



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JANUARY 4, 2024
101 W. 8TH STREET
6:15 p.m.

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.

WORK SESSION

4:00	1. Street and Infrastructure Fund	Information/Discussion
4:30	2. South Bridge Update	Information/Discussion
4:50	3. Planning Grant for Vogelaar	Information/Discussion
5:10	4. Communications Firm Scope of Work	Information/Discussion

ZOOM INSTRUCTIONS

You are invited to a Zoom webinar.

When: Jan 4, 2024 06:00 PM Mountain Time (US and Canada) Topic: 2024/01/04 Regular City Council Meeting

Please click the link below to join the webinar: <https://us02web.zoom.us/j/88233987714?pwd=NDFPa2pWQ2g0R3NOalpNUVIlclpZQT09>

Passcode: 336531 Or One tap mobile: +17193594580,,88233987714# US +12532158782,,88233987714# US (Tacoma) Or Telephone:

Dial(for higher quality, dial a number based on your current location): +1 719 359 4580 US +1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston) +1 669 444 9171 US +1 669 900 6833 US (San Jose) +1 253 205 0468 US +1 564 217 2000 US

+1 646 931 3860 US +1 689 278 1000 US +1 929 205 6099 US (New York) +1 301 715 8592 US (Washington DC)

+1 305 224 1968 US +1 309 205 3325 US +1 312 626 6799 US (Chicago) +1 360 209 5623 US +1 386 347 5053 US +1 507 473 4847 US

Webinar ID: 882 3398 7714 International numbers available: <https://us02web.zoom.us/j/88233987714?pwd=NDFPa2pWQ2g0R3NOalpNUVIlclpZQT09>

REGULAR SESSION

6:15	5. Roll Call	
	6. Agenda Changes & Conflicts	
	7. Council Announcements	
	8. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)	
	9. Consent Agenda	Discussion and/or Action
	A. December 7, 2023 Council Minutes	
	B. Resolution 2024-01; Designating Public Place for Posting Meeting Notices for 2024	
	C. Resolution 2024-02; Authorizing Electronic Signatures on Documents	
	D. Tourism Management Board Appointments	
	E. Volunteer Firefighter Pension Board Appointment	
	F. Housing Commission Appointment	
	G. Ordinance 2023-22; An Ordinance Amending Article 100.060 of the Glenwood Springs Municipal Code regarding allowable idling times. Second Reading	
	H. 2024 RFTA Traveler Intergovernmental Agreement	

I. 2024 Senior Services 7 Party Memorandum of Understanding

ACTIONS AND/OR PRESENTATIONS

- | | |
|--|--------------------------|
| 10. Tourism Promotion Contract with the Chamber Resort Association | Discussion and/or Action |
| 11. Planning File #45-23, Matters of State Interest 1041 Permit Application, and Location and Extent, Xcel Energy Mitchel Creek Line Rebuild | Discussion and/or Action |
| 12. Ordinance 2024-01; Code Amendment to Title 070 establishing Storm Water Fee In Lieu | Discussion and/or Action |
| 13. Resolution 2024-03; Storm Water Fees | Discussion and/or Action |
| 14. Ordinance 2024-02; Boards and Commissions Term Limits | Discussion and/or Action |
| 15. Resident Occupied Housing Standards | Discussion and/or Action |
| 16. Council Comments | |
| 17. Report from City Administration | |
| A. City Manager | |
| B. City Attorney | Information Only |
| 18. Council Social Event Location | Information Only |
| 19. Adjournment | |

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City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Street and Infrastructure Fund

Action Requested: Discussion

Department: Public Works

Presented By: Matthew Langhorst

Strategic Goals: Preserve and Improve Infrastructure

Background Info: The City of Glenwood Springs Street Tax will run out on December 31st, 2026. Discussions have commenced on what this tax should or could look like if it were extended at the current 0.5% sales tax rate, at a 0.75% sales tax rate and at a 1.0% sales tax rate. This topic has been brought in front of the Financial Advisory Board 3 times in the last two months for discussion and review. It was also brought to council on December 7th for an initial conversation. FAB's recommendation and the topic's current status will be discussed at this work session.

Issues: None at this time.

Fiscal Impact: This discussion will impact how much money is available for street reconstruction over the next 20 years.

Legal Review: None at this time.

Staff Recommendation: Staff is recommending a good discussion on the options available and FAB's recommendation.

MEMORANDUM



TO: Glenwood Springs City Council ("Council")

FROM: Financial Advisory Board ("FAB")

DATE: January 4, 2024

SUBJECT: **Street and Infrastructure Tax Renewal or Repeal and Replacement**

The Financial Advisory Board was asked to consider the financial needs required to sufficiently repair, replace and maintain City streets. Over the past three meetings the Board has considered several options and their impacts on resident's sales tax contributions and water/wastewater rate levels.

The analysis indicates that an increase of at least .25% (over the current .50% rate) is necessary to maintain the streets over the long term. Additionally, including a further .25% increase for the related water and sewer infrastructure would result in savings for the residents of Glenwood Springs vs funding these costs through future utility rate increases.

Therefore, after evaluating staff provided projections, FAB recommends that Council pursue a 1.0% sales tax to replace the 0.5% sales tax in the Street Tax Fund that is set to expire in 2026. The 1.0% sales tax should be used for the infrastructure fund ("Infrastructure Tax").

If Council decides to pursue and the residents of Glenwood Springs approve the 1% Infrastructure Tax, FAB further recommends that Council consider pursuing a bond initiative related to the Infrastructure Tax. Council may want to consider contracting for some polling data for information related to how likely tax and bonding scenarios are to pass on the November 2024 ballot.

Sincerely,

Financial Advisory Board

Dan Sullivan, Chair

Ksana Oglesby, Vice Chair

Asha John

Sal Rico

Spencer Graff

Ted Edmonds



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: South Bridge Update

Action Requested: None - staff update to council on progress.

Department: Engineering

Presented By: Ryan Gordon

Strategic Goals: Preserve and Improve Infrastructure

Background Info: The City was recently awarded a substantial grant from the federal government and staff will update Council on progress and next steps.

Issues: Staff to provide update on South Bridge activities.

Fiscal Impact: None at this time.

Legal Review: N/A

Staff Recommendation: NA



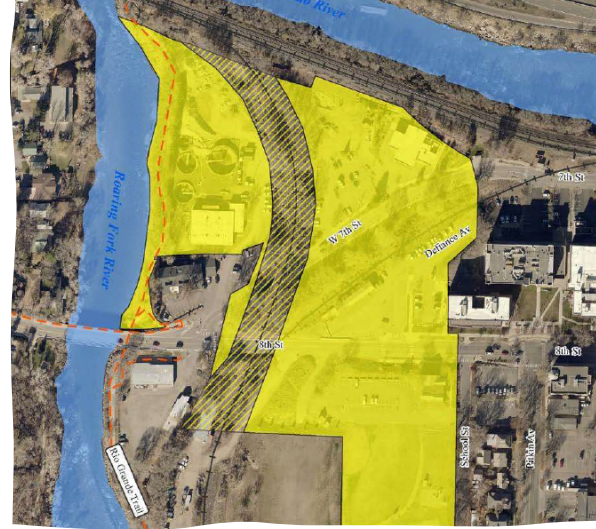
City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item:	Planning Grant for Vogelaar
Action Requested:	Discussion on the scope of work for the More Housing Now Grant for the Vogelaar property.
Department:	Economic and Community Development
Presented By:	Hannah Klausman
Strategic Goals:	Protect and Preserve our Quality of Life
Background Info:	The City of Glenwood Springs was awarded an Energy/Mineral Impact Assistance Fund Grant (EIAF) from the Department of Local Affairs (DOLA) in the amount of \$270,000 for the Glenwood Springs Climate-Smart Workforce Housing Plan for the Vogelaar property. Staff is actively preparing the Request for Proposal (RFP) for consultant applications and would like to provide opportunity for Council feedback and comment. Staff has also included the brief presentation given to DOLA during the grant process to familiarize Council with the grant components.
Issues:	Staff intends, per the granting guidelines, to issue a Request for Proposal before the end of February. The Project consists of a study and final report on the feasibility of constructing energy efficient housing in Vogelaar Park to include estimated costs and a project schedule. Staff has included the full scope of work from the grant application as an attachment to this report for reference which includes the following: • Conceptual design, • Environmental and economic impacts, • Community feedback, • Evaluation of all renewable energy options for reducing utility costs and greenhouse gas emissions related to the Project, • Presentation of final documents for approval by the Grantee. • Engineer cost estimates, • Project schedule. Suggested topics for discussion: • Type and style of public engagement. • Items to prioritize within the RFP. • Any limitations on design or items to incorporate.
Fiscal Impact:	The grant award is for \$270,000 with the City matching \$30,000 for a project total of \$300,000.
Legal Review:	Legal has reviewed the scope of work submitted as part of the grant application.
Staff Recommendation:	Staff seeks discussion and comment from Council.

Vogelaar Climate-Smart Workforce Housing Planning Project

Glenwood Springs, CO

More Housing Now Grant Presentation
October 24, 2023



Vogelaar Climate-Smart Workforce Housing Planning Project

Glenwood Springs seeks \$270,000 in DOLA EIAF funds with \$30,000 in match to complete conceptual design and assess energy efficiency / renewable energy options for an infill workforce housing development at walkable Vogelaar Park Site.

Redevelopment Ready: Vogelaar Park

Glenwood Springs has facilitated redevelopment of the Vogelaar Park property by:

- Improving transportation connectivity,
- Remediating the former wastewater treatment plant site, and
- Swapping land to enable the renovation of Glenwood Springs Elementary School and reconfiguration of Vogelaar Park.
- Advancing housing policy adoption through DOLA IHOP Grant.
- Identifying community employer partners

This planning project will advance the climate-smart, infill development of workforce housing units at Vogelaar Park to address the affordable housing shortage and reduce greenhouse gas emissions.



Scope of Work

- Funds will be used to:
- 1) Develop **Conceptual Design Plans** for the workforce housing development and solicit community feedback.
- 2) Conduct a **Renewable Energy Feasibility Study** to evaluate suitable system designs, environmental impact and economic analysis for energy efficient design that incorporates renewable energy.
- 3) Advance **Design/Engineering & Environmental Review** to develop engineer's cost estimates and establish a project schedule.



Project Need

- Rising housing costs in Glenwood Springs and throughout the Roaring Fork Valley
- 2019 Greater RFV Housing Study indicates Glenwood Springs has a 2,000-unit shortfall for housing stock across all income levels.
- Only 35% of jobs in Glenwood occupied by city residents and more than 55% of local labor force commutes elsewhere for work.
- Average single-family home sale price and monthly apartment rent in Glenwood both increased by 42%, while wages increased by only 16%.
- As regional population continues to grow, infill development will provide affordable, walkable housing options that allow residents to live where they work.
- 86% of employers in the RFV have challenges recruiting and retaining employees, and 73% of employers feel housing has negatively affected employee performance.





Budget & Readiness

- Total Project Cost: \$300,000
 - Funds Requested: \$270,000
 - Town Match: \$30,000
- 9-12 months to complete planning activities after award funding

Vogelaar Climate-Smart Workforce Housing Planning

Guided by two master plans, “Redevelopment Strategy for the Confluence Area” and “Moving Forward Together”

Will address housing shortage and worker retention issues

Located adjacent to the City’s historic downtown, schools, and transit center.

Reduce GHG emissions with infill housing.

Protects existing jobs and residents



EXHIBIT B – SCOPE OF PROJECT (SOP)**1. PURPOSE**

1.1. Energy Impact. The purpose of the Energy and Mineral Impact Assistance Program is to assist political subdivisions that are socially and/or economically impacted by the development, processing, or energy conversion of minerals and mineral fuels.

2. DESCRIPTION OF THE PROJECT(S) AND WORK

2.1. Project Description. The Project consists of a study and Final Report on the feasibility of constructing energy efficient housing in Vogelaar Park.

2.2. Work Description. The City of Glenwood Springs (Grantee) will hire a qualified consultant to study and create a Final Report for the feasibility of developing workforce housing in Vogelaar Park, located in the vicinity of 915 School Street in Glenwood Springs, Colorado. Work includes conceptual design, environmental and economic impacts, community feedback, evaluation of all renewable energy options for reducing utility costs and greenhouse gas emissions related to the Project and production of final documents and presentation of final documents for approval by the Grantee. The Final Report will include engineer cost estimates, a project schedule and include all environmental reviews. Grantee will own the Final Report and provide DOLA with electronic copies prior to Project Closeout.

2.2.1. A contract for consultant services shall be awarded by Grantee to a qualified firm through a formal Request For Proposals or competitive selection process.

2.3. Responsibilities. Grantee shall be responsible for the completion of the Work and to provide required documentation to DOLA as specified herein.

2.3.1. Grantee shall notify DOLA at least 30 days in advance of Project Completion.

2.4. Recapture of Advanced Funds. To maximize the use of Grant Funds, the State shall evaluate Grantee's expenditure of the Grant Funds for timeliness and compliance with the terms of this Grant. DOLA reserves the right to recapture advanced Grant Funds when Grantee has not or is not complying with the terms of this Grant.

2.5. Eligible Expenses. Eligible expenses shall include: engineering and consultant fees. Bid process, bonding and insurance, legal fees, consultant travel and per diem shall be the sole responsibility of the grantee

3. DEFINITIONS**3.1. Project Budget Lines.**

3.1.1. "Consultant Services" means consultant fees, RFP/bid advertisements, and attorney's fees.

3.2. "Substantial Completion" means the Work is sufficiently complete in accordance with the Grant so it can be utilized for its intended purpose without undue interference.

4. DELIVERABLES

4.1. Outcome. The final outcome of this Grant is a completed Final Report on the feasibility of constructing a workforce housing project in Vogelaar Park to include estimated costs and a project schedule.

4.2. Service Area. The performance of the Work described within this Grant shall be located in Glenwood Springs, Colorado.

4.3. Performance Measures. Grantee shall comply with the following performance measures:

<u>Milestone/Performance Measure/Grantee will:</u>	<u>By:</u>
Put Project out to bid.	Within 90 days after the Effective Date of this Intergovernmental Grant Agreement.

EIAF 9765 – MHN Glenwood Springs Climate-Smart Workforce Housing Plan

Award and finalize subcontract(s).	Within 30 days after bid opening.
Provide DOLA with Project Timeline.	Within 30 days after the Effective Date of the subcontract(s).
Provide DOLA with an electronic copy of the accepted Final Report and proof of Substantial Completion. (i.e. Certificate of Completion, Board motion of approval, lien waiver)	To be included with the Project Final Report.
Submit Quarterly Pay Requests	See §4.5.2 below
Submit Quarterly Status Reports	See §4.5.2 below
Submit Project Final Report	January 29, 2026

4.4. Budget Line Adjustments.

4.4.1. Grant Funds. Grantee may request in writing that DOLA move Grant Funds between and among budget lines, so long as the total amount of Grant Funds remains unchanged. To make such budget line changes, DOLA will use an Option Letter (**Exhibit G**).

4.4.2. Other Funds. Grantee may increase or decrease the amount of Other Funds in any one or any combination of budget lines as described in **§6.2**, or move Other Funds between and among budget lines, so long as the total amount of such “Other Funds” is not less than the amount set forth in **§6.2** below. Grantee may increase the Total Project Cost with “Other Funds” and such change does not require an amendment or option letter. DOLA will verify the Grantee’s contribution of “Other Funds” and compliance with this section at Project Closeout.

4.5. Quarterly Pay Request and Status Reports. Beginning 30 days after the end of the first quarter following execution of this Grant and for each quarter thereafter until termination of this Grant, Grantee shall submit Pay Requests and Status Reports using a form provided by the State. The State shall pay the Grantee for actual expenditures made in the performance of this Grant based on the submission of statements in the format prescribed by the State. The Grantee shall submit Pay Requests setting forth a detailed description and provide documentation of the amounts and types of reimbursable expenses. Pay Requests and Status Reports are due within 30 days of the end of the quarter but may be submitted more frequently at the discretion of the Grantee.

4.5.1. For quarters in which there are no expenditures to reimburse, Grantee shall indicate zero (0) requested in the Pay Request and describe the status of the Work in the Status Report. The report will contain an update of expenditure of funds by budget line as per **§6.2** of this **Exhibit B** Scope of Project as well as a projection of all Work expected to be accomplished in the following quarter, including an estimate of Grant Funds to be expended.

4.5.2. Specific submittal dates.

Quarter	Year	Due Date	Pay Request Due	Status Report Due
4 th (Oct-Dec)	2023	January 30, 2024	Yes	Yes
1 st (Jan-Mar)	2024	April 30, 2024	Yes	Yes
2 nd (Apr-Jun)	2024	JULY 15, 2024*	Yes	Yes
3 rd (Jul-Sep)	2024	October 30, 2024	Yes	Yes
4 th (Oct-Dec)	2024	January 30, 2025	Yes	Yes
1 st (Jan-Mar)	2025	April 30, 2025	Yes	Yes
2 nd (Apr-Jun)	2025	JULY 15, 2025*	Yes	Yes
3 rd (Jul-Sep)	2025	October 30, 2025	Yes	Yes
4 th (Oct-Dec)	2025	January 29, 2026	Yes	Yes

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***State fiscal year runs July 1 – June 30 annually. Grantee must request reimbursement for all eligible costs incurred during a State fiscal year by July 15 annually.**

4.6. DOLA Acknowledgment. The Grantee agrees to acknowledge the Colorado Department of Local Affairs in any and all materials or events designed to promote or educate the public about the Work and the Project, including but not limited to: press releases, newspaper articles, op-ed pieces, press conferences, presentations and brochures/pamphlets.

5. PERSONNEL

5.1. Responsible Administrator. Grantee's performance hereunder shall be under the direct supervision of **Steve Boyd, City Manager, (steve.boyd@cogs.us)**, who is an employee or agent of Grantee, and is hereby designated as the responsible administrator of this Project and a key person under this §5. Such administrator shall be updated through the process in §5.3. If this person is an agent of the Grantee, such person must have signature authority to bind the Grantee and must provide evidence of such authority.

5.2. Other Key Personnel. **Hannah Klausman, Director, Economic and Community Development, (hannah.klausman@cogs.us)**. Such key personnel shall be updated through the process in §5.3.

5.3. Replacement. Grantee shall immediately notify the State if any key personnel specified in §5 of this Exhibit B cease to serve. All notices sent under this subsection shall be sent in accordance with §15 of the Grant.

5.4. DLG Regional Manager: **Dana Hlavac, (970) 903-0230, (dana.hlavac@state.co.us)**

5.5. DLG Regional Assistant: **Nichole Robillard, (970) 473-4947, (nichole.robillard@state.co.us)**

6. FUNDING

The State provided funds shall be limited to the amount specified under the "Grant Funds" column of §6.2, Budget, below.

6.1. Matching/Other Funds. Grantee shall provide **at least 10%** of the Total Project Cost as documented by Grantee and verified by DOLA at Project Closeout. Initial estimates of Grantee's contribution are noted in the "Other Funds" column of §6.2 below. Increases to Grantee's contribution to Total Project Cost do not require modification of this Intergovernmental Grant Agreement and/or Exhibit B.

6.2. Budget

Budget Line(s)		Total Project Cost	Grant Funds	Other Funds	Other Funds Source
Line #	Cost Category				
1	Consultant Services	\$300,000	\$270,000	\$30,000	Grantee
	Total	\$300,000	\$270,000	\$30,000	

7. PAYMENT

Payments shall be made in accordance with this section and the provisions set forth in §7 of the Grant.

7.1. Payment Schedule. If Work is subcontracted or subgranted and such Subcontractors and/or Subgrantees are not previously paid, Grantee shall disburse Grant Funds received from the State to such Subcontractor or Subgrantee within fifteen days of receipt. Excess funds shall be returned to DOLA.

Payment	Amount	
Interim Payment(s)	\$256,500	Paid upon receipt of actual expense documentation and written Pay Requests from the Grantee for reimbursement of eligible approved expenses.

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Final Payment	\$13,500	Paid upon Substantial Completion of the Project (as determined by the State in its sole discretion), provided that the Grantee has submitted, and DOLA has accepted, all required reports.
Total	\$270,000	

7.2. Interest. Grantee or Subgrantee may keep interest earned from Grant Funds up to \$100 per year for administrative expenses.

8. ADMINISTRATIVE REQUIREMENTS

8.1. Reporting. Grantee shall submit the following reports to DOLA using the State-provided forms. DOLA may withhold payment(s) if such reports are not submitted timely.

8.1.1. Quarterly Pay Request and Status Reports. Quarterly Pay Requests shall be submitted to DOLA in accordance with **§4.5** of this **Exhibit B**.

8.1.2. Final Reports. Within 90 days after the completion of the Project, Grantee shall submit the final Pay Request and Status Report to DOLA.

8.2. Monitoring. DOLA shall monitor this Work on an as-needed basis. DOLA may choose to audit the records for activities performed under this Grant. Grantee shall maintain a complete file of all records, documents, communications, notes and other written materials or electronic media, files or communications, which pertain in any manner to the operation of activities undertaken pursuant to an executed Grant. Such books and records shall contain documentation of the Grantee's pertinent activity under this Grant in accordance with Generally Accepted Accounting Principles.

8.2.1. Subgrantee/Subcontractor. Grantee shall monitor its Subgrantees and/or Subcontractors, if any, during the term of this Grant. Results of such monitoring shall be documented by Grantee and maintained on file.

8.3. Bonds. If Project includes construction or facility improvements, Grantee and/or its contractor (or subcontractors) performing such work shall secure the bonds hereunder from companies holding certificates of authority as acceptable sureties pursuant to 31 CFR Part 223 and are authorized to do business in Colorado.

8.3.1. Bid Bond. A bid guarantee from each bidder equivalent to 5 percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder shall, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

8.3.2. Performance Bond. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

8.3.3. Payment Bond. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by statute of all persons supplying labor and material in the execution of the work provided for in the contract.

8.3.4. Substitution. The bonding requirements in this **§8.3** may be waived in lieu of an irrevocable letter of credit if the price is less than \$50,000.

9. CONSTRUCTION/RENOVATION. The following subsections shall apply to construction and/or renovation related projects/activities:

9.1. Plans & Specifications. Construction plans and specifications shall be drawn up by a qualified engineer or architect licensed in the State of Colorado, or pre-engineered in accordance with Colorado law, and hired by the Grantee through a competitive selection process.

EIAF 9765 – MHN Glenwood Springs Climate-Smart Workforce Housing Plan

- 9.2. Procurement.** A construction contract shall be awarded to a qualified construction firm through a formal selection process with the Grantee being obligated to award the construction contract to the lowest responsive, responsible bidder meeting the Grantee's specifications.
- 9.3. Subcontracts.** Copies of any and all contracts entered into by the Grantee in order to accomplish this Project shall be submitted to DOLA upon request, and any and all contracts entered into by the Grantee or any of its Subcontractors shall comply with all applicable federal and state laws and shall be governed by the laws of the State of Colorado.
- 9.4. Standards.** Grantee, Subgrantees and Subcontractors shall comply with all applicable statutory design and construction standards and procedures that may be required, including the standards required by Colorado Department of Public Health and Environment, and shall provide the State with documentation of such compliance.

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FY 2024 Cycle 23-11 EIAF Tier I/Tier II and Special Initiatives Funding Application

Local Government/Organization: [Glenwood Springs, City of](#)
Status: [Accepted](#)
Filed On: [2023-08-01T14:46:21](#)
Filed By: [CITYOFGLENWOODSPRINGS](#)
Reviewed On: [2023-08-02T20:57:26](#)
Reviewed By: [ACUE](#)
Reviewer Notes:

Application Overview

You are **required** to work with your Regional Manager prior to completing your application. The DOLA Grants Portal will only be opened for your community to apply upon approval from your Regional Manager.

The Department of Local Affairs (DOLA) Energy and Mineral Impact Assistance Fund (EIAF) program was created to assist political subdivisions that are socially and/or economically impacted by the development, processing, or energy conversion of minerals and mineral fuels. Funds come from the state severance tax on energy and mineral production and from a portion of the states share of royalties paid to the federal government for mining and drilling of minerals and mineral fuels on federally-owned land. The creation of the fund is outlined in C.R.S. 34-63-102 (Federal Mineral Lease) and C.R.S. 39-29-110 (Severance). Grant dollars are to be awarded for the planning, design, construction, and maintenance of public facilities and for the provision of services by political subdivisions.

Requests in this Cycle 23-11 may be for:

EIAF Tier I: up to \$200,000 with a 1:1 match

EIAF Tier II: over \$200,001 and up to \$1,000,000 with a 1:1 match

Climate Resilience Challenge: up to \$5,000,000 with a 25% match for implementation, 10% for planning

Main Street LIVE: up to \$1,500,000 with a 25% match for implementation, 10% for planning

More Housing Now & Land Use Initiative: up to \$2,000,000 with a 25% match for implementation, 10% for planning

Tier I award notifications are anticipated in early October. All other application presentations are scheduled for late October 2023 with funding decisions anticipated in early November 2023. For more information and additional documentation on the EIAF program including the three special initiatives, please go to the program website at <https://dlg.colorado.gov/energy-mineral-impact-assistance>

A. APPLICANT/CONTACT INFORMATION

1. Local Government/Organization: [Glenwood Springs, City of](#)

In the case of a multi-jurisdictional application, select the other participating eligible organizations:

2. Principal Representative:

(In the case of a multi-jurisdictional application, principal representative of the lead organization.)

Honorific: [Dr.](#)
First Name: [Beverli](#)
Middle Name:
Last Name: [Marshall](#)
Suffix:
Role:
Mailing Address: [101 West 8th Street Glenwood Springs](#)
Address 2:
City: [Glenwood Springs](#)
State: [CO](#)
Zip Code: [81601](#)
Phone #: [970-384-6401](#)
Email Address: beverli.marshall@cogs.us

3. Responsible Administrator (will receive all mailings) for the Application:

Honorific: [Dr.](#)
First Name: [Beverli](#)
Middle Name:
Last Name: [Marshall](#)
Suffix:
Role:
Mailing Address: [101 West 8th Street Glenwood Springs](#)
Address 2:
City: [Glenwood Springs](#)
State: [CO](#)
Zip Code: [81601](#)

Phone #: 970-384-6401
Email Address: beverli.marshall@cogs.us

B. CHIEF ELECTED OFFICIAL INFORMATION

Please provide contact information for the chief elected official.

a. Name

In the case of a multi-jurisdictional application, chief elected official of the "lead" political subdivision.

Ingrid Wussow

b. Title

Mayor

c. Street Address

101 W 8th Street

d. City

Glenwood Springs

e. State

Please use the two-letter abbreviation

CO

f. Zip

81601

g. Phone

Use xxx-xxx-xxxx format

970-379-4248

h. Email Address

ingrid.wussow@cogs.us

C. PROJECT DESCRIPTION

a. What funding opportunity are you applying for?

Select from drop down menu

More Housing Now & Land Use Initiative

b. Project Title

Begin the project name with your community name. Example: "*Monte Vista Project Name*", "*Lincoln County Project Name*".

City of Glenwood Springs Vogelaar Climate-Smart Workforce Housing Planning Project

c. Amount requested

* The amount requested should equal the Grant Request Total line in the project budget attached in Section M.

270,000

d. Matching Funds

30,000

e. For public potable water and public wastewater projects only

Are you willing to discuss any portion of your match being a DOLA loan (5% interest & up to a 20-year term)?

No

e.1 If yes, please enter total loan amount requested

e.2 Desired term of loan

f. Describe the problem, opportunity or challenge that resulted in the request

(1,000 character limit)

The City of Glenwood Springs seeks \$270,000 in DOLA EIAF More Housing Now grant funds with \$30,000 in match to complete conceptual design plans, a geothermal energy feasibility study, environmental assessment, and engineering/design for the development of walkable, energy-efficient workforce housing on the Vogelaar Park property at the Confluence Area, adjacent to the historic downtown, Roaring Fork and Colorado rivers, regional trails, and schools. Guided by community-driven redevelopment plans, Glenwood Springs has facilitated redevelopment of the Vogelaar Park property by improving transportation connectivity, remediating the former wastewater treatment plant site, and swapping land to enable the renovation of Glenwood Springs Elementary School and reconfiguration of Vogelaar Park. This planning project will advance the climate-smart, infill development of 100+ workforce housing units at Vogelaar Park to address the affordable housing shortage and reduce greenhouse gas emissions.

g. Describe the project scope of work

Describe the various tasks involved in the project including specific data such as quantities, mileage, square feet, linear ft. etc., as well as specific project location within the city and/or county etc. If this is a broadband planning or middle mile implementation project, describe how it supports last mile expansion. Please be specific to the project. (1,000 character limit)

The scope of work for the planning project includes the following: Conceptual Design Plans: - The city will procure a design/engineering firm to develop and finalize conceptual designs for the workforce housing development and solicit community feedback. Geothermal Energy Feasibility: - The city will procure geothermal energy consultants to evaluate the feasibility of geothermal to heat residences at the Vogelaar site. - The firm will develop a feasibility report, including suitable system designs; environmental impact; and economic analysis, within nine months of award. Design/Engineering & Environmental Review: - The design/engineering firm will advance design/engineering, including climate-smart design energy-efficient electrical and mechanical systems. - The firm will develop engineer's cost estimates and establish a project schedule. - The firm will conduct all relevant environmental review. - Designs will be finalized within twelve months of project funding.

h. Will the project be undertaken in a wetlands or flood hazard area?

No

h.1 List flood plain maps/studies reviewed. Describe alternatives considered.
(500 character limit)

i. Local priority

If more than one application from the same government (1 of 2, 2 of 2, etc.)

j. Supporting documents

Upload any supporting documents (studies, plans, preliminary reports, schedules, letters of support, etc.) as a single PDF document.

Download

GlenwoodSpringsFinalPDF.pdf

D. DEMONSTRATION OF NEED

The statutory purpose of the Energy and Mineral Impact Assistance program is to provide financial assistance to "political subdivisions socially or economically impacted by the development, processing or energy conversion of minerals and mineral fuels."

a. Demonstration of need

Why is the project needed at this time? (1,000 character limit)

Workforce housing is needed to address rising housing costs in Glenwood Springs and throughout the Roaring Fork Valley (RFV), where employers (including the city, public safety, and transit agencies) struggle to attract and retain workers. A pre-covid 2019 Greater RFV Housing Study indicates that Glenwood Springs has a 2,000-unit shortfall for housing stock across all income levels. This growing shortfall leads to cross-commuting that impacts quality of life and increases traffic congestion and greenhouse gas emissions. The study estimates that only 35% of jobs in Glenwood are occupied by city residents and more than 55% of the local labor force commutes elsewhere for work. Since the report, the average single-family home sale price and monthly apartment rent in Glenwood both increased by 42%, while wages increased by only 16%. As the regional population continues to grow, infill development will provide affordable, walkable housing options that allow residents to live where they work.

b. Does this project address the stated need?

Does this project, as identified in this application, completely address the stated need? If not, please describe additional work or phases and the estimated timeframe. Do you anticipate requesting Energy and Mineral Impact Assistance funds for future phases? (1,000 character limit)

DOLA EIAF funds will enable the City of Glenwood Springs to complete the proposed scope of planning work in its entirety. The City of Glenwood Springs may seek DOLA funds and other resources to support the construction of the Volegaar Park Climate-Smart Workforce Housing Development following completion of the proposed plans. The City aims to have the housing development fully constructed by Spring 2026.

c. What are the consequences if the project is not awarded funds?

(500 character limit)

The City will not be able to complete the proposed planning project without EIAF assistance. The longer the city delays addressing the affordable housing problem, the more difficult it will become. The RFV population is expected to grow by 25,000 in the next decade, and Glenwood already has a 2,000 unit-shortfall, with labor and construction costs continuing to rise. An expected 34% of the region's residents are expected to retire by 2030, increasing workforce retention issues.

E. MEASURABLE OUTCOMES

a. Describe the expected measurable outcomes

How will the project enhance the livability* of your region, county, city, town or community? Examples would include constructing a new water plant to eliminate an unsafe drinking water system and provide safe and reliable drinking water; the construction of a new community center that would provide expanded community services, or projects achieving goals regarding energy conservation, community heritage, economic development/diversification, traffic congestion, etc.

*(Livability means increasing the value and/or benefit in the areas that are commonly linked in community development such as jobs, housing, transportation, education, hazard mitigation, health and environment)

(1,000 character limit)

Produce housing: The project will advance the development of income-restricted units at affordability levels accessible to Glenwood's workforce (<140% AMI). The planning project will inform the exact mix of housing income levels to best address the shortage of affordable and workforce units. Promote economic vitality: The 2019 RFV Housing study indicated 86% of employers in the RFV have challenges recruiting and retaining employees, and 73% of employers feel housing has negatively affected employee performance. Walkable housing in the downtown core will help local businesses to recruit and retain workers. Sustainable development: The Vogelaar project is one of the few opportunities to create more housing in geographically constrained Glenwood. The high-density compact infill development is next to civic buildings, restaurants, retail, schools, trails, and a planned transit center. Building energy efficiency and the potential for geothermal energy will help to reduce carbon emissions.

F. ENERGY EFFICIENCY AND RENEWABLE ENERGY

Applications will be reviewed based on the project's potential to transform both the state and local community's energy portfolio, including considerations of additional renewable energy capacity and/or project type, the energy makeup of the local utility, and historic renewable energy adoption.

a. Energy efficiency

Will this project implement improved energy efficiencies or a strategy that could result in a reduction of the community carbon footprint, increased conservation of energy, or does it capitalize on renewable energy technology?

Yes

a.1 If yes, please describe.

(500 character limit)

Glenwood Springs has a unique opportunity to utilize geothermal energy due to its location atop a deep-faulted basin. Geothermal energy has the capacity to provide long-term and stable energy supply while reducing GHG emissions. The project incorporates a feasibility study for powering the new development with net-zero carbon emissions. If feasible, the assessment may guide the development of the first geothermal energy district in Glenwood Springs, powering all of the Confluence area.

a.2 If no, please explain.
(500 characters)

b. For energy efficiency and building electrification projects

How much will the project reduce electricity demand per year in kilowatt hours (kWh)? (enter amount)

b.1 How much will the project reduce natural gas use per year in therms? (enter amount)

b.2 How much will the project reduce other fuel type usage per year?

Please name the fuel type (diesel, propane, etc.) and list the estimated annual reduction. (500 character limit)

c. Renewable and Clean Energy planning and implementation projects

Applications must assess the current needs of the community and help move the community or region towards 100% renewable energy and/or increased climate resilience. Renewable energy projects should be part of a community climate action and/or sustainability plan that transitions the current dependence on fossil fuels toward renewable, clean energy sources.

If there is a renewable energy component to your project, please answer the questions below. Projects should advance the 100 percent renewable energy by 2040 goal utilizing specific, measurable outcomes including: energy reduction over baseline (energy efficiency), energy offset over baseline (renewable energy generation) and greenhouse gas reduction over baseline.

What type of technology does the project include? (Select all that apply)

c.1 If other is selected above, please describe
(150 character limit)

c.2 What electric utility serves the project area?

Example: Platte River Power Authority. (100 character limit)

c.3 How much is the project estimated to save per year in utility costs? (enter dollar amount)

c.4 For solar and hydro-electric projects

How many kilowatts (kW) of generation capacity will be added from your project? (enter amount)

G. POPULATION & LOCAL EFFORT

a. Current population

Current/most recent conservation trust fund/lottery distribution estimate, [Colorado State Demographer](#) estimate, or a projection based on the communities percentage of overall county population is acceptable.

10,326

b. Five year population projection

10,992

c. Relationship to community goals

Please describe if the project is identified in the applicant's budget or a jurisdictionally approved plan (e.g. capital improvement plan, equipment replacement plan, comprehensive plan, utility plan, road maintenance and improvement plan or other local or regional strategic management or planning document)? (500 character limit)

Redeveloping Vogelaar Park has long been a community priority, as outlined in the City's 2017 Confluence Redevelopment Plan [Attachment A] and the 2019 Moving Forward Together Plan. The development project aligns with goals set in the 2023 Comprehensive Plan. Because Glenwood is geographically constrained, there are few areas to create new neighborhoods and within existing city limits, particularly in close-in locations where demand is highest. Vogelaar Park represents one of those few areas.

d. Why can't this project be funded locally?
(500 character limit)

The City of Glenwood Springs has set aside \$30,000 in local match to meet the funding needs of this project. Due to limited resources, the City is unable to meet the total cost of the project on its own without reducing the scale of the planning project. The City seeks to complete all project elements at once to realize cost efficiencies and ensure that subsequent projects can move ahead cohesively.

e. Has this project been deferred because of lack of local funding? If so, how long?
(500 character limit)

The project is part of a vision for the Confluence Area that is more than 20 years in the making. In 2003 the City created the first Redevelopment Strategy for the Confluence Area, followed by the 2017 Confluence Redevelopment Plan and 2019 Moving Forward Together plan that advanced the infrastructure upgrades that enable the workforce housing project to move forward. The lack of funds for workforce housing has delayed the Vogelaar project, while housing prices have continued to skyrocket.

f. Explain the origin and status of your local cash match

(Note: Whenever possible, local government cash match is on a dollar for dollar match to the award amount.).

Are the local matching funds committed or pending? If pending, when will the status of those funds shift from pending to committed? If funding is awarded and in-kind contributions are included in the project budget, detailed tracking of in-kind will be required. (500 character limit)

The City of Glenwood Springs commits \$30,000 in cash match to the project (committed).

g. Community partners

What other community entities, organizations, or stakeholders recognize the value of this project and are collaborating with you to achieve increased livability of the community? Please describe how you and your partners are addressing problems across multiple sectors (community, economic, housing, natural resources, etc.) through this project. (1,000 character limit)

Colorado Mountain College, Glenwood Springs Chamber Resort, and Valley View Hospital. Other potential partners may be identified as throughout the design phase of the project. The workforce housing at Vogelaar will leverage the major renovation of Glenwood Springs Elementary School (adjacent to the property), which was completed in 2018. The project will help the school to attract and retain quality teachers by offering affordable housing within walking distance. The Roaring Fork Transportation Authority plans to construct a transit center in the Confluence Area that will serve the new housing units and connect them to the regional Bus Rapid Transit system.

h. Tax rate, usage charges, or fees

Have applicant tax rates, user charges or fees been reviewed recently to address funding for the proposed project?

N/A

h.1 Tax rate or usage charge modifications

If the tax rate, user charges or fees were modified, what was the modification and when did this change occur? (500 character limit)

H. READINESS



a. If awarded funds, when can the project begin? (Months)

Tier I awards are made in October with contracts expected in January 2024.

Tier II, Climate Resilience Challenge, Main Street LIVE and More Housing Now & Land Use Initiative awards are made in November with contracts expected in February 2024.

Within 3 months

b. What is the timeframe for project completion?

9-12 months

c. If design or engineering is a component of this project, select the percentage of completion.

0% - not started

d. How were project cost estimates determined?

How did the applicant develop project cost estimates? (500 character limit)

Project costs were determined based on similar feasibility studies and design/engineering for housing developments of similar size. Rough cost estimates for project construction were provided by engineers. This planning project will complete conceptual design for the full housing development at a cost of approximately of the estimated total (see attached bid). Future phases will include 30% design, final design, and construction.

d.1 Is the project supported by bids, professional estimates or other credible information?

No

d.1.i Bids/estimates

Please attach a copy of any supporting documents. (PDF Document)

Download

230727_Confluence Redevelopment Plan Adopted 2017_Flat.pdf

e. Are any Local, State or Federal permits required before the project can proceed?

If yes, please describe and note the status of permit acquisition. (500 character limit)

f. State or National historic registry designation

Is the project on a State or National registered historic building, structure, site, or district?

No

f.1 State or National historic registry number

If the project is on the State or National registry, please provide the registry number. DOLA may need to seek a determination of effect from History Colorado and the State Office of Archaeology and Historic Preservation.

f.2 Historical, archaeological, or cultural significance.

Please describe how the project will affect historical, archaeological, or cultural significance of the building, structure, site or district. (500 character limit)

f.3 Attach supporting documents (if applicable)

If on a State or National Register, please upload color photos of the project work areas and a detailed written description of work proposed. The photos and description should include details beyond the general scope of work described above. (Upload photos and description as a single combined PDF document)

Download

I. ENERGY & MINERAL RELATIONSHIP



a. Community energy or mineral impact

Describe how the community is, has been, or will be impacted by the development, production, or conversion of energy and mineral resources. **For example:** "Heavy truck traffic directly related to energy development is impacting County Road X, or "there are X number of oil and gas wells, storage facilities, transfer stations, etc. in the municipal or county boundaries, or a legacy of energy extraction has resulted in environmental issues in the area, or finally, the closure of energy production facilities is impacting the community." (500 character limit)

The City experiences social, economic, and environmental impacts from mining, logging, and natural gas extraction. Garfield County has 15,000 producing oil and gas wells -- the highest number of any county in the State. Residents experience pollution from hauling, environmental uncertainty with respect to large tracts of public land, and economic fluctuation tied to the boom-and-bust cycles of oil and gas. Workforce housing to support local businesses will help diversify the economy.

J. RESILIENCY CRITERIA



The Energy and Mineral Impact Assistance Program is required to integrate resilience criteria into the program. By bringing resiliency considerations into project planning and implementation, projects should be better poised to benefit a number of sectors (economy, health, infrastructure, etc.), minimize long-term risks, and anticipate or be better prepared to respond to changing conditions faced by Colorado communities.

For clarification or further guidance on how the Resiliency Criteria can be incorporated into projects, visit the [Resiliency Prioritization Criteria](#) section of the [Colorado Resiliency Playbook](#). The [Colorado Resiliency Framework](#) site can also be used to develop a focused approach to incorporate these measures into all, or most projects. Below, please select Yes/No for all of the criteria that can be considered to apply to your project. Project scoring for these criteria is based on whether or not the project proposes to incorporate these long-term resiliency measures into the planning, development and implementation of the project.

a. Adaptive capacity

Yes

a.1 Adaptive capacity

Briefly describe how this project includes flexible and adaptable measures that consider future unknowns of changing climate, economic, or social conditions. (500 character limit)

The Vogelaar planning project will guide the development of energy-efficient housing that is powered by renewable energy, as well as land use that maximizes walkability and connects to trails and a planned transit center. The plans will incorporate design strategies to address future vulnerabilities, community resilience, affordability needs, and community goals, as outlined in past Confluence Area plans. Helping frontline workers to live where they work will increase community resiliency.

b. Co-benefits

Yes

b.1 Co-benefits

Briefly describe how this project provides solutions that address problems across multiple sectors including the community, economic, health and social, housing, infrastructure, and watersheds and natural resources sectors to create maximum benefit. (500 character limit)

The majority of employers (85%) in the RFV report challenges recruiting and retaining employees, with 66% identifying the lack of affordable housing as their biggest issue. High housing costs drive longer commutes, increasing tardiness, higher turnover, and lower quality of life. This energy-efficient, infill housing will allow residents to live where they work, within a short walk from downtown restaurants and retailers, reducing GHG emissions in a community acutely impacted by climate change.

c. Risk reduction

Yes

c.1 Risk reduction

Briefly describe how this project reduces risk and vulnerability to people, infrastructure, and natural systems. (500 character limit)

Vogelaar will be a walkable, energy-efficient infill development, which reduces development pressures to expand into natural or high-risk areas around Glenwood and reduces strain on existing infrastructure. The incorporation of geothermal energy in the housing design enhances the project's sustainability and resilience. By utilizing renewable energy sources, the community becomes less dependent on traditional energy grids, reducing the impact of power outages and decreasing GHG emissions.

d. Long-term and sustainable

Yes

d.1 Long-term and sustainable

Briefly describe how this project will be able to be maintained by the community over its lifetime, reduces environmental impacts and is an investment that will last for generations. The project looks to the future and creates long-term gains for the community. (500 character limit)

The infill project redevelops an underutilized property to increase housing stock while capitalizing on existing infrastructure. The City of Glenwood Springs will maintain the public infrastructure supporting the project. Investing in the potential for geothermal as a residential power source could have generational impacts through reducing GHG emissions. The project represents an opportunity to enhance and activate Glenwood's downtown, which will lead to a stronger economy and community.

e. Mitigates climate change

Yes

e.1 Mitigates climate change

Briefly describe how the project includes renewable energy components and other solutions to mitigate the effects of climate change as much as possible and move the community or region towards 100% renewable energy. (500 character limit)

DOLA Funds will be used to conduct a geothermal energy feasibility study, which will investigate the potential of tapping into geothermal energy for heating and cooling and for power generation of the Vogelaar housing and potentially the greater Confluence area. If feasible, the assessment will be used to create the first geothermal energy district in Glenwood Springs. The Vogelaar project prioritizes climate-smart development and will promote walking and use energy efficient technology.

f. Socially equitable

Yes

f.1 Socially equitable

Briefly describe how this project solution is inclusive of and addresses the needs of populations and community groups that have been or are disproportionately and negatively impacted by disasters, including social and economic shocks and stressors. The project addresses inequities, removes barriers, and benefits these populations by equitably distributing project-related benefits and providing access or meeting functional needs. (500 character limit)

The Vogelaar project will facilitate the production of a range of housing options, helping to relieve housing cost burdens that impact the RFV. According to the Colorado EnviroScreen, the census block group that covers the Confluence Area is in the 81st percentile for housing burden in the state. In addition, this project will help address climate change (which disproportionately impacts low-income individuals) through its climate-smart development and clean energy implementations.

K. COMPREHENSIVE PLAN AND LAND USE REGULATION PROJECTS ONLY

☐

a. Is this application for a comprehensive plan or land use regulation project?

If no, proceed to Section L.

No

b. Affirm required elements for Comprehensive Plan

The State of Colorado requires local governments to adopt Comprehensive (Master) Plans per C.R.S. 30-28-106 (for counties) and 31-23-206 (for municipalities). When funding comprehensive plans, DOLA **requires** that the following project components be included in the scope of work:

- An inclusive community outreach and engagement plan to ensure participation from underrepresented groups.
- The plan must assess and address housing needs of current and future residents at all levels of affordability. It must include locally-appropriate goals, strategies, and actions to promote affordable housing development. This work must use the best available data (e.g., State Demography Office data or a recent housing needs assessment). When it comes time to consider implementation strategies, jurisdictions may find the Strong Communities [list of Land Use Best Practices](#) helpful in this work.
- Risks of natural and human-caused hazards to life, property, and public resources, and consideration of their impact to vulnerable communities. Include goals, strategies, and/or actions to address and mitigate these hazards (must identify and address all potential hazards as described in the county Hazard Mitigation Plan). Communities may find DOLAs [Planning for Hazards](#) guide helpful in this work.
- In the spirit of the states goal to engage with disproportionately impacted communities (C.R.S. 24-4-109), the plan must use an environmental justice lens, particularly when it comes to the impacts of hazards, resources, and amenities to promote equitable outcomes.
- The plan must address the community water supply and water quality goals. Per C.R.S. 31-23-206(1)(d) and 30-28-106(3)(a)(IV), the community must:
 - Consult and coordinate with local water provider(s),
 - Include water conservation policies, and
 - Identify in the plan water supplies and facilities sufficient to meet public and private infrastructure needs reasonably anticipated or identified in the planning process.

Within the first six months of receiving the grant, awardees must submit a self-assessment, such as the [Colorado Growing Water Smart: Community Self-Assessment](#), to include water supply and demand status and trends, existing water conservation and efficiency goals and policies. Consult the DOLA Land Use and Water Planner before or immediately following award for free technical assistance.

- The plan must include an action plan that prioritizes actions necessary to implement the plan, creates a timeline for implementation, and assigns responsibility for actions.
- And, *for municipalities only*, a plan for three miles outside municipal boundaries, also known as the three mile plan, per C.R.S. 31-12-105(1)(e)(I).

The department **strongly encourages** the following:

- Land use code updates: Because the land use code implements a comprehensive plan, a land use code update is strongly recommended to immediately follow a comprehensive plan update.
- Policies and strategies in the comprehensive plan and land use code to plan for the aging demographic of the community.
- Policies and strategies to address energy efficiency, reduce greenhouse gas emissions, and increase the use of renewable energy sources where applicable.
- Intergovernmental agreement(s) (IGA) with neighboring jurisdiction(s) to cooperatively plan for areas of mutual interest (e.g., three-mile areas). In addition, the IGA will address how infrastructure will be provided or upgraded and maintained in areas of mutual interest and engage major service providers/special districts, as applicable.

We agree to include the Department of Local Affairs required elements for Comprehensive (Master) Plans as identified above in addition to C.R.S. 30-28-106 (for counties) and 31-23-206 (for municipalities) in the project scope of work.

No

b.1 If no, explain why the required elements will not be included in your project scope of work.

For example, recently completed tasks or plans listed above would be incorporated into the comprehensive plan by reference. (500 character limit)

L. HIGH PERFORMANCE CERTIFICATION PROGRAM (HPCP) COMPLIANCE



For new facilities, additions and renovation projects only. NOTE: If your project will use 25% or more in state funds, then some form of HPCP compliance most likely applies to your project.

Colorado Revised Statutes (C.R.S. 24-30-1305.5) requires all new facilities, additions, and renovation projects that meet all of the following criteria to conform with the High Performance Certification Program (HPCP) adopted by the Office of the State Architect if:

- The project receives 25% or more of state funds (from any/all state funding sources and in aggregate across all project phases, if applicable); **and**
- **The new facility, addition, or renovation project contains 5,000 or more gross square feet** (NOTE: this includes all phases of project work, e.g., if one phase covers 3,000 square feet and another covers 2,000 square feet then each phase must comply, however, square footage not conditioned for human occupancy, such as an equipment shed, is excluded); **and**
- **The building includes or will include an HVAC system; and**
- **Only in the case of a renovation project, the cost of the renovation exceeds 25% of the current value of the property.**

Projects that meet the above criteria are required to complete and submit the [DOLA checklist](#). Please visit DOLA's HPCP web page at [High Performance Certification](#) or contact your DOLA Regional Manager.

a. HPCP applicability

Is the applicant seeking 25% or more of state funds (from any/all state funding sources and in aggregate across all project phases, if applicable)?

a.1 If yes, complete the remainder of this section.

a.2 If no, the project does not meet the HPCP requirements and the DOLA checklist does not need to be completed and proceed to Section M.

No

b. HVAC details

Please select the type of HVAC system for this project.

c. Project type

Please select the type of construction project.

c.1 Square footage in excess of 5,000 square feet

Is the building square footage (new construction and/or renovation) 5,000 SF or more?

No

c.2 Building square footage

What is the building square footage; indicate whether the square footage is new, renovation, or both? (500 character limit)

d. For renovation projects only, does the cost exceed 25% of the current value of the property?

No

d.1. What is the current property value?

Current property value is determined on the assessed or appraised value.

d.2 What is the total project cost for the renovations?

e. Does this project meet the HPCP criteria?

If you answered to questions a and b, then your project likely meets the HPCP applicability criteria and you **must** complete the HPCP registration form and preliminary checklist and upload below. (See the DOLA HPCP web page for registration and checklist form.)

No

e.1 HPCP registration form and checklist

Please upload the HPCP registration and checklist form from <https://cdola.colorado.gov/high-performance-certification-program> in an Excel format.

Download

f. Third party verification

Have you included any costs in the budget for this grant application for third party verification to comply with the High Performance Certification Program?

No

f.1 Third party verification cost

If you answered yes above, please specify the estimated cost for third party verification/certification. (500 character limit)

f.2 Third party verification resources

Will you need assistance locating resources, third party consultants, or technical assistance for HPCP third party verification requirements, preparing cost estimates, or otherwise complying with the HPCP?

No

f.2.i Third party verification resources required

If you answered yes above, please describe the type of resource identification assistance you need. (500 character limit)

M. FINANCIAL INFORMATION (CURRENT YEAR) & BUDGET



Please download and complete an Applicant Financials & Budget Template with the lead agency information as well as any co-applicants on this application. The Applicant Financials Template is on the DOLA website under Forms and Resources tab at <https://cdola.colorado.gov/funding-programs/energy/mineral-impact-assistance-fund-grant-eiaf>.

a. Financial Information Upload

Please upload the completed Project Financials & Budget in an Excel format and name it: <Organization>Financials.xls. Example: "LincolnCountyFinancials.xls"

Download

GlenwoodSpringsFinancials.xls

N. TABOR COMPLIANCE



a. Voter authorization

Does the applicant jurisdiction have voter authorization to receive and expend state grants without regard to TABOR spending limitations?

Yes

a.1 If yes, please explain

(500 character limit)

Ballot question passed in 1994 authorizing the City, without raising taxes, to retain and spend revenues exceeding the TABOR limitation ("De-Brucing").

a.2 If no, please respond below.

If no, would receipt of these grant funds, if awarded, result in the local government exceeding revenue limitations, prompting a refund?

No

b. Affirm Local Government Attorney has confirmed this TABOR statement

Yes

O. OFFICIAL ACTION



a. Date of official Board, Council or Commission action

Enter the date that this application was approved for submission to DOLA by the Board, Council or Commission.

08/03/2023

Applicant:	City of Glenwood Springs
Project Name:	Vogelaar Climate-Smart Workforce Housing Planning Project
Applicant Contact:	Beverli Marshall, City Manager, beverli.marshall@cogs.us, 970-384-6401
Date:	8/1/2023

EIAF Application Project Budget						
Project Expenses		Project Revenues & In-kind				
Budget Line Items (Examples: architect, engineering, construction, equipment items, contingency, etc.)	Total Cost	State Funds	Other Funds	In-Kind: <i>Must be approved by DOLA prior to application.</i>	Other Fund Source	Funding: Committed (C) or Pending (P)
Contractual						
Design/engineering firm to develop and finalize conceptual designs for the workforce housing development and solicit community feedback	\$ 200,000	\$ 180,000	\$ 20,000		City of Glenwood	P
Geothermal energy consultants to evaluate the feasibility of geothermal to heat residences at the Vogelaar site	\$ 100,000	\$ 90,000	\$ 10,000		City of Glenwood	P
Contingency: Enter amount in column B to the right or if no contingency, briefly explain here: There is no contingency because this is not a construction project.						
0%						
Total/Sub-Total	\$ 300,000	\$ 270,000	\$ 30,000	\$ -		
TOTAL	\$ 300,000	\$ 300,000	NOTE: Total Project Expenses must equal Total Revenues & In Kind			
			NOTE: Add/delete expense rows as necessary			
	% Match State	90%	% Match Local	10%		

Applicant Financials

In the column below labeled "Lead Applicant" provide the financial information for the municipality, county, school district or special district directly benefiting from the application. In the columns below labeled "Co-applicant", provide the financial information for any public entities on whose behalf the application is being submitted (if applicable).

Complete items "A" through "M" for ALL project types

	Lead Applicant	Co-Applicant:	Co-Applicant:
		N/A	N/A
A. Assessed Valuation (AV) most recent year	\$263,540,440		
B. Total Mill Levy	8.631		
C. Property Tax revenue generated (mill levy x AV / 1,000)	\$2,274,617		
D. Sales Tax rate	3.70%		
E. Sales Tax Estimated annual revenue	\$24,117,979		
F. General Fund budgeted revenue	\$24,493,541		
G. General Fund budgeted expenditures	\$25,032,485		
H. General Fund balance December 31st of previous yr	\$11,392,466		
I. Portion of General Fund which is Unassigned ^^	\$8,910,319		
J. Total budgeted revenue (all funds)*	\$ 93,082,450		
K. Total budgeted expenditures (all funds)*	\$ 109,207,880		
L. Total fund balance (all funds)*	\$106,138,536		
M. Total outstanding debt (all funds)*	\$ 60,607,657		

* Sum of General Fund and all Special or Enterprise Funds

** Include total outstanding liability from all multi-year debt obligations (lease purchase agreements, certificates of participation and other debt instruments).

^^ **Unassigned fund balance** - Amounts that are available for any purpose; these amounts are reported only in the general fund and have not been committed by resolution, ordinance or contract and have not been budgeted for an intended purpose. Click on the link below for GASB Fund Balance definitions. https://gasb.org/page/showpdf?path=FBR_Fact_Sheet.pdf

Projects Managed through Special or Enterprise Funds

For projects to be managed through a Special Fund other than the General Fund (e.g. County Road and Bridge Fund) or managed through an Enterprise Fund (e.g. water, sewer, county airport), please complete items "N" through "R".

Identify the relevant Special or Enterprise Fund > > >	Street Tax Fund		
N. Special or Enterprise Fund budgeted revenue	\$3,727,078		
O. Special or Enterprise Fund budgeted expenditures	\$3,380,458		
P. Special or Enterprise Fund outstanding debt**	\$1,200,000		
Q. Special Fund Mill Levy (if applicable)	N/A		
R. Special or Enterprise Fund balance December 31 st of previous year	\$2,192,308		

** Include the total outstanding liability from all multi-year debt obligations (lease purchase agreements, certificate of participation and any other debt instruments).

For Water and Sewer projects only, please complete items "S" through "U"

	Water	Sewer
S. Residential tap fee (charge to establish service)	N/A	N/A
T. Average residential monthly user charge (Divide sum of annual residential combined revenues by 12 and then divide by the number of total taps served)	N/A	N/A
U. Number of residential taps served by lead applicant	N/A	N/A



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item:	Communications Firm Scope of Work
Action Requested:	To add capacity, staff is ready to issue a request for proposals (RFP) to assist with strategic communications and engagement. Before the RFP is sent out, staff would like City Council input on the draft scope of work.
Department:	City Administration
Presented By:	Bryana Starbuck
Strategic Goals:	Provide Efficient and Responsive City Government
Background Info:	Improved transparency, communication, and community engagement are routinely raised as a priority for residents, City Council, volunteer boards & commissions, and staff.
Issues:	NA
Fiscal Impact:	Unknown at this point.
Legal Review:	NA
Staff Recommendation:	Staff defers to Council.

Request for Proposals: Strategic Communications and Engagement Services

Background

Glenwood Springs is a beautiful mountain community located at the confluence of the Roaring Fork and Colorado Rivers. Like most mountain communities, Glenwood Springs is experiencing significant growth pressures, traffic congestion, a deficit of attainable and affordable housing, and climate impacts such as wildfires and mudslides. Improved transparency, communication and community engagement routinely are raised as a priority for residents, City Council, volunteer boards & commissions, and staff.

Glenwood has an estimated 10,264 population (2022 Census estimate). Roughly 60% of the population is White and 30% of the population is Hispanic or Latino. In about 34% of households a language other than English is spoken at home (primarily Spanish). U.S. Interstate 70 and Colorado State Highway 82 pass through Glenwood Springs, putting the city at the central point connecting the Roaring Fork and Colorado River valleys. A significant part of Glenwood's workforce commutes from outside the city limits. There is a strong regional pattern of individuals commuting from the Colorado River Valley to jobs in Glenwood and the Roaring Fork Valley.

The City of Glenwood Springs ("City") is a home rule municipality led by a seven-member City Council. It also serves as the county seat for Garfield County. The City also has 15 volunteer boards and commissions.

The City offers the following municipal services:

- General government (city administration, finance, human resources, city clerk and municipal court,)
- Public Works (engineering, water and sewer, streets, electric, Community Broadband Network, Pay as You Throw trash & recycling, South Canyon landfill, and recycle center)
 - The City contracts with the Roaring Fork Transportation Authority (RFTA) to operate the Ride Glenwood bus system.
 - The City contracts with Mountain Waste & Recycling to operate the Pay as You Throw city-wide trash and recycling collection program.
- Public safety (police and the Glenwood Springs Rural Fire and Emergency Medical Services Protection District)
 - Glenwood Fire services the Glenwood Springs Rural Fire Protection District covers a territory of 72 square miles.
- Leisure and neighborhood services (Ride Glenwood, Community Center, Community Arts Center, parks, trails, recreation, therapeutic and adaptive recreation)
- Community development (building, planning, and economic development).

Most of the city's services and utilities serve residential and commercial customers in the City and in areas beyond jurisdictional limits.

Current City Communications

The Public Information Officer (PIO) serves as lead on city communications and community engagement and is responsible for stakeholder communications, issuing news releases, responses to media inquiries, social media, city websites, and digital accessibility compliance. The City also employs the following personnel with focuses in communications:

- Marketing Specialist (part-time) who supports graphic design, videography, newsletter and marketing efforts for the Parks and Recreation department.
- Emergency Service Coordinator (full-time) who serves as lead PIO for the fire department.
- Community Engagement Coordinator (part-time) who supports outreach for the parks and recreation department particularly with Spanish-language and Latino/a community members.

The City's primary methods of direct communications with the public include its websites and social media. Websites include cogs.us, GlenwoodRec.com, cogs.us/Police, and GSCBN.com. Each department is responsible for its own content on the website. Most of the city's graphic design work is conducted with Canva.

Social media platforms include Nextdoor (3 pages), Facebook (6 pages, 1 city-hosted group), Instagram (~2), YouTube (4 channels), WhatsApp, and X (Twitter, ~1).

The city uses a combination of email and text notifications through the website vendor Civic Plus (Newsflash and CivicSend) and MailChimp.

Scope of Work

The City of Glenwood Springs ("City") is seeking proposals from highly qualified consultants to work closely with the Public Information Officer and other city staff to provide strategic communications, consulting, graphic design services, marketing, and general communications support to the City.

Successful applicants will demonstrate an ability to provide all of the following: creative development of advertising (including but not limited to print, digital, radio, television, and outdoor); branding; promotions; marketing; city council outreach and media support services.

Proposers shall have substantial experience with the following:

- Navigating complex political landscapes and issues.
- Providing professional, effective communication services.
- Producing quality graphic design and copywriting for diverse and inclusive audiences.
- Creating engaging, creative, and effective content for social media and the digital space.
- Devising, implementing, and coordinating marketing campaigns and promotions.
- Developing, implementing, monitoring, and adjusting media strategies.
- Organizing and working within a modest budget.
- Coordinating with multiple parties to meet deadlines.
- Fostering collaborative relationships among members of the public and civic leaders.

In 2021, Colorado HB21-1110 strengthened the Colorado law for protection against discrimination against persons with disabilities; specifically, it requires the accessibility of all digital government information technology. To comply, all digital experiences provided by the contactor must meet all

applicable Level A and AA success criteria of the current non-draft version of the Web Content Accessibility Guidelines (WCAG).

Tasks

The three primary types of communications support sought are listed below:

1. One-Time Consulting Services
 - a. Analyze the City's existing public communication platforms and tools. Identify and recommend opportunities for improvement and propose metrics for measuring success.
 - b. Update the City's strategic communications plan.
2. Regular, Scheduled, Community Updates
 - a. Schedule and facilitate communications team meetings (monthly or as needed) to determine content development and schedules for editing and publishing.
 - i. Prepare Communication Calendars, which will include, for example, daily/weekly/monthly communication content and graphics suitable for different types of communications tools (i.e. e-newsletter, social media, news releases, mailers, website, etc.)
 - b. Develop updates and information about City projects, programs, successes, and areas for civic engagement. Staff will coordinate translation of materials into Spanish.
 - i. Draft monthly digital newsletter and supporting social media content.
 - ii. Develop twice-monthly advertorial newspaper placement.
 - iii. Event coordination and marketing materials for every-other-month chat with council gathering.
3. Ongoing, Issue-Specific, Strategic Communications Support
 - a. As needed, issue-specific strategic communications support related to a special event, project, initiative, or other topic. For these issue-specific situations, as an example only, the Consultant may need to provide the following types of strategic communications support. This is not an exhaustive list, and the Consultant will need to be flexible.
 - i. Draft news releases, fact sheets, briefing papers and inbound media protocols.
 - ii. Prepare Council and staff responses to media inquiries.
 - iii. Monitor local publications and online alerts including newspapers and digital media stories where the City of Glenwood Springs is mentioned.
 - iv. Recommend and implement media strategies, including media buys. Negotiate with advertising media and oversee and evaluate services provided by advertising media.
 - v. Foster positive community relations and two-way communication by monitoring and responding to comments and messages across multiple platforms.
 - vi. Identify new marketing avenues for the City to connect directly with residents. Assist in strategy and implementation of innovative audience reach, grassroots community involvement and participation.



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: December 7, 2023 Council Minutes

Action Requested: December 7, 2023 City Council Minutes

Department: City Clerk

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:



MINUTES
CITY OF GLENWOOD SPRINGS
CITY COUNCIL MEETING
DECEMBER 7, 2023
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

Item 4. :02 Roll Call

Present: Mayor Wussow, Councilor Godes, Councilor Zalinski, Councilor Weimer, Councilor Schachter. Also present were; Steve Boyd, City Manager; Joseph Deras, Chief of Police; Yvette Gustad, Finance Director; Ryan Muse, City Clerk; Hannah Klausman, Director of Economic and Community Development; Matt Langhorst, Public Works Director; Karl Hanlon, City Attorney; and Sara Weigel, Executive Administrative Assistant.

Item 5. :02 Agenda Changes and Conflicts

Mayor Wussow asked to remove Item 18. Update on Case Number: 23CV030160 to honor the Judge's Gag Order.

Item 6. :03 Council Announcements

Comments were made by Mayor Pro-Tem Dehm.

Comments were made by Councilor Godes.

Comments were made by Councilor Schachter.

Comments were made by Mayor Wussow.

Item 7. :05 Citizens Appearing Before Council (for items not on the agenda-comments limited to 3 minutes)

Citizen comments were made.

Item 8. :13 Consent Agenda

:13 Mayor Pro-Tem Dehm moved, seconded by Councilor Zalinski, to approve the consent agenda.

Motion passed unanimously.

Item 9. :14 Childcare Facility Being Considered in the Glenwood Springs Mall

Annette Franta, CFO of Mountain Family Health Centers, Jeff Peterson, Owner of Iron Mountain Engineering, Jennifer Knott, Executive Director of Access Early Education Foundation, Kelly Esch, Executive Director of Early Childhood Network presented.

Comments were made by Councilor Godes, Executive Director of Access Early Education Foundation Jennifer Knott, Owner of Iron Mountain Engineering Jeff Peterson, Mayor Wussow, City Manager Steve Boyd, Councilor Kaup, Mayor Pro-Tem Dehm, Councilor Schachter, Councilor Weimer, CFO of Mountain Family Health Centers Annette Franta, Executive Director of Early Childhood Network Kelly Esch, and Councilor Zalinski.

:58 Councilor Godes moved, seconded by Councilor Kaup, to do the fee waivers up to \$40,000.

Comments were made by Councilor Godes and Mayor Wussow.

Motion passed unanimously.

1:03 Councilor Kaup moved, seconded by Mayor Pro-Tem Dehm, based on the need in Glenwood Springs and the recommendation by the City Manager, to approve the support of the project in the amount of \$150,000 with the agreements that have been discussed.

Comments were made by Councilor Zalinski, Executive Director Access Early Education Foundation Jennifer Knott, Councilor Schachter.

1:06 Councilor Kaup amended motion to include future negotiation at which time the facility expands.

City Attorney Karl Hanlon clarified that it would be a minimum of 25%, then negotiate from there, either on this round or future rounds.

1:07 Mayor Pro-Tem Dehm amended second.

Comments were made by Councilor Godes and Councilor Kaup.

Ayes: Schachter, Kaup, Weimer, Dehm, Wussow, Zalinski

Nays: Godes

Motions passes 6-1

Item 10. 1:09 Presentation from Educational Pathway Innovation Center (EPIC)

Michael Lowe, Executive Director of COVENTURE presented.

Comments were made by Councilor Godes, Mayor Wussow, Executive Director of COVENTURE Michael Lowe, Councilor Schachter, Councilor Zalinski, and Councilor Weimer.

1:28 Councilor Weimer moved, seconded by Mayor Pro-Tem Dehm, to contribute \$15,000 from a combination of the Marijuana and the Tobacco Fund to the EPIC program.

Comments were made by Mayor Wussow, Executive Director of COVENTURE Michael Lowe, and City Manager Steve Boyd.

Comments were made by Councilor Zalinski, City Manager Steve Boyd, and Mayor Pro-Tem Dehm.

1:30 Councilor Weimer amended his motion, Mayor Pro-Tem Dehm amended his second, to approve a contribution in the amount of \$15,000, one time to EPIC.

Comments were made by Councilor Godes, Executive Director of COVENTURE Michael Lowe, Councilor Schachter, and Mayor Wussow.

Motion passed unanimously.

Comments were made by Councilor Godes.

Item 11. 1:34 Update on Ordinance 2023-06; Extension of Marijuana Hours from 7:00pm to 10:00pm.

Karl Hanlon, City Attorney and Ryan Muse, City Clerk presented.

Comments were made by City Attorney Karl Hanlon and Mayor Wussow.

Item 12. 1:38 Ordinance 2023-20; An Ordinance of the City Council of the City of Glenwood Springs Appropriating Funds for Fiscal Year 2024 (One Reading)

Steve Boyd, City Manager presented.

1:38 Mayor Pro-Tem Dehm moved, seconded by Councilor Kaup, to approve Ordinance 2023-20; An Ordinance of the City Council of the City of Glenwood Springs Appropriating Funds for Fiscal Year 2024 (One Reading)

Motion passed unanimously.

Item 13. 1:39 Ordinance 2023-21; Amend the 2023 Budget Appropriation (One Reading)

Steve Boyd, City Manager presented.

1:39 Councilor Zalinski moved, seconded by Councilor Zalinski, to approve Ordinance 2023-21; Amend the 2023 Budget Appropriation (One Reading)

1:40 Mayor Wussow opened item 12. Ordinance 2023-20; An Ordinance of the City Council of the City of Glenwood Springs Appropriating Funds for Fiscal Year 2024 (One Reading) for Public Comment.

1:40 Mayor Wussow closed item 12. Ordinance 2023-20; An Ordinance of the City Council of the City of Glenwood Springs Appropriating Funds for Fiscal Year 2024 (One Reading) for Public Comment.

1:40 Mayor Wussow opened item 13. Ordinance 2023-21; Amend the 2023 Budget Appropriation (One Reading) for Public Comment.

1:40 Mayor Wussow closed item 13. Ordinance 2023-21; Amend the 2023 Budget Appropriation (One Reading) for Public Comment.

Motion passed unanimously.

1:41 Council took a short recess prior to Item 14. Storm Water Fees.

Item 14. 1:48 Storm Water Fees

Ryan Gordon, City Engineer and Ashley Dostal, Assistant City Engineer presented.

Comments were made by Mayor Wussow, City Engineer Ryan Gordon, City Attorney Karl Hanlon, Councilor Kaup, Assistant City Engineer Ashley Dostal, Councilor Weimer, and Councilor Schachter.

Item 15. 2:07 Ordinance 2023-22; An Ordinance Amending Article 100.060 of the Glenwood Springs Municipal Code

Ryan Muse, City Clerk presented.

Comments were made by Councilor Kaup.

2:09 Mayor Wussow opened the item for public comment.

Public Comment was made.

2:10 Mayor Wussow closed the item for public comment.

2:10 Councilor Kaup moved, seconded by Councilor Godes, to approve Ordinance 2023-22; An Ordinance Amending Article 100.060 of the Glenwood Springs Municipal Code.

Comments were made by Councilor Godes and City Attorney Karl Hanlon.

Motion passed unanimously.

Item 16. 2:12 Digital Accessibility Plan Update

Bryana Starbuck, Public Information Officer and Aaron Cobas, Virtual City Hall Intern presented.

Comments were made by Councilor Schachter, City Manager Steve Boyd, and Mayor Wussow.

2:23 Mayor Pro-Tem Dehm moved, seconded by Councilor Zalinski, to adopt the Digital Accessibility Plan for the City of Glenwood Springs, as presented.

Motion passed unanimously.

Item 17. 2:24 Acquisition of a Property on South Grand Avenue and a Property on Blake Avenue

Steve Boyd, City Manager and Wendell Smith, Broker with HomeSmart Realty Partners presented.

Comments were made by Councilor Godes, Broker Wendell Smith, Councilor Kaup, Council Weimer, Councilor Zalinski, Mayor Wussow, City Attorney Karl Hanlon, Councilor Schachter, and Councilor Dehm.

2:51 Councilor Godes moved, seconded by Mayor Pro-Tem Dehm, to not pursue purchase or due diligence but to pursue a partnership opportunity with a potential future buyer.

Comments were made by Mayor Wussow and Councilor Schachter.

Ayes: Zalinski, Godes, Dehm

Nays: Wussow, Weimer, Kaup, Schachter

Motions fails 4-3

Comments were made by Councilor Zalinski and Councilor Kaup.

2:58 Councilor Schachter moved, seconded by Councilor Kaup, to ask staff, in conjunction with the 2-C Commission, to explore the due diligence for inquiring this trailer park including infrastructure, liabilities, financing, partnerships, and come back to Council with a recommendation to either make an offer at a reasonable amount or say they can't find a pathway for it and to do it in a timely fashion to meet whatever obligations we can.

Comments were made by City Manager Steve Boyd, Councilor Schachter, Councilor Zalinski, Mayor Wussow, and Councilor Godes.

Ayes: Zalinski, Wussow, Dehm, Weimer, Kaup, Schachter

Nays: Godes

Motions passes 6-1

3:03 Councilor Schachter and Mayor Wussow presented Smith Property.

3:08 Councilor Kaup moved, seconded by Mayor Pro-Tem Dehm, to direct staff, our City Attorney, and Councilor Schachter to continue to have discussions and negotiations with the Smith Family regarding the property on Blake Avenue and future opportunities.

Comments were made by Mayor Pro-Tem Dehm and Mayor Wussow.

Ayes: Zalinski, Wussow, Dehm, Weimer, Kaup, Schachter

Nays: Godes

Motions passes 6-1

Comments were made by Mayor Wussow and Councilor Schachter.

Item 18. 3:11 Update on Case Number: 23CV030160 involving the August 10th Executive Session, the Open Records Act, and the Open Meetings Law

Mayor Wussow reminded everyone that Item 18. Update on Case Number: 23CV030160 was removed from the agenda at the beginning of the meeting.

Item 19. 3:11 Council Comments

Comments were made by Councilor Schachter.

Comments were made by Councilor Kaup and Councilor Godes.

Comments were made by Councilor Godes.

Comments were made by Councilor Zalinski.

Comments were made by Mayor Pro-Tem Dehm.

Comments were made by Councilor Schachter and Mayor Wussow.

Comments were made by Mayor Wussow and Councilor Godes.

Item 20. 3:27 Report from City Administration

Comments were made by City Manager Steve Boyd.

Comments were made by City Attorney Karl Hanlon and Matt Langhorst.

Item 21. 3:32 Social Event

Comments were made by Mayor Pro-Tem Dehm.

Item 22. 3:32 Adjournment

3:32 Mayor Pro-Tem Dehm moved, seconded by Councilor Kaup, to adjourn.

Motion passed unanimously.



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Resolution 2024-01; Designating Public Place for Posting Meeting Notices for 2024

Action Requested:

Department: City Clerk

Presented By: Ryan Muse

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: Each year the City is required to formally designate a place for the official notice of City meetings and events. The designated location is City Hall.

Issues: None

Fiscal Impact: None

Legal Review:

Staff Recommendation: Staff supports approval

RESOLUTION 2024 – 01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, DESIGNATING A
PUBLIC PLACE FOR POSTING MEETING NOTICES
DURING CALENDAR YEAR 2024.**

WHEREAS, the Colorado Open Meetings Law requires that all meetings at which the adoption of any proposed City policy or other formal action be held only after full and timely notice to the public; and

WHEREAS, Section 24-6-402(2)(c) C.R.S., as amended, requires City Council to designate a public place for posting notices of any such meetings; and

WHEREAS, this designation must occur each calendar year; and

WHEREAS, the bulletin board entitled “Official Public Notices” located in the lobby of City Hall has previously been and is hereby again designated as the place for such postings.

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

Section 1. Pursuant to Section 24-6-402(2)(c) of the Colorado Revised Statutes, as amended, and unless otherwise designated, the bulletin board entitled “Official Public Notices” and located in the lobby of the Glenwood Springs City Hall, located at 101 W. 8th Street, Glenwood Springs, Colorado 81601, is hereby designated as the appropriate place for posting public notices of all regular and special meetings of the City Council and its designated boards and commissions for the 2024 calendar year.

Section 2. All such notices, except those of emergency meetings, shall be posted at this designated place at least twenty-four (24) hours prior to the holding of the respective meeting.

INTRODUCED, READ, AND PASSED THIS 4TH DAY OF JANUARY 2024.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item:	Resolution 2024-02; Authorizing Electronic Signatures on Documents
Action Requested:	Adopt a permanent policy for the use of electronic signatures on ordinances, resolutions, contracts, and other instruments requiring the City's signature. Survey plats must bear the original signature and, therefore, may not be executed by electronic signature.
Department:	City Clerk
Presented By:	Ryan Muse
Strategic Goals:	Provide Efficient and Responsive City Government Protect and Preserve our Quality of Life Generate Sustainable Economic Development
Background Info:	Electronic signatures are widely used by other municipalities and government entities. The City of Glenwood Springs adopted an electronic signature policy on April 16, 2020, for use during COVID and was rescinded after a combination of a Resolution and an Ordinance in 2023.
Issues:	There are many times when agencies, vendors, other municipalities, or government entities send intergovernmental agreements, memorandums of understanding, contracts, or other documents electronically to the city for signature.
Fiscal Impact:	NA
Legal Review:	Legal has reviewed.
Staff Recommendation:	Staff recommends passage.

RESOLUTION 2024-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, FOR THE USE
OF ELECTRONIC SIGNATURES ON ORDINANCES,
RESOLUTIONS, CONTRACTS AND OTHER
INSTRUMENTS REQUIRING THE CITY'S SIGNATURE.**

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, pursuant to federal and Colorado state law, including but not limited to CRS 24-70 1.3-101 et seq., the City may authorize the use of electronic signatures; and

WHEREAS, in order to facilitate the ongoing business and operations of the City, the City Council wishes to authorize electronic approval, and signature of ordinances, resolutions, contracts, and any other legal instruments necessary for the function of the City; and

WHEREAS, the City Council finds that it is in the best interest of the health, welfare, and safety of the residence, employees, and officers of the City of Glenwood Springs to adopt a policy to permit the use of electronic signatures.

**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. City Council hereby authorizes use of electronic signatures by officers and employees of the City to execute all ordinances, resolutions, contracts, and other instruments, requiring a signature under the Glenwood Springs Home Rule Charter, Municipal Code, or other policies.

INTRODUCED, READ, AND PASSED THIS 4TH DAY OF JANUARY 2024.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Tourism Management Board Appointments

Action Requested: Tourism Management Board Appointments

Department: City Clerk

Presented By: Ryan Muse

Strategic Goals: Generate Sustainable Economic Development

Background Info: **Councilor Weimer and Councilor Zalinski Recommendation**
Appoint Aaron McCallister (Resident) and Andy Wallace (Lodging), and reappoint Justine Smith (Tourism), Heather Montross-Cowan (Resident), and Mike Mercatoris (Chamber Resort Association) to regular seats with terms from February 2024 through February 2027.

Vacancies

Five regular seats with terms from February 2024 through February 2027. These seats are comprised of one representative each from Tourism, Chamber, Lodging, Resident, and Resident/Business. These seats will need to be filled this month.

Applicants

- Justine Smith is a Tourism representative from a business within the city, and has served one partial term on the Tourism Management Board. Justine was deemed eligible for reappointment.
- Heather Montross-Cowan is a Resident representative from within the city, and has served one full term on the Tourism Management Board. Heather was deemed eligible for reappointment.
- Mike Mercatoris is a Chamber Resort Association representative, and has served one full term on the Tourism Management Board. Mike was deemed eligible for reappointment.
- Aaron McCallister is a Resident representative from within the city. Aaron was interviewed by Councilor Weimer and Councilor Zalinski and was deemed eligible for appointment to a regular seat.
- Andy Wallace is a Lodging representative from a business within the city. Andy was interviewed by Councilor Weimer and Councilor Zalinski and was deemed eligible for appointment to a regular seat.

Composition of the Tourism Management Board

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

Issues: None.

Fiscal Impact: None.

Legal Review: None.

Staff Recommendation: Staff defers to City Council.

020.020.020 Composition of boards and commissions.

The membership of boards and commissions shall be composed of the following persons:

- (1) *Local Liquor Licensing Authority.*
 - a. The Local Liquor Licensing Authority shall consist of a Hearing Officer appointed by the City Council by resolution and may be removed with or without cause by a majority vote of the City Council.
- (2) *Airport Board.*
 - a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (3) *Building Board of Appeals.* The Planning and Zoning Commission shall act as the Building Board of Appeals whenever such a board is required by this Code, other ordinances of the City or State or Federal law.
- (4) *Finance Advisory Board:*
 - a. Seven (7) members of which at least six (6) are City residents. One (1) member shall be employed in the finance industry; one (1) member shall be employed by the tourism industry; and one (1) member may be a non-resident, but shall own or be employed by a business within the City.
- (5) *Parks and Recreation Commission.*
 - a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
 - b. Reserved.
 - c. Reserved.
 - d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.
- (6) *Planning and Zoning Commission.*
 - a. Seven (7) citizens who are residents of the City.
- (7) *River Commission.*
 - a. Seven (7) citizens, with one (1) alternate, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (8) *Victim's and Witnesses Assistance and Law Enforcement Board.*
 - a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
 - b. Reserved.
 - c. The Chief of Police as an advisory member, but a nonvoting member of the Board.
- (9) *Transportation Commission.*

-
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (10) Reserved.
- (11) *Glenwood Springs Housing Commission.*
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- Membership should reflect a broad representation of organizations and other entities which are related to housing, including but not limited to the financial community, the building and development community, the real estate industry, and organizations which support low-income residents of the community.
- (12) *Historic Preservation Commission.*
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (13) *Tourism Promotion Board.*
- a. Two (2) representatives from the tourism related businesses located within the City;
 - b. Two (2) representatives from the lodging businesses located within the City;
 - c. One (1) representative from the restaurant or retail businesses located within the City;
 - d. One (1) representative from the Glenwood Springs Chamber Resort Association; and
 - e. Three (3) citizens, at least two (2) who are residents of the City and that shall not have a direct or indirect financial interest in a business referenced in (a), (b) or (c) above and one (1) who is a resident that may have a financial interest in a business referenced in (a), (b) or (c) above.
- (14) *Arts and Culture Board.*
- a. Eight (8) members, at least five (5) of which are residents of the City, three (3) of which may reside outside of the City, and one (1) of which being a youth representative under the age of eighteen (18) or not having completed his or her final year of high school. Those representatives residing outside of the City must reside within the 81601 postal zip code area, own real property or a business within the City, or attend school within the City.
- (15) Council and Staff Participation on Boards and Commissions:
- a. The Mayor may appoint up to two (2) members of Council to act as a liaison between Council and a Board or Commission.
 - b. The City Manager may appoint a member of staff to assist a Board or Commission as necessary to fulfill their duties as provided for in 020.020.030.

(Code 1971 §§ 2-61, 4-75, 4-230, 15-2; 26-84 § 1; 19-89 § 1; 12-90 § 1; 54-90 § 1; 29-91 § 1; 10-93 § 1; 29-93 § 1; 7-94 § 1; 23-94 § 1; 10-95 § 1; 19-95 §§ 1, 2; 40-95 § 1; 28-97 § 1; 29-97 § 1; 1-01 § 1; 61-01 § 2; 14-03 § 1; 9-04 § 1; 20-05 § 2; 7-06 § 2; 13-06, § 2; 10-07 § 2; 6-08 § 2; 12-09 § 2; 12-10 § 2; 2-12 § 2; Ord. No. 2-2016, § 2(Exh. A), 2-4-2016; Ord. No. 16-2017, § 3, 8-17-2017; Ord. No. 2-2018, § 2, 1-18-2018; Ord. No. 6-2018, § 2, 3-1-2018; Ord. No. 21-2018, § 2, 9-20-2018; Ord. No. 2-2021, § 2(Exh. A), 4-15-2021)

020.020.030 Powers and duties of boards and commissions.

(a) *Local Liquor Licensing Authority.*

- (1) *Powers and duties of local liquor licensing authority.* The Local Liquor Licensing Authority shall have the powers granted to local licensing authorities pursuant to C.R.S. Title 12, Articles 46, 47, and 48, as amended.
- (2) *Temporary permits.* The City Clerk is hereby delegated the authority to issue temporary fermented malt beverage permits to license transferees, as authorized by C.R.S. § 12-46-106.5, as amended, and temporary permits for any class of liquor license as authorized by C.R.S. § 12-47-106.5, as amended. Each temporary permit shall authorize the transferee to continue selling fermented malt beverages and other licensed beverages in accordance with state law during the period in which an application to transfer is pending. The City Clerk may issue the temporary permit if: (a) the premises shall have been previously licensed by the State and the license is valid at the time the application for transfer is filed; (b) the application appears to be in order, an application for transfer of the appropriate license has been filed, all fees have been paid, the initial background check has been successfully completed, and the fingerprint cards have been completed; and (c) the application for the temporary permit is filed no later than thirty (30) days after the filing of the application for transfer and associated fees paid. No temporary permit issued by the City Clerk shall be for a period greater than one hundred twenty (120) days from the date of its issuance.
- (3) *Wine tastings.* The Local Liquor Licensing Authority is authorized to issue annual wine tasting permits pursuant to C.R.S. § 12-47-301 with the following conditions: (a) All requirements of C.R.S. § 12-47-301 have been met; and (b) Payment of an annual application fee of one hundred dollars (\$100.00); and (c) No more than one hundred four (104) wine tastings may be held during the term of any permit issued pursuant to this section; and (d) Permit holders shall notify the City Clerk and Police Department at least seven (7) days prior to any wine tasting.
- (4) *Rules, policies and procedures.* The Local Liquor Licensing Authority shall adopt rules, policies and procedures for the implementation of its duties and powers as those have been granted pursuant to C.R.S. Title 12, Articles 46, 47, and 48, as amended.
- (5) *Report to city council.* The Local Liquor Licensing Authority shall be required to report on all actions taken with respect to the issuance of or control over liquor licenses within the City to the City Council. Reports shall be made in a timely fashion to the City Council.
- (6) *Appeal to city council.* Any decision of the Local Liquor Licensing Authority may be appealed to the City Council within ten (10) calendar days, or at the next regularly scheduled meeting. City Council shall have the authority to sustain, modify or overturn the decision of the Local Liquor Licensing Authority. In any event, the City Council shall direct the Local Liquor Licensing Authority to take a particular action. The Local Liquor Licensing Authority shall conform to the written direction of the City Council within ten (10) calendar days from the date of the written directive.
- (7) *Appeal to district court.* Any person applying to the District Court for review of a decision of the Local Liquor Licensing Authority shall apply for review within thirty (30) days of the decision of the Local Liquor Licensing Authority. The thirty-day period shall be inclusive of the appeal process to City Council as outlined in Subparagraph (5) above.

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

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- (c) *Powers and Duties of Building Board of Appeals.* The powers and duties of the Building Board of Appeals shall be to hear appeals in accordance with the International Building Code, International Residential Code, International Fire Code, and the other adopted codes from the International Code Council, as adopted or amended by Title 060 of this Code. Such power shall not include matters of interpretation arising under the Code.
- (d) *Powers and Duties of Finance Advisory Board.* The Finance Advisory Board shall advise and assist the City Manager and Finance Director in the preparation of the City budget, the establishment of accounting systems for the City, the planning of expenses, the projection of revenues and the analysis of the other fiscal matters presented to the Board by the City Council. The Finance Advisory Board shall also be responsible for making recommendations to City Council regarding grants from the City's various grant programs as Council may establish from time to time. No decision of the Finance Advisory Board shall be binding upon the City or anyone acting on its behalf.
- (e) *Powers and duties of Parks and Recreation Commission.* The powers and duties of the Parks and Recreation Commission shall be:
- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
 - (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
 - (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
 - (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
 - (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
 - (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.
 - (7) To investigate, study and report to City Council any and all matters concerning the use and operation of the City's Community Center.
 - (8) To coordinate with other City boards and commissions on any aspect of the Community Center that may relate to the powers and duties of such other boards and commissions.
 - (9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.
- (f) *Powers and duties of Planning and Zoning Commission.* 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.

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- (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.
 - (g) *Powers and duties of River Commission.* The powers and duties of the River Commission shall be:
 - (1) To investigate, study, and report to the City Council any and all matters concerning the use, enjoyment, conservation of the, rivers and streams in the City and its environs and the open space adjacent thereto, including water quality issues, the protection of valuable riparian ecosystems, and water rights matters.
 - (2) To advise the City Council on public access to and use of rivers and streams in the City and the adjacent environs and maintain and update a map related thereto as necessary.
 - (3) To advise the City Council on the use of municipally owned property adjacent to the rivers and City construction projects in the rivers or adjacent open space.
 - (4) To promote and celebrate riverfront cleanup efforts and public awareness of non-point source water pollution.
 - (5) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in the acquisition and improvement of the rivers and adjacent open space, and to otherwise advise the City Council on budgetary needs related to preservation of open space and river improvement.
 - (6) To appoint subcommittees as necessary to carry out the foregoing functions.
 - (7) To coordinate with the Parks and Recreation Commission, Roaring Fork Conservancy, Middle Colorado Watershed Council, and other organizations, stakeholders groups, and property owners as is necessary to carry out the foregoing functions.
 - (8) At the request of City Council hold an annual work session with the City Council to review the actions taken by the River Commission regarding the foregoing functions and discuss future plans.
 - (h) *Powers and duties of the Victim's and Witnesses Assistance and Law Enforcement Board.*

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- (1) The Board shall designate one (1) of its members as chairman, shall establish rules of procedure and order and shall hold meetings as it might deem necessary.
 - (2) A surcharge equal to twenty-five (25) percent of the fine imposed for violation of all municipal ordinances, including ordinance violations under the Model Traffic Code, is hereby levied on each Municipal Court action resulting in a conviction, plea of guilty or no contest or in a deferred judgment and sentence, which municipal ordinance violation is charged pursuant to City ordinances. All calculated surcharge amounts resulting in dollars and cents shall be rounded to the nearest whole dollar. In the event a portion of the fine is suspended, the surcharge levied shall be computed based upon the original fine, regardless of whether a portion of said fine has been suspended. Said surcharges shall be paid to the Clerk of the Court by the defendant, and said Clerk shall deposit the money so received in the fund hereinafter created.
 - (3) The Victim's and Witnesses Assistance and Law Enforcement Fund, hereinafter referred to as the "Fund," consist of all monies paid as a surcharge as provided in Subsection (2) above. All monies deposited in the Fund shall be deposited in an interest-bearing account, and all interest earned by monies in the Fund shall be credited to the Fund. The City Manager, by and through the Finance Director, shall be responsible for establishing a separate fund for purposes of accounting for the revenues and expenditures. At the conclusion of each fiscal year, all monies remaining in the Fund shall remain in the Fund for allocation as hereinafter set forth.
 - (4) The Board shall disburse monies from the Fund in the following manner:
 - a. First, to the payment of all reasonable and necessary expenses and costs incurred by the Board in the performance of its duties, including but not limited to professional fees, office supplies and meeting expenses.
 - b. Second, not less than fifty (50) percent of the monies remaining in the Fund after the deduction of reasonable expenses and costs shall be allocated for the purchase of victims (and witnesses) services and reimbursements, as hereinafter set forth. No funds shall be paid except in those specific instances where a police report has been filed by the Police Department for an alleged violation of a municipal ordinance, regardless of whether the perpetrator has been identified, arrested or prosecuted.
 - c. Third, any remaining monies may be allocated to the Police Department for the following purposes, including, but not limited to: equipment purchases, training programs for personnel and the employment of additional personnel. Such funds shall not be used by the Police Department for defraying the costs of routine and ongoing operating expenses. No disbursement within this category of expenditure shall be made without the approval of the City Council following a written recommendation by the Board.
 - (5) Disbursement of funds by the Board on behalf of the victim's and witnesses assistance services may be used for the following purposes:
 - a. Provision of services for early crisis intervention;
 - b. Assistance in prompt return of victims' property;
 - c. Assistance to victims and witnesses in arranging transportation to and from court;
 - d. Provision of translator services;
 - e. Protection from threats of harm and other forms of intimidation;
 - f. Reasonable medical and hospital expenses and expenses incurred for dentures, eyeglasses, hearing aids or other prosthetic or medically necessary devices; and

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- g. Losses resulting from property damage, including repair or replacement of property damaged as a result of crime or payment of the deductible amount on a residential insurance policy in an amount not to exceed five hundred dollars (\$500.00). Victims' recovery due to property damage shall not exceed five hundred dollars (\$500.00) for any crime, but in no case shall a loss be compensable if the aggregate property damages are less than twenty-five dollars (\$25.00).
- (6) The Board is authorized to accept and evaluate all applications for disbursement of funds, whether emanating from victims, witnesses or law enforcement agencies. Applications for disbursement shall be made upon forms prescribed by the Board, and made available by the Municipal Court and the Police Department. The Board shall establish its own criteria for evaluating applications for disbursement, and nothing herein contained shall obligate the Board to make disbursement of any funds available to it. Upon a finding by the Board that a disbursement shall be made from the Fund, the Board shall submit a written request for payment to the Finance Department, which shall then remit payment in accordance with the request.
- (7) The Board is required to submit minutes of its meetings to the City Council at the next regular Council meeting following the Board's meeting.
- (i) *Powers and duties of Transportation Commission.* The powers and duties of the Transportation Commission shall be:
- (1) To investigate, study and report to the City Council any and all matters concerning transportation issues which directly affect the City.
 - (2) To investigate, study and report to the City Council on other intergovernmental committees, boards or commissions working on transportation issues in the Tri-County (Pitkin, Garfield and Eagle) area.
 - (3) To meet with the City Council on an annual basis to identify which transportation issues require priority attention.
 - (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the transportation needs of the City.
 - (5) To perform functions concerning oversight of transportation issues or functions as delegated by the City Council.
 - (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council.
- (j) Reserved.
- (k) *Powers and duties of Glenwood Springs Housing Commission.* The powers and duties of the Housing Commission shall be:
- (1) To investigate, study and report to the City Council any and all matters concerning housing issues which directly affect the City, including the preparation of a Comprehensive Housing Affordability Strategy (CHAS).
 - (2) To assist City Council in defining the nature and scope of housing opportunities in the City.
 - (3) To meet with the City Council on an annual basis to identify which housing issues require priority attention.
 - (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the housing needs of the City.
 - (5) To perform functions concerning oversight of housing issues or functions as delegated by the City Council, including monitoring the implementation of activities as described in the CHAS.

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- (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council.
- (l) *Powers and duties of Historic Preservation Commission.* The powers and duties of the Historic Preservation Commission shall be:
- (1) To recommend to City Council methods for the protection and preservation of the City's historic and cultural heritage, including, but not limited to, the designation of historic landmarks and districts by appropriate regulations.
 - (2) To recommend to City Council methods for enhancing property values and the stabilization of historic neighborhoods.
 - (3) To recommend to City Council methods for increasing economic and financial benefits, including, but not limited to, City attractions.
 - (4) To provide educational opportunities to increase public appreciation of the City's unique heritage.
 - (5) To do any other tasks related to the historic preservation of resources in the community of Glenwood Springs.
- (m) *Powers and duties of 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.
- (n) *Powers and duties of Arts and Culture Board.* The powers and duties of the Arts and Culture Board shall be:

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

(Code 1971 §§ 2-64.1, 2-2, 2-65[a], [b], 2-65.1, 4-78, 4-232, 4-155, 15-2; 26-84 § 3; 19-89 § 3; 12-90 § 1; 54-90 § 3; 39-91 § 3; 10-93 § 2; 29-93 § 3; 7-94 § 3; 17-94 § 1; 23-94 § 3; 10-95 § 3; 11-95; 19-95 § 3; 46-95 § 1; 55-95 § 1; 28-97 § 3; 29-97 § 5; 32-97 § 1; 42-00 § 1; 61-01 § 3, 4, 5; 61-02 § 4; 9-04 § 1; 20-04, § 1; 33-05, § 2; 7-06 § 3; 13-06, § 2; 6-08 § 2; 12-10 § 2; 2-12 § 2; Ord. No. 16-2017, § 4, 8-17-2017; Ord. No. 2-2018, § 3, 1-18-2018; Ord. No. 6-2018, § 3, 3-1-2018; Ord. No. 21-2018, § 3, 9-20-2018; Ord. No. 2-2021, § 2(Exh. A), 4-15-2021)

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;
 - 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) 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; Ord. No. 29-2020 , § 2, 1-7-2021)

[View results](#)

Respondent

18

Anonymous

17:36

Time to complete

Tourism Management 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 Management 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 Member hip 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: *

Current Station Manager, Rocky Mountaineer bringing thousands of tourists and many professionals of the Tourism industry to and through Glenwood Springs.

3 Name *

Justine Smith

4. Home Address *

[REDACTED]

5 Mailing Address *

[REDACTED]

6. Home Phone *

[REDACTED]

7 Work Phone *

[REDACTED]

8. Mobile Phone *

[REDACTED]

9 Email Address *

[REDACTED]

10. Occupation *

Station Manager, Rocky Mountaineer
Executive Director, Mountain Select Hockey

Personal and Professional Interests

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

To both bring information in regarding our guests and business in Glenwood Springs as well as take back information on how we can continue to benefit the City and what changes and enhancements are constantly being made in our home

12 What do you view a your role if elected a a member to the Touri m Management Board? *

To continue to be an advocate for Glenwood and listen to ways we can entice guests and enhance their experiences locally

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

Yes - I have a marketing background.

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

3 seasons with the Rocky Mountaineer train here as well as prior resort/gaming experience in Las Vegas and chalet experience in the French Alps!

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

I very much enjoy receiving feedback from the parents involved in the various hockey programs I have involved myself in and making the requested updates and changes to accommodate as many people as I can. It's good for the growth and reputation of the program and I in turn feel strong knowing I've been able to make a difference.

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? *

Certainly! I would like to think my personal opinions would not exclude what may be right for the greater good. It is important to realize how it all fits together and when to be flexible.

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

Thus far, the only meeting I have missed was because I was on summer holidays. I intend to continue to make myself available for the benefit of this board and our City as needed and as long as I feel I have a worthwhile contribution to make. Though I like to be involved in other things, I do not believe anything I am committed to will conflict with the timing historically required to participate on this Board.

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

Two years with the Tourism Board.

My role in youth hockey is also governed by a Board of Directors.

19. Please select today's date. *

11/20/2023



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

☐ No

☒ Yes

Reappointment Applicants

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

I represent a business bringing many guests to Glenwood Springs, I believe the information exchange is valuable to both the Touris Board and Rocky Mountaineer and my interest in the success of both is genuine. I am always looking for ways I can be more involved and be a better contributor to the causes that matter to me.

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

No.

Powers and Duties of the Tourism Management Board

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

(m) *Tourism Management Board. The powers and duties of the Tourism Management 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 Management 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)

[View results](#)

Respondent

19

Anonymous

42:02

Time to complete

Tourism Management 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 Management 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 Member hip 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 have lived in Glenwood Springs, CO since 2015. [REDACTED] In addition, I am employed at Iron Mountain Hot Springs since 2018. I have had interest in being more involved in this wonderful community and this is a great place to begin that journey.

3 Name *

Aaron McCalister

4. Home Address *

5 Mailing Address *

6. Home Phone *

7 Work Phone *

8. Mobile Phone *

9 Email Address *

10. Occupation *

General Manager at Iron Mountain Hot Springs

Personal and Professional Interests

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

My number one interest is to be more involved in this community. Being in the industry I am in; this would be an added benefit to learn more from those around me. I hope to also add some support wherever I can and look forward to stepping into this

12 What do you view as your role if elected as a member to the Tourism Management Board? *

I intend on understanding that more as I step into this. My focus will be to learn my role based on direction from those around me. This isn't about me, but instead an opportunity to support something bigger. My style isn't to come in and take over, but instead to see how I can contribute and support.

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

Advertising would be my lowest skill. I have always had support in that arena from others that specialize in that. But I understand certain fundamentals. Marketing is an area I have begun to focus on over the past 3 years, but there is still much to learn from my point of view. Regarding public relations, I have been through a few crisis trainings, PR trainings and I also believe when dealing with customers and the various complaints on a weekly basis, that keeps you current on how to handle certain situations. I believe I can always improve in the PR side of things though.

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

I spent time working in restaurants and hotels. Disney World, The Broadmoor, The Little Nell and then opening up Whole Foods Market in Basalt, while just a grocery store, I was exposed to many areas of this valley which have helped me in my current role also. I went to culinary school to be a chef and graduated my Bachelors in Food Service Management.

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

In my current role, there are many decisions that are discussed before we roll them out. If there is ever a concern about public opinion, then we do discuss it at length and have indeed adjusted the final decision based on what the public might think.

To be honest though I cannot think of a single moment where public opinion changed our decision on something. I can think of many moments where we take into consideration the public opinion. But I think there are so many more variables than just the public opinion. That leads to the discussion of the group and understanding what our core values are so we can guide the team through the challenge.

The best example I can reflect on is during Covid, navigating all the regulations, public opinions, staff opinions and much more. We had to make decisions based on data points and at times they weren't popular. But we could fall back on why that decision was made and stand by it.

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'd like to think that I can do this. I would need to be brought up to speed on many things obviously.

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

Knowing the schedule commitment, I promise to show up to everything and to be present. I am extremely punctual and expect that from those around me.

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

I worked at Whole Foods Market for 16 years and am used to high level executives that have high expectations. In my current role, I have a board that I report to and again am comfortable with the stress and expectations placed on me. With that, I will need to be shown what your meetings look like, what's expected and more. My intent is to support, and I do welcome in the moment feedback.

19. Please select today's date. *

11/21/2023



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

☒ No

☐ Yes

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

(m) *Tourism Management Board* The powers and duties of the Tourism Management 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
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- (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 Management 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)

[View results](#)

Respondent

20

Anonymous

36:00

Time to complete

Tourism Management 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 Management Board

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

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- 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 Member hip 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 have been living in Glenwood Springs for 6 years as well as own and operate a tourism-related business with my husband.

3 Name *

Heather Montross Cowan

4. Home Address *

[REDACTED]

5 Mailing Address *

[REDACTED]

6. Home Phone *

[REDACTED]

7 Work Phone *

[REDACTED]

8. Mobile Phone *

[REDACTED]

9 Email Address *

[REDACTED]

10. Occupation *

I am co-owner of Defiance Rafting Company, which operates as a seasonal business in Glenwood Springs. Additionally, I am a guest teacher for the Roaring Fork School District as well as an adjunct professor at CMC

Personal and Professional Interests

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

I am interested in serving on the Tourism Management Board because it is an opportunity to engage the community and be part of helping shape responsible tourism in the Glenwood Springs area

12 What do you view as your role if elected as a member to the Tourism Management Board? *

I view my role as giving feedback on proposed ideas from Visit Glenwood. I also view my role as engaging in meaningful conversations about tourism with other members as well as City Council. Additionally, I see the role as one which helps shape the direction of tourism for the community and gives consideration to the budget and spending

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

As owner/operator, I am actively engaged in marketing for the business as well as supporting advertisement efforts. Additionally, I do participate in TV and radio interviews as well as write blogs for Defiance's website.

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

Yes, my husband and I own and operate Defiance Rafting Company. We offer commercial rafting trips as well as equipment rentals.

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

At this point, the biggest decision we have faced has been during COVID. With a lot of varying opinions, we were challenged with how to operate within CDC guidelines to keep staff and guests safe.

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 that there are decisions that are made to support the greater good.

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

I do have a family and at times business obligations that impact attendance. However, I do my best to make serving on the Tourism Management Board a priority.

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

I am currently applying for my second term on the Tourism Management Board.

19. Please select today's date. *

11/27/2023



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

☐ No

☒ Yes

Reappointment Applicants

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

I feel that I should be reappointed because I both recreate in the area as well as operate a seasonal business in Glenwood Springs. I fully support the efforts of Visit Glenwood and would like to continue to be part of conversations related to the tourism impact of where I work and play.

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

No, I have served 1 term.

