



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JANUARY 20, 2022
ZOOM
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.

ATTENTION: To ensure your written comments are included in the City Council packet, public comments must be received by 4 p.m. on the day before City Council meetings. Comments may be submitted to ryan.muse@cogs.us.

Written comments may be submitted after this deadline and will be shared via email to City Council but are not guaranteed to make it into the meeting packet. Submit comments at any time directly to City Council via email at citycouncil@cogs.us.

ZOOM INSTRUCTIONS

1. You are invited to a Zoom webinar.
When: Jan 20, 2022 3:00 PM Mountain Time (US and Canada)
Topic: 2022/01/20 Regular Council Work Session and Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88983978714>

Or One tap mobile :

US: +12532158782,,88983978714# or +13462487799,,88983978714#

Or Telephone:

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

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

Webinar ID: 889 8397 8714

International numbers available: <https://us02web.zoom.us/j/kemN40DpQp>

WORK SESSION

3:00	2. Agenda Review/Future Agenda	Information/Discussion
3:30	3. 2021 Building Codes	Information/Discussion
4:15	4. Tourism Promotion Board Interviews	Information/Discussion
5:15	5. Break for Dinner	Information

REGULAR SESSION

6:15	6. Roll Call	
	7. Pledge of Allegiance	
	8. Agenda Changes & Conflicts	
6:20	9. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)	
6:30	10. Council Comments	
6:40	11. Consent Agenda	Discussion and/or Action
	A. Resolution 2022-06; InterGovernmental Agreement with Garfield County regarding the May 3rd, 2022 Special Election.	
	B. Award of RFP 2021-32 Airport Fuel Tanks	
	C. January 6, 2022 Council Minutes	

- D. Approval to Procure a New Bomag Trash Compactor for the South Canyon Landfill
- E. Ordinance 2022-01; Amending Municipal Code Section 020 Council Voting Code Revision, 2nd Reading
- F. Ordinance 2022-02; Campaign Finance, 2nd Reading
- G. Ruedi Water and Power Authority InterGovernmental Agreement
- H. Resolution 2022-07; Designating an Election Official and Making the Election Mail Ballot Only

ACTIONS AND/OR PRESENTATIONS

6:40	12. Planning and Zoning Commission Appointments	Discussion and/or Action
6:45	13. Uinta Basin Railway	Discussion and/or Action
6:55	14. Citizen's Petition on Noise Reduction	Discussion and/or Action
7:05	15. Direction on Request for Proposals for South Canyon	Discussion and/or Action
7:50	16. Public Improvement Fee Extension Support	Discussion and/or Action
8:20	17. Resolution 2022-04: 2022 South Canyon Landfill Fee Setting	Discussion and/or Action
8:25	18. Employee Online Merchandise Store	Discussion and/or Action
8:40	19. Ordinance 2022-03; Change the Name of the Tourism Promotion Board to the Tourism Management Board	Discussion and/or Action
8:45	20. Report from City Administration	
	A. City Manager	
	B. City Attorney	
	C. Correspondence Incoming/Outgoing	
	21. Adjournment	

Work Session/Agenda Planning through April of 2023

City Council Meeting	Work Session Item	Agenda Item
January 19, 2022	Special Meeting to Help Shape the Listening Session on the Airport	
January 20, 2022	Pedestrian connections, (MOVE STUDY) 2021 Building Codes Interviews Tourism	Parks and Recreation Commission (RFP for South Canyon) (30 Minutes) 2022 Landfill Fees
January 27, 2022	Special Meeting on Boards and Commissions	
February 3, 2022 (Starts at 8:30 AM)	Transportation Commission (45 Minutes in the morning) Code Enforcement Philosophy (Morning) MOVE Study Ped and Cycling Improvements Rural Fire Board (1 hour in the afternoon)	Pedestrian connections, (MOVE STUDY) Approval Decision Youth Mental Health Parks Code Amendments CARE Update
February 17, 2022	BRT/local bus optimization (MOVE STUDY) (45 Minutes) Emergency Evacuation Planning Update	MOVE Study Ped and Cycling Improvements 2021 Building Codes
March 3, 2022 (Starts at 8:30 AM)	River Commission Water Use Reduction Solutions/Incentives Lone Pine Property	BRT/local bus optimization (MOVE STUDY) decision Airport Study/Tunnel Design

March 17, 2022 (Purim ends in the evening of March 17)	Financial Advisory Board Encampment Cleanup/Solutions Transient impacts to downtown/solutions	
April 7, 2022 (Starts at 8:30 AM)	Planning Commission Franchise Management for Trash and Recycling	
April 21, 2022 (Passover is 4/15-4/23 – Mayor Holiday)	Airport Commission Vale Board Housing Commission/RFQ Results for Affordable Housing Project Vehicular traffic optimization	
May 5, 2022 (Starts at 8:30 AM)	Art Center/Performing Arts Center Arts and Culture Board Special Events Fire Mitigation Strategies	Ad Hoc Committee for Affordable Housing Recommendation Direction on Housing Commission/RFQ Results for Affordable Housing Project
May 19, 2022	Tourism Board Long Term Cemetery Planning North Landing	
June 2, 2022 (Starts at 8:30 AM)	Historic Preservation Commission Cardiff Schoolhouse Future	
June 16, 2022	RFTA Construction Fill opportunities- Drive-In Theater, Outdoor Amphitheater, Sledding Hill	

July 7, 2022 (Starts at 8:30 AM)	Downtown Development Authority	
July 21, 2022	RICD Project Confluence (Confluence Park)	
August 4, 2022 (Starts at 8:30 AM)	Budget Only	
August 18, 2022	Budget Only	
September 1, 2022(Starts at 8:30 AM)	Budget Only	
September 15, 2022	Budget Only	
October 6, 2022 (Starts at 8:30 AM)	Transportation Commission	Budget Hearing
October 20, 2022	Climate Plan Discussion	Budget Approval
November 3, 2022 (Starts at 8:30 AM)	River Commission	
BOCC Joint Meeting		
November 17, 2022		
December 1, 2022 (Starts at 8:30 AM)	Housing Commission	
December 15, 2022		
January 5, 2023 (Starts at 8:30 AM)	Planning Commission	Comp Plan Adoption
January 19, 2023		
February 2, 2023 (Starts at 8:30 AM)	Arts and Culture Board	
February 16, 2023		
March 2, 2023 (Starts at 8:30 AM)	Financial Advisory Board	
March 16, 2023		
April 6, 2023 (Starts at 8:30 AM)	Airport Commission Vale Board	

Items to Schedule:

BRT- Adoption of Both Preferred Alternatives or a Single Alternative

Traffic Report and Recommendations * Includes recommendation to go to North - South couplet on 8th and 9th

Glenwood Springs Association of Realtors (Housing)

Work session on land fill expansion

Vehicular traffic optimization decision

Council Compensation

Sayre Park Future Phases

BRT/local bus optimization (MOVE STUDY) (45 Minutes)

Charter Review/Elected Mayor

Dog Park

Dog Leash Enforcement



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item:	2021 Building Codes
Action Requested:	Discussion of the 2021 Building Code Adoption.
Department:	Economic and Community Development
Strategic Goals:	Ensure Public Safety
Background Info:	The City of Glenwood Springs has made it a standard practice to periodically review and update the City's construction building codes to remain consistent with neighboring jurisdictions and to ensure buildings use the best building standards. Updated codes are intended to minimize risks/hazards to the public and to require energy efficiency standards in various types of construction. The Building and Fire Codes in Title 060 of the City's Municipal Code were last revised in 2017. The City is on the 2015 Building Codes, with the exception of the 2009 Energy Code. Attached with this staff report is a PowerPoint and a draft of the proposed amendments to the code. In general, the recommended amendments are carried over from the previous adoption.
Issues:	Adoption of the new codes requires additional safety and energy improvements, which come with increased costs.
Staff Recommendation:	This item is for discussion at a work session and will be added to a future Council agenda. Due to state noticing requirements, the next agenda that this could be placed on would be Feb. 17, 2022.

2021 Building Code Adoption

Thursday, Jan. 20, 2021



Why adopt a new Building Code?

International Building Codes are revised to keep people safe within buildings, provide for the safety of first responders and to minimize long term costs.

What are the major changes?

Glenwood Springs is on the 2015 Building Codes, with the exception of the 2009 Energy Code. The 2021 Code requires:

Blower-door tests

Automatic lighting

EV charging infrastructure

Increased insulation requirements

Mechanical systems commissioning

We are also proposing to adopt the Tiny Home and Pool regulations



Energy Efficiency Improvements

According to the Federal Register/U.S. Energy Department:

- Residential buildings meeting the 2021 IECC (compared to the previous 2018 edition) are expected to incur the following savings on a weighted national average basis:
- 9.38 percent *site* energy savings
- 8.79 percent *source* energy savings
- 8.66 percent energy *cost* savings

Glenwood Springs is on the 2015 Building Codes, with the exception of the 2009 Energy Code. **House Bill 19-1260 established a minimum building energy code. Effective August 2, 2019, local jurisdictions in Colorado must adopt and enforce one of the three most recent versions of the International Energy Conservation Code (IECC)**



Costs for increased insulation

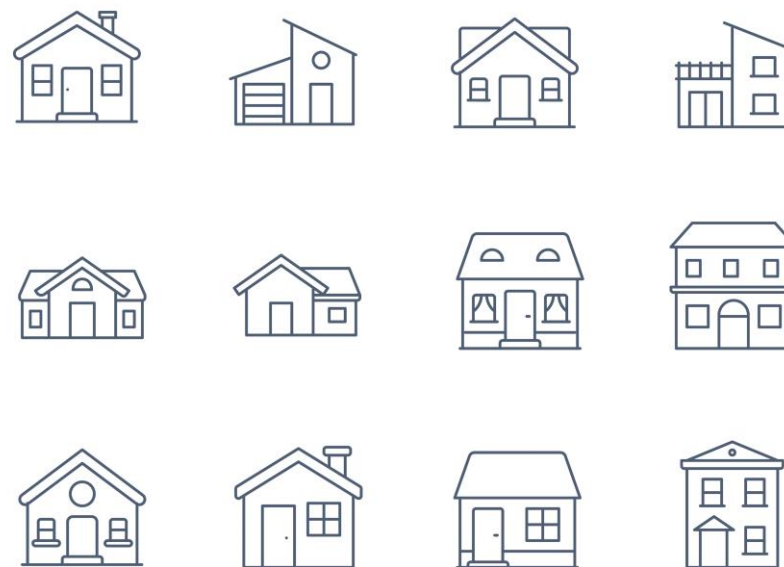
- Wood framed roof and wall insulation cost increases that will result from adopting the 2021 standards.

Wood framed roof:

- Increasing the R-value from R-38 to R-60 using loose fill fiberglass. We would be looking at a 70% increase; or .85 cents per square foot increase.

Wood framed wall:

- Increasing wall R-value from R-20 to R-20 + 5ci. Taking into account labor to install; the most efficient way to achieve the "ci" portion would be to install an insulated Zip Panel. An 1-7/16" ZIP (R-6.6) is \$100.63 each. Standard 7/16" OSB is \$27.97 each



Increased costs for fire sprinklers

NFPA 13D fire sprinkler systems for a single-family home are estimated at \$6/sq ft

These systems are designed specifically as life safety devices

Only the livable spaces need to be sprinklered. This is intended to allow an occupant to escape a fire and keep the fire from spreading to the rest of the structure, so it excludes the need to sprinkle areas such as garages, outdoor storage, bathrooms under 55sf and small closets.

We require an exterior alarm horn/strobe so neighbors would be aware of a sprinkler activation if the home is not occupied.

We already require fire sprinkler systems in single family homes and duplexes within the City of Glenwood Springs when fire department access is not up to code.



Exemptions and Changes

Staff proposes keeping the bulk of the exemptions created with the adoption of the 2015 Code.

One change that we are recommending is that the NEW one and two-family require automatic sprinkler systems. When we did the adoption in 2017, the City chose to delete this requirement. Remodeled homes would not be required to add sprinkler systems, but new ADUs would

Fire sprinklers are intended to lessen the loss of life.

Permit fees for pools, mechanical and plumbing permits will be based on valuation.

What other communities are going to the 2021 Code?

- Snowmass Village (likely 2022)
- Pitkin County
- Aspen
- Basalt
- Carbondale
- Garfield County

Timeline for Adoption

We are going to the latest version of the code faster than we did in the last update (The City adopted the 2015 in November of 2017)

We recommend a 90-day delayed adoption after the second reading of the ordinance to give contractors time to get acquainted with the code provisions and make arrangements for new processes (blower door tests and mechanical commissioning)



ORDINANCE NO. xx

Series of 2021

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, ADOPTING, AS AMENDED, THE 2021 EDITIONS OF
CERTAIN INTERNATIONAL AND NATIONAL CODES REGARDING
CONSTRUCTION BUILDING AND REGULATION.**

WHEREAS, Title 060 of the Glenwood Springs Municipal Code regulates all construction, reconstruction, repair, remodeling, or other construction activity within the City of Glenwood Springs (“Glenwood Springs” or the “City”) by the adoption of certain International and National Codes; and

WHEREAS, to maintain consistency with other jurisdictions and to appropriately regulate current building practices, the City has made it a standard practice to periodically review and update the City’s construction building codes; and

WHEREAS, the International and National Codes adopted by reference in Title 060 of the Municipal Code were last revised in 2017; and

WHEREAS, in the past months, the Building and Fire Department staffs, have discussed, analyzed and recommend the adoption, with amendment, of the 2021 editions of the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Property Maintenance Code, International Existing Building Code, International Fire Code, National Electrical Code, National Electrical Safety Code, and the International Fuel Gas Code; and

WHEREAS, City Council finds that adoption of the International Codes listed above with the proposed Code amendments is consistent with the City’s Comprehensive Plan, other adopted City plans, the Municipal Code, and the City’s goals and policies; and

WHEREAS, the City Charter of the City of Glenwood Springs requires that an ordinance be enacted to effectuate the amendments.

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

Section 1. The recitals above are hereby adopted as findings.

Section 2. The Glenwood Springs City Council hereby repeals and replaces Title 060 of the Glenwood Springs Municipal Code in its entirety, consistent with **Exhibit A**, attached and incorporated by this reference.

Section 3. Any and all ordinances or parts of ordinances in conflict herewith shall hereby be repealed to the extent of the conflict only.

INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED
PUBLISHED BY TITLE ONLY THIS _____ DAY OF _____, 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE 90 DAYS FOLLOWING THE DATE OF
SECOND PUBLICATION THIS _____ DAY OF _____, 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

TITLE 060

CONSTRUCTION BUILDING CODES AND REGULATIONS¹

ARTICLE 060.010 IN GENERAL

060.010.010 Applicability.

The provisions of this Title shall regulate all construction, reconstruction, repair, remodeling, or other construction activity within the City. Such provisions are necessary to protect and preserve the health, safety, and welfare of the inhabitants of the City.

060.010.020 Copies of Codes.

Copies of all codes adopted by reference in this Title are available for inspection in the office of the City Clerk at 101 W. 8th Street, Glenwood Springs, Colorado. Copies of said codes are usually available for sale at the office of the City Clerk or the Building Official for the City at a cost to be established by the City Manager.

060.010.030 Liability to City.

Nothing in this Title, including, but not limited to, the adoption of the various construction building codes and the authorization of inspections by the City, shall be construed as imposing on the City or any city official or employee any liability or responsibility for injury or damage to a person caused by anything required or not required by such construction building codes or caused by reason of inspections or the lack thereof authorized by this Title or caused by the issuance or lack thereof of a certificate of occupancy or other similar document.

060.010.040 Compliance with Laws.

All work performed pursuant to this Title shall be in conformity with all applicable provisions of the Municipal Code, ordinances of the City and state and federal statutes, codes, rules, and regulations unless such state and federal statutes, codes, rules, and regulations have been superseded by the provisions of this Title.

060.010.050 Violations.

Any person violating any of the provisions of this Title or any lawful rule, regulation, or order of the City or its Building Official shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.

060.010.060 Conflicts.

If the provisions of the construction building codes, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

ARTICLE 060.020 INTERNATIONAL BUILDING CODE

060.020.010 International Building Code and Standards Adopted; Penalty for Violation.

- (a) For purposes of regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the City of Glenwood Springs, the International Building Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted except as it is amended in this article.
- (b) *Appendices adopted.*

Appendix	Title
Appendix C	Group U-Agricultural Buildings
Appendix E	Supplementary Accessibility Requirements
Appendix G	Flood Resistant Construction
Appendix I	Patio Covers
Appendix J	Grading

Only the appendices contained within these chapters, as specifically listed herein, are adopted.

- (c) All International Building Code Standards, which are referred to in the various parts of the International Building Code, as adopted in this section, are hereby adopted.
- (d) Any person violating any of the provisions of the International Building Code, as adopted in this section, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (e) Unless indicated otherwise, all references in the Municipal Code to the International Building Code shall be deemed to include the International Building Code, the International Building Code Appendices and the International Building Code Standards as referred to in this Title and as adopted in this section.

060.020.020 Amendments to the International Building Code:

CHAPTER 1—ADMINISTRATION

§101.1.1 Title.

These regulations shall be known as the Building Code of Glenwood Springs, hereinafter referred to as "this code."

§104.1 General.

The Building official or any authorized representative, is hereby authorized and directed to enforce all provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all the provisions of this code is neither intended or implied. The Building Official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this code.

§104.8 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code

or any previous codes be deemed to create any civil remedy against a public entity, public employee, or agent. The Building Official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

§104.8.1 Legal defense.

Any suit instituted against an officer, employee, or authorized representative because of an act performed by that officer, employee, or authorized representative in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Building Official or any subordinate, acting in good faith, shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

§105.2 Work exempt from permit.

THIS SECTION TO REMAIN AS IS, EXCEPT THE AMENDMENTS TO THE EXCEPTIONS NOTED BELOW:

Building:

Exception 2. Fences not over 6 feet high.

Electrical:

All electrical permits, inspections, and requirements are as per State of Colorado requirements.

§105.5 Expiration.

Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Permits must pass a required inspection during every 180-day period after each inspection in order not to be considered suspended or abandoned. On expired permits, before such work can be recommenced, a re-issued or new permit shall be obtained. The Building Official is authorized to grant no more than two extensions of time, for periods not more than 180 days each. The extensions shall be requested in writing and justifiable cause demonstrated. No permit shall be extended more than twice nor beyond 4½ years from the date of issuance of such permit.

§107.1 General (Submittal Documents).

The Building Official shall not issue any permit unless the plans and specifications for such proposed erection, construction, reconstruction, alteration, or remodeling conform to the regulations and restrictions in the International Building Code. All plans and specifications for such proposed erection, construction, reconstruction, alteration, or remodeling shall bear the seal of an architect or engineer licensed by the State of Colorado, unless the preparation of plans and specifications is exempted by C.R.S. § 12-25-303. Such plans and specifications prepared by architectural or engineering sub disciplines shall be so designated and shall bear the seal and signature of the architect or engineer for that sub discipline.

§107.2.5.2 Additional site plan requirements.

A survey of the building lot may be required by the Building Official to verify that the structure is located in accordance with the approved site plans. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of an existing building. The site development plan shall be submitted in duplicate, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building on the lot with reference to legally established property lines, building envelope, setbacks, easements, and such other information as may be necessary to provide for the enforcement of the Municipal Code. Prior to issuance of a building permit, the Building Official may require monumentation of property boundaries and corners, or a foundation location certificate within 7 days of completion of the foundation, in accordance with the standards set forth in C.R.S. 38-

51-101 et seq., as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be kept in the office of the Building Official.

§107.6 Proof of water and sewer.

The applicant shall provide documentation and proof that water and sewer taps have been obtained from appropriate utility district when the property will be served by the district.

§109.2 Schedule of Permit Fees.

A fee for each building permit shall be paid to the Building Official as set forth in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020.

§109.3 Building permit valuations.

The applicant for a permit shall provide an estimated permit building construction value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued such as gas, mechanical, plumbing, equipment and permanent systems. Electrical valuation shall be provided as a separate value. A determination of value or valuation under any of the provisions of this code shall be made by the Building Official based on the Valuation Schedule published in the "Building Safety Journal" magazine by the International Code Council. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued. The Building Official shall use the higher of these valuations. Final building permit valuation shall be set by the Building Official.

The Building Official may waive the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or a proprietary purpose.

§109.4 Work Commencing Before Permit Issuance.

Whenever any work for which a permit is required by this code has commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

§109.6 Plan Review Fee.

When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee. An electronic conversion fee shall also be paid to convert submittal documents from paper to electronic format in the amount of \$25 for residential plans and \$45 for commercial plans. No electronic conversion fee will be charged if documents are submitted in both paper and electronic format.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107, an additional plan review fee shall be charged at the rate shown in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020.

§109.6.1 Expiration of Plan Review.

Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and plan review fee. Said plan review

fee shall be 65% of the building permit fee as shown in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020.

§109.7 Fee Refunds.

The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

§109.7.1 Processing Fee.

There will be a minimum \$30.00 fee for processing refunds.

§109.7.2 Permit Fee.

The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

§109.7.3 Plan Review Fee Refunds.

The Building Official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

§109.7.4 Fee Refund Application.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

§109.7.5 Energy Conservation Rebates.

To encourage energy conservation in construction, construction that qualifies for State of Colorado or City of Glenwood Springs approved energy conservation programs may receive a rebate up to Five Hundred Dollars (\$500.00) of building permit and plan review fees.

§109.8 Re-inspections.

Permit fees provide for customary inspections only. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official. A re-inspection fee may be assessed for failure to post a readily visible address as required in Section 501.2.

To obtain a re-inspection, the applicant shall pay the re-inspection fee in accordance with Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Table 1-A—Building Permit Fees

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$23.50

\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours \$50.00 per hour ¹ (minimum charge - two hours)	
2. Inspections for which no fee is specifically indicated \$100.00 per hour ¹	
3. Re-inspection fee assessed under provisions of Section 109.8 \$100.00 per hour ¹ (minimum charge - one hour)	
4. Additional plan review required by changes, additions or revisions to approved plans \$50.00 per hour ¹ (minimum charge - one hour)	
5. For use of outside consultants for plan checking and inspections, or both \$50.00 per hour ²	

¹ Or the hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

² Actual cost include administrative and overhead costs.

Manufactured and/or Mobile Home (non-permanent foundation)\$200.00

Re-roofing of one building or structure\$60.00/\$80.00 if two inspections

Demolition/Moved Buildings\$60.00

Lawn sprinkler system\$60.00

Excavation on private property\$60.00

Window replacement (like for like) (2 inspections)\$100.00

Window replacement (2 inspections)\$100.00

Excavation in the public right-of-way (refer to Article 060.140 of the GSMC)

Solar panels\$50.00

..... per hour for application

..... review with a maximum fee of

..... \$500.00

..... for a residential application or

..... \$2,000.00

..... for a nonresidential application

The fee for modular units and manufactured homes on a permanent foundation and inspected by an approved agency shall be 50% of the fee set forth in Table 1-A of the Glenwood Springs Municipal Code; however, a full plan review fee shall be assessed as set forth in Section 109.6 of the International Building Code. The building valuation for all permit fees shall be based on the building valuation data table of the most current issue of "Building Safety Journal" published by the International Code Council, using a regional modifier of 1.00, or other evidence of value, whichever is greater, as determined by the Building Official. The City of Glenwood Springs is a participating jurisdiction for the State of Colorado Manufactured Housing Inspection Program.

§110.1.1 Sanitation at construction sites.

Toilet facilities shall be provided for construction workers and such facilities shall be conveniently located and maintained in a sanitary condition. The facilities shall be available from the time the first work is started until the certificate of occupancy is issued.

§110.3.5 Lath and gypsum board inspection.

Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

§110.5 Inspection requests.

It shall be the duty of the person doing the work, the owner, contractor or subcontractor to know that the building or structure has a valid permit and to notify the building department when work is ready for inspection. A fine will be assessed to the person doing the work, the owner, contractor or, subcontractor if work is being done without a permit and the inspection is not requested per Section 110. It shall be the duty of the person doing the work, the owner, contractor or subcontractor requesting any inspections required by this code to provide legal and adequate access and means for inspection of such work. Such request for inspection may be in writing or by calling the 24-hour automated telephone answering system.

§111.1 Use and occupancy.

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

A certificate of occupancy shall not be issued until all monies owed to the City related to the construction of the project, including utility bills, have been paid in full. In addition, any damage to City property resulting from work done on the site shall be repaired by the owner of the site in compliance with City standards prior to the issuance of a certificate of occupancy.

A certificate of occupancy shall not be issued until the owner establishes or re-establishes, as necessary, any lot boundary monumentation, or, provides an improvement location certificate as required pursuant to Section 107.2.5.2 as amended in this article or C.R.S. § 38-51-101 et seq., as amended. In addition no certificate of occupancy will be issued unless complete compliance with the development permit is obtained.

§111.3 Temporary occupancy.

If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure upon receipt of a \$1,000.00 certificate of occupancy deposit for all commercial and multi-family buildings and a \$250.00 certificate of occupancy deposit on all residential buildings. Upon expiration of a temporary certificate of occupancy the certificate of occupancy deposit shall be refunded less a \$100.00 processing fee as long as the conditions of the temporary certificate of occupancy have been met and a final certificate of occupancy can be issued.

A temporary certificate of occupancy shall expire at a date deemed appropriate by the building official; however, such expiration date shall not exceed 180 days from the date of issuance. Any applicant holding a non-expired temporary certificate of occupancy may apply for an extension of the time to complete required work and such extension may be granted by the building official in his or her sole discretion provided a written request is submitted by the applicant showing that circumstances beyond the control of the applicant have prevented actions from being taken. A fee of \$100.00 shall be paid for each extension granted for commercial or multi-family buildings and a fee of \$50.00 shall be paid for each extension granted for residential buildings. A temporary certificate of occupancy may be extended more than once; however, the deposit shall be forfeited to the City after one year from the initial date of issuance.

§113.1 General (Board of Appeals).

The Building Board of Appeals shall hear and decide appeals of orders, decisions or determinations by the Building Official relative to the application and interpretation of this code.

§113.3 Qualifications.

The Planning and Zoning Commission shall serve as the Building Board of Appeals. The City may, in its discretion, engage an independent third party with training and experience in matters involving building codes to provide an opinion regarding the issues on appeal.

§113.4 Notice of Appeal.

A notice of appeal must be presented to the Building Official and the Community Development Director in writing within 14 days of the decision being appealed, stating the decision in question and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next available meeting agenda of the Planning and Zoning Commission.

§113.5 Effect of Appeal.

A timely appeal shall stay all proceedings related to the action being appealed unless the Building Official determines that such a stay would cause imminent peril to life or property.

CHAPTER 2—DEFINITIONS

§202.1 Additional Definitions.

CERTIFIED BACKFLOW ASSEMBLY TESTER. A person who has been certified by the State of Colorado to test and maintain backflow assemblies.

TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides.

CHAPTER 3—USE AND OCCUPANCY CLASSIFICATION

§310.2.1 Additional Definitions.

§312.1 General (Utility and Miscellaneous Group U).

Free standing signs over 10 feet of height is added.

SHORT TERM RENTAL. An R/2 or R/3 residential unit that has been approved pursuant to Title 070 Glenwood Springs Municipal Code requirements for use as a rental dwelling for rental periods of less than thirty (30) days. The short term residential unit will be considered to maintain the code requirements of its previous R/2 or R/3 occupancy.

CHAPTER 4—SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

CHAPTER 5—GENERAL BUILDING HEIGHTS AND AREAS

§508.3.3 Separation.

Exception:

3. Non-separated occupancies and tenant spaces shall be separated by a Smoke Partition per section 711.

§508.5.1 Limitations.

4. A maximum of five non-residential workers or employees and a total maximum occupant load of 49 are allowed to occupy the nonresidential area at any one time.
5. The residential and nonresidential areas of the live/work unit shall be separated by a Smoke Partition per Section 711.

§508.5.11 Plumbing Facilities.

The residential and non-residential areas shall be provided with separate plumbing fixtures in accordance with the occupancy requirements.

CHAPTER 7—FIRE AND SMOKE PROTECTION FEATURES

§710.1 General (Smoke Partitions).

Smoke partitions installed as required elsewhere in the code, including live/work units and non-separated uses, shall comply with this section.

CHAPTER 14—EXTERIOR WALLS

§1403.2.1 Moisture Control During Construction.

Under-floor spaces and building construction materials shall be protected from moisture during construction as follows:

1. Under-floor spaces shall be protected from moisture during construction such that no standing water, snow or ice is present prior to the under-floor space being enclosed.
2. Construction material shall be protected for damaging moisture in accordance with the manufacturer's specifications.

CHAPTER 15—ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

§1503.7 Snow Shed Barriers.

Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters and egress doors or patios/decks.

§1503.7.1

Mechanical barriers are required for metal roof shingles, metal roof panels or for other roofing materials with 12:12 pitch or greater to protect walkways from snow slides. Mechanical barriers for metal roof shingles and metal roof panels. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line. Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center and/or to manufacturers specifications. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave.

§1507.6.2 Deck Slope.

Mineral-surfaced roll roofing shall not be applied on roof slopes below two (2) units vertical in twelve (12) units horizontal (16% slope) except for patios and carports open on three (3) sides are allowed one (1) unit vertical in twelve (12) units horizontal.

CHAPTER 16—STRUCTURAL DESIGN

§1608.1.1 Alternate Design Method.

In lieu of Ground Snow Load Design methods of ASCE 7, buildings and other structures and all portions thereof that are subject to snow loading may be designed to resist a basic horizontal snow load of forty (40) pounds per square foot (psf), in accordance with the load combinations set forth in Section 1605.2 or 1605.3. The duration of snow loading shall be considered as two months.

Potential unbalanced accumulation of snow due to drifting and sliding at valleys, parapets, roof structures and offsets in roofs of uneven configuration shall be considered.

Snow load on roofs that are not impaired by obstacles such as dormers, chimneys, valleys, or roofs of lesser pitch may be reduced for each degree of pitch over 20 degrees by 0.50 psf.

§1608.2 Ground Snow Loads.

The minimum ground snow load for buildings or structures within the City of Glenwood Springs shall be 50 pounds per square foot (psf). Potential accumulation of snow at valleys, parapets, roof structures and offsets in roofs of uneven configuration shall be considered. See table R301.2(1) for climatic and geographic design criteria.

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Design			Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed (MPH)	Topo- graphic Effects	Special Wind		Weathering	Frost Line Depth	Termite					
50	115	No	No	B/C	Severe	36"	slight/mod	-2F	Yes	Yes/10- 15-85	1500	48F

§1613.1 Scope (Earth Quake Loads).

Every structure, and portion thereof, including non-structural components that are permanently attached to structures and their support and attachments, shall be designed and constructed to resist the effects of

earthquake motions in accordance with ASCE 7, excluding Chapter 14 and Appendix 11A. The seismic design category for a structure is permitted to be determined in accordance with Section 1613 or ASCE7. Structures in Occupancy Categories I and II may be designed for Seismic Design Category B and structures in Occupancy Categories III and IV may be designed to Seismic Design Category C.

CHAPTER 18—SOILS AND FOUNDATIONS

§1801.3 Permits Required.

Due to the non-isolated nature of properties lying within the City boundaries, no grading shall be permitted anywhere within the City without first obtaining a grading permit. It shall be the obligation of the owner or person in charge of the property and the person(s) who will actually perform the grading to jointly obtain a grading permit. Engineered grading plans shall be submitted unless waived by the Building Official.

§1807.2 Retaining Walls.

Retaining walls shall be designed in accordance with Sections 1807.2.1 through 1807.2.3. Retaining walls over 4 feet in height measure from bottom of footing to the top of wall shall be engineered by a Colorado licensed professional engineer or architect.

§1807.3 Embedded post and poles.

Designs to resist both axial and lateral loads employing post or poles as columns embedded in earth or in concrete footings in earth shall be in accordance with Sections 1807.3.1 through 1807.3.3 and designed and sealed by a Colorado licensed engineer or architect

§1808.1 General (Foundations).

Foundations shall be designed and constructed in accordance with Sections 1808.2 through 1808.9. Shallow foundations shall also satisfy the requirements of Section 1809. Deep foundations shall also satisfy the requirements of Section 1810. All foundations shall be designed and sealed by a Colorado licensed engineer or architect except for foundations supporting a Group S-1 or U occupancy or addition to an R-3 not over 600 square foot of footprint.

§1809.5 Frost Protection.

Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one of the following methods:

1. Extending below the frost line of the locality which is 36 inches (914.4 mm) for the City of Glenwood Springs;
2. Constructing in accordance with ASCE-32; or
3. Erecting on solid rock.

Exception: Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Classified in Importance Category I (see Table 1604.5);
2. Area of 400 square feet (37m²) or less; and
3. Eave height of 10 feet (3048 mm) or less.

Footings shall not bear on frozen soil unless such frozen condition is of a permanent character.

§1809.7 Prescriptive footings for light-frame construction.

Minimum width of all footings is 16 inches; minimum thickness of all footings is 10 inches unless designed and sealed by a Colorado engineer or architect

§1810.1 General (Deep Foundations).

Deep foundations shall be analyzed, designed, detailed and installed in accordance with Sections 1810.1 through 1810.4 and designed by a Colorado licensed architect or engineer. The City of Glenwood Springs will not inspect the drilling, reinforcement and placement of piers, piles or shafts. The engineer of record shall perform all inspections of the installation and provide the City with a sealed letter approving the work prior to the final inspection of the building or structure

Exceptions:

1. In single family dwellings of log construction, wall logs need not be graded.
2. In log construction, all structural log designs and connections shall be designed by a licensed Colorado architect or engineer and inspected by that architect or engineer after the completion of the framing with the architect or engineer certifying to the building department that the logs are of the size, quality and species of the design and that they were installed to that design. Wall logs need not be part of the structural design.

CHAPTER 29—PLUMBING SYSTEMS

§2901.1 Scope.

Exception: The Building Official can require that private sewage disposal systems shall comply with the requirement of the OWTS regulations as adopted by Garfield County.

§2902.2 Separate Facilities.

Exceptions:

2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of twenty-five (25) or less.
4. Two (2) single-use unisex restrooms (one accessible/one non-accessible) are allowed when the occupant load is less than fifty (50).

CHAPTER 30—ELEVATORS AND CONVEYING SYSTEMS

§3001.6 Permitting and Fees.

Elevators and conveying systems shall comply with the requirements of the Elevator Inspection Program of Northwest Colorado Council of Governments for permits, fees, and inspections.

CHAPTER 31—SPECIAL CONSTRUCTION

§3105.5 Canopy Special Provisions.

1. A canopy may be entirely supported by the building to which attached.
2. Separation between different types of construction shall not be required.
3. Minimum height of eight feet (8') or per Fire Department requirements.
4. Canopies in R.O.W. shall comply with Section 3202.
5. For the purposes of the Code, a porte-cochere may be considered a canopy.

CHAPTER 33—STORM DRAINAGE

§3311.2 Buildings being demolished.

Where a building is being demolished and a standpipe is existing within such a building, such standpipe shall be maintained in an operable condition so as to be available for use by the Fire Department. Such stand pipe shall

be demolished with the building but shall not be demolished more than one floor below the floor being demolished or as approved by the Fire Department.

§3311.3 Water supply.

Water supply for fire protection, either temporary or permanent shall be made available as soon as combustible material accumulates or as approved by the Fire Department Official.

060.020.030 The International Building Code and Commentary Vols. 1 and 2.

The International Building Code and Commentary Vols. 1 and 2, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, are hereby adopted as enforcement guides. The Building Official, or any authorized representative, shall have the discretion to apply the contents of the documents referenced in this article in a given circumstance, but the Building Official is not required to strictly apply such contents in every conceivably relevant circumstance.

ARTICLE 060.030 INTERNATIONAL RESIDENTIAL CODE

060.030.010 International Residential Code Adopted; Penalty for Violation.

- (a) For purposes of regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of detached one- and two- family dwellings, and multiple single-family dwellings (townhouses) not more than three (3) stories in height in the City of Glenwood Springs, the International Residential Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted except as it is amended in this article.

- (b) *Appendices adopted.*

Appendix AE	Manufactured Housing Used As Dwellings
Appendix AF	Passive Radon Gas Adopted for Tested Structures With Radon Issues
Appendix AG	Pipe Standards for Various Applications
Appendix AH	Patio Covers
Appendix AJ	Existing Building and Structures
Appendix AM	Home Day Care R-3 (where there is a conflict with state regulations, state regulations shall apply)
Appendix AQ	Tiny Home
Appendix AT	Solar Ready Provisions

Only the appendices contained within these chapters, as specifically listed herein, are adopted.

- (c) All International Residential Code Standards, which are referred to in the various parts of the International Residential Code, as adopted in this section, are hereby adopted.
- (d) Any person violating any of the provisions of the International Residential Code, as adopted in this section, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (e) Unless indicated otherwise, all references in the Municipal Code to the International Residential Code shall be deemed to include the International Residential Code, the International Residential Code Appendices and the International Residential Code Standards as referred to in this Title and as adopted in this section.

- (f) If the provisions of the International Residential Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

060.030.020 Amendments to the International Residential Code.

CHAPTER 1—SCOPE AND ADMINISTRATION

§R101.1 Title.

These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of the City of Glenwood Springs, Colorado, and shall be cited as such and will be referred to herein as "this code."

§R104.1 General (Duties and Powers of the Building Official).

The Building official or any authorized representative, is hereby authorized and directed to enforce all provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all the provisions of this code is neither intended or implied. The Building Official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall not have the effect of waiving requirements specifically provided in this code.

§R104.8 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee or agent. The Building Official, member of the Board of Appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer, employee or authorized representative because of an act performed by that officer, employee, or authorized representative in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Building Official or any subordinate, acting in good faith, shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

§R105.2 Work Exempt from Permit.

This section shall remain the same, except the following alterations.

Electrical:

All electrical permits, inspections, and requirements are as per State of Colorado requirements.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of footing to the top of wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.

§R105.5 Expiration.

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to

grant, in writing, no more than two (2) extensions of time, for periods not more than 180 days each. The extensions shall be requested in writing and justifiable cause demonstrated. No permit shall be extended more than twice nor beyond 4½ years from the date of issuance of such permit.

§R106.1 Submittal Documents.

The Building Official shall not issue any permit unless the plans and specifications for such proposed erection, construction, reconstruction, alteration, or remodeling conform to the regulations and restrictions in the International Residential Code. All such plans and specifications for such proposed erection, construction, reconstruction, alteration, or remodeling shall bear the seal of an architect or engineer licensed by the State of Colorado, unless the preparation of plans and specifications is exempted by C.R.S. § 12-4-112. Such plans and specifications prepared by architectural or engineering sub disciplines shall be so designated and shall bear the seal and signature of the architect or engineer for that sub discipline.

§R106.2.1 Additional site plan requirements.

A survey of the building lot may be required by the Building Official to verify that the structure is located in accordance with the approved site plans. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of an existing building. The site development plan shall be submitted in duplicate, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building on the lot with reference to legally established property lines, building envelope, setbacks, easements, and such other information as may be necessary to provide for the enforcement of the Municipal Code. Prior to issuance of a building permit, the Building Official may require monumentation of property boundaries and corners, or a foundation location certificate within 7 days of completion of the foundation, in accordance with the standards set forth in C.R.S. 38-51-101 et seq., as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be kept in the office of the Building Official.

§R106.6 Proof of water and sewer.

The applicant shall provide documentation and proof that water and sewer taps have been obtained from appropriate utility district when the property will be served by the district.

§R108.2 Schedule of Permit Fees.

A fee for each building permit shall be paid to the Building Official as set forth in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020. The determination of value or valuation under any of the provisions of this code shall be made by the Building Official based on the Valuation Schedule published in the "Building Safety Journal" magazine by the International Code Council. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued. The Building Official may waive the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or a proprietary purpose.

§R108.3 Building permit valuations.

The applicant for a permit shall provide an estimated permit building construction value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued such as gas, mechanical, plumbing, equipment and permanent systems. Electrical valuation shall be provided as a separate value. A determination of value or valuation under any of the provisions of this code shall be made by the Building Official based on the Valuation Schedule published in the "Building Safety Journal" magazine by the International Code Council. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued. The Building Official shall use the higher of these valuations. Final building permit valuation shall be set by the Building Official.

The Building Official may waive the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or a proprietary purpose.

§R108.5 Fee Refunds.

The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

§R108.5.1 Processing Fee.

There will be a minimum \$30.00 fee for processing refunds.

§R108.5.2 Permit Fee.

The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

§R108.5.3 Plan Review Fee Refunds.

The Building Official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

§R108.5.4 Fee Refund Application.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original applicant not later than 180 days after the date of the fee payment.

§R108.7 Plan Review Fee.

When submittal documents are required by Section 106.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020.

§R108.7.1 Expiration of Plan Review.

Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and plan review fee. Said plan review fee shall be 65% of the building permit fee as shown in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020

§R108.6 Work Commencing Before Permit Issuance.

Whenever any work for which a permit is required by this code has commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

§R108.8 Re-inspections.

Permit fees provide for customary inspections only. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official. A re-inspection fee may be assessed for failure to post a readily visible address as required in Section R502.1.

To obtain a re-inspection, the applicant shall pay the re-inspection fee in accordance with Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

§R108.9 Investigation fees.

§R108.9.1 Investigation.

Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

§R108.9.2 Fee.

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 1-A of the Glenwood Springs Municipal Code Section 060.020.020. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

§R109.1.5.2 Energy Efficiency Inspections.

Inspections shall be made to determine compliance with the International Energy Conservation Code.

§R109.3 Inspection requests.

It shall be the duty of the person doing the work, the owner, contractor or subcontractor to know that the building or structure has a valid permit and to notify the building department when work is ready for inspection. Upon conviction, a fine will be assessed to the person doing the work, the owner, contractor or subcontractor if work is being done without a permit and the inspection is not requested per section R109. It shall be the duty of the person doing the work, the owner, contractor or subcontractor requesting any inspections required by this code to provide legal and adequate access and means for inspection of such work. Such request for inspection may be in writing or by calling the 24-hour automated telephone answering system.

Inspections shall be made to determine compliance with the International Energy Conservation Code.

§112.1 General (Board of Appeals).

Orders, decisions or determinations of the Building Official relative to the application and interpretation of this code may be appealed to the Building Board of Appeals.

§112.3 Qualifications.

The Planning and Zoning Commission shall serve as the Building Board of Appeals. The City may, in its discretion, engage an independent third party with training and experience in matters involving building codes to provide an opinion regarding the issues on appeal.

§112.5 Notice of Appeal.

A notice of appeal must be presented to the Building Official and Community Development Director in writing within 14 days of the decision being appealed, stating the decision in question and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next meeting agenda of the Planning and Zoning Commission.

§112.6 Effect of Appeal.

A timely appeal shall stay all proceedings related to the action being appealed unless the Building Official determines that such a stay would cause imminent peril to life or property.

CHAPTER 2—DEFINITIONS

§R202.1 Additional Definitions.

ACCESSORY DWELLING UNIT. Accessory dwelling unit means a separate, complete, dwelling unit containing separate facilities for sleeping, cooking, and sanitation that is contained within or attached to a detached single-family dwelling, or detached from it on the same property.

CERTIFIED BACKFLOW ASSEMBLY TESTER. A person who has been certified by the State of Colorado to test and maintain backflow assemblies.

SHORT TERM RENTAL UNIT. An R/2 or R/3 residential unit that has been approved pursuant to Title 070 of the Glenwood Springs Municipal Code requirements for use as a rental dwelling for rental periods of less than thirty (30) days. The short term residential unit will be considered to maintain the code requirements of its previous R/2 or R/3 occupancy.

TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides.

CHAPTER 3—BUILDING PLANNING

§R301.2 Climatic and Geographic Design Criteria.

See Table R301.2 for design criteria.

Buildings shall be constructed in accordance with the provisions of this code as limited by the provisions of this section. Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2(1). See Table R301.2 for design criteria.

**TABLE R301.2
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Load	Wind Design				Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed (MPH)	Topo- graphic Effects	Special Wind	Windborne debris zone		Weathering	Frost Line Depth	Termite					
50	115	No	No		B/C	Severe	36"	slight/mod	-2F	Yes	Yes/10- 15-85	1500	48F
Elevation			Altitude correction factor	Coincident wet bulb	Indoor Winter design dry-bulb temp.	Indoor winter design dry-bulb temp.				Outdoor winter design bulb temp.		Heating Temp. Diff.	
5,761			.84	59	70	70			-2F	2		68	
Latitude													
39.5506 N													

TABLE R301.5

TABLE R301.5 shall remain as part of the code in full except for the 2 items below which are amended as follows:

Habitable attics and attics served with fixed stairs	40 psf.
Sleeping rooms	40 psf.

§R302.2.1.1

Gypsum board separation shall be continuous around and behind all surface membrane penetrations in separation walls or ceilings.

§302.2.6 Structural Independence.

Exceptions:

- Townhouses separated by a common 2-hour fire-resistance-rated wall as provided in Section R302.2.

§R302.5.1 Opening Protection.

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1-3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1-3/4 inches (35 mm) thick, or 20-minute fire-rated doors. Such doors shall be tight-fitting and self-closing.

TABLE R302.6

Table R302.6 shall remain in the code in full, with all the materials in the in the Table being changed to 5/8" Type X gypsum board.

§R302.6.1 Heating Equipment Room Occupancy Separation.

In R-3 occupancies rooms containing a boiler, central heating plant or hot water supply boiler in excess of 400,000 btu per hour input shall be separated from the rest of the building by not less than: one-hour construction on the room side of the heating equipment, with a 20-minute rated door, smoke sealed and self-closing.

