plus the reasonable costs of fees, including attorney fees, spent in collection. Said lien shall thereafter be collected as provided in Section 080.010.100 of the Code.

e. Occupancy Requirement.

1. Primary occupants shall sign an affidavit of qualification and be qualified to rent a deed-restricted unit under this Subsection 070.045.120(b)(1) according to any of the following criteria:
 - i. Employed to primarily work at a physical location within the 81601 postal zip code;
 - ii. Directly employed by a company that has its principal office located within the 81601 postal zip code;
 - iii. Enrolled as a full-time student at a local educational institution;

- iv. Being sixty-five (65) years of age or greater; or
- v. Receiving social security disability benefits.

Qualifying occupants may have roommates not employed within the 81601 postal zip code or by a company not having its principal office within the 81601 postal zip code.

- 2. No occupant of a deed-restricted unit shall engage in any business activity on or in the unit, except as allowed under Subsection 070.030.040(d)(3), Home Occupations, of this Code.
 - 3. In the rental and occupancy of the units, there shall be no discrimination on the basis of age, race, creed, color, sex, sexual orientation, disability, religion, national origin, marital status, gender identity, or affiliation.
 - 4. When a unit becomes vacant, the owner shall promptly make it available and actively market said unit for lease to another qualified occupant in accordance with the deed restriction and any rental guidelines adopted by the City.
 - 5. Each unit shall only be leased and occupied by residents who will utilize the unit as his or her principal place of residence. A "principal place of residence" shall mean the dwelling in which one's habitation is fixed and to which a person, whenever he or she is absent, has a present intention of returning after a departure or absence there from.
 - 6. In the event the employment or student enrollment status of the occupant of any unit is altered so as to no longer meet the qualifications of this Subsection, said occupant shall be permitted to reside in the unit under the same terms and conditions of the unit lease, except that no extension of the lease term shall be granted.
- f. *Market Conversion.* The owner of a deed-restricted unit may convert a unit to rent or sale at market rate upon written notice to the City. Upon market conversion, the owner shall record an amendment to the deed restriction for the termination thereof. Upon the first rental or sale of any such converted unit, the owner shall pay to the City the amount of any and all proportional, amortized, and depreciated impact and improvement fees then outstanding.
- g. *Reporting Requirement.* The owner of a deed-restricted unit shall annually, between December 1 and December 15, provide a report and proof to the City or its designated representative agency of its compliance with the rental

requirements set forth in this Subsection for the prior twelve-month period. Said report shall contain, at a minimum:

1. The number of deed-restricted units rented pursuant to this Subsection;
2. The period each unit was rented and the status by which the were occupant(s) qualified under the deed restriction;
3. The monthly rental price; and
4. The taxes, special assessments, and homeowners' association and management fees, and any other fees or charges, including common utilities, assessed to each unit.

(c) *Housing Units Developed Under Prior Inclusionary Housing Program.* All housing units developed under the provisions of the inclusionary housing program repealed by Ordinance 21, Series of 2017, shall remain subject to the terms and conditions of approval previously agreed upon, including the applicability of the Glenwood Springs Community Housing Guidelines as administered by the Garfield County Housing Authority.

Jenn Ooton, Asst. City Manager
(970) 384-6404 (o)



101 West 8th Street
Glenwood Springs, CO 81601

To: City Council
From: Jenn Ooton, Assistant City Manager
Date: March 9, 2021
RE: Projects submitted for the land use process

As City Council considers Ordinance No. 1, Series 2021, the Community Development Department wanted to provide a list of projects that have already been submitted and would be processed under the current regulations in Title 070.

09-20 R2 Partnership Annexation and Rezoning to PUD - 360 residential units in 11 buildings to include townhomes, multi-family apartments, and live/work units on 12.29 acres

58-20 Lofts Phase IV Major Site Architectural Plan Review – application for 36 additional units.

60-20 BLD Major Site/Architectural Plan Review and Minor Subdivision - a 300-unit multi-family development in 14 separate buildings in Glenwood Meadows

65-20 Site Arch Review-2512 S Grand-Multi-Family – 24 units (to be resubmitted on Feb. 22; original application was incomplete).

70-20 Major Site/Architectural Plan Review and Variances - for development of 42 multi-family rental condominium development at the existing location of Rivers Restaurant



City Council Staff Report

Date: March 18, 2021

To: City Council

From: Hannah Klausman, AICP
Senior Planner

Subject: Planning File 01-21, Consideration of code revisions to 070.040.120 Affordable and Workforce Housing to amend the Voluntary Deed Restriction Program.

REQUEST	Consideration of code revisions to 070.040.120 Affordable and Workforce Housing to amend the Voluntary Deed Restriction Program.
APPLICANT	City of Glenwood Springs
LOCATION	City wide
ZONE	All

Background

In 2016, the City Council of the City of Glenwood Springs adopted requirements for participation in the City's deed restricted development and improvement fee waiver program. The program established system improvement fee waivers for developments that voluntarily enter into an affordable housing deed restriction agreement for 30 years, or unless otherwise terminated.

The voluntary program was established to incentivize developers to create attainable workforce housing. The development agreement stipulates a maximum rent cap averaged to 100% Area Median Income for all units, updated annually by the Colorado Housing and Finance Authority (CHFA). The rent is calculated based on the number of bedrooms. The 2020 Rent Limit table from CHFA below illustrates the maximum rent charges allowable up to 120% AMI for Garfield County.

2020 MAXIMUM RENTS							
COUNTY	HERA	AMI	0 BDRM	1 BDRM	2 BDRM	3 BDRM	4 BDRM
Garfield		120%	1,776	1,902	2,283	2,637	2,943
Garfield		100%	1,480	1,585	1,902	2,197	2,452
Garfield		80%	1,184	1,268	1,522	1,758	1,962

By comparison, The Lofts at Red Mountain, a market rate development that was recently finished has 1-bedroom apartments that range from \$1,875 to \$1,925, and 2-bedroom units that range from \$2,595 to \$2,770 advertised on their website. Carport parking is an additional \$35 per month, and private garage rentals are an additional \$200 per month. Uncovered parking is no additional cost.

Six Canyons in West Glenwood, another recent market rate development advertises 1-bedroom apartments starting at \$1,700 and 2-bedrooms that range from \$2,250 to \$2,625. The public benefit of the voluntary program can be seen in

the difference between market rate rents and the reduced maximum rent allowable by the voluntarily deed restricted developments.

In exchange for this rent cap, the deed restriction provides the developer with a waiver of the following impact and improvement fees required by Code:

- (1) Any water or sewer tap fee required.
- (2) Any water or sewer system improvement fee required.
- (3) Any school land dedication required.
- (4) Any fire and emergency service impact fees.
- (5) Any parkland dedication fee in lieu required.

Said fees remain unpaid, in abeyance, depreciated over a period of thirty (30) years from the issuance of a certificate of occupancy for the unit(s). Straight line depreciation is used, meaning that each year the development remains in the program, the amount of fees reduces by an equal annual amount. There is currently no penalty for terminating participation before the 30-year timeline.

The agreement stipulates that primary occupants must meet one of the following requirements:

- (i) Employed to primarily work at a physical location within the 81601 postal zip code;
- (ii) Directly employed by a company that has its principal office located within the 81601 postal zip code;
- (iii) Enrolled as a full-time student at a local educational institution;
- (iv) Being sixty-five (65) years of age or greater; or
- (v) Receiving social security disability benefits.

Program Participation

Currently the program has seven (7) participants with a total of 45 units that are deed restricted. The attached Active Units document illustrates active properties, number of units, agreement timeline, and terminations.

To date, two participants have completely exited the program, and a third reduced the number of units that were deed restricted. These early withdrawals represent 14 total units, all of which exited within the first year of participation.

Program Review and Amendment

The voluntary deed restriction program has been operating for three years. Staff, and the City's housing commission evaluated the program's progress and based on perceived challenges, recommended an amendment to Planning and Zoning Commission. Challenges of the program were identified as the ease with which a developer could withdraw early from the program, as well as reporting challenges as detailed by Staff. These aspects are discussed further below under the Issues category.

The Planning and Zoning Commission reviewed the draft changes at their regularly scheduled meeting in January 2021 and recommended approval. Several Commissioners voiced a desire for an extended amortization deferment of 5 years compared to the proposed 3-year timeline included in the draft code change.

Issues

Early Program Withdrawal

The intent of the voluntary program is to provide an incentive to developers to deed restrict rental prices to a maximum 120% AMI in exchange for a waiver of system improvement fees. The benefit to the City is the prolonged public benefit of attainable housing for the Glenwood Springs workforce. When a participant exits the program early, the public benefit is short lived and less desirable.

Annual Reporting

Program participants are required to submit annual reporting to the City of Glenwood Springs to document compliance with the deed restriction standards. The report includes a primary occupant affidavit certifying qualification status, duration of each qualified occupant stays, and the amount of rent and fees charged for each deed restricted unit in the development. Participating developers have struggled with tenant turnover and tracking, as well as tenants whose qualifications change mid-lease, requiring a new qualified tenant. This has included primary occupants that qualified as being employed within the 81601-zipcode and then changed employment to outside of the allowable area. In these situations, the program standards do include provisions that allow a tenant to complete the lease terms, but do not have the option to renew the lease.

Program Participation and Drawbacks

To date, none of the large apartment developments that have been approved since the voluntary program began in 2017, have participated. Developers have pointed to the qualifications for primary occupancy being prohibitive, and the financial cost being unfeasible. This is important to consider when reviewing what type of developments are using the program and who might in the future.

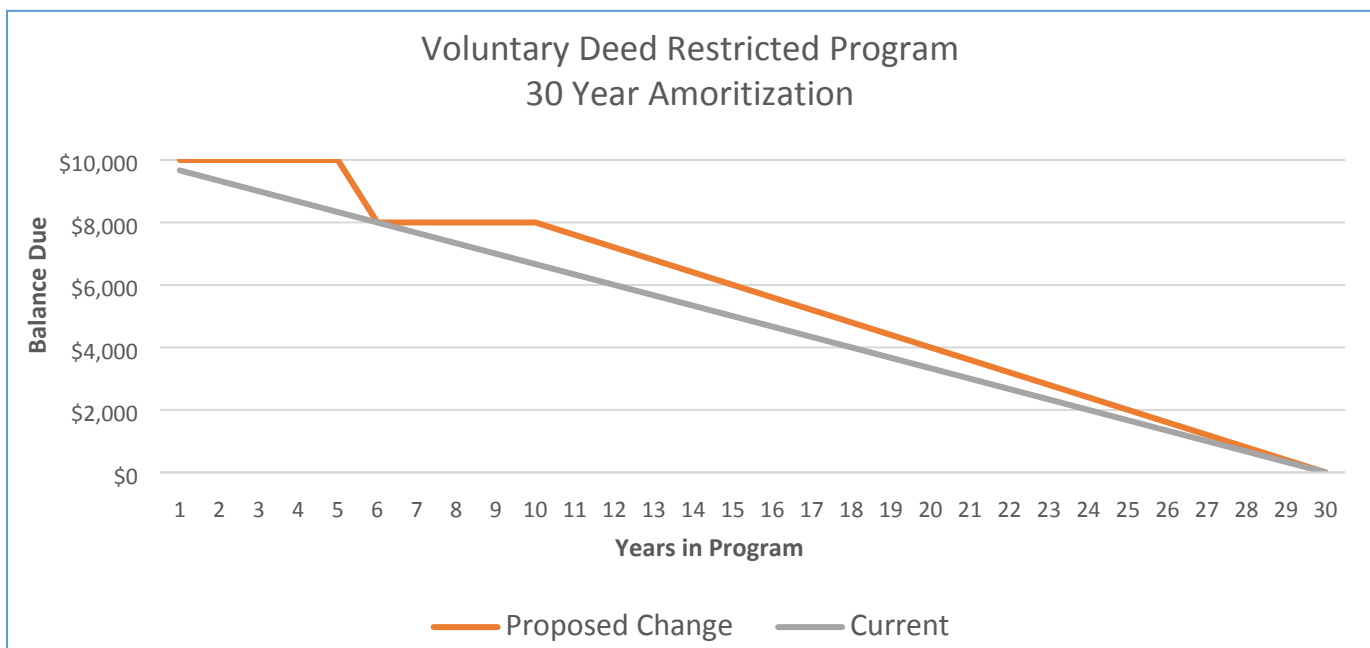
Staff has received comments from developers that the requirement for a qualified occupant to be employed within the 81601 zip code is overly risky for vacancy management as well as creating lending challenges.

Inclusionary Zoning Addition

Planning Item 02-21 proposes the introduction of required community housing through the addition of an Inclusionary Zoning program. The program would require all new residential subdivisions and all new multi-family residential developments proposing to create ten (10) or more dwelling units to set aside lots or units for community housing.

Project Summary

The proposed program change includes altering the equation for depreciation of fees held in abeyance. Current fees are held in abeyance for a duration of thirty (30) years with straight line depreciation. The proposed change includes deferring depreciation for the first five (3) years of program participation. In years six (6) through ten (10), 20% of the total would depreciate, and years eleven (11) through thirty (30) would be a straight-line depreciation of the remainder. The current straight line depreciation and proposed deferred option are illustrated in the graph below with an assumed \$10,000 fee waiver.



The intent of the amendment is to discourage early withdrawal from the program while still maintaining a developer benefit of deferred cost. The first three years of participation would have no reduction in the original balance of fees if a participant were to exit. The benefit to the developer remains as cost deferment but exiting prior to year four (4) would not include the added benefit of loan depreciation that the current process includes.

The Voluntary Deed Restriction program will likely move into a new Title in the Municipal Code. 070.045, along with the proposed Inclusionary Housing Requirements. The voluntary deed restriction program currently resides in Section 070.040.120, under the Development Standards Title.

This provision will only apply to participants that enroll in the program after the code revisions take effect. Changes will not alter the existing participant agreement terms.

Review Criteria and Analysis

A Code amendment is a legislative decision by the City Council. Prior to recommending approval or approving a proposed Code amendment, the Planning Commission and City Council shall consider whether and to what extent the proposed amendment meets the following criteria. Staff analysis is in bold.

- I. Is consistent with the Comprehensive Plan and other City policies;
The proposed amendment to the existing program upholds the goals of the Comprehensive plans and other City policies.
- II. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
The small proposed change in depreciation calculations does not conflict with the Municipal code.
- III. Is necessary to address a demonstrated community need;
The code section and proposed changes are part of the City's effort to provide attainable workforce housing. According to the most recent Regional Housing Study from 2018, Glenwood Springs has a 1,400-unit deficit in available homes priced or rented at 120% AMI and below.
- IV. Is necessary to respond to substantial changes in conditions and/or policy; and
The amendment addresses program deficiencies after two years of implementation.
- V. Is consistent with the general purpose and intent of this Code.
The proposed amendment is in line with the purpose and intent of the Code.

Reviewing Agency Comments

Housing Commission discussed the proposed changes. Discussion focused on how to maximize longevity of the public benefit while balancing program benefits and feasibility to developers. It was suggested that depreciation of fees begin between a minimum of 3 years and a maximum of 5 years, after which the depreciation could be straight line for the remainder.

Action Item and Staff Recommendation

Action Item:

Consideration of code revisions to 070.040.120 Affordable and Workforce Housing, to amend the Voluntary Deed Restriction program.

Staff and Planning and Zoning Commission recommend approval of the code amendment.

Suggested Findings

The proposed code amendment to the Voluntary Deed Restricted Program:

- I. Is consistent with the Comprehensive Plan and other City policies;
- II. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- III. Is necessary to address a demonstrated community need;
- IV. Is necessary to respond to substantial changes in conditions and/or policy; and
- V. Is consistent with the general purpose and intent of this Code.

	Inclusionary Housing Ordinance (Proposed)	Voluntary Deed Restriction Program (Existing)
Regulatory Nature	MANDATORY	VOLUNTARY
Occupant Qualifications		
Retired	Yes	Yes
Student	No	Yes
Self Employed	Yes	Yes
Disability	Yes	Yes
Employment Area	City Limits Prioritized, then 81601, then 30 miles out	Employed within 81601, or headquarters in 81601
Unit Type		
Rental Units	Yes	Yes
For Sale Units	Yes	No
Affordability		
Area Median Income	Average of 100% AMI, Two Income Limit Categories	Average of 100% AMI, Max 120% AMI
Incentives		
Density Bonus	Yes	No
Site Design Flexibility	Yes	No
Fee Waivers	No	Yes (All Syst. Impr. Fees Waived for Restricted Units)
Parking	None outside of Code provisions	None outside of Code provisions



**2020 Income Limit and Maximum Rent Limit Tables
for All Colorado Counties**
20% to 120% of Area Median Income (AMI)

HUD Effective Date: April 01, 2020

- The IRS allows LIHTC projects that placed in service as of 12.31.2008 to use higher HERA Special limits.
- All LIHTC and CHFA Loan projects are "held harmless" from limit decreases. To be "held harmless," a project must be in service before 05.15.2020.
- This year, LIHTC and CHFA Loan projects whose counties experienced a decrease in limits and that place in service before 05.15.2020 may continue to apply the same limits used in 2019.

2020 MAXIMUM RENTS							2020 INCOME LIMITS								
COUNTY	HERA	AMI	0 BDRM	1 BDRM	2 BDRM	3 BDRM	4 BDRM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Garfield	120%	1,776	1,902	2,283	2,637	2,943		71,040	81,120	91,320	101,400	109,560	117,720	125,760	133,920
Garfield	100%	1,480	1,585	1,902	2,197	2,452		59,200	67,600	76,100	84,500	91,300	98,100	104,800	111,600
Garfield	80%	1,184	1,268	1,522	1,758	1,962		47,360	54,080	60,880	67,600	73,040	78,480	83,840	89,280
Garfield	70%	1,036	1,109	1,331	1,538	1,716		41,440	47,320	53,270	59,150	63,910	68,670	73,360	78,120
Garfield	60%	888	951	1,141	1,318	1,471		35,520	40,560	45,660	50,700	54,780	58,860	62,880	66,960
Garfield	55%	814	871	1,046	1,208	1,348		32,560	37,180	41,855	46,475	50,215	53,955	57,640	61,380
Garfield	50%	740	792	951	1,098	1,226		29,600	33,800	38,050	42,250	45,650	49,050	52,400	55,800
Garfield	45%	666	713	856	988	1,103		26,640	30,420	34,245	38,025	41,085	44,145	47,160	50,220
Garfield	40%	592	634	761	879	981		23,680	27,040	30,440	33,800	36,520	39,240	41,920	44,640
Garfield	30%	444	475	570	659	735		17,760	20,280	22,830	25,350	27,390	29,430	31,440	33,480
Garfield	20%	296	317	380	439	490		11,840	13,520	15,220	16,900	18,260	19,620	20,960	22,320



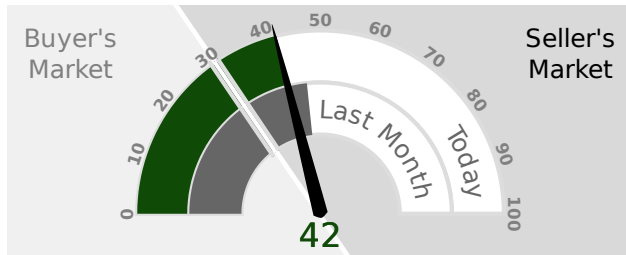
GLENWOOD SPRINGS, CO 81601

Single-Family Homes

This week the median list price for Glenwood Springs, CO 81601 is \$895,000 with the market action index hovering around 42. This is less than last month's market action index of 47. Inventory has held steady at or around 19.