Powers and Duties of the Tourism Management Board

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

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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

(Per the Glenwood Springs CO Municipal Code 020 020 040)

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 - (1) February
Tourism Management 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)

[View results](#)

Respondent

21

Anonymous

15:01

Time to complete

Tourism Management 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 Management Board

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

- a. Two (2) representatives from tourism-related businesses located within the city;
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- 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 Member hip 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 am on the chamber board

3 Name *

Mike Mercatoris

4. Home Address *

5 Mailing Address *

6. Home Phone *

7 Work Phone *

8. Mobile Phone *

9 Email Address *

10. Occupation *

Personal and Professional Interests

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

12 What do you view as your role if elected as a member to the Tourism Management Board? *

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

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

Yes

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

I am able to listen to all sides

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 more than usual

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

Chamber board

19. Please select today's date. *

11/27/2023



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

☐ No

☒ Yes

Reappointment Applicants

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

I enjoy the work

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

No

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

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Tourism Management Board

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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)

[View results](#)

Respondent

22 Anonymous

102:10

Time to complete

Tourism Management Board Application

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

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- 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
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- ☐ 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 am the General Manager of the Best Western Antlers and have been in the lodging industry for 13 years.

3. Name *

Andy Wallace

4. Home Address *

[REDACTED]

5. Mailing Address *

6. Home Phone *

7. Work Phone *

8. Mobile Phone *

9. Email Address *

10. Occupation *

Personal and Professional Interests

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

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

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

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

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

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 have always taken great pride in sharing my insights and knowledge while simultaneously working for the best interest of the community regardless of my personal feelings. I have acted as a spokesperson to represent the groups I have lead, even when it went against my preferences for a solution.

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

Our business is open 24 hours a day, 365 days a year. This has required me to manage my time commitments across many different avenues and give each the focus needed, even when balancing several time sensitive tasks, simultaneously.

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

I have served as the Chair of the Steamboat Springs Lodging Association, held a seat on the Steamboat Springs Chamber of Commerce board and was a board member for the Steamboat Springs Rotary Club.

19. Please select today's date. *

12/12/2023



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

☒ No

☐ Yes

Powers and Duties of the Tourism Management Board

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Tourism Management Board

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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)



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Volunteer Firefighter Pension Board Appointment

Action Requested: Volunteer Firefighter Pension Board Appointment

Department: Fire Department

Presented By: Gary Tillotson

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

Background Info: **Mayor Wussow Recommendation**
Reappoint Leslieann Gallagher to a regular seat on the Volunteer Firefighter Pension Board with a term expiring February 2026.

Composition of the Volunteer Firefighter Pension Board

(1) In a municipality, the board must consist of the following members:

- (a) The mayor for a term equal to the mayor's tenure as mayor;
- (b) The municipal treasurer or finance officer for a term equal to the treasurer's or finance officer's tenure with the municipality;
- (c) Two other persons appointed by and for terms determined by the governing body of the municipality; and
- (d) (I) Prior to August 6, 2014, three fire department members serving the municipality who are elected by the fire department members of those fire departments for three-year terms. (II) Beginning at the next election to elect a board member pursuant to this paragraph (d) after August 6, 2014, three individuals elected from one or more of the following groups to the extent such groups exist at the time of election: Fire department members, retired fire department members, or retired fire department members returned to active service pursuant to section 31-30-1132. The three individuals shall be elected by the fire department members, retired fire department members, and retired fire department members returned to active service of those fire departments and shall serve for three-year terms as such terms exist on August 6, 2014. Nothing in this subparagraph (II) shall be construed to effect the term of any person serving on the board of a municipal volunteer firefighter pension board pursuant to subparagraph (I) of this paragraph (d) on August 6, 2014.

(2) The board shall elect a president and secretary from its members. The municipal treasurer or finance officer shall serve as the ex officio treasurer of the board.

Vacancies

- One regular seat, appointed by City Council, with a term expiring February 2026

Applicant

Leslieann Gallagher, a representative of our fire department serving the municipality, was most recently appointed to a regular seat on the Volunteer Firefighter Pension Board in 2020.

Issues: None.

Fiscal Impact: None.

Legal Review: None.

Staff Recommendation: Staff defers to City Council.



**Fire & Police Pension Association
of Colorado**

Colorado Revised Statutes

Title 31 Articles 30, 30.5 & 31

Part 11 - Volunteer Firefighter Pension Act

Attached are the Colorado Revised Statutes pertaining to the plans and benefits administered by FPPA. For more information please also refer to the FPPA Plan brochures, FPPA Rules and Regulations, and FPPA Plan Documents. These may be viewed and/or downloaded from our web site at www.fppaco.org or by requesting copies from the address below.

5290 DTC Parkway, Suite 100, Greenwood Village, CO 80111-2721
(303) 770-3772 in the Denver metro area or (800) 332-3772 toll free nationwide
FPPAco.org

PART 4
PENSION - FIREFIGHTERS' - GENERAL

31-30-401 to 31-30-418. (Repealed)

PART 5
FIREFIGHTERS' PENSIONS - CITIES OF OVER 100,000

31-30-501 to 31-30-523. (Repealed)

PART 6
POLICEMEN'S PENSIONS - CITIES OF OVER 100,000

31-30-601 to 31-30-621. (Repealed)

PART 7
PENSION FUNDS - INVESTMENT - PERSONNEL INSURANCE

31-30-701 and 31-30-702. (Repealed)

PART 8
POLICEMEN'S AND FIREFIGHTERS' PENSION REFORM LAW

31-30-801 to 31-30-806. (Repealed)

PART 9
POLICEMEN'S AND FIREFIGHTERS' PENSION REFORM COMMISSION

31-30-901. (Repealed)

PART 10
MEMBERS' BENEFITS

31-30-1001 to 31-30-1019. (Repealed)

PART 11
VOLUNTEER FIREFIGHTER PENSION ACT

31-30-1101. Short title. This part 11 shall be known and may be cited as the "Volunteer Firefighter Pension Act".

31-30-1102. Definitions. As used in this part 11, unless the context otherwise requires:

(1) "Board" means the board of trustees of the volunteer firefighter pension fund that is created in a municipality or district under this part 11.

(2) "District" means a fire protection district or county improvement district in this state having fire department members and offering fire protection services, and any county that

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provides funding, including volunteer pension funding, through intergovernmental cooperation for the provision of fire protection services.

(3) "Fire and police pension association" means the association created by section 31-31-201.

(4) "Fire department member" means a volunteer firefighter who is in a fire department that serves a municipality, county, or district and who accrues benefits in the volunteer firefighter pension fund.

(5) "Fund" means the volunteer firefighter pension fund provided in this part 11.

(6) "Municipality" means a municipality in this state that maintains a regularly organized volunteer fire department and that offers fire protection services.

(7) "Plan" means a program of benefits provided under this part 11.

(7.5) "Previous net valuation" means an amount equal to the total valuation for assessment certified by the county assessor pursuant to section 39-5-128, C.R.S., and amended pursuant to section 39-1-111 (5), C.R.S., less the valuation for assessment that has been divided for an urban renewal area pursuant to section 31-25-107 (9) or for a downtown development authority pursuant to section 31-25-807 (3) for the property tax year in which the municipality or district made a contribution to the fund. If the total valuation for assessment certified by the county assessor, as amended, does not include the valuation for assessment that has been divided for an urban renewal area, such urban renewal valuation for assessment shall not be subtracted from the total valuation for assessment.

(8) "Retired fire department member" means a volunteer firefighter who is not on active duty and who receives pension benefits from the volunteer firefighter pension fund.

(9)(a) "Volunteer firefighter" means a firefighter who renders service to a fire department in a municipality, county, or district, who does not receive compensation as a firefighter, and who is not classified as an employee for purposes of the federal "Fair Labor Standards Act of 1938", as amended, based on payments, fees, or benefits that the firefighter receives. "Volunteer firefighter" may include other designations or titles given to firefighters provided that the firefighter meets all of the requirements for being a volunteer firefighter in this part 11.

(b) For the purposes of this subsection (9), "compensation" does not include:

(I) Actual expenses incurred by and reimbursed to a volunteer firefighter;

(II) (Deleted by amendment, L. 2010, (SB 10-021), ch. 17, p. 79, § 1, effective August 11, 2010.)

(III) Participation in or receipt of benefits from the fund;

(IV) Participation in or receipt of benefits upon termination of volunteer services to any district or municipality provided as part of an internal revenue code qualified volunteer service award plan established for the benefit of volunteer firefighters;

(V) Payments from federal moneys, either through the district or municipality or to the volunteer firefighter directly, for participation in a temporary emergency incident;

(VI) Nominal fees or benefits paid on a per-call basis or as part of an annual merit or recognition award program or other incentive award program.

31-30-1103. Board of trustees - fund. (1) In any municipality or district that maintains a regularly organized volunteer fire department, there is created a board of trustees of the volunteer firefighter pension fund. The board:

- (a) Shall manage, use, and disburse moneys in the fund according to its rules and bylaws and this part 11;
- (b) Shall supervise and control the fund;
- (c) May take all necessary steps and pursue all necessary remedies to preserve the fund.

31-30-1104. Board - municipality. (1) In a municipality, the board must consist of the following members:

- (a) The mayor for a term equal to the mayor's tenure as mayor;
 - (b) The municipal treasurer or finance officer for a term equal to the treasurer's or finance officer's tenure with the municipality;
 - (c) Two other persons appointed by and for terms determined by the governing body of the municipality; and
 - (d) (I) Prior to August 6, 2014, three fire department members serving the municipality who are elected by the fire department members of those fire departments for three-year terms.
(II) Beginning at the next election to elect a board member pursuant to this paragraph (d) after August 6, 2014, three individuals elected from one or more of the following groups to the extent such groups exist at the time of election: Fire department members, retired fire department members, or retired fire department members returned to active service pursuant to section 31-30-1132. The three individuals shall be elected by the fire department members, retired fire department members, and retired fire department members returned to active service of those fire departments and shall serve for three-year terms as such terms exist on August 6, 2014. Nothing in this subparagraph (II) shall be construed to effect the term of any person serving on the board of a municipal volunteer firefighter pension board pursuant to subparagraph (I) of this paragraph (d) on August 6, 2014.
- (2) The board shall elect a president and secretary from its members. The municipal treasurer or finance officer shall serve as the ex officio treasurer of the board.
- (3) Repealed.

31-30-1105. Board - fire protection district. (1) In a fire protection district, the board must consist of the following members:

- (a) The board of directors of the fire protection district for terms equal to their tenure on the fire protection district board;
- (b) The treasurer of the board of the fire protection district who shall be treasurer of the fund for a term equal to the treasurer's tenure on the fire protection district board; and
- (c) (I) Prior to August 15, 2010, two fire department members elected by the fire department members for two-year terms; except that, at the initial election, one member shall be elected for two years and one member for one year. In all subsequent elections, these members shall be elected for two years.
(II) (A) On and after August 15, 2010, two individuals elected from one or more of the following groups to the extent such groups exist at the time of election: Fire department members, retired fire department members, or retired fire department members returned to active service pursuant to section 31-30-1132. All members in each group existing at the time of election shall be given the opportunity to vote for the two individuals. The two individuals shall serve for two-year terms; except that, at the initial election, one individual shall be elected for two years and one individual for one year. In all subsequent elections, these individuals shall be

elected for two years.

(B) Nothing in sub-subparagraph (A) of this subparagraph (II) shall be construed to limit the term of a board member elected pursuant to subparagraph (I) of this paragraph (c).

(2) The board shall elect a president and secretary from its members.

(3) The treasurer of the board shall obtain a bond paid from the fund in an amount determined by the board.

31-30-1106. Board - county improvement district. (1) In a county improvement district, the board must consist of the following members:

(a) One county commissioner of the county in which the district is located for a term equal to the commissioner's tenure as county commissioner;

(b) The county treasurer for a term equal to the treasurer's tenure with the county;

(c) Three residents of the county obligated to pay real or personal property taxes who are appointed by the county commissioners for staggered terms determined by the county commissioners; and

(d) Two fire department members for two-year terms.

(2) The treasurer of the fund shall obtain a bond paid from the fund in an amount determined by the board.

31-30-1107. Board - consolidation or merger. (1) If a municipality or district merges or consolidates with one or more municipalities or districts, the former trustees of the various volunteer firefighter pension funds of the consolidated or merged municipalities or districts shall:

(a) Elect seven persons from their members, not more than three of whom are fire department members, to serve as trustees of the volunteer firefighter pension fund of the consolidated or merged fund with due regard to equal representation;

(b) Cease to hold office if they are not elected under paragraph (a) of this subsection (1).

(2) The trustees of the consolidated or merged fund shall elect from its members a president, secretary, and treasurer. The treasurer of the consolidated or merged district's fund shall obtain a bond paid from the fund in an amount determined by the board.

31-30-1108. Board powers and duties. (1) A board created by this part 11 to control a fund:

(a) Shall adopt necessary rules that are not inconsistent with this part 11 for the management and discharge of its duties, for its own government and procedure, and for the preservation and protection of the fund;

(b) Shall hear and decide each application for benefits under this part 11 in accordance with section 24-4-105, C.R.S. Action on an application is final and conclusive; except that, if in the opinion of a board, justice demands reconsideration of the action, the board may reverse the action.

(c) Shall keep and preserve a record of the action and all other matters properly before the board;

(d) May make agreements with the fire and police pension association to administer the plan and manage the funds of the plan for investment in accordance with section 31-31-705;

(e) May consolidate its fund with the fund of another municipality or district and shall administer the consolidated funds as a single fund if in the opinion of the board the total moneys

allocated to a fund by a municipality or district are inadequate to sustain a proper fund for retirement or for the other purposes of the fund under this part 11. The boards of these single funds may consolidate the funds under conditions and terms provided in an agreement consistent with this part 11.

31-30-1109. Attorney representation. (1) The attorney for a municipality or district shall:

(a) When required by the board, advise the board on all matters pertaining to the board's duties and management of the fund;

(b) Represent and defend the board in any suit or action at law or in equity brought against the board; and

(c) Bring all suits and actions on the board's behalf as the board requires or requests.

(2) If a conflict between a board and a municipality or district exists, the board may obtain an attorney to represent the board in any action described in this section at the board's expense.

31-30-1110. Property tax - other tax revenue. (1) The governing body of a municipality with a population of less than one hundred thousand, the board of directors of each fire protection district, the board of county commissioners, or the board of a county improvement district may levy and set apart a tax for each year of not more than one mill on the taxable property in the municipality, county, or district. The governing body or board shall contribute the proceeds of this tax, if any, to the municipality's, county's, or district's fund. The total tax levied under this section and section 31-30.5-403 (1), if any, for a fire department that has both paid and volunteer firefighters must not exceed one mill on the taxable property in the municipality, county, or district. Any new tax or an increase in the mill levy under this section shall comply with the voter approval requirements under section 20 of article X of the state constitution.

(2) The governing body of a municipality with a population of less than one hundred thousand, the board of directors of a fire protection district, the board of county commissioners, or the board of a county improvement district may contribute the proceeds of any other tax that the municipality, county, or district is authorized to collect to the municipality's, county's, or district's fund.

31-30-1111. Contribution to fund. (1) In addition to any tax revenues contributed under section 31-30-1110, the fund also consists of any:

(a) Moneys given to the board or fund by a person for the use and purpose for which the fund is created. The board may take any money, personal property, or real estate, or interest therein by gift, grant, devise, or bequest as trustees for the use and purpose for which the fund is created;

(b) Moneys, fees, rewards, or emoluments of any nature and description that are paid or given to the fund; and

(c) Moneys provided by the state under section 31-30-1112.

(2) Fund moneys are held in trust for the exclusive use and benefit of the fire department members and retired fire department members and their surviving spouses, dependent children, dependent parents, and other beneficiaries in accordance with this part 11.

31-30-1112. State contributions - intent.

(1) (a) Repealed.

(b) On and after July 1, 2004, the state treasurer shall transfer moneys to the department of local affairs for distribution as provided in this section to assist in funding volunteer firefighter pension plans. The department of local affairs shall distribute moneys for funding volunteer firefighter pension plans affiliated with the fire and police pension association pursuant to section 31-31-705 directly to the fire and police pension association as the administrator of the plan. The association shall credit the transferred moneys to the assets of the plan for which they are transferred.

(2) (a) State contributions to any municipality or district must equal ninety percent of all amounts contributed by the municipality or district under section 31-30-1110 in the previous year, but, notwithstanding any other provision of this part 11, the state contribution shall not exceed one-half mill on the previous net valuation for assessment of the municipality or district assuming one hundred percent collection.

(b) A municipality or district that was contributing an amount necessary to pay volunteer firefighter pensions in excess of three hundred dollars per month shall receive state contributions under paragraph (a) of this subsection (2) in an amount not to exceed one-half mill on the previous net valuation for assessment of the municipality or district assuming one hundred percent collection but based upon the greater of:

(I) The contribution that was actuarially required to pay a pension of three hundred dollars per month in the previous year, as determined by the municipality or district; or

(II) The highest actual contribution received by the municipality or district during the calendar year 1998, 1999, 2000, or 2001, irrespective of whether the state contribution was authorized by law at the time it was made. In the event of a consolidation or merger of two or more municipalities or districts, the sum of the highest actual contribution received by each consolidating or merging municipality or district during the calendar year 1998, 1999, 2000, or 2001 shall be the state contribution of the surviving consolidated or merged entity for the purposes of this subparagraph (II).

(c) and (c.5) (Deleted by amendment, L. 2002, p. 504, § 1, effective July 1, 2002.)

(d) The board in any municipality or district shall not increase benefits above the following amounts unless the increase is approved by the governing body of the municipality or district and an actuarial review indicates a higher payment is actuarially sound:

(I) For volunteer firefighter pensions, three hundred dollars per month;

(II) For a short-term disability monthly annuity pursuant to section 31-30-1121, one hundred fifty dollars per month;

(III) For a retirement pension pursuant to section 31-30-1123, two hundred dollars per month;

(IV) For survivor benefits pursuant to section 31-30-1127, one hundred fifty dollars per month; or

(V) For funeral benefits pursuant to section 31-30-1129, one hundred dollars.

(e) In no event shall a municipality or district receive less than one thousand dollars if the municipality or district contribution to its fund is equal to or greater than one-half mill on the previous net valuation for assessment of the municipality or district.

(f) (Deleted by amendment, L. 2002, p. 504, § 1, effective July 1, 2002.)

(g) The moneys necessary to make the state's contribution under this section shall be

derived from the proceeds of the tax imposed by section 10-3-209, C.R.S., as follows:

(I) (A) Repealed.

(B) As of July 1, 2004, the department of local affairs shall be responsible for disbursing the state contribution to each municipality and district. On or before October 31, 2004, and on or before October 31 of each year thereafter, the state treasurer shall transfer the amount necessary to provide contributions equal to the contributions made by the state to each municipality and district during the calendar year 1979 to the department for disbursement to the fund of each municipality or district.

(II) (A) Repealed.

(B) To the extent that the state's contribution under this section exceeds contributions made by the state during the calendar year 1979, the state treasurer shall transfer the excess amounts from the proceeds of the tax imposed by section 10-3-209, C.R.S., to the department of local affairs on or before October 31, 2004, and on or before October 31 of each year thereafter, for disbursement to the municipality or district's funds.

(C) Moneys transferred under this subparagraph (II) shall be separate from and in addition to moneys transferred under section 31-30.5-307 (2) and do not revert to the general fund but are available for the purposes provided in this section.

(h) (I) Repealed.

(II) As of July 1, 2004, the executive director of the department of local affairs or the director's designee shall be responsible for providing the accidental death and disability insurance policy for volunteer firefighters as provided in sections 31-30-1134 and 31-31-202 (4)(d). In addition to any other transfers required by this section, on or before October 31, 2004, and on or before October 31 of each year thereafter, the state treasurer shall transfer from the proceeds of the tax imposed by section 10-3-209, C.R.S., to the department such moneys as may be necessary to pay for the accidental death and disability insurance policy for volunteer firefighters and the administrative costs of providing such policy.

(i) Moneys transferred pursuant to this section shall be included for information purposes in the general appropriation bill or in supplemental appropriation bills to comply with the limitation on state fiscal year spending imposed by section 20 of article X of the state constitution and section 24-77-103, C.R.S.

(j) It is the intent of the general assembly to continually fund volunteer firefighter pension plans.

(3) (a) The department of local affairs shall work with the municipalities and the districts to develop a procedure by which municipalities and districts apply to receive state assistance moneys distributed pursuant to this section. The application procedure must ensure that the department can verify the amount of money to which each municipality and district is entitled before the department transfers funds to the municipalities and districts each year.

(b) The department of local affairs shall work with the joint budget committee to develop a procedure that allows any municipality or district to apply for a late disbursement of moneys in the event that such municipality or district made a good faith effort, but was unable to comply with the application procedure created pursuant to paragraph (a) of this subsection (3) due to a delay in preparing a financial statement or completing a required audit or actuarial study.

(4) (a) The department of local affairs may impose a nonrefundable application fee in an amount to be determined by the department on any municipality or district that applies to the department for state assistance moneys distributed pursuant to this section. The application fee

may be on a sliding scale based on the amount of state assistance moneys distributed to each fund pursuant to this section in the previous year.

(b) All revenue collected by the department of local affairs from the fee imposed pursuant to paragraph (a) of this subsection (4) shall be transmitted to the state treasurer who shall credit the revenue to the volunteer fire department application fund, which fund is hereby created in the state treasury. The moneys in the fund shall be continuously appropriated to the department for the purpose of covering the direct costs of administering the distribution of the state contribution moneys pursuant to this section.

(5) The department of local affairs shall have the authority to contract with any entity for the purpose of complying with the requirements of this section.

(6) Repealed.

31-30-1113. Fund investments. (1) The board may invest all or any part of fund moneys in the name of the board's treasurer or in the name of a custodian or custodians appointed by the board under this section in interest-bearing obligations of the United States, in interest-bearing bonds of this state, in general obligation bonds of municipalities, whether organized under general law or article XX of the state constitution, or in any depository stated in section 24-75-603, C.R.S., and secured as provided in articles 10.5 and 47 of title 11, C.R.S. By written resolution, the board may appoint one or more persons to act as a custodian or custodians, in addition to the treasurer, to deposit or cause to be deposited all or part of the fund in any state or national bank or any state or federally chartered savings and loan association in this state. The appointed persons shall give surety bonds, and the board shall determine the bonds' amounts, form, and purposes. These securities and evidences of investment shall be deposited with the treasurer of the municipality or district.

(2) Upon the board's direction, the treasurer of a municipality or district may invest part of the fund available for investment, with or without one or more other volunteer firefighter pension funds, in a noninsured trust pension plan with a bank or trust company authorized to exercise trust powers in this state as a trustee. The trustee's investment of fund moneys is governed by article 1.1 of title 15, C.R.S.

(3) Notwithstanding subsection (1) of this section, the board may invest all or any part of fund moneys in the name of the board's treasurer or in the name of a custodian or custodians appointed by the board under this section in one or more of the following:

(a) Any public-private initiative with the department of transportation, as defined in section 43-1-1201 (3), C.R.S.;

(b) Bonds issued for turnpikes in accordance with part 2 of article 3 of title 43, C.R.S.; or

(c) Repealed.

(d) Any other public-private initiative program for transportation system projects in Colorado authorized by law.

(4) The board may give preference to the investments described in subsection (3) of this section if such investments are consistent with sound investment policy.

31-30-1114. Fund investment in insurance. (1) Except as provided in subsection (2) of this section and with the concurrence of sixty-five percent of the fire department members voting thereon and sixty-five percent of the retired fire department members voting thereon, the board may:

(a) Insure the fire department members under the following insurance policies issued by

companies authorized to do business in this state:

- (I) Individual, group, or blanket life, endowment, or annuity insurance;
- (II) Variable annuity insurance; or
- (III) Disability or liability insurance; and

(b) Spend any part of the fund to pay premiums on these policies.

(2) The board shall not spend fund moneys to purchase insurance if the expenditure would impair the pension fund's ability to:

(a) Pay annuities to a fire department member, surviving spouse, or dependent parent or child receiving annuities; or

(b) Meet the future requirements of pensions, benefits, and awards under the plan.

(3) The board must be the beneficiary of any insurance policies, and the proceeds of the insurance policies shall be paid to the board as an addition to the fund.

31-30-1115. Warrants. (1) Officers of the municipality or district who are designated by law to draw warrants on the treasurer of the municipality or district shall draw warrants thereon upon orders by the board, payable to the board's treasurer for moneys belonging to the fund.

(2) Except as provided in subsection (3) of this section, the board's treasurer shall pay moneys ordered to be paid from the fund to any person only upon warrants signed by the board's president and countersigned by the board's secretary. A warrant shall not be drawn except by the board's order that is duly entered in the records of the board's proceedings.

(3) Fund moneys in noninsured trust pension plans with a bank or trust company shall be paid by the trustee only upon the board's written order that is signed by the board's president, countersigned by the board's secretary, and duly entered in the records of the board's proceedings.

31-30-1116. Treasurer - custodian - segregation of moneys. (1) The board's treasurer and the custodian appointed by the board under section 31-30-1113 are the custodians of the fund and shall secure and safely keep books and accounts concerning the fund in the manner as the board may prescribe. The books and accounts are subject to inspection by the board, any board member, or any other interested person. Upon expiration of the treasurer's or custodian's term of office or appointment, the treasurer or custodian shall surrender and deliver to the successor all bonds, securities, and unexpended moneys or other property of the fund that the treasurer or custodian has possessed.

(2) A municipality or district that includes both paid and volunteer firefighters in their pension plans may consolidate the funds but must segregate the moneys for paid and volunteer firefighters on an equitable basis for accounting and actuarial purposes. The segregation shall be considered in actuarial reports on the funds. In computing the portion of the fund attributed to volunteer firefighters, volunteer firefighters' benefits shall not be changed.

31-30-1117. Exemption from levy. (1) Except for an assignment for child support purposes as provided in sections 14-10-118 (1) and 14-14-107, as they existed prior to July 1, 1996, and except for income assignments for child support purposes pursuant to section 14-14-111.5, C.R.S., and a writ of garnishment that is the result of a judgment taken for arrearages for child support or for child support debt, no part of the fund, either before or after any order for

distribution of the fund to a fire department member, retired fire department member, or beneficiary of the fund or the surviving spouse or guardian of any child of a deceased or disabled fire department member or of a deceased, disabled, or retired fire department member shall be held, seized, taken, subjected to, detained, or levied on by virtue of any attachment, execution, protest, or proceeding of any nature whatsoever issued out of or by any court in this or any other state for the payment or satisfaction of all or part of any debt, damages, claim, demand, judgment, fine, or amercement of the municipality or district or of a fire department member, retired fire department member, or their surviving spouses, dependent children, or designated beneficiaries.

(2) Except as provided in section 31-30-1118, the fund must be kept, secured, and distributed for the purpose of issuing pensions and protecting the persons named in this part 11 and for no other purpose whatsoever; except that the board may annually spend moneys as it deems proper and necessary from the fund for necessary expenses connected with the fund.

31-30-1118. Fund use - other purposes. (1) If the governing body of a municipality or district finds by resolution that no person is eligible or can become eligible for payment of a fund benefit, it may authorize contributions of all fund moneys for any fire-related purpose and, if no fire-related purpose exists, for any purpose as determined by the governing body of the municipality or district.

(2) At least sixty days before adoption of this resolution, the governing body of the municipality or district shall publish one notice in a newspaper with general circulation within the municipality or district and shall provide a copy of the published notice to the board of directors of the fire and police pension association. The notice must state that the intent of the governing body is to use the money in the fund for the purposes permitted in subsection (1) of this section and that persons who believe they are or may be entitled to benefit payments from the fund have fifty days from the date of the notice in which to file a written objection with the governing body regarding its proposed use of the fund. If a written objection is received, the governing body shall hold a public hearing before adoption of the resolution. Before the hearing, the governing body shall publish notice of the time and place of the hearing and send written notice of the hearing by certified mail to each person who files a written objection.

(3) If a person establishes a claim to a benefit from the fund within one year after adoption of this resolution, the municipality or district shall repay to the fund any money paid from the fund under this section, and no such additional payments shall be made from the fund.

31-30-1119. Board report - municipality. The board shall make a report to the governing body of the municipality on the condition of the fund. The board shall submit the report to the governing body before the last meeting in February and the last meeting in August of each year.

31-30-1120. Maximum benefit amount. (Repealed)

31-30-1121. Disability pension - rules - hearing. (1) If a volunteer firefighter is injured while in the line of duty as a volunteer firefighter, the board shall pay to the volunteer firefighter:

(a) A short-term disability monthly annuity for not more than one year in an amount it

determines is proper and equitable, considering the financial condition of the fund, but not more than one-half the amount paid by the board pursuant to section 31-30-1122 (1) or two hundred twenty-five dollars, whichever is greater; or

(b) A long-term disability monthly annuity for a disability that deprives the volunteer firefighter of an earning capacity and that extends beyond one year in an amount it determines is proper and necessary but not more than the amount paid by the board pursuant to section 31-30-1122 (1) or four hundred fifty dollars, whichever is greater. Any increase in the benefits in a municipality under this paragraph (b) shall be approved by the municipality's governing body.

(2) Disability-pension applicants shall be examined by one or more physicians selected by the board and may be examined by one or more physicians selected by the applicant. The board shall pay from the fund the expenses of the physician chosen by the board.

(3) The board shall adopt rules it deems proper concerning the examination of persons who are receiving disability benefits under this section to determine periodically the fitness of these persons. A person who is receiving benefits under this section and who is either fifty years of age or has completed twenty years of active duty in the fire department before the date disability benefits under this section are first provided shall not be reexamined. A person receiving benefits under this section shall not be examined before one year after the date disability benefits under this section are first provided and not more often than annually after this date.

(4) The board shall terminate the disability benefits under this section of a person who the board finds has recovered sufficiently from the disability that resulted in the receipt of these benefits, is under the age of fifty years, and has served less than twenty years of active duty. A person whose benefits are terminated under this subsection (4) may file a written protest within thirty days after the termination date stating the objection to the termination and requesting a hearing. The decision of the board is suspended pending a hearing on the protest. At the hearing, the member may appear and be represented by counsel.

31-30-1122. Retirement pension. (1) The board of a municipality, with the prior consent of the municipality's governing body, or the board of a fire protection district or county improvement district may pay a retirement pension to a volunteer firefighter who has twenty years of active service and who is over the age of fifty years. The retirement pension shall be an amount determined by the board of not more than one hundred dollars per month, unless an actuarial review indicates a higher payment is actuarially sound; except that any such amount determined by the board of a municipality shall be made with the prior consent of the municipality's governing body. Pensions that make payments in excess of three hundred dollars per month are subject to the state contribution limitation specified in section 31-30-1112 (2)(b). Except as provided in section 31-30-1132, a volunteer firefighter shall not receive a retirement pension for service in a fire department while the firefighter is an active member of that department. A volunteer firefighter shall maintain a minimum training participation in the fire department of thirty-six hours each year to qualify for retirement benefits. A volunteer firefighter who has served twenty years and who has not reached the age of fifty years may be granted a leave of absence and retain all rights to a retirement pension and is entitled to the retirement pension when the firefighter is fifty years of age.

(2) Notwithstanding subsection (1) of this section, the board may pay a retirement pension to a volunteer firefighter who has less than twenty years of active service if the

municipality's or district's fund is actuarially sound. The board shall determine the period of active service necessary to qualify for this retirement pension, but in no event shall such period be less than ten years of active service. The board shall not pay this retirement pension until the volunteer firefighter is fifty years of age. The amount of this retirement pension shall be determined by prorating the amount of the retirement pension under subsection (1) of this section based on the volunteer firefighter's years of service.

(3) Whenever the board increases the retirement pension benefit payable pursuant to subsection (1) of this section, such increase may also be applied to the pension benefit of any retired volunteer firefighter receiving the pension benefit specified in subsection (1) of this section at the time of such increase. The applicable pro rata share of any such increase, based upon the number of years of service, may also be applied to the pension benefit of any retired volunteer firefighter receiving the pension benefit specified in subsection (2) of this section at the time of such increase. Whenever the board elects to apply any retirement pension increase permitted under this subsection (3), the board shall apply such increase to the retirement pension of all retired volunteer firefighters in a fire department who are eligible for such increase under this subsection (3). Any actuarial review required under subsection (1) of this section shall include the cost of any retirement pension increase permitted under this subsection (3).

31-30-1123. Retirement pension - sources of payment. The retirement pension of a volunteer firefighter who has earned twenty years of active service as a volunteer firefighter for any one municipality or district shall be paid from the fund of that municipality or district, and no other fund shall pay a pension to that volunteer firefighter. The retirement pension of a volunteer firefighter who earns twenty years of active service as a volunteer firefighter after June 2, 1977, by serving more than one municipality or district shall be paid from the fund of each municipality or district for which the volunteer firefighter served at least five years. The amount paid by each fund for each year of service with the particular municipality or district shall equal one-twentieth of the retirement pension being paid by that fund on the day the volunteer firefighter left the service of the particular municipality or district. The retirement pension of a volunteer firefighter who earns twenty years of active service as a volunteer firefighter by serving more than one municipality or district shall be paid only by the municipality or district last served by that volunteer firefighter if any part of the twenty years of service was earned on or before June 2, 1977. In no event shall a volunteer firefighter receive a total retirement benefit from all volunteer firefighter pension funds exceeding the maximum amount paid by the board from such funds pursuant to section 31-30-1122 (1) or four hundred fifty dollars, whichever is greater.

31-30-1124. Compliance - insufficient moneys. (1) The board may require information, including proof of years of service, and establish procedures as it deems necessary to ensure compliance with the requirements and limitations of sections 31-30-1122 and 31-30-1123.

(2) If at any time money or other property in the fund is insufficient to pay the full amount per month to which each volunteer firefighter receiving a pension under this part 11 and other beneficiary of the fund is entitled, an equal percentage of the monthly payment shall be made to those volunteer firefighters and other beneficiaries until the fund is replenished in an amount that permits payment in full to those volunteer firefighters and other beneficiaries.

31-30-1125. Supplemental retirement pension. (1) In addition to the monthly retirement pension provided by section 31-30-1122, the board of a municipality, with the prior consent of the municipality's governing body, or the board of a fire protection district or county improvement district may pay a supplemental monthly retirement pension to a volunteer firefighter who is fifty years of age and who has been in active service more than twenty years if:

(a) An actuarial review indicates a supplemental monthly pension payment is actuarially sound; and

(b) Sixty-five percent of the total number of fire department members and retired fire department members give prior approval.

(2) The supplemental monthly pension payment shall not exceed five percent of the monthly pension payment provided by section 31-30-1122 multiplied by the number of years of active service in excess of twenty years, up to a maximum of ten years; except that the total of the monthly retirement pension payment provided by section 31-30-1122 and the supplemental monthly pension payment shall not exceed an amount that is actuarially sound.

31-30-1126. Survivor benefit. (1) Except as otherwise provided in subsection (3) of this section, upon the death of a retired fire department member or a volunteer firefighter who, regardless of age, has served the requisite number of years for retirement under section 31-30-1122 and who leaves a surviving spouse, the board may pay an annuity of not more than fifty percent of the current pension payment for a retired fire department member if the fund is actuarially sound. If the volunteer firefighter had less than twenty years of active service, the annuity to the surviving spouse shall be prorated based upon the number of years of service.

(2) This annuity to the surviving spouse shall cease if the surviving spouse remarries. Dissolution of a subsequent marriage does not reinstate the annuity. A surviving spouse shall not receive both an annuity under section 31-30-1127 and an annuity under this section.

(3) The benefits under this section do not apply if the optional survivor benefits under section 31-30-1128 are provided.

(4) The benefits under this section may be increased in the same manner as postretirement benefit increases as provided in section 31-30-1122 (3), subject to the state contribution limit set forth in section 31-30-1112 (2).

31-30-1127. Survivor benefit - death from injuries in the line of duty. (1) Except as otherwise provided in subsection (4) of this section, if a fire department member dies from injuries received while in the line of duty as a volunteer firefighter and leaves a surviving spouse, the board shall pay the surviving spouse a monthly annuity either in an amount the board deems proper and necessary, but not more than one-half the amount paid by the board pursuant to section 31-30-1122 (1) or two hundred twenty-five dollars, whichever is greater, or within limits prescribed by municipal ordinance or by rules of the board of the affected municipality or district. The annuity shall cease if the surviving spouse remarries. Dissolution of a subsequent marriage does not reinstate the annuity.

(2) Except as otherwise provided in subsection (4) of this section, if there is no surviving spouse as provided in subsection (1) of this section but there is a surviving child of the deceased volunteer firefighter under eighteen years of age, the board shall pay a monthly annuity either in an amount the board deems proper or necessary, but not more than one-half the amount paid by the board pursuant to section 31-30-1122 (1) or two hundred twenty-five dollars, whichever is

greater, or within limits prescribed by municipal ordinance or by rules of the board of the affected municipality or district. The board shall pay this annuity to the guardian of the child on behalf of the child. The annuity shall cease when the child is eighteen years of age.

(3) Except as otherwise provided in subsection (4) of this section, if there is no surviving spouse or child as provided in subsections (1) and (2) of this section but there is a surviving dependent parent of the deceased volunteer firefighter, the board shall pay the dependent parent a monthly annuity either in an amount the board deems proper and necessary, but not more than one-half the amount paid by the board pursuant to section 31-30-1122 (1) or two hundred twenty-five dollars, whichever is greater, or within limits prescribed by municipal ordinance or by rules of the board of the affected municipality or district. The annuity shall cease if the dependent parent remarries. Dissolution of a subsequent marriage does not reinstate the annuity.

(4) The benefits under this section:

(a) Are in addition to the educational benefits under section 23-3.3-205, C.R.S.;

(b) Do not apply if the optional survivor benefits under section 31-30-1128 are provided;
and

(c) May be increased in the same manner as postretirement benefit increases as provided in section 31-30-1122 (3), subject to the state contribution limit set forth in section 31-30-1112 (2).

31-30-1128. Optional survivor benefits. (1) Notwithstanding the provisions of sections 31-30-1126 and 31-30-1127 relating to payment of annuities in the event of the death of a volunteer firefighter in active service, the board in any municipality, with the prior consent of the governing body of such municipality, fire protection district, or county improvement district having a volunteer fire department may provide to the active members of the volunteer fire department the option of having the survivor benefits offered by this section in lieu of the purchase of individual, group, or blanket life, endowment, or annuity or variable annuity insurance pursuant to section 31-30-1114 (1)(a)(I) and (1)(a)(II) and in lieu of the survivor benefits provided to active volunteer firefighters pursuant to sections 31-30-1126 and 31-30-1127 if the following conditions are met:

(a) Sixty-five percent of the active and retired volunteer firefighters of the affected volunteer fire department consent in writing to the option provided by this section;

(b) An actuarial review by an independent actuary indicates the option provided by this section is actuarially sound and will not impair the ability of pension funds to pay the annuities to a beneficiary or to pay pensions; and

(c) If a municipality intends to provide the option provided by this section, the governing body of the municipality consents to the option.

(2) The governing body of a municipality or the board of a fire protection district or county improvement district having a volunteer fire department that intends to provide the option provided by this section shall determine whether the survivor benefits are allowed only if the volunteer firefighter dies while on duty and shall determine the benefit amount equal to up to one hundred percent of the amount of the pension the volunteer firefighter would have been entitled to under this part 11 if the volunteer firefighter had retired immediately before the volunteer firefighter's death. If survivor benefits are provided pursuant to subsection (1) of this section to the members of a volunteer fire department and if a volunteer firefighter who is a member of such fire department dies on duty or, if authorized by the governing body or board, off duty, a

spouse, dependent child, or dependent parent of the volunteer firefighter or, lacking such dependents, any other beneficiary who is a natural person and who has been designated by the volunteer firefighter shall receive a monthly annuity in the amount determined pursuant to this subsection (2).

(3) If survivor benefits are provided pursuant to subsection (1) of this section, the board shall pay the annuity authorized by this section to the designated beneficiary or to the legal guardian of the designated beneficiary who is a child under the age of eighteen as follows:

(a) Until the death of the beneficiary;

(b) If the beneficiary is a child under the age of eighteen, until the death of the child or until the child is eighteen years of age;

(c) If the beneficiary is a full-time student in an educational or vocational institution, until the beneficiary is twenty-three years of age;

(d) If the beneficiary is the surviving spouse, until the surviving spouse remarries; or

(e) Until the proceeds of the insurance policies provided in subsection (4) of this section and the accrued interest on such insurance proceeds are exhausted.

(4) To pay the costs of the option provided pursuant to this section, the board shall insure members of the volunteer fire department by insurance policies of individual, group, or blanket life, endowment, or annuity insurance or variable annuity insurance. The pension fund must be the beneficiary of these insurance policies, and the proceeds of these insurance policies shall be paid to the board as an addition to the fund. Payment of the premiums on these policies shall be paid from the existing pension fund assets, from additional local contributions made to the existing pension fund for payment of the premiums, or both; except that, notwithstanding the provisions of section 31-30-1112 concerning the amount of state contributions to the pension fund, additional state contributions shall not be made to the existing pension fund assets for payment of the premiums on these policies or as a result of additional local contributions made to the existing pension fund for payment of the premiums.

(5) If survivor benefits are provided pursuant to subsection (1) of this section and if a volunteer firefighter terminates active duty before retirement, the board may allow the firefighter to purchase any insurance policy that was purchased pursuant to subsection (4) of this section at a price equal to the cash value of the policy. If the firefighter does not purchase the policy, the board shall surrender the policy for its cash value. Moneys obtained by the board pursuant to this subsection (5) shall be deposited in the pension fund and used to pay the costs of the survivor benefits provided pursuant to this section.

(6) The survivor benefits provided pursuant to subsection (1) of this section may be terminated at any time by either:

(a) A vote to terminate by the governing body of the municipality or the board of the fire protection district or county improvement district having a volunteer fire department;

(b) A vote to terminate approved by sixty-five percent of the members of the volunteer fire department.

31-30-1129. Funeral benefit. When an active volunteer firefighter or retired fire department member dies, the board shall pay a funeral benefit to assist in the proper burial of the deceased firefighter in an amount determined by the board of not more than twice the amount determined by the board under section 31-30-1122, but not less than one hundred dollars. The board shall pay this funeral benefit to any person who pays the necessary funeral expenses.

31-30-1130. Fire department dissolution. (1) If a fire department dissolves and the services of volunteer firefighters or the fire department are discontinued:

(a) The benefits paid under this part 11 to volunteer firefighters or their surviving spouses, dependent parents, children, and other beneficiaries at the time of the dissolution shall continue;

(b) Assets of the fund shall be transferred with other assets of the fire department and shall be administered by the board of trustees of the successor pension fund;

(c) In no event shall the rate of compensation be altered either after commencement of proceedings for dissolution has occurred or after its completion;

(d) A volunteer firefighter who has accrued ten or more years of active service at the time of the dissolution shall be granted an annuity after the firefighter is fifty years of age. The annuity shall be prorated in accordance with the number of years of service and the amount of annuity being paid for age and service pensions by the board at the time of the dissolution.

31-30-1131. Volunteer firefighter - employment termination restricted. (1) An employer shall not terminate an employee who is a volunteer firefighter and who fails to report to work because the employee has responded to an emergency summons if the employee provides the employer with a written statement from the chief of the fire department that the employee's absence was due to the response.

(1.5) An employer shall not terminate an employee who is a volunteer firefighter and who leaves work to respond to an emergency summons, if:

(a) The employer does not deem the employee to be essential to the operation of the employer's daily enterprise;

(b) The employer has previously received written documentation from the fire chief of the employee's fire department notifying the employer of the employee's status as a volunteer firefighter;

(c) The emergency is within the response area of the employee's fire department and is of such magnitude that the emergency summons issued by the fire chief requires all firefighters to respond; and

(d) The chief of the employee's fire department provides the employer with a written statement verifying the time, date, and duration of the employee's response.

(2) An employer may deduct time lost from employment caused by a response to an emergency summons from the wages of an employee who is a volunteer firefighter.

(3) Notwithstanding the provisions of this section, if a volunteer firefighter is called to an emergency pursuant to part 8 of article 33.5 of title 24, C.R.S., the provisions of section 24-33.5-825 or 24-33.5-826, C.R.S., shall control regarding the volunteer firefighters absence or leave from work. Under no circumstances shall a volunteer firefighter's leave exceed the amount allowed pursuant to section 24-33.5-825 or 24-33.5-826, C.R.S.

31-30-1132. Retired firefighter - return to active service - benefits. If the governing body of any municipality, fire protection district, or county improvement district, by resolution, determines that a fire department is in need of additional volunteer firefighters, a retired fire department member shall be eligible to serve as an active volunteer firefighter of such fire department. Any retired fire department member who, subsequent to retirement, serves as an

active volunteer firefighter for a fire department pursuant to this section shall continue to receive pension benefits from the volunteer firefighter pension fund under this article during the period in which the person is an active volunteer firefighter of the fire department. During the period such person is receiving a pension and acting as an active volunteer firefighter pursuant to this section, such person shall not receive service credit for the purpose of increasing such pension.

31-30-1133. Qualification requirements - internal revenue code - definitions. (1) As used in this section, "internal revenue code" means the federal "Internal Revenue Code of 1986", as amended.

(2) Any volunteer firefighter pension plan established by this part 11 to provide retirement benefits for volunteer firefighters shall satisfy the qualification requirements specified in section 401 of the internal revenue code, as applicable to governmental plans. In order to meet those requirements, such plans are subject to the following provisions, notwithstanding any other provision of this part 11:

(a) The board shall distribute the corpus and income of the pension plan to members and their beneficiaries in accordance with this part 11 and the rules adopted by the board.

(b) No part of the corpus or income of the pension plan may be used for or diverted to any purpose other than that of providing benefits to participants and their beneficiaries and defraying reasonable expenses of administering the pension plan, except for an assignment for child support debt pursuant to section 14-14-104, C.R.S., child support arrearages as requested as part of an enforcement action under article 5 of title 14, C.R.S., or child support arrearages that are the subject of enforcement services provided under section 26-13-106, C.R.S., and except for income assignments for child support purposes pursuant to section 14-14-111.5, C.R.S., and a writ of garnishment that is the result of a judgment taken for arrearages for child support or for child support debt.

(3) A board may adopt any provision for a plan that is necessary to comply with the internal revenue code.

31-30-1134. Statewide accidental death and disability insurance policy - department of local affairs. (1) Beginning on July 1, 2004, the department of local affairs shall provide for and determine the cost of a statewide accidental death and disability insurance policy to cover all volunteer firefighters serving in volunteer or paid and volunteer fire departments, the insurance to be applicable only when serving as a volunteer firefighter. The policy shall be paid for as provided in section 31-30-1112 (2)(h)(II) from the proceeds of the tax imposed by section 10-3-209, C.R.S.

(2) The department of local affairs shall set the amount of coverage to be provided for each volunteer firefighter, take competitive bids for the policy from insurers, and make such rules as may be necessary to provide for the policy.

(3) The department of local affairs shall secure an accidental death and disability insurance policy that offers the best benefits available for the amount of moneys transferred to the department pursuant to section 31-30-1112 (2)(h)(II).

(4) The insurer shall have sole power to determine disability for volunteer firefighters under the policy provided by this section.

(5) The department of local affairs shall have the authority to contract with any entity for the purpose of complying with the requirements of this section.

[View results](#)

Respondent

4

Anonymous

05:10

Time to complete

Volunteer Firefighter Pension Board Application

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

Composition of the Volunteer Firefighter Pension Board: Board members must be a representative of our fire department serving the municipality.

(as defined in the Colorado Revised Statutes; Title 31 - Government – Municipal; Powers and Functions of Cities and Towns; Article 30 - Fire - Police – Sanitation; Part 11 - Volunteer Firefighter Pension Act; § 31-30-1104. Board - municipality)

(1) In a municipality, the board must consist of the following members:

- (a) The mayor for a term equal to the mayor's tenure as mayor;
- (b) The municipal treasurer or finance officer for a term equal to the treasurer's or finance officer's tenure with the municipality;
- (c) Two other persons appointed by and for terms determined by the governing body of the municipality; and
- (d) (I) Prior to August 6, 2014, three fire department members serving the municipality who are elected by the fire department members of those fire departments for three-year terms. (II) Beginning at the next election to elect a board member pursuant to this paragraph (d) after August 6, 2014, three individuals elected from one or more of the following groups to the extent such groups exist at the time of election: Fire department members, retired fire department members, or retired fire department members returned to active service pursuant to section 31-30-1132. The three individuals shall be elected by the fire department members, retired fire department members, and retired fire department members returned to active service of those fire departments and shall serve for three-year terms as such terms exist on August 6, 2014. Nothing in this subparagraph (II) shall be construed to effect the term of any person serving on the board of a municipal volunteer firefighter pension board pursuant to subparagraph (I) of this paragraph (d) on August 6, 2014.

(2) The board shall elect a president and secretary from its members. The municipal treasurer or finance officer shall serve as the ex officio treasurer of the board.

Personal Information

1 Member hip Qualification *

Board members must be a representative of our fire department serving the municipa ity Do you meet this requirement?

☒ Yes

☐ No

2. Name *

Leslieann(Leslie) Gallagher

3. Home Address *

4 Mailing Address *

5. Home Phone *

6 Work Phone *

7. Mobile Phone *

8 Email Address *

9. Occupation *

Personal and Professional Interests

10. Why are you interested in serving on the Volunteer Firefighter Pension Board? *

11 Have you had previous experience with a volunteer pension plan? *

12. Do you, or a family member, currently receive a pension from a volunteer firefighter department? *

13. The Volunteer Fire Fighter Pension Board generally meets once or twice a year for approximately 1 to 2 hours. Do you have any existing time commitments that will hamper your ability to serve? *

NO

14. Please select today's date. *

12/5/2023



15. Have you served on the Volunteer Firefighter Pension Board before? *

☐ No

☒ Yes

Reappointment Applicants

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

I think I bring knowledge of pension plans and familiarity with the issues to the position

17. Have you served two full successive terms on the Volunteer Firefighter Pension Board? *

Yes

Powers and Duties of the Volunteer Firefighter Pension Board

(as defined in the Colorado Revised Statutes; Title 31 - Government – Municipal; Powers and Functions of Cities and Towns; Article 30 - Fire - Police – Sanitation; Part 11 - Volunteer Firefighter Pension Act; § 31-30-1108; Board Powers and Duties)

(1) A board created by this part 11 to control a fund:

- (a) Shall adopt necessary rules that are not inconsistent with this part 11 for the management and discharge of its duties, for its own government and procedure, and for the preservation and protection of the fund;
- (b) Shall hear and decide each application for benefits under this part 11 in accordance with section 24-4-105, C.R.S. Action on an application is final and conclusive; except that, if in the opinion of a board, justice demands reconsideration of the action, the board may reverse the action.
- (c) Shall keep and preserve a record of the action and all other matters properly before the board;
- (d) May make agreements with the fire and police pension association to administer the plan and manage the funds of the plan for investment in accordance with section 31-31-705;
- (e) May consolidate its fund with the fund of another municipality or district and shall administer the consolidated funds as a single fund if in the opinion of the board the total moneys allocated to a fund by a municipality or district are inadequate to sustain a proper fund for retirement or for the other purposes of the fund under this part 11. The boards of these single funds may consolidate the funds under conditions and terms provided in an agreement consistent with this part 11.

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

February

Volunteer Firefighter Pension 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 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 4, 2024

Agenda Item: Housing Commission Appointment

Action Requested: Housing Commission Appointment

Department: Economic and Community Development

Presented By: Watkins Fulk-Gray

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: **Councilor Kaup and Councilor Schachter Recommendation**
Appoint Jon Harman to a regular seat on the Housing Commission with a term to expire April 2024.

Vacancies

Current Vacancy

- One regular seat with a term to expire April 2024.

Upcoming Vacancies

- Four regular seats with terms from April 2024 through April 2027.
 - These upcoming vacancies will be addressed in March 2024.

Applicant

- Jon Harman, a city resident, was interviewed by Councilor Kaup. Jon was deemed eligible for appointment to a regular seat.

Composition of the Housing Commission

- Seven (7) citizens, at least six (6) who are residents of the city and one (1) who may reside outside the city but within the 81601 zip code area or own real property or a business within the City.
- Membership should reflect a broad representation of organizations and other entities which are related to housing, including but not limited to the financial community, the building and development community, the real estate industry, and organizations which support low income residents of the community.

Issues: None.

Fiscal Impact: None.

Legal Review: None.

Staff Recommendation: Staff defers to City Council.

020.020.020 Composition of boards and commissions.

The membership of boards and commissions shall be composed of the following persons:

- (1) *Local Liquor Licensing Authority.*
 - a. The Local Liquor Licensing Authority shall consist of a Hearing Officer appointed by the City Council by resolution and may be removed with or without cause by a majority vote of the City Council.
- (2) *Airport Board.*
 - a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (3) *Building Board of Appeals.* The Planning and Zoning Commission shall act as the Building Board of Appeals whenever such a board is required by this Code, other ordinances of the City or State or Federal law.
- (4) *Finance Advisory Board:*
 - a. Seven (7) members of which at least six (6) are City residents. One (1) member shall be employed in the finance industry; one (1) member shall be employed by the tourism industry; and one (1) member may be a non-resident, but shall own or be employed by a business within the City.
- (5) *Parks and Recreation Commission.*
 - a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
 - b. Reserved.
 - c. Reserved.
 - d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.
- (6) *Planning and Zoning Commission.*
 - a. Seven (7) citizens who are residents of the City.
- (7) *River Commission.*
 - a. Seven (7) citizens, with one (1) alternate, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (8) *Victim's and Witnesses Assistance and Law Enforcement Board.*
 - a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
 - b. Reserved.
 - c. The Chief of Police as an advisory member, but a nonvoting member of the Board.
- (9) *Transportation Commission.*

-
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (10) Reserved.
- (11) *Glenwood Springs Housing Commission.*
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- Membership should reflect a broad representation of organizations and other entities which are related to housing, including but not limited to the financial community, the building and development community, the real estate industry, and organizations which support low-income residents of the community.
- (12) *Historic Preservation Commission.*
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (13) *Tourism Promotion Board.*
- a. Two (2) representatives from the tourism related businesses located within the City;
 - b. Two (2) representatives from the lodging businesses located within the City;
 - c. One (1) representative from the restaurant or retail businesses located within the City;
 - d. One (1) representative from the Glenwood Springs Chamber Resort Association; and
 - e. Three (3) citizens, at least two (2) who are residents of the City and that shall not have a direct or indirect financial interest in a business referenced in (a), (b) or (c) above and one (1) who is a resident that may have a financial interest in a business referenced in (a), (b) or (c) above.
- (14) *Arts and Culture Board.*
- a. Eight (8) members, at least five (5) of which are residents of the City, three (3) of which may reside outside of the City, and one (1) of which being a youth representative under the age of eighteen (18) or not having completed his or her final year of high school. Those representatives residing outside of the City must reside within the 81601 postal zip code area, own real property or a business within the City, or attend school within the City.
- (15) Council and Staff Participation on Boards and Commissions:
- a. The Mayor may appoint up to two (2) members of Council to act as a liaison between Council and a Board or Commission.
 - b. The City Manager may appoint a member of staff to assist a Board or Commission as necessary to fulfill their duties as provided for in 020.020.030.

(Code 1971 §§ 2-61, 4-75, 4-230, 15-2; 26-84 § 1; 19-89 § 1; 12-90 § 1; 54-90 § 1; 29-91 § 1; 10-93 § 1; 29-93 § 1; 7-94 § 1; 23-94 § 1; 10-95 § 1; 19-95 §§ 1, 2; 40-95 § 1; 28-97 § 1; 29-97 § 1; 1-01 § 1; 61-01 § 2; 14-03 § 1; 9-04 § 1; 20-05 § 2; 7-06 § 2; 13-06, § 2; 10-07 § 2; 6-08 § 2; 12-09 § 2; 12-10 § 2; 2-12 § 2; Ord. No. 2-2016, § 2(Exh. A), 2-4-2016; Ord. No. 16-2017, § 3, 8-17-2017; Ord. No. 2-2018, § 2, 1-18-2018; Ord. No. 6-2018, § 2, 3-1-2018; Ord. No. 21-2018, § 2, 9-20-2018; Ord. No. 2-2021, § 2(Exh. A), 4-15-2021)

020.020.030 Powers and duties of boards and commissions.

(a) *Local Liquor Licensing Authority.*

- (1) *Powers and duties of local liquor licensing authority.* The Local Liquor Licensing Authority shall have the powers granted to local licensing authorities pursuant to C.R.S. Title 12, Articles 46, 47, and 48, as amended.
- (2) *Temporary permits.* The City Clerk is hereby delegated the authority to issue temporary fermented malt beverage permits to license transferees, as authorized by C.R.S. § 12-46-106.5, as amended, and temporary permits for any class of liquor license as authorized by C.R.S. § 12-47-106.5, as amended. Each temporary permit shall authorize the transferee to continue selling fermented malt beverages and other licensed beverages in accordance with state law during the period in which an application to transfer is pending. The City Clerk may issue the temporary permit if: (a) the premises shall have been previously licensed by the State and the license is valid at the time the application for transfer is filed; (b) the application appears to be in order, an application for transfer of the appropriate license has been filed, all fees have been paid, the initial background check has been successfully completed, and the fingerprint cards have been completed; and (c) the application for the temporary permit is filed no later than thirty (30) days after the filing of the application for transfer and associated fees paid. No temporary permit issued by the City Clerk shall be for a period greater than one hundred twenty (120) days from the date of its issuance.
- (3) *Wine tastings.* The Local Liquor Licensing Authority is authorized to issue annual wine tasting permits pursuant to C.R.S. § 12-47-301 with the following conditions: (a) All requirements of C.R.S. § 12-47-301 have been met; and (b) Payment of an annual application fee of one hundred dollars (\$100.00); and (c) No more than one hundred four (104) wine tastings may be held during the term of any permit issued pursuant to this section; and (d) Permit holders shall notify the City Clerk and Police Department at least seven (7) days prior to any wine tasting.
- (4) *Rules, policies and procedures.* The Local Liquor Licensing Authority shall adopt rules, policies and procedures for the implementation of its duties and powers as those have been granted pursuant to C.R.S. Title 12, Articles 46, 47, and 48, as amended.
- (5) *Report to city council.* The Local Liquor Licensing Authority shall be required to report on all actions taken with respect to the issuance of or control over liquor licenses within the City to the City Council. Reports shall be made in a timely fashion to the City Council.
- (6) *Appeal to city council.* Any decision of the Local Liquor Licensing Authority may be appealed to the City Council within ten (10) calendar days, or at the next regularly scheduled meeting. City Council shall have the authority to sustain, modify or overturn the decision of the Local Liquor Licensing Authority. In any event, the City Council shall direct the Local Liquor Licensing Authority to take a particular action. The Local Liquor Licensing Authority shall conform to the written direction of the City Council within ten (10) calendar days from the date of the written directive.
- (7) *Appeal to district court.* Any person applying to the District Court for review of a decision of the Local Liquor Licensing Authority shall apply for review within thirty (30) days of the decision of the Local Liquor Licensing Authority. The thirty-day period shall be inclusive of the appeal process to City Council as outlined in Subparagraph (5) above.

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

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- (c) *Powers and Duties of Building Board of Appeals.* The powers and duties of the Building Board of Appeals shall be to hear appeals in accordance with the International Building Code, International Residential Code, International Fire Code, and the other adopted codes from the International Code Council, as adopted or amended by Title 060 of this Code. Such power shall not include matters of interpretation arising under the Code.
- (d) *Powers and Duties of Finance Advisory Board.* The Finance Advisory Board shall advise and assist the City Manager and Finance Director in the preparation of the City budget, the establishment of accounting systems for the City, the planning of expenses, the projection of revenues and the analysis of the other fiscal matters presented to the Board by the City Council. The Finance Advisory Board shall also be responsible for making recommendations to City Council regarding grants from the City's various grant programs as Council may establish from time to time. No decision of the Finance Advisory Board shall be binding upon the City or anyone acting on its behalf.
- (e) *Powers and duties of Parks and Recreation Commission.* The powers and duties of the Parks and Recreation Commission shall be:
- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
 - (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
 - (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
 - (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
 - (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
 - (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.
 - (7) To investigate, study and report to City Council any and all matters concerning the use and operation of the City's Community Center.
 - (8) To coordinate with other City boards and commissions on any aspect of the Community Center that may relate to the powers and duties of such other boards and commissions.
 - (9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.
- (f) *Powers and duties of Planning and Zoning Commission.* 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.

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- (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.
 - (g) *Powers and duties of River Commission.* The powers and duties of the River Commission shall be:
 - (1) To investigate, study, and report to the City Council any and all matters concerning the use, enjoyment, conservation of the, rivers and streams in the City and its environs and the open space adjacent thereto, including water quality issues, the protection of valuable riparian ecosystems, and water rights matters.
 - (2) To advise the City Council on public access to and use of rivers and streams in the City and the adjacent environs and maintain and update a map related thereto as necessary.
 - (3) To advise the City Council on the use of municipally owned property adjacent to the rivers and City construction projects in the rivers or adjacent open space.
 - (4) To promote and celebrate riverfront cleanup efforts and public awareness of non-point source water pollution.
 - (5) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in the acquisition and improvement of the rivers and adjacent open space, and to otherwise advise the City Council on budgetary needs related to preservation of open space and river improvement.
 - (6) To appoint subcommittees as necessary to carry out the foregoing functions.
 - (7) To coordinate with the Parks and Recreation Commission, Roaring Fork Conservancy, Middle Colorado Watershed Council, and other organizations, stakeholders groups, and property owners as is necessary to carry out the foregoing functions.
 - (8) At the request of City Council hold an annual work session with the City Council to review the actions taken by the River Commission regarding the foregoing functions and discuss future plans.
 - (h) *Powers and duties of the Victim's and Witnesses Assistance and Law Enforcement Board.*

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- (1) The Board shall designate one (1) of its members as chairman, shall establish rules of procedure and order and shall hold meetings as it might deem necessary.
 - (2) A surcharge equal to twenty-five (25) percent of the fine imposed for violation of all municipal ordinances, including ordinance violations under the Model Traffic Code, is hereby levied on each Municipal Court action resulting in a conviction, plea of guilty or no contest or in a deferred judgment and sentence, which municipal ordinance violation is charged pursuant to City ordinances. All calculated surcharge amounts resulting in dollars and cents shall be rounded to the nearest whole dollar. In the event a portion of the fine is suspended, the surcharge levied shall be computed based upon the original fine, regardless of whether a portion of said fine has been suspended. Said surcharges shall be paid to the Clerk of the Court by the defendant, and said Clerk shall deposit the money so received in the fund hereinafter created.
 - (3) The Victim's and Witnesses Assistance and Law Enforcement Fund, hereinafter referred to as the "Fund," consist of all monies paid as a surcharge as provided in Subsection (2) above. All monies deposited in the Fund shall be deposited in an interest-bearing account, and all interest earned by monies in the Fund shall be credited to the Fund. The City Manager, by and through the Finance Director, shall be responsible for establishing a separate fund for purposes of accounting for the revenues and expenditures. At the conclusion of each fiscal year, all monies remaining in the Fund shall remain in the Fund for allocation as hereinafter set forth.
 - (4) The Board shall disburse monies from the Fund in the following manner:
 - a. First, to the payment of all reasonable and necessary expenses and costs incurred by the Board in the performance of its duties, including but not limited to professional fees, office supplies and meeting expenses.
 - b. Second, not less than fifty (50) percent of the monies remaining in the Fund after the deduction of reasonable expenses and costs shall be allocated for the purchase of victims (and witnesses) services and reimbursements, as hereinafter set forth. No funds shall be paid except in those specific instances where a police report has been filed by the Police Department for an alleged violation of a municipal ordinance, regardless of whether the perpetrator has been identified, arrested or prosecuted.
 - c. Third, any remaining monies may be allocated to the Police Department for the following purposes, including, but not limited to: equipment purchases, training programs for personnel and the employment of additional personnel. Such funds shall not be used by the Police Department for defraying the costs of routine and ongoing operating expenses. No disbursement within this category of expenditure shall be made without the approval of the City Council following a written recommendation by the Board.
 - (5) Disbursement of funds by the Board on behalf of the victim's and witnesses assistance services may be used for the following purposes:
 - a. Provision of services for early crisis intervention;
 - b. Assistance in prompt return of victims' property;
 - c. Assistance to victims and witnesses in arranging transportation to and from court;
 - d. Provision of translator services;
 - e. Protection from threats of harm and other forms of intimidation;
 - f. Reasonable medical and hospital expenses and expenses incurred for dentures, eyeglasses, hearing aids or other prosthetic or medically necessary devices; and

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- g. Losses resulting from property damage, including repair or replacement of property damaged as a result of crime or payment of the deductible amount on a residential insurance policy in an amount not to exceed five hundred dollars (\$500.00). Victims' recovery due to property damage shall not exceed five hundred dollars (\$500.00) for any crime, but in no case shall a loss be compensable if the aggregate property damages are less than twenty-five dollars (\$25.00).
 - (6) The Board is authorized to accept and evaluate all applications for disbursement of funds, whether emanating from victims, witnesses or law enforcement agencies. Applications for disbursement shall be made upon forms prescribed by the Board, and made available by the Municipal Court and the Police Department. The Board shall establish its own criteria for evaluating applications for disbursement, and nothing herein contained shall obligate the Board to make disbursement of any funds available to it. Upon a finding by the Board that a disbursement shall be made from the Fund, the Board shall submit a written request for payment to the Finance Department, which shall then remit payment in accordance with the request.
 - (7) The Board is required to submit minutes of its meetings to the City Council at the next regular Council meeting following the Board's meeting.
 - (i) *Powers and duties of Transportation Commission.* The powers and duties of the Transportation Commission shall be:
 - (1) To investigate, study and report to the City Council any and all matters concerning transportation issues which directly affect the City.
 - (2) To investigate, study and report to the City Council on other intergovernmental committees, boards or commissions working on transportation issues in the Tri-County (Pitkin, Garfield and Eagle) area.
 - (3) To meet with the City Council on an annual basis to identify which transportation issues require priority attention.
 - (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the transportation needs of the City.
 - (5) To perform functions concerning oversight of transportation issues or functions as delegated by the City Council.
 - (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council.
 - (j) Reserved.
 - (k) *Powers and duties of Glenwood Springs Housing Commission.* The powers and duties of the Housing Commission shall be:
 - (1) To investigate, study and report to the City Council any and all matters concerning housing issues which directly affect the City, including the preparation of a Comprehensive Housing Affordability Strategy (CHAS).
 - (2) To assist City Council in defining the nature and scope of housing opportunities in the City.
 - (3) To meet with the City Council on an annual basis to identify which housing issues require priority attention.
 - (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the housing needs of the City.
 - (5) To perform functions concerning oversight of housing issues or functions as delegated by the City Council, including monitoring the implementation of activities as described in the CHAS.

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- (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council.
- (l) *Powers and duties of Historic Preservation Commission.* The powers and duties of the Historic Preservation Commission shall be:
- (1) To recommend to City Council methods for the protection and preservation of the City's historic and cultural heritage, including, but not limited to, the designation of historic landmarks and districts by appropriate regulations.
 - (2) To recommend to City Council methods for enhancing property values and the stabilization of historic neighborhoods.
 - (3) To recommend to City Council methods for increasing economic and financial benefits, including, but not limited to, City attractions.
 - (4) To provide educational opportunities to increase public appreciation of the City's unique heritage.
 - (5) To do any other tasks related to the historic preservation of resources in the community of Glenwood Springs.
- (m) *Powers and duties of 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.
- (n) *Powers and duties of Arts and Culture Board.* The powers and duties of the Arts and Culture Board shall be:
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- (1) To promote awareness, access, and appreciation of the fine, performing, and practical arts for City residents and visitors.
 - (2) To advise the City Council in connection with all matters relating to the artistic and cultural development of the City.
 - (3) To provide opportunities for cultural and art experience and education for children and adults.
 - (4) To promote increased interaction and collaboration among artists, art-related organizations, and opportunities for growth and exposure.
 - (5) To promote knowledge and appreciation for cultural forms of artistic expression.
 - (6) To make recommendations to the City Council with respect to fundraising and annual budget appropriations for the arts.
 - (7) To advise and consult with local arts groups as requested by such groups or by the City Council.

(Code 1971 §§ 2-64.1, 2-2, 2-65[a], [b], 2-65.1, 4-78, 4-232, 4-155, 15-2; 26-84 § 3; 19-89 § 3; 12-90 § 1; 54-90 § 3; 39-91 § 3; 10-93 § 2; 29-93 § 3; 7-94 § 3; 17-94 § 1; 23-94 § 3; 10-95 § 3; 11-95; 19-95 § 3; 46-95 § 1; 55-95 § 1; 28-97 § 3; 29-97 § 5; 32-97 § 1; 42-00 § 1; 61-01 § 3, 4, 5; 61-02 § 4; 9-04 § 1; 20-04, § 1; 33-05, § 2; 7-06 § 3; 13-06, § 2; 6-08 § 2; 12-10 § 2; 2-12 § 2; Ord. No. 16-2017, § 4, 8-17-2017; Ord. No. 2-2018, § 3, 1-18-2018; Ord. No. 6-2018, § 3, 3-1-2018; Ord. No. 21-2018, § 3, 9-20-2018; Ord. No. 2-2021, § 2(Exh. A), 4-15-2021)

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;
 - 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) 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; Ord. No. 29-2020 , § 2, 1-7-2021)

[View results](#)

Respondent

13

Anonymous

13:30

Time to complete

Housing Commission Application

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

Composition of the Housing Commission:

(Per the Glenwood Springs, CO Municipal Code 020.020.040)

- Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- Membership should reflect a broad representation of organizations and other entities which are related to housing, including but not limited to the financial community, the building and development community, the real estate industry, and organizations which support low income residents of the community.

Personal Information

1. Membership Qualifications *

You must qualify with one of the options below to be eligible to serve on the Housing Commission. Please select the option that applies to you.

- ☒ Resident of Glenwood Springs within city limits.
- ☐ Resident outside of Glenwood Springs city limits, but within the 81601 zip code.
- ☐ Owner of real property or a business within Glenwood Springs city limits.

2. Name *

3. Home Address *

4. Mailing Address *

5. Home Phone *

6. Work Phone *

7. Mobile Phone *

8. Email Address *

9. Occupation *

Personal and Professional Interests

10. Why are you interested in serving on the Housing Commission? *

11. What do you view as your role if selected as a member of the Housing Commission? *

12. What personal or professional experience do you have relative to the mission of the Housing Commission (see Powers and Duties attached)? *

13. Have you previously served in any policy advisory capacity relative to Housing? If so, state your role. *

14. What do you see as the role that Housing play in the character and function of the Glenwood Springs Community? *

Glenwood is facing a market where people cannot afford to live here, and we are losing valuable work force.

15. 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

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

I am currently on the Glenwood Springs Transportation Commission and have been recently inducted to join the Glenwood Springs Association of Realtors board for 2024.

17. Are you able to attend a monthly meeting of the Housing Commission held at 4:00pm on the second Wednesday of each month? *

☒ Yes

☐ No

18. Please select today's date. *

11/1/2023



19. Have you served on the Housing Commission before? *

☒ No

☐ Yes

Powers and Duties of the Housing Commission

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

(k) Powers and duties of Housing Commission.

The powers and duties of the Housing Commission shall be:

- (1) To investigate, study and report to the City Council any and all matters concerning housing issues which directly affect the City, including the preparation of a Comprehensive Housing Affordability Strategy (CHAS).
- (2) To assist City Council in defining the nature and scope of housing opportunities in the City.
- (3) To meet with the City Council on an annual basis to identify which housing issues require priority attention.
- (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the housing needs of the City.
- (5) To perform functions concerning oversight of housing issues or functions as delegated by the City Council, including monitoring the implementation of activities as described in the CHAS.
- (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council.

Appointment, Removal, Term and Vacancies of Boards and Commissions

(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:

(3) April:

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) 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 4, 2024

Agenda Item:	Ordinance 2023-22; An Ordinance Amending Article 100.060 of the Glenwood Springs Municipal Code regarding allowable idling times. Second Reading
Action Requested:	Update code 100.060 to reduce idling times to a maximum of five minutes.
Department:	City Clerk
Presented By:	Ryan Muse
Strategic Goals:	Protect and Preserve our Quality of Life Preserve and Improve Infrastructure
Background Info:	The current idling restriction of 15 minutes was set by Ordinance 1991-04. Councilor Kaup requested this ordinance at the November 16 meeting after noticing that many vehicles were left idling around the Doc Holliday trail. We reviewed the current City ordinance regarding vehicle idling and compared it with current best practices. Additionally, we reviewed other jurisdictions' idling ordinances. Other municipalities in the valley have much more stringent idling restrictions. Carbondale has a 2-minute limit. Rifle has a 5-minute limit. Based on that research, Staff is recommending revising the current idling limit from 15 minutes to 5 minutes.
Issues:	When looking at other cities and towns municipal codes, idling is restricted for multiple reasons including emissions reduction and noise pollution.
Fiscal Impact:	A minimal increase in tickets.
Legal Review:	Legal has reviewed.
Staff Recommendation:	Staff defers to Council.

ORDINANCE NO. 22

Series of 2023

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING ARTICLE 100.060 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, Article 100.060 of the Municipal Code addresses idling of motor vehicles the within the City; and

WHEREAS, idling just one car for five minutes per day can emit as many as 25 pounds of harmful air pollutants and 260 pounds of carbon dioxide a year, and these toxic air pollutants emitted from idling can impair our lungs and heart, and exhaust fumes have been linked to asthma, decreased lung function, cardiac disease, cancer and other serious health problems; and

WHEREAS, leaving a car unattended with the keys in the ignition can lead to more car thefts; and

WHEREAS, City Council finds and declares that the amendments to Article 100.060 of the Municipal Code regarding idling of motor vehicles within the City, as set forth herein are proper and necessary to advance the public health, safety and welfare of the City’s residents.

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 100.060 is hereby amended as set forth on **Exhibit A** attached hereto.

Section 3. The amendments to Article 100.060 shall become effective on _____.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS 7TH DAY OF DECEMBER 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, 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 _____ 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, 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.

ARTICLE 100.060 IDLING OF MOTOR VEHICLE ENGINES

100.060.010 Declaration of nuisance.

Continuous idling in excess of ~~fifteen (15)~~ five (5) minutes of motors of any diesel fuel-burning bus or motor vehicle or the motor of any motor vehicle of any kind whatsoever is hereby declared to be a nuisance and a public health hazard.

100.060.020 Unlawful idling.

Except as specifically provided herein, it shall be unlawful for any person to idle or permit the idling of the motor of any diesel fuel-burning bus or motor vehicle or any motor of any motor vehicle of any kind whatsoever for any continuous period of time in excess of ~~fifteen (15)~~ five (5) minutes, within the limits of the City at any time of day or night.

100.060.030 Exceptions.

The idling restriction in this article shall not apply to emergency vehicles; to vehicles engaged in traffic operations; to vehicles which are being serviced; or to vehicles en route to a destination that are stopped by traffic congestion. Furthermore, the idling restriction in this article shall not apply to vehicles which idle to operate auxiliary equipment, including, but not limited to, pumps, compressors, air-conditioning units or refrigeration units, but only when such vehicles are actively engaged in an operation for which the auxiliary equipment is required to be engaged.

Drive Your Best to SAVE FUEL & KEEP COLORADO'S AIR CLEAN

Engines OFF!



Vehicle Engine Idling: Myths and Facts

MYTH: *Pollution emitted from idling vehicles is insignificant to my health and the environment.*

FACT: It's actually quite significant. One minute of idling produces more carbon monoxide than the smoke from three packs of cigarettes. The toxic air pollutants emitted from idling can impair our lungs and heart, and exhaust fumes have been linked to asthma, decreased lung function, cardiac disease, cancer and other serious health problems. Kids, the elderly and folks with respiratory ailments are especially at risk.

Idling just one car for five minutes per day can emit as many as 25 pounds of harmful air pollutants and 260 pounds of carbon dioxide a year, the primary greenhouse gas. Throughout the Denver Metro area, idling is responsible for an estimated 40,000 tons of harmful air pollution a year and 400,000 tons of CO₂ emissions. This results in over 40 million gallons of fuel wasted while idling, costing area residences and businesses over \$100 million dollars a year.

MYTH: *Idling is good for my engine.*

FACT: An idling engine is not operating at its peak temperature, which means that fuel does not undergo complete combustion. This leaves fuel residue that can deposit on spark plugs and increase fuel consumption by up to 5%. Also, water condensation in the exhaust system can reduce the system's life.

MYTH: *Eliminating unnecessary idling won't save me money.*

FACT: One hour of idling can burn up to one gallon of fuel. Most drivers end up wasting 1-2 tanks of fuel per year due to idling. Avoiding five minutes of idling each day can save \$35-115 every year, depending on the size of your gas tank. When you idle, you get 0 miles per gallon. Talk about money going up in smoke!

MYTH: *It wastes more fuel to restart my vehicle than it does to leave it idling.*

FACT: For cars with fuel injection (which includes almost all vehicles built since the late 1980s), idling for even 10 seconds uses more fuel than restarting the engine. In fact, Ford Motor Company recommends that drivers "turn the engine off when stopped for more than 30 seconds to save fuel and reduce exhaust emission." Of course, we do not advocate turning off your engine while waiting in normal traffic. That's not a safe opportunity to prevent idling.

MYTH: *I should turn my engine off at traffic lights and stop signs.*

FACT: While your vehicle *is* idling during short stops for red lights and stop signs, this is not a safe opportunity to turn your engine off to protect air quality. The Colorado State Patrol and Engines Off Colorado discourage drivers from turning their engines off on active roadways because you cannot predict how quickly you will have to move again. But, you can still safely avoid voluntary idling in common situations, like warming up vehicles in the winter and waiting to pick up passengers.

MYTH: *Shutting off and restarting my vehicle is hard on the engine.*

FACT: Again, Ford Motor Company recommends turning the engine off, even for stops of 30 seconds, to save fuel, money, and air quality. They have said, “Frequent restarting has little impact on components that include the battery and starter motor.” Component wear caused by restarting the engine is estimated to add \$10 per year to the cost of driving, money likely to be saved many times over due to fuel savings from less idling.

MYTH: *I need to warm up my car for several minutes in the winter.*

FACT: Idling is not an effective way to warm up your vehicle. Modern engines only need to warm up for 30 seconds on cold days. Idling is a slow and ineffective way to warm up your engine. Furthermore, idling your car for several minutes before driving creates extra air pollution, since your car’s catalytic converter is not effective at reducing the pollution in your car’s exhaust until it is sufficiently hot— generally only after driving a few minutes. The best approach is to only idle for 30 seconds, and then just drive gently for the first few miles.

And whatever you do, don’t leave your car running unattended. During the winter months, thieves are on the lookout for cars left idling in driveways, alleys, and at convenience stores—and they’re ready to hop in and drive away in your car! Denver Police can ticket you for leaving a running vehicle unattended.

EXCEPTIONS FOR EXTREME COLD TEMPERATURE: Many idling regulations include exemptions for the cold temperatures that are common in Colorado’s cold winters. For example, the City & County of Denver’s idling ordinance provides exemptions if the ambient temperature has been 20 degrees or colder for the last 24 hours or 10 degrees or colder for the last hour – but this generally occurs only 10-15 days per winter.

Idling wastes fuel and pollutes our air. ***When you stop, turn your Engine Off!***



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: 2024 RFTA Traveler Intergovernmental Agreement

Action Requested: Approval of an annual agreement to provide ADA and senior transportation services.

Department: City Clerk

Presented By: Ryan Muse

Strategic Goals: Provide Efficient and Responsive City Government
Preserve and Improve Infrastructure
Protect and Preserve our Quality of Life

Background Info: Each year, the City signs agreements to provide transportation services to the disabled. This service is required by the Federal government when operating a public bus service. RFTA pays for the City's costs associated with this requirement in our annual service contract for Ride Glenwood Springs. The cost for the ADA service within Glenwood Springs is \$141,829 and is included in the annual bus budget.

The City also pays RFTA \$90,000 annually for additional Traveler services through a separate contract which is not being approved in this agenda item.

Issues: None

Fiscal Impact:

Legal Review:

Staff Recommendation: Staff recommends approval of this annual agreement.

**INTERGOVERNMENTAL AGREEMENT
FOR GARFIELD COUNTY OLDER ADULT PROGRAMS
TRAVELER SERVICES - 2024**

This Intergovernmental Agreement is made by and between the **Garfield County Board of County Commissioners, State of Colorado**, a statutory county (“BOCC”), sitting as the BOCC and as the **Board of Social Services**, and the **Roaring Fork Transportation Authority**, a regional transportation authority (“RFTA”), in order to set forth the terms and conditions of county-wide transportation services for the Garfield County Older Adult Programs for calendar year 2024 (the “IGA” or “Agreement”). This Agreement is effective as of January 1, 2024.

RECITALS

- A. The BOCC and RFTA, collectively, the “Parties,” are authorized to make the most efficient and effective use of their governmental powers, responsibilities and monies by cooperating and contracting with other governments. Colo. Const. art. XIV §§ 18(2)(a) and (2)(b); Colorado Revised Statutes § 29-1-201.
- B. In 2009, the BOCC and RFTA, together with seven (7) other governmental entities and local municipalities, entered into an Intergovernmental Agreement to set forth the terms and conditions of their cooperative provision, administration and funding of meal and transportation services to senior citizens and persons with disabilities of Garfield County (“the 9-Party IGA”). This 9-Party IGA is recorded in records of the Garfield County Clerk and Recorder at Reception No. 776142.
- C. In accordance with the 9-Party IGA, in 2009 and each consecutive year thereafter, the nine parties have also entered into a Memorandum of Understanding that sets forth each party’s annual agreement to share administrative and operational costs of the Older Adult Programs meal and transportation services and the methodology by which those costs will be allocated among them (the “MOU”).
- D. The Town of Parachute, an original signatory to the 9-Party IGA, opted out of the Garfield County Older Adult Programs for 2017. Colorado Mountain College has opted out of the 9-Party IGA. The remaining seven original signatories have agreed to continue such services and have entered a 7-Party Memorandum of Understanding for 2024. The 2024 MOU is attached to this Agreement as Attachment No. 6 and is incorporated for the purpose of explaining the cost methodology adopted regarding the 2024 transportation services (the “2024 MOU”).
- E. Pursuant to the 9-Party IGA, the BOCC agreed to provide, through its Department of Human Services (“DHS”), the contractual management of transportation services for the Older Adult Programs. (9-Party IGA, ¶ 6.) The BOCC fulfills this responsibility by, among other things, annually negotiating this Agreement with RFTA and by ensuring

proper allocation of appropriate costs to the other municipalities in accordance with the MOU.

- F. The Colorado Human Services Code and the Colorado Older Americans Act authorize and encourage DHS to provide transportation services, such as the Traveler. The Colorado Older Americans Act encourages “agencies at all levels of government” to cooperate to administer programs and deliver services to the older population.
- G. The transportation services provide ADA based services to the eligible senior citizens and persons with disabilities of Garfield County in accordance with this Agreement are provided by the Traveler bus system operated by RFTA (the “Traveler”). The Traveler also provides services that are not within the scope of this IGA.
- H. Both RFTA and the BOCC desire to continue to provide transportation services to eligible Garfield County senior citizens and persons with disabilities in 2024 in accordance with the IGA and appropriate 2024 MOU.

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

AGREEMENT

1. Incorporation of Recitals. The foregoing Recitals are incorporated as if set forth in full.
2. Purpose of this Agreement. The purpose of this IGA is to define the responsibilities of the respective Parties with respect to the provision of transportation services to the eligible senior citizens, and persons with disabilities, defined below, of Garfield County.
3. Term of Agreement. This Agreement shall have an Effective Date of January 1, 2024 regardless of the date signed and shall terminate on December 31, 2024.
4. Transportation Services Provided. The transportation services funded by this Agreement are wheelchair accessible, curb to curb, driver assisted transportation services to Garfield County residents sixty-five (65) years old and older who have difficulty utilizing public transportation (“Seniors”). The Traveler also serves citizens under the age of sixty-five (65) with a functional disability affecting the ability to use public transportation. The Traveler provides transportation to destinations throughout Garfield County. In order to achieve the stated purpose, the BOCC specifically grants RFTA the authority to operate outside RFTA’s boundaries and within the unincorporated boundaries of Garfield County, consistent with the provisions of C.R.S. § 43-4-605(1)(f) as required to comply with this IGA. Riders must make reservations 48 hours in advance.
5. Contract Amount. The amount to be paid by the BOCC to RFTA in 2024 for the provision of the services contemplated by this Agreement is **Six Hundred Six Thousand, Four**

Hundred Forty Five Dollars (\$606,445.00). This amount is based upon RFTA's estimated cost to provide the services in 2024 less amounts received by RFTA from other sources who utilize the Traveler bus system and less the cost to provide such services to the Town of Carbondale, the City of Glenwood Springs and the Town of New Castle, each of which is a member of RFTA. Amounts are projected and should they reflect a higher cost, those funds will be paid through the Restricted Fund Balance/The Traveler.

- a. RFTA's Estimated Cost. The Parties recognize that RFTA's estimate of its costs to provide Traveler services is solely RFTA's responsibility; the BOCC is not responsible in any way for verifying or assuring the accuracy of RFTA's calculation. For 2024, RFTA estimates that its cost to provide these services is **\$817,426.00**.
 - b. Other Traveler Services. The Parties recognize that RFTA's operation of the Traveler by means of this IGA does not include funding for ADA complementary paratransit services in the City of Glenwood Springs. Funding for this complementary paratransit service is provided by a separate contract between the City of Glenwood Springs and RFTA, which RFTA represents to be **\$30,000.00** for 2024.
 - c. RFTA Member Jurisdictions. The cost to provide senior transportation services to RFTA's member jurisdictions is calculated by the cost methodology set forth in the 2024 MOU, to which both the BOCC and RFTA are parties. For 2024, the total transportation cost attributable to these member jurisdictions pursuant to the applicable methodology is **\$180,981.00**.
6. RFTA Responsibilities. In order to accomplish the purposes of this IGA, RFTA agrees to perform the following:
- a. Transportation Services. RFTA shall provide and administer the transportation services described in RFTA's Scope of Services, attached as Attachment No. 1, and Exhibits A - B thereto, which are incorporated here as if fully set forth, plus certain special events, which in prior years have included the Garfield County Air Show, Volunteer Appreciation Luncheon and a Holiday show.
 - b. Vehicle Inventory. RFTA shall purchase new vehicles as needed to maintain the Traveler Vehicle Inventory. Title to such vehicles will be held in RFTA's name. RFTA will update the Vehicle Inventory as required by the addition and/or removal of vehicles, in accordance with paragraph 6(c).
 - c. Vehicle Replacement. In the event that any vehicle included on the Vehicle Inventory reaches the end of its useful life, RFTA shall either: (1) sell the vehicle by means of an advertised sealed bid and remit any proceeds of the sale to the BOCC; or (2) convey title to the vehicle to the BOCC by written agreement, at which time the vehicle shall be removed from the Vehicle Inventory. The Parties recognize the disposition of any

vehicle must be in accordance with the rights of lien holders identified on the vehicle title.

- d. Vehicle Transfer. Upon expiration of this IGA, if not extended by future agreements, RFTA shall transfer title to all vehicles listed on the Vehicle Inventory to the BOCC.
- e. Communication System. RFTA shall continue to utilize its communication system for Traveler services.
- f. Donations and Contributions. RFTA shall provide to the BOCC all fees collected and/or donations received for support of the senior transportation programs in accordance with Attachment No. 1, paragraph 4.
- g. Functional Assessment Assistance. Traveler staff will do everything related to Functional Assessments. RFTA shall provide all intake and other information received from potential new clients who wish to apply for Traveler services to the BOCC's Older Adult Programs upon receipt and shall lead in the functional assessment process. RFTA will provide to the BOCC's Older Adult Programs monthly the number of potential new clients, out of assessments and applications pending.
- h. Monthly Financial Reports. RFTA shall provide the financial and other reports detailed in Attachment No. 1 to DHS monthly. Such reports shall include, without limitation, a monthly report of all expenses attributed by RFTA to the transportation services made the basis of this Agreement. The Parties agree to identify a mutually acceptable format for performance and fiscal reporting.
- i. Annual Reconciliation Report. In addition to the monthly reports, on or before February 15, 2024, RFTA shall provide a reconciliation report for the operation of the Traveler for the 2024 calendar year. RFTA's obligations to submit a reconciliation report and return funds or request expenses shall survive termination of this IGA.
- j. Right to Audit. RFTA shall allow the BOCC to audit RFTA's books and records relating to the operation of the Traveler upon reasonable notice at any time during the term of this Agreement and for six (6) months thereafter. The audit shall be at the BOCC's expense except for reasonable RFTA personnel costs. The BOCC shall provide RFTA with a copy of any audit report within thirty (30) days following receipt by the BOCC. In addition, if requested, RFTA will provide the BOCC with a copy of its annual audit within thirty (30) days of the BOCC's request.
- k. Claim Notification. RFTA shall immediately notify the BOCC, through the Older Adult Programs, of any incident involving the Traveler and any claim or lawsuit made against the Traveler or RFTA in writing in accordance with paragraph 15, and shall cooperate with the BOCC in responding to all complaints, claims or suits. Passenger

Complaints shall further be handled in accordance with paragraph 6 of Attachment No. 1. The Traveler handles all complaints and communicates the outcomes to the BOCC's Older Adult Programs after appropriate investigations have been completed.

- l. Funding Sources. RFTA and the BOCC shall cooperate with each other to identify and apply for grants, donations, and other funding opportunities for both the purchase of vehicles and operational funding associated with providing senior transportation services.
 - m. Cost Methodology. RFTA acknowledges and agrees to the Cost Methodology related to the allocation of Older Adult Programs transportation services agreed to in the 2024 MOU, and included in the 2024 budget approved by the RFTA Board on December 14, 2023. If the actual 2024 costs exceed the budget, they will be covered by means of the Annual Reconciliation and True-up procedure as set forth in the MOU, or by the fund established after cost savings at the end of the year have been recognized.
7. BOCC Responsibilities. In order to accomplish the purposes of this IGA, the BOCC, directly or through DHS, agrees perform the following:
- a. Compensation. For calendar year 2024, the BOCC shall pay RFTA the amount set forth in paragraph 5, \$606,445.00 in eleven (11) monthly payments of \$50,537.08 and one monthly payment of \$50,537.12 beginning no later than February 26, 2023, and each 10th day of the month thereafter during the 2024 term of this IGA.
 - b. Functional Assessment Evaluations. Traveler staff will take over the Functional Assessments including mailing applications, scheduling assessments, and providing outcome data to the BOCC's Older Adult Programs monthly.
 - c. Training Assistance. All training related to providing transportation to Traveler clients will be provided by RFTA supervisors.
 - d. Funding Sources. RFTA and the BOCC shall cooperate with each other to identify and apply for grants, donations, and other funding opportunities for both the purchase of vehicles and operational funding associated with providing senior transportation services.
 - e. Complaint and Claim Cooperation. The BOCC shall cooperate with RFTA to respond to passenger complaints and claims of which the County has been notified by RFTA in accordance with paragraph 6(l).
 - f. Bilingual Literature. The BOCC agrees to provide written information for distribution in both English and Spanish regarding the services provided by the Traveler.”

- g. Fuel Access. The BOCC agrees to grant access to Traveler vehicles to the BOCC fueling stations by means of the Garfield County's gas fueling system. All fuel costs will be paid by RFTA, the expense for which may be credited to the monthly invoice amount set forth in paragraph 7(a).

8. Definitions:

- a. Initial Pickup Location: The initial pickup location for cost allocation purposes is the Municipality in which the first leg of a passenger's trip occurs, whether it is a round trip, a one-way trip, or a multi-legged trip. For example, if a passenger is picked up in municipality A to be transported to Municipality B and is later picked up in Municipality B for a return ride to Municipality A, the initial pickup location for cost allocation purposes is Municipality A for both trip legs.
- b. One-Way Passenger Trips: This represents vehicles transporting passengers one way from their origins to their destinations on any leg of their trips. This does not mean round trips or vehicle trips, since more than one passenger can be riding on a vehicle at the same time resulting in "X" number of one-way passenger trips.
- c. Loaded Miles: Loaded miles are the total distance driven while a passenger is in the vehicle.
- d. Loaded Minutes: Loaded minutes are the total duration of time while a passenger is in the vehicle.

9. Termination. Either Party may terminate this IGA upon a minimum of thirty (30) calendar days after the date of written notification by the other Party. Such termination may be with or without cause. Upon such termination, RFTA shall be entitled to compensation for operation of the transportation services provided prior to the date of termination. Unexpended funds shall be returned to the BOCC and all vehicles and equipment shall be conveyed or assigned to the BOCC, in accordance with paragraph 6(d).

10. Indemnification. To the extent permitted by law, the Parties shall hold harmless, indemnify and defend the other, including the other's employees, officers, agents, and assigns, from any claim, lawsuit or award of damages, to the extent such claim, lawsuit or award arises from the action or inaction of that party's officers, employees and agents. Nothing herein shall be interpreted as a waiver of governmental immunity to which the BOCC or RFTA would otherwise be entitled under C.R.S. § 24-6-101, *et seq* .

11. Appropriation. This IGA is expressly contingent upon appropriation and budgeting for the costs required herein. Should either RFTA or the BOCC fail to appropriate or have available sufficient funds to pay for the costs of the obligations set forth herein, this IGA shall be considered of no force and effect, except to the extent that the BOCC has tendered payment to RFTA as set forth herein.

12. Whole Agreement. This IGA sets forth the whole agreement of the Parties. No representation, either verbal or written, shall be considered binding to the extent it is not set forth herein.

13. Amendment and Assignment. This IGA may be amended, altered, or modified solely through a written agreement signed by both Parties. This IGA may not be assigned without written agreement.

14. Facsimiles and Counterparts. This IGA and all documents required for performance may be signed in counterparts. Facsimile signatures may be substituted for originals on such documents.

15. Notice and Identity of Administrators and Contact Persons. Notices required under this IGA shall be in writing and may be hand-delivered, sent by receipted delivery service or certified mail, return receipt requested, postage prepaid, or delivered electronically to the addresses and authorized representatives, identified below. Any Party by notice so given may change the address to which future notices shall be sent, as well as the identity of the IGA Administrator.

Notice to RFTA: Administrator Contact Person	Dan Blankenship, Chief Executive Officer Roaring Fork Transportation Authority 2307 Wulfsohn Road Glenwood Springs, CO 81601 Phone: (970) 384-4981 Fax: (970) 945-7386 E-mail: dblankenship@rfta.com
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Notice to BOCC: Administrator	Sharon Longhurst-Pritt, DHS Director 195 West 14 th Street, Building B Rifle, CO 81650 Phone: (970) 625-5282, Ext 3265 Fax: (970) 625-0927 E-mail: spritt@garfield-county.com
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Contact Person For BOCC:	Sheila Strouse, Child, Family, and Adult Services Division Manager 195 West 14 th Street, Building B Rifle, CO 81650 Phone: (970) 625-5282, Ext. 3117 Fax: (970) 665-6350 E-mail: sstrouse@garfield-county.com
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16. Authority. Each person signing this IGA represents and warrants that said person is fully authorized to enter into and execute this document and bind the Party represented.

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

IN WITNESS WHEREOF, the Parties have executed this IGA to be effective on January 1, 2024.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
GARFIELD COUNTY, COLORADO and
BOARD OF SOCIAL SERVICES**

Clerk to the Board

By: _____
John Martin, Chair

Dated: _____

ATTEST:

**ROARING FORK TRANSPORTATION
AUTHORITY**

Clerk to the RFTA Board of Directors

By: _____
Jeanne McQueeney, Chair

Dated: _____

INDEX OF ATTACHMENTS

Attachment No. 1: 2024 RFTA Scope of Services

Exhibit A: 2024 Vehicle Inventory

Exhibit B: 2024 County Holidays

Attachment No. 2: 2024 Transportation Cost Methodology

Attachment No. 3: 2024 RFTA Budget

Attachment No. 4: Transportation Arithmetic & Assumptions

Table 1 Cost Allocation Basis 2024 Draft Budget

Table 2 Summary of Cost with Adjustments for Glenwood Springs Take Off & Garfield County Contributions

Attachment No. 5: 2024 Combined Congregate Meal, Well & Wise and Transportation Service Costs

Attachment No. 6: 2024 7-Party Memorandum of Understanding

Attachment No. 1 to Traveler IGA 2024

RFTA SCOPE OF SERVICES

1. Service Description: The services to be performed by RFTA shall include, but not be limited to, scheduling the most appropriate and cost-effective trips, providing individual transportation services on a pre-arranged and/or scheduled basis for all eligible Garfield County residents. The present 2024 Vehicle Inventory and Garfield County Holiday Schedule are attached as Exhibits A and B, respectively. All of the items specified below shall be documented, updated, and maintained in written form by RFTA and shall be made available to the County upon request.

2. Services Provided. RFTA shall be responsible for day-to-day administration and provision of the Traveler bus services in Garfield County, including:

- a. Provide Garfield County trips to congregate meal sites, medical-related appointments locally, social activities, paid and volunteer employment, and to activities of daily living destinations as agreed to by the County and RFTA and providing at least one trip per month for medical-related appointments.
- b. Maintain the Traveler schedule including days of the week (currently 5 days a week, Monday through Friday), excluding Garfield County Holidays (see Exhibit B), number of rides provided by jurisdiction, starting location, destinations, and type of service (i.e., wheelchair accessible, curb to curb, driver assisted transportation).
- c. Deliver meals in East Garfield. Meals at Carbondale and Glenwood Springs meal sites are delivered by the contracted vendor. Traveler will deliver meals from the Rifle Senior Center kitchen to the West Garfield meal sites as identified by Garfield County Older Adult Programs. Meals shall be transported in a cambro and be properly secured in the vehicles.
- d. Provide all personnel services, including but not limited to recruiting, hiring, performing background checks, training, supervising and monitoring qualified Traveler staff including program managers, drivers, dispatchers, schedulers, and others, according to applicable law, rules and regulations.
- e. Coordinate the training of Traveler staff regarding the special skills and sensitivity needed when serving senior citizens and adults with disabilities utilizing the Traveler.
- f. Coordinate between the Traveler and the RFTA fixed route service to maximize services in Garfield County for senior citizens and adults with disabilities.
- g. Work with the Garfield County Child, Family, and Adult Services Program Division Manager and DHS Finance and Contracts Administrator toward a mutually agreed upon format for performance and fiscal reporting and on the report submission schedule.

- h. Distribute information on the Traveler provided by the BOCC in English and Spanish, with the assistance of Garfield County Older Adult Programs, including Traveler usage rules and information on the Garfield County Older Adult Programs.
- i. Carry out Traveler operations in accordance with applicable federal, state and local rules, regulations, statutes, laws, and policies and procedures.
- j. Discuss any major purchase, e.g. communication equipment or new vehicles, for which funds provided under this IGA will be used, with Garfield County Older Adult Programs. Any vehicles and equipment purchased with contract funds shall be conveyed to the BOCC and shall be returned to the possession of the BOCC if RFTA ceases to provide services described herein.
- k. Maintain the confidentiality of all users of the Traveler.
- l. Participate in the Garfield Emergency Operations when necessary.
- m. Traveler services will be adjusted because of Governor orders or Public Health recommendations. This may include but is not limited to additional cleaning regimes, mask wearing compliance, limited number of passengers on the Traveler at one time and other such activities as directed through orders of the Governor or CDPH.

3. Vehicles: RFTA shall:

- a. Regularly maintain, and keep in a good quality, attractive, and safe condition all vehicles identified on the Vehicle Inventory list attached as Exhibit A and used in providing Traveler transportation services. In the event of mechanical breakdown by a vehicle which results in the removal of a vehicle from service, RFTA shall have a reasonable time during that same day within which to replace the affected vehicle.
- b. License, register and insure all vehicles used in the Traveler identified on Exhibit A and add the BOCC as a “loss payee” or “additional insured,” as appropriate, along with the lien holders identified on the vehicle titles or registrations.
- c. Provide proof of current registration and insurance in accordance with paragraph 3(b) to the DHS Older Adult Programs for calendar year 2024.
- d. Allow the BOCC to change signage on the Traveler vehicles to reflect program management by Garfield County, RFTA and organizations providing funding.

4. Collection of Revenue: RFTA shall develop a procedure for offering users of the Traveler the opportunity to contribute to the costs of the services and shall not deny services if a passenger cannot contribute.

RFTA shall collect any fares from Traveler passengers and provide such collections to the BOCC through DHS Older Adult Programs on a weekly basis.

5. Service Reports and Audit: RFTA shall submit to the BOCC, through Older Adult Programs in the Department of Human Services, a monthly report due on the 10th of the following month. The report will include the following information:

- the actual route hours and miles incurred;
- specific number of one-way rides provided during the prior month by each jurisdiction, indicating type of ride and including whether the ride was ADA, Para-transit, Assisted, Lift Ride or Wheelchair;
- the number of trips denied and the reasons denied;
- the use of a waiting list, if a list is required;
- variance in the Traveler's user numbers or expenditures. RFTA shall alert the County with possible remedies and adjustments if user figures or dollars expended rise or fall significantly;
- amount of program income received from Traveler ridership;
- number of persons eligible for Traveler service and the number utilizing the service each month; and
- completed and updated Rider Information including any re-assessments and new functional assessments completed during the month and any denied assessment information. Share any riders whose status has changed from active to inactive monthly, updated rider information such as changes in address or phone numbers.

6. Passenger Complaints. Every complaint, concern or suggestion concerning the Traveler shall be responded to as promptly as practicable. RFTA shall maintain a program providing a reasonable opportunity for users of the Traveler to render complaints, suggestions, and comments concerning the Traveler. RFTA shall provide the BOCC, through its Older Adult Programs, with copies of all communications received by customers on a monthly basis, by the 20th of the month following the month in which they occurred.

7. Traveler Drivers: RFTA shall ensure that all Traveler drivers comply with all local, state and federal laws and regulations applicable to providing transit services. In recognition of the quality and care of services provided by RFTA and the importance of a first impression made on the public, RFTA management shall monitor the following appearance standards for drivers on the Traveler routes:

- a. Drivers shall present a neat, clean, hygienic and professional appearance at all times.
- b. Smoking, chewing tobacco, or reading personal materials shall not be permitted while boarding or transporting passengers.
- c. The cleanliness and appearance of the interior and exterior of each van.

8. Transportation Services.

- a. Cost Methodology - Transportation: The BOCC agrees to be responsible for fifty percent (50%) of the total budgeted cost to provide Senior Transportation Services in 2024. The remaining fifty

percent is paid for by grant and program funding income and allocated payments from the Municipalities based upon the fully allocated cost of providing services considering the total number of trips, total Loaded Miles, and total Loaded Minutes consumed by each Municipality. Costs will be considered allocable to a Municipality based upon the Initial Pickup Location as defined herein, regardless of the number of trip legs or Municipalities visited by the passenger. RFTA agrees to be responsible for the fully allocated cost of the transportation services provided to the three Municipalities that are current RFTA members: the Town of Carbondale, the City of Glenwood Springs, and the Town of New Castle. The remaining non-RFTA member Municipalities, the City of Rifle and the Town of Silt agree to pay the fully allocated cost of transportation allocable to their municipalities. The BOCC agrees to be responsible for any remaining transportation costs, including any shortfalls in anticipated grant and program funding income.

- b. 2024 Budgeted Contributions: As illustrated in Attachment 2, the total budgeted cost to provide Senior Transportation Services in 2024 is **\$818,279.00**. This cost represents the costs to the BOCC and to RFTA to provide such services in the amounts of **\$30,853.00** and **\$817,426.00**, respectively, less the amount of **\$30,000.00** received by RFTA from other sources who utilize the Traveler bus system pursuant to a contractual agreement that is unrelated to this MOU. The BOCC's 50% share of this amount equals **\$409,139.50**. Anticipated grant and program funding income for 2024 is **\$80,000.00** for a total of **\$489,139.50** in contributions from the county and from grants and program income.
- c. Allocation of County Contribution and Grant and Program Income: The County's contribution, inclusive of its 50% commitment and anticipated grant and program income, shall be allocated first to the cost of rides originating in unincorporated Garfield County. Any remaining balance shall be allocated on a pro rata basis relative to each other party's fully allocated cost.
- d. Estimated Contributions: The following estimates are offered to aid the Municipalities in planning and budgeting for their portion of the Traveler costs. The amounts shown are based on the 2024 budgeted amounts identified above and a forecast of ridership and services levels for 2024.