§R302.7 Under stair protection.

Enclosed accessible space under stairs shall have walls, under-stair surface and soffits protected on the enclosed side with fire taped 5/8" gypsum board.

§R306.5 Sanitation at Construction Sites.

Toilet facilities shall be provided for construction workers and such facilities shall be conveniently located and maintained in a sanitary condition. The facilities shall be available from the time the first work is started until the certificate of occupancy is issued.

CHAPTER 4—FOUNDATIONS

§R403.1 General (Footings).

When soils tests by an approved agency per R401.4 and foundations designed and sealed by an engineer or architect are not required by the Building Official, all exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundations in accordance with AF&PA PWF, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Except where erected on solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall extend to at least 36 inches below finished grade, and spread footings of 10 inches T thick by 16 inches W wide minimum size shall be provided to properly distribute the load within the allowable load-bearing value of the soil. Alternatively, such structures shall be supported on piles where solid earth or rock is not available. The City of Glenwood Springs will not inspect the drilling, reinforcement and placement of caissons. A qualified engineer must perform this inspection. Findings must be detailed in a typed, stamped report to the building department. Footings shall not bear on frozen soils. Concrete footings shall include a minimum of two #5 reinforcement bars to be tied continuously and spaced a minimum of three inches from the ground and equally within the footing. Dowels shall be 1 - #5 4 ft. long with an 8 in. hook placed 18 in. on center. Footings shall be so designed that the allowable bearing capacity of the soil is not exceeded, and that differential settlement is minimized.

Exception:

1. Unless designed and sealed by an engineer or architect.
2. Monolithic, thickened slabs with detached garages.
3. Wood foundations are limited to have no more than two floors and a roof; and interior basement and foundation walls at intervals not exceeding 50 ft.

§R403.1.1 Minimum size.

See above. Footing projections, P, shall be at least 3 inches. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1(2) and R403.1(3).

§R403.3 Frost protected shallow foundations.

For buildings where the monthly mean temperature of the building is maintained at a minimum of 64-degree F, footings are not required to extend below the frost line when protected from frost by insulation in accordance with Figure R403.3(1) and Table R403.3(1). Foundations protected from frost in accordance with Figure R403.3(1) and Table R403.3(1) shall not be used for unheated spaces such as porches, utility rooms, garages and carports, and shall not be attached to basements or crawl spaces that are not maintained at a minimum mean temperature of 64-degree F. Minimum Air Freeze index for Glenwood Springs for frost protected shallow foundation design is 1,500 F-days. Materials used below grade for footings against frost shall be labeled as complying with ASTM C578.

§R404.1.3.2 Reinforcement for foundation walls.

When soils tests by an approved agency per R401.4 and foundations designed and sealed by an engineer or architect are not required by the Building Official, foundations with stem walls shall be provided with a minimum of 2- #5 top and bottom of wall and 1 - #5 18 in. O.C. vertical and horizontal for wall up to 8 ft. in height. Walls over 8 ft. shall be designed and sealed by a Colorado registered engineer or architect. Section R404.1.3.2.1 and R404.1.3.2.2 are deleted.

CHAPTER 6—WALL CONSTRUCTION

§R601.3 Moisture During Construction.

Under-floor spaces and building construction materials shall be protected from moisture during construction as follows:

1. Under-floor spaces shall be protected from moisture during construction such that no standing water, snow or ice is present prior to the under-floor space being enclosed.
2. Construction material shall be protected from damaging moisture in accordance with the manufacturer's specifications.

§R602.1.4 Structural Log Members.

Exceptions:

1. In single family dwellings of log construction, wall logs need not be graded.
2. In single family dwellings of log construction, all structural logs shall be designed by a licensed Colorado architect or engineer and inspected by that architect or engineer after the completion of the framing with the architect or engineer certifying to the building department that the logs are of the size, quality and species of the design and that they were installed to that design. Wall logs need not be part of the structural design.

CHAPTER 8—ROOF-CEILING CONSTRUCTION

§R802.2 Design and Construction.

The framing details required in Section R802 apply to roofs having a minimum slope of three units vertical in 12 units horizontal (25-percent slope) or greater. Roof-ceilings shall be designed and constructed in accordance with the provisions of this chapter and Figures R606.11(1), R606.11(2), and R606.11(3) or in accordance with AWC NDS. Components of roof-ceilings shall be fastened in accordance with Table R602.3(1). The use of load duration factors for snow load shall be prohibited.

§R802.10.2 Design.

Wood trusses shall be designed in accordance with accepted engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a registered professional where required by the statute of the jurisdiction in which the project is to be constructed in accordance with Section R106.1. The use of load duration factors for snow load shall be prohibited.

CHAPTER 9—ROOF ASSEMBLIES

§R903.4.2 Gutters and Downspouts.

Any Group R or U occupancy with roof edges less than three (3) feet to any property line shall be provided with gutters and downspouts to direct water away from adjacent property. For zero-lot-line developments where roof projects are allowed by deed convent or ingress/egress easements, gutters and downspouts shall be provided to direct water away from adjacent property. Roof projections shall not exceed eighteen (18) inches.

§R903.5 Snow-Shed Barriers.

Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters and egress doors and patios/decks.

§R903.5.1 Mechanical barriers are required for metal roof shingles, metal roof panels or for other roofing materials with 12:12 pitch or greater to protect walkways from snow slides. Mechanical barriers for metal roof shingles and metal roof panels. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevents now shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center and/or manufacturers specifications. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave.

§R905.5.2 Deck Slope.

Mineral-surfaced roll roofing shall not be applied on roof slopes below two (2) units vertical in twelve (12) units horizontal (16% slope) except for patios and carports open on three (3) sides or detached garages.

§R908.1 General (Reroofing).

Materials and methods of application used for re-covering or replacing an existing roof covering shall comply with the requirements of Chapter 9. A separate permit is required for re-roofing. Exceptions remain.

CHAPTER 10—CHIMNEYS AND FIREPLACES

§R1004.4 Un-vented Gas Log Heaters.

Installation of un-vented gas log heaters is prohibited.

§R1005.8

Factory-built chimney chases shall be effectively fire blocked within the chase enclosure at each floor-ceiling level and at the roof. The vertical distance between adjacent fire blocking shall not exceed 10 feet.

CHAPTER 11—[RE] ENERGY CONSERVATION

§N1101.1 Scope.

Energy efficiency to comply with International Energy Conservation Code, GSMC 060.080.010.

CHAPTER 24—FUEL GAS

§G2417.4.1 Test Pressure.

The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig, irrespective of design pressure. Where the test pressure exceeds 125 psig, the

test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

§G2433.1 General (Log Lighters).

Log lighters are prohibited.

§G2445 Un-Vented Room Heaters.

Unvented room heaters are prohibited.

CHAPTER 25—PLUMBING ADMINISTRATION

§P2503.8.2 Testing.

Reduced pressure principle backflow preventers, double check valve assemblies, double-detector check valve assemblies and pressure vacuum breaker assemblies shall be tested at the time of installation, immediately after repairs or relocation and at least annually. Testing to be done by a certified backflow assembly tester.

CHAPTER 26—GENERAL PLUMBING REQUIREMENTS

§P2601.1 Scope (General Plumbing Requirements).

The provisions of this chapter shall establish the general administrative requirements applicable to plumbing systems and inspection requirements of this code. The intent of this code is to meet or exceed the requirements of the State of Colorado Plumbing Code. When technical requirements, specifications or standards in the Colorado Plumbing Code conflict with this code the more restrictive shall apply.

§P2603.5.1 Sewer Depth.

Building sewers that connect to private sewage disposal systems shall be a not less than 20 inches below finished grade at the point of septic tank connection. *Building sewers* shall be not less than 12 inches below grade.

CHAPTER 29—WATER SUPPLY AND DISTRIBUTION

§P2910.1 Scope (Nonpotable Water Systems).

The provisions of this section shall govern the materials, design, construction, and installation of systems for the collection, storage, treatment, and distribution of nonpotable water. The use and application of nonpotable water shall comply with laws, rules, and ordinances applicable in the jurisdiction. Nonpotable water systems must be in compliance with all state requirements.

§P2911.1 General (On-Site Nonpotable Water Reuse Systems).

The provisions of this section shall govern the construction, installation, alteration, and repair of on-site nonpotable water reuse systems for the collection, storage, treatment, and distribution of on-site source of nonpotable water as permitted in the jurisdiction. On-site nonpotable water reuse systems must be in compliance with all state requirements.

CHAPTER 31—VENTS

§P3103.1 Roof Extension.

All open vent pipes which extend through a roof shall be terminated at least 12 inches above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof.

§P3104.4 Vertical Rise of Vent.

Every dry vent shall rise vertically to a minimum of six (6) inches above the flood level rim of the highest trap or trapped fixture being vented. Horizontal dry vents below flood rim level shall be permitted for floor drains and floor sinks when installed per P3104.2 and P3104.3 when provided with a wall clean out in a vertical vent in the shortest distance possible.

060.030.030 The International Residential Code and Commentary Vols. 1 and 2.

The International Residential Code and Commentary Vols. 1 and 2, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771, are hereby adopted as enforcement guides. The Building Official, or any authorized representative, shall have the discretion to apply the contents of the documents referenced in this article in a given circumstance, but the Building Official is not required to strictly apply such contents in every conceivably relevant circumstance.

ARTICLE 060.040 INTERNATIONAL PLUMBING CODE

060.040.010 International Plumbing Code Adopted; Violation; Conflict.

- (a) All plumbing within the City shall conform to the provisions of the International Plumbing Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, which is incorporated herein as if set forth verbatim and which is hereby adopted and made a part of the Municipal Code by reference.
- (b) Any person, firm, or corporation violating any of the provisions of the International Plumbing Code adopted in this section shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the International Plumbing Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

060.040.020 Amendments to the International Plumbing Code.

CHAPTER 1—ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *International Plumbing Code* of the City of Glenwood Springs, Colorado, herein after referred to as this code or the Plumbing Code of Glenwood Springs.

§101.3 Purpose.

The purpose of this code is to provide minimum standards to safe guard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems. The intent of this code is to meet or exceed the requirements of the state of Colorado plumbing code. When technical requirements, specifications or standards in the Colorado plumbing code conflict with this code, the more restrictive shall apply.

§103.2 Appointment (Building Official).

The Building Official is hereby authorized and directed to enforce all of the provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all of the provisions of this code is neither intended nor implied.

§103.4 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee or agent. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from personal liability for any damages accruing to persons or property as a result of any act or by reason of an actor omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for cost in any action, suitor proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of plumbing inspection, acting in good faith, shall be free from liability for acts performed under any of its provisions or by reason of any actor omission in the performance of official duties in connection therewith.

§109.3 Work Commencing Before Permit Issuance.

Work commencing before permit issuance may be subject to Section 109.4 International Building Code.

§109.4 Fee Schedule.

The fees for all plumbing work shall be per **Table 1-A—Building Permit Fees**

§109.5 Fee Refunds.

The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is expanded. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.
4. There will be a minimum \$30.00 fee for processing refunds.

§106.6.4 Re-inspection Fee.

A re-inspection fee may be assessed per Section 109.8 International Building Code.

§114 Means of Appeal.

Orders, decisions or determinations of the Building Official relative to the application and interpretation of this code may be appealed to the Building Board of Appeals by presenting a notice of appeal to the Building Official and Community Development Director within 14 days of the decision being appealed. The notice of appeal should state the decision being appealed and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. The Planning and Zoning Commission shall serve as the Building Board of Appeals. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next meeting agenda of the Planning and Zoning Commission. A timely appeal shall stay all proceedings related to the action being appealed unless the Building Official determines that such a stay would cause imminent peril to life or property.

CHAPTER 2—DEFINITIONS

§202 Definitions.

CERTIFIED BACKFLOW ASSEMBLY TESTER. A person who has been certified by the State of Colorado to test and maintain backflow assemblies.

CHAPTER 3—GENERAL REGULATIONS

§305.4.1 Sewer Depth.

Building sewers that connect to private sewage disposal systems shall be a minimum of 20 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade.

CHAPTER 4—FIXTURES, FAUCETS, AND FIXTURE FITTINGS

§403.2 Separate Facilities.

Exceptions:

2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of twenty-five (25) or less.
4. Two (2) single-use unisex restrooms (one accessible/one non-accessible) are allowed when the occupant load is less than fifty (50).

§413.4 Public Laundries and Central Washing Facilities.

Exception:

A two-inch (2") drain is allowed in facilities with two or less washing machines.

CHAPTER 6—WATER SUPPLY AND DISTRIBUTION

§608.1. General (Protection of Potable Water Supply).

A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from non-potable liquids, solids or gases being introduced into the potable supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to Table 608.1, except as specifically stated in Sections 608.2 through 608.16.4.2.

No person shall install any water operated equipment or mechanism or use any water treating chemical or substance if it is found that such equipment, mechanism, chemical or substance may cause pollution of the domestic water supply. Such equipment or mechanism may be permitted only when equipped with a Colorado Department of Health approved backflow prevention device. Whenever the use of an antifreeze compound becomes necessary, propylene glycol is recommended. Other antifreeze compounds may be used after written approval by the City Water Department. The use of ethylene glycol is not permitted. In areas where the use of an approved antifreeze is necessary, a readily visible, durable sign shall be posted stating "ETHYLENE GLYCOL PROHIBITED." The sign shall be in letters not less than one (1) inch high on a contrasting background.

CHAPTER 9—VENTS

§903.1.2 Roof Extension.

All open vent pipes that extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof.

CHAPTER 11—STORM DRAINAGE

§1104.3 Combining Storm with Sanitary Drainage.

Combining storm with sanitary drain is prohibited.

060.040.030 International Plumbing Code Commentary.

The International Plumbing Code Commentary, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted as an enforcement guide. The Building Official, or any authorized representative, shall have the discretion to apply the contents of the commentary referenced in this Title in a given circumstance, but the Building Official is not required to strictly apply such contents in every conceivably relevant circumstance.

Amendment to the International Plumbing Code Commentary

Alternate installations of backflow devices may be allowed, subject to the installation meeting all applicable CDPHE regulations and with the written approval of the City Public Works Director.

ARTICLE 060.050 INTERNATIONAL MECHANICAL CODE

060.050.010 International Mechanical Code Adopted; Penalties; Conflicts.

- (a) The International Mechanical Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted for the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operating and maintenance of heating, ventilating, cooling, refrigeration, incinerators and other miscellaneous heat-producing appliances.
- (b) Appendix A of the International Mechanical Code as promulgated by the International Code Council are hereby adopted.
- (c) It shall be unlawful for any person to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling or refrigeration equipment in the City, or cause or permit the same to be done, contrary to or in violation of the provisions of the International Mechanical Code and Standards as adopted in this article. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under the International Mechanical Code and Standards adopted in this article, if installed after the effective date thereof, shall constitute a continuing violation of said code and standards.
- (d) Any person, firm or corporation violating any of the provisions of the International Mechanical Code or Standards, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (e) If the provisions of the International Mechanical Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

060.050.020 Amendments to the International Mechanical Code.

CHAPTER 1—SCOPE AND ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *International Mechanical Code* of the City of Glenwood Springs, Colorado herein after referred to as this code or the Mechanical Code of Glenwood Springs.

§103.2 Appointment (Building Official).

Building Official is hereby authorized and directed to enforce all of the provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all of the provisions of this code is neither intended nor implied.

§103.4 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee or agent. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from personal liability for any damages accruing to persons or property as a result of any act or by reason of an actor omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for cost in any action, suitor proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of plumbing inspection, acting in good faith, shall be free from liability for acts performed under any of its provisions or by reason of any actor omission in the performance of official duties in connection therewith.

§109.4 Work Commencing Before Permit Issuance.

Work commencing before permit issuance may be subject to Section 109.4 International Building Code.

§109.2 Fee Schedule.

The fees for mechanical work shall be per **Table 1-A—Building Permit Fees**

§109.6 Fee Refunds.

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is expanded.
4. There will be a minimum \$30.00 fee for processing refunds.

§109.6 Re-inspection Fee.

A re-inspection fee may be assessed per Section 109.8 of the International Building Code.

§113 Means of Appeal.

Orders, decisions or determinations of the Building Official relative to the application and interpretation of this code may be appealed to the Building Board of Appeals by presenting a notice of appeal to the Building Official and Community Development Director within 14 days of the decision being appealed. The notice of appeal should state the decision being appealed and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. The Planning and Zoning Commission shall serve as the Building Board of Appeals. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next meeting agenda of the Planning and Zoning Commission. A timely appeal shall stay all proceedings related to the action being appealed unless the Building Official determines that such a stay would cause imminent peril to life or property.

CHAPTER 8—CHIMNEYS AND VENTS

§805.7.1

Factory-built chimneys shall be effectively fire-blocked within any chase at each floor-ceiling level and at the roof. The vertical distance between adjacent fire-blocking shall not exceed 10 feet. See IBC for additional requirements.

CHAPTER 9—SPECIFIC APPLIANCES, FIREPLACES, AND SOLID FUEL-BURNING EQUIPMENT

§903.3 Unvented Gas Log Heaters.

Unvented gas log heaters are prohibited.

060.050.030 International Mechanical Code Commentary.

The Commentary to the International Mechanical Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Road, Illinois 60478-5795, is hereby adopted as an enforcement guide. The Building Official, or any authorized representative, shall have the discretion to apply the contents of the handbook referenced in this article in a given circumstance, but the Building Official is not required to strictly apply such contents in every conceivably relevant circumstance.

ARTICLE 060.060 INTERNATIONAL PROPERTY MAINTENANCE CODE

060.060.010 International Property Maintenance Code Adopted; Penalties.

- (a) The International Property Maintenance Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted for the purpose of providing minimum standards for existing residential and nonresidential structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance.
- (b) Any person, firm or corporation violating any of the provisions of the International Property Maintenance Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the International Property Maintenance Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (d) The Building Official, or any authorized representative, shall have the discretion to apply the contents of the code referenced in this article in a given circumstance, but the Building Official is not required to strictly apply such contents in every conceivably relevant circumstance.

060.060.020 Amendments to the International Property Maintenance Code.

CHAPTER 1—SCOPE AND ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *International Property Maintenance Code* of the City of Glenwood Springs, Colorado, hereinafter referred to as the Glenwood Springs Property Maintenance Code or as "this code."

§103.4 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee, or agent. The Building Official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal

liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

§107 Means of Appeal.

Orders, decisions or determinations of the Building Official relative to the application and interpretation of this code may be appealed to the Building Board of Appeals by presenting a notice of appeal to the Building Official and Community Development Director within 14 days of the decision being appealed. The notice of appeal should state the decision being appealed and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. The Planning and Zoning Commission shall serve as the Building Board of Appeals. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next meeting agenda of the Planning and Zoning Commission. A timely appeal shall stay all proceedings related to the action being appealed unless the Building Official determines that such a stay would cause imminent peril to life or property.

§110.4 Failure to Comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

CHAPTER 4—LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS

§404.4.1 Room Area.

Every living room shall contain at least one hundred twenty (120) square feet and every bedroom occupied by one (1) person shall contain at least seventy (70) square feet, and every bedroom occupied by more than one (1) person shall contain at least fifty (50) square feet of floor area for each occupant thereof.

§404.5 Overcrowding.

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

Space	Minimum Area In Square Feet		
	1—2 Occupants	3—5 Occupants	6 or more occupants
Living Room ^{a, b}	No Requirements	120	150
Dining Room ^{a, b}	No Requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

- a. See Section 404.5.2 for combined living room/dining room spaces.
- b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

§404.5.1 Sleeping Area.

The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

§404.5.2 Combined Spaces.

Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

ARTICLE 060.070 INTERNATIONAL EXISTING BUILDING CODE AND COMMENTARY

060.070.010 International Existing Building Code Adopted.

- (a) The International Existing Building Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted for the purpose of providing minimum standards for existing residential and nonresidential structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance.
- (b) Any person, firm or corporation violating any of the provisions of the International Existing Building Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the International Existing Building Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

CHAPTER 1—SCOPE AND ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *Existing Building Code* of the City of Glenwood Springs, Colorado, hereinafter referred to as the Glenwood Springs Existing Building Code or as "the code."

§103.2 Appointment (Building Official).

Building Official is hereby authorized and directed to enforce all of the provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all of the provisions of this code is neither intended nor implied.

§104.8 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee, or agent. The Building Official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

CHAPTER 4—REPAIRS

§406

The provisions of this section are subject to permits and approval by the Colorado State Electrical Inspector.

CHAPTER 8—ALTERATIONS-LEVEL 2

§806

The provisions of this section are subject to permits and approval by the Colorado State Electrical Inspector.

CHAPTER 10—CHANGE OF OCCUPANCY

§1007

The provisions of this section are subject to permits and approval by the Colorado State Electrical Inspector.

ARTICLE 060.080 INTERNATIONAL ENERGY CONSERVATION CODE

060.080.010 International Energy Conservation Code Adopted; Conflicts.

- (a) For purposes of regulating and governing efficiency standards for the construction and renovation of residential and commercial buildings, the International Energy Conservation Code, 2021 edition, as published by the International Code Council, is hereby adopted except as it is amended in this article.
- (b) Any person, firm or corporation violating any of the provisions of the International Energy Conservation Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the International Energy Efficiency Code, as adopted in this article, conflict with any other provisions of the Municipal Code, then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

060.080.020 Amendments to the International Energy Conservation Code.

CHAPTER 1—ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *Energy Conservation Code* of the City of Glenwood Springs, Colorado, hereinafter referred to as the Glenwood Springs Energy Conservation Code or as "the code."

§103.1.1 Appointment (Building Official).

Building Official is hereby authorized and directed to enforce all of the provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all of the provisions of this code is neither intended nor implied.

§R105.7 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee, or agent. The Building Official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

§R108 Referenced Codes.

§R110 Board of Appeals.

Orders, decisions or determinations of the Building Official relative to the application and interpretation of this code may be appealed to the Building Board of Appeals by presenting a notice of appeal to the Building Official and Community Development Director within 14 days of the decision being appealed. The notice of appeal should

state the decision being appealed and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. The Planning and Zoning Commission shall serve as the Building Board of Appeals. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next meeting agenda of the Planning and Zoning Commission. A timely appeal shall stay all proceedings related to the action being appealed unless the Building Official determines that such a stay would cause imminent peril to life or property.

ARTICLE 060.090 INTERNATIONAL FIRE CODE

060.090.010 Adoption of the International Fire Code.

- (a) Pursuant to the power and authority conferred by the laws of the State of Colorado and the Charter of the City of Glenwood Springs, Colorado, it is hereby adopted as the fire code of the City of Glenwood Springs, Colorado, the International Fire Code, 2021 edition, including the Commentary, appendix, except Sections A, E, G and J of said appendix of such code published by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, all to have the same force and effect as though set forth herein in every particular.
- (b) Any person, firm or corporation violating any of the provisions of the International Fire Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the International Fire Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

060.090.020 Amendments to the International Fire Code.

CHAPTER 1—SCOPE AND ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *Fire Code* of the City of Glenwood Springs, Colorado, hereinafter referred to as the Glenwood Springs Fire Code or as "this code."

§104.7 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee, or agent. The **Fire** Code Official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

§106.1 Submittals (Construction documents). The following shall be added:

All plans for automatic fire suppression systems submitted for review shall have affixed the signature of a NICET Level III or higher in fire sprinkler system design or a Colorado Certified Professional Engineer with certified documented training in fire sprinkler system design. All plans for fire alarm systems submitted for review shall have affixed the stamp and signature of a Colorado Certified Professional Engineer with certifications documenting training in fire alarm systems design or a NICET Level III or higher in fire alarm design.

§105.6.15 LP-Gas.

An operational permit is required for:

1. Storage and use of LP-gas

Exception: A permit is not required for individual containers with a 1,000 gallon (3786L) water capacity or less serving occupancies in Group R-3.

§111 Means of Appeals

The Building Board of Appeals shall hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this Code.

§111.2 Notice of Appeal.

A notice of appeal must be presented to the fire code official and Community Development Director within 14 days of the order being appealed, stating the order in question and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next meeting agenda of the Planning and Zoning Commission.

§111.3 Qualifications.

The Planning and Zoning Commission shall serve as the Building Board of Appeals. The City may, in its discretion, engage an independent third party with training and experience in matters involving fire hazards, explosions, hazardous conditions or fire protection systems to provide an opinion regarding the issues on appeal.

§111.5. Effect of Appeal.

A timely appeal shall stay all proceedings related to the action being appealed unless the fire code official determines that such a stay would cause imminent peril to life or property. The fire code official shall take immediate action in accordance with the decision of the Board of Appeals.

§112.3.2 Compliance with Orders and Notices. Is hereby amended by the addition of the following:

- (A) If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the notice of violation requires additions to or changes in the building or premises such as would be considered real estate and become the property of the owner, said notice and order shall be directed to such owner of the building or premises.
- (B) Every notice of violation pursuant to this chapter shall set forth a time by which compliance with the notice violation is required. The time specified shall be reasonable according to the circumstances of the particular hazards or condition to which the notice and order pertains. Immediate compliance may be required in any case which represents extreme or imminent danger to persons or property.
- (D) Except for cases where immediate compliance is required, violations pursuant to this chapter may be appealed as set forth in Section 108.1. In cases where immediate compliance is required, the notice of violation so stating shall be final and conclusive.

§112.4 Violation Penalties.

Any person, firm or corporation violating any of the provisions of the International Energy Conservation Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to \$1,000.00. Each day such violation is allowed to persist shall constitute a separate and new offense.

§113.4 Failure to Comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00).

CHAPTER 3—GENERAL REQUIREMENTS

§308.3 Group A Occupancies.

Open-flame or the use of indoor pyrotechnic displays shall not be used in Group A occupancies.

Exceptions:

1. Open-flame devices are allowed to be used where necessary for ceremonial or religious purposes in accordance with Section 308.1.7, provided *approved* precautions are taken to prevent ignition of a combustible material or injury to occupants.
2. Heat-producing equipment complying with Chapter 6 and the *International mechanical Code*.
3. Gas lights are allowed to be used provided adequate precautions satisfactory to the *fire code official* are taken to prevent ignition of combustible materials.

§308.3.2 Theatrical Performances.

The use of indoor pyrotechnic and open flame displays shall be prohibited.

Section 315 GENERAL STORAGE

§315.1 General. Storage shall be in accordance with Sections 315.2 through 315.8. Outdoor pallet storage shall be in accordance with Sections 315.2 and 315.7.

Recommend the addition of the following section as an amendment:

315.8 Use of Intermodal Shipping Containers for Commercial Storage

Use of Intermodal Shipping Containers (aka: CON-X, etc.), herein referred to as “Container,” for commercial storage may be approved under the following conditions:

1. **Permits.** A Use Permit from the City Building Department is required and subject to approval. A plan must be submitted indicating the intended stored content and accommodations of the conditions listed below. Fire Department endorsement of the permit is required. Regular Fire Department inspections may be conducted to ensure adherence to approved conditions. A Change of Use permit is required if the stored content plan is modified.
2. **Clearances**
 - a. Clearance from property lines. Containers shall be placed no closer than five feet from a property line. If a container is placed within 10 feet of the property line, the container shall be positioned in such a way that the doors do not face the property line.
 - b. Clearance from utilities. Containers shall not be placed under electrical service lines. Location of containers above known water/sewer lines and other buried utility services will be considered on a case-by-case basis.
 - c. Clearance of vents. Vents shall not be closer than 5 feet from any flammable object including buildings and vegetation. Vent arrangement described below.
 - d. Emergency Access. Door end of container shall not be obstructed by additional storage, vehicles or other objects. If container is required to be equipped with a fire deluge sprinkler system, access to

the Fire Department Connection (FDC) shall not be obstructed to a radius of five feet and an open path to the fire department apparatus access shall be maintained.

3. Container Modifications

- a. Prohibition of utility connections. Containers shall not be fitted with electric service, fueled heat, water or sewer services. Use of extension power cords is expressly prohibited. Container shall be properly grounded. Portable light fixtures with sealed battery power supplies may be utilized, but must be recharged outside the container.
- b. Ventilation. Containers shall be fitted with a passive ventilation system consisting of two 18" square (324 square inches) vents. These vents may be screened for security but shall not inhibit air flow. One vent shall be fitted in the lower portion of an entry door and one vent fitted within 6 inches of the top of the wall at the opposite end from the entry door.
- c. Fire Deluge Sprinkler System. Depending on the intended stored contents, a Fire Deluge Sprinkler System may be required. This system will consist of sufficient fire sprinkler heads fed from a fire department connection with a quick-connect fitting. This system shall not be connected to a standing water supply, nor shall it be required to be monitored by means of a fire alarm system.
- d. Traffic and Blast protection. Depending on the intended stored contents and physical set-up of the container, traffic bollards may be required to prevent damage or injury from incursion or potential explosion shrapnel spread.
- e. Markings. Containers shall be marked with the appropriate NFPA 704 Hazard Diamond and signage identifying stored contents. This signage will consist of a white background and black lettering that is legible from a distance of 30 feet. The signage shall be placed on the door to the container and on a side facing fire department access if different from the door side. Markings indicating storage limitations shall be placed on the inside of door to serve as employee notification.

4. Operation

- a. Contents. Containers shall not be used for storage of combustible liquids or compressed gasses. This restriction shall include motorized tools or equipment containing any amount of fuel. Fuels shall be drained from these tools prior to storage.
- b. Storage Height. Storage inside the containers shall follow standard storage guidelines of 18" ceiling clearance for sprinklered structures and 24" ceiling clearance for non-sprinklered structures.
- c. Security. Containers used for storage shall remain locked while not attended. If the container is left unlocked and unmonitored for any period of time, the operator shall ensure that the container is not occupied before locking.

CHAPTER 5—FIRE SERVICE FEATURES

§507.2 Type of Water Supply.

A water supply shall consist of reservoirs, pressurized tanks, elevated tanks, water mains, tanker shuttles or other approved systems capable of providing the required fire flow.

§507.5.4.1 Snow Removal.

Snow removal operations/snow storage shall not prevent fire hydrants from being immediately discernible or hinder gaining immediate access.

CHAPTER 9—FIRE PROTECTION SYSTEMS

§903.2 Where Required (Automatic Sprinkler Systems).

Approved automatic sprinkler systems in all buildings and structures shall be provided in the locations described in this section and Sections 903.2.1 through 903.2.12:

1. In every story of all buildings three (3) stories or more in height except when it is required in the 2021IBC or IFC, the more restrictive shall apply.
2. In every story, basement and mezzanine of any building when the total floor area (including basements and mezzanines) exceeds the limits shown in Table A below:

TABLE A
ALLOWABLE FLOOR AREA FOR BUILDINGS

Building Type	Maximum Floor Area
III-B, V-B	7,500
V-A, II-B	9,000
II-A, III-A, IV-HT, I-A, I-B	12,000

A-Protected / B-Unprotected (per Table 601 IBC) H.T. - Heavy timber

3. Whenever any addition to an existing building, except R-3 occupancies, causes the total floor area of the building to exceed the limits set forth in the preceding item number 2 or the floor areas in the 2021 IFC/IBC for that occupancy, the entire building shall be provided with an approved automatic sprinkler system or a firewall conforming to Section 705, 706, 2021IBC must be installed. When such wall also separates different occupancy classifications, which require a greater fire-resistive rating as set forth in Table 706.4, 2021IBC, the more restrictive requirement shall apply. Openings in these walls shall conform to the International Building Code and be controlled by actuation of a smoke detector. When the automatic-closing fire assembly is installed in a building with an approved fire detection system, the fire assembly actuating smoke detectors shall be made part of the fire detection.
4. Existing structures and facilities (except R-3 occupancies). When in any 24 month period the floor area of an alteration, remodel or modification to any existing building exceeds forty percent (40%) of the floor area of the building being improved, the entire building shall be made to comply with the requirements of chapter 9 in the 2021 International Building Code, 2021 International Fire Code as amended and adopted by the City. When the regulations set forth in the 2021 International Existing Building Code apply to the renovation, remodel or modification of an existing building the more restrictive shall apply to the building.
5. All occupancies to be built in a location that is difficult to access, or has limited fire flow water supply as determined by the fire code official or fire chief, will be reviewed by the fire code official and or fire chief for the need to be equipped with an approved automatic fire suppression system.

§903.2.7 Group M.

An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group M *fire area* is located more than three stories above grade plane.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

§907.1.4 Installation.

All fire alarm systems installations shall hold a current Colorado Department of Public Safety, Division of Fire Protection and Control "Registered Fire Sprinkler Fitter" credential, and supervise no more than three non-registered sprinkler fitters/apprentices.

§907.2.1 Group A.

Exception is hereby deleted.

§907.2.2 Group B.

Exception is hereby deleted.

§907.2.7 Group M.

Exceptions are hereby deleted.

§907.2.8.1 Manual Fire Alarm Systems.

Exceptions are hereby deleted.

§907.2.9.1 Manual Fire Alarm Systems.

Exceptions are hereby deleted.

§903.1 Duct Smoke Detectors.

Exceptions are hereby deleted.

§907.6.3 Initiating Device Identification.

Exceptions 1 and 4 are hereby deleted.

Addition:

The exterior visual signals shall meet the following requirements:

- (A) The light used shall be of the strobe light producing at least 110-185 candela.
- (B) In systems with fire department connections the light is to be located at least 12 ft. above and as directly vertical to the fire department connection as possible. In systems without fire department connections the light is to be located so as to be visible from the nearest street.
- © The light shall not replace the audible alarms but is to be used in conjunction with it.

§913.4 Valve Supervision.

No. 3 is hereby deleted.

CHAPTER 56—EXPLOSIVES AND FIREWORKS

§5601.1.3 Fireworks.

Exception:

5. The storage, sale, use and handling of toy caps, sparklers and smoke snakes shall be permitted.

§5608.1 General (Fireworks Display).

The use of indoor pyrotechnic displays shall be prohibited

§5608.3 Approved Fireworks Displays.

Firework displays shall include only the approved fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles 1.4G, and be only performed the person possessing a valid Display Operator of Fireworks Certificate issued by the State of Colorado. Liability insurance and other requirements as found in the Fireworks Display and Pyrotechnic Special Effects Requirements GSFD application. The approved fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

CHAPTER 57—FLAMMABLE AND COMBUSTIBLE LIQUIDS

§5706.2.4 Permanent and Temporary Tanks.

The capacity of permanent above ground tanks containing Class I or II liquids shall not exceed 1,100 gallons (4164 L). The capacity of temporary above-tanks containing Class I or II liquids shall not exceed 2,000 gallons (7,580L). Tanks shall be of the single-compartment design. A permit shall be obtained from the Fire Code Official for the storage or keeping of volatile inflammable fluids in excess of ten (10) gallons in any building. The Fire Code Official is further authorized to issue temporary permits for the above ground storage of such fluids in tanks, which shall not exceed two thousand (2,000) gallon (7580L) capacity for the purpose of providing fuel for heavy equipment used in building construction, earth moving, earth grading or similar operations and such permits may be issued only for sites where there are not close hazards. Such temporary permits shall be issued with the time limits set that shall conform to the reasonably necessary time for completion of the individual job for which the permit is issued. Permanent above ground tanks of greater capacity that meet the requirements of Section 5704.2 shall be exempted.

APPENDICES

Appendix D Fire Apparatus Access Roads.

Section D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses as determined by the code official.

Section D107.2 Remoteness: where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses as determined by the code official.

Appendix H Hazardous Materials Management Plan (HMMP) and hazardous Materials Inventory Statement (HMIS) Instructions.

Appendix H shall be amended to utilize a hazardous Materials Declaration Form designated by the fire authority having jurisdiction.

Appendix J, Building Information Sign

Section J101.1 Scope. At the discretion of the Fire Code Official, new buildings shall have a building information sign(s) that shall comply with Sections J101.1.1 through J101.7. At the discretion of the Fire Code Official, existing buildings shall be brought into compliance with Sections J101.1.1 through J101.8 when one of the following occurs:"

The exception of group U occupancies is hereby deleted.

ARTICLE 060.100 NATIONAL ELECTRICAL CODE

060.100.010 Adoption of National Electrical Code; Penalty for Violations; Conflict.

- (a) All electrical wiring, fixtures and appliances installed, altered or repaired within the City, or in connection with any building therein, shall, so far as materials, design, workmanship and manner of installation, conform with the National Electrical Code promulgated by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, as adopted and amended by the State of Colorado, which code is incorporated herein and adopted by this reference.
- (b) Any person violating any of the provisions of the National Electrical Code, as adopted in this section, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the National Electrical Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

060.100.020 Work Permit.

- (a) *Required.* No alterations or additions shall be made in the wiring of any building, nor shall any building be wired for electric lights, motors or heating or cooling devices, nor shall any electrical apparatus be installed, without first securing a permit therefore from the State Electrical Inspector.
- (b) *Application.* Applications for permits required by this section shall be in writing, filed before the work is started, upon forms describing the work contemplated and providing such information as may be required by the State Electrical Inspector.
- (c) *Permit fees; administrative and appeal procedures.* The permit fees and the administrative and appeal procedures for electrical work performed pursuant to this article shall be as set forth in C.R.S. § 12-23-101 et seq., as amended.

060.100.030 Inspectors.

The State Electrical Inspector shall serve as electrical inspector for the City.

060.100.040 Inspections.

- (a) *Inspection generally.* Electric current shall not be turned on until the electrical installation shall have been inspected, approved and marked in a conspicuous place by the electrical inspector. The electrical inspector shall carefully inspect all electrical installations prior to and after completion, and he is hereby authorized and empowered to remove any and all obstructions such as lath, plastering, boarding, partitions or any other obstruction which interferes with a thorough and complete inspection. Inspections may be made at any time during the installation that the inspector deems is expedient or necessary.
- (b) *Issuance of certificate of inspection.* Upon final inspection of an electrical installation, the electrical inspector shall issue his certificate of compliance or prescribe changes necessary for such compliance. Upon such changes being made to the satisfaction of the inspector, he shall issue the certificate of inspection, which shall authorize the commencement of the electrical service. After issuance of any such certificate, no change shall be made either by way of addition, alteration or taking from the same without the written consent of the inspector.
- (c) Notice and discontinuance of service when defect discovered through inspection.
 - (1) Whenever the electrical inspector, during an electrical installation, shall find any wire or wires or equipment in a dangerous condition or so placed as to interfere with the work of the fire department,

he shall notify the owner or the person using or operating such wires or equipment to remedy the defect. Every person who fails or refuses to remedy such defects within ten (10) days, or a longer period when the same is granted by the inspector, after receipt of notice shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished in accordance with the provisions of Section 010.020.080.

- (2) The electrical inspector is hereby authorized and empowered to enforce a discontinuance of electrical service in every case where wiring or equipment is found to be defective or in noncompliance with this article; and, when service has been ordered discontinued, electrical service shall not be restored or reconnected until the defect has been remedied.

ARTICLE 060.110 NATIONAL ELECTRICAL SAFETY CODE

060.110.010 Adoption of National Electrical Safety Code.

- (a) *Adoption of Code.* All electric supply and communication lines installed, altered, or repaired within the corporate limits of the City shall be designed, constructed and maintained to meet the requirements of the National Electrical Safety Code, current edition as adopted and enforced by the state of Colorado, approved by the American National Standards Institute, and published by the Institute of Electrical and Electronics Engineers Inc., 345 East Forty-Seventh Street, New York, New York 10017, as adopted and amended by the State of Colorado, which code is incorporated herein and adopted by this reference.
- (b) *Conflicts between National Electrical Safety Code and National Electrical Code current edition(s) as adopted and enforced by the state of Colorado.* In the event that there is any conflict between the provisions of the National Electrical Code, as adopted in this Title, and the National Electrical Safety Code, as adopted in this section, then the code giving the strictest requirements shall be followed in order to promote the health, safety and welfare of the citizens of the City.
- (c) If the provisions of the National Electrical Safety Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (d) Any person violating any of the provisions of the National Electrical Safety Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.

ARTICLE 060.120 INTERNATIONAL FUEL GAS CODE

060.120.010 International Fuel Gas Code Adopted; Penalty for Violation; Conflict.

- (a) For purposes of regulating the minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems in the City of Glenwood Springs, the International Fuel Gas Code, 2021 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, is hereby adopted except as it is amended in this article.
- (b) Any person violating any of the provisions of the International Fuel Gas Code, as adopted in this section, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the International Fuel Gas Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(Ord. No. 20-2017 , § 2, 11-2-2017)

060.120.020 Amendments to the International Fuel Gas Code.

CHAPTER 1—SCOPE AND ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *Fuel Gas Code* of the City of Glenwood Springs, Colorado, hereinafter referred to as the Glenwood Springs Fuel Gas Code or as "the code."

§103.2 Appointment (Building Official).

Building Official is hereby authorized and directed to enforce all of the provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all of the provisions of this code is neither intended nor implied.

§103.4 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee, or agent. The Building Official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

§106.6.2 Fee Schedule.

The fees for mechanical work shall be as follows:

1. Installation of gas appliances \$ 60.00
2. Gas systems: addition, alteration, remodel (two inspections) \$100.00

§113 Means of Appeal.

An order, decision or determination by the Building Official relative to the application and interpretation of this code may be appealed to the Building Board of Appeals by presenting a notice of appeal to the Building Official and Community Development Director within 14 days of the decision being appealed. The notice of appeal should state the decision being appealed and the basis for the appeal. Failure to present the notice of appeal within 14 days shall be a waiver of any further right of appeal. The Planning and Zoning Commission shall serve as the Building Board of Appeals. Upon receipt of the notice of appeal, the Community Development Director will place the item on the next meeting agenda of the Planning and Zoning Commission. A timely appeal shall stay all proceedings related to the action being appealed unless the fire code official determines that such a stay would cause imminent peril to life or property.

CHAPTER 3—GENERAL REGULATIONS

§303.3 Prohibited locations.

Nos. 3 and 4 are hereby deleted. Unvented room heaters are prohibited in the City of Glenwood Springs.

CHAPTER 4—GAS PIPING INSTALLATIONS

§403.4.2.1 Galvanized Pipe.

Galvanized pipe shall not be used with propane.

§406.4.1 Test Pressure.

The test pressure to be used shall be no less than 1 ½ times the proposed maximum working pressure, but not less than 10 psig, irrespective of design pressure. Where the test pressure exceeds 125 psig, the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

CHAPTER 5—CHIMNEYS AND VENTS

§501.8 Appliances Not Required to Be Vented.

No. 8 is hereby deleted.

CHAPTER 6—SPECIFIC APPLIANCES

§603.1 General (Log Lighters).

Log lighters are prohibited.

§621 Un-vented Room Heaters.

This section is hereby deleted.

ARTICLE 060.130 MISCELLANEOUS PERMITS

060.130.010 Street Cut Permit.

- (a) *Permit required.* It shall be unlawful for any person, other than an officer or employee of the City in the course of his employment, to make or cause or permit to be made any excavation or opening in or under the surface of any street, alley, sidewalk, public right-of-way or other public place without first obtaining a permit therefore or to make any such excavation in any manner which does not comply with the permit issued therefore.
- (b) *Application.* Any person desiring a permit to excavate in any street, alley, sidewalk, public right-of-way or other public place shall make application therefore to the city engineer and/or Building Official upon applications furnished for that purpose and shall pay a fee in accordance with Section 090.045 of the Glenwood Springs Municipal Code.
- (c) *Excavations controlled by the public works department.* All excavations made in any street, alley, sidewalk, public right-of-way or other public place shall be made under the supervision of the Public Works Department and shall be performed in accordance with the provisions of Article 090.045 of the Municipal Code. The Public Works Department shall have the right to prescribe the method to be used in the excavation, the width thereof and any other reasonable conditions for the protection of utilities or the public or for minimizing the interference with vehicular or pedestrian traffic.
- (d) *Safety and protection of the public.* Any person making or causing to be made any excavation or opening in any street, alley, sidewalk, public right-of-way or other public place or within five (5) feet (one hundred fifty-two (152) centimeters) of the line of any public right-of-way or public place shall provide barricades or other suitable protective devices that will prevent inadvertent entry into the work area by members of the public and will prevent injury to such persons. No excavations shall be allowed to remain open between sunset and sunrise, unless prior approval of the Public Works Department has been granted. If such approval is granted, such excavations shall be properly barricaded, and properly lighted so as to warn all persons of such danger. All barricades and lights shall be of substantial construction and shall be furnished by the person doing the work.
- (e) *Traffic control plan required.* Any person making or causing to be made any excavation or opening in any street, alley, sidewalk, public right-of-way or other public place which affects the movement of vehicles, bicycles or pedestrians shall have prepared a traffic control plan to be submitted with the application for a permit for such excavation. Preparation of the traffic control plan, and the subsequent installation and

maintenance of traffic control devices, shall be by a certified traffic control supervisor, and shall be in accordance with the provisions of Article 090.045 of the Municipal Code. The traffic control plan shall be submitted to, reviewed by and approved by the City Engineer before any excavation may begin.

- (f) *Restoration of paving after excavations.* All restoration of paving surfaces, after an opening or excavation has been made, shall be made in accordance with Article 090.045 of the Municipal Code. The entire cost of restoring the paving to its original condition shall be paid by the person making the excavation.

060.130.020 Street Obstruction Permit.

Except as otherwise provided in this Code, it shall be unlawful for any person to obstruct a street or sidewalk with any debris, lumber, sand, gravel, dirt, abandoned or wrecked automobiles or other material or substance without first obtaining a permit from the public works department. Such permits may be granted only where the obstruction is necessary for the construction, alteration or repair of the adjoining property and such permitted obstructions shall be limited to as short a time as is reasonably possible. Each day that an unlawful obstruction is permitted to exist shall constitute a separate and distinct offense.