MARKET ACTION INDEX

This answers "How's the Market?" by comparing rate of sales versus inventory.



Slight Seller's Advantage

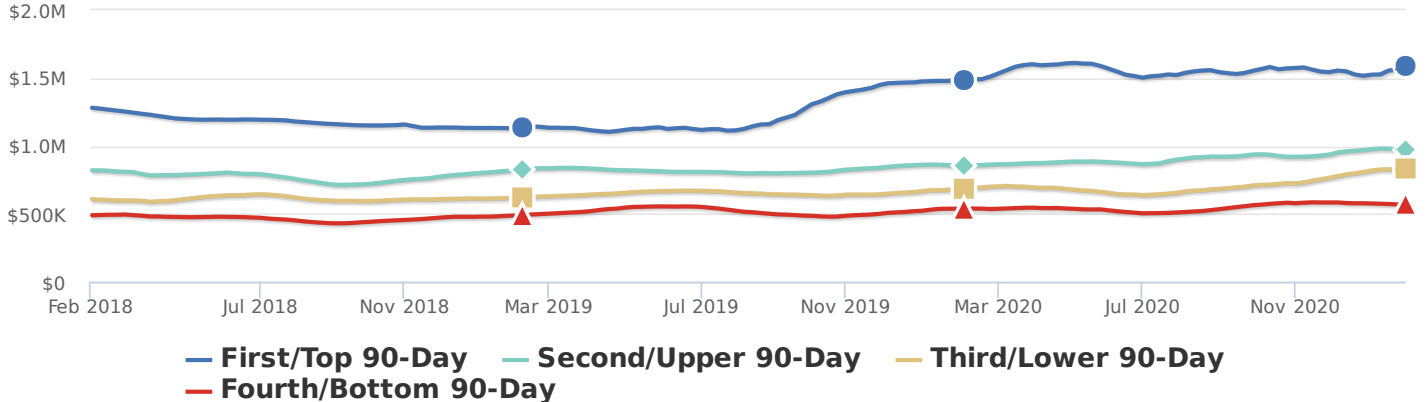
The market has been cooling over time and prices have recently flattened. Despite the consistent decrease in Market Action Index (MAI), we're in a Seller's Market (where significant demand leaves little inventory available). If the MAI begins to climb, prices will likely follow suit. If the MAI drops consistently or falls into the Buyer's zone, watch for downward pressure on prices.

REAL-TIME MARKET PROFILE

Median List Price		\$895,000
Per Square Foot		\$382
Days on Market		91
Price Decreased		37%
Price Increased		11%
Relisted		5%
Inventory		19
Median Rent		\$2,550
Most Expensive		\$3,195,000
Least Expensive		\$500,000
Market Action		42

Slight Seller's Advantage

MEDIAN LIST PRICE



MARKET SEGMENTS

Each segment below represents approximately 25% of the market ordered by price.

Median Price	Sq. Ft.	Lot Size	Beds	Bath	Age	New	Absorbed	DOM
\$2,105,000	4,550	10 - 20 acres	3	3	9	0	2	133
\$939,000	2,707	0.5 - 1 acre	4	3	3	1	1	84
\$824,900	2,411	0.25 - 0.5 acre	3	2	22	0	1	84
\$565,000	2,150	0.5 - 1 acre	3	2	58	0	2	91



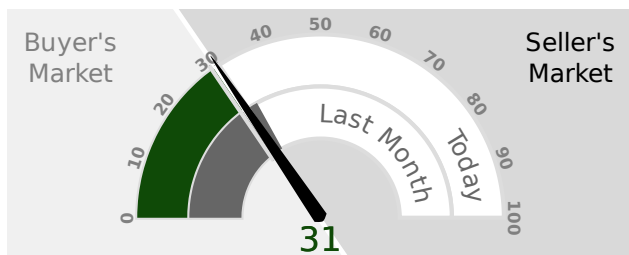
GLENWOOD SPRINGS, CO 81601

Condos/Townhomes

This week the median list price for Glenwood Springs, CO 81601 is \$595,000 with the market action index hovering around 31. This is less than last month's market action index of 34. Inventory has held steady at or around 12.

MARKET ACTION INDEX

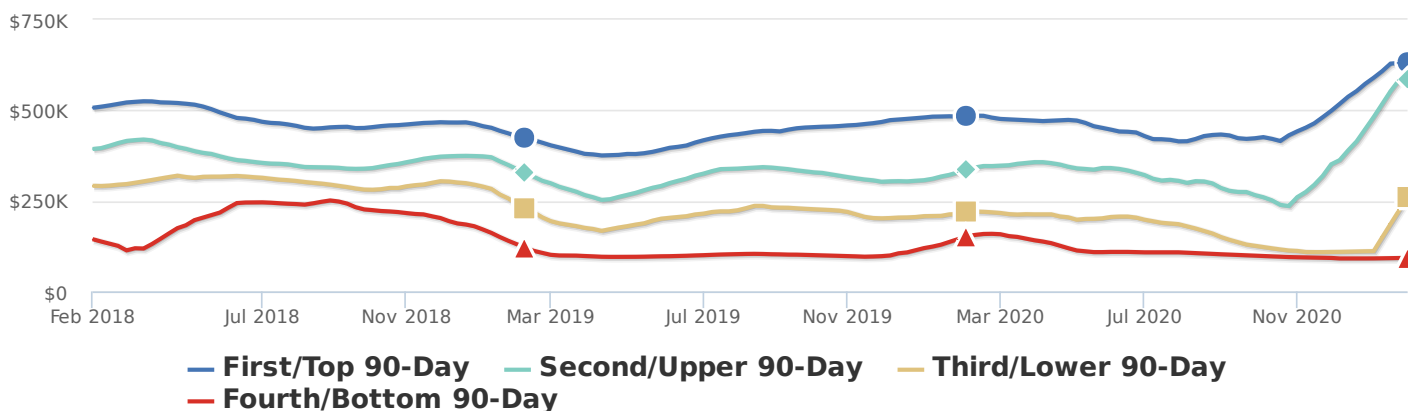
This answers "How's the Market?" by comparing rate of sales versus inventory.



Slight Seller's Advantage

Market conditions have been consistently cooling in the past several weeks. Because we're still in the Seller's zone, prices have not yet begun to drop. It may take a few more weeks of slack demand for prices to reflect and begin to fall. Expect prices to fall if the index persistently falls to the Buyer's zone.

MEDIAN LIST PRICE



MARKET SEGMENTS

Each segment below represents approximately 25% of the market ordered by price.

Median Price	Sq. Ft.	Lot Size	Beds	Bath	Age	New	Absorbed	DOM
\$650,000	2,809	-	4	3	1	0	0	98
\$625,000	2,425	-	3	3	0	0	0	21
\$595,000	2,408	-	3	3	0	0	1	21
\$95,000	400	-	1	1	53	0	0	336

REAL-TIME MARKET PROFILE

Median List Price		\$595,000
Per Square Foot		\$234
Days on Market		98
Price Decreased		17%
Price Increased		33%
Relisted		0%
Inventory		12
Median Rent		\$1,900
Most Expensive		\$650,000
Least Expensive		\$92,500
Market Action		31

Slight Seller's Advantage



March 8, 2021

Glenwood Springs City Council
101 West 8th Street
Glenwood Springs, CO 81601

Dear Glenwood Springs City Council:

As the housing coordinator for Roaring Fork Transportation Authority (RFTA), I am writing this letter to express my support for the continued development of affordable workforce housing units in Glenwood Springs.

In addition, I would like to ask that the City of Glenwood Springs consider providing some flexibility in the code amendment, Ordinance No. 1, Series of 2021, with regard to the Occupancy Requirement. Section ii states that primary occupants must be employed to primarily work at a physical location within the 81601 postal zip code. As you know, RFTA covers a large regional area, and while many of our workers begin their shifts in Glenwood Springs, they can be working in Glenwood Springs driving Ride Glenwood, or in Carbondale driving their circulator or on a number of routes throughout the valley on any given day.

I have been speaking with K2 Developers since early February of 2021, a social-impact real estate development company, which intends to renovate and convert the Affordable Inns on Highway 6 in Glenwood Springs to affordably priced workforce housing rentals. According to the managing principals of K2 Developers, their project's intention is to deed restrict the entire 62 unit building to 80% of AMI for rentals, to serve Glenwood Springs' essential workers.

Renovating the Affordable Inns and converting it to affordably priced housing is a win for Glenwood Springs and will serve the community well in the long term. I also believe this project could be a benefit for RFTA employees who are essential to our community. I respectfully ask that the City Council provide some flexibility in the language in order to allow RFTA employees to qualify for a project such as this and ensure affordable projects are successful.

Thank you for your consideration. I would be happy to discuss this with any City officials.

Respectfully,

Pam Willis
Employee Housing Coordinator
Roaring Fork Transportation Authority



365 River Bend Way • Glenwood Springs, CO 81601 • Tel 970 927 3690 • landstudio2@comcast.net

March 9, 2021

Glenwood Springs City Council
101 West 8th Street
Glenwood Springs, CO 81601
Via email: hannah.klausman@cogs.us

Re: Comments on Glenwood Springs Inclusionary/Workforce Housing Ordinance

Dear Glenwood Springs City Council:

Provided in this letter are some comments regarding the inclusionary and workforce housing provisions proposed in the draft City of Glenwood Springs code amendment ordinance. The Land Studio, Inc. is a planning and landscape architecture firm residing in the Roaring Fork Valley since 1997. We have been involved in Colorado and Roaring Fork River Valley projects from Parachute to Aspen and have worked as a consultant with the City of Glenwood Springs in the past. We are currently working on workforce and permanent supportive housing projects that are within and adjacent to the City of Glenwood Springs

It seems a primary goal of inclusionary and workforce housing is to provide housing security for those who struggle to attain it. Having reviewed the draft qualification that primary occupants must be employed to primarily work at a physical location within the 81601 postal zip code or be directly employed by a company that has its principal office located within the 81601 postal zip code, we would encourage some flexibility with this requirement. While a priority for inclusionary/workforce housing ownership or rental can be given to those working within the 81601 zip code, allowing a geographic expansion to a wider region as a second priority will insure that units can be rented or owned by those working in this larger area. Expanding the geographic area will also allow for existing work force residents to find employment in the larger area without losing their housing if they lose employment in 81601. Again, if the goal of the proposed ordinance is housing security, this tiered priority system allows for greater employment opportunity resulting in increased housing security.

Lastly, we have found working with developers that incentive based inclusionary/workforce housing provisions are most effective and we support the allowance of waivers for water or sewer tap fees, water or sewer system improvement fees, school land dedication, and fire and emergency service impact fees, and parkland dedication as outlined in the draft ordinance. Allowing waivers such as these, as well as providing some flexibility for open space, landscape, and parking requirements, may provide greater feasibility for future inclusionary and work force housing neighborhoods.

Thank you for your consideration and we look forward to following progress as the City of Glenwood Springs proceeds with these housing discussions.

Kind regards,

THE LAND STUDIO, INC.

By: _____

Douglas J. Pratte

The Land Studio, Inc.



March 8, 2021
Glenwood Springs City Council
101 West 8th Street
Glenwood Springs, CO 81601

Dear Glenwood Springs City Council:

As we all know, workforce housing is a critical need in Glenwood Springs. As Glenwood Caverns & Iron Mountain Hot Springs, I am writing this letter to express my support for the continued development of workforce housing units, and for redeveloping the "Affordable Inns" on Highway 6 into employee housing.

By way of background, we were first connected to K2 Developers in November of 2020, a social-impact real estate development company that intends to renovate and convert the "Affordable Inns" on Highway 6 in Glenwood Springs to affordably priced workforce housing rentals. According to Dan Kessler and Andrew Korge, Managing Principals of K2 Developers, their project's intention is to deed restrict the entire 62 unit building to 80% of AMI for rentals, to serve Glenwood Springs' essential workers. Further, Andrew and Dan have emphasized that this project will focus on and provide a first priority for affordable housing rentals to essential workers that work in Glenwood Springs.

We encourage the City of Glenwood Springs to provide incentives and needed flexibility in order to promote important projects like this, so that we can have more affordable housing units for our employees.

In our opinion, renovating the "Affordable Inns" and converting it to affordably priced housing for essential workers is a major win for our community and will serve us well in the long term. We also believe this project will be a major benefit for our employees who are essential to our community and respectfully submit that the City Council should fully support workforce housing incentives and be flexible in order to ensure that projects like K2's get built and are successful. As many in our community know, we need more affordably priced housing units, and more projects like this. We commend K2 Developers for their social impact mission in Glenwood Springs, and hope they are able to build their project.

Thank you for your consideration. We would be happy to discuss this with any City officials.

Respectfully,

A handwritten signature in black ink, appearing to be "Eric Brotherson", written over a horizontal line.

Eric Brotherson
Human Resources Manager
Glenwood Caverns Adventure Park
Iron Mountain Hot Springs





March 9, 2021

Glenwood Springs City Council
101 West 8th Street
Glenwood Springs, CO 81601

Dear Glenwood Springs City Council:

As we all know, workforce housing is a critical need in Glenwood Springs. As the Hotel Colorado, I am writing this letter to express my support for the continued development of workforce housing units, and for redeveloping the "Affordable Inns" on Highway 6 into employee housing.

By way of background, we were first connected to K2 Developers in November of 2020, a social-impact real estate development company that intends to renovate and convert the "Affordable Inns" on Highway 6 in Glenwood Springs to affordably priced workforce housing rentals. According to Dan Kessler and Andrew Korge, Managing Principals of K2 Developers, their project's intention is to deed restrict the entire 62 unit building to 80% of AMI for rentals, to serve Glenwood Springs' essential workers. Further, Andrew and Dan have emphasized that this project will focus on and provide a first priority for affordable housing rentals to essential workers that work in Glenwood Springs

We encourage the City of Glenwood Springs to provide incentives and needed flexibility in order to promote important projects like this, so that we can have more affordable housing units for our employees.

In our opinion, renovating the Affordable Inns and converting it to affordably priced housing for essential workers is a major win for our community and will serve us well in the long term. We also believe this project will be a major benefit for our employees who are essential to our community and respectfully submit that the City Council should fully support workforce housing incentives and be flexible in order to ensure that projects like K2's get built and are successful. As many in our community know, we need more affordably priced housing units, and more projects like this. We commend K2 Developers for their social impact mission in Glenwood Springs, and hope they are able to build their project.

Thank you for your consideration. We would be happy to discuss this with any City officials.

Respectfully,


Christian Henny

General Manager



Valley View Hospital

March 5, 2021

Glenwood Springs City Council
101 West 8th Street
Glenwood Springs, CO 81601

Dear Glenwood Springs City Council:

As we all know, workforce housing is a critical need in Glenwood Springs. As Valley View Hospital, I am writing this letter to express my support for the continued development of workforce housing units, and for redeveloping the "Affordable Inns" on Highway 6 into employee housing.

By way of background, we were first connected to K2 Developers in November of 2020, a social-impact real estate development company that intends to renovate and convert the "Affordable Inns" on Highway 6 in Glenwood Springs to affordably priced workforce housing rentals. According to Dan Kessler and Andrew Korge, Managing Principals of K2 Developers, their project's intention is to deed restrict the entire 62 unit building to 80% of AMI for rentals, to serve Glenwood Springs' essential workers. Further, Andrew and Dan have emphasized that this project will focus on and provide a first priority for affordable housing rentals to essential workers that work in Glenwood Springs

We encourage the City of Glenwood Springs to provide incentives and needed flexibility in order to promote important projects like this, so that we can have more affordable housing units for our employees.

In our opinion, renovating the Affordable Inns and converting it to affordably priced housing for essential workers is a major win for our community and will serve us well in the long term. We also believe this project will be a major benefit for our front line who are essential to our community (many of whom live in Rifle and Silt and experience challenges commuting to Glenwood) and respectfully submit that the City Council should fully support workforce housing incentives and be flexible in order to ensure that projects like K2's get built and are successful. As many in our community know, we need more affordably priced housing units, and more projects like this. We commend K2 Developers for their social impact mission in Glenwood Springs, and hope they are able to build their project.

Thank you for your consideration. We would be happy to discuss this with any City officials.

Respectfully,

Daniel E. Biggs, FACHE
Chief Operating Officer

PeopleCare.
That's Valley View.



March 9, 2021

Glenwood Springs City Council
101 West 8th Street
Glenwood Springs, CO 81601

Dear Glenwood Springs City Council:

As Managing Partners of our company, K2 Developers, we respectfully submit this letter in support of the City of Glenwood Springs' effort to add code provisions that incentivize or otherwise help real estate developers build more affordably priced housing for our essential workforce.

The COVID-19 pandemic has highlighted the critical role essential workers play in our daily lives, particularly those who serve the Glenwood Springs community. Providing more housing options and housing security for those essential workers should be of the highest importance.

By way of background, K2 Developers is a social impact real estate development company with the core mission of building affordably priced housing for essential workers, such as frontline nurses, bus drivers, teachers, housekeepers, and many others.

In that regard, we have chosen to dedicate our time, resources, and attention to focus on building this housing for the employers and employees of Glenwood Springs. To achieve this mission, our vision is to convert the 62 unit "Affordable Inns" motel on Highway 6 to 62 units of workforce housing, and we are currently in the process of submitting a major site plan application. Prior to executing a purchase and sale agreement to acquire the building, we contacted a wide array of local businesses and organizations including the Glenwood Springs Chamber Resort Association, Valley View Health, Glenwood Caverns & Iron Mountain Hot Springs, the Hotel Colorado, the Hotel Glenwood, the Roaring Fork Transportation Authority, the Roaring Fork School District, Target, Walmart, and Colorado Mountain College. We have had many positive conversations to date and toured the property with some of the aforementioned employers this week. Should the City approve our project, we fully anticipate housing local employees almost exclusively.

With that said, the current housing code poses two major and concerning risk factors to the efforts of our company and to the efforts of any real estate entrepreneur who might voluntarily deed restrict large portions of or potentially an entire project:

- 1) On an annual basis, despite our best efforts to lease units to Glenwood-specific employers and employees, the project may fall short of the occupancy requirement in the code and have vacant units. In this scenario, according to the relevant section of the code, should we fill these remaining vacancies with essential workers that work outside of Glenwood Springs, we would incur material financial penalties.

While we absolutely understand and respect the desire to only provide housing for local businesses, this provision could be difficult to comply with in certain situations, and we respectfully advocate for some level of flexibility so developers who aim to voluntarily deed restrict an entire building to 80%

or 100% of AMI are not dissuaded by potential penalties if these requirements cannot be met 100% of the time.

- 2) Should market conditions change and cause a resident to lose or change their job from a Glenwood employer to one out of the Glenwood boundary (i.e., because of the COVID-19 pandemic or many other reasons), that resident would lose their housing at the end of their lease term.