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Municipality	Est. One-Way Passenger Trips	Est. Loaded Miles	Est. Loaded Minutes	Est. Fully Allocated Cost	Est. Allocation of County Contribution, Grants & Program Income	Est. Net Responsibility for Each Municipality
Carbondale	260	2,550	6,770	\$23,545	\$11,534	\$12,011
Glenwood Springs	3,850	16,150	81,130	\$278,030	\$136,200	\$141,829
Newcastle	560	7,060	14,530	\$53,206	\$26,064	\$27,141
Silt	50	360	980	\$3,724	\$1,824	\$1,900
Rifle	4,760	12,990	75,410	\$286,711	\$140,453	\$146,258
Garfield County	1,720	21,400	50,160	\$173,063	\$173,063	-
Total	11,200	60,510	228,980	\$818,279	\$489,140	\$329,140

- e. Monthly Billing: RFTA will pay directly for the full allocated net costs attributable to its member jurisdictions and each of the remaining Parties will pay the County the amount shown on their respective lines in the Chart above.
- f. Annual Reconciliation and True-up: No later than February 15, 2025, RFTA will publish a reconciliation statement. Actual expenditures for the 2024 year will be allocated based on the actual one-way passenger trips and estimated load miles and loaded minutes provided to the Parties in 2024. If the total fully allocated costs calculated for any Party during the preceding year exceeds the amount paid by the Party during the preceding year, a reconciliation credit or debit in the amount of the difference will be made for each such Party by the County. If a credit is due, RFTA will pay back to the County the amount it has been overpaid by the County for any Party or Parties within 30-days of the reconciliation statement. If a debit is owed, the Party or Parties owing the debit will pay the County the amount owed within 30 days of receiving the reconciliation statement, and the County will remit any additional payments received and owed to RFTA within 30 days of receipt of the Party or Party's debit payment(s) to the County.

EXHIBIT “A” TO ATTACHMENT 1 **2024 TRAVELER VEHICLE INVENTORY**

January 2024 Traveler Vehicles

Vehicle Number	Year	Vehicle Make & Model	Accessibility Features/Uses	Seating Capacity	Staging Area	License Number	VIN	Owned By	Fuel Tye
G01	2000	2000 FORD WINDSTAR	Admin	7	Fogging	075HTP	2FMZA5141YBA71684	RFTA	Gas
G07	2006	2006 TOYOTA SIENNA	Admin	5	Primary Rifle	794JCI	5TDZA23C16S460666	RFTA	Gas
G08	2007	2007 E-450 CUTAWAY	Mid-LIFT 2WC	14	GMF / Rifle	796JCI	1FDXE45S76DB15709	RFTA	Gas
G11	2009	2009 FORD E450	Mid-LIFT 2WC	14	GMF / Rifle	377VHC	1FDFE45SX9DA61905	Traveler	Gas
G12	2009	2009 FORD E450	Mid-LIFT 2WC	14	GMF / Rifle	378VHC	1FDEE35L49DA88564	Traveler	Gas
C12	2013	FORD EXPLORER	Admin	8	Primary / Blake	703DBF	1FM5K8D81DGB59245	RTFA	Gas
G14	2015	2015 GLAVAL BUS	REAR LIFT 2WC	14	GMF	528RUQ	1FDFE4FS9FDA12107	Traveler	CNG
G15	2015	2015 GLAVAL BUS	REAR LIFT 2WC	14	GMF	529RUQ	1FDFE4FS6FDA30502	Traveler	CNG
G16	2018	2018 GOSHEN IMPULSE E450 2WD	REAR LIFT 2WC	14	GMF / Rifle	OHK929	1FDFE4FS0JDC31000	Traveler	Gas
G17	2018	2018 GOSHEN IMPULSE E450 2WD	REAR LIFT 2WC	14	GMF / Rifle	OHK930	1FDFE4FS2JDC31001	Traveler	Gas
G18	2021	2021 ELKHART COACH ECII	REAR LIFT 2WC	14	GMF / Rifle	CDNN77	1FDFE4FN6MDC21859	Traveler	Gas
G19	2021	2021 ELKHART COACH ECII	REAR LIFT 2WC	14	GMF / Rifle	CDNN78	1FDFE4FN2MDC21860	Traveler	Gas

EXHIBIT “B” TO ATTACHMENT 1
2024 GARFIELD COUNTY HOLIDAY SCHEDULE

Monday, January 1st – New Year’s Day
Monday, February 19th – President’s Day
Monday, May 27th – Memorial Day
Thursday, July 4th – Independence Day
Monday, September 2nd – Labor Day
Monday, November 11th – Veteran’s Day
Thursday, November 28th – Thanksgiving Day
Friday, November 29th – Post Thanksgiving Day
Monday, December 23rd – Pre-Christmas Eve Day
Tuesday, December 24th – Christmas Eve Day
Wednesday, December 25th – Christmas Day

Attachment No. 2: 2024 Transportation Cost Methodology

Cost Methodology—2024	
Transportation Budget	Annual
Wages	\$ 19,491.00
Employee Benefits	\$ 10,762.00
Communication	\$ 200.00
Training	\$ 100.00
Computer Supplies	\$ 200.00
Freight, Postage, Delivery	\$ 100.00
Total County Expenses	\$ 30,853.00
RFTA	\$ 817,426.00
MINUS GWS Paratransit	\$ 30,000.00
Total RFTA Expenses	\$ 787,426.00
Total Expenses	\$ 818,279.00
Less Program Income	\$ 17,000.00
Less CSBG	\$ 63,000.00
Total G/P Income	\$ 80,000.00
Less County Share	\$ 409,139.50
Total 50% County Share	\$ 409,139.50
Total Revenue	\$ 489,139.50
Total Expenses	\$ 818,279.00
Income less expenses	\$ 329,139.50
Municipal Budget Share for Distribution	\$ 329,139.50

2024 Traveler Forecast Service And Cost Data

A	B	C	D	E	F	G
Jurisdiction	Est. One-Way Passenger Trips	Est. Loaded Miles	Est. Loaded Minutes	Est. Fully Allocated Cost	Est. Allocation of County Contribution, Grants & Program Income	Est. Net Responsibility for Each Municipality
Carbondale	260	2,550	6,770	\$ 23,545	\$ 11,534	\$ 12,011
Glenwood Springs	3,850	16,150	81,130	\$ 278,030	\$ 136,200	\$ 141,829
New Castle	560	7,060	14,530	\$ 53,206	\$ 26,064	\$ 27,141
Silt	50	360	980	\$ 3,724	\$ 1,824	\$ 1,900
Rifle	4,760	12,990	75,410	\$ 286,711	\$ 140,453	\$ 146,258
Garfield County	1,720	21,400	50,160	\$ 173,063	\$ 173,063	\$ -
Total	11,200	60,510	228,980	818,279	489,140	329,140

Attachment No. 3: 2024 RFTA Budget

2024 BUDGET / 2023 Forecast - 09-2023: Year-To-Date and Annualized Cost and Service Data

Line Item	Breakdown	Pay Periods		Forecast	UPDATE		Variance	2024 Budget
		2023 Budget	YTD Actual		2023 Forecast			
Salaries Supervisor Ops Dpt		111,700	58,379	89,285	91,880	(19,814)		98,703
Salaries NonCDL Bus (FTYR) Ops Dpt		213,700	135,963	207,943	207,943	(5,757)		221,488
Salaries NonCDL Bus (PTYR) Ops Dpt		47,840	28,575	40,644	40,644	(7,196)		38,289
Salaries Transit Dispatch		68,000	46,499	71,116	71,116	3,116		79,770
Salaries Mechanics Mtn Dpt		32,000	31,610	47,414	47,414	15,414		50,730
Alternative Activity		2,550	311	533	2,861	311		2,550
Overtime Pay		6,000				4,270		9,740
Overtime Pay - Supervisors			2,923	4,470	4,470			
Overtime Pay - nonCDL FT			3,571	5,461	5,461			
Overtime Pay - Transit Dispatch			221	338	338			
Bonus Pay		1,750				250		2,000
Bonus Safety			1,000	1,500	2,000			
Shift Pay		4,600				(887)		3,780
Shift Pay - CDL FT			-	-	-			
Shift Pay - nonCDL FT			2,111	3,229	3,713			
Separation Pay - Supervisor			11,892	11,892	11,892	11,892		-
Fringe Benefits Ops Dept	(61)	67,000				(5,515)		75,481
Fringe Benefits - Supervisor	17,474		11,333	17,333	17,333			
Fringe Benefits - CDL FT			-	-	-			
Fringe Benefits - nonCDL FT	33,445		18,276	27,952	29,350			
Fringe Benefits - nonCDL PT	5,503		2,011	3,075	3,844			
Fringe Benefits - Dispatch	10,639		7,165	10,959	10,959			
Health Insurance Ops Dept	17	68,100				1,012		
Health Insurance - Supervisor	16,844		7,025	10,537	10,537			79,085
Health Insurance - Relief Sup			4	7	7			
Health Insurance - nonCDL FT	37,116		29,287	43,931	44,361			
Health Insurance - nonCDL PT	-		22	33	33			
Health Insurance - Dispatch	14,123		9,449	14,173	14,173			
Subtotal Compensation		623,240	405,428	611,628	620,137	(3,103)		661,616
Admin Overhead		40,000	26,667	40,000	40,000	-		40,000
Vehicle Insurance		9,000	-	-	10,940	1,940		15,000
Office Rental		19,703	11,041	16,562	16,562	(1,141)		20,510
Telephone/Communications		11,000	5,970	8,954	9,454	(1,546)		11,000
Staff Training		1,000	25	38	1,000	-		1,000
Travel		756	-	-	756	-		760
Office Supplies		550	242	363	550	-		800
Postage		200	128	189	200	-		400
Subtotal Admin		82,209	44,070	66,105	81,462	(747)		89,470
Repairs-Third pty services		33,000	20,967	35,944	33,000	-		34,320
Drug and Alcohol Testing		672	-	-	672	-		600
DOT Exams		672	-	-	672	-		600
Unleaded Fuel		13,000	4,988	8,550	9,050	(3,950)		9,010
Compressed Natural Gas		8,000	5,684	9,744	9,744	1,744		9,610
Software Support		10,230	-	-	11,730	1,500		12,200
Prior Year Expenses		-	71	122	71	71		-
Subtotal Operating		65,574	31,710	54,360	64,939	(635)		66,340
Total Budget / Forecast		771,023	481,208	732,093	766,538	(4,485)		817,426

Attachment No. 4: Transportation Arithmetic & Assumptions

Table 1. Cost Allocation Basis Draft Budget

2024 Budget

Compensation	Amount	Cost Category	Varies By
Administration	\$ 79,770	Fixed	
Transportation Supervisor	\$ 98,703	Fixed	
Relief Supervisor			
Bus Operator 3 (FTYR)			
Bus Operator 2 (PTYR)	\$ 38,289	Variable	Hours
Bus Operator 1 (Non CDL)(FTYR)	\$ 221,488	Variable	Hours
Mechanics	\$ 50,730	Variable	Miles
Overtime Pay	\$ 9,740	Variable	Hours
Alt Activity	\$ 2,550	Variable	Hours
Bonus Pay	\$ 2,000	Variable	Hours
Shift Pay	\$ 3,780	Variable	Hours
Separation Pay	\$ -	Variable	Hours
Fringe Benefits	\$ 75,481	Variable	Hours
Health Insurance	\$ 79,085	Variable	Hours
Subtotal Traveler's Compensation Expenditures	\$ 661,616		
Admin Operating Expenditures			
Admin Overhead	\$ 40,000	Fixed	
Third Party Consulting			
Vehicle Insurance	\$ 15,000	Fixed	
Office Rental	\$ 20,510	Fixed	
Telephone/Communications	\$ 11,000	Fixed	
Staff Training	\$ 1,000	Variable	Hours
Travel	\$ 760	Fixed	
Office Supplies	\$ 800	Fixed	
Postage	\$ 400	Fixed	
Subtotal Traveler's Admin Operating Expenditures	\$ 89,470		
Operating Expenditures			
Repairs & Maintenance	\$ 34,320	Variable	Miles
Third party services			
Drug & Alcohol Testing	\$ 600	Variable	Hours
DOT Exams	\$ 600	Variable	Hours
Equipment			
Unleaded Fuel	\$ 9,010	Variable	Miles
Compressed Natural Gas	\$ 9,610	Variable	Miles
Software Support	\$ 12,200	Fixed	
Subtotal Traveler's Operating Expenditures	\$ 66,340		
Total Traveler's Expenditures	\$ 817,426		

Table 2
Summary of 2024 Budgeted Costs by Cost Driver with Adjustments for Glenwood Takeoff & County Contributions

Summary of 2024 Budgeted Costs by Cost Driver with Adjustments for Glenwood Takeoff & County Contributions

A	B	C	D	E	F
Cost Allocation Expense Category	Total Budgeted Expense by Cost Allocation Category	Distribution	Glenwood ADA Takeoff	Garfield County Administrative Expense	Traveler Costs
Variable Hours (Loaded Minutes)	\$ 434,613	53.17%	\$ 15,951	\$ -	\$ 418,662
Variable Miles	\$ 103,670	12.68%	\$ 3,805	\$ -	\$ 99,865
Fixed	\$ 279,143	34.15%	\$ 10,245	\$ 30,853	\$ 299,751
Total	\$ 817,426	100.00%	\$ 30,000	\$ 30,853	\$ 818,279

Garfield County 50% Contribution, Grants and Program Income

Garfield County 50% Contribution	\$ 409,140
Estimated Grants and Program Income	\$ 80,000
Total County Contribution, Grants and Program Income	\$ 489,140

Attachment No. 5:

2024 Combined Congregate Meal, Well & Wise and Transportation Service Costs

COMBINED CONTRIBUTION BREAKDOWN

	2024	2024	2024	2024	RF1A	2024	2024	2024	2024
Jurisdiction	Nutrition Contribution	Transportation Contribution	Well & Wise Contribution	Total Contributions	Transportation Contribution	Nutrition Contribution	Transportation Contribution	Well & Wise Contribution	Net Adjusted Total
Carbondale	\$19,287.15	\$12,011.00	-	\$31,298.15	\$12,011.00	\$19,287.15	-	-	\$19,287.15
Glenwood Springs	\$59,049.89	\$141,829.00	-	\$200,878.89	\$141,829.00	\$59,049.89	-	-	\$59,049.89
New Castle	\$9,244.41	\$27,141.00	-	\$36,385.41	\$27,141.00	\$9,244.41	-	-	\$9,244.41
Silt	\$20,185.28	\$1,900.00	-	\$22,085.28		\$20,185.28	\$1,900.00	-	\$22,085.28
Rifle	\$49,578.68	\$146,258.00	-	\$195,836.68		\$49,578.68	\$146,258.00	-	\$195,836.68
Garfield County	\$260,563.60	\$409,139.50	\$16,596.00	\$686,299.10		\$260,563.60	\$409,139.50	\$16,596.00	\$686,299.10
Totals	\$417,909.00	\$738,278.50	\$16,596.00	\$1,172,783.50	\$180,981.00	\$417,909.00	\$557,297.50	\$16,596.00	\$991,802.50



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item:	2024 Senior Services 7 Party Memorandum of Understanding
Action Requested:	Approve the Mayor's signature on the seven party multi-jurisdictional Memorandum of Understanding agreement for senior services.
Department:	Engineering
Presented By:	Ryan Gordon
Strategic Goals:	Provide Efficient and Responsive City Government Protect and Preserve our Quality of Life
Background Info:	The purpose of this Memorandum of Understanding (MOU) is to define the terms and conditions by which the 7-Parties will collectively provide, administer and fund county-wide meal and transportation services for the Garfield County Senior Programs for calendar year 2024.
Issues:	None
Fiscal Impact:	The County covers 40% of all expenses for the senior congregate meal program. Each jurisdiction pays a proportionate share of the remaining cost based on usage in the jurisdiction. Under this agreement, the city's total contribution is \$59,049.89. The transit aspect for senior transportation services is combined with the disabled traveler services. The Bus Tax forecasts \$121,000 in deficit spending including these costs, but we still forecast a healthy available fund balance of \$2.5 million at the end of 2024.
Legal Review:	
Staff Recommendation:	Authorize the Mayor's signature on the seven party Memorandum of Understanding and the associated supplemental appropriation from the Bus Tax Fund.

**7-PARTY MEMORANDUM OF UNDERSTANDING
REGARDING GARFIELD COUNTY OLDER ADULT PROGRAMS
FOR 2024**

This Memorandum of Understanding is entered into between:

The Garfield County Board of County Commissioners, ("BOCC")

The City of Rifle, Colorado,

The City of Glenwood Springs, Colorado,

The Town of Carbondale, Colorado,

The Town of New Castle, Colorado,

The Town of Silt, Colorado,

Roaring Fork Transportation Authority, ("RFTA")

(collectively, the "7-Parties") in order to set forth the terms and conditions of their cooperative provision, administration, and funding of a county-wide meal and transportation services for the Garfield County Older Adult Programs for calendar year 2024 (the "MOU"). This MOU is effective as of January 1, 2024, regardless of the dates on which it is signed.

BACKGROUND

- A. Each of the 7-Parties is authorized to make the most efficient and effective use of their governmental powers, responsibilities, and monies by cooperating and contracting with other governments. Colo. Const. art. XIV §§ 18(2)(a) and (2)(b); Colorado Revised Statutes § 29-1-201.
- B. In 2009, 9-Parties entered into an Intergovernmental Agreement to set forth the terms and conditions of their cooperative provision, administration, and funding of meal and transportation services to senior and disabled citizens of Garfield County ("the 9-Party MOU"). This 9-Party MOU is recorded in records of the Garfield County Clerk and Recorder at Reception No. 776142.
- C. In accordance with the 9-Party MOU, in 2009 and each consecutive year thereafter, the now 7 parties have also entered into a Memorandum of Understanding that sets forth each party's annual commitment to share the administrative and operational costs of the Older Adult Programs meal and transportation services and determines the methodology by which those costs will be allocated among them (the "MOU").
- D. In 2016, The Town of Parachute withdrew from membership and opted not to participate in the services provided by Garfield County Older Adult Programs in 2017. In 2017, it was determined that Colorado Mountain College no longer needs to be part of the MOU beginning 2019.

- E. Each of the remaining Parties desires to continue to provide meal and transportation services to eligible Garfield County senior citizens in 2024 in accordance with the original 9-Party MOU.

NOW, THEREFORE, for and in consideration of mutual covenants and agreements set forth below, the 7-Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The foregoing Recitals are incorporated as if set forth in full.
2. Purpose of this Agreement. The purpose of this MOU is to define the terms and conditions by which the 7-Parties will collectively provide, administer and fund county-wide meal and transportation services for the Garfield County Older Adult Programs for calendar year 2024.
3. Term of Agreement. This Agreement shall have an Effective Date of January 1, 2024, regardless of the dates signed and shall terminate on December 31, 2024.
4. Senior Services to be Provided. The BOCC, through its Department of Human Services Older Adult Programs, will organize and administer the congregate meal and transportation services described in this MOU for eligible senior and disabled citizens of Garfield County on behalf of Rifle, Glenwood Springs, Carbondale, New Castle, Silt (collectively, the "Municipalities"). In exchange, the Municipalities will reimburse the BOCC for their proportionate shares of the cost of such services as calculated in accordance with the Cost Methodologies defined in this Agreement.
5. Congregate Meal Services. The BOCC and Municipalities agree that Older Adult Program meals will be provided at seven (7) locations throughout Garfield County on the days and times, and further agree that the costs to provide such services will be allocated among them as follows:
 - a. Cost Methodology - Nutrition: The BOCC agrees to pay forty percent (40%) of total budgeted cost to provide Congregate Meal Services in 2024.
 - b. The Municipalities each agree to pay a proportionate share of the remaining balance, less all anticipated grant and program funding income, based upon the percentage of total meals served between July 2022 and June 2023 to the residents of each Municipality. The BOCC agrees to be responsible for all meals served to residents of unaffiliated Garfield County and Battlement Mesa as well as any shortfall in grant and program funding income.

- c. Application of Cost Methodology to the 2024 Budget: As illustrated in **Attachment A**, which is incorporated here for all purposes, the total budgeted cost to provide Congregate Meal Services in 2024 is **\$651,409.00**. The BOCC's 40% share of that amount equals **\$260,563.60**. Anticipated grant and program funding income for 2024 is **\$233,500.00**. The remaining balance is **\$157,345.40**.

Municipality	Number of Meals	Percent of Total	Amount Due
Carbondale	2,126	12.26%	\$19,287.15
Glenwood Springs	6,509	37.53%	\$59,049.89
New Castle	1,019	5.88%	\$9,244.41
Silt	2,225	12.83%	\$20,185.28
Rifle	5,465	31.51%	\$49,578.68
TOTAL	17,344	100.00%	\$157,345.40

6. Transportation Services. The BOCC, RFTA and Municipalities agree that Senior and Disabled transportation services funded by this Agreement are wheelchair accessible, curb to curb, driver assisted transportation services to assessed Garfield County residents who have difficulty utilizing public transportation and have an assessed functional disability affecting the ability to use public transportation. The Traveler provides transportation to destinations throughout Garfield County. In order to achieve the stated purpose, the BOCC specifically grants RFTA the authority to operate outside RFTA's boundaries and within the unincorporated boundaries of Garfield County, consistent with the provisions of C.R.S. § 43-4-605(1)(f) as required to comply with this IGA. Riders must make reservations 48 hours in advance. The cost to provide these transportation services will be shared by the BOCC, RFTA, and the Municipalities in accordance with the following Cost Methodology.

7. Definitions:

- a. Initial Pickup Location: The initial pickup location for cost allocation purposes is the Municipality in which the first leg of a passenger's trip occurs, whether it is a round trip, a one-way trip, or a multi-legged trip. For example, if a passenger is picked up in municipality A to be transported to Municipality B and is later picked up in Municipality B for a return ride to Municipality A, the initial pickup location for cost allocation purposes is Municipality A for both trip legs.
- b. One-Way Passenger Trips: This represents vehicles transporting passengers one way from their origins to their destinations on any leg of their trips. This does not mean round trips or vehicle trips, since more than one passenger can be riding on a vehicle at the same time resulting in "X" number of one-way passenger trips.
- c. Loaded Miles: Loaded miles are the total distance driven while a passenger is in the vehicle.

- d. Loaded Minutes: Loaded minutes are the total duration of time while a passenger is in the vehicle.

8. Cost Methodology – Transportation

- a. The BOCC agrees to be responsible for fifty percent (50%) of the total budgeted net County and RFTA expenses to provide Traveler Services in 2024. The remaining fifty percent is paid for by grant, program funding, and allocated payments from the Municipalities based upon the fully allocated cost of providing services. Costs will be allocated to the Parties based on the total number of trips provided in each Jurisdiction, and total estimated Loaded Miles, and total estimated Loaded Minutes consumed by each Jurisdiction/Municipality. Costs will be considered allocable to a Jurisdiction/Municipality based upon the Initial Pickup Location as defined in Paragraph 7.a. herein, regardless of the number of trip legs or Jurisdictions/Municipalities visited by the passenger.
- b. RFTA agrees to be responsible for the fully allocated net cost of the Traveler transportation services provided to the three Municipalities that are current RFTA members: the Town of Carbondale, the City of Glenwood Springs, and the Town of New Castle.
- c. The remaining non-RFTA member Municipalities, the City of Rifle and the Town of Silt agree to pay the fully allocated net cost of Traveler transportation services allocable to their municipalities.
- d. The BOCC agrees to be responsible for any remaining Traveler transportation service costs, including any shortfalls in anticipated grant and program funding income.

9. 2024 Budgeted Contributions: As illustrated in Attachment B, the total budgeted cost to provide Senior and Disabled Transportation Services in 2024 is **\$848,279.00**. This cost represents the costs to the BOCC and to RFTA to provide such services in the amounts of **\$30,853.00** and **\$817,426.00**, respectively. This cost less the amount of **\$30,000.00** received by RFTA from other sources who utilize the Traveler bus system pursuant to a contractual agreement that is unrelated to this MOU, equals the net total County and RFTA expense for the Traveler transportation services in 2024 of **\$818,279.00**.

The BOCC's 50% share of this amount equals **\$409,139.50**. Anticipated grant and program funding income for 2024 is **\$80,000.00**. The total amount of the contribution from the County, including grants and program income is **\$489,139.50**. Subject to the recommendation of the Senior Advisory Board and the approval of the BOCC, any year-end excess budget funds in 2022 may also be applied to the County's contribution in 2024 for the Senior and Disabled Transportation Services budget. However, pursuant to the provisions of paragraph 13. Annual Reconciliation and True-Up, below, after 2023 there should not be any significant excess budget revenue to apply as a refund to a subsequent year's County contribution.

10. Allocation of County Contribution and Grant and Program Income: The County's contribution, inclusive of its 50% commitment and anticipated grant and program income shall be

allocated first to the cost of rides originating in unincorporated Garfield County. Any remaining balance shall be allocated on a pro rata basis relative to each other party's fully allocated cost.

11. Estimated Contributions: On the Chart below, the following estimates are offered to aid the Municipalities in planning and budgeting for their portion of the 2024 Traveler transportation services costs. The amounts shown are based on the 2024 budgeted amounts identified above and a forecast of ridership and services levels for 2024.

Jurisdiction	Est. One-Way Passenger Trips	Est. Loaded Miles	Est. Loaded Minutes	Est. Fully Allocated Cost	Est. Allocation of County Contribution, Grants & Program Income	Est. Net Responsibility for Each Municipality
Carbondale*	260	2,550	6,770	\$23,545	\$11,534	\$12,011
Glenwood Springs*	3,850	16,150	81,130	\$278,030	\$136,200	\$141,829
New Castle*	560	7,060	14,530	\$53,206	\$26,064	\$27,141
Silt	50	360	980	\$3,724	\$1,824	\$1,900
Rifle	4,760	12,990	75,410	\$286,711	\$140,453	\$146,258
Garfield County	1,720	21,400	50,160	\$173,063	\$173,063	-
Total	11,200	60,510	228,980	\$818,279	\$489,140	\$329,140

12. Monthly Billing: RFTA will pay directly for the fully allocated net costs attributable to its member jurisdictions and each of the remaining Parties will pay the County the amount shown on their respective lines in the Chart above.

13. Annual Reconciliation & True-up: No later than February 15, 2025 RFTA will publish a reconciliation statement. Actual expenditures for the year will be allocated based on the actual trips, and estimated loaded miles and loaded minutes provided to the Parties in 2024. If the total fully allocated net costs calculated for any Party during the preceding year exceeds the amount paid by the Party during the preceding year, a reconciliation credit or debit in the amount of the difference will be made for each such Party by the County. If a credit is due, RFTA will pay back to the County the amount it has been overpaid by the County for any Party or Parties within 30-days of the reconciliation statement. If a debit is owed, the Party or Parties owing the debit will pay the County the amount owed within 30 days of the reconciliation statement, and the County will remit any additional payments received and owed to RFTA within 30 days of receipt of the Party or Party's debit payment(s) to the County.

14. County Payments to RFTA for the Traveler Program. The amount to be paid by the BOCC to RFTA in 2024 for the provision of the Traveler Transportation Services contemplated by this Agreement is **Six Hundred Six Thousand, Four Hundred Forty Five Dollars (\$606,445.00)**. This amount is based upon RFTA's estimated cost to provide the services in 2024 (\$817,426.00) less amounts received by RFTA from other sources who utilize the Traveler bus system (\$30,000.00) and less the cost to provide such services to the Town of Carbondale (\$12,011.00), the City of

Glenwood Springs (\$141,829.00), and the Town of New Castle \$27,141.00), each of which is a member of RFTA. Amounts are projected and should the actual cost exceed the budgeted costs, those funds will be paid through the Restricted Fund Balance/The Traveler, and reimbursed at year end by following the Annual Reconciliation and True-Up procedures described in Paragraph 13., above.

- a. RFTA's Estimated Cost: The Parties recognize that RFTA's estimate of its costs to provide Traveler services is solely RFTA's responsibility; the BOCC is not responsible in any way for verifying or assuring the accuracy of RFTA's calculation. For 2024, RFTA estimates that it's cost to provide these services is **\$817,426.00**.
- b. Other Traveler Services: The Parties recognize that RFTA's operation of the Traveler by means of this MOU does not include funding for ADA complementary paratransit services in the City of Glenwood Springs. Funding for this complementary paratransit service is provided by a separate contract between the City of Glenwood Springs and RFTA, which RFTA represents to be **\$30,000.00** for 2024.
- c. Payment: The BOCC and RFTA have entered into a separate intergovernmental agreement pursuant to which the BOCC agrees to pay RFTA the total amount of \$606,4455.00 in eleven (11) monthly payments of \$50,537.08 and one monthly payment of \$50,537.12 for Senior and Disabled Transportation Services (the "Traveler IGA"). This amount represents RFTA's estimated cost to provide such services in 2024 less amounts received by RFTA from other sources and less the cost to provide such services to the RFTA Member Municipalities identified with an asterisk above. The non-RFTA member Municipalities agree to pay the respective amounts set forth above upon receipt of an invoice from the BOCC.
- d. Appropriation: This MOU is expressly contingent upon appropriation and budgeting for the costs required herein. If any Municipality, including RFTA on behalf of its member jurisdiction Municipalities, fails to appropriate or have available sufficient funds to pay for the costs of the obligations set forth in this MOU, services to residents of the failing Municipality shall end. The attached budget was provided by the RFTA and considered a draft until the final budget is adopted by the RFTA Board on December 14, 2023. The budget will then be considered final. If the actual cost of the Traveler program exceeds the amount set forth in this MOU, the additional cost will be covered through the Restricted Fund Balance/The Traveler, which would then be reimbursed at year end by following the Annual Reconciliation and True-Up Procedures described in Paragraph 13., above.
- e. COVID 19 Accommodations. Traveler services will be adjusted because of Governor orders or Public Health recommendations.

15. Combined Costs: The combined cost for 2024 Congregate Meal, Well and Wise, and Traveler Transportation Service are set forth on Attachment C.

16. Whole Agreement: This MOU sets forth the whole agreement of the Parties. No representation, either verbal or written, shall be considered binding to the extent it is not set forth herein.

17. Amendment and Assignment. This MOU may be amended, altered, or modified solely through a written agreement executed with equal formality. This MOU may not be assigned by any Party without the written agreement of all.

18. Facsimiles and Counterparts. This MOU and all documents required for performance may be signed in counterparts. Facsimile signatures may be substituted for originals on such documents.

19. Authority. Each person signing this MOU represents and warrants that said person is fully authorized to enter into and execute this document and bind the Party represented.

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

21. Notice. Notices to be provided under this MOU shall be given in writing either by hand delivery or by certified return receipt requested United States mail, to the following:

Carbondale: Lauren Glister, Town Manager
Town of Carbondale
511 Colorado Avenue
Carbondale, CO 81623
970-510-1207
lgister@Carbondaleco.net

Garfield County: Sharon Longhurst-Pritt, Director
Garfield County Department of Human Services
195 West 14th Street, Building B
Rifle, CO 81650
(970) 625-8282 ext. 3265
spritt@garfield-county.com

Glenwood Springs: Steve Boyd, City Manager
City of Glenwood Springs
101 W. 8th Street
Glenwood Springs, CO 81601
(970) 384-6422
Steve.boyd@cogs.us

New Castle: Dave Reynolds, Town Administrator
New Castle Town Hall
450 West Main Street,
PO Box 90
New Castle, CO 81647
(970) 984-2311
dreynolds@newcastlecolorado.org

RFTA: Dan Blankenship, Chief Executive Officer
Roaring Fork Transportation Authority
2307 Wulfsohn Road
Glenwood Springs, CO 81601
(970) 384-4981
dblankenship@rfta.com

Rifle: Tommy Klein, City Manager
City of Rifle
202 Railroad Ave
P. O. Box 1980
Rifle, CO 81650
(970) 625-6266
tklein@rifleco.org

Silt: Jeff Layman, Town Administrator
Town of Silt
231 N. 7th Street, PO BOX 70
Silt, CO 81652
(970) 876-2353, ext. 813
jlayman@townofsilt.org

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IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2024.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS OF
GARFIELD COUNTY, COLORADO, and
BOARD OF SOCIAL SERVICES**

Clerk to the Board

By: _____
John Martin, Chairman

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2024.

ATTEST: **CITY OF GLENWOOD SPRINGS, COLORADO**

City Clerk

By: _____
Ingrid Wussow, Mayor

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2024.

ATTEST:

**ROARING FORK TRANSPORTATION
AUTHORITY**

Clerk to the Bd. Of Directors

By: _____
Jeanne McQueeney, Chair

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2024.

ATTEST: **TOWN OF CARBONDALE, COLORADO**

Town Clerk

By: _____
Ben Bohmfalk, Mayor

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2024.

ATTEST:

TOWN OF SILT, COLORADO

Town Clerk

By: _____
Keith Richel, Mayor

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2024.

ATTEST: **TOWN OF NEW CASTLE, COLORADO**

Town Clerk

By: _____
Art Riddile, Mayor

DATED: _____

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed effective January 1, 2024.

ATTEST:

CITY OF RIFLE , COLORADO

City Clerk

By: _____
Ed Green, Mayor

DATED: _____

ATTACHMENTS TO MEMORANDUM OF UNDERSTANDING
RE: OLDER ADULT PROGRAMS

ATTACHMENT A: 2024 CONGREGATE MEAL BUDGET AND COST METHODOLOGY

ATTACHMENT B: 2024 TRANSPORTATION BUDGET AND COST METHODOLOGY

ATTACHMENT C: 2024 CONGREGAE MEAL, WELL AND WISE, AND TRAVELER
TRANSPORTATION SERVICE

ATTACHMENT A

2024 CONGREGATE MEAL BUDGET AND COST METHODOLOGY

ATTACHMENT A: 2024 CONGREGATE MEAL BUDGET AND COST METHODOLOGY

Nutrition Budget	Annual
Wages	\$ 158,941.00
Employee Benefits	\$ 80,636.00
Professional Services	\$ 6,000.00
Professional - Other	\$ 372,298.00
Repair and maintenance	\$ 200.00
Rental of Land & Buildings	\$ 1,200.00
Communications	\$ 600.00
Printing and Binding	\$ 150.00
DHS - Destruction of Records	\$ 250.00
Travel	\$ 300.00
Motor Pool Charges	\$ 9,034.00
Professional Affiliations	\$ 100.00
Training	\$ 600.00
Office Supplies	\$ 500.00
Operating Supplies	\$ 11,000.00
Computer Supplies	\$ 400.00
Freight, postage, Delivery	\$ 2,700.00
Copy Machine Usage	\$ 1,000.00
Food - non travel related	\$ 3,500.00
Computers & computer equipment	\$ 2,000.00

Total 12 Month Budget **\$651,409.00**

Less AAA funding	\$ 190,000.00
Less NSIP Incentives	\$ 13,000.00
Less Program Income	\$ 30,500.00
Grant & Program Income Total	\$ 233,500.00

40% County Share of Total Expenses **\$ 260,563.60**
Garfield County Share **\$ 260,563.60**

Projected Income/County Share **\$ 494,063.60**
Income less expenses **\$157,345.40**

Municipal Budget Share
for Distribution **\$157,345.40**

NUTRITION BREAKDOWN SUMMARY FOR MUNICIPALITIES				2023		2022	
2024	# of Meals Served	Percent of Total	Municipal Nutrition Contribution	# Meals	Contributions	# Meals	Contributions
Jurisdiction							
Carbondale	2,126	12.26%	\$19,287.15	1,284	\$ 10,920.06	1,157	\$ 8,555.53
Glenwood Springs	6,509	37.53%	\$59,049.89	6,195	\$ 52,686.76	6,812	\$ 50,371.89
New Castle	1,019	5.88%	\$9,244.41	695	\$ 5,910.78	996	\$ 7,365.00
Silt	2,225	12.83%	\$20,185.28	1,761	\$ 14,976.82	1,778	\$ 13,147.57
Rifle	5,465	31.51%	\$49,578.68	5,924	\$ 50,381.98	7,529	\$ 55,673.81
Municipal Total	17,344	100.00%	\$157,345.40	15,859	\$ 134,876.40	18,272	\$ 135,113.80
Garfield County	5,798			5,073		3,325	
Grand Total	23,142			20,932		21,597	
Based on July 2022 - June 2023 Usage				Based on July 2021 - June 2022		Based on July 2020 - June 2021	

ATTACHMENT B

2024 TRANSPORTATION BUDGET AND COST METHODOLOGY

Cost Methodology—2024	
Transportation Budget	Annual
Wages	\$ 19,491.00
Employee Benefits	\$ 10,762.00
Communication	\$ 200.00
Training	\$ 100.00
Computer Supplies	\$ 200.00
Freight, Postage, Delivery	\$ 100.00
Total County Expenses	\$ 30,853.00
RFTA	\$ 817,426.00
MINUS GWS Paratransit	\$ 30,000.00
Total RFTA Expenses	\$ 787,426.00
Total Expenses	\$ 818,279.00
Less Program Income	\$ 17,000.00
Less CSBG	\$ 63,000.00
Total G/P Income	\$ 80,000.00
Less County Share	\$ 409,139.50
Total 50% County Share	\$ 409,139.50
Total Revenue	\$ 489,139.50
Total Expenses	\$ 818,279.00
Income less expenses	\$ 329,139.50
 Municipal Budget Share for Distribution	 \$ 329,139.50

2024 Traveler Forecast Service And Cost Data

A	B	C	D	E	F	G
Jurisdiction	Est. One-Way Passenger Trips	Est. Loaded Miles	Est. Loaded Minutes	Est. Fully Allocated Cost	Est. Allocation of County Contribution, Grants & Program Income	Est. Net Responsibility for Each Municipality
Carbondale	260	2,550	6,770	\$ 23,545	\$ 11,534	\$ 12,011
Glenwood Springs	3,850	16,150	81,130	\$ 278,030	\$ 136,200	\$ 141,829
New Castle	560	7,060	14,530	\$ 53,206	\$ 26,064	\$ 27,141
Silt	50	360	980	\$ 3,724	\$ 1,824	\$ 1,900
Rifle	4,760	12,990	75,410	\$ 286,711	\$ 140,453	\$ 146,258
Garfield County	1,720	21,400	50,160	\$ 173,063	\$ 173,063	\$ -
Total	11,200	60,510	228,980	818,279	489,140	329,140

ATTACHMENT C:

2024 CONGREGATE MEAL, WELL AND WISE, AND TRAVELER TRANSPORTATION SERVICE

COMBINED CONTRIBUTION BREAKDOWN

	2024	2024	2024	2024		2024	2024	2024	2024
<i>Jurisdiction</i>	<u>Nutrition</u>	<u>Transportation</u>	<u>Well & Wise</u>	<u>Total</u>	<i>RFTA</i>	<u>Nutrition</u>	<u>Transportation</u>	<u>Well & Wise</u>	<u>Net Adjusted</u>
	<u>Contribution</u>	<u>Contribution</u>	<u>Contribution</u>	<u>Contributions</u>	<u>Contribution</u>	<u>Contribution</u>	<u>Contribution</u>	<u>Contribution</u>	<u>Total</u>
Carbondale	\$19,287.15	\$12,011.00	-	\$31,298.15	\$12,011.00	\$19,287.15	-	-	\$19,287.15
Glenwood Springs	\$59,049.89	\$141,829.00	-	\$200,878.89	\$141,829.00	\$59,049.89	-	-	\$59,049.89
New Castle	\$9,244.41	\$27,141.00	-	\$36,385.41	\$27,141.00	\$9,244.41	-	-	\$9,244.41
Silt	\$20,185.28	\$1,900.00	-	\$22,085.28		\$20,185.28	\$1,900.00	-	\$22,085.28
Rifle	\$49,578.68	\$146,258.00	-	\$195,836.68		\$49,578.68	\$146,258.00	-	\$195,836.68
Garfield County	\$260,563.60	\$409,139.50	\$16,596.00	\$686,299.10		\$260,563.60	\$409,139.50	\$16,596.00	\$686,299.10
Totals	\$417,909.00	\$738,278.50	\$16,596.00	\$1,172,783.50	\$180,981.00	\$417,909.00	\$557,297.50	\$16,596.00	\$991,802.50



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item:	Tourism Promotion Contract with the Chamber Resort Association
Action Requested:	Approval of the Chamber Association Contract to Provide Tourism Promotion
Department:	City Administration
Presented By:	Steve Boyd
Strategic Goals:	Generate Sustainable Economic Development
Background Info:	Each year Council outsources activities that promote the tourism industry in Glenwood using funds collected by our 2.5% lodging tax.
Issues:	Council is required to approve budgeted contractual expenditures of more than \$100,000.
Fiscal Impact:	The Chamber Association contract is approximately \$1.5 million, the tourism fund budget is attached to this agenda item.
Legal Review:	Legal has reviewed the contract.
Staff Recommendation:	Staff supports approval of this contract for 2024.

AGREEMENT FOR PROFESSIONAL SERVICES

This AGREEMENT FOR PROFESSIONAL SERVICES between the CITY OF GLENWOOD SPRINGS, a municipality under the laws of the State of Colorado ("City") and GLENWOOD SPRINGS CHAMBER RESORT ASSOCIATION, a Colorado corporation ("Chamber"), is effective January 1, 2024 no matter the date on which it was signed.

WITNESSETH:

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

1. Scope of Agreement. Chamber agrees to perform for the City Tourism Promotion Services more particularly described in the Marketing Plan attached hereto as **Exhibit "A"** and incorporated herein ("Marketing Plan").

2. Consideration. The City agrees to pay the Chamber in accordance with the proposed budget attached hereto as **Exhibit "B"** incorporated herein.

3. Term. This Agreement shall be effective from January 1, 2024 through December 31, 2024.

4. Independent Contractor. Chamber is providing services independently and is not an employee of the City. Chamber shall not be entitled to any benefits provided to City employees. Chamber understands the difference in status between an independent contractor and an employee and acknowledges and stipulates that Chamber is neither eligible nor entitled to statutory or legal benefits or provisions of labor codes or other such similar statutes. The parties further agree that the City shall not withhold from Chamber unemployment insurance, social security or any other withholdings. Chamber agrees to be responsible for all such payments required by law.

4.1 Chamber acknowledges and agrees that it is not entitled to unemployment insurance benefits unless unemployment compensation is provided by Chamber or some other entity. Chamber also acknowledges and agrees to report all payments received from the City on its federal and state income tax returns and is obligated to pay any and all resulting federal and state income tax obligations. Chamber will indemnify the City for any such payments required but not paid.

4.2 Chamber acknowledges and agrees that it is not covered by the City's workers' compensation coverage and is not entitled to workers' compensation benefits. The City will be held harmless, and Chamber will indemnify the City for any liability arising out of or caused by Chamber's business and/or persons engaged in operations covered by this Agreement.

4.3 In making and performing this contract, Chamber acts and at all times shall act as an independent contractor and shall maintain operations that are separate and distinct from the City. Nothing contained in this Agreement shall be construed or applied as to create or imply the relationship of partners, joint adventurers, or of employer or employee between the parties hereto.

5. Definitions. For purposes of this Agreement the following definitions shall apply:

Ad Production Expense. Design and creative (photographs/videos) work for tourism-related ads or other print or electronic materials.

Associated Staff. Refers to any staff hired by the Chamber, who is expressly involved with the promotion of tourism, directed by the Director of Tourism Promotion, and paid through budgeted funds allocated through the Tourism Promotion Marketing budget.

Association Memberships. Memberships in tourism-related or industry specific organizations.

Billboard. Advertising on mass transit and billboards.

Bookkeeping Services. Covers costs of bookkeeping, for the tourism promotion fund, e.g., accounts payable/receivable; billing co-op advertising partners; providing detailed P&L statements; tracking reimbursable marketing expenses for postage and printing, any tourism promotion fund bills which have been paid by the Chamber.

Building Costs & Equipment. Includes office space for the Director of Tourism Promotion and any associated staff; telephone system, telephones and regular monthly long distance and local phone bills; desks and furniture; office equipment to include computers, fax machine, use of copier and any other equipment; ; software including database management software; virus protection; and all other software; high speed internet access; IT support on related equipment; equipment maintenance; use of common areas.

Cooperative Advertising. Joint advertising efforts between the tourism promotion department and various tourism-related businesses.

Direct Mail. Bulk direct mailing to individuals regarding specific advertising campaigns, including design, printing, postage and handling. These costs may include services provided by the Chamber or by a mail house.

Distribution. Distribution, storage and shipping of brochures to distribution outlets and costs of brochure distribution companies.

Financial Interest. Any undertaking or activity in which the Chamber will receive money from the City other than for payment of services pursuant to this Agreement.

Fulfillment. Postage costs incurred from responding to specific requests for tourism-related information.

Internet Listings, Website & Links. Infrastructure improvements, search engine optimization, marketing, promotion and sales of the Glenwood Springs visitor destination on visitglenwood.com and its' social channels.

Outside Consultants. Outside professionals retained to accomplish specific goals of the Marketing Plan.

Print Advertising. Advertising in news publications, and various industry and trade publications, such as travel guides, state guides, and travel magazines.

Promotional Items. Giveaway items such as Glenwood Springs branded merchandise.

Public Relations & Social Media. Public Relations initiatives include press releases, articles, Internet placements and media familiarization tours. Social Media initiatives include targeted online advertising and posts. Also, includes, payments to outside consultants providing public relations and social media services.

Research and Tracking. Research to gain adequate knowledge of our target audience and demographics for branding issues and determining how promotional initiatives can be best executed. Budget will also fund tracking measures of marketing, advertising, and public relations.

Special Events & Group Marketing. For events/tour groups/meetings/businesses coming to Glenwood Springs, the Chamber may provide support as appropriate and determined by the Director of Tourism Promotion.

Tourism Promotion Board. Nine member board as created and defined in the Glenwood Springs Municipal Code Article 020.020.

Trade Shows. Includes shows geared toward the travel industry. This area also includes marketing items for shows and promotional items purchased for giveaways at shows and for conventions and groups.

Travel. Covers travel expenses for the Director of Tourism Promotion and Associated Staff. Purpose is for attendance at trade shows or other out-of-town business meetings and functions. Includes transportation, lodging, meals and incidentals, does not include alcohol or personal entertainment.

TV/Radio. Television and radio advertising budget utilized for messages and promotions.

Visitor Center/Visitor Services. Includes staffing, space and furnishings, and all ancillary costs, for visitor information center, provided by the Chamber. Visitor Center shall be open year-round as follows:

November through May: Monday – Friday 9 a.m. to 5 p.m.

Saturday 10 a.m. to 2 p.m.

June through October: Monday – Friday 9 a.m. to 5 p.m.,

Saturday 10 a.m. to 2 p.m.

Sunday 10 a.m. to 2 p.m.

The GSCRA may adjust hours as necessary based on demand.

Holiday Hours (10 a.m. to 2 p.m.) – Memorial Day, Independence Day, Labor Day

Holiday closures - Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Day. Special closures – Strawberry Days or other chamber Special Events.

NOTE: Special circumstances may cause closure.

6. Duties of Chamber.

6.1 Implement the Marketing Plan in cooperation with the Tourism Promotion Board and City Council.

6.2 Provide periodic updates with at least an annual presentation to the City Council regarding the status of the Marketing Plan.

6.3 Recommend and implement changes and amendments, as needed to the Marketing Plan approved by City Council or its designee.

7. Payment for Services. Invoices shall be paid within fourteen (14) days of receipt subject to the following:

- 7.1 Invoices shall be in a form approved by the Finance Director and shall have backup for all expenses listed thereon.
- 7.2 All expenditures shall be approved for payment by City Council or its designee.
- 7.3 Travel expenses for any persons other than the Director of Tourism Promotion and associated staff shall be pre-approved by the City Council or its designee. Expenses incurred for meals and mileage shall be reimbursed at the current applicable I.R.S. rate.
- 7.4 No credit card expenditures, other than the Director of Tourism Promotion and associated staff shall be reimbursed and such expenditures shall comply with the Chamber's written credit card policy adopted December 21, 2005 and attached hereto as **Exhibit "C."**
- 7.5 Separate Accounts. Any money received and disbursed pursuant to this Agreement shall be reflected in a separate account maintained by the Chamber, and shall be strictly segregated from all other monies received, handled, or disbursed by the Chamber pursuant to activities other than described herein. Such monies shall be accounted for in the same manner as used by the City for its own accounts.
- 7.6 Record Keeping and Inspections. The Chamber shall cooperate fully with the Tourism Promotion Board and City Council or its designee to maintain full and complete records of any and all activities performed pursuant to this Agreement and shall make such records available for inspection by the City upon request and during the Chamber's regular business hours. The City also reserves the right to inspect, review and audit any phase of the Chamber's performance hereunder either on a continuing or spot-check basis.

8. Disclosure of Financial Interest. Chamber shall disclose in writing to the City any Financial Interest it has in any transaction including without limitation special events, publications and activities for which City funds are used in whole or in part, including without limitation promotion, Printing, storage or Distribution.

9. City Representative; Work Product.

- 9.1 A City Council representative shall sit as an ad hoc non-voting member of both the Chamber Resort Association and the Tourism Promotion Board during the term of this Agreement.

- 9.2 All work product created pursuant to this Agreement paid for with Tourism Promotion Funds is and shall remain the property of the City, including but not limited to URL addresses, web content, contact lists and research information, printed materials, photographic and video assets, and all consultant work products, except for the domain name glenwoodchamber.com that is registered and paid for by the Chamber.

10. Indemnity, Insurance and Governmental Immunity Act.

- 10.1 Chamber hereby covenants and agrees to indemnify, save, and hold harmless the City, its officers, employees, and agents from any and all liability, loss, costs, charges, obligations, expenses, attorneys' fees, litigation, judgments, damages, claims, and demands of any kind whatsoever arising from or out of any negligent act or omission or other tortious conduct of Chamber, its officers, employees, or agents in the performance or nonperformance of its obligations under this Agreement.
- 10.2 Chamber has provided proof of general liability insurance to the City upon execution of this Agreement. City may require increased coverage based on particular project requirements.
- 10.3 Nothing herein shall be interpreted as a waiver of governmental immunity, to which the parties would otherwise be entitled under §24-10-101, et seq., C.R.S., as amended.

11. Termination. The City or the Chamber may terminate this Agreement at any time by providing a minimum thirty (30) calendar days' written notice to the other party. If the parties have mutually determined that the work has become infeasible, the parties agree to terminate the Agreement in accordance with this Section 12. In the event this Agreement is terminated, the Chamber shall be compensated for all work performed to date including a pro-rated amount for work items begun but not completed.

12. Agreement Administration and Notice. For purposes of administering this Agreement, the City Manager hereby appoints the City Finance Director to represent the City in carrying out the purposes and intent of this Agreement. Any notices required to be given pursuant to this Agreement shall be delivered as follows:

To the City: Finance Director
 City of Glenwood Springs
 101 West 8th Street

Glenwood Springs, CO 81601

Copies to: City Manager
City of Glenwood Springs
101 West 8th Street
Glenwood Springs, CO 81601

To the Chamber: Lisa Langer, Director of Tourism Promotion and
Angela Anderson, President and CEO
Glenwood Springs Chamber Resort Association
P.O. Box 1238, 802 Grand Avenue
Glenwood Springs, CO 81602-1238

13. Entire Agreement. This Agreement constitutes the entire agreement between the parties. The provisions of this Agreement may be amended at any time by the mutual consent of both parties. The parties shall not be bound by any other agreements, either written or oral, except as set forth in this Agreement.

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

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

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

17. Counterparts. This Agreement may be executed in counterparts, including any facsimile copies, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

18. Agreement Subject to Appropriations. It is expressly understood and agreed that the City's performance of this Agreement is subject to appropriations being made by the City Council of the City of Glenwood Springs. In the event City Council fails to make or maintain sufficient appropriations to pay any costs incurred under this Agreement, the Agreement shall be terminated immediately.

Signatures continued on following page

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands
this ____ day of January, 2024.

CITY OF GLENWOOD SPRINGS

ATTEST:

By: _____
Ingrids Wussow, Mayor

Ryan M. Muse, City Clerk

GLENWOOD SPRINGS CHAMBER
RESORT ASSOCIATION, INC.

By: _____
Angela Anderson, President and
Chief Executive Officer

By: _____
Patrick Drake, Chairman

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing AGREEMENT FOR PROFESSIONAL SERVICES was
acknowledged before me this ____ day of January, 2024 by Angela Anderson as
President and Chief Executive Officer and Patrick Drake as Chairman of Glenwood
Springs Chamber Resort Association, Inc.

Witness my hand and official seal.

My commission expires: _____

Notary Public



2024 GLENWOOD SPRINGS MARKETING PLAN



2024 Tourism Promotion Marketing Plan

By Lisa Langer, Director of Tourism

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Note: Numbers in parenthesis correspond to related sections of the 2024 Budget

The 2024 Marketing Plan

The tourism budget for 2024 has been set at **\$1,487,500 (1)**. This is an increase of 9.9% over the base budget set for 2023. It is important to note that the tourism budget is based upon 85%* of 2.5% accommodations tax receipts collected from September 1 through August 31 of the year prior to calendar year budget. **Previously, the tourism budget was 92.5% of receipts. The updated percentage was passed by Glenwood Springs City Council on October 21, 2021.*

Non-Marketing/Advertising Expenses include visitor services at the 802 Grand Avenue Visitor Center. The amount of support for 2024 has been set at **\$125,000 (2)**. This amount covers costs incurred by the GSCRA for visitor-related services including management of the Glenwood Springs Visitor Center, D&O insurance for the city's Tourism Management Board, Tourism department's brochure storage, email, and IT hardware/support.

Support Costs for 2024 have been set at **\$223,256 (3)**. This amount includes salaries, benefits, and payroll taxes for both the Director of Tourism and Tourism Project Manager. Also included in this section are bookkeeping services, which include bi-annual audits and annual budget reviews. The combined Visitor Center and Tourism department support costs represent a modest **23.4% (4)** of the total 2024 Tourism Budget.

The Working Tourism Marketing-Management Budget for 2024 is \$1,139,244 (5).

The marketing budget must be somewhat pliable within the parameters of the overall budgeted amount. If opportunities outside of the typical arise, the Tourism Management Board may request additional funding from the Tourism Fund Reserves. The following information summarizes each section of the budget and further explains proposed expenditures.

Advertising – includes Print, Digital, Out-of-Home, Radio & Television, PPC, Media Creative (Graphic Design, video production, Agency-Related Fees & Commissions), social media advertising, Google Ads, and co-ops. Budgeted at \$872,720 increase of 8.4% over 2023. (6)

XUMA Communications is contracted to manage, create and place advertising in close communication with the Director of Tourism. XUMA will manage all aspects of the allocated advertising budget including creative, production and media costs.

I. Agency Responsibilities, Creative Development and Production

Agency fees and production costs to be billed as a monthly retainer for \$9,500 per month.

- Development of overall strategic and creative approach of 2024 marketing based on marketing goals and secondary research
- Development and presentation of strategy and creative
- Develop an overall strategy for media and final media plan
- Develop tactical creative components to support media plan
 - Production of all components (to be mutually agreed upon following approval of media plan), which may include but is not limited to:
 - Television
 - Out-of-Home

- Online Video
 - Digital Banners
 - Print
 - Radio
- Develop tactical creative components separate from paid media
 - Production of all components (to be mutually agreed upon following approval of plan), which may include but is not limited to:
 - Collateral (including but not limited to 2024 travel guide)
 - Videos (including 6-30 second videos for social media)
 - Guerilla marketing efforts
- Ensure all materials are in-line with tourism standards & Glenwood Springs' goals for 2024.
- General account support, including travel, planning sessions, meetings and additional support as required by Glenwood Springs tourism department.

II. Media Strategy. Planning, Buying, Execution, Maintenance and Reporting Media costs and planning fees not to exceed \$660,050

- Development and presentation of media objectives, and strategies by target audience and seasonality. This includes a review of all media types leading to a recommended media mix and spend level recommendation to achieve agreed upon goals.
- Ensure all media strategies are in line with goals
- Strategic development of media plan
- Revisions to media plan based on client input
- Presentation of final media plan
- Media negotiations of rates, positioning, placement and value-added promotional opportunities
- Develop and establish metrics and measurement goals
- Review and analyze media spend to establish success measurements and metrics
- Optimization of all media to maximize effectiveness
- Periodic reporting on all media to ensure effectiveness and make any necessary recommendations
- Ensure that all media and promotions run as ordered; all necessary 'make goods' are received
- Update flowcharts and budget reflecting actual media, spending and achievement of goals against spend
- Media plan and mix to be mutually agreed upon by Glenwood Springs, Thayer and XUMA Communications.

III. Fee Structure

- All agency fees are payable monthly, due in full net 30 days, billed on the last day of each month.
- Agency fees will be billed at a rate of \$175/hour.
- Contract period: January 1, 2024, through December 31, 2024
- **Total contract: \$774,050**

Paid Search Advertising in Google Ads and YouTube is managed by BlizzardPress Marketing with an agreed upon monthly* budget (*fluctuates throughout the year) for a **total of \$40,000**. Google Ads are paid separately from BlizzardPress fees located under Internet Management and charged directly to the tourism credit card. BlizzardPress will provide suggestions to maintain building quality links to the website and evaluate renewing and new online directories.

**Public Relations
Budgeted at \$7,000 (7)**

Scope of Work

In the past, Visit Glenwood Springs has worked with independent contractors to provide Media Pitching, Media Hosting and Press Releases as needed. These responsibilities are now carried out in-house and performed by the Visit Glenwood Springs staff.

The budgeted amount also includes fees for CTO media receptions, posting of press releases and a limited Meltwater Media online platform, including media wires.

Responsibilities Include:

- Pitch story ideas to key writers, editors and media who specialize in travel, tourism and hospitality industries and international news media journalists.
- Serve as official Visit Glenwood Springs spokespersons
- Communicate with in-state tourism industry organizations (Colorado Tourism Office, CO Hotel & Lodging Association, Destination Colorado, Colorado Ski Country, etc.)
- Respond to media leads provided by the Colorado Tourism Office
- Assist and respond to individual media seeking onsite visits
- Create & distribute press releases as needed
- Maintain an updated media list

**Vacation Planner Printing and Distribution
Budgeted at \$41,600 (8)**

Glenwood Springs' tourism produces a 28-page full color travel guide for distribution and direct mail. In 2024, XUMA Communications will produce the piece. The printed piece is shipped and distributed year-round as follows:

- Brochure Express – Montrose, Delta, Grand Junction
- Colorado Activities Center – I-70, Hwys. 285 & 24, Summit County, N. & S. Front Range
- Certified Folder & Display – GJ, Durango, NE. CO Super Cities + web ads
- Vail Distribution – Eagle Airport plus 72 locations in Vail, Avon & Beaver Creek
- Red Wheel Media – Aspen Airport plus curated locations in Aspen and Snowmass

**Hosting (Website, Video, Photos, Domains, Email, Social Media Tools, etc.)
Budgeted at \$24,149 (9)**

- CrowdRiff social media photo aggregator, annual online hosting/management of photo and video library
- Website Hosting
- Website Monitoring monthly service

- Email for website leads through Twilio/Sendgrid
- Domain Renewals & Hosting through GoDaddy.com
- Constant Contact online program for email marketing/e-newsletters
- Social Media Management Tools
- Google docs storage
- Zoom account for virtual meetings

Internet Management Budgeted at \$57,000 (10)

BlizzardPress is contracted to provide marketing services to generate online traffic. Specific tasks are designed to increase ROI within the dictated monthly budget and with the BlizzardPress team, working with the staff of Visit Glenwood Springs, the tourism department of Glenwood Springs Chamber Resort Association (GSCRA).

VisitGlenwood.com has been redesigned to the latest “mobile-first” WordPress platform. Content of the site is managed in-house, however in-depth design elements will continue to be updated and managed through BlizzardPress. BlizzardPress will continue to consult on website usability and search engine optimization through 2024. VisitGlenwood.com is a visitor-first, functional repository, and planning website for Glenwood Springs visitor content. Visit Glenwood Springs is contracted with BlizzardPress to make monthly payments of \$2,250 for a **total of \$27,000**. ResortTrends will continue to provide monthly blogs and content as directed, currently three blogs per month for **total of \$18,000**. Any additional website management content and tools will be allocated from the remaining budgeted amount.

BlizzardPress researches and implements proven Search Engine Optimization & Marketing techniques. The owners work closely with partners to identify those services deemed as most critical to success and strategize to develop services implementation. Please keep in mind that these services are based upon the availability of resources and budget and may be modified as we adapt to changes within the industry and budgetary constraints.

Service Definitions

- Consultation ~ Email/phone correspondence and training with Client, Webmaster and Vendors.
- Search Engine Optimization ~ SEO & Keyword research followed by website and content recommendations, on-page optimization, quarterly site audits including broken Link review/update, XML Sitemap review and submission to Google, Structured Data Review/Update.
- Local Search Citation monitoring with submission recommendations.
- Paid Advertising ~ Google Ads monthly maintenance including Ad copy, bid adjustments, ROI Reporting and performance analysis.

Website Performance Analysis ~ Via Google Analytics, Search Console and Tag Manager will evaluate website traffic, behavior and conversions. Assessment of search engine appearance and performance of on-page optimization, website indexing and usability. Recommendations for increased performance will be provided.

Direct Mail and Fulfillment Budgeted at \$8,000 (11)

There is an increase of vacation/group planning through internet and downloading of online brochures, however, many trip planners still like to receive a hard copy of a destination's brochure before visiting. This area of the 2024 budget addresses the direct fulfillment of such visitor requests. Most of the individual mailing leads are forwarded to Bulk Mail Pros, but requests for larger quantities are handled in-house by tourism staff. Visit Glenwood ships cases of travel planners to welcome centers across Colorado and to group tour operators both domestic and international. Planners are also provided to many groups and meetings participants who visit Glenwood Springs.

Promo Items for Media & Groups / Industry Specific Organizations & Education Budgeted at \$3,000 (12) and \$11,185 (13) respectively

The majority of consumer show representation has been cut, however, staff continues to provide promotional items to group travel leaders, hosted meetings, visiting media and media events.

For Industry Specific Organizations & Education, Visit Glenwood will continue to pay for affiliations with the following organizations:

- Rocky Mountain Lodging (RML) – monthly Colorado occupancy reports
- Colorado Association of Destination Marketing Organizations (CADMO)
- Colorado Tourism Conference – registration for two
- DMA West
- Destination International (this membership new in 2024)
- Visit Denver (DMCVB)
- Travel Industry Alliance of Colorado (TIAC)
- Training specific to marketing (Heidi won tuition waiver for DMA West Tech Summit)
- Other workshops or conferences specific to tourism marketing or management

Group and International Marketing / Miscellaneous Budgeted at \$20,200 (14) and \$1,250 (15) respectively

Group and International Marketing shows:

- Go West Summit – attendance at the western states' marketplace for international tours/travel – the 2025 early-bird summit fee will be paid in 2024
- IPW – Co-op fee for partnership participation in the CO Tourism Office booth
- CTO Familiarization Tours (FAMs) – hosting of tour operators and media
- Tour Colorado membership – this group represents its members at NTA and ABA

Miscellaneous costs include tourism marketing meetings and luncheons held by tourism department staff and office equipment/supplies not covered by GSCRA.

Travel for Conferences / Meetings
Budgeted at \$18,140 (16)

Included in this area are the following expenses/reimbursements:

- Transportation - Air, Train, Bus
- Cell Phone reimbursement - monthly reimbursement for Director of Tourism and Tourism Project Manager
- Lodging – overnight stays for meetings, conferences, sales missions, etc.
- Meals – while on tourism business, meetings, conferences, sales missions
- Mileage – reimbursement for tourism-related travel
- Other Travel – related fees including parking, tips, shuttles, cabs, bag fees, etc.

Consortium Data Program / Wander Maps Program / Kiosk Software
Budgeted at \$75,000 (17)

Visit Glenwood Springs has joined a cooperative data collection program with other Colorado destinations. The cost savings of joining this consortium are significant and we will finally have consistent data and key performance indicators to gauge progress for better decision making.

Wander Maps, a global network of locally built maps, incorporates Glenwood Springs' points of interest into a simple online way-finding program compatible with VisitGlenwood.com. The initial cost of this mapping platform was covered under a Colorado Tourism Office Marketing Grant. Ongoing subscription expenses will be paid through the tourism budget.

The Glenwood Springs Visitor Center will get a new visitor focused kiosk through a Colorado Tourism Office Marketing Grant. The ongoing costs of software for the kiosk will be covered through the tourism budget.

The Partners and History of Glenwood Springs Tourism

Vision

Be the preferred regional tourism destination.

Mission

Manage marketing and responsible promotion for the Glenwood Springs area to benefit the local economy, enhance residents' quality of life, and protect natural resources.

(Approved by the Tourism Management Board at the February 10, 2022 meeting.)

History of Glenwood Springs Tourism Promotion

Tourism Fund creation in 1985

The Tourism Promotion Fund was created by a Chamber-led initiative and approved by Glenwood Springs voters in 1985, to allow for an accommodations tax to be collected by lodges (and paid by consumers) to create a reliable, sustainable and appropriate funding mechanism for continued marketing of the primary industry in Glenwood Springs. Since that "bed tax" was instituted, the Chamber Resort Association has sought and gained voter approvals twice to not only renew the tax, but to increase it to its current level of 2.5% and to remove the sunset clause (approved 2000).

Initially this fund was administered through the City of Glenwood Springs government through a council appointed tourism commission. The commission hired an advertising agency, and the Chamber responded to visitor information requests and information, events for visitors, and public relations functions such as hosting travel writers. Another organization called Central Reservations dealt with hotel reservations. The process was fragmented and inefficient, and a more streamlined approach was undertaken in 1988.

Chamber Resort Association formed in 1988

The Glenwood Springs Chamber Resort Association (GSCRA) was incorporated in 1988 and formed by a merge with the City of Glenwood Springs tourism commission, Central Reservations and the Glenwood Springs Chamber. Since that time, the GSCRA has managed the accommodations tax-based tourism promotion fund and executed its annual tourism marketing plan and related budget. The GSCRA was formed with the input and vision of the mayor, city manager, chamber leadership, hotels, and activities businesses in the community as an economic development initiative. Community leaders recognized that tourism was the main industry in Glenwood Springs and that there should be continuous investment to sustain and grow annual tourism business.

The purpose of the Resort Association was to accomplish the following:

1. Organize area vacation products and services into one-stop-shopping for guests.
2. Combine community promotion and sales efforts for greater efficiency and more return on investment.
3. Create a broader funding base to generate more money for tourism promotion.
4. Insure the stability of funding through the creation of a mandatory funding structure.
5. Allocate these funds by a single budgetary process to maximize the return to area businesses.

Tourism Management Board Roles

The Glenwood Springs Tourism Management Board is a committee of the City of Glenwood Springs Municipal Government, tasked to govern the Tourism Fund. In accordance with Resolution 2021-31, the Tourism Fund is derived from an 85% portion of accommodations tax receipts from September 1 through August 31 of the year prior to budget. Under current city legislation, the total collected accommodations tax funds are to be appropriated with 85 percent toward destination marketing services and programs and 15 percent toward support of tourism-related events or impacts as determined by the city council. The resolution also requires a marketing reserve fund balance at a desired level of 15 percent of prior year's collections (September 1 through August 31). As a committee of the City of Glenwood Springs, the Tourism Management Board must follow open meetings laws in noticing meetings with more than two members in attendance.

The Tourism Management Board determines policy, reviews the budget and expenditures, sets goals and establishes the overall focus to maximize return on investments with Glenwood Springs' tourism marketing dollars. Accountability, oversight, and override authority is provided by the Glenwood Springs City Council. The over-arching goal of the Glenwood Springs Tourism Management Board and its role in the stewardship of the Tourism Fund is to grow tourism business for the economic benefit of Glenwood Springs.

The nine-member Glenwood Springs Tourism Management Board is comprised of community and tourism stakeholders, appointed by the City of Glenwood Springs Council. Each Board member serves a three-year term that can be renewed for a total of two consecutive terms. A board member may be reappointed after one year hiatus per City Council. The Board generally meets the second Thursday of February, April, June, August, October and December, from 2:00 PM to 3:30 PM at Glenwood Springs City Hall. As the selected organization for the destination marketing contract, GSCRA is required to have a presence at each monthly meeting and other meetings as necessary. In close collaboration with the Tourism Management Board, the GSCRA Tourism Department develops, executes and reports on the annual marketing plan and budget and is accountable to the Glenwood Springs Tourism Management Board and City Council.

2024 Tourism Management Board members/affiliations (New Members Join in February)

- Patrick Drake, Chair ~ Blue Sky Adventures – *Citizen/Resident*
- Taylor Thulson, Vice Chair ~ Hotel Colorado – *Lodging*
- Sharon Brady, Treasurer ~ Cooper Wine & Spirits – *Citizen/Resident*
- Kevin Kennedy ~ Marriott Properties – *Lodging*
- Heather Montrose-Cowan ~ Defiance Rafting – *Citizen/Resident*
- Loretta Ayala ~ Glenwood Hot Springs Resort – *Tourism*
- Justine Smith ~ Rocky Mountaineer – *Tourism*
- Justin Bishop ~ Bluebird Cafe – *Restaurant*
- Mike Mercatoris ~ Grind – *GSCRA Board Representative*

Powers and Duties of the Tourism Management Board (GSMC 020.020.030[M]):

(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 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 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 the marketing priorities of the city.

Tourism Management Board: *Amended by City Council May 20, 2021*

- 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.

Tourism Department Staff Roles and Responsibilities:

The Director of Tourism serves on the staff of the Glenwood Springs Chamber Resort Association. Through a collaborative approach, he/she works closely with the Glenwood Springs Tourism Management Board to produce and execute an annual marketing plan and corresponding budget to implement the Visit Glenwood Springs' (tourism department) and Board's strategies. Responsibilities include regular reporting on marketing initiatives, advertising placements and budget expenditures to provide transparency and board/community accountability.

The Director of Tourism:

Creates and manages the annual Tourism Fund budget and related marketing plan, with approval by the chamber and tourism boards and the City Council. Manages monthly Tourism Management Board meetings and scheduling. Monthly payables are generated by the Director of Tourism with oversight by GSCRA's contracted bookkeeper, tourism management board treasurer and the City Finance Director. Regular reporting to the City Council is encouraged.

- Generates ideas for new marketing campaigns and collaborates with tourism partners to participate in promotional offerings.
- Works with contracted agencies/vendors to create ads and sales collateral, place media buys and provide digital marketing strategies and solutions.
- Speaks on behalf of Visit Glenwood Springs' tourism community
- Oversees the duties of the Tourism Project Manager.
- Handles day-to-day operations and decision-making including managing public relations and overseeing website, social media, and content creation, coordinating with professional group tour operators and meeting planners.
- Attends appropriate travel and tourism sales missions and conferences.
- Assists with management of the Glenwood Springs Visitor Center.

The Tourism Project Manager:

Serves on the staff of the Glenwood Springs Chamber Resort Association under the management of the Director of Tourism, duties include:

- Website development and content management of VisitGlenwood.com
- Social media management includes Facebook, Twitter, Instagram, Google+, etc.
- Leads data management, culmination, dissemination for mail-house fulfillment
- Act as content curator for photo, video and branding assets
- Create Constant Contact template and maintain data base for email marketing
- Generate ideas/content for new e-news blasts, social and website marketing
- Monitor and report on Google Analytics & social media engagement
- Coordination of website marketing/SEO/Pay-per-click through contractor
- Attendance at monthly tourism management board meetings (transcribe minutes)
- Assistance for groups - responding to group and wedding leads
- Group tour and meetings follow-up (touching base after shows and/or meetings)
- Attendance at appropriate travel industry tradeshow, training, and conferences

		2024 TPF BUDGET - DRAFT	2023	2024
1	CODE	2024 TPF REVENUE (85% of accommodations tax receipts 9/1/2022-8/31/2023)	1,352,748	1,487,500
2	56413	NON-MARKETING/ADVERTISING EXPENSES (VC & TP Dept. Overhead)	150,000	125,000
3		BUDGET FOR SUPPORT COSTS (Salaries, Taxes, Benefits, Accting)	203,354	223,256
4		SUPPORT COSTS IN RELATION TO TOTAL TPF BUDGET	26.0%	23.4%
5		2024 WORKING TOURISM MARKETING BUDGET	999,394	1,139,244
6	56416	Advertising - Includes Print, Online, Out-of-Home, Radio & Television, Media Creative, Graphic Design, photos, video production, agency- related Fees/Commissions, discretionary social ad & content creation	804,845	872,720 8.40%
7	56414	Public Relations	9,500	7,000
8	56415	Vacation Planner Printing/Distribution	38,400	41,600
9	56417	Hosting - Website, Video, Photos, Domains, Email, Social	24,304	24,149
10	56418	Internet Management	30,000	57,000
11	56419	Direct Mail and Fulfillment	7,000	8,000
12	56420	Trade Shows / Swag for Media & Groups	1,500	3,000
13	56421	Industry Specific Organizations & Education	4,905	11,185
14	56424	Group and International Marketing	13,800	20,200
15	56422	Miscellaneous	1,000	1,250
16	56423	Travel for Shows / Conferences / Meetings	14,140	18,140
17	56429	Consortium Data Program / Wander Maps Program / Kiosk Software	50,000.00	75,000
19		2024 TOTAL TOURISM MARKETING EXPENSE	999,394	1,139,244

2024 BUDGET

Account	Account Description	2021 Actual	2022 Actual	2023 Revised Budget	2024 Request	Description
05 TOURISM PROMOTION - 111 TOURISM PROMOTION FUND						
05111-56410	MKTG DIRECTOR SALARY	\$87,780	\$94,638	\$98,580	\$104,495	
05111-56411	MARKETING ASSTISTANT	\$55,000	\$57,200	\$60,632	\$64,270	
05111-56412	PAYROLL TAXES-BENEFITS	\$28,556	\$30,040	\$31,842	\$42,191	
05111-56413	VISITOR SERVICES	\$75,000	\$100,000	\$150,000	\$125,000	Non Marketing/advertising expenses, department overhead.
05111-56414	PUBLIC RELATIONS	\$2,999	\$9,623	\$9,500	\$7,000	
05111-56415	BROCHURE PRINTING & DIST	\$0	\$37,198	\$38,400	\$41,600	Vacation planner printing and distribution
05111-56416	PRINT & OTHER ADVERTISING	\$614,442	\$715,417	\$804,845	\$872,720	Print, online, out of home, radio and television, media creative, graphic design, photos, video production, agency-related fees/commissions, discretionary social ad and content creation.
05111-56417	HOSTING	\$24,443	\$23,334	\$24,304	\$24,149	Website, video, photos, domains, email and social media
05111-56418	CONNECTIVITY SERVICES LISTINGS	\$23,585	\$18,796	\$30,000	\$57,000	Internet management
05111-56419	DIRECT MAIL/FULLFILLMENT	\$6,394	\$6,329	\$7,000	\$8,000	
05111-56420	TRADE SHOWS	\$2,500	\$16,177	\$1,500	\$3,000	
05111-56421	ASSOCIATION MEMBERSHIPS	\$4,060	\$4,518	\$4,905	\$11,185	Industry specific organizations and education.
05111-56422	MISC. ADS AND PROMO	\$708	\$617	\$1,000	\$0	
					\$1,250	
	TOTAL MISC. ADS AND PROMO	\$708	\$617	\$1,000	\$1,250	
05111-56423	TRAVEL	\$4,748	\$14,655	\$14,140	\$18,140	Shows, conferences, meetings
05111-56424	SPECIAL EVENTS & MARKETING	\$1,947	\$8,559	\$0	\$20,200	
05111-56425	BOOKKEEPING SERVICES	\$10,400	\$10,500	\$12,300	\$12,300	
05111-56426	TRANSFER TO OTHER FUNDS	\$0	\$50,000	\$169,201	\$50,000	This \$50,000 is part of the FAB grant funds and is transferred to the General Fund to assist with the costs of major events including the 4th of July and New Year's that are operated in-house by the Recreation Department.
					\$128,256	7.5% of revenues from July 2022 to June 2023 to General Fund to address the impacts of Tourism. These funds are in a General Fund reserve which is reduced by amounts directed by Council.
	TOTAL TRANSFER TO OTHER FUNDS	\$0	\$50,000	\$169,201	\$178,256	
05111-56427	INTERFUND COST OF SERVICE	\$11,423	\$11,651	\$12,234	\$12,601	
05111-56428	OTHER EXPENSE	\$2,438	\$2,643	\$0	\$0	
05111-56429	CONSULTANTS	\$0	\$0	\$50,000	\$75,000	Consortium data program, wander maps program, kiosk software
05111-56430	COMMUNITY PROMOTION	\$55,323	\$50,000	\$69,201	\$78,256	Tourism Fund revenue is split to allocate 85% of revenue to the Tourism Management Fund. The remaining 15% is split equally between the Financial Advisory Board (FAB) grant process and a reserve in the General Fund to offset the impact of tourism on the City. This line item represents the FAB grant amount (\$128,256) less \$50,000 transferred to the General Fund for events.

Exhibit C

CORPORATE CREDIT CARD USE/REIMBURSEMENT

It is the policy of the GSCRA to limit the issuance of credit cards to the CEO and others as approved by the CEO. Individuals receiving a credit card will sign a Credit Card Issuance Form. Employees must complete a monthly purchase log, attach receipts and submit to the VP of Finance. All expenses require a detailed description of business purpose. In the case of conference travel a conference agenda, brochure, name badge, etc. should be attached.

Under no circumstances may corporate credit cards be used for individual purchases. In the event the card is inadvertently used for a personal item, payment in full must be made at the time of the initial billing.

Reimbursed expenses are those necessary and reasonable to effectively carry out the employee's work and appropriately represent the GSCRA in the manner in which the expenditure is related.

Employees who use cash or personal credit cards for business-related purchases must fill out an expense report and include receipts for reimbursement. The CEO must approve and sign all expense reports before reimbursement is made. In the case of CEO purchases, a board member must approve expenditures before a reimbursement check is issued to the CEO. Expense reports for actual expenses are to be turned in within 30 days of incurring the expense(s). Expense reports must match all receipts attached. Payment will be made only if report and corresponding documentation agree.



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Planning File #45-23, Matters of State Interest 1041 Permit Application, and Location and Extent, Xcel Energy Mitchell Creek Line Rebuild

Action Requested: Consideration of a Matters of State Interest application to replace two miles of existing 69-Kilovolt electric transmission line between the Glenwood Springs and Mitchell Creek Substations.

Applicant: Xcel Energy, Public Service Company of Colorado
1800 Larimer Street, Suite 400
Denver, CO 80202
Parcel: Multiple parcels in north and west Glenwood Springs
Surrounding Uses: Residential, Open Space, Commercial
Zone Districts: Multiple Zone Districts

Department: Economic and Community Development

Presented By: Hannah Klausman

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

Background Info: In March 2022, City Council passed a Code Amendment adopting ARTICLE 070.080 - GUIDELINES AND REGULATIONS FOR MATTERS OF STATE INTEREST. The purpose and intent of the regulations is to facilitate the identification, designation, and administration of matters of state interest consistent with the statutory requirements in C.R.S. § 24-65.1-101 and the guidelines established in the Comprehensive Plan.

The standards are designed to prevent unsuitable site selection for public utilities, protect scenic and recreational assets, minimize environmental impacts, avoid incompatible uses, avoid conflict with other land use plans, protect the character of the City, promote efficient economic use of public resources, and preserve the health and welfare of the citizens of the City.

These standards apply to regulate the site selection and construction of major facilities of public utilities, domestic water and sewage treatment systems, and/or major extensions of such facilities and systems in order to ensure that the same are conducted in areas which will result in the proper utilization of existing facilities and the orderly development of the same within the City and adjacent communities.

Staff has determined that Xcel Energy's proposal to upgrade and replace their existing electric line is subject to Article 070.080 Matters of State Interest.

Planning and Zoning Commission Review and Recommendation

The Planning and Zoning Commission reviewed the application at their regularly scheduled December 12, 2023 meeting and voted unanimously to recommend approval. The draft meeting minutes of the discussion are attached to this report. Major questions from the Commission included the following:

- Could this line be accommodated underground, or partially underground?
What will construction impacts look like for neighboring properties, including helicopter operations?
- General concerns regarding larger and taller pole heights.
- What is the benefit to the community of Glenwood Springs.

City Council may want to review and discuss the Helicopter operations plan with the applicant. The application indicates a 12 hour operation during the day. The applicant explained that helicopter operations will likely not involve all 12 hours, and will be coordinated around the Caverns Adventure Park Gondola hours to not impact operations there.

Issues: The transmission line project is a 2.25-mile segment of electric transmission line located between the existing Glenwood Springs substation (northeast of the Glenwood Hot Springs Resort) and the existing Mitchell creek substation (northwest of the Glenwood meadows shopping center). The existing transmission line was originally built in the 1940s, and a portion was rebuilt in the 1960s.

The line segment requires rebuilding as it has reached the end of useful operation. Approximately 2 miles of the existing line are within city jurisdiction and the remaining segment is within unincorporated Garfield County. Transmission poles will be placed in 31 locations in Glenwood springs and 4 locations in unincorporated Garfield County. This project is part of a larger line replacement project that extends beyond Glenwood springs to the west and east. this proposal is only for the line from the Glenwood springs substation to the Mitchell creek substation. A map of the line is provided below.



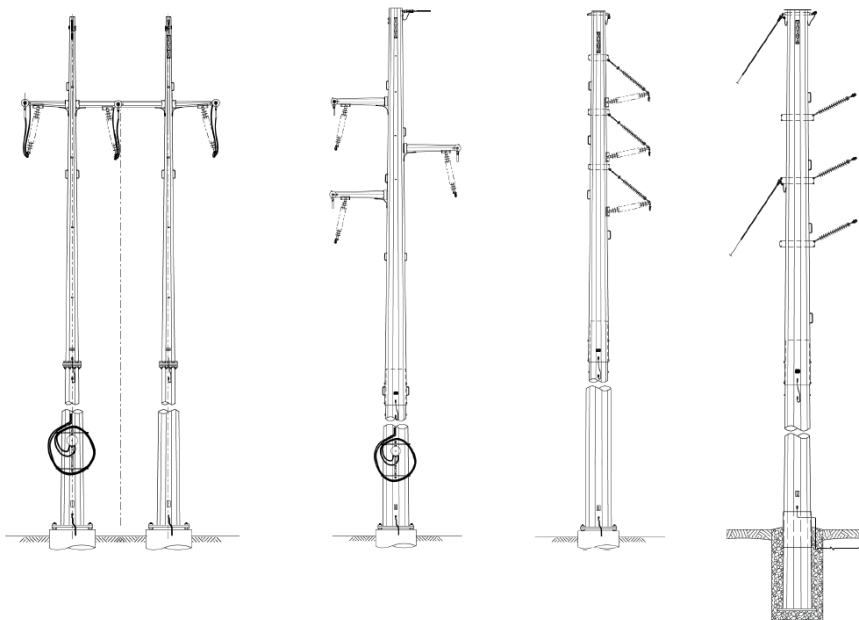
The applicant has provided a detailed description of the differences between the existing line and the proposed project on page 27 of their application in Table 3 which is included for reference below.

Table 3: Existing and Rebuild Characteristic Comparison

Characteristic	Existing Poles	Rebuild Poles	Additional Information
Material, Color	Wood, brown	Steel monopole (weathering), brown/rust	Steel poles comply with updated design standards and wildfire protection
Right-of-way Width	30' for transmission line	60' for transmission line	Additional right-of-way will be needed to provide sufficient clearance to existing buildings, for construction and maintenance activities, and to reduce number and height of poles
Height of Poles	26' to 101.5', average 47'	54.8' to 101.5', average 66'	Increased height needed to comply with current design standards (including lightning protection) and to provide for future increase in operating voltage of the transmission line
Access Required	Ground access for maintenance	Ground and helicopter access for construction, ground access for maintenance	Where access is difficult, helicopters will be used to limit ground disturbance from new access road construction
Additional Easements	Existing easements	Up to an additional 30' for transmission line, ground access for construction, and maintenance and helicopter fly zones	The existing easements date back to as early as the 1920s

The applicant has provided an example of the proposed new poles in their application materials included below.

Example Pole Diagrams



Appendix B compares the height of each existing pole to the new pole heights which is included below for easy reference.

NEW POLE HEIGHTS AND TYPES

New Pole Number	Existing Height (feet)	New Height (feet)	Height Change (feet)
110	101.5	101.5	0
113	46	83.5	37.5
114	31	81.5	50.5
115	32	55	23
116	41	61.5	20.5
117	39	62.25	23.25
118	42	74.65	32.65
119	42	57.5	15.5
120	30	57.5	27.5
121	30	55.5	25.5
122	35	70.5	35.5
123	83	97.5	14.5
124	30	67	37
125	30	61.5	31.5
126	30	57	27
127	31	57	26
128	60	75.5	15.5
129	58	57	-1
130	57	77	20
131	66	68	2
132	68	68	0
133	60	65	5
134	62	58.5	-3.5
135	55	64	9
136	62	59	-3
137	55	57.5	2.5
138	30	62.5	32.5
139	32	54.8	22.8
140	26	57.5	31.5
141	35	55	20
142	43	60	17
143	55	65	10
144	57	70	13
145	45	70	25
146	42	72.5	30.5
147	52	80	28
6584-MITC-SUB1	56	56	0

The project requires the applicant to work with numerous private property owners along the line to obtain the necessary land area for the expanded sixty (60) foot easement width. The City of Glenwood Springs is an identified landowner for 14 parcels and is working with the applicant for the necessary land rights. Staff has included a condition that prior to issuance of any City permit including, building, Right of way, or grading permit, the applicant shall finalize all necessary agreements between all property owners impacted by the new easement width.

Review Criteria and Staff Analysis

070.080.320 Review Criteria for All Applications.

All applications under these regulations shall be evaluated against the following general criteria. Staff review and analysis is included in **bold**. Where such terms as "reasonable," "feasible" and "adequate" are used in the foregoing criteria, the Community Development Department Director shall determine in each case what is or is not reasonable, feasible, or adequate.

(1) The health, welfare, and safety of the residents of this City will be protected and served.

Access to reliable electricity will help protect the health and welfare of residents. In addition, reduced wildfire risk adds to resident safety.

(2) The project is in general conformance with the Comprehensive Plan and other duly adopted plans and permit criteria.

The Comprehensive plan includes the following goals that are supported by the project proposal:

- **Promote long-term, sustainable, and diverse economic development**
- **Maintain Glenwood Springs as the regional tourism, retail, commercial, and governmental center of Garfield County**

These goals are further supported by strategies to direct growth to areas where utilities and services can be provided efficiently, as well as work to mitigate wildfire hazards.

The project will support the efficient service of electricity and according to application materials, reduce the risk of wildfire associated with electric lines with the improvements.

Staff finds the proposal to be in general conformance with the Comprehensive Plan and other adopted City plans.

(3) The project is financially feasible. The determination of financial feasibility of the project may include but is not limited to the following considerations:

The applicant has submitted documentation as part of their application detailing the financial stability of Xcel Energy to undertake the project.

(4) The project is not subject to significant risk from natural hazards. The determination of risk from natural hazards to the project may include but is not limited to the following considerations:

The current electrical line is over sixty (60) years old and in need of upgrades to ensure safety from natural hazard risks. The transmission poles will be equipped with shield wires above the energized line; this equipment adds to the pole height but also provides protection against lightning strikes. The transmission poles will be made of a weathering steel instead of wood. The weathering steel poles will comply with updated design standards and wildfire protection, as they perform better in the event of a wildfire compared to wood. Other risks including the possibility of unstable slopes and evaporative soils will be mitigated through City and State permit requirements for construction.

(5) The project will not have a significant adverse effect on the capability of local governments affected by the project to provide local infrastructure and services, or exceed the capacity of service delivery systems.

Staff believes the ability for the City of Glenwood Springs to provide electricity services will be improved with a more reliable power supply. Staff does not find an adverse effect on City services associated with the project.

The need for temporary roads to access the project for construction and maintenance will be handled through other City permits and requirements.

(6) The project will not have a significant adverse effect on the quality or quantity of recreational opportunities and experience.

The majority of the project areas occurs on private property without any established recreational opportunities. No significant impact is expected.

There is a conservation easement that exists on one of the properties but will have no significant change to how it functions with the expanded line easement.

The new pole structures and heights will have an increased impact on the visual experience of that area. believe these impacts are low given the existing structures.

(7) The project will not significantly degrade air quality.

Air quality will not be impacted by the project. Construction activities that may include the creation of dust will be managed by Construction management requirements.

(8) The project will not significantly degrade existing visual quality.

This project will have some visual impacts to the area including the disturbance of ground vegetation, and interference with some viewsheds with the increased pole heights. The weathered steel poles are meant to be compatible with natural colors to reduce these impacts.

(9) The project will not significantly degrade surface water quality. The determination of effects of the project on surface water quality may include, but is not limited to, the following considerations:

A grading permit will be required for each pole placement and has requirements and best management practices included to manage impacts to surface water quality. In addition, the applicant will be required to obtain a State Stormwater Management plan permit which is sufficient to mitigate any impacts.

(10) The project will not significantly degrade groundwater quality. The determination of effects of the project on groundwater quality may include, but is not limited to, the following considerations:

Within the Geo-technical Engineering report, the geothermal aquifer interactions are discussed. It states: "In the event that artesian conditions are encountered during the construction of the transmission line structure foundations, the contractor should be prepared with a contingency plan to manage the artesian conditions and seal the pier hole. Prior to construction, the contingency plan should be reviewed by the owner and any other entities with jurisdiction."

Staff has included this recommendation from the technical report as a condition of approval to provide a written contingency plan for review and approval.

(11) The project will not significantly degrade wetlands and riparian areas, terrestrial or aquatic plant or animal life.

The project area does not include wetlands or riparian areas. While the transmission line crosses the Colorado River in West Glenwood, the pole placements are outside the riparian areas and separated by existing streets

from the river.

Per the application materials, Xcel Energy requested Environmental Reviews from Colorado Parks and Wildlife and United States Fish and Wildlife Service on March 22, 2022 but did not receive a response from either agency. Xcel Energy followed up with CPW, requesting another Environmental Review on August 11, 2023 and is awaiting a response.

(12) The project will not significantly deteriorate soils and geologic conditions.

The applicant will be required to obtain grading permits for each of the pole placements which have requirements including erosion control to mitigate any deterioration of soils and geologic conditions. The applicant also points out in item 20.a of their application that "Any land disturbed during construction will be restored in a manner generally similar to its condition prior to construction and as may be provided for in private agreements.

(13) The project will not cause a nuisance. The determination of nuisance effects of the project may include, but is not limited to, the following considerations: Increase in odors, dust, fumes, glare, heat, noise, vibration or artificial light.

There are some nuisances associated with construction, including dust and noise, however, staff do not believe there are long-term nuisance impacts. The 69kV transmission line is not proposed to change at this time. However, it is the staff's understanding that a possible upgrade in the future to a 115kV line will not increase noise emitted from the current electrical line.

(14) The project will not result in an unreasonable risk of releases of hazardous materials.

Best Management Plans included in construction management include mitigation of these possibilities. The applicant has stated that the project does not involve transportation of any hazardous materials, and there will be an enclosed containment provided for trash disposal.

(15) Urban development, population densities, and site layout and design of storm water and sanitation systems shall be accomplished in a manner that will prevent the pollution of aquifer recharge areas.

Staff does not find this applicable to this project proposal and the applicant will have detailed mitigation plans for any aquifer interaction as detailed in other sections.

(16) The project shall be reasonably necessary to meet projected community development and population demands in the areas to be served by the project, or to comply with regulatory or technological requirements.

The project is in compliance with City electric service plans and will help to facilitate increases in electric service capacity.

(17) The project shall be constructed in areas which will result in the proper utilization of existing facilities or systems to ensure the orderly and sustainable development of infrastructure in the City and adjacent communities, including the following considerations:

The project will minimize disruption of utility services and preserve desirable existing community patterns. The project does not create or encourage incompatible growth or place a burden on existing systems.

(18) Economic impacts including, but not limited to, taxable property, licensed and permitted facilities, and recreation related to the proposed project have been identified and will be compensated for or mitigated.

The applicant is responsible for acquiring all necessary easements and property acquisitions as part of this project. A condition of approval is that the applicant completes all necessary property owner negotiations prior to the issuance of a building permit. This includes properties owned by the City of Glenwood Springs.

(19) The project shall emphasize the most efficient use of water, including the recycling, reuse, and conservation of water, including the following considerations:

This project does not utilize any water resources and therefore this criterion is not applicable.

070.080.340 - Additional Special Review Criteria for Site Selection and Construction of Major Facilities of a Public Utility.

(a) No permit shall issue for a project related to the site selection and construction of major facilities of a public utility unless it contains conditions tailored to mitigate the environmental, infrastructure, and financial impacts to the City described in Subsection (b) below. Conditional permits shall issue at the discretion of the Permit Authority, pursuant to Section 070.080.360 of this article.

(b) Applications for a project related to the site selection and construction of major facilities of a public utility shall be subject to the following mandatory special review criteria.

(1) The project will not increase the potential for fires and wildfires.

The project reduces the risk of wildfires due to upgrades in the design of the line. The project will not increase the potential for fires or wildfires.

(2) The project will not conflict with any local, regional, or state comprehensive plans.

The project is in compliance with the City of Glenwood Springs plans.

Fiscal Impact: The property negotiations for impacted properties, including some city-owned parcels, may have monetary compensation for obtaining the 60 foot easement necessary for the project.

Legal Review: Legal has been involved in the application process and negotiations for City-owned properties involved in the project. Legal has also provided suggested conditions and advised on the new process of Matters of State Interest.

Staff Recommendation: Planning and Zoning Commission unanimously voted to recommend approval of the Matters of State Interest Permit as well as the associated Location and Extent Permit. Staff also recommends approval with the suggested conditions and findings below. The suggested conditions were reviewed with City Legal and the applicant to make slight alterations from those presented to the Planning and Zoning Commission. A redlined comparison of the conditions is attached to this report for reference.

Suggested Conditions:

1. The Project shall comply with the requirements of the Code. Any future physical changes or improvements to the Project prior to commencement of construction except for activities related to ongoing operations and maintenance, are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the Glenwood Springs Municipal Code.
2. The applicant shall comply with all verbal representations made in the public hearings, as outlined in all application materials, and/or as revised per conditions herein and approved by the Community Development Director. Any new agreement made by verbal representation at the hearing shall be documented by a condition to the permit.
3. The applicant shall comply with applicable recommendations identified in the technical reports submitted as part of the 1041 permit application including but not limited to Geo-technical and Drainage.
4. Prior to submitting a grading permit application, the owner shall:
 - a. Submit Final Plans for any grading permit applications in accordance with Municipal Code section 070.060.050(c).
 - b. Submit and updated grading plan set, including the guard structures indicated in the application.
 - c. Provide a written contingency plan for encountering artesian groundwater conditions, for review and approval by the City Engineer.
 - d. Provide all other permits from outside jurisdictions necessary for the Project.
5. At the time of Final Plans review associated with grading permits, the applicant shall submit all required civil plans and related reports that demonstrate compliance with Code requirements and the Engineering Standards, including all applicable comments provided by the City staff.
6. The applicant shall provide notice to the City of approved and recorded easements with all involved property owners, including the City of Glenwood Springs prior to the start of construction on each parcel.

Suggested Findings:

- (1) The health, welfare, and safety of the residents of this City will be protected and served.
- (2) The project is in general conformance with the Comprehensive Plan and other duly adopted plans and permit criteria.
- (3) The project is financially feasible.
- (4) The project is not subject to significant risk from natural hazards.
- (5) The project will not have a significant adverse effect on the capability of local governments affected by the project to provide local infrastructure and services, or exceed the capacity of service delivery systems.
- (6) The project will not have a significant adverse effect on the quality or quantity of recreational opportunities and experience.
- (7) The project will not significantly degrade air quality.
- (8) The project will not significantly degrade existing visual quality.
- (9) The project will not significantly degrade surface water quality.
- (10) The project will not significantly degrade groundwater quality.
- (11) The project will not significantly degrade wetlands and riparian areas, terrestrial or aquatic plant or animal life.
- (12) The project will not significantly deteriorate soils and geologic conditions.

(13) The project will not cause a nuisance.

(14) The project will not result in unreasonable risk of releases of hazardous materials.

(15) Urban development, population densities, and site layout and design of storm water and sanitation systems shall be accomplished in a manner that will prevent the pollution of aquifer recharge areas.

(16) The project shall be reasonably necessary to meet projected community development and population demands in the areas to be served by the project, or to comply with regulatory or technological requirements.

(17) The project shall be constructed in areas which will result in the proper utilization of existing facilities or systems to ensure the orderly and sustainable development of infrastructure in the City and adjacent communities.

(18) Economic impacts including, but not limited to, taxable property, licensed and permitted facilities, and recreation related to the proposed project have been identified and will be compensated for or mitigated.



LAND USE APPLICATION

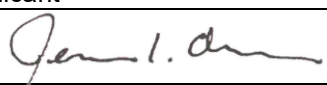
City of Glenwood Springs
Economic and Community Development Dept.
101 West 8th Street
Glenwood Springs, CO 81601
970-384-6411

Ordinance Amendments		Development Permits	
☐	Rezoning	Site/Architectural Plan Review	
☐	Rezoning to Planned Unit Development (PUD)	☐	Administrative
☐	Annexation	☐	Minor
☐	Condominiumization	☐	Major
☐	Annexation	☐	Master Plan
☐	Street Vacation	☐	Construction Plans
		☐	Location & Extent
Subdivisions			Right of Way Encroachment License
☐	Minor Subdivision	☐	Floodplain Development Permit
☐	Preliminary Plat	☐	Special Use Permit
☐	Final Plat		Flexibility and Relief Procedures
☐	Vacation of Right-of-Way	☐	Variance
		☐	Administrative Adjustment
Other Land Use Applications		☐	Appeal
☐	Outdoor Seating	☐	Landmark Alteration Certificate
☒	Matters of State Interest (1041)		

Applicant/Property Owner Information:			
Applicant		Owner	
Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy		See 1041 Application, Appendix E	
Relationship to Owner		Owner	
Public utility			
Applicant Address		Owner Address	
1800 Larimer Street, Suite 400		See Appendix E	
Denver, CO 80202			
Phone 303.285.6533	Email Address jennifer.l.chester@xcelenergy.com	Phone	Email Address

Property Information:	
Address	Parcel Number
See Figure 1	See Appendix E
Subdivision	Lot and Block Number
Not applicable	
Zone District I2, M1, RM1, RM2, RL, PUD, HP, I1, RR, RT, RH	Existing Land Use Transmission Line

General Project Description:
Replacement of approximately 2 miles of existing 69-kilovolt electric transmission line between the Glenwood Springs and Mitchell Creek substations. See Project Narrative and Figure 1.

Signatures:		
The owner or applicant must be present at the hearing. All public hearings must be properly noticed according to G.S.M.C. Section 070.010.030. Signatures of all owners of the property must appear before the application is accepted. Partnerships or corporations may have the authorized general partner or corporate officer sign the		
	Applicant	Date
		9/15/23
	Owner	Date

application. (Attach additional incorporation documents if necessary.) I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.	Please see text in red below	
	Owner	Date

PSCo has easements along the existing transmission line and is working with landowners to review those easements and acquire additional right-of-way along the transmission line, as needed for access, and temporary construction easements. Any necessary easements will be acquired before construction begins on any parcel.

September 15, 2023

Via electronic file transfer to Hannah.Klausman@cogs.us

Hannah Klausman: Director, Economic and Community Development
City of Glenwood Springs
101 W 8th Street
Glenwood Springs, CO 81601

RE: Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project—
Municipal Code, (“Code”), Article 070.080 Guidelines and Regulations of Matters of
State Interest – Major Facilities of a Public Utility (“1041 Regulations”) – 1041
Permit Application (“1041 Application”)

Dear Hannah:

Public Service Company of Colorado (PSCo), a Colorado corporation conducting business as Xcel Energy, is seeking approval a 1041 Application from the City of Glenwood Springs (City) to rebuild the existing Glenwood Springs to Mitchell Creek 69-kilovolt transmission line (Project) located in the City. The transmission line (a 2.25-mile segment) is located between the existing Glenwood Springs Substation (northeast of the Glenwood Hot Springs Resort) and the existing Mitchell Creek Substation (northwest of the Glenwood Meadows shopping center).

Project representatives met with City staff on September 14, 2020, for the Location and Extent (L&E) Permit Pre-Application meeting where Xcel Energy provided information about the Project and responded to questions from City representatives. On September 21, 2021, Xcel Energy submitted a L&E Permit application in accordance with the L&E Review Application Checklist provided by the City and the City of Glenwood Springs Municipal Code, Article 070.060.050(d). Xcel Energy received verbal comments from the City on the L&E Permit application on October 19, 2021 during a meeting with City representatives to discuss the application. On October 27, 2021, Xcel Energy received additional comments from the City’s Engineering Department by email. Xcel Energy resubmitted a revised L&E Permit package on March 30, 2022, to address all comments received by the City.

Xcel Energy resubmitted a revised L&E Permit package on August 8, 2023, to amend the previous L&E Permit application package to account for an updated alignment. In that submittal, Xcel Energy included a Request for Administrative Determination that the Project qualifies as an exemption from the 1041 permitting requirements. On August 15, 2023, the City provided Xcel Energy with a Determination of 1041 Regulation Applicability and determined that the Project is subject to the 1041 Regulations (1041 Determination).

Xcel Energy respectfully disagrees with the analysis and conclusion in the 1041 Determination given the Project is a rebuild of aging existing infrastructure in the same alignment. Nevertheless, Xcel Energy has decided to accommodate the City in this matter and are submitting a 1041 Application concurrently with this letter. This decision to proceed is largely due to the immediate need to serve important public interests, including continued utility service reliability and facilities safety through this rebuild Project. Accordingly, please process the 1041 Application together with the L&E Permit Application previously submitted for the Project pursuant to the Code, Section 070.080.260.

Submittal of this 1041 Application is not meant to be construed as a submission by Xcel Energy to the City's 1041 Regulations for any future utility projects, nor is it intended to establish a precedent regarding 1041 permit matters in any other jurisdiction. Furthermore, nothing in this letter shall be deemed a waiver of Xcel Energy's rights or remedies, and all such rights are expressly reserved.

The enclosed 1041 Application is being submitted pursuant to the 1041 Determination. On July 25, 2022, the City provided Xcel Energy with an annotated and modified version of the submission requirements outlined in the 1041 Regulations to be used solely for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. The 1041 Application is formatted based on that annotated and modified version of the 1041 Regulations.

We look forward to working with you during the ongoing permit process. Please feel free contact me by telephone at (303) 285-6533 or email at jennifer.l.chester@xcelenergy.com.