060.130.030 Access Permit and Regulations.

- (a) *Access prohibition.* No person shall install, create or modify a point of vehicular access, by curb cut or otherwise, upon a public right-of-way without first obtaining a permit therefore from the City Engineer. Construction of such point of vehicular access shall be in conformance with design requirements as set forth in Title 070.
- (b) *Fee and Inspection.* Every applicant for a permit to create a point of vehicular access shall pay a fee of fifty dollars (\$50.00) and submit such forms and information as required by the City Engineer. The City Engineer may impose such conditions as are necessary to accomplish the purpose of this section. Prior to any use of the point of vehicular access, it shall be inspected by the City Engineer who shall issue a written approval if the point of vehicular access as completed conforms to the permit and to the conditions imposed by the City Engineer.
- (c) *Stop Work Order.* The City Engineer may issue a stop work order to any person violating any provisions of this section and require any such person to remove, seal or otherwise block any point of vehicular access established in violation of this section. Upon the failure of such person to remove, seal or otherwise block the point of vehicular access, the City may perform such work, and the owner of the property in which the point of vehicular access is located shall reimburse the City for all costs of materials and labor expended by the City. All costs for materials and labor expended by the City shall constitute expenditures for the maintenance of sidewalks, curbs and gutters, and shall constitute a special assessment upon the property in which the point of vehicular access is located and shall constitute a lien against such property having priority over all other liens except general taxes and prior special assessments, which may be certified by the city clerk to the Garfield County Treasurer who shall collect the assessment, together with a ten (10) percent penalty for the cost of collection, in the same manner as other taxes are collected.

060.130.040 Sidewalk and Curb and Gutter Construction Permit.

- (a) *When Permits are Required.* Excepting as set forth in Subsection 060.140.040.B., any person who is permitted pursuant to the provisions of Article 090.040, to build, reconstruct or repair any sidewalk or curb and gutter must, before commencing any work of building, reconstructing and repair of any sidewalk or curb and gutter, make application for and procure from the engineering department a permit for such work. The permit shall be issued only to a person who has obtained a license as required by Title 050, or to an owner of property who is personally performing such work upon real property owned by him. Such application shall include a correct description of the lots, tracts or parcels of land in front of which and along which said sidewalk or curb is to be constructed, reconstructed or repaired. No such permit shall be issued by the

engineering department until an established grade for such sidewalk or curb and gutter shall have been reviewed and approved by the City Engineer.

- (b) *When Permit Not Required.* Any property owner whose real property abuts a sidewalk in a City right-of-way need not obtain a permit before commencing any reconstruction or repair of an area of that sidewalk less than fifty (50) square feet (4.7 meters²), however, such person shall advise the public works department of the nature and extent of such repair. For purposes of this subsection, a person may not arbitrarily divide sidewalk repair or reconstruction projects into areas of less than fifty (50) square feet (4.7 meters²), and should the City, in its sole discretion, determine that the entire project encompasses more than fifty (50) square feet (4.7 meters²), a permit shall be required.
- (c) *Permit Fees.* No permit required by this section shall be issued until all fees set forth in the City's Engineering Standards are paid.

060.130.050 Permits for Moving Buildings.

It shall be unlawful for any person including the owner of any building or his contractor to move any building over the streets of the City without first obtaining a permit therefor. In granting such a permit the public works department and/or Building Official may impose such restrictions or conditions as deemed necessary to protect the streets of the City or any utilities from damage, and may make any other reasonable requirements which are deemed necessary for the protection of the public.

ARTICLE 060.140 REGULATION OF RESIDENTIAL CONSTRUCTION

060.140.010 Residential Construction Activities Prohibited.

In addition to the prohibitions contained in Sections 100.010.030 and 100.070.030, it shall be unlawful for any property owner or renter, contractor, subcontractor, or any person performing residential construction work, as defined in Section 100.070.030.A. within the City to engage in the following activities:

- (1) Permit or allow any accumulation of trash or garbage on residential property where construction work has been or is being conducted which is not secured within a trash dumpster or container.
- (2) Permit or allow any trash, garbage or construction debris to blow or otherwise be carried from a residential property where construction work has been or is being conducted onto or about surrounding properties.
- (3) Permit or allow any excavated material or concrete mixture, including that which is produced by rinsing out a mobile concrete mix truck at any location other than within the boundaries of the lot(s) on which the excavated material originated or concrete mixture was applied, or other site whose owner has not given prior specific permission for such activity. In the event excess excavated material or concrete mixture is applied, whether intentionally or inadvertently, to adjacent lots, drives or sidewalks, any person performing said construction or any person owning the property on which such construction activity takes place, shall remove such excess.

060.140.020 Violations; Conflicts.

- (a) In addition to any other remedies provided by this article, any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (b) If the provisions of the construction building codes, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

ARTICLE 060.150 INTERNATIONAL SWIMMING POOL AND SPA

060.150.010 Adoption of the International Swimming Pool and Spa Code.

- (a) Pursuant to the power and authority conferred by the laws of the State of Colorado and the Charter of the City of Glenwood Springs, Colorado, it is hereby adopted as the swimming pool and spa code of the City of Glenwood Springs, Colorado, the International Swimming Pool and Spa Code, 2021 edition published by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478, all to have the same force and effect as though set forth herein in every particular.
- (b) Any person, firm or corporation violating any of the provisions of the International Swimming Pool and Spa Code, as adopted in this article, shall be deemed guilty of a misdemeanor and upon conviction of the same shall be punished by a fine of up to one thousand dollars (\$1,000.00). Each day such violation is allowed to persist shall constitute a separate and new offense.
- (c) If the provisions of the International Swimming Pool and Spa Code, as adopted in this article, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

060.150.020 Amendments to the International Swimming Pool and Spa Code.

CHAPTER 1—SCOPE AND ADMINISTRATION

§101.1 Title.

These regulations shall be known as the *Pool Code* of the City of Glenwood Springs, Colorado, hereinafter referred to as the Glenwood Springs Pool Code or as "this code."

§104.8 Liability.

The adoption of this code, and any previous codes adopted by the City of Glenwood Springs, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code or any previous codes be deemed to create any civil remedy against a public entity, public employee, or agent. The Building Code Official, member of the Board of Appeals, or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

§108.2 Schedule of permit fees.

The fees for all plumbing work shall be per **Table 1-A—Building Permit Fees**

Roaring Fork Valley IECC Resources

- [CORE / Energy Smart List of Contractors](#)
- Resources for Blower Door Testing & Duct Leakage Testing:
 - Confluence Architecture, Mark McLain
 - mark@confluencearchitecture.com
 - 970-963-9720
 - Frostbusters, Fritz Diether
 - fritzd@frostbusters.com
 - 970-279-5080
 - Full Circle Construction, Amanda Poindexter
 - amanda@fullcircleconstruction.org
 - 720-219-3683
 - Building Performance Contractors, Rich Backe
 - BPCRich@gmail.com
 - 970-379-4198
 - About Saving Heat, Scott Mills
 - scott@aboutsavingheat.com
 - 970-456-8099
- Resources for HERS Ratings:
 - Confluence Architecture, Mark McLain
 - mark@confluencearchitecture.com
 - 970-963-9720
 - Full Circle Construction, Amanda Poindexter
 - amanda@fullcircleconstruction.org
 - 720-219-3683
 - Frostbusters, Fritz Diether
 - fritzd@frostbusters.com
 - 970-279-5080
 - Revolution Energy Solutions
 - tyler@revolutionnrgsolutions.com
 - 970-310-1522
 - Sopris Home Energy
 - heidi@soprishomeenergy.com
 - 970-379-1433
 - Renovo Building Systems
 - marty@aspencore.org
 - 970-925-9775
- Resources for Manual J and S:
 - ACCA-Approved Software: <https://www.acca.org/standards/approved-software>
 - Wrightsoft: <https://www.wrightsoft.com/Download>

- Confluence Architecture, Mark McLain
 - mark@confluencearchitecture.com
 - 970-963-9720
- REG (Resource Engineering Group)
 - <https://www.reginc.com>
 - 970-349-1216
- Full Circle Construction, Amanda Poindexter
 - amanda@fullcircleconstruction.org
 - 720-219-3683
- Frostbusters, Fritz Diether
 - fritzd@frostbusters.com
 - 970-279-5080
- Resources for Commissioning:
 - REG (Resource Engineering Group)
 - <https://www.reginc.com>
 - 970-349-1216
 - Engineered Environments, LLC, Steve Alschuler
 - steve@eenvironments.net
 - 303-955-5616
 - www.eenvironments.net
 - Certified Balance of Colorado
 - 970-245-7757
 - Grand Junction
 - HVAC TAB, LLC
 - Mike Richardson
 - mrichardson@hvactab.co
 - 970-376-5198
 - Edwards, CO
 - Jedi Balancing
 - jedi@jedibalancing.com
 - 720-839-5333
 - Erie, CO
 - BG Building Works, Inc.
 - David Lyle
 - 970-376-5350
 - Avon, CO
- Resources for Energy Upgrade Funding:
 - Colorado RENU (residential energy upgrade) Loan:
 - <https://www.colorado.gov/pacific/energyoffice/colorado-renu-loan>
 - Loans from \$500 to \$50,000
 - No money down, finance up to 100% of project cost
 - Low, fixed interest rates
 - 3-, 5-, 7-, 10- and 15-year terms
 - Sustainably Green Solutions: <http://www.sustainablygreensolutions.com/>



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: Tourism Promotion Board Interviews

Action Requested: Tourism Promotion Board Interviews

Department: City Administration

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: The Tourism Promotion Board has four regular seats opening up in February 2022, with terms expiring February 2025. These seats are:

- One Tourism Seat
- One Lodging Seat
- One Restaurant Seat
- One Resident Seat

Applicants:

- Sharon Brady; Resident. Sharon has served one full term on the Board, and reapplied for a Resident Seat.
- Pam Macmillan; Resident. Applied for a Resident Seat. **Pam is unavailable for an interview on January 20th, and staff will attempt to reschedule her for the February 3rd work session.**
- Roger Smith; Area General Manager for the Hotel Denver and Hotel Glenwood Springs. Applied for a Lodging Seat.
- Loretta Ayala; Lodge Manager for the Glenwood Hot Springs Resort. Applied for a Lodging Seat or a Tourism Seat.
- Brandon Cambron; General Manager for The Pullman. Applied for a Restaurant Seat.
- Justine Smith; Rocky Mountaineer Station Manager and Resident. Applied for a Tourism Seat or a Resident Seat.

According to the Municipal Code, 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. Council may appoint up to three alternate members of a board or commission.

Issues: None.

Staff Recommendation: NA

Respondent



11

Anonymous



124:54

Time to complete



Tourism Promotion Board Application

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

Composition of the Tourism Promotion Board

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

- a. Two (2) representatives from tourism-related businesses located within the city;
- b. Two (2) representatives from lodging businesses located within the city;
- c. One (1) representative from restaurant or retail businesses located within city;
- d. One (1) representative from the Glenwood Springs Chamber Resort Association; and
- e. Three (3) citizens, who are residents of the city, that may have a financial interest in a tourism-related business.

Personal Information

1. Membership Qualifications *

You must qualify as one of the options below to serve on the Tourism Promotion Board. Please select the option that applies to you.

- ☐ Two (2) representatives from tourism-related businesses located within the City
- ☐ Two (2) representatives from lodging businesses located within the City
- ☒ One (1) representative from restaurant businesses located within the City
- ☐ One (1) representative from the Chamber Resort Association
- ☐ Three (3) citizens who are residents of the City, that may have a financial interest in a tourism-related business.

2. Please explain here how you are qualified: *

I love tourism and submersing myself in different cultures. Learning how different parts of the world work and interact with each other excites me. I've spent the last ten years focused on hospitality management in high-trafficked resort areas such as Tulum, San Francisco, Bangkok, Hong Kong, and Lake Tahoe. Since I have relocated to Glenwood, I have wanted to be a part of this community and build better relationships with everyone in the Downtown area. It's important for all of us in a community to talk about how frustrating it must be for a tourist who can't get food past 9 or has limited options for lunch and Mondays. I want this position and think I would bring valued input as well support for our causes.

3. Name *

Brandon Cambron

4. Home Address *

828 D Red Valley Drive, Glenwood Springs, CO 81601

5. Mailing Address *

PO Box 591 Glenwood Springs, CO 81601

6. Home Phone *

5304889214

7. Work Phone *

9702309234

8. Mobile Phone *

5304889214

9. Email Address *

Brandon@thepullmangws.com

10. Occupation *

General Manager at The Pullman

Personal and Professional Interests

11. Why are you interested in serving on the Tourism Promotion Board? *

I have a fresh mindset on Tourism and have spent the past few years traveling abroad and working throughout Asia, Europe, and Mexico. I believe Glenwood could benefit by finding better ways to communicate amongst businesses, to create a better and friendly environment for our tourists.

12. What do you view as your role if selected as a member to the Tourism Promotion Board? *

My role would be focused on fostering ways to better communicate with the local business on issues addressed. I want our community to have a clear mindset on how we can all benefit from focusing more on Tourism.

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

Yes, I handled all public relations in Tulum, Mexico with the opening of two resorts. I've also handled all social accounts with several restaurants, hotels, and various businesses. I'm proficient in Video editing, but it's not a strong skill of mine.

14. Do you have tourism industry experience or skills? *

Yes, I've worked internationally and domestically in high trafficked tourists areas. I've managed a range of different businesses in the hospitality industry, including a Ski Resort, Private Golf Club, Fine Dining Restaurant, Hostel, and opened of the highest-grossing restaurants in the US, Gordon Ramsay's Hell's Kitchen.

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

I'm unsure how to answer this question. Let's speak further in person so I can get better assess the question.

16. 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've always been able to keep personal opinions separate from any employment. I find it a valuable trait to have in management settings.

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

No, I will attend all the scheduled meetings, provided they are planned ahead of time. I will need to schedule my weekdays accordingly so that I can go.

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

In Tahoe, I was a liaison for several committees, including the wedding association and the event committee. Organizing groups like the annual TedX South Lake Tahoe, Bloody Mary, and Spirit Competition.

19. Please select today's date. *

11/11/2021



20. Have you served on the Tourism Promotion Board before? *

☒ No

☐ Yes

Powers and Duties of the Tourism Promotion Board

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

(m) Tourism Promotion Board. The powers and duties of the Tourism Promotion Board shall be:

- (1) To investigate, study and report to the City Council:
 - a. All matters concerning tourism marketing and promotion that pertain to the benefit of Glenwood Springs and the area within the 81601 postal zip code, and
 - b. Other matters concerning the subject of tourism marketing and promotion which may be pertinent to the benefit of the City and the area within the 81601 postal zip code.
- (2) To coordinate with City Staff, Community Organizations, Community Businesses, and other Boards and commissions, when applicable to efficiently market and promote tourism to the benefit of Glenwood Springs and the area within the 81601 postal zip code.
- (3) To, at its discretion, and in addition to initiatives that directly market and promote features and attractions within the City and the area within the 81601 postal zip code, market and promote the geographical proximity of Glenwood Springs to other features and attractions outside of the 81601 postal zip code in ways that could reasonably be expected to benefit the City.
- (4) To establish rules of procedure and order for the Board to follow.
- (5) To review tourism marketing plans; to set tourism marketing goals, to determine the methods to accomplish and measure success in accomplishing those goals; to determine the appropriate staff and marketing contractor(s)/vendor(s) resources needed; to recommend to the City Council an annual tourism marketing budget; to recommend, to the City Council, award of contract(s) for the best candidate for contract staff and marketing contractor(s)/vendor(s) ,deemed necessary, based upon an approved Request for Proposal, Request for Qualification or other process; and to provide oversight of performance of contract staff and marketing vendor(s)/contractor(s) contract terms to ensure the efficient and effective implementation of the marketing goals and to report

problems with performance to City Council.

(6) To meet with the City Council on an annual basis, or as often as requested by the City Council, to identify marketing priorities of the City.

(7) To complete all other duties as may be directed by City Council.

Appointment, Removal, Term and Vacancies of Boards and Commissions

(Per the 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:

Tourism Promotion Board;

(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) successive 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



13

Anonymous



49:08



Time to complete

Tourism Promotion Board Application

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

Composition of the Tourism Promotion Board

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

- a. Two (2) representatives from tourism-related businesses located within the city;
- b. Two (2) representatives from lodging businesses located within the city;
- c. One (1) representative from restaurant or retail businesses located within city;
- d. One (1) representative from the Glenwood Springs Chamber Resort Association; and
- e. Three (3) citizens, who are residents of the city, that may have a financial interest in a tourism-related business.

Personal Information

1. Membership Qualifications *

You must qualify as one of the options below to serve on the Tourism Promotion Board. Please select the option that applies to you.

- ☒ Two (2) representatives from tourism-related businesses located within the City
- ☐ Two (2) representatives from lodging businesses located within the City
- ☐ One (1) representative from restaurant businesses located within the City
- ☐ One (1) representative from the Chamber Resort Association
- ☒ Three (3) citizens who are residents of the City, that may have a financial interest in a tourism-related business.

2. Please explain here how you are qualified: *

Glenwood Springs resident & Station Manager for Rocky Mountaineer, a travel and tourism business new to Glenwood, and seeking to be informed, involved, and supportive of tourism efforts in our town.

3. Name *

Justine Smith

4. Home Address *

505 Hyland Park Drive Glenwood Springs, CO 81601

5. Mailing Address *

505 Hyland Park Drive Glenwood Springs, CO 81601

6. Home Phone *

970-618-1935

7. Work Phone *

970-989-2232

8. Mobile Phone *

970-618-1935

9. Email Address *

jsmith@rockymountaineer.com

10. Occupation *

Station Manager, Rocky Mountaineer

Personal and Professional Interests

11. Why are you interested in serving on the Tourism Promotion Board? *

I would like to be well informed and engaged in the promotion of tourism in our area BOTH as a resident AND as a contributing member in the tourism community. I want to actively support community effort and participate in creating and growing opportunities for guests, residents, and local businesses to connect.

12. What do you view as your role if selected as a member to the Tourism Promotion Board? *

To contribute to agreed upon initiatives through discussion, ideas, and time. To assist in the promotion of Glenwood Springs as a destination to both visitors and residents, highlighting all there is to do and see. To assist in the creation of events and activities that draw a crowd and enhance visibility. To take on suggestions and critiques of Rocky Mountaineer as a member of the community and welcome ideas for deeper involvement in the community.

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

Yes, I have a successful background in marketing small and large businesses from fashion to technology, using allocated budgets for greater visibility and goodwill as well as some website design and maintenance.

14. Do you have tourism industry experience or skills? *

I do! I have held roles in hospitality and am currently employed in the tourism industry.

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

Personally, I have not been involved in decision making for a large population, but am confident in my ability to thoughtfully consider varying opinions and outcomes for the best result.

16. 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 think personal opinions have to be put aside often to maintain cohesiveness and produce a satisfactory result in a group. I consider myself a respectful, respectable, and thorough individual as well as a clear communicator. I know I can contribute in a situation that requires regulation and also one that allows for creativity.

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

I am employed full time, but know that further involvement in the community is highly encouraged by Rocky Mountaineer and will be supported as a part of my role. I also hold a volunteer hockey director position with Grizzly Hockey and hold late Monday and Wednesday afternoons sacred for the teams from Nov-Mar.

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

My involvement in youth hockey has me reporting to a board, discussing, collaborating, and compromising on different plans. I also held a role as a banking officer earlier in my career and was responsible for preparing and presenting to a committee for larger loan decisions with thorough information and defense of the request.

19. Please select today's date. *

12/14/2021



20. Have you served on the Tourism Promotion Board before? *

☒ No

☐ Yes

Powers and Duties of the Tourism Promotion Board

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

(m) Tourism Promotion Board. The powers and duties of the Tourism Promotion Board shall be:

- (1) To investigate, study and report to the City Council:
 - a. All matters concerning tourism marketing and promotion that pertain to the benefit of Glenwood Springs and the area within the 81601 postal zip code, and
 - b. Other matters concerning the subject of tourism marketing and promotion which may be pertinent to the benefit of the City and the area within the 81601 postal zip code.
- (2) To coordinate with City Staff, Community Organizations, Community Businesses, and other Boards and commissions, when applicable to efficiently market and promote tourism to the benefit of Glenwood Springs and the area within the 81601 postal zip code.
- (3) To, at its discretion, and in addition to initiatives that directly market and promote features and attractions within the City and the area within the 81601 postal zip code, market and promote the geographical proximity of Glenwood Springs to other features and attractions outside of the 81601 postal zip code in ways that could reasonably be expected to benefit the City.
- (4) To establish rules of procedure and order for the Board to follow.
- (5) To review tourism marketing plans; to set tourism marketing goals, to determine the methods to accomplish and measure success in accomplishing those goals; to determine the appropriate staff and marketing contractor(s)/vendor(s) resources needed; to recommend to the City Council an annual tourism marketing budget; to recommend, to the City Council, award of contract(s) for the best candidate for contract staff and marketing contractor(s)/vendor(s) ,deemed necessary, based upon an approved Request for Proposal, Request for Qualification or other process; and to provide oversight of performance of contract staff and marketing vendor(s)/contractor(s) contract terms to ensure the efficient and effective implementation of the marketing goals and to report problems with performance to City Council.

- (6) To meet with the City Council on an annual basis, or as often as requested by the City Council, to identify marketing priorities of the City.
 - (7) To complete all other duties as may be directed by City Council.
-

Appointment, Removal, Term and Vacancies of Boards and Commissions

(Per the 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:
Tourism Promotion Board;
- (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) successive 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)

Tourism Promotion 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 *

Loretta A. Ayala

2. Home Address *

5033 County Rd. 335 #234 New Castle, CO. 81647

3. Mailing Address *

Same

4. Home Phone *

970-456-8964

5. Work Phone *

970-947-2951

6. Mobile Phone *

970-456-8964

7. Email Address *

Work: layala@hotspringspool.com / Personal: lorettaannayala68@gmail.com

8. Occupation *

Hotel General Manager

Membership Qualifications

9. You must qualify as one of the options below to serve on the Tourism Promotion Board. Please select the option that applies to you. *

- ☒ Two (2) representatives from tourism-related businesses located within the City
- ☒ Two (2) representatives from lodging businesses located within the City
- ☐ One (1) representative from restaurant businesses located within the City
- ☐ One (1) representative from the Chamber Resort Association
- ☐ Three (3) citizens who are residents of the City, that may have a financial interest in a tourism-related business.

10. Please explain here how you are qualified: *

I believe my goals are in alignment with the Glenwood Springs Tourism Board. It has always been an important part of my current role to promote Glenwood Springs and tourism. Tourism is the economic life line of our community and I know that I can make a positive contribution in maintaining this vital facet to our economy. As the Lodge Manager for the Glenwood Hot Springs Resort, I am charged with creating budgets, maintaining expenses, setting and exceeding goals. I've had the pleasure and privilege to represent one of the leading tourist destinations in Glenwood Springs. After 11 ½ years in my current role, I am confident that I can represent and contribute at a much higher level. As a seasoned and exceedingly skilled professional, I know that my service would provide support to all stakeholders. Thank you for your consideration. Sincerely, Loretta A. Ayala

Personal and Professional Interests

11. Why are you interested in serving on the Tourism Promotion Board? *

I am passionate about the growth of this industry and the valley we live in.

12. What do you view as your role if selected as a member to the Tourism Promotion Board? *

Since I have never served on this board, I would venture to say that my first step would be to learn, observe and look for opportunities that I might help with. I am well versed in budgeting and planning, so I hope to be part of this process.

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

Yes, I have some experience in sales and marketing. I've attended conferences and trade shows.

14. Do you have tourism industry experience or skills? *

Yes, I have been in the Lodging sector for over two decades. My skills include hotel management, sales and revenue management.

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

I personally believe this can be tricky. As a business, these types of decisions have to be carefully weighed and conducive to your operations, but there are definitely times where this may be appropriate. My example, at the Lodge we changed out our cable provider and upgraded our in room technology because of guest feedback. There has also been decisions made because of Covid . On a personal level, I don't think I've ever made a decision based on public opinion. Although I am highly extraverted, I am not very vocal about my personal opinions and choose to maintain my decorum in diverse situations.

16. 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 understand the need and concept of this.

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

At this time, I do not.

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

I have experience with committees.

19. Please select today's date. *

10/20/2021



20. Have you served on the Tourism Promotion Board before? *

☒ No

☐ Yes

Powers and Duties of the Tourism Promotion Board

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

(m) Tourism Promotion Board. The powers and duties of the Tourism Promotion Board shall be:

(1) To investigate, study and report to the City Council:

a. All matters concerning tourism marketing and promotion that pertain to the benefit of Glenwood Springs and the area within the 81601 postal zip code, and

b. Other matters concerning the subject of tourism marketing and promotion which may be pertinent to the benefit of the City and the area within the 81601 postal zip code.

(2) To coordinate with City Staff, Community Organizations, Community Businesses, and other Boards and commissions, when applicable to efficiently market and promote tourism to the benefit of Glenwood Springs and the area within the 81601 postal zip code.

(3) To, at its discretion, and in addition to initiatives that directly market and promote features and attractions within the City and the area within the 81601 postal zip code, market and promote the geographical proximity of Glenwood Springs to other features and attractions outside of the 81601 postal zip code in ways that could reasonably be expected to benefit the City.

(4) To establish rules of procedure and order for the Board to follow.

(5) To review tourism marketing plans; to set tourism marketing goals, to determine the methods to accomplish and measure success in accomplishing those goals; to determine the appropriate staff and marketing contractor(s)/vendor(s) resources needed; to recommend to the City Council an annual tourism marketing budget; to recommend, to the City Council, award of contract(s) for the best candidate for contract staff and marketing contractor(s)/vendor(s) ,deemed necessary, based upon an approved Request for Proposal, Request for Qualification or other process; and to provide oversight of performance of contract staff and marketing vendor(s)/contractor(s) contract terms to ensure the efficient and effective implementation of the marketing goals and to report problems with performance to City Council.

(6) To meet with the City Council on an annual basis, or as often as requested by the City Council, to identify marketing priorities of the City.

(7) To complete all other duties as may be directed by 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:

Tourism Promotion Board;

(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) successive 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



12

Anonymous



51:59

Time to complete



Tourism Promotion Board Application

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

Composition of the Tourism Promotion Board

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

- a. Two (2) representatives from tourism-related businesses located within the city;
- b. Two (2) representatives from lodging businesses located within the city;
- c. One (1) representative from restaurant or retail businesses located within city;
- d. One (1) representative from the Glenwood Springs Chamber Resort Association; and
- e. Three (3) citizens, who are residents of the city, that may have a financial interest in a tourism-related business.

Personal Information

1. Membership Qualifications *

You must qualify as one of the options below to serve on the Tourism Promotion Board. Please select the option that applies to you.

- ☐ Two (2) representatives from tourism-related businesses located within the City
- ☐ Two (2) representatives from lodging businesses located within the City
- ☐ One (1) representative from restaurant businesses located within the City
- ☐ One (1) representative from the Chamber Resort Association
- ☒ Three (3) citizens who are residents of the City, that may have a financial interest in a tourism-related business.

2. Please explain here how you are qualified: *

I own a home in Downtown Glenwood Springs and I would like to see Glenwood continue to have a real, viable and thriving tourism industry (which it does not have now). As an artist, a designer and a home owner, I have a vested interest in the aesthetic quality of this town. People come here to enjoy the outdoors and see a Beautiful Colorado Mountain Town. They want Access to our Rivers and Trails, Bike Paths, Walking areas, Events, Music, Activities, Wonderful little Shops and Great Restaurants. If you want people to come here and spend money and time you need to offer them the best of Colorado. We need some long range planning. They don't want traffic, a bunch of junk and drug addicts laying on public walk ways, they can get all that at home. Glenwood Springs really needs to pick up the pace if they want people to choose this town for their vacation or weekend getaway. We have no Holiday Activities this year what happen?

3. Name *

Pam Macmillan

4. Home Address *

1009 Colorado Ave. Glenwood Springs ,CO 81601

5. Mailing Address *

1009 Colorado Ave. Glenwood Springs ,CO 81601

6. Home Phone *

303-917-4686

7. Work Phone *

303-917-4686

8. Mobile Phone *

303-917-4686

9. Email Address *

pmacmillan6199@gmail.com

10. Occupation *

Design Consultant for Crossville Studios

Personal and Professional Interests

11. Why are you interested in serving on the Tourism Promotion Board? *

Tourism is a clean industry for the most part. I like living in a place people want to visit. Glenwood Springs is growing and providing a great place to visit also means a great place to live and work. We have two wonderful rivers that meet here and no downtown access. Outside seating at restaurants started ,because of COVID, why was there never outside seating before? We need to get going on attracting people to our town for the right reasons if we don't just want to be a place people speed through to get somewhere else.

12. What do you view as your role if selected as a member to the Tourism Promotion Board? *

Getting new plans in place to make this town grow in the right direction. Figuring out how to pay to make things happen and attracting people here who can make things happen. Young people and people with experience developing a town correctly.

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

I was a teacher for 20 years, I have run my own painting business and I am in sales now.

14. Do you have tourism industry experience or skills? *

I was a ski instructor for Vail for 8 years and Aspen Ski Co. for 8 years.

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

When you teach you do what is best for the children in your class at that time, not for their parents or the school district.

16. 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? *

I can separate my personal opinions, but the City's goals have not really lined up with what the people who live here and work want. I talk to people who run restaurants and shops here a lot. Glenwood Springs does not listen to them. I have been to city meetings and the city has a habit of sending low level people to present and field questions and then they whatever they want. This town is not being developed responsibly. It is becoming trashy, the traffic is awful and bums on the streets are increasing.

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

I work full time ,but if I know when meetings are I will get off

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

None

19. Please select today's date. *

12/3/2021



20. Have you served on the Tourism Promotion Board before? *

☒ No

☐ Yes

Powers and Duties of the Tourism Promotion Board

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

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- (2) To coordinate with City Staff, Community Organizations, Community Businesses, and other Boards and commissions, when applicable to efficiently market and promote tourism to the benefit of Glenwood Springs and the area within the 81601 postal zip code.
- (3) To, at its discretion, and in addition to initiatives that directly market and promote features and attractions within the City and the area within the 81601 postal zip code, market and promote the geographical proximity of Glenwood Springs to other features and attractions outside of the 81601 postal zip code in ways that could reasonably be expected to benefit the City.
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based upon an approved Request for Proposal, Request for Qualification or other process; and to provide oversight of performance of contract staff and marketing vendor(s)/contractor(s) contract terms to ensure the efficient and effective implementation of the marketing goals and to report problems with performance to City Council.

(6) To meet with the City Council on an annual basis, or as often as requested by the City Council, to identify marketing priorities of the City.

(7) To complete all other duties as may be directed by City Council.

Appointment, Removal, Term and Vacancies of Boards and Commissions

(Per the 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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Tourism Promotion Board;

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(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)

Tourism Promotion 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 *

Roger Smith

2. Home Address *

66 Meadow Ln, Glenwood Springs, CO 81601

3. Mailing Address *

66 Meadow Ln, Glenwood Springs, CO 81601

4. Home Phone *

970-445-0506

5. Work Phone *

970-445-0506

6. Mobile Phone *

970-445-0506

7. Email Address *

roger@hotelglenwood.com

8. Occupation *

Area General Manager for the Hotel Denver and Hotel Glenwood Springs

Membership Qualifications

9. You must qualify as one of the options below to serve on the Tourism Promotion Board. Please select the option that applies to you. *

- ☐ Two (2) representatives from tourism-related businesses located within the City
- ☒ Two (2) representatives from lodging businesses located within the City
- ☐ One (1) representative from restaurant businesses located within the City
- ☐ One (1) representative from the Chamber Resort Association
- ☐ Three (3) citizens who are residents of the City, that may have a financial interest in a tourism-related business.

10. Please explain here how you are qualified: *

I am the General Manager for two hotels in Glenwood Springs

Personal and Professional Interests

11. Why are you interested in serving on the Tourism Promotion Board? *

To assist the city's effort in promoting the Glenwood Springs.

12. What do you view as your role if selected as a member to the Tourism Promotion Board? *

I would be a representative for the entire local lodging community.

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

No.

14. Do you have tourism industry experience or skills? *

Yes, I have 18 years of hotel experience.

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

Within my hotels, most of the decisions I make are based on feedback from guests and staff.

16. 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.

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

No.

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

None.

19. Please select today's date. *

10/19/2021



20. Have you served on the Tourism Promotion Board before? *

☒ No

☐ Yes

Powers and Duties of the Tourism Promotion Board

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

(m) Tourism Promotion Board. The powers and duties of the Tourism Promotion Board shall be:

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 - (6) To meet with the City Council on an annual basis, or as often as requested by the City Council, to identify marketing priorities of the City.
 - (7) To complete all other duties as may be directed by City Council.
-

Appointment, Removal, Term and Vacancies of Boards and Commissions

Glenwood Springs, CO Municipal Code 020.020.040

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



Tourism Promotion 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 *

Sharon Brady

2. Home Address *

816 Lincoln Ave Glenwood Springs 82602

3. Mailing Address *

Same

4. Home Phone *

970-404-7722

5. Work Phone *

970-945-1470

6. Mobile Phone *

970-404-7722

7. Email Address *

Bradyduo@gmail.com

8. Occupation *

Retail Store Co-Owner

Membership Qualifications

9. You must qualify as one of the options below to serve on the Tourism Promotion Board. Please select the option that applies to you. *

- ☐ Two (2) representatives from tourism-related businesses located within the City
- ☐ Two (2) representatives from lodging businesses located within the City
- ☐ One (1) representative from restaurant businesses located within the City
- ☐ One (1) representative from the Chamber Resort Association
- ☒ Three (3) citizens who are residents of the City, that may have a financial interest in a tourism-related business.

10. Please explain here how you are qualified: *

Resident, currently serving on the TPB, own Cooper Wine & Spirits

Personal and Professional Interests

11. Why are you interested in serving on the Tourism Promotion Board? *

Tourism is a vital part of our community and this board strives to effectively manage and streamline messaging to promote our amazing City in a responsible manner. My job involves marketing and advertising and I believe I'm a hood fit on the Board.

12. What do you view as your role if selected as a member to the Tourism Promotion Board? *

Offer suggestions, ideas, help plan events, make budgetary decisions all to help our City thrive

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

Yes

14. Do you have tourism industry experience or skills? *

We see a tremendous amount of visitors in our store each year and work hard to accommodate them successfully. I also was the public relations acct manager for Stone Mountain Park, GA when I lived in Atlanta.

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

Not at the moment

16. 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

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

No

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

I've worked on the VALE board; currently serve on this Board and the Andy Zanca Youth Empowerment Board, and was the Director of Junior Achievement so I conducted all the board meetings for that organization.

19. Please select today's date. *

10/20/2021



20. Have you served on the Tourism Promotion Board before? *

☐ No

☒ Yes

Reappointment Applicants

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

I have attended every meeting I possibly could. Because I live and work in Glenwood, I feel I have a good understanding of the economic pulse in the Downtown core and surrounding areas and how tourism affects our community. I listen to all sides of the discussion before rendering a decision and respect my fellow board members and their opinions.

22. Have you served more than two full terms on the Tourism Promotion Board? *

No

Composition of the Tourism Promotion Board

- a. Two (2) representatives from tourism-related businesses located within the city;
- b. Two (2) representatives from lodging businesses located within the city;
- c. One (1) representative from restaurant or retail businesses located within city;
- d. One (1) representative from the Glenwood Springs Chamber Resort Association; and
- e. Three (3) citizens, who are residents of the city, that may have a financial interest in a tourism-related business.

Powers and Duties of the Tourism Promotion Board

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

(m) Tourism Promotion Board. The powers and duties of the Tourism Promotion Board shall be:

(1) To investigate, study and report to the City Council:

- a. All matters concerning tourism marketing and promotion that pertain to the benefit of Glenwood Springs and the area within the 81601 postal zip code, and
- b. Other matters concerning the subject of tourism marketing and promotion which may be pertinent to the benefit of the City and the area within the 81601 postal zip code.

(2) To coordinate with City Staff, Community Organizations, Community Businesses, and other Boards and commissions, when applicable to efficiently market and promote tourism to the benefit

of Glenwood Springs and the area within the 81601 postal zip code.

(3) To, at its discretion, and in addition to initiatives that directly market and promote features and attractions within the City and the area within the 81601 postal zip code, market and promote the geographical proximity of Glenwood Springs to other features and attractions outside of the 81601 postal zip code in ways that could reasonably be expected to benefit the City.

(4) To establish rules of procedure and order for the Board to follow.

(5) To review tourism marketing plans; to set tourism marketing goals, to determine the methods to accomplish and measure success in accomplishing those goals; to determine the appropriate staff and marketing contractor(s)/vendor(s) resources needed; to recommend to the City Council an annual tourism marketing budget; to recommend, to the City Council, award of contract(s) for the best candidate for contract staff and marketing contractor(s)/vendor(s) ,deemed necessary, based upon an approved Request for Proposal, Request for Qualification or other process; and to provide oversight of performance of contract staff and marketing vendor(s)/contractor(s) contract terms to ensure the efficient and effective implementation of the marketing goals and to report problems with performance to City Council.

(6) To meet with the City Council on an annual basis, or as often as requested by the City Council, to identify marketing priorities of the City.

(7) To complete all other duties as may be directed by 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:
Tourism Promotion Board;

(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) successive 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 Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: Resolution 2022-06; InterGovernmental Agreement with Garfield County regarding the May 3rd, 2022 Special Election.

Action Requested: Approve InterGovernmental Agreement with Garfield County regarding the May 3rd, 2022 Special Election.

Department: City Clerk

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: An IGA is required for the use of the County 24/7 Drop Box and counting machines, among other things critical to running our election.

Issues:

Staff Recommendation:

INTERGOVERNMENTAL AGREEMENT FOR ELECTION SERVICES

This Intergovernmental Agreement for election services is entered into this ____ day of _____, 2022 by and between the, City of Glenwood Springs, a Colorado Home Rule Municipality (hereinafter the “City”), and the Garfield County Clerk & Recorder, (hereinafter the “Clerk”), collectively referred to as the “Parties”.

WHEREAS, the City has requested the assistance of the Clerk for the Special Municipal Election to be held on May 3, 2022 and

WHEREAS the Clerk is willing to assist the City in certain aspects of the May 3, 2022 Special Municipal Election to effectuate a smooth and efficient election process.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements of the parties as set forth herein, the parties agree as follows:

1. Term of Agreement. This Agreement applies to the May 3, 2022 Special Municipal Election and is effective from the date of execution to the conclusion of any appeal or contest of the May 3, 2022 Special Municipal Election.
2. Clerk’s Duties The Clerk agrees to:
 - a. Designate members of her Election Staff to assist the City with the May 3, 2022 Special Municipal Election and to provide the names of those individuals to the City.
 - b. Use the ballot content provided by the City to set-up the ballot design for the May 3, 2022 Special Municipal Election and send proofs to the City by email when completed for approval.
 - c. Provide an extract to the City’s designated printer so ballots compatible with the Clear Ballot Voting equipment will be printed for the City’s mail ballot election.
 - d. Provide updated mailing labels for voters who register to vote or do a change of address after the initial voter extract is sent to the designated printer. This will allow the City to mail out ballots until the deadline specified by statute.
 - e. Allow City voters to drop off voted ballots in the 24/7 ballot drop box on 8th St or a ballot box located inside the entrance of the courthouse from 8 am to 5 pm Monday through Friday and 7 am to 7 pm on Election Day.
 - f. Provide training to designated City staff or designated election judges on how to prepare the ballots for processing through the Clear Ballot tabulating system known as Clear Count.
 - g. Provide the Clear Count Ballot Scanner located in the first-floor election room at the County Courthouse for use in processing the voted ballots on May 3, 2022. Clerk Election Staff member(s) will accept the voted ballots as delivered by the City’s designated election judges to scan and tabulate on Election Day.

h. Once all the voted ballots are scanned and the City's Designated Election Official is ready to issue election results, the Clerk will tabulate election results and provide reports to the City's DEO.

i. Bill the City within thirty (30) days after the election for staff time spent in setting up the ballot, logic and accuracy testing, ballot counting and tabulation process on election night, and a \$250 fee for use of the Clear Ballot Voting System owned by Garfield County. If any contest is close enough for a recount, the Clerk will additionally charge the City for staff time needed to assist with the recount process. Anticipated cost to assist the City with this election will be approximately \$1000.

3. **City's Duties** City agrees to:

a. Provide the Clerk with certified ballot content at soon as possible once the ballot language is approved by the City Council. Please contact Edna Place at 384-3700 x 1804 or eplace@garfield-county.com for the format required for content certification.

b. Proof and return signed verification that the ballot proof is acceptable either by email to the Clerk as soon as possible after receipt of the ballot proof.

c. Provide Clerk Election Staff with the name and contact information for their printer.

d. Provide at least two staff members to assist with the logic and accuracy testing (LAT) of the election equipment. This testing will be done at the Clerk's office in Glenwood Springs. Both City and Clerk staffs will hand mark and hand tabulate ballots prior to those ballots being processed through any Clear Ballot scanners. The LAT is done to verify that the electronic equipment is correctly processing the marked ballots.

e. Provide to the Clerk required information for City Election contacts and all election judges so the Clerk can conduct CBI background checks prior to the votes being scanned on the County election equipment. The City will be billed for all CBI background check charges.

f. Send two City employees or election judges to pick up ballots dropped off at the County Courthouse on a regular schedule during the election cycle.

g. Reimburse the Clerk for staff time spent in setting up the ballot, logic, and accuracy testing, providing the designated printer with ballot the extract, assisting with the ballot counting and tabulation process on election night, and a \$250 fee for use of the Clear Ballot Voting System owned by Garfield County. If any race is close enough for a recount, the City agrees to reimburse the Clerk for staff time needed to assist with the recount process.

h. The City Clerk will provide a new, encrypted flash drive so all reports for the election can be downloaded from the Clear Ballot Voting System for printing.

4. **INDEMNIFICATION.** The City agrees to indemnify, defend and hold harmless the Clerk from any and all loss, costs, demands or actions, arising out of or related to any actions, errors or omissions of the City in completing its responsibilities relating to the election.

5. **Integration.** The Parties acknowledge that this Agreement constitutes the complete agreement and understanding between them relating to the subject matter hereof and that no Party is relying upon any oral representations made by another Party or employee, agent or officer of the Party.

6. **Amendments.** This Agreement can be amended only in writing with signature of all Parties.

7. **Notices.** All notices, requests, demands, consents, and other communications pertaining to this Agreement shall be transmitted in writing and shall be deemed duly given when received by the Parties at their addresses below or agreed upon email addresses as provided to the other party below

IN WITNESS WHEREOF, the City and the Clerk have caused this Agreement to be full executed in an electronic format or duplicate signed originals with each party receiving a fully executed copy.

ATTEST:

City of Glenwood Springs

City Clerk

By: _____
Mayor

Dated: _____

Email: _____

Garfield County Clerk & Recorder

Jean Alberico

Dated

Email _____



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item:	Award of RFP 2021-32 Airport Fuel Tanks
Action Requested:	Award RFP 2021-32 for fuel tanks at the airport to Mascott Equipment Company
Department:	Parks & Recreation
Strategic Goals:	Protect and Preserve our Quality of Life Ensure Public Safety
Background Info:	On November 8th Council directed staff to replace both the Jet-A and 100 Low Lead fuel tanks at the airport and authorized a loan of up to \$225,000 from the Capital Projects Fund to the Airport Enterprise Fund to pay for the tanks. The total estimate is \$450,000 for both tanks and CDOT Aeronautical has committed to funding \$225,000 through a grant. Staff issued an RFP that was due on 12/21/2021 that produced 5 qualified responses. The low bid was from Mascott Equipment Company at \$369,272. The selection committee confirmed that the proposed system will meet all of our needs and that Mascott is a qualified vendor. There will be some additional costs for site preparation, engineering and permitting but the total project will come in under budget. We received the following responses: -Mascott Equipment Company \$369,272 -American Environmental Aviation \$438,235 -Acterra Group \$512,695 -Eaton Sales and Service \$532,863 -Technology International, Inc. \$676,250
Issues:	There is a substantial lead time for the tanks but we expect the new system to be operational by the spring.
Staff Recommendation:	Award of RFP 2021-32 to Mascott Equipment Company.



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Since 1960

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Number	069367
Date	12/20/2021
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Ship-to: SAME
CITY OF GLENWOOD SPRINGS
101 W. 8TH STREET
12K BULK WITH RETAIL JET A 200 GPM
GLENWOOD SPRINGS, CO 81601

Bill-to: NEW
CITY OF GLENWOOD SPRINGS
101 W. 8TH STREET
12K BULK WITH RETAIL JET A 200 GPM
GLENWOOD SPRINGS, CO 81601

Reference #	Slsp	Terms	Whse	Freight	Ship Via
12K JET A BULK WITH RETAIL	F/J	CASH SALE	01		WILL CALL
Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
	***** *****COURSE AND SCOPE***** ***** THIS FUEL SYSTEM IS BASED ON APPLICABLE AVIATION TANK FARM STANDARDS. ***** ***THIS SYSTEM IS SET UP TO OFFLOAD TRANSPORT AT APPROX 200 GPM FOR BULK OFFLOAD, AND IS ALSO SET UP FOR OWN DISPENSE OF JET A ,DUCKBILL 40 GPM WILL OFFLOAD INBOUND FUEL SUPPLIER TRANSPORTS AT APPROX 200 GPM, AND WILL RECIRCULATE FUEL THROUGH FILTRATION AND PLACE IT BACK IN TANK AT APPROX 200 GPM. WILL LOAD CLIENTS OWN TRUCK TO HAUL FUEL TO FIELD. THIS SYSTEM DOES INCORPORATE THE OFFLOAD PUMP,					

Credit card payments are subject to 3% service fee.