In this scenario, it would be very difficult to provide the housing security essential workers deserve. Respectfully, our core belief is that those enduring hardship or attaining success via a promotion should be able to move their place of employment to another location, without losing their housing security.

In light of our project at the Affordable Inns, and what we have learned these last few months, we wanted to take an opportunity during the second reading of the inclusionary zoning code to respectfully advocate for additional flexibility of the occupancy requirement. Specifically, we ask that the City Council consider allowing a landlord that voluntarily provides deed-restricted, affordable housing, to lease units to essential workers employed anywhere outside of the Glenwood jurisdiction, but only after their best efforts to prioritize and lease those units to Glenwood Springs' essential workers.

Thank you for the opportunity to submit this letter and for your careful consideration of our request. We look forward to submitting our application in the coming months and to discussing our project directly with staff and the honorable members of the Glenwood Springs City Council.

Respectfully,

Andrew Korge

Andrew Korge
Managing Partner



Dan Kessler
Managing Partner

K2 Developers
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Denver, CO 80202
dkessler@k2developers.com
akorge@k2developers.com
www.K2Developers.com



March 9, 2021

City of Glenwood Springs Council
101 West 8th Street
Glenwood Springs, CO 81601

Dear City Councilors:

On behalf of the Glenwood Springs Chamber Resort Association (GSCRA), I am writing this letter to express support for the continued development of workforce housing units, including the redevelopment of the "Affordable Inns" on Highway 6 into workforce housing.

The GSCRA is the largest business organization in Glenwood Springs and works on economic development and quality of life issues. The ability to attract and retain high quality employees and the shortage of workforce housing are two of the greatest and most interconnected challenges local businesses face.

K2 Developers reached out to us to discuss their interest in pursuing a project in November 2020. At that time, we connected them with some of our local employers to discuss the employers' potential workforce housing needs and the proposed project. Since then, they have made several connections with employers in the community and have received a positive response.

According to the 2019 Greater Roaring Fork Valley Housing Study, the region has a 2,100-unit shortfall in housing for households at 60% of the area median income (AMI) and less. According to K2 Developers, they plan to deed restrict the entire 62 unit building to 80% of AMI for rentals to serve Glenwood Springs' essential workforce. Their intention is to provide first-priority for affordable housing rentals to essential workers that work in Glenwood Springs. While this project would not completely solve the workforce housing shortage in our community, it will certainly help.

We encourage the City of Glenwood Springs to support workforce housing initiatives and provide flexibility to ensure that important projects like this get built and are successful. As such, we would support a provision in the code that requires the developer to prioritize employees who work in Glenwood Springs for the rental units, but that also provides flexibility to allow units to be rented to employees who work outside of Glenwood Springs if they are unable to rent all the units. While this scenario seems unlikely given the demand for workforce housing, we believe this flexibility will ensure the project's success and over time will help lead to more affordable housing options for our workforce.

Sincerely,

A handwritten signature in blue ink that reads 'Angie Anderson'. The signature is written in a cursive, flowing style.

Angie Anderson
President & CEO

Glenwood Springs Chamber Resort Association

802 Grand Avenue ♦ P.O. Box 1238 ♦ Glenwood Springs, CO 81602
Ph. 970.945.0784 ♦ Fax 970.945-1531 ♦ angie@glenwoodchamber.com
glenwoodchamber.com



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Resolution 2021-06, Community Housing Guidelines

Action Requested: Consideration of Resolution 2021-06, Community Housing Guidelines

Department: Economic and Community Development

Presented By: Hannah Klausman, Senior Planner
Glenwood Springs Legal, Legal

Background Info: The Housing Guidelines are the administrative standards for implementing the Inclusionary Zoning program. Staff has updated the previous Housing Guidelines that the City of Glenwood Springs administered. Input from the Planning and Zoning Commission and Council has been incorporated into the new guidelines.

The guidelines are intended to be periodically reviewed by the City of Glenwood Springs and the Administrator of the program. Guidelines are revised by City Council Resolution.

For the previous Inclusionary Housing program that was discontinued in 2017, the City of Glenwood Springs partnered with Garfield County Housing Authority (GCHA) for administration. The Garfield County Housing Authority serves residents of the Roaring Fork Valley, from Carbondale to Parachute, who cannot afford conventional housing. GCHA assists individuals, families, seniors and person with disabilities, in locating and procuring affordable purchase and rental opportunities. GCHA also works with the communities and governments in the region on affordable housing policies and administering affordable housing lotteries for municipal programs.

Staff included the previous provisions in the Housing Guidelines that pertain to GCHA as the program administrator however this contract has not been determined or discussed.

Issues: The Housing Guidelines include all aspects of administering Municipal Code Section 070.045. and outline applicability, exemptions, and instructs developers and provides guidance tenants on mechanisms for satisfying the requirements. Staff has included some of the key components that have been topics of questions and discussion for Council consideration below:

Priority Geographic Areas for Employment Qualification

A qualified resident, ownership or rental, is a person who is employed in the City of Glenwood Springs. If no qualified applicants are received by the property owner, the employment area exemption allows for additional applicants to be drawn from a larger geographic employment area. The prioritized areas are as follows:

- a) City limits.
- b) 81601 zip code.
- c) 30 mile radius of city limits.

Self Employment

Self employed individuals can qualify for Community Housing units upon demonstrating full time self-employment within the priority geographic areas.

Leave of Absence

Owners of for-sale Community Housing units may be granted a leave of absence up to 2 years during

which they are permitted to rent the unit to another qualified occupant in their absence.

Mix of Units

The mix of units for Community Housing units shall closely mirror the mix of bedroom configuration and housing type of the market rate units in a development.

Existing Units

A development may provide up to 50% of the required Community Housing units through the restriction of existing units.

Limits on Appreciation

The resale of of a Community Housing Unit includes the purchase price and a 3% appreciation cap with permitted capital improvements. Some programs use the Consumer Price Index as an appreciation cap, however Staff felt a set percentage is less complicated and time consuming for implementation.

Incentives

Staff has included additional specifics for incentives including Density Bonus, Site Design Flexibility, and criteria for approval. Parking requirements are explicitly noted as not applicable for additional flexibility outside of what Code currently provides.

As mentioned in the guidelines, the document is intended for periodic review and revision. Staff expects that implementation of the program will highlight unforeseen issues or challenges specific to Glenwood Springs. Staff recommends that Council schedule a review at minimum 12 months after implementation. In addition, if the City partners with an outside organization for administration of the program, processes might need alteration for contract specific needs.

Staff Recommendation: Staff recommends approval of Resolution 2021-06, Housing Guideline for Inclusionary Zoning.

RESOLUTION 2021 - 06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, ADOPTING
HOUSING GUIDELINES FOR INCLUSIONARY ZONING.**

WHEREAS, by Ordinance No. 1, Series of 2021, City Council amended the Municipal Code to add a new Article 070.045 setting forth Community Housing Standards and Guidelines and new definitions to 070.070.032 related to the Article 070.045; and

WHEREAS, Section 070.045.060(a) of the City's Municipal Code states that City Council will adopt housing guidelines that include the following components: the type, size and price for community housing units; qualifications to purchase and occupy community housing units; and the purchase or sale of community housing units; and

WHEREAS, Section 070.045.060(b) states that the housing guidelines adopted by Council will provide all other general information necessary for the implementation and administration of Article 070.045;

WHEREAS, pursuant to Code Section 070.045.060, City Council wishes to adopt the Community Housing Guidelines attached hereto as Exhibit A.

**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 Community Housing Guidelines attached hereto as Exhibit A.

INTRODUCED, READ, AND PASSED THIS 18th DAY OF MARCH 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, Assistant City Clerk

**Glenwood Springs
Community Housing Guidelines**

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Glenwood Springs Community Housing Guidelines

PURPOSE, APPLICABILITY AND EXEMPTIONS

A. PURPOSE

The purpose of the Community Housing Program for Glenwood Springs is to increase the supply of ownership and rental housing that is affordable to those who live and/or work in the area. According to the Greater Roaring Fork Regional Housing Study, RRC Consulting, April 2019, the affordability gap, the difference between the median price of a home sold and what a household (4 persons) earning the median income can afford, was roughly \$147,000 for Glenwood Springs in 2017. Housing costs have affected the ability of the community to retain and attract employees.

The Community Housing Program requires that new residential development provide 20% of the housing that is produced be restricted to Resident Occupied and at least 10% of the housing that is produced to be affordable to households earning up to 100% of the area median income as outlined in these guidelines. This program offers incentives that may be used to mitigate the costs of producing this housing, while continuing to address the desire of the community to provide more affordable housing overall in areas that are close to transit. The program also seeks to distribute community housing throughout new developments to ensure units will be produced in proportion to market rate housing that is constructed in any new development.

Lastly, the City of Glenwood Springs recognizes that affordable housing is a valuable community resource that needs to remain available for not only current residents and employees, but also for those who may come to the area in the future. For this reason, community housing units that are constructed are subject to these Guidelines and the City's inclusionary housing requirements as outlined in Article 070.045 of the Glenwood Springs Municipal Code. Community housing units will be held as permanently affordable through deed restrictions or other methods to ensure prices remain affordable over time.

B. Applicability

These Guidelines shall apply to land use applications for the development of for sale, and rental housing units that must demonstrate compliance with Article 070.045 – Community Housing Standards and Guidelines in the Glenwood Springs Municipal Code

C. Exemptions

Development Exemption

Per Section 070.045, the following development is exempt from inclusionary housing requirements and these Guidelines:

1. Designated employee dwelling units.
2. Vested land use approvals prior to (Ordinance Adoption Date), 2021, the effective date of Article 070.045 – Community Housing Standards and Guidelines , in the Glenwood Springs Municipal Code.

Local Employment Exemption

The following exemptions to the local employment requirement may be authorized by the City in writing, in accordance with the review and approval process outlined in Section D. below.

1. Persons at or above the full benefit age for federal Social Security, has worked in the employment area an average of at least 30 hours per week on an annual basis for at least four (4) continuous years prior to retirement.
 - a. Housing Mobility for Retirees: When determined to be appropriate, the City may authorize a qualified retiree who meets the minimum length of employment and age requirements described above to move into a new or different deed-restricted unit, rather than requiring such individual to continue occupying the same deed-restricted unit he/she has been occupying prior to retirement. This provision is intended to allow mobility within the City's deed-restricted housing inventory by allowing retirees to downsize into smaller housing units, if desired, thus making larger units available to larger household sizes in need of deed-restricted housing.
2. A disabled person who has been a full-time employee in the employment area a minimum of two years immediately prior to their disability. It is the responsibility of the applicant to demonstrate eligibility.

Employment Area Exemption

A Qualified resident means a person who is employed in the Employment Area identified as the municipal boundary of Glenwood Springs. If no qualified applicants are received for a for sale or rental

unit, applicants may be drawn from the next prioritized employment area.

1. **Employment area one** – employees working for an employer with a physical address within the corporate city limits of Glenwood Springs, are directly employed by a company that has its principal office located in the city limits, or an employee who is self-employed within the corporate city limits of Glenwood Springs.
2. **Employment area two** – employees working for an employer whose physical address is located within the 81601 zip code, or an employee who is self-employed within the same area.
3. **Employment area three** – employees working for an employer within a thirty (30) mile radius of the corporate city limits.

D. Organization of the Document

These Guidelines consist of six parts:

- I. ***Purpose, Applicability and Exemptions***, which outlines the reasons for the housing guidelines and provides guidance as to which land use applications are subject to the guidelines, as well as exemptions from the requirements.
- II. ***Development and Initial Sale of Community Housing Units***, which instructs land developers and builders on mechanisms for satisfying Article 070.045 – Community Housing Standards and Guidelines – Administration in the Glenwood Springs Municipal Code.
- III. ***Eligibility, Ownership and Re-sale of Community Housing Units***, which provides guidance to persons interested in purchasing or renting community housing units, as well as the re-sale of community housing units.
- IV. ***Grievance Procedures***, which provides the means for filing of complaints associated with the administration of the Glenwood Springs housing Guidelines.
- V. ***Periodic Review of Housing Guidelines***
- VI. ***Definitions***, which define words or phrases used in the Guidelines.

DEVELOPMENT AND INITIAL SALE OF COMMUNITY HOUSING UNITS/LOTS

An applicant/developer of any new residential development, subdivision, or annexation with the City of Glenwood Springs, except as provided for in Part 1, Section C., is subject to Article 070.045 – Community Housing Standards and Guidelines per the Glenwood Springs Municipal Code.

This ordinance requires that residential developments of ten (10) or more units/lots provide at least Twenty (20%) percent of the total residential units to be deed restricted for Resident Occupied Community Housing and 10% of those units/lots as Community Housing units/lots as defined in these Guidelines. The requirement is imposed as a condition of approval for residential development, including:

- Annexations;
- Planned Unit Developments;
- Major and minor subdivisions; and
- Major and Minor Site/Architectural development permits.

The ordinance specifically requires that:

1. Twenty (20%) percent of the total residential units in any new residential or mixed-use development proposing to create five (5) or more residential dwelling units shall be deed restricted for Resident Occupied Community Housing.
2. Ten (10%) percent of the total residential units in any new residential or mixed-use development proposing to create five (5) or more residential dwelling units shall be deed restricted to limit the average Initial Sales Price to no greater than that which is affordable to Households earning no more than 100% AMI; or to limit the Community housing rental unit rental prices in accordance with guidelines established by the City and generally set at rates that are affordable to Households with incomes no higher than 80-100% AMI, averaged over the total required deed restricted units.
3. The development may provide up to 50% of the required mitigation through the restriction of existing units.
4. Developments that add ten residential units over a period of time after the effective Ordinance are subject to requirements of this section. The ten unit threshold is based on the new dwelling units added from the effective date of Ordinance No. 1, Series 2021, not the total number of dwelling units (existing plus new).

5. Fractional remainders. The development's mitigation responsibility will be rounded to the nearest whole number: below 0.75 round down (= 0 unit) and round up from 0.75 and higher (= 1 unit).
6. The established sales prices of community housing units within specified income categories within a development when averaged shall be equal to a sales price or rental price that is affordable to households earning 100% of Area Median Income (AMI), as defined by the Department of Housing and Urban Development (HUD) for Garfield County.

A. Preference for Community Housing Location

1. On-Site Housing – It is the clear preference of the Community Housing Program to include community housing/lots within the proposed development (on-site housing). These units/lots are to be distributed throughout the development, to the extent possible.
2. Off-site Housing – Off-site housing is a less desirable means of fulfilling inclusionary community housing requirements and as such may only be allowed at the discretion of the governing body approving the land use application that generates the inclusionary housing requirement. A proposal for off-site community housing units or lots shall be considered on the basis of criterion outlined in *Part II Section F. Off-Site Housing Application Procedures* in these Guidelines.

B. Housing Mitigation Plan

Developers seeking any residential development approval or residential building permit for three or more units, lots, or condominiums, must demonstrate compliance with the requirements of Article 070.045 – Community Housing Standards and Guidelines per the Glenwood Springs Municipal Code. In order to receive approval of a Planned Unit Development (PUD), subdivision, annexation, condominiumization, or development permit, the developer must receive approval of a Housing Mitigation Plan (HMP). The HMP is subject to the review and approval of the Planning and Zoning Commission or the City Council, whichever body has the authority to approve the land use application.

An Electronic copy and three (3) copies of the HMP shall be submitted to the Glenwood Springs Community Development Department either prior to or concurrent with the land use application. Additional copies may be requested if deemed necessary. A schedule of deadlines and meeting

dates for land use applications is available at the Glenwood Springs Community Development Department.

At a minimum, the HMP shall include the following information:

1. Total number of residential units or lots and designation of units/lots as either market rate or community housing units/lots; designation as attached or detached units; a description of the type of unit, i.e. townhome, condominium, etc.; bedroom configuration and net square footage of each unit,
2. If a subdivision of land into individual lots is part of the application, the size of each lot within the development, which includes the average size of the market rate lots and average size of community housing lots shall be provided.
3. Targeted income category for each proposed community housing unit, as specified in *Part II Section C. Initial Sales Prices* in these Guidelines, to ensure sales and rental prices for all community housing units or lots within a development average to 100% of AMI, as specified in the ordinance.
4. A separate calculation of average size of finished net square footage both for market rate units and community housing units, excluding garages and unfinished basements;
5. Location of community housing units and/or lots within the development, by unit type and size;
6. A phasing/construction plan schedule for both market and community housing units and/or lots within the development or subdivision.
7. An estimate of homeowners association assessments for both market rate units/lots and community housing units/lots, to ensure compliance with *Part II Section I. Home Owners Associations* in these Guidelines.

The Planning and Zoning Commission or City Council, whichever is the final approving body of the land use application, shall certify its approval, approval with conditions, or denial of the HMP. Such approval, approval with conditions, or denial shall be based on compliance with Article 070.045 – Community Housing Standards and Guidelines and Section 070.045.080 – Incentives for Residential Developments (Inclusionary Housing) Over One (1) Dwelling Unit, as well as these Guidelines.

An approved HMP shall become part of the legal agreements, i.e. Development/Subdivision/Annexation agreements, executed by the City of Glenwood Springs and Developer for any approved project. A covenant setting forth the deed restriction and other requirements of these guidelines may be recorded against the property. Any

amendment to the HMP shall require the approval of the body that approved the original land use application.

C. Maximum Initial Sales Prices

1. Community housing units provided through this program will be priced to two income categories unless the mitigation requirement results in an odd number of units; in which case the odd numbered unit shall be priced per 2. in this subsection.

Category 1 – targets families with incomes up to 100% of Area Median income (AMI) based on persons per household. Units in this category will be set at a sales price affordable at 90% of AMI.

Category 2 – targets families with incomes up to 120% AMI based on persons per household. Units in this category will be set at a sales price affordable at 110% of AMI.

These ranges have been established based upon the area median income for Garfield County, with adjustments for household size as published annually by the U.S. Department of Housing and Urban Development.

2. If an odd number of community housing units is required per the 10% mitigation requirement, the odd unit(s) will be priced with a sales price affordable at 100% of AMI and the maximum income eligibility category for purchasers of the unit will be set at 110% of AMI.

Example:

A development of 30 units would require mitigation equal to 3. units. The three community housing units would be priced as follows to meet the average sales price at 100% per Article 070.045 of the Municipal Code:

1 st community housing unit	Category 1 – sales price at 90% of AMI. Income category maximum at 100% of AMI.
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2 nd community housing unit	Category 2 – sales price at 110% of AMI. Income category maximum at 120% of AMI.
3 rd community housing unit	Sales price set at 100% of AMI with maximum income at 110% AMI.

3. The final sales price for each required community housing unit will be provided by the Administrator 120 days before targeted issuance of a Certificate of Occupancy for the community housing unit. The sales price will be based on the income category designated for the unit in the approved Housing Mitigation Plan for the development. Developers bear the responsibility of informing the Administrator in writing as to estimated completion dates of units and anticipated issuance of a Certificate of Occupancy to ensure that the marketing, lottery, and sales process coincide with the completion of the housing unit(s). Delays in notifying the Administrator as to the estimated completion date of a Community Housing unit may result in delays to closing on the sale of units.
4. The sales price for community housing units shall be based on a 95% loan to value ratio, based upon a 30 year mortgage using 18 months trailing average interest rate.
5. The sales price shall be calculated based on principal, interest, taxes, insurance, private mortgage insurance and homeowners association dues that do not exceed 30% of the gross monthly income.
6. 20% of the gross monthly household income has been deducted for taxes, private mortgage insurance, homeowners insurance and homeowners association dues. Actual costs may be used if available.
7. Sales prices for Community Housing units will be established according to the following number of persons per bedroom configuration.