Sincerely,

Jennifer Chester
Xcel Energy
Siting and Land Rights, Manager
1800 Larimer St
Denver, CO, 80202



Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project



Submitted to
City of Glenwood Springs
101 W 8th Street
Glenwood Springs, CO 81601



TETRA TECH

Prepared by
Tetra Tech, Inc.
1580 Broadway, Suite 1400
Denver, CO 80202

**Areas and Activities of State
Interest Permit Application**

September 15, 2023

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**Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project
Areas and Activities of State Interest Permit Application**

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
1) Cover page. Completed application cover page in the format approved and maintained by the Community Development Department.	Cover Page
2) Information Describing the Applicant a) The names, addresses, including email address and fax number, organizational form, and business of the applicant and, if different, the owner of the project. b) The names, addresses and qualifications, including those areas of expertise and experience with projects directly related or similar to that proposed in the application package, of individuals who are or will be responsible for constructing and operating the project. c) Written authorization of the application package by the project owner, if different than the applicant. d) Documentation of the applicant's financial and technical capability to develop and operate the project, including a description of the applicant's experience developing and operating similar projects. e) Written qualifications of report preparers.	Section 2
3) Information describing the project proposal a) A description of the proposed facilities and site. b) A description of the present or most recent use and zoning. c) Vicinity map showing the proposed site, including proposed zoning designation, and the surrounding area. d) Executive summary of the proposal indicating the scope and need for the project. e) Plans and specifications of the project in sufficient detail to evaluate the application against the applicable review criteria. f) Descriptions of alternatives to the project considered by the applicant. If the Community Development Director determines that the nature or extent of the proposal involves the potential for significant damage and warrants examination of other specific, less damaging alternatives, the Community Development Director may require the applicant to evaluate and present information on such additional alternatives as part of the application. g) Schedules for designing, permitting, constructing and operating the project, including the estimated life of the project.	Section 3

Areas and Activities of State Interest Permit Application
 Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
h) The need for the project, including a discussion of alternatives to the project that were considered and rejected; existing/proposed facilities that perform the same or related function; and population projections or growth trends that form the basis of demand projections justifying the project. i) Description of relevant conservation techniques to be used in the construction and operation of the project. j) Description of demands that this project expects to meet and basis for projections of that demand. k) List of adjacent property owners and their mailing addresses.	
4) Scope of proposed project relevant to specific designated area and/or activity. a) Domestic water or sewage treatment systems and/or major extensions thereof. i) Detailed plans of the proposal, including not less than thirty (30) percent engineering plans and specifications prepared by a registered professional engineer, and proposed system capacity and service area plans mapped at a scale acceptable to the Department. ii) A description of all existing or approved proposed domestic water or sewage treatment systems within the proposed project area. iii) A description the design capacity of each domestic water or sewage treatment system facility proposed and the distribution or collection network proposed in the proposed project area. iv) A description the excess capacity of each treatment system and distribution or collection network in the affected community or proposed project area. v) A description the operational efficiency of each existing system in the proposed project area, including the age, state of repair, and level of treatment. vi) A description the existing water utilization, including the historic yield from rights and use by category such as agricultural, municipal, and industrial supply obligations to other systems. vii) A description of any impacts to the City's water resources used to serve the City's water service area.	Section 4a
b) Major facilities of a public utility. i) Specifications of approximate floor space of any office building, storage facility, or other enclosed structure. ii) Voltage and length of transmission lines. iii) The power source and generating capacity iv) The function and size of any substation. v) The diameter and length of any gas pipeline. vi) The capacity of storage tanks, and type of petroleum derivative to be stored. vii) The proposed service area.	Section 4b

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
viii) The resource area (e.g. source of power being generated or transmitted, source of petroleum derivative being transported). ix) A computer modeled electromagnetic field measurement within the proposed transmission line easement for that portion of the transmission line between substations or transition sites. x) Measures taken to comply with the concept of prudent avoidance with respect to planning, siting, construction, and operation of transmission lines, which may be those steps taken to comply with CCR 723-3 § 3206(9)(b) or similar authority, for projects where other similar authority is applicable. xi) Any impacts to vegetation and wildlife in the City. xii) Possible alternatives to achieve underground transmission lines associated with the facility. xiii) Visuals demonstrating impact to scenic resources.	
c) Efficient utilization of municipal and industrial water projects. i) A description of efficient water use, recycling and reuse technology intended for the project. Such description shall include estimated stream transit losses of water, reservoir evaporation losses, and power and energy requirements of the project and project alternatives. ii) Map and description of other municipal and industrial water projects in the City and vicinity, including capacity and service levels, location of intake and discharge points, debt structure, fees and rates, and service plan boundaries. iii) A description of the water to be used, including the applicant's right to use the water, adjudicated decrees or determinations, quantity, and comments from reviewing authorities.	On July 25, 2022, the City of Glenwood Springs (City) provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
d) Development in areas containing, or having a significant impact upon, historical, natural, or archaeological resources of statewide importance. i) A description of the existing natural environment and an analysis of the impacts of the project on the natural environment and natural resources, including water resources, wildlife, and air quality, to include maps and engineering analyses regarding the surface water quality, groundwater quality, water quantity, flood lands, wetlands, and riparian areas. ii) A description of proposals to mitigate any impact to the natural environment and natural resources, including to the watershed, wildlife, or air quality. iii) A description of the existing historical and archaeological resources in the proposed project area and a description of proposals to mitigate any impact to the existing historical and archaeological resources.	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
e) Development in areas around key facilities in which development may have a material effect upon the key facility or the surrounding community.	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy

Areas and Activities of State Interest Permit Application
Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
i) A description of the existing key facilities and an analysis of the impacts of the project on the key facilities and the surrounding community to include maps showing the key facilities and including traffic and use studies. ii) A description of proposals to mitigate the impact on the key facilities and surrounding communities.	Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
5) Proof of notice as provided under Section 070.080.280.	Section 5
6) Comments of other agencies. Any commentary received by other agencies with review authority over the proposal, including, without limitation, the state Department of Natural Resources, the state Department of Public Health and Environment, and any other federal, state, or local agency.	Section 6
7) Demonstration of need. a) Population trends for the project area, including present population, population growth, and growth rates document the sources used. b) The predominant types of developments to be served by the proposed new systems and/or facilities or extensions thereof. c) The percentage of design capacity at which the current system is now operating. d) A description of conditions and projections that prohibit present facilities from being upgraded to adequately accommodate increased demand. e) Potential alternatives.	Section 7
8) Property rights, other permits, and approvals. a) Description of property rights that are necessary for or that will be affected by the project, including easements and property rights proposed to be acquired through negotiation or condemnation. b) A list of all other federal, state, and local permits and approvals that will be required for the project, together with any proposal for coordinating these approvals with the City permitting process. Copies of any permits or approvals related to the project that have been granted. c) Copies of relevant official federal and state consultation correspondence prepared for the project; a description of all mitigation required by federal, state, and local authorities; and copies of any draft or final environmental assessments or impact statements required for the project. d) Details of the source and rights for the water supplies for the system, including any permits, decrees, or contracts for such rights, or the application submitted for change of water rights, appropriation of water, or augmentation plans. e) Proof of ownership or a contractual right to develop the property.	Section 8 On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. Section 8(d) was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
9) Land Use	Section 9

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
a) Provide a map at a scale relevant to the project and acceptable to the Community Development Department describing existing land uses and existing zoning of the proposed project area and the project service area, including peripheral lands which may be impacted. The land use map shall include but need not necessarily be limited to the following categories: Residential, commercial, industrial, extractive, transportation, communication and utility, institutional, open space, outdoor recreation, agricultural, forest land and water bodies. Show all special districts (school, fire, water, sanitation, etc.) within the project area. b) All immediately affected public land boundaries should be indicated on the map. Potential impacts of the proposed development upon public lands will be visually illustrated on the map as well as described in the text. c) Specify whether and how the proposed project conforms to the Comprehensive Plan. d) Specify whether and how the proposed project conforms to applicable regional and state planning policies. e) Specify whether and how the proposed project conforms to applicable federal land management policies. f) Specify how the proposed project will utilize existing easements or right-of-way to achieve project objectives. g) If relevant to the project design, describe the agricultural productivity capability of the land in the project area, using Soils Conservation Service soils classification data. h) Describe the probability that the project may be significantly affected by earthquakes, floods, fires, snow, slides, avalanches, rockslides or landslides and any measures that will be taken to reduce the impact of such events upon the project. i) Specify if excess service capabilities created by the proposed project will prove likely to generate sprawl or strip development. j) Specify whether the demand for the project is associated with development within or contiguous to existing service areas.	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. Sections 9(d), (e), (g) and (i) were struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
10) The Community Development Department Director may require submission of any plan, study, survey, or other information, in addition to the information required by this section, at the applicant's expense, as in the Director's judgment is necessary to enable it to review and act upon the application.	Section 10
11) Any application which requires compliance with C.R.S. § 24-65.5-101 et seq. (Notification to Mineral Owners of Surface Development), shall not be considered to have been submitted as complete until the applicant has provided a certification signed by the applicant confirming that the applicant or its agent has examined the records of the County Clerk and Recorder for the existence of any mineral estate owners or lessees that own less than full fee title in the property which is the subject of the application,	Section 11

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
and stating whether or not any such mineral estate owners or lessees exist. In addition, for purposes of the City convening its initial public hearing on any application involving property which mineral estate owners or lessees owning less than full fee title in the property have been certified by the applicant to exist, the application shall not be considered to have been submitted as complete until the applicant has provided an additional signed certification confirming that the applicant has, at least thirty (30) days prior to the initial public hearing, transmitted to the City and to the affected mineral estate owners and lessees the notices required by C.R.S. § 24-65.5-101 et seq.	
12) Projected development schedule. a) An estimate of the maximum number of employees, number of shifts and employees per shift during the following phases: Construction, operation, and maintenance. b) Information regarding any future phases or extensions of the facility and relationship of the facility (if currently foreseen) to larger programs and plans. c) A timetable for planning (e.g., federal permits, state permits, local zoning, etc.). d) An estimate beginning and completion of construction and beginning of operation of facility or system. e) A description of any support facilities (e.g., pollution control parking areas, landscaping, etc.) to be provided. f) A description of any feasible "non-structural" alternatives to meet the objectives of the proposed site selection and construction.	Section 12
13) Financial information. a) Relevant bond issue, loan and other financing approvals or certifications (ex: approved bond issues; bond counsel opinion). b) A description of the intended financial/economic impacts on the proposed project on the City and surrounding area. c) Business plan that generally describes the financial feasibility of the project. d) A plan to offset increased demand on the City's existing facilities, systems, or public utilities.	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
14) Local infrastructure and services impacts. An impact analysis that addresses the manner in which the applicant will comply with the relevant permit application review criteria. The impact analysis shall include the following information: description of existing capacity of and demand for local government services including, but not limited to, roads, schools, water and wastewater treatment, water supply, emergency services, transportation, infrastructure, and other services necessary to accommodate the project within the City.	Section 13

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
15) Recreational opportunities. Description of the impacts and net effect of the project on present and potential recreational opportunities.	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
16) Social impacts. A description of other intended social impacts of the proposed project, including, by way of illustration, increased access to relevant services.	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
17) Areas of paleontological, historic, or archaeological importance. Description of the impacts and net effect of the project on sites of paleontological, historic, or archaeological interest.	Section 14
18) Nuisance. Descriptions of noise, glare, dust, fumes, vibration, and odor levels anticipated to be caused by the project.	Section 15
19) Air quality. Description of the impacts and net effect that the project would have on air quality during both construction and operation, and under both average and worst case conditions, considering particulate matter and aerosols, oxides, hydrocarbons, oxidants, and other chemicals, temperature effects and atmospheric interactions.	Section 16
20) Visual quality. Description of the impacts and net effect that the project would have on visual quality, considering viewsheds, scenic vistas, unique landscapes or land formations within view of the project area.	Section 17 Appendix G
21) Surface Water Quality a) Map and/or description of all surface waters relevant to the project, including description of provisions of Region XII's regional water quality management plan, and NPDES Phase II Permit and necessary Erosion and Stormwater Quality Control Permit ("ESQCP"), Section 404 Federal	Section 18

Areas and Activities of State Interest Permit Application
Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
Clean Water Act Permit that applies to the project and assessment of whether the project would comply with those provisions. b) Existing data monitoring sources. c) Descriptions of the immediate and long-term impact and net effects that the project would have on the quantity and quality of surface water under both average and worst case conditions.	
22) Groundwater quality. a) Map and/or description of all groundwater, including any and all aquifers relevant to the project. At a minimum, the description should include: i) Seasonal water levels in each portion of the aquifer affected by the project. ii) Artesian pressure in said aquifers. iii) Groundwater flow directions and levels. iv) Existing aquifer recharge rates and methodology used to calculate recharge to the aquifer from any recharge sources. v) For aquifers to be used as part of a water storage system, methodology and results of tests used to determine the ability of the aquifer to impound groundwater and aquifer storage capacity. vi) Seepage losses expected at any subsurface dam and at stream-aquifer interfaces and methodology used to calculate seepage losses in the affected streams, including description and location of measuring devices. vii) Existing groundwater quality and classification. viii) Location of all water wells potentially affected by the project and their uses. b) Description of the impacts and net effect of the project on groundwater.	Section 19
23) Water quantity. a) Map and/or description of existing stream flows and reservoir levels relevant to the project. b) Map and/or description of existing minimum stream flows held by the state Water Conservation Board. c) Descriptions of the impacts and net effect that the project would have on water quantity. d) Statement of methods for efficient utilization of water, including recycling and reuse. e) Descriptions on the impacts to riparian vegetation and fisheries.	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
24) Floodplains, wetlands, and riparian areas; terrestrial and aquatic animals, plant life, and habitat. Applicant shall only provide description of foregoing natural conditions, animal and plant life at, but not	On July 25, 2022, the City provided Xcel Energy with an annotated version of the Article 070.080 of the City's Municipal Code to be used for the Xcel Energy

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
to exceed, the level of detail required by other federal or state permits or reviews which are applicable to the project.	Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This section was struck from the annotated version of the 1041 Regulations. Therefore, information to address this requirement is not included in this application package.
25) Soils, geologic conditions, and natural hazards. a) Map and/or description of soils, geologic conditions, and natural hazards including, but not limited to, soil types, drainage areas, slopes, avalanche areas, debris fans, mud flows, rock slide areas, faults and fissures, seismic history, and wildfire hazard areas, all as relevant to the project area. b) Descriptions of the risks to the project from natural hazards. c) Descriptions of the impacts and net effect of the project on soil and geologic conditions in the area.	Section 20
26) Hazardous materials. a) Description of all solid waste, hazardous waste, petroleum products, hazardous, toxic, and explosive substances to be used, stored, transported, disturbed or produced in connection with the project, including the type and amount of such substances, their location, and the practices and procedures to be implemented to avoid accidental release and exposure. b) Location of storage areas designated for equipment, fuel, lubricants, and chemical and waste storage with an explanation of spill containment plans and structures.	Section 21
27) Monitoring and mitigation plan. a) Description of all mitigation that is proposed to avoid, minimize or compensate for adverse impacts of the project and to maximize positive impacts of the project. i) Describe how and when mitigation will be implemented and financed. ii) Describe impacts that are unavoidable that cannot be mitigated. b) Description of methodology used to measure impacts of the project and effectiveness of proposed mitigation measures. c) Description, location, and intervals of proposed monitoring to ensure that mitigation will be effective. d) Emergency procedures to be used in the event of a fire, explosion, or other event which may endanger the public health, safety, and welfare.	Section 22
28) Additional information. The Community Development Department Director may request that the applicant supply additional information related to the project if the Director and/or the Permit Authority will not be able to make a determination on any one (1) of the applicable review criteria without the	Section 23

Areas and Activities of State Interest Permit Application
 Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project

Application Submittal Requirements (Sec. 070.080.250)	
Requirement	Location in this Permit Application
additional information. Such additional information may include applicant's written responses to comments by a referral agency.	
29) 070.080.320. Review criteria for all applications. All applications under these regulations shall be evaluated against the following general criteria. Each subsection below constitutes a "criterion". Within each subsection are further guidelines to be considered for each criterion. Where such terms as "reasonable," "feasible" and "adequate" are used in the foregoing criteria, the Community Development Department Director and/or the Permit Authority shall determine in each case what is or is not reasonable, feasible, or adequate.	Section 24
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1. Introduction

Public Service Company of Colorado (PSCo), a Colorado corporation conducting business as Xcel Energy, is proposing to rebuild the existing 2.25-mile Glenwood Springs to Mitchell Creek 69-kilovolt (kV) transmission line (Project), segments of which are located in the City of Glenwood Springs (Glenwood Springs or City) and unincorporated Garfield County. The existing transmission line must be rebuilt because it has reached the end of its safe and useful operational life. The rebuilt transmission line will be in the same alignment as the existing route that connects the Glenwood Springs Substation, located northeast of the Glenwood Hot Springs Resort, to the existing Mitchell Creek Substation, located northwest of the Glenwood Meadows shopping center (Figure 1).

Approximately 2 miles of the existing line are within City jurisdiction and the remaining segment is within unincorporated Garfield County (Figure 1). Transmission poles will be placed in 31 locations in Glenwood Springs and 4 locations in unincorporated Garfield County. This Major Facilities of a Public Utility (1041) Permit application will only address the portion of the transmission line and related poles located within the City. Xcel Energy is currently coordinating with Garfield County officials on the portion of the Project located in the County.

On July 25, 2022, the City provided Xcel Energy with an annotated version of the submission requirements outlined in Article 070.080.250 of the City's Municipal Code (1041 Regulations) to be used for the Xcel Energy Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project. This 1041 Permit application package was prepared per the requirements outlined in that annotated version of the 1041 Regulations and addresses the approval criteria in Articles 070.080.320 and 070.080.340.

2. Information Describing the Applicant (070.080.250)(2)

2a. The names, addresses, including email address and fax number, organizational form, and business of the applicant and, if different, the owner of the project. (070.080.250)(2)(a)

Xcel Energy serves as the project owner and applicant. Xcel Energy's authorized representative is:

Jennifer Chester
Manager, Siting and Land Rights
Xcel Energy
1800 Larimer Street, Suite 400
Denver, CO 80202
303-285-6533
Jennifer.L.Chester@xcelenergy.com

2b. The names, addresses and qualifications, including those areas of expertise and experience with projects directly related or similar to that proposed in the application package, of individuals who are or will be responsible for constructing and operating the project. (070.080.250)(2)(b)

The names, addresses, and qualifications of individuals responsible for constructing and operating the Project are provided in Table 1.

Table 1: Names, Addresses and Qualifications of Individuals Constructing and Operating the Project

Name	Address	Qualifications
XCEL ENERGY		
Jennifer Chester Manger, Siting and Land Rights	1800 Larimer Street, Suite 400, Denver, CO 80202	Jennifer Chester is the Manager of Siting and Land Rights responsible for overseeing routing/siting, permitting, and public outreach activities for Xcel Energy projects in Colorado. Ms. Chester has 22 years of experience working in the utility planning industry as a consultant and utility employee routing and siting facilities, working with project stakeholders in public outreach forums, land use permitting activities, as well as other state and federal processes required for the construction and operation of electric transmission facilities.
Braileigh Jay Principal Agent, Siting and Land Rights	1800 Larimer Street, Suite 400, Denver, CO 80202	Braileigh Jay is a Principal Agent in the Siting & Land Rights Department at Xcel Energy and has over 20 years of experience in right-of-way/acquisition and federal permitting in the electric utility industry.
Josh Peterson Principal Transmission Line Engineer	1800 Larimer Street, Suite 400, Denver, CO 80202	Josh Peterson is a Principal Transmission Line Engineer with 15 years of experience designing transmissions lines between 69kV and 345kV.
Julie Stencel Assistant General Counsel	1800 Larimer Street, Suite 1400, Denver, CO 80202	Julie Stencel is Assistant General Counsel for Xcel Energy and has over 25 years of legal experience in land use and real estate development matters. Ms. Stencel is responsible for managing all legal support necessary for the acquisition and land use permitting for all transmission projects in Colorado, Texas and New Mexico.
Alan Masters Director, Transmission Regional Field Operations	Xcel Energy Golden, CO	Alan Masters is the Transmission Regional Director responsible for transmission and substation construction departments. Mr. Masters has 22 years of experience working for Xcel Energy as a Substation Design Engineer, Principal Commissioning Engineer, and Principal Outage Coordination Engineer with in depth knowledge of the transmission system in Colorado.

Name	Address	Qualifications
Brett Gruesner Senior Manager, Transmission Control Center	Xcel Energy Golden, CO	Brett Gruesner is responsible for the Transmission Control Center which monitors ongoing operations of PSCo transmission facilities.

2c. Written authorization of the application package by the project owner, if different than the applicant. (070.080.250)(2)(c)

Xcel Energy serves as the project owner and applicant. Section 2a provides the contact information for Xcel Energy's authorized representative.

2d. Documentation of the applicant's financial and technical capability to develop and operate the project, including a description of the applicant's experience developing and operating similar projects. (070.080.250)(2)(d)

Xcel Energy is a major U.S. electric and natural gas company with annual revenues of \$15.3 billion (Xcel Energy 2022). The applicant has both the financial and technical ability to develop and operate the Project. Xcel Energy has experience rebuilding multiple electric transmission lines in Colorado. All necessary land use, environmental, and construction permits, approvals and authorizations will be obtained prior to the start of and during construction as required, and best management practices (BMPs) will be implemented to address public health, safety, and welfare and in accordance with permit conditions.

2e. Written qualifications of report preparers. (070.080.250)(2)(e)

The qualifications of the report preparers are provided in Table 2.

Table 2: Qualifications of Report Preparers

Name	Address	Qualifications
XCEL ENERGY		
Jennifer Chester Manger, Siting and Land Rights	1800 Larimer Street, Suite 400, Denver, CO 80202	Jennifer Chester is the Manager of Siting and Land Rights responsible for overseeing routing/siting, permitting, and public outreach activities for Xcel Energy projects in Colorado. Ms. Chester has 22 years of experience working in the utility planning industry as a consultant and utility employee routing and siting facilities, working with project stakeholders in public outreach forums, land use permitting activities, as well as other state and federal processes required for the construction and operation of electric transmission facilities.
Julie Stencel Assistant General Counsel	1800 Larimer Street, Suite 1400, Denver, CO 80202	Julie Stencel is Assistant General Counsel for Xcel Energy with over 25 years of legal experience in land use and real estate development matters. Ms. Stencel is responsible for managing all legal support

Name	Address	Qualifications
		necessary for the acquisition and land use permitting for all transmission projects in Colorado, Texas, and New Mexico.
TETRA TECH, INC.		
Taylor Michel Consultant, Routing & Permitting	390 Union Boulevard, Suite 400, Lakewood, CO 80228	Ms. Michel is an environmental planner and project manager with 5 years of experience. She works with clients and Tetra Tech's team of technical specialists to meet environmental requirements and obtain permits at the local levels. Ms. Michel has experience working through land use permitting processes in Colorado. Her experience includes electric transmission lines, substations, natural gas distribution infrastructure, and other energy projects.
Sarah McCall Consultant, Permitting	390 Union Boulevard, Suite 400, Lakewood, CO 80228	Ms. McCall has over 14 years of experience in land use permitting of utility-scale renewable energy facilities and other energy projects. Ms. McCall has been responsible for development of all aspects of land use permits, including budgeting, writing and reviewing permit applications, client and agency coordination, and public involvement and coordination.
Amy Sherman Consultant, Permitting & Environmental	390 Union Boulevard, Suite 400, Lakewood, CO 80228	Ms. Sherman is a project manager with over 15 years of experience in the environmental field, predominantly focused on permitting of renewable energy facilities and transmission. Her technical expertise includes CWA Section 404, NEPA, USFWS Section 7, state utility permits, and county discretionary permitting.

3. Information Describing the Project Proposal (070.080.250)(3)

3a. A description of the proposed facilities and site. (070.080.250)(3)(a)

Xcel Energy is proposing to rebuild a section of an existing 69-kV transmission line in Glenwood Springs to replace aging infrastructure and to ensure continued delivery of economical, safe and reliable electric service to customers in the Glenwood Springs area and western Colorado. The existing transmission line was originally built in the 1940s, and a portion was rebuilt in the 1960s. The transmission line segment between the existing Glenwood Springs and Mitchell Creek substations needs to be rebuilt because it has reached the end of its safe and useful operational life.

Xcel Energy studied alternatives for the transmission line location and evaluated technical design requirements and potential impacts on the environment, community, residents and businesses in

Glenwood Springs (Appendix A). Rebuilding the line in its existing alignment was identified as the preferred alternative (Appendix A, pg. 2-9).

3.a.1 Transmission Line Facilities and Route

The existing transmission line route connects the Mitchell Creek Substation, located northwest of the Glenwood Meadows shopping center, to the existing Glenwood Springs Substation, located northeast of the Glenwood Hot Springs Resort (Figure 1). Approximately 2 miles of the Project occur within City jurisdiction, with the remaining segment within unincorporated Garfield County jurisdiction. The existing route crosses the Colorado River near the Mitchell Creek Substation, runs north of Interstate 70 (I-70) through commercial and residential areas, and scales varying terrain and slopes to the Glenwood Springs Substation. The rebuilt transmission line will follow the same route as the existing transmission line (Figure 1).

The rebuilt transmission line will be constructed utilizing transmission structures that meet current design standards and will be strung with new conductor and optical ground wire. The rebuilt line will be operated at 69-kV, but the design standards would allow for future operation at 115-kV. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations which would be subject to permit requirements as applicable at that time.

The rebuilt transmission line will be constructed mostly with steel monopoles. Table 3 compares the existing facilities' characteristics with those proposed in the rebuild and provides an explanation for any proposed changes.

Table 3: Existing and Rebuild Characteristic Comparison

Characteristic	Existing Poles	Rebuild Poles	Additional Information
Material, Color	Wood, brown	Steel monopole (weathering), brown/rust	Steel poles comply with updated design standards and wildfire protection
Right-of-way Width	30' for transmission line	60' for transmission line	Additional right-of-way will be needed to provide sufficient clearance to existing buildings, for construction and maintenance activities, and to reduce number and height of poles
Height of Poles	26' to 101.5', average 47'	54.8' to 101.5', average 66'	Increased height needed to comply with current design standards (including lightning protection) and to provide for future increase in operating voltage of the transmission line
Access Required	Ground access for maintenance	Ground and helicopter access for construction, ground access for maintenance	Where access is difficult, helicopters will be used to limit ground disturbance from new access road construction
Additional Easements	Existing easements	Up to an additional 30' for transmission line, ground access for construction, and maintenance and helicopter fly zones	The existing easements date back to as early as the 1920s

Existing transmission poles along the transmission line vary from 26 to 101.5 feet in height. To ensure compliance with Xcel Energy design standards and the National Electric Safety Code (NESC) clearance requirements, the new pole heights along the transmission line will vary from 54.8 feet to 101.5 feet. Topography, span length, and adjacent land uses influence the necessary height of transmission poles. The new poles will be equipped with shield wires above the energized conductor lines; this equipment adds to the pole height but also provides protection against lightning strikes. Appendix B compares the height of each existing pole to the new pole heights. Example pole diagrams are also included in Appendix B. The configuration of the insulators on the new poles will vary and each will be monopole except for the two proposed H-frame pole locations necessary at the Colorado River crossing that are replacing two existing H-frame pole locations.

Two of the three existing pole locations along the northern side of Midland Avenue were constructed with guy wire anchors extending to the southern side of Midland Avenue. These guy wires were required at the time of installation to properly support the poles. The new poles will be self-supporting and will not require guy wire anchors, resulting in the removal of the existing guy wires on the southern side of Midland Avenue. The new poles will be taller than the existing poles in this location due to clearance requirements; however, the removal of the guy wires will result in an improved visual appearance for travelers along Midland Avenue and the adjacent trail to the south.

To ensure safe and reliable access for future construction and operation and maintenance and to rebuild the line to current industry design standards, the rebuilt transmission line will be constructed in a 60-foot-wide right-of-way (ROW). There are some areas where existing buildings are within the proposed expanded ROW and a smaller easement may be agreed upon with individual landowners in those areas. Xcel Energy is engaged in negotiations with landowners along the existing route to obtain additional ROW width where the existing easement does not meet 60 feet. Existing and new ROW will require vegetation management to create a safe working and operational space around the rebuilt transmission line.

Work at the Glenwood Springs and Mitchell Creek substations will be limited to activities needed to connect the rebuilt transmission line to each facility. Major improvements or new equipment are not planned to be installed at the substations.

3.a.2 Permanent Access Roads and Improvements

Where practicable, existing public roads and private roads will be utilized during Project construction and operation. Some private roads may require improvements and some new access roads will need to be constructed to accommodate construction equipment and long-term maintenance of the rebuilt transmission line.

Improved access roads within the City will be constructed to meet City requirements and standards, including those related to the Hillside Preservation zoning district outlined in the City's Municipal Code Section 070.020.170. Along the Project route, areas within the Hillside Preservation district occur north of I-70 along Traver Trail (Figure 2). Where road improvements are needed, Xcel Energy will obtain any necessary grading, stormwater, and erosion control permits and comply with permit requirements. Xcel Energy will engage in landowner negotiations where access roads traverse private property and will address any associated required impact mitigation measures as applicable.

Some access roads may remain post-construction to maintain access to the rebuilt transmission line for operation and maintenance activities. A detailed Grading Plan showing the locations and level of improvements needed for access roads is provided in Appendix C.

3.a.3 Construction Methods

Project work is expected to occur in phases that will generally include the following: construction access and vegetation clearing, equipment mobilization and material delivery, foundation construction, pole placement, conductor stringing, and land restoration.

Construction access road improvements, grading, and setup of temporary construction easements (TCEs), along with vegetation work will need to be conducted prior to construction. Proposed access roads will allow construction crews and vehicles to access transmission line pole locations, TCEs and the material staging area. TCEs will be used to stage construction equipment and materials including temporary construction trailers, cranes and steel poles. TCEs are also necessary when stringing the conductor wire. Additional details about TCEs and access roads are discussed in the following sections.

Vegetation management within the existing and expanded ROW will be required prior to, or in conjunction with, construction. Trees and vegetation growing within and near the Project ROW can cause downed lines, power outages, and wildfire. Vegetation management crews will work to prevent these situations from occurring. Vegetation management involves the use of various types of treatments including removing, pruning, and mowing vegetation and the treatment of vegetation with herbicides to ensure safe operations. The extent of this work will vary along the rebuilt transmission line depending on level of vegetation encroachment and additional ROW needs. The Vegetation Management Plans, consisting of the Revegetation Plan and the Noxious Weed Management Plan, are included in Appendix D.

After the preparation work has been completed, work on the transmission poles will begin. The new pole foundations will consist of concrete reinforced with steel that can range in diameter and depth based upon the subsurface conditions. Once construction crews have drilled the hole for the new pole, the foundation is installed and the hole is backfilled.

Transmission poles will then be placed using either cranes or a helicopter. Helicopter installation will be used in areas with steep terrain and involves assembling the transmission poles in the material staging area then transporting the poles by helicopter to installation locations to be lowered into place. Helicopter installation enables access to areas that are difficult for construction vehicles to traverse, minimizes construction impacts such as erosion, and expedites construction. This type of installation improves construction efficiency and helps protect the environment in areas of steep terrain. Due to the nature of helicopter installation and Federal Aviation Administration (FAA) safety requirements, residents located near the transmission poles will be required to evacuate during helicopter installation. Xcel Energy and the construction contractor will coordinate with the FAA during helicopter operations and obtain all required permits. Xcel Energy and the construction contractor will coordinate with the City on the evacuation plan and provide residents with prior notice if evacuation is required.

The remaining poles will be installed using the traditional crane installation method. Conventional crane installation will first involve assembling the transmission poles in the material staging area. Once

assembled, poles will be transported by truck to installation locations and cranes will lift the poles into place. Table 4 describes the installation methods for each new transmission pole location.

Table 4: Installation Method by Pole Location

Pole Locations ¹	Installation Method
113-140	Helicopter
141-147	Crane

1 Pole locations 133-136 occur in unincorporated Garfield County

Once all the transmission poles have been put in place, the conductor wire is strung using a temporary pulley system attached to the insulators. TCEs will be required at specific angles to ensure the conductor wire is pulled in line with the poles, remaining in alignment. The existing poles will be removed by crane, or in areas of steep terrain, by helicopter and the Project will be energized. After construction, the work areas and ROW will be restored. The Revegetation Plan for all areas disturbed during construction and a Noxious Weed Mitigation Plan are included in Appendix D.

Construction is expected to begin in spring 2024 pending permit approvals. Construction and restoration activities are expected to be completed and the Project will be put into service by summer 2024. See Table 5 below for a detailed Project schedule.

Table 5: Anticipated Project Schedule

Timeline	Activity
Spring 2024	Permanent Improvements
Winter 2021 (Complete)	Construction Material Delivery
Spring 2024	Vegetation Management
Spring 2024/Summer 2024	Construction of Transmission Poles
Spring 2024/Summer 2024	Removal of Existing Transmission Poles
Summer 2024	In Service
Summer 2024/Fall 2024	Restoration

3.a.4 Temporary Access Roads and Improvements

Proposed construction access roads will allow construction crews and vehicles to access transmission line pole locations, TCEs and the material staging area. Traffic controls may be required near the TCEs during construction to ensure the safety of crews and the travelling public.

As discussed in Section 3.a.2 of this application, Xcel Energy will utilize existing public and private roads during Project construction where practicable. Where road improvements are needed, Xcel Energy will obtain any necessary grading, stormwater, and erosion control permits and will engage in landowner negotiations where access roads traverse private property. Temporary access roads will be required during construction to access the existing transmission poles and install new poles. Some temporary access will only be required for crews to walk in and access the pole locations with light machinery. A detailed Grading Plan, outlining the locations of proposed temporary access and levels of improvements needed, is provided in Appendix C.

3.a.5 Temporary Construction Easements

Xcel Energy will utilize up to 36 TCEs during construction of the Project (Figure 1). TCEs will be used to stage construction equipment and materials including temporary construction trailers, cranes, and steel poles. TCEs are also necessary for construction crew parking and materials setup or when stringing the conductor wire. TCEs will also be used for construction access. The Grading Plan, included in Appendix C, outlines the locations of the staging/fly yard TCEs and areas that will be used for the pull sites. The TCE located near pole locations 133 and 134 is within unincorporated Garfield County but will be used during the construction and installation of Project components within Glenwood Springs.

Some TCEs may require grading to level the area for equipment placement and materials storage. Xcel Energy will obtain permits for this work as required. At the end of the construction phase, all equipment will be removed from the TCEs. Some proposed improvements at the TCEs will be permanent; these locations are shown in the Grading Plan in Appendix C. The remaining TCEs will be restored to reasonably the same conditions as pre-construction or as may be provided for in private agreements (including by re-seeding in accordance with Xcel Energy's vegetation management standards).

Two TCEs will be used as helicopter fly yards during construction including the area north of Traver Trail near pole locations 124-126, and an area within unincorporated Garfield County, west of Highlands Drive near pole locations 133-134. These areas will also be used for material staging, helicopter fly yards, and for conductor wire pulling as needed.

3b. A description of the present or most recent use and zoning. (070.080.250)(3)(b)

The current use of the Project is the existing transmission line. The Project will cross several zoning districts throughout the City including Hillside Prevention, Light Industrial, River Industrial, Mixed Use Corridor, Planned Unit Development, Residential High Density, Residential Low Density, Residential Medium Density, Rural Residential, and Residential Transitional (Figure 2). Article 070.020 of the City's Municipal Code outlines the types of zoning districts and Section 070.030.020 provides a table of allowed uses within each zoning district (Glenwood Springs 2022). Rebuilding the transmission line through these zoning districts is consistent with the City's Municipal Code as the Code allows the routing of transmission lines through any identified zoning designations (Glenwood Springs 2022). Some areas that will be traversed by the transmission line do not have zoning districts, such as open water areas, railroad, local road ROW and Colorado Department of Transportation (CDOT) ROW (Figure 2).

3c. Vicinity map showing the proposed site, including proposed zoning designation, and the surrounding area. (070.080.250)(3)(c)

A Vicinity Map and Zoning Map are included as Figures 1 and 2, respectively.

3d. Executive summary of the proposal indicating the scope and need for the project. (070.080.250)(3)(d)

A summary of the Project scope and need is provided in Sections 1 and Section 3a of this application.

3e. Plans and specifications of the project in sufficient detail to evaluate the application against the applicable review criteria. (070.080.250)(3)(e)

A plan set including a Utility Plan (Plan and Profiles) and Grading Plan is provided as Appendix C.

3f. Descriptions of alternatives to the project considered by the applicant. (070.080.250)(3)(f)

Xcel Energy studied alternatives for the transmission line location and evaluated technical design requirements and potential impacts on the environment, community, residents, and businesses in Glenwood Springs (Appendix A). Rebuilding the line in its existing alignment was identified as the preferred alternative (Appendix A).

Installing the transmission line underground will not be financially practicable and doing so will require approval by the Public Utilities Commission (PUC) and/or negotiated contracts that specify a responsible party to cover the incremental cost difference. The PUC will generally find sufficient justification for undergrounding when the cost variance is small. In this case, installing the rebuilt transmission line underground could be more than 10 times the cost of installing it overhead, and the construction impacts will be much greater due to the wide excavation trenches and underground vaults required for high-voltage underground transmission lines. The existing transmission line traverses steep slopes and the Hillside Preservation zoning district. These areas have limited access already posing construction and engineering challenges. Additionally, PUC Decision No. C15-0473 states that “utilities cannot use undergrounding of transmission lines as prudent avoidance measures absent atypical circumstances” (PUC 2015). Underground transmission lines are less accessible, creating longer delays in diagnosing and fixing outage issues. Underground transmission lines also require specialized structures or stations to connect the underground line to existing overhead lines. These structures will be required at each endpoint and will increase the visual impact on the surrounding area. Based on these challenges, the rebuilt transmission line will remain overhead.

3g. Schedules for designing, permitting, constructing and operating the project, including the estimated life of the project. (070.080.250)(3)(g)

Construction is expected to begin in spring 2024 pending permit approvals. Construction and restoration activities are expected to be completed and the Project will be put into service by summer 2024. A detailed Project schedule is provided in Table 5.

3h. The need for the project, including a discussion of alternatives to the project that were considered and rejected; existing/proposed facilities that perform the same or related function; and population projections or growth trends that form the basis of demand projections justifying the project. (070.080.250)(3)(h)

The existing transmission line was originally built in the 1940s, and a portion was rebuilt in the 1960s. The transmission line segment between the existing Glenwood Springs and Mitchell Creek substations needs to be rebuilt because it has reached the end of its safe and useful operational life. The Project will rebuild aging infrastructure to meet current design standards. The rebuilt line will be operated at 69-kV, but the

design standards would allow for future operation at 115-kV. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time. This Project will ensure continued delivery of economical, safe, and reliable electric service to customers in Western Colorado, including Glenwood Springs. See Section 3f for a discussion of alternatives to the Project.

3i. Description of relevant conservation techniques to be used in the construction and operation of the project. (070.080.250)(3)(i)

BMPs will be used during construction to control sediment and runoff from work areas. Required construction and waste management procedures will prevent accidental spills or runoff of sediment or contaminants to waterbodies or groundwater. Once construction has been completed, all areas not needed for operations and maintenance will be reclaimed in a manner generally similar to their condition prior to construction or as may be provided for in private agreements (including by re-seeding in accordance with Xcel Energy's vegetation management standards). All applicable land use, environmental, and construction permits will be obtained prior to the start of and during construction of the Project as required. Proposed mitigation measures are described in Section 22.

Helicopter installation will be used in areas with steep terrain and involves assembling the transmission poles in the material staging area then transporting the poles by helicopter to installation locations to be lowered into place. Helicopter installation enables access to areas that are difficult for construction vehicles to traverse, minimizes construction impacts such as erosion, and expedites construction. This type of installation improves construction efficiency, reduces the overall construction schedule, and helps protect the environment in areas of steep terrain.

3j. Description of demands that this project expects to meet and basis for projections of that demand. (070.080.250)(3)(j)

This Project will ensure continued delivery of economical, safe, and reliable electric service to customers in Western Colorado, including Glenwood Springs. This Project will be operated at 69-kV, but the design standards would allow for future operation at 115-kV. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time.

3k. List of adjacent property owners and their mailing addresses. (070.080.250)(3)(k)

A list of adjacent property owners and their mailing addresses is provided as Appendix E.

4. Scope of Proposed Project Relevant to Specific Designated Area and/or Activity (070.080.250)(4)

4a. Domestic water or sewage treatment systems and/or major extensions thereof. (070.080.250)(4)(a)

Water to be used during construction will be obtained from a local, permitted source. The Project will not require water use during operation.

The Project will not create any wastewater nor have any facilities requiring wastewater treatment. Portable temporary bathrooms that will be serviced on a regular basis will be on site during the construction period. The Project does not involve a domestic water or sewage system or the extension of one.

4b. Major facilities of a public utility. (070.080.250)(4)(b)

4.b.1 Specifications of approximate floor space of any office building, storage facility, or other enclosed structure. (070.080.250)(4)(b)(1)

No office buildings, storage facilities, or other enclosed structures are proposed.

4.b.2 Voltage and length of transmission lines. (070.080.250)(4)(b)(2)

The Project will rebuild the existing 2.25-mile Glenwood Springs to Mitchell Creek 69-kV transmission line, approximately 2 miles of which are located in the City of Glenwood Springs. This Project will be operated at 69-kV, but the design standards would allow for future operation at 115-kV.

4.b.3 The power source and generating capacity. (070.080.250)(4)(b)(3)

No generation is proposed as part of the Project.

4.b.4 The function and size of any substation. (070.080.250)(4)(b)(4)

Work at Glenwood Springs and Mitchell Creek substations will be limited to activities needed to connect the rebuilt transmission line to each facility. Major improvements or new equipment are not planned to be installed at the substations as part of this Project.

4.b.5 The diameter and length of any gas pipeline. (070.080.250)(4)(b)(5)

Gas pipelines are not proposed as part of the Project.

4.b.6 The capacity of storage tanks, and type of petroleum derivative to be stored. (070.080.250)(4)(b)(6)

No petroleum derivative will be stored, and no storage tanks will be needed during construction or operation of the Project.

4.b.7 The proposed service area. (070.080.250)(4)(b)(7)

In Glenwood Springs, transmission lines owned by Xcel Energy deliver electricity to the Glenwood Springs Electric Department's substations and distribution system, which then serves local users. Glenwood Springs Electric Department purchases wholesale wind power from the Municipal Energy Agency of Nebraska (MEAN) to serve the City's power needs. Replacing this aging infrastructure will ensure continued delivery of economical, safe, and reliable electric service to customers in the Glenwood Springs area and western Colorado.

4.b.8 The resource area (e.g. source of power being generated or transmitted, source of petroleum derivative being transported). (070.080.250)(4)(b)(8)

The Project will replace aging infrastructure to ensure continued delivery of economical, safe, and reliable electric service to customers in the Glenwood Springs area and western Colorado. A change in the source of the power being transmitted is not proposed as part of the Project. The electric grid is a complex network of independently owned and operated power generation facilities and transmission lines that deliver energy to local communities. As discussed in Section 4.b.7, in Glenwood Springs, transmission lines owned by Xcel Energy deliver electricity to the Glenwood Springs Electric Department's substations and distribution system, which then serves local users. Glenwood Springs Electric Department purchases wholesale wind power from the MEAN to serve the City's power needs.

4.b.9 A computer modeled electromagnetic field measurement within the proposed transmission line easement for that portion of the transmission line between substations or transition sites. (070.080.250)(4)(b)(9)

The Project will replace aging infrastructure and support continued delivery of economical, safe, and reliable electric service to customers in the Glenwood Springs area and western Colorado. The rebuilt transmission line will continue to be operated at 69-kV. The PUC sets standards for the reasonableness of noise levels and electromagnetic fields (EMF). Xcel Energy is required to meet state standards for both as outlined in the Code of Colorado Regulations (Section 4 CCR 723-3). The Project will operate within the magnetic field parameters set by the PUC. An EMF Study is provided as Appendix F.

4.b.10 Measures taken to comply with the concept of prudent avoidance with respect to planning, siting, construction, and operation of transmission lines, which may be those steps taken to comply with CCR 723-3 § 3206(9)(b) or similar authority, for projects where other similar authority is applicable. (070.080.250)(4)(b)(10)

The Project will replace aging infrastructure to support continued delivery of economical, safe, and reliable electric service to customers in the Glenwood Springs area and western Colorado. The new pole heights and ROW width will ensure compliance with current design standards and the NESC clearance requirements. The rebuilt transmission line will continue to be operated at 69-kV. The PUC sets standards for the reasonableness of noise levels and EMF. Xcel Energy is required to meet state standards for both as outlined in the Code of Colorado Regulations (Section 4 CCR 723-3). The Project will operate within

the magnetic field parameters set by the Colorado Public Utilities Commission. An EMF Study is provided as Appendix F.

Xcel Energy studied alternatives for the transmission line location and evaluated technical design requirements and potential impacts on the environment, community, residents, and businesses in Glenwood Springs (Appendix A). Xcel Energy considered an alternative with one deviation in the existing route that did not follow the original alignment. This deviation was in the area northwest of Glenwood Springs Substation and would have avoided a garage built within the existing transmission line ROW. However, this deviation and the necessary access roads would have resulted in the need for retaining walls along the hillside to maintain slope stability. Ultimately, based on concerns with building outside the existing alignment and anticipated impacts to the hillside, Xcel Energy determined that the deviation in the route could be removed to rebuild the transmission line completely within the existing alignment. Rebuilding the line in its existing alignment was identified as the preferred alternative (Appendix A).

4.b.11 Any impacts to vegetation and wildlife in the City. (070.080.250)(4)(b)(11)

Xcel Energy has coordinated with CPW and U.S. Fish and Wildlife Service (USFWS) regarding potential biological resources that may be impacted by the Project. The rebuilt transmission line will be in the same alignment as the existing route; therefore, minimal impacts to vegetation and wildlife are anticipated. Existing undisturbed trees, shrubs, and native vegetation will be preserved to the extent possible. Following construction, the ROW will be restored in a manner generally similar to pre-construction conditions or as may be provided for in private agreements.

Most of the Project is located in developed areas along I-70 that experience human activity and traffic. The Colorado River will be spanned by the Project in its current alignment; no impacts to fish or riparian areas are anticipated. A biological resources assessment was completed for the Project in November 2020. The Project and vicinity contain habitat for nesting raptors, including eagles, peregrine falcon, and burrowing owl. These species may be impacted by Project construction within their respective breeding seasons.

To avoid or minimize potential impacts to migratory birds and raptors, including eagles, Xcel Energy will conduct tree/vegetation clearing during the nonbreeding season for birds (September 1 – April 15) if feasible. If vegetation clearing cannot occur during the nonbreeding season, vegetation clearance surveys, raptor nest surveys, and burrowing owl surveys may be conducted per USFWS and CPW guidance to identify avian nesting activity and determine appropriate avoidance buffers (CPW 2020, CPW 2021) or monitor activities at nest sites until determined to be inactive and/or will not be impacted from construction. In addition, electrical components of the transmission lines will be separated to minimize the risk of avian contact and will follow Avian Power Line Interaction Committee (APLIC) guidelines (APLIC 2006). Xcel Energy has also implemented Avian Protection Plans, developed in collaboration with the USFWS. Under these plans, new and modified facilities are designed to meet industry standards to prevent or reduce the likelihood of avian incidents. Bird flight or swan diverters or other marking devices may be used as determined necessary for specific locations.

A Colorado Parks and Wildlife (CPW)-mapped bighorn sheep (*Ovis canadensis*) production area is located north and east of the eastern half of the Project but does not intersect the Project. The eastern

half of the Project also intersects the southern boundary of a bighorn sheep winter concentration area. Xcel Energy requested Environmental Reviews from CPW and USFWS on March 22, 2022 but did not receive a response from either agency. Xcel Energy followed up with CPW, requesting another Environmental Review on August 11, 2023 and is awaiting a response. Xcel Energy will continue to coordinate with CPW and USFWS through permitting, construction, and operation of the Project as needed to ensure compliance with all applicable federal and state regulations.

Vegetation management within the existing and expanded ROW will be required prior to, or in conjunction with, construction. Trees and vegetation growing within and near the Project ROW can cause downed lines, power outages and wildfire. Vegetation management crews will work to minimize the risk of these situations occurring. Vegetation management involves the use of various types of treatments including removing, pruning, and mowing vegetation and the treatment of vegetation with herbicides to ensure safe operations. The extent of this work will vary along the rebuilt transmission line depending on level of vegetation encroachment and additional ROW needs. Vegetation management crews will work directly with landowners regarding the extent of work needed within the easement on each property. Areas disturbed during construction will be restored in a manner generally similar to their condition prior to construction and as may be provided for in private agreements. A Revegetation Plan and Noxious Weed Management Plan are included in Appendix D.

4.b.12 Possible alternatives to achieve underground transmission lines associated with the facility. (070.080.250)(4)(b)(12)

Installing the transmission line underground for this Project will not be financially practicable and doing so will require PUC approval and/or negotiated contracts that specify a responsible party to cover the incremental cost difference. The PUC will generally find sufficient justification for undergrounding when the cost variance is small. In this case, installing the rebuilt transmission line underground could be more than 10 times the cost of installing it overhead, and the construction impacts will be much greater due to the wide excavation trenches and underground vaults required for high-voltage underground transmission lines. The existing transmission line traverses steep slopes and the Hillside Preservation zoning district. These areas have limited access already posing construction and engineering challenges. Additionally, PUC Decision No. C15-0473 states that “utilities cannot use undergrounding of transmission lines as prudent avoidance measures absent atypical circumstances” (PUC 2015). Underground transmission lines are less accessible, creating longer delays in diagnosing and fixing outage issues. Underground transmission lines also require specialized structures or stations to connect the underground line to existing overhead lines. These structures will be required at each endpoint and will increase the visual impact on the surrounding area. Based on these challenges, the rebuilt transmission line will remain overhead.

4.b.13 Visuals demonstrating impact to scenic resources. (070.080.250)(4)(b)(13)

Existing transmission poles along the transmission line vary from 26 to 101.5 feet in height. To ensure compliance with Xcel Energy design standards and the NESC clearance requirements, the new pole heights along the transmission line will vary from 54.8 feet to 101.5 feet. Appendix B provides a table comparing the height of each existing pole to the new pole heights. Topography, span length, and adjacent land uses influence the necessary height of transmission poles. The new poles will be equipped

with shield wires above the energized conductor lines; this equipment adds to the pole height but also provides protection against lightning strikes. It is not anticipated that the new poles will be of a height that will impair aerial firefighting. The new transmission poles will not require FAA marking for aircraft avoidance.

In addition to the change in height, the poles will be made of a weathering steel instead of wood. The weathering steel poles will comply with updated design standards and wildfire protection, as they perform better in the event of a wildfire compared to wood poles. Compared to the existing transmission line, the rebuilt transmission line will have a wider ROW width that is needed to provide sufficient clearance to existing buildings and for construction and maintenance activities. Given the presence of existing transmission poles, the new poles along the rebuilt line won't create a change in the nature of the visual impact, but rather a change in degree.

Additionally, vegetation removal required for construction of the Project and maintenance activities will be limited given that the existing ROW is already maintained for vegetation. Improvements related to access routes to and along the centerline will be limited in extent to only what is necessary to accommodate the construction equipment and meet City requirements. Therefore, no significant impact on visual quality is anticipated.

Visual simulations are included in Appendix G and provide a before and after visual of how the transmission poles will look against the landscape. Once construction is complete, the casual observer is not likely to notice the change in degree of visual impact. Visual quality is addressed in Section 17.

5. Proof of Notice as Provided Under Section 070.080.280 (070.080.250)(5)

The state statute commonly known as “The Surface Development Notification Act” (CRS 24-65.5-101 et seq.) provides that not less than 30 days before the date scheduled for the initial public hearing by a local government on an application for development, the applicant must send a notice of that hearing by certified mail to mineral estate owners (owners or lessees of the mineral estate under the property which is the subject of the application). Pursuant to the Act, the definition of an “Application for Development” covers a wide range of surface development land use approvals, but certain named development activities are specifically exempt from that definition. One exemption includes applications with respect to utility electric lines which includes Xcel Energy’s transmission lines. Thus, due to the nature and scope of the Project, the transmission line rebuild is exempt from the statutory mineral estate owner mailing notification requirements. Accordingly, Xcel Energy will not be providing a Proof of Notice.

6. Comments of other agencies. (070.080.250)(6)

The Project does not require a CPCN, therefore the Colorado PUC was not engaged during the planning stages of the Project. The existing transmission line crosses the Union Pacific Railroad (UPRR), the

Colorado River, and I-70 near the Mitchell Creek substation, and the rebuilt transmission line will continue to utilize these existing crossings. Xcel Energy previously received approval from UPRR and CDOT for the Project and will continue to coordinate with these agencies on any necessary approvals in addition to the existing crossing agreements.

Xcel Energy requested Environmental Reviews from CPW and USFWS on March 22, 2022 but did not receive a response from either agency. Xcel Energy followed up with CPW, requesting another Environmental Review on August 11, 2023 and is awaiting a response. No federal listed species are anticipated to be impacted by the Project. However, Xcel Energy will continue to coordinate with CPW and USFWS through permitting, construction, and operation of the Project as needed to ensure compliance with all applicable federal and state regulations.

7. Demonstration of Need (070.080.250)(7)

7a. Population trends for the project area, including present population, population growth, and growth rates document the sources used. (070.080.250)(7)(a)

The existing line was built in the 1940s, more than 70 years ago, when about 10,000 people lived in Garfield County, compared to about 60,000 today (U.S. Census 1942, 2022). A portion of the line was rebuilt in the 1960s; however, Xcel Energy determined that the line must now be rebuilt because it has reached the end of its useful life. This Project supports providing adequate infrastructure throughout the City through the proposed replacement of aging infrastructure to ensure continued delivery of economical, safe, and reliable electric service to customers in Glenwood Springs. Upgrading the existing transmission line will support current and future demand of the City and western Colorado.

7b. The predominant types of developments to be served by the proposed new systems and/or facilities or extensions thereof. (070.080.250)(7)(b)

The electric grid is a complex network of independently owned and operated power generation facilities and transmission lines that deliver energy to local communities. In Glenwood Springs, transmission lines owned by Xcel Energy deliver electricity to the Glenwood Springs Electric Department's substations and distribution system, which then serve local users. Glenwood Springs Electric Department purchases wholesale wind power from the Municipal Energy Agency of Nebraska to serve the city's power needs.

7c. The percentage of design capacity at which the current system is now operating. (070.080.250)(7)(c)

Typically, the existing transmission line operates under 50% usage and is only operated at higher levels in contingency situations. No change in design capacity is proposed as part of the Project, however more capacity would be available if operated at 115-kV in the future. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or

modifications at several electric substations that would be subject to permit requirements as applicable at that time.

7d. A description of conditions and projections that prohibit present facilities from being upgraded to adequately accommodate increased demand. (070.080.250)(7)(d)

The Project proposes to upgrade the existing transmission line facilities in the current alignment to project public health and safety and increase the reliability of the transmission line, which is effectively an upgrade of the present facilities to accommodate increased demand. The rebuilt transmission line will be constructed utilizing transmission structures that meet Xcel Energy's current design standards and will be strung with new conductor and optical ground wire. The rebuilt line will be operated at 69-kV, but the design standards would allow for future operation at 115-kV. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time.

7e. Potential alternatives. (070.080.250)(7)(e)

Xcel Energy studied alternatives for the transmission line location and evaluated technical design requirements and potential impacts on the environment, community, residents, and businesses in Glenwood Springs (Appendix A). Rebuilding the line in its existing alignment was identified as the preferred alternative.

8. Property rights, other permits, and approvals. (070.080.250)(8)

8a. Description of property rights that are necessary for or that will be affected by the project, including easements and property rights proposed to be acquired through negotiation or condemnation. (070.080.250)(8)(a)

To ensure safe and reliable access for future construction and operation and maintenance and to rebuild the line to current industry design standards, the rebuilt transmission line will be constructed in a 60-foot-wide ROW. The new transmission poles are expected to be placed within existing easements or ROWs, but additional or expanded easements are required in some areas to ensure construction and operational safety and to provide access to the transmission line. There are some areas where existing buildings are within the proposed expanded ROW and a smaller easement may be agreed upon with individual landowners in those areas. Xcel Energy is engaged in negotiations with landowners along the existing route to obtain additional ROW width where the existing easement does not meet 60-feet. Every effort will be made to reach a fair and reasonable settlement with landowners. When negotiations are unsuccessful, which is rare, Xcel Energy may have to exercise its eminent domain authority to acquire the necessary land rights to safely construct, maintain, and operate the rebuilt transmission line.

8b. A list of all other federal, state, and local permits and approvals that will be required for the project, together with any proposal for coordinating these approvals with the City permitting process. Copies of any permits or approvals related to the project that have been granted. (070.080.250)(8)(b)

County regulations and state statutes apply to the Project in addition to City land use permit regulations. The regulatory requirements are described in the following sections and Table 6. All applicable land use, environmental, and construction permits will be obtained prior to the start of and during construction of the Project as required. Xcel Energy will provide the City with copies of the permit approvals if necessary.

Table 6: Land Use Permit Requirements and Applicability to Project

Jurisdiction	Title	Trigger	Statutory Reference	Status
State of Colorado	Notification of Intention to Submit Permit Application for Major Electrical Facilities	Filing permit application for location, construction, or improvement of major electrical or natural gas facilities	CRS 29-20-108 (4) (a)	On September 3, 2020, Xcel Energy submitted a Notification of Intention to Submit Permit Application for Major Electrical Facilities with the Pre-Application Consultation Meeting Request.
City of Glenwood Springs	Location and Extent (L&E) Permit	Project proposed by a publicly owned utility	City of Glenwood Springs Code of Ordinances 070.060.050(d)	Xcel Energy submitted an L&E permit to the City on August 7, 2023, and will comply with subsequent process for approval.
City of Glenwood Springs	1041 Permit	Site selection of major facilities of any public utility to be located within the City of Glenwood Springs	City of Glenwood Springs Code of Ordinances 070.080.030	Xcel Energy is complying through this permit application and subsequent process for approval.
Garfield County	L&E Permit	Project proposed by a public utility, unless the public utility Project is a designated activity of a State interest	Garfield County Land Use and Development Code, Article 4-111	Xcel Energy resubmitted this permit application on August 9, 2023, and will comply with subsequent process for approval.

8.b.1 State of Colorado

Multiple Colorado Statutory Provisions apply to the Project, including a notice and consultation with local permitting jurisdictions.

8.b.2 City of Glenwood Springs

Project representatives met with City representatives multiple times throughout the Project development process to provide status updates on the Project, discuss permitting requirements for the portion of the Project within City jurisdiction and review any changes to the proposed design. Feedback provided during these meetings was incorporated into the current Project plans. The Project's Pre-Application conference was held on September 14, 2020, at which time Xcel Energy provided information about the Project and responded to questions from City representatives. The requirement for an L&E Permit was confirmed at this meeting. On September 21, 2021, Xcel Energy submitted a L&E Permit application in accordance with the L&E Review Application Checklist provided by the City and the City of Glenwood Springs Municipal Code, Article 070.060.050(d). Xcel Energy received verbal comments from the City on the L&E

Permit application on October 19, 2021 during a meeting with City representatives to discuss the application. On October 27, 2021, Xcel Energy received additional comments from the City's Engineering Department by email. Xcel Energy resubmitted a revised L&E Permit package on March 30, 2022, to address all comments received by the City. Xcel Energy resubmitted a revised L&E Permit package on August 8, 2023, to amend the previous L&E Permit application package to account for an updated alignment. In that submittal, Xcel Energy included a request for Administrative Decision regarding the applicability of the 1041 regulations to the Project. The requirement for a 1041 Permit was confirmed by Hannah Klausman of City of Glenwood Springs on August 15, 2023, in response to this request. This application only addresses the portion of the transmission line and related poles located in City jurisdiction.

8.b.3 Garfield County

Project representatives met with County representatives multiple times throughout the Project development process to provide status updates on the Project, discuss permitting requirements for the portion of the Project in County jurisdiction and review any changes to the proposed design. Feedback provided during these meetings was incorporated into the current Project plans. A Garfield County L&E Permit application was resubmitted on August 9, 2023, for the 0.22-mile portion of the line that traverses County jurisdiction, just north of Donegan Road. Transmission poles will be placed in four locations in unincorporated Garfield County (pole locations 133-136).

8.b.4 Other Permitting

The existing transmission line crosses the UPRR, the Colorado River, and I-70 near the Mitchell Creek substation, and the rebuilt transmission line will continue to utilize these existing crossings. Xcel Energy will coordinate with UPRR and Colorado Department of Transportation (CDOT) on any necessary approvals in addition to the existing crossing agreements.

The section of the Colorado River crossed by the existing line is not considered a traditionally navigable water and is therefore not subject to Section 10 permitting under the Rivers and Harbors Act. Additionally, it is unlikely that the Project would require a Section 404 permit under the Clean Water Act based on the proposed transmission line pole locations and lack of anticipated impact to wetlands or other waters of the United States.

8c. Copies of relevant official federal and state consultation correspondence prepared for the project; a description of all mitigation required by federal, state, and local authorities; and copies of any draft or final environmental assessments or impact statements required for the project. (070.080.250)(8)(c)

The existing transmission line crosses the UPRR, the Colorado River, and I-70 near the Mitchell Creek substation, and the rebuilt transmission line will continue to utilize these existing crossings. Xcel Energy will coordinate with UPRR and CDOT on any necessary approvals in addition to the existing crossing agreements.

Xcel Energy requested Environmental Reviews from CPW and USFWS on March 22, 2022 but did not receive a response from either agency. Xcel Energy followed up with CPW, requesting another Environmental Review on August 11, 2023 and is awaiting a response. No federal listed species are anticipated to be impacted by the Project. However, Xcel Energy will continue to coordinate with CPW and USFWS through permitting, construction, and operation of the Project as needed to ensure compliance with all applicable federal and state regulations.

**8d. Proof of ownership or a contractual right to develop the property.
(070.080.250)(8)(e)**

The Project includes the rebuild of an existing electric transmission line between the Glenwood Springs and Mitchell Creek substations. The original line was constructed in the 1940s within a utility easement corridor held by PSCo. Since PSCo controls the easement area underlying the existing transmission line, it holds a recognized property interest in the land on which the development is proposed. Section 8a provides additional detail on the easements. Necessary easements will be secured and recorded prior to the start of construction on each individual parcel. Xcel Energy may provide notice to the City of recorded easements prior to construction as a condition of approval of the 1041 permit.

9. Land Use (070.080.250)(9)

9a. Provide a map at a scale relevant to the project and acceptable to the Community Development Department describing existing land uses and existing zoning of the proposed project area and the project service area, including peripheral lands which may be impacted. The land use map shall include but need not necessarily be limited to the following categories: residential, commercial, industrial, extractive, transportation, communication and utility, institutional, open space, outdoor recreation, agricultural, forest land and water bodies. Show all special districts (school, fire, water, sanitation, etc.) within the project area. (070.080.250)(9)(a)

Zone districts, including residential, commercial, and industrial, along and adjacent to the Project are shown on Figure 2. Recreation, communication, transportation and hydrology resources are shown on Figure 3.

**9b. All immediately affected public land boundaries should be indicated on the map. Potential impacts of the proposed development upon public lands will be visually illustrated on the map as well as described in the text.
(070.080.250)(9)(b)**

Xcel Energy provided the City with detailed information regarding the City ROWs and parcels to be utilized for the Project in the L&E submittal package on August 7, 2023. An up-to-date list of all City ROWs and parcels to be utilized for the Project is included in Appendix I. It is not anticipated that the Project will have any materially adverse impact to public lands as the transmission line will be rebuilt

along the existing alignment. Any land disturbed during construction will be restored in a manner generally similar to its condition prior to construction and as may be provided for in private agreements.

9c. Specify whether and how the proposed project conforms to the Comprehensive Plan. (070.080.250)(9)(c)

In Glenwood Springs, transmission lines owned by Xcel Energy deliver electricity to the Glenwood Springs Electric Department's substations and distribution system, which then serves local users. The Project includes rebuilding one of these transmission lines to Xcel Energy's current design standards that include additional measures to reduce wildfire risk.

Xcel Energy studied alternatives for the electric line location and evaluated technical design requirements and potential impacts on the environment, community, residents, and businesses in Glenwood Springs. Rebuilding the transmission line along the current route was identified as the preferred alternative as it resulted in the fewest new impacts along the line.

The rebuilt transmission line will be constructed with mostly steel monopoles. The rebuilt line will be operated at 69-kV but the design standards would allow for future operation at 115-kV. The need to operate at 115-kV will be determined through an electronic system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time.

The height and design of the poles depends on location and conditions such as slope, soil conditions and distance between poles. The new transmission poles are expected to be placed within existing easements or ROWs, but additional or expanded easements are required in some areas to ensure construction and operational safety and to provide access to the transmission line.

The Glenwood Springs Comprehensive Plan, adopted in 2011, identifies the following Community Goals:

- Promote long-term, sustainable, diverse economic development
- Maintain Glenwood Springs as the regional tourism, retail, commercial and governmental center of Garfield County
- Preserve the small town character while maintaining the livability of Glenwood Springs and increasing the vibrancy and commercial success of the Downtown
- Address transportation needs and provide multiple convenient travel choices
- Direct development to locations and building forms that are cost-effective to serve
- Provide housing for the entire community
- Support social diversity
- Preserve cultural resources
- Preserve natural resources

The Project supports these goals by rebuilding aging infrastructure to current design standards and providing the ability to operate at a higher voltage to meet future customer demand resulting from development within Glenwood Springs. By rebuilding along the existing transmission line corridor, the

Project is providing electric infrastructure that reduces new impacts to cultural and natural resources. This Project will ensure continued delivery of economical, safe, and reliable electric service to customers in Western Colorado, including Glenwood Springs.

Chapter 7 of the City’s Comprehensive Plan is dedicated to the values and vision for Public Utilities and Services. Chapter 7 outlines several goals, policies, and strategies to enhance and promote public utilities (Glenwood Springs 2014). Table 7 outlines how the Project supports these:

Table 7: Comprehensive Plan and Project Compliance

Action Type	Action1	Project Compliance
Goal	Maintain Glenwood's role as a regional center	This Project supports maintaining the City's role as a regional center through the continued provision of electric service to the area and by designing with the ability to upgrade the transmission line to 115-kV to meet future demand. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time.
Policy	The City acknowledges that there are areas within the Urban Growth Boundary, such as south and west of town, where utilities and infrastructure are not adequate to service additional development. Developers of any properties in these areas are expected to make any and all infrastructure and utility improvements necessary to support the development.	This Project supports the continued development and success of the City by designing with the ability to upgrade the transmission line to 115-kV to meet future demand. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time. Specifically, this Project includes upgrades to infrastructure on the western side of the City, resulting in a strengthened electric system able to accommodate future growth.
	The City should encourage the development of equitable and adequate infrastructure throughout the City.	This Project supports providing adequate infrastructure throughout the City through the proposed replacement of aging infrastructure to ensure continued delivery of economical, safe, and reliable electric service to customers in Glenwood Springs. Upgrading the existing transmission line will support current and future demand of the City and western Colorado.

Action Type	Action1	Project Compliance
Strategy	Allocate Land for Utility Expansion. The City is responsible for setting aside sufficient land for future necessary public facilities. As the City evolves, grows and redevelops over time, land for utility facilities will need to be included in development plans.	This Project largely utilizes existing ROW. Additionally, the Project will be designed with the ability to upgrade the transmission line to 115-kV to meet future demand, without the need for additional land acquisition associated with the transmission line. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time.
	Plan and Budget for Electrical System Improvements. Though there is adequate electric service capacity, improvements to the City's electric facilities will be needed as parcels are redeveloped and infill occurs. This will be especially true if the intensity of the development increases over current conditions.	The Project will be built in the same alignment as the existing route, minimizing impacts to current and future land use. Rebuilding the existing infrastructure will support current and future demand while utilizing an existing infrastructure corridor.

1 From Chapter 7: Public Utilities and Services Glenwood Springs Comprehensive Plan (Glenwood Springs 2014)

9d. Specify how the proposed project will utilize existing easements or right-of-way to achieve project objectives. (070.080.250)(9)(f)

Section 8a provides a discussion regarding utilization of existing easements.

9e. Describe the probability that the project may be significantly affected by earthquakes, floods, fires, snow, slides, avalanches, rockslides or landslides and any measures that will be taken to reduce the impact of such events upon the project. (070.080.250)(9)(h)

Sections 20, 21, and 22 provide a discussion on anticipated impacts to the Project by natural hazards and associated mitigation measures.

9f. Specify whether the demand for the project is associated with development within or contiguous to existing service areas. (070.080.250)(9)(j)

The existing transmission line must be rebuilt because it has reached the end of its safe and useful operational life. The rebuilt line will be operated at 69-kV, but the design standards would allow for future operation at 115-kV. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time.

10. Additional Information Required By The Community Development Department Director (070.080.250)(10)

No additional information has been requested by the Community Development Department Director. Xcel Energy will provide any additional information upon request.

11. Notification to Mineral Owners of Surface Development (070.080.250)(11)

The state statute commonly known as “The Surface Development Notification Act” (CRS 24-65.5-101 et seq.) provides that not less than 30 days before the date scheduled for the initial public hearing by a local government on an application for development, the applicant must send a notice of that hearing by certified mail to mineral estate owners (owners or lessees of the mineral estate under the property which is the subject of the application). Pursuant to the Act, the definition of an “Application for Development” covers a wide range of surface development land use approvals, but certain named development activities are specifically exempt from that definition. One exemption includes applications with respect to utility electric lines which includes Xcel Energy’s transmission lines. Thus, due to the nature and scope of the Project, the transmission line rebuild is exempt from the statutory mineral estate owner mailing notification requirements. Accordingly, Xcel Energy will not be providing a Proof of Notice.

12. Projected development schedule. (070.080.250)(12)

12a. An estimate of the maximum number of employees, number of shifts and employees per shift during the following phases: construction, operation, and maintenance. (070.080.250)(12)(a)

It is anticipated that one 12-hour shift per day (Monday through Saturday) will be worked during transmission line construction; however, additional hours may be required. This would be during daylight hours, early morning to early evening. If additional hours are anticipated for shift work, a 24-hour work permit will be obtained from the City. The maximum number of construction workers on site during a single shift will be approximately 30 to 40. Xcel Energy can provide the City with a construction contact closer to construction, if necessary. No employees will be required on site during the operation of the Project except during regular operation and maintenance activities. The Project will continue to be operated and monitored remotely 24 hours a day, 7 days a week, 365 days a year to provide safe and reliable electric service.

12b. Information regarding any future phases or extensions of the facility and relationship of the facility (if currently foreseen) to larger programs and plans. (070.080.250)(12)(b)

The rebuilt line will be operated at 69-kV but the design standards would allow for future operation at 115-kV. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time.

12c. A timetable for planning (e.g., federal permits, state permits, local zoning, etc.). (070.080.250)(12)(c)

Construction is expected to begin in spring 2024 pending permit approvals. Section 8b of this application provides a discussion on other anticipated permits for the Project. Section 3g provides additional information on Project schedule.

12d. An estimate beginning and completion of construction and beginning of operation of facility or system. (070.080.250)(12)(d)

Construction and restoration activities are expected to be completed and the Project will be put into service by fall 2024. Section 3g provides additional information on Project schedule.

12e. A description of any support facilities (e.g. pollution control parking areas, landscaping, etc.) to be provided. (070.080.250)(12)(e)

No support facilities are proposed as part of the Project.

12f. A description of any feasible "non-structural" alternatives to meet the objectives of the proposed site selection and construction. (070.080.250)(12)(f)

The existing transmission line provides electric power to the City. The existing line must be rebuilt because it has reached the end of its safe and useful operational life. There are no viable non-structural alternatives.

13. Local infrastructure and services impacts. (070.080.250)(14)

The Project will not require additional community or local government services beyond those currently provided in the area. The Project creates no additional demand for transportation infrastructure, educational facilities, housing, water (other than trucked-in water for construction), sewage or wastewater treatment, or public transportation. Existing businesses and social services are adequate to support the Project due to the small size of the construction crew and temporary nature of the construction activities. Given the relatively small size of the crews needed for construction of the Project, no impacts to emergency health care facilities or law enforcement services are anticipated.

Where practicable, existing public roads and private roads will be utilized during Project construction and operation. Some private roads may require improvements, and some new access will need to be constructed to accommodate construction equipment and long-term maintenance of the rebuilt transmission line.

Improved access within the City will be constructed to meet City standards and requirements, including those related to the Hillside Preservation zoning district outlined in the City's Municipal Code Section 070.020.170. Along the Project route, areas within the Hillside Preservation district occur north of I-70 along Traver Trail (Figure 2). Where road improvements are needed, Xcel Energy will obtain any necessary grading, stormwater, and erosion control permits and comply with permit requirements. Xcel Energy will engage in landowner negotiations where access roads traverse private property and will address any associated impact mitigation measures.

Some access may remain post-construction to maintain access to the rebuilt transmission line for operation and maintenance activities.

14. Areas of paleontological, historic, or archaeological importance. (070.080.250)(17)

A qualified Tetra Tech archaeologist performed a Class I cultural resources desktop analysis for the Project through the Colorado Historic Society Office of Archaeology and Historic Preservation Colorado Cultural Resource Online Database (Compass). The search revealed two sites intersecting the Project that have been determined eligible for listing in the National Register of Historic Places (NRHP): the Glenwood Hot Springs Historic District (5GF.1050), and the Denver and Rio Grande Western Railroad Aspen Branch (5GF.1661). Three additional sites intersecting the Project are segments of linear sites that support the eligible status of the site as a whole: a segment of the Denver and Rio Grande Western Railroad Aspen Branch (5GF.1661.6), a segment of U.S. Highway 6 (5GF.2935.5) and a segment of the Shoshone-Palisade Transmission Line (5GF.4554.13).

The Project is not anticipated to have an adverse impact on areas of paleontological, historic, or archaeological importance. The existing transmission line currently intersects the resources identified above. The transmission line is being rebuilt in place and will therefore not have new permanent disturbance to pole locations and will otherwise span all NRHP-eligible resources intersecting the Project.

15. Nuisance (070.080.250)(18)

Short-term effects are anticipated from a temporary increase in construction vehicles, which may increase fumes and fugitive dust from construction equipment exhaust (fumes) and from clearing and preparing areas for construction (dust). The short-term effects are not expected to cause a public nuisance. If a nuisance arises during construction, the nuisance will be mitigated in coordination with the City of Glenwood Springs.

Construction-related noise will result in temporary short-term increases in noise in areas where construction and staging are taking place. Short-term noise may result during foundation construction and assembly and erection of the transmission line structures. Short-term noise is anticipated from construction equipment such as auguring machines, helicopters, cranes, heavy machinery, and trucks. Construction vehicles and equipment will be maintained in proper operating condition and equipped with manufacturers' standard noise control devices (e.g., mufflers or engine enclosures).

Indirect effects from post-construction activities, which include the noise from transmission line inspections and maintenance activities, are anticipated to be negligible because of their short duration and infrequency.

16. Air Quality (070.080.250)(19)

Garfield County is in attainment with National Ambient Air Quality Standards for all criteria pollutants, i.e., ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide, and lead (EPA 2023).

Short-term effects are anticipated from a temporary increase in construction vehicles, which may increase fumes and fugitive dust from construction equipment exhaust (fumes) and from clearing and preparing areas for construction (dust). The short-term effects are not expected to cause a public nuisance. If a nuisance arises during construction, the nuisance will be mitigated in coordination with the City of Glenwood Springs.

Water trucks will be utilized during construction activities around roadway access points to suppress dust from vehicles and equipment as necessary within the ROW and local roads.

During operation, the Project will not generate trips in excess of those currently experienced as the transmission line facilities represent a passive use and will not be staffed. Transmission line operations will not require on-site staff and will be monitored remotely. Visits from personnel will be limited to emergencies or maintenance and inspection activities and increased fumes, exhaust, and dust during operations are not expected.

17. Visual Quality (070.080.250)(20)

Since the Project is a rebuild of the existing transmission line in the same alignment, the Project will result in minimal impacts to visual quality. Existing transmission poles along the transmission line vary from 26 to 101.5 feet in height. To ensure compliance with Xcel design standards and the NESC clearance requirements, the new pole heights along the transmission line will vary from 54.8 feet to 101.5 feet. Topography, span length, and adjacent land uses influence the necessary height of transmission poles. The new poles will be equipped with shield wires above the energized conductor lines; this equipment adds to the pole height but also provides protection against lightning strikes. Appendix B compares the height of each existing pole to the new pole heights and Appendix G provides visual simulations of the existing and rebuilt line. Example pole diagrams are also included in Appendix B. The configuration of the insulators on the new poles will vary and each will be monopole except for the two proposed H-frame pole locations necessary at the Colorado River crossing that are replacing two existing H-frame pole locations.

In addition to the change in height, the poles will be made of a weathering steel instead of wood. The weathering steel poles will comply with updated design standards and wildfire protection, as they perform better in the event of a wildfire compared to wood poles. Compared to the existing transmission line, the rebuilt transmission line will have a wider ROW width that is needed to provide sufficient clearance to existing buildings and for construction and maintenance activities. Given the presence of existing transmission poles, the new poles along the rebuilt line won't create a change in the nature of the visual impact, but rather a change in degree. Therefore, no significant impact on visual quality is anticipated.

Two of the three existing pole locations along the northern side of Midland Avenue were constructed with guy wire anchors extending to the southern side of Midland Avenue. These guy wires were required at the time of installation to properly support the poles. The new poles will be self-supporting and will not require guy wire anchors, resulting in the removal of the existing guy wires on the southern side of Midland Avenue. The new poles will be taller than the existing poles in this location due to clearance requirements; however, the removal of the guy wires will result in an improved visual appearance for travelers along Midland Avenue and the adjacent trail to the south.

18. Surface Water Quality (070.080.250)(21)

18a. Map and/or description of all surface waters relevant to the project, including description of provisions of Region XII's regional water quality management plan, and NPDES Phase II Permit and necessary Erosion and Stormwater Quality Control Permit ("ESQCP"), Section 404 Federal Clean Water Act Permit that applies to the project and assessment of whether the project would comply with those provisions. (070.080.250)(21)(a)

Surface waters are shown on Figures 3 and 4 and floodplains are shown on Figure 4. The Project will cross the Colorado River, Oasis Creek and four unnamed tributaries to the Colorado River.

The section of the Colorado River crossed by the existing line is not anticipated to be impacted during construction or operation of the Project. Additionally, it is unlikely that the Project would require a Section 404 permit under the Clean Water Act based on the proposed transmission line pole locations and lack of anticipated impact to wetlands or other waters of the United States (WOTUS). The Project will avoid impacts to wetlands and WOTUS features to the extent practicable. The transmission line poles will be sited to avoid pole placement within and to span across wetlands and other WOTUS features to avoid permanent impacts. Associated access roads, laydown yards, and other appurtenant features of the Project will also be sited to avoid permanent impacts to wetlands and WOTUS features.

The Project will avoid regulated floodplains to the extent practicable. The transmission line will span floodplain areas with overhead conductors where feasible.

Prior to construction, a Stormwater Management Plan (SWMP) will be developed, and a Storm Water Permit for Construction Activities will be obtained from the Colorado Department of Public Health and Environment (CDPHE). Xcel Energy will comply with permit application requirements, City of Glenwood

Springs standards, and construction protocols to ensure that the Project does not violate water quality standards. Xcel Energy can provide copies of the stormwater permits to the City, as necessary, closer to the start of construction.

18b. Existing data monitoring sources. (070.080.250)(21)(b)

The nearest U.S. Geological Survey stream gauge downstream of the Project's Colorado River crossing is located approximately 3 miles west (site identification number: 09085150; USGS 2023a). The nearest USGS stream gauge upstream of the Project's Colorado River crossing is located approximately 1 mile east (site identification number: 09085100; USGS 2023b).

18c. Descriptions of the immediate and long-term impact and net effects that the project would have on the quantity and quality of surface water under both average and worst-case conditions. (070.080.250)(21)(c)

It is not anticipated that the Project will result in any permanent impacts to wetlands or other WOTUS features. Temporary impacts to wetlands and WOTUS during construction of the Project will be avoided to the extent practicable. If wetlands cannot be avoided, matting and other protective temporary measures will be used. Depending on the condition of the wetland soil and hydrology, matting may be used in some cases to protect wetlands from rutting. To avoid potential indirect impacts from construction-related erosion and sediment movement during construction, Project construction will adhere to BMPs outlined in the SWMP, which will include erosion control and revegetation measures.

The Project will not generate pollutant loads. Construction of the transmission line will not create runoff in excess of previous site levels and will not change existing topography or adversely affect drainage. There will be no alteration in the pattern or intensity of surface drainage as a result of construction or operation of the transmission line. A Drainage Letter is provided in Appendix H.

19. Groundwater Quality (070.080.250)(22)

19a. Map and/or description of all groundwater, including any and all aquifers relevant to the project. (070.080.250)(22)(a)

No materially adverse impacts to groundwater are anticipated from the Project because the embedded portion of the transmission poles will not be deep enough to affect an aquifer. Additionally, during construction, the excavation holes for the transmission poles will not be left open for a long period of time, avoiding impacts to aquifers. BMPs will be used during construction to control sediment and runoff from work areas. Compliance with applicable federal, state, and county construction and waste management procedures will prevent accidental spills or runoff of sediment or contaminants to waterbodies or groundwater.

Impacts to groundwater aquifers and wells are not anticipated. During the planning and design stages, a Geotechnical Engineering Report was conducted to understand the subsurface conditions where facilities will be built. This report along with a Drainage Letter is included as Appendix H.

**19.a.1 Seasonal water levels in each portion of the aquifer affected by the project.
(070.080.250)(22)(a)(1)**

See Section 19a for the discussion on groundwater impacts.

19.a.2 Artesian pressure in said aquifers. (070.080.250)(22)(a)(2)

See Section 19a for the discussion on groundwater impacts.

19.a.3 Groundwater flow directions and levels. (070.080.250)(22)(a)(3)

See Section 19a for the discussion on groundwater impacts.

19.a.4 Existing aquifer recharge rates and methodology used to calculate recharge to the aquifer from any recharge sources. (070.080.250)(22)(a)(4)

See Section 19a for the discussion on groundwater impacts.

19.a.5 For aquifers to be used as part of a water storage system, methodology and results of tests used to determine the ability of the aquifer to impound groundwater and aquifer storage capacity. (070.080.250)(22)(a)(5)

See Section 19a for the discussion on groundwater impacts.

**19.a.6 Seepage losses expected at any subsurface dam and at stream-aquifer interfaces and methodology used to calculate seepage losses in the affected streams, including description and location of measuring devices.
(070.080.250)(22)(a)(6)**

See Section 19a for the discussion on groundwater impacts.

19.a.7 Existing groundwater quality and classification. (070.080.250)(22)(a)(7)

See Section 19a for the discussion on groundwater impacts.

**19.a.8 Location of all water wells potentially affected by the project and their uses.
(070.080.250)(22)(a)(8)**

See Section 19a for the discussion on groundwater impacts.

**19b. Description of the impacts and net effect of the project on groundwater.
(070.080.250)(22)(b)**

See Section 19a for the discussion on groundwater impacts.

20. Soils, geologic conditions, and natural hazards. (070.080.250)(25)

20a. Map and/or description of soils, geologic conditions, and natural hazards including but not limited to soil types, drainage areas, slopes, avalanche areas, debris fans, mud flows, rock slide areas, faults and fissures, seismic history, and wildfire hazard areas, all as relevant to the project area. (070.080.250)(25)(a)

It is not anticipated that the Project will have any materially adverse impact to soils, geologic conditions, or natural hazards as the transmission line will be rebuilt along the existing alignment. Any land disturbed during construction will be restored in a manner generally similar to its condition prior to construction and as may be provided for in private agreements. The Project is not anticipated to divert debris flow or floodwaters.

Professional engineers who will guide construction do not foresee any unusual risks. Xcel Energy electric facilities, including transmission poles, are specifically designed for the locations where they are placed. A Geotechnical Engineering Report and Drainage Letter are included in Appendix H.

20b. Descriptions of the risks to the project from natural hazards. (070.080.250)(25)(b)

The Project will be designed to minimize the risks from natural hazards, such as high winds and avalanches. Transmission lines are built and maintained to meet or exceed safety standards, such as those specified by the NESC) and the North American Electric Reliability Corporation. Every effort is made to ensure safety in construction and operation and maintenance of transmission lines. Transmission lines are designed to withstand extreme weather conditions and protective devices at line terminals stop the electricity flow under abnormal operating circumstances. The transmission poles will be equipped with shield wires above the energized line; this equipment adds to the pole height but also provides protection against lightning strikes. The transmission poles will be made of a weathering steel instead of wood. The weathering steel poles will comply with updated design standards and wildfire protection, as they perform better in the event of a wildfire compared to wood poles. Xcel Energy developed a Wildfire Mitigation Plan in 2020 that identified eight 69kV transmission lines to be replaced by 2025 as a part of its Major Transmission Line Rebuild Plan (Xcel Energy 2020). This Project is within a portion of one of the eight transmission lines identified for replacement. This Project will mitigate the wildfire risk by rebuilding the existing aging infrastructure.

Xcel Energy's transmission lines are monitored 24/7/365 for line contact, the term describing when an object comes in contact with the transmission line conductors. If there is an unanticipated event in the line, the line is isolated from the system to protect the public and the line from operating under unsafe conditions. Xcel Energy's transmission lines are inspected annually to check for line connections and damage. For the safety of the general public, unauthorized personnel are not permitted to come in contact with the transmission line conductor wire.

Xcel Energy's facilities are designed, constructed, operated, and maintained to meet or exceed all applicable requirements of the Institute of Electrical and Electronics Engineers (IEEE) standards and accepted industry standards and practices including IEEE 979, Guide for Substation Fire Protection. All applicable fire laws and regulations, as outlined in CRS 31-15-601, will be observed during construction and normal operation of the Project.

In the rare event of a fire emergency, Xcel Energy will likely be aware of an issue before the general public or emergency responders. Nevertheless, the public is encouraged to contact Xcel Energy's emergency number: 800-895-1999. In the event of an outage or equipment failure, the affected equipment is immediately de-energized and Xcel Energy personnel are dispatched to the site. Xcel Energy personnel receive safety training for emergency situations relating to high-voltage electrical equipment. Xcel Energy also coordinates closely with local fire departments and first responders and consults with them to discuss any concerns within their response area. Xcel Energy offers free online safety training to fire departments and first responders that is based on national standards through its Responding to Utility Emergencies Program.

20c. Descriptions of the impacts and net effect of the project on soil and geologic conditions in the area. (070.080.250)(25)(c)

No impacts to soil and geologic conditions in the area are anticipated. A Geotechnical Engineering Report is included as Appendix H. To avoid construction-related erosion and sediment movement during construction, the Project will adhere to BMPs outlined in the SWMP, which will include erosion control and revegetation measures.

21. Hazardous materials. (070.080.250)(26)

21a. Description of all solid waste, hazardous waste, petroleum products, hazardous, toxic, and explosive substances to be used, stored, transported, disturbed or produced in connection with the project, including the type and amount of such substances, their location, and the practices and procedures to be implemented to avoid accidental release and exposure. (070.080.250)(26)(a)

Chemicals that may be used during construction and operation are those found in diesel fuel, gasoline, coolant (ethylene glycol), and lubricants in machinery. Hazardous materials will not be drained onto the ground or into streams or drainage areas. Enclosed containment will be provided for trash disposal. Construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials, will be removed and taken to a disposal facility authorized to accept such materials. No hazardous materials will be used, stored, or generated on site. The Project will not require transportation of hazardous materials.

Construction, operation, and maintenance activities will comply with applicable federal, state, and local laws and regulations regarding the use of hazardous substances. Construction activities will be performed using methods that prevent entrance or accidental spillage of solid matter, contaminants, debris, or other pollutants and wastes into flowing streams or dry watercourses, lakes, and underground water sources.

Activities will follow BMPs for the management of wastes to avoid and minimize effects from potential spills or other releases to the environment.

21b. Location of storage areas designated for equipment, fuel, lubricants, and chemical and waste storage with an explanation of spill containment plans and structures. (070.080.250)(26)(b)

Chemicals that may be used during construction and operation are those found in diesel fuel, gasoline, coolant (ethylene glycol), and lubricants in machinery, and if any such chemicals are used, they will be stored within the TCEs pursuant to appropriate storage protocols and applicable regulatory controls.

22. Monitoring and mitigation plan. (070.080.250)(27)

22a. Description of all mitigation that is proposed to avoid, minimize or compensate for adverse impacts of the project and to maximize positive impacts of the project. (070.080.250)(27)(a)

A summary of proposed mitigation measures is included in Table 8.

Table 8: Proposed Mitigation Measures

Resource	Description of Proposed Mitigation
Air Quality	Water trucks will be utilized during construction activities to suppress dust from vehicles and equipment as necessary.
Biological Resources	The Project will avoid or minimize impacts to habitat as practicable. Impacts to most vegetation will be temporary and limited to the ROW and TCEs. The ROW will be cleared of tall vegetation for ongoing maintenance, though since the existing transmission line corridor is already maintained for vegetation, vegetation removal for construction of the Project will be limited.. Measures will be implemented to minimize the spread of noxious weeds in the ROW. The Project will adhere to BMPs and erosion control measures outlined in the SWMP. A Revegetation Plan and Noxious Weed Management Plan are included in Appendix D. To avoid or minimize potential impacts to migratory birds and raptors, including eagles, Xcel Energy will conduct tree/vegetation clearing during the nonbreeding season for birds (September 1 – April 15) if feasible. If vegetation clearing cannot occur during the nonbreeding season, vegetation clearance surveys, raptor nest surveys, and burrowing owl surveys may be conducted per USFWS and CPW guidance to identify avian nesting activity and determine appropriate avoidance buffers (CPW 2020, CPW 2021) or monitor activities nest sites until determined to be inactive. In addition, electrical components of the transmission lines will be separated to minimize the risk of avian contact and will follow Avian Power Line Interaction Committee (APLIC) guidelines (APLIC 2006). Bird flight or swan diverters or other marking devices may be used as determined necessary for specific locations.
Cultural Resources	The Project will be built in the same alignment as the existing route, thereby minimizing impacts to cultural resources. The Project will avoid identified cultural resource locations to the extent practicable.
Electric and Magnetic Fields	All facilities will be designed, constructed, operated, and maintained to meet or exceed applicable standards of design and performance set forth in the NESC. An EMF Study is provided as Appendix F.
Land Use	The Project will be built in the same alignment as the existing route, thereby minimizing impacts to current and future land use.
Noise	Construction vehicles and equipment will be maintained in proper operating condition and equipped with manufacturer's standard noise control devices (e.g., mufflers or engine enclosures).

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Resource	Description of Proposed Mitigation
Natural Hazards	Transmission lines are designed to withstand extreme weather conditions and protective devices at line terminals stop the electricity flow under abnormal operating circumstances. The transmission poles will be equipped with shield wires above the energized line; this equipment adds to the pole height but also provides protection against lightning strikes. Xcel Energy's transmission lines are monitored 24/7 for line contact, the term describing when an object comes in contact with the transmission line conductors. If there is an unanticipated event in the line, the line is isolated from the system to protect the public and the line from operating under unsafe conditions. Xcel Energy's transmission lines are inspected annually to check for line connections and damage. Xcel Energy's facilities are designed, constructed, operated, and maintained to meet or exceed all applicable requirements of the IEEE standards and accepted industry standards and practices including IEEE 979, Guide for Substation Fire Protection. All applicable fire laws and regulations as outlined in CRS 31-15-601 will be observed during construction and normal operation of the Project. In the rare event of a fire emergency, Xcel Energy will likely be aware of an issue before the general public or emergency responders. Nevertheless, the public is encouraged to contact Xcel Energy's emergency number: 800-895-1999. In the event of an outage or equipment failure, the affected equipment is immediately de-energized and Xcel Energy personnel are dispatched to the site. Xcel Energy personnel receive safety training for emergency situations relating to high-voltage electrical equipment. Xcel Energy also coordinates closely with local fire departments and first responders and consults with them to discuss any concerns within their response area. Xcel Energy offers free online safety training to fire departments and first responders that is based on national standards through its Responding to Utility Emergencies Program.
Socioeconomic	Given the relatively small size of the crews needed for construction and the temporary of the construction activities, no impacts to availability of public resources and services are anticipated. During construction, revenue may moderately increase for some local businesses, such as restaurants, gas stations, grocery stores, and hotels as well as other local businesses due to spending by Xcel Energy's contractors or employees.
Soils and Geology	The Project will be constructed based on the Geotechnical Engineering Report, provided as Appendix H. The Geotechnical Engineering Report was used to determine the size and type of foundations needed to support the transmission line poles and avoid geological hazards. During construction, Xcel Energy's contractor will minimize any soils impacts by strictly adhering to a CDPHE-regulated SWMP and will institute and maintain erosion and sediment control BMPs designed to protect soils and prevent erosion. In areas that are difficult for construction vehicles to traverse, helicopter installation will be used to minimize potential erosion impacts in areas of steep terrain or limited accessibility.
Toxic and Hazardous Substances	No hazardous materials will be permanently used, stored, or generated on site. Hazardous materials used during construction and operation will be used and disposed of in compliance with all applicable federal, state, and local regulations. Construction, operation, and maintenance activities will comply with applicable federal, state, and local laws and regulations regarding the use of hazardous substances. Construction activities will be performed by methods that prevent entrance or accidental spillage of solid matter, contaminants, debris, and other pollutants and wastes into flowing streams or dry watercourses, lakes, and underground water sources. Activities will follow BMPs for the management of wastes to avoid and minimize effects from potential spills or other releases to the environment.
Transportation	Traffic Control Plans will be developed in areas where travel on roadways could be impacted during construction. Construction updates and schedules will be discussed with the City as needed as details are determined. Necessary road use and ROW permits will be obtained from the City of Glenwood Springs, Garfield County, and from CDOT for state highway/interstate crossings as needed prior to construction.
Vegetation	The Project will avoid or minimize impacts to vegetation generally as practicable. Impacts to most vegetation will be temporary and limited to the ROW and TCEs. The ROW will be cleared of tall vegetation for ongoing maintenance, though since the existing transmission line corridor is already maintained for vegetation, vegetation removal for construction of the Project will be limited.. Measures will be implemented to minimize the spread of noxious weeds in the ROW. The Project will adhere to BMPs and erosion control measures outlined in the SWMP.

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Resource	Description of Proposed Mitigation
	Once construction has been completed, TCEs and the transmission line ROW will be restored in a manner generally similar to their condition prior to construction and as may be provided for in private agreements. This work may include fence repair, rut removal, decompaction, tilling, seeding, and stabilization measures. All areas not needed for ongoing operations and maintenance will be reclaimed (re-seeded compatible with Xcel Energy's vegetation management standards) as soon as practicable following construction in a given area. A Revegetation Plan and Noxious Weed Management Plan are included in Appendix D.
Visual Resources	Existing transmission poles along the transmission line vary from 26 to 101.5 feet in height. To ensure compliance with Xcel design standards and the NESC clearance requirements, the new pole heights along the transmission line will vary from 54.8 feet to 101.5 feet. Topography, span length, and adjacent land uses influence the necessary height of transmission poles. The new poles will be equipped with shield wires above the energized conductor lines; this equipment adds to the pole height but also provides protection against lightning strikes. Two of the three existing pole locations along the northern side of Midland Avenue were constructed with guy wire anchors extending to the southern side of Midland Avenue. These guy wires were required at the time of installation to properly support the poles. The new poles will be self-supporting and will not require guy wire anchors, resulting in the removal of the existing guy wires on the southern side of Midland Avenue. The new poles will be taller than the existing poles in this location due to clearance requirements; however, the removal of the guy wires will result in an improved visual appearance for travelers along Midland Avenue and the adjacent trail to the south. Visual simulations are included as Appendix G.
Waste	Enclosed containment will be provided for trash disposal. Construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials, will be removed and taken to a disposal facility authorized to accept such materials. Construction activities will be performed by methods that prevent entrance or accidental spillage of solid matter, contaminants, debris, and other pollutants and wastes into flowing streams or dry watercourses, lakes, and underground water sources. All activities will follow BMPs for the management of wastes to avoid and minimize effects from potential spills or other releases to the environment. The Project will not create any wastewater nor have any facilities requiring wastewater treatment. Portable temporary bathrooms that will be serviced on a regular basis will be on site during the construction period.
Water Resources	Temporary impacts to wetlands and WOTUS during construction will be avoided to the extent practicable. If wetlands cannot be avoided, matting and other protective temporary measures will be used. Depending on the condition of the wetland soil and hydrology, matting may be used in some cases to protect wetlands from rutting. To avoid potential indirect impacts from construction-related erosion and sediment movement during construction, the Project will adhere to BMPs outlined in the SWMP, which will include erosion control and revegetation measures. Construction activities will be performed in a manner that prevent entrance or accidental spillage of solid matter, contaminants, debris, and other pollutants and wastes into flowing streams or dry watercourses, lakes, and underground water sources. All activities will follow BMPs for the management of wastes to avoid and minimize effects from potential spills or other releases to the environment. Impacts to water quality will be minimized during construction through BMPs and the site-specific SWMP. The Project will not impact the quantity or quality of water flowing off of the site. The transmission line will span streams and waterways that cross the corridor and impacts to jurisdictional waters will be avoided to the extent practicable. Xcel Energy will comply with permit application requirements, City of Glenwood Springs and Garfield County Standards, and construction protocols to ensure that the Project does not violate water quality standards. Prior to construction, a Storm Water Permit for Construction Activities will be obtained from CDPHE and a SWMP will be developed.

**22.a.1 Describe how and when mitigation will be implemented and financed.
(070.080.250)(27)(a)(1)**

Impacts will be minimized during construction of the Project and will be financed by Xcel Energy.

**22.a.2 Describe impacts that are unavoidable that cannot be mitigated.
(070.080.250)(27)(a)(2)**

The Project will be built in the same alignment as the existing route; therefore, no impacts that are unavoidable that cannot be mitigated are identified for the Project.

22b. Description of methodology used to measure impacts of the project and effectiveness of proposed mitigation measures. (070.080.250)(27)(b)

See Table 8.

22c. Description, location, and intervals of proposed monitoring to ensure that mitigation will be effective. (070.080.250)(27)(c)

See Table 8.

**22d. Emergency procedures to be used in the event of a fire, explosion, or other event which may endanger the public health, safety, and welfare.
(070.080.250)(27)(d)**

See the Natural Hazards section in Table 8.

23. Additional information (070.080.250)(28)

To date, the Community Development Department Director has not requested any additional information. Xcel Energy will provide any additional information upon request.

24. Review Criteria for All Applications (070.080.320)

Section 070.080.320 of the City's Municipal Code outlines the 1041 approval criteria the Planning Commission considers during its review. These approval criteria and how they relate to the Project are discussed in Table 9.

Table 9. Review Criteria for All Applications (Sec. 070.080.320)

Review Criteria	Project Compliance
(1) The health, welfare, and safety of the residents of this City will be protected and served.	In Glenwood Springs, transmission lines owned by Xcel Energy deliver electricity to the Glenwood Springs Electric Department's substations and distribution system, which then serves local users. The Project includes rebuilding one of these transmission lines to current design standards that include additional measures to reduce wildfire risk.
(2) The project is in general conformance with the Comprehensive Plan and other duly adopted plans and permit criteria. The determination of conformance of the project with these plans may include, but is not limited to, the following considerations: a. Likelihood that the project will/will not cause or contribute to urban sprawl or "leapfrog" development. b. Likelihood that the project will promote growth within existing municipalities or developed areas with the preexisting institutional capacity to maintain infrastructure and provide services to the anticipated development. c. Significant changes in the amount of impervious surfaces. d. Contiguity of development associated with the project to existing growth centers. e. Changes to unique land forms. f. Changes in the amount or character of open space. g. Changes to traffic patterns, road capacity and congestion.	The Project supports the Comprehensive Plan goals by rebuilding aging infrastructure to Xcel Energy's current design standards and providing the ability to operate at a higher voltage to meet future customer demand resulting from development within Glenwood Springs. By rebuilding along the existing transmission line corridor, the Project is providing electric infrastructure that reduces new impacts to cultural and natural resources. This Project will ensure continued delivery of economical, safe, and reliable electric service to customers in Western Colorado, including Glenwood Springs. Section 9c. of this application provides additional detail regarding conformance with the Comprehensive Plan.
(3) The project is financially feasible. The determination of financial feasibility of the project may include but is not limited to the following considerations: a. The business plan submitted by the applicant. b. Relevant bond issue, loan and other financing approval or certifications (ex: approved bond issue; bond counsel opinion).	Xcel Energy is a major U.S. electric and natural gas company with annual revenues of \$15.3 billion (Xcel Energy 2022). The applicant has the financial and ability to develop and operate the Project.
(4) The project is not subject to significant risk from natural hazards. The determination of risk from natural hazards to the project may include but is not limited to the following considerations: a. Faults and fissures. b. Unstable slopes including landslides, rock slides, and avalanche areas. c. Expansive or evaporative soils and risk of subsidence. d. Wildfire hazard areas. e. Floodplains.	Any land disturbed during construction will be restored in a manner generally similar to their condition prior to construction and as may be provided for in private agreements. The Project is not anticipated to divert debris flow or floodwaters. Professional engineers who will guide construction do not foresee any unusual risks. Xcel Energy electric facilities, including transmission poles, are specifically designed for the locations where they are placed. Geotechnical Engineering Reports are conducted for transmission poles to identify subsurface conditions and determine foundation specifications. Xcel Energy's facilities are designed, constructed, operated, and maintained to meet or exceed all applicable requirements of the IEEE standards. All applicable fire laws and regulations, as outlined in CRS 31-15-601, will be observed during construction and normal operation of the Project.

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Review Criteria	Project Compliance
	In the event of an outage or equipment failure, the affected equipment is immediately de-energized and Xcel Energy personnel are dispatched to the site. Xcel Energy personnel receive safety training for emergency situations relating to high-voltage electrical equipment. Xcel Energy also coordinates closely with local fire departments and first responders and consults with them to discuss any concerns within their response area. Xcel Energy offers free online safety training to fire departments and first responders that is based on national standards through its Responding to Utility Emergencies Program. Xcel Energy developed a Wildfire Mitigation Plan in 2020 that identified eight 69kV transmission lines to be replaced by 2025 as a part of its Major Transmission Line Rebuild Plan (Xcel Energy 2020). This Project is within a portion of one of the eight transmission lines identified for replacement. This Project will mitigate the wildfire risk by rebuilding the existing aging infrastructure. The Project will avoid regulated floodplains to the extent practicable. The transmission line will span floodplain areas with overhead conductors where feasible.
(5) The project will not have a significant adverse effect on the capability of local governments affected by the project to provide local infrastructure and services, or exceed the capacity of service delivery systems. The determination of the effects of the project on local government services and infrastructure may include, but is not limited to, the following considerations: a. Current and projected capacity of roads, schools, infrastructure, drainage and/or stormwater infrastructure, housing, recreational facilities, emergency services, and other services necessary to accommodate development, and the impact of the project upon the current and projected capacity. b. Changes caused by the project in the cost of providing education, transportation networks, water treatment and wastewater treatment, stormwater drainage, channel stabilization, recreation facilities, bridges, emergency services, or other governmental services or facilities. c. Need for temporary roads to access the project for construction and maintenance. d. Change in demand for public transportation.	No new or upgraded local government services are anticipated to be needed to serve the Project. Where practicable, existing public roads and private roads will be utilized during Project construction and operation. Some private roads may require improvements and some new access roads will need to be constructed to accommodate construction equipment and long-term maintenance of the rebuilt transmission line. Improved access roads within the City will be constructed to meet City requirements. Where road improvements are needed, Xcel Energy will obtain any necessary grading, stormwater, and erosion control permits and comply with permit requirements. Xcel Energy will engage in landowner negotiations where access roads traverse private property and will address any associated impact mitigation measures. Some access roads may remain post-construction to maintain access to the rebuilt transmission line for operation and maintenance activities.
(6) The project will not have a significant adverse effect on the quality or quantity of recreational opportunities and experience. The determination of effects of the project on recreational opportunities and experience may include, but is not limited to, the following considerations: a. Changes to existing and projected visitor days. b. Changes in quality and quantity of fisheries.	The Project will not affect the long-term quality or quantity of recreational opportunities and experience. Xcel Energy will coordinate with landowners regarding any short term construction-related impacts to recreation resources.