ACCEPTED FOR PURCHASE

Signature: _____ Date: _____

TERMS AND CONDITIONS SET FORTH OR NOTED ON ATTACHMENT SHALL EXCLUSIVELY GOVERN THIS SALE



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Item	Description	Ordered	UM	Price	UM	Extension
	AND WILL ALLOW END USER TO RECIRCULATE THE FUEL THROUGH THE FILTER BACK INTO THE TANK, AND WILL FILTER FUEL LOADED INTO TANK FROM TRANSPORT, AND INTO WING THROUGH DUCK BILL. INTO BULK TRUCK FROM FARM. ***** MASCOTT EQUIPMENT WILL FABRICATE AND WELD ALL PIPING FOR SKID AND TANK WITH THREE PASS WELD PROCEDURE USING 316L STAINLESS FILLER MATERIAL AND UTILIZING A 3/32 INCH WELD GAP. MASCOTT WILL ASSEMBLE AND INSTALL ALL PIPE/COMPONENTS ON JET A TANK, AND TEST AT 1.5 X OPERATING PRESSURE. INSTALL WATER DRAW WITH THIEF PUMP, INSTALL ALL PROPER VENTING, CLOCK GUAGES , AND OTHER COMPONENTS IN ACCORDANCE WITH STANDARD AVIATION SPEC. ALL PIPING WILL BE WELDED WITH A THREE PASS WELD PROCEDURE. HOSES USED WILL BE APPROVED API 1529 AVIATION HOSES					

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Item	Description	Ordered	UM	Price	UM	Extension
12K UL 2085	OVERFILL PREVENTION VALVE WILL STOP FLOW OF FUEL TO TANK AT 95 % TANK CAPACITY. * ALL PIPING IS STAINLESS STEEL, WELDED, AND FLANGED, BOLTED, WITH FLEXATALLIC GASKETS. ***** *****MATERIALS AND LABOR***** ***** *****STORAGE TANK***** 12K UL 2085 AST TANK IS SLOPED ON SADDLES TO PER ATA 103. INTERIOR IS EPOXY COATED WHITE FOR USE WITH JET FUEL. HAS END LADDER WITH STICK PLATFORM ONE 24" MANWAY, ONE ADDL. MANWAY WITH INTERNAL LADDER. BOTTOM OF TANK SEAM GROUND 24" OFF CENTER LINE EITHER SIDE, SMOOTH. TANK HAS WATER DRAW LOW POINT SUMP BELL.		1 EA			
FREIGHT, GLENWOOD	FREIGHT TO GLENWOOD CO		1 EA			

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Quoted By: CDM	Quoted To: GLENWOOD SPRINGS		Effective: 12/20/2021	Expires: 12/30/2021	

Item	Description	Ordered	UM	Price	UM	Extension
	** UNIT QUOTED FOB MASCOTT. FREIGHT TO GLENWOOD SPRINGS IS IN BOTTOM TOTAL, CLIENT WILL NEED TO PAY FREIGHT CARRIER DIRECTLY. TAX NOT IN BOTTOM TOTAL.					
	*****TANK VENT*****					
MR354-0300AV	VENT, 3" UPDRAFT SLIP ON	1	EA			
MR244OF-0100AV	VENT, EMERGENCY 8" 8oz. FLANGE	2	EA			
MR244F-0107AN	KIT, NUT/BOLTS 6" & 8" E-VENTS	2	EA			
MR244F-01102G	GASKET, 8" FLANGE E-VENT	2	EA			
	*****TANK GAUGES*****					
MR918F-0400AG	CLOCK GAUGE, 2"F.NPT W/ALARM	1	EA			
MR419-02121T-EVR	DROP TUBE, 2"X12' EVR	1	EA			
MR724-1200AI	LEAK INDICATOR W/GAURD 2"	1	EA			
	*****STICK PORT ASSEMBLY*****					
MR178-1600AC	FILL CAP, 4" BRASS BODY & CAP	1	EA			
MR419-04001T	DROP TUBE, ALUMINUM 4"X 12'	1	EA			
FZ-GP16	GAUGE STICK, 168" SCALE	1	EA			
	*****TANK FILL ASSEMBLY*****					

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Item	Description	Ordered	UM	Price	UM	Extension
MR9095A-03AVOEM	OVERFILL VALVE, 3"FNPT NO TOP	1	EA			
MR9095ATM-0100AM	TEST MECHANISM, MECHANICAL	1	EA			
MR419-02001T	DROP TUBE, ALUMINUM 3"X 10'	1	EA			
MR539AS-0300AD	DIFFUSER, 3" "AST" FILL	1	EA			
JO600-110	BALL VALVE, 3" FLG SS 150#	1	EA			
DX400AWBPSTSS	ADAPTER, 4" BUTT WELD S.STEEL	1	EA			
PTC40V-1001140	CAP, DUST 4" ALUMINUM	1	EA			
MR286FDI-4000AS	STRAINER, 3" FLANGED 100 MESH	1	EA			
MR246DRF-0100AV	VALVE, SWING CHECK 3" FLANGED	1	EA			
	*****FLOATING SUCTION*****					
OES764VE-G359	FLOATING SUCTION, 3"	1	EA			
MR246DRF-0100AV	VALVE, SWING CHECK 3" FLANGED	1	EA			
TEST CABLE AND CAP	TEST CABLE AND CAP	1	EA			
	* TO ADD FLOATING SUCTION POSITION INDICATOR INSTEAD OF PULL CABLE, ADD 329.00 TO BOTTOM TOTAL, THIS WAS TO BE SHOWN AS ALTERNATE.					
	*****FILTER ASSEMBLY*****					
FA-HCS-333-1436	FILTER VESSEL, COALESCER 3"FLG	1	EA			
FA11AV	AIR ELIMINATOR, 3/4" S.STEEL	1	EA			
FA82E3251311-100	VALVE, PRESSURE RELIEF 100PSI	1	EA			
FASC-9650	CHECK VALVE, 1/2" S.STEEL	1	EA			

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Item	Description	Ordered	UM	Price	UM	Extension
FASC-5150-30-E	DP GAUGE WITH 3 WAY VALVE	1	EA			
FAWP-120-7	PROBE, WATER SENSING 120VAC	1	EA			
FASC-2007-1	PROBE, SAMPLE LEFT FLOW	1	EA			
FASC-2007-2	PROBE, SAMPLE RIGHT FLOW	1	EA			
PTC3/4A-1000107	ADAPTER, 3/4"FNPT ALUMINUM	3	EA			
PTC3/4V-1001107	CAP, DUST 3/4" ALUMINUM	3	EA			
MR691BSS-04001V	VALVE, BALL 3/4"LOCKING SSTEEL	1	EA			
JFWBV002E-3/4DEAD	BALL VALVE, 3/4" S.S. SPRING	1	EA			
JO600-03DS_L_V	LUG VALVE, 3" W/HANDLE, VITON	2	EA			
	* TO ADD SUMP HEATER, PLEASE ADD 2,461 TO BOTTOM NUMBER					
	*****PUMP ASSEMBLY*****					
GM03F3-B	10HP, 3PH, EXP 200GPM, 3"	1	EA			
HMSF21-300-22-22-12	FLEX CONNECTOR, 3"X12" OAL	2	EA			
FA82G3851311-40-40-0	2" FLNG, PRS RELIEF. 50PSI, DI	1	EA			
	*****STATIC RELAXATION*****					
	*(REQUIRED TO MEET NFPA 407)					
FA-HRC-C-100	STATIC TANK, HORIZONTAL, 100	1	EA			
FA82E3251311-100	VALVE, PRESSURE RELIEF 100PSI	1	EA			
FA11AV	AIR ELIMINATOR, 3/4" S.STEEL	1	EA			
FASC-9650	CHECK VALVE, 1/2" S.STEEL	1	EA			
JFWBV002E-3/4DEAD	BALL VALVE, 3/4" S.S. SPRING	2	EA			
PTC3/4F-1000607	ADAPTER, 3/4" ALUMINUM MNPT	2	EA			

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ACCEPTED FOR PURCHASE

Signature: _____ Date: _____

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Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
PTC3/4V-1001107	CAP, DUST 3/4" ALUMINUM	2	EA			
	* STATIC REQUIRED TO MEET NFPA 407.					
	*****TANK SUMP PUMP*****					
GPI138000-02	HAND PUMP, DP20-UL DIAPHRAGM	1	EA			
PTC3/4A-1000107	ADAPTER, 3/4"FNPT ALUMINUM	1	EA			
PTC3/4V-1001107	CAP, DUST 3/4" ALUMINUM	1	EA			
JFWBV002E-3/4DEAD	BALL VALVE, 3/4" S.S. SPRING	1	EA			
MR912-070500AV	VALVE, 3/4" ANTI-SYPHON 0'-5'	1	EA			
	*****ELECTRICAL*****					
ELECTRICAL	ELECTRICAL	1	EA			
FUR-14EUE82HFA4FA	STARTER-ENCL NEMA 7&9 W/EXTRA PRE WIRED TO COMMON POINT FOR FINISH BY FIELD ELECTRICIAN. EXCLUDES TANK TOP, SOLENOID	1	EA			
	MISCELLANEOUS EQUIPMENT					
FITTINGS/F	PIPE, FITTINGS & ACCESSORIES	1	EA			
FREIGHT*	FREIGHT IN AND OUT	1	EA			
USDECKITJETATANK	DECAL KIT, JET A TANK	1	EA			
CONSUMABLES	WELDING RODS,GAS,GR DISK, MISC	1	EA			
PAINTING	PAINTING OF SKID	1	EA			

Credit card payments are subject to 3% service fee.

ACCEPTED FOR PURCHASE

Signature: _____ Date: _____

TERMS AND CONDITIONS SET FORTH OR NOTED ON ATTACHMENT SHALL EXCLUSIVELY GOVERN THIS SALE



Portland, OR
(503) 282-2587

Seattle, WA
(206) 763-7867

Pasco, WA
(509) 543-2018

Spokane, WA
(509) 255-7809

Anchorage, AK
(907) 561-1119

QUOTE

Since 1960

www.mascottec.com

Number	069367
Date	12/20/2021
Page	8

Ship-to: SAME
CITY OF GLENWOOD SPRINGS
101 W. 8TH STREET
12K BULK WITH RETAIL JET A 200 GPM
GLENWOOD SPRINGS, CO 81601

Bill-to: NEW
CITY OF GLENWOOD SPRINGS
101 W. 8TH STREET
12K BULK WITH RETAIL JET A 200 GPM
GLENWOOD SPRINGS, CO 81601

Reference #	Slsp	Terms	Whse	Freight	Ship Via
12K JET A BULK WITH RETAIL	F/J	CASH SALE	01		WILL CALL
Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
AST6'X10'SKID INSTALLATION X TEST	SKID, 6'X10' W/2" CONTAIN. LIP LABOR TO FABRICATE/ASSEMBLE X TEST * NOTE, SPEC ASKS THAT START UP AND TRAINING BE PROVIDED AS AN ADDER OR ALTERNATE. TO ADD MASCOTT START UP AND TRAINING (RECCOMENDED) PLEASE ADD 3,000 TO BOTTOM TOTAL. IF DECLINED, CLIENT RESPONSIBLE FOR FINAL TIGHTNESS TESTS AFTER SHIPPING *****DISPENSING EQUIPMENT***** *****DUCK BILL OVERWING***	1 1 1	EA EA EA			
LCM7C2	METER, 2" W/MECH REGISTER	1	EA			
LCA2247	FLANGE ASSY, M5 & M7, SST, TEF	2	EA			
LC42695	PULSER, 100:1 FACTORY MOUNTED	1	EA			
OPW295SAJ-0200	NOZZLE, 1-1/2" JET FUEL	1	EA			
HAHN-VEPJ-22-30-31	REEL, 1-1/2"X100' 115V EXP PRO	1	EA			
HAHGR100-100	STATIC REEL, 100' SST ORANGE	1	EA			
HAHN-HS45-1-1/4"	BALL STOP, AV HOSE OD 1.78"	1	EA			
MR346FDI-0300AV	VALVE, EXT. EMERGENCY 3" FLNGD	1	EA			
JO600-104	BALL VALVE, 3/4" FLG SS 150#	1	EA			
JO500-305	BALL VALVE, SS, 1" THD 3 PIECE	1	EA			
JO600-110	BALL VALVE, 3" FLG SS 150#	2	EA			
FA-EF8210G035VH	VALVE, 3/4" ASCO SOLENOID N.O.	1	EA			

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Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
HHCP200900HABA	HOSE ASSY, 1-1/4" X 75' MXM	1	EA			
HMFMS12X1.5	FLEX CONNECT, 1.5" X12" MXMS	1	EA			
JO601-627	BALL VALVE, 1.5" SOCKET WLD SS	1	EA			
OCV115G002-0201282P	VALVE, SOL 2"FLG SS TRIM VITON	1	EA			
	BULK TO TRUCK**					
LCM15C2	METER, 3" W/MECH REGISTER	1	EA			
HHCP320180HABA	HOSE ASSY, 2"X15' AVIATION MXM	1	EA			
HMFMS18X2	FLEX CONNECT, 2" X 18" MXMS	1	EA			
JO600-108	BALL VALVE, 2" FLG SS 150#	1	EA			
OES3630-0201	SWIVEL, 2" ALUM./90^ STYLE 30	1	EA			
WHIF116VX7D	NOZ, UDW, W/F582DE 2"NPT SWVL	1	EA			
WHIF595A	HOSE END CONTROL, WHITTAKER	1	EA			
	*****CARDLOCK SYSTEM*****					
	* CLIENT ALREADY OWNS					
	*****TRUCK MONITORING*****					
SG07903	MONITOR, TRUCK COMPARTMENT	1	EA			
SG08674	PLUG, BLUE OPTIC WITH J BOX	1	EA			
SG08749	GROUND MONITOR, W/DEADMAN	1	EA			
	* TO ADD ALTERNATE, SUMP FUEL RECOVERY, PLEASE ADD 6,232 TO BOTTOM TOTAL. THAT WOULD INCLUDE SUMP					

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Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
	HEATER AND JACKETED TANK AS ASKED FOR IN SPEC. * IMPORTANT NOTE, THIS RECLAIM IS JACKETED TO ALLOW FOR HEATER AS PER SPEC. ***** *****NOTES***** ***** * TAX NOT INCLUDED IN BOTTOM TOTAL. * MASCOTT CAN ASSIST WITH ANY QUESTIONS SITE ELECTRIC MAY HAVE.ANY AND ALL SITE WIRE OR CONNECTION OF SITE WIRE TO MASCOTT PROVIDED COMMON POINT IS BY OTHERS. * CAD DRAWINGS WILL BE ISSUED TO CLIENT FOR USE WITH PERMITS * CLIENT RESPONSIBLE FOR CRANE TO OFFLOAD TANK, FORKLIFT TO OFFLOAD FUEL SKID AND EQUIP. AND MANPOWER TO SET. * BALLARDS CONCRETE AND SITE					

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Item	Description	Ordered	UM	Price	UM	Extension
	WORK BY OTHERS * PERMITS, FIRE, CITY, AND PORT ARE BY OTHERS * SITE ELECTRICAL IS BY OTHERS * CLIENT TO PROVIDE GENERAL CONTRACTOR FOR SITE WORK AND IMPROVEMENTS * MASCOTT WILL BE PRESENT FOR START UP AND TRAINING IF ADDER ALTERNATE FOR THAT SERVICE IS SELECTED IN PRICING ABOVE. * CONCRETE/SLAB, TANK FOOTINGS BY OTHERS * THIS SYSTEM IS SET UP FOR BULK /OFFLOAD, AND OWN USE. DISPENSE. * ALL SITE WIRING BY OTHERS. * ANY AND ALL REQUIRED OR DESIRED ENGINEERING IS BY OTHERS.					

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Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
	* ANCHORING, ENGINEERING FOR ANCHORING, IS BY OTHERS. * NO FIRE EXTINGUISHERS, SPILL KITS, PLAQUARDS, INCL. * AREA LIGHTING IS BY OTHERS. * SOAK TEST IF REQ. BY OTHERS. * CLIENT TO PAY FREIGHT CARRIER DIRECTLY. * UNIT QUOTED FOB MASCOTT ***** ONE HALF DEPOSIT DUE AT TIME ORDER IS PLACED, FINAL PAYMENT DUE PRIOR TO SHIPMENT OF PRODUCT AS HAS BEEN OUTLINED HEREIN. *****					

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Signature: _____ Date: _____

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ITEM	DESCRIPTION	ORDERED	UM	PRICE	UM	Extension
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- 1.) EXCLUSIONS: (Unless Noted) Site Improvements & Inspection Plans, Permits, Installation, Misc. Pipe Fitting/Accessories Electrical, Sales Tax and any item(s) not specifically listed above.
- 2.) PCI(Payment Card Industry) & EMV(Euro. Mastercard,Visa) COMPLIANCE DISCLAIMER: it is solely the Customer's responsibility to verify PCI compliance and Network Processing compliance with their Merchant Provider. Mascott will not be liable for direct, special or consequential damages, business interruption or loss of profits, sustained by Customer or any party claiming by, through or under the Customer.
- 3.) PERFORMANCE: Mascott or employees are not licensed engineers. Performance of equipment is based on accuracy of information provided by Owner or their Representatives. Guaranteed performance requires certification by a licensed engineer.
- 4.) EQUIPMENT ONLY: Subject to Owner's or Engineer's approval. Quotation limited to equipment/quantities listed. Owner or Installing contractor are responsible to determine actual quantities of pipe, fittings & accessories.
- 5.) STARTUP & WARRANTY: Where req'd warranty certification by Authorized Service Rep. (ASR) of equipment startup. Basic training is offered on a time & materials basis @ \$125- hour/\$1.17 a mile unless otherwise listed. Mascott's responsibility is limited to factory's published warranty. Owner is responsible for excessive travel charges less manufacturer (If Any) credits.
- 6.) ON-SITE MAINTENANCE OFFER: (MASCOTT FABRICATED PRODUCT ONLY) Add additional 4% to your quotation total or a minimum of \$3,000 charge plus applicable State sales tax. An optional equipment service agreement may be offered for a period of 13 months from date of delivery of a Mascott fabricated Fueling Platform. Mascott reserves the right to offer, reject, or adjust pricing on Maintenance Agreements based on jobsite location or specialty equipment that may be installed. Maintenance Agreements are offered solely to customers purchasing Mascott fabricated refueling platforms in conjunction with & not intended to supercede the OEM printed warranties & specified maintenance guidelines. Deviation from manufacturer's equipment maintenance guidelines will void OEM warranties. Mascott will provide labor & basic miscellaneous materials needed at customer's jobsite location of original shipment to repair or replace at our discretion defective parts, workmanship or OEM equipment installed on quoted fuel platform. Maintenance agreement offered is exclusively limited to the quoted fueling platform above, fabricated by Mascott and OEM equipment installed. Travel expenses & accommodations (if any) are considered additional charges and billed to the customer at the rate incurred by Mascott.
- 7.) FREIGHT SHIPMENTS: Freight shipments are fob point of origin unless otherwise listed. Owner or Owner's contractors are responsible for offloading unless otherwise listed. Excessive standby time by carrier due to offloading may result in additional charges. All freight shipments are to be inspected on receipt for visible damage and noted on Bill of Lading. Crated & boxed freight must be opened & contents inspected with 24 hours of receipt for hidden damage. Owner is responsible to report damage directly to carrier immediately. Failure to contact carrier within specified timelines may result in rejection of claim.
- 8.) LEAD TIME: Mascott can not guarantee factory quoted lead time. Special order equipment requires approval of submittal drawings prior to production. Lead times quoted commence upon receipt of drawings & required deposits.
- 9.) DEPOSITS: 50% Deposit required at time of submittal. Order will not be executed prior to receipt of deposit.
- 10.) FUEL SURCHARGES: Many manufacturers now add fuel surcharges to cover the high cost of fuel in shipping. Customer responsible for surcharges.
- 11.) FACTORY PRICE INCREASES: Unscheduled factory price increases will apply at time of order. Please confirm ALL pricing with your sales person prior to acceptance.
- 12.) *SPECIAL ORDER EQUIPMENT & SERVICE CANNOT BE RETURNED FOR CREDIT OR CANCELLED ONCE ENTERED INTO MANUFACTURER'S PRODUCTION SCHEDULE.
- 13.) Oregon CAT tax may apply. rev3/26/2021

Thank you for your business.	Merchandise	Misc	Tax	Freight	Total
	215281.32	.00	.00	.00	215281.32

FOB FACTORY UNLESS SPECIFIED

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ACCEPTED FOR PURCHASE

Signature: _____ **Date:** _____

TERMS AND CONDITIONS SET FORTH OR NOTED ON ATTACHMENT SHALL EXCLUSIVELY GOVERN THIS SALE

TERMS AND CONDITIONS

1. **ACCEPTANCE OF CONTRACT:** Buyer acknowledges that all quotations, orders and agreements made between Buyer and Mascott Equipment Co., Inc.'s (herein Mascott) agent shall be considered an offer by Buyer, which said offer shall be subject to acceptance and approval by an officer of Mascott at Mascott's Portland office, subject to credit approval. The parties agree that the terms and conditions of this document shall control and shall constitute the parties' agreement, and any terms and conditions on Buyers purchase order, invoice or other document will have no effect.
2. **PRICE:** Buyer agrees that the purchase price shall be the fair market value of the equipment and/or machinery (hereinafter equipment or goods) on the date of delivery. Therefore, Buyer agrees that Mascott has the right to adjust the balance due at delivery to reflect any fluctuation in market prices for materials and/or labor occurring between the date of this agreement and the delivery date. Mascott may require a payment equal to fifty percent (50%) of the purchase price to be paid at the time this order is placed. Buyer will be charged a restocking fee equal to twenty-five percent (25%) of the purchase price for returned goods. Any additional restocking fees assessed by the manufacturer for returned goods will also be paid by Buyer. When excavating for the installation of underground tanks or equipment, any unusual underground condition which prevents normal excavation and adds significantly to the cost, will be considered as extra, and will be charged for on a time and material basis. This may include excess water, rock greater than 12 inches in diameter, unstable soil, trash, old piping, etc.
3. **PAYMENT TERMS:** Buyer agrees to pay all invoices when due, which is the essence of all orders or contracts. If Buyer fails to make timely payment, Mascott may, at its sole option: (a) defer further shipments until Buyer makes such payments; or (b) elect to cancel all unfilled orders and contract. Buyer agrees that Mascott may withhold or delay deliveries if Buyer fails to maintain a satisfactory credit history with Mascott or fails to provide satisfactory security to Mascott for payment. IF, UPON MASCOTT'S NOTIFICATION TO BUYER THAT GOODS AND EQUIPMENT ARE READY TO SHIP, AND BUYER DELAYS SHIPMENT FOR MORE THAN THIRTY (30) DAYS FROM THE DATE OF SUCH NOTIFICATION, A CHARGE OF ONE PERCENT (1%) PER MONTH SHALL BE APPLIED TO THE TOTAL BALANCE DUE ON THIS ORDER.
4. **TAXES:** In addition to the Price set forth above, Buyer will pay, or reimburse Mascott upon demand if Mascott pays, all sales, use, excise, occupation, duty or other tax or taxes levied, assessed or imposed by any taxing authority, whether the United States, a State, or a political subdivision of either.
5. **PERMITS:** Buyer shall, at its expense, obtain all necessary public, inspection, license, building, and other permits and shall be responsible for compliance with all applicable laws, ordinances and government regulations regarding the installation and operation of the equipment on Buyer's premises.
6. **CHARACTER OF EQUIPMENT:** The parties intend that the equipment shall, at all times, be considered personal property and not as fixture(s), notwithstanding of the manner in which the equipment may be installed or connected to Buyer's real estate.
7. **SECURITY AGREEMENT:** Buyer hereby grants Mascott a security interest in all of Buyer's right, title and interest, now owned or hereafter acquired, in and to the equipment described above and any portion of such equipment, including any other after acquired, substituted or replacement parts, materials, and equipment, to secure the timely performance and payments of the underlying obligation herein and all indebtedness and obligations of Buyer to Mascott presently existing or hereinafter arising, direct or indirect, and interest thereon. Buyer will not, without the written consent of Mascott, sell, contract to sell, lease, encumber, assign, transfer from its place of installation or otherwise dispose of equipment or any interest therein until this security agreement and all debts secured thereby have been fully satisfied. At the request of Mascott, Buyer will join in executing, or will execute, as appropriate, all necessary financing statements and all other instruments deemed necessary by Mascott and by the cost of filing such documents. Buyer shall not delegate performance nor assign any rights or obligation hereunder.
8. **RISK OF LOSS:** This agreement is a shipment contract FOB Mascott's place of business or FOB manufacturer's facility. The risk of loss, injury, or destruction of the equipment or any part thereof passes to the Buyer upon due delivery of the equipment to the carrier. The Buyer shall pay the freight and insurance costs. Any such loss, injury, or destruction shall not release Buyer from any obligations under this agreement, including the payment of the full purchase price and shall, at Mascott's option, accelerate the maturity of the unpaid balance of the purchase price to the date of such event.
9. **DELIVERY:** Buyer acknowledges that Mascott may change delivery dates without notice. Mascott shall not be liable for any loss, damage, or delay due to transportation or caused by fire, strike, civil or military authority, insurrection, a riot or any causes beyond Mascott's reasonable control.
10. **INSPECTION AND ACCEPTANCE:** BUYER SHALL INSPECT THE EQUIPMENT WITHIN TEN (10) DAYS AFTER THE DATE OF DELIVERY. A rejection of the goods by Buyer shall not be effective unless it is made and written notice thereof is given within fifteen (15) days after the date of delivery specifying any claim, defect, or any other proper objection to the equipment. Buyer shall thereafter be deemed conclusively to have accepted the equipment as satisfactory. Buyer must send the defective part(s) to Mascott at Portland, Oregon, within ninety (90) days from the date of purchase and tag all defective part(s) showing date and all information necessary to support a claim. A revocation of acceptance shall not be effective unless written notice of the revocation is given within ten (10) days after Buyer has discovered the defect in the goods, or twenty (20) days after acceptance of Buyer, whichever occurs first.
11. **MERGER:** This agreement signed by both parties constitutes a final written expression of all the terms of this agreement and is a complete and exclusive statement of those terms and shall not be modified, controlled, or effected in any way by any usage of trade or subject to any course of dealings or performance between the parties. All agreements entered into prior to or contemporaneously with the execution of this agreement are excluded, whether oral or written. Any and all representations, promises, express or implied warranties or statements by Mascott's agent that differs in any way from the terms of this written agreement shall be given no force or effect.
12. **WAIVER:** Mascott shall not, by any act, delay, omission, or otherwise be deemed to have waived any of its rights or remedies under this agreement. No waiver whatever shall be valid unless in writing signed by Mascott, and then only to the extent under the terms set forth therein.
13. **SEVERABILITY:** This agreement is divisible. If any provision of this agreement is declared invalid by any tribunal, the remaining provision of this agreement shall not be affected thereby.
14. **JURISDICTION:** This agreement shall be construed and governed in all matters by the law of the State of Oregon. The parties consent to the exclusive jurisdiction of and venue in Multnomah County, Oregon with respect to any and all claims or controversies arising out of or related to this order, and consent to service of process outside the State of Oregon in any action hereunder by registered mail or personal service. The prevailing party in any action commenced hereunder shall be entitled to a reasonable sum as attorney fees, together with all costs. An action brought for a breach of this agreement shall be commenced within one (1) year after the cause of action has accrued.
15. **DEFAULT:** All times specified in this agreement for the performance of the obligations of the parties shall be deemed of the essence. If the Buyer fails to pay, when due, any amount payable on this agreement or on any other indebtedness of Buyer secured hereby, or shall fail to perform any of the provisions of agreement, Buyer shall be in default.
16. **MASCOTT'S REMEDIES:** On any default, and at any time thereafter, Mascott may, at Mascott's option, pursue any rights and remedies provided by this agreement and the Oregon Uniform Commercial Code, including but not limited to: repossess the machines and equipment from Buyer's premises; dispose of the equipment pursuant to a public or private sale; or forfeit the Buyer's rights and retain all sums paid heretofore by Buyer to Mascott in lieu of resale and in satisfaction of Buyer's obligations. Mascott shall be entitled to compensation for all incidental damages, including but not limited to all commercially reasonable charges, expenses, or commissions incurred in stopping delivery under the Code, in the transportation, care and custody of goods after a breach by Buyer and in connection with the return or resale of goods, or any other damages resulting from a breach by Buyer. Mascott's remedies and rights are cumulative and the exercise of one right or remedy does not exclude any other rights or remedies conferred on Mascott by law.
17. **LIQUIDATED DAMAGES:** The parties agree that Mascott shall be entitled to retain all deposits made by Buyer, as liquidated damages, if Buyer shall breach or fail to consummate this sale. The parties agree that liquidated damages are needed because of the difficulty in determining Mascott's damages upon Buyer's breach. Mascott's capital investment in making the equipment and the numerous jurisdictions in which Mascott sells equipment. At its sole option, Mascott may elect the remedies provided in Paragraph 16 instead of liquidated damages.
18. **LIMITATION ON MASCOTT'S LIABILITY:** MASCOTT SHALL NOT BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGE INCLUDING, BUT NOT LIMITED TO, LOSS OF BUSINESS OR TIME, INTERRUPTION OR LOSS OF EQUIPMENT, OR LABOR IN REPAIRING, SUSTAINED BY BUYER BY REASON OF ANY DEFECT IN THE GOODS, OR ANY PART THEREOF, DELAY IN THE DELIVERY OF THE GOODS, OR BREACH OF WARRANTY, EXCEPT TO THE EXTENT OF REPAIR OR REPLACEMENT AS PROVIDED IN PARAGRAPHS 19 AND 20.
19. **EXCLUSIVE REMEDY OF THE BUYER:** THE PARTIES AGREE THAT BUYER'S SOLE AND EXCLUSIVE REMEDY FOR ANY DEFECTIVE GOODS IS TO REQUIRE MASCOTT TO DELIVER TO A CARRIER, PROPERLY CONSIGNED TO BUYER, A SUITABLE PART TO REMEDY THE DEFECT. THE REPLACEMENT OF THE DEFECTIVE PART IS THE LIMIT OF THE LIABILITY OF MASCOTT. THE SOLE PURPOSE OF THIS STIPULATED AND EXCLUSIVE REMEDY IS FOR MASCOTT TO REPAIR, AND OR REPLACE, DEFECTIVE PARTS IN THE MANNER HEREIN PROVIDED. THIS EXCLUSIVE REMEDY SHALL NOT BE DEEMED TO HAVE FAILED ON ITS ESSENTIAL PURPOSE SO LONG AS MASCOTT IS WILLING AND ABLE TO REPAIR OR REPLACE DEFECTIVE PARTS IN THE PRESCRIBED MANNER.
20. **MANUFACTURERS' WARRANTIES:** SOME OF THE GOODS AND EQUIPMENT SOLD BY MASCOTT MAY BE COVERED BY MANUFACTURERS' WARRANTIES. IN SUCH CASES, ALL MANUFACTURERS' WARRANTIES SHALL BE PASSED TO BUYER FOR BUYER'S BENEFIT.
21. **WAIVER OF EXPRESS WARRANTIES:** EXCEPT AS PROVIDED IN PARAGRAPH 20, MASCOTT GIVES NO EXPRESS WARRANTIES AS TO THE DESCRIPTION, QUALITY, MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, PRODUCTIVENESS, OR ANY OTHER MATTER, OF ANY GOODS SUPPLIED BY MASCOTT. MASCOTT IS IN NO WAY RESPONSIBLE FOR THE PROPER USE AND OR SERVICE OF SUCH GOODS. EXCEPT AS PROVIDED HEREIN WITH REGARD TO INSPECTION AND ACCEPTANCE, BUYER HEREBY WAIVES ALL RIGHTS OF REFUSAL AND RETURN OF SUCH GOODS.
22. **WAIVER OF IMPLIED WARRANTIES:** THIS SALE IS MADE ON THE EXPRESS UNDERSTANDING THAT THERE IS NO IMPLIED WARRANTY THAT THE GOODS SHALL BE MERCHANTABILITY OR AN IMPLIED WARRANTY THAT THE GOODS SHALL BE FIT FOR ANY PARTICULAR PURPOSE. THE BUYER ACKNOWLEDGES THAT BUYER IS NOT RELYING ON MASCOTT'S SKILL OR JUDGMENT TO SELECT OR FURNISH GOODS SUITABLE FOR ANY PARTICULAR PURPOSE, BUYER HAS NOT RELIED ON ANY ORAL OR WRITTEN REPRESENTATIONS, AFFIRMATION OF FACT, DESCRIPTION OF GOODS, OR PRODUCT SAMPLES, EXCEPT THOSE EXPRESSLY STATED WITHIN THIS WRITTEN DOCUMENT, AND THAT THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION OF THE FACT HEREOF.
23. **EXCLUSION OF WARRANTIES:** MASCOTT MAKES NO WARRANTY AS TO TITLE OF GOODS, CLAIMS OF THIRD PARTY ARISING FROM PATENT OR TRADEMARK INFRINGEMENT, OR AS TO THE EXISTENCE OF ANY SECURITY INTEREST, LIEN OR OTHER ENCUMBRANCE ON THE GOODS SOLD TO BUYER AT THE TIME OF THE EXECUTION OF THIS AGREEMENT, AT THE TIME OF DELIVERY OF THE GOODS, OR AT ANY OTHER TIME.
24. **BUYER'S REPRESENTATION:** Buyer recognizes that: (a) the equipment sold to Buyer pursuant to this agreement may be protected by any number of patents and/or trademarks; and (b) part of the consideration for the sale of the equipment is Buyer's representations, therefore, Buyer represents and warrants that Buyer shall not, at any time, alter any equipment furnished by Mascott under this agreement or do anything that will infringe, impeach or lessen the validity of the patents or trademarks under which Mascott's equipment is made or sold.
25. **FACSIMILE S:** Facsimile transmission of any signed original document shall be the same as delivery of an original. At the request of Mascott, Buyer will confirm facsimile transmitted signatures by signing an original document.

Initial: _____

Date: _____



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QUOTE

Since 1960

www.mascottec.com

Number	069370
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Ship-to: SAME
CITY OF GLENWOOD SPRINGS
101 W 8TH STREET
12K AV GAS SELF SERVE ONLY PER SPEC
GLENWOOD SPRINGS, CO 81601

Bill-to: NEW
CITY OF GLENWOOD SPRINGS
101 W 8TH STREET
12K AV GAS SELF SERVE ONLY PER SPEC
GLENWOOD SPRINGS, CO 81601

Reference #	Slsp	Terms	Whse	Freight	Ship Via
12K AV GAS RETAIL ONLY SYSTEM	F/J	CASH SALE	01		WILL CALL
Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
	***** *****COURSE AND SCOPE***** ***** MASCOTT EQUIPMENT COMPANY WILL SUPPLY ONE 12K UL 2085 STORAGE TANK FOR THE STORAGE AND DISPENSE OF AV GAS 100LL MASCOTT WILL ASSEMBLE AND INSTALL ALL COMPONENTS TO MAKE THIS UNIT FUNCTIONAL AS PER CLIENTS REQUESTS AND SPECIFICATIONS. ALL PIPING IS WELDED STAINLESS STEEL BOTH BEFORE AND AFTER FILTER TANK WILL BE TOP FILL. TANK WILL BE OUTFIT WITH OVERFILL PREVENTION DEVICE TO STOP FLOW OF FUEL AT 95% TANK CAPACITY. STAINLESS STEEL PIPING WILL BE WELDED WITH THREE PASS WELD PROCEDURE, UTILIZING 316L FILLER MATERIAL TANK WILL ARRIVE FULLY ASSEMBLED, TURN KEY, MINUS VENTS DUE TO HEIGHT. TANK TOP					

Credit card payments are subject to 3% service fee.

ACCEPTED FOR PURCHASE

Signature: _____ Date: _____

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12K AV GAS RETAIL ONLY SYSTEM	F/J	CASH SALE	01		WILL CALL
Quoted By: CDM	Quoted To: GLENWOOD SPRINGS	Effective: 12/20/2021	Expires: 12/30/2021		

Item	Description	Ordered	UM	Price	UM	Extension
12K UL 2085 AST	ELECTRICAL IS BY OTHERS. UNIT WILL DISPENSE AV GAS AT APPROX 22 GPM INTO AIRCRAFT VIA STANDARD OVERWING NOZZLE. THIS SYSTEM IS SET UP TO RECEIVE BULK FUEL FROM INBOUND TRANSPORT, AND TO DISPENSE FUEL DIRECTLY TO AIRCRAFT. NOT SET UP FOR BULK FUELING OF CLIENTS OWN TRANSPORT FOR DELIVERY ONTO FIELD. SYSTEM UTILIZES INBOUND TRANSPORTS PUMP FOR TANK FILL. *****MATERIALS AND LABOR* *****FUEL STORAGE TANK***** 12K UL 2085 AST UL 2085 , CYLINDER, ABOVE GROUND TANK, EXTERIOR WHITE, INTERIOR COATED W EPOXY ONE MANWAY, FLANGED TANK HAS END LADDER AND STICK TANK FITTED WITH TWO MANWAYS, ONE WITH INTERNAL ENTRY LADDER TANK IS DOUBLE BUTT CONSTRUCT WELDS INTERNAL GROUND SMOOTH FROM BOTTOM CENTER LINE UP	1	EA			

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12K AV GAS RETAIL ONLY SYSTEM	F/J	CASH SALE	01		WILL CALL
Quoted By: CDM	Quoted To: GLENWOOD SPRINGS		Effective: 12/20/2021	Expires: 12/30/2021	

Item	Description	Ordered	UM	Price	UM	Extension
FREIGHT GLENWOOD	BOTH SIDES 24" FROM BOTTOM. TANK EQUIPPED WITH LOW POINT SUMP BELL FOR WATER DRAW REMOVAL. FREIGHT TO GLENWOOD SPRINGS * IMPORTANT NOTE, FREIGHT IS INCLUDED IN BOTTOM TOTAL, CLIENT TO PAY CARRIER DIRECTLY. TAX NOT IN FINAL TOTAL. *****TANK VENTING*****					
OPW623V-3203	VENT, 3" EVR, 3"WCP, 8"WCV	1	EA			
MR244OF-0100AV	VENT, EMERGENCY 8" 8oz. FLANGE	2	EA			
MR244F-0107AN	KIT, NUT/BOLTS 6" & 8" E-VENTS	2	EA			
MR244F-01102G	GASKET, 8" FLANGE E-VENT	2	EA			
	*****STAGE ONE VAPOR*****					
MR323-0300AAEVR	ADAPTRER, 4X3 STAGE 1 EVR	1	EA			
MR323C-0100ACEVR	CAP, VAPOR RECOVERY, CARB EVR	1	EA			
	*****SUMP PUMP*****					
GPI138000-02	HAND PUMP, DP20-UL DIAPHRAGM	1	EA			
JFWBV002E-3/4DEAD	BALL VALVE, 3/4" S.S. SPRING	1	EA			

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Quoted By: CDM	Quoted To: GLENWOOD SPRINGS		Effective: 12/20/2021	Expires: 12/30/2021	

Item	Description	Ordered	UM	Price	UM	Extension
PTC3/4A-1000107	ADAPTER, 3/4"FNPT ALUMINUM	1	EA			
PTC3/4V-1001107	CAP, DUST 3/4" ALUMINUM	1	EA			
MR912-070500AV	VALVE, 3/4" ANTI-SYPHON 0'-5'	1	EA			
	*****TANK GUAGING*****					
MR918-0100AG	ALARM, CLOCK GAUGE, 2" W/FLOAT	1	EA			
MR419-02121T-EVR	DROP TUBE, 2"X12' EVR	1	EA			
MR724-1200AI	LEAK INDICATOR W/GAURD 2"	1	EA			
	*****STICK PORT ASSEMBLY***					
MR178GSP-0100AC	GAUGE PORT, 2"FNPT BRASS ADAPT	1	EA			
MR419-02121T-EVR	DROP TUBE, 2"X12' EVR	1	EA			
FZ-GP16	GAUGE STICK, 168" SCALE	1	EA			
	*****OUTBOUND FILTER****					
FA-VF22SB-PGWP	FILTER VESSEL, VF22 W/WATER	1	EA			
FA-FGO-612-7	ELEMENT, 1 MICRON MONITOR	2	EA			
	*****TANK FILL ASSEMBLY*					
MR9095AA-9300AVEVR	VALVE, OVERFILL 3"FNPT EVR	1	EA			
MR9095ATM-0100AM	TEST MECHANISM, MECHANICAL	1	EA			
PTC30V-1001130	CAP, DUST 3" ALUMINUM	1	EA			
PTCPF30A-60523000	ADAPTER, 3" 150# FLANGED ALUM	1	EA			
JO600-110	BALL VALVE, 3" FLG SS 150#	1	EA			
MR286FDI-4000AS	STRAINER, 3" FLANGED 100 MESH	1	EA			

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Item	Description	Ordered	UM	Price	UM	Extension
MR246DRF-0100AV	VALVE, SWING CHECK 3" FLANGED	1	EA			
MR419-03101T-EVR	DROP TUBE, 3"X10' EVR	1	EA			
MR539AS-0300AD	DIFFUSER, 3" "AST" FILL	1	EA			
	*****DISPENSING EQUIPMENT***					
WYG6201D/27BGJK/W1.	DISPENSER, REMOTE 1PD/1 HOSE	1	EA			
WY-FREIGHT-LP	FREIGHT, WAYNE LOW-PROFILE DIS	1	EA			
WY/ANP	NOZZLE PLATE, AVIATION NOZZLE	1	EA			
OPW10BHMP-5830	VALVE, EMERGENCY 1-1/2"MNPT	1	EA			
MR910-2100AV	VALVE, 2" ANTI-SIPHON 5-10 FT	1	EA			
HAHGR100-100	STATIC REEL, 100' SST ORANGE	1	EA			
AST6'X10'SKID	SKID, 6'X10' W/2" CONTAIN. LIP	1	EA			
HAHN-VEPJ-22-30-31	REEL, 1-1/2"X100' 115V EXP PRO	1	EA			
HHCP161200HABA	HOSE ASSY, 1" X 100' MXM	1	EA			
OPW295SA-0135	NOZZLE, 1" X 1" AIRCRAFT	1	EA			
HMFMS12X1.5	FLEX CONNECT, 1.5" X12" MXMS	1	EA			
HAHN-HS45-1-1/4"	BALL STOP, AV HOSE OD 1.78"	1	EA			
FESTPF-150VL2-7	TURBINE, 1.5HP VARIABLE LENGTH	1	EA			
FESTP-CBS	CONTROL BOX, FIXED SPEED PUMP	1	EA			
	*****FLOATING SUCTION***					
OES764-0063	FLOATING SUCTION ASSY, 2"X10'	1	EA			
TEST CABLE AND CAP	TEST CABLE AND CAP	1	EA			
	* TO ADD ALTERNATE, FLOATING SUCTION IDICATOR, PLEASE ADD 329.00 TO BOTTOM TOTAL.					