**Number of Persons by Bedroom Configuration
Used to Establish Sales Price**

Number of Persons in Household	Bedroom Configuration
1 Person HH	Studio

1.5 Person HH	One Bedroom
2 Person HH	Two Bedroom
3 Person HH	Three Bedroom
4 Person HH	Single Family Detached

One bedroom units are priced based on an income that is halfway between the one person household size and two person household size. This has no real relationship to the number of persons in a household and income; rather, it is simply a basis to define an income for a unit as a means to establish the sales price. It is acknowledged that smaller or larger households may seek to purchase smaller or larger units. For example, a three person household may purchase a two-bedroom unit or a four-person household may purchase a three-bedroom unit. What is important is that the total household income of the buyer does not exceed the maximum allowable income established for the Community Housing Program and that the sales price does not exceed that defined for the Program.

AMI figures are published annually. The Administrator shall have the authority to update sales price figures in these Guidelines annually upon HUD's publication of new AMI figures. The actual sales price for a community housing unit will be calculated approximately 120 days prior to completion of the community housing unit and will be based on the most current AMI figures, 18 months trailing average interest rates, and the formula for calculating prices in this section, prior to the date the sales price is established by the Administrator.

A deed restriction and/or covenant controlling the sales price by income category, as well as the appreciation cap on units and lots shall be executed by the developer and recorded with the approved Housing Mitigation Plan and land use approval documents.

D. Maximum Rent

The gross rental price, including utility allowance and non-optional fees, of any deed-restricted unit shall not, at the time of leasing, exceed the maximum rents established according to Colorado Housing and Finance Authority, Colorado County Income and Rent Table, for one hundred twenty (120) percent of the Garfield County Area Median Income.

The average of all deed-restricted units in a development shall not exceed one hundred (100) percent of the maximum rents

established according to the Colorado Housing and Finance Authority, Colorado County Income and Rent Table, as determined at the time each individual unit was leased.

Community Rental Housing Reporting Requirement

The owner of a deed-restricted rental unit shall annually provide a report and proof to the City or its designated representative agency of its compliance with the rental requirements set forth in these guidelines for the prior twelve-month period.

Items required for reporting may include but are not limited to:

1. The number of deed-restricted units rented;
2. The period each unit was rented and the status by which the occupant(s) qualified under the deed restriction;
3. The monthly rental price; and
4. The taxes, special assessments, and homeowners' association and management fees, and any other fees or charges, including common utilities, assessed to each unit.

E. Mix of Units

The mix of bedroom configuration and housing type for community housing units provided in the HMP shall closely mirror the mix of bedroom configuration and housing type of the market rate units in a development. Additionally, the following formula shall be applied to determine the total number of required bedrooms in community housing units:

1. Multiply the number of community housing units required by 2.86, the average number of persons in a household, then,
2. Divide the result by 1.5 (U.S. Department of Housing and Urban Development criteria of number of persons per bedroom). The resulting number is the required number of bedrooms that must be dispersed among the required community housing units, while also providing a mix of bedroom configurations that closely mirrors the market rate bedroom mix in the development. For example, if the market rate development has three bedroom units equal to 50% of the total market rate units, then the community housing units shall also have an equivalent 50% of the community housing units as three bedroom units.

3. Any fractional bedroom requirement resulting from the formula above shall be rounded up to the next highest number.

F. Off-Site Housing Application Procedures

The priority for Glenwood Springs is to foster economic integration of community housing units by requiring that these units are dispersed throughout new developments. Therefore, a request to meet inclusionary housing requirements off-site shall only be allowed at the discretion of the governing body which has the authority to approve or deny the specific land use application that triggers the inclusionary housing requirement. The development may provide up to 50% of the required mitigation through the restriction of existing units

1. **An application to satisfy inclusionary housing requirements off-site shall include the following:**
 - a. A written explanation as to why the location of community housing units off-site is being requested and a narrative that details how the proposal meets the criterion in 2. of this section.
 - b. A Housing Mitigation Plan meeting the requirements specified in *Part II Section B Housing Mitigation Plan* in these Guidelines.
2. **Criteria for consideration of a proposal to provide mitigation off-site will be based on the following:**
 - a. A demonstration that the purposes of this program would be better served by construction of units off-site, i.e. greater affordability, higher percentage of inclusionary housing mitigation, higher quality of building materials, etc.
 - b. The off-site location is in close proximity to other existing residential uses to ensure a sense of neighborhood is fostered.
 - c. That there are zoning, environmental, geologic or other special hazards on the land development parcel generating the inclusionary housing requirement such that the development of community housing units off-site would better meet the intent of this program.
 - d. The location off-site for community housing units is clearly superior in terms of proximity to transit routes; or, is convenient to commercial service areas and/or employment centers and/or schools.

- e. That evidence has been provided to verify the off-site location has received its development entitlements to ensure that housing units are available either prior to or concurrently with the market rate units that require housing mitigation.
 - f. That the developer has provided evidence that he/she owns the site or is contractually obligated to purchase the site where off-site community housing units will be located in order to ensure the units are developed concurrently with the market rate units.
 - g. That the proposal for community housing units off-site will not overly concentrate community housing units within a specific area of a development, community, or the City of Glenwood Springs as a whole.
 - h. That the community housing units off-site:
 - 1. Will be constructed before or concurrently with the market rate units in the development prompting the inclusionary housing mitigation,
 - 2. Are not designated as community housing units to fulfill inclusionary requirements for a different development.
 - 3. Will be of equivalent value, quality and size to the market rate units in the development prompting the inclusionary housing requirements.
 - 4. Are not existing residential units.
 - 5. Meet all other requirements of these guidelines relative to sales prices, size, quality, percentage of homeowner's assessments relative to market rate units at the off-site location.
3. In granting approval of an off-site housing proposal, the governing body shall have the authority to impose conditions above and beyond the requirements of these Guidelines including, by way of example only, any of the following:
- a. A higher percentage of mitigation than the 20% RO and 10% affordable mitigation rate specified by Article 070.045 of the Glenwood Springs Municipal Code.
 - b. A requirement that the Community Housing units be set with sales prices targeted to a lower income group than specified by these Guidelines, i.e. to households earning 80% or less of Area Median Income.

- c. Increased amenities for the community housing units which may include higher grade interior and exterior finishes, garages, balconies, decks, open space areas, energy saving construction, and similar improvements.

G. Mitigation for Residential Lot Subdivisions

For those developments of vacant land where new lots are to be created, but the developer does not intend to develop housing units, i.e. subdivisions, the developer may satisfy his or her inclusionary requirement by dedicating the calculated 20% of required lots to the City or its designated agent. Lots so provided shall meet the requirements of Title 070 of the Glenwood Springs Municipal Code and shall be located on-site within the primary development. Each lot shall have sufficient area devoid of environmental or other constraints to allow construction of a residential unit thereupon. All public infrastructure improvements to support development of the lot(s) with residential units shall be in place prior to conveyance of the lot to the City, or sufficient security in accordance with the requirements of Title 070 of the Glenwood Springs Municipal Code shall be provided. Lots dedicated for community housing shall have no encumbrances. Homeowners' association fees for community housing lots shall be based on the formula for lots outlined in *Part II Section I Home Owners Associations*.

Dedication of lots to fulfill inclusionary housing requirements shall occur at the same time as plat recordation. The City, or its designated agency, shall assume responsibility for the development of community housing units on lots that have been dedicated to fulfill inclusionary housing requirements.

H. Dedication of Land In-Lieu

Under certain conditions and requirements, at the sole discretion of the governing body authorizing approval of a specific land use development subject to inclusionary housing requirements, a developer may satisfy his or her inclusionary requirements by the conveyance of vacant land within the city that is not part and parcel of the proposed development or subdivision parcel that prompts the inclusionary housing mitigation.

Dedication of land in-lieu of developing community housing units, shall be subject to the review and recommendation of the City's Community Development Director (Director) to the governing body. The review shall be for purposes of a determination of the land's suitability and value. At

a minimum, the proposal shall contain the following information based upon site specific review and analysis prepared at the developer's expense:

1. Likely number of affordable housing units that could be accommodated on the land parcel.
2. Zoning requirements for residential use.
3. Availability of public infrastructure to the site, i.e. access, legal and adequate water supply, capacity for adequate wastewater treatments facilities.
4. Disclosure of known hazards or special encumbrances limiting development.
5. Proximity to existing services and amenities.
6. An appraisal of the land prepared by an independent appraiser.
7. Overall compliance with the standards set forth in the Housing Guidelines.

I. Home Owners Association

The developer shall make reasonable efforts to minimize homeowners and condominium association (hereinafter referred to as HOA) dues for community housing units. HOA dues can significantly impact affordability.

Any documents creating a condominium or homeowners association shall state that the Community Housing units shall only be assessed monthly dues and other shared assessments based on whichever of the following two formulas results in the lower cost of assessment for the community housing unit:

1. The size of the individual community housing unit in square feet compared to the average size of the market rate units in the development. For example, if a community housing unit's size is 60% of the size (in square feet) of the average size of all other market rate units offered in the development, then the home owner's association dues for the community housing unit would be 60% of the average assessment of all market rate units. To easily compute this, the square footage of the community housing unit would be calculated as a percentage of the average square footage of the market rate housing.

Example – Computation Based on Square Footage

Market Rate Unit	Community Housing Unit

Average Square Feet	1,500	850
% of Market Rate Unit Size	100%	57%
HOA Dues	\$175	\$99

2. The size of the lot on which the community housing unit is located as compared to the average size of other lots in the development. For example, if the average lot size of market rate housing is 10,000 square feet and the average size of a lot for a community housing unit is 6,500 square feet, then the community housing unit would pay 65% of the HOA Dues on a monthly basis.

**Example- Computation
Based on Lot Size**

	Market Rate	Community Housing
Average Lot Size	10,000	6,500
% of Market Rate Unit Size	10%	65%
HOA Dues	\$ 175	\$ 114

In order to comply with this provision, the developer must include these calculations in the Housing Mitigation Plan. If neither of the two proration formulas noted above produces a lower monthly fee for the community housing units, then the monthly homeowner's fee assessment shall be 75% of market rate homeowners fee assessments.

Special assessments for community housing units shall be 75% of market rate homeowners special assessments.

Upon final project approval, the developer will provide the final average unit sizes and lot sizes to the Administrator. Lastly, a copy of the Homeowners documents including, Declarations and Covenants, Articles of Incorporation, Bylaws, and Association Rules and Regulations must be given to the Administrator at least 30 days prior to adoption for review. HOA documents must be reviewed and approved prior to issuance of a Development Permit/Agreement, Subdivision Agreement, or recordation of any subdivision or condominium plat.

J. Unit Quality

Community housing units are an asset that the City of Glenwood Springs hopes to have available for years to come. Because of this, the quality of the housing is very important. It is expected that all community

housing design will address livability, maintenance, health, safety concerns, climate, lifestyle, and the needs of the types of household the units are intended to serve. Amenities add to the livability of a unit; however, costly amenities are strongly discouraged. Energy efficient design, construction, appliances and heating systems are encouraged so that the long-term affordability of community housing is enhanced. Structured parking is encouraged, as are balconies, decks and small yards to enhance livability.

Community housing units shall comply with all local codes. If market rate units include features such as kitchen cabinets, countertops and dishwashers, disposals, air conditioning and energy efficient windows, it is expected that the community housing units will contain similar features.

The following features are considered standard features that must be included in a community housing unit and for which the developer shall not charge extra:

- Kitchen range/oven
- Kitchen refrigerator
- Dishwasher
- Hook-ups for clothes washer and dryer
- Central heating system

The Administrator will review the plans for the units to assure that there are similarities between the market rate and community housing units and inspect them upon completion to assure all promised features are included in the units.

K. Incentive and Fee Waivers

1. Incentives and fee waivers for developments with inclusionary housing are stated in 070.045.080
2. Incentives for community housing units – The City of Glenwood Springs is interested in promoting more affordable housing; therefore, any residential or mixed use development proposing to create one or more residential units that provide community housing units may be entitled to incentives as outlined in Section 070.045 of the Glenwood Springs Municipal Code.
 - a. Density Bonus. As part of any new residential or mixed-use development, the City may offer a density bonus.
 - i. Developments proposed in Residential Zones shall be limited to one additional unit then the zoning would otherwise allow.

- b. **Site Design Flexibility.** Provided that the housing goals and eligibility requirements are met and provided that the intents and purposes of this Title are not compromised, the City may consider flexible application of design standards including, but not limited to minimum lot size, building height, lot coverage, impervious coverage, setbacks and landscaping. Parking requirements shall not be included for flexibility consideration.
 - i. Building height flexibility is limited to granting one additional floor no greater than twelve (12) feet in height.
 - ii. In reviewing a site design flexibility application the approving body shall find that the request meets all of the following criteria, as included in of Section 070.060.070(a) of the Municipal Code;
 - 1. The flexibility request does not harm the public health, safety, or welfare; and
 - 2. The flexibility requested is in general conformance with the Comprehensive Plan and with the stated purpose and intent of the Code including the specific regulation for which the flexibility is sought; and
 - 3. The flexibility requested will not violate building or fire code requirements.
- c. **Public-Private Partnerships.** The City may participate in, or facilitate participation with other governmental entities regarding financing or purchasing of Community Housing units directly from the applicant or by other means of subsidy or participation.
- d. **Tax Rebate or Reduction.** The City Council may at its sole discretion waive, reduce or rebate property, construction use, or other tax applicable to the project.

L. Deed Restrictions

In order to ensure that there is an on-going supply of affordable housing in Glenwood Springs, all community housing units will carry a re-sale or rental deed restriction or other form of covenant that guides the future sales of these homes. The deed restriction will be provided by the Administrator and will be executed by the developer. The deed

restriction will be returned to the Administrator for recording. A copy of the recorded deed restriction shall be provided to the Developer and purchaser of a community housing unit.

The deed restriction will set a limit on annual appreciation of 3% simple interest plus the cost of permitted capital improvements. The maximum re-sale price shall be no more than 3% simple interest, plus the cost of permitted capital improvements. The maximum resale price will be determined by the GCHA in accordance with these Guidelines.

Future buyers will be bound by the terms of the deed restriction. It is possible that a future buyer or those who purchase a Community Housing unit from an owner-occupant (re-sale of a unit) will agree to a revised form of deed restriction or covenant, as the City of Glenwood Springs' requirements governing future sales may be adjusted periodically to meet the interests of the community and/or lender requirements.

M. Schedule for Community Housing Units

Developers are required to provide community housing units prior to or concurrently with the production of market rate housing. The phasing schedule for community housing units is required as part of the Housing Mitigation Plan. Prior to receiving a building permit for either market rate units or community housing units, the developer must provide the Administrator with an updated construction schedule that clearly delineates the start and completion dates of all units within the development. The Administrator will notify the Glenwood Springs Building Department that a schedule has been provided and found to be acceptable prior to a building permit being released for the development, or a particular phase of a development.

N. Initial Sale of a Community Housing Unit(s)

Developer's Responsibilities – Several steps are involved in the initial sale of community housing units.

- a. The developer must work in cooperation with the Administrator to complete the sale(s) to a qualified applicant. The developer is strongly urged to authorize his/her real estate agent to act as a transaction broker for sale of the community housing unit(s). The Administrator may choose to contract with a real estate agent to represent buyers of the community housing units, but is not required to provide this service. Nonetheless, buyers will need assistance completing the purchase process

and the developer will be best served by making available his/her agent.

- b. The developer is required to provide the Administrator with a marketing packet at least 130 days prior to the estimated completion date of each community housing unit. The 130 day time frame is necessary to accommodate the process for marketing the community housing unit, advertising the lottery, qualifying potential buyers for compliance with the program Guidelines, the lottery, financing and closing. The Administrator may approve a different schedule or time frame to complete the sale of the community housing unit(s) or development. The schedule below is representative of the steps necessary to culminate the sale of a community housing unit.

Closing date established concurrent with issuance of final Certificate of Occupancy.

30 days prior to closing date, purchase contract is executed.

37 days prior to closing date, lottery is held to select prospective purchaser.

Approximately 120 days prior to closing, advertising of lottery is commenced.

Approximately 130 days prior to closing, marketing packet is submitted to the Administrator.

The marketing packet provided by the Developer shall include all information required in the Housing Mitigation Plan as noted in *Part II Section B. Housing Mitigation Plan*, as well as a production schedule for market rate and community housing units, which includes construction start dates and estimated completion dates. The schedule must indicate when pre-marketing activities will begin and when a model may be available. The marketing packet shall be provided to the Administrator in an electronic format. The marketing packet shall also include the following for the community housing unit(s) which are to be sold

1. Unit type(s),
2. Bedroom configuration(s)
3. Square footage(s)
4. Address,
5. Income category
6. Exterior and interior finish information.

7. Year, make and model of appliances included with the unit.
 8. Estimate of homeowner's association dues for community housing units per the calculation formula in *Part II Section I. Home Owners Associations*.
 9. Copies of homeowners association documents, covenants, conditions and restrictions and any other pertinent documents.
- c. The developer is required to prepare listings, sales contracts, extensions to contracts, and closing documents, and undertake all actions necessary to consummate the sale, or the developer shall contract with a licensed real estate broker to complete these actions.
 - d. The developer is required to hold at least one open house during the marketing period prior to the lottery, at a time convenient to the general public, preferably a weekend day. The open house may be held at a model unit or other completed unit, similar in design. The date for the open house shall be coordinated with the Administrator.
 - e. Within 48 hours of the lottery and selection of a potential purchaser, the Developer shall provide to the prospective purchaser and the Administrator the purchase contract for the community housing unit. The potential purchaser shall have seven (7) days to execute the purchase contract.
 - f. The Developer will be required to conduct a walk-through of the community housing unit with the prospective purchaser a minimum of 72 hours prior to the closing date specified in the purchase contract.
 - g. The Developer shall contact the Administrator one week prior to the closing date specified in the purchase contract to advise the Administrator as to the location, date, and time of the closing.

- h. The Developer shall provide a copy of the Deed Restriction, closing settlement sheets and signed Memorandum of Acknowledgement executed by the buyer to the Administrator within 7 days of closing. Within thirty (30) days of closing, copies of these documents with recording information shall be provided to the Administrator.

Administrator's Responsibilities – It shall be clearly understood by and between parties to a sales transaction that the Administrator is not acting as a licensed broker to the transaction, but as a representative of the City of Glenwood Springs and its interests.

- a. All purchasers and sellers are advised to consult legal counsel regarding examination of the title and all of the contracts, agreements, and title documents.

The retention of counsel, licensed real estate brokers, or such related services shall be at the purchaser's and seller's own expense. The fees paid to the City are to be paid regardless of any actions or services that the purchaser or seller may undertake or acquire.