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Review Criteria	Project Compliance
c. Changes in instream flows or reservoir levels. d. Changes in access to recreational resources. e. Changes to quality and quantity of hiking, biking, or horseback riding trails. f. Changes to hunting experiences. g. Changes to open space. h. Changes to existing conservation easements. i. Changes to regional or neighborhood parks. j. Changes to recreational scenic experience.	
(7) The project will not significantly degrade air quality. The determination of effects of the project on air quality may include, but is not limited to, the following considerations: a. Changes in visibility and microclimates. b. Applicable air quality standards.	During construction, short-term effects are anticipated from a temporary increase in construction vehicles, which may increase fumes and fugitive dust from construction equipment exhaust (fumes) and from clearing and preparing areas for construction (dust). Water trucks will be utilized during construction activities around roadway access points to suppress dust from vehicles and equipment as necessary within the ROW and local roads. During operation, visits from personnel will be limited to emergencies or maintenance and inspection activities and increased fumes, exhaust, and dust during operations are not expected.
(8) The project will not significantly degrade existing visual quality. The determination of visual effects of the project may include, but is not limited to, the following considerations: a. Visual changes to ground cover and vegetation, waterfalls and streams, or other natural features. b. Interference with viewsheds and scenic vistas. c. Changes in landscape character types of unique land formations. d. Compatibility of structure size and color with scenic vistas and view sheds. e. Changes to open space. f. Changes to existing conservation easements. g. Changes to impacts to regional or neighborhood parks.	As the Project is a rebuild of the existing transmission line in the same alignment, the Project will result in minimal impacts to visual quality. Existing transmission poles along the transmission line vary from 26 to 101.5 feet in height. To ensure compliance with Xcel design standards and the NESC clearance requirements, the new pole heights along the transmission line will vary from 54.8 feet to 101.5 feet. Topography, span length, and adjacent land uses influence the necessary height of transmission poles. The new poles will be equipped with shield wires above the energized conductor lines; this equipment adds to the pole height but also provides protection against lightning strikes. Two of the three existing pole locations along the northern side of Midland Avenue were constructed with guy wire anchors extending to the southern side of Midland Avenue. These guy wires were required at the time of installation to properly support the poles. The new poles will be self-supporting and will not require guy wire anchors, resulting in the removal of the existing guy wires on the southern side of Midland Avenue. The new poles will be taller than the existing poles in this location due to clearance requirements; however, the removal of the guy wires will result in an improved visual appearance for travelers along Midland Avenue and the adjacent trail to the south.

Review Criteria	Project Compliance
(9) The project will not significantly degrade surface water quality. The determination of effects of the project on surface water quality may include, but is not limited to, the following considerations: a. Changes to existing water quality, including patterns of water circulation, temperature, conditions of the substrate, extent and persistence of suspended particulates and clarity, odor, color or taste of water. b. Applicable narrative and numeric water quality standards. c. Changes in point and nonpoint source pollution loads. d. Increase in erosion. e. Changes in sediment loading to waterbodies. f. Changes in stream channel or shoreline stability. g. Changes in stormwater runoff flows. h. Changes in trophic status or in eutrophication rates in lakes and reservoirs. i. Changes in the capacity or functioning of streams, lakes, or reservoirs. j. Changes to the topography, natural drainage patterns, soil morphology and productivity, soil erosion potential, and floodplains. k. Changes to stream sedimentation, geomorphology, and channel stability. l. Changes to lake and reservoir bank stability and sedimentation, and safety of existing reservoirs.	Prior to construction, a SWMP will be developed, and a Storm Water Permit for Construction Activities will be obtained from CDPHE. Xcel Energy will comply with permit application requirements, City of Glenwood Springs standards, and construction protocol to ensure that the Project does not violate water quality standards.
(10) The project will not significantly degrade groundwater quality. The determination of effects of the project on groundwater quality may include, but is not limited to, the following considerations: a. Changes in aquifer recharge rates, groundwater levels and aquifer capacity including seepage losses through aquifer boundaries and at aquifer-stream interfaces. b. Changes in capacity and function of wells within the impact area. c. Changes in quality of well water within the impact area.	BMPs will be used during construction to control sediment and runoff from work areas. Compliance with applicable federal, state and county construction and waste management procedures will prevent accidental spills or runoff of sediment or contaminants to waterbodies or groundwater.
(11) The project will not significantly degrade wetlands and riparian areas, terrestrial or aquatic plant or animal life. The determination of effects of the project on these areas shall include the considerations raised in the applicable federal and/or state permits.	It is not anticipated that the Project will result in any permanent impacts to wetlands or other WOTUS features. The Project will avoid impacts to wetlands and WOTUS features to the extent practicable. The transmission line poles will be sited to avoid pole placement within and to span across wetlands and other WOTUS features to avoid permanent impacts. Associated access roads, laydown yards, and other appurtenant features of the Project will also be sited to avoid permanent impacts to wetlands and WOTUS features. The rebuilt transmission line will be in the same alignment as the existing route; therefore, minimal impacts to vegetation and wildlife are anticipated. To avoid or minimize potential impacts to migratory birds and raptors, including eagles, Xcel Energy will conduct tree/vegetation clearing during the nonbreeding season for birds (September 1 – April 15) if feasible. If vegetation clearing cannot occur during the nonbreeding season, vegetation clearance surveys, raptor nest surveys, and

Areas and Activities of State Interest Permit Application
Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project

Review Criteria	Project Compliance
	burrowing owl surveys may be conducted per USFWS and CPW guidance to identify avian nesting activity and determine appropriate avoidance buffers (CPW 2020, CPW 2021) or monitor activities nest sites until determined to be inactive. In addition, electrical components of the transmission lines will be separated to minimize the risk of avian contact and will follow Avian Power Line Interaction Committee (APLIC) guidelines (APLIC 2006). Bird flight or swan diverters or other marking devices may be used as determined necessary for specific locations.
(12) The project will not significantly deteriorate soils and geologic conditions. The determination of effects of the project on soils and geologic conditions may include, but is not limited to, the following considerations: a. Loss of topsoil due to wind or water forces. b. Changes in soil erodibility. c. Physical or chemical soil deterioration. d. Terrain deformation/mass wasting/subsidence. e. Compacting, sealing and crusting. f. Waterlogging. g. Soil morphology and productivity.	No impacts to soil and geologic conditions in the area are anticipated. The Geotechnical Engineering Report is provided as Appendix H. To avoid construction-related erosion and sediment movement during construction, the Project will adhere to BMPs outlined in the SWMP, which will include erosion control and revegetation measures.
(13) The project will not cause a nuisance. The determination of nuisance effects of the project may include, but is not limited to, the following considerations: Increase in odors, dust, fumes, glare, heat, noise, vibration or artificial light.	Short-term effects are anticipated from a temporary increase in construction vehicles, which may increase fumes and fugitive dust from construction equipment exhaust (fumes) and from clearing and preparing areas for construction (dust). The short-term effects are not expected to cause a public nuisance. If a nuisance arises during construction, the nuisance will be mitigated in coordination with the City of Glenwood Springs. Construction-related noise will result in temporary short-term increases in noise in areas where construction and staging are taking place. Short-term noise may result during foundation construction and assembly and erection of the transmission line structures. Short-term noise is anticipated from construction equipment such as auguring machines, cranes, heavy machinery, and trucks. Construction vehicles and equipment will be maintained in proper operating condition and equipped with manufacturer's standard noise control devices (e.g., mufflers or engine enclosures). Indirect effects from post-construction activities, which include the noise from transmission line inspections and maintenance activities, are anticipated to be negligible because of their short duration and infrequency.
(14) The project will not result in unreasonable risk of releases of hazardous materials. The determination of the risk of release of hazardous materials caused by project may include, but is not limited to, the following considerations:	No hazardous materials will be used, stored, or generated on site. The Project will not require transportation of hazardous materials.

Areas and Activities of State Interest Permit Application
Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project

Review Criteria	Project Compliance
a. Plans for compliance with federal and state handling, storage, disposal, and transportation requirements. b. Use of waste minimization techniques. c. Adequacy of spill prevention and response plans.	Construction, operation, and maintenance activities will comply with applicable federal, state, and local laws and regulations regarding the use of hazardous substances. Construction activities will be performed using methods that prevent entrance or accidental spillage of solid matter, contaminants, debris, and other pollutants and wastes into flowing streams or dry watercourses, lakes, and underground water sources. Activities will follow BMPs for the management of wastes to avoid and minimize effects from potential spills or other releases to the environment.
(15) Urban development, population densities, and site layout and design of storm water and sanitation systems shall be accomplished in a manner that will prevent the pollution of aquifer recharge areas. The determination of potential for pollution of the aquifer recharge areas by the project may include, but is not limited to, the following considerations: a. Proximity of urban development and population densities to aquifer recharge areas. b. Proximity of stormwater and sanitation systems to aquifer recharge areas. c. Changes in water quality in the aquifer recharge areas.	The Project is a rebuild of the existing transmission line in the same alignment and will not require storm water and sanitation systems. BMPs will be used during construction to control sediment and runoff from work areas. Compliance with applicable federal, state, and county construction and waste management procedures will prevent accidental spills or runoff of sediment or contaminants to waterbodies or groundwater.
(16) The project shall be reasonably necessary to meet projected community development and population demands in the areas to be served by the project, or to comply with regulatory or technological requirements. The determination of whether the project is reasonably necessary may include but is not limited to the following considerations: a. Relationship to reasonable growth projections and local land use plans. b. Relationship to other providers' service areas. c. Whether the project is not in compliance with regulatory or technological requirements or will not be in compliance in the near future.	This Project supports the continued development and success of the City by designing with the ability to upgrade the transmission line to 115-kV to meet future demand. The need to operate at 115-kV will be determined through an electric system planning study and in coordination with interconnected utilities such as Glenwood Springs Electric. Operation at 115-kV will require additional equipment or modifications at several electric substations that would be subject to permit requirements as applicable at that time. Specifically, this Project results in a strengthened electric system able to accommodate future growth.
(17) The project shall be constructed in areas which will result in the proper utilization of existing facilities or systems to ensure the orderly and sustainable development of infrastructure in the City and adjacent communities, including the following considerations: a. Site selection and construction will not create or encourage growth and development which is incompatible with and cannot be accommodate by the local financial capacity of the area or residents to be served. b. New systems will not overburden existing systems and current and future demand for services can be met within existing and proposed capacity. c. The project will not create proliferation of special districts or overlapping of special districts with the boundaries of other special districts or municipalities. d. The project is the best alternative for the provision of services to the geographical area serviced. e. To the extent feasible, facilities and systems shall be consolidated with existing facilities and systems in the area. f. The project will not result in duplicative services or excessive capacity.	This Project supports providing adequate infrastructure throughout the City through the proposed replacement of aging infrastructure to ensure continued delivery of economical, safe, and reliable electric service to customers in Glenwood Springs. Replacing the existing transmission line will support current and future demand of the City and western Colorado.

Areas and Activities of State Interest Permit Application
Glenwood Springs–Mitchell Creek Electric Transmission Line Rebuild Project

Review Criteria	Project Compliance
g. The project will be administered so as to minimize disruption of utility services and preserve desirable existing community patterns.	
(18) Economic impacts including, but not limited to, taxable property, licensed and permitted facilities, and recreation related to the proposed project have been identified and will be compensated for or mitigated.	The Project is a rebuild of the existing transmission line in the current alignment, therefore no changes to taxable property are anticipated. During construction of the Project, revenue may moderately increase for some local businesses, such as restaurants, gas stations, grocery stores, and hotels as well as other local businesses. No long-term impacts to recreation resources are anticipated. Xcel Energy will coordinate with landowners regarding any short-term construction-related impacts to recreation resources.
(19) The project shall emphasize the most efficient use of water, including the recycling, reuse, and conservation of water, including the following considerations: a. Whether the project uses readily available conservation techniques. b. Whether the project recycles water to the greatest extent permissible. c. Whether the project will use raw water for exterior or irrigation use if available.	Water to be used during construction will be obtained from a local, permitted source. The Project will not require water use during operation.

25. Special Review Criteria for Site Selection and Construction of Major Facilities of a Public Utility. (070.080.340)

Section 070.080.340 of the City’s Municipal Code outlines the approval criteria for major facilities of a public utility the Planning Commission considers during its review. These approval criteria and how they relate to the Project are discussed in Table 10.

Table 10. Special Review Criteria for Site Selection and Construction of Major Facilities of a Public Utility. (Sec. 070.080.340)

Review Criteria	Project Compliance
(a) No permit shall issue for a project related to the site selection and construction of major facilities of a public utility unless it contains conditions tailored to mitigate the environmental, infrastructure, and financial impacts to the City described in Subsection (b) below. Conditional permits shall issue at the discretion of the Permit Authority, pursuant to Section 070.080.360 of this article.	Xcel Energy understands that the City of Glenwood Springs may issue this permit with conditions tailored to mitigate the environmental, infrastructure, and financial impacts to the City.
(b) Applications for a project related to the site selection and construction of major facilities of a public utility shall be subject to the following mandatory special review criteria. (1) The project will not increase the potential for fires and wildfires. (2) The project will not conflict with any local, regional, or state comprehensive plans.	(1) Xcel Energy’s facilities are designed, constructed, operated and maintained to meet or exceed all applicable requirements of the IEEE standards. All applicable fire laws and regulations, as outlined in CRS 31-15-601, will be observed during construction and normal operation of the Project. Xcel Energy developed a Wildfire Mitigation Plan in 2020 that identified eight 69kV transmission lines to be replaced by 2025 as a part of its Major Transmission Line Rebuild Plan (Xcel Energy 2020). This Project is within a portion of one of the eight transmission lines identified for replacement. This Project will mitigate the wildfire risk by rebuilding the existing aging infrastructure. In the rare event of a fire emergency, Xcel Energy will likely be aware of an issue before the general public or emergency responders. Nevertheless, the public is encouraged to contact Xcel Energy’s emergency number: 800-895-1999. In the event of an outage or equipment failure, the affected equipment is immediately de-energized and Xcel Energy personnel are dispatched to the site. Xcel Energy personnel receive safety training for emergency situations relating to high-voltage electrical equipment. Xcel Energy also coordinates closely with local fire departments and first responders and consults with them to discuss any concerns within their response area. Xcel Energy offers free online safety training to fire departments and first responders that is based on national standards through its Responding to Utility Emergencies Program. (2) The project is in general conformance with the Comprehensive Plan as described in the response to Item 2 in Section 24, Review Criteria for All Applications. All applicable land use, environmental, and construction permits will be obtained prior to the start of and during construction of the Project as required.

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Figures

Figure 1: Project Area

Figure 2: Zoning

Figure 3: Land Use

Figure 4: Water Resources

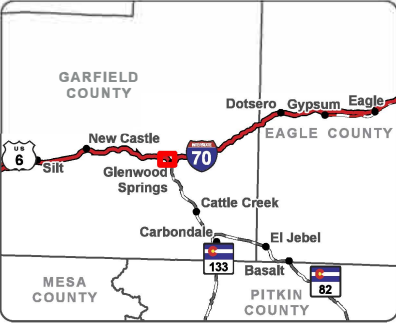
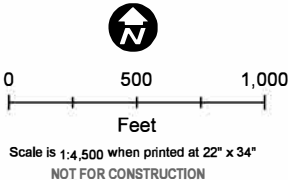
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Glenwood Springs-Mitchell Creek
Electric Transmission Line
Rebuild Project

Figure 1: Project Area

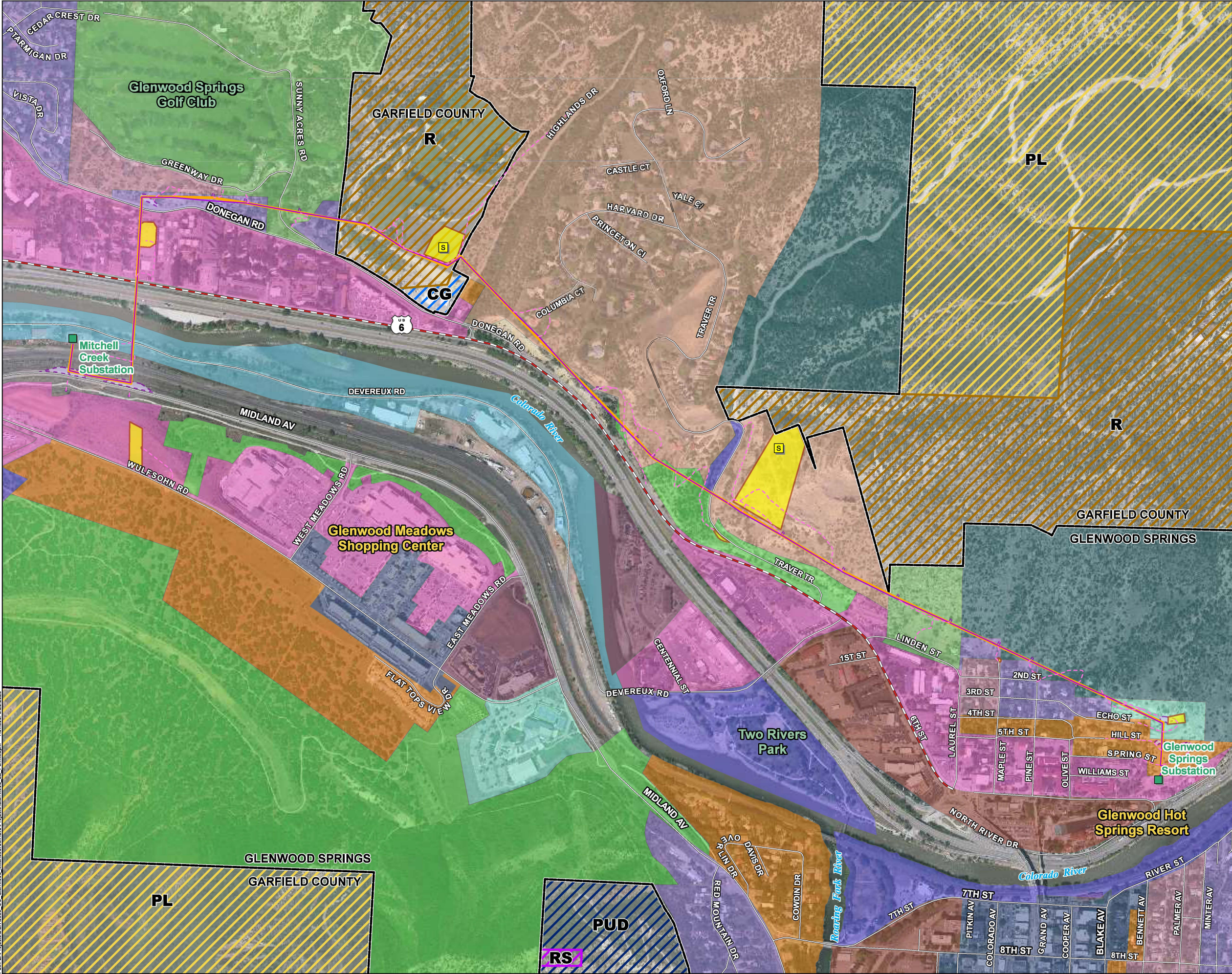


- Legend**
- Glenwood Springs City Boundary
 - Existing Electrical Infrastructure**
 - Substation
 - Existing Transmission Structure to be Removed
 - Existing Transmission Line Corridor
 - Project Features**
 - Rebuild Route (60-foot ROW)
 - Access Road
 - Existing Transmission Structure to Remain Unchanged
 - Preliminary New Transmission Structure Location (Glenwood Springs)
 - Preliminary New Transmission Structure Location (Garfield County)
 - Temporary Construction Easements**
 - Helicopter Fly Yard and Materials Staging Area
 - Temporary Construction Easement
 - Limit of Disturbance
 - Construction Method**
 - Set by Crane
 - Set by Helicopter



Glenwood Springs-Mitchell Creek
Electric Transmission Line
Rebuild Project

Figure 2: Zoning



Legend

Glenwood Springs City Boundary

Existing Electrical Infrastructure

- Substation
- Existing Transmission Line Corridor

Project Features

- Rebuild Route (60-foot ROW)
- Access Road

Temporary Construction Easements

- Helicopter Fly Yard and Materials Staging Area
- Temporary Construction Easement
- Limit of Disturbance

Garfield County Zoning (2020)

- CG - Commercial/General
- RS - Residential/Suburban
- PUD - Planned Unit Development
- PL - Public Lands
- R - Rural

Glenwood Springs Zoning (2023)

- HP - Hillside Preservation
- M1 - Mixed Use Corridor
- M2 - Mixed Use Central Core
- RH - Residential High Density
- RR - Rural Residential
- RL - Residential Low Density
- RM1 - Residential Medium Density
- RM2 - Residential Multifamily Limited
- RT - Residential Transitional
- PUD - Planned Unit Development
- I1 - Light Industrial
- I2 - River Industrial
- RE - Resort
- CO - Commercial

Scale

0 500 1,000 Feet

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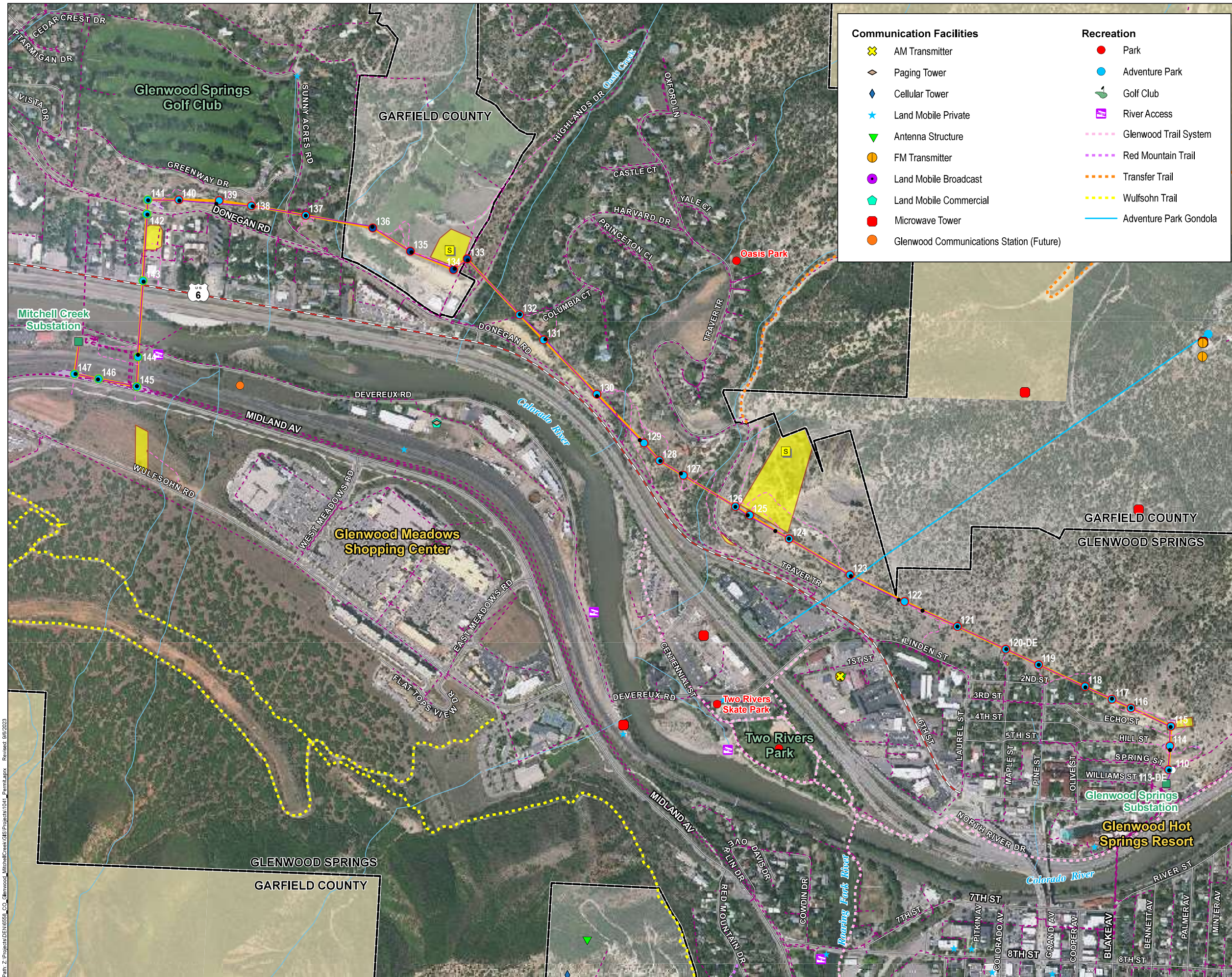
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Location Map

Garfield County, Eagle County, Mesa County, Pitkin County

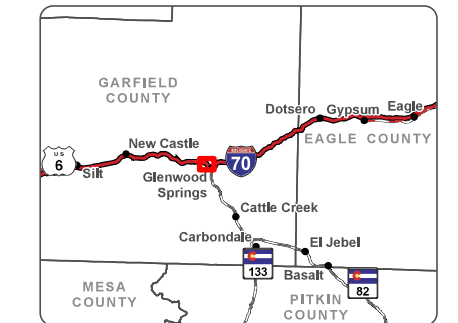
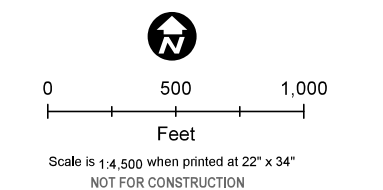
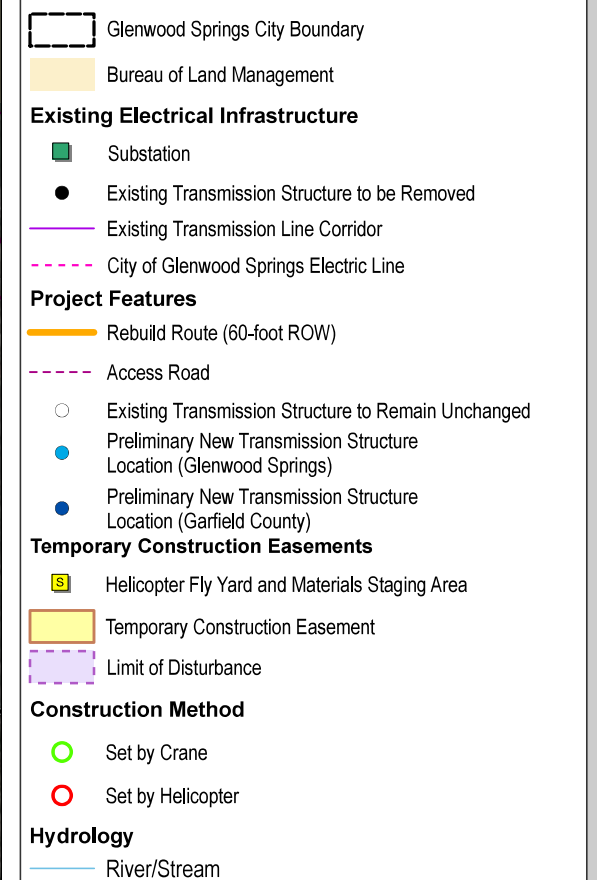
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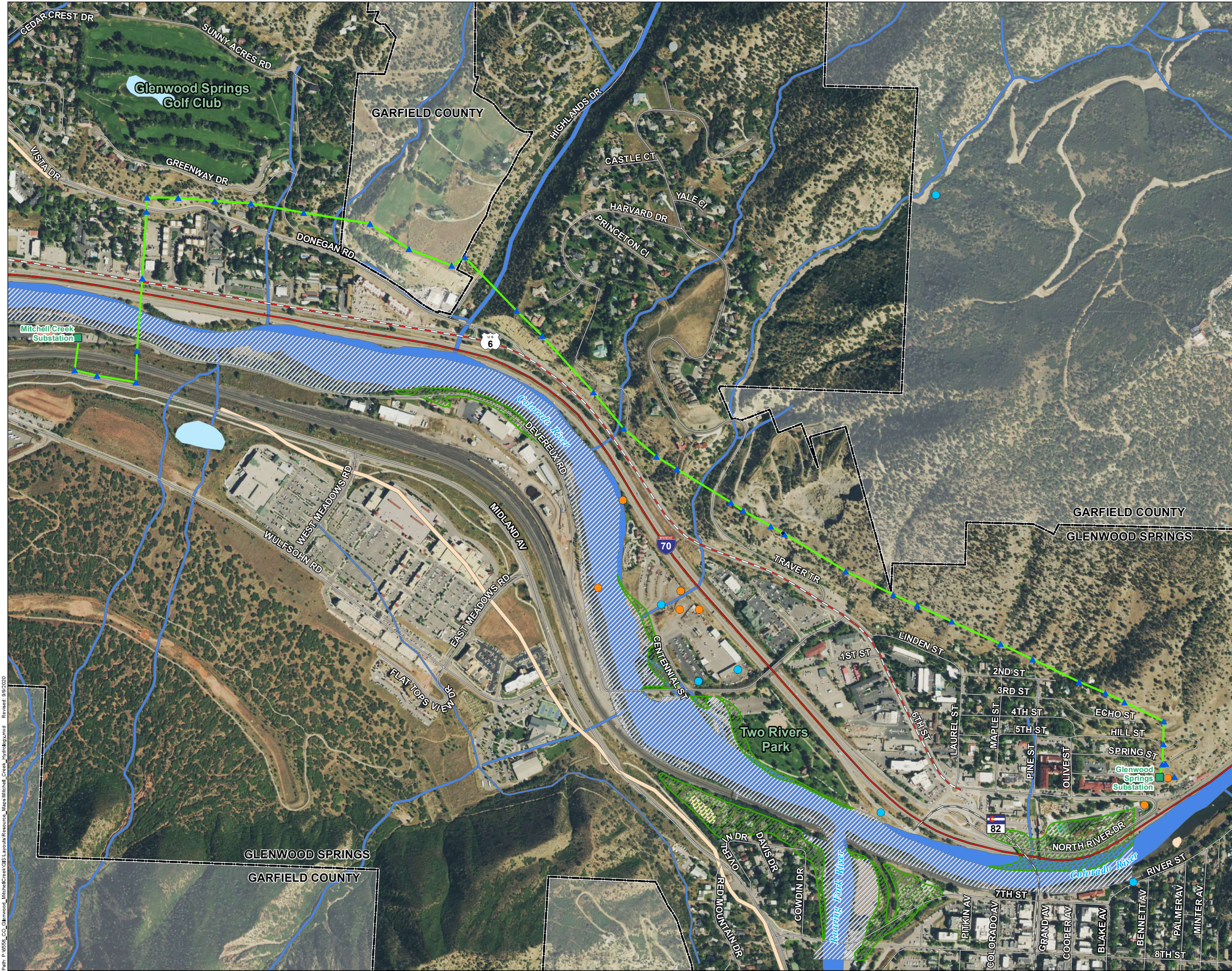
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Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Figure 3: Land Use

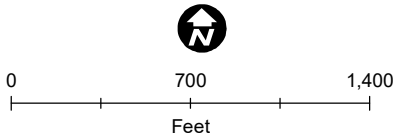




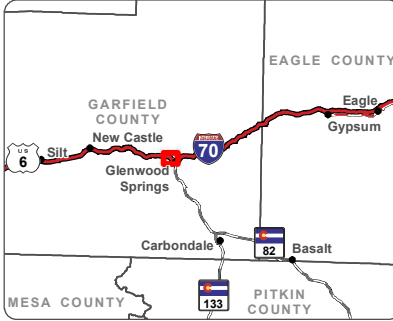
Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Figure 4: Water Resources

- Glenwood Springs City Boundary
- Existing Electrical Infrastructure**
 - Mitchell Creek-Glenwood Springs Transmission Line (69 kV)
 - Substation
 - Transmission Structure
- Transportation**
 - Interstate Highway
 - US Highway
 - State Highway
- Water Resources**
 - Well
 - Spring
- FEMA Floodplains**
 - 100-year Floodplain
 - 500-year Floodplain
- National Wetlands Inventory**
 - Freshwater Emergent Wetland
 - Freshwater Pond
 - Riverine



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Appendix A:

Routing Report: Executive Summary

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Routing Study: Executive Summary

GLENWOOD SPRINGS–MITCHELL CREEK
ELECTRIC TRANSMISSION LINE REBUILD PROJECT



TETRA TECH

September 2020

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Figure 2: Preliminary Route Corridors

Figure 3: BLM Route Corridor

Figure 4: Route Segments

Figure 5: Route Alternatives

1. Introduction

Public Service Company of Colorado (PSCo), a Colorado corporation doing business as Xcel Energy, is proposing to rebuild the Glenwood Springs to Mitchell Creek 69-kilovolt (kV) transmission line (Project) located in the City of Glenwood Springs (Glenwood Springs or City) and Garfield County, Colorado. This Routing Study: Executive Summary briefly describes the process and methodology used to identify alternative locations for the proposed replacement overhead transmission line and to evaluate whether the Project should be rebuilt along the existing transmission line corridor or along a new route.

The objective of this Routing Study is to evaluate alternatives that will have the least impact on the environment, community, residents, and businesses; are economically reasonable; and accomplish the purpose and need of the Project.

1.1 Project Purpose and Need

The existing transmission line must be rebuilt because it has reached the end of its operational life. The line will be rebuilt to current design standards that include additional measures improvements to reduce wildfire risk. By doing so, PSCo is ensuring the continued delivery of economic, safe and reliable, and affordable electric service to customers in the Glenwood Springs area and western Colorado.

Glenwood Springs Electric Department participates in the Municipal Energy Agency of Nebraska and relies on Xcel Energy's transmission system for delivery of power to Glenwood Springs. The Glenwood Springs to Mitchell Creek 69-kilovolt transmission line needs to be rebuilt to ensure continued reliable power delivery to customers in Glenwood Springs and Western Colorado.

1.2 Project Description

The 2.25-mile existing transmission line (referred to herein as the Existing Route) connects the Glenwood Springs Substation, located northeast of the Glenwood Hot Springs Resort to the Mitchell Creek Substation, located northwest of the Glenwood Meadows shopping center (Figure 1). The Existing Route proceeds west from the Glenwood Springs Substation, scales varying terrain and slopes, runs north of Interstate 70 (I-70) through commercial and residential areas, and crosses the Colorado River near the Mitchell Creek Substation.

Given the existing transmission line right-of-way (ROW) and easements, PSCo is considering rebuilding along the Existing Route. However, the existing line location was set more than 70 years ago, when about 10,000 people lived in Garfield County, compared to about 60,000 today. Limited access to the Glenwood Springs-Mitchell Creek transmission line makes construction and maintenance challenging. The expansion of the Glenwood Springs area, along with other challenges described in this Routing Study, presents the need to also consider alternative routes to compare against rebuilding along the Existing Route to ensure a cost-effective installation that minimizes impacts to surrounding areas and ensures a reliably accessible line.

The rebuilt overhead transmission line will be constructed with 115-kilovolt-capable transmission structures and strung with new conductor and optical ground wire. The rebuilt line will initially operate at 69 kilovolts but

could be upgraded to 115 kilovolts to meet future demand. The rebuilt transmission line will be constructed with steel monopole structures. The height and final design of the transmission structures will depend on location and conditions such as slope, soil conditions, and distance between poles. The Project must cross the Colorado River within the municipal boundaries of Glenwood Springs to reach the Mitchell Creek Substation. The ROW for the rebuilt line is expected to be 60 feet wide. The Study area is shown on Figure 1.

2. Route Selection Process

Routing an overhead transmission line requires a comprehensive approach that balances various factors including electric system planning; economics; land use; natural, cultural and environmental resources; regulatory requirements; land rights; and engineering. The Project's multi-step route selection process is shown in Exhibit 1 and described in the sections that follow.

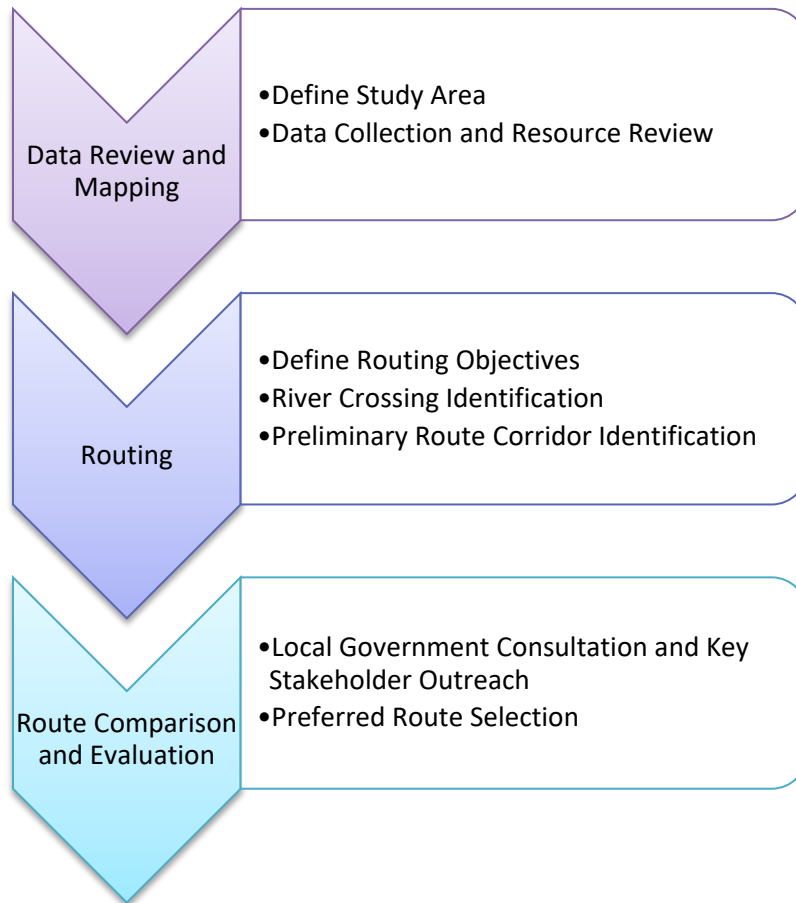


Exhibit 1: Route Selection Process

2.1 Data Review and Mapping

2.1.1 *Define Study Area*

The Project endpoints, the Glenwood Springs Substation, and the Mitchell Creek Substation, define the eastern and western extents of the Study area. The extent of the Study area from north to south is bounded by the steep slopes of the mountain valley that surround the city of Glenwood Springs. The Study area is shown on Figure 1.

2.1.2 *Data Collection and Resource Review*

Publicly available data were obtained to identify resources within the Study area, create resource maps, and populate the comparative matrix used to calculate impacts as part of the alternative analysis and route selection process. Table 1 lists evaluated resources within the Study area that contributed to the development of the routing criteria.

Table 1:
Resources in the Study Area and Resulting Routing Objectives

Resource	Description	Routing Objective
Future Land Use	Future land use near the Mitchell Creek Substation includes mixed-use and single-family residential north of the Colorado River and industrial and commercial south of the Colorado River. Land uses along the south side of the Colorado River include commercial, industrial, riverside protection, hillside protection, parks/open space, multi-family residential, and mixed-use. The Glenwood Springs Golf Club is located to the north of the Existing Route on land designated for parks/open space. Future land uses north of the Colorado River in Garfield County include urban growth area and residential.	Follow property and fence lines where possible to avoid splitting land uses or dividing parcels. Avoid new impacts to land uses such as residential developments and other high-density land uses. Avoid routing transmission line through areas of dense development and parcels slated for future development.
Proximate Buildings	A large part of the area's economy is tourism-based, and many hotels are located within the Study area. These hotels are mainly located in two clusters: between Donegan Road and U.S. Highway 6 (US-6) and near the Glenwood Hot Springs Resort. There are several hotels southeast of the Glenwood Meadows Mall. The Existing Route runs through a residential section of north Glenwood Springs. The Existing Route north of the Colorado River is adjacent to medium-density residential areas.	Avoid new impacts to homes and buildings so that the ROW is kept clear of existing buildings.
Transportation and Existing Electric Infrastructure	Transportation infrastructure in the Study area includes the Union Pacific Railroad, I-70, and US-6, all running parallel to the Colorado River. The existing 69-kilovolt transmission line currently serves Glenwood Springs via the Mitchell Creek and Glenwood Springs substations.	Parallel existing linear infrastructure (roads and transmission lines) when not constrained by existing development or sensitive resources. Favor paralleling existing and future county and local roads where possible. Avoid federal and state highway ROW where possible.
Cultural Resources	Southwest of Glenwood Springs Substation is the Hot Springs Historic Area (GSHPC). This area encompasses four sites recognized by the GSHPC as being eligible for the National Register of Historic Places (NRHP), one site eligible for both the State Register of Historic Place and NRHP, and one NRHP-listed historic property. One site listed on the State Register of Historic Places lies approximately 0.15 mile south of the Existing Route at the intersection of Maple and 5th Street.	Avoid potential degradation of NRHP-listed sites by routing transmission line away from such sites. Identify other culturally sensitive landmarks or sites by consulting with local county and municipalities and avoid routing transmission line within such sites.
Water Resources	The major water resource intersecting the Existing Route is the Colorado River. Any transmission line alternative will have to cross the Colorado River given the location of the two Project endpoints. Adjacent to Two Rivers Park lies the confluence of the Roaring Fork River and Colorado River.	Minimize pole placement in areas prone to flooding such as 100-year floodplains. Minimize impacts to sensitive resources by spanning wetlands, routing around wetlands, or through careful transmission structure placement.

Resource	Description	Routing Objective
Avian Species Habitat	Large areas of potential burrowing owl habitat in Glenwood Springs include Two Rivers Park, the Glenwood Meadows Mall, and the West Harvard Drive neighborhood. However, some of these areas may not be suitable for burrowing owl occupation due to existing development. Peregrine falcons commonly occupy areas that feature open spaces with high cliffs overlooking rivers and coastlines. A peregrine falcon nesting area can be found approximately 0.4-mile northeast of Glenwood Springs Substation. A great blue heron foraging area begins where the Colorado River the Roaring Fork River intersect; this foraging area buffers the Colorado River and encompasses the land around the Mitchell Creek Substation.	Reduce potential impacts to sensitive species habitat by identifying a Colorado River crossing with existing disturbance (e.g., near a road or transmission line crossings). Reduce potential impacts to avian species by avoiding nest locations.

2.2 Routing

The next phase of the route selection process was the development and evaluation of alternative routes. This phase included defining the routing objectives, identifying river crossing locations, identifying route segments, and eliminating preliminary routes.

2.2.1 Define Routing Objectives

Resource data were analyzed to determine objectives for the transmission line route. The resources were reviewed, and compatible and avoidance areas were considered as general guidance when selecting preliminary route locations within the Study area.

While it is not possible to avoid all incompatible areas, classification of objectives in this manner helps maximize utilization of compatible areas and minimize impacts to avoidance areas. The routing objectives are summarized in Table 1, and the preliminary route corridors that resulted from use of the objectives are shown on Figure 2.

2.2.2 River Crossing Identification

Given the location of the Project endpoints, the rebuilt transmission line must cross the Colorado River. Crossing locations were identified based on resource data collection, mapping, and field reconnaissance. Preference was also given to areas where the Colorado River narrows, allowing a shorter crossing, to areas with an existing disturbance, and to areas where development is sparse on either side. Additional factors aiding in the crossing location identification include existing linear corridors and future land use designations.

Four river crossing locations were identified in the routing process and are shown on Figure 2. Three crossings were carried forward into the comparative process.

2.2.3 Preliminary Route Corridor Identification

Preliminary route corridors were identified based on resource data, mapping, field reconnaissance, routing objectives, and river crossing locations. Other factors influencing the identification of preliminary route corridors included the presence of existing linear infrastructure and physical barriers such as buildings and residences. Linear infrastructure can be paralleled to avoid further fragmenting the surrounding Study area; and physical barriers are avoided to ensure the ROW is clear of buildings. Crossing locations for the Colorado River determined the endpoint of each route corridor. Additional routing considerations are described in Table 1.

A viable option to meet the Project need is to rebuild the transmission line in the Existing Route corridor. This corridor follows the Existing Route; however, the rebuilt line will require additional ROW width in some areas, additional vegetation clearing, and relocation of some structures that are near cliff edges and near residential buildings.

A route corridor along US-6 was identified based on the presence of an existing linear corridor. Additional route corridors that follow existing local roads and avoid residential areas include those running north and south of Midland Avenue, north and south of Devereux Road, and south of Wulfsohn Road. Preliminary route corridors identified are shown on Figures 2 and 3.

2.2.4 Preliminary Route Corridor Elimination

Routes retained for additional consideration and comparative analysis are evaluated in greater detail in Section 2.3. In most cases, if a constraint was found along a route corridor, the corridor was eliminated from further consideration.

Any other route corridors connected to the eliminated corridor became obsolete and consequently eliminated. Eliminated route corridors were not carried into the comparative analysis described in Section 2.3.

2.3 Evaluation, Consultation, and Selection

The final phase of the route selection process was the evaluation and comparison of the remaining route corridors, consultation with key stakeholders, and the selection of a preferred route. The alternatives being carried forward into this step include the Existing Route (Rebuild Alternative 1), the alternative along Midland Avenue and crossing the Colorado River near Iron Mountain Hot Springs (IMHS) (Rebuild Alternative 2), and the alternative along Midland Avenue and crossing the Colorado River along Devereux Road (Rebuild Alternative 3; Figure 4; Figure 5).

2.3.1 Route Comparison and Evaluation

A data matrix comparing end-to-end route combinations across various criteria was created using a Geographic Information System database. The matrix was used as a tool to compare the route alternatives against each other. In the comparative analysis, new impacts are defined as impacts to areas previously undisturbed by transmission line infrastructure. Impacts along segments of the Existing Route, which consists of areas with existing impacts from transmission line infrastructure, are not considered new impacts. The matrix compares the numerical results of criteria such as engineering factors, land use, residences, natural resources, and cultural resources. The results of the comparative route matrix are discussed below.

Fifteen route segments were evaluated in the segment comparison portion of the data matrix. When combined, these segments created end-to-end combinations (Figure 4) including Rebuild Alternative 1, Rebuild Alternative 2, and Rebuild Alternative 3.

The comparative matrix provides both end-to-end measurements and quantifies the incremental change and the new impacts of each alternative. Incremental change is quantified by considering only the impacts in new locations outside of the existing transmission line corridor. Rebuild Alternative 1 will have the least amount of incremental change because it uses an existing transmission line corridor. Both Rebuild Alternatives 2 and 3 result in additional incremental change since they are located primarily outside of the existing transmission line corridor.

Table 2 below shows an abbreviated version of the comparative route matrix results of the end-to-end combinations. The green highlighting shows the alternative with the least amount of new impact.

Table 2:
Comparative Analysis

Comparative Criteria**	Existing Route A, B, C, D, F, J, L, M, O	Rebuild Alternatives Comparison		
		1	2	3
		K, C, E, F, J, L, N, O	A, G, H, J, L, N, O	A, G, I, L, N, O
Engineering Factors				
General				
Overall length (miles)	2.32	2.23	2.25	2.12
Existing Electric Infrastructure				
Length along existing PSCo transmission line ROW (feet)	2.32	1.92	0.73	0.47
Length along new PSCo transmission line ROW (miles)	NA	0.32	1.51	1.66
Percent along existing PSCo transmission line ROW	100%	86%	33%	22%
Roads				
Number of US Highway 6 crossings	1	1	1	1
Number of new US Highway 6 crossings	NA	0	1	1
Number of I-70 crossings	1	1	1	1
Number of new I-70 crossings	NA	0	1	1
Rail				
Number of railroad crossings	2	0	2	2
Number of new railroad crossings	NA	0	1	1
Landowners and Parcels				
Number of parcels crossed	36	36	23	25
Number of new parcels crossed (no existing transmission line)	NA	0	12	14
Number of landowners crossed	28	28	16	18
Number of new landowners crossed (no existing transmission line)	NA	0	7	9
Other Infrastructure				
Number of Glenwood Caverns Adventure Park Gondola crossings	1	1	1	0
Jurisdiction/Land Use Factors				
Land Use				
Length adjacent to proposed mining haul route (Devereux Road) (within 75ft) (miles)	0.03	0.03	0.07	0.45
New length adjacent to proposed mining haul route (Devereux Road) (within 75ft) (miles)	NA	0.00	0.07	0.45
Length within park (miles)	0.00	0.00	0.00	0.00
New length within park (miles)	NA	0.00	0.00	0.00

Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project
Routing Study: Executive Summary

Comparative Criteria**	Existing Route A, B, C, D, F, J, L, M, O	Rebuild Alternatives Comparison		
		1 K, C, E, F, J, L, N, O	2 A, G, H, J, L, N, O	3 A, G, I, L, N, O
Glenwood Springs Zoning				
Length crossing Hillside Preservation (HP) (miles)	0.09	0.09	0.52	0.49
<i>New length crossing Hillside Preservation (HP) (miles)</i>	NA	0.00	0.52	0.49
Length in Resort (RE) (miles)	0.00	0.00	0.17	0.16
<i>New length in Resort (RE) (miles)</i>	NA	0.00	0.17	0.16
Length in Residential (RH, RL, RM1, RM2, RR, RT) (miles)	0.86	0.88	0.75	0.74
<i>New length in Residential (RH, RL, RM1, RM2, RR, RT) (miles)</i>	NA	0.14	0.33	0.34
Residences and Other Buildings				
Residences within 30ft of centerline*	1	1	0	0
<i>New residences within 30ft of centerline*</i>	NA	0	0	0
Residences within 30 - 200ft of centerline*	54	54	24	24
<i>New residences within 30 - 200ft of centerline*</i>	NA	0	0	0
Total residences within 200ft of centerline*	55	55	24	24
Natural Resources				
Length crossing Colorado River (feet)	153	153	154	165
<i>New length crossing Colorado River (feet)</i>	NA	0	154	165

* Residential points digitized at approximate center of building.

** The following resources were also evaluated and considered: Glenwood Springs utilities, roadways and other transportation resources, slope, parcel lines, water wells and springs, county and municipal boundaries, recreation trails, parks, county and municipal zoning, non-residential and accessory buildings (garages and sheds), wetlands and waterways, 100-year floodplains, 500-year floodplains, NRHP, and state register and local landmark sites.

*** The following criteria were not evaluated because, according to the data, no resources occurred within the Study area: total and new length adjacent to existing natural gas or oil pipeline (within 75 feet); total and new number of natural gas or oil pipeline crossings.

2.3.2 Route Selection

Rebuild Alternative 1 was selected as the preferred alternative for the Project. Several factors led to the conclusion, including avoidance of creating new impacts and obtaining all new easements. It is favorable to replace and improve the Project along the existing transmission line corridor rather than create entirely new impacts in new locations. Rebuild Alternative 1 avoids creating new impacts to the area because it will upgrade the current transmission line along the existing easement. Along with construction, other maintenance will be completed including vegetation management. Creating a new Colorado River crossing location of the transmission line would be difficult as it will cause new impacts at a new location, including visual impacts. In addition, the alternative Colorado River crossing locations that were considered are located near recreational resources that may be impacted by the Project.

Rebuild Alternative 1 avoids a proposed new mining haul route along Devereux Road. The proposed mining haul route is problematic and adding utility facilities to this corridor may cause additional impacts.

While Rebuild Alternative 1 does have the largest number of residences in proximity to the centerline and the longest length in areas zoned residential, these residences will be experiencing a replacement of existing facilities, not a new impact. The incremental change to residences in the existing corridor is preferable to new impacts to residences located elsewhere, and re-negotiating the existing ROW is preferable to obtaining new ROW with new landowners. In some cases, small adjustments to the preferred alternative final route can be made to accommodate landowner preferences. The Project, as proposed, mitigates impacts to landowners by upgrading the existing transmission line so that it is less vulnerable to starting or being damaged by a wildfire, thereby increasing the overall reliability of the electric system. Wildfires pose a significant threat to communities and this Project will proactively minimize ignition risks. Additionally, Rebuild Alternative 1 avoids new impacts to areas zoned Hillside Preservation (HP) and Resort (RE), avoiding potential restrictions on development and impacts to tourism areas.

Rebuild Alternative 1 utilizes existing crossings of I-70 and US-6. This avoids new impacts in new locations that would result from new crossings and potentially avoids the requirement for new permits and agreements with the Colorado Department of Transportation (CDOT).

3. Next Steps

3.1 Permitting

The land use permits likely to be required for the Project are listed in Table 3; ROW and construction permits are not included in Table 3. There are several permits that have been considered but will likely not be required.

The need for a Section 404 Clean Water Act permit at the Colorado River crossing for the Project is considered unlikely. The section of the Colorado River in Glenwood Springs is not considered a traditionally navigable water and is therefore not subject to Section 10 of the Rivers and Harbors Act. Wetland impacts that would trigger or require permitting under Section 404 are not anticipated. In addition, the Glenwood Springs Municipal Code (Article 070.040.040) requires a 30-foot setback from the ordinary high-water mark (Section 404 jurisdictional boundary) of a river or live stream.

The Project will be subject to Glenwood Springs and Garfield County's Location and Extent permitting requirements.

Table 3:
Expected Major Land Use Permits

Permitting Authority	Permit
Glenwood Springs Planning and Zoning Commission	Location and Extent Permitting (Glenwood Spring Municipal Code Article 070.060.050(d))
CDOT	Utility Permit for crossing I-70 and US-6 and US-24 (2 Code of Colorado Regulations 601-18)
Garfield County	Location and Extent Permitting (Garfield County Land Use and Development Code Section 4-203)

Figures

Figure 1: Study Area

Figure 2: Preliminary Route Corridors

Figure 3: BLM Route Corridor

Figure 4: Route Segments

Figure 5: Route Alternatives

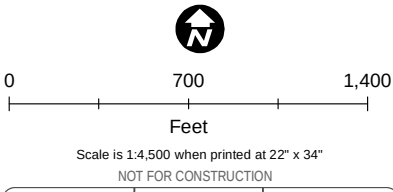
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Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

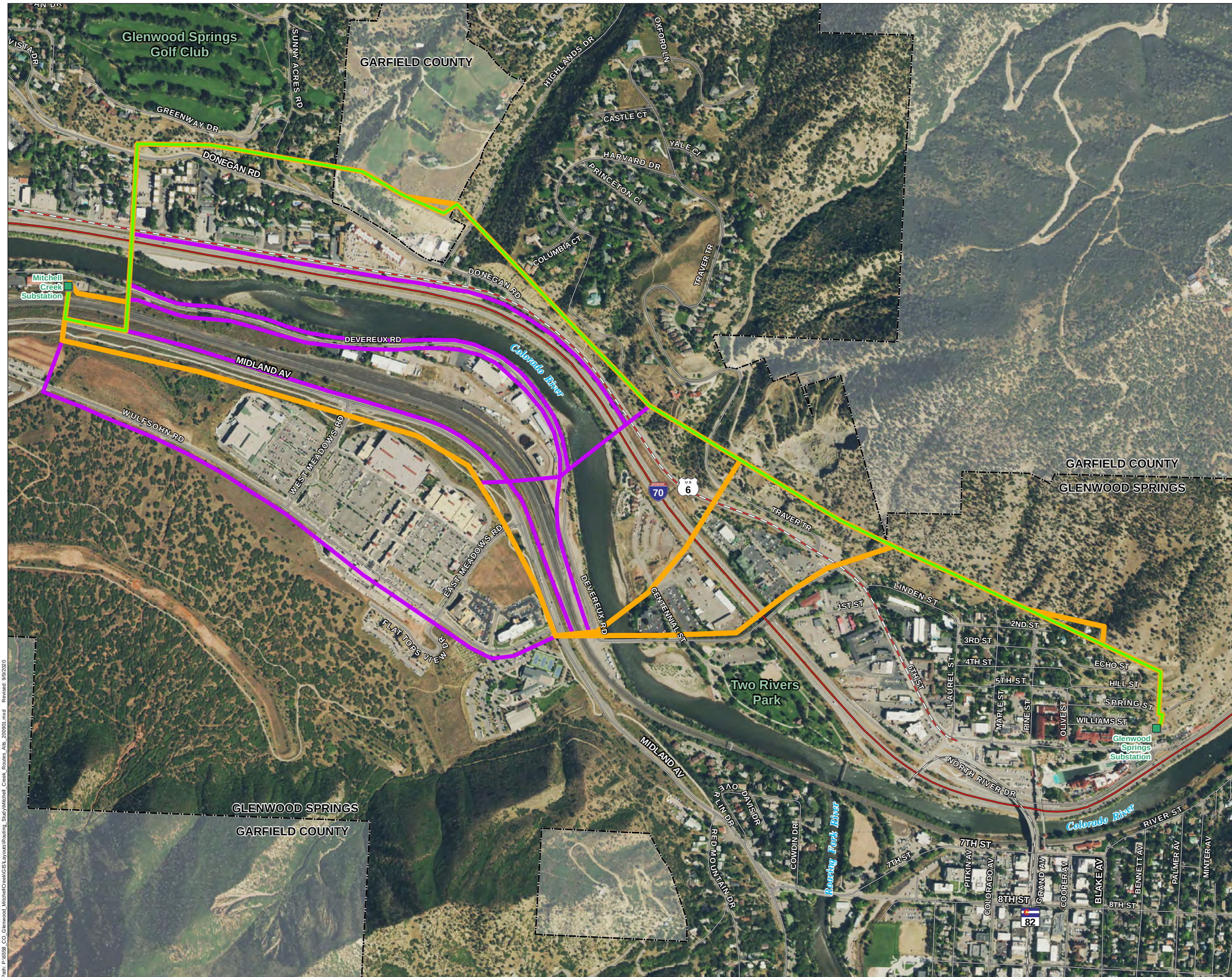
Figure 1: Study Area

- Glenwood Springs City Boundary
- Existing Electrical Infrastructure**
 - Mitchell Creek-Glenwood Springs Transmission Line (69 kV)
 - Substation
 - Transmission Structure
- Transportation**
 - Interstate Highway
 - US Highway
 - State Highway
 - Railroad



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Figure 1: Study Area

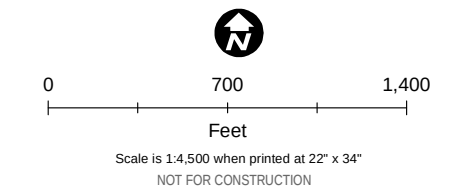


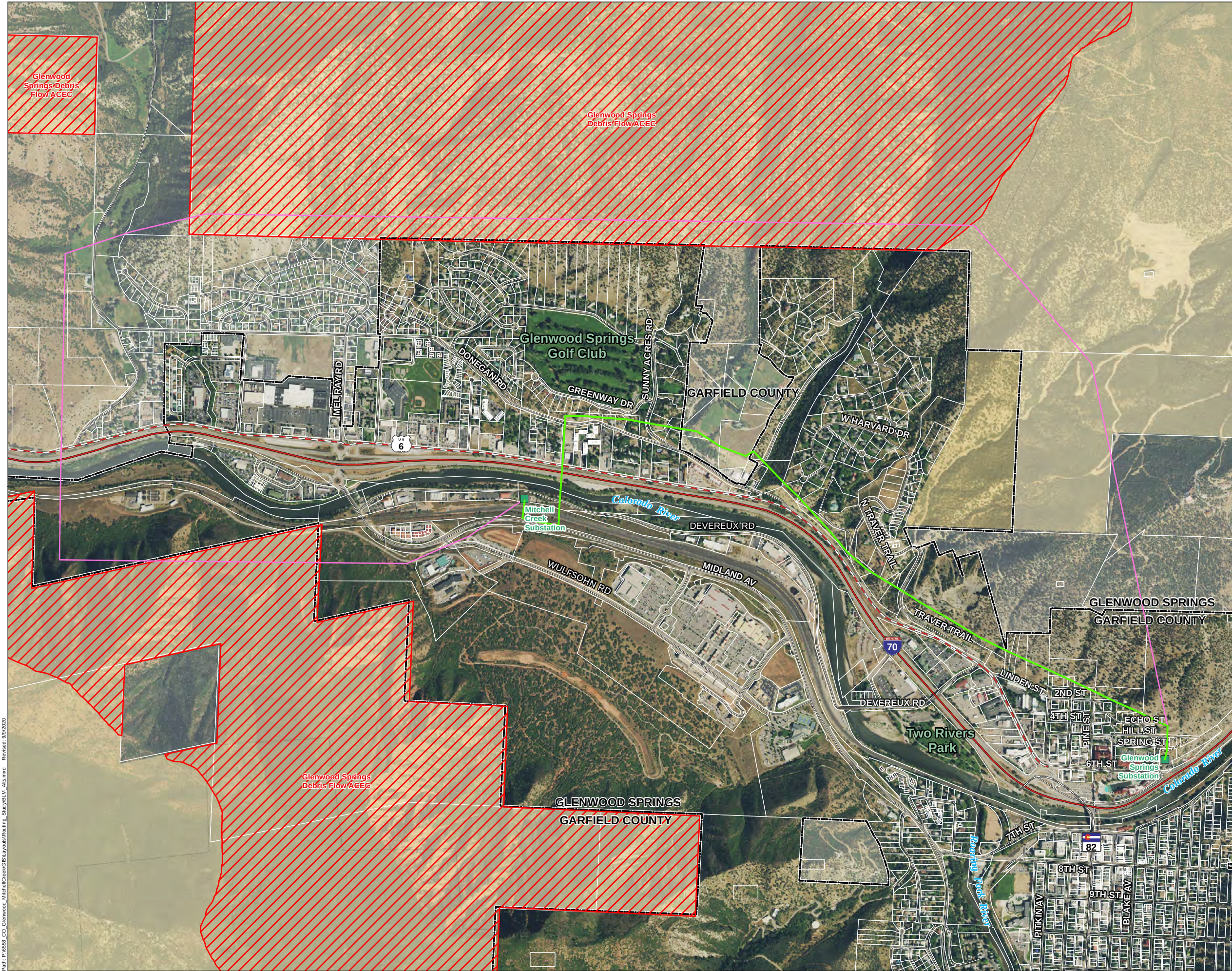
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Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Figure 2: Preliminary Route Corridors

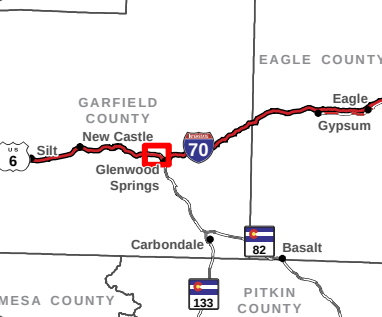
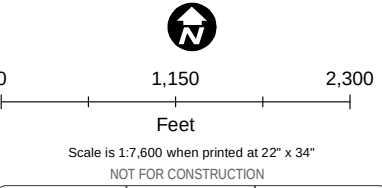
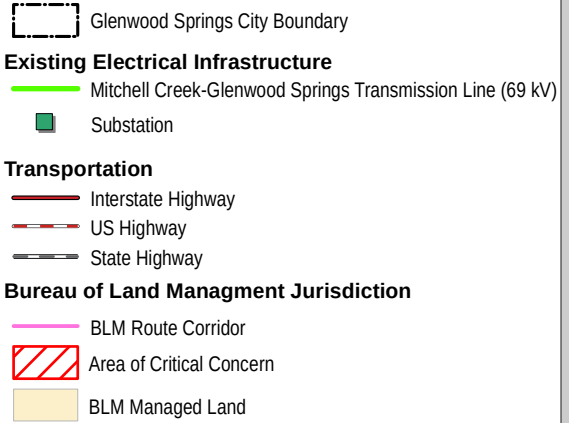
- Glenwood Springs City Boundary
- Existing Electrical Infrastructure**
 - Substation
 - Mitchell Creek-Glenwood Springs Transmission Line (69 kV)
- Preliminary Route Corridors**
 - Route Corridors Retained for Comparative Analysis
 - Route Corridors Considered but Eliminated
- Transportation**
 - Interstate Highway
 - US Highway
 - State Highway

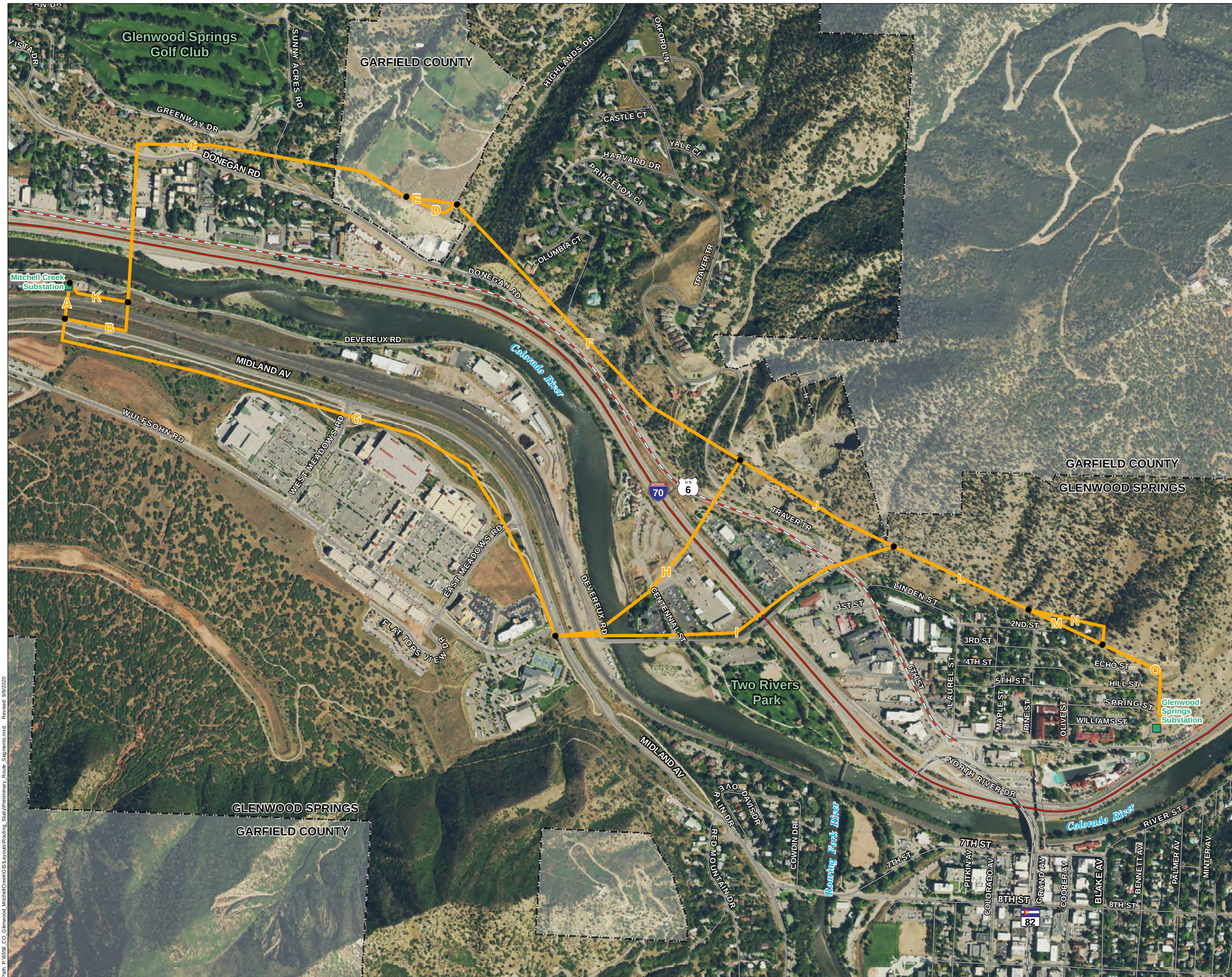




Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Figure 3: BLM Route Corridor

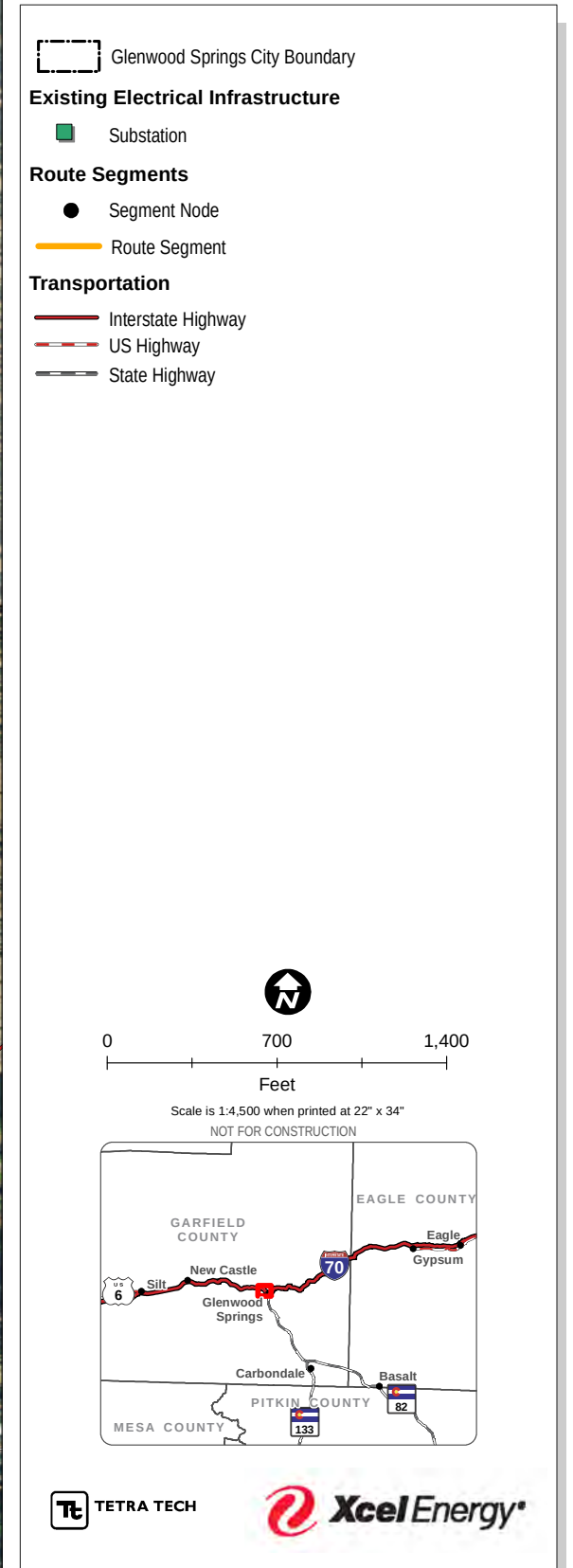


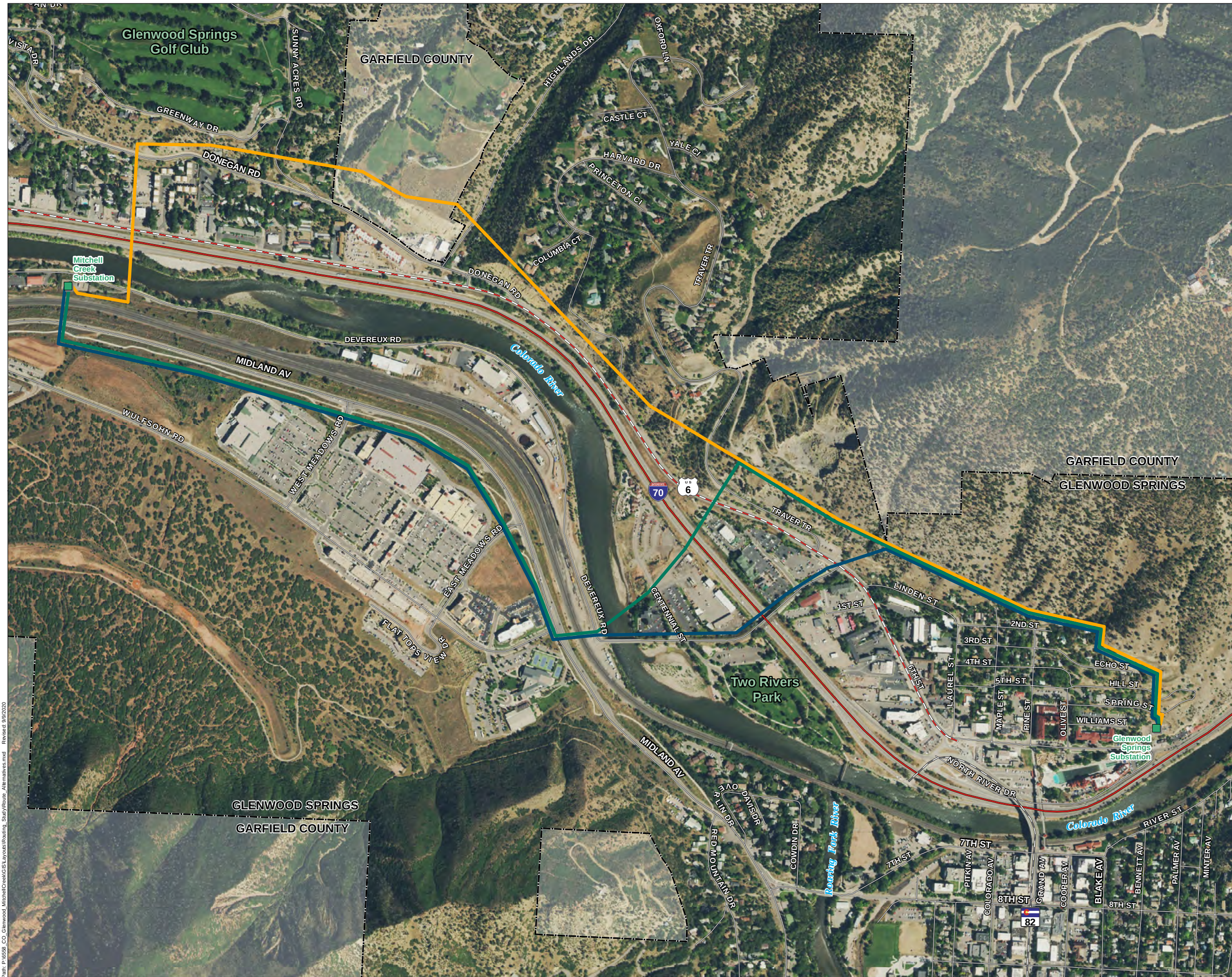


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Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Figure 4: Route Segments





Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Figure 5: Route Alternatives

Existing Electrical Infrastructure

Substation

Route Alternatives

Rebuild Alternative 1

Rebuild Alternative 2

Rebuild Alternative 3

Transportation

Interstate Highway

US Highway

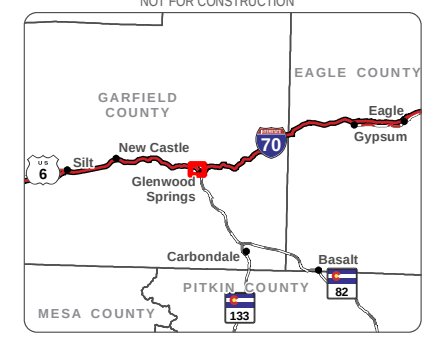
State Highway

07001,400

Feet

Scale is 1:4,500 when printed at 22" x 34"

NOT FOR CONSTRUCTION



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Figure 5: Route Alternatives

Appendix B:

New Pole Heights and Types

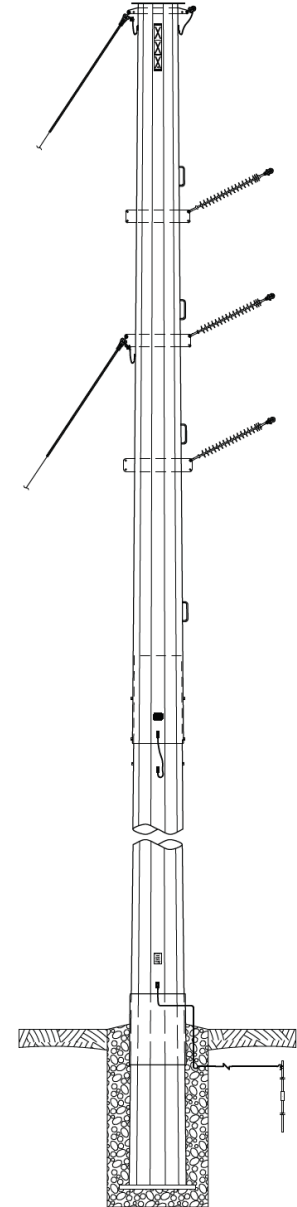
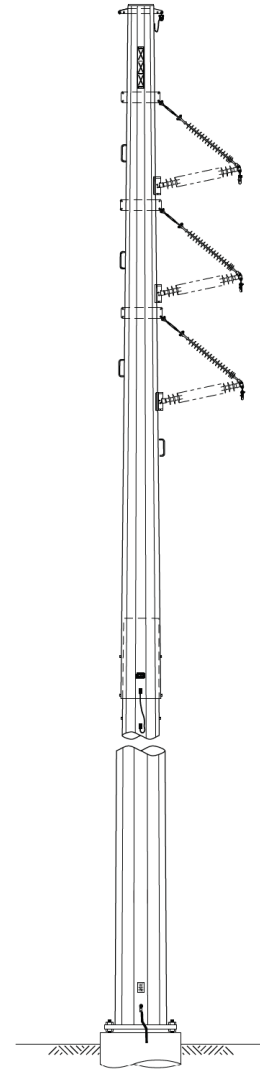
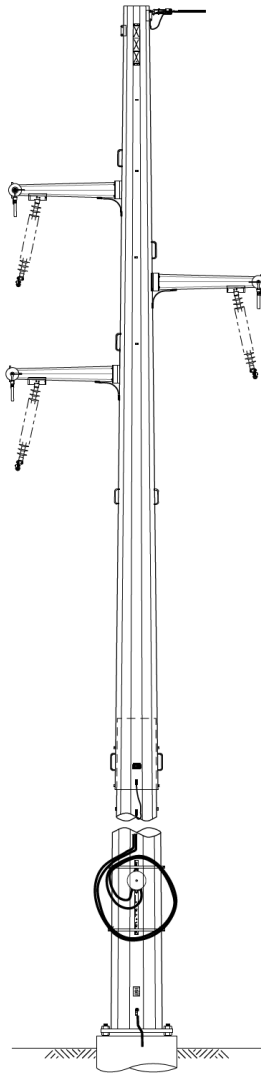
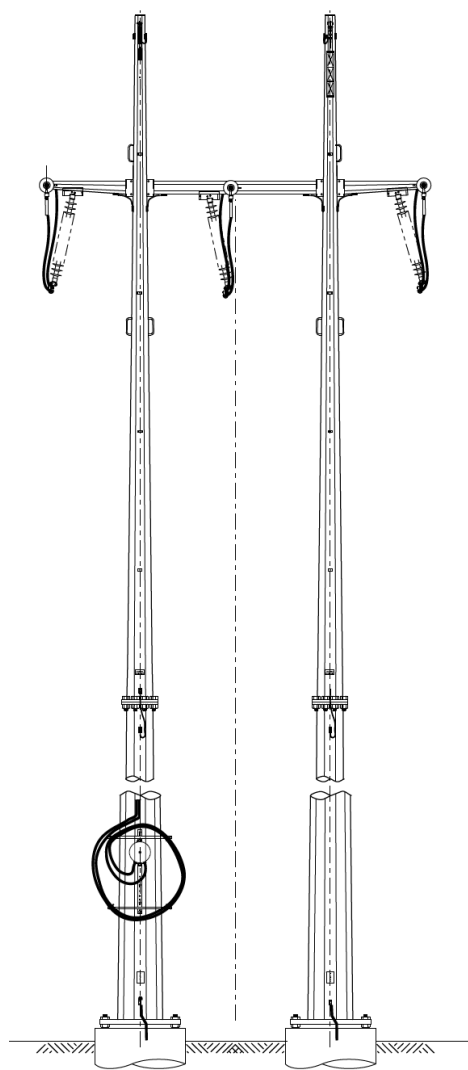
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NEW POLE HEIGHTS AND TYPES

New Pole Number	Existing Height (feet)	New Height (feet)	Height Change (feet)
110	101.5	101.5	0
113	46	83.5	37.5
114	31	81.5	50.5
115	32	55	23
116	41	61.5	20.5
117	39	62.25	23.25
118	42	74.65	32.65
119	42	57.5	15.5
120	30	57.5	27.5
121	30	55.5	25.5
122	35	70.5	35.5
123	83	97.5	14.5
124	30	67	37
125	30	61.5	31.5
126	30	57	27
127	31	57	26
128	60	75.5	15.5
129	58	57	-1
130	57	77	20
131	66	68	2
132	68	68	0
133	60	65	5
134	62	58.5	-3.5
135	55	64	9
136	62	59	-3
137	55	57.5	2.5
138	30	62.5	32.5
139	32	54.8	22.8
140	26	57.5	31.5
141	35	55	20
142	43	60	17
143	55	65	10
144	57	70	13
145	45	70	25
146	42	72.5	30.5
147	52	80	28
6584-MITC-SUB1	56	56	0

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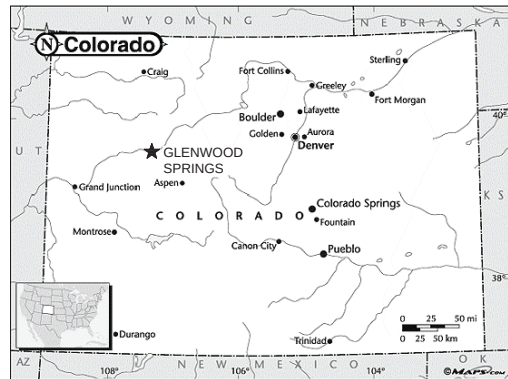
Example Pole Diagrams



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Appendix C: Plan Set

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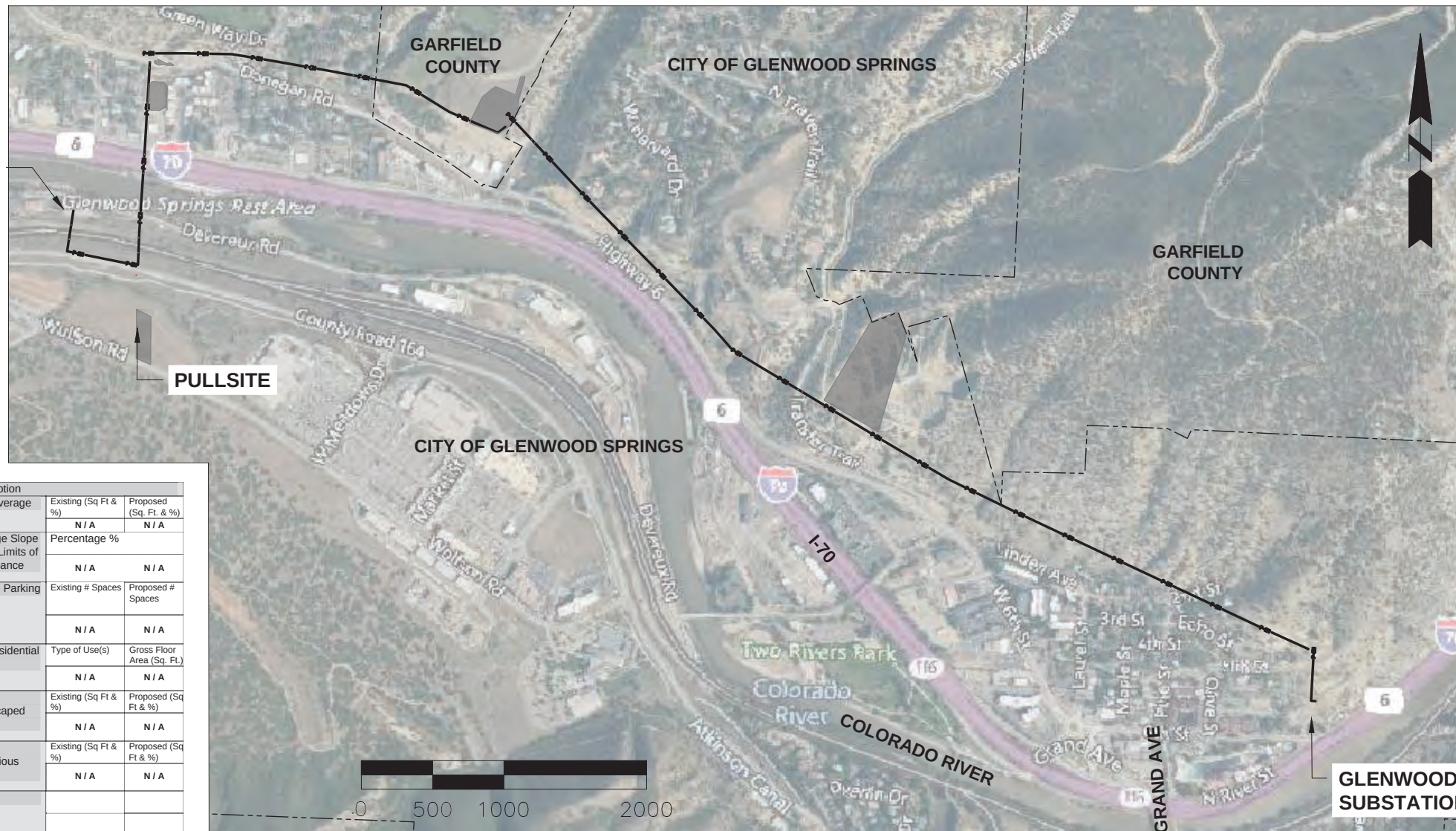


6584 GLENWOOD - MITCHELL CREEK TRANSMISSION LINE REPLACEMENT GLENWOOD SPRINGS, CO

CITY OF GLENWOOD SPRINGS SITE PLAN
JUNE 28, 2023

PROJECT VICINITY MAP

(NOT TO SCALE)



MITCHELL CREEK SUBSTATION

PULLSITE

GLENWOOD SUBSTATION

Project Summary Table

Project Description					
Lot Size Information	Acres	Square feet	Lot Coverage	Existing (Sq Ft & %)	Proposed (Sq. Ft. & %)
	N/A	N/A		N/A	N/A
Limits of Disturbance	Existing (Sq & %)	Proposed (Sq. Ft. & %)	Average Slope within Limits of Disturbance	Percentage %	
	N/A	N/A		N/A	N/A
Off-street Parking Spaces	Existing # Vehicle Spaces	Proposed # Vehicle Spaces	Bicycle Parking	Existing # Spaces	Proposed # Spaces
	N/A	N/A		N/A	N/A
Residential Units	# Existing Units	# Proposed Units	Non-residential Uses	Type of Use(s)	Gross Floor Area (Sq. Ft.)
	N/A	N/A		N/A	N/A
Open Space	Existing (Sq Ft & %)	Proposed (Sq Ft & %)	Total Landscaped area	Existing (Sq Ft & %)	Proposed (Sq Ft & %)
	N/A	N/A		N/A	N/A
Building Height	Existing	Proposed	Total Impervious Area	Existing (Sq Ft & %)	Proposed (Sq Ft & %)
	N/A	N/A		N/A	N/A
Snow Storage	Required (sq ft)	Proposed (sq ft)	Other		
	N/A	N/A			

SITE CIVIL ENGINEER
HDR ENGINEERING, INC.
1670 BROADWAY, SUITE 3400
DENVER, CO 80202BRIAN BROWN, CO PE
BRIAN.BROWN@HDRINC.COM
970-215-4616

TRANSMISSION ENGINEER
XCEL ENERGY
1800 LARIMER ST
DENVER, CO 80202 JOSH PETERSON, CO PE
JOSHUA.G.PETERSON@XCELENERGY.COM
303-517-6559

PROJECT MANAGER BRIAN BROWN

ENGINEER

HDR ENGINEERING, INC.
1670 BROADWAY, SUITE 3400
DENVER, CO 80202
CONTACT: BRIAN BROWN
Brian.Brown@HDRInc.com
(970) 416-4404

DATE	DESCRIPTION
6/28/23	SITE PLAN

PROJECT NUMBER	10263652
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 **Xcel Energy®**

**6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO**



CALL BEFORE YOU DIG
EXISTING UTILITY LOCATIONS AND DEPTHS ARE
APPROXIMATE. CONTRACTOR WILL CONTACT THE
FOLLOWING AGENCY 72 HOURS PRIOR TO
CONSTRUCTION. COLORADO STATE ONE CALL
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TITLE SHEET & LOCATION MAP



FILENAME	G0_COVER_SHEET.DWG
SCALE	1"=1000'

GO1

XCEL ENERGY
ELECTRICAL TRANSMISSION LINE
STRUCTURE 38(9714) TO MITCHELL CREEK SUBSTATION (MITC)
CIRCUIT NUMBER 6584 - 69kV

TRANSMISSION LINE
LEGEND

- ANCHOR
- ANCHOR REMOVE
- PUSH BRACE
- SOIL BORING
- SWITCH
- TRANSMISSION POLE
- TRANSMISSION POLE REMOVE
- TRANSMISSION TOWER
- TRANSMISSION TOWER REMOVE

WOOD POLE DESCRIPTION ON PROFILE VIEW:
PXX-XXX-XXX

- STRUCTURE HEIGHT
- CLASS = 2, 1, H1, H2, ETC.
- SPECIES = DF, SP, WC, ETC.
- POLE

STEEL POLE DESCRIPTION ON PROFILE VIEW:
PST-XXX-XXX

- STRUCTURE HEIGHT
- FND = ON FOUNDATION
- EMB = DIRECT EMBEDDED
- POLE - STEEL

GENERAL NOTES

1. COORDINATES ARE UTM ZONE 15N (WGS84)
2. PLS-CADD MODEL NAME(S) USED TO CREATE THESE P&P DRAWINGS:
6584_STR38(9714)-MITC.XYZ

DRAWING REFERENCE

PHASING DIAGRAM	T117P009
SUBASSEMBLY DRAWING INDEX	T117X005
SOIL BORING REPORT	T117V014
SAG TABLE-CONDUCTOR	T117A009
SAG TABLE-OPGW SHIELD WIRE	T117A010, T117A011

ISSUED BY ENGINEERING DEPT FOR: CONSTRUCTION

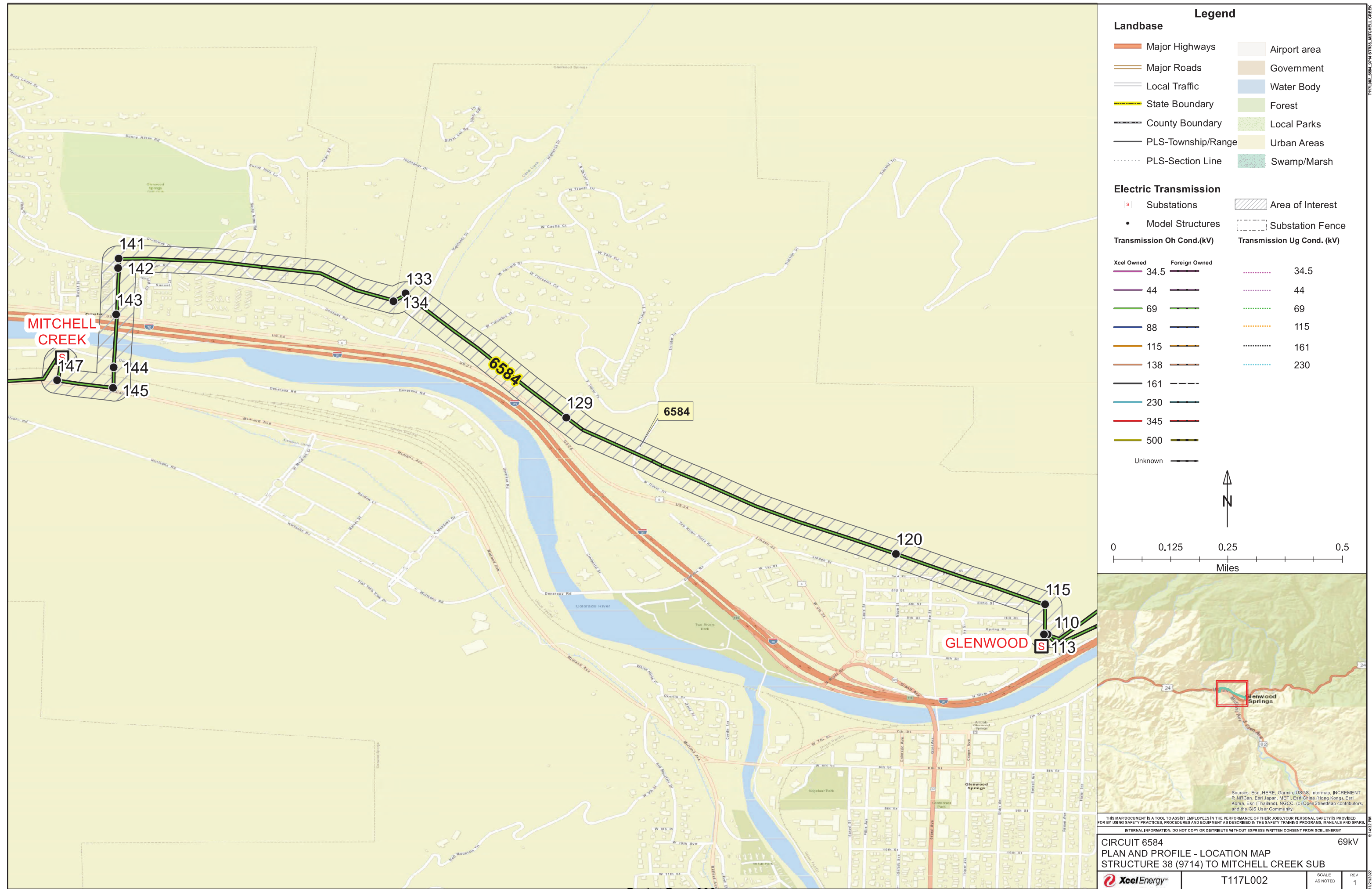
THIS MAP/DOCUMENT IS A TOOL TO ASSIST EMPLOYEES IN THE PERFORMANCE OF THEIR JOBS.YOUR PERSONAL SAFETY IS PROVIDED FOR BY USING SAFETY PRACTICES, PROCEDURES AND EQUIPMENT AS DESCRIBED IN THE SAFETY TRAINING PROGRAMS, MANUALS AND SPARS.
INTERNAL INFORMATION; DO NOT COPY OR DISTRIBUTE WITHOUT EXPRESS WRITTEN CONSENT FROM XCEL ENERGY

CIRCUIT 6584 69 kV
PLAN AND PROFILE - COVER SHEET
9714-38 TO MITCHELL CREEK SUBSTATION

 XcelEnergy®	T117L001	SCALE NONE	REV 1
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REV	DATE	WBS 4	REVISION DESCRIPTION
0	02/25/2021	A.0000507.027.001.002	IFC - GLENWOOD SPRINGS-MITCHELL CREEK REBUILD
1	11/04/2022	A.0000507.027.001.002	IFC - UPDATED FOR REROUTED ALIGNMENT FOR GLENWOOD SPRINGS-MITCHELL CREEK REBUILD



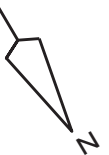


STRUCTURES									STRUCTURE COMPONENTS			
STRUCTURE NUMBER	AHEAD SPAN (FT)	STATION (FT)	LINE ANGLE (DEG)	STRUCTURE ASSEMBLY	LOAD & DESIGN DETAILS	STEEL or TOWER DETAILS	FOUNDATION DETAILS	COMMENTS	POSITION LABEL	DESCRIPTION	LENGTH (FT)	EMBEDMENT (FT)
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6584-113-DE	188.8	0+30.90	88° 3' 0.0"	STR SYDQBLZ1-6584	LD T117C008	STL T1177004-PST18070	---	WAS #111	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, VERTICAL	95	11.5
6584-114	157.3	2+19.73	---	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18098	---	WAS #112	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	95	13.5
6584-115-DE	350.0	3+77.04	-68° 40' 0.0"	STR SYDACSZ1-6584	LD T117C010	STL T1177004-PST18082	FDN T1179003-ABC2432	WAS #113	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, DAVIT ARM	55	---
6584-116	166.7	7+27.02	0° 27' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18079	---	WAS #114	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	75	13.5
6584-117	237.5	8+93.75	0° 31' 0.0"	STR SYSQBBZ2-6584	LD T117C011	STL T1177004-PST26301	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	75	13.6
6584-118	409.4	11+31.27	-0° 17' 0.0"	STR SYSQBBZ2-6584	LD T117C011	STL T1177004-PST26300	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	90	15.1
6584-119	289.4	15+40.66	---	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18075	---	MOVED FROM OLD #118	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	70	12.5
6584-120-DE	425.6	18+30.03	---	STR SYDQCS00-6584	LD T117C013	STL T1177004-PST18099	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, DAVIT ARM	70	12.5
6584-121	465.9	22+55.63	---	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18077	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	70	14.5
6584-122	484.9	27+21.48	0° 46' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18094	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	85	14.5
6584-123	562.7	32+06.41	4° 37' 0.0"	STR SYSQBBZ3-6584	LD T117C011	STL T1177004-PST18093	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	115	14.7
6584-124	366.9	37+69.13	0° 24' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18080	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	80	13.0
6584-125	132.7	41+36.00	---	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18079	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	75	13.5
6584-126	483.1	42+68.72	---	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18076	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	70	13.0
6584-127	224.5	47+51.76	0° 31' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18076	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	70	13.0
6584-128	196.9	49+76.24	14° 52' 0.0"	STR SYSQBBZ3-6584	LD T117C011	STL T1177004-PST18092	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	90	13.1
6584-129-DE	523.2	51+73.17	---	STR SYDQCS00-6584	LD T117C013	STL T1177004-PST18100	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, DAVIT ARM	70	13.0
6584-130	613.3	56+96.38	-0° 30' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18097	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	90	13.0
6584-131	277.5	63+09.65	0° 42' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18081	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	80	12.0
6584-132	611.2	65+87.15	---	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18081	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	80	12.0
6584-133-DE	139.8	71+98.31	-85° 18' 0.0"	STR SYDABLZ3-6584	LD T117C014	STL T1177004-PST18102	FDN T1179003-ABC2434	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, VERTICAL	65	---
6584-134-DE	373.5	73+38.11	61° 52' 0.0"	STR SYDQBLZ2-6584	LD T117C008	STL T1177004-PST18073	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, VERTICAL	70	11.5
6584-135	352.9	77+11.61	8° 28' 0.0"	STR SYSABBZ1-6584	LD T117C013	STL T1177004-PST18107	FDN T1179003-ABC2435	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	65	---
6584-136	543.2	80+64.50	-21° 3' 0.0"	STR SYSQBBZ4-6584	LD T117C011	STL T1177004-PST18090	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	70	11.3
6584-137	439.6	86+07.73	-0° 41' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18075	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	70	12.5
6584-138	260.6	90+47.29	-0° 46' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18078	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	75	12.5
6584-139	321.6	93+07.89	-8° 7' 0.0"	STR SYSQBBZ3-6584	LD T117C011	STL T1177004-PST18089	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	65	12.4
6584-140	247.3	96+29.53	-1° 9' 0.0"	STR SYSQCB00-6584	LD T117C009	STL T1177004-PST18075	---	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, BRACED POST	70	12.5
6584-141-DE	112.6	98+76.79	-85° 52' 0.0"	STR SYDACSZ1-6584	LD T117C010	STL T1177004-PST18086	FDN T1179003-ABC2436	---	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, DAVIT ARM	55	---
6584-142-DE	533.4	99+89.40	-0° 46' 0.0"	STR SYDACSZ1-6584	LD T117C010	STL T1177004-PST18083	FDN T1179003-ABC2431	MOVED FROM #115	CENTER	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, DAVIT ARM	60	---
6584-143-DE	609.0	105+22.81	0° 27' 0.0"	STR SYDABSZ1-6584	LD T117C016	STL T1177004-PST18110	FDN T1179003-ABC2437	---	LEFT	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, H-FRAME	65	---
	609.0								RIGHT	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, H-FRAME	65	---
6584-144-DE	235.6	111+31.86	-1° 28' 0.0"	STR SYDABSZ1-6584	LD T117C016	STL T1177004-PST18111	FDN T1179003-ABC2438	---	LEFT	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, H-FRAME	70	---
	235.6								RIGHT	POLE, STEEL, WEATHERING, SINGLE CIRCUIT, H-FRAME	70	---
NOTES: 1. ALL LINE ANGLES LESS THEN 0.25 DEGREES ARE OMITTED FROM THIS TABLE. 2. LINE ANGLES ARE DISPLAYED AS POSITIVE VALUES FOR RIGHT HAND TURNS AND NEGATIVE VALUES FOR LEFT HAND TURNS. ALIGNMENT IS DEFINED IN ASCENDING STRUCTURE ORDER.										THIS MAP/DOCUMENT IS A TOOL TO ASSIST EMPLOYEES IN THE PERFORMANCE OF THEIR JOBS. YOUR PERSONAL SAFETY IS PROVIDED FOR BY USING SAFETY PRACTICES, PROCEDURES AND EQUIPMENT AS DESCRIBED IN THE SAFETY TRAINING PROGRAMS, MANUALS AND SPARS. INTERNAL INFORMATION: DO NOT COPY OR DISTRIBUTE WITHOUT EXPRESS WRITTEN CONSENT FROM XCEL ENERGY		
										CIRCUIT 6584 PLAN AND PROFILE - STRUCTURES TABLE 6584_STR38(9714)-MITC		
											T117L004	SCALE NONE
											REV 1	

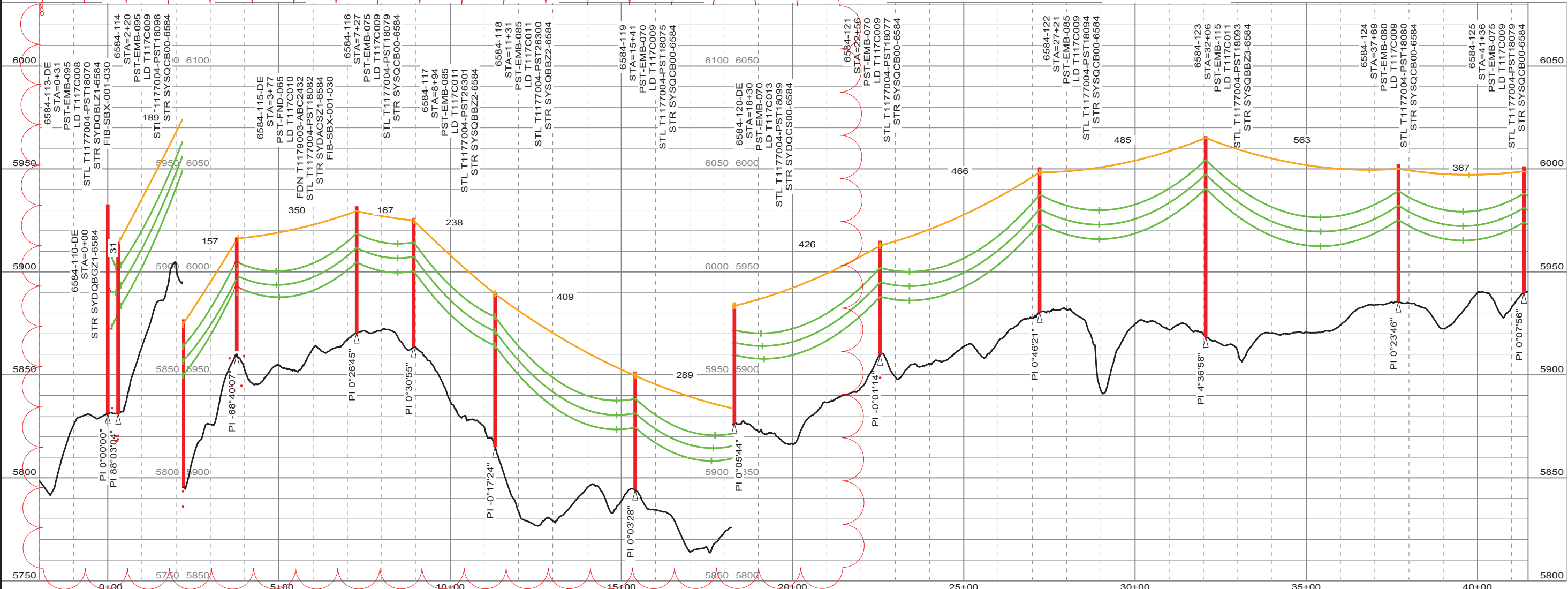
X-6584 WIRE ORDER
X-6584 EXTRA MATERIAL ORDER



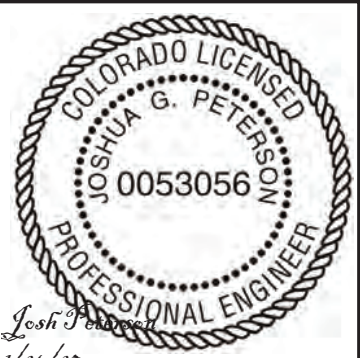
THIS PE SEAL IS ONLY APPLICABLE TO
THE CURRENT CONSTRUCTION REVISION



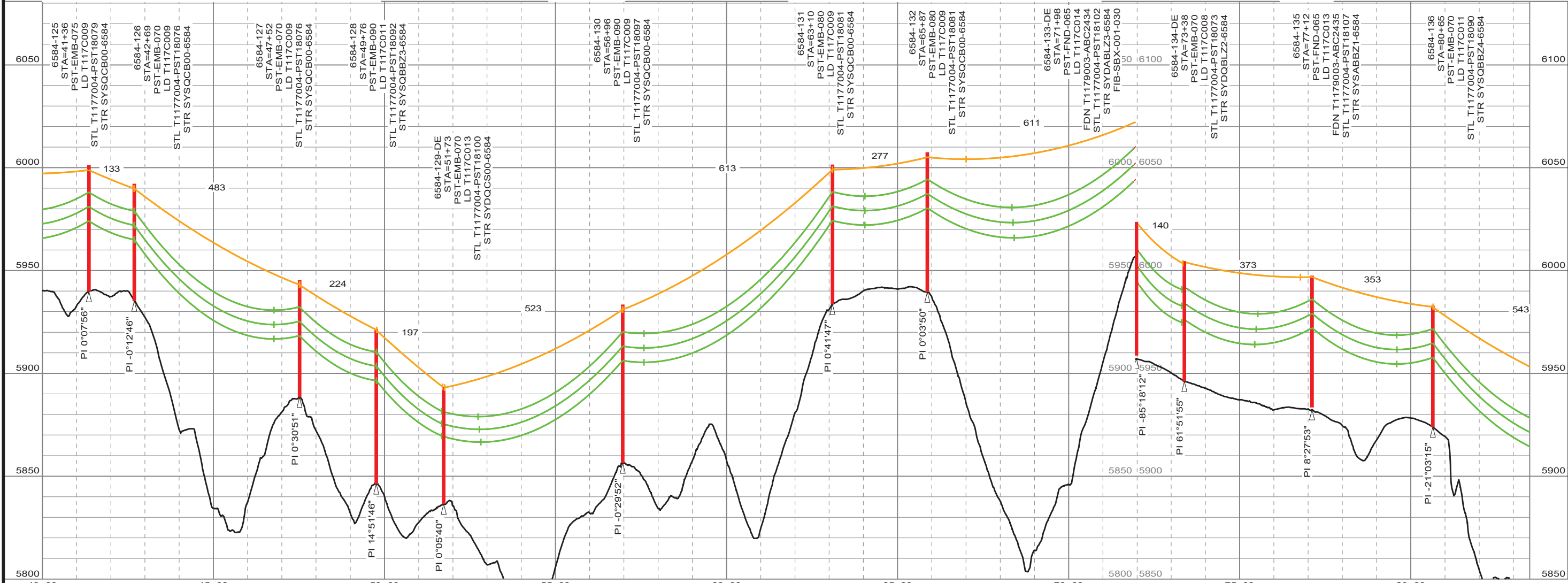
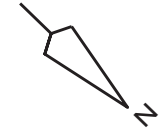
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REV	DATE	WBS4	REVISION DESCRIPTION	ISSUED BY ENGINEERING DEPT FOR: CONSTRUCTION	TRANSMISSION ENGINEERING DEPARTMENT	300.0 FT. HORIZ. SCALE	50.0 FT. VERT. SCALE	CIRCUIT 6584 69KV	6584-110-DE TO 6584-125
0	02/23/2021	A.0000507.027.001.002	IFC - GLENWOOD SPRINGS-MITCHELL CREEK REBUILD	THIS MAP/DRAWING IS A TOOL TO ASSIST EMPLOYEES IN THE PERFORMANCE OF THEIR JOB'S. YOUR PERSONAL SAFETY IS PROVIDED FOR BY USING SAFETY PRACTICES, PROCEDURES AND EQUIPMENT AS DESCRIBED IN THE SAFETY TRAINING PROGRAMS, MANUALS AND SPARS.	Xcel Energy			STR38(9714)-MITC	OF 8
1	11/4/2022	A.0000507.027.001.002	IFC - UPDATED FOR REROUTED ALIGNMENT FOR GLENWOOD SPRINGS-MITCHELL CREEK REBUILD	INTERNAL INFORMATION: DO NOT COPY OR DISTRIBUTE TO OTHERS WITHOUT EXPRESS WRITTEN CONSENT FROM XCEL ENERGY.				T117L006	REV 1



THIS PE SEAL IS ONLY APPLICABLE TO THE CURRENT CONSTRUCTION REVISION



REV	DATE	WBS4	REVISION DESCRIPTION
0	02/23/2021	A.0000507.027.001.002	IFC - GLENWOOD SPRINGS-MITCHELL CREEK REBUILD
1	11/4/2022	A.0000507.027.001.002	IFC - UPDATED FOR REROUTED ALIGNMENT FOR GLENWOOD SPRINGS-MITCHELL CREEK REBUILD

ISSUED BY ENGINEERING DEPT FOR: CONSTRUCTION		TRANSMISSION ENGINEERING DEPARTMENT	
THIS MAP/DRAWING IS A TOOL TO ASSIST EMPLOYEES IN THE PERFORMANCE OF THEIR JOB'S. YOUR PERSONAL SAFETY IS PROVIDED FOR BY USING SAFETY PRACTICES, PROCEDURES AND EQUIPMENT AS DESCRIBED IN THE SAFETY TRAINING PROGRAMS, MANUALS AND SPARS.			
INTERNAL INFORMATION: DO NOT COPY OR DISTRIBUTE TO OTHERS WITHOUT EXPRESS WRITTEN CONSENT FROM XCEL ENERGY.			