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Item	Description	Ordered	UM	Price	UM	Extension
	CHANGES PULL CABLE TO ACTUAL LIVE READ GAUGE.					
	*****MISCELLANEOUS*****					
USDECKIT100LLTANK	DECAL KIT, AVGAS 100LL	1	EA			
CONSUMABLES	WELDING RODS,GAS,GR DISK, MISC	1	EA			
FITTINGS/AST	FITTINGS, PIPE, MISC SUPPLIES	1	EA			
FREIGHT, INBOUND, OU	FREIGHT, INBOUND,	1	EA			
INSTALLATION	LABOR TO FABRICATE/ASSEMBLE	1	EA			
*PAINT	PAINT OF SKID	1	EA			
X TEST	X TEST	1	EA			
	* NOTE, SPEC ASKS THAT START UP AND TRAINING BE QUOTED AS ADDER/ALTERNATE. TO ADD MASCOTT SUPPLIED START UP AND TRAINING TO THIS QUOTE, PLEASE ADD 2,500 TO BOTTOM TOTAL, PRICE ONLY APPLIES IF START UP ON BOTH THIS AV GAS QUOTE, AND JET A QUOTE ARE PERFORMED AT SAME TIME. IF DECLINED, CLIENT IS RESPONSIBLE FOR SITE TIGHTNESS TESTS AFTER SHIPPING.					
	*****ELECTRICAL*****					

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12K AV GAS RETAIL ONLY SYSTEM	F/J	CASH SALE	01		WILL CALL
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Item	Description	Ordered	UM	Price	UM	Extension
ELECTRICAL	PRE WIRED, EXCLUDES TANK TOP * TO ADD ONE 30 GALLON FUEL RECOVERY SYSTEM, WITH HAND PUMP, AND FILTER, PLEASE ADD 4,000 TO BOTTOM TOTAL, INCLUDES VF22 FILTER AND HAND PUMP. ***** *****NOTES***** ***** * PERMITS BY OTHERS. * SPCC PLAN IS BY OTHERS. * MASCOTT WILL BE PRESENT FOR START UP AND TRAINING IF ADDER IS ACCEPTED, HIGHLY RECOMMEND * ANY REQUIRED OR DESIRED ENGINEERING IS BY OTHERS. * ALL SITE WORK IS BY OTHERS. * TAX NOT INCLUDED IN BOTTOM TOTAL.	1	EA			

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Item	Description	Ordered	UM	Price	UM	Extension
	* ANY AND ALL SITE WIRING IS BY OTHERS, CLIENT TO TERMINATE POWER AT MASCOTT PROVIDED COMMON POINT. * TANK TOP WIRING OF 110 SOLENOID AND OR ANY OTHER TANK TOP WIRING BY OTHERS BOTH SYSTEMS. * SPEC ASKS FOR BEST ESTIMATE OF DELIVERY TIME FOR THESE SYSTEMS. CURRENTLY THAT WOULD BE APPROX 20 WEEKS AFTER RECEIPT OF ORDER HOWEVER DUE TO SUPPLY ISSUES THIS MAY INCREASE OR DEACREASE . * FREIGHT IS INCL. IN BOTTOM TOTAL, CLIENT TO PAY CARRIER DIRECTLY. * TAX NOT IN BOTTOM TOTAL. ***** ***ONE HALF DEPOSIT DUE AT TIME ORDER IS PLACED, FINAL					

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Item	Description	Ordered	UM	Price	UM	Extension
	PAYMENT DUE PRIOR TO SHIPPING***** *****					

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ITEM	DESCRIPTION	ORDERED	UM	PRICE	UM	Extension
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- 1.) EXCLUSIONS: (Unless Noted) Site Improvements & Inspection Plans, Permits, Installation, Misc. Pipe Fitting/Accessories Electrical, Sales Tax and any item(s) not specifically listed above.
- 2.) PCI(Payment Card Industry) & EMV(Euro. Mastercard,Visa) COMPLIANCE DISCLAIMER: it is solely the Customer's responsibility to verify PCI compliance and Network Processing compliance with their Merchant Provider. Mascott will not be liable for direct, special or consequential damages, business interruption or loss of profits, sustained by Customer or any party claiming by, through or under the Customer.
- 3.) PERFORMANCE: Mascott or employees are not licensed engineers. Performance of equipment is based on accuracy of information provided by Owner or their Representatives Guaranteed performance require certification by a licensed engineer.
- 4.) EQUIPMENT ONLY: Subject to Owner's or Engineer's approval. Quotation limited to equipment/quantities listed. Owner or Installing contractor are responsible to determine actual quantities of pipe, fittings & accessories.
- 5.) STARTUP & WARRANTY: Where req'd warranty certification by Authorized Service Rep. (ASR) of equipment startup. Basic training is offered on a time & materials basis @ \$125- hour/\$1.17 a mile unless otherwise listed. Mascott's responsibility is limited to factory's published warranty. Owner is responsible for excessive travel charges less manufacturer (If Any) credits.
- 6.) ON-SITE MAINTENANCE OFFER: (MASCOTT FABRICATED PRODUCT ONLY) Add additional 4% to your quotation total or a minimum of \$3,000 charge plus applicable State sales tax. An optional equipment service agreement may be offered for a period of 13 months from date of delivery of a Mascott fabricated Fueling Platform. Mascott reserves the right to offer, reject, or adjust pricing on Maintenance Agreements based on jobsite location or specialty equipment that may be installed. Maintenance Agreements are offered solely to customers purchasing Mascott fabricated refueling platforms in conjunction with & not intended to supercede the OEM printed warranties & specified maintenance guidelines. Deviation from manufacturer's equipment maintenance guidelines will void OEM warranties. Mascott will provide labor & basic miscellaneous materials needed at customer's jobsite location of original shipment to repair or replace at our discretion defective parts, workmanship or OEM equipment installed on quoted fuel platform. Maintenance agreement offered is exclusively limited to the quoted fueling platform above, fabricated by Mascott and OEM equipment installed. Travel expenses & accommodations (if any) are considered additional charges and billed to the customer at the rate incurred by Mascott.
- 7.) FREIGHT SHIPMENTS: Freight shipments are fob point of origin unless otherwise listed Owner or Owner's contractors are responsible for offloading unless otherwise listed. Excessive standby time by carrier due to offloading may result in additional charges. All freight shipments are to be inspected on receipt for visible damage and noted on Bill of Lading. Crated & boxed freight must be opened & contents inspected with 24 hours of receipt for hidden damage. Owner is responsible to report damage directly to carrier immediately. Failure to contact carrier within specified timelines may result in rejection of claim.
- 8.) LEAD TIME: Mascott can not guarantee factory quoted lead time. Special order equipment requires approval of submittal drawings prior to production. Lead times quoted commence upon receipt of drawings & required deposits.
- 9.) DEPOSITS: 50% Deposit required at time of submittal. Order will not be executed prior to receipt of deposit.
- 10.) FUEL SURCHARGES: Many manufacturers now add fuel surcharges to cover the high cost of fuel in shipping. Customer responsible for surcharges.
- 11.) FACTORY PRICE INCREASES: Unscheduled factory price increases will apply at time of order. Please confirm ALL pricing with your sales person prior to acceptance.
- 12.) *SPECIAL ORDER EQUIPMENT & SERVICE CANNOT BE RETURNED FOR CREDIT OR CANCELLED ONCE ENTERED INTO MANUFACTURER'S PRODUCTION SCHEDULE.
- 13.) Oregon CAT tax may apply. rev3/26/2021

Thank you for your business.	Merchandise	Misc	Tax	Freight	Total
	153990.35	.00	.00	.00	153990.35

FOB FACTORY UNLESS SPECIFIED

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ACCEPTED FOR PURCHASE

Signature: _____ **Date:** _____

TERMS AND CONDITIONS SET FORTH OR NOTED ON ATTACHMENT SHALL EXCLUSIVELY GOVERN THIS SALE

TERMS AND CONDITIONS

1. **ACCEPTANCE OF CONTRACT:** Buyer acknowledges that all quotations, orders and agreements made between Buyer and Mascott Equipment Co., Inc.'s (herein Mascott) agent shall be considered an offer by Buyer, which said offer shall be subject to acceptance and approval by an officer of Mascott at Mascott's Portland office, subject to credit approval. The parties agree that the terms and conditions of this document shall control and shall constitute the parties' agreement, and any terms and conditions on Buyers purchase order, invoice or other document will have no effect.
2. **PRICE:** Buyer agrees that the purchase price shall be the fair market value of the equipment and/or machinery (hereinafter equipment or goods) on the date of delivery. Therefore, Buyer agrees that Mascott has the right to adjust the balance due at delivery to reflect any fluctuation in market prices for materials and/or labor occurring between the date of this agreement and the delivery date. Mascott may require a payment equal to fifty percent (50%) of the purchase price to be paid at the time this order is placed. Buyer will be charged a restocking fee equal to twenty-five percent (25%) of the purchase price for returned goods. Any additional restocking fees assessed by the manufacturer for returned goods will also be paid by Buyer. When excavating for the installation of underground tanks or equipment, any unusual underground condition which prevents normal excavation and adds significantly to the cost, will be considered as extra, and will be charged for on a time and material basis. This may include excess water, rock greater than 12 inches in diameter, unstable soil, trash, old piping, etc.
3. **PAYMENT TERMS:** Buyer agrees to pay all invoices when due, which is the essence of all orders or contracts. If Buyer fails to make timely payment, Mascott may, at its sole option: (a) defer further shipments until Buyer makes such payments; or (b) elect to cancel all unfilled orders and contract. Buyer agrees that Mascott may withhold or delay deliveries if Buyer fails to maintain a satisfactory credit history with Mascott or fails to provide satisfactory security to Mascott for payment. IF, UPON MASCOTT'S NOTIFICATION TO BUYER THAT GOODS AND EQUIPMENT ARE READY TO SHIP, AND BUYER DELAYS SHIPMENT FOR MORE THAN THIRTY (30) DAYS FROM THE DATE OF SUCH NOTIFICATION, A CHARGE OF ONE PERCENT (1%) PER MONTH SHALL BE APPLIED TO THE TOTAL BALANCE DUE ON THIS ORDER.
4. **TAXES:** In addition to the Price set forth above, Buyer will pay, or reimburse Mascott upon demand if Mascott pays, all sales, use, excise, occupation, duty or other tax or taxes levied, assessed or imposed by any taxing authority, whether the United States, a State, or a political subdivision of either.
5. **PERMITS:** Buyer shall, at its expense, obtain all necessary public, inspection, license, building, and other permits and shall be responsible for compliance with all applicable laws, ordinances and government regulations regarding the installation and operation of the equipment on Buyer's premises.
6. **CHARACTER OF EQUIPMENT:** The parties intend that the equipment shall, at all times, be considered personal property and not as fixture(s), notwithstanding of the manner in which the equipment may be installed or connected to Buyer's real estate.
7. **SECURITY AGREEMENT:** Buyer hereby grants Mascott a security interest in all of Buyer's right, title and interest, now owned or hereafter acquired, in and to the equipment described above and any portion of such equipment, including any other after acquired, substituted or replacement parts, materials, and equipment, to secure the timely performance and payments of the underlying obligation herein and all indebtedness and obligations of Buyer to Mascott presently existing or hereinafter arising, direct or indirect, and interest thereon. Buyer will not, without the written consent of Mascott, sell, contract to sell, lease, encumber, assign, transfer from its place of installation or otherwise dispose of equipment or any interest therein until this security agreement and all debts secured thereby have been fully satisfied. At the request of Mascott, Buyer will join in executing, or will execute, as appropriate, all necessary financing statements and all other instruments deemed necessary by Mascott and by the cost of filing such documents. Buyer shall not delegate performance nor assign any rights or obligation hereunder.
8. **RISK OF LOSS:** This agreement is a shipment contract FOB Mascott's place of business or FOB manufacturer's facility. The risk of loss, injury, or destruction of the equipment or any part thereof passes to the Buyer upon due delivery of the equipment to the carrier. The Buyer shall pay the freight and insurance costs. Any such loss, injury, or destruction shall not release Buyer from any obligations under this agreement, including the payment of the full purchase price and shall, at Mascott's option, accelerate the maturity of the unpaid balance of the purchase price to the date of such event.
9. **DELIVERY:** Buyer acknowledges that Mascott may change delivery dates without notice. Mascott shall not be liable for any loss, damage, or delay due to transportation or caused by fire, strike, civil or military authority, insurrection, a riot or any causes beyond Mascott's reasonable control.
10. **INSPECTION AND ACCEPTANCE:** BUYER SHALL INSPECT THE EQUIPMENT WITHIN TEN (10) DAYS AFTER THE DATE OF DELIVERY. A rejection of the goods by Buyer shall not be effective unless it is made and written notice thereof is given within fifteen (15) days after the date of delivery specifying any claim, defect, or any other proper objection to the equipment. Buyer shall thereafter be deemed conclusively to have accepted the equipment as satisfactory. Buyer must send the defective part(s) to Mascott at Portland, Oregon, within ninety (90) days from the date of purchase and tag all defective part(s) showing date and all information necessary to support a claim. A revocation of acceptance shall not be effective unless written notice of the revocation is given within ten (10) days after Buyer has discovered the defect in the goods, or twenty (20) days after acceptance of Buyer, whichever occurs first.
11. **MERGER:** This agreement signed by both parties constitutes a final written expression of all the terms of this agreement and is a complete and exclusive statement of those terms and shall not be modified, controlled, or effected in any way by any usage of trade or subject to any course of dealings or performance between the parties. All agreements entered into prior to or contemporaneously with the execution of this agreement are excluded, whether oral or written. Any and all representations, promises, express or implied warranties or statements by Mascott's agent that differs in any way from the terms of this written agreement shall be given no force or effect.
12. **WAIVER:** Mascott shall not, by any act, delay, omission, or otherwise be deemed to have waived any of its rights or remedies under this agreement. No waiver whatever shall be valid unless in writing signed by Mascott, and then only to the extent under the terms set forth therein.
13. **SEVERABILITY:** This agreement is divisible. If any provision of this agreement is declared invalid by any tribunal, the remaining provision of this agreement shall not be affected thereby.
14. **JURISDICTION:** This agreement shall be construed and governed in all matters by the law of the State of Oregon. The parties consent to the exclusive jurisdiction of and venue in Multnomah County, Oregon with respect to any and all claims or controversies arising out of or related to this order, and consent to service of process outside the State of Oregon in any action hereunder by registered mail or personal service. The prevailing party in any action commenced hereunder shall be entitled to a reasonable sum as attorney fees, together with all costs. An action brought for a breach of this agreement shall be commenced within one (1) year after the cause of action has accrued.
15. **DEFAULT:** All times specified in this agreement for the performance of the obligations of the parties shall be deemed of the essence. If the Buyer fails to pay, when due, any amount payable on this agreement or on any other indebtedness of Buyer secured hereby, or shall fail to perform any of the provisions of agreement, Buyer shall be in default.
16. **MASCOTT'S REMEDIES:** On any default, and at any time thereafter, Mascott may, at Mascott's option, pursue any rights and remedies provided by this agreement and the Oregon Uniform Commercial Code, including but not limited to: repossess the machines and equipment from Buyer's premises; dispose of the equipment pursuant to a public or private sale; or forfeit the Buyer's rights and retain all sums paid heretofore by Buyer to Mascott in lieu of resale and in satisfaction of Buyer's obligations. Mascott shall be entitled to compensation for all incidental damages, including but not limited to all commercially reasonable charges, expenses, or commissions incurred in stopping delivery under the Code, in the transportation, care and custody of goods after a breach by Buyer and in connection with the return or resale of goods, or any other damages resulting from a breach by Buyer. Mascott's remedies and rights are cumulative and the exercise of one right or remedy does not exclude any other rights or remedies conferred on Mascott by law.
17. **LIQUIDATED DAMAGES:** The parties agree that Mascott shall be entitled to retain all deposits made by Buyer, as liquidated damages, if Buyer shall breach or fail to consummate this sale. The parties agree that liquidated damages are needed because of the difficulty in determining Mascott's damages upon Buyer's breach. Mascott's capital investment in making the equipment and the numerous jurisdictions in which Mascott sells equipment. At its sole option, Mascott may elect the remedies provided in Paragraph 16 instead of liquidated damages.
18. **LIMITATION ON MASCOTT'S LIABILITY:** MASCOTT SHALL NOT BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGE INCLUDING, BUT NOT LIMITED TO, LOSS OF BUSINESS OR TIME, INTERRUPTION OR LOSS OF EQUIPMENT, OR LABOR IN REPAIRING, SUSTAINED BY BUYER BY REASON OF ANY DEFECT IN THE GOODS, OR ANY PART THEREOF, DELAY IN THE DELIVERY OF THE GOODS, OR BREACH OF WARRANTY, EXCEPT TO THE EXTENT OF REPAIR OR REPLACEMENT AS PROVIDED IN PARAGRAPHS 19 AND 20.
19. **EXCLUSIVE REMEDY OF THE BUYER:** THE PARTIES AGREE THAT BUYER'S SOLE AND EXCLUSIVE REMEDY FOR ANY DEFECTIVE GOODS IS TO REQUIRE MASCOTT TO DELIVER TO A CARRIER, PROPERLY CONSIGNED TO BUYER, A SUITABLE PART TO REMEDY THE DEFECT. THE REPLACEMENT OF THE DEFECTIVE PART IS THE LIMIT OF THE LIABILITY OF MASCOTT. THE SOLE PURPOSE OF THIS STIPULATED AND EXCLUSIVE REMEDY IS FOR MASCOTT TO REPAIR, AND OR REPLACE, DEFECTIVE PARTS IN THE MANNER HEREIN PROVIDED. THIS EXCLUSIVE REMEDY SHALL NOT BE DEEMED TO HAVE FAILED ON ITS ESSENTIAL PURPOSE SO LONG AS MASCOTT IS WILLING AND ABLE TO REPAIR OR REPLACE DEFECTIVE PARTS IN THE PRESCRIBED MANNER.
20. **MANUFACTURERS' WARRANTIES:** SOME OF THE GOODS AND EQUIPMENT SOLD BY MASCOTT MAY BE COVERED BY MANUFACTURERS' WARRANTIES. IN SUCH CASES, ALL MANUFACTURERS' WARRANTIES SHALL BE PASSED TO BUYER FOR BUYER'S BENEFIT.
21. **WAIVER OF EXPRESS WARRANTIES:** EXCEPT AS PROVIDED IN PARAGRAPH 20, MASCOTT GIVES NO EXPRESS WARRANTIES AS TO THE DESCRIPTION, QUALITY, MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, PRODUCTIVENESS, OR ANY OTHER MATTER, OF ANY GOODS SUPPLIED BY MASCOTT. MASCOTT IS IN NO WAY RESPONSIBLE FOR THE PROPER USE AND OR SERVICE OF SUCH GOODS. EXCEPT AS PROVIDED HEREIN WITH REGARD TO INSPECTION AND ACCEPTANCE, BUYER HEREBY WAIVES ALL RIGHTS OF REFUSAL AND RETURN OF SUCH GOODS.
22. **WAIVER OF IMPLIED WARRANTIES:** THIS SALE IS MADE ON THE EXPRESS UNDERSTANDING THAT THERE IS NO IMPLIED WARRANTY THAT THE GOODS SHALL BE MERCHANTABILITY OR AN IMPLIED WARRANTY THAT THE GOODS SHALL BE FIT FOR ANY PARTICULAR PURPOSE. THE BUYER ACKNOWLEDGES THAT BUYER IS NOT RELYING ON MASCOTT'S SKILL OR JUDGMENT TO SELECT OR FURNISH GOODS SUITABLE FOR ANY PARTICULAR PURPOSE, BUYER HAS NOT RELIED ON ANY ORAL OR WRITTEN REPRESENTATIONS, AFFIRMATION OF FACT, DESCRIPTION OF GOODS, OR PRODUCT SAMPLES, EXCEPT THOSE EXPRESSLY STATED WITHIN THIS WRITTEN DOCUMENT, AND THAT THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION OF THE FACT HEREOF.
23. **EXCLUSION OF WARRANTIES:** MASCOTT MAKES NO WARRANTY AS TO TITLE OF GOODS, CLAIMS OF THIRD PARTY ARISING FROM PATENT OR TRADEMARK INFRINGEMENT, OR AS TO THE EXISTENCE OF ANY SECURITY INTEREST, LIEN OR OTHER ENCUMBRANCE ON THE GOODS SOLD TO BUYER AT THE TIME OF THE EXECUTION OF THIS AGREEMENT, AT THE TIME OF DELIVERY OF THE GOODS, OR AT ANY OTHER TIME.
24. **BUYER'S REPRESENTATION:** Buyer recognizes that: (a) the equipment sold to Buyer pursuant to this agreement may be protected by any number of patents and/or trademarks; and (b) part of the consideration for the sale of the equipment is Buyer's representations, therefore, Buyer represents and warrants that Buyer shall not, at any time, alter any equipment furnished by Mascott under this agreement or do anything that will infringe, impeach or lessen the validity of the patents or trademarks under which Mascott's equipment is made or sold.
25. **FACSIMILE S:** Facsimile transmission of any signed original document shall be the same as delivery of an original. At the request of Mascott, Buyer will confirm facsimile transmitted signatures by signing an original document.

Initial: _____

Date: _____



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: January 6, 2022 Council Minutes

Action Requested: January 6, 2021 City Council Minutes

Department: City Clerk

Strategic Goals: Provide Efficient and Responsive City Government

Background Info:

Issues:

Staff Recommendation:



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JANUARY 6, 2022
VIRTUAL MEETING ONLY
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 in agenda items indicate approximately where the item can be found on the YouTube video timeline.

REGULAR SESSION

:02 Roll Call

Present: Mayor Godes, Mayor Pro-Tem Willman, Councilor Wussow, Councilor Kaup, Councilor Davis, Councilor Stepp, and Councilor Hershey. Also present were Debra Figueroa, City Manager; Steve Boyd, Chief Operating Office, Jenn Ooton, Asst. City Manager, Ryan Muse, City Clerk, Matt Langhorst, Director of Public Works, Yvette Gustad, Finance Director, Brian Smith, Parks and Recreation Director, and Karl Hanlon, City Attorney.

:03 Pledge of Allegiance

Mayor Godes led the Pledge.

:03 Agenda Changes and Conflicts

No agenda changes or conflicts.

:03 Citizens Appearing Before Council

No citizen comments were made.

:04 Council Comments

Comments were made by Councilor Stepp, Councilor Wussow, Mayor Pro-Tem Willman, and Councilor Kaup.

:14 Councilor Stepp moved, seconded by Mayor Godes, to approve interviewing boards and commission members before the January 27th, 2022 Special Meeting.

Motion passed unanimously.

:14 Councilor Stepp moved, seconded by Mayor Godes, to approve the appointment of boards and commission members before the January 27th, 2022 Special Meeting.

Ayes: Hershey, Davis, Stepp, Wussow, Willman

Nays: Godes, Kaup

Motion passes 5-2.

Comments were made by Mayor Pro-Tem Willman, City Attorney Karl Hanlon, Mayor Godes, Councilor Wussow, and Councilor Kaup.

:23 Councilor Kaup moved, seconded by Councilor Wussow, to give direction to the Parks and Rec Commission and staff to look at an approach for planning, funding, and updating the City's trail system, including hiking and biking, and involve a public process for feedback, then bring that recommendation back to Council.

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

Nays: Hershey

Motion passes 6-1.

Comments were made by Councilor Davis, Councilor Stepp, Mayor Godes, Councilor Wussow, Councilor Kaup, and Councilor Hershey.

:30 Mayor Godes moved, seconded by Councilor Kaup, to continue to have morning work sessions on the first meeting of the month that are scheduled from 8:30am until 10:30am.

Comments were made by Councilor Hershey.

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

Nays: Hershey

Motion passes 6-1.

Comments were made by Mayor Godes, Councilor Wussow, and City Manager Debra Figueroa.

:36 Proclamation for the Lion's Club's 100-year Anniversary

Mayor Godes read the proclamation. Lion's Club Member Dave Merritt commented.

:39 Motion for Consent

:39 Councilor Hershey moved, seconded by Mayor Godes, to approve the consent agenda.

Motion passed unanimously.

:39 Planning File 60-20 – Consideration of a Major Site/Architectural Plan Review Application for the Construction of 300-Unit Multi-Family Development in 14 Separate Buildings in Glenwood Meadows.

City Attorney Karl Hanlon presented. Comments were made by Councilor Davis.

:43 Councilor Davis moved, seconded by Councilor Hershey, to approve Planning File 60-20 – Consideration of a Major Site/Architectural Plan Review Application for the Construction of 300-Unit Multi-Family Development in 14 Separate Buildings in Glenwood Meadows.

Ayes: Davis, Hershey, Kaup, Wussow

Nays: Stepp, Willman, Godes

Motion passed 4-3.

:44 Ordinance 2021-01; Amending Municipal Code Section 020 Council Voting Code Revision.

City Attorney Karl Hanlon presented.

:48 Mayor Godes opened public comment.

No public comments were taken.

:48 Mayor Godes closed public comment.

:48 Mayor Pro-Tem Willman moved, seconded by Councilor Kaup, to approve Ordinance 2021-01; Amending Municipal Code Section 020 Council Voting Code Revision.

Comments were made by Mayor Pro-Tem Willman.

Motion passed unanimously.

:50 Annexation Petition

City Attorney Karl Hanlon presented. Comments were made by Councilor Hershey and Councilor Stepp.

:53 Councilor Hershey moved, seconded by Councilor Kaup, to repeal Ordinance 2021-08.

Ayes: Hershey, Wussow, Stepp

Nays: Godes, Davis, Kaup, Willman

Motion Failed 4-3.

Comments were made by Karl Hanlon.

:54 Councilor Kaup moved, seconded by Councilor Hershey, to adopt Resolution 2022-02; Set Referendum for the May 3rd election.

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

Nays: Willman

Motion passed 6-1.

:55 Ordinance 2022-02; Campaign Finance

City Attorney Karl Hanlon presented. Comments were made by Councilor Stepp, Councilor Kaup, Mayor Godes, Mayor Pro-Tem Willman, Councilor Hershey, Councilor Wussow, and Councilor Davis.

1:06 Mayor Godes opened public comment.

No public comments were taken.

1:07 Mayor Godes closed public comment.

Comments were made by Mayor Godes.

1:07 Councilor Stepp moved, seconded by Councilor Kaup, to approve Ordinance 2022-02; Campaign Finance, with a \$400 contribution limit per person, per campaign or issue.

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

Nays: Davis

Motion passed 6-1.

1:08 Paid Parking Decision to Move Forward with Pricing

City Engineer Terri Partch presented.

Comments were made by Councilor Willman, City Manager Debra Figueroa, Councilor Stepp, Councilor Wussow, and Councilor Davis.

1:28 Councilor Davis moved, seconded by Councilor Wussow, to enforce parking measures currently in place, to increase the fines to some extent maybe done by automation, and to put in place parking fees for the three lots.

1:29 Mayor Godes opened for public comment.

Public comment was taken.

1:54 Mayor Godes closed public comment.

Comments were made by Councilor Kaup, City Engineer Terri Partch, Councilor Stepp, City Manager Debra Figueroa, Councilor Hershey, Mayor Pro-Tem Willman, Councilor Davis, Mayor Godes, and Councilor Wussow.

2:29 Councilor Davis withdrew motion.

2:29 Councilor Kaup moved, seconded by Councilor Davis, to give staff direction to pursue option one and also pursue exploring option two of paid parking, including some of the suggestions from the Transportation Commission, with the intent of proceeding carefully, and having a good public process, so that it is done well as we move forward.

Comments were made by Councilor Wussow, Mayor Godes, Councilor Stepp, City Engineer Terri Partch, and Councilor Davis.

2:34 Motion Amended by Councilor Kaup, seconded by Councilor Davis, to give staff direction to pursue option one and also pursue exploring option two of paid parking, including some of the suggestions from the Transportation Commission, with the intent of proceeding carefully, having a good public process, so that this is done well as we move forward, and to ask FAB,

Chamber of Commerce, DDA and the Transport Commission to make a recommendation, for or against, to help inform this conversation.

Ayes: Kaup, Godes, Willman, Davis, Stepp

Nays: Hershey, Wussow

Motion passed 5-2.

Comments were made by Mayor Godes and City Manager Debra Figueroa.

2:36 Recess

2:42 Franchise Management Cleanup

Director of Public Works Matt Langhorst presented.

2:49 Councilor Davis moved, seconded by Mayor Godes, accept Matt Langhorst's proposal outlined in his presentation.

Comments were made by Mayor Pro-Tem Willman, Director of Public Works Matt Langhorst, and Councilor Stepp.

2:55 Mayor Godes opened for public comment.

Public comment was taken.

2:56 Mayor Godes closed public comment.

Comments were made by Mayor Godes, Director of Public Works Matt Langhorst, and Councilor Kaup.

Motion passed unanimously.

3:01 Councilor Hershey moved, seconded by Councilor Davis, to table item 23, Code of Conduct, until the January 20th meeting.

Ayes: Wussow, Davis, Hershey

Nays: Godes, Kaup, Willman, Stepp

Motion Failed 4-3.

3:02 Code of Conduct

Mayor Pro-Tem Willman presented.

3:04 Motion by Mayor Pro-Tem Willman, seconded by Councilor Davis, to approve the Code of Conduct and Rules of Procedure.

Comments were made by Councilor Stepp, Mayor Pro-Tem Willman, and City Attorney Karl Hanlon.

3:08 Motion Amended by Mayor Pro-Tem Willman, seconded by Councilor Davis, to approve the Code of Conduct and Rules of Procedure but remove last sentence of 1.B.5, Rules of Procedure.

Comments were made by Mayor Godes, Mayor Pro-Tem Willman, and City Attorney Karl Hanlon.

3:14 Motion Amended by Mayor Pro-Tem Willman, seconded by Councilor Davis, to approve the Code of Conduct and Rules of Procedure but remove last sentence of 1.B.5, Rules of Procedure, and the wording City Council in the title of the Code of Conduct.

Comments were made by Councilor Wussow, City Attorney Karl Hanlon and Mayor Pro-Tem Willman.

Ayes: Willman, Kaup, Stepp, Wussow, Hershey

Nays: Godes, Davis

Motion passed 5-2

3:16 Report from City Administration

City Manager

Comments were made by City Manager Debra Figueroa, Councilor Kaup, Mayor Godes, Mayor Pro-Tem Willman, and Councilor Stepp.

3:19 Motion by Mayor Godes, seconded by Councilor Stepp, to give a half hour work session with the City Manager and Public Information Officer, to help determine an appropriate listening session in mid-February.

Comments were made by Mayor Pro-Tem Willman.

3:19 Motion Amended by Mayor Godes, seconded by Councilor Stepp, to give an aspirational half hour work session with the City Manager and Public Information Officer, to help determine an appropriate listening session in mid-February.

Motion passed unanimously.

Comments were made by Councilor Stepp, City Manager Debra Figueroa, Councilor Hershey, City Attorney Karl Hanlon, and Councilor Kaup.

City Attorney

No reports from City Attorney Karl Hanlon.

Correspondence Incoming/Outgoing

No correspondence.

3:22 Adjournment

3:22 Councilor Stepp moved, seconded by Mayor Godes, to adjourn.

Motion passed unanimously.



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item:	Approval to Procure a New Bomag Trash Compactor for the South Canyon Landfill
Action Requested:	Approval to Procure a New Bomag Landfill Trash Computer in the 2022 Budget.
Department:	Public Works
Strategic Goals:	Preserve and Improve Infrastructure
Background Info:	The City of Glenwood Springs took operations of the South Canyon Landfill back in house March of 2019. At that time, a used Bomag trash compactor was purchased from the existing operator of the landfill for \$275,000 with 5,100 hours on the machine. Each year the landfill schedule adds an additional 2,000 + hours to the "mileage" of the machine. It was understood at the time of purchase that staff may only get 3-4 years of use out of the machine prior to needing to replace it which is why a \$160,000 line item was added to the 2022 budget for Compactor Replacement Savings Fund. After looking at the \$60,000 plus maintenance expense on the existing machine in 2021 and the lost days of operation of the machine while it is waiting to be repaired, staff is recommending that the existing machine be replaced in 2022. If the compactor is not running, staff has to compact the daily trash with the bulldozer so that it can be covered each night as required by permit. The bulldozer does not compact the trash to the same level as a 41 ton machine designed to compact trash, so we lose a bit of airspace each day the machine is not running. The landfill would finance the machine purchase over approximately a 6 year period, costing around \$158,000 a year with warranty, maintenance and finance charges included. Total cost to replace the compactor comes in around \$950,000. In 2022 staff would trade in the existing machine for \$65,000 or sell it outright depending on final financing terms, and use that money and a portion of the \$160,000 Replacement Fund budget to pay for the purchase in 2022. Staff would then allocate appropriate funds in 2023-2027 to pay for the purchase and continue the replacement fund for the future. It can be expected that this machine, which is the life blood of a landfill, will need to be replaced once every 6-9 years, depending on run time, environmental conditions and upkeep. If this machine is ordered in January of 2022, we would expect a delivery date in April or May of 2022 currently. This transaction is subject to the City obtaining acceptable financing terms and to legal review of the required purchasing/financing documents.
Issues:	None at this time.
Staff Recommendation:	Staff is Recommending Council Approval the Procurement of a New Bomag Landfill Trash Computer in 2022.

Glenwood Springs – Main Office

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Glenwood Springs*

DATE: December 30, 2021
TO: Glenwood Springs Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Ordinance Regarding Tie Votes by Council

Attached please find Ordinance 1, Series of 2022 amending Section 020.030.100 of the Glenwood Springs Municipal Code to address tie votes by City Council. This ordinance is in response to the stipulation entered in Case No. 2021CV30155, District Court, Garfield County, regarding the recent land-use hearing for BLD Group, LLC and Glenwood Meadows, LLC. Staff is recommending approval of the ordinance.

Exhibit A

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

020.030.100 Voting.

(a) Voting by the Council on all matters except procedural matters shall be as follows, to wit:

- (1) The City Clerk shall call the name of each Council Member and the "yes" or "no" of each shall be recorded in the minutes and records of the Council proceedings.
- (2) All voting upon ordinances, resolutions and motions shall be in conformity with the Charter.
- (3) Except as otherwise provided in the Charter or in this Code, a motion shall be deemed carried if a quorum is present and a majority of those voting vote "yea."
- (4) ~~No affirmative action may be taken upon a tie vote; and, in the event the matter being voted upon action of Council, including but not limited to, liquor licenses and items pursuant to Title 070, a tie vote shall be considered to be a denial of the matter.~~

All tie votes on a motion shall result in the motion failing and no action may be taken upon a tie vote. In the event the matter being voted upon is a quasi-judicial matter, Council may continue to present motions until a motion passes with a majority, or if Council determines no motion will pass, the matter will be continued to the next regular meeting wherein the full council will be present. If, due to a vacancy or recusal, at the next regular meeting Council determines no motion will pass then the recommendation or decision of the Planning Commission shall be deemed the final decision of Council.

- (5) Council Members not entitled to vote on a motion because of a personal or private interest shall be deemed present for purposes of determining whether or not there is a quorum present.

CITY OF GLENWOOD SPRINGS

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO AMENDING SECTION 020.030.100 OF THE GLENWOOD SPRINGS MUNICIPAL CODE TO PROVIDE FOR A PROCESS ADDRESSING ACTIONS TO BE TAKEN BY COUNCIL ON TIE VOTES.

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

WHEREAS, pursuant to its home rule authority, the City, acting through its City Council (the “Council”), is authorized to adopt ordinances regulating matters concerning campaign finance in municipal elections, including the provision of a complaint process relating thereto; and

WHEREAS, the City wishes to amend Section 020.030.100 of the Glenwood Springs Municipal Code to address tie votes of the Council; and

WHEREAS, the City Council finds and declares that the amendments to Section 020.030.100 set forth in **Exhibit A**, hereto and incorporated herein by this reference, are in the best interest of the City.

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

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

Section 2. Section 020.030.100 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.

Section 4. With the exception of the provisions of the Municipal Code of the City of Glenwood Springs which are modified as provided herein, all remaining provisions of the Municipal Code of the City of Glenwood Springs shall remain in full force and effect.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS ____ DAY OF _____, 202__.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

INTRODUCED, READ ON SECOND READING, AND ORDERED PUBLISHED BY
TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE OF SECOND
PUBLICATION THIS _____ DAY OF _____, 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item:	Ordinance 2022-02; Campaign Finance, 2nd Reading
Action Requested:	Approval of Ordinance.
Department:	Attorney
Strategic Goals:	Provide Efficient and Responsive City Government
Background Info:	Ordinance 2022-02; Campaign Finance, adopts procedures for filing and reviewing campaign finance complaints. It also sets an individual campaign contribution limit of \$400 per committee. All other rules not set in this ordinance default to the State Fair Campaign Practice Act rules.
Issues:	None
Staff Recommendation:	Staff recommends approval

ORDINANCE NO. 02

Series of 2022

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING ARTICLE 010.030 OF THE GLENWOOD SPRINGS MUNICIPAL CODE TO PROVIDE FOR A PROCESS ADDRESSING COMPLAINTS ALLEGING CAMPAIGN FINANCE LAW VIOLATIONS AND ADOPTING VARIOUS ELECTION LAWS BY REFERENCE.

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

WHEREAS, pursuant to its home rule authority, the City, acting through its City Council (the “Council”), is authorized to adopt ordinances regulating matters concerning campaign finance in municipal elections, including the provision of a complaint process relating thereto; and

WHEREAS, in its 2019 Regular Session, the Colorado General Assembly adopted SB19-232, which provides, inter alia, that “any complaint arising out of a municipal campaign finance matter must be exclusively filed with the clerk of the ...municipality”; and

WHEREAS, the 2019 legislation necessitates an update to the process by which the City may address complaints alleging violation the campaign finance laws applicable in City elections, which update also presents an opportunity to clarify which laws govern City elections.

WHEREAS, the City Council finds and declares that the amendments to Article 010.030 set forth in **Exhibit A**, hereto and incorporated herein by this reference, are in the best interest of the City.

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

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

Section 2. Article 010.030 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.

Section 4. With the exception of the provisions of the Municipal Code of the City of Glenwood Springs which are modified as provided herein, all remaining provisions of the Municipal Code of the City of Glenwood Springs shall remain in full force and effect.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS ____ DAY OF JANUARY 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

INTRODUCED, READ ON SECOND READING, AND ORDERED PUBLISHED BY
TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE OF SECOND
PUBLICATION THIS ____ DAY OF _____ 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

010.030.030 – State Election Codes Adopted

Except as otherwise provided by charter or ordinance, including the provisions of this chapter, the following statutes and their implementing rules and regulations, as the same presently exist or as they may be in the future amended, are hereby adopted by the City and shall govern the conduct of all elections held within the City:

- (a) C.R.S. 31-10-101 et seq., also known as the "Colorado Municipal Election Code;"
- (b) C.R.S. 1-1-102 et seq., also known as the "Uniform Election Code;" and
- (c) C.R.S. 1-45-101 et seq., also known as the "Fair Campaign Practices Act;"
- (d) C.R.S. 31-11-101 et seq., the law governing municipal initiatives, referenda and referred measures;
- (e) C.R.S. 31-4-501, et seq., the law governing municipal recalls; and
- (f) C.R.S. 31-2-201, et seq., the law governing the adoption and amendment of the Home Rule Charter.

010.030.040 – Municipal Campaign Contribution Limits.

- (a) No person shall make contributions to any single committee that, in the aggregate, exceeds four hundred dollars (\$400.00) with respect to any election cycle in which such committee is participating in a municipal election.
- (b) For the avoidance of doubt and in accordance with the Fair Campaign Practices Act rules at 8 CCR 1505-6, contributions may only be made to a committee, and not to any individual candidate.
- (c) For the purposes of this Section, words shall have the meanings defined in 8 CCR 1505-6 – Rules Concerning Campaign and Political Finance; Rule 1 Definitions, as may be amended.

010.030.050 - Fair campaign practices; enforcement of municipal campaign finance complaints.

- (a) Any person who asserts that a violation of Article XXVIII of the Colorado Constitution, the Colorado Fair Campaign Practices Act (C.R.S. §§ 1-45-101 et seq.), or the implementing rules at 8 CCR 1505-6, as amended, has occurred related to a City election may file a written complaint with the City Clerk.
- (b) Complaints must be filed no later than thirty (30) calendar days after the complainant knew or should have known by the exercise of reasonable diligence of the alleged violation.
- (c) A complaint shall include the following information and any other information that the City Clerk deems necessary to process the complaint:
 - (1) The name, address, e-mail address, telephone number and signature of the complainant (if the complainant is represented by counsel, include the counsel's name, address, e-mail address, telephone number and signature along with the name, address, e-mail address, telephone number and signature of the complainant);

- (2) The name and, if known, the telephone number, email address, and mailing address of the respondent(s) (or each person alleged to have committed a violation);
 - (3) The particulars of the alleged violation(s), including the specific factual and legal basis for the allegation(s); and
 - (4) Documentation or other evidence supporting the allegation(s).
- (d) A complaint may be submitted by personal delivery, mail, or electronically.
- (e) Initial review of complaint.
- (1) The City Clerk will review the complaint to determine:
 - (A) Whether the complaint was timely filed in accordance with this section;
 - (B) Whether the complainant has specifically identified a violation(s) of Article XXVIII of the Colorado Constitution, the Colorado Fair Campaign Practices Act, or any local campaign finance laws or rules adopted and promulgated by the City concerning a municipal election;
 - (C) Whether the complainant has alleged sufficient facts and or provided sufficient information to support a legal and factual basis for the complaint; and
 - (D) Whether it is possible through reasonable efforts, to identify the subject(s) of the complaint. If the subject is identifiable, the City Clerk shall promptly notify the subject of the complaint in writing.
 - (2) Within fifteen (15) business days of receiving the complaint, the City Clerk must take one or more of the following actions following initial review:
 - (A) If the City Clerk determines that the complaint fails to satisfy all of the criteria in subsection (e)(1), the City Clerk will dismiss the complaint and notify the complainant and respondent of the reasons for dismissal. The City Clerk's determination and dismissal are a final decision.
 - (B) If the City Clerk determines that the complaint satisfies all of the criteria in subsection (e)(1), and alleges one (1) or more curable violations as described in subsection (f), the City Clerk will notify the respondent(s) in writing and provide an opportunity to cure as described in subsection (g), holding in abeyance any alleged violations that may not be curable.
 - (C) If the City Clerk determines that the complaint satisfies all of the criteria in subsection (e)(1), and that none of the alleged violations are curable, the City Clerk will proceed to set the matter for a hearing as described herein.
- (f) Curing violations.
- (1) Upon the City Clerk's determination that a complaint alleges a failure to file or otherwise disclose required information, or other curable violation, the City Clerk will notify the respondent(s) in writing and advise them of the curable deficiencies alleged in the complaint.
 - (2) Respondents shall have fifteen (15) business days from the date the notice is issued by the City Clerk to cure the alleged violation(s) and to notify the City Clerk, in writing, of actions taken to cure the alleged violation(s).

- (3) The City Clerk will determine, within seven (7) business days of receipt of the respondent's notice of proposed cure, or, if no response, upon expiration of the cure period, whether the respondent(s) cured the violation(s), and if so, whether the respondent(s) "substantially complied" or acted in "good faith" as described herein. The City Clerk may ask the respondent(s) to provide additional information, and may grant an extension of time to cure the violation(s).
 - (A) If the City Clerk determines that the respondent(s) substantially complied or acted in good faith in curing any alleged violation, the City Clerk will dismiss the complaint as to such violation. The City Clerk's determination and dismissal are a final decision.
 - (B) If the City Clerk determines that the respondent neither substantially complied nor acted in good faith in curing any alleged violation, the City Clerk shall set the matter for a hearing and notify the complainant and respondent in writing.
 - (C) The City Clerk will schedule a hearing with respect to any alleged violations held in abeyance after the City Clerk's initial evaluation of the complaint.
 - (4) In determining whether an entity "substantially complied," the City Clerk must consider:
 - (A) The extent of the noncompliance;
 - (B) The purpose of the provision violated and whether that purpose was substantially achieved despite the noncompliance; and
 - (C) Whether the noncompliance can properly be viewed as an intentional attempt to mislead the electorate or election officials.
 - (5) In determining whether an entity registered or disclosed in "good faith," the City Clerk may consider whether ten (10) percent or less of either the entity's disclosures or, alternatively, the reported dollar amounts required on the report or appearing on the filed reports at issue in the complaint are out of compliance.
- (g) Hearing.
- (1) When required, a hearing before the City Clerk shall be scheduled as soon as practicable with due regard for the convenience and necessity of the parties but, unless an extension of time is granted by the City Clerk, the hearing shall be held within fifteen (15) business days after the date of notice to the parties. The City will not be a necessary party to the hearing and will not represent either the complainant, or respondent, but may intervene as a party on its own behalf.
 - (2) Notice of the hearing shall include any applicable rules of the City Clerk governing the hearing process and the respondent(s) shall also receive a copy of the entire complaint received by the City Clerk.
 - (3) Upon written motion, the City Clerk may grant either party a continuance of up to thirty (30) calendar days upon a showing of good cause.
 - (4) Upon the request of either party, the City Clerk may issue administrative subpoenas requiring the attendance of a witness or party in relation to an alleged local campaign finance violation, which shall be served on the party to whom it is directed by the

- requesting party pursuant to Rule 4, Colorado Rules Civil Procedure ("C.R.C.P."). It shall be unlawful for a witness or party to fail to comply with such subpoena.
- (5) The hearing shall be electronically recorded and held in substantial conformance with such rules as the City Clerk may have promulgated, including rules for holding hearings remotely by electronic means, when necessary, in the opinion of the City Clerk. At the hearing, the complainant and the respondent(s) shall be present, and the complainant shall have the burden of proof to establish the alleged violation(s) by a preponderance of the evidence.
 - (6) Following the hearing, the City Clerk shall issue a decision in writing within seven (7) business days.
 - (7) If the City Clerk determines after a hearing that a violation has occurred, the City Clerk's decision shall include any appropriate order, sanction, or relief authorized hereunder and may include, without limitation, sanctions as follows:
 - (A) A civil penalty, payable to the City, of at least double the amount contributed, received, or spent in violation of any contribution prohibition or in violation of a contribution reporting requirement.
 - (B) A civil penalty, payable to the City, in the amount of fifty dollars (\$50.00) per day for each day that a statement or other information required to be filed pursuant to Article XXVIII of the Colorado Constitution or the Colorado Fair Campaign Practices Act (C.R.S. §§ 1-45-101 et seq.), is not filed by the close of business on the day due.
 - (C) An order requiring disclosure of the source and amount of any undisclosed contributions or expenditures.
 - (D) An order requiring the return to the donor of any contribution made which was the subject of a violation.
 - (8) The City Clerk's decisions are a final decision subject to review under Rule 106(a)(4), C.R.C.P.
 - (9) Candidates shall be personally liable for penalties imposed upon their candidate committee.
 - (10) The City may pursue any legal means for the collection of civil penalties imposed under this article. The City administrator may also refer the matter for collection by whatever means are available to the City, including by a private collection agency, and the party responsible to pay the penalty may be assessed the cost of collection.

010.030.060 – Clerk to refer violations.

In the event the City Clerk becomes aware of a potential campaign violation through a means other than a complaint filed pursuant to section 010.030.050, including but not limited to failing to timely file required reports, the Clerk shall refer the facts of such potential violation to the City Attorney for investigation. The City Attorney may file a complaint pursuant to section. 010.030.050.