- b. All purchasers and sellers will be treated fairly and impartially. Questions will be answered and help will be provided equally to purchasers and sellers in accordance with the current Guidelines.
- c. The Administrator shall attempt to help both parties to consummate a fair and equitable sale in compliance with the current Guidelines.
- d. The Administrator will begin a good faith marketing effort to attract buyers who qualify under the Guidelines of the program approximately 120 days prior to the estimated date of a Certificate of Occupancy for the community housing unit. Marketing activities may include advertising through the City's website and local newspapers, and distribution of the marketing packet to prospective buyers, employees and other agencies located within the City. This information will include the date(s) for the lottery, application requirements and

deadline, and the process by which a prospective buyer may be entered into a particular lottery;

- e. A copy of the deed restriction or covenant for the specific community housing unit will be provided to potential buyers.
- f. The Administrator will conduct a lottery for prospective purchasers that qualify under the Guidelines of the program. The lottery will be held approximately 40 days prior to the estimated completion date of the community housing unit. The Administrator will make reasonable attempts to notify buyers within 48 hours after the lottery that they are the successful bidder. Within two (2) days of the lottery, the successful bidder will be provided a contract to purchase and the deed restriction or covenant outlining the terms of ownership and re-sale of the community housing unit. The purchase contract must be executed within 7 days of the lottery. Buyers will be instructed to contact legal counsel prior to consummating the purchase contract.

ELIGIBILITY, OWNERSHIP AND RE-SALE OF COMMUNITY HOUSING UNITS.

A. Eligibility

Eligibility for community housing will be made without regard to race, color, creed, religion, sex, handicap, national origin, familial status or marital status. In order to be eligible to purchase a home under this program, an applicant must have one member who is a “full-time employee” as defined in these guidelines, working for an employer with its principal office located within one of the priority areas or as identified in the local employment exemptions.

1. **Priority of applicant** – The intended goal of the City’s inclusionary housing program is first and foremost to house those employees that are vital to employers located within the corporate limits of the city, which employers generally pay property taxes, sales taxes and licensing fees that support city services. For this reason, employees that are eligible for community housing per the definitions of the guidelines who are employed in priority category one, as defined in these guidelines, shall have a higher priority in any housing lottery than those employees in priority category two. Employees in priority two shall have a higher priority than those applicants in priority area three. As stated in the definitions in these guidelines, the three priority areas for community housing are as follows:

- a. **Priority area one** – employees working for an employer with a physical address within the corporate city limits of Glenwood Springs or an employee who is self-employed within the corporate city limits of Glenwood Springs.
- b. **Priority area two** – employees working for an employer whose physical address is located within the 81601 zip code, or an employee who is self-employed within the same area.
- c. **Priority area three** – employees working for an employer within a thirty (30) mile radius of the corporate city limits.

2. **Self-employed individuals** – Self-employed individuals are as defined in these guidelines. Self-employed individuals must demonstrate full-time employment, i.e. physically working a minimum of 1,500 hours per calendar year in one of the priority areas, as defined in these guidelines, an average of 35 hours a week, 10 months of a year; or 32 hours a week, 11 months of the

year. Full-time employment for qualification purposes shall not include minimum hours accumulated in various priority areas.

B. Application and Certification

An applicant seeking to purchase a community housing unit must apply to the Garfield County Housing Authority (GCHA) to receive a certification letter stating they are eligible to purchase a unit under the current Guidelines. The following information is representative of what will be required; however, the GCHA may make specific changes for each community housing unit lottery:

- A completed application form,
- Copies of federal and state income tax returns for the previous two years;
- W-2 forms for verification of employment or an offer of employment;
- Copies of pay check stubs for the previous three months;
- For self-employed individuals, Schedule C of tax returns, copies of 1099s and W-2s, current business license, profit and loss statements and other documents as required from the Administrator to determine that employment is within the corporate limits of Glenwood Springs or another of the allowed priority areas, whichever priority category the applicant is applying under.
- A current statement from all financial assets indicating the current balance, interest rate or annual dividend, a bank verification of all savings accounts;
- Copy of a driver's license and social security card or other identification documents as necessary to verify that all adult family members are legally residing in the United States; and
- Copy of a letter from an institutional lender, as defined in these Guidelines, of the applicant's choice demonstrating that the applicant has been pre-qualified for a specific loan amount and is financially able to purchase the unit on their own. Applicants are encouraged to investigate sources of financing prior to submitting an application to be entered into a specific lottery. Names of institutional lenders can be obtained from the Garfield County Housing Authority.
- Picture identification.
- Divorce Decree or Separation Agreement including alimony and child support. A copy must indicate that the decree or agreement has been entered into the record with all exhibits and supplements attached.

Following submittal of the above, the information will be reviewed by the GCHA. All information is confidential. The applicant will receive

certification that they are eligible to participate in the lottery that will be held for any of the community housing units to be sold under this program, provided the lottery is held within the time period that the pre-qualification letter from the lender is valid. It is the responsibility of the applicant to notify the GCHA when they wish to be entered into a specific lottery.

C. Limits on Owning Other Real Estate

Members of an applicant may not own other developed real estate or a mobile home in the city or within a 50 mile radius of the city at the time of application for purchase of a community housing unit. If property is owned within this area, the person with the ownership interest must list the property for sale simultaneous with closing on the community housing unit, while still demonstrating compliance with the asset/income limits as set forth in *Part III Section E. Maximum Income and Assets Guidelines*. The owner shall provide the Administrator with a copy of the appraisal of the property to verify the asset and a copy of the sales contract prior to culmination of the purchase of the community housing unit. Upon the sale of the other property, a copy of the closing documents verifying the sold price must be provided to the Administrator. If the property is not sold by the time of closing on the community housing unit, it must remain listed until sold. The owner has 180 days to sell the free-market unit. After this time period, if the property has not sold, the owner must list and sell the community housing unit according to their deed restriction.

If vacant land is owned at the time of purchase of the community housing unit, the land must remain unimproved. The value of this asset must be included in the total assets for qualification purposes. If the land is improved with a residence after purchase and occupancy of the community housing unit, the owner of the community housing unit must list the community housing unit for sale in accordance with the deed restriction within 90 days of the issuance of a Certificate of Occupancy for the unit constructed on the vacant land.

Any other owned real estate shall be included in the assets that are verified for qualification purposes.

D. Lottery

1. **Administrator's duties** – A lottery will be held for community housing units, unless, at the discretion of the City, it is determined that a lottery is not in the best interests of those households seeking to purchase a community housing unit. The City will

decide whether or not a lottery will be held at least 120 days prior to the date the developer proposes that units will be issued a Certificate of Occupancy. Owners, other than the initial developer of community housing units that are to be re-sold, shall follow the procedures for re-sale *in Part III Section J. Resale of a Community Housing Unit*.

The Administrator will advertise the lottery generally 30-60 days prior to the date that the lottery will be held. Sources of information about prospective lotteries will include, but not be limited to local newspapers and the City's official web site. The information contained in advertising the lottery shall be at the discretion of the Administrator, but will generally include a description, sales price and income maximums for households, as well as contact information for applications.

2. **Purchaser's obligations** – An applicant that wishes to enter a lottery must first have received a letter of qualification following approval of their application from the Garfield County Housing Authority (GCHA). An applicant that was previously qualified for a different lottery must contact GCHA to verify whether a new application is required. Generally, the application and approval process will require the submission of an application package as described in *Part II Section B* above a minimum of five (5) days in advance of any advertised lottery. An applicant should also be aware of the following with respect to entering a specific lottery:

- a. Households with incomes below the maximum income range set for a specific unit per *Part III Section E Maximum Income and Assets Guidelines*, may ask to be placed into the lottery for that unit if they are able to qualify for a mortgage that would support purchasing a higher priced unit; however, households with incomes that exceed the maximum range may not bid on lower priced units. For example, a household earning 80% of the AMI may bid on a unit priced in Category 2 if they have a letter indicating that they can qualify for a higher mortgage and have sufficient funds available for a down payment. However, a household earning income that falls within Category 2, but which exceeds the maximum income in Category 1, is not eligible to purchase a home listed with a sales price in Category 1.
- b. All required documentation submitted to verify household income shall be kept confidential and is not subject to public disclosure.

- c. At the closing, a Memorandum of Acknowledgement, of the deed restriction or covenant shall be executed by the buyer and will be recorded.

E. Maximum Income and Assets Guidelines

1. Community housing units provided through this program will be priced to income categories as outlined in *Part II Section C. Initial Sales Price*.
2. The maximum gross household net assets for each income category shall be \$150,000.

The Administrator shall have the authority to change the maximum incomes annually upon publication of new area median income figures from the Department of Housing and Urban Development (HUD).

F. Financing Options, Co-ownership and Co-signing

Any applicant who is selected to purchase a community housing unit is responsible for selection of their preferred financing option. However, the City or Administrator may require that financing be obtained from an institutional lender, a bank, a savings and loan association, or other lender which is licensed to engage in the business of providing purchase money mortgage financing on residential real property. In addition, any financing used to purchase a community housing unit must be a conventional or portfolio program that offers fixed or intermediate variable rate terms designed for entry level buyers (FLEX, My Community Mortgage, 5/1, 7/1, etc.) Sub-prime and non-conforming products are not permitted. Financing more than 100% of the sales price is not permitted.

Any co-ownership interest, other than joint tenancy or tenancy in common, must be approved by the Administrator, based on whether the tenants qualify for affordable housing under these Guidelines. Co-signers may be approved for ownership of the affordable housing unit, but shall not occupy the unit, unless they are a qualified buyer under these Guidelines. For example, a single person may have a sibling co-sign a loan. The sibling may only live in the unit if they are qualified under the program.

Purchasers of a community housing unit who desire to purchase a home and use a co-signer must earn at least 75% of the income needed to qualify for the purchase of the unit.

G. Occupancy

The purchaser or renter of a community housing unit must occupy the unit as his or her primary residence. Owners of community housing units will be required to certify occupancy in compliance with the housing guidelines annually.

Occupancy of the unit for fewer than 9 months out of 12 months shall deem an owner/occupant ineligible to continue to occupy the unit unless a leave of absence has been approved as outlined in *Part III Section H. Leave of Absence*.

H. Leave of Absence

If an owner must leave Glenwood Springs for a limited period of time and desires to rent the unit during their absence, a leave of absence may be granted by the City for up to one year. The owner must submit a request to rent the unit at least 30 days prior to when the owner plans to leave the area. The request shall include the reason(s) for the leave of absence, expected duration, and the intent of the owner to rent the unit. A leave of absence for more than one year may be approved; however, such leave of absence may not extend for longer than two years, except for owners called to active military duty.

The rent that may be charged shall not exceed the owner's monthly mortgage, homeowner's association dues, utilities remaining in the owner's name, taxes and insurance, and private mortgage insurance not included in the monthly mortgage amount and land lease costs, if any. An additional \$20 per month may be included in the total monthly rent. The owner may impose a security deposit and damage deposit at the time a lease is executed; however, the combination of security deposit and damage deposit may not exceed 1.5 times the monthly rent.

The owner shall rent to an employee and/or resident of one of the priority areas, who must also meet the eligibility and income provisions in the Community Housing Guidelines. The tenant must complete an application form, subject to the review and approval of the Administrator, to certify eligibility and agree to abide by the Homeowner's Association, Covenants, Rules and Regulations for the unit. Both the owner and tenant must sign a statement indicating that the covenants have been provided to the tenant and the tenant has received and reviewed the covenants. In addition, a copy of the lease agreement executed between the owner and tenant shall be provided to the Administrator.

I. Improvements

The City of Glenwood Springs wants to encourage maintenance of community housing units in good condition over time, while also ensuring there will be on-going affordable housing for future Glenwood Springs' employees.

Permitted capital improvements must be improvements or fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacement and or maintenance improvements, except as specified below. Owners of community housing units are strongly encouraged to verify that improvements they wish to make are allowed under these Guidelines. In addition to verifying that the improvements are permitted under the Guidelines, owners should verify with the City of Glenwood Springs as to whether a building permit will be required for the improvements. Value will only be given for the following “eligible” property improvements by the Administrator:

- a. Improvements or fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacements and/or maintenance improvements.
 - b. Improvement for energy and water conservation.
 - c. Improvement for the benefit of seniors and/or handicapped persons.
 - d. Improvements for health and safety protection devices.
 - e. Improvements to add and/or finish permanent/fixed storage space.
 - f. Improvement to finish unfinished space.
 - g. Garages.
 - h. The cost of adding decks and any extension thereto.
 - i. Permanent landscaping.
 - j. Repairs or replacements related to structural, major mechanical or roofing deficiencies after any applicable warranty period is expired.
1. Permanent capital improvements made to community housing units which are not allowed to be used as the basis for an increase in re-sale prices are as follows:
- a. Upgrades or replacement of appliances, plumbing and mechanical fixtures, carpets and other similar items included as part of the original construction of the unit.
 - b. Improvements required to repair, replace, and maintain existing fixtures, appliances, plumbing and mechanical fixtures, painting, carpeting and other similar items.
 - c. Upgrades or addition of decorative items, including lights, window coverings, floor coverings and other similar items.
 - d. Jacuzzis, spas, saunas, steam showers and other similar items.

Nothing in the deed restriction prohibits other improvements to the community housing unit; however, credit towards the resale price of the unit will only be provided for **approved** “eligible capital improvements.”

J. Re-sale of a Community Housing Unit

1. Community housing units shall have a deed restriction or covenant carried with the title which restricts future sale of the community housing unit to individuals qualified by the Administrator under the guidelines of the program.
2. Unless otherwise required in the deed restriction, listing for re-sale of a community housing unit shall be with the Administrator, or its authorized agent. The re-sale process of a community housing unit shall begin with a meeting between the owner and the Administrator to review the deed restriction and to determine the allowed sales price. The sales price shall be fixed at the time of notification in writing by the owner of his/her desire to sell. Any owner of a community housing unit who intends to sell their home shall contact the Administrator as early in the process as is possible; however, at a minimum, notification of the intention to re-sell shall be submitted in writing a minimum of 90 days in advance of their scheduled sale date. Owners should be aware that no guarantee can be made as to the time that is necessary to complete the re-sale of a community housing unit and that the 90 day advance time period is simply a guide for this process.
3. The maximum resale price of a community housing unit shall include the purchase price and 3% plus permitted capital improvements:

3% Formula:

$$.03 \times PP \div 12 \times \text{Number of Months Owned} + PP = \text{Base Resale Price} + \text{Permitted Capital Improvements} = \text{Maximum Sales Price}$$

4. At the discretion of the City of Glenwood Springs, a lottery may be held if it is determined that there are a number of qualified households who would purchase the unit and where a lottery would be in the best interest of the community. The GCHA, or a designee, will oversee the sale in accordance with the community housing guidelines in effect at the time of the listing. Owners should anticipate that the resale process may take up to 90 days from the time of initial contact with the Administrator. There shall be a minimum listing period of three months before the price of a community housing unit is adjusted. Any termination of the listing may require the payment of administrative and advertising costs by the homeowner. These fees are outlined further in this section.

5. These guidelines are intended to assure that all purchasers and all sellers will be treated fairly and equitably. Questions will be answered and help will be provided by the Administrator and/or GCHA to any potential purchasers or sellers in accordance with the current Guidelines. Listings, sales contracts, extensions to contracts and closing documents will be prepared and all actions necessary to consummate the sale shall be undertaken by the Administrator, GCHA or their representatives.

6. The Administrator and/or GCHA will be acting on behalf of the City of Glenwood Springs. It should be clearly understood by and between all parties to a sales transaction that the Administrator is not acting as licensed broker to the transaction, but as a representative of the City of Glenwood Springs. The Administrator shall, nevertheless, attempt to help both parties to consummate a fair and equitable sale in accordance with the current Community Housing Guidelines.

7. All purchasers and sellers are advised to consult legal counsel regarding examinations of the title and all contracts, agreements, and related documents. The retention of counsel, licensed real estate brokers, or such related services, shall be at the purchaser's or seller's own expense. The fees paid to the GCHA are to be paid regardless of any actions or services that the purchaser or seller may undertake or acquire on their own.

8. Sales and Other Fees

a. Unless otherwise set forth in the deed restriction governing the community housing unit, at the closing of the sale, the seller will pay the Garfield County Housing Authority a sales fee equal to two percent (2%) of the sales price. Instructions may be provided to the Title Company to pay this fee out of funds held for the seller at closing.

b. Unless otherwise specified in the deed restriction, the seller will pay a one-half percent (0.5%) fee at the time of the listing, which will be applied to the 2% fee that is required to be paid at closing. This fee will be used to cover costs incurred by the Garfield County Housing Authority in advertising the home for sale, qualifying potential buyers and related administrative expenses. In the event that the sale does not proceed for any reason after the listing has occurred, this portion of the fee will not be returned to the seller.

9. If a unit is listed for sale and the owner must relocate to another area prior to completing the sale, the unit may, upon

approval of the City of Glenwood Springs , be rented to a qualified individual, at the owner's cost as described in *Part III Section H Leave of Absence*, for a maximum period of two years. A written request must be sent to the Administrator seeking permission to rent the unit until sold. All tenants must be qualified as described in *Part III Section G Occupancy*. The lease must stipulate that the community housing unit is listed for sale and that the tenant will be required to allow for showings of the property, with sufficient notice. The lease must also stipulate that the agreement may be terminated after six months, with sixty days notice, due to the sale of the property.

K. Maintenance Standards for Maximum Re-Sale Value

It is the responsibility of the homeowner to maintain the community housing unit in good condition. The community housing unit shall be sold with the fixtures, appliances, and other inclusions which were included in the initial sale of the unit. The following are the minimum maintenance standards to receive full value upon re-sale. If the City or Administrator determines that the homeowner has failed to meet these standards, the City or Administrator may deduct replacement and/or repair costs from the sale proceeds for any of the following:

- a. Clean unit.
- b. Carpet steam-cleaned two or three days prior to closing.
Normal wear and tear of carpeting is anticipated; however, if carpeting has holes, stains, etc., the carpet and padding shall be replaced, or funds shall be escrowed from the seller's proceeds at the closing. Escrowed funds will be based on current market value per square foot for a comparable product, for use by the new buyer.
- c. All scratches, holes, burn marks, etc., shall be repaired in floors and counter tops, etc.
- d. No broken or foggy windows.
- e. All screens shall be in windows, if originally provided.
- f. All windows and doors shall be in working order with no holes.
- g. All locks on windows and doors shall be in working order.
- h. All keys shall be provided, e.g. door, mail box, garage.
- i. All mechanical systems shall be in working order.
- j. Walls shall be paint ready, e.g. all holes patched, all nails removed.
- k. There shall be no leaks from plumbing fixtures.
- l. There shall be no roof leaks.
- m. Any safety hazard shall be remedied prior to closing.
- n. All light fixtures shall be in working order.

L. Refinancing Community Housing Units

A community housing owner that wishes to refinance their residence must contact the Administrator of the housing program to determine the value of the home relative to the applicable deed restriction for their unit. Owners may provide documentation for approved capital improvements made to the home. Owners may not refinance for more than 100% of the value determined by the Administrator.

GRIEVANCE PROCEDURES

A grievance is any dispute that a unit owner, purchaser or developer may have with the City of Glenwood Springs, the program's designated administrator, or GCHA with respect to action or failure to act in accordance with the rights, duties, welfare or status of these persons or entities.