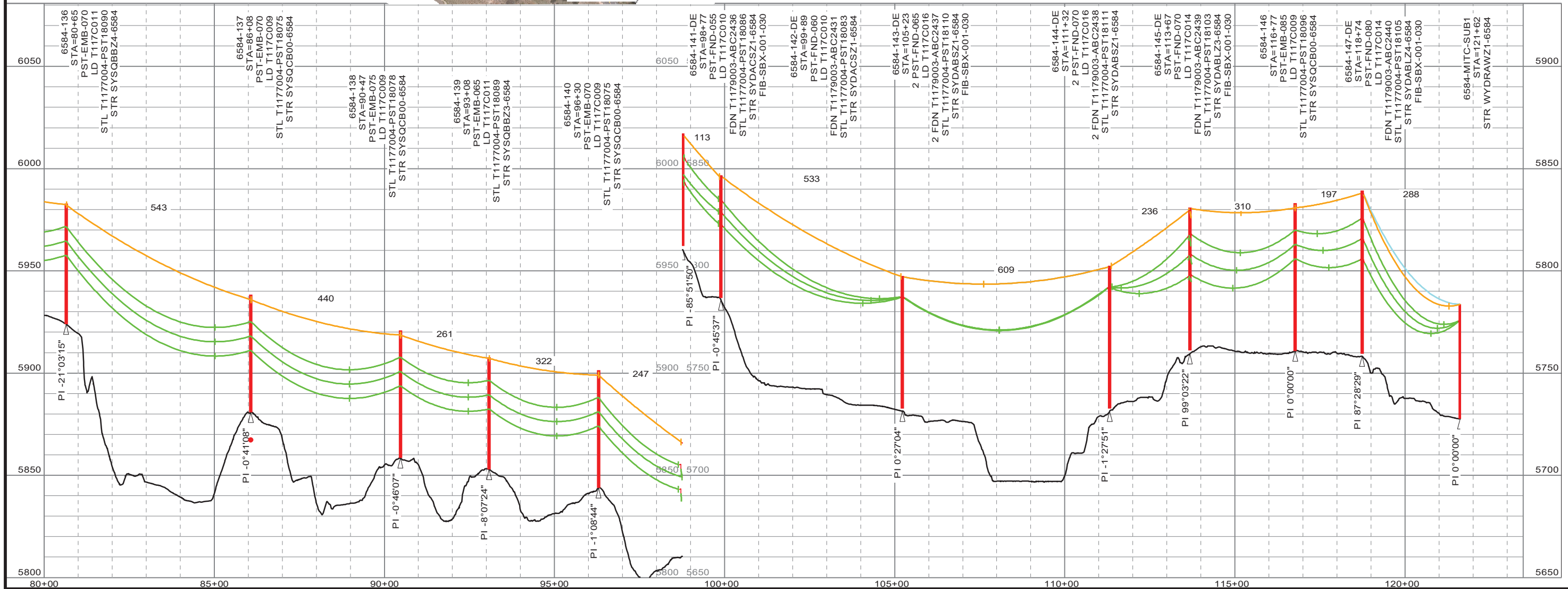
300.0 FT.	HORIZ. SCALE
50.0 FT.	VERT. SCALE

CIRCUIT 6584	69KV
STR38(9714)-MITC	

6584-125 TO 6584-136	OF 8	REV
T117L007		1



THIS PE SEAL IS ONLY APPLICABLE TO THE CURRENT CONSTRUCTION REVISION



REV	DATE	WBS4	REVISION DESCRIPTION
0	02/23/2021	A.0000507.027.001.002	IFC - GLENWOOD SPRINGS-MITCHELL CREEK REBUILD
1	11/4/2022	A.0000507.027.001.002	IFC - UPDATED FOR REROUTED ALIGNMENT FOR GLENWOOD SPRINGS-MITCHELL CREEK REBUILD

ISSUED BY ENGINEERING DEPT FOR: CONSTRUCTION

THIS MAP/DRAWING IS A TOOL TO ASSIST EMPLOYEES IN THE PERFORMANCE OF THEIR JOBS. YOUR PERSONAL SAFETY IS PROVIDED FOR BY USING SAFETY PRACTICES, PROCEDURES AND EQUIPMENT AS DESCRIBED IN THE SAFETY TRAINING PROGRAMS, MANUALS AND SPARS.

INTERNAL INFORMATION: DO NOT COPY OR DISTRIBUTE TO OTHERS WITHOUT EXPRESS WRITTEN CONSENT FROM XCEL ENERGY.

TRANSMISSION ENGINEERING DEPARTMENT

Xcel Energy

300.0 FT. HORIZ. SCALE
50.0 FT. VERT. SCALE

CIRCUIT 6584
STR38(9714)-MITC

69KV

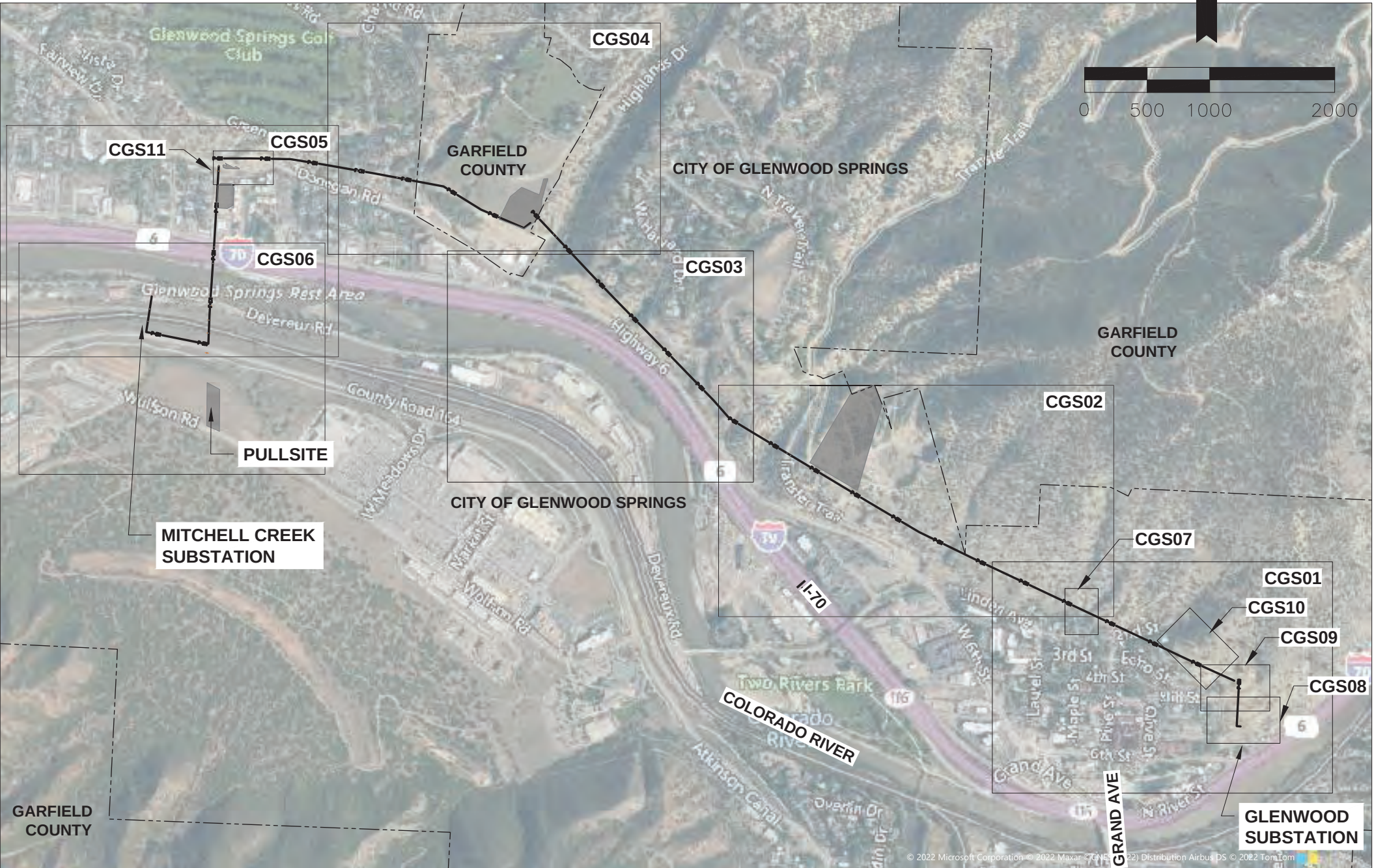
6584-136 TO 6584-MITC-SUB1

T117L008

OF 8 REV 1

GRADING APPROACH NOTES:

- 1. ACCESS GRADING ON EXISTING ACCESS ROUTES ONLY REQUIRE PERMANENT OR TEMPORARY GRADING IF INDICATED ON THE PLANS. VEGETATION TRIMMING AND REMOVAL IS EXPECTED IN LIMITED AREA AND WILL ONLY BE PERFORMED WHERE REQUIRED.
- 2. XCEL ENERGY IS PROPOSING A NUMBER OF AREAS THAT REQUIRE CREATING A 'PULL PAD' TO PARK A CONDUCTOR WIRE TENSIONING TRUCK ON A RELATIVELY FLAT SURFACE. THIS TRUCK REQUIRES OUTRIGGERS TO STABILIZE THE TRUCK. IF PULL PAD GRADING IS REQUIRED, GRADING FOR SUCH IS SHOWN ON THE PLANS.
- 3. SPECIFIC GRADING DIRECTION FOR ACCESS, STAGING, AND EACH STRUCTURE IS CALLED OUT ON THE ATTACHED PLANS OR SHOWN IN PROPOSED TOPOGRAPHY.
- 4. SURVEY SHOWN ON PLAN VIEWS FROM WITHIN 150' BOTH SIDES OF THE CENTERLINE WAS PROVIDED BY PUBLIC SERVICE COMPANY OF COLORADO AND IS FLOWN LIDAR SURVEY. PROPERTY BOUNDARY, EASEMENT, AND PARCEL OWNERSHIP INFORMATION PROVIDED BY SEH SURVEYING.



6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER		BRIAN BROWN
PROJECT NUMBER		10263652



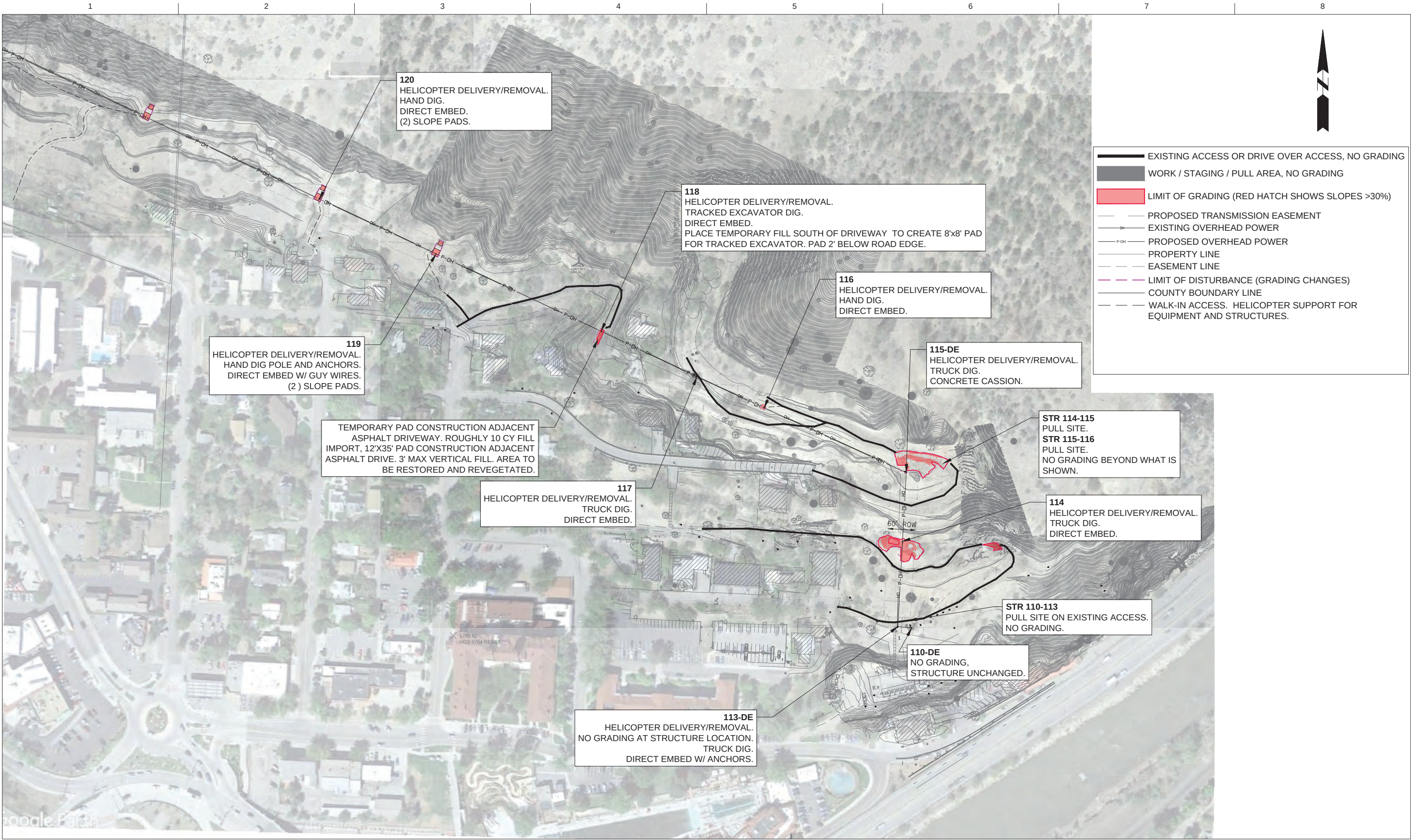
6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO



GENERAL NOTES

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SCALE	N/A

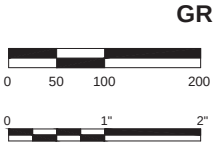
SHEET
GO2



6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

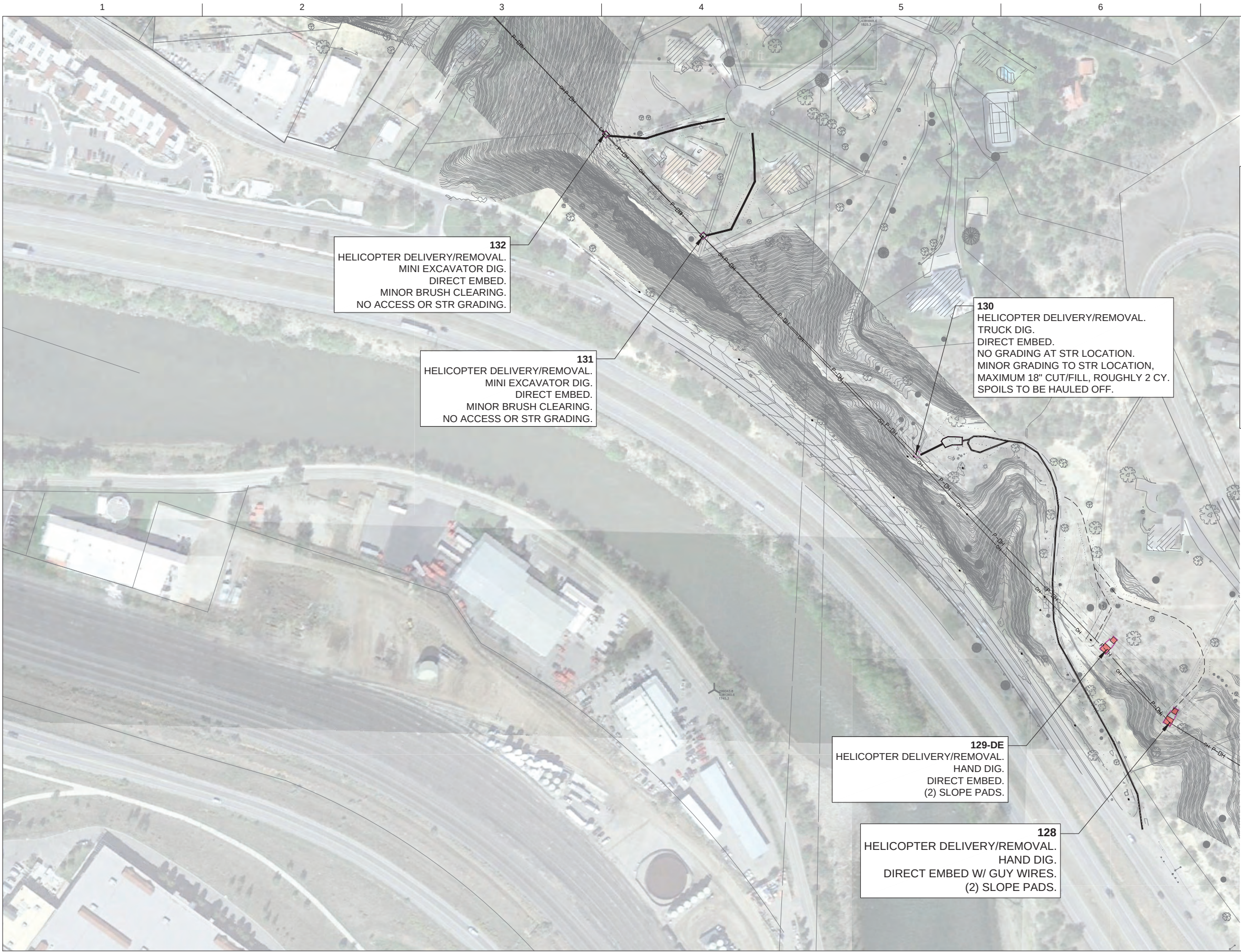
PROJECT MANAGER	BRIAN BROWN
PROJECT NUMBER	10263652


6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO



GRADING/ACCESS PLAN
FILENAME CGS01-CGS07.DWG
SCALE 1"=100'

SHEET
CGS01



- EXISTING ACCESS OR DRIVE OVER ACCESS, NO GRADING
- WORK / STAGING / PULL AREA, NO GRADING
- LIMIT OF GRADING (RED HATCH SHOWS SLOPES >30%)
- PROPOSED TRANSMISSION EASEMENT
- EXISTING OVERHEAD POWER
- PROPOSED OVERHEAD POWER
- PROPERTY LINE
- EASEMENT LINE
- LIMIT OF DISTURBANCE (GRADING CHANGES)
- COUNTY BOUNDARY LINE
- WALK-IN ACCESS. HELICOPTER SUPPORT FOR EQUIPMENT AND STRUCTURES.



6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER BRIAN BROWN

PROJECT NUMBER	10263652



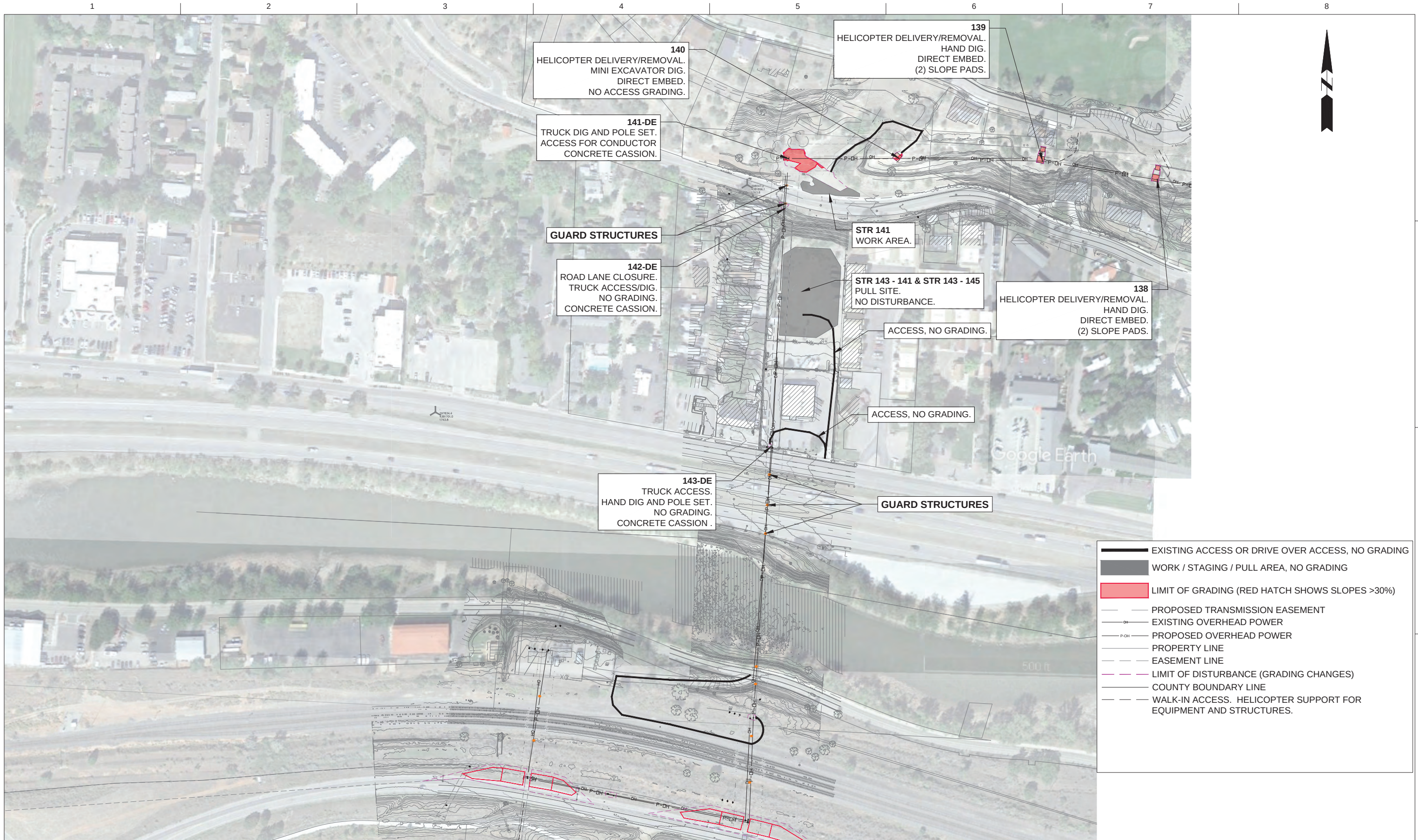
6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

GRADING/ACCESS PLAN



FILENAME CGS01-CGS07.DWG
SCALE 1"=100'

SHEET
CGS03



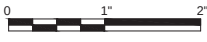
6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	BRIAN BROWN
PROJECT NUMBER	10263652


6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

GRADING/ACCESS PLAN

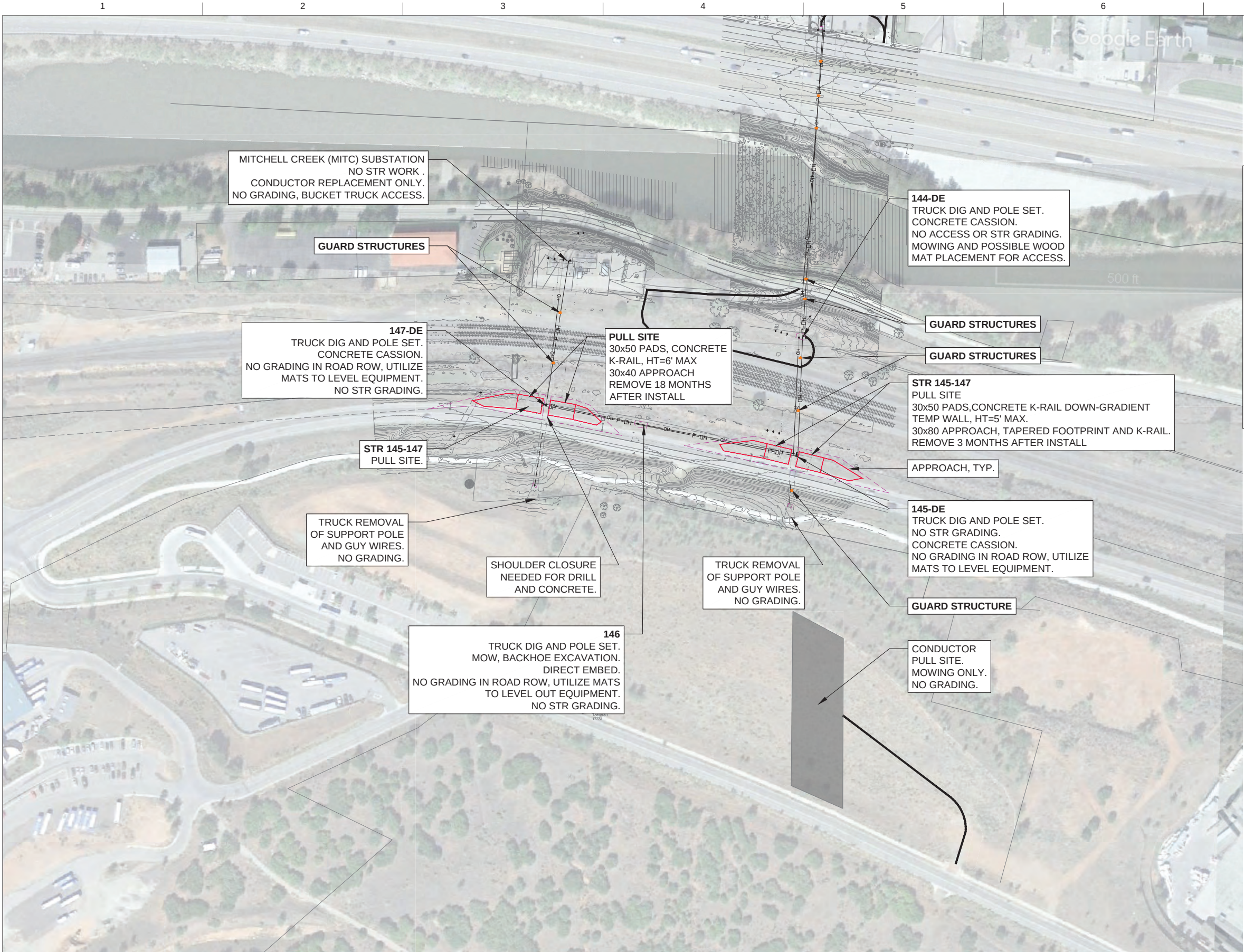

0 50 100 200


0 1" 2"

FILENAMECGS01-CGS07.DWG

SCALE1"=100'

SHEETCGS05



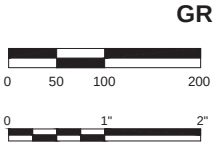
- EXISTING ACCESS OR DRIVE OVER ACCESS, NO GRADING
- WORK / STAGING / PULL AREA, NO GRADING
- LIMIT OF GRADING (RED HATCH SHOWS SLOPES >30%)
- PROPOSED TRANSMISSION EASEMENT
- EXISTING OVERHEAD POWER
- PROPOSED OVERHEAD POWER
- PROPERTY LINE
- EASEMENT LINE
- LIMIT OF DISTURBANCE (GRADING CHANGES)
- COUNTY BOUNDARY LINE
- WALK-IN ACCESS. HELICOPTER SUPPORT FOR EQUIPMENT AND STRUCTURES.



6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	BRIAN BROWN
PROJECT NUMBER	10263652


6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

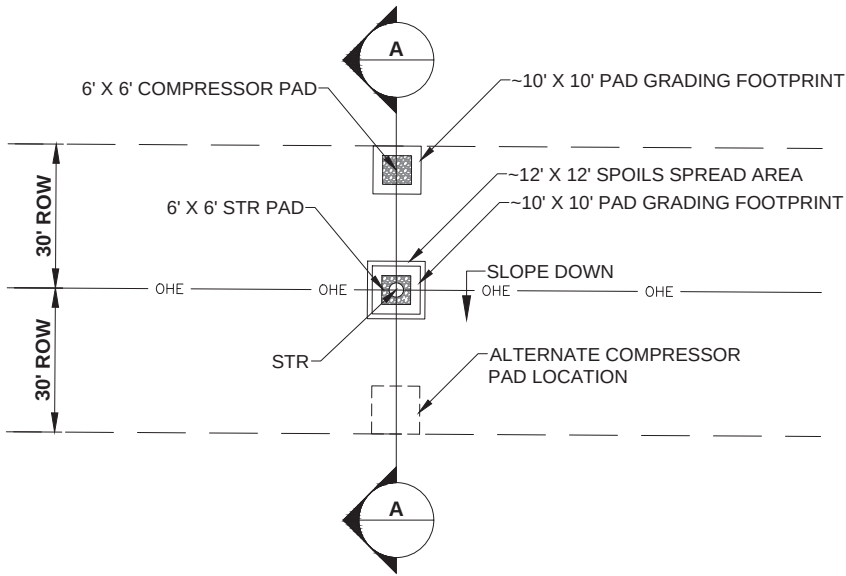


GRADING/ACCESS PLAN
FILENAME CGS01-CGS07.DWG
SCALE 1"=100'

SHEET
CGS06



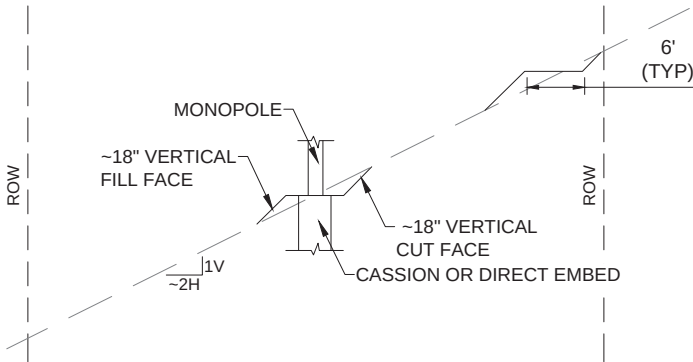
- EXISTING ACCESS OR DRIVE OVER ACCESS, NO GRADING
- WORK / STAGING / PULL AREA, NO GRADING
- LIMIT OF GRADING (RED HATCH SHOWS SLOPES >30%)
- PROPOSED TRANSMISSION EASEMENT
- EXISTING OVERHEAD POWER
- PROPOSED OVERHEAD POWER
- PROPERTY LINE
- EASEMENT LINE
- LIMIT OF DISTURBANCE (GRADING CHANGES)
- COUNTY BOUNDARY LINE
- WALK-IN ACCESS. HELICOPTER SUPPORT FOR EQUIPMENT AND STRUCTURES.



NOTES:

- COMPRESSOR PAD TO BE BUILT ON UPHILL SIDE OF LINE UNLESS CONDITIONS REQUIRE PAD TO BE ON DOWNHILL SIDE.
- LEAVE PADS IN PLACE UNLESS OTHERWISE SPECIFIED. SPREAD STR SPOILS MATERIALS OVER STR PADS AT FINISH.

1 SLOPE PAD GRADING (PLAN)
Scale: 1" = 20'



NOTES:

- 2H:1V EXISTING SLOPE SHOWN FOR SCHEMATIC PURPOSES ONLY, ACTUAL GRADE VARIES.
- ON 2H:1V SLOPE, PAD CUT/FILL SLOPES TO BE 1H:1V TO CATCH GRADE.
- PERMANENT GRADING UNLESS OTHERWISE SPECIFIED.
- ~3 CY POLE FOUNDATION EXCAVATION SPOILS TO BE SPREAD WILL REQUIRE ~6" DEPTH ACROSS 12'X12' SPREAD AREA ON SITE AROUND STRUCTURE, HENCE POLE DISTURBANCE AREA IS LARGER.

2 SECTION A - A
Scale: NOT TO SCALE



6/28/23 SITE PLAN		
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER BRIAN BROWN

PROJECT NUMBER	10263652



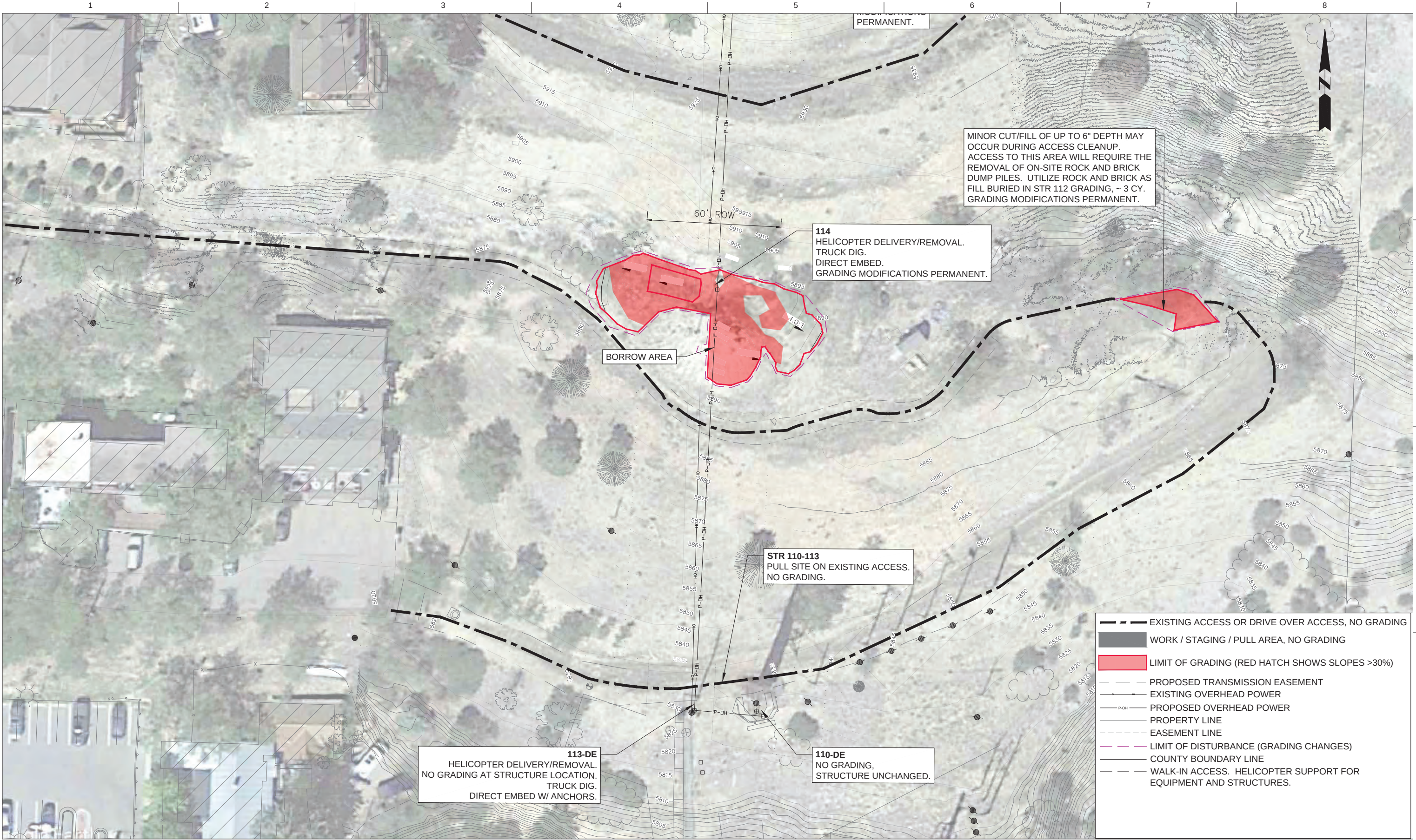
6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

GRADING/ACCESS PLAN



FILENAME CGS08-CGS11.DWG
SCALE 1"=20'

SHEET
CGS07



6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	BRIAN BROWN
PROJECT NUMBER	10263652



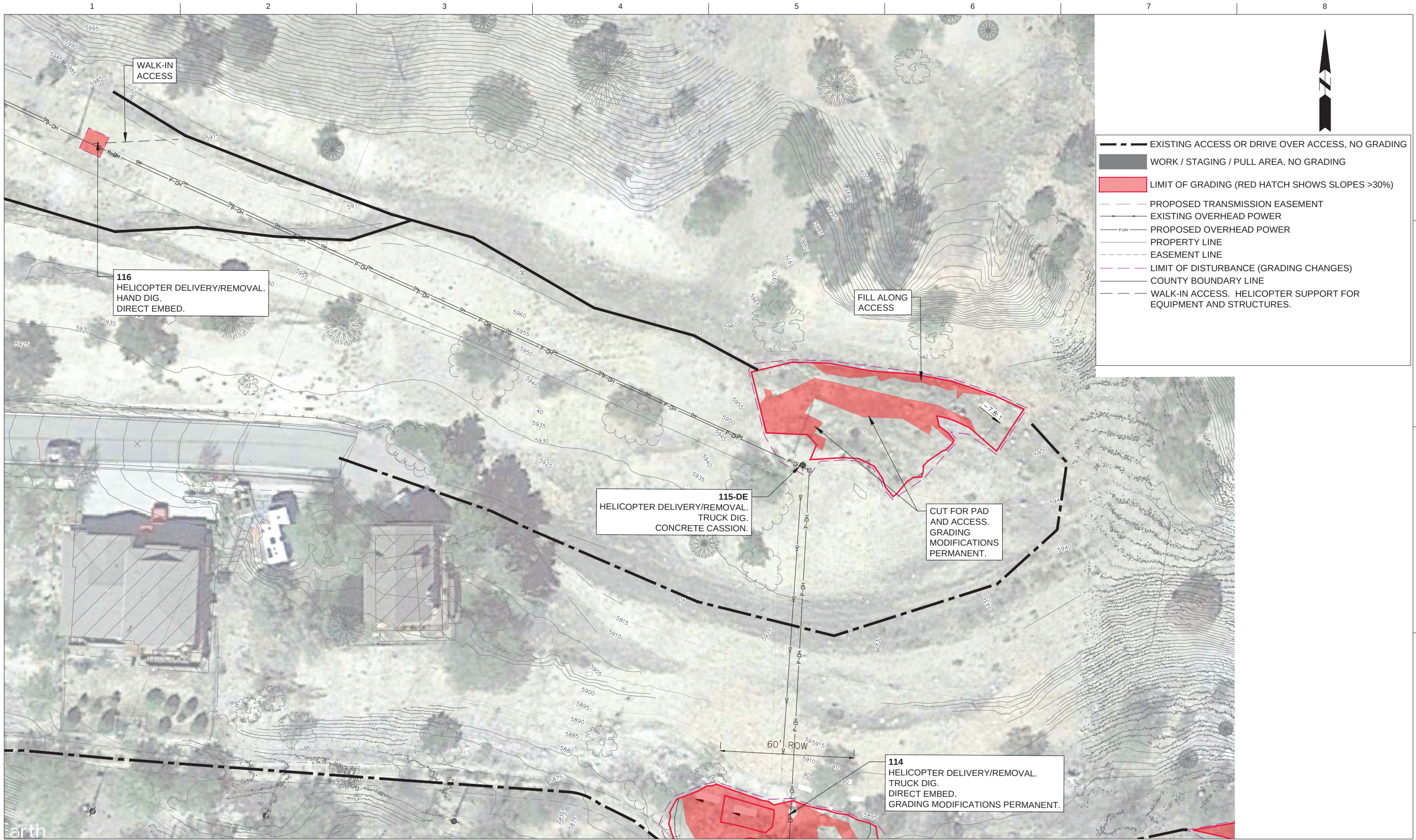
6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

GRADING ACCESS ENLARGEMENT



FILENAME | CGS08-CGS11.DWG
SCALE | 1"=20'

SHEET
CGS08



6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	BRIAN BROWN
PROJECT NUMBER	10263652



6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

GRADING ACCESS ENLARGEMENT



FILENAME

CGS08-CGS11.DWG

SCALE

1"=20'

SHEET

CGS09



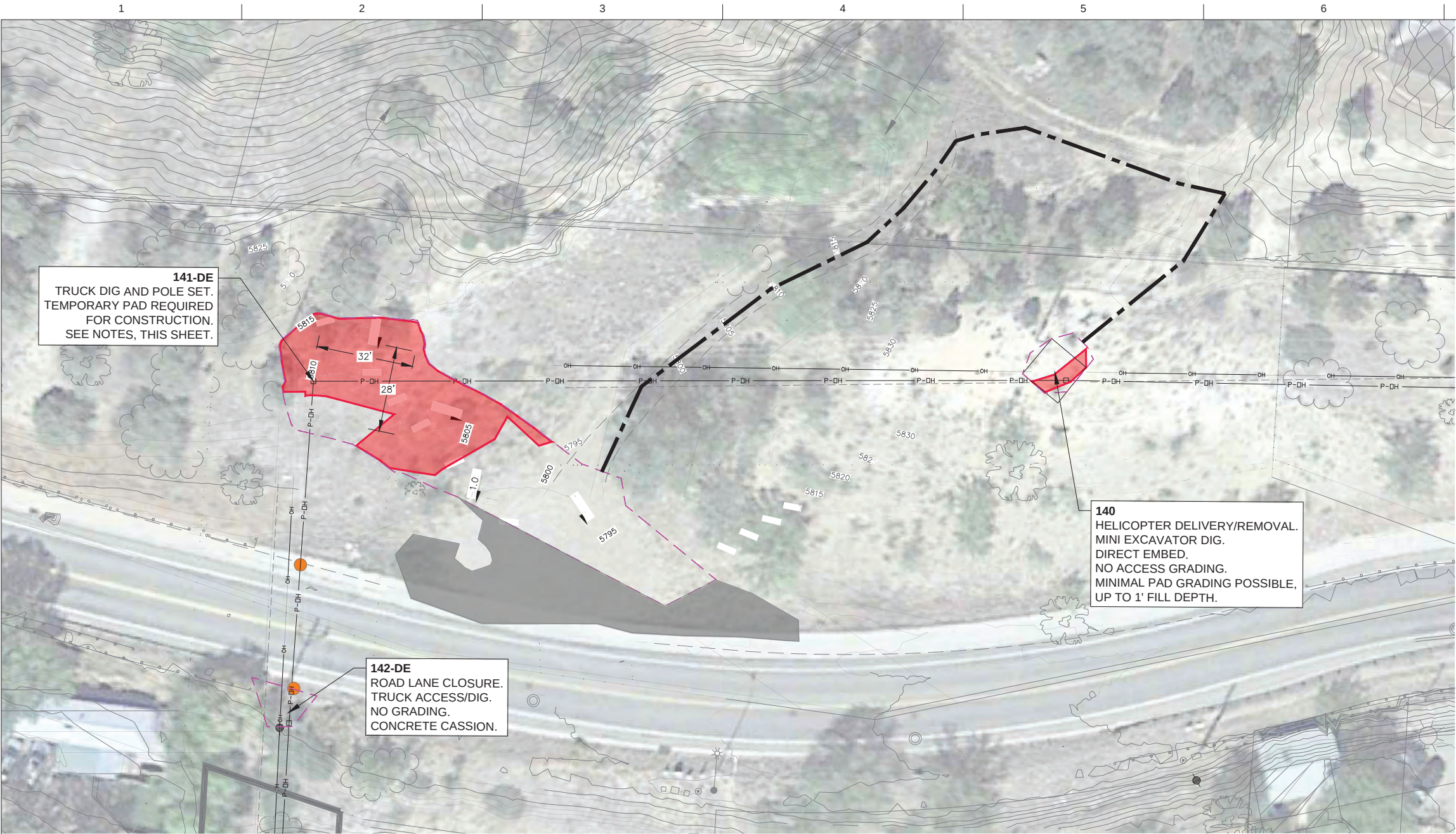
6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	BRIAN BROWN
PROJECT NUMBER	10263652

Xcel Energy
6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

GRADING ACCESS ENLARGEMENT

0 1" 2"	FILENAME	CGS08-CGS11.DWG	SHEET
	SCALE	1"=20'	CGS10



- EXISTING ACCESS OR DRIVE OVER ACCESS, NO GRADING
- WORK / STAGING / PULL AREA, NO GRADING
- LIMIT OF GRADING (RED HATCH SHOWS SLOPES >30%)
- PROPOSED TRANSMISSION EASEMENT
- EXISTING OVERHEAD POWER
- P-OH PROPOSED OVERHEAD POWER
- PROPERTY LINE
- EASEMENT LINE
- LIMIT OF DISTURBANCE (GRADING CHANGES)
- COUNTY BOUNDARY LINE
- WALK-IN ACCESS. HELICOPTER SUPPORT FOR EQUIPMENT AND STRUCTURES.

- NOTES:
- GRADING FOR CONSTRUCTION ACCESS TO POLE 141 IS TEMPORARY AND AS FOLLOWS:
- REMOVE TREES, BRUSH AND ROOT BALLS,
 - STRIP AND STOCKPILE TOPSOIL,
 - CUT AND FILL TO MEET GRADES SHOWN (IMPORT RECOMMENDED TO MINIMIZE CUT OF HILLSIDE),
 - PERFORM POLE CONSTRUCTION AND EXISTING POLE REMOVAL,
 - REMOVE IMPORTED MATERIAL AND RESTORE PRE-CONSTRUCTION GRADES,
 - COVER DISTURBED AREA WITH STOCKPILED TOPSOIL,
 - SEED AND MULCH AREA (SPECIFICS OF REVEGETATION TO BE PER EROSION CONTROL PLAN).



6/28/23	SITE PLAN	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	BRIAN BROWN
PROJECT NUMBER	10263652



6584 GLENWOOD - MITCHELL CREEK
TRANSMISSION LINE REPLACEMENT
GLENWOOD SPRINGS, CO

GRADING ACCESS ENLARGEMENT



FILENAME CGS08-CGS11.DWG
SCALE 1"=20'

SHEET
CGS11

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Appendix D: Vegetation Management Plans

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Appendix D-1: Revegetation Plan

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Memo

Date: Tuesday, July 25, 2023

Project: 6584 Glenwood Springs Substation to Mitchell Creek Substation Electric Transmission Line Rebuild

To: City of Glenwood Springs & Garfield County, Colorado

From: Braileigh Jay – Xcel Energy, Brian Brown – HDR Engineering

Subject: Revegetation Plan

Public Service Company of Colorado, a Colorado corporation conducting business as Xcel Energy, must replace the existing transmission line between the Glenwood Springs to Mitchell Creek Substations. This line crosses land within the City of Glenwood Springs (City) and in unincorporated Garfield County (County). The new structures will be within the existing transmission easement and accessed via existing private or public roads, existing and new access routes, by walk-in, or by helicopter. Temporary and permanent grading disturbance has been minimized due to a variety of reasons including the challenges of reestablishing revegetation in disturbed areas. Xcel Energy has chosen to call this a Revegetation Plan as opposed to a Landscaping Plan as the intent is to restore surface native type ground cover without the larger planting and irrigation effort often associated with a Landscaping Plan.

While there are multiple construction types for this project, i.e. temporary pad grading, temporary access grading, structure base excavation, etc., they are all fairly similar. Below is the general sequential approach to minimize disturbance and promote revegetation across the project. This will have to be slightly customized to each construction type and site conditions.

1. Prior to the start of construction, a surveyor will stake pole locations, off-sets, line easement limits, access routes, temporary construction areas, and other locations of importance where field delineation is beneficial.
2. Appropriate Xcel Energy staff, line construction contractor, foundation contractor, earthwork contractor, and erosion control contractor will meet on-site to review the delineated construction impact limits.
3. Flagging or paint used to delineate where perimeter erosion control measures should be placed based on disturbance limits defined by Xcel Energy construction team (item 2 above).
4. Xcel Energy's erosion control plan developer or erosion control install contractor will collect multiple representative topsoil soil samples for analysis along the transmission line. This analysis will focus on the potential for possible soil amendments (primarily nitrogen, phosphorus, and potassium) during seeding. 3 – 6 samples are expected based on the varying soil conditions along the line.
5. Erosion control contractor team to install perimeter erosion control measures, typically construction fence, boundary fence, sediment control logs, rock logs, and vehicle tracking control per the requirements identified in the State Stormwater Management Plan (SWMP) and City and County Grading permits.

6. Perform pre-construction meeting with City and County assuming that inspection and sign-off on erosion control measures is a condition of both jurisdiction's Grading Permits.
7. Only as necessary for project, trim and remove vegetation for off-site disposal that will directly impact site grading or access. Xcel Energy to utilize trimming as much as practicable to keep root structure in place.
8. In areas where grading (temporary or permanent) is required, strip topsoil (assume top 4 inches of soil) for reuse on site. Topsoil to be segregated from other material. Topsoil to be placed along access or in other areas adjacent grading. Topsoil may be transported from immediate work area due to space constraints. Topsoil that is stockpiled for more than 14 days will be seeded for temporary stabilization. Topsoil stockpiles that are to remain dormant for more than 14 days are to have side slopes no steeper than 1H:1V.
9. Topsoil stockpiles may be placed on undisturbed adjacent ground. In this case, Xcel Energy will place a separation fabric, i.e. Mirafi 140N or like, to provide a physical indicator as to where the stockpile ends and native ground begins. Xcel Energy has had success with this approach as it reduces unwanted disturbance of native ground and allows an undisturbed but lightly 'compressed' topsoil layer to bounce back once topsoil and separation fabric is removed.
10. Once permanent cut/fill slopes are graded (primarily compressor pads and structure pads in helicopter delivery locations), they will be covered with topsoil within 14 days and seeded and mulched within another 14 days. This will allow permanent cut/fill face revegetation to commence as soon as possible. Work areas where active construction is anticipated, i.e. flat pad work area is not to be topsoil covered until construction work has ceased. Once construction of permanent pads has ceased, topsoil cover is to be completed within 14 days and seeding and mulching to follow within another 14 days.
11. Once temporary cut/fill slopes are graded, they will be covered with a cover crop within 14 days. This cover crop is to be maintained until work has ceased and permanent grading is restored. Restoration from temporary construction impacts are to include replacement of topsoil, seeding, and mulching.
12. Subgrade excavation material, from grading or structure excavation, will be spread on the access road, exported from the site for off-site disposal, or stockpiled in immediate or near-by work area for future use, particularly in areas with temporary grading impacts that are to have grades restored. Like the topsoil above, subsoil that is stockpiled on undisturbed ground is to have a separation fabric below the stockpile to clearly distinguish between native grade and stockpile material. This will minimize disturbance of the native grade and allow this compressed native grade to bounce back once stockpile and separation fabric is removed. Note: subgrade material is not to be spread on-site in a manner that increases the area of disturbance, i.e. broadcast or pushed outside grading disturbance limit required for drive surface or equipment pad needs.
13. Once construction is completed at a site for permanent grading impacts, i.e. conductor pull/tensioning pads and access roads, the site soil is to be ripped to loosen the subgrade due to soil compaction during construction. Following decompaction, topsoil is to be placed at a depth of 4 inches in a loose manner ready to accept seed. Unlike most topsoil requirements, rock of various gravel sizes less than 6 inches diameter is expected in the topsoil layer which is indicative of native topsoil in this area.
14. Once construction is completed at a site for temporary grading impacts, i.e. mini-excavator pads, the site rough grades are to be reestablished and the subgrade soil is to be bucket compacted to a 'firm' condition. Following compaction, topsoil is to be placed at a depth of 4 inches in a smooth but loose manner ready to accept seed. Unlike most topsoil requirements, rock of various gravel sizes less than 6 inches diameter is expected in the topsoil layer and is indicative of native topsoil in this area.

15. Soil amendments are to be added per soil analytic recommendations via mechanical broadcast or hydraulic application. City and County approved seed mix is to be spread at appropriate rates given application type, hydraulic, drill, or hand broadcast. The amendment and seed application will vary substantially based on access type with helicopter structures having a different treatment process than areas readily accessible to larger truck traffic, i.e. access for a hydraulic sprayer. In cases of hydraulic application, the seed mix may be applied with the liquid amendment or hand broadcast but in no case is seed to be mixed and applied with mulch.
16. Final erosion control cover for seeded areas will vary based on access to disturbance areas. Helicopter access areas will not have mulch applied as the impact areas are a small footprint, hydraulic and crimp mulching is not available to these sites, and broadcast straw mulch is generally not effective as the product is blown away. Truck access areas will have either straw crimp mulch (on grades less than 10 percent and low rock content soil) or a high quality hydraulically applied mulch, i.e. Flexterra HP-FGM or like, on grades exceeding 10 percent. Xcel Energy generally does not support using erosion control blankets on this project due to concerns about reduced blanket to soil contact and synthetic mesh blankets having a high synthetic content which leads to a wildlife entrapment hazard.
17. Xcel Energy will change erosion control inspection schedule from weekly to monthly inspections once initial stabilization measures (seeding and mulching) have been completed. If there are areas of concern identified during the monthly inspection that need to be addressed (i.e. erosion or lack of revegetation growth), the revegetation contractor will return to the site to address identified issues.
18. Per the required State (SWMP) and local (Grading Permits), Xcel energy will continue to maintain structural erosion control measures across the project until no longer necessary. These will primarily include down-gradient sediment control logs but may include other control measures. The sediment control logs will be fully biodegradable to reduce wildlife entrapment hazards. These measures will be removed when no longer required and seed will be hand broadcast in areas where removal has exposed or disturbed less vegetated soil.
19. Once site has met plant density cover requirements, Xcel Energy will request a post-construction site visit with the City and/or County for jurisdiction closure concurrence.

NOTES:

- Xcel Energy's ability to stabilize disturbed areas with vegetation is dependent on many factors within Xcel Energy control. Unfortunately, favorable moisture conditions for germination and continued growth are beyond Xcel Energy control and a key determinate for revegetation. Xcel Energy anticipates adequate revegetation will take multiple years. Xcel Energy frequently returns to sites multiple times that are in the vegetation growth phase to address areas of erosion and reseed and/or mulch as necessary to promote vegetation stabilization.
- Xcel Energy hires a separate third-party company to perform the erosion control installation, maintenance, and revegetation as well as another third-party company to perform regular erosion control inspections. These companies have long standing relationships with Xcel Energy. With this approach, Xcel Energy has trained the installation company and inspection company to meet Xcel Energy's standards and to stay in compliance with state and local permit conditions which improve the restoration trajectory. Xcel Energy's practice is to continue inspection and maintenance, both performed by third party contractors, until site revegetation is established. Access for the post construction inspection and maintenance will be over prescriptive rights, land owner allowed access, temporary construction easements, and the transmission line easement.

- See Grading Plan submittal for location and discussion of temporary or permanent grading impact areas.
- Walk in only access paths are assumed to not create a disturbance that requires revegetation.
- The staging area north of Structure 125 may not be restored with revegetation depending on landowner agreements. This gravel pit area may be stabilized with native or imported aggregate surfacing.

Seed Mix:

The following seed mix was provided by Granite Seed Company specific to Glenwood Springs with the intention of including grasses, forbs, and pollinator seeds to revegetate project disturbed areas. The seed mix can be adjusted to meet local jurisdiction directives and soil conditions once determined.

Semi-Desert Loam Revegetation Seed Mixture*

Species	Pounds per Acre**	Number of Seeds***
Western wheatgrass (<i>Pascopyrum smithii</i>)	3.00	8
Indian ricegrass (<i>Achnatherum hymenoides</i>)	2.00	6
Prairie junegrass (<i>Koeleria macrantha</i>)	0.50	26
Sandberg bluegrass (<i>Poa secunda</i> ssp. <i>Sandbergii</i>)	1.00	24
Galleta grass (<i>Pleuraphis jamesii</i>)	2.00	7
Bluebunch wheatgrass (<i>Pseudoroegneria spicata</i> ssp. <i>Spicata</i>)	2.00	6
Bottlebrush squirreltail (<i>Elymus elymoides</i>)	2.00	9
Total	12.50	85

*The seed mix shown is based on existing native grasses that occur in this region. Seed mix may be obtained from other suppliers.

** Pure Live Seed

***Per Square Foot

Appendix D-2: Noxious Weed Management Plan

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Noxious Weed Management Plan

6584 GLENWOOD SPRINGS TO MITCHELL CREEK TRANSMISSION LINE REBUILD

City of Glenwood Springs and Garfield County, Colorado



July 25, 2023

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Prepared for:



Xcel Energy
PO BOX 840
Denver, Colorado 80201
(720) 963-3684

Prepared by:



HDR, Inc
1670 Broadway, Suite 3400
Denver, CO 80202

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Section 1. Introduction

The Public Service Company of Colorado (PSCo), a Colorado corporation conducting business as Xcel Energy (Xcel), is proposing to rebuild a 2-mile segment of a 69-kilovolt (kV) overhead transmission line from the Glenwood Springs Substation to the Mitchell Creek Substation within the City of Glenwood Springs and unincorporated Garfield County, Colorado.

On behalf of Xcel, HDR, Inc (HDR) conducted a noxious weed survey for the proposed 6584 Glenwood Springs to Mitchell Creek Transmission Line Rebuild project (Project) in October 2021. This Noxious Weed Management Plan (Plan) has been prepared to support the installation of prescribed seed mixes, management of noxious weeds and to comply with federal, state and local requirements regarding noxious weeds in the Project area.

1.1 Project Description

Xcel is proposing to rebuild a 2-mile segment of a 69-kilovolt (kV) overhead transmission line (**Appendix A – Overview Figure**). The line runs from the Glenwood Springs Substation to the Mitchell Creek Substation within the City of Glenwood Springs and a small portion of the line is in unincorporated Garfield County, Colorado. The project will utilize a staging area on the Beckley property (east of N Traver Trail) and is planning on a staging area west of Highlands Drive immediately north and adjacent the transmission line for material storage, assembly, and as a helicopter landing and material pickup zones.

The Project is located within Sections 04, 05, and 09 of Township (T) 6 South (S), Range (R) 69 West (W). Construction is anticipated to begin in Summer of 2022 and last the duration of 2022 for approximately one year.

Section 2. Noxious Weed Management Requirements

When present in large numbers, noxious plant species have had considerable impacts to the quality and integrity of natural ecosystems. Noxious weed species can alter fire ecology, successional ecosystem processes, and ecosystem function of the ecosystems they invade. Some species have had such serious economic and biological impacts that their control and management is mandated under Colorado State law (i.e., List A species).

Because of the adverse environmental effects of noxious weeds, federal and state governments have issued various orders and regulations regarding noxious weeds. The following are some of the regulations guiding noxious weed management.

2.1 Presidential Executive Order 13112—Invasive Species

Executive Order 13112, Invasive Species, was issued on February 3, 1999, to prevent the introduction of invasive species; provide for their control; and minimize the economic, ecological, and human health impacts that result from invasive species. This order directs federal agencies to prevent the introduction of invasive species, control and monitor invasive species, and restore native species and habitats that have been invaded (Federal Register 1999).

2.2 Colorado Noxious Weed Act

As defined by the Colorado Department of Agriculture (CDOA), noxious weeds are plants that reduce agricultural productivity, lower real estate values, endanger human health and well-being, and damage scenic values (CDOA 2021a). The Colorado Noxious Weed Act §§ 35-5.5-101 through 119, C.R.S. as amended, states that an organized and coordinated effort must be made to stop the spread of noxious weeds.

Rules pertaining to administration of the Act include a noxious weed list that designates and classifies noxious weed species into categories for immediate eradication (CDOA 2021a):

- **List A** contains 25 species of noxious weeds targeted for eradication. If individuals or populations of A List species are found, the local governing body must provide the State Weed Coordinator with mapping that includes information on location and density of the infestation.
- **List B** contains 38 species that are targeted for eradication, containment, or suppression based upon a given local governing body's management plan.
- **List C** contains 16 species for which the Commissioner of Agriculture, in consultation with the state noxious weed advisory committee, local governments, and other interested parties, will develop and implement into state noxious weed management plans designed to support the efforts of local governing bodies to facilitate more effective integrated weed management on private and public lands.

In addition to the three lists, the state maintains a noxious weed species "Watch List". It contains 19 species that CDOA has determined pose a potential threat to the agricultural productivity and environmental values of the lands of Colorado. It is for advisory and education purposes only and is intended to encourage the collection of information needed to determine if the species should be listed as a noxious weed.

2.3 Garfield County Noxious Weed Management

Garfield County adopted a Noxious Weed Management Plan in 2016 to limit the impact of noxious weeds by providing guidelines for managing designated noxious weeds which represent a threat to the continued economic, environmental, and agricultural value of lands in Garfield County (Garfield County 2016). Of the 79 plant species considered noxious by the State of Colorado, Garfield County is home to 40 species on this list. The plan provides for the implementation of the Colorado Noxious Weed Act by detailing integrated management options for designated noxious weeds. Options include education, preventive measures, good stewardship, and control techniques.

The intent of the plan is to incorporate the above-mentioned options that are the least environmentally damaging and are practical, timely and economically feasible. It is the responsibility of all landowners to use integrated methods to manage noxious weeds, and the responsibility of local governing bodies to ensure that these plants are managed on public and private lands. Garfield County follows the dictates of the CDOAs rules as to which species on the

A and B lists must be eradicated, contained, or suppressed and manages those species and the species on its own locally designated list in accordance with the Weed Management Plan.

2.4 Substation Noxious Weed Management

Xcel Energy's vegetation management group maintains vegetation at substations and therefore this plan does not include treatment for noxious weeds at the substations (Glenwood Springs and Mitchell Creek substations) in the project area. Management of the noxious weeds at and immediately around the substation will be addressed separately. Xcel maintains a cleared area of 10-feet around the substation fence limiting vertical vegetation for site security purposes.

Section 3. Noxious Weed Survey Methods

On October 11 and 12, 2021, HDR conducted pre-construction noxious weed surveys of the study area to document baseline conditions along the transmission line right-of-way (ROW), staging yards, and access roads. Noxious weed surveys were conducted using pedestrian transects, with a 15-foot separation, covering an area of 30-feet in width along the transmission line ROW.

For the survey, the term “noxious weed” includes species listed as noxious by the Colorado Department of Agriculture (CDOA 2021a). Plant nomenclature for noxious weeds in this report follow the CDOA website.

Before field surveys were conducted, the following data sources were reviewed for information on vegetation patterns, topography, and hydrology in the project vicinity:

- Aerial Imagery—Recent and historic imagery from 1993 through 2019.
- Topographic map – U.S. Geological Survey.
- General ecological description of the project area (USDA 2006).
- National Land Cover Database (NLCD) Land Cover (USGS 2021).
- Colorado Department of Transportation (CDOT) Noxious Weed Map (CDOT 2021).
- Colorado Natural Heritage Program (CNHP) Noxious Weed Inventory, Mapping, and Monitoring (CNHP 2021).
- Colorado Department of Agriculture's (CDOA) noxious weed list (Effective October 2020) (CDOA 2021a).
- CDOA County Weed Programs (CDOA 2021b).

Using ArcMap Field Maps field collection software, noxious weed densities were recorded in four categories: 1-20 individuals, 21-100 individuals, 101-999 individuals, and 1000+ individuals. Following the field survey, the spatial data of noxious weed species and densities were illustrated in ArcGIS 10.7.1 for the study area.

Section 4. Study Area Description

4.1 Location

The approximate 28-acre study area is located within the town of Glenwood Springs with a small portion of the project crossing unincorporated Garfield County, Colorado (**Appendix A**).

The study area includes an approximate 30-foot-wide buffer around the 6584 transmission line, staging yards, and access roads.

The study area is found on the U.S. Geological Survey 7.5-minute quadrangles Glenwood Springs (2019), and has the following decimal degrees coordinates, western terminus: 39.559719, -107.352436; and eastern terminus: 39.550962, -107.321196 (datum is NAD 83). Please refer to **Appendix B** for a photolog of the project study area.

At the time of the field study, Xcel Energy was intending to reroute a small portion of the line to avoid conductor continuing over a residence. After further engineering review and discussion with the landowner, the proposed rebuild will stay in the current alignment. The potential line reroute (which has been abandoned) was between structures 114 – 116. Therefore, this segment of the line will have to be surveyed for the presence of noxious weeds. This survey is planned for the early summer of 2023. The findings of that survey will be added and an addendum to this report and submitted to the County.

4.2 Topography and Hydrology

The study area is located in northwestern Colorado and lies within the Rocky Mountain Range and Forest Region Land Resource Region (USDA 2006) at an elevation of approximately 5,800 feet.

The project study area is generally on steep hillside terrain within a mountain valley near the confluence of the Roaring Fork and Colorado Rivers. The Colorado River enters the county at the eastern end of Glenwood Canyon, about 12 miles east of Glenwood Springs, and flows southwest for about 62 miles before leaving the county between Parachute and DeBeque.

4.3 Land Use

Land uses within and around the study area includes recreation, transportation, residential and commercial uses. Land use in the areas surrounding the project area consists mostly of agricultural and rural residential developments. Interstate (I)-70 and the Town of Glenwood Springs occur immediately south of the project area as well as paved and unpaved county roads. The area north of the project area is primarily undeveloped Bureau of Land Management (BLM) land with some areas of private land immediately north of the transmission line.

4.4 Climate

Annual precipitation in the study area averages 16.4 inches and annual snowfall is 59.3 inches. Glenwood Springs records average annual high temperatures of 62.8 degrees Fahrenheit (F)

and an average low temperature of 31.5 degrees F (Western Regional Climate Center 2021).

4.5 Vegetation and Habitat

The project study area is located within pinyon-juniper habitat that is composed of Utah juniper (*Juniperus osteosperma*) with scattered pinyon pine (*Pinus edulis*) along the slopes and ridgelines. Other species that are present include Gambel oak (*Quercus gambelii*), big sagebrush (*Artemisia tridentata*), rubber rabbitbrush (*Ericameria nauseosa*), mountain mahogany (*Cercocarpus montanus*), saskatoon serviceberry (*Amelanchier alnifolia*) and an understory composed of a variety of grasses such as western wheatgrass (*Pascopyrum smithii*), and needleandthread grass (*Hesperostipa comata*). Please refer to **Appendix C** for a consolidated list of plant species observed during the field visit.

Section 5. Noxious Weed Survey Results

5.1 Noxious Weed Survey Results

Twelve listed noxious weed species and one watch list species were observed in the project study area during the October 2021 survey. One of the twelve noxious weed species documented in the project study area is from List A, six are included on List B, five species are included on List C, and one species is included on the watch list (**Table 1** and **Figures** in **Appendix A**).

The Colorado Department of Agriculture has prepared fact sheets for most State-listed noxious weeds. They feature detailed descriptions and photographs of the plants, as well as integrated management for each species. Noxious weed fact sheets for the 12 documented listed species are found in **Appendix D**.

Garfield County and the City of Glenwood Springs follow the dictates of the State's rules as to which species on the A and B lists must be eradicated, contained or suppressed and manages those species and the species on its own locally designated list in accordance with the Garfield County Noxious Weed Management Plan (Garfield County 2016).

CDOT's Noxious Weed Map details the locations of List A, B, and C noxious weeds as they occur along the ROW (CDOT 2021). At the location where Line 6584 crosses I-70, at Xcel Structure 143, salt cedar (*Tamarix* spp.) was documented by CDOT but was not documented within the project study area during surveys.

Cheatgrass and redstem fillaree were the most common species identified throughout the majority of the study area and in many areas were documented in densities of 100 to 1,000 individuals. Scotch thistle and bindweed were also noted in high densities in the study area. Cheatgrass, redstem fillaree and bindweed are designated by the State of Colorado as a List C species and Scotch thistle is a List B species.

Chinese clematis and common mullein were uncommon and only identified in the far western portion of the study area. Other species such as halogeton, musk thistle, and Russian olive had only one or two occurrences and do not show up as a datapoint on the figures.

Table 1. Colorado State Noxious Weed Species Observed in the Project Study Area

Scientific Name	Common Name	General Habitat	State of CO List	Garfield County List	Observed in the Study Area
<i>Acroptilon repens</i>	Russian knapweed	Open, upland areas	List B	Yes	Yes
<i>Bromus tectorum</i>	Cheatgrass	Open, upland areas	List C	No	Yes
<i>Carduus nutans</i>	Musk thistle	Open, upland areas	List B	Yes	Yes
<i>Clematis orientalis</i>	Chinese clematis	Roadsides, riparian corridors and rocky slopes	List B	Yes	Yes
<i>Convolvulus arvensis</i>	Field bindweed	Open, upland areas	List C	No	Yes
<i>Elaeagnus angustifolia</i>	Russian olive	Open, upland areas Riparian and moist areas	List B	Yes	No
<i>Erodium cicutarium</i>	Redstem filaree	Open, upland areas	List C	No	Yes
<i>Euphorbia myrsinites</i>	Myrtle spurge	Open, upland areas Riparian and moist areas	List A	Yes	Yes
<i>Halogeton glomeratus</i>	Halogeton	Roadsides, trails and overgrazed sites	List C	No	Yes
<i>Linaria dalmatica</i>	Dalmatian toadflax	Open, field, pastures, and roadsides	List B	Yes	Yes
<i>Onopordum acanthium</i>	Scotch thistle	Open, upland areas	List B	Yes	Yes
<i>Ulmus pumila</i>	Siberian elm	Open, upland areas, roadsides, riparian	Watchlist	No	Yes
<i>Verbascum thapsus</i>	Common mullein	Open, upland areas	List C	No	Yes

Sources: CDOA 2021a; Garfield County 2016

Section 6. Noxious Weed Management

Construction activities would expose soils in areas that have been previously disturbed and limited areas that have not been previously disturbed. This disturbance creates a potential for the introduction and spread of noxious weeds in the project area. Noxious weed species that occur in and adjacent to disturbed areas of the project have the potential to spread into areas impacted by placement of new structures, use and construction of access roads for construction equipment and use of staging areas. The goal of this plan is to minimize the spread of noxious weeds due to the proposed project's construction activities. By implementing measures intended to minimize

the spread of noxious weeds during construction and minimizing the establishment of new noxious weed populations post construction, the proposed project should minimize new and help reduce existing noxious weed infestations.

Xcel and its contractors work to minimize the use of chemicals that are harmful to beneficial insects in their vegetation management practices controlling shrubs, trees, and weed species within their rights-of-way and properties. This includes eliminating the use of neonicotinoids, a class of neuro-active insecticides, which have been found harmful to all invertebrate populations including bee populations and other native pollinators (Xcel Energy Undated).

The study area is adjacent rural residential developments with primarily undeveloped BLM land on the north. Due to adjacent roadways, recreational use and residential properties in the adjacent areas, noxious weed species are expected to continue spreading throughout the area.

Future construction and maintenance activities by Xcel and its contractors have the potential to expose soils creating a potential for the introduction and spread of noxious weeds in the project area. This rebuild has one segment of realignment involving 3 new structures to reduce spans over a residential structure. The remaining new structures will be within the existing transmission easement and accessed via existing private or public roads, existing and new access routes, or by helicopter. The grading work will be minimized by limiting the disturbance footprint and focusing on access grading impacts to the uphill side of the access routes. The Beckley Staging Yard will be used for construction activities and is located on an inactive staging area with surface mining activity on the parcel. A Stormwater Management Plan covers construction activities associated with the transmission line rebuild and Beckley Parcel Staging Yard. The potential staging yard near N Traver Trail will also be used for construction activities and is located in an open pasture. Equipment associated with the project activities varies based on the pole type and construction approach. Structures with the smallest impact involve helicopter fly-in of a compressor and crew walk-in. A minor step up in disturbance would involve mini-excavator track-in for structure excavation. The activity with the highest level of disturbance would include access and workspace grading for pick-up trucks, boom trucks, concrete trucks, and trailer puller reels. Truck traffic on the Line 6584 ROW will use the existing private or public roads and improve existing or create new access routes in limited areas. Soil disturbance is minimal to substantial based on the site conditions, pole type, and access needs.

Weed management priorities are based on the threat noxious weed species found in the project area pose to the overall goal of maintaining the health of the ecosystem. Generally, List A species are the highest priority because they are often the most aggressive species with limited distribution. Myrtle spurge is the only species documented that is designated as a "List A" species in the Colorado Noxious Weed Act. It is designated for statewide eradication. List B are next priority species and List C species are generally widespread and are not prioritized.

The best technique for controlling most noxious weeds is an integrated approach of chemical, mechanical, and biological controls. Chemical control involves the application of one or more herbicides at the appropriate time of the year (all herbicides should be applied by a certified applicator according to the manufacturer's directions). Mechanical control usually involves

mowing, hand-pulling, or cutting. Biological control is the use of organisms (usually insects, but also livestock) that are deliberately introduced to an area to control weeds.

Noxious Weed Treatment Measures

As part of the weed management program, the following measures will be implemented to minimize the spread of noxious weeds during the construction activities, as well as during restoration and reclamation efforts until the closure of the Storm Water Management Plan (SWMP).

Xcel's noxious weed management contractor will implement noxious weed control measures in accordance with existing regulations and local requirements.

Post-construction control measures can include one or more of the following methods (that may be implemented during restoration activities):

- Treatment methods will be based on species-specific and area-specific conditions (e.g., proximity to water or riparian areas, agricultural areas, and time of year) with the Garfield County coordinator being notified prior to noxious weed eradication activities. If areas are not seeded until the following spring, because of weather or scheduling constraints, undesirable vegetation will be eradicated before seeding.
- Mechanical methods rely on equipment that can be used to mow or disc weed populations. If such a method is used in areas to be restored, subsequent seeding will be conducted to re-establish a desirable vegetative cover that will stabilize the soils and slow the potential re-invasion of noxious weeds.
- Discing or other mechanical treatments, that would disturb the soil surface within native habitats, will be avoided in favor of an herbicide application, which is an effective means of reducing the size of noxious weed populations as well as preventing the establishment of new colonies.
- Seed selection will be based on site-specific conditions and the appropriate seed mix identified for those conditions, as presented in **Table 3**.
- Herbicide applications will be controlled to minimize the impacts on the surrounding vegetation. In areas of dense infestation, a broader application will be used and a follow-up seeding program will be implemented.

Pre-Construction

Prior to construction and soil disturbances, Xcel's noxious weed contractor shall apply pre-treatment, both chemical and mechanical to List A and List B noxious weeds in the areas of expected disturbance which includes 30 feet around each structure, within expected access road disturbance areas, and any other areas identified in the grading permit as to be disturbed. Chemical and mechanical treatment will be in accordance with the specifics listed in **Table 2** and

until the SWMP is closed.

Post-Construction - Phase 1

At the conclusion of construction (Year 1), disturbed areas will be inspected/surveyed for noxious weeds by a qualified weed specialist. The weed specialist will identify areas where the Control Techniques listed in **Table 2** following measures shall be implemented.

Post-Construction - Phase 2

Following the growing season after construction has been completed (Year 2) and until the project SWMP permit is closed, two noxious weed surveys shall occur yearly:

1. Early season (May-June) for cool-season noxious weeds (e.g., redstem fillaree, cheatgrass, bindweed),
2. Late season (July-August) for the warm-season noxious weeds (e.g., thistles and knapweeds). Areas of infestations identified in these surveys will determine appropriate treatment and suppression methods.

Table 2 presents species-specific recommended control measures which may be implemented. These recommended control measures are from the Colorado Department of Agriculture website (CDOA 2021a). Some of the noxious weed species are widespread and not found in defined populations, therefore treatment will be difficult and may not be prioritized. Treatment will only occur in areas where soil disturbance due to construction occurred and 30 feet around walk-in replacement structures.

Table 2. Noxious Weed Species Recommended Control Techniques

Common Name	Chemical	Mechanical	Biological
Russian knapweed	Aminopyralid (Milestone), Aminocyclopyrachlor + Chlorsulfuron (Perspective). Most effective if applied in the fall when above-ground stems die back.	Cutting or mowing can stress plant and force it to use reserves. Tilling and disking can create root fragments that can sprout. However, repeated deep tillage (1 foot) over 3 years can kill much of the root system.	The gall midge, <i>Jaapiella ivannikovi</i> , is a fly that lays eggs in the shoot tips of Russian knapweed. It forms galls that reduce flowering, seed production, and stunts the plants' growth. This biocontrol will stress the stand of Russian knapweed but will not likely eliminate it. Not available to public.
Downy brome (cheatgrass)	<i>Pseudomonas fluorescens</i> D7 inhibits cheatgrass and is currently approved by EPA and Colorado.	Mechanical methods are best for residential areas and small infestations. Collect, bag, and dispose of or destroy flowers; seeds can mature and germinate if left. Tilling must be deeper than	No approved biological control agents.

		6 inches to work. Prescribed fire applied before seed maturity, (late spring or early summer), may kill seeds; the trick is to get green cheatgrass and litter to carry fire and at a hot enough temperature to destroy seeds and seedlings.	
Musk thistle	Aminopyralid (Milestone), Chlorsulfuron (Telar), and Clopyralid (Transline). Apply in spring from rosette through very early flower growth stages.	Methods, such as tilling, hoeing and digging, are best for infestations smaller than 0.5 acres. Sever roots below the soil surface during the first year before the plant stores energy, and in the second year before flower production. Mowing, chopping and deadheading stimulates more flower production; these methods require consecutive years of season-long treatments. All flower buds and heads must be collected, bagged, and disposed of or destroyed. Prescribed fire that results in high soil burn severity damages roots and above ground biomass, but is not recommended due to impacts on desired plants.	<i>Trichosirocalus horridus</i> is the only biological control agent available for musk thistle in Colorado.
Chinese clematis	2, 4-D amine, Imazapic (Plateau, Panoramic), and Aminopyralid (Milestone). 2, 4-D amine applied anytime actively growing. Other herbicides applied in fall.	Digging or hand pulling is effective when soil is moist. Make certain to pull all the roots and bag specimens carefully so as to not scatter seeds if flowering.	No approved biological control agents.
Field bindweed	Clarity + 2,4-D Amine, Tordon 22K *this is a Restricted Use Pesticide, and Roundup Ultra *non-selective herbicide, will kill all vegetation* See Application timing on Noxious Weed Fact Sheets.	Cutting, mowing, or pulling has a negligible effect unless the plants are cut below the surface in the early seedling stage.	The bindweed gall mite, <i>Aceria mahlerbae</i> , has proven to be effective in reducing field bindweed infestations.
Russian olive	Triclopyr and imazapyr are the most effective herbicides. Both should be applied to the cambial layer of the tree immediately after cutting (cut-stump treatment).	Mowing or cutting can be effective, but often must be combined with either herbicides or excavation of the entire stump. Burning can be effective if conditions can support a long, hot fire.	<i>Tubercularia</i> canker can be effective.
Redstem filaree	Metsulfuron (Escort XP) or 2,4-D + dicamba (Rangestar). Apply at rosette stage of growth.	Hand pulling or digging when soil is moist, making sure to get the roots to prevent resprouting is effective. Removing flowers before the plant sets seed will also	No approved biological control agents.

		be effective.	
Myrtle spurge	2, 4-D ester, Dicamba + 2, 4-D, and Picloram + 2, 4-D. Spot treat isolated populations with a backpack application (Steve Anthony, Garfield County Vegetation Manager, personal communication, January 24, 2022).	Hand pull or dig when soil is moist. Make certain to pull all the roots and wear rubber gloves and eye protection to protect yourself from the toxic milky sap. Treatment follow up is important to check root fragment resprouts that will occur when the tap root is severed too shallow.	Biocontrol is not an approved method of control for State List A species.
Halogeton	Metsulfuron + Chlorsulfuron (Cimmaron X-tra) or Chlorsulfuron (Telar XP). Apply pre-emergence to post-emergence stages in spring.	Hand pull or dig when soil is moist, but make sure to wear gloves. Bag specimens carefully so as not to scatter seeds. The key to effective control is to prevent seed production and/or spread.	No approved biological control agents.
Dalmatian toadflax	Aminocyclophrachlor + Chlorsulfuron (Perspective), Picloram (restricted use), and Chlorsulfuron (Telar).	For small infestations, pulling toadflax by hand can be effective. Pull every year for 5 to 6 years to deplete the reserves of the root system. Monitor the site for 10 - 15 years to remove seedlings produced from dormant seeds.	<i>Calophasia lunula</i> , a predatory noctuid moth, feeds on leaves and flowers of Dalmatian toadflax. <i>Eteobalea intermediella</i> , a root boring moth, and <i>Mecinus janthinus</i> , a stem boring weevil, are also available.
Scotch thistle	Aminopyralid* (Milestone), Chlorsulfuron (Telar), Metsulfuron + Chlorsulfuron (Cimarron X-tra), Clopyralid (Transline) Aminocyclopyrachlor + chlorsulfuron (Perspective). Apply in spring rosette to early bolting growth stages. Two treatments in growing season required (Steve Anthony, Garfield County Vegetation Manager, personal communication, January 24, 2022).	Methods, such as tilling, hoeing and digging, are best for infestations smaller than 0.5 acres. Sever roots below the soil surface during the first year before the plant stores energy and in the second year before seed production. Mowing, chopping and deadheading stimulates more flower production; these methods require consecutive years of season-long treatments. Flower heads must be collected, bagged, and disposed of or destroyed; seeds will mature and germinate if left on the ground.	No approved biological control agents.
Siberian elm	No control methods available since this is a Watchlist species.	N/A	N/A

Source: Colorado Department of Agriculture (2021a).

Table 2 - Control Techniques based on recommendation from Garfield County Weed Control Manager, Steve Anthony following the CDOA-published control techniques for noxious weeds.

6.1 Seed mix

Restoration will consist of re-contouring the disturbed areas around structures and staging areas per grading plans and reseeding the area with the following seed mix. The timing of subsequent seeding efforts will be based on the life of the selected herbicide.

Table 3. Semi-Desert Loam Revegetation Seed Mixture*

Species	Pounds per Acre**	Number of Seeds***
Western wheatgrass (<i>Pascopyrum smithii</i>)	3.00	8
Indian ricegrass (<i>Achnatherum hymenoides</i>)	2.00	6
Prairie junegrass (<i>Koeleria macrantha</i>)	0.50	26
Sandberg bluegrass (<i>Poa secunda</i> ssp. <i>Sandbergii</i>)	1.00	24
Galleta grass (<i>Pleuraphis jamesii</i>)	2.00	7
Bluebunch wheatgrass (<i>Pseudoroegneria spicata</i> ssp. <i>Spicata</i>)	2.00	6
Bottlebrush squirreltail (<i>Elymus elymoides</i>)	2.00	9
Total	12.50	85

*The seed mix shown in Table 3 was developed by Granite Seed and Erosion Control based on existing native grasses that occur in this region. Seed mix may be obtained from other suppliers.

** Pure Live Seed

***Per Square Foot

Section 7. Recommended Management and Mitigation Actions

In addition to the specific management recommendations listed for each species in **Table 2**, the following mitigation measures are recommended (as appropriate) to minimize the spread of noxious weeds:

- All construction equipment will remain in designated work areas.
- The area of ground disturbance will be kept to the minimum necessary.
- Minimize imported topsoil during construction. If importing is necessary, use certified weed-free soil.
- All equipment will be thoroughly cleaned before entering and exiting the study area.
- All mulches and straw used at the site will be certified weed-free.
- All disturbed areas will be seeded after construction. Seeding will consist of species listed in **Table 3**. Semi-Desert Loam Seed Mixture will be spread on disturbed ground around structures and staging areas, as appropriate.
- All seed mixes, soil, and other plant material used for revegetation will be free of noxious weed seeds, roots, and other propagules.

- Only a Colorado-licensed Supervisor or Certified Operator will apply herbicides.
- All herbicides will be applied in accordance with the manufacturer's instructions.
- Broadcast herbicide spraying will be limited to areas of project ground disturbance, around each existing and new structure, and at staging areas. Weed treatment around each existing and new structure will be at a radius of 35-feet unless there is project disturbance beyond the 35-foot radius.
- The Garfield County Vegetation Manager or City of Glenwood Springs Parks Superintendent will be notified prior to noxious weed treatments, as appropriate to the disturbance jurisdiction. At time of the memorandum, this notification would be with either the Garfield County Vegetation Manager (Steve Anthony – 970-945-1377 ext. 4305, santhony@garfield-county.com) or City of Glenwood Springs Parks Superintendent (Daniel Roper – 970-384-6366, dan.roper@cogs.us).
- Applicable best management practices (BMPs) from the Stormwater Management Plan will be implemented.

Section 8. References

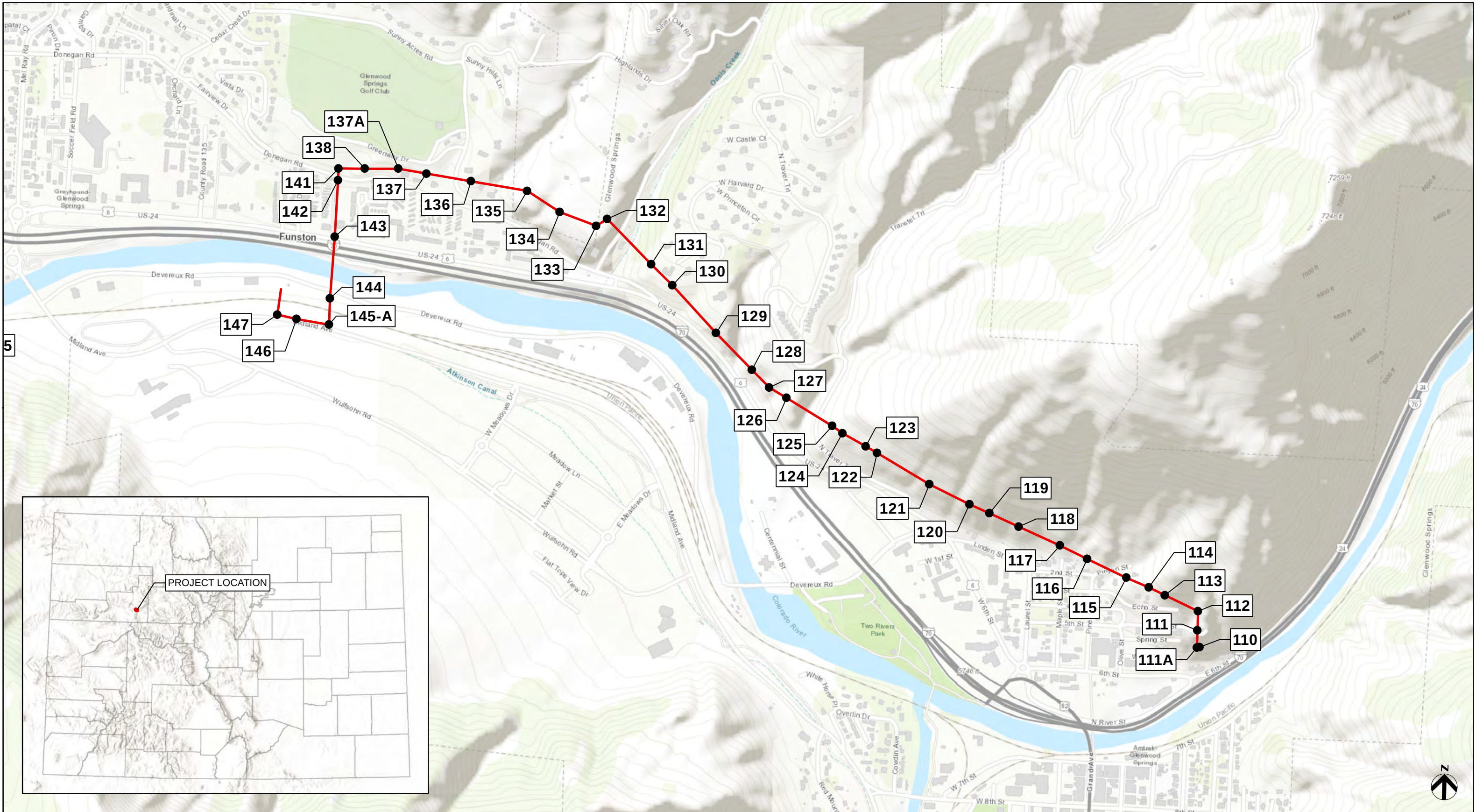
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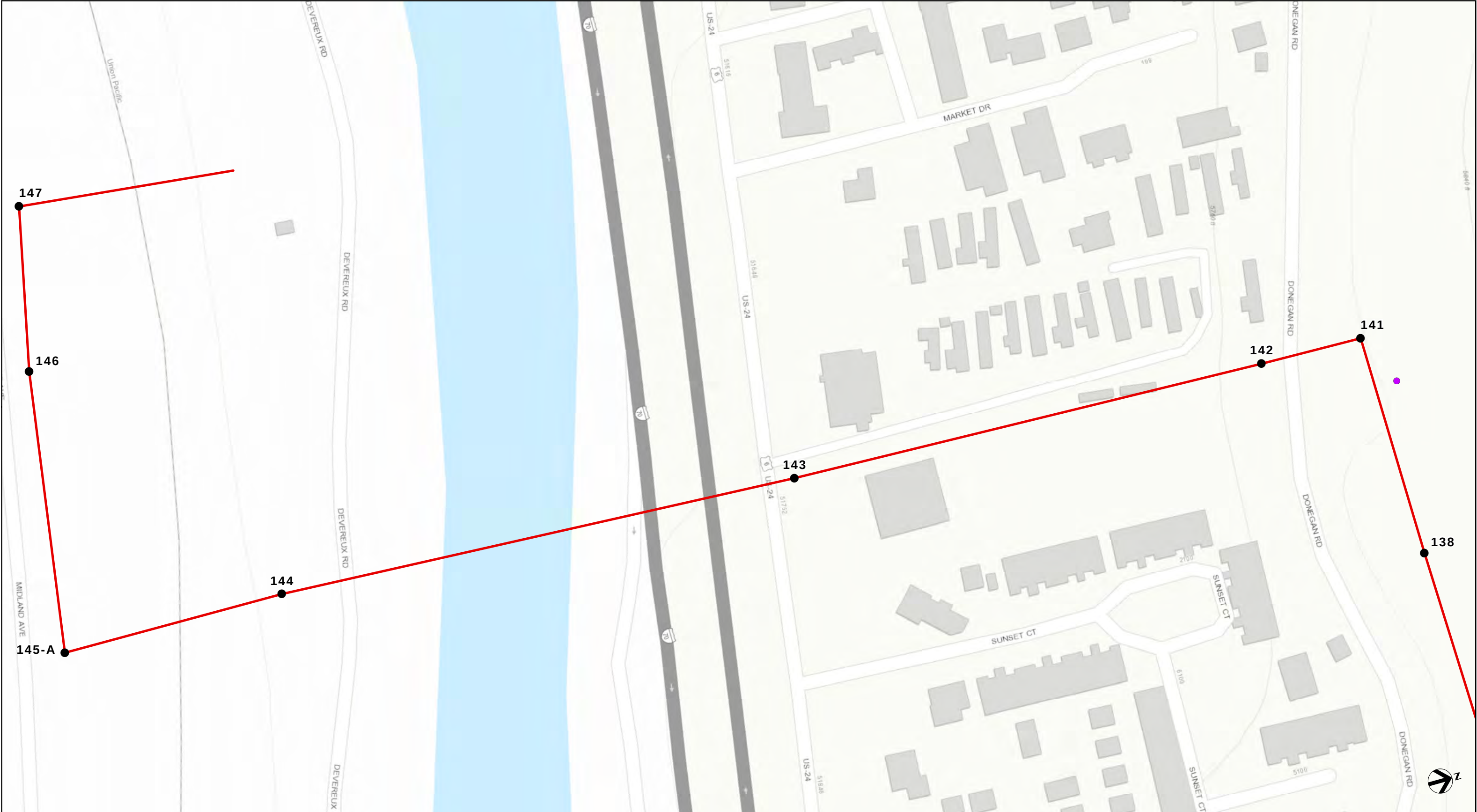
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Appendix A. Figures

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 	XCEL 6584 NOXIOUS WEED SURVEY OVERVIEW DATE: JANUARY 2023	● PROPOSED STRUCTURE LOCATION — ALIGNMENT 0 860 1,720 FEET 1 INCH EQUALS 850 FEET
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**XCEL 6584 NOXIOUS
WEED SURVEY**

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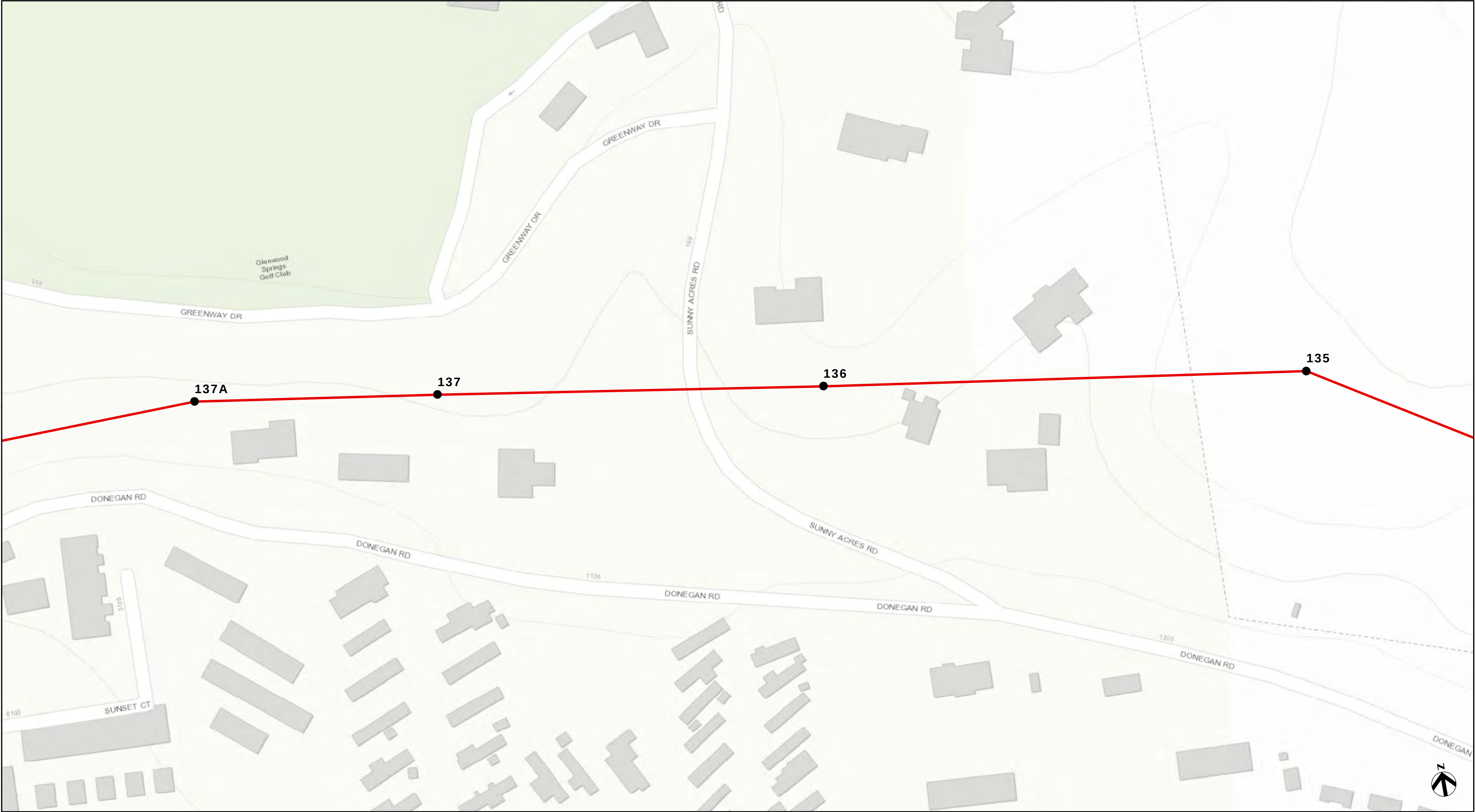
DATE: JANUARY 2023

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MYRTLE SPURGE DENSITIES, # OF INDIVIDUALS	
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●	101-999

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1 INCH EQUALS 100 FEET



**XCEL 6584 NOXIOUS
WEED SURVEY**

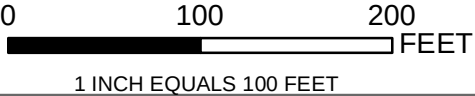
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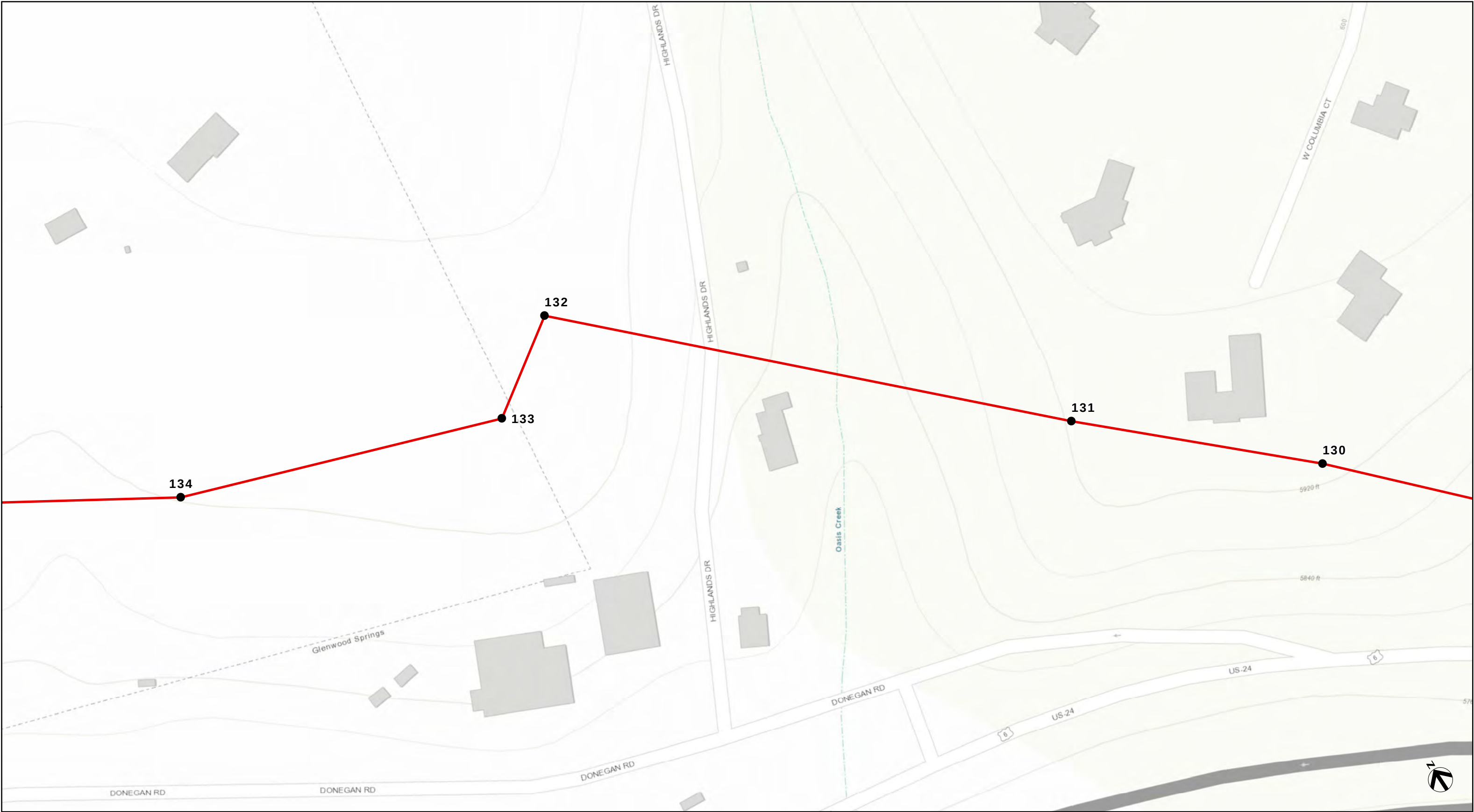
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MYRTLE SPURGE DENSITIES, # OF INDIVIDUALS