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: Ruedi Water and Power Authority InterGovernmental Agreement

Action Requested: Approve Ruedi Water and Power Authority InterGovernmental Agreement

Department: Attorney

Strategic Goals: Protect and Preserve our Quality of Life

Background Info:

Issues:

Staff Recommendation:



MEMORANDUM

TO: City of Glenwood Springs, Mayor and Town Council

FROM: April Long, Executive Director, Ruedi Water and Power Authority

DATE: January 13, 2022

RE: January 20 Council Meeting

RWAPA Intergovernmental Agreement Update

Ruedi Water and Power Authority (RWAPA or the Authority) is a regional council on water for the Roaring Fork watershed offering planning, coordination, and technical assistance to its members; coordinating and administering programs and planning at a regional level; and providing communication between local governments and other regional, state, and federal agencies. Our direction is provided by a Board of Directors (the Board) comprised of an elected official from each of the jurisdictions within the watershed: Aspen, Snowmass Village, Basalt, Carbondale, Glenwood Springs, Pitkin and Eagle Counties. Glenwood Spring's current Director is Paula Stepp.

RWAPA was founded in 1981 in response to an opportunity to develop hydropower at Ruedi Reservoir. Public Service of Colorado (now Excel Energy) had filed for a permit to develop a forebay at Ruedi to provide peaking power. That plan would have resulted in the inundation of another two miles of the Fryingpan Valley downstream of the existing dam and would have led to other fundamental changes in Ruedi operations and management. RWAPA was formed to block that effort by taking advantage of the federal 'municipal exemption' which would have allowed RWAPA to pre-empt the PSC application. As it turned out, the municipal exemption could only be exercised by an actual municipality. Therefore, Aspen and Pitkin County formed a Joint Hydropower Department to gain the permit and develop the hydropower plant. In the meantime, the intergovernmental communication and cooperation that were fostered by the first few meetings of the RWAPA Board proved to be sufficient reason to maintain the Authority.

An Intergovernmental Agreement (IGA) between the participating entities, as well as the Authority's bylaws, details RWAPA's purpose, scope, authority, operations, and management. The IGA was last updated in 2003. The Board requested an update in 2020 to correct two specific issues:

- an error in the name that caused issues in filing financial documents with the State – changing “Ruedi *Reservoir* Water and Power Authority” to “Ruedi Water and Power Authority”
- and to include a major function of RWAPA – the management of the invasive species detection program at Ruedi Reservoir to protect the waters from the threat of invasion of aquatic nuisance species (ANS), most notably zebra and quagga mussels.

P.O. Box 565
Basalt, CO 81621





In the process, other changes were made to provide a general clean-up and more consistent and concise language. Additionally, a request was made to clarify RWAPA's decision-making process, which was addressed by adding a new section, Section 2.b. The final revised IGA has been reviewed by all participating entities' legal counsel and approved by the RWAPA Board of Directors.

RWAPA requests approval from each participating entity for the final revised IGA, as attached to this memorandum. Signatures will be requested via Docusign following approval.

P.O. Box 565
Basalt, CO 81621



INTERGOVERNMENTAL AGREEMENT

Amended and Re-Adopted this
_____ day of _____, _____

This Intergovernmental Agreement is made and entered into this _____ day of _____, _____, by, between, and among the City of Aspen by and through its City Council (hereinafter “Aspen”), the County of Pitkin by and through its Board of County Commissioners (hereinafter “Pitkin County”), the County of Eagle by and through its Board of County Commissioners (hereinafter “Eagle County”), the City of Glenwood Springs by and through its City Council (hereinafter “Glenwood Springs”), the Town of Snowmass Village by and through its Town Council (hereinafter “Snowmass Village”), the Town of Basalt by and through its Town Council (hereinafter “Basalt”), and the Town of Carbondale by and through its Board of Trustees (hereinafter “Carbondale”).

WITNESSETH:

WHEREAS, each of the parties to this Agreement has the authority or responsibility for providing water, power or recreation to the residents within the respective jurisdiction of each, and

WHEREAS, each of the parties has the authority or responsibility for protecting the quality of the environmental resources within their respective jurisdictions on behalf of the residents thereof, and

WHEREAS, each of the parties supports keeping local water resources free of invasive species, and

WHEREAS, the fulfillment of these responsibilities depends on the free flow of information and mutual discussion between and among the governmental jurisdictions in the Roaring Fork River watershed, and

WHEREAS, these responsibilities can be accomplished through the coordinated and mutually supportive action of a consortium of local governments joined under appropriate statutory authority to address water, power, recreational, environmental and related land use issues, and

WHEREAS, these responsibilities can best be accomplished with respect to Ruedi Reservoir, which is the major water supply and recreational reservoir within the Roaring Fork River watershed and situated in Eagle and Pitkin Counties, and other local water resources by the creation of a water and power authority pursuant to an intergovernmental agreement as authorized in Section 29-1-201, et seq. C.R.S. 1998, as amended (“IGA Statute”).

NOW, THEREFORE, the parties hereby agree as follows:

1. Ruedi Water and Power Authority

- a. Creation and Purpose. The parties hereby create the Ruedi Water and Power Authority (hereinafter “the Authority”) pursuant to the IGA Statute and specifically the provisions of C.R.S. sec. 29-1-203 and 203.5, which sections shall apply to the Authority as a separate legal entity. The purposes of the Authority shall include the following:

- (1) To promote, sponsor, manage and direct research on issues pertaining to the protection, improvement, management, development and use of the water resources of the Roaring Fork River and its tributaries.
- (2) To support and preserve the water resources, systems, and facilities of the Roaring Fork River watershed for the production, transmission and sale of hydroelectric power.
- (3) To sell, lease or otherwise allocate water supply held by the Authority under contract with the U.S. Bureau of Reclamation to the maximum extent permitted by law.
- (4) To support, direct, and guide the development, management, and operations of Ruedi Reservoir on behalf of and for the benefit of the Roaring Fork River watershed and the residents of the parties' jurisdictions.
- (5) To provide a unified voice for the communities of the Roaring Fork River watershed on issues pertaining to the management and use of the water resources of the Roaring Fork River and its tributaries. Further, and to communicate the interests, priorities, issues, concerns and requirements of the communities of the Roaring Fork River watershed to the U.S. Bureau of Reclamation, the U.S. Fish and Wildlife Service, the State of Colorado, the Colorado River Water Conservation District, Colorado River Basin Roundtable, and/or any other appropriate agencies and authorities.
- (6) To assist, support, advise, and consult with the parties hereto or with other parties or agencies expressly approved by the parties hereto on issues of river or reservoir management, water diversion, water storage, recreational resources, water quality, riverbed stability,

invasive species, hydropower development or other issues connected with the management and use of water resources of the Roaring Fork watershed.

(7) To facilitate communication and cooperation between and among the communities, governments, interest groups and businesses of the Roaring Fork River watershed on issues pertaining to the protection, improvement, management and use of the water resources of the Roaring Fork River and its tributaries including.

(8) To provide comment, make recommendations or to endorse zoning or land use plans or decisions as they pertain to the water resources of the Roaring Fork River watershed. It is expressly recognized by the parties hereto that nothing in this Agreement is intended to exercise any control whatsoever over zoning or land use planning in place of statutory authority over zoning and land use possessed and exercised by the parties. Nothing in this Agreement shall affect a delegation of any of these powers or duties of the contracting parties with regard to the subjects of zoning and land use.

- b. Authority and Powers. The Authority shall have all the power necessary and proper to carry out the purposes for which it is established pursuant to Section 1.a above and the IGA Statute including the specific sections thereof referenced above to the fullest extent permitted by law, including, but not limited to, the following:
- (1) To promote, sponsor, manage, plan and direct research on issues pertaining to the protection, improvement, management, development, and use of the water resources of the Roaring Fork River and its tributaries.

- (2) To assist, support, advise, and consult with the parties hereto or with other parties or agencies expressly approved by the parties hereto on issues of river or reservoir management, water diversion, water storage, recreational resources, water quality, riverbed stability, invasive species, hydropower development or other issues connected with the management and use of water resources of the Roaring Fork watershed.
- (3) To manage the invasive species protection program and any other threats to the integrity of the water resources at Ruedi Reservoir.
- (4) To develop water resources, systems, or facilities in whole or in part for the benefit of the watershed and its inhabitants, at the discretion of the Board of Directors, subject to fulfilling any conditions or requirements set forth in this Agreement;
- (5) To develop electric energy resources and to produce or transmit electric energy in whole or in part for the benefit of the inhabitants of the contracting parties;
- (6) To advocate for the rehabilitation of any services adversely affected by the construction of pipelines, facilities, or systems through the rehabilitation of plant cover, soil stability, and other measures appropriate to the subsequent beneficial use of such lands.
- (7) To act as a legislative appointee to the Colorado River Basin Roundtable, at the joint pleasure of the Chairs of the Senate Agriculture, Natural Resources, and Energy Committee, and the House Agriculture, Livestock, and Natural Resources Committee.
- (8) To make or enter into contracts.
- (9) To employ agents and employees.

- (10) To acquire, construct, manage, maintain, or operate water or electric energy systems, facilities, works or improvements or any interest therein.
- (11) To acquire, hold, lease (as lessor or lessee), sell or otherwise dispose of any real or personal property, commodity, or service.
- (12) To incur debts, liabilities, or obligations.
- (13) To sue and be sued in its own name.
- (14) To fix, maintain and revise fees, rates and charges for functions, services or facilities provided by the entity.
- (15) To adopt Bylaws by Resolution respecting the exercise of its power and the carrying out of its purposes, provided that any Bylaws shall require the unanimous approval of all parties to be effective.
- (16) To exercise any other powers which are essential to the provision of functions, services, or facilities by the entity and which are specified in the contract.
- (17) To do and perform any acts and things authorized by this Agreement, through, or by means of an agent or by contracts with any person, firm, or corporation.

2. Operation and Management

- a. General. The Authority shall be operated and managed for the benefit of the watershed and its inhabitants as directed by the parties to this Agreement.
- b. Board of Directors. The governing body of the Authority shall be the Board of Directors (hereinafter the “Board”). The Board shall be comprised solely of elected officials who are serving on the

governmental bodies of the parties to this Agreement. Each of the parties shall appoint one (1) Director to the Board and one (1) Alternate who shall also be an elected official of the appointing party, who shall serve at least a one-year term. The Directors in turn shall elect from their members a Chair, Vice-Chair, and Secretary or other officer of the Board, who shall each serve at least a one-year term. Compensation of Directors, if any, shall be determined and paid by each party to this Agreement for its own Director. Should a Director not be able to attend a meeting of the Board, the Alternate can serve in their place and with their authority. Should a vacancy arise on the Board, the party whose directorship becomes vacant shall appoint a replacement to complete the vacated term. The Board shall meet at least annually to conduct the business of the Authority and at such other times as the Board may direct or pursuant to the Bylaws. A majority of the Directors shall constitute a quorum, and, except as otherwise provided in this Agreement, the vote of a majority of the quorum shall be necessary to take action, including without limitation in matters related to internal operations and policies, existing programs, hiring employees, agents and consultants, and establishing schedules and processes for Board meetings. In addition to any other greater majority requirement set forth herein, however, any action or decision by the Board in establishing external policies and positions that will be publicly communicated (for example and without limitation: Authority positions on local, state and federal legislation, regulation or policy, or regarding non-Authority projects or programs) and the approval of new Authority projects or programs not previously identified or included in Authority-approved plans, will

require unanimous consent of the Directors. Each member of the Board shall be entitled to one vote.

- c. Officers. The Board of Directors may appoint such officers and employees of the Authority as it deems necessary for the efficient operation of the Authority. Such officers and employees may include, but are not necessarily limited to, an Executive Director. The duties of the officers and any employees shall be established by the Board and set forth in the Authority's bylaws and/or in contractual form.

3. Funding and Sharing of Surplus Revenues and Operating Deficits

Funding of the Authority's normal activities and operations will be provided by equal contributions from the members or otherwise as may be adopted by resolution of the Board. The budget for each year will be determined at such time to allow for incorporation of member contributions into the subsequent annual budget of each member. Timely and complete contributions towards annual operating budgets will be a condition of membership.

Upon the unanimous consent of all parties hereto, the Board of Directors is authorized to establish an annual amount to be paid by each party as a condition of continuing membership. The purpose of such payment shall be to support the mission and services acknowledged herein and to provide a source of operating funds to the Authority. Payment shall be subject to annual appropriation by each of the parties to this Agreement, and each party shall have no obligation to continue this Agreement in any fiscal year in which no appropriation is made.

Distribution of surplus revenues will be determined by the Board annually during budget discussions. The bonds, notes, and other obligations of the Authority shall under no circumstances be the debts, liabilities or obligations of the parties to this Agreement. Any party may, however, subject to any limitation provided by law, contribute to any operating deficit of the Authority. Such contribution shall become a debt of the Authority which must be repaid from available funds. The Authority's operating revenues shall be applied in the following priorities:

- (1) First to pay all costs or expenses which have been incurred by any party to this Agreement in furtherance of the Authority's activities and which have been approved by the Board for payment.
- (2) To repay any contributions by the parties hereto to operating deficits.
- (3) To pay all other costs or expenses incurred by the Authority.

4. Contracts

The Authority may only enter into contracts by resolution of the Board duly adopted by a majority of the quorum present at an official meeting of the Board.

5. Bonds, Notes or other Obligations.

- a. To carry out the purposes set forth in this Agreement, the Authority is authorized to issue bonds, notes or other obligations payable solely from the revenues derived from the function, service, system, or facility, or the combined functions, services, systems, or facilities of the Authority subject at all times to the unanimous approval of all parties. The terms, conditions and details of said bonds, notes and

other obligations, the procedures relating thereto, and the refunding thereof, shall be set forth in the resolution authorizing said bonds, notes or other obligations and, as nearly as may be practicable, shall be substantially the same as those provided in Part 4 of Article 35 of Title 31, C.R.S. 2018 relating to water and sewer revenue bonds; except that the purposes for which the same may be issued shall not be so limited, and except that said bonds, notes and other obligations may be sold at public and private sale. Bonds, notes or other obligations issued under this paragraph shall not constitute an indebtedness of the Authority or of any party hereto within the meaning of any constitutional and statutory limitation or other provision. Each bond, note, or other obligation issued under this paragraph shall recite in substance that said bond, note or other obligation, including the interest thereon, is payable solely from the revenues and other available funds of the Authority pledged for the payment thereof and that said bond, note or other obligation does not constitute a debt of the Authority or of any party hereto within the meaning of any constitutional or statutory limitation or provision. Notwithstanding anything in this paragraph to the contrary, such bonds, notes and other obligations may be issued to mature at such times not beyond forty years from their respective issue dates, shall bear interest at such rates, and shall be sold at, above, or below the principal amount thereof, all as shall be determined by the Board of Directors of the Authority.

- b. The resolution, trust indenture, or other security agreement under which any bonds, notes or other obligations are issued shall constitute a contract with the holders thereof, and it may contain such provisions

as shall be determined by the Board to be appropriate and necessary in connection with the issuance thereof and to provide security for the payment thereof, including, without limitation, any mortgage or other security interest in any revenues, fund, rights or properties of the Authority. The bonds, notes and other obligations of the Authority and the income therefrom shall be exempt from taxation by this State, except inheritance, estate, and transfer taxes.

6. Addition or Withdrawal of Parties

- a. Any governmental entity may join this Agreement on such terms and conditions as may be agreed upon by all other parties. No such entity may be added, however, without unanimous approval of the parties to this Agreement.
- b. Any party may withdraw from this Agreement on its own initiative upon written notice to the Board. The benefits, obligations and rights of the withdrawing party shall be reasonably determined by resolution of the Board upon notice of withdrawal in accordance with this Agreement other adopted policies. This Agreement shall remain in full force and effect, notwithstanding any such withdrawal, among the remaining parties.

7. Term of this Agreement

This Agreement shall remain in full force and effect until rescinded by unanimous vote of the Board and ratification of the rescission by all parties. Failure of a party to act on a rescission vote by the Board within

sixty (60) days of the receipt of written notice by such party shall constitute a ratification of that vote.

8. Amendment

This Agreement may be amended by unanimous agreement of all the parties to the Agreement. Notwithstanding the foregoing, this Agreement may not be rescinded during the term of any bonds, notes, or other obligations of the Authority, unless provision for full payment of such obligations, by escrow, other otherwise, has been made pursuant to the terms of such obligations.

9. Parties May Deal with Authority

Each party to this Agreement may deal with the Authority in the same manner as any individual or separate entity for the acquisition of water, power, or on any other matter for which the Authority is authorized to act.

10. Prior Agreement

Execution of this Agreement by all of the parties shall operate to supersede and replace any Intergovernmental Agreement previously entered into by the parties, establishing, governing and regulating the Ruedi Water and Power Authority.

IN WITNESS WHEREOF the undersigned set forth their hand as follows:

For the Ruedi Water and Power Authority

Chair, Ruedi Water and Power Authority

Date

Approved as to Form:

Attorney for the Ruedi Water and Power Authority

Date

Witness:

Executive Director, Ruedi Water and Power Authority

Date

For Eagle County

Chairman, Eagle County Board of Commissioners

Date

Approved as to Form:

Eagle County Attorney

Date

For Pitkin County

Chairman, Pitkin County Board of Commissioners

Date

Approved as to Form:

Pitkin County Attorney

Date

For the City of Aspen

Mayor, City of Aspen

Date

Approved as to Form:

Aspen City Attorney

Date

For the Town of Snowmass Village

Mayor, Town of Snowmass Village

Date

Approved as to Form:

Snowmass Village Town Attorney

Date

For the Town of Basalt

Mayor, Town of Basalt

Date

Approved as to Form:

Basalt Town Attorney

Date

For the Town of Carbondale

Mayor, Town of Carbondale

Date

Approved as to Form:

Carbondale Town Attorney

Date

For the City of Glenwood Springs

Mayor, City of Glenwood Springs

Date

Approved as to Form:

Glenwood Springs City Attorney

Date

RESOLUTION NO. 2022-05

**A RESOLUTION OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, AUTHORIZING THE EXECUTION OF AN
AMENDMENT TO AND READOPTION OF THE
INTERGOVERNMENTAL AGREEMENT CREATING THE
RUEDI WATER AND POWER AUTHORITY.**

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

WHEREAS, Ruedi Water and Power Authority (“RWAPA” or the “Authority”) is a regional council on water for the Roaring Fork watershed offering planning, coordination, and technical assistance to its members; coordinating and administering programs and planning at a regional level; and providing communication between local governments and other regional, state, and federal agencies; and

WHEREAS, the City previously entered into an Intergovernmental Agreement (“IGA”) pursuant to Section 29-1-201, et seq. C.R.S. 1998, as amended (the “IGA Statute”) with other Roaring Fork Valley municipalities creating RWAPA; and

WHEREAS, the IGA between the participating entities details RWAPA’s purpose, scope, authority, operations, and management; and

WHEREAS, the IGA was last updated in 2003; and

WHEREAS, RWAPA has requested approval from each participating entity for the final revised IGA, attached as **Exhibit A**; and

WHEREAS, the City Council of Glenwood Springs, Colorado finds it is in the best interest of the health, welfare, and safety of citizens of the City to authorize execution of the intergovernmental agreement with the participating entities.

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

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

Section 2. The Glenwood Springs City Council hereby authorizes the Mayor or Mayor Pro Tem to sign and execute the Intergovernmental Agreement creating the Water and Power Authority, attached hereto as **Exhibit A**.

INTRODUCED, READ, AND PASSED THIS 20th DAY OF JANUARY 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: Resolution 2022-07; Designating an Election Official and Making the Election Mail Ballot Only

Action Requested: Resolution 2022-07 Designates City Clerk Ryan Muse as the Designated Election Official and makes the May 3, 2022 Special Election mail ballot only.

Department: Attorney

Strategic Goals: Ensure Public Safety
Provide Efficient and Responsive City Government

Background Info: Due to the ongoing public health crisis, the May 3, 2022 Election will be by mail ballot only. City Clerk Ryan Muse will be the Designated Election Official for the second time for the City of Glenwood Springs.

Issues:

Staff Recommendation:

RESOLUTION 2022-7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ADOPTING THE COLORADO MUNICIPAL ELECTION CODE OF 1965, APPOINTING THE CITY CLERK AS THE DESIGNATED ELECTION OFFICIAL, AND DELEGATING THE AUTHORITY AND RESPONSIBILITY OF APPOINTING ELECTION JUDGES FOR THE CITY OF GLENWOOD SPRINGS' SPECIAL MUNICIPAL ELECTION ON MAY 3, 2022.

WHEREAS, pursuant to the requirements of the Glenwood Springs Charter, a special municipal election is to be conducted on May 3, 2022; and

WHEREAS, Section 31-10-101, et. seq., C.R.S., as amended, permits a municipality to utilize the requirements and procedures of the Colorado Municipal Election Code of 1965 with respect to any municipal election; and

WHEREAS, the City Council of the City of Glenwood Springs wishes to adopt the Colorado Municipal Election Code of 1965 relating to the mail ballot election for the May 3, 2022 special municipal election; and

WHEREAS, the governing body of any political subdivision may determine that an election may be held by mail ballot; and

WHEREAS, the City Council wishes to appoint the City of Glenwood Springs City Clerk as the Designated Election Official; and

WHEREAS, the election official of the City of Glenwood Springs has recommended that the City Council authorize a mail ballot election for the May 3, 2022 special municipal election.

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

Section 1. The City of Glenwood Springs hereby adopts the provisions of the Colorado Municipal Election Code of 1965 for the conduct of the May 3, 2022 special municipal election.

Section 2. Notwithstanding the provisions of the Glenwood Springs Municipal Code to the contrary, the provisions of the Colorado Municipal Election Code of 1965, as amended, shall prevail.

Section 3. Due to the ongoing public health emergency relating to COVID-19, the election shall be a mail ballot election only and no in-person casting of ballots shall be allowed.

Section 4. The authority and responsibility for appointing the election judges for this special municipal election is hereby delegated to the City Clerk, pursuant to Section 31-10-401 C.R.S., as amended.

Section 5. The ballots shall be paper ballots and recorded by sworn election judges.

Section 6. The City Clerk of the City of Glenwood Springs is hereby designated as the Designated Election Official.

Section 7. If any clause, sentence, paragraph or part of this Resolution or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this Resolution.

Section 8. The City Council of the City of Glenwood Springs finds and declares that this Resolution is promulgated and adopted for the public health, safety, and welfare and this Resolution bears a rational relation to the legislative objective sought to be obtained.

INTRODUCED, READ AND PASSED THIS 20TH DAY OF JANUARY 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council STAFF REPORT City of Glenwood Springs January 20, 2022

Agenda Item:	Planning and Zoning Commission Appointments
Action Requested:	Planning and Zoning Commission Appointments
Department:	City Administration
Strategic Goals:	Protect and Preserve our Quality of Life
Background Info:	Pete Waller was appointed to the Planning and Zoning Commission as an alternate in February 2021 with a "to fill" term ending February 2022. Amy Connerton was appointed to the Planning and Zoning Commission as an alternate on October 21st, 2021 with a "to fill" term ending February 2022. James Woodrow Hardcastle Jr applied to the Planning and Zoning Commission on November 4, 2021 and was interviewed at the January 6, 2022 City Council work session. Mitchell Weimer applied to the Planning and Zoning Commission on December 28, 2021 and was interviewed at the January 6, 2022 City Council work session. The Planning Commission will have two regular seats and two alternate seats open in February 2022, with new appointed terms ending February 2025. Appointments for the Planning Commission expire the day before the first regular meeting of the City Council in February, according to the Municipal Code. Sumner Schachter, whose term expires in February, has served three successive terms on the Planning and Zoning Commission and cannot reapply. Ben West is not seeking reappointment. Both Planning Commission alternates, Pete Waller and Amy Connerton have indicated interest in filling the regular seats. Because they were both recently interviewed by City Council, neither was scheduled for an additional interview in this cycle. According to the Municipal Code, 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. Council may appoint up to three alternate members of a board or commission.
Issues:	None
Staff Recommendation:	Staff defers to City Council

Planning and Zoning Commission Application

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

Personal Information

1. Name *

Amy Connerton

2. Home Address *

528 N. Traver Trail

3. Mailing Address *

528 N. Traver Tr., Glenwood Springs, CO 81601

4. Home Phone *

970-948-4003

5. Work Phone *

970-948-4003

6. Mobile Phone *

970-948-4003

7. Email Address *

amy@amyconnerton.com

8. Occupation *

Program Director, CMC Medical Assist-RFFP-Valley View Hospital

Personal and Professional Interests

9. Why are you interested in serving on the Planning and Zoning Commission? *

Housing issues, smart growth and zoning issues are very important for our community. As an engaged community member I would like to contribute to a sustainable growth plan for Glenwood Springs.

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

To inform and research and the duties outlined in the Glenwood Springs Municipal Code The powers and duties of the Planning and Zoning Commission shall be: To develop and recommend a master plan subject to the approval of the City Council and its environ in accordance with the provisions of this Code and the laws of the State. To recommend to the

City Council boundaries of zone districts and regulations to be enforced therein, in accordance with the provisions of this Code and the laws of the State. To review proposals relating to subdivision, development and use of land and make decisions or recommendations on such proposals, in accordance with the procedures and provisions set forth in this Code. To hear and decide appeals wherein there is a question of interpretation of the zone district map, the master plan or related documents and similar questions as they may arise in the administration of this Code. The Planning and Zoning Commission shall have the duty and power to act on appeals with regard to matters arising from enforcement of provisions of Title 070 of this Code, including: a. Review of administrative decisions. To hear and decide appeals where it is alleged there is error in any action, including any order, interpretation, requirement, decision or determination made by an administrative official of the city in the enforcement of Title 070 of this Code. b. Variances. To hear and decide requests for variances from the zoning provisions and sign regulation provisions where there are unique, unnecessary and unreasonable hardships in the way of carrying out the strict letter of said provisions; and to hear and decide requests for variances to allow deviations from restrictions upon the construction and placement of buildings and other structures on site. Examples of such variances include, but are not limited to, modifications of minimum area requirements, building coverage and setback restrictions. Variances from permitted and special review uses in zone district text shall not be considered. To perform such other functions as required by the provisions of Title 070.

11. What experience have you had in the land use approval process? *

Only as a researcher.

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

I would think all matters would be interesting

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

I currently am on the Editorial Board for the Glenwood Post Independent. We regularly write opinions on issues which are pressing in the Roaring Fork Valley, Glenwood/Rifle communities. For example, when the Garfield County Commissioners decided not to approve a project, we wrote an opinion piece on why we were disappointed with that decision. This did elicit some unhappy responses. However, in many cases, keeping personal opinions and taking a fair approach without throwing insults, is the best approach for sticky situations. Backing up your opinion with research and data also helps keeps more productive.

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

Yes, taking a equitable inclusive approach is very important.

15. The Planning and Zoning Commission members generally attend two meetings a month and can have extensive packet materials to review in preparation for meetings. Do you have any existing time commitments that will hamper your ability to serve? *

No, but I also manage my time well.

16. Are you aware of and understand the quasi-judicial function of the Planning and Zoning Commission? *

Yes, from the Municipal Code.

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

I serve on the Post Editorial Board, Faculty Senate President, Curriculum Committee, Colorado State Faculty Curriculum Committee.

18. Please select today's date. *

10/3/2021



19. Have you served on the Planning and Zoning Commission before? *

☐ No

Powers and Duties of the Planning and Zoning Commission

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

Composition of the Planning and Zoning Commission:

a. Seven (7) citizens who are residents of the City.

f. Powers and Duties

The powers and duties of the Planning and Zoning Commission shall be:

- (1) To develop and recommend a master plan subject to the approval of the City Council and its environ in accordance with the provisions of this Code and the laws of the State.
- (2) To recommend to the City Council boundaries of zone districts and regulations to be enforced therein, in accordance with the provisions of this Code and the laws of the State.
- (3) To review proposals relating to subdivision, development and use of land and make decisions or recommendations on such proposals, in accordance with the procedures and provisions set forth in this Code.
- (4) To hear and decide appeals wherein there is a question of interpretation of the zone district map, the master plan or related documents and similar questions as they may arise in the administration of this Code.
- (5) The Planning and Zoning Commission shall have the duty and power to act on appeals with regard to matters arising from enforcement of provisions of Title 070 of this Code, including:
 - a. Review of administrative decisions. To hear and decide appeals where it is alleged there is error in any action,
including any order, interpretation, requirement, decision or determination made by an administrative official
of the city in the enforcement of Title 070 of this Code.
 - b. Variances. To hear and decide requests for variances from the zoning provisions and sign regulation provisions
where there are unique, unnecessary and unreasonable hardships in the way of carrying out the strict letter of said
provisions; and to hear and decide requests for variances to allow deviations from restrictions upon the
construction and placement of buildings and other structures on site. Examples of such variances include, but are
not limited to, modifications of minimum area requirements, building coverage and setback restrictions. Variances
from permitted and special review uses in zone district text shall not be considered.
- (6) To perform such other functions as required by the provisions of Title 070.

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)

Planning and Zoning Commission Application

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

Composition of the Planning and Zoning Commission:

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

a. Seven (7) citizens who are residents of the City.

Personal Information

1. Membership Qualifications *

Are you a resident of Glenwood Springs within city limits? You must be a resident within city limits to qualify.

☒ Yes

☐ No

2. Name *

James Woodrow Hardcastle Jr

3. Home Address *

619 west 11th st, GWS, CO 81601

4. Mailing Address *

619 west 11th st, GWS, CO 81601

5. Home Phone *

970-355-8601

6. Work Phone *

970-384-5200

7. Mobile Phone *

970-355-8601

8. Email Address *

jimhardcastle5@gmail.com

9. Occupation *

6th Grade Teacher

Personal and Professional Interests

10. Why are you interested in serving on the Planning and Zoning Commission? *

I want to serve my community and be a part of thoughtful, calculated, and well thought out community development processes.

11. What do you view as your role if selected as a member to the Planning and Zoning Commission? *

My role is as an impartial and unbiased decision making partner responsible for reviewing all documents delivered to me in a timely fashion, showing up for all meetings, and being prepared to listen to staff presentations and recommendations, applicants and their concerns, and all other interested parties making public comments on all cases.

12. What experience have you had in the land use approval process? *

I have over 16 years of urban planning experience as a senior and junior planner in land use, zoning, and affordable housing, within the public and private sector.

13. Do you have any particular areas of interest or a particular perspective relating to land use development in Glenwood Springs? *

None in particular, though I am an educated and past-practicing professional urban planner who is very interested in every aspect of land use and zoning; from staff reports, site design, land use modifications, zoning requests, comprehensive planning, code interpretation and revisions, PUDs, conflicting uses, conflict negotiation, and community involvement and consensus efforts.

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

As a junior staff subdivision planner in San Antonio, Texas, when a moratorium was put into place on all new applications for subdivision in an area where sink holes were causing foundation issues and risks in previous development dwelling units. Because of our public awareness and communication with the standard engineers and surveyors who did work with our office on a daily basis, we were able to minimize the amount of dissatisfaction with our department and the process as a whole for our customers. We were also able to weather the moratorium and not only retain relationships with the professional community we worked with, we gained their trust for future collaboration.

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

Yes, absolutely I can do this.

16. The Planning and Zoning Commission members generally attend two meetings a month and can have extensive packet materials to review in preparation for meetings. Do you have any existing time commitments that will hamper your ability to serve? *

No, I do not.

17. Are you aware of and understand the quasi-judicial function of the Planning and Zoning Commission? *

Yes, I am very aware of the function of this commission.

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

I have experience presenting and/or facilitating on small town development, state historic and archeological review, and historical design and review boards, among others, in Linn County, Iowa and San Antonio, Texas. I have routinely presented extensive staff reports with recommendations which I have written to Zoning, Planning and Zoning, and historical commissions in Texas, Iowa, and Garfield County, Colorado. I have acted as a member of and presented to numerous committees over a 16 year period.

19. Please enter today's date. *

11/4/2021



20. Have you served on the Planning and Zoning Commission before? *

☒ No

☐ Yes

Powers and Duties of the Planning and Zoning Commission

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

f. Powers and Duties

The powers and duties of the Planning and Zoning Commission shall be:

- (1) To develop and recommend a master plan subject to the approval of the City Council and its environ in accordance with the provisions of this Code and the laws of the State.
- (2) To recommend to the City Council boundaries of zone districts and regulations to be enforced therein, in accordance with the provisions of this Code and the laws of the State.
- (3) To review proposals relating to subdivision, development and use of land and make decisions or recommendations on such proposals, in accordance with the procedures and provisions set forth in this Code.
- (4) To hear and decide appeals wherein there is a question of interpretation of the zone district map, the master plan or related documents and similar questions as they may arise in the administration of this Code.
- (5) The Planning and Zoning Commission shall have the duty and power to act on appeals with regard to matters arising from enforcement of provisions of Title 070 of this Code, including:
 - a. Review of administrative decisions. To hear and decide appeals where it is alleged there is error in any action, including any order, interpretation, requirement, decision or determination made by an administrative official of the city in the enforcement of Title 070 of this Code.
 - b. Variances. To hear and decide requests for variances from the zoning provisions and sign regulation provisions where there are unique, unnecessary and unreasonable hardships in the way of carrying out the strict letter of said provisions; and to hear and decide requests for variances to allow deviations from restrictions upon the construction and placement of buildings and other structures on site. Examples of such variances include, but are not limited to, modifications of minimum area requirements, building coverage and setback restrictions. Variances from permitted and special review uses in zone district text shall not be considered.
- (6) To perform such other functions as required by the provisions of Title 070.
- (7) To service as the Building Board of Appeals.

Appointment, Removal, Term and Vacancies of Boards and Commissions

(Per the 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:

February:

Planning and Zoning 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) successive 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)

Planning and Zoning Commission Application

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

Composition of the Planning and Zoning Commission:

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

a. Seven (7) citizens who are residents of the City.

Personal Information

1. Membership Qualifications *

Are you a resident of Glenwood Springs within city limits? You must be a resident within city limits to qualify.

☒ Yes

☐ No

2. Name *

Peter Waller

3. Home Address *

1487 Walz Ave, Glenwood Springs, CO 81601

4. Mailing Address *

same

5. Home Phone *

970-618-4892

6. Work Phone *

same

7. Mobile Phone *

same

8. Email Address *

same

9. Occupation *

petermwallner@comcast.net

Personal and Professional Interests

10. Why are you interested in serving on the Planning and Zoning Commission? *

I just finished my 1st year as an alternate attending most of the meetings. It was work I enjoyed doing, and I felt I added some value. The current P&Z team is a good, diverse group, and I learned quite a bit, not only the applicants but also from the different perspectives of my co-commissioners. I would like to continue to be part of the team, but as a full-time member. I am also interested in being part of the 2022 Comp Plan team. I have lived and worked in the Roaring Fork Valley for 20 years, raising 2 children here. I had my own business as a developer/contractor for 15 years, and was the Facilities Director for Colorado Mountain College for 6 years focusing on planning, constructing and maintaining facilities at all 7 campuses. For both of these jobs, I worked closely with various municipalities throughout the region; a rewarding experience. I would like to give back to the community doing something I feel is critical.

11. What do you view as your role if selected as a member to the Planning and Zoning Commission? *

As one of seven P&Z members, I give a perspective as a contractor and developer when reviewing applications. I feel I have good listening skills, and appreciate working with the team and city staff to give balanced applicant feedback.

12. What experience have you had in the land use approval process? *

I had a good learning year being on Glenwood's P&Z over the last year; city staff does a great job explaining the applicable land use for each project. I have also worked in land use planning for the last 20+ years. As a project owner/leader, I have been through the planning and development process for projects varying from single family homes to office buildings to small subdivisions to educational facilities. I am also familiar with the building code; as a contractor I had a BEST card for Class B Light Commercial. On projects where I was not the contractor, I typically lead the project OAC team of architects, structural and civil engineers, and contractor.

13. Do you have any particular areas of interest or a particular perspective relating to land use development in Glenwood Springs? *

Since living in Glenwood and raising my family here, I know how difficult it is for people to work and live in our town. Available land for new housing units is limited as well. So, two areas I'm interested in are affordable housing (have built several of the deed restricted housing units in Glenwood), and the comp plan.

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

*

I have been active in the community over the years, and have many close friends. Being a developer in the town where you live can be difficult. Several of my projects in Glenwood resulted in some of my friends not being happy with the outcome; these include White Horse Townhomes, Silver Sage, 1008 Colorado apartment building, and a gas compressor station at CMC Spring Valley. I always met individually with the local neighbors and HOA's to listen and build their input into the project where it made sense; many times, their ideas enriched the project. To sleep with myself at night, I worked hard to balance the need for housing with the city code/planning requirements while truly listening to the public input.

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

Yes. One thing that I like about Planning and Zoning is that it primarily operates per city policies and code. I appreciate decisions based on data and logic, making it easier to justify commission outcomes to my neighbors in the community. I also like the ability to work with the community, staff and council to continually develop city land use direction.

16. The Planning and Zoning Commission members generally attend two meetings a month and can have extensive packet materials to review in preparation for meetings. Do you have any existing time commitments that will hamper your ability to serve? *

No. I know when the scheduled meeting times are and I've done my best to build my personal calendar around both the regular P&Z meetings and work sessions.

17. Are you aware of and understand the quasi-judicial function of the Planning and Zoning Commission? *

Yes. City staff does a great job of making each application clear on P&Z's actual responsibility for project outcome with either P&Z making project final decision or an opinion referred to Council. In general, the Planning and Zoning Commission serves as a legislative body by reviewing and recommending land use policy and municipal code for adoption by city council. P&Z also reviews variance requests from applicants.

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

I served on Glenwood Springs P&Z for the past year. Prior to that, I served on several local boards: President of Junior Achievement of the Roaring Fork Valley, Treasurer of the Sunlight Ski Team, 1st Presbyterian Church Board, and President of the Glenwood Springs Soccer Club. Past work experience included many committees both at Colorado Mountain College and at Intel Corporation.

19. Please enter today's date. *

11/26/2021



20. Have you served on the Planning and Zoning Commission before? *

☐ No

☒ Yes

Reappointment Applicants

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

Glenwood's P&Z commission is a good team made up of people who look at applications from different points of view. I bring a different perspective as a past contractor/developer, which I think is valuable. I think I also have listening skills and appreciation to balance different perspectives and help the team come up with a balanced outcome for each application or proposal which we review.

22. Have you served two full successive terms on the Planning and Zoning Commission? *

No.

Powers and Duties of the Planning and Zoning Commission

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

f. Powers and Duties

The powers and duties of the Planning and Zoning Commission shall be:

- (1) To develop and recommend a master plan subject to the approval of the City Council and its environ in accordance with the provisions of this Code and the laws of the State.
- (2) To recommend to the City Council boundaries of zone districts and regulations to be enforced therein, in accordance with the provisions of this Code and the laws of the State.
- (3) To review proposals relating to subdivision, development and use of land and make decisions or recommendations on such proposals, in accordance with the procedures and provisions set forth in this Code.
- (4) To hear and decide appeals wherein there is a question of interpretation of the zone district map, the master plan or related documents and similar questions as they may arise in the administration of this Code.
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 - a. Review of administrative decisions. To hear and decide appeals where it is alleged there is error in any action, including any order, interpretation, requirement, decision or determination made by an administrative official of the city in the enforcement of Title 070 of this Code.
 - b. Variances. To hear and decide requests for variances from the zoning provisions and sign regulation provisions where there are unique, unnecessary and unreasonable hardships in the way of carrying out the strict letter of said provisions; and to hear and decide requests for variances to allow deviations from restrictions upon the construction and placement of buildings and other structures on site. Examples of such variances include, but are not limited to, modifications of minimum area requirements, building coverage and setback restrictions. Variances from permitted and special review uses in zone district text shall not be considered.
- (6) To perform such other functions as required by the provisions of Title 070.
- (7) To service as the Building Board of Appeals.

Appointment, Removal, Term and Vacancies of Boards and Commissions

(Per the 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:
February:

Planning and Zoning 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) successive 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)



Planning and Zoning Commission Application

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

Composition of the Planning and Zoning Commission:

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

a. Seven (7) citizens who are residents of the City.

Personal Information

1. Membership Qualifications *

Are you a resident of Glenwood Springs within city limits? You must be a resident within city limits to qualify.

☒ Yes

☐ No

2. Name *

Mitchell Weimer

3. Home Address *

121 Polo Road

4. Mailing Address *

121 Polo Road

5. Home Phone *

202-215-1576

6. Work Phone *

202-215-1576

7. Mobile Phone *

202-215-1576

8. Email Address *

mittchell.weimer@gmail.com

9. Occupation *

Business Strategy Consultant (Director) with PricewaterhouseCoopers

Personal and Professional Interests

10. Why are you interested in serving on the Planning and Zoning Commission? *

Growth in the valley is inevitable - this is an incredible place to live, and we will only continue to attract people interested in living and working here. The GWS community has the opportunity to smartly embrace that growth, but it also has the responsibility to properly and sustainably manage it. Having lived in areas of the country where people are leaving, planning for smart growth is a wonderful challenge to face, and I would look forward to participating in that planning.

11. What do you view as your role if selected as a member to the Planning and Zoning Commission? *

I am a small-town Colorado native who left the state after college and have since lived abroad and along both coasts. I've seen wonderful things happen to communities - as well as long-term mistakes made. To the Commission's planning and advisory efforts, I offer my Colorado roots and wide perspective to guide the Council toward smart, creative, common-sense planning decisions with the aim of benefitting current and future residents and businesses. As to the more routine application reviews and hearings, my role is to understand and apply the city's plans, policies, and code in an equitable manner.

12. What experience have you had in the land use approval process? *

My first experience was while living in Jersey City, New Jersey, working with the city on approvals, variances, historical protections, and various certificates. Currently - and locally - I am working with the Town of Silt to annex and zone ~20 acres of riverfront. I've had to study Silt's Master Plan, understand their Municipal Code, the parcel's current status, and the process to submit an Annexation and Development Agreement, Planned Unit Development documents, Sketch Plan Applications, and Master Subdivision Applications - as well as coordinate with FEMA, CDOT, and others. I've also become well versed with OEDIT grants, Opportunity Zone funding, and the like. It's been a learning process, but I've enjoyed working through it, and I know it's given me a great perspective and set of experiences to bring to the Commission.

13. Do you have any particular areas of interest or a particular perspective relating to land use development in Glenwood Springs? *

Our responsibility to grow smartly means serving both current and future residents, bringing creative thinking and broad experience to the table, considering a decision's full range of implications well into the future, and partnering with the town's Council and other committees to allow GWS the energy, vibrancy, beauty, and sense of community it deserves. I'm particularly interested in helping shape our downtown core and riverfront but believe that every corner of the city deserves equal attention.

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

*

I was an Army officer for 5 years, and have been a corporate leader/executive for almost 20. I've had to make decisions that left some people unhappy, such as policy decisions and promotions selections. And I've had to make decisions that left many people unhappy, such as headcount reductions, budget decisions, and strategic directions. The worst scenario is an unpopular decision that cannot be defended. You must apply clear, critical thinking; ground yourself in a consistent decision-making framework; and demonstrate empathy, respect, and honesty. In this way, all decisions (especially the unpopular ones) become defensible, and those who disagree can at least understand why it was made.

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

Of course. The city's goals, policies, plans, and Code are in themselves equitable. My role would be to ensure they are in turn equitably applied in the commission's decisions and planning.

16. The Planning and Zoning Commission members generally attend two meetings a month and can have extensive packet materials to review in preparation for meetings. Do you have any existing time commitments that will hamper your ability to serve? *

I do not have any existing time commitments that would hamper my ability to serve.

17. Are you aware of and understand the quasi-judicial function of the Planning and Zoning Commission? *

I understand that occasionally the commission must act in a quasi-judicial function. In this capacity, it acts more as a court, applying existing standards and ordinances to the facts presented by the parties. When in this capacity, it is even more critical to properly engage with the public, demonstrate transparency, respect, and fairness, and consistently adhere to established frameworks.

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

I've participated on numerous boards and committees over the years, whether a community-based committee or professional board. My common approach has been to show up prepared, be fully dedicated, recognize what I bring to the table, and strive to work in partnership with the rest of the group.

19. Please enter today's date. *

12/28/2021



20. Have you served on the Planning and Zoning Commission before? *

☒ No

☐ Yes

Powers and Duties of the Planning and Zoning Commission

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

f. Powers and Duties

The powers and duties of the Planning and Zoning Commission shall be:

- (1) To develop and recommend a master plan subject to the approval of the City Council and its environ in accordance with the provisions of this Code and the laws of the State.
- (2) To recommend to the City Council boundaries of zone districts and regulations to be enforced therein, in accordance with the provisions of this Code and the laws of the State.
- (3) To review proposals relating to subdivision, development and use of land and make decisions or recommendations on such proposals, in accordance with the procedures and provisions set forth in this Code.
- (4) To hear and decide appeals wherein there is a question of interpretation of the zone district map, the master plan or related documents and similar questions as they may arise in the administration of this Code.
- (5) The Planning and Zoning Commission shall have the duty and power to act on appeals with regard to matters arising from enforcement of provisions of Title 070 of this Code, including:
 - a. Review of administrative decisions. To hear and decide appeals where it is alleged there is error in any action, including any order, interpretation, requirement, decision or determination

made by an administrative official of the city in the enforcement of Title 070 of this Code.