A. File Written Complaint.

Unit owners, purchasers, or developers that wish to file a grievance, must submit the grievance in writing so that it is received by the Director for the City of Glenwood Springs within ten (10) days of the alleged action complained about. The grievance shall contain the following information:

1. Grounds for the grievance.
2. Action requested.
3. Name, address, and phone number of complainant and similar information for the complainant's authorized representative.

B. Meet with Community Development Director.

Upon presentation of a written grievance, the Director shall meet with the complainant within seven (7) working days of receipt of the written grievance. Following the meeting, the Director shall provide a written decision on the grievance mailed within three (3) working days of meeting with the complainant.

C. Scheduling of Hearings for Grievances

1. If the issue that is the subject of the grievance is not resolved to the satisfaction of the complainant after a decision is rendered by the Director, the complainant shall have the option of scheduling a hearing before the City Council to consider the grievance. The request for the hearing shall be filed following the procedures in 070.060.070(c) Appeals.

D. Public Notice for Grievance Hearings

1. The Director shall be responsible for notice of a grievance hearing in accordance with Section 070.060.070(c) *Appeals* of the Glenwood Springs Municipal Code.

2. In preparation for the hearing, the Director shall provide:
 - a. The written grievance;
 - b. The factors affecting a successful resolution of the grievance;
 - c. Any documents provided by the complainant; and,
 - d. A recommended course of action.
3. The complainant has the right to be represented by counsel at the grievance hearing.
4. The City Council and the complainant shall have sufficient opportunity before the hearing to examine documents, records and regulations that are relevant to the grievance. Documents that are requested by the complainant shall be made available; however, the costs of copies and staff time associated in providing documents shall be borne by the complainant. Documents that have not been requested and made available prior to the hearing may not be relied on during the hearing.

E. Conduct of the Hearing

1. If the complainant fails to appear at the scheduled hearing, the City Council may make a determination to postpone the hearing or will make a determination based upon the written documentation and the evidence submitted.
2. Review of oral or documentary evidence shall not require strict compliance with the rules of evidence applicable to judicial hearings. However, the complainant may not present documents or new evidence at a hearing concerning eligibility, which have not been previously submitted and considered by the Administrator in reaching its decision of ineligibility.
3. The right to cross-examination shall be at the discretion of the City Council and may be regulated by the City Council as it deems necessary for a fair hearing.
4. Hearing record. The following documents shall constitute the Hearing Record:
 - a. Written complaint.
 - b. Written documents and evidence considered at the hearing.
 - c. Minutes of the meeting and record of decision.

F. Decision of City Council.

The Glenwood Springs City Council shall provide a written decision that includes the reasons for its determination. The decision of the City Council shall be final from which an appeal may be taken to court in accordance with the laws of the State. The Administrator shall take all actions necessary to carry out the decision of the City Council.

1. If a determination is made of ineligibility for a lottery, and the hearing of a grievance cannot be scheduled before the lottery takes place, the complainant's name may be placed in the appropriate category for the lottery. If the complainant's name is chosen, then the closing will be postponed until the City Council can make a decision on the eligibility of the complainant.
2. All persons submitting an application for eligibility to purchase a community housing unit will sign an agreement stating that if they are found ineligible and the decision is later overturned by court action, their sole remedy will be entry in the lottery for the next available community housing unit in the event that the community housing unit originally applied for has been sold.

PERIODIC REVIEW OF HOUSING GUIDELINES

The Guidelines set forth herein shall be reviewed periodically by the Administrator and the City of Glenwood Springs. Except where otherwise noted in the Guidelines, the Guidelines shall be approved by resolution of the City Council of Glenwood Springs.

DEFINITIONS

The terms, phrases, words and clauses in the Community Housing Guidelines shall have the meaning assigned below. Any term, phrases, words or clauses not defined herein shall have the meanings as defined in the Glenwood Springs Municipal Code (GSMC). Any terms, phrases or words not defined in the Code shall have the meaning assigned in Webster's Third New International Dictionary, 1993, Unabridged.

Administrator shall mean an individual designated by the City of Glenwood Springs, be it staff or an outside agency, to administer the City of Glenwood Springs Housing program.

AMI shall mean the median household income estimates and program income limits compiled and released annually for Garfield County by the United States Department of Housing and Urban Development (HUD)..

Assets shall mean household assets excluding financial retirement plans qualified under the Internal Revenue Service and including real and personal property stocks, and any interest in an estate. Net assets are gross assets minus liabilities.

Bedroom shall mean a room to be used for sleeping purposes that meets applicable International Building Code requirements.

Capital improvement shall mean any fixture erected as a permanent improvement to real property excluding repair, replacement, and maintenance costs, unless otherwise defined in the Deed Restriction governing the community housing unit.

Category shall mean income limits or sales prices as determined by the Guidelines according to household income and net assets.

City Council shall mean the Glenwood Springs City Council.

Director shall mean the Director of the Community Development Department for the City of Glenwood Springs.

Community housing or Community Housing Unit– A Residential dwelling unit within the City of Glenwood Springs that is deed restricted in accordance with this Article and the City of Glenwood Springs's Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in

accordance with a deed restriction approved by the City of Glenwood Springs City Council or its designee..

Community Housing Guidelines (the Guidelines) shall mean the document that contains the procedures and guidelines for complying with Article 070.130 of the City of Glenwood Springs Municipal Code.

Community housing for sale unit means a community housing unit that is deed-restricted in accordance with this Article and the City of Glenwood Springs's Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with a deed restrictions approved by the City of Glenwood Springs City Council or its designee to establish maximum initial sales and resale prices, as well as residency, employment and income qualifications for owners and occupants.

Community housing rental unit means a community housing unit that is deed-restricted in accordance with this Article and the City of Glenwood Springs's Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with deed restrictions approved by the City of Glenwood Springs City Council or its designee, to establish a maximum rental prices, as well as residency, employment and income qualifications for owners and occupants.

Complainant shall mean a party who files a grievance relative to the administration of the Glenwood Springs Housing Guidelines.

Co-signer shall mean a joint signatory of a promissory note who shall not occupy the community housing unit unless qualified by the Administrator.

Consumer Price Index (CPI) shall mean, for purposes of these guidelines and the deed restriction, the Consumer price Index – West Region, Consumer Price Index, Urban Wage Earners and Clerical Workers (CPI-W) (1982-84+100), not seasonally adjusted, published by the U. S. Department of Labor, Bureau of Labor Statistics.

Covenant shall mean an agreement, convention, or promise of two or more parties by deed in writing, signed and delivered, by which either of the parties pledges himself to the other that something is either done, shall be done, shall not be done, or stipulated for the truth of certain facts.

Deed Restriction shall mean an enduring covenant placed on units or lots that identifies the conditions of ownership and occupancy of the units or lots to eligible households, and may control the prices of for sale units, initially and/or upon resale.

Dependent shall mean a minor child (21 years of age or younger) or other relative of the owner of a community housing unit, which child or relative is taken and listed as a dependent for federal income tax purposes by such owner, or his or her present or former spouse. (Dependents must also be related by blood or adoption and must reside with the owner at least six months and one day, 181 days, out of every 12 month period.)

Developer shall mean any person or persons engaged in the division of a parcel of land into two (2) or more parcels, the construction, re-construction, conversion, structural alteration, relocation or enlargement of any structure; any mining, logging excavation, landfill or land disturbance; or any use or extension of use that alters the character of the property.

Development shall mean the division of a parcel of land into two or more parcels; the construction; reconstruction; conversion; structural alteration, relocation or enlargement of any structure; any mining, logging excavation, landfill or land disturbance; or any use or extension of use that alters the character of the property.

Development Plan shall mean the entire plan to construct or place one or more dwelling units on a particular parcel or contiguous parcels of land within the city including, without limitation a planned unit development, site review or subdivision approval.

Disabled Person shall mean a person who meets the definition of "individual with a disability" contained in 29 U.S.C. Section 706(8), or as defined in the Americans with Disabilities Act of 1990.

Dwelling Unit shall mean a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation.

Dwelling, Two Family means one (1) building on one (1) lot designed to be occupied by two (2) families living independently of each other.

Employee Dwelling Unit (EDU) shall mean a community housing unit that meets the following criteria:

- Located within or attached to a non-residential development, but has a separate entrance from the non-residential portion of the development;
- Not accessed from another residential dwelling.
- Detached from the non-residential development but located on the same lot, parcel or subdivision; or,

- Located at an approved site at a different location than the site of the employment generation.

Employer shall mean an individual, entity or business whose physical address is located within one of the priority areas, as priority areas one, two and three are defined in these definitions. If an employer is not physically based in one of the priority areas, the employee must be able to verify that they work in one of the priority areas for individuals, businesses or institutional operations a minimum of 1500 hours per calendar year.

Existing unit shall mean a dwelling unit located within the city, which has received development entitlements, is under construction, or which was completed prior to the development which requires inclusionary housing mitigation.

Fannie Mae (FNMA) – Federal National Mortgage Association, a quasi-governmental agency that purchases mortgage loans in the secondary loan market.

Full-time Employee shall mean a person who is employed on the basis of a minimum of 1,500 hours worked per calendar year, physically working in either priority area one or two (as defined herein), an average of 35 hours a week, 10 months of a year; 32 hours a week, 11 months of the year; and, who resides in the unit a minimum of 9 months out of the year; or a retired person who had been a full-time employee in a specific priority area for a minimum of four years immediately prior to his or her retirement; or a disabled person who had been a full-time employee in a specific priority area for a minimum of two years immediately prior to their disability; or the spouse of any such qualified employee, retired person, or disabled person.

Garfield County Area Median Income see AMI in these definitions.

Grievance shall mean any dispute that a community housing unit owner, purchaser, or developer may have with the City of Glenwood Springs or the housing program's Administrator, or Garfield County Housing Authority, with respect to action or failure to act in accordance with the rights, duties and welfare or status of these persons or entities.

Gross Household Income shall mean the combined gross income of all individuals who will occupy the unit regardless of legal status or relationship to the owner and which income earned or received includes income derived from employment, business, trust or other income producing assets including wage, alimony and child support, and distributions before deductions for expenses, depreciation, taxes and similar allowances.

Guidelines shall mean the document that contains the procedure and guidelines for administration and compliance with the requirements of Article 070.130 of the Municipal Code of the City of Glenwood Springs, as amended from time to time.

Household shall mean all individuals who will be occupying the community housing unit regardless of legal status or familial status.

Household Income shall mean the combined gross income of all non-dependent individuals who will be occupying the unit regardless of marital status.

Housing Mitigation Plan shall mean a plan which sets forth the means by which a developer will comply with Article 070.045 of the Glenwood Springs Municipal Code and Part II Section B. of these Guidelines.

HUD shall mean the United States Department of Housing and Urban Development.

Inclusionary Zoning shall mean the mandatory provision of community housing units or lots as a quid pro quo for development approval.

Income Eligible Household shall mean an individual or family whose household income does not exceed those within these Guidelines established annually based upon the Area Median Income for Garfield County, with adjustments for family size, as published by the Department of Housing and Urban Development.

Income Limits shall mean the income amounts on which the eligibility of households is based expressed as percentages of the AMI and in absolute dollar amounts, updated annually and contained in these Guidelines.

Institutional Lender shall mean any bank, savings and loan association, or any other lender which is licensed to engage in the business of providing purchase money mortgage financing on residential real property.

Lottery shall mean a random drawing to select a winner from eligible applicant families for purchase of community housing units.

Memorandum of Acknowledgment shall mean a recorded document stating the purchaser's acceptance and acknowledgment of the deed restriction or covenant placed against the units as well as the requirement to adhere to the Guidelines.

Net Square Feet shall mean interior living area that is measured interior wall to interior wall, including all interior partitions. Also included, but not

limited to habitable basements and interior storage areas, closets and laundry area. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.

Off-site shall mean a location for community housing units other than the parcel or lot where the residential development that generates the requirement for community housing units or lots is located.

Prequalification shall mean a borrower's tentative mortgage approval from a lender.

Priority area one shall mean that area that is within the corporate city limits of Glenwood Springs.

Priority area two shall mean that area within the 81601 zip code.

Priority area three shall mean that area within a thirty (30) mile radius of the corporate limits of Glenwood Springs.

Qualified Employees – See Employee Qualified Buyer.

Qualified Employer shall mean an employer of qualified employees.

Self-employed shall mean an individual who carries on a trade or business as a sole proprietor or an independent contractor; or is a member of a partnership that carries a trade or business; or who is otherwise in business for him or herself and who works for a profit or fees. The trade or business is required to provide goods or services to individuals, businesses or institutional operations a minimum of 1,500 hours worked per calendar year physically working in one of the priority areas, as defined in these guidelines, an average of 35 hours a week, 10 months of a year; or 32 hours a week, 11 months of the year.



City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: 27th St. Underpass

Action Requested: None. For review and guidance.

Department: Engineering

Presented By: Terri Partch, City Engineer

Background Info: The city is working in partnership with RFTA to design and build two underpasses at the intersection of SH 82 and 27th street. The project is in response to one fatality and many near misses in the intersection.

The cost estimate for the project is currently 10.1 M

Funding sources for the project are:

CDOT 3.1 M

City of Glenwood Springs 500 k

RFTA 6.5 M

The project is progressing toward a fall bid and construction beginning in late 2021, early 2022.

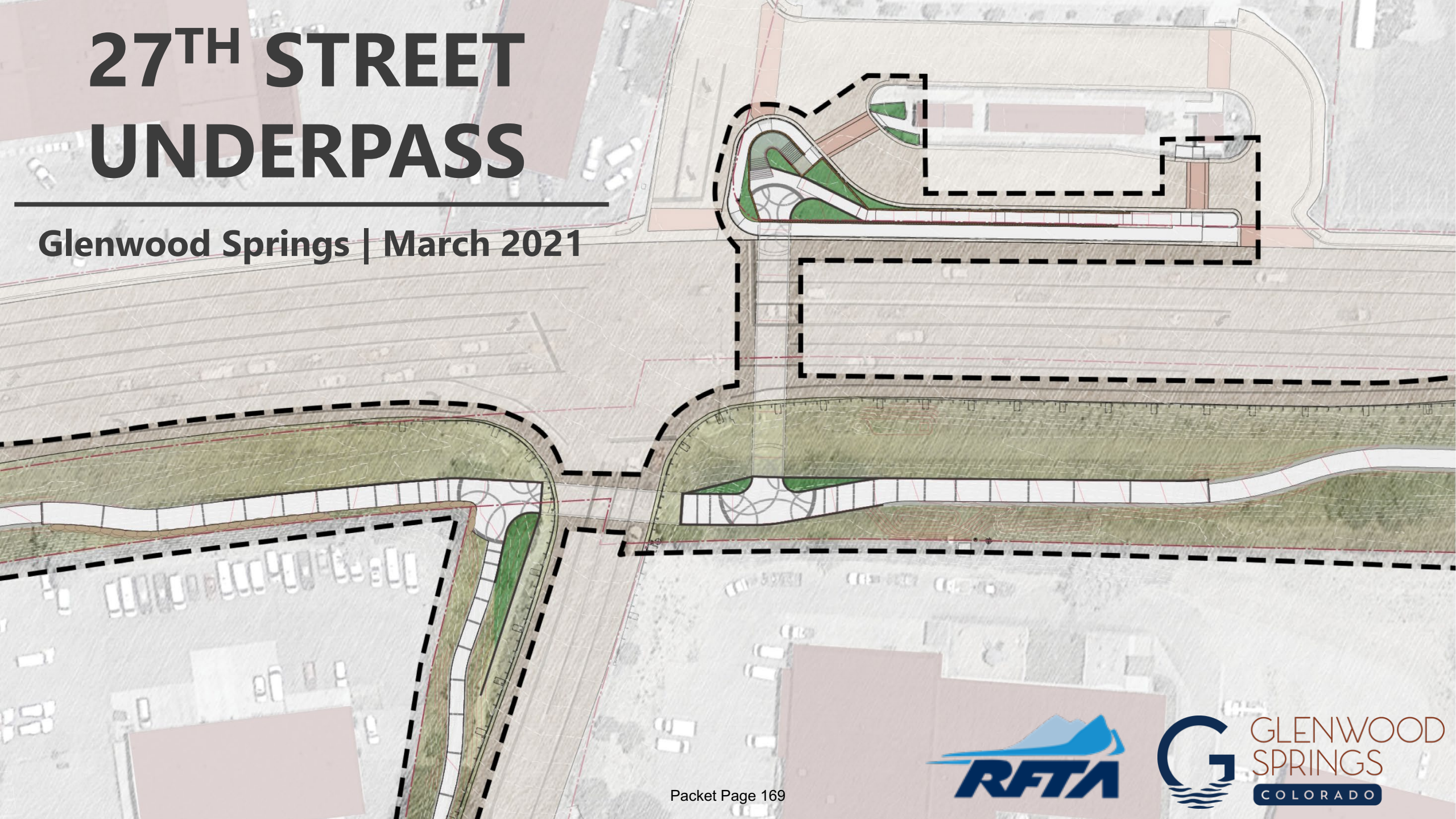
This presentation shows the project aesthetics that have been planned so far.