● 1-20 ● 101-999



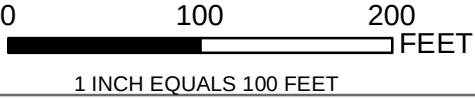


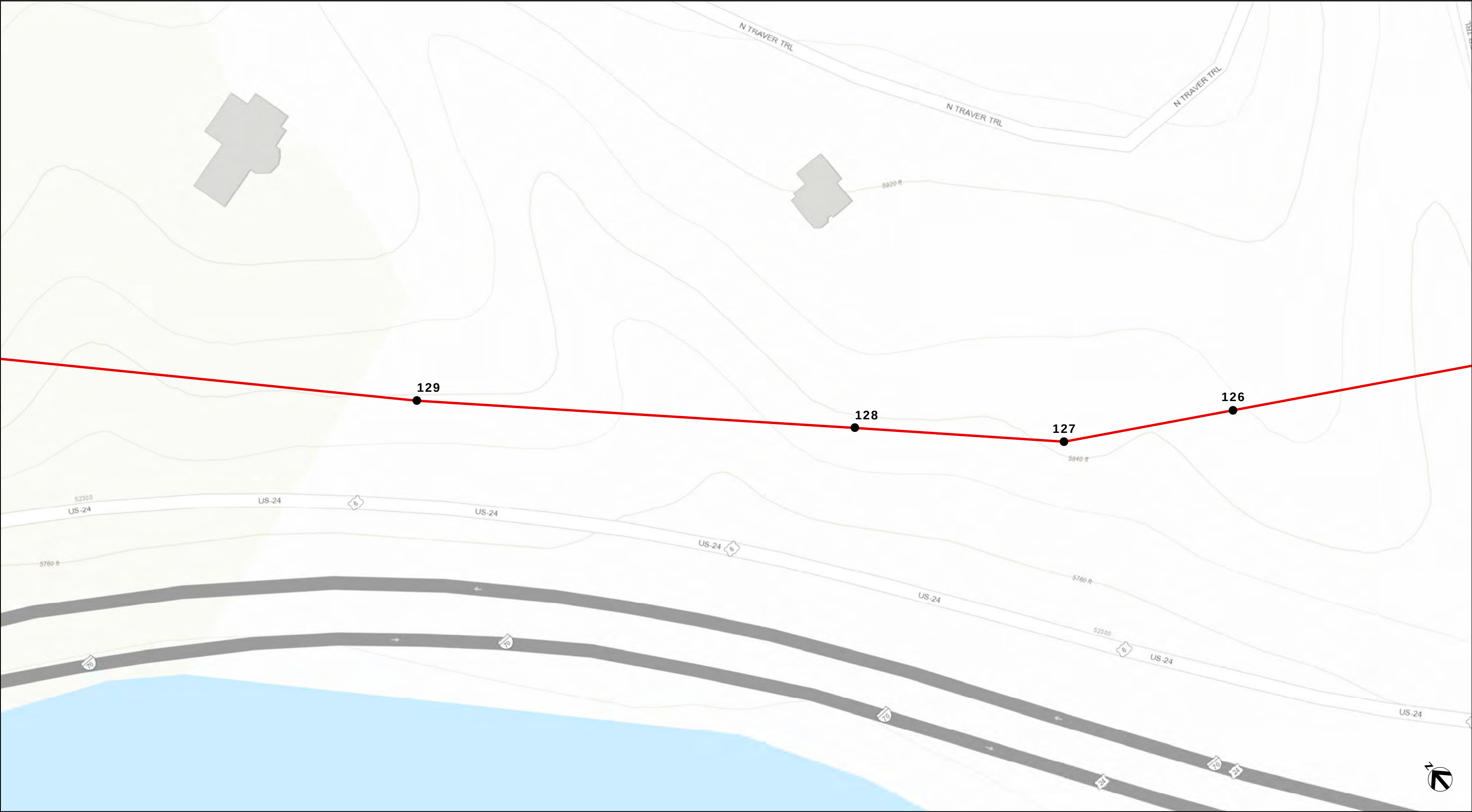
**XCEL 6584 NOXIOUS
WEED SURVEY**

LIST A SPECIES

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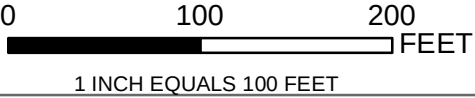
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- MYRTLE SPURGE DENSITIES, # OF INDIVIDUALS**
- 1-20 ● 101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**
LIST A SPECIES
DATE: JANUARY 2023

● PROPOSED STRUCTURE LOCATION
MYRTLE SPURGE DENSITIES, # OF INDIVIDUALS
● 1-20 ● 101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**

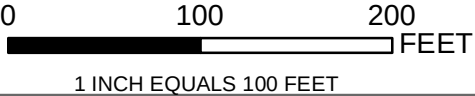
LIST A SPECIES

DATE: JANUARY 2023

● PROPOSED STRUCTURE LOCATION

MYRTLE SPURGE DENSITIES, # OF INDIVIDUALS

● 1-20 ● 101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**

LIST A SPECIES

DATE: JANUARY 2023

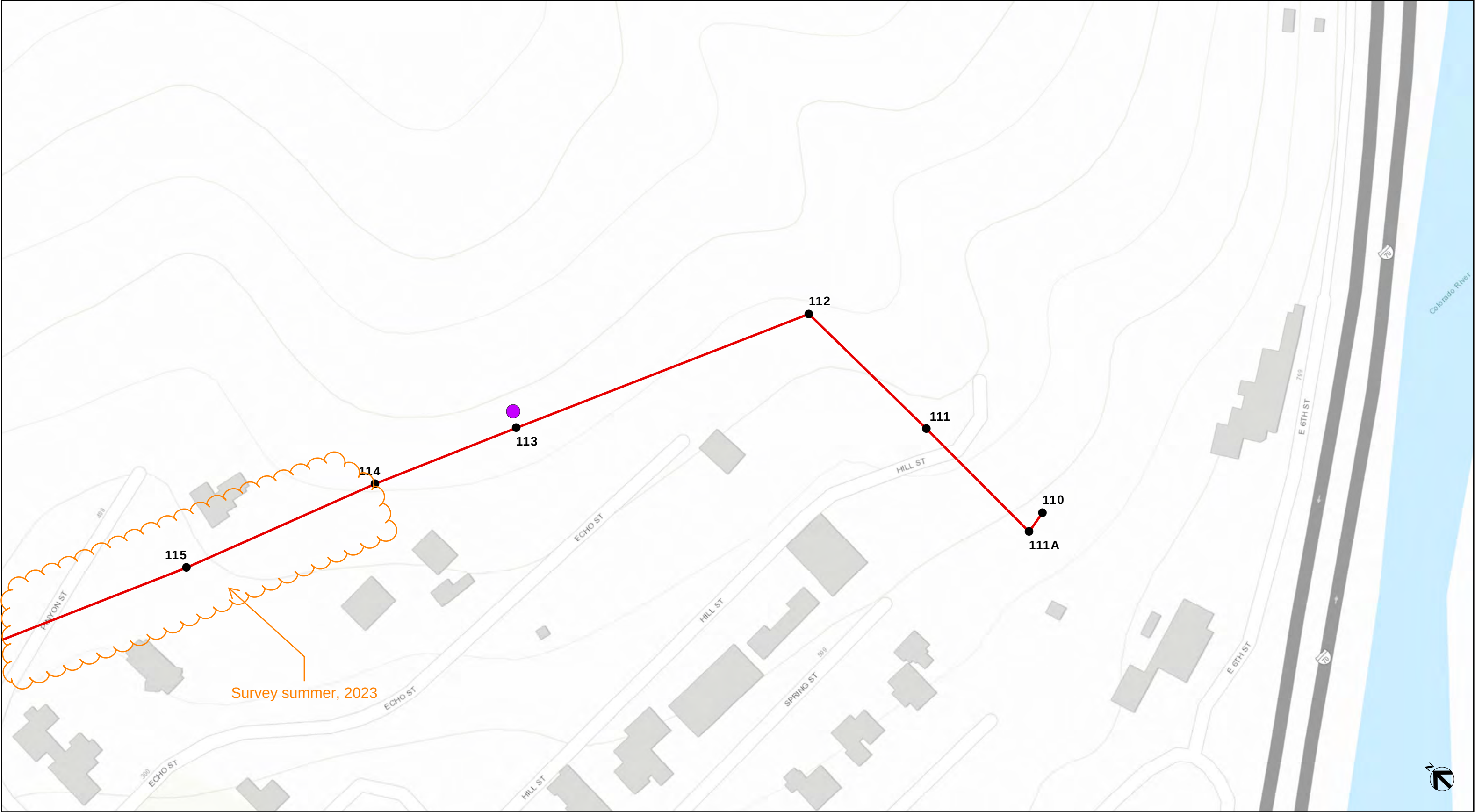
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MYRTLE SPURGE DENSITIES, # OF INDIVIDUALS

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1 INCH EQUALS 100 FEET



**XCEL 6584 NOXIOUS
WEED SURVEY**

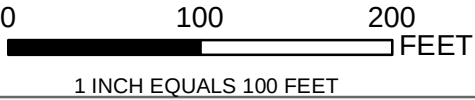
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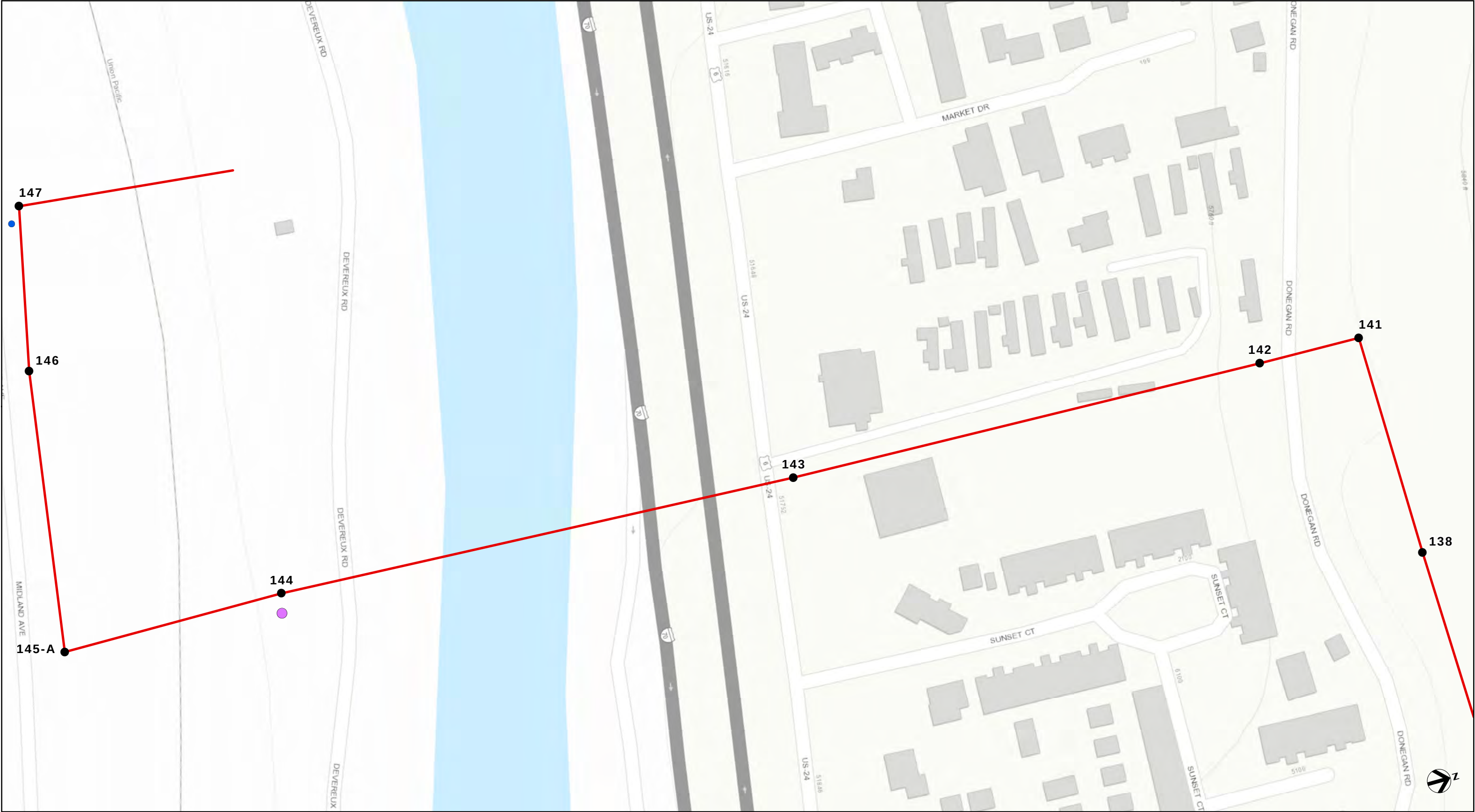
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● PROPOSED STRUCTURE LOCATION

MYRTLE SPURGE DENSITIES, # OF INDIVIDUALS

● 1-20 ● 101-999





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WEED SURVEY**

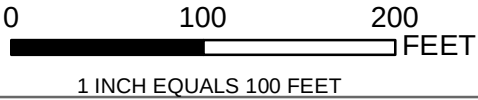
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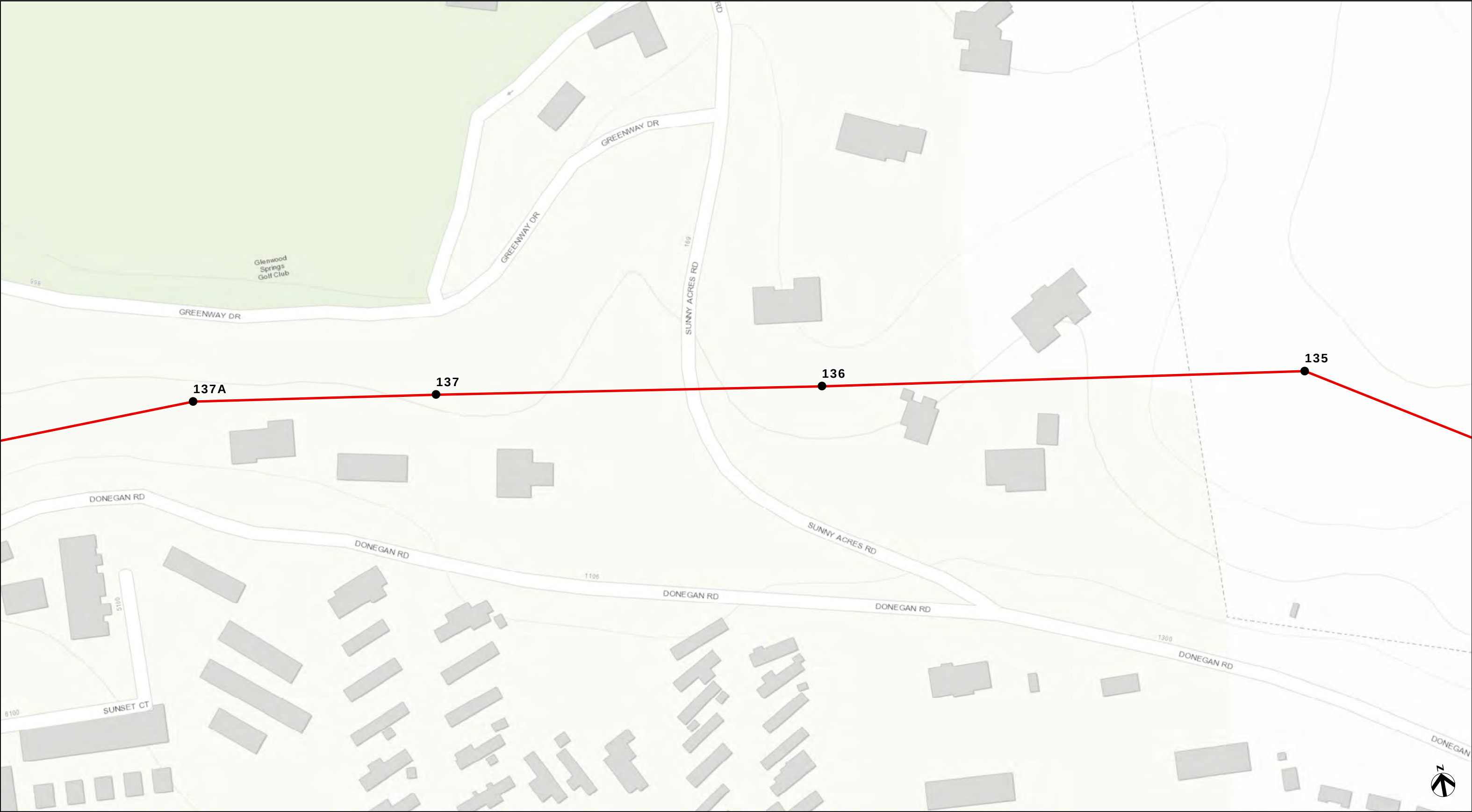
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| ● CHINESE CLEMATIS | ● RUSSIAN OLIVE |
| ● DALMATIAN TOADFLAX | ● SCOTCH THISTLE |
| ● MUSK THISTLE | |

SPECIES DENSITIES, # OF INDIVIDUALS

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1-20	21-100	101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**

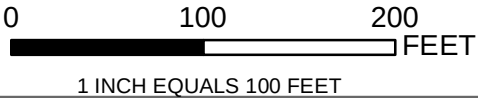
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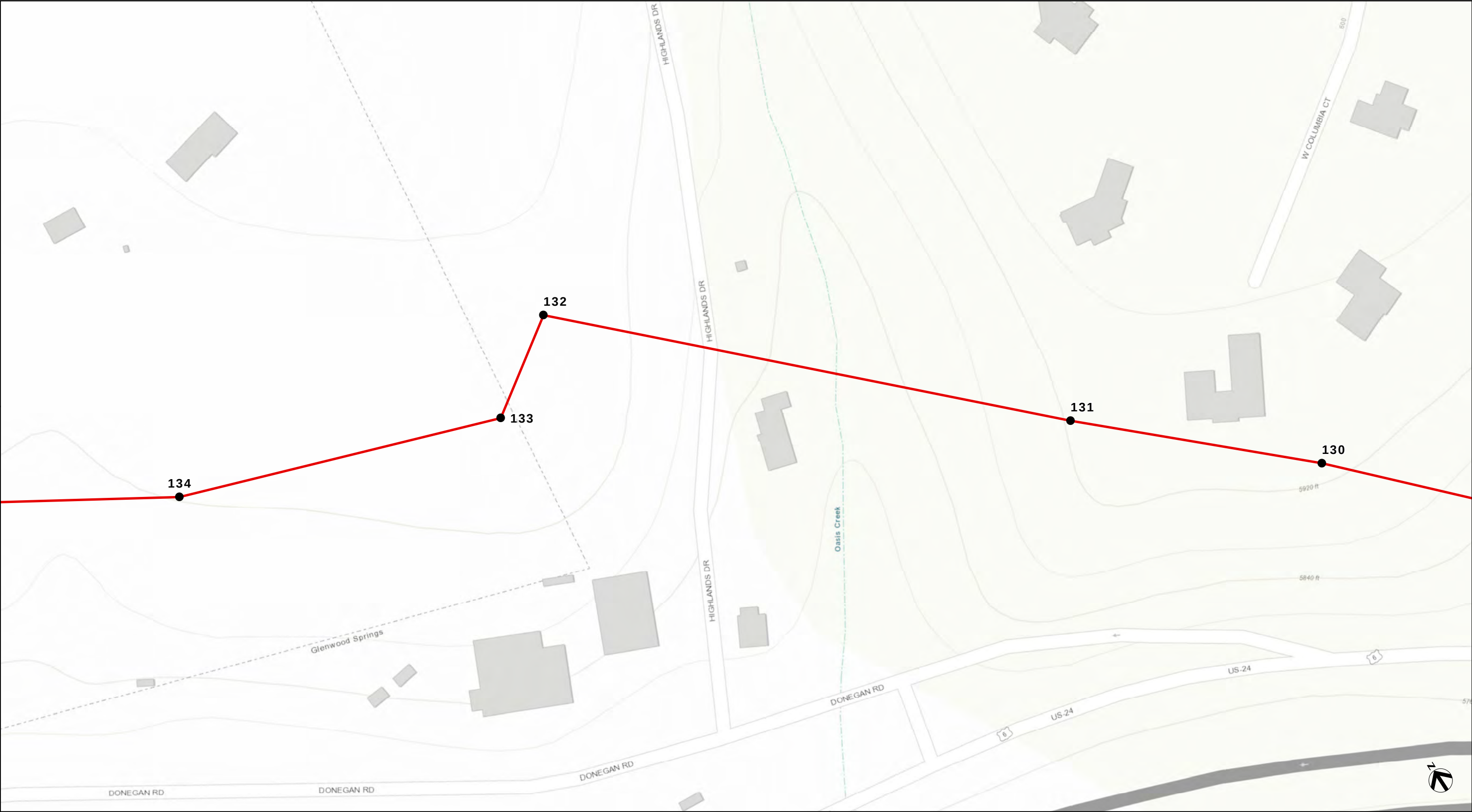
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| ● CHINESE CLEMATIS | ● RUSSIAN OLIVE |
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| ● MUSK THISTLE | |

SPECIES DENSITIES, # OF INDIVIDUALS

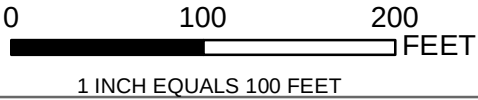
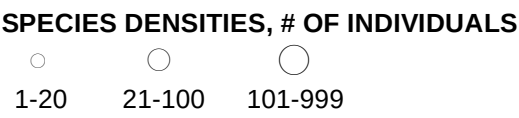
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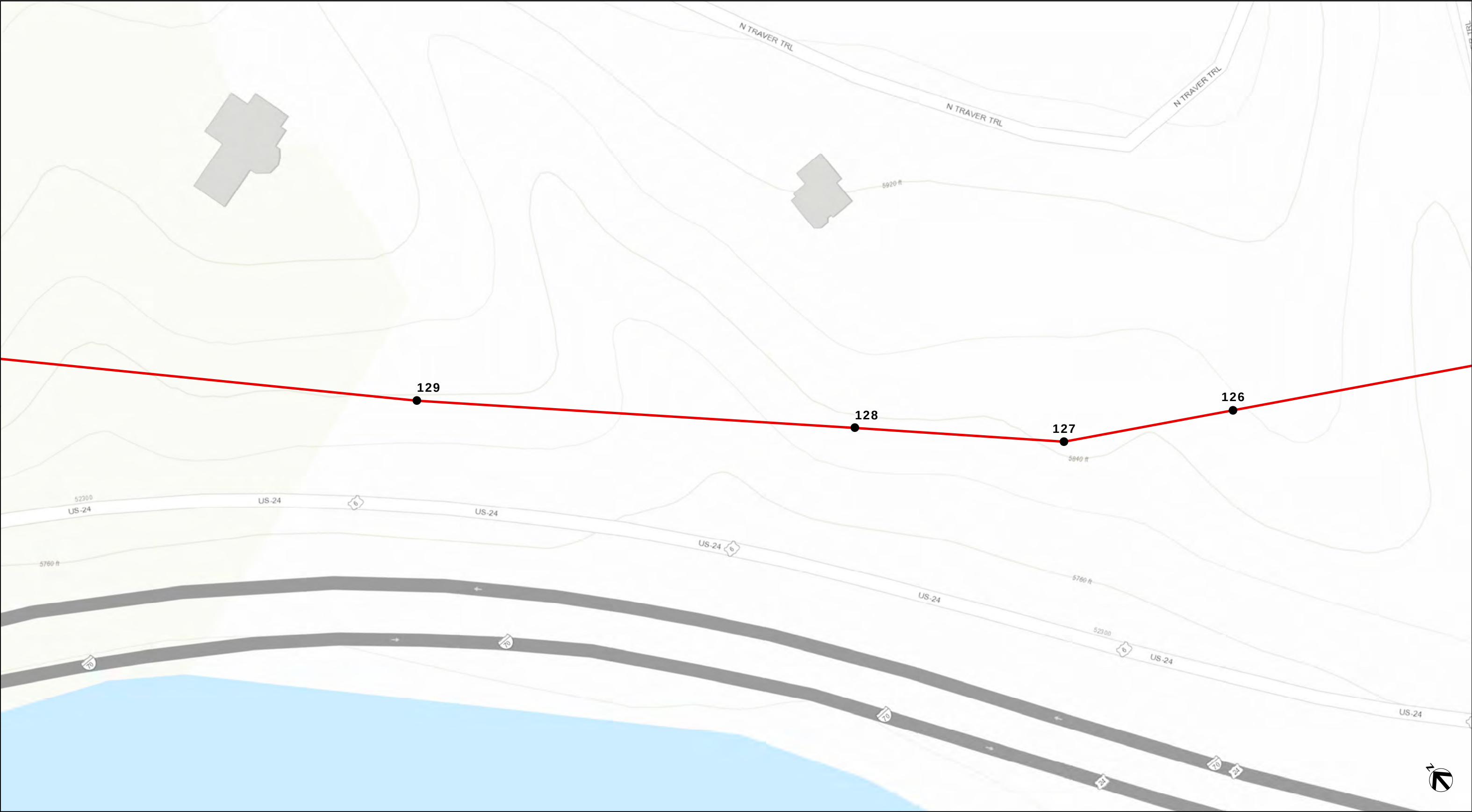




XCEL 6584 NOXIOUS WEED SURVEY
LIST B SPECIES
DATE: JANUARY 2023

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| ● CHINESE CLEMATIS | ● RUSSIAN OLIVE |
| ● DALMATIAN TOADFLAX | ● SCOTCH THISTLE |
| ● MUSK THISTLE | |





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WEED SURVEY**

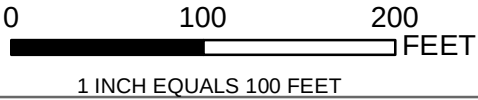
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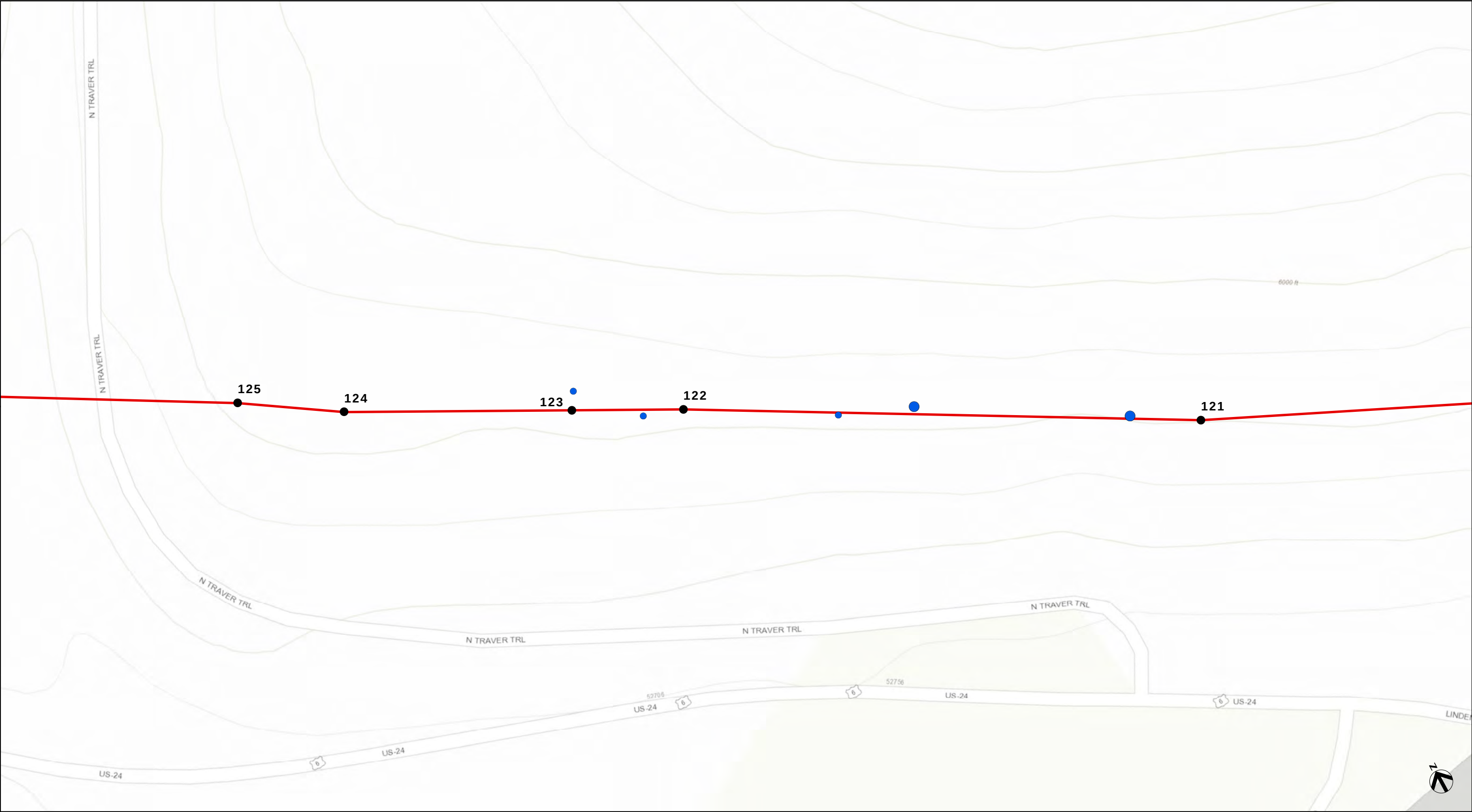
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- RUSSIAN KNAPWEED
- CHINESE CLEMATIS
- RUSSIAN OLIVE
- DALMATIAN TOADFLAX
- SCOTCH THISTLE
- MUSK THISTLE

SPECIES DENSITIES, # OF INDIVIDUALS

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WEED SURVEY**

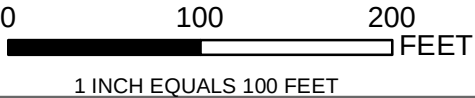
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| ● DALMATIAN TOADFLAX | ● SCOTCH THISTLE |
| ● MUSK THISTLE | |

SPECIES DENSITIES, # OF INDIVIDUALS

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1-20	21-100	101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**

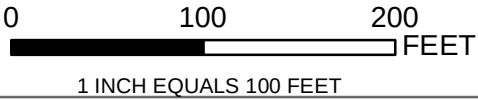
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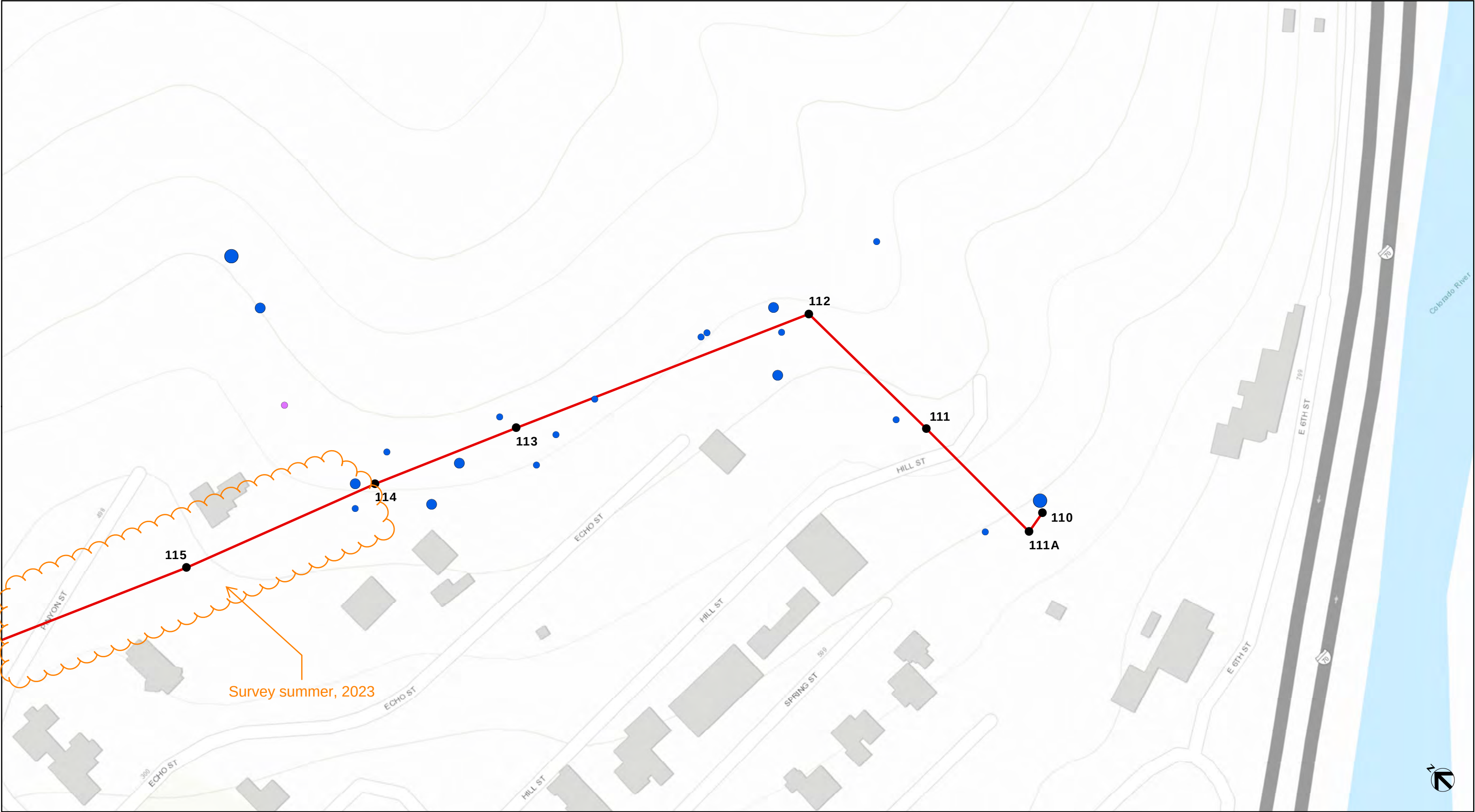
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| ● DALMATIAN TOADFLAX | ● SCOTCH THISTLE |
| ● MUSK THISTLE | |

SPECIES DENSITIES, # OF INDIVIDUALS

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**XCEL 6584 NOXIOUS
WEED SURVEY**

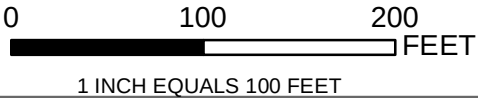
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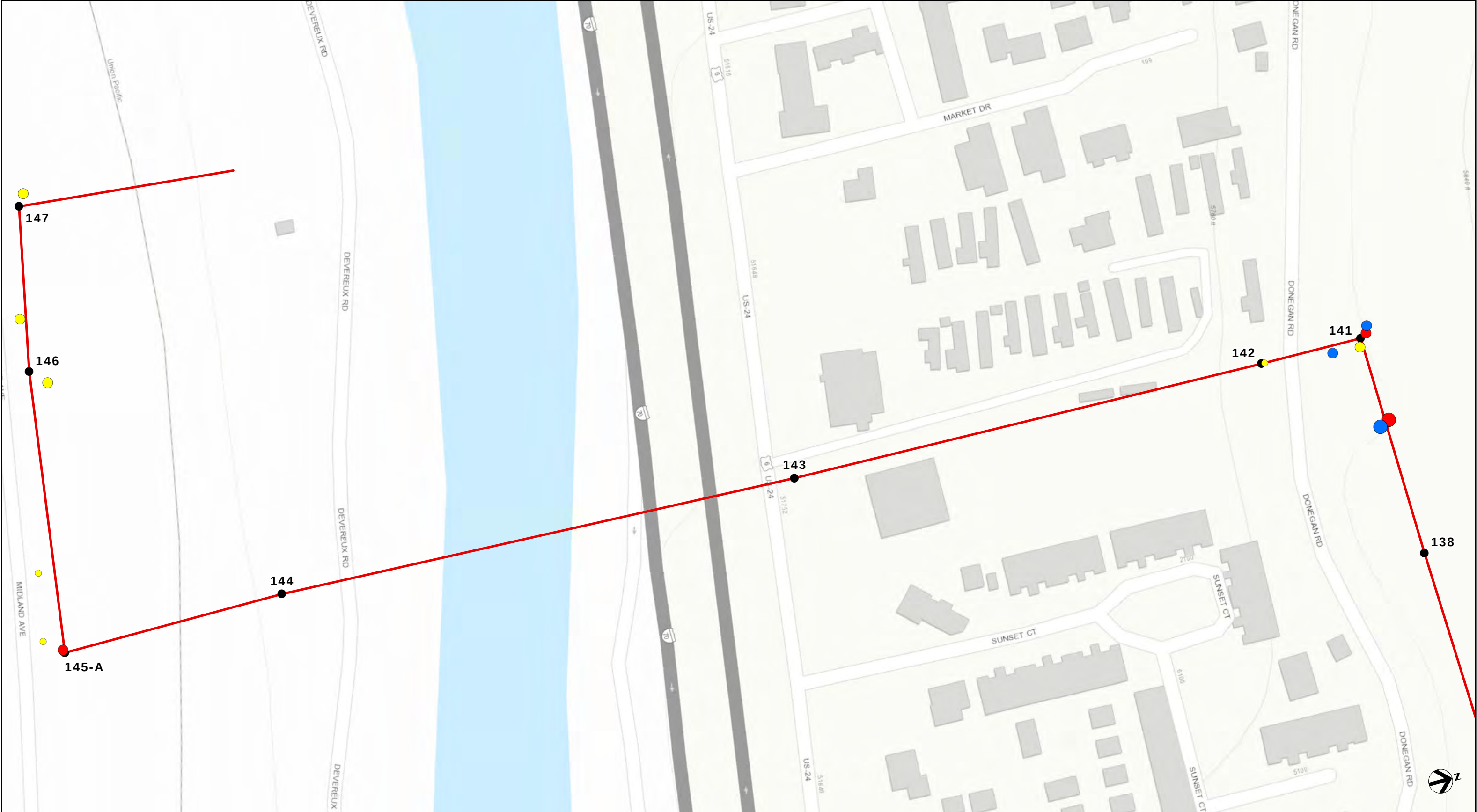
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| ● CHINESE CLEMATIS | ● RUSSIAN OLIVE |
| ● DALMATIAN TOADFLAX | ● SCOTCH THISTLE |
| ● MUSK THISTLE | |

SPECIES DENSITIES, # OF INDIVIDUALS

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1-20	21-100	101-999







XCEL 6584 NOXIOUS WEED SURVEY

LIST C SPECIES

DATE: JANUARY 2023

●

PROPOSED STRUCTURE LOCATION

●

CHEATGRASS

●

COMMON MULLEIN

●

FIELD BINDWEED

●

HALOGETON

●

REDSTEM FILLAREE

SPECIES DENSITIES, # OF INDIVIDUALS

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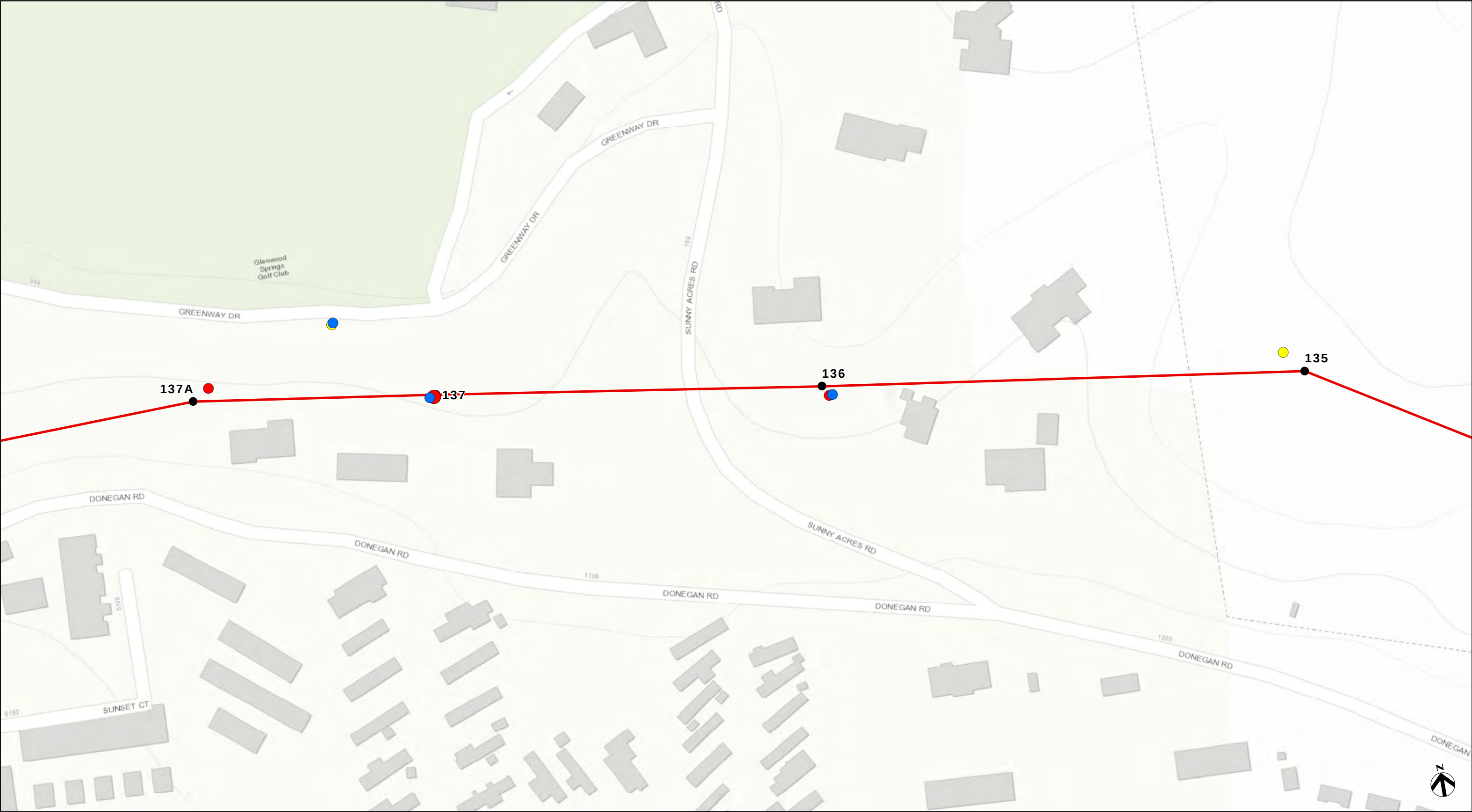
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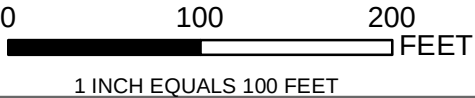


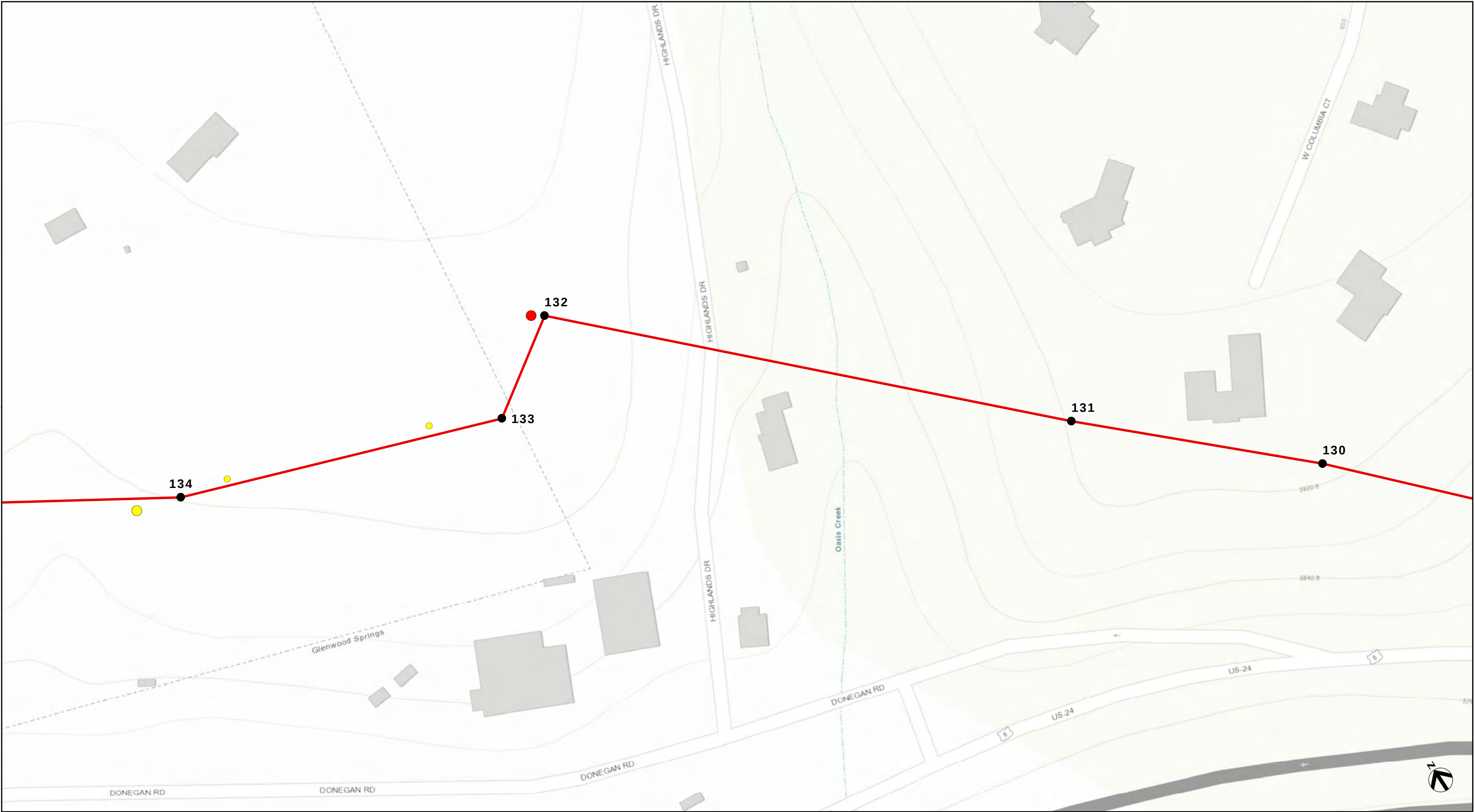
XCEL 6584 NOXIOUS WEED SURVEY
LIST C SPECIES
DATE: JANUARY 2023

- PROPOSED STRUCTURE LOCATION
- CHEATGRASS
- COMMON MULLEIN
- FIELD BINDWEED
- HALOGETON
- REDSTEM FILLAREE

SPECIES DENSITIES, # OF INDIVIDUALS

○	○	○
1-20	21-100	101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**

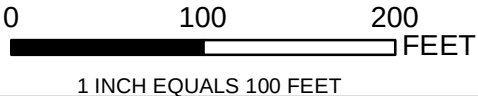
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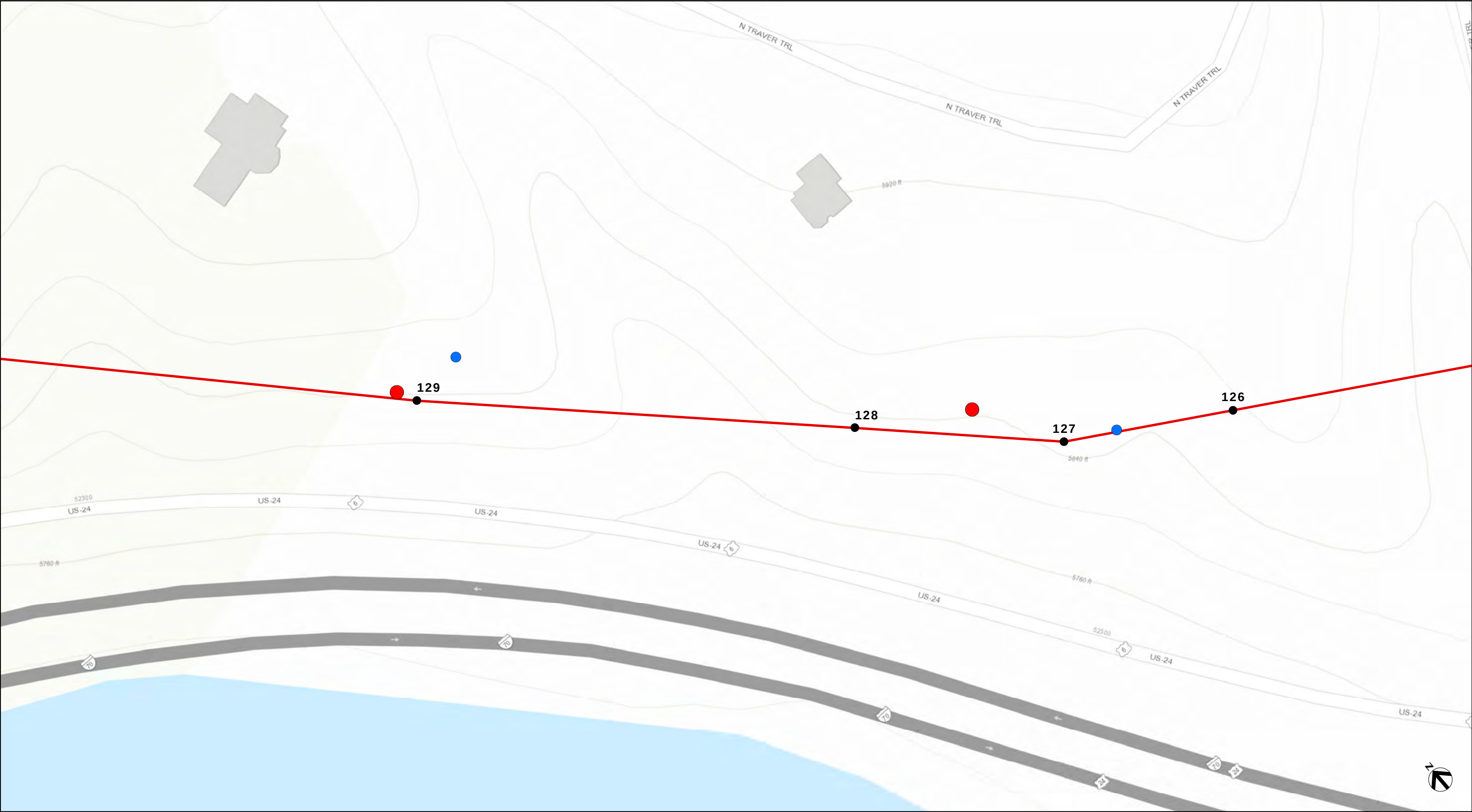
DATE: JANUARY 2023

- PROPOSED STRUCTURE LOCATION
- CHEATGRASS
- COMMON MULLEIN
- FIELD BINDWEED
- HALOGETON
- REDSTEM FILLAREE

SPECIES DENSITIES, # OF INDIVIDUALS

○ 1-20 ○ 21-100 ○ 101-999



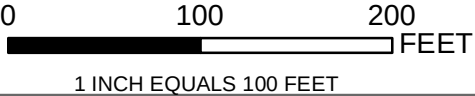


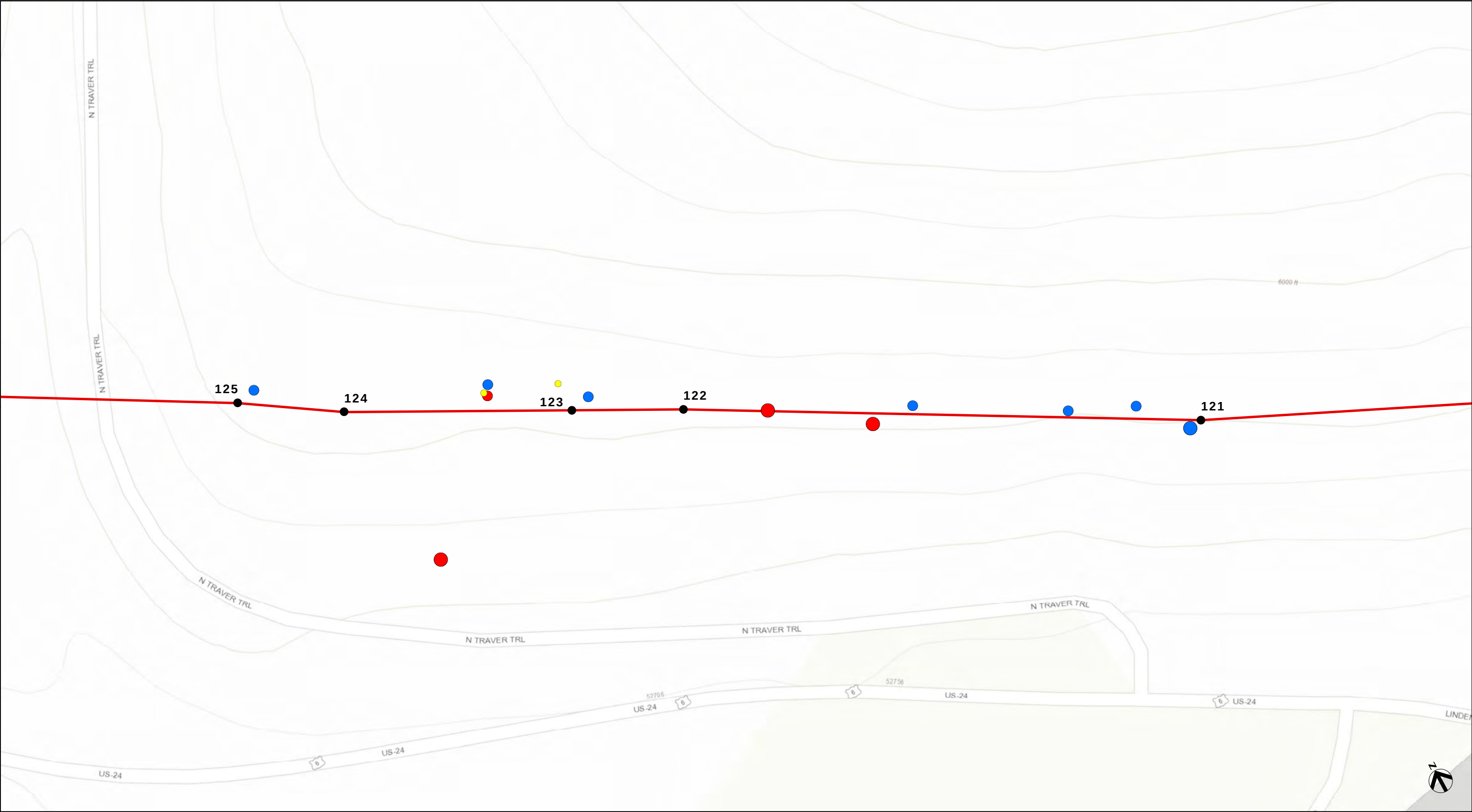
XCEL 6584 NOXIOUS WEED SURVEY
LIST C SPECIES
DATE: JANUARY 2023

- PROPOSED STRUCTURE LOCATION
- CHEATGRASS
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- REDSTEM FILLAREE

SPECIES DENSITIES, # OF INDIVIDUALS

○	○	○
1-20	21-100	101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**

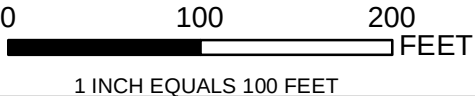
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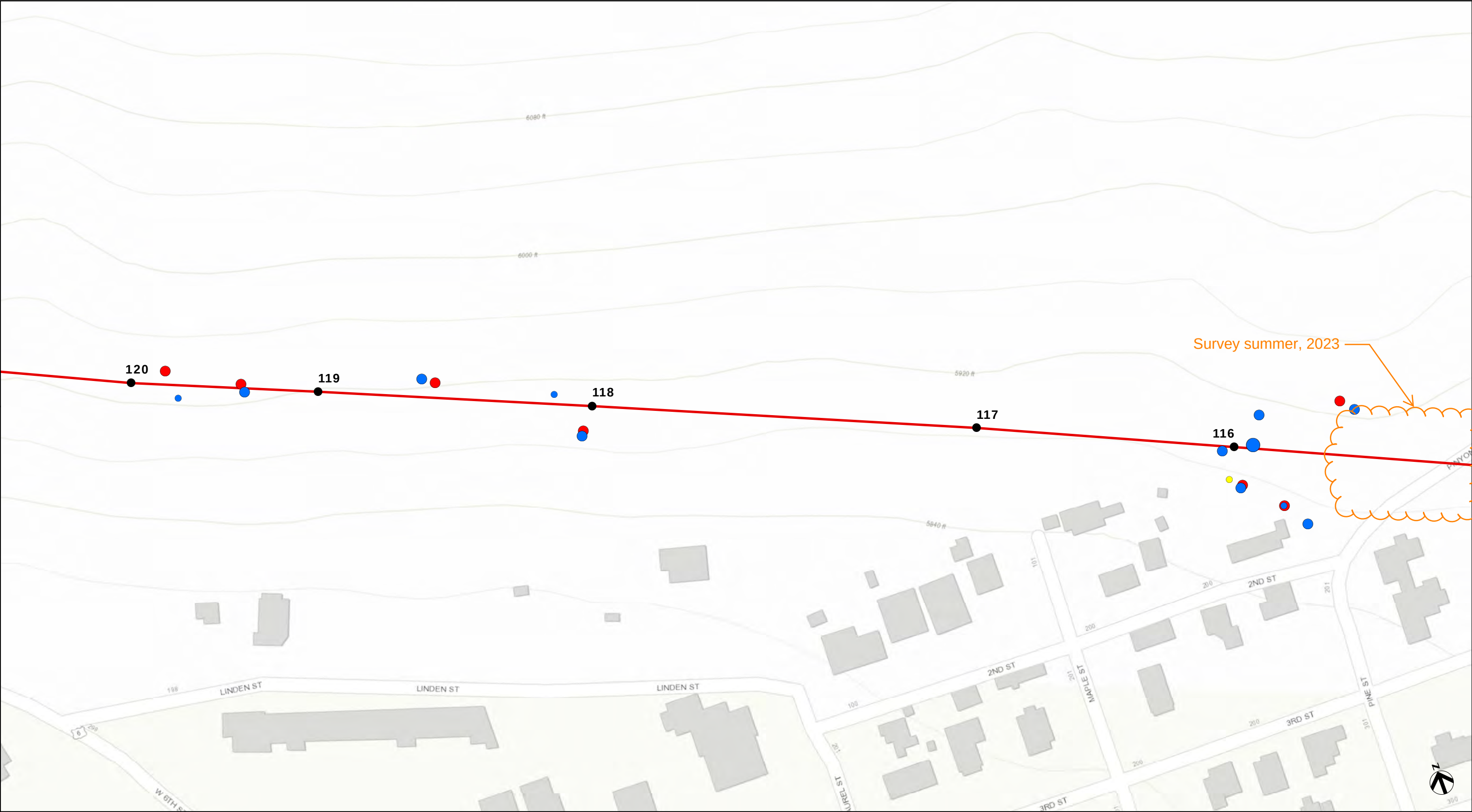
DATE: JANUARY 2023

- | | |
|-------------------------------|--------------------|
| ● PROPOSED STRUCTURE LOCATION | ● FIELD BINDWEED |
| ● CHEATGRASS | ● HALOGETON |
| ● COMMON MULLEIN | ● REDSTEM FILLAREE |

SPECIES DENSITIES, # OF INDIVIDUALS

○	○	○
1-20	21-100	101-999





**XCEL 6584 NOXIOUS
WEED SURVEY**

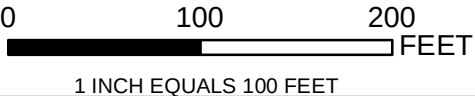
LIST C SPECIES

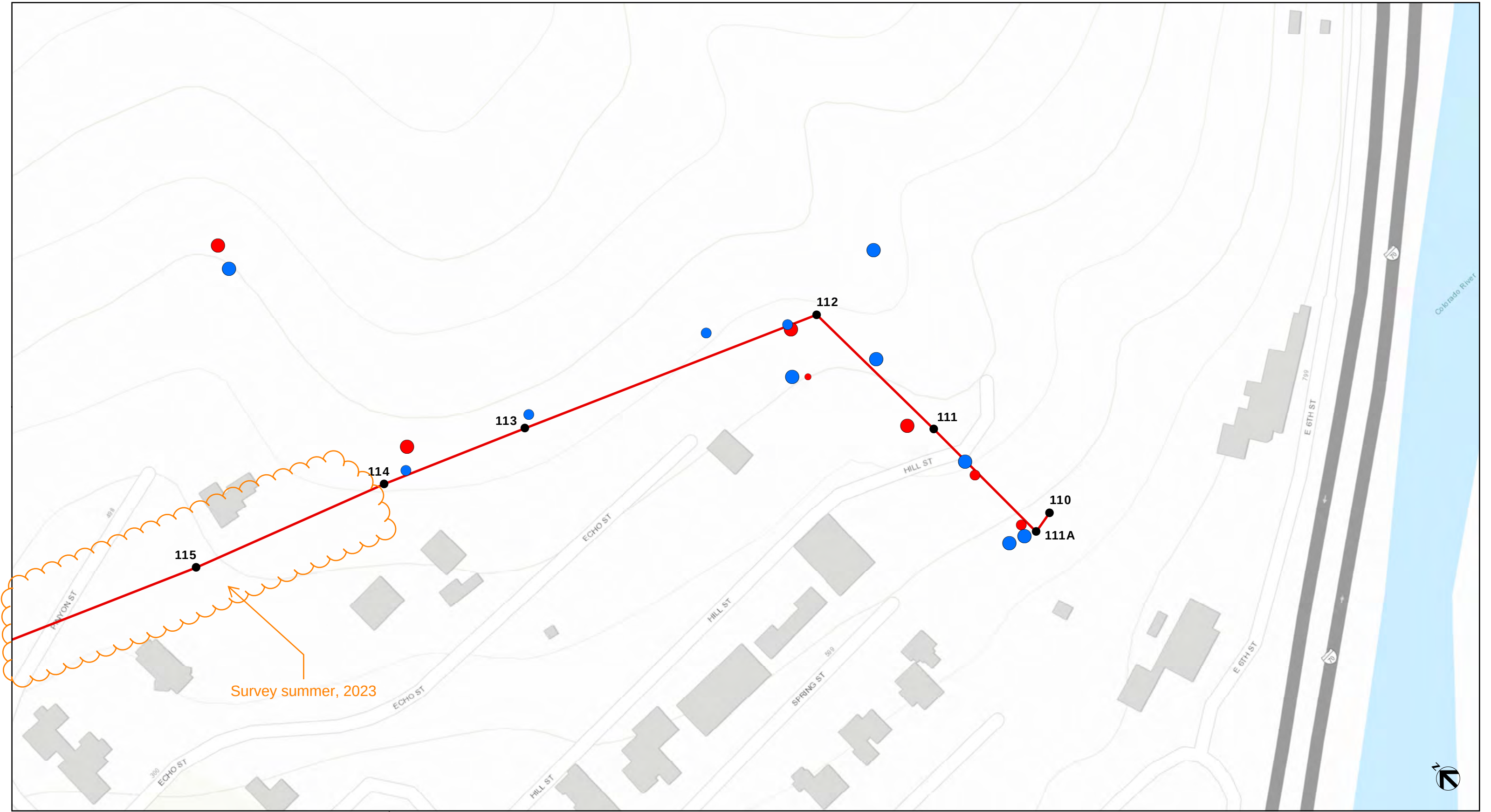
DATE: JANUARY 2023

- PROPOSED STRUCTURE LOCATION
- CHEATGRASS
- COMMON MULLEIN
- FIELD BINDWEED
- HALOGETON
- REDSTEM FILLAREE

SPECIES DENSITIES, # OF INDIVIDUALS

○	○	○
1-20	21-100	101-999





XCEL 6584 NOXIOUS WEED SURVEY

LIST C SPECIES

DATE: JANUARY 2023

● PROPOSED STRUCTURE LOCATION	● FIELD BINDWEED	SPECIES DENSITIES, # OF INDIVIDUALS		
● CHEATGRASS	● HALOGETON	○ 1-20	○ 21-100	○ 101-999
● COMMON MULLEIN	● REDSTEM FILLAREE			

0

100

200

FEET

1 INCH EQUALS 100 FEET

Appendix B. Representative Photographs

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Photo 1

Date Taken: October 2021

Native Gambel oak near STR 113



Photo 2

Date Taken: October 2021

Native pinyon-juniper habitat near STR 119



Photo 3

Date Taken: October 2021

Steep slope near STR 122



Photo 4

Date Taken: October 2021

Steep slope with native grasses near STR 123



Photo 5

Date Taken: October 2021

Steep slope near STR 126



Photo 6

Date Taken: October 2021

Myrtle spurge (List A) species near ROW

Appendix C Plant List

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Plant Species Observed in the Project Survey Area During the October 2021 Field Survey

Scientific Name	Common Name	Noxious weed Indicator*
<i>Achnatherum hymenoides</i>	Indian Ricegrass	-
<i>Agropyron cristatum</i>	Crested wheatgrass	-
<i>Ambrosia psilostachya</i>	Western ragweed	-
<i>Amelanchier alnifolia</i>	Saskatoon serviceberry	-
<i>Artemisia frigida</i>	Fringed sage	-
<i>Artemisia ludoviciana</i>	Western mugwort	-
<i>Artemisia tridentata</i>	Big sagebrush	-
<i>Asclepias subverticillata</i>	Horsetail milkweed	-
<i>Bassia scoparia</i>	Kochia	-
<i>Bromus inermis</i>	Smooth brome	-
<i>Bromus tectorum</i>	Cheatgrass	C
<i>Bouteloua gracilis</i>	Blue grama	-
<i>Carduus nutans</i>	Musk thistle	B
<i>Cercocarpus montanus</i>	Mountain mahogany	-
<i>Clematis orientalis</i>	Chinese clematis	B
<i>Convolvulus arvensis</i>	Field bindweed	C
<i>Elaeagnus angustifolia</i>	Russian olive	B
<i>Ericameria nauseosa</i>	Rubber rabbitbrush	-
<i>Erodium cicutarium</i>	Redstem fillaree	C
<i>Erioogonum</i> sp.	Buckwheat	-
<i>Euphorbia myrsinite</i>	Myrtle spurge	A
<i>Grindelia squarrosa</i>	Curly cup gumweed	-
<i>Helianthus annuus</i>	Common sunflower	-
<i>Heterotheca villosa</i>	Hairy golden aster	-
<i>Juniper</i> sp.	Juniper	-
<i>Linaria dalmatica</i>	Dalmatian toadflax	B
<i>Lycium barbarum</i>	Matrimony vine	-
<i>Malva neglecta</i>	Cheeseweed	-
<i>Marrubium vulgare</i>	Horehound	-
<i>Mentzelia</i> sp.	Blazingstar	-
<i>Onopordum acanthium</i>	Scotch thistle	B
<i>Opuntia</i> sp.	Prickly pear	-
<i>Pascopyrum smithii</i>	Western wheatgrass	-
<i>Penstemon</i> dp.	Penstemon	-
<i>Physalis virginiana</i>	Virginia ground cherry	-
<i>Pinus pinyon</i>	Pinyon juniper	-
<i>Quercus gambelii</i>	Gambel's oak	-
<i>Rhaponticum repens</i>	Russian knapweed	B
<i>Rhus aromatica</i>	Fragrant sumac	-
<i>Salsola tragus</i>	Russian thistle	-
<i>Taraxacum officinale</i>	Common dandelion	-
<i>Ulmus pumila</i>	Siberian elm	Watch list
<i>Verbena bracteata</i>	Prostrate vervain	-
<i>Verbascum thapsus</i>	Common mullein	C

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Appendix D. Noxious Weed Fact Sheets

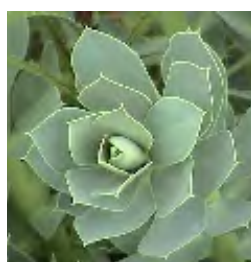
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Myrtle spurge

Colorado Department of
Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

(303) 869-9030
weeds@state.co.us



Key ID Points

1. Low growing plant with blue-green, waxy leaves.
2. Flowers are yellow-green petal like bracts that appear from March to May.

Myrtle spurge Identification and Management



Identification and Impacts

Myrrtle spurge (*Euphorbia myrsinites*) is a low growing perennial with trailing fleshy stems. The leaves are fleshy, blue-green and alternate. Flowers are inconspicuous with yellow-green, petal-like bracts that appear from March to May. Myrtle spurge spreads by seed and plants are capable of projecting seeds up to 15 feet. The plant grows from a taproot, with new stems emerging in early spring and dying back in the winter. Plants can grow up to 8-12 inches high and 12-18 inches in width.

Myrrtle spurge contains a toxic, milky sap which can cause severe skin irritations, including blistering. This plant is poisonous if ingested; causing nausea, vomiting and diarrhea. Wearing gloves, long sleeves, shoes, and eye protection is highly recommended when in contact with myrtle spurge, as all plant parts are considered poisonous.

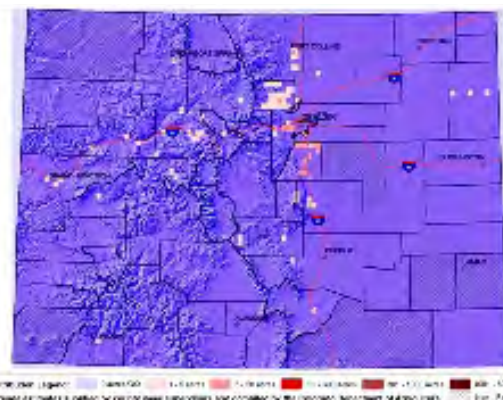
Myrrtle spurge is an invasive Ornamental that is native to Eurasia. It is popular with xeriscapes and rock gardens, preferring sunny to partly sunny areas and well drained soils. Myrtle spurge rapidly escapes gardens and invades sensitive ecosystems, out competing native

vegetation and reducing wildlife forage. Alternatives to planting myrtle spurge include native plants such as sulphur flower (*Erigeron umbellatus*), Kinnikinnick (*artocostaphylos uvursi*), or creeping mahonia (*Mahonia repens*). The soil seed reserve of myrtle spurge is estimated to be eight years. The site must be monitored for at least nine years after the last flowering adult plants have been eliminated and treatments repeated when necessary.

The key to effective control of myrtle spurge is to remove plants prior to seed set and to detect and remove new populations in natural areas early on. Small areas can be easily removed by mechanical means but should be done early to prevent triggering seed launching. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Myrrtle spurge is designated as a "List A" species in the Colorado Noxious Weed Act. It is designated for statewide eradication. For more information visit www.colorado.gov/ag/weeds and click on the Noxious Weed Management Program. Or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.

Map of myrtle spurge infestation.



Photos © Kelly Uhing, Colorado Department of Agriculture and (above) Crystal Andrews, Colorado Department of Agriculture.

Euphorbia myrsinites



CULTURAL

Keeping desirable vegetation healthy and thick will help keep invaders out. Prevent the establishment of new infestations by minimizing disturbance and seed dispersal. Survey your land regularly to detect new invaders and eradicate any new populations quickly.



BIOLOGICAL

Biocontrol is not an approved method of control for State List A species. Eradication as the management objective for all List A species. For more information on insect biocontrol in Colorado, please contact the Palisade Insectary of the Colorado Department of Agriculture at 970-464-7916



MECHANICAL

Hand pull or dig when soil is moist. Make certain to pull all the roots and wear rubber gloves and eye protection to protect yourself from the toxic milky sap. Treatment follow up is important to check root fragment resprouts that will occur when the tap root is severed too shallow.

Integrated Weed Management:

Since Myrtle spurge spreads mainly by seed, it is very important to prevent seed production and deplete the seed bank. Remove mature plants prior to setting seed and seedlings whenever present.

Populations can be managed mechanically and by spot treatment of herbicides. It is important to be persistent with follow up treatments for many years.

Myrtle spurge

HERBICIDES

NOTE: The following are recommendations for herbicides that can be applied to range and pasturelands. Rates are approximate and based on equipment with an output of 30 gal/acre. Please read label for exact rates. **Always read, understand, and follow the label directions. The herbicide label is the LAW!**

Herbicide	Rate	Application Timing
2,4-D ester	2 qt./acre + 1% v/v methylated seed oil	Use a 2,4-D ester formulation that has a 4.0 lbs. active ingredient/acre. Apply during spring or during fall regrowth.
Dicamba + 2,4-D	1 pint/acre dicamba + 2-3 pints/acre 2,4-D (amine or ester)	Use a 2,4-D formulation that has a 4 lbs. active ingredient/gallon. Apply during spring or during fall regrowth.
Picloram (Tordon/Picloram 22K - Restricted use pesticide) + 2,4-D	20 oz./acre + 2-3 pints/acre 2,4-D (amine or ester)	Apply at flowering growth stage during spring or to fall regrowth. DO NOT use near trees, desirable shrubs, water, or high water table.
Additional herbicide recommendations for other species can be found at: https://goo.gl/VFPCUV		





that can grow to become independent plants. Once rosettes emerge in the spring, remaining root buds slough-off until they develop again in late summer. Additionally, root fragments can develop into new plants.

Russian knapweed is allelopathic, which means it contains a toxic substance that inhibits the growth of competing plants. This weed may also be toxic to horses resulting in serious injury or possibly death of the animal. Russian knapweed displaces native vegetation and reduces forage values on range and pasturelands.

Habitat for Russian knapweed includes roadsides, ditch banks, riparian zones, pastures, rangeland, saline soils, clear cuts, and cropland. It typically invades degraded areas and sites with full sun.

The most effective method of control for Russian knapweed is to prevent its establishment through proper land management. Maintain healthy pastures and rangeland and continually monitor your property for new infestations. If Russian knapweed is already established, using an integrated weed management approach proves to be effective. Russian knapweed can be managed with herbicides or biocontrol insects, but long-term control must include planting competitive plant species to occupy bare ground once infested by the weed. Details on the back of this sheet can help to create a management plan compatible with your site ecology.



© Steve Dewey USU



Black, scaly root



Russian knapweed

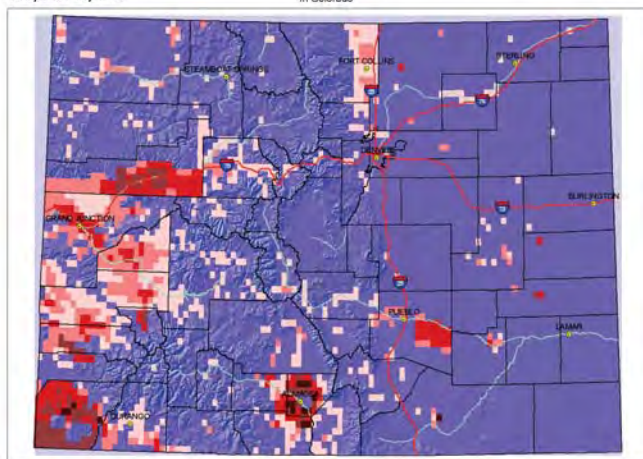
Acroptilon repens

2008 Quarter Quad Survey

Russian knapweed
Acroptilon repens

2008 Quarterquad Survey
Distribution and Abundance
in Colorado

132,466+ Infested Acres



Distribution Legend: 0 ACRES/QUAD 1-5 6-50 51-300 301-1000 1001-5000
Acreage estimates supplied by county weed supervisors and compiled by the Colorado Department of Agriculture

Russian knapweed is designated as a "List B" species in the Colorado Noxious Weed Act. It is required to be either eliminated, contained, or suppressed depending on the local infestations. For more information, visit www.colorado.gov/ag/weeds and click on the Noxious Weed Program link or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-869-9030.

Key ID Points

1. Distinguished from other knapweeds by the flower's smooth, papery bracts.
2. Roots are brown to black with scaly appearance.
3. Rosettes and lower leaves deeply lobed.
4. Upper leaves are smaller, smooth margined, and not lobed.

Integrated Weed Management Recommendations

The most effective control for Russian knapweed is to prevent its establishment through proper land management. An integrated weed management approach can be effective when dealing with Russian knapweed. It can be managed with herbicides or insects, but long-term control must include planting competitive plant species to occupy bare ground once infested by the weed.



CULTURAL

Maintain healthy pastures and prevent bare spots caused by overgrazing. Bare ground is prime habitat for weed invasions. Establishing sod-forming grasses or vegetation with dense shade can be an effective cultural control of Russian knapweed. Contact your local Natural Resources Conservation Service for seed mix recommendations.

BIOLOGICAL

The gall midge, *Jaapiella ivannikovi*, is a fly that lays eggs in the shoot tips of Russian knapweed. It forms galls that reduce flowering, seed production, and stunts the plants' growth. This biocontrol will stress the stand of Russian knapweed but will not likely eliminate it. The Colorado Department of Agriculture - Palisade Insectary, 970-464-7916, is currently establishing this biocontrol. It is not yet available to the public.

MECHANICAL

Mowing several times before the plants bolt stresses Russian knapweed and forces it to use nutrient reserves stored in the root system. However, mowing alone will not eliminate the infestation and it can stimulate shoot sprouting the following year. Mowing combined with a fall herbicide application will enhance control. Tilling and disking can create root fragments that can sprout. However, repeated deep tillage (1 foot) over 3 years can kill much of the root system.

CHEMICAL

The following are recommendations for herbicides that can be applied to range and pasturelands. Always read, understand, and follow the label directions. Please read label for exact rates. The herbicide label is the LAW!

Herbicide	Rate	Application Timing
Aminopyralid* (Milestone)	7 oz. product/acre + 0.25% v/v non-ionic surfactant	Apply in the fall when above-ground stems die back and root buds are highly susceptible. Can also apply in the bud to senescence stages or in the spring during early bolt before flower buds form.
Aminocyclopyrachlor + Chlorsulfuron (Perspective)*	4-5 oz. product/acre + 1% v/v methylated seed oil	Apply in the fall when above-ground stems die back and root buds are highly susceptible. Can also apply in the bud to senescence stages or in the spring during early bolt before flower buds form. IMPORTANT: Applications greater than 5.5 oz. product/acre exceeds the threshold for selectivity. DO NOT treat in the root zone of desirable trees and shrubs. Not for use on grazed or feed forage. Not for use on grazed or feed forage.
Note: *Product not permitted for use in the San Luis Valley. **This herbicide has residual soil activity that will affect all broadleaf seedlings germinating after application has occurred. Additional herbicide recommendations for this and other species can be found at: goo.gl/TvWnv9		

Russian knapweed

Acroptilon repens



© Bruce Ackley, OH State University

Musk thistle *Carduus nutans* L. is a non-native biennial forb that reproduces solely by seed. During the first year of growth, a rosette forms in spring or fall. During the second year in mid to late spring, the stem bolts, flowers, sets seed, and the plant dies.

Musk thistle can grow up to 6 feet tall. The leaves have spines, are waxy, and dark green in color with a prominent light green to white midrib that can be seen from a distance. Leaves are dentately lobed; leaf bases sometimes extend down below the point of attachment. The terminal flower heads are purple, large in size (1.5 to 3 inches in diameter) and bend over as if nodding. These flower heads are made up of only disk flowers. They are surrounded by numerous, wide and stout lance-shaped, spine-tipped bracts that resemble an open pineapple. The pappus has

plumose bristles that appear barbed under magnification. Musk thistle produces many flower heads. The tallest shoots flower first; lateral shoots develop in leaf axils. A robust plant may produce 100 or more flowering heads. Reproduction is usually via out-crossing through insect pollination, but self-pollination also occurs. Flowers emerge in May through September. Seeds develop shortly after flowers emerge. Flower buds can contain viable seeds from self-pollination. Seeds can mature on severed bud and flower heads. Seeds remain viable in the soil for up to about 14 years. Seeds can germinate and emerge from spring through fall.

Musk thistle habitat is found in a variety of environments extending from shortgrass prairie to alpine. It is strongly associated with heavily disturbed sites, where over-use occurs or where site conditions are poor due to land management practices. This includes over-grazed areas, large fires, trails, ditches and roadsides. Infested livestock pasturs suffer from significantly decreased carrying capacity.

Because musk thistle reproduces solely from seed, the key for successful management is to prevent seed production. Once flowers emerge and start to produce seed, effective management options will become limited. Once sites are infested, musk thistle can form dense stands. Prevention, adjusting land management practices, a robust integrated treatment plan and restoration are critical to eliminating this species.

Musk thistle is designated as a "List B" species in the Colorado Noxious Weed Act. It is required to be eradicated; some populations may be contained or suppressed depending on state regulations. For management directions for each county, refer to the most recent Rule, or visit www.colorado.gov/ag/weedcontacts for details.



© Chris Evans, University of IL



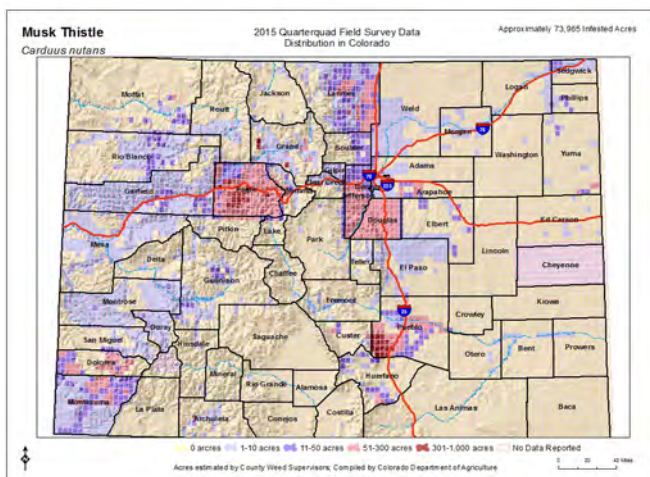
© Les Mehrhoff, DiscoverLife.org



Musk thistle

Carduus nutans L.

2015 Quarter Quad Survey



Key ID Points

1. Leaf with white midrib and leaf margins with spines.
2. Pappus with plumose barbed bristles.
3. Wide, stout lance-shaped bracts with spiny tips.

Integrated Weed Management Recommendations

Musk thistle *Carduus nutans* L.

Effective integrated management means using a variety of eradication methods that also includes restoration, prevention of seed production and dispersal, and monitoring. Maintain robust healthy native landscapes and restore degraded sites. Avoid soil disturbance. As with most biennials, prevent seed production in the first and second year of musk thistle growth. Prevent seed from dispersing, such as on contaminated equipment. Rest sites until they are effectively restored. Change land use practices. Use methods appropriate for the site.



© Norman E. Rees, USDA Ag Research Service

CULTURAL CONTROL METHODS

Musk thistle is not tolerant of competition and needs light to germinate seeds. Cultural methods should aim to maintain or restore a competitive assemblage of forbs, cool and warm season grasses. Implement whole site restoration of soils, plants and water regimes where stands of musk thistle exist where needed. Use locally adapted species that are ecologically appropriate for the site to improve competitiveness. Include annual as well as perennial species. Incorporate soil amendments, soil microbes and mycorrhizal fungi in restoration and land management efforts. Minimize soil compaction and disturbance, especially in wetlands and moist soil. Irrigation can increase competitive species.



© Eric Coombs, OR Dept of Agriculture

BIOLOGICAL CONTROL METHODS

Although horses, cattle, goats and sheep may eat flower heads on a few plants, seeds pass through their digestive tracks unaltered and spread. The leaf and stalk spines can cause domestic livestock to avoid mature musk thistle. Thus, musk thistle can become an "increaser" in over-grazed systems. Properly managed grazing can improve vigor of desired species and indirectly reduce musk thistle. *Trichosirocalus horridus* is the only biological control agent available for musk thistle in Colorado. The other species, *Rhinocyllus conicus*, is not host specific and will damage native thistles, and therefore cannot be released as an agent in Colorado. For more information, visit the Colorado Department of Agriculture's Palisade Insectary website at www.colorado.gov/ag/biocontrol.



© Friends of NV Wilderness Stewardship Team

MECHANICAL CONTROL METHODS

Methods, such as tilling, hoeing and digging, are best for infestations smaller than 0.5 acres; weigh this against other plants present, ecology and site condition. Sever roots below the soil surface during the first year before the plant stores energy, and in the second year before flower production. Mowing, chopping and deadheading stimulates more flower production; these methods require consecutive years of season-long treatments. All flowerbuds and heads must be collected, bagged, and disposed of or destroyed; seeds will mature and germinate if left on the ground. Prescribed fire that results in high soil burn severity damage roots and above ground biomass, but is not recommended due to impacts on desired plants. Fire generally favors musk thistle germination.

CHEMICAL

NOTE: The following are recommendations for herbicides that can be applied to pastures and rangeland. Rates are approximate and based on equipment with an output of 30 gal/acre. Follow the label for exact rates. Always read, understand, and follow the label directions. The herbicide label is the LAW!

HERBICIDE	RATE	APPLICATION TIMING
Aminopyralid* (Milestone)	6 oz./acre + 0.25% v/v non-ionic surfactant	Apply in spring rosette to early bolting growth stages or in fall to rosettes. *Product not permitted for use in the San Luis Valley.
Chlorsulfuron** (Telar)	1-2.6 oz. product/acre + 0.25% v/v non-ionic surfactant	Apply in spring from rosette through very early flower growth stages. (Can prevent viable seed formation if applied no later than the first viable flowers begin to open.) **This herbicide has residual soil activity that will affect all broadleaf seedlings germinating after application has occurred.
Clopyralid (Transline)	0.67-1.33 pints product/acre + 0.25% v/v non-ionic surfactant	Apply to rosettes through flower bud stage in spring, or to fall rosettes.



Colorado Department of Agriculture - Conservation Services

305 Interlocken Parkway

Broomfield, CO 80021

(303) 869-9030

www.colorado.gov/ag/weeds



Chinese clematis

Colorado Department of
Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

(303) 869-9030
weeds@state.co.us

Chinese clematis Identification and Management



The key to effective control of Chinese clematis is preventing the plants from going to seed. Pulling the woody stem prior to flowering can be an effective control. Chemical treatments are also effective when dealing with Chinese clematis. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Chinese clematis is designated as a "List B" species in the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local infestations. For more information visit www.colorado.gov/ag/weeds and click on the Noxious Weed Management Program. Or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.

Identification and Impacts

Chinese clematis (*Clematis orientalis*) is a herbaceous to woody vined perennial that is native to Eurasia. It is an escaped ornamental species that is a deciduous climber growing up to 12 feet. Solitary flowers have four yellow sepals (petal-like structures) that are often nodding. Each flower produces numerous feathery, long-tailed fruits which are conspicuous all winter. The plant flowers from August to September.

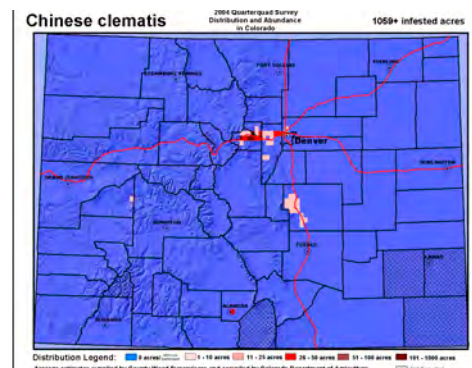
Habitats for Chinese clematis include roadsides, riparian corridors and rocky slopes. It is sometimes found in open woods. Plants prefer sunny areas but have shown to be somewhat shade tolerant. Chinese clematis prefers well-drained soils.

Chinese clematis can cause death to young trees and brush. It outcompetes native shrubs and herbaceous species. Plants will completely cover; rock walls, trees, bushes and fences. The juice of freshly crushed leaves and stems have blister causing agents.



Key ID Points

1. Solitary flowers with four yellow sepals.
2. A herbaceous to woody vine climbing perennial.

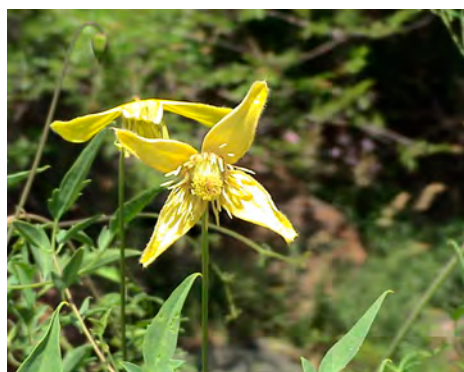


**CULTURAL**

Cultural controls are possible in theory, but are very time consuming and expensive. Complete removal of any seedlings or newly established plants by continual hand pulling is also possible.

**BIOLOGICAL**

There is no biological control available for Chinese clematis. Since biological control agents take years to research, develop and release, no releases are expected in the foreseeable future. For more information, contact the Palisade Insectary of the Colorado Department of Agriculture at 970-464-7916.

**MECHANICAL**

Hand pull or dig when soil is moist. Make certain to pull all the roots and bag specimens carefully so as to not scatter seeds if flowering.

Integrated Weed Management:

The most effective control method for dealing with Chinese clematis is preventing the plant from going to seed. Pulling the plant from the ground, by the woody stem, prior to the plant flowering is the most effective control. Chinese clematis also responds well to chemical treatments.

HERBICIDES

NOTE: The following are recommendations for herbicides that can be applied to range and pasturelands. Rates are approximate and based on equipment with an output of 30 gal/acre. Please read label for exact rates. Always read, understand, and follow the label directions. The herbicide label is the LAW!

Herbicide	Rate	Application Timing
2,4-D amine	2 qts. product/acre at 4.0 lb active ingredient/gallon of product + 0.25% v/v non-ionic surfactant	Apply anytime when the plant is actively growing. Will damage neighboring brush species, if present.
Imazapic (Plateau, Panoramic)	12 oz. product/acre + 1 qt./acre methylated seed oil	Apply in the fall at flowering growth stage.
Aminopyralid (Milestone)	4 oz. product/acre + 0.25% v/v non-ionic surfactant	Apply at flowering growth stage in the fall.
Additional herbicide recommendations for other species can be found at: goo.gl/TvWnv9		

Top to bottom photos, © (Top 2 photos) Stevens County (Washington State) Noxious Weed Control Board; and bottom photo David Hallinan, Bannock County Weed Superintendent, Idaho Weed Awareness Campaign.

Chinese clematis





reddish, and have surfaces coated with gray and scaly pubescence, becoming smooth.

Once thought to be a beneficial windbreak tree, it since has been deemed detrimental to the environment. Russian olive can grow in a variety of soil and moisture conditions, but prefers open, moist, riparian zones. It is shade tolerant and can be found along streams, floodplains, fields and open areas up to approximately 8,000 feet in elevation. Russian-olive can outcompete native plants, interfere with natural plant succession and nutrient cycling, and tax water reserves. Because Russian olive is capable of fixing nitrogen in its roots, it can grow on bare, mineral substrates and dominate riparian vegetation. Although Russian olive provides a plentiful source of edible fruits for birds, ecologists have found that bird species richness is actually higher in riparian areas dominated by native vegetation.

The key to effective control of Russian olive is preventing establishment of the trees or shrubs. If plants are already present, control options include cut-stump treatments and mechanical mowing. These treatments depend on size and location of the plant. Details on the back of this sheet can help you create a management plan compatible with your site ecology.

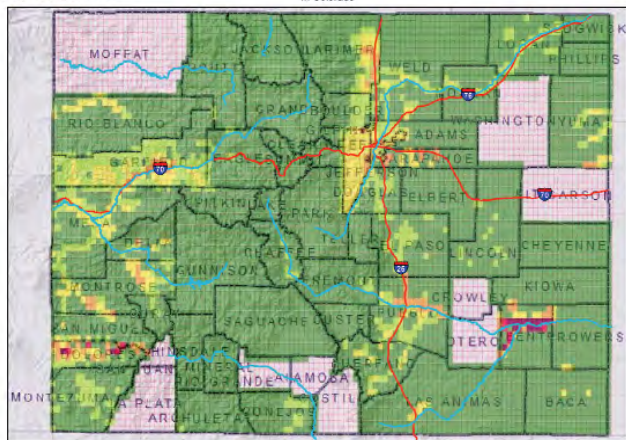


Russian olive *Elaeagnus angustifolia*

Russian Olive
Elaeagnus angustifolia

2013 Quarterquad Survey
Distribution and Abundance
In Colorado

64,150+ Infested Acres



Russian olive is redesignated as a “List B” species in the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local infestations. For more information visit www.colorado.gov/ag/weeds and click on the Noxious Weed Management Program. Or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.

Key ID Points

1. Leaves are silvery white.
2. Branches have 1 to 2 inch thorns.
3. Yellow-red fruits on mature plants.
4. Mature trees have shedding, reddish-brown bark.

Integrated Weed Management Recommendations

Integrated weed management offers the most effective combination of control efforts through the “cut stump” treatment. Trees are cut down with a hatchet or chainsaw, then immediately treated with an approved herbicide on the surface of the cut stump. The most effective timing is late summer/early fall for herbicide transfer into the roots.



© John Randall, TNC



© James Miller, USFS



© Chris Ness, Adams County



© Scott Peterson, USDA

CULTURAL

Replace Russian olives with native trees. Prevent establishment of new trees by removing seedlings and saplings before they mature. Contact your local Natural Resources Conservation Service for recommendations of other possible trees or shrubs.

BIOLOGICAL

Tubercularia canker is an unapproved biocontrol. However, it overwinters on infected stems and spreads via rain-splash, animals, or pruning implements to open wounds in the bark. Infected tissue becomes discolored or sunken. Entire stems may be girdled and killed, and the disease can deform or kill stressed plants over time.

MECHANICAL

Saplings can be pulled with a weed-wrench or cut with brush-cutters. Trees can be girdled or cut with chainsaws. However, stump sprouting commonly occurs after cutting down the tree; and stump excavation without removing all parts of the roots can result in root sprouting. Treating cut-stumps with an herbicide can eliminate sprouting. Stump burning is practical when conditions support a long, hot fire and most effective in summer or early fall. Saplings are most sensitive to mechanical treatment.

CHEMICAL

The table below includes recommendations for herbicides that can be applied to range and pasturelands. Always read, understand, and follow the label directions. The herbicide label is the LAW!

Herbicide	Rate	Application Timing
Triclopyr (Garlon 4, Remedy)	20-30% solution in basal bark oil. The herbicide Pathfinder comes pre-mixed in oil and does not require dilution.	Cut-Stump Treatment: Apply to the cambial layer of the tree immediately after the cut-stump treatment and to roots above soil surface. (Summer to fall; fall treatments showed fewer re-growth) Basal Bark Treatment: Spray till wet but not dripping; the roots above soil surface, root collar, and lower trunk to a height of 12-15 inches above ground (Late summer to fall)
Glyphosate* (Rodeo - approved aquatic label)	Undiluted (100% solution) or 50% solution in basal bark oil	Cut-Stump Treatment: Apply to the cambial layer of the tree immediately after the cut-stump treatment and to roots above soil surface. Diluted solutions requires regular agitation. Treat summer to fall; fall treatments showed fewer re-growth.

Note: *These products are non-selective and will kill any vegetation contacted.

Additional herbicide recommendations for this and other species can be found at:

goo.gl/TvWnv9

Russian olive

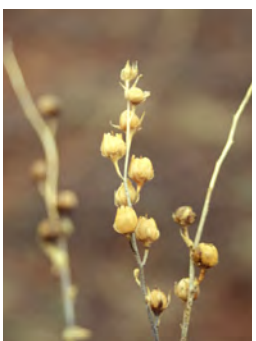
Elaeagnus angustifolia

Dalmatian toadflax

Colorado Department of
Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

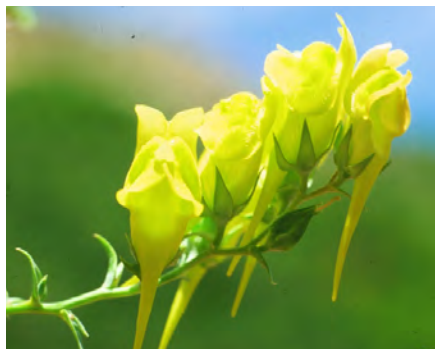
(303) 869-9030
weeds@state.co.us



Key ID Points

1. Showy yellow snapdragon-like flowers with an orange throat on elongated racemes.
2. Thick, waxy, bluish heart-shaped leaves that wrap the stem.

Dalmatian toadflax Identification and Management



Identification and Impacts

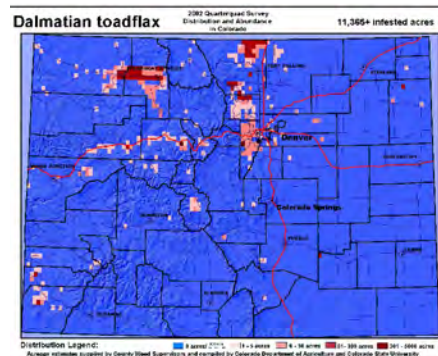
Dalmatian toadflax (*Linaria dalmatica*) is a non-native, perennial forb introduced from the Mediterranean region as a folk remedy, fabric dye and ornamental. It reproduces both by seed and by extensive, creeping rhizomes. A single plant produces 500,000 seeds, most of which fall within 18 inches of the parent plant. Seeds can remain viable for at least 10 years. Dalmatian toadflax grows to 3 feet, and has bright yellow snapdragon-like flowers with an orange throat on elongated racemes. The alternate leaves are broad, with a thick, waxy cuticle and a bluish cast. Each leaf is heart-shaped and wraps the stem.

Habitats for Dalmatian toadflax include disturbed open sites, fields, pastures, rangeland, roadsides, cropland and forest clearings. Infestations can begin in small disturbed sites, then spread even to rangeland and wildlife habitats in excellent condition. Dalmatian toadflax is a highly aggressive plant that can genetically adapt to varied environmental conditions and herbicide controls. Its extreme competitiveness is due to early spring regeneration from vegetative buds on roots that are not dependent on soil moisture or native plant competition. Once established, toadflax quickly overruns native plants and becomes

a monoculture that severely reduces forage, productivity, biodiversity and wildlife habitat.

The key to effective control of Dalmatian toadflax is prevention and integrating as many management strategies as possible. Prevention is always desirable when dealing with Dalmatian toadflax. Early detection and eradication can keep populations from exploding, making more management options available. With the plants varying genetically using many different approaches is important such as; chemical, mechanical, cultural and biological methods. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Dalmatian toadflax is designated as a "List B" species in the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local infestations. For more information visit www.colorado.gov/ag/csd and click on the Noxious Weed Management Program. Or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.



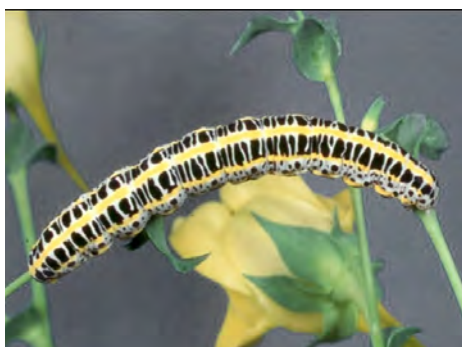
Clockwise, from lower left, photos © John M. Randall of The Nature Conservancy; and Linda Wilson and Susan Turner of Invasive.org. Infestation map by Crystal Andrews, Colorado Department of Agriculture.

Linaria dalmatica



CULTURAL

It is imperative to seed managed areas with competitive grasses such as thickspike wheatgrass and streambank wheatgrass. The combination of herbicide spraying and seeding competitive grasses controls Dalmatian toadflax better than spraying alone. (K.G. Beck, CSU)



BIOLOGICAL

Calophasia lunula, a predatory noctuid moth, feeds on leaves and flowers of Dalmatian toadflax. Eteobalea intermediella, a root boring moth, and Mecinus janthinus, a stem boring weevil, are also available. For more information, contact the Palisade Insectary of the Colorado Department of Agriculture at 970-464-7916.



MECHANICAL

For small infestations, pulling toadflax by hand can be effective. Pull every year for 5 to 6 years to deplete the reserves of the root system. Monitor the site for 10 - 15 years to remove seedlings produced from dormant seeds.

Integrated Weed Management:

Because of the high genetic variability of the toadflax species, it is critical to integrate as many management strategies as possible into the control program. Two local populations may respond differently to the same herbicides.

Keys to management are to prevent seed formation and vegetative spread by roots.

Controlling toadflaxes is expensive and difficult, prevention is the best option.

HERBICIDES

NOTE: The following are recommendations for herbicides that can be applied to range and pasturelands. Rates are approximate and based on equipment with an output of 30 gal/acre. Please read label for exact rates. **Always read, understand, and follow the label directions. The herbicide label is the LAW!**

Herbicide	Rate	Application Timing
Aminocyclopyrachlor + chlorsulfuron (Perspective)*	4 oz. product/acre + 1% v/v methylated seed oil	Apply <u>when flowering</u> in spring and/or in the fall regrowth. IMPORTANT: Applications greater than 5.5 oz. product/acre exceeds the threshold for selectivity. DO NOT treat in the root zone of desirable trees and shrubs. Not for use on grazed or feed forage.
Picloram* (Tordon/Picloram 22K - Restricted use pesticide)	1-2 qts./acre + 1% v/v methylated seed oil	Apply <u>when flowering</u> in spring and/or in the fall regrowth. DO NOT use near trees, desirable shrubs, water, or high water table.
Chlorsulfuron** (Telar)	1.5-2 oz./acre + 1% v/v methylated seed oil	Apply <u>when flowering</u> in spring and/or in the fall regrowth.
Note: *Not permitted for use in the San Luis Valley. **This herbicide has residual soil activity that will affect all broadleaf seedlings germinating after application has occurred.		
Additional herbicide recommendations for this and other species can be found at: goo.gl/TvWnv9		

Top photo, © Kelly Uhing, Colorado Department of Agriculture. *Calophasia lunula* larva photo © Bob Richard, USDA APHIS, Invasive.org. Handpulling toadflax photo © Lake Tahoe Environmental Education Coalition.

Dalmatian toadflax





spine-tipped bracts curve away from the flowering head. The flower receptacle is fleshy and has pits to hold seeds. The plants flower from mid-June to September. Scotch thistle seeds have the ability to mature in flower buds and heads that have been removed from the stalk. Both species can produce up to 14,000 seeds per plant. Seeds remain viable for up to 30 years but germinate readily with moisture in spring and fall.

Scotch thistle invades rangeland, overgrazed pastures, roadsides, and irrigation ditches. Both species prefer moist soil, such as areas adjacent to creeks and rivers. Roadsides appear to be especially vulnerable to invasion likely due to the water runoff from the shoulders. Maintaining healthy pastures and native plants, minimizing soil disturbance, changing land use practices to prevent overuse, and using seed-free equipment are critical measures to preventing infestations. As with most biennials, once established, limiting seed production is critical to effective control. Due to the robust, spiny nature of Scotch thistle, this plant can act as a living barbed wire fence, making areas impassible for wildlife, livestock, and people and unpalatable to cattle.

To control seed production, plants with buds or flowers should be collected, bagged and immediately disposed of or destroyed. Chemical control is most effective when plants are in rosette stage, spring or early fall. Mechanical controls can be used to eliminate small patches or plants in a later growth stage.

Scotch thistle is designated as a "List B" species in the Colorado Noxious Weed Act. It is required to be eradicated; some populations may be contained or suppressed depending on state regulations. For state regulations described for each county, refer to the most recent Rule, or visit www.colorado.gov/ag/weedcontacts for details.



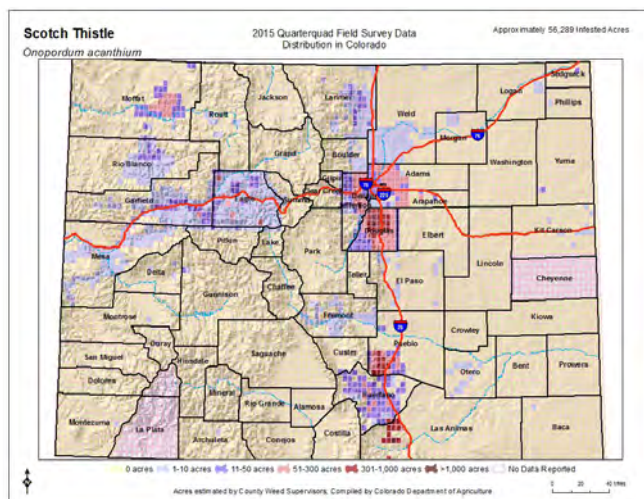
Onopordum acanthium L. and *O. tauricum* Willd.