- b. Variances. To hear and decide requests for variances from the zoning provisions and sign regulation provisions where there are unique, unnecessary and unreasonable hardships in the way of carrying out the strict letter of said provisions; and to hear and decide requests for variances to allow deviations from restrictions upon the construction and placement of buildings and other structures on site. Examples of such variances include, but are not limited to, modifications of minimum area requirements, building coverage and setback restrictions. Variances from permitted and special review uses in zone district text shall not be considered.

(6) To perform such other functions as required by the provisions of Title 070.

(7) To service as the Building Board of Appeals.

Appointment, Removal, Term and Vacancies of Boards and Commissions

(Per the 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:

February:

Planning and Zoning 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) successive 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 Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: Uinta Basin Railway

Action Requested: No action required at this time.

Department: City Administration

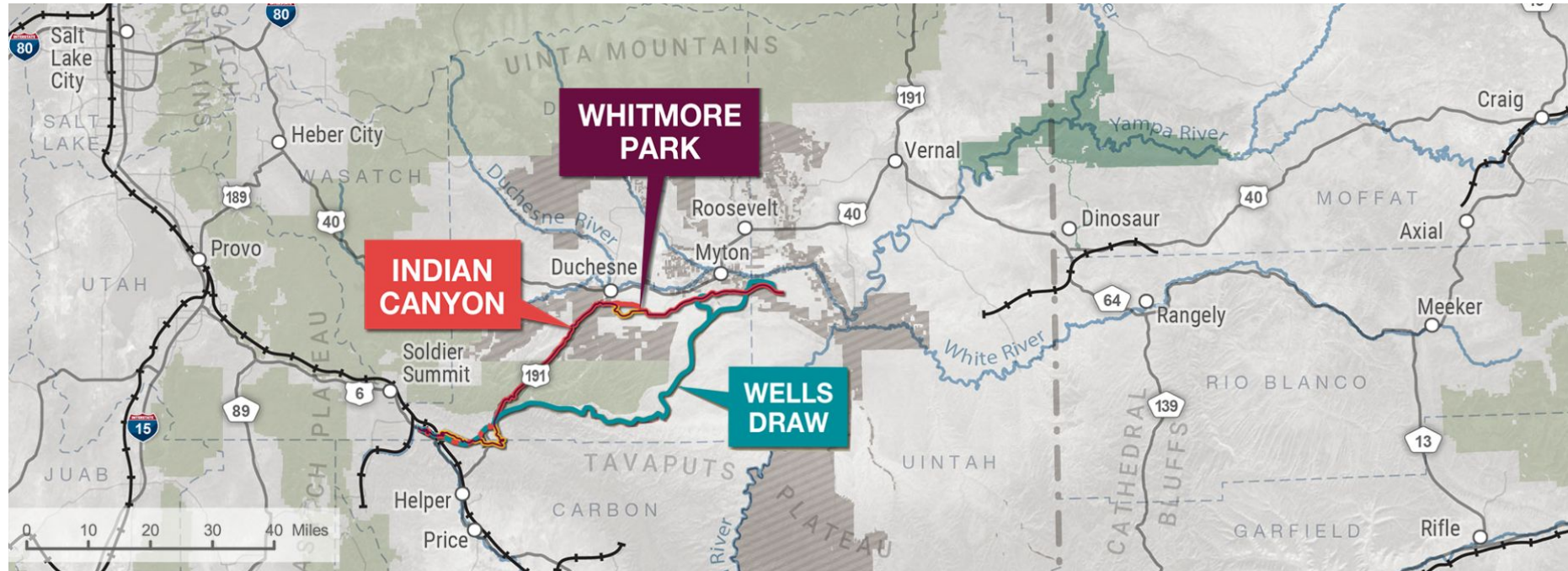
Strategic Goals: Protect and Preserve our Quality of Life

Background Info: Deeda Seed with the Center for Biological Diversity will present potential issues around the Uinta Basin Railway. If this project is ultimately approved, multiple trains a day will pass through Glenwood Sprints carrying waxy crude oil.

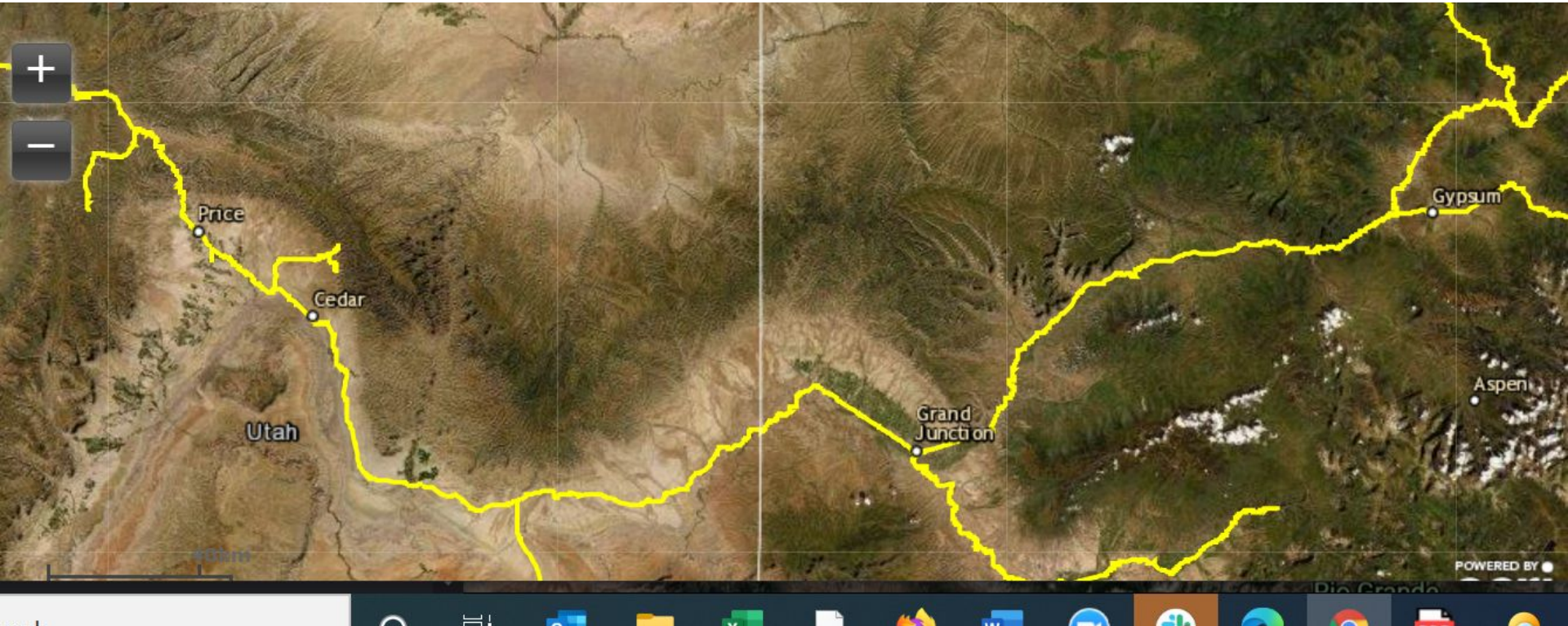
Issues: None at this time.

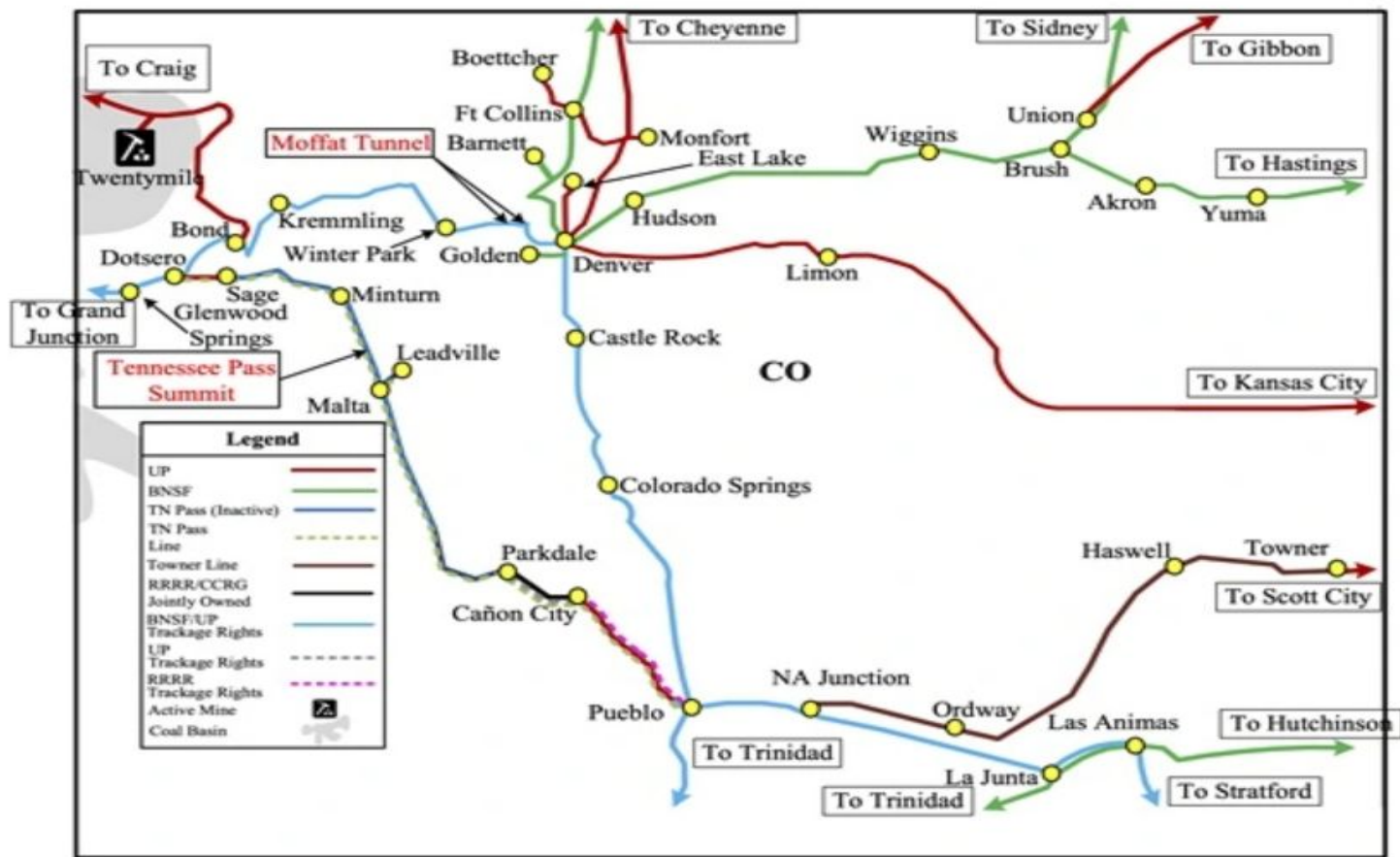
Staff Recommendation: None at this time.

Map of UBR route in Utah



Map of Union Pacific Mainline through UT and CO





Tennessee Pass Line and surrounding rail lines. (Surface Transportation Board filing)

Problems for Glenwood Springs and communities along UP mainline

- Derailment
- Fire - wildfire and community risk
- Spills - impacts to Colorado River and other areas

General environmental harm from the proposed railway:

- Yearly carbon emissions equal to 6 new coal plants (53 million tons per year)
- Increased air pollution in Utah and Colorado



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item:	Citizen's Petition on Noise Reduction
Action Requested:	Listen to the citizen request and direct staff to provide additional information as needed if City Council wishes to take action on the request.
Department:	City Administration
Strategic Goals:	Protect and Preserve our Quality of Life
Background Info:	Robin Millyard approached staff and requested time on the agenda to explain a citizen petition from his neighborhood for sound walls to block the noise from Highway 82.
Issues:	Staff has not seen the petition. The city would not typically build sound walls along Highway 82 since it is not a city street.
Staff Recommendation:	Staff recommends that Council receive the petition and let staff know if they are interested in additional information for a City Council discussion in the future.

Greetings to City Council and Staff:

January 14, 2022

The purpose of this request is twofold: first is highlight the issues and bring awareness to them and second to address the issues associated with noise generated by vehicles and associated air quality issues on Glen Avenue. These issues outlined in this narrative are addressable with cooperation between the City, CDOT and the traveling public.

The residential properties adjacent to State Highway 82 (Glen Avenue) from 29th Street to 33rd Street are being negatively impacted by ever increasing traffic noise and related issues. This area consists of the Valley View Farm Subdivision (platted in 1950 - 38 lots), the Cole Subdivision (platted in 1948 - 14 lots) and the Stiers Subdivision (platted in 1963 - 5 lots). Please see the attached sketch labelled Exhibit 'A.' Much of this noise is generated by southbound vehicles speeding and/or accelerating trying to make it through the traffic signal at Blake Avenue and Glen Avenue – this is the McDonald's and Pizza Hut intersection. Vehicles trying to stop or slow down for this signal or the traffic light at 27th Street and Glen Avenue are also generating noise. Some vehicles, traveling at a constant rate, also generate excessive noise. Unlike southbound traffic with a posted speed limit of 45 MPH, the speed limit on northbound Highway 82 reduces speeds for vehicles coming into Glenwood Springs to 35 MPH approximately 1,020 feet prior to the stop bar at the intersection of Blake Avenue and Glen Avenue.

This request is for the City of Glenwood Springs to evaluate and consider mitigation measures that might include the installation of sound mitigation device(s) and lowering the speed limit on this section of Glen Avenue. The properties adjacent to the roadway along the westerly side of Highway 82 are residential in nature while the properties along the eastly side are commercial.

The attached petition represents signatures representing 32 of the 57 parcels. Please see the attached petition marked Exhibit 'B.' (During the effort to collect signatures, I found that not everyone is receptive to a stranger with a clipboard knocking on their door. Some people were very agreeable with the concepts of noise mitigation and reduced speed limits but were unwilling to include their name on or sign the petition.)

The following is intended to illustrate the potential impact to travel times by reducing the speed limit on this portion of Glen Avenue. The section of roadway from the stop bar on south bound Highway 82 at the intersection of 27th Street and Glen Avenue to the stop bar on south bound Highway 82 at the intersection of Blake Avenue and Glen Avenue is approximately 2,440 feet. The posted speed limit for southbound traffic increases from 35 MPH to 45 MPH right after 27th Street. A considerable number of vehicles are doing hard acceleration in this area to make it through the stop light at 27th Street and Glen Avenue and/or the traffic light at Glen Avenue and Blake Avenue. The impact to the traveling public, for a reduced speed limit, is minimal – a vehicle traveling at 45 MPH would cover this distance in 36.97 seconds while a vehicle traveling at 35 MPH would take 47.53 seconds to travel the 2,440 feet. That is a 10.56 second delay to cover this distance – I do not believe that is an unreasonable amount of time compared to the benefits gained in noise reduction and other environmental factors.

When the affected subdivisions were originally platted, Highway 82 was located on the right-of-way of the present South Grand Avenue, to the west of these subdivisions. Highway 82 was relocated to its current location in the mid 1960's. Unfortunately, the roadway was elevated relative to the existing homes, which makes the traffic noise impacts even greater. In my backyard, for example, the road surface is 11 feet higher than the middle of the yard, based on the City's topographic mapping from 2009.

In addition to reducing the traffic noise impacts from Highway 82, mitigation measures would reduce the amount of fugitive dust and other particulates generated from the roadway. The houses on the easterly side of Sopris Avenue are situated about 125 feet from the westly travel lane of Highway 82. Some are as close as 90 to 100 feet. There are several published studies regarding the impact of living near a busy highway, including asthma onset and aggravation, cardiovascular disease, impaired lung development in children, pre-term and low-birthweight infants, childhood leukemia, and premature death. Examples of directly emitted pollutants include particulate matter (PM), carbon monoxide (CO), oxides of nitrogen (NOx), and benzene, though hundreds of chemicals are emitted by motor vehicles. Motor vehicles also emit compounds that lead to the formation of other pollutants in the atmosphere, such as nitrogen dioxide (NO2), which is found in elevated concentrations near busy roads, and ozone (O3), which forms further downwind. Beyond vehicles' tailpipe and evaporative emissions, roadway traffic also emits brake and tire debris and cause road dust to become airborne. The previous information is from a U.S. EPA brochure titled 'Near Roadway Air Pollution and Health.' From our own experience, we must pressure wash our house at least once a year to keep the accumulation of dust and grit off the painted surfaces. Neighborhoods like these are the most impacted by the noise and pollutants, and we really do not have a choice about it. While there is an option – sell and relocate – is not a desirable or viable one for most residents. It also does not address the underlying issues. Several of the people I spoke with that live on the easterly side of Sopris Avenue noted they have moved their bedroom to the front of the house (westerly side) to help lessen the impact of traffic noise.

One other component of these concerns is the noticeable reduction in enforcement. I fully understand and appreciate the current staffing challenges, but we used to routinely see Glenwood Springs Police Officers, as well as officers from Colorado State Patrol and the Garfield County Sheriff's Office make traffic stops along this section of Highway 82. Several larger vehicles are using a jake brake when stopping at traffic lights. They would not need jake brakes if travelling at a slower speed. Jake brakes also introduce additional pollutants into the air. Often during the late evening hours, and into the night, street races are occurring, which should be a safety concern to all of us.

The city has a role in this situation, in cooperation with CDOT, as suggested by the Colorado Revised Statutes. Colorado law establishes speed limits for roads and highways within the state. The Colorado Department of Transportation (CDOT) and local authorities may change the speed limit for any road under their respective jurisdictions if the department or local authority determines that the speed limit established by law is greater or less than what is

reasonable or safe for road or traffic conditions. The following information is from the latest Colorado Revised Statutes:

The guidance for speed limits is outlined in Section 42-4-1101. Speed limits. (2) Except when a special hazard exists that requires a lower speed, the following speeds shall be lawful:

(b) Twenty-five miles per hour in any business district, as defined in section 42-1-102 (11);(c) Thirty miles per hour in any residence district, as defined in section 42-1-102 (80).

The definition of business district and residence district are as follows:

42-1-102. Definitions.

(11) "Business district" means the territory contiguous to and including a highway when within any six hundred feet along such highway there are buildings in use for business or industrial purposes, including but not limited to motels, banks, office buildings, railroad stations, and public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway.

(80) "Residence district" means the territory contiguous to and including a highway not comprising a business district when the frontage on such highway for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

For some additional background information, please see the attached CDOT brochure titled Setting Realistic Colorado Speed Limits, marked Exhibit 'C.'

Should the City wish to measure the sound levels and air quality adjacent to the highway, we would gladly provide access to our property at 3110 Sopris Avenue for those purposes. Perhaps the Slow Down in Town program could be extended to include this section of Glen Avenue. Highway 82 is a vital component of Glenwood Springs, but it does not necessarily need to negatively dominate these neighborhoods.

Thank you all very much for your time and consideration of these matters.

Robin Millyard

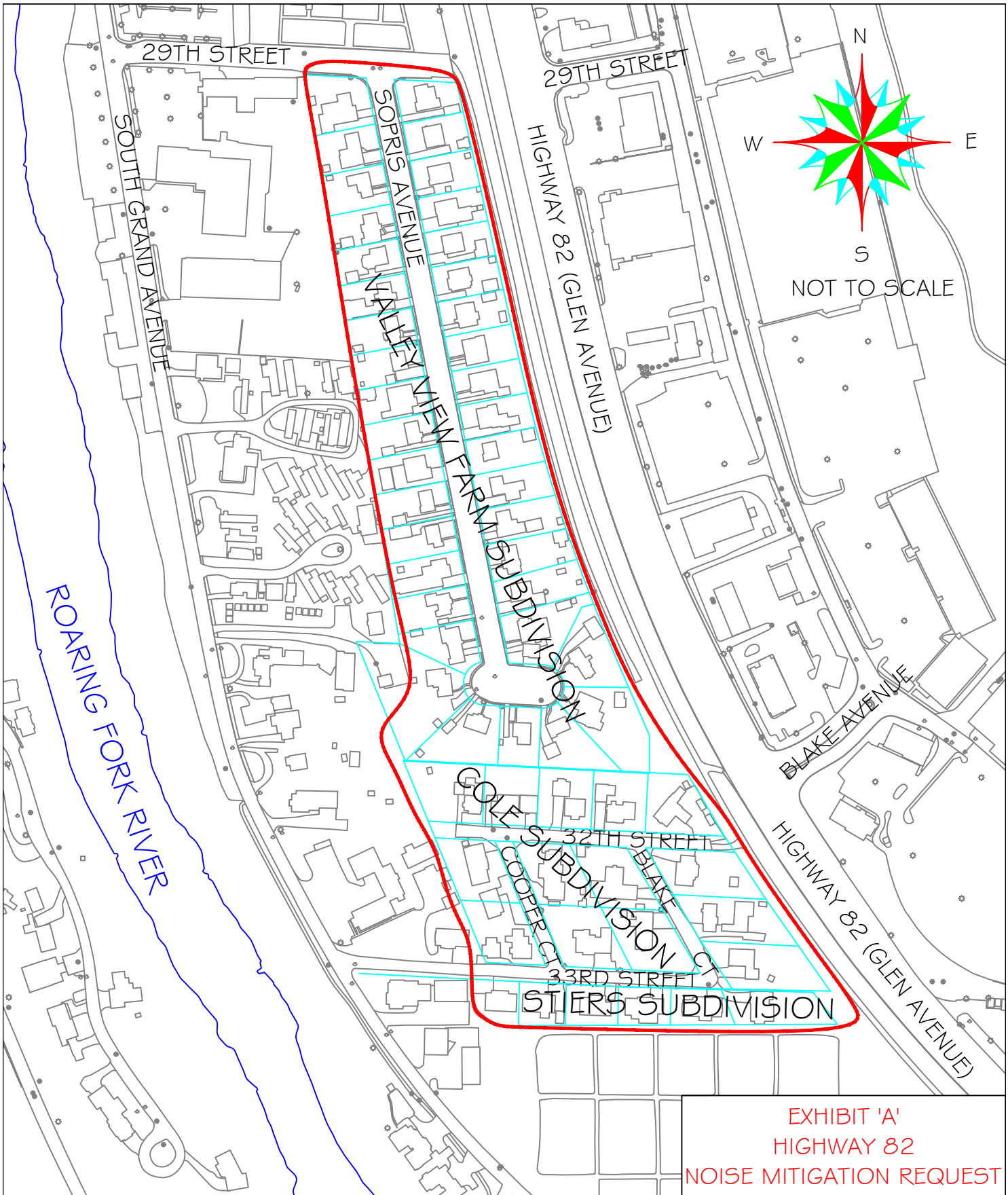


EXHIBIT 'B' HIGHWAY 82 NOISE MITIGATION REQUEST

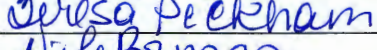
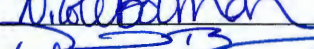
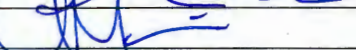
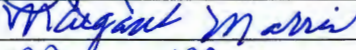
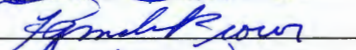
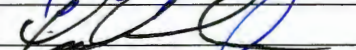
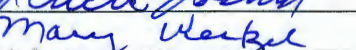
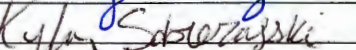
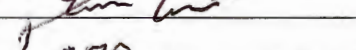
NEIGHBORHOOD PETITION FOR NOISE ABATEMENT MEASURES ALONG HIGHWAY 82 (GLEN AVENUE) 29TH STREET TO ROSEBUD CEMETERY

We the undersigned, being the residents of properties adjacent to State Highway 82 (Glen Avenue) are being negatively impacted by increased traffic noise and related issues, do hereby respectfully petition the City of Glenwood Springs to evaluate and consider mitigation measures, including installing a noise mitigation wall and lowering the speed limit.

This is an effort to reduce the traffic noise impacts from Highway 82. The area impacted is from 29th Street to 33rd Street. The south-bound speed limit on Highway 82 in this section is 45 MPH, but it is common for AM commuting traffic to significantly exceed the speed limit. A large percentage of the PM commuter traffic also exceeds the posted limits. A significant number of vehicles are doing hard acceleration in this area in an effort to make it through the stop light at Blake Avenue - this is the McDonald's and Pizza Hut intersection.

This area consists of the Valley View Farm Subdivision (platted in 1950 - 38 lots), the Cole Subdivision (platted in 1948 - 14 lots) and the Stiers Subdivision (platted in 1963 - 5 lots). Originally, Highway 82 was located on the right-of-way of the present South Grand Avenue, to the west of these subdivision. Highway 82 was relocated to its current location in the mid 1960's. Unfortunately, the roadway was elevated relative to the existing homes, which makes the traffic noise impacts even greater.

#	PRINTED NAME	SIGNATURE	ADDRESS	PHONE
1	ROBIN MILLYARD	<i>Robin Millyard</i>	3110 SOPRIS AVENUE	970-945-6390
2	LINDA MILLYARD	<i>Linda Millyard</i>	3110 Sopris Ave, Glenwood Springs	970-618-2270
3	Vlice Golden	<i>Vlice Golden</i>	3121 Sopris Ave, Glenwood Springs	720-320-6316
4	PAUL GRECO	<i>Paul Greco</i>	3121 Sopris Ave "	970-819-5112
5	Jose Luis Perez	<i>Jose Luis Perez</i>	3105 SOPRIS AVE - GWS Co.	970-379-2021
6	ALISON MARSHALL	<i>Alison Marshall</i>	3109 SOPRIS AVE GWS	970-379-0234
7	Roger Kelly	<i>Roger Kelly</i>	3102 Sopris Ave GWS Co	970-948-1400
8	SUSIE M KELLY	<i>Susie M Kelly</i>	3102 Sopris Ave GWS Co	970-309-6467
9	Ginger Charron	<i>Ginger Charron</i>	3026 SOPRIS AVE GWS, CO	720-212-8107
10	JACK INFANGER	<i>Jack Infanger</i>	" " "	945-6056
11	MARTY CHARRON	<i>Marty Charron</i>	" " "	970-309-0473
12	Maria Moreno	<i>Maria Moreno</i>	3022 Sopris Ave gws Co	
13	Jay Harman	<i>Jay Harman</i>	3006 SOPRIS AVE	281-620-9865
14	Tara Harman	<i>Tara Harman</i>	3006 Sopris Ave GWS, Co	309-648-9424

#	PRINTED NAME	SIGNATURE	ADDRESS	PHONE
15	Robert Peckham		3001 Sopris Ave, GWS, CO	970-379-5984
16	Teresa Peckham		3001 Sopris Ave, GWS CO	970 379 3352
17	Nicole Bowman		2917 Sopris Ave GWS, CO	970) 492-5166
18	DAVE Bowman		2917 Sopris Ave GWS, CO	970 274-2641
19	Sherry Reed		2909 Sopris Ave GWS	970 987.6722
20	Melody Morris		2905 Sopris Ave GWS CO	970 618 2423
21	Margaret Mann		2901 " " "	970 945 6918
22	Mandy Morris		2901 Sopris Ave GS	970-379-2458
23	Robin Reed		3010 Sopris Ave, GWS, C	303-748-0480
24	Becky Blair		3016 Sopris Ave GWS CO	970 948-4016
25	Nicole Killbrew		3117 Sopris Ave Sopris GWS, CO	970-274-8636
26	Dennis Brown		3113 Sopris Ave GWS CO	970-618-9300
27	Pam Brown		3113 Sopris Ave G.S. CO	970-945-5545
28	Justin Kulacz		3114 Sopris Ave GWS CO	708-932-6675
29	Katelyn Kulacz		3114 Sopris Ave GWS CO	815-954-5552
30	Manuel Carrasco		3111 Sopris Ave GWS CO	970 456-2385
31	Burke J Eberly		3010 Sopris Ave GWS, CO	970-404-5970
32	Pedro Rivera		3118 Sopris Ave GWS, CO	970-673-0123
33	Ariana Jeffries		3122 Sopris Ave GWS CO	970 309 3095
34	Cady Selton		3122 Sopris Ave	"
35	Bob Lockard		3014 Sopris Ave	970-618-2101
36	Tish Lockard		3014 Sopris Ave	970-618-3301
37	Mary Wentzel		3101 Sopris Ave	970-379-1588
38	Kyla Sobieralski		3025 Sopris Ave	970-618-1444
39	Aaron Knot		3025 Sopris Ave	970-456-5517
40	Tuan Osoni		3013 Sopris Ave	970-379-7939
41	Law Grant		3009 Sopris Ave	720-891-7396
42				
43	Larry Rynealson		2906 Sopris Avenue	
44	PAUL STEVE SHAW		2914 Sopris Ave	970 379 5461
45	William Montal		2918 Sopris Ave	970-945-9243
46	Jackie Marshall		3002 Sopris Ave	970-309-8555

#	PRINTED NAME	SIGNATURE	ADDRESS	PHONE
47	Heiko Woodyard	Heiko Woodyard	432 33rd St. GWS 81601	(970) 355-4845
48	James Clarkson	J.E. Clark	440 33rd St. Glenwood Springs, 81601	(802) 380-5466
49	Daisy Salinas	Daisy Salinas	433 32nd St GWS 81601	970 309 7223
50	DAVID REINHOLD	David Reinhold	425 32nd ST GWS 81601	970-319-7704
51	Jean Messner	Jean Messner	2910 Sopris St 81601	970 596 1899
52	Oliver Adams	Oliver Adams	440 33rd St 81601	902 380 5466
53	Mackenzie Morris	Mackenzie Morris	440 33rd St 81601	641 417 9878
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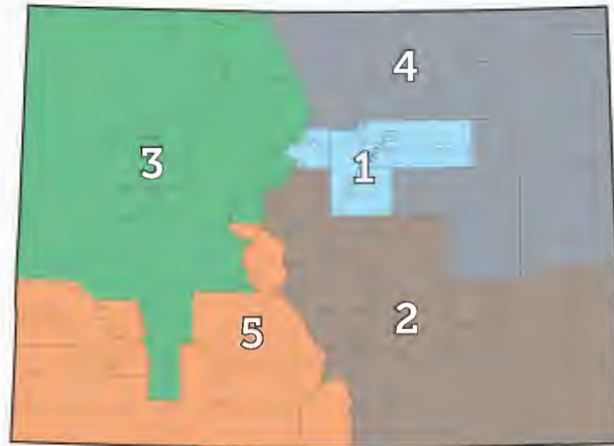
A uniform speed of vehicles helps traffic move more safely and efficiently.

The Colorado Department of Transportation's (CDOT) goal is to establish speed limits that maximize safety and that are respected by motorists. By using sound engineering principles, CDOT can provide a balanced transportation system that gets motorists to their destination as safely and efficiently as possible.



WHAT YOU CAN DO

If you believe that there is a safety or speed limit concern posted on a roadway, (City Street, County Road or Highway), you may report this to an official in charge of that road. If the segment is a portion of the State Highway System, including U.S. and Interstate routes, contact should be made with the corresponding CDOT Region Traffic and Safety Engineer.



Region 1

Phone: 303-512-4040

Region 2

Phone: 719-546-5734

Region 3

Phone: 970-683-6271

Region 4

Phone: 970-350-2368

Region 5

Phone: 970-385-1423

Headquarters

Phone: 303-512-5530

COLORADO
Department of Transportation



EXHIBIT 'C'



SETTING REALISTIC
COLORADO
SPEED LIMITS



COLORADO
Department of Transportation

SPEED LIMIT PRINCIPLES

Setting speed limits to realistic levels helps to protect the public by reducing the potential for vehicle conflicts while moving traffic efficiently. Speed limits also provide a basis for enforcement and sanctions for those who travel at speeds excessive for conditions which could endanger others.



THE LAW

Speed limits are posted primarily to regulate motorists to the speed considered reasonable and safe by the majority of drivers on a particular roadway. *Prima facie* speed limits are those which “at first appearance” are reasonable and prudent under normal conditions.

In Colorado, *prima facie* speed limits are:

- 20 mph on narrow, winding mountain roads
- 25 mph in any business district

- 30 mph in any residential district
- 40 mph on open mountain highways
- 55 mph on non-interstate open highways
- 65 mph on interstate highways, freeways, or expressways

The absolute speed limits, listed below, are the maximum lawful speed limits and may not be legally exceeded under any circumstances.

- 75 mph
- Posted work and school zones

Colorado traffic laws apply to all state highways, county roads, and city streets and requires that speed limits shall not be higher or lower than the *prima facie* speed limits unless a thorough traffic investigation or survey, also known as a speed study, has justified the change. For state highways, the speed study is typically conducted and approved by the Safety and Traffic Engineering Branch of CDOT.

Each speed study follows requirements within the Manual on Uniform Traffic Control Devices and traffic engineering standards. Factors which may be considered include:

- 85th percentile speed data (speed of 85% of drivers)
- Existing development

- Observed crash history
- Road characteristics
- Environmental factors
- Parking practices and pedestrian /bicycle activity

Some believe that lower speed limits are the solution to all accidents and traffic control problems. Studies have shown that most people will drive as they perceive the conditions of the roadway, ignoring a speed limit that is unrealistically low or high. A speed limit that is “too low” may actually decrease the overall safety of the roadway.

SAFETY

CDOT uses a variety of traffic control devices to help reduce crashes on Colorado’s roadways. These devices include signs, traffic signals, flashing beacons, and pavement markings. When it is raining, snowing, foggy or icy, Colorado law requires us to adjust our speed so we are able to travel safely even if the speed we travel is below the posted speed limit. We are also required to drive with tires which meet or exceed Colorado’s Traction Law. We all play a role in keeping our roads safe and should always drive carefully, especially in work and school zones.

TYPES OF SPEED LIMIT SIGNS

Once a speed limit is determined, signs are posted along the roadway segment. The following speed limit and speed limit advisory signs reflect a few types you may see along a road when traveling.

Regulatory Speed Limit and Variable Speed Limit



Black and white sign shows the maximum speed limit under ideal conditions.



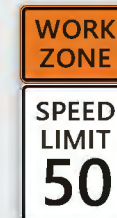
Variable speed limits that change based on road, traffic, and weather conditions.

Advisory Speed



Black and yellow sign to advise motorists of a safe speed. Typically, they are used with a warning sign.

Regulatory Work Zone Speed Limit



Used to identify maximum speeds within a work zone. These speed limits may not be exceeded under any circumstances.

Regulatory School Zone Speed Limit



This regulatory speed limit is in effect during a specific time and may not be exceeded under any circumstances.



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: Direction on Request for Proposals for South Canyon

Action Requested: Direction on RFP for South Canyon

Department: Parks & Recreation

Strategic Goals: Provide Efficient and Responsive City Government
Preserve and Improve Infrastructure
Protect and Preserve our Quality of Life
Generate Sustainable Economic Development
Ensure Public Safety

Background Info: On June 17, 2021, Council directed staff to conduct a public engagement process on the vision for improvements of the South Canyon Parkland's various recreational, service, and natural amenities and to bring findings and recommendations back before proceeding with a request for proposal (RFP) for the development of the hot springs as well as recreational vehicles and tent camping for the South Canyon area.

Hughes Collaboration was contracted to assist with the collection of data and feedback through focus interviews with key stakeholder groups, a well attended openhouse listening session, and a public survey that received over 800 responses. The Summary of Public Process to Date and Recommendations for Next Steps is included in the packet. Main takeaways include the desire for the development of an area management plan through a series of objectives from broad city wide development policy and visioning to specific public informed direction for the Parklands. The Public Input Recommendations on how to proceed before the submittal of an RFP for development are outlined as follows:

1. Comprehensive Plan and Policies that apply citywide
2. Baseline of information about the current conditions of South Canyon to Council
3. Images of possible future scenarios and implications
4. Decision from Council on Direction of South Canyon
5. Management Plan Development

An outline for the planning of an area Management Plan was developed with the Parks & Recreation Commission in 2018 and is included in the packet. The Area Plan would include studies into the health of the water system, assessment of historical sites, evaluation of wildlife habitat, planning for a higher standard of maintenance, completion of development of the formalized trail systems, improvements to the existing gun range and archery range properties, development of camping sites, and development and a management plan for the hot springs.

Several preparatory reports have been completed over the last few years in preparation of a South Canyon Area Plan, including:

- Historical and Cultural Study completed by Mountain States Historical in 2018.
- An independent study of the water table and water quality in the canyon was done by Steve Beckley in 2018.
- Design of a developed shooting sports park was done by Marty Fischer Course Design in 2018.
- An evaluation of the Canyon wildlife habitations was conducted by CPW/DNR in 2019.
- Stream health and water quality monitoring was evaluated by the Middle Colorado Watershed Council in 2019.
- A bio-diversity study was completed by the Colorado Natural Heritage Program in 2020.
- A water composition testing and analysis study was conducted by Wright Water Engineering and the

Issues:

In 2017-2018, Council worked with a private developer to conduct a feasibility study and conceptual development plans of the hot springs and potential designated camping areas. Public comment on the process caused the developer to pull out and Council to table the planning. In June of last year, Council again had discussion and gave general direction to put out an RFP for development of the hot springs and surrounding area after a public input period. Informed by the public input received, staff is seeking direction to move forward with either the development of an area management plan or a specific scope of work and parameters to include in an RFP, should Council still desire to move forward with development at this time.

Staff Recommendation:

Staff recommends implementing the recommendations for next steps contained in the Summary of Public Process.
Staff defers to Council on direction and scope for an RFP to develop and improve recreational features in South Canyon.

SOUTH CANYON AREA PARKS PLAN

Project Description:

The City of Glenwood Springs, CO, seeks to develop an area plan for the approximately 3,000 acres of designated parkland in the South Canyon area, west of downtown Glenwood Springs. The plan will provide recommendations for improving and protecting the canyon's ecosystem while enhancing public access to recreation and historical resources in the area. The plan will build upon recent studies and public outreach to address a variety of proposed upgrades to existing trails and sites, as well as the development of new recreational opportunities in the area, including camp sites and bike trails.

1. PLAN TYPE:

The City of Glenwood Springs seeks to support the development of a South Canyon Area Parks Plan to address the need for comprehensive studies and planning to protect and improve the ecosystem of this undermanaged and underutilized area while improving public access to existing and planned recreational and historical amenities.

Located west of Glenwood Springs, the South Canyon is a vast area of City-owned land with approximately 3,000 acres of designated parkland. This public land encompasses the City landfill, a shooting range, and vast area of unmanaged open space. South Canyon is the site of a set of undeveloped hot springs pools (a.k.a. the "Hippy Hot Springs") where locals venture despite insufficient filtration flow and unhealthy fecal form bacteria levels. The City also has concerns about illegal camping in the canyon. Recent interest from developers in transforming the undeveloped hot springs into a tourist destination, as well the construction of the new trails and potential for establishing camp grounds in the area, has generated concerns from a variety of stakeholders regarding impacts on nearby residents and the health of the ecosystem in the canyon, which is vulnerable to illegal dumping, human impacts, and fire risk.

The South Canyon Area Parks Plan project will bring together stakeholders from across the community, including residents, developers, outdoor adventure groups, environmental groups, and public agencies to undertake a planning process that will seek to address these challenges and find solutions acceptable to all parties. The key deliverable will be an improvement plan that addresses the misuse happening in the canyon, outlines potential approaches for enhancing public access and enjoyment of the area, and provides a framework for protection of the ecosystem and habitat that will bring awareness to this unique public amenity. This plan will build past efforts to inventory the historical and biological resources in South Canyon, including an intensive archaeological survey in 2003 with the US Forest Service to assess the historic significance and condition of the historic coal mining sites and a recently completed historical assessment.

The outcome of the project will be a plan that informs new management and recreation practices with understanding of the area's natural and cultural assets and the risks and benefits of developing new recreational opportunities. The plan will help to move forward on a clear path of action that will balance needs for preservation and protection with the advantages of enhanced public access to this unique public amenity. Potential recreation will include new mountain bike trails that

highlight the canyon's historic, 19th Century coal mining sites; a safe designated camp ground that will reduce illegal camping and mitigate associated wildfire risks, and a clean, developed hot springs destination.

2. PLANNING PROCESS:

(1) Convene Stakeholders – The Parks & Recreation Department will convene a South Canyon Area Parks Plan project team with representation from local officials, community members, outdoor adventure groups, landowners, developers, and environmental groups.

(2) Review Previous Plans & Studies – The project team will then undertake a comprehensive review of existing conditions and gather data from surveys, assessments, and planning efforts, including the History and Summary of South Canyon Coal Mine Historic Site prepared by Mountain States Historical, the South Canyon Trails Plan prepared by Kay-Lin Enterprises for Roaring Fork Mountain Bike Association, and development proposals.

(3) Conduct Resource Inventory – The project team will inventory existing assets in the South Canyon area, identifying and categorizing the land presently used by the public but without guarantee of remaining public; areas experts have identified as having historic or biological value worthy of preservation (animal and vegetative habitat, the streambelt corridor, traprock ridges, historic mining sites); areas unsuitable for development due to slope, wetland status, fire risk, flooding, or shallow soils; areas that might be preserved by regulation; cultural resources such as scenic vistas and community gathering places (Hippy Hot Springs); and areas used for outdoor recreation (gun range, bike trails).

(4) Assess Community Needs & Preferences – The project team will review stakeholder input to date, including the memorandum raising concerns of Garfield County and Glenwood Springs residents and minutes from public meetings. The project team will secure additional public input through scheduled workshops, public meetings, surveys, and stakeholder interviews, as well as digital engagement through social media and websites. Initial public outreach will ensure public understanding of and involvement in the planning process.

(5) Confirm Objectives – The project team will establish a set of objectives for the plan, such as creating a blueprint for preservation, maintenance, and development of parkland that balances preservation/environmental protection with enhanced public access/recreational opportunities.

(6) Seek Expertise – The project team will solicit assistance from public agencies with knowledge about land planning, resource protection, and historic preservation, such as the CO Department of Natural Resources, Colorado Parks & Wildlife, and History CO. The project team will procure a consultant to provide professional help with specific areas of identified need within the planning process.

(7) Plan Development – The South Canyon Area Parks Plan will identify assets that need to be maintained, provide recommendations regarding proposed development, and outline action steps for how the plan will be accomplished.

Deliverable: The South Canyon Area Parks Plan will describe and rank-order priorities for addressing protection, maintenance, and/or proposed upgrades to: natural areas; ecology and watershed health; the bike trail system; the gun range; the archery range; historical sites; the hot springs; the landfill; camping areas; mine reclamation and coal seam fires, and emergency action plans and evacuation routes. The plan will include a matrix that describes the proposed programs/projects, location, cost estimates, funding strategies and potential sources of funding, the timeline for implementation, and best practices for partnering, using volunteers to promote stewardship, adopting “green” environmental practices, outreaching to vulnerable populations, and instituting performance measurement programs.

3. NEEDS/CHALLENGES:

The City’s current lack of proactive management of the South Canyon area has (ironically) resulted in a great deal of preventable work for the Parks Department, as “pirate trails” creep into private property and sensitive wildlife habitat; roadside dumping along Route 134 is degrading the health of the stream causing a polluted tributary into the Colorado River; illegal shooting from the Glenwood Springs Gun Club threatens the safety of visitors and leaves a lot of debris; vandals have damaged unmarked historical sites in the Canyon; and the primitive hot springs have been plagued by trash, broken glass, and human waste that has generated bacterial levels so high that a Bio Hazard sign had to be posted to warn the public of the unsafe conditions.

There is general consensus among stakeholders across the community that action must be taken to manage these hazards; however, some stakeholders differ with regard to their conceptions for future use of the parkland in terms of what types of recreational amenities or private development might be beneficial or potentially hazardous to the area. This planning process will be designed to find solutions that best serve a variety of stakeholders who may have diverging interests they seek to protect. Making informed decisions regarding the future of the Canyon will require expert input on biological, historical, and recreational assets beyond the capacity of the Parks Department. Expert input will enable the Parks Department to move forward confidently with new plans.

The partners and stakeholders that will be engaged in the planning process, include concerned Garfield County and Glenwood Springs residents (represented by the South Canyon Group Coalition), adventure groups (such as the Roaring Fork Mountain Bike Association), the City (which bears the cost of management), developers (including Steve Beckley, who owns Glenwood Caverns Adventure Park and Iron Mountain Hot Springs), and public agencies (including DNR and CPW). Representation from these stakeholder groups will participate in the project team, provide data and assessments available to them, encourage participation in public input sessions, and provide expertise and knowledge for relevant aspects of the planning process. The plan will outline specific roles for each stakeholder.

The project will address the following challenging questions about South Canyon that have been set forth by the stakeholders listed above:

- How can we improve the safety and health of the primitive hotsprings for continued public use?
- How can we prevent pollution and illegal dumping? How much would prevention efforts cost?
- How do we maximize public benefit from the South Canyon parkland? What types of recreational amenities is there demand for?
- How might trail development impact the canyon's historic and biologic resources?
- How might new private development of recreational opportunities such as an archery range or commercial hot springs impact the canyon's historic and biologic resources?
- How do we minimize impacts of recreational development in the canyon?
- How should areas of the canyon that have historic and biological be protected?
- How can the water quality of the creek be improve in the long-term?
- What wildlife exists in the canyon that may depend on canyon habitat to survive? How do we protect wildlife habitat in the parkland?
- How will new uses impact needs for parking?
- Who will maintain new trails and amenities in the canyon? How will maintenance be funded?
- How will residents of the area be affected by planned development? Will there be traffic impacts?