Issues: None at this time

Staff Recommendation: N/A

27TH STREET UNDERPASS

Glenwood Springs | March 2021



TODAY'S MEETING AGENDA

01. Project Introduction
& Orientation

02. Construction
Phasing

03. Materials &
Renderings



ACE
HARDWARE

CARPET
ONE

RFTA
PARK AND RIDE

PROJECT AREA

HIGHWAY 82

RIO GRANDE TRAIL

27TH STREET

COLORADO
MOUNTAIN
EXPRESS

ROARING FORK
SCHOOL DISTRICT





PROJECT
AREA

HIGHWAY 82

RIO GRANDE TRAIL DETOUR

ROARING
FORK RIVER

27TH STREET



ACE
HARDWARE

CARPET
ONE

RFTA
PARK AND RIDE

HIGHWAY 82

27TH STREET

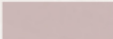
ROARING FORK
SCHOOL DISTRICT

COLORADO
MOUNTAIN
EXPRESS

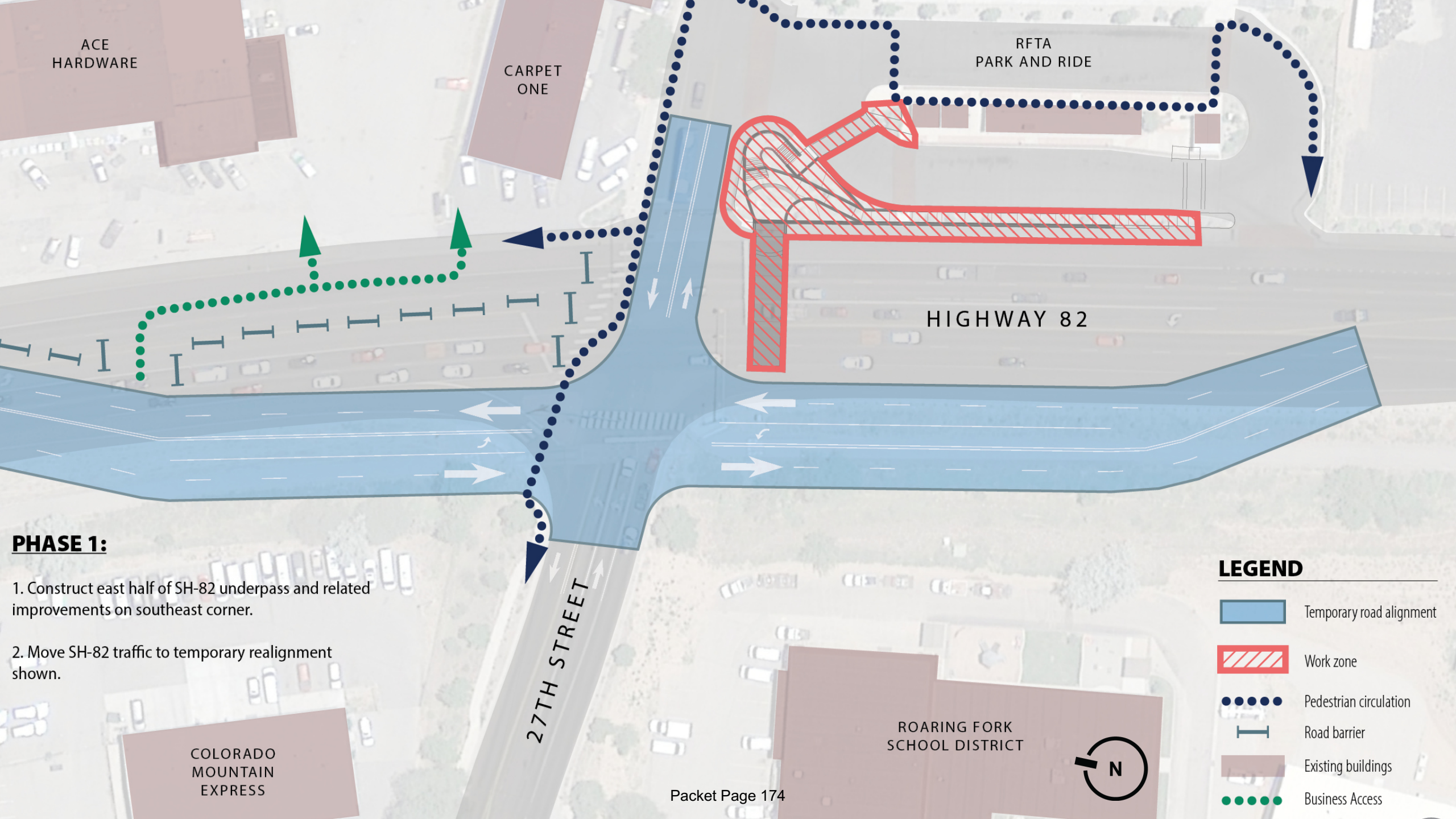
SETUP PHASE:

1. Construct embankment and temporary pavement to accomodate Phase One traffic.
2. Install temporary traffic control.

LEGEND

-  Existing buildings
-  Temporary pavement





ACE
HARDWARE

CARPET
ONE

RFTA
PARK AND RIDE

HIGHWAY 82

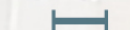
27TH STREET

COLORADO
MOUNTAIN
EXPRESS

ROARING FORK
SCHOOL DISTRICT



LEGEND

-  Temporary road alignment
-  Work zone
-  Pedestrian circulation
-  Road barrier
-  Existing buildings
-  Business Access

PHASE 1:

1. Construct east half of SH-82 underpass and related improvements on southeast corner.
2. Move SH-82 traffic to temporary realignment shown.

ACE
HARDWARE

CARPET
ONE

RFTA
PARK AND RIDE

HIGHWAY 82

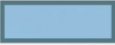
27TH STREET

ROARING FORK
SCHOOL DISTRICT

COLORADO
MOUNTAIN
EXPRESS



LEGEND

-  Temporary road alignment
-  Work zone
-  Pedestrian circulation
-  Road barrier
-  Existing buildings
-  Business Access

PHASE 2:

1. Construct west half of SH-82 underpass, south half of 27th Street underpass and related improvements on southwest corner.
2. Move SH-82 and 27th Street traffic to temporary realignments shown.

ACE
HARDWARE

CARPET
ONE

RFTA
PARK AND RIDE

HIGHWAY 82

27TH STREET

ROARING FORK
SCHOOL DISTRICT

COLORADO
MOUNTAIN
EXPRESS

LEGEND

-  Temporary road alignment
-  Work zone
-  Pedestrian circulation
-  Road barrier
-  Existing buildings
-  Business Access



PHASE 3:

1. Construct north half of 27th Street underpass and related improvements on northwest corner.
2. Move SH-82 and 27th Street traffic to temporary realignments shown.

ACE
HARDWARE

CARPET
ONE

RFTA
PARK AND RIDE

QUESTIONS

PROJECT AREA

HIGHWAY 82

RIO GRANDE TRAIL

27TH STREET

COLORADO
MOUNTAIN
EXPRESS

ROARING FORK
SCHOOL DISTRICT



Materials Inspiration



Retaining Walls



Stained Boardform Concrete

Detail: Planter Walls



Porcelain Tile Veneer

Paving

Path:



Broom Finished Concrete

Accent Banding:



Stamped Concrete Matte Finish
(dark integral color concrete)

Plaza Paving:

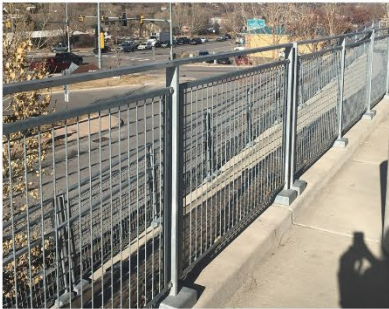


Contrasting Concrete in Circular Pattern

Metal



Galvanized Steel



Existing Park and Ride Guardrail



Bar Grate or Perforated Metal
Steps on Hanger

Native Areas



Upland Seed-mix with Native Shrubs

Cultivated Areas



Hardy Shrub Masses and Groundcover



An architectural rendering of a modern urban infrastructure project. In the foreground, a woman with dark hair tied back, wearing a red quilted jacket and blue jeans, is riding a blue bicycle on a wide, light-colored paved path. To her right is a tall, curved retaining wall made of horizontal reddish-brown stone or concrete panels. The top of the wall is landscaped with tall grasses and shrubs. To the left of the path, there's a landscaped area with more greenery and a small white arched structure. In the background, the path leads into a tunnel-like structure where several other people are walking and cycling. The scene is set against a backdrop of rolling hills and mountains under a clear blue sky with some clouds. The overall style is clean and modern, with a focus on sustainable transportation and public space design.

SW CORNER



SE CORNER

An architectural rendering of a transit station's Southeast (SE) ramp. The ramp is a wide, light-colored concrete walkway with a wooden-clad retaining wall on the right and a white metal safety fence on the left. A few people are walking up the ramp. To the right of the ramp is a bus stop area with two modern, silver buses. In the background, there's a large, modern building with a flat roof and a mountain range under a blue sky with scattered clouds. A road with traffic lights and a few cars is visible on the far left.

SE RAMP



SE CORNER

ACE
HARDWARE

CARPET
ONE

RFTA
PARK AND RIDE

CLOSING & QUESTIONS

PROJECT AREA

HIGHWAY 82

RIO GRANDE TRAIL

27TH STREET

COLORADO
MOUNTAIN
EXPRESS

ROARING FORK
SCHOOL DISTRICT





City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Deputy Fire Chief Position

Action Requested: Deputy Fire Chief Budget Amendment

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: Staff believes the City needs a Deputy Fire Chief that can focus on emergency preparation/mitigation. Staff will include \$90,000 in 2021's Fire EMS fund when we submit the annual re-appropriation schedule in April. The number is based on an approximate salary of \$110,000 plus full family benefits and maximum 401(k) match.

Issues: Staff does not see any issues with this request and will move forward with advertising the position once the extra FTE is approved by Council. The growing need for planning for emergencies has become clear over the last few years and staff recommends filling this position this year so the individual hired can work through a good portion of Fire season in Glenwood Springs.

Staff Recommendation: Staff recommends approval.

To: City Council
RE: Fixing America's Surface Transportation Reauthorization and FY 2022 Appropriations Earmarks
DATE: March 18, 2021

With the ongoing efforts for a reauthorization of the Fixing America's Surface Transportation (FAST) Act and a potential return to earmarks for fiscal year 2022, Sustainable Strategies has asked the City of Glenwood Springs to prioritize shovel-ready and other projects to ensure that we are effective in advocating for projects that may be eligible for federal (and state funding).

Staff anticipates that the four top priorities that will be the most compelling for funding are:

1. The South Bridge project to provide a connection through South Glenwood to SH 82, currently estimated at \$57million dollars; (FAST Act; THUD)
2. The LoVa Project, which would provide a pedestrian/cycling connection from West Glenwood to New Castle roughly estimated at \$26 million dollars; and (FAST Act; THUD)
3. Water/Sewer system improvement projects due to the impacts of the Grizzly Creek Fire. (EPA Wastewater)
4. 8th Street Widening, which is estimated at \$3.5 million (FAST Act; THUD)

The South Bridge and LoVa projects are listed on City Council's Strategic Plan as High Priorities. The Grizzly Creek Fire occurred after priority projects were selected by City Council. The latest briefing sheets for three of these projects are included as attachments. No briefing sheet has been created for the water/sewer improvements.

Sustainable Strategies has reviewed a list created by staff and provided information about earmark accounts that our projects may be eligible. For each of the categories above, staff has included these earmark accounts for reference. Staff has also provided information about how the priorities fit into the city's Strategic Plan.

Staff would like City Council to select their four highest priority projects.

Federalizing a project generally doesn't make sense unless it is at least \$1-2 million.

City of Glenwood Springs Upcoming Projects
Federal Infrastructure Stimulus
3/9/2021

Plans Status	Dept.	Project Name	Description	Est. Cost	Strategic Plan/Goals	Notes	Earmark Account
6/2021 complete	Engineering	South Bridge	The project is a connection through South Glenwood to SH 82. It includes a new bridge across the Roaring Fork River and a tunnel under the airport. Current projected cost 57M. Current funding: City 20M in bond funding and RFTA 4M in property tax funding. Plans will be complete in 6/2021. Environmental Assessment is complete. Right of way will be complete 6/2022.	\$57.0 M	Preserve and Improve Infrastructure (Identified specifically as a High Priority Goal) Increase water source redundancy and Ensure Public Safety		FAST Act; THUD (Transportation, Housing and Urban Development)
60%	Engineering	LoVa Trail	LoVa trail connection from west Glenwood to New Castle. 60% design	\$22.0 M	Protect and Preserve Our Quality of Life (Specifically identified as a high priority goal)		FAST Act; THUD
	Public Works	Raw Water Pump Line	The City of Glenwood Springs in the process of designing a 16” pipe line connection from the City's Roaring Fork Pump Station to the Red Mountain Water Treatment plant due to the ash, organics, high levels of sediment, debris flow and rock fall potential to come out of the No Name and Grizzly Creek watersheds due to the Grizzly Creek Fire burning portions of the watersheds. The City needs to expand its source water supply capabilities, and currently the pump station and No Name/Grizzly watersheds connect to the same pipe system to the plant, thus only water source can be used at a time. To expand the City's water supply capabilities/redundancy the pump station will have its own pipe line to the plant, thus allowing two sources of water to be used at the same time for City water supply. This second pipe line will also allow the City to shut off the 45 year old 24" steel raw water gravity line for long durations of time to all assesment of the pipes condition. Two major failures of the steel pipe have occured in the last 10 years, and a thorough review of the condition of the pipe needs to be compelted. This is not possible without the second line.	\$4.0 M	Preserve and Improve Infrastructure (Identified specifically as a High Priority Goal) Increase water source redundancy	This one should also qualify as public safety, if we lose the existing line we cannot keep water tanks full for fire protection and domestic water use.	EPA Wastewater
80%	Engineering	8th St. Widening	8 th Street widening from the east side of the Roaring Fork Bridge to School Street. New center medians and landscape features to comply with historic mitigation requirements. Plans 80% complete.	\$3.5 M	Generate Sustainable Economic Development		FAST Act; THUD
90%	Parks/Community Development	Three Mile Confluence Area	Stabilization and ecological restoration of over 500 linear feet of bio-engineered bank stabilization, reestablishing native riparian vegetation by planting over 30,000 square feet of trees and shrubs, installing more than 500 linear feet of fencing to reduce the impact of pets and pedestrians, removing a large number of invasive species, restoring over 8,000 square feet of wetland/riparian areas, and multiple new signs that will educate the public on the importance of a healthy riparian ecosystem and spawning restrictions associated with sensitive confluences.	\$631,771	Protect and Preserve Our Quality of Life	CWCB Watershed Restoration Program - \$85,000; WSRF Colorado Basin - \$10,000; cash match \$35,000. WSRF Statewide account \$85,000 (gap is about \$442k - we have asked for \$561k from the National Fish and Wildlife Foundation)	

0%	Engineering	SH 6 street-scaping	Street scape improvements on SH 6 from Devereux to the Vapor Caves	\$8.0 M	Generate Sustainable Economic Development (Specifically identified as a Low Priority Goal)	Approximate cost to design - \$600,000	FAST Act; THUD
80%	Engineering	Two Rivers Park Pedestrian Multiuse Path (in collaboration with IMHS)	Trail connection from the existing pedestrian bridge through Two Rivers Park to the intersection of Centennial and Devereux. 80% complete design. Pedestrian bridge from Iron Mountain Hot Springs to Devereux Road Sidewalk. Sidewalk extension/ widening.	\$800,000	Ensure Public Safety		FAST Act; THUD
100%	Public Works	North Red Mountain Improvements	North Red Mountain water, sewer, FO and roadway improvements. This project includes sewer line sizing upgrades from 9 th Street to Midland Avenue, full waterline replacement for fire flow, complete roadway and parking area reconstruction, sidewalk construction on Red Mountain Drive from 10 th Street to Midland Avenue, West 10 th Street, 9 th Place, and West 9 th Street. We have a full plan set for this, but it is 40Mb.	\$2.0 M	Preserve and Improve Infrastructure		FAST Act; EPA Water; THUD; American Rescue Plan
90%	Public Works	South Red Mountain Improvements	South Red Mountain water, sewer, FO and roadway improvements. This project includes sewer manhole rehabilitation, full waterline replacement for fire flow, drainage system improvements, complete roadway and sidewalk reconstruction on Red Mountain Drive from Riverview Drive to 11th Street, 11th Street from Walz to Riverview, Riverview Drive from 13th to 10th, 11th Place, West 12th Street and Walz Cul-De-Sac. We are in design for this right now, plan on having it shovel ready by first quarter of 2021.	\$6.0M	Preserve and Improve Infrastructure		FAST Act; EPA Water; THUD; American Rescue Plan
100%	Public Works	Cardiff Tank	Cardiff Tank Design plans, this is an addition of a 500,000 gallon tank, plans are ready and state permitted.	\$1.0M	Preserve and Improve Infrastructure (Idenified as a Low priority)		EPA Water: American Rescue Plan
0%	Public Works	Lift Station 11000	Lift Station 11000 Upgrade partnership with Glenwood Meadows Developments.	\$1.0M			
0%	Public Works	Highlands Tank #2	Highland Tank design plans and final location will be in progress in 2021 after the City Wide water model has been completed through SGM.	\$1.0M	Preserve and Improve Infrastructure (Idenified as a Low priority)		
0%	Public Works	Park East Raw Water System	The Raw water at Park East has not functioned since 2005, the City is working designing and fixing the issues with the system.	\$200,000	Preserve and Improve Infrastructure		
10/2019 complete	Public Works	Block 44 Alleyway Storm Sewer Project	Alleyway design plans have been completed: Addition of storm sewer, undergrounding of telecommunication lines, resurfacing for proper drianage and pedestrain/vehicular access.	\$400,000	Generate Sustainable Economic Development (Specifically identified as a High Priority Goal)		
90%	Parks	Sayre Park Phase I	Improvements to NW area of the Park, ADA curbing, paths, drinking fountain, basketball court, stairs, utility relocate for future phases. Final surveying, utility relocate plans, and grading revisions are being completed now. Can be shovel ready shortly after restricitons are lifted.	\$240,000	Protect and Preserve Our Quality of Life	A portion of Phase 1 is happening in 2021.	
0%	Parks	White Water Park Return	Maintenance of the wave shape and survey of the riverbed scouring, design and construction of the Devereaux/ Midland intersection for access to a West side parking lot and South side underpass return pathway.	\$600,000	Protect and Preserve Our Quality of Life	RFP just went out. \$50,000 is slated for 2021, for design.	
20%	Parks	Axtel Park Improvements	Repair of the retaining wall, ADA restroom, amenities and path. County lease and 1/2 of project supported by Country funding.	\$130,000	Protect and Preserve Our Quality of Life		
25%	Parks	Rivertrail Retaining Wall and Connections	RFTA partial funding as part of the MOC sale. Replace the retaining wall South of 8th with a CMU block wall with geogrid, install hard surface connections at GSES, 12th street, and HS (Coach Miller Drive) to the rivertrail, remove rail in these sections. Add stairway and harden connection to trail adjacent to City snow storage area. Final surveying for rockwall being completed, wall design in final revisions. Trail connections have not yet been designed.	\$300,000	Protect and Preserve Our Quality of Life	Revisions needed to an existing design.	

0%	Engineering	Hwy 6 bike path reconstruction (Linden to Donegan)	Reconstruct existing well used pedestrian path. Add drainage and rockfall catchment on the uphill side. Protect path from shoulder parking on the south side	\$1M	Preserve and Improve Infrastructure (Identified specifically as a Medium Priority Goal)		
0%	Engineering	Pedestrian overpass at 10th Street on the Safe Routes to School for GSES.	Pedestrian overpass/underpass at 10th Street on the Safe Routes to School for GSES.	\$5M pedestrians only.	Protect and Preserve Our Quality of Life		
0%	Engineering	Improvement to 12th Street Ditch SH 82 Underpass	Channelize debris flow and improve pedestrian trail adjacent to the debris flow channel. Improve tunnel lighting.	\$5M	Protect and Preserve Our Quality of Life		
0%	Engineering	Traffic calming and bikeway improvements to Blake 27th Street to 8th.	Add traffic calming to intersections, bikeway /parking separation	\$3M	Preserve and Improve Infrastructure		



GLENWOOD SPRINGS SOUTH BRIDGE PROJECT

Improving safety, mobility, and connectivity for Roaring Fork Valley Residents

Ravaged by the Grizzly Creek Fire of August 2020 and vulnerable to future disasters, Glenwood Springs, CO is working to address deficiencies in emergency access and evacuation routes for residents of Glenwood Springs' South Corridor. Emergency access capacity of the area located on the west side of the Roaring Fork River in Glenwood Springs' South Corridor is limited to a single paved route for over 3,500 residents. Redundancy of entrance and egress routes is needed to allow the transportation system to accommodate variable and unexpected conditions without failure. The City of Glenwood Springs' **"South Bridge" over the Roaring Fork**



River will establish a new bridge connection that will provide a critical second access between State Highway 82 (SH 82) and the western side of the Roaring Fork River in the South Corridor of Glenwood Springs. The South Bridge Project will improve emergency evacuation, emergency service access, and local land use access. The bridge project will also include water looping facilities that will help fill fire-fighting water tanks in the South Corridor, which will help to resolve emergency water supply issues revealed by the Grizzly Creek Fire.