4. IMPLEMENTATION:

The final plan will serve as a blueprint for implementation, clearly outlining the roles, responsibilities, and actions necessary to achieve the defined objectives, as well as a strategy to secure funding for implementation by leveraging state and County-level grant resources will local funds. The Glenwood Springs Parks & Recreation Department will advance the plan for adoption by the City Council, initiating a final, well-advertised public hearing for feedback and comment. Cost estimates and policy considerations developed within the plan will inform budgeting for maintenance and capital expenditures, as well as policy changes and approvals that may be necessary to implement the vision for South Canyon. Following adoption of the plan, the project team will host a series of informational meetings about plan implementation that will ensure continued public support and momentum. The team will also generate briefing materials to distribute to potential funders to build support.

The partnerships established for the planning project with Garfield County, the Roaring Fork Mountain Bike Association, landowners, developers, and public agencies, will be sustained to ensure timely implementation. The project team will establish a standing task force of members critical to the implementation of the plan to carry forward the work outlined within it. These partners may also provide matching funds on future grant applications for implementation.

The plan will instate well-thought-out management practices for this vast area of public land that was previously neglected, which will have significant impacts for ending the misuse that threatens the canyon and for enhancing protections for the historical and biological resources therein. Not only will this generate health, safety, and economic benefits for local residents, but it will also generate benefits for wildlife and water quality that extend far beyond the City boundary.

The project will protect wildlife through addressing pollution and guiding smart development; promote public safety through cleaning up toxic waste and mitigating fire risk; connect people to the outdoors by enhancing recreational opportunities on bike trail and at the hot springs; and inspire exploration of unique public lands that previously lacked sufficient infrastructure for access.



Glenwood Parks and Recreation Commission

Jonathan Godes, Mayor (Ward 5)
Charlie Willman, Mayor Pro-Tem (Ward 3)
Steve Davis (Ward 1)
Ingrid Wussow (Ward 2)
Paula Stepp (Ward 4)
Tony Hershey (A-Large)
Shelley Kaup (At-Large)

Dear Mayor and Council:

The Glenwood Springs Parks and Recreation Commission would like to request that the City proceed with development and planning of South Canyon pursuant to an updated area wide master or park plan. South Canyon is approximately 3,000 acres of City owned property located west of Glenwood Springs and outside the city's municipal boundaries. A proposed plan would provide recommendations and guidance for improving and protecting the canyon's ecosystem while enhancing public access to recreation and historical resources in the area. The commission undertakes this recommendation pursuant to its following Powers and Duties (*as defined in Title 020 of the Glenwood Springs Municipal Code*):

- To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
- To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
- To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.

Our specific recommendation is that staff be authorized and the City appropriate funding to undertake and develop a plan in coordination with this commission.

In late 2021, the City commenced a public survey and open house at Morgridge Commons as part of the public input process. It was clear from that public process that the City needs a long-term, shared vision and comprehensive plan and policies that can guide the future of South Canyon. The plan should:

- Provide a baseline of current conditions and circumstances regarding South Canyon, including but not limited to understanding the existing uses in the canyon, evaluating the wildfire risk, evaluating wildlife impacts and protection, examining the historical resources, conducts environmental studies including water analysis of the hot springs, and coal seam fires mitigation and monitoring.
- Produce a description of the existing and proposed alternative future uses and how they integrate with the overall plan for the area, as well as preserve and protect the conservation values of South Canyon.
- Result in a management plan that offers a sequence of actions and activities necessary to move in the direction of the desired future uses.
- Provide guidance and direction to the City on the appropriate revenue generation and expenses to maintain the South Canyon area.
- Provide appropriate restrictions and limitations on commercial and private uses within South Canyon.

As your appointed representatives from the community, the Parks and Recreation Commission should be tasked with the lead role to guide staff in moving forward with developing the aforementioned plan. Attached hereto are both a Summary of the Public Process from Hughes Collaboration and a draft outline from staff of what a plan would include.

We would like to reiterate, that a management plan needs to be in place before any RFP's are requested. The survey results need to be reviewed by commissioners and we feel that they should also be made public, such as printed in the Post Independent, so that the community feels involved and up to date with future planning.

Thank you so much for your time.

Sincerely,

Laura Speck, Chairperson

Bill Coleman

Andy Mueller

James Fosnaught

Jasmin Ramirez

Kris Smulczenski

Matt Armentrout

Christina Pearson

November 19, 2021

To: Glenwood Springs Parks and Recreation
From: Mike Hughes, Hughes Collaboration
RE: Summary of Public Process to Date and Recommendation for Next Steps

After a series of individual conversations with key stakeholders, very well attended open house on October 28, 2021, and a survey that drew more than 800 responses, I want to offer the following observations and recommendations:

South Canyon as a Lightning Rod

Before exploring the next steps for South Canyon, it is worth noting that much of the input (and, frankly, most of the intensely felt and expressed concerns in the open house and in my conversations) have nothing whatsoever to do with South Canyon itself. An inordinate number of comments and concerns are projected onto South Canyon (or any location) and have everything to do with competing visions of the future of the whole community.

Recommendation: The community's leaders, including advocates from every perspective and stakeholders from every part of the city, elected and unelected, need to come together in order to move beyond shallow, simplistic, angry soundbites about stopping or advancing new development. The community needs a long-term, shared vision and a comprehensive plan and policies that apply citywide that can cast a light on the future of South Canyon and can prevent South Canyon from becoming the next political football in a fight that isn't actually about South Canyon at all.

Unless this happens, South Canyon will be embroiled in a fight that makes it a proxy for something else and the decisions about South Canyon will, inevitably, be wrong for South Canyon.

Objectivity, Science, Technical Analysis and Rigorous Investigation

One of the most effective antidotes for political rancor is good science. The good news of the public process so far is that it has raised a significant number of vitally important technical and scientific questions. These should be investigated thoroughly, and the results presented openly to the community.

These are among the most widely mentioned technical/scientific questions:

1. What are the risks from coal seam fires and from the wildfires that the coal seam fires can trigger? What would be necessary to address risks, including evacuation needs?
2. What are the needs of elk herds, bears and other wildlife; what are the risks to wildlife from human activity; what are the seasons of greatest concern and what is necessary to protect wildlife during these seasons and throughout the year?
3. What are the important historic resources in South Canyon and what steps should be taken to document, protect and preserve these resources?
4. What are the human health and environmental health concerns related to current activities – from the lack of trash receptacles (and lack of bear-proof trash disposal) to lack of toilet facilities to potential health risks from the landfill and more
5. What user conflicts exist today?

Recommendation: Before any discussion of South Canyon’s future, the city and all of the interested and affected stakeholders need a baseline of information about the current circumstance. What is true about South Canyon today? What are the problems that exist today? What is the state of important resources today? To improve discussion about possible futures, it is important to create a shared understanding of what is true now.

Applying technical analysis to possible futures

With a snapshot of current circumstances in hand, the city should offer different images of possible futures and the implications of those futures and make clear and convincing connections between what is and what might be. This is a step that should precede production of a draft management plan. A management plan is necessary for the selected future; first, the community needs images of possible futures and a careful discussion and analysis of the implications of those futures. This can be described in an If/Then format – if the desired future is X, then we would need to take these steps to produce that future and these are the implications, both the costs and the benefits of taking those steps.

It would be useful to draw in members of the community to test the validity of the assumptions and insights about each possible future. It makes sense that the ideas and implications are fully considered by community members, staff, and policymakers so that they can sort through alternative futures together, building a common understanding of the different scenarios and the costs/impacts and benefits of each.

Recommendation: Staff and city leaders should produce a description of alternative futures or scenarios that illuminate the implications of each scenario.

Explicit Demarcation – The Direction for the Future of South Canyon

Another important step before producing a management plan is a statement of future direction by the city. This can take the form of an amendment to the comprehensive plan, a policy statement, or some other formal and clear selection of a desired future state.

Recommendation: The community should know, clearly and unequivocally, what the future direction of South Canyon will be, and city leaders should ensure that there is a moment of demarcation when the city makes its commitment to a desired future.

Management Plan

While the prior steps can take care of *what* and *why*, a management plan will take care of clarifying *when* and *how*. It will be infinitely easier to write a management plan with clear direction in hand. A management plan should detail public investments, sequences of activities, and the steps the city and others will have to take to move in the direction of the vision for South Canyon.

Recommendation: Once the plan for South Canyon is in place, the staff should take up the task of creating a management plan that offers a sequence of actions and activities necessary to move in the direction of the desired future.

SURVEY RESULTS

Because the survey results are not the product of a randomized, valid, replicable survey that represents accurately the opinions of the community, the results are not presented here with response percentages carried to multiple decimal points. Presenting information in that manner conveys a level of exactness in the result that this round of surveys cannot produce. That does not mean that the results are not valuable to staff, elected and appointed officials, and the community as a whole. On the contrary, the survey is instructive on very important questions, including the following:

Levels of concern for safety, human health and the health of the area's wildlife are high with more than three-quarters of the Glenwood Springs residents who took the survey expressing concern for wildfire risk, human health risk and risk to wildlife under current conditions.

The landfill ranks high among the reasons that survey respondents are interested in South Canyon. Majorities of the respondents prioritize expansion of commercial composting, waste-to-energy technology and solar energy production when asked about what should happen at the landfill in the coming three decades.

When asked about expanding, contracting, or maintaining existing uses, mountain biking and cultural/historic tourism come out on top with large numbers suggesting that these uses should get more public support and expanded amenities. Those uses that the survey respondents suggest are getting about the right level of public support are the shooting and archery ranges, and hiking. Relatively larger numbers suggest that horseback riding and use of the hot springs should be "of less importance to the City" than they are currently.

A series of options for camping produced the following:

- The largest proportion would not allow camping at all
- Investigating tent camping possibilities received some modest support
- Investigating RV camping gained the support from only about 1 in 100 Glenwood Springs resident respondents

Finally, the respondents are nearly equally divided among those who would be willing to pay a small day use or park fee, those who believe that users should pay for their own improvements, those who would be willing to pay for the uses that interest them, and those who would not be willing to pay any fee.

More than half of the respondents are between 30 and 50 years old, almost all of them white, and about two-to-one men-to-women.

The staff divided survey results by resident location and have produced summaries of everyone who took the survey, all those from Garfield County who took the survey and those from Glenwood Springs who took the survey. The results are essentially the same. The variations worth noting are these:

- Glenwood Springs residents are more concerned about risks than are all of the survey respondents taken together
- Mountain biking received a high level of support from Glenwood Springs residents; the level of support is even higher when all of the survey respondents are included

A full presentation of survey results are available from parks staff.

OPEN HOUSE – OCTOBER 28 – NOTES

General Feedback

Insights

- Wildlife/open space/place for locals to get away for free
- Love the historic elements and would like to see them preserved
- Too much development in and around Glenwood Springs
- We can't afford to maintain what we already have
- There are 100's of in-city priorities that need to be addressed – this is not one
- Designate – indicate or set apart for a purpose or duty; Park – enclosed pleasure ground in or near a city set apart for the recreation of the public to provide health and enjoyment 210 Ill 308 Riverside vs. Modain; Black's Law Dictionary 4th Ed.
- Look into shelter in place
- Illegal shooting side of road in the fall
- Leave it alone; we don't need to develop every square inch
- We have needs in the city – pot holes, utilities...
- This is about lining Steve Beckley's pockets
- One way in and one way out
- Disrespectful not to listen to the advice of those who have lived in S. Canyon for generations
- Fire danger is real and serious

Improvements

- Preserve, maintain, and interpret history
- Pit toilets by hot springs
- Restrooms
- Trash cans and bathrooms
- More education and interpretive signage
- Make trails more available for hikers with leashed dogs
- Follow Jefferson County – they have trails 4 days/week for bikers, 3 days/week for hikers
- Repair town street before developing more areas
- Stop illegal dumping
- Don't develop hot springs but a basic bathroom and bear-proof trash cans would be great
- Bear-approved trash cans
- South Canyon is a great opportunity to provide amenities for the people of Glenwood; let's make it better so all can benefit
- Enjoy the new trails and work like to see interpretive signage
- Open Box Canyon for hikers and other new trails
- South Canyon is a huge asset; more trails, separate for hikers and bikers; increased amenities; clean up hot springs; I say it's OK to develop with public input

Ideas

- More noxious weed management
- Stop illegal dumping
- Document and preserve history
- Pick up after your dog
- Day use only; fire danger too big
- Open space instead of private development
- Trail below landfill road is good – need walking trail

- Camping below the landfill only, not above
- Bikes stay off private property
- Protect bear habitat – don't scare away the bears
- Hot pool - cleaned, maintained, add port-a-pot
- Shooting range – need sign for hours of operation, staffing increase
- Shooting range needs a long-term lease or won't make investments
- Take care of city limits and leave this alone
- Has anybody ever looked at developing access down to hot springs in the river? Historic Yampa originally was, and have a trailer or boardwalk (see Homer, Alaska)

Hot Springs

Start

- Trash can and potty – confer with Todd Hurst
- My daughter-in-law loves doing her professional photos at the springs; I worry about how sanitary it is
- Keep as primitive hot springs or very small local hot springs
- Trash can, port-a-pot, keep primitive
- Keep a free, local amenity; it costs \$120 for a family of 4 to go to resort springs- many locals can't afford that – no development, keep natural
- Leave as is – do not develop
- Trash cans, port-a-pot
- Develop it – or make it nice – build out the pool, trash cans, bathroom option
- I think the city's place is to educate the public about health concerns, but not to interfere with use of public land; signage about the water quality of a study of human impact on it
- Pit toilet
- Do not develop; There are low-cost, soft-footprint option to clean up the hot springs – pit toilet, bear-proof trash cans, pick up weekly by landfill employees, signage – talk to Todd Hurst about what he currently does for cleanup – require RFMBA do annual cleanup, short-term investments for long-term impacts
- Trash can and toilet

Stop

- No development
- Check the water – is it safe? Look at it – would you bathe in it? It's downhill from the septic pools in the landfill!
- Don't develop
- We don't need another paid hot spring – soft footprint
- Lots of travelers can only afford free springs
- Do not allow camps or campfires at hot springs – signage
- No development
- No fees – free to all

Continue

- Resolve hot spring issue before anything else
- Get input from Todd Hurst
- Hot spring should not be developed to a money-maker – keep it natural but test the water for safety

- Concern – if hand it over to a developer and then how much does the public have? Make it better, not inaccessible
- Get input from Todd Hurst – he has done great improvements out of his own pocket
- Signage only

Other

- Soft footprint, add garbage bins and pit toilets
- The city does not belong here
- Ask for volunteers to clean it up or leave it alone
- No development – keep developers out
- Let P&Z plan South Canyon
- Don't develop the hot springs, no commercial
- Trash can
- Can the city take S. Canyon hot springs off Google maps?
- No private development of public land
- There have never been any reported cases of health endangerment at the hot springs – we need to keep our free, local amenities for the citizens
- We don't need to invite people to this area – no camping, no business

Camping

Should the City Investigate Designated Camping?

- Absolutely no – there is a terrible egress and only one way out – leave this for locals
- No camping except at the Houd's
- No
- Yes, but limited
- No camping – all our fires start in the canyon
- Primitive camping with day limit – if so, yearly fee for resident pass better than pay-per-visit model – to improve and maintain
- No camping
- No
- No overnight camping
- Canyon cannot handle a large tourist attraction due to roads and other hazards
- No camping in South Canyon – access on the eastbound I-70 is difficult – RV camping pulling big rigs will have a hard time entering I-70
- Yes – of course, limited – increased amenities and day use – consider overnight
- No camping
- South Canyon should be day use only – place more signage (English and Spanish), block off pull-outs (especially beyond the landfill) – campgrounds encourage fires because people think it is safe and we don't want that – day use only – also clogging the one way out of the canyon is unsafe

Top Issues

- Human waste
- Trash management
- Already a fire danger
- Improve the road to the landfill
- Consider RV camping for the homeless – advanced fire warning may be needed
- Up to a point OK, trash is a problem, needs signage about fire (bilingual)

- Camping = fire – RV camping only, no fires
- Allow camping – people find this on Google and camp anyway – no fee, allow 3 days
- RVs would be a danger if there was a fire – no camping
- No camping
- Camping introduces a significant fire danger and should absolutely not be allowed
- South Canyon has limited water – please no camping – day use only
- Leave it alone – no camping of any kind
- It's an extremely fire-prone canyon – Only one way out – to evacuate campers would be difficult – there are other solutions to illegal camping besides letting tourists have our land
- No camping – signage
- Campers seem to have trashed the area and vandalized the historic spots
- No camping should be allowed
- No open fires
- No development of camping
- Yes – primitive camping with a limit – if you allow fires, install metal rings
- Why does the city always need to develop land they own? South Canyon is the great natural buffer to wildness – leave it alone
- City doesn't maintain designated parks – trash cans and port-a-potty at springs
- People are pigs – they do not take care of nature – pollution/littering
- No campfires
- Don't develop every inch of space

Mountain Biking and Hiking

Start

- Hiker-only trails – not all mountain bikes
- Restrooms
- Locals pass
- More dedicated hiking trails
- The opportunity is present to densify and add user-specific trails to South Canyon – adding hiker-specific routes to limit user conflict from the outset of new development is unique – take advantage – ideally, users are separated starting at different parking lots – more parking is needed and it would be great to build out thoughtfully to mitigate existing user conflict – longer stacked-looped trails would provide a mountain biking experience missing here – creating a system where riders can link up 10-20 miles would be my personal preference – the designed and approved trails are a great start – let's run with it – great opportunity for education given current seasonal closures
- More recreation especially mountain bike = + quality of life and health, tourism, revenue, \$ for GWS, opportunity for win/win
- Provide hiking and horse trails that do not have the mountain bike surprise effect of scaring horses and hikers
- On any given day, one can watch hundreds of cars with bike racks loaded with bikes worth thousands of dollars drive through Glenwood Springs on I-70 heading west – they are going to places like Palisades, GJ, Fruita, and Moab to spend their time and money there – we need to bring these bike riding dollars here to Glenwood Springs – the economic boon that mountain biking brings is clear – let's build more trails in South Canyon to bring people to our restaurants, our hotels and our grocery stores – please develop the South Canyon trails to boost economic development
- Fund regular trail upkeep
- The new trails are already designed, approved, ready to construct – let's get them built and continue to explore these other valuable assets but not delay the mountain biking trails in the

meantime – these trails will improve recreation, health, tourism, revenue, and ultimately the quality of GWS

- Charge user fee which stays for South Canyon costs
- Finish the trail plan
- Yes, more lower-level trails
- Expand trails – it is highly used – great
- Partnership with RFMBA
- Thanks for the great mountain biking option – I would love to see trails expanded to give more options for Glenwood and South Canyon residents to ride close to home
- Create more trails throughout
- Make multiple use – currently overrun by mountain bikers
- More trails, increased parking
- Allow more accessibility for hikers and other people recreating – for example, hikers one day bikers another

Stop

- Keep bikers from loading and unloading in the middle of the road
- No more fragmentation
- Wildlife studies first
- Do not add any new trails
- Maintain current trails – any new ones: wildlife survey first
- More hiking trails
- More trails = more traffic and increased wildlife risk – thought need to be put into this before starting to build more trails and make it for all recreational users
- Do an EIS on South Canyon
- Maintain current trails, don't add new
- OK
- Please, no more trails – stop erosion

Continue

- More signage – educational info about wildlife encounters/disturbance and wildlife risk and historical facts that riders should be aware of
- More signage
- Wildlife is first priority – hesitant to add new trails
- Build out the proposed mountain bike trail system
- I enjoyed hiking on the trails looking at the fall colors – good job
- User fee on biking
- Maintain existing trails – but do not add new trails
- Please build out the planned mountain bike trails
- Follow Jefferson County model – 4 days biking – 3 days hiking – trails are so narrow – not safe for both hikers and bikers on the same day
- The current trails should rotate between hiker/horse use and biker use – similar to JeffCO – mountain biking has been a huge threat to wildlife populations in the canyon and there should be proper wildlife closures – any future mountain bike trails should have intensive wildlife survey before putting them in

Other

- Please build the path connecting GWS, South Canyon and New Castle

- Ask biking group to host South Canyon cleanup in fall and spring
- Approved trails plan shouldn't be held up by this planning effort
- Can we connect the trails to Grandstaff/Red Mountain?
- The city should have listened to the residents of South Canyon – these trails should be closed during calving season
- Need hiking-only trails – no bikes – people need to feel safe when walking
- Limit the mountain bike trails – add a few hiking trails
- Honor current ecosystem – nature, wildlife, cows, horses
- Leave this area alone

Archery Range

Start

- Expand, promote programming, get the word out
- Do nothing – good location
- Stay the same
- Leave it alone
- Archery range is great – keep it as is
- Great location – great local amenity

Continue

- Leave it alone
- Archery range is pretty successful – potty + trash
- It is a great place – leave it
- Good place
- Increase parking
- Keep it as it is – Add some picnic tables
- We are happy with this now – please leave alone

Other

- Put in a 3rd archery range
- More life-size targets
- Keep as is – renew targets as they wear out
- More parking as mountain bikers and archers are both using

Sport Shooting – Gun Range

Start

- Needs easier access – seems quasi-private
- This should remain open and more accessible for public use – more signage about accessing it would be important too
- Keep the shooting range – make improvement like City of Gypsum has done
- Seems private, not public at all
- Provide a longer-term lease for GWS Gun Club
- Keep range
- More access to the public – make state-of-the-art
- Keep the gun range

- Keep the gun range
- Keep the gun range
- Keep the gun range

Stop

- A high fire danger – have restrictions to shooting
- No shooting other than shotguns during fire season
- No shooting if fire danger – restrictions – close down until safe
- Curtail handgun/rifle shooting in stage 2 fire – maintain sporting days
- Leave it alone

Continue

- Keep gun range
- Keep the range
- Keep it – Coloradans are going elsewhere
- Keep it the same
- Keep the gun range – this is a safe place for this type of sport
- Keep the gun club
- Keep and improve – improve fire safety
- Open to city residents, not club members only

Other

- Keep the range open – keep it local – keep it clean
- Open prior to hunting season to the public
- The Gun Club can't grow or expand without a long-term lease
- Tourism and revenue and hunting and fishing - #2 in the state
- Lots of biking options but this is unique facility without many other options
- Gun Club would like to make improvements but need a longer lease – grants available w/more hours
- More than shooting range – it is a sporting place – serves GWS, Vail, Aspen
- It feels like council has already made a decision – city hasn't given the gun club a longer lease

Cultural – Tourism

Start

- Complete the historical survey and management plan
- Complete the historic management plan before proceeding further
- Much more interpretation and education – almost none at this point
- Preserve and protect it
- Finish the cultural resources survey – use signage to let folks know the multicultural history of South Canyon
- Advertise as a historic tourism site
- Keep for local amenity and education pieces for public
- Keep the canyon open and for locals – no more tourist attractions
- Complete the historic inventory – would like some trails and signage to know what I'm looking at

Stop

- Stop tearing down the signs
- What historical/cultural tourism? Leave the canyon as it is
- City could hardly be doing less cultural/historic stuff
- Put up signage – South Canyon Coalition and Jim Olp has info for signage
- Historical markers – keep canyon just as it is
- Complete the historic management plan before proceeding further

Continue

- Engage the Historic Preservation Commission – they are a resource
- Complete the historic management plan before proceeding
- Work with the residents to protect historic sites
- Pictures and signs – valuable historic references – a park for everyone
- The city is ignoring valuable history of the coal camp

Other

- South Canyon has so much history – Jim Olp is a great contact for canyon history – need to record and preserve
- Feature William Grand – staff, signs, at old town site – prevent degradation of historic sites
- My great aunt homesteaded in South Canyon – around 1900 – Mike Hurst
- Historical sites should be preserved the best they can be – our history of Glenwood Springs is important
- Ask the Houd family – we’ve been here since 1905

Landfill

Start

- Begin a composting program
- Add compost, otherwise, keep as is
- Listen to J. Vanian about management issues
- Composting
- More and better construction sorting
- Keep improving landfill
- Require restaurants to separate food
- The landfill makes over a \$million/year – it is a major fundraiser for the city – keep improving as usage will only go up – it makes more money than any tourist development
- Littering/trash signs – English and Spanish

Stop

- Raise the rates for Aspen – raise the rates and keep the money in the landfill
- Glenwood has so many unaddressed, critical issues – this is not a priority – no funds should be spent here
- Longer hours especially after work
- No new trails – fewer bears
- Stop adding new trails

Continue

- Great improvements with Liz
- Don't expand – leave as is
- Compost improvements
- Great job – appreciate
- Great job – great staff
- Appreciate having a landfill
- Stay open all day Saturday – better compost – Listen to Jennifer Vanian
- Let's make it a state-of-the-art landfill – model after Pitkin

Other

- Make an incentive for divertible trash keeping brush low but trash high – increase prices
- Don't put the mall into the landfill – if the mall gets torn down charge 4x the amount to dump it – redevelop Kmart for a fire station
- Give tours to the landfill – would like to see it
- Think about new landfill at South Canyon, not development
- Wood recycling and reusing
- Field trips for kids to landfill – education
- Find out how to use glass in asphalt locally
- Bone piles for things people can trade

Wildfire and Wildlife

Concerns – Wildfire

- Evacuations from landfill and upper canyon
- This is where coal seam fire started and moved down to west Glenwood – no evacuation route – please limit development – daily use only
- Severe wildfire risk currently – camping would make it worse times 10
- Narrow canyon, only one evacuation route for residents and users – very flammable oak brush – has been no wildfire mitigation
- Safe evacuation for residents and animals that live here
- No escape route available
- Wildfire should be the primary concern
- Tough to evacuate overnight users – stay only near lower canyon
- Extremely high fire danger area – start mitigation
- Let the coal seam fire of 2002 be a lesson to the fire risk in South Canyon – one way in and one way out by car – clogging up the one exit of the canyon is a huge concern for both residents' and employees' safety – every decision made in this canyon should revolve around wildfire concerns – campgrounds will not reduce this
- Evacuation concerns – one fire already – mitigate
- Would like to know where the coal seam fire is actually burning – with signage and gates for protection
- No evacuation route

Concerns – Wildlife

- Close trails for elk calving until June 1
- Need to follow science – actually designate wildlife habitat – maps show no calving area

- Ditto
- Traffic worries – especially with the asinine development in Colorado, Glenwood
- Protect the rattlesnakes
- Protect current wildlife – we already encroach too much – keep gun and archery
- 1000-degree fire underground – no development
- Wildlife will be driven out
- Recreation trails are fragmenting wildlife habitat and threatening their populations – any further plans need to have intensive wildlife surveys
- Wildlife habitat and historical mining history
- Considerations of wildlife before any additional trails or talks of development – more wildlife preservation
- Move closure date to June 1st for elk calving in box canyon area
- Elk calving at top needs space from mountain bikers
- Protect Horse Mountain and Vulcan and area behind gun range
- Close trails for elk calving
- I recently saw a mama bear and cubs in the middle of the road between the landfill and the gun range – keep them safe
- Elk need more time with seasonal trail closures
- Spring elk calving needs city's help
- Elk calving needs to be protected
- Elk calving closures are essential
- Leave South Canyon as it is – why do we have to disturb the wildlife?
- Wildlife should be a top priority – we continue to lose space and land for winter habitat

Background Information

- Needs a secondary means of egress – up 3-mile? Mt. Springs?
- No unlawful development – free for all – designated parkland
- Keep some of South Canyon for wildlife
- No development in South Canyon
- It was not interest from developers – unless you are speaking of the city
- Keep developers out of South Canyon – yes, keep out

Process

- Keep South Canyon wild – day use only – no development
- No development – hike only trails please
- Ditto
- Where's our sledding hill? Why are there rocks there?
- There is a 1000-degree fire under the mountain – no development here – one access in and out – it would be dangerous to put RVs here
- Keep open space
- Please no more development
- Stop
- Open Space
- Keep it natural and open – less tourists



City Council STAFF REPORT City of Glenwood Springs January 20, 2022

Agenda Item:	Public Improvement Fee Extension Support
Action Requested:	A letter of support in extension of the PIF through 2040 with a 33% reduction of the fee to 1.0 percent effective Jan. 1, 2026; The creation of a new Intergovernmental Agreement that would address reconstruction of streets and other improvements; and Future amendment of the PIF collection agreement, as necessary.
Department:	Economic and Community Development
Strategic Goals:	Preserve and Improve Infrastructure
Background Info:	The Glenwood Meadows area represents approximately 25 percent of the city's annual sales tax collections, representing more than \$60.9 million of collections since opening in 2005. The publicly owned roadways that serve the center are in need of major repair and new improvements are needed at the West Wulfsohn and Midland Avenue intersection.

The City of Glenwood Springs has been working with Glenwood Meadows Metropolitan District No. 3 and the shopping center owner, WMG Meadows, LLC, toward a public private partnership plan that can fix and install needed infrastructure. The potential solution is extending the Public Improvement Fee (PIF) in order to improve, maintain and install those streets. As proposed, an extension of the fee would allow the City of Glenwood Springs to make improvements to Wulfsohn, West Meadows and East Meadows, including replacing failing asphalt and concrete, a portion of intersection improvements at West Wulfsohn and Midland Avenue, and for annual maintenance of the streets.

WMG Meadows, LLC, working in coordination with Glenwood Meadows Metropolitan District No. 3, asks for

- A letter of support in extension of the PIF through 2040 with a 33% reduction of the fee to 1.0 percent effective Jan. 1, 2026
- The creation of a new Intergovernmental Agreement that would address reconstruction of streets and other improvements, and
- To amend the PIF collection agreement as necessary.

The Public Improvement Fee collected at Glenwood Meadows was established to finance certain on and offsite public improvements, including public roads, traffic and safety controls, water and sewer systems, storm water drainage systems, debris flow management systems, and landscaping totaling \$16.4 million in 2005. The City of Glenwood Springs is only the collecting agent for the PIF and has no fiduciary responsibilities for it.

The existing PIF is 1.50% and scheduled to expire December 31, 2025. The language of the existing agreement says that the PIF expires the later of 20 years after 300,000 square feet of retail space has opened or after the debt has been fully paid off.

Glenwood Meadows Metropolitan District No. 3, would be responsible for securing new debt financing ("New Senior Debt") in an amount sufficient to pay the remaining balance of the existing Senior Debt and additional funds of \$4 million to be used by the City as discussed below. The anticipated timing of such refinancing would be in the second or third quarter 2022. WMG Meadows, LLC would be responsible for obtaining approvals from certain tenants to allow for this change.

USE OF FUNDS

Once the debt is restructured, the proposal is for

- \$4 million to be placed in escrow for use by the City for improvements on Wulfsohn, West

Meadows and East Meadows and the Midland Intersection improvements. A minimum of \$3 million would be dedicated to the improvements on Wulfsohn, West Meadows and East Meadows.

- The repayment of New Senior Debt,
- An annual payment to City for maintenance of the Meadows Roads (First year payment of \$50,000 with 1% increases each year). Over the 19-year period through 2040, these payments to the City would total \$1,040,000,
- A portion of the collections would be used to reduce the operating costs, such as snow removal, parking lot repairs and landscaping currently paid by the each of the tenants in the shopping center. This reduction is intended to help the City secure long term sales tax proceeds by helping the tenants prosper and succeed.
- The remainder would be paid by Glenwood Meadows Metropolitan District No. 3 to WMG Meadows to retire its outstanding Junior Debt balance.

Issues:

NA

Staff Recommendation:

Staff recommends pursuing the PIF Extension Plan, including providing a letter asking the shopping center tenants to participate.



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item:	Resolution 2022-04: 2022 South Canyon Landfill Fee Setting
Action Requested:	Approval of Resolution 2022-04 setting tipping fees at the South Canyon Landfill.
Department:	Public Works
Strategic Goals:	Preserve and Improve Infrastructure
Background Info:	During the January 6th afternoon work session, updated pricing for 2022 was presented to the Council for the South Canyon Landfill tipping fees. The fees that are paid as customers cross the scale. As was discussed during the work session, staff recommended 5% increases in Municipal Solid Waste, Construction and Demolition, Contaminated Soil, Mattress and Box Spring, Animals, Non-friable Asbestos, and Compost and Screened Topsoils. Staff is also recommending 15% increases on Septic Tank Liquids, Carwash Waste and a 23% drop in Grease Liquid Waste. The landfill has just completed a large expansion for septic and carwash and those costs need to be recouped. Grease is being dropped in price since that material is added to the compost operations and is beneficial to that process. Other changes are increases in Biosolids by 2%, minimum charge fee up to \$9, uncovered load fee increased to \$40 per fine, and a 20% increase on tires due to the expense for recycling tires going up. Lastly, staff is recommending a new fee for the landfill: Unsorted Construction & Demolition, at \$80 per ton. Out of County rates are also being recommended for Municipal Solid Waste and Unsorted Construction & Demolition. MSW and C&D are the two largest contributors to the pace of the landfill being filled and they need to contribute the most to landfill fees and revenue to keep Capital Projects moving at the landfill for future expansion. Staff would also recommend these fees be set to begin March 1st, 2022, allowing time for Finance and Landfill staff to make the necessary adjustments to software and notice the landfill users.
Issues:	None at this time.
Staff Recommendation:	Staff recommends approval of Resolution 2022-04 setting tipping fees at the South Canyon Landfill.



South Canyon Landfill & Resource Recovery Site

Summary of 2020 waste totals

Upcoming Expenses

Price Recommendation for 2022

Discussion

Liquid wastes

- The new facility for carwash (2.2 MG) & septic waste (0.6 MG) cost over \$600,000 and was completed in December 2021
- Septic and Grease liquid wastes can be turned into beneficial products – carwash waste cannot
- Grease is managed entirely as part of the compost facility
- Testing and reporting requirements cost more time and money each year



upcoming expenses:

- ▶ 2022-2023: Expansion review process \$150,000
- ▶ Spring 2022: Trommel Screen Purchase \$300,000
 - ▶ Save landfill space and generate income by significantly accelerating topsoil recycling
 - ▶ Opportunity to save money by applying rental cost to purchase price
- ▶ Spring 2022: Scale replacement \$140,000
 - ▶ Conversion to digital scale technology, steel deck
- ▶ 2022-2027: Compactor replacement \$722,000
 - ▶ Current machine has 12,000 hours on it, which is high
 - ▶ Breakdowns lead to less efficient use of airspace
- ▶ 2023-2024: Office/Crew Room trailer \$100,000
- ▶ 2025: Ponds 3/4 re-line or close \$300,000



2022 price recommendations: key points

- 5% base increase to almost keep up with inflation
- adjustment on liquids to cover facility improvements and align revenue with management costs
- 'Unsorted' C&D waste category
- Financial incentives to promote diversion
- Simplification
- Out of county price for MSW needed to incentivize other counties to continue to manage their own waste

Definition of ‘Unsorted C&D Waste’: Any load of construction/demolition waste containing more than 5% by volume divertible materials as estimated visually by landfill staff. Divertible materials include metal, appliances, concrete, dirt, rock, brush, leaves, grass, food waste, pallets, untreated lumber, cardboard, paper, and mattresses.

Recommended 2022 Prices:

Material Type	In County Tipping Fee	Out of County Tipping Fee	Units	Change from 2021
MSW	51.45	103.00 (NEW)	Per ton	5% up
1 30-gallon bag residential trash	4.00	-	Each	0%
C&D/loose trash	50.40	71.40	Per ton	5% up
Unsorted C&D	80.00	115.00	Per ton	NEW
Concrete/Crushable	40.00	-	Per ton	0%
Contaminated Soil	54.6	-	Per ton	5% up
Screenable Soil	10.00	-	Per ton	0%
Cover Dirt	25.00	-	Per ton	0%
Brush and Wood	35.00	-	Per ton	0%
Metal Appliances	10.00	-	Each	0%

Material Type	In County Tipping Fee	Out of County Tipping Fee	Units	Change from 2021
Refrigerator/AC Unit	30.00	-	Each	0%
Other Metal	0.00	-	Per ton	100% down
Mattress/Box Spring	8.40	-	Each	5% up
Animal >300 lbs.	12.60	-	Each	5% up
Animal <300 lbs.	10.50	-	Each	5% up
Non-friable Asbestos	52.50	-	Per ton	5% up
Septic Tank Liquid	0.23	0.35	Per gallon	15% up
Carwash Waste	0.29	0.35	Per gallon	15% up
Grease Liquid Waste	0.23	0.35	Per gallon	23% down
Biosolids	40.00	-	Per ton	2% up
Minimum Charge	9.00	-	Each	13% up
Uncovered Load Fee	40.00	-	Each	100% up
Clean Up Fee	75.00	-	Each	NEW
Tire (car/truck)	6.00	-	Each	20% up
Tire + Rim (car/truck)	12.00	-	Each	20% up
Large Tire (equip/semi)	12.00	-	Each	20% up

Material Type	In County Tipping Fee	Out of County Tipping Fee	Units	Change from 2021
Large Tire + Rim (equip/semi)	24.00	-	Each	20% up
Cut Tires	89.00	-	Per ton	0%
All E-Waste: no change	varies	-	Each	0%
Wood (chipped)	8.00	-	Per ton	0%
Grass/Leaves	12.00	-	Per ton	0%
Cardboard	10.00	-	Per ton	0%
Food Waste	12.00	-	Per ton	0%
Manure	20.00	-	Per ton	0%
Smoke Detectors	10.00	-	Each	0%
FOR SALE PRODUCTS		-		
Compost	31.50	-	Per ton	5% up
Screened Topsoil	42.00	-	Per ton	5% up
Wood Chips	30.00	-	Per ton	0%

RESOLUTION 2022-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, SETTING 2022
LANDFILL FEES.**

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

WHEREAS, the most recent adjustment to Landfill fees was approved in July 2021; and

WHEREAS, the cost of operations, recycling of materials and expansion of the current landfill area is beneficial to the environment; and

WHEREAS, City staff recommends that the City establish and charge a fee for Unsorted Construction and Demolition waste based on pricing set for on Exhibit A; and

WHEREAS, City staff recommends that the City establish Out of County tipping fees for Municipal Solid Waste, Sorted and Unsorted Construction and Demolition along with the existing Septic Tank, Carwash and Grease Liquid fees based on pricing set for on Exhibit A; and

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

WHEREAS, City Council wishes to implement updated fees for 2022 finding that they are necessary and appropriate.

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

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

Section 2. The City Council of the City of Glenwood Springs hereby adopts the Landfill Fee Schedule as set forth on **Exhibit A** attached hereto and incorporated herein, effective March 1st, 2022.

INTRODUCED, READ, AND PASSED THIS 20th DAY OF JANUARY 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

EXHIBIT A

GENERAL MATERIALS		
Material Type	In County Tipping Fee	Out of County Tipping Fee
Municipal Solid Waste	\$51.45 / ton	\$103.00 / ton
Residential Waste (1) 30 Gallon Bag Unloaded at Recycle Center	\$4.00/Unit	
Construction/Demolition/loose trash	\$50.40 / ton	\$71.40 / ton
Unsorted C&D/loose trash	\$80.00 / ton	\$115.00 / ton
Concrete/crushable rock	\$40.00 / ton	
Contaminated Soil**	\$54.60 / ton	
Screenable Soil	\$10.00/ ton	
Waste Soil (cover dirt, not screenable)	\$25.00/ ton	
Brush and Wood (separated)	\$35.00 / ton	
Metal Appliances	\$10.00 / each	
Refrigerator / Freezer / AC Unit	\$30.00 / each	
Other Recyclable Metal (separated)	FREE	
Mattress / Box spring	\$8.40/ each	
Large Animal (over 300 lbs)	\$12.60 / each	
Medium Animal (up to 300 lbs)	\$10.50 / each	
Non-friable Asbestos***	\$52.50 / ton	
Septic Tank Liquid	\$0.23 / gallon	\$0.35 / gallon
Car Wash Liquid Waste	\$0.29 / gallon	\$0.35 / gallon
Grease Liquid Waste	\$0.23 / gallon	\$0.35 / gallon
Biosolids	\$40.00 / ton	
Minimum Charge	\$9.00 / load	
Uncovered Load Fee	\$40.00 each	
Clean Up Fee	\$75.00 each	

TIRES

Tire Type	Tipping Fee
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Passenger car/light truck	\$6.00 / tire
Passenger car/light truck with rim	\$12.00 / tire
Large truck	\$12.00 / tire
Large truck with rim	\$24.00 / tire
Tires Cut (quartered or sidewalls cut out)	\$89.00 / ton

ELECTRONICS AND TELEVISIONS

Electronic Type	Tipping Fee
------------------------	--------------------

Television (17inches and smaller)	\$12.00
Television (between 18 and 23 inches)	\$20.00
Television (between 24 and 31 inches)	\$35.00
Television (between 32 and 36 inches)	\$45.00
Television (37 inches and larger)	\$60.00
Console units/projection television	\$55.00
Flat Screens (between 15 and 22 inches)	\$15.00
Flat Screens (between 23 to 27 inches)	\$20.00
Flat Screens (between 28 and 39 inches)	\$25.00
Flat Screens (between 40 to 50 inches)	\$30.00
Flat Screens (between 51 and 70 inches)	\$40.00
Any broken or disassembled TV	\$10.00 added
CPU and tower	\$15.00
Laptop	\$8.00
Audio and Video	\$8.00
Computer Monitors	\$20.00

PRINTERS AND MICROWAVES

Waste Type	Tipping Fee
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Small printer	\$15.00
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Medium printer	\$25.00
Floor standing copier or printer	\$65.00
Microwave	\$5.00

YARD AND FARM WASTE

Material Type	Tipping Fee
Wood Chipped	\$8.00/ ton
Grass and Leaves	\$12.00/ ton
Cardboard Materials (\$5 Min Charge)	\$10.00/ ton
Brush and Wood (separated)	\$35.00 / ton
Manure (\$20 Min. Charge)	\$20.00/ ton

PRODUCTS FOR SALE

PRODUCT TYPE	Price
Compost	\$31.50/ per ton
Topsoil	\$42.00/ per ton
Wood Chips	\$30.00/ per ton



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item:	Employee Online Merchandise Store
Action Requested:	Discussion and direction for offering City-branded apparel and merchandise to employees.
Department:	City Administration
Strategic Goals:	Provide Efficient and Responsive City Government
Background Info:	Members of City Council have expressed interest in offering apparel or merchandise branded with the City logo for employees and council members. Apparel could be worn for work-related functions and gatherings. In collaboration with Specialty Incentives, based in Glenwood Springs, a sample online store has been set up. Specialty Incentives runs the online stores for Holy Cross and SGM. The sample online store can be viewed at https://citygws.orderpromos.com. Goods included in the sample store are intended to represent a range of professional styles and items with wide size ranges, quality materials, and availability of items (with consideration to supply chain shortages). Items that appear in the online shop can be changed based on what the City would like to see included in terms of styles, prices, and brands. All items would be embroidered with the city logo. For easiest staff management and best selection, Specialty Incentives would recommend two-week pop-up events rather than year-long open ordering. Pop-ups also eliminate monthly site maintenance costs. Production time after the store closes is approximately three weeks. Item price ranges can be completely custom and as narrow or wide as desired. The City has approximately 190 full-time and 120 part-time/seasonal employees. Options for an apparel program could include: 1. A fixed maximum budget for each employee to order items. This could enable individuals to select one larger item (ex: winter coat) or two smaller items (ex: polo and zip jacket). 2. One item per employee. Items in the store would all be under a set price point, with prices not visible on the site. Online store costs: - \$250 to create site - \$1 for each cart
Issues:	Some departments offer uniform allowances as part of their yearly budgets or have offered department-specific apparel. A budget amendment would be required to include this program.
Staff Recommendation:	Staff defers to City Council for direction.



City Council
STAFF REPORT
City of Glenwood Springs
January 20, 2022

Agenda Item: Ordinance 2022-03; Change the Name of the Tourism Promotion Board to the Tourism Management Board

Action Requested: Changing the name of the Tourism Promotion Board to the Tourism Management Board.

Department: Attorney

Strategic Goals: Generate Sustainable Economic Development

Background Info: The Tourism Promotion Board has requested their name be changed to the Tourism Management Board. The attached ordinance affects that change.

Issues:

Staff Recommendation:

ORDINANCE NO. 03

Series of 2022

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING SECTION 020.020.030 OF THE GLENWOOD SPRINGS MUNICIPAL CODE.

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

WHEREAS, The Tourism Promotion Board is an advisory board of the Glenwood Springs City Council; and

WHEREAS, the Tourism Promotion Board has recommended changing its name to the Tourism Management Board; and

WHEREAS, the City Council finds and declares that the amendments to Section 020.020.020 set forth below are in the best interest of the City.

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

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

Section 2. Sections of Article 020.020 of the Glenwood Springs Municipal Code are 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.

Section 4. With the exception of the provisions of the Municipal Code of the City of Glenwood Springs which are modified as provided herein, all remaining provisions of the Municipal Code of the City of Glenwood Springs shall remain in full force and effect.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS 20th DAY OF JANUARY 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

INTRODUCED, READ ON SECOND READING, AND ORDERED PUBLISHED BY
TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE OF SECOND
PUBLICATION THIS ____ DAY OF _____ 2022.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, 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~~.

020.020.010 Boards and Commissions Created.

(13) ~~Tourism Promotion Board~~ Tourism Management Board.

020.020.020 Composition of boards and commissions.

(13) ~~Tourism Promotion Board~~ Tourism Management Board.

020.020.030 - Powers and duties of boards and commissions.

(m) Powers and duties of ~~Tourism Promotion Board~~ Tourism Management Board. The powers and duties of the ~~Tourism Promotion Board~~ Tourism Management Board shall be:

020.020.040 - Appointment, removal, term and vacancies of boards and commissions.

(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~~ Tourism Management Board;

Building Board of Appeals.