Hazard Mitigation Need: Currently, the primary access route to the South Corridor is via Four Mile Road, Midland Avenue and 27th Street Bridge, which are vulnerable to natural and man-made incidents. The City of Glenwood Springs completed the \$12 million replacement of the functionally obsolete 27th Street Bridge in February 2020, and the City is underway with \$13 million in long-needed upgrades to the deteriorating South Midland Avenue, but even after addressing this failing infrastructure, the South Corridor will only have one paved evacuation route. A second bridge connection to SH 82 across the Roaring Fork River is needed to ensure safe ingress and egress for emergency vehicles and evacuees in the event of wildfires, coal seam fires, and other hazards. The lack of transportation system redundancy results in longer emergency service provider travel times between SH 82 where the local hospital is located and residents of southern Glenwood Springs and the Four Mile area of Garfield County. The lack of suitable access redundancy also increases the likelihood of a catastrophic occurrence where residents and visitors could be trapped on the road if the existing primary access route is cut off due to natural and/or man-made causes. Further, Glenwood Springs has contended with rock fall and gas main break issues along the main access out—Midland Avenue. In the event of future rock fall and mudslides (which would be anticipated to increase in frequency should a wildfire event occur above Midland Avenue), South Bridge will expedite evacuation, EMS response and cleanup capacity.

Decades-Long Need & Plan to Create Safe Evacuation Route: Plans for establishing a second safe evacuation route for residents of South Glenwood have been in motion since the 2002 Coal Seam Fire surrounding Glenwood Springs burned 12,000 acres and 29 homes in Glenwood Springs, bringing devastating mudlines into the Mitchell Creek drainage and on to Interstate 70 (I-70). More than 3,000 people had to be evacuated from the western and southern portions of the city, but egress was extremely difficult due to the singular egress route from west of the Roaring Fork River. In 2005, Congress appropriated funding to commence a project to plan and construct a suitable evacuation route for the southern portion of the city, recognizing that over one-third of the City's



population was forced to a single bridge crossing to evacuate. Glenwood Springs has worked with the Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA) to conduct extensive planning, alternatives analysis, design, engineering and permitting for the construction of a ["South Bridge"](#)

to provide a critical second access between SH 82 and the western side of the Roaring Fork River.

Almost every year in recent years there has been a fire with mandatory evacuations in the South Corridor. In August of 2020, a brush fire that grew to 0.63 acres in the Oak Meadows area of Four Mile Road prompted a pre-evacuation notice and an interagency helicopter response. In 2019 the Sunrise Court Fire that grew to 15 acres prompted the evacuation of residents in the Four Mile Ranch subdivision and lower Four Mile hoses south of Glenwood Springs. And in 2018, an Oak Meadows Fire grew to 40 acres near Four Mile Creek south of Glenwood Springs, prompting the evacuation of residents of the Oak Meadows subdivision.

Thanks to quick interagency coordination and favorable firefighting conditions, there were no injuries in these south corridor fires. However, today, the urgent need to move forward on the construction of South Bridge has never been clearer. The area's population and wildfire risk has grown substantially since 2002. The City of Glenwood Springs is still reeling from the Grizzly Creek Fire, which consumed at 33,431 acres. The fire created widespread severe soil burn, increased debris-flow hazard, and devastated the City's main water shed/water supply. Despite the economic and environmental devastation wrought, Glenwood Springs feels incredibly lucky that no human life was lost. Action is needed to prevent horrific incidents where the lack of a safe evacuation route leads to loss of life. The Garfield County Hazard Mitigation Plan identifies wildfire as the hazard that poses the highest threat to Garfield County. The plan indicates that there is a 100% annual probability of wildfire occurrence in Garfield County, with over 2,200 wildfire events having occurred in the past 36 years. As climate impacts threaten more frequent wildfire activity and potential for coal seam fires in future years, the City is committed to implementing the decades-long plan to establish a second safe evacuation route for South Glenwood Springs. However, the construction of South Bridge hinges on the availability of federal funding and other funding support to move forward on the \$57 million project that is located just south of city limits.

Mobility, Economic Development, & Housing: Steeply inclined terrain surrounding the Glenwood Springs not only adds risk to emergency situations, but also creates geographic limits to growth that can only be overcome with smart development. South Bridge is expected to help facilitate planned economic development and development of new, mixed-rate housing options in the South Corridor. Glenwood Springs is in the midst of a rapidly worsening affordable housing crisis, 75 planned residential units in the City and 213 units in the County remain unbuilt as the City struggles to keep up with the growing average annual daily traffic counts. The South Bridge Project will also have ancillary benefits to the community by addressing barriers to growth and facilitating the development of new housing options.

Requests for Federal Assistance: The support of Members of Glenwood Springs' U.S. Congressional Delegation will be critical to our ability to move forward with this important project.

- **Pending FEMA BRIC Grant:** The City of Glenwood Springs has a pending grant FEMA BRIC application \$27 million matched with \$24 million, including cash match from the Roaring Fork Transportation Authority, city bonding proceeds, and other sources. Six million remains to be funded from our current estimate.
 - A call to Acting Administrator Bob Fenton to express your support for the project will be critical to our ability to secure this grant funding.
- **Earmarks/"Community Projects":** The City of Glenwood Springs seeks consideration for the South Bridge project for earmarks under FAST Act Reauthorization, as well as the DOT Local Transportation Priorities, FEMA Pre-Disaster Mitigations under Appropriations.
 - Glenwood Springs is prepared to provide all requested information for submission of earmark requests for the South Bridge project. We look forward to receiving additional guidelines regarding earmark requests and deadlines for FAST Act Reauthorization and Appropriations.



THE LOWER VALLEY (LoVa) SOUTH CANYON TRAIL PROJECT

Coalition of communities seeks to enhance multimodal access to outdoor recreation opportunities on federal lands along the Colorado River

The City of Glenwood Springs, in partnership with the Town of New Castle, Roaring Fork Transit Authority (RFTA), and Lower Valley Trail (LoVa) Group, seeks \$10 million in Federal grant funding to support the LoVa South Canyon Trail project. The project will construct another phase of the 8.5-mile multimodal trail connection to provide access to high use recreation sites on federal lands along the Colorado River/I-70 Corridor between Glenwood Springs and New Castle. In addition to establishing bike and pedestrian access to recreation sites, the proposed LoVa South Canyon Trail project will decrease congestion on the economically critical Interstate-70 corridor, reduce vehicular emissions, spur regional tourism, improve safety, encourage healthy physical activity, and promote environmental stewardship.

HISTORY: A dedicated group of citizens, public officials, and business professionals launched the LoVa Trails Group almost two decades ago with the goal of eventually building a paved trail along the Colorado River corridor from Glenwood Springs to Mesa County. The project gained significant momentum in 2016 when former Governor Hickenlooper, current Senator Hickenlooper, named the LoVa Trail one of Colorado's "16 in 2016" highest priority trails. Today, popular demand, critical mass, and political will are aligning to make the portion of the 8.5-mile LoVa South Canyon Trail that will connect the Town of New Castle and City of Glenwood Springs a reality.

ACCESS TO HIGH-USE RECREATION: Currently, bikers and pedestrians are limited to the narrow, loose shoulder on I-70 to travel between New Castle and Glenwood Springs. This project will create a safe, multi-modal link for cyclists and pedestrians to access several recreation sites and connections to broader trail networks on federal lands. The western node of this proposed LoVa trail project will provide a connection to the **New Castle Extensive Recreation Management Area** (New Castle RMA), which offers mountain biking, hiking, and horseback on Bureau of Land Management (BLM) land. The **Colorow Trail** is in the heart of the area, providing trail users beautiful views of the Grand Hogback and Town of New Castle. Several miles of new trails were added to the system in 2017. This area is also home to wildlife including mule deer, elk, foxes, and mountain lions. Also accessible by bikes and pedestrians from the proposed LoVa Trail will be the **Storm King Memorial Site**, dedicated to the 14 brave firefighters who gave their lives fighting the South Canyon fire in 1994. Interpretive signs along this two-mile trail on BLM land near the New Castle RMA help explain the South Canyon Fire and wildland firefighting.



Moving east from New Castle, the LoVa Trail will provide multi-modal access to the new **South Canyon Soft-Surface Multi-use Trails**. The Roaring Fork Mountain Biking Association (RFMBA) is underway with implementing the South Canyon Trail Plan (SCTP), which includes two trails on land owned by Glenwood Springs and one trail on BLM land. These trails not only promote the area as a regional mountain biking destination, but also highlight the canyon's historic, 19th Century coal mining sites. The LoVa Trail will also connect directly to the **South Canyon River Access** site, where a concrete boat launch provides access to the Colorado River below Glenwood Springs. The Colorado River corridor is a substantial economic generator for all of Garfield County, providing recreation to locals and tourists from around the world. This project will provide the only functional, non-vehicular access point to the river between New Castle and Glenwood Springs.



On the eastern node of the trail, the City of Glenwood Springs serves as an access point to the **Glenwood Canyon Trail** through the U.S. Forest Service's (USFS) White River National Forest, which connects into the **Eagle Valley Trails** on to Vail, as well as the **RFTA Rio Grande Trail** traveling southeast along BLM and USFS lands all the way to Aspen. Ultimately, the LoVa Trail may form a key link in a potential Trans-Colorado Trail—a 400-mile scenic bicycle and pedestrian corridor extending from the Utah border to the Kansas border. The Trans-Colorado Trail could become an outstanding local recreational resource and international tourist attraction displaying the full range of Colorado's diverse landscapes and communities.



ECONOMIC VITALITY: The LoVa South Canyon Trail will be a catalyst for regional economic vitality. The trail will not only spur tourism—a key economic driver for New Castle and Glenwood Springs—but will also provide alternative transportation options along the economically critical I-70 corridor. Those who reside to the west of the Roaring Fork Valley and commute to Glenwood Springs or Aspen, are dependent on the I-70 corridor for access to a variety of jobs on federal lands, ranging from resource extraction to ski resort operations. Providing alternative transportation options for short-range trips along I-70 will help to reduce congestion and facilitate economic growth as the population on the Western Slope continues to grow.

SUSTAINABILITY AND ENVIRONMENT: A recent study by the Colorado Demographer's office found that the Western Slope is Colorado's fastest growing region and that Garfield County's population will nearly double by 2050. Given the potential traffic impacts of this projected population growth, encouraging mode shift from vehicles to bike and pedestrian travel for short-range trips along the I-70 corridor will help to reduce congestion and pollution from vehicular emissions. Providing better access that will attract more visitors to experience and appreciate natural and historic attractions on federal lands in the Colorado and Roaring Fork River Valleys will also promote environmental stewardship and preservation.



SAFETY: Pedestrians and cyclists are confined to the I-70 shoulder when traveling westbound from Glenwood Springs. The shoulder throughout this corridor varies and can be narrow in areas with rumble strips, debris, and gravel, posing dangers to cyclists. Sections of this roadway are elevated and have sharp turns that decrease the sight distances. The I-70 speed limit in this section of roadway is 65 mph, which makes pedestrian/car interaction especially dangerous. The proposed LoVa South Canyon Trail will provide separation of cars and pedestrians, which will enable safer travel for

pedestrians and cyclists along I-70 and will eliminate hazards on I-70 of vehicles swerving to avoid cyclists. Providing a safe route for non-motorized travel for commuters and providing non-motorized access to recreation areas will promote physical activity and encourage healthy behaviors.



COORDINATION & LEVERAGING: The LoVa Trail is currently enjoying the most robust and enthusiastic coalition of support the project has ever had. Partners include Glenwood Springs, New Castle, LoVa group, RFTA, CDOT, Garfield County, and the Roaring Fork Mountain Bike Association. These partners have worked together to secure substantial funding to design, engineer, and construct key segments of the LoVa South Canyon Trail.

- **NEW CASTLE TO CANYON CREEK:** Final permitting, construction drawings, right of way (ROW) acquisition and construction of the difficult portions of the 3.8-mile segment from New Castle to Canyon Creek are already underway and slated for completion in December 2021, funded in part by a \$500,000 State Trails/Colorado the Beautiful construction grant award to New Castle in 2018. The City of Glenwood Springs has provided \$100,000 in matching funding for this portion of the trail; New Castle and Glenwood Springs will jointly seek \$1 million in grant funding from the Garfield County Federal Mineral Lease District (FMLD) with \$510,000 in match to construct a trail bridge over the Union Pacific Railroad Road (UPRR), necessitated in order to avoid sensitive wetlands that might be disturbed by an underpass.
- **CANYON CREEK TO SOUTH CANYON:** In 2017, New Castle secured an additional \$43,778 from the Colorado Parks and Wildlife's (CPW) Non-Motorized Trails grant program, matched with \$18,762 in local funds, to design the segment of the LoVa Trail running from South Canyon (at Exit 111 along I-70) to Canyon Creek. Along with this grant, another grant was secured by the Town of New Castle for \$75,000 from GOCO with a match of \$10,000 from the Town of New Castle, \$15,000 from Glenwood Springs, \$15,000 from Garfield County, \$10,000 from the Roaring Fork Transit Authority and \$3,000 from Livewell. These two grants have funded the development of the design plans of this section to a 65% level, including proceeding with permitting and other trail authorizations.
- **SOUTH CANYON TO GLENWOOD SPRINGS:** The 2.6-mile section of the LoVa Trail that will connect South Canyon to West Glenwood Springs was the first segment to be designed nearly a decade ago by Garfield County. All permitting and a License Agreement to build in CDOT/Federal Highway Administration ROW were executed with CDOT, resulting in a short segment of trail constructed in 2009. Design of the entire segment from South Canyon to Glenwood Springs is complete and shovel ready. Glenwood Springs is updating these permits using a 2016 GOCO planning grant of \$75,000, to be poised for construction funding.
- Funding was secured in 2019 from the Garfield County Federal Mineral Lease District (FMLD) for the construction of a 700-foot extension of the trail from the West Glenwood sanitation district property, ending at a new fishing shelter.

Additional funding is needed to finalize the design, engineering, and construction the remaining segments to complete the 8.5-mile LoVa South Canyon Trail..

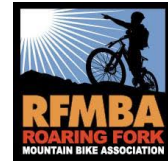


Join us in enhancing outdoor recreation, improving safety, and connecting the communities of the Western Slope.

CONTACT: Debra Figueroa, Glenwood Springs City Manager at (970) 384-6401, debra.figueroa@cogs.us,



David Reynolds, New Castle Town Administrator at (970) 984-2311 Ext: 100,
dreynolds@newcastlecolorado.org,
Jeanne Golay, LoVa Trail Group, at jgolay@lovatrails.org or
Consultant Ashley Badesch at (202) 261-9883 or Ashley.Badesch@StrategiesDC.com





CONFLUENCE CONNECTION PROJECT

Glenwood Springs Seeking to Enhance Safety, Connectivity, & Mobility in Key Downtown Redevelopment Area

The City of Glenwood Springs CO, in partnership with the Downtown Development Authority and the Roaring Fork Transportation Authority seeks funding to support the “Confluence Connection Project.”

Glenwood Springs is making big progress toward a decades-old vision for revitalizing the underutilized brownfield area at the confluence of the Roaring Fork and Colorado Rivers. In 2018, Glenwood Springs received a U.S. Environmental Protection Agency Brownfields Area-Wide Planning grant to undertake the market assessment, land use designs, leveraging strategies, and community engagement necessary to propel major redevelopment of several catalytic riverfront parcels surrounding the Eight Street Crossing/Confluence area. However, a gap in transportation infrastructure supporting the Confluence area poses a barrier to redevelopment efforts, and a major disconnect in the transportation network connecting key transportation facilities, civic hubs, and the city’s poorest West Side neighborhoods. Facilitating the planned growth and economic development at the Confluence will require dramatic improvements to this transportation link, which is currently a substantial problem for connectivity into the Confluence area and safety of pedestrians and bicyclists.



The Confluence Connection project will extend Eighth (8th) Street, where the civic complex (City Hall, county buildings, courts) and other key entities are located, to connect with the bridge that provides access to the downtown for the economically distressed neighborhoods on the western side of the Roaring Fork River. The street currently in place was a temporary solution during the replacement of the Grand Avenue Bridge and does not have proper drainage, pedestrian improvements, side street access or utility relocations.

This 8th Street Connector will build upon \$1.7 million in bridge and streetscape investment by Glenwood Springs and CDOT during the Grand Avenue Bridge replacement project. This Confluence Connection project will:

- Enhance the efficiency and accessibility of transit operations;
- Connect a regional multiuse pathway into downtown bicycle and pedestrian networks;
- Improve safety of the rail/pedestrian interface;
- Provide a permanent route for emergency service response; and,
- Enable and encourage the planned brownfields redevelopment of the Confluence area, which is envisioned to include much-needed affordable housing, a hotel with associated retail, stormwater management infrastructure, and riverfront recreational access.

Please join Glenwood Springs in implementing practical solutions to enhance connectivity, drive economic development, and improve safety at the Confluence.

CONTACT: Debra Figueroa, Glenwood Springs City Manager at (970) 384-6401 or debra.figueroa@cogs.us or consultant Ashley Badesch at (202) 261-9883 or Ashley.Badesch@StrategiesDC.com





City Council
STAFF REPORT
City of Glenwood Springs
March 18, 2021

Agenda Item: Planning Item 11-21 Consideration of a Right-of-Way Encroachment License and an Easement Vacation for the Bell Rippy multi-family/duplex development.

This item is expected to be continued until the regular scheduled Council meeting on April 1, 2021.

Action Requested: **Action 1 –Right-of-Way Encroachment License** – for improvements related to the Bell Rippy development.

Action 2 – Easement Vacation – associated with the combination of three lots for the Bell Rippy development.

Department: Economic and Community Development

Presented By: Trent Hyatt, Senior Planner

Background Info: **Staff Recommends this item is continued to the April 1, 2021 regular meeting.**

REQUEST	Approval a Right-of-Way Encroachment License and an Easement Vacation
APPLICANT	Triumph Development West, LLC
OWNER	Bell Rippy Glenwood LLC
LOCATION	2769 Palmer Avenue, generally east and west of Palmer Avenue between 27th Street and Blake Avenue
ZONE	Residential Transitional (RT) District
SURROUNDING LAND USES	North: Single-family residential South: Commercial retail East: Vacant West: Muilt-family residential, mixed commercial
LOT SIZE	5.74 acres

Issues: Not applicable at this time.

Staff Recommendation: **Action Alternatives**
Section 070.060.030(g)(1)d of the Code outlines the review and decision procedures for applications being considered by City Council stating, "The applicable review body shall approve, approve with conditions, or deny the application based on the applicable approval criteria listed in the application specific procedures. The body may also continue the hearing or refer the application to another authority as provided in 070.060.050(a)(2)c, Referral and Call- Up Procedures."

Action 1 –Right-of-Way Encroachment License – for improvements related to the Bell Rippy development.

Action 2 – Easement Vacation – associated with the combination of three lots for the Bell Rippy development.

Staff Recommendation

Staff recommends both action items are **continued** to the April 1, 2021 regular meeting to allow us to determine exact location details of various debris flow and retaining wall encroachments.