Scotch thistle

Key ID Points

1. Pitted fleshy flower receptacle.
2. Prominent mid-rib.
3. Wide lobed leaves with distinct mid-rib.
4. Wide spiny wings extend the length of the stem.

2015 Quarter Quad Survey



Integrated Weed Management Recommendations

Scotch thistle

Onopordum acanthium L. and *O. tauricum* Willd.

Effective integrated management means using a variety of eradication methods along with restoration, prevention of seed production and dispersal, and monitoring. Maintain robust healthy native landscapes. Restore degraded sites. Avoid soil disturbance. As with most biennials, prevent seed production in the first and second year of growth. Prevent seed from dispersing, such as on contaminated equipment. Rest sites until they are effectively restored. Change land use practices. Use methods appropriate for the site.



CULTURAL CONTROL METHODS

Effectiveness begins with maintaining or restoring a competitive native forb and forb assemblage. Continue restoration efforts until native plants are robust and abundant. Use locally adapted native seeds whenever possible to improve competitiveness. Include cool season and warm season, as well as perennial and annual grasses in revegetation efforts. Soil may need to be restored by adding soil amendments, soil microbes, mycorrhizal fungi and nitrogen fixing plants such as legumes. Manage land uses so they do not create bare mineral soil or compact soil. Annual crop cultivation appears to be an effective control measure.



© Jacqui Turner, The Timaru Herald

BIOLOGICAL CONTROL METHODS

Domestic livestock are likely to avoid this plant due the large number of spines all over the plant. Goats and sheep may eat flower heads if plants are small. Since most livestock and herbivores avoid the leaves and stems, Scotch thistle can become an "increaser" in over-grazed systems. Properly managed grazing systems can increase desirable plant vigor and indirectly reduce Scotch thistle. There are no known biological control agents effective against scotch thistle or authorized in Colorado. For more information about biological control agents, visit the Colorado Department of Agriculture's Palisade Insectary website at www.colorado.gov/ag/biocontrol.



© Bugwood

MECHANICAL CONTROL METHODS

Methods, such as tilling, hoeing and digging, are best for infestations smaller than 0.5 acres; weigh this against other plants present, ecology and site condition. Sever roots below the soil surface during the first year before the plant stores energy and in the second year before seed production. Mowing, chopping and deadheading stimulates more flower production; these methods require consecutive years of season-long treatments. Flower heads must be collected, bagged, and disposed of or destroyed; seeds will mature and germinate if left on the ground. Fire gives Scotch thistle a competitive advantage. Large fleshy stems and leaves would not be consumed in a low severity fire and seeds would remain unaffected. High severity fires would likely damage native plants, which favors Scotch thistle if seeds are not killed and this is not recommended.

CHEMICAL

NOTE: The following are recommendations for herbicides that can be applied to pastures and rangeland. Rates are approximate and based on equipment with an output of 30 gal/acre. Follow the label for exact rates. Always read, understand, and follow the label directions. The herbicide label is the LAW!

HERBICIDE	RATE	APPLICATION TIMING
Aminopyralid* (Milestone)	7 oz. product/acre + 0.25-0.5% v/v non-ionic surfactant	Apply in spring rosette to early bolting growth stages or in fall to rosettes. *Product not permitted for use in the San Luis Valley.
Chlorsulfuron** (Telar)	1-2.6 oz. product/acre (0.75 oz. active ingredient/acre) + 0.25% v/v non-ionic surfactant	Spring from bolting to flower bud stages. **This herbicide has residual soil activity that will affect all broadleaf seedlings germinating after application has occurred.
Metsulfuron + Chlorsulfuron (Cimarron X-tra)	2 oz. product/acre + 0.25-0.5% v/v non-ionic surfactant	Apply during rosette to flower bud stages.
Clopyralid (Transline)	0.67-1.33 pints product/acre + 0.25% v/v non-ionic surfactant	Apply to rosettes in spring or fall.
Aminocyclopyrachlor + chlorsulfuron (Perspective)*	4.75-8 oz. product/acre + 0.25% v/v non-ionic surfactant	Apply from the seedling to the bolting stage. IMPORTANT: Applications greater than 5.5 oz. product/acre exceeds the threshold for selectivity. DO NOT treat in the root zone of desirable trees and shrubs. Not for use on grazed or feed forage.



Colorado Department of Agriculture - Conservation Services

305 Interlocken Parkway

Broomfield, CO 80021

(303) 869-9030

www.colorado.gov/ag/weeds

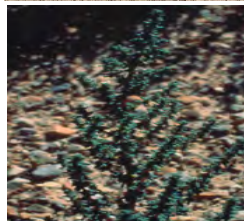


Halogeton

Colorado Department of
Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

(303) 869-9030
weeds@state.co.us



Key ID Points

Identification and Management



Identification and Impacts

Halogeton (*Halogeton glomeratus*) is an annual forb native to Asia. The plant ranges in height of a few inches off the ground to 18 inches tall. Halogeton starts as a low growing multi-branched, spreading plant and then stems become erect with maturity. Plants begin as a blueish-green color in the spring turning redish-yellow later in the summer. Leaves are nearly tubular, small, and fleshy in nature. The ends of the leaf are tipped with a delicate needle-like spine. Flowers are inconspicuous, green and borne at the leaf axils. The root system is fibrous and spreading. Halogeton mainly reproduces by seeds. There are two different types of seeds produced. The seeds that are brown in color, generally will lie dormant and stay viable for many years. The seeds that are black in color will generally reproduce in the same growing season.

Habitats for Halogeton include roadsides, trails, areas where animals congregate, overgrazed sites, and is ideally adapted to the high desert/alkaline soils. The Plant can be toxic to grazing animals and at

times it is readily grazed by animals. Sheep seem to be most affected by the toxic oxalates, cows can also be affected. Halogeton is hard to eradicate in plant populations have been present for more than 2 years, since seeds can stay viable up to 10 years.

The key to effective control of Halogeton is preventing the plant to establish viable populations. Halogeton does not outcompete native vegetation, so maintaining and revegetating sites that are overgrazed are effective management tools. Herbicide treatments can also be effective in plant populations that are small. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Halogeton is designated as a "List C" species on the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local jurisdictions managing this species. For more information, visit www.colorado.gov/ag/weeds or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.



Photos © Bottom right, Bottom left, and top left; Kelly Uhing, Department of Agriculture; All others Clinton Shock, Oregon State University, Bugwood.org

Halogeton glomeratus

**CULTURAL**

Outcompeting Halogeton proves to be the most economical treatment method. Planting desirable grasses and forbs on disturbed sites, and where Halogeton populations are established will help control populations. For specific seed recommendations contact your local Natural Resources Conservation Services for seed mixes.

**BIOLOGICAL**

Currently there is not any biocontrol available for Halogeton. Biocontrol takes many years of research and development. For more information, contact the Palisade Insectary of the Colorado Department of Agriculture at 970-464-7916 for more information.

**MECHANICAL**

Hand pull or dig when soil is moist, but make sure to wear gloves. Bag specimens carefully so as not to scatter seeds. The key to effective control is to prevent seed production and/or spread.

Integrated Weed Management:

Using cultural and herbicide treatments in combination can help control Halogeton populations. Halogeton does not outcompete native vegetation, so maintaining healthy plant populations and revegetating areas that have been disturbed, proves to be the most economical method of treatment.

Halogeton

HERBICIDES

NOTE: The following are recommendations for herbicides that can be applied to range and pasturelands. Rates are approximate and based on equipment with an output of 30 gal/acre. Please read label for exact rates. Always read, understand, and follow the label directions. The herbicide label is the LAW!

HERBICIDE	RATE	APPLICATION TIMING
Metsulfuron + Chlorsulfuron (Cimmaron X-tra)	2.0 oz/acre	Apply pre-emergence to post-emergence stages in spring. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water.
Chlorsulfuron (Telar XP)	1/2 - 1 oz/acre	Apply pre-emergence to post-emergence stages in spring. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water.

Photos © Top to Bottom; (Unknown) Harney County Oregon; Whitney Cranshaw, Colorado State University, Bugwood.org; Kelly Uhing, Colorado Department of Agriculture





©James Bailey, iNaturalist

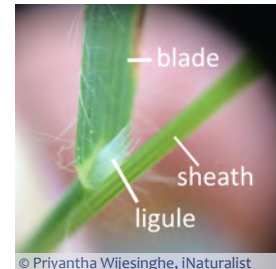
Cheatgrass (*Bromus tectorum* L.) is a winter annual grass in the Poaceae family, also known as downy brome.

Mature plants reach up to 24 inches tall. The stems are smooth but the leaf blades and sheath are hairy (downy). The ligules are fringed, short and membranous. The culms range from five to 90 cm long, can be prostrate or vertical, and have fine short hairs. Its fibrous roots can be up to 60 inches long, but the majority of root biomass is within first 12 inches of the soil surface. Roots are efficient at absorbing soil moisture, allowing cheatgrass to grow quickly early in season, while other plants are still dormant. Green up can occur twice per season. Cheatgrass has an unique spectral signature during seed set and senescence when it turns reddish purple. During these shoulder growing season events, it is easily detectable from other vegetation with satellite imagery.

The flower is a simple one-sided panicle that characteristically flops over and hangs, branches and is open. Spikelets are usually terminal. Usually there are five to many florets; it has perfect flowers. The upper and lower glumes are usually unequal in length and shorter than florets; the lower glume ranges from 4 to 14 mm in length and is one veined. The upper glume is three-veined. The plant disarticulates above the glumes. The lemmas are usually downy, narrowly lanceolate with sharp tips and about 9 to 12 mm long. Usually there are five to many lemmas. Awns are usually present and range from 10 to 18 mm long. It is a prolific seed producer, capable of two seed crops per season. Seeds need to be buried in soil or litter and have fall moisture to germinate. The fall seed crop has greater reproductive success than spring. Seeds lack dispersal anatomy so fall close to parent plants but transport readily with animals, people and equipment. Seed longevity is about three years. Both inbreeding and cross breeding occur.

Cheatgrass is one of the most competitive non-natives in the Western US. It thrives in arid, semi arid, and cold environments. Colorado's high elevation range is not an issue for cheatgrass; plants were recently detected as high as 9,500 feet. It exhibits phenotypic plasticity and genetic diversity, making it highly adaptable to a variety of conditions, likely due to multiple introductions. Its presence has significant negative impacts throughout the West. Most notably, it alters fire regimes and thus engineers a positive fire feedback loop that favors its growth over other plants. This feedback loop is why cheatgrass forms monocultures throughout the West.

It is often confused with Japanese brome (*Bromus japonicus*), which has denser more compact spikelets, shorter awns, and changes from green to gold through the growing season.



© Priyantha Wijesinghe, iNaturalist



© Veronika Johansson, iNaturalist

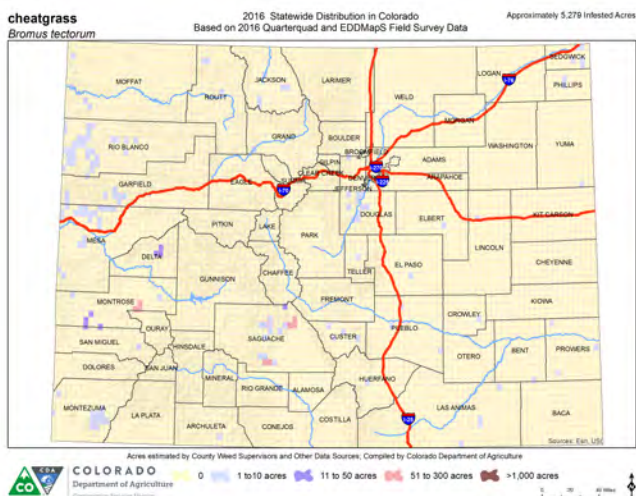


© Leslie J. Mehrhoff, University of CT

Cheatgrass *Bromus tectorum* L.

Key ID Points

1. Downy leaf blades, sheaths, ligules
2. Glumes are unequal size, lemmas are downy
3. One-sided panicle that droops, red-purple during seed set & senescence
4. Fibrous roots



Integrated Weed Management Recommendations

Effective integrated management means using a variety of eradication methods in the same site along with restoration, prevention of seed production and dispersal, and monitoring. Maintain robust healthy native landscapes. Restore degraded sites. Avoid soil disturbance. Prevent seed production and seed dispersal, e.g. on contaminated equipment. Rest sites until restored. Modify land use practices. Use methods appropriate for the site, including land use practices.



© Martin Bernetti, Associated Press



© Bureau of Land Management

CULTURAL

Biological soil crust is a soil health indicator of arid and semi arid sites; crusts inhibit cheatgrass seed germination. Aerial spread and cultivate soil crust where it is absent. Aerial and drill seeding bluebunch wheatgrass (*Pseudoroegneria spicata*) and Sandberg bluegrass (*Poa secunda*) with vesicular-arbuscular mycorrhizae; these are drought tolerant natives that are highly competitive against cheatgrass but require mycorrhizae. As these grasses establish and cheatgrass wanes slowly introduce additional species such as thickspike wheatgrass (*Elymus lanceolatus*), winterfat (*Krascheninnikovia lanata*), yarrow (*Achillea millefolium*) in the plant interspaces in subsequent years. Be cautious when purchasing seed as cheatgrass is often a contaminate, especially in mixes. Use seed pillows to disperse seeds.



© Stacy Litz, Associated Press

BIOLOGICAL

Sheep and cattle will select green cheatgrass which also affects desired cool-season grasses. Properly managed grazing can improve vigor of desired species and directly reduce cheatgrass. Post-fire grazing management varies depending on site potential and objectives. Currently there are no biological control agents for cheatgrass authorized in Colorado. For more biocontrol information, visit the Colorado Department of Agriculture's Palisade Insectary website at: www.colorado.gov/ag/biocontrol

MECHANICAL

Mechanical methods are best for residential areas and small infestations. Mowing and chopping are not recommended; they leave roots behind, stimulate flower production, disperse seeds, and expand the size of the infested area. Collect, bag, and dispose of or destroy flowers; seeds can mature and germinate if left. Tilling must be deeper than 6 inches to work. Prescribed fire applied before seed maturity, (late spring or early summer), may kill seeds; the trick is to get green cheatgrass and litter to carry fire and at a hot enough temperature to destroy seeds and seedlings. Always combine prescribed fire with cultural methods, timed appropriately, and base it on site conditions and other plants present. Monitoring and adaptive management are critical if prescribed fire is used as a tool for control.



© Helena Weed Control, Rocky Mountain Elk Foundation

CHEMICAL

Pseudomonas fluorescens D7 inhibits cheatgrass and is currently approved by EPA and Colorado. NOTE: Herbicide recommendations to control cheatgrass in pastures and rangeland are found at: <https://goo.gl/TvWnv9>. Rates are approximate and based on equipment with an output of 30 gal/acre. Follow the label for exact rates. Consult local turf and ornamental experts for residential settings. Always read, understand, and follow the label directions. The herbicide label is the LAW!

Cheatgrass

Bromus tectorum L.



Colorado Department of Agriculture - Conservation Services

305 Interlocken Parkway

Broomfield, CO 80021

(303) 869-9030

www.colorado.gov/ag/weeds



Field bindweed

List C Species

Rangeland, pasture, and riparian site recommendations

1

Colorado Department of
Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

(303) 869-9030
weeds@state.co.us



Key ID Points

1. Leaves are shaped like arrowheads.
2. Flowers are funnel-shaped, white to pink, and have two small bracts one inch below the flower base.

Field bindweed Identification and Management



Identification and Impacts

Field bindweed (*Convolvulus arvensis*) is a non-native deep-rooted perennial that reproduces from seed and creeping, horizontal roots (rhizomes). Field bindweed stems are prostrate (grows low to the ground) and twining, and grow up to 6 feet long. Leaves are distinguishable by their arrowhead shape. The flowers are bell or trumpet-shaped, white to pink in color, and are about 1 inch long. Field bindweed seeds can remain viable in the soil for up to 40 years.

Field bindweed emerges from its root system in the spring. Flowering occurs from June to September and until the first fall frost. The number of seeds produced per plant ranges from 25 to 300 and seed production is variable depending on environmental conditions. Field bindweed is an extremely difficult noxious weed to control because, in part, of its taproot that may go 20 feet deep into the soil, and which repeatedly gives rise to numerous long rhizomes.

Field bindweed is a problem throughout Colorado. It is one of the most competitive perennial weeds. It is widespread in cultivated areas, pastures, lawns, gardens, roadsides, and waste areas from 4,000 to 8,000

feet in elevation.

To successfully manage field bindweed, containment and persistence in controlling existing stands are necessary in order to exhaust the root system and deplete the soil seed bank. This weed needs to be continually stressed, forcing it to exhaust root nutrient stores and eventually die. Of all control methods, prevention is most important. Maintain healthy pastures and rangeland and continually monitor your property for new infestations. A healthy cover of desirable perennial plants will assist in discouraging field bindweed establishment.

Field bindweed is designated as a "List C" species on the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local jurisdictions managing this species.

On the back of this sheet are field bindweed management recommendations. For more information, visit www.ag.state.co.us/csd/csdhome.html. Or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.



White flower © Mary Ellen Harte, Invasive.org.
All other photos © Kelly Uhing.

Convolvulus arvensis

**CULTURAL**

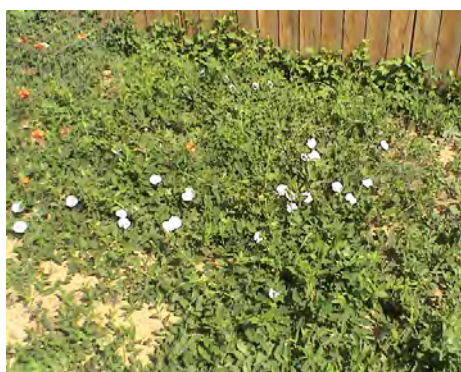
Establishment of selected grasses can be an effective cultural control of field bindweed. Contact your local Natural Resources Conservation Service for seed mix recommendations. Maintain healthy pastures and prevent bare spots caused by overgrazing. Bareground is prime habitat for **weed invasions**.



Bindweed mite damage

BIOLOGICAL

The bindweed gall mite, *Aceria mahlerbae*, has proven to be effective in reducing field bindweed infestations. This is an option for large infestations. To obtain a mite release, contact the Colorado Department of Agriculture, 970-464-7916.

**MECHANICAL**

Cutting, mowing, or pulling has a negligible effect unless the plants are cut below the surface in the early seedling stage. Well-established populations have a large seed bank in the soil that can remain viable for over 40 years.

Integrated Weed Management:

Field bindweed requires active management once it is established because of its potential to regenerate rapidly. Even small infestations should be viewed as a serious threat and managed aggressively.

Contain and persistently control infestations in order to exhaust the root system and deplete the soil seed bank.

Maintain a healthy cover of perennial plants to discourage field bindweed establishment.

HERBICIDES: The following are recommendations for herbicides that can be applied to range and pasturelands. *Rates are approximate and based on equipment with an output of 30 gallons per acre. Please read label for exact rates.* Always read, understand, and follow the label directions. **The herbicide label is the LAW!**

HERBICIDE	RATE	APPLICATION TIMING
Clarity + 2,4-D Amine	1 qt./acre or 1 oz/gal water	Just after full-bloom and/or fall. DO NOT apply near or under trees/shrubs or where soils have rapid permeability. DO NOT apply when outside temperatures will exceed 85 degrees. Add non-ionic surfactant @ 0.32oz/gal water or 1 qt/100 gal water.
Tordon 22K *this is a Restricted Use Pesticide*	1 qt./acre or 1 oz/gal water	Just after full-bloom and/or fall. DO NOT apply near or under trees/shrubs or where soils have rapid permeability. Add non-ionic surfactant @ 0.32oz/gal water or 1qt/100 gal water.
Roundup Ultra *non-selective herbicide, will kill all vegetation*	4 - 5 qts./acre or 4 - 5 oz/gal water	Apply at full-bloom and/or fall. Add non-ionic surfactant @ 0.32oz/gal water or 1qt/100 gal water. Use caution when applying near grasses or other desirable vegetation.

Field bindweed



Redstem filaree

List C Species

Rangeland, pasture, and riparian site recommendations

1

Colorado Department of
Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

(303) 869-9030
weeds@state.co.us

Redstem filaree Identification and Management



grazed by many different animals especially sheep.

The key to effective control of Redstem filaree is preventing establishment of the plant and seed production. There are many options for control of Redstem filaree depending on site ecology. Both chemical and mechanical control options are effective. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Redstem filaree is designated as a "List C" species in the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local infestations. For more information visit www.colorado.gov/ag/weeds or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.

Identification and Impacts

Redstem filaree (*Erodium cicutarium*) is a winter annual or biennial forb that has a spreading or erect profile and is native to the Mediterranean or Asia. Part of the Geranium family, Redstem filaree grows generally from a rosette stage, and can grow from the 3 inches to 2 feet tall. The stems are hairy and red in color. The leaves are opposite and finely divided with toothed or lobed margins. They are pubescent, grow on short stems and have a reddish tint. The root system is a shallow taproot with fibrous secondary roots. The five petaled flowers are a purplish-pink in color and are in clusters of 2 or more. Each flower will produce five long lobed fruits. Each fruit will have an awn like tail which will dry and split with maturity. Redstem filaree primarily reproduces by seed and generally germinates in early spring.

Habitats for Redstem filaree include: dry pasturelands, landscapes, turfgrass and it prefers sandy soils. It can easily outcompete desirable vegetation once established. Redstem filaree is drought tolerant and can withstand a heavy stocking rate. The plant is



Key ID Points

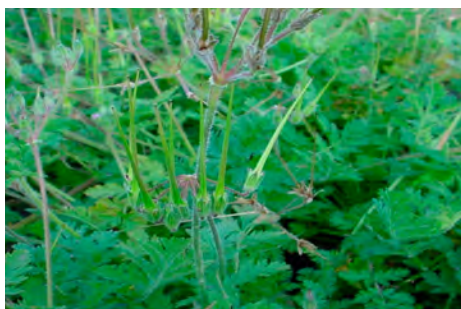
1. The hairy red colored stems.
2. The opposite leaf pattern in the rosette stage.
3. The long-beak like fruit and seed.



Photos © (Clockwise from lower left): Theodore Webster, USDA, Bugwood.org; (Unknown) Oregon State University; Howard F. Schwartz, Colorado State University, Bugwood.org; Richard Old, XID Services Inc., Bugwood.org; (Unknown) Oregon State University

Erodium cicutarium

Updated on:
08/09



CULTURAL

Prevent the establishment of Redstem filaree, in rangeland or pastureland by planting native grasses and forbs. Contact your local Natural Resources Conservation Service for seed mix recommendations that may help. Bareground is prime habitat for weed invasions.



BIOLOGICAL

Currently there is not any biocontrol available for Redstem filaree. Biocontrol takes many years of research and development. For more information, contact the Colorado Department of Agriculture's Insectary in Palisade, Colorado at 970-464-7916.



MECHANICAL

Hand pulling or digging when soil is moist, making sure to get the roots to prevent resprouting is effective. Removing flowers before the plant sets seed will also be effective. Be sure to bag specimens carefully so as not to spread seeds. Any kind of tillage to the area can also be effective.

Integrated Weed Management:

Locate and remove plants immediately before plants set seed to prevent the spread of Redstem filaree. Since the plant reproduces solely by seed, an integrated management effort must include the elimination of seed production and depletion of seed bank. Combing control methods of herbicide and mechanical can be effective.

HERBICIDES

NOTE: The following are recommendations for herbicides that can be applied to range and pasturelands. *Rates are approximate and based on equipment with an output of 30 gallons per acre. Always read, understand, and follow the label directions. The herbicide label is the LAW!*

HERBICIDE	RATE	APPLICATION TIMING
Metsulfuron (Escort XP)	.33 oz of product /acre +.025% v/v non-ionic surfactant	Apply rosette stage through early flower stage.
2,4-D + dicamba (Rangestar)	2 pt. + 1 pt. product / acre	Apply rosette stage of growth.

Redstem filaree

Colorado State



Above photos © (Top): Richard Old, XID Services Inc., Bugwood.org; (Middle) Whitney Cranshaw, Colorado State University, Bugwood.org; (Bottom) Kelly Uhing, Colorado Department of Agriculture

Common mullein

Colorado Department of
Agriculture

305 Interlocken Pkwy
Broomfield, CO 80021

(303) 869-9030
weeds@state.co.us



Key ID Points

Identification and Management



Identification and Impacts

Common mullein (*Verbascum thapsus*) is a biennial forb native to Europe and Asia. The first year of the plant it produces a basal rosette. Basal rosettes can grow to 30 inches in diameter. The leaves are light-green in color and are covered in fine soft hairs. The woolly leaves are alternate and overlapping each other and can grow over a foot long. In spring of the second year the plant bolts an erect stem, that grows 2 to 6 feet tall. The flowers of the plant are borne in terminal spikes. These terminal spikes may reach up to 20 inches in length. The flowers are sulfur-yellow in color and have five petals. The flowers range from 3/4 of an inch to 1 1/2 inches in diameter. Numerous two chambered fruits produce 100,000 to 250,000 seeds per plant. Flowering and seed production typical occur from June to August. The plant has a deep taproot along with a fibrous root system.

Habitats for Common mullein are roadsides, waste places, right-of-ways, pastures, hay fields, and abandoned lands. It prefers gravelly soil types, but can grow in other soil types. Livestock will avoid eating

Common mullein, due to the hairy leaves of the plants. The plants were originally introduced as a medicinal plant. The Europeans used the flowers for tea, and the leaves for many remedies like burns and rashes. Both the Europeans and the Indians smoked the dried leaves to treat bronchitis.

The key to effective control of Common mullein is preventing the production of seeds. This plant is difficult to control due to the large amount of seed produced and seed bank left in the soil. Mechanical, cultural, biological and chemical treatments can be successful if utilized together in an integrated weed management plan. Details on the back of this sheet can help to create a management plan compatible with your site ecology.

Common mullein is designated as a "List C" species on the Colorado Noxious Weed Act. It is required to be either eradicated, contained, or suppressed depending on the local jurisdictions managing this species. For more information, visit www.colorado.gov/ag/weeds or call the State Weed Coordinator at the Colorado Department of Agriculture, Conservation Services Division, 303-239-4100.



Photos © All Photos from Kelly Uhing, Department of Agriculture; Except Bottom left Mary Ellen (Mel) Harte, United States

Verbascum thapsus

**CULTURAL**

Cultural control can be effective in assistance with other treatment options. Once the parent plants have been removed, cultivating the area with desirable grasses and forbs may outcompete Common mullein seedlings. For specific seed recommendations contact your local Natural Resources Conservation Services for seed mixes.

**BIOLOGICAL**

Gymnetron tetrum, a seed eating weevil, biological control has been found in eastern Washington State and is currently working on populations there. The weevil has not yet been approved for use in Colorado. Contact the Palisade Insectary of the Colorado Department of Agriculture at 970-464-7916 for more information.

**MECHANICAL**

Hand pull or dig when soil is moist, prior to flowering and seed production can be effective. If flowers are present, bag specimens carefully so as not to scatter any potential seeds. The key to effective control is to prevent seed production and/or spread.

Integrated Weed Management:

Preventing the establishment and the seed production of Common mullein is key to controlling populations. If the population is established, using a combination of cultural, chemical, biological and mechanical treatments can aid in suppressing population size. Since plants produce thousands of seed treatments need to occur over an extended period of time.

HERBICIDES

NOTE: The following are recommendations for herbicides that can be applied to range and pasturelands. Rates are approximate and based on equipment with an output of 30 gal/acre. Please read label for exact rates. Always read, understand, and follow the label directions. The herbicide label is the LAW!

HERBICIDE	RATE	APPLICATION TIMING
Chlorsulfuron (Telar XP)	1-3 oz/acre	Apply to rosette stages in spring or fall prior to bolting. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water.
2,4-D Picloram (Grazon P+D *this is a Restricted Use Pesticide*)	4 pts/acre	Apply to rosette stages in spring or fall prior to bolting. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water. DO NOT apply near trees/shrubs/high water table.
Picloram (Tordon 22K *this is a Restricted Use Pesticide*)	1-2 qts/acre	Apply to rosette stages to early growth stages in spring or fall. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water. DO NOT Apply near trees/shrubs/high water table.
Metsulfuron (Cimmaron)	1.0 oz/acre	Apply to rosette stages in spring or fall. Add non-ionic surfactant @ 0.32 oz/gal water or 1 pt/100 gal water.

Photos © Top to Bottom; Kelly Uhing, Colorado Department of Agriculture; Whitney Cranshaw, Colorado State University, Bugwood.org; Kelly Uhing, Colorado Department of Agriculture

Common mullein



Appendix E:

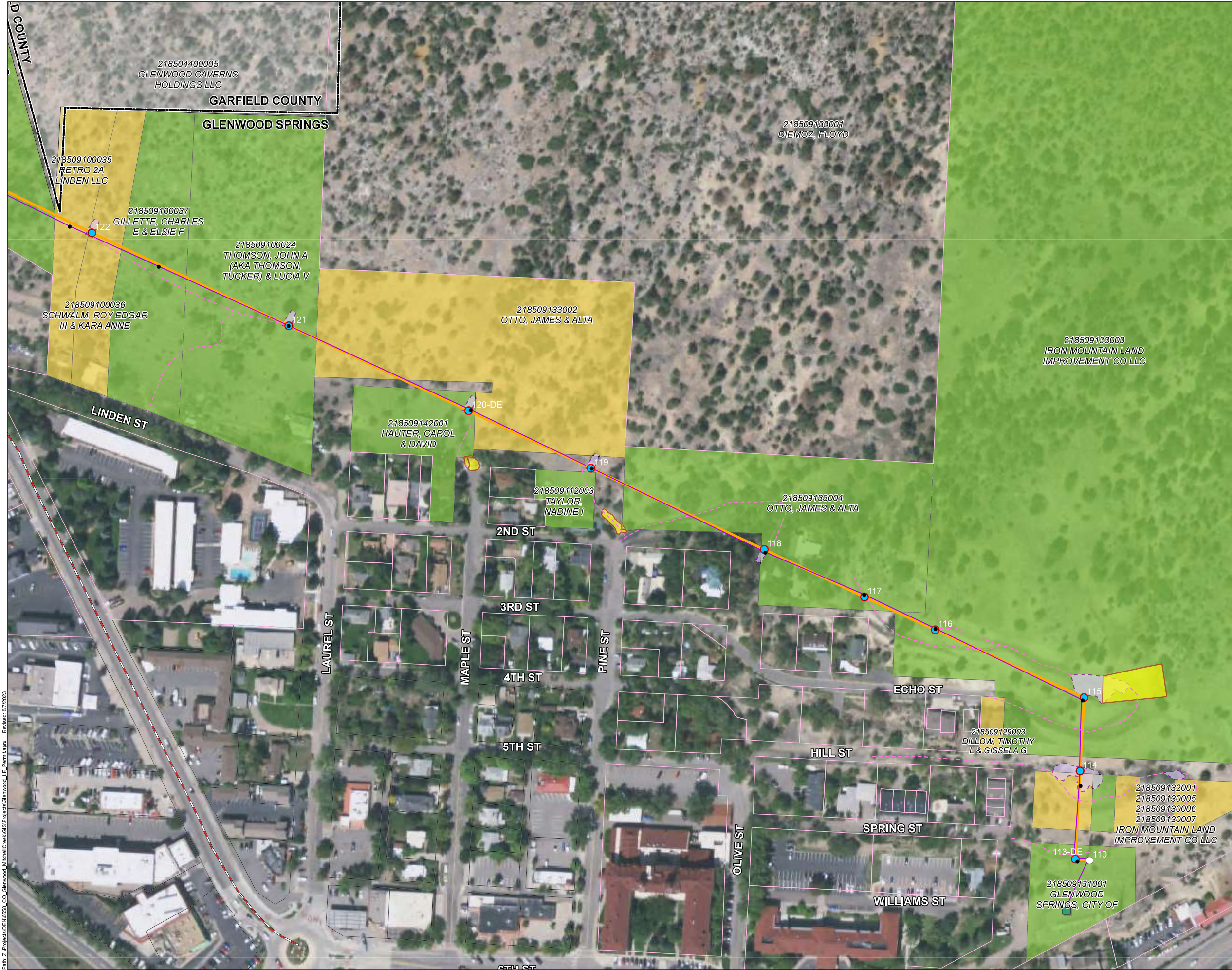
Landowner Notification List and Map

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Appendix E: Landowner Parcel List

PARCEL NUMBER	ACCOUNT NUMBER	OWNER	CARE OF NAME	OWNER ADDRESS	CITY	STATE	ZIP CODE
218505400081	R100023	72 SUNNY ACRES LLC		1405 DONEGAN ROAD GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505412004	R530061	ANDERSON, ROBERT JOHN & MANETTE COLES		1405 DONEGAN ROAD GLENWOOD SPRINGS, CO 81601-2836	GLENWOOD SPRINGS	CO	81601-2836
218505300092	R100049	BOARD OF COUNTY COMMISSIONERS GARFIELD COUNTY		108 8TH STREET, SUITE 213 GLENWOOD SPRINGS, CO 81601-3363	GLENWOOD SPRINGS	CO	81601-3363
218504309001	R312424	BRITTEN, DOUGLAS E & JUDITH G		464 TRAVER TRAIL GLENWOOD SPGS, CO 81601	GLENWOOD SPGS	CO	81601
218505338014	R041501	CENTURA VENTURES LLC	CENTURA HEALTH	9100 E MINERAL CIRCLE ENGLEWOOD, CO 80112	ENGLEWOOD	CO	80112
218505300117	R530091	CLARK, KENNETH E		246 S REYNOSA DRIVE PUEBLO WEST, CO 81007	PUEBLO WEST	CO	81007
218504309002	R312425	DENNIE, J B & NOELENE G		460 N TRAVER TRAIL GLENWOOD SPRINGS, CO 81601-2847	GLENWOOD SPRINGS	CO	81601-2847
218509129003	R311139	DILLOW, TIMOTHY L & GISSELA G		514 ECHO STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505429028	R330325	EMERY, SUZANNE E & LARRY J		604 COLUMBIA COURT GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505400065	R040069	FIT, JOZEF A		1653 COUNTY ROAD 130 GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218509100037	R040299	GILLETTE, CHARLES E & ELSIE F		PO BOX 449 INDIAN HILLS, CO 80454-0449	INDIAN HILLS	CO	80454-0449
218504400005	R330110	GLENWOOD CAVERNS HOLDINGS LLC		5100 TWO RIVERS PLAZA ROAD GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505400110	R312265	GLENWOOD HIGHLANDS ESTATES HOMEOWNERS	MARTIN, MARVIN L & SANDRA R	1653 COUNTY ROAD 130 GLENWOOD SPRINGS, CO 81601-2864	GLENWOOD SPRINGS	CO	81601-2864
211935408025	R312209	GLENWOOD HIGHLANDS ESTATES HOMEOWNERS ASSOCIATION, INC		609 HIGHLANDS DRIVE GLENWOOD SPRINGS, CO 81601-2844	GLENWOOD SPRINGS	CO	81601-2844
218505200075	R040271	GLENWOOD SPRINGS GOLF CLUB		PO BOX 2298 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218504307006	R330449	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218509200050	R040279	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218504300005	R330279	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218509131001	R312084	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505300113	R540076	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218504300007	R330451	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218504300005	R330279	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218504300005	R330279	GLENWOOD SPRINGS, CITY OF		101 W 8TH STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505100064	R040145	GOBBLERS KNOB LLC		PO BOX 1908 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218505412003	R530060	GRAFF, SPENCER		1401 DONEGAN ROAD GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218504310001	R009121	GRASMERE, ROBERT HENRY JR	PRATT & ASSOC	201 CHURCH ROAD OJAI, CA 93023	OJAI	CA	93023
218504310002	R009122	GRASMERE, ROBERT HENRY JR	PRATT & ASSOC	201 CHURCH ROAD OJAI, CA 93023	OJAI	CA	93023
218505300084	R100043	GS AND PD LIVING TRUST, THE		4912 MOUNT UNION COURT COLORADO SPRINGS, CO 80918	COLORADO SPRINGS	CO	80918
218505300116	R530090	HARRIS, JAMES L & KAREN E		1265 DONEGAN ROAD GLENWOOD SPRINGS, CO 81601-2816	GLENWOOD SPRINGS	CO	81601-2816
218509142001	R084400	HAUTER, CAROL & DAVID		101 MAPLE STREET GLENWOOD SPRINGS, CO 81601-2927	GLENWOOD SPRINGS	CO	81601-2927
218509132001	R031960	IRON MOUNTAIN LAND IMPROVEMENT CO LLC		PO BOX 308 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218509130007	R083302	IRON MOUNTAIN LAND IMPROVEMENT CO LLC		PO BOX 308 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218509130006	R083301	IRON MOUNTAIN LAND IMPROVEMENT CO LLC		PO BOX 308 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218509130005	R083300	IRON MOUNTAIN LAND IMPROVEMENT CO LLC		PO BOX 308 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218509133003	R031962	IRON MOUNTAIN LAND IMPROVEMENT CO LLC		PO BOX 308 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218504300006	R330478	IRON MOUNTAIN PROPERTIES LLC		51000 TWO RIVERS PLAZA ROAD GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505429029	R330326	MCCALLUM TRUST		605 WEST COLUMBIA COURT GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505113002	R312186	MCCARTY, KATHLEEN M & MERRILL, DALE A		603 HIGHLANDS DRIVE GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505429030	R330327	MCKINNEY, LEON RUSSELL & PATRICIA ANN RIES		603 COLUMBIA COURT GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218509133004	R031323	OTTO, JAMES & ALTA		1410 OAK WAY AVENUE GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218509100035	R040297	RETRO 2A LINDEN LLC		555 FRONT RAND ROAD LITTLETON, CO 80120	LITTLETON	CO	80120
218505300100	R010162	SALAZAR, ALFREDO & JOSE A		PO BOX 1540 RIFLE, CO 81650	RIFLE	CO	81650
218509100036	R040298	SCHWALM, ROY EDGAR III & KARA ANNE		555 FRONT RANGE ROAD LITTLETON, CO 80120	LITTLETON	CO	80120
218504309003	R312426	SIMS, JOSEPH W & SARA N		456 TRAVER TRAIL GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505400068	R100024	STEWART, RICHARD C & MOIRA C		PO BOX 1416 GLENWOOD SPRINGS, CO 81602-1416	GLENWOOD SPRINGS	CO	81602-1416
218509112003	R311413	TAYLOR, NADINE I		215 2ND STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218509100024	R040134	THOMSON, JOHN A (AKA THOMSON, TUCKER) & LUCIA V		105 LAURAL STREET GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505233014	R007512	WESTERN PINES HOMEOWNERS ASSOCIATION	INGRID WUSSOW	600 GREENWAY DRIVE GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505111003	R550003	WINE, KIMBERLY SUE		122 SUNNY ACRES ROAD GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505100103	R040307	ZANCANELLA, ANTHONY WILLIAM & NATALIE & THOMAS A & MICHELLE A		1649 COUNTY ROAD 130 GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218505100123	R005126	ZANCANELLA, SHIRLEY L, FAMILY LIMITED PARTNERSHIP		PO BOX 1908 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218505400122	R005125	ZANCANELLA, SHIRLEY L, FAMILY LIMITED PARTNERSHIP		PO BOX 1908 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218509133002	R031323	OTTO, JAMES & ALTA		1410 OAK WAY AVENUE GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601

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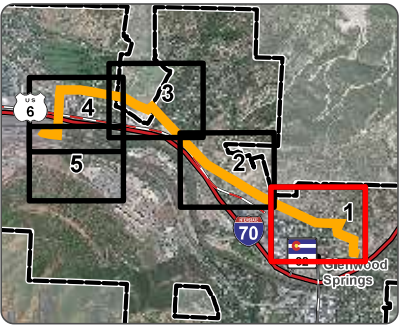
Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Easement Sheet Map: 1

- Glenwood Springs City Boundary
 - Parcel within 300ft of Project
 - Parcel
- Existing Electrical Infrastructure**
- Substation
 - Existing Transmission Structure to be Removed
 - Existing Transmission Line Corridor
- Project Features**
- Rebuild Route (60-foot ROW)
 - Access Road
 - Existing Transmission Structure to Remain Unchanged
 - Preliminary New Transmission Structure Location (Glenwood Springs)
 - Preliminary New Transmission Structure Location (Garfield County)
- Temporary Construction Easements**
- Helicopter Fly Yard and Materials Staging Area
 - Temporary Construction Easement
 - Limit of Disturbance
- Construction Method**
- Set by Crane
 - Set by Helicopter
- Landowner Easement**
- Permanent and Temporary Easement
 - Permanent Easement
 - Temporary Easement



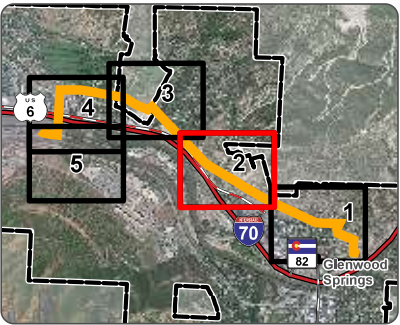
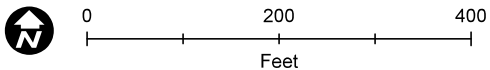
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NOT FOR CONSTRUCTION



Glenwood Springs-Mitchell Creek
Electric Transmission Line
Rebuild Project

Easement Sheet Map: 2

- Glenwood Springs City Boundary
- Parcel within 300ft of Project
- Parcel
- Substation
- Existing Transmission Structure to be Removed
- Existing Transmission Line Corridor
- Rebuild Route (60-foot ROW)
- Access Road
- Existing Transmission Structure to Remain Unchanged
- Preliminary New Transmission Structure Location (Glenwood Springs)
- Preliminary New Transmission Structure Location (Garfield County)
- Helicopter Fly Yard and Materials Staging Area
- Temporary Construction Easement
- Limit of Disturbance
- Set by Crane
- Set by Helicopter
- Permanent and Temporary Easement
- Permanent Easement
- Temporary Easement



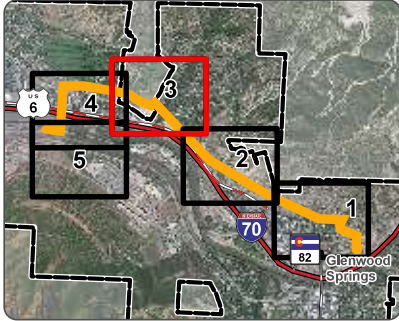
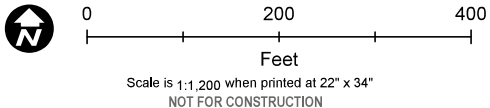
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Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild Project

Easement Sheet Map: 3

- Glenwood Springs City Boundary
- Parcel within 300ft of Project
- Parcel
- Existing Electrical Infrastructure**
 - Substation
 - Existing Transmission Structure to be Removed
 - Existing Transmission Line Corridor
- Project Features**
 - Rebuild Route (60-foot ROW)
 - Access Road
 - Existing Transmission Structure to Remain Unchanged
 - Preliminary New Transmission Structure Location (Glenwood Springs)
 - Preliminary New Transmission Structure Location (Garfield County)
- Temporary Construction Easements**
 - Helicopter Fly Yard and Materials Staging Area
 - Temporary Construction Easement
 - Limit of Disturbance
- Construction Method**
 - Set by Crane
 - Set by Helicopter
- Landowner Easement**
 - Permanent and Temporary Easement
 - Permanent Easement
 - Temporary Easement





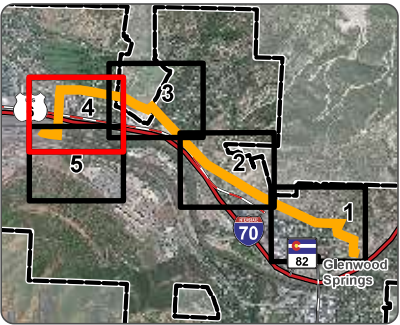
**Glenwood Springs-Mitchell Creek
Electric Transmission Line
Rebuild Project**

Easement Sheet Map: 4

- Glenwood Springs City Boundary
- Parcel within 300ft of Project
- Parcel
- Existing Electrical Infrastructure**
 - Substation
 - Existing Transmission Structure to be Removed
 - Existing Transmission Line Corridor
- Project Features**
 - Rebuild Route (60-foot ROW)
 - Access Road
 - Existing Transmission Structure to Remain Unchanged
 - Preliminary New Transmission Structure Location (Glenwood Springs)
 - Preliminary New Transmission Structure Location (Garfield County)
- Temporary Construction Easements**
 - Helicopter Fly Yard and Materials Staging Area
 - Temporary Construction Easement
 - Limit of Disturbance
- Construction Method**
 - Set by Crane
 - Set by Helicopter
- Landowner Easement**
 - Permanent and Temporary Easement
 - Permanent Easement
 - Temporary Easement



Scale is 1:1,200 when printed at 22" x 34"
NOT FOR CONSTRUCTION

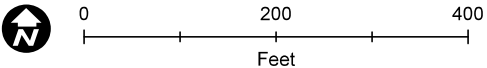




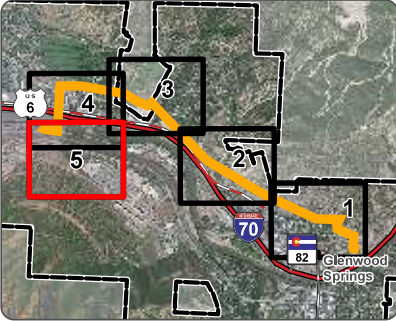
**Glenwood Springs-Mitchell Creek
Electric Transmission Line
Rebuild Project**

Easement Sheet Map: 5

- Glenwood Springs City Boundary
 - Parcel within 300ft of Project
 - Parcel
- Existing Electrical Infrastructure**
- Substation
 - Existing Transmission Structure to be Removed
 - Existing Transmission Line Corridor
- Project Features**
- Rebuild Route (60-foot ROW)
 - Access Road
 - Existing Transmission Structure to Remain Unchanged
 - Preliminary New Transmission Structure Location (Glenwood Springs)
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 - Permanent Easement
 - Temporary Easement



Scale is 1:1,200 when printed at 22" x 34"
NOT FOR CONSTRUCTION



Appendix F: EMF Study

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September 12, 2023

XCEL ENERGY

Glenwood – Mitchell Creek Transmission Line Electric & Magnetic Field Study

Revision A

PROJECT NUMBER:

0245968_0000

PROJECT CONTACT:

HUNTER TRAHAN

EMAIL:

HUNTER.TRAHAN@POWERENG.COM

PHONE:

(315) 295-7437



ELECTRIC & MAGNETIC FIELD STUDY

PREPARED FOR:

XCEL ENERGY

PREPARED BY:

JACOB WILLETTE – (207) 869-1479 – JACOB.WILLETTE@POWERENG.COM
WALTER AYALA – (858) 810-5393 – WALTER.AYALA@POWERENG.COM

REVISION HISTORY						
REV.	ISSUE DATE	ISSUED FOR	PREP BY	CHKD BY	APPD BY	NOTES
A	2023-09-12	Appvl	JRW	WAA	JAB	Issued for Review and Approval

“Issued For” Definitions:

- “Prelim” means this document is issued for preliminary review, not for implementation
- “Appvl” means this document is issued for review and approval, not for implementation
- “Impl” means this document is issued for implementation
- “Record” means this document is issued after project completion for project file

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1.0 EXECUTIVE SUMMARY

Public Service Company of Colorado (Public Service or the Company) contracted POWER Engineers, Inc. (POWER) to perform an electromagnetic field (EMF) analysis for the 69 kV Glenwood - Mitchell transmission line located in the City of Glenwood Springs, CO. In addition, the 69 kV 6584 transmission line extending approximately 5 miles beyond the Mitchell Creek Substation and the results of this study can be applied to these sections assuming the controlling features listed in the data section are consistent. The 69 kV Glenwood - Mitchell transmission line is being rebuilt as a single circuit non-bundled 477 kcmil ACSS "Hawk" using 115 kV class structures. Three different structure configurations are analyzed in this study: vertical, delta, H-frame configuration. Structure configurations can be found in Appendix A. These structure types are expected to be the most dominant configurations throughout the transmission line. The present analysis does not include effects of objects outside the ROW.

The EMF and corona effects were modeled using the Corona and Field Effects Program (CAFEP) software, developed by Bonneville Power Administration (BPA).

Table 1 shows the electric and magnetic field results for each of the respective structure types analyzed in this study. The H-frame configuration had the highest field strengths at the edge of ROW.

Table 1: Electric & Magnetic Field Results				
Structure	Magnetic Field at Edge of ROW (mG)	Maximum Magnetic Field (mG)	Electric Field at Edge of ROW (kV/m)	Maximum Electric Field (kV/m)
Vertical	70.8	126.4	0.2	0.7
H-Frame	110.9	250.6	0.5	0.7
Delta	76.0	155.5	0.3	0.8

Minimum conductor height of 25.3 feet used on all structures.

2.0 ANALYSIS METHODOLOGY

The EMF field analysis was performed using the Bonneville Power Administration's (BPA) Corona and Field Effects Program (CAFEP) software version 3. CAFEP uses the electrical and physical characteristics of the transmission line to calculate resulting electric and magnetic fields from the transmission lines.

The electric fields are driven by the maximum operating voltage of conductors. Magnetic fields are primarily a function of the line current loading, which varies over time. Therefore, the magnetic fields calculations were performed using a maximum steady state loading of 1,250 amperes.

The values of these effects are typically of concern at various points across and just outside the right-of-way (ROW). Therefore, values reported include the maximum values within the ROW, along with the calculated values at the edge of the ROW for each structure type. Also, included for reference are plots of the results for all analyzed values across the entire width of the ROW and slightly beyond the ROW.

For the analysis, electric and magnetic fields were analyzed at a minimum conductor height (near mid-span, at maximum sag), as this location will produce the controlling case scenario.

3.0 DATA

Three structure configurations were analyzed in this study. The transmission line consists of a single circuit non-bundled 477 26/7 ACSS "Hawk" conductor. The following section details the data used for the analysis as gathered from various sources. Any changes to this data will have an impact on the results of the analysis.

- Maximum Operating Voltage: 72.45kV (105% of nominal)
- Right-of-Way (ROW) width: 60 feet
- Maximum Conductor Operating Ampacity: 1,250 Amperes
- Minimum Conductor Height: 25.3 feet
- Shield wire: 0.555-inch AFL DNO-10723 CentraCore OPGW

The geometry for each structure is shown in Appendix A. Dimensions shown in the figure references were used in calculations to obtain electric and magnetic field results with exception of structure height. All heights were based upon minimum conductor heights of 25.3 feet.

Any changes to the characteristics of the conductors or their arrangement could affect the results of the study and should be further investigated.

4.0 RESULTS

4.1 Electric Field

The electric field strength is a measure of the force per unit charge at a given point in space relative to a charged object. It is typically measured in volts or kilovolts per meter (kV/m). Table 2 shows a summary of the electric field values at the edge of the ROW. Values are calculated at the minimum conductor height (near mid-span) at a height of 1.0 m (3.28 ft) above the ground per IEEE Std 644-2019.

Table 2: Electric Field Results		
Structure	Electric Field at Edge of ROW (kV/m)	Maximum Electric Field (kV/m)
Vertical	0.2	0.7
H-Frame	0.5	0.7
Delta	0.3	0.8

Minimum conductor height of 25.3 feet used on all structures.

Figure 1 shows a plot of the electric fields across the ROW for the Glenwood-Mitchell Creek transmission line for the three structure configurations.

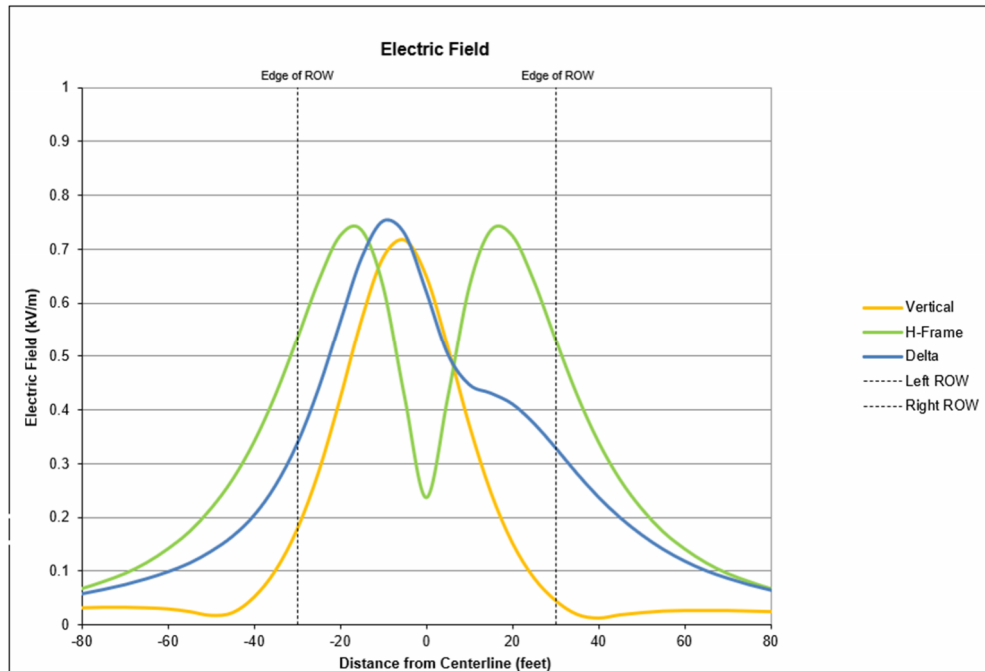


Figure 1: Electric Field Plot

4.2 Magnetic Field

The reported magnetic field values are the magnetic flux density at a given point in space. Magnetic flux density is measured in gauss or milligauss (mG).

Table 3 shows a summary of the magnetic field values at the ROW for each of the structure configurations analyzed. Values are calculated at the minimum conductor height (near mid-span) at a height of one meter above the ground per IEEE std 644-2019.

Table 3: Magnetic Field Results		
Structure	Magnetic Field at Edge of ROW (mG)	Maximum Magnetic Field (mG)
Vertical	70.8	126.4
H-Frame	110.9	250.6
Delta	76.0	155.5

Minimum conductor height of 25.3 feet used on all structures.

Figure 2 shows a plot of the magnetic field across the ROW for the three proposed single circuit structure configurations.

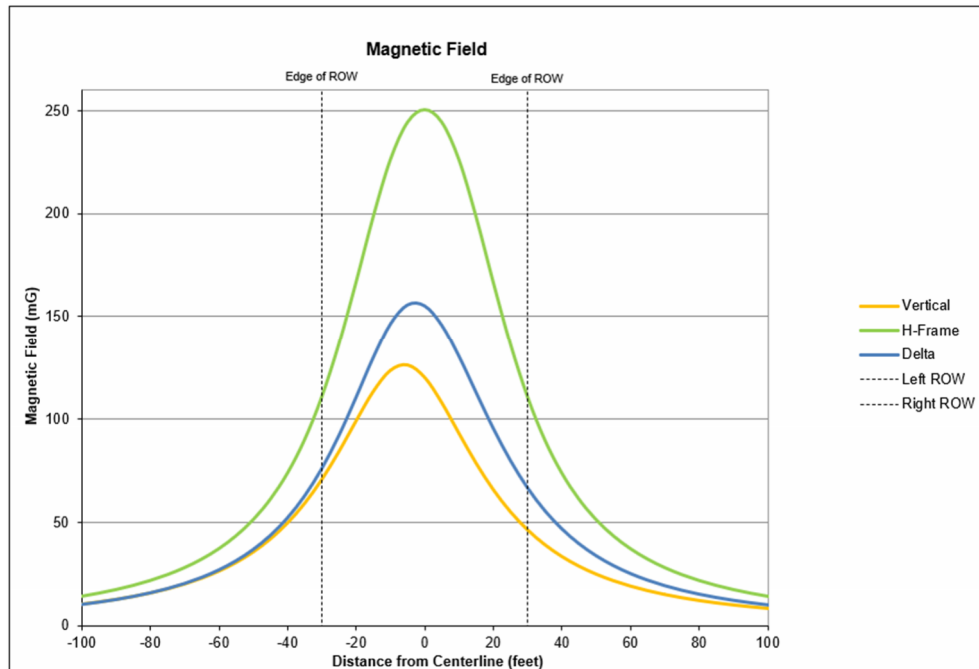


Figure 2: Magnetic Field Plot

5.0 CONCLUSIONS

Three structure configurations were reviewed for the 69 kV transmission line that will deliver power to Mitchell Creek Substation. The calculated electric and magnetic field results at the edge of the ROW were reviewed using maximum operating ampacity of the conductor at the designated elevation. The H-Frame structure has the highest magnetic field with 110.9 mG at the edge of ROW. The H-Frame structure also has the highest electric field results which are 0.5 kV/m at the edge of ROW.

APPENDIX A – STRUCTURE DRAWINGS

Figure 3: H Frame Structure

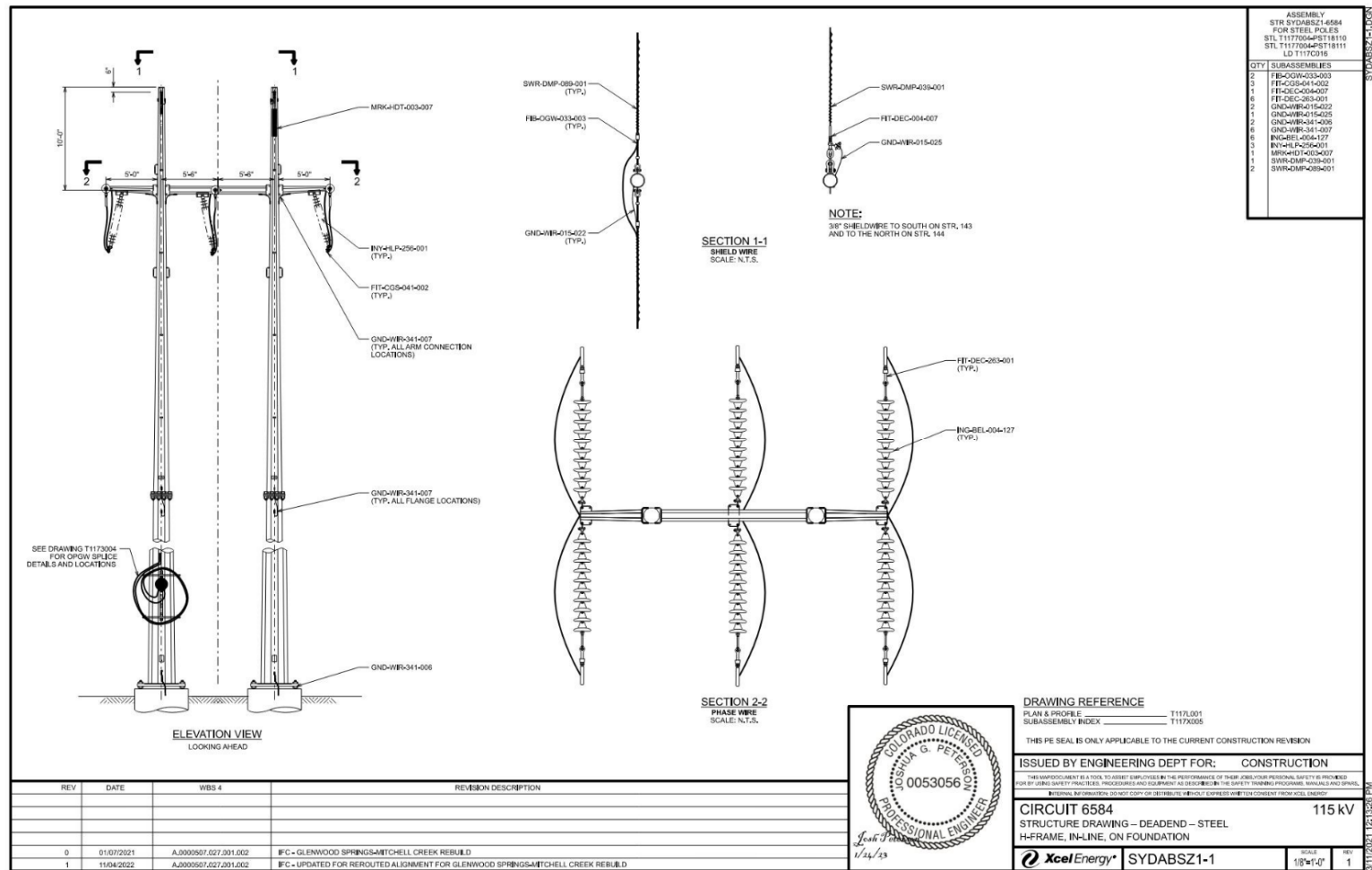


Figure 4: Vertical Structure

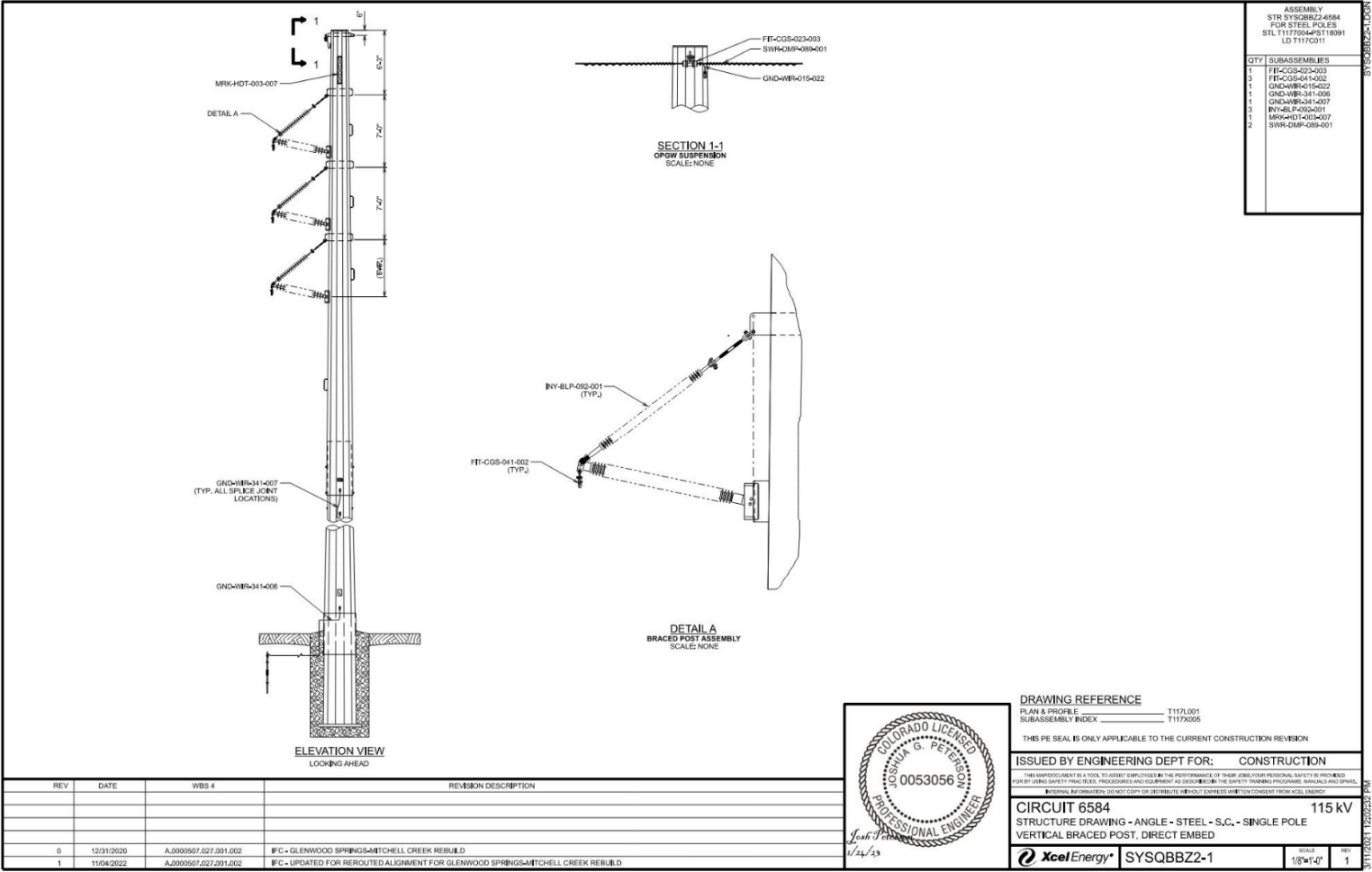
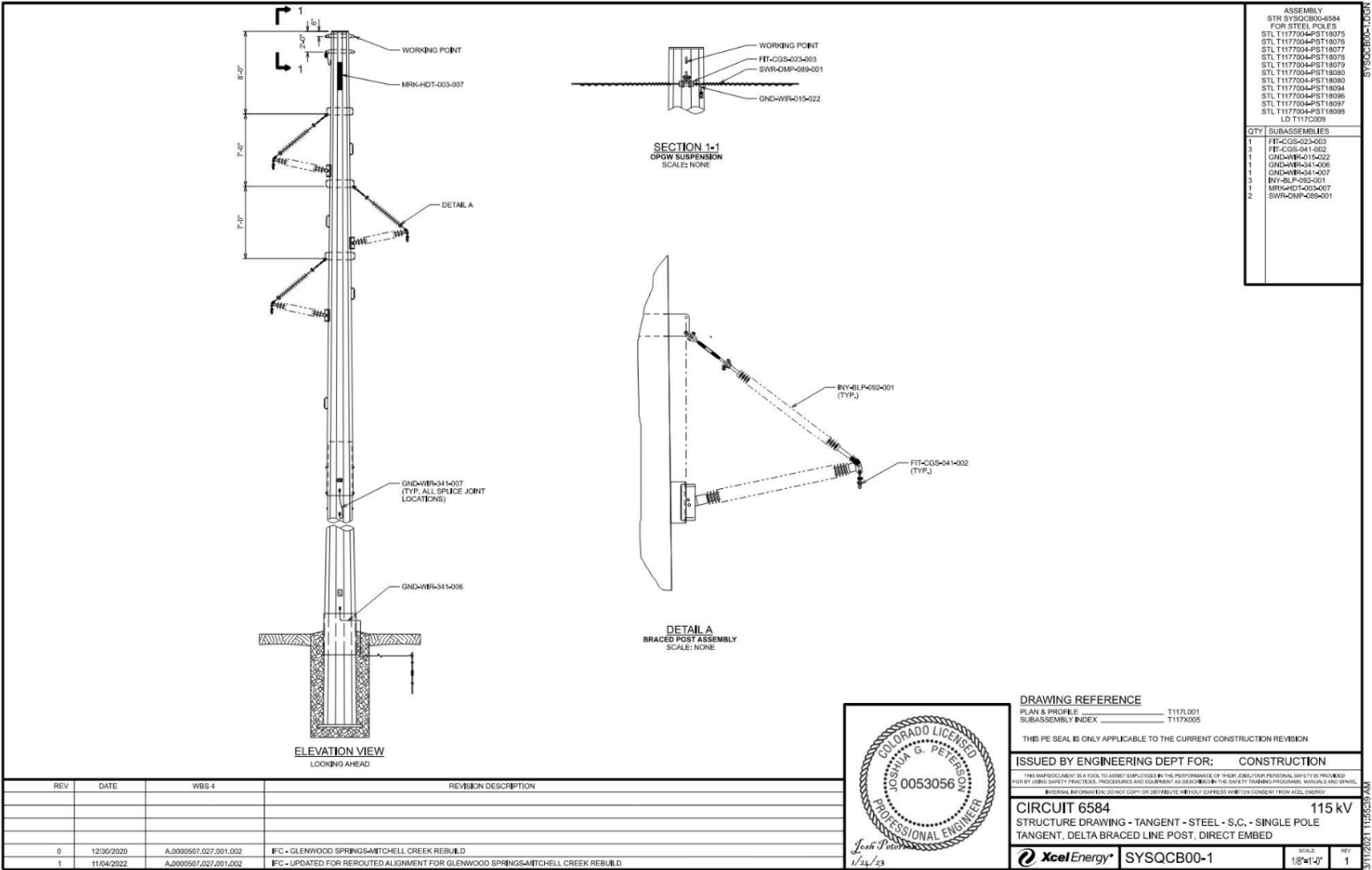


Figure 5: Delta Structure



Appendix G: Visual Simulations

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GLENWOOD SPRINGS – MITCHELL CREEK ELECTRIC TRANSMISSION LINE REBUILD PROJECT

Visual Simulations

January 23, 2023

Visual Simulation

View from pedestrian bridge over I-70 and the Colorado River



EXISTING VIEW

Visual Simulation

View from pedestrian bridge over I-70 and the Colorado River



VIEW WITH LINE REBUILT

Visual Simulation

View from pedestrian bridge over I-70 and the Colorado River



VIEW WITH LINE REBUILT: ARROW INDICATES POLE LOCATION

Visual Simulations

View from east of Traver Trail – proposed fly yard and material staging area



EXISTING VIEW

Visual Simulations

View from east of Traver Trail – proposed fly yard and material staging area



VIEW WITH LINE REBUILT

Visual Simulations

View from east of Traver Trail – proposed fly yard and material staging area



VIEW WITH LINE REBUILT: ARROW INDICATES POLE LOCATION

Visual Simulations

View from Traver Trail looking south across the Colorado River



EXISTING VIEW

Visual Simulations

View from Traver Trail looking south across the Colorado River



VIEW WITH LINE REBUILT

Visual Simulations

View from Traver Trail looking south across the Colorado River



VIEW WITH LINE REBUILT: ARROW INDICATES POLE LOCATION

Visual Simulations

View from Donegan Road looking south across the Colorado River



EXISTING VIEW

Visual Simulations

View from Donegan Road looking south across the Colorado River



VIEW WITH LINE REBUILT

Visual Simulations

View from Donegan Road looking south across the Colorado River



VIEW WITH LINE REBUILT: ARROW INDICATES POLE LOCATION

Visual Simulations

View from Midland Avenue trail looking northeast across the Colorado River



EXISTING VIEW

Visual Simulations

View from Midland Avenue trail looking northeast across the Colorado River



VIEW WITH LINE REBUILT

Visual Simulations

View from Midland Avenue trail looking northeast across the Colorado River



VIEW WITH LINE REBUILT: ARROW INDICATES POLE LOCATION

Appendix H: Engineering Reports

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Appendix H-1: Preliminary Soils and Geotechnical Engineering Report

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Geotechnical Engineering Report

**Xcel Line 6584 Glenwood Springs to Mitchell Creek
Various Locations**

Glenwood Springs, Colorado

February 16, 2021

Terracon Project No. 25205018

Prepared for:

Xcel Energy Services, Inc.
Denver, Colorado

Prepared by:

Terracon Consultants, Inc.
Wheat Ridge, Colorado

February 16, 2021

Xcel Energy Services, Inc.
1800 Larimer Street, Suite 500
Denver, Colorado 80202



Attn: Mr. Joshua Peterson
P: (608) 469-0216
E: Joshua.G.Peterson@xcelenergy.com

Re: Geotechnical Engineering Report
Xcel Line 6584 Glenwood Springs to Mitchell Creek
Various Locations
Glenwood Springs, Colorado
Terracon Project No. 25205018

Mr. Peterson:

We have completed the geotechnical engineering services for the project referenced above. This study was performed in general accordance with Purchase Order No. 4500532186 dated February 12, 2020 and subsequent amendments dated January 8, 2021 and February 4, 2021. This report presents the findings of the subsurface exploration and provides geotechnical recommendations concerning earthwork and the design of the proposed transmission line structures.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report or if we may be of further service, please contact us.

Sincerely,
Terracon Consultants, Inc.

Scott W. Borecki, P.E.
Project Engineer

Scott B. Myers, P.E.
Regional Senior Consultant



Geotechnical Engineering Report

Xcel Line 6584 Glenwood Springs to Mitchell Creek ■ Glenwood Springs, Colorado

February 16, 2021 ■ Terracon Project No. 25205018



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Note: This report was originally delivered in a web-based format. For more interactive features, please view your project online at client.terracon.com.

ATTACHMENTS

EXPLORATION AND TESTING PROCEDURES
SITE LOCATION AND EXPLORATION PLANS
EXPLORATION RESULTS
GEOPHYSICAL RESULTS
SUPPORTING INFORMATION

Note: Refer to each individual Attachment cover page for a listing of contents.

Responsive ■ Resourceful ■ Reliable

REPORT SUMMARY

A geotechnical engineering exploration has been performed for the proposed rebuild of the existing 115 kV Glenwood to Mitchell Creek transmission line 6584 in Glenwood Springs, Colorado. Based on the information obtained from this subsurface exploration and the laboratory testing completed, the site appears suitable for the proposed construction; however, the following geotechnical conditions will need to be considered:

- Constructing the transmission line structures on drilled pier foundations is considered suitable from a geotechnical viewpoint. This report provides recommendations for the design and construction of drilled pier foundations and direct-embedded steel poles.
- Up to about 6½ feet of fill materials were encountered in the borings drilled for this exploration. We do not possess any information regarding whether the fill was placed under the observation of a geotechnical engineer.
- Boulders and cobbles were encountered in most of the borings drilled for this exploration. In order to advance the borings to the requested depths, a downhole hammer (ODEX) drilling technique was used in most of the borings. Difficult excavation and drilled pier installation should be anticipated during the construction of the proposed transmission line structures. Heavy-duty excavation equipment and drilling equipment will be required.
- Based on the 2015 International Building Code (IBC) Section 1613.3.2, the subsurface conditions encountered in the borings, and the results of the geophysical testing performed at selected locations, the seismic site classification for the sites range from C to D.

This summary should be used in conjunction with the entire report for design purposes. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein. The section titled **General Comments** should be read for an understanding of the report limitations.

Geotechnical Engineering Report
Xcel Line 6584 Glenwood Springs to Mitchell Creek
Various Locations
Glenwood Springs, Colorado
Terracon Project No. 25205018
February 16, 2021

INTRODUCTION

This report presents the results of our subsurface exploration and geotechnical engineering services performed for the proposed Line 6584 Glenwood Springs to Mitchell Creek rebuild project to be located in Glenwood Springs, Colorado.

The purpose of these services is to provide information and geotechnical engineering recommendations relative to:

- Subsurface soil and bedrock conditions
- Geotechnical design criteria
- Groundwater levels
- Seismic considerations
- Earthwork

The geotechnical engineering Scope of Services for this project included advancing nine test borings (designated as Boring Nos. 1, 3, 5 through 8, and 10 through 12) to depths ranging from approximately 29 to 41 feet below existing site grades and performing geophysical explorations at six locations (designated as Geophysics Location Nos. 1 through 4, 9, and 14). Plans showing the site and exploration locations are shown in the **Site Location and Exploration Plans** and **Geophysical Results** sections. The results of the laboratory testing performed on soil and bedrock samples obtained from the site during the field exploration are included on the boring logs and/or as separate graphs in the **Exploration Results** section. The results of the geophysical explorations are included in the **Geophysical Results** section.

SITE CONDITIONS

The following description of site conditions is derived from our site visit in association with the field exploration.

Item	Description
Project Location	The project is to be located in Glenwood Springs, Colorado. The approximate endpoints of the proposed transmission line improvements are 39.5506°N, 107.3209°W and 39.5598°N, 107.3523°W. See Site Location .

Geotechnical Engineering Report

Xcel Line 6584 Glenwood Springs to Mitchell Creek ■ Glenwood Springs, Colorado

February 16, 2021 ■ Terracon Project No. 25205018



Item	Description
Existing Improvements	The transmission line alignment generally consists of vacant land, residential properties, and commercial properties.
Current Ground Cover	Ground cover along the proposed transmission line alignment are variable and general consists of grass, weeds, light vegetation, barren land, and asphalt and concrete pavements.
Existing Topography	The existing grade along the transmission line alignment is variable with elevation differences of up to about 200 feet.
Geology	Surficial geologic conditions near the site, as mapped by the U.S. Geological Survey (USGS) (¹Kirkham, et al, 2008), consist of the following units: ■ MI: Leadville Limestone ■ Pb: Belden Formation ■ Qdfo: Older debris-flow deposits ■ Qdfy: Younger debris-flow deposits ■ Qlo: Loess ■ Qlso: Older landslide deposits ■ Qto: Older terrace alluvium ■ Qtu: Tufa Glenwood Springs is known for its hot springs. Most of the hot springs are reportedly associated with the Leadville Limestone and other carbonate rocks. The geologic conditions presented in this section were obtained by locating the subject site on available large-scale geologic maps. Due to the scales involved, precise location of the site can be difficult to determine. In addition, the large-scale geologic maps describe only general trends. Local variations are possible and site-specific geology may differ from those described above. A site-specific detailed geologic description is beyond the scope of this project.

PROJECT DESCRIPTION

Our initial understanding of the project was provided in our proposal and was discussed during project planning. Our final understanding of the project conditions is as follows:

Item	Description
Project Description	We understand the Line 6584 Glenwood Springs to Mitchell Creek rebuild project consists of rebuilding approximately 1.5 miles of existing 115kV transmission line.

¹Kirkham, Robert M.; Streufert, Randall K.; Cappa, James A.; Shaw, Colin A.; Allen, Joseph L.; and Jones, James V., 2008, *Geologic Map of the Glenwood Springs Quadrangle, Garfield County, Colorado*, Map Series 38, United States Geological Survey.

Geotechnical Engineering Report

Xcel Line 6584 Glenwood Springs to Mitchell Creek ■ Glenwood Springs, Colorado
February 16, 2021 ■ Terracon Project No. 25205018



Item	Description
Anticipated Foundation Systems	We understand the deadend structures will be constructed on cylindrical concrete pier foundations, while the tangent structures will be direct-embedded steel poles.
Maximum Loads	■ Axial: 20 to 40 kips (assumed) ■ Lateral (shear): 20 to 60 kips (assumed) ■ Moment: 1,500 to 3,500 kip-ft (assumed)
Grading/Slopes	None anticipated
Underground Utilities	No below-grade infrastructure will be installed as part of this project.

GEOTECHNICAL CHARACTERIZATION

We have developed a general characterization of the subsurface soil, bedrock, and groundwater conditions based upon our review of the data and our understanding of the geologic setting and planned construction. The following sections provide our geotechnical characterization.

The geotechnical characterization forms the basis of our geotechnical calculations and evaluation of site preparation, foundation options, and pavement options. As noted in **General Comments**, the characterization is based upon widely spaced exploration points across the site, and variations are likely.

Typical Profile

Based on the results of the borings for this exploration, subsurface conditions on the site can be generalized as follows:

Material Description	Approximate Depth to Bottom of Stratum below Existing Site Grade	Consistency/ Relative Density/ Hardness
Existing fill materials consisting of clay with varying amounts of gravel, sand, silt, and limestone fragments, and sand with varying amounts of boulders, gravel, silt, and clay	About 3½ to 6½ feet	Variable
Native soil consisting of lean clay with varying amounts of cobbles, boulders, gravel, sand, and silt, and sand with varying amounts of cobbles, boulders, gravel, silt, and clay.	About 12 to 41 feet, Maximum depth explored in all the borings except for Boring No. 1	Clay: stiff to hard Sand: loose to very dense

Geotechnical Engineering Report

Xcel Line 6584 Glenwood Springs to Mitchell Creek ■ Glenwood Springs, Colorado
February 16, 2021 ■ Terracon Project No. 25205018



Material Description	Approximate Depth to Bottom of Stratum below Existing Site Grade	Consistency/ Relative Density/ Hardness
Bedrock consisting of shale	About 31 feet, Maximum depth explored in Boring No. 1	Very hard

Stratification boundaries on the boring logs represent the approximate location of changes in soil and material types; in situ, the transition between materials may be gradual. Further details of the borings can be found on the boring logs in the **Exploration Results**. A summary of laboratory test results is included in the **Exploration Results**.

Groundwater Conditions

The borings were observed while drilling and upon completion of drilling for the presence and level of groundwater. The water levels encountered in the boreholes can be found on the boring logs in **Exploration Results** and are summarized below.

Boring No.	Shallowest depth to groundwater encountered while or upon completion of drilling ¹
1	None encountered
3	None encountered
5	None encountered
6	None encountered
7	None encountered
8	None encountered
10	None encountered
11	None encountered
12	About 40 feet

1. Due to safety concerns, borings were backfilled immediately after completion. Therefore, subsequent groundwater measurements were not obtained.

These observations represent groundwater conditions at the time of the field exploration and may not be indicative of other times or at other locations. Groundwater levels can be expected to fluctuate with varying seasonal and weather conditions.

Zones of perched and/or trapped groundwater may also occur at times in the subsurface soils overlying bedrock, on top of the bedrock surface or within permeable fractures in the bedrock materials. The location and amount of perched water is dependent upon several factors, including hydrologic conditions, type of site development, irrigation demands on or adjacent to the site, fluctuations in water features, seasonal and weather conditions.

Groundwater level fluctuations occur due to seasonal variations in the amount of rainfall, runoff, and other factors not evident at the time the borings were performed. Groundwater levels during construction or at other times in the life of the structures may be higher or lower than the levels indicated on the boring logs. The possibility of groundwater level fluctuations should be considered when developing the design and construction plans for the project.

Geophysical (P-wave and MASW) Survey Interpretation

Terracon performed geophysical exploration services consisting of seismic refraction and MASW to better define the subsurface conditions at the subject site. Six locations (designated as Geophysics Location Nos. 1 through 4, 9, and 14) were tested in the area of the proposed transmission line structures. Terracon used a seismic refraction system (SRS) consisting of a SeismicSource DAQLink III seismograph and 24 geophones to derive subsurface seismic velocity information. Survey lines ranged from approximately 240 to 300 feet in length and had geophone spacings of 10 to 13 feet. The approximate location and layout of the survey lines are presented in the **Geophysical Results**.

After the geophysical survey line data was processed into velocity profiles, as described in **Exploration and Testing Procedures**, Boring Nos. 1 and 3 were superimposed on the velocity profiles for Geophysics Location Nos. 1 and 3, respectively. Based on comparison with the velocity profiles and the subsurface conditions encountered in the exploratory borings at the selected geophysics locations, the subsurface material types were generally associated with velocity profiles to estimate the geotechnical design parameters for the proposed structure foundations in areas where exploratory borings could not be drilled.

Although we typically recommend borings be performed to confirm the results of the seismic data, we understand that borings could not be performed near the seismic lines due to access conditions. It is important to note that seismic data used in lieu of borings can provide significant information about subsurface conditions, but it cannot provide the same level of geotechnical confidence as borings. The subsurface materials should be confirmed during construction and the design values should be adjusted, as needed. Full-time observation of the structure foundation construction should be performed by the Geotechnical Engineer.

GEOTECHNICAL OVERVIEW

Based on subsurface conditions encountered in the borings, the site appears suitable for the proposed construction from a geotechnical point of view provided certain precautions and design and construction recommendations outlined in this report are followed. We have identified

geotechnical conditions that could impact design and construction of the proposed transmission line structures and other site improvements.

Existing Fill Materials

Up to about 6½ feet of fill materials were encountered in portions of the site. Fill depths presented in the boring logs are approximate and the depth, lateral extents, and composition of fill should be expected to vary. We do not possess any information regarding whether the fill was placed under the observation of a geotechnical engineer.

There exists the potential for construction debris and/or domestic trash to be encountered within the fill on some portions of the site. However, the potential for encountering construction debris or domestic trash is considered to be low. The fill materials should be observed for the presence of trash and debris during site grading and construction.

The existing fill can be reused as engineered fill below drilling pads or temporary roads, provided the material meets the requirements of imported soils in the **Material Types** subsection in **Earthwork**, any deleterious materials are removed, and some movement can be tolerated. Some removal and replacement may be required if unsuitable or soft materials are exposed.

Boulders and Cobbles

Boulders and cobbles were encountered in Boring Nos. 3, 6, 7, 8, 10, 11, and 12. In order to advance the borings to the requested depths, a downhole hammer (ODEX) drilling technique was used in all the borings except for Boring No. 8. Boulders up to about 2 feet in diameter were encountered within the exploratory borings. Difficult excavation and drilled pier installation should be anticipated during the construction of the proposed transmission line structures. Heavy-duty excavation equipment and drilling equipment will be required.

Geothermal Aquifer Interaction

Based on the subsurface conditions encountered in the borings drilled for this exploration and the anticipated depths of the transmission line structure foundations, it is our opinion that the risk of encountering the geothermal aquifer is considered to be low.

In the event that artesian conditions are encountered during the construction of the transmission line structure foundations, the contractor should be prepared with a contingency plan to manage the artesian conditions and seal the pier hole. Prior to construction, the contingency plan should be reviewed by the owner and any other entities with jurisdiction.

EARTHWORK

The following presents recommendations for site preparation, excavation, subgrade preparation, and placement of engineered fills on the project. All earthwork on the project should be observed and evaluated by Terracon.

Site Preparation

Strip and remove existing vegetation, organics, and other deleterious materials from proposed improvement areas. All exposed surfaces should be free of mounds and depressions that could prevent uniform compaction if new fill will be placed in these areas.

Stripped materials consisting of vegetation, unsuitable fills, and organic materials should be wasted from the site or used to revegetate landscaped areas or exposed slopes after completion of grading operations.

In areas where new fill will be placed, where possible, the site should be initially graded to create a relatively level surface to receive fill and to provide for a relatively uniform thickness of fill beneath the proposed improvement areas. All exposed areas that will receive fill, once properly cleared, should be scarified to a minimum depth of 12 inches, conditioned to near optimum moisture content, and compacted. It is imperative the moisture content of prepared materials be protected from moisture loss.

It is anticipated that the installation of the transmission line structures will require the use of heavy-duty construction equipment when installing the drilled piers through the cobbles and boulders and into the underlying bedrock.

The stability of subgrade soils may be affected by precipitation, repetitive construction traffic, or other factors. If unstable conditions are encountered or develop during construction, workability may be improved by overexcavation of wet zones and mixing these soils with crushed gravel. Use of geotextiles could also be considered as a stabilization technique. Lightweight excavation equipment may be required to reduce subgrade pumping.

Material Types

Fill for this project should consist of engineered fill. Engineered fill is fill that meets the criteria presented in this report and has been properly documented.

Engineered fill should meet the following material property requirements:

Fill Type ^{1,2}	USCS Classification	Acceptable Location for Placement
On-site clay soils	CL, CH, CL-ML	On-site clay soils are considered suitable for reuse as compacted fill for this project, provided the soils meet the gradation requirements presented in this section.

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Fill Type ^{1,2}	USCS Classification	Acceptable Location for Placement
On-site sand soils	SP, SC, SM	On-site sand soils are considered suitable for reuse as compacted fill for this project, provided the soils meet the gradation requirements presented in this section.
Imported soils	Varies	Imported soils meeting the gradation outlined herein can be considered acceptable for use as compacted fill for this project.

1. Controlled, compacted fill should consist of approved materials that are free of organic matter and debris. Frozen material should not be used, and fill should not be placed on a frozen subgrade. A sample of each material type should be submitted to the geotechnical engineer for evaluation.
2. Care should be taken during the fill placement process to avoid zones of dis-similar fill. Improvements constructed over varying fill types are at a higher risk of differential movement compared to improvements over a uniform fill zone.

Imported soils and on-site materials for engineered fill (if required) should meet the following material property requirements:

Gradation	Percent Finer by Weight (ASTM C136)
3"	100
No. 4 Sieve	50-100
No. 200 Sieve	15-75

- Liquid Limit 30 (max)
- Plasticity Index 15 (max)
- Maximum Expansive Potential (%) 1.0*

*Measured on a sample compacted to approximately 95 percent of the ASTM D698 maximum dry density at optimum water content. The sample is confined under a 200-psf surcharge and submerged.

Compaction Requirements

Engineered fill should be placed and compacted in horizontal lifts, using equipment and procedures that will produce recommended moisture contents and densities throughout the lift.

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Item	Description
Fill Lift Thickness	8 inches or less in loose thickness when heavy, self-propelled compaction equipment is used 4 to 6 inches in loose thickness when hand-guided equipment (e.g. jumping jack, plate compactor) is used
Compaction Requirements ^{1,2}	Minimum of 95% of the material's standard Proctor maximum dry density (ASTM D698) for clay soils and a minimum of 98% of the material's standard Proctor maximum dry density for sand soils.
Moisture Content of Cohesive Soils (Clay Soils) ³	0 to +3% of the optimum moisture content
Moisture Content of Cohesionless Soils (Sand Soils)	-2 to +2% of the optimum moisture content

1. We recommend that engineered fill be tested for water content and compaction during placement. Should the results of the in-place density tests indicate the specified water or compaction limits have not been met, the area represented by the test should be reworked and retested as required until the specified water and compaction requirements are achieved.
2. Water levels should be maintained low enough to allow for satisfactory compaction to be achieved without the compacted fill material pumping when proofrolled.
3. Moisture conditioned clay soils should not be allowed to dry out. A loss of moisture within these materials could result in an increase in the materials expansive potential. Subsequent wetting of these materials could result in undesirable movement.

Excavation

Excavations into the subsurface soils and bedrock will encounter a variety of conditions. The individual contractor(s) is responsible for designing and constructing stable, temporary excavations as required to maintain stability of both the excavation sides and bottom. All excavations should be sloped or shored in the interest of safety following local and federal regulations, including current Occupational Safety and Health Administration (OSHA) excavation and trench safety standards.

Soils and bedrock penetrated by the proposed excavations may vary significantly across the site. The soil and bedrock classifications are based solely on the materials encountered in the exploratory borings. The contractor should verify that similar conditions exist throughout the proposed area of excavation. If different subsurface conditions are encountered at the time of construction, the actual conditions should be evaluated to determine any excavation modifications necessary to maintain safe conditions.

Construction site safety is the sole responsibility of the contractor who controls the means, methods, and sequencing of construction operations. Under no circumstances shall the information provided herein be interpreted to mean Terracon is assuming responsibility for construction site safety or the contractor's activities; such responsibility shall neither be implied nor inferred.

Grading and Drainage

All grades must provide effective drainage away from the proposed transmission line structures during and after construction and should be maintained throughout the life of the structures. Water retained next to structures can result in soil movements greater than those discussed in this report.

Earthwork Construction Considerations

The Geotechnical Engineer should be retained during the construction phase of the project to observe earthwork and to perform necessary tests and observations during foundation excavation and construction.

The stability of subgrade soils may be affected by precipitation, repetitive construction traffic, or other factors. If unstable conditions develop along construction and maintenance access roads during general construction operations, recommended options for subgrade stabilization include removal and replacement of unstable soils or mixing unstable soils with crushed gravel. The use of geotextiles could also be considered as a stabilization technique.

STRUCTURE FOUNDATION RECOMMENDATIONS

We understand the deadend structures will be constructed on cylindrical concrete pier foundations, while the tangent structures will be direct-embedded steel poles. The following sections present criteria for each structure location and may be used for either direct-embed structures or structures constructed on drilled piers.

General Direct Embed Pole Design and Construction Recommendations

The maximum end bearing pressures given in the specific structure design tables are based on the cross-sectional area of the tip of the pole. Side resistance should be applied to the surface area of the pole for that given length interval below a depth of 3 feet to reduce the effect of frost. The combination of skin friction and end bearing pressure can be used to determine the vertical compression capacity. The skin friction value should be used to determine the uplift capacity of the pole.

For lateral load and overturning design, we have included LPILE® and MFAD parameters in the structure specific design tables. Lateral load design parameters are valid for maximum soil strain of 1 percent for the native soils acting over a distance of one shaft diameter. The passive pressure, coefficient of horizontal subgrade reaction, and LPILE® parameters presented in the specific structure design tables are ultimate values; therefore, appropriate factors of safety should be applied in the design.

Because cobbles and boulders were encountered in the borings, heavy-duty construction equipment will be required to install the transmission poles. Due to potential sloughing and raveling, foundation concrete quantities may exceed calculated geometric volumes.

General Drilled Pier Design and Construction Recommendations

The end bearing capacities given are based on the cross-sectional area of the tip of the pier. Side resistance should be applied to the surface area of the drilled pier for that given length interval below a depth of 3 feet to reduce the effect of frost. The combination of skin friction and end bearing pressure can be used to determine the vertical compression capacity. The skin friction value with a $\frac{2}{3}$ reduction should be used to determine the uplift capacity of the drilled piers. The contribution of soil resistance within the frost zone should be neglected in computations of vertical and lateral capacity.

For lateral load and overturning design, we have included LPILE and MFAD parameters in the structures-specific design tables. Lateral load design parameters are valid for maximum soil strain of 1 percent for the native soils acting over a distance of one shaft diameter. The passive pressure, coefficient of horizontal subgrade reaction, and LPILE parameters presented in the structure specific design tables are ultimate values; therefore, appropriate factors of safety should be applied in the pier design.

Piers should be considered to work in group action if the horizontal center-to-center spacing is less than three pier diameters. A minimum practical horizontal center to center spacing between piers of at least three diameters should be maintained, and adjacent piers should bottom at the same elevation. The capacity of individual piers must be reduced when considering the effects of group action. Capacity reduction is a function of pier spacing and the number of piers within a group. The following table presents capacity reductions for closely spaced piers.

Description	Value		
Drilled Pier Spacing (Center-to-Center)	>3 diameters	>2 to 3 diameters	1 to 2 diameters
Pier Capacity Reduction	None	30 percent	50 percent
1. End bearing values do not need to be reduced for closely spaced piers, if bottoms of piers are at the same elevation.			

Lateral analysis should account for the center-to-center spacing and p-y multiplier values per the following table:

Pier Center-to-Center Spacing (In Direction of Loading)	p-multiplier, p_M Row 1	p-multiplier, p_M Row 2	p-multiplier, p_M Row 3 and Higher
3 x diameter	0.8	0.4	0.3

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Pier Center-to-Center Spacing (In Direction of Loading)	p-multiplier, p_M Row 1	p-multiplier, p_M Row 2	p-multiplier, p_M Row 3 and Higher
5 x diameter	1.0	0.85	0.7

Boulders and cobbles were encountered within the borings drilled for this exploration. Specialized drilling equipment and/or techniques will be necessary to drill through boulders and cobbles to the anticipated pier depths. The individual contractor(s) should be provided a copy of this report to make their own determination about the means and methods required.

Groundwater (if encountered) should be removed from each pier hole prior to concrete placement. Pier concrete should be placed immediately after completion of drilling and cleaning. If pier concrete cannot be placed in dry conditions, a tremie should be used for concrete placement. Due to potential sloughing and raveling, foundation concrete quantities may exceed calculated geometric volumes. Pier-bearing surfaces must be cleaned prior to concrete placement. A Terracon representative should observe the bearing surface and shaft configuration.

Pier casing may be required if groundwater, loose soils, or caving soils are encountered. Casing should be withdrawn in a slow continuous manner maintaining a sufficient head of concrete to prevent infiltration of water or caving soils or the creation of voids in pier concrete. Pier concrete should have a relatively high fluidity when placed in cased pier holes or through a tremie. Pier concrete with slump in the range of 5 to 7 inches is recommended for uncased piers. For cased piers, a slump in the range of 7 to 9 inches is recommended.

Pier bearing surfaces must be cleaned prior to concrete placement. A representative of the geotechnical engineer should observe the bearing surface, shaft configuration and shear ring installation.

Free-fall concrete placement in piers will only be acceptable if provisions are taken to avoid striking the concrete on the sides of the hole or reinforcing steel. The use of a bottom-dump hopper, or an elephant's trunk discharging near the bottom of the hole where concrete segregation will be reduced, is recommended.

The top of the piers should be cylindrical in shape. Forms may be necessary at the top of the piers in order to minimize the disturbance of the soils and to maintain a cylindrical shape. Failure to provide this shape (i.e., allowing mushrooming of pier tops) may result in additional uplift forces and unanticipated movement.

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For drilled piers for the proposed dead-end structures for this project, we recommend the following:

Description	Value
Minimum length	15 feet
Pier concrete slump (uncased piers)	5 to 7 inches
Pier concrete slump (cased piers)	7 to 9 inches
Approximate total movement ¹	About 1 inch

1. Additional foundation movements could occur if water from any source infiltrates the foundation material; therefore, proper drainage and irrigation practices should be incorporated into the design and operation of the facility. Failure to maintain water content of the subsurface materials and positive drainage will nullify the movement estimates provided above.

Structure-Specific Design Tables

The structure-specific design tables are presented on the following pages.

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Boring No. 1			
Description	Material Type		
	Native Sand Soils	Native Clay Soils	Shale
Depth Below Existing Site Grade (feet)	3 to 4	4 to 12	12 to 31
LPile Soil Type	Sand (Reese)	Stiff clay w/out free water	Stiff clay w/out free water
Effective Unit Weight (pcf) ¹	120	115	125
Angle of Internal Friction, ϕ (°)	34	0	0
Undrained Cohesion, c (psf)	0	1,000	4,000
Lateral Modulus, K (pci)	60	Static–1,000 Cyclic–400	Static–2,000 Cyclic–800
Strain at 50% of Maximum Stress, ϵ_{50}	N/A	0.005	0.004
Modulus of Deformation, E_p (ksi)	2.5	1.5	5.0
Allowable Vertical Parameters			
End Bearing (ksf) ^{2,3,4}	1.0	4.0	20.0
Skin Friction (ksf) ^{5,6}	0.05	0.4	2.0

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 3		
Description	Material Type	
	Clay Fill Materials	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 4	4 to 40
LPile Soil Type	Stiff clay w/out free water	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	120
Angle of Internal Friction, ϕ (°)	0	34
Undrained Cohesion, c (psf)	2,000	0
Lateral Modulus, K (pci)	Static–2,000 Cyclic–800	125
Strain at 50% of Maximum Stress, ϵ_{50}	0.004	--
Modulus of Deformation, E_p (ksi)	1.0	3.5
Allowable Vertical Parameters		
End Bearing (ksf) ^{2,3,4}	2.0	8.0
Skin Friction (ksf) ^{5,6}	0.2	0.4

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 5				
Description	Material Type			
	Clay Fill Materials	Native Sand Soils	Native Clay and Clayey Sand Soils	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 3½	3½ to 18	18 to 38	38 to 41
LPile Soil Type	Stiff clay w/out free water	Sand (Reese)	Stiff clay w/out free water	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	120	120	120
Angle of Internal Friction, ϕ (°)	0	34	0	34
Undrained Cohesion, c (psf)	2,000	0	2,500	0
Lateral Modulus, K (pci)	Static–2,000 Cyclic–800	60	Static–1,000 Cyclic–400	60
Strain at 50% of Maximum Stress, ϵ_{50}	0.004	N/A	0.005	N/A
Modulus of Deformation, Ep (ksi)	1.0	2.5	1.5	2.5
Allowable Vertical Parameters				
End Bearing (ksf) ^{2,3,4}	2.0	8.0	4.0	8.0
Skin Friction (ksf) ^{5,6}	0.2	0.4	0.4	0.4

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 6		
Description	Material Type	
	Native Clay Soils	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 7	7 to 41
LPile Soil Type	Stiff clay w/out free water	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	125
Angle of Internal Friction, ϕ (°)	0	34
Undrained Cohesion, c (psf)	4,000	0
Lateral Modulus, K (pci)	Static–2,000 Cyclic–800	125
Strain at 50% of Maximum Stress, ϵ_{50}	0.004	N/A
Modulus of Deformation, E_p (ksi)	2.0	4.0
Allowable Vertical Parameters		
End Bearing (ksf) ^{2,3,4}	6.0	8.0
Skin Friction (ksf) ^{5,6}	0.6	0.6

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 7		
Description	Material Type	
	Native Clay Soils	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 12	12 to 41
LPile Soil Type	Stiff clay w/out free water	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	125
Angle of Internal Friction, ϕ (°)	0	34
Undrained Cohesion, c (psf)	4,000	0
Lateral Modulus, K (pci)	Static–2,000 Cyclic–800	125
Strain at 50% of Maximum Stress, ϵ_{50}	0.004	N/A
Modulus of Deformation, E_p (ksi)	2.0	4.0
Allowable Vertical Parameters		
End Bearing (ksf) ^{2,3,4}	6.0	8.0
Skin Friction (ksf) ^{5,6}	0.6	0.6

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 8			
Description	Material Type		
	Native Sand Soils	Native Clay Soils	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 9	9 to 17	17 to 41
LPile Soil Type	Sand (Reese)	Stiff clay w/out free water	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	115	125
Angle of Internal Friction, ϕ (°)	34	0	34
Undrained Cohesion, c (psf)	0	4,000	0
Lateral Modulus, K (pci)	60	Static–1,000 Cyclic–400	125
Strain at 50% of Maximum Stress, ϵ_{50}	N/A	0.005	N/A
Modulus of Deformation, E_p (ksi)	1.5	1.5	4.0
Allowable Vertical Parameters			
End Bearing (ksf) ^{2,3,4}	4.0	4.0	8.0
Skin Friction (ksf) ^{5,6}	0.1	0.4	0.6

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 10		
Description	Material Type	
	Sand Fill Materials	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 4	4 to 41
LPile Soil Type	Sand (Reese)	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	125
Angle of Internal Friction, ϕ (°)	32	34
Undrained Cohesion, c (psf)	0	0
Lateral Modulus, K (pci)	60	125
Strain at 50% of Maximum Stress, ϵ_{50}	N/A	N/A
Modulus of Deformation, E_p (ksi)	1.0	4.0
Allowable Vertical Parameters		
End Bearing (ksf) ^{2,3,4}	1.0	8.0
Skin Friction (ksf) ^{5,6}	0.05	0.6

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 11			
Description	Material Type		
	Clay Fill Materials	Native Clay Soils	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 4	4 to 17	17 to 29
LPile Soil Type	Stiff clay w/out free water	Stiff clay w/out free water	Sand (Reese)
Effective Unit Weight (pcf) ¹	110	115	115
Angle of Internal Friction, ϕ (°)	0	0	33
Undrained Cohesion, c (psf)	1,000	2,000	0
Lateral Modulus, K (pci)	Static–500 Cyclic–200	Static–1,000 Cyclic–400	60
Strain at 50% of Maximum Stress, ϵ_{50}	0.007	0.005	N/A
Modulus of Deformation, E_p (ksi)	0.5	0.8	1.5
Allowable Vertical Parameters			
End Bearing (ksf) ^{2,3,4}	1.0	3.0	8.0
Skin Friction (ksf) ^{5,6}	0.1	0.3	0.4

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Boring No. 12		
Description	Material Type	
	Sand Fill Materials	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 6½	6½ to 41
LPile Soil Type	Sand (Reese)	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	120
Angle of Internal Friction, ϕ (°)	32	34
Undrained Cohesion, c (psf)	0	0
Lateral Modulus, K (pci)	60	60
Strain at 50% of Maximum Stress, ϵ_{50}	N/A	N/A
Modulus of Deformation, E_p (ksi)	1.0	2.5
Allowable Vertical Parameters		
End Bearing (ksf) ^{2,3,4}	1.0	8.0
Skin Friction (ksf) ^{5,6}	0.05	0.4

1. Groundwater was encountered at about 40 feet below grade in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.

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Geophysics Location No. 2			
Description	Material Type		
	Native Sand Soils		
Depth Below Existing Site Grade (feet)	3 to 10	10 to 30	30 to 40
LPile Soil Type	Sand (Reese)	Sand (Reese)	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	120	125
Angle of Internal Friction, ϕ (°)	32	34	34
Undrained Cohesion, c (psf)	0	0	0
Lateral Modulus, K (pci)	60	60	125
Strain at 50% of Maximum Stress, ϵ_{50}	--	N/A	N/A
Modulus of Deformation, E_p (ksi)	1.5	2.5	4.0
Allowable Vertical Parameters			
End Bearing (ksf) ^{2,3,4}	4.0	8.0	8.0
Skin Friction (ksf) ^{5,6}	0.1	0.4	0.6

1. Groundwater was not encountered in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.
7. The recommended design parameters presented in this table are based on the geophysical explorations performed at the structure location and using correlations between the exploratory borings and geophysical explorations performed at other locations along the transmission line alignment. The subsurface materials should be confirmed during construction and the design values should be adjusted, as needed. Full-time observation of the structure foundation construction should be performed by the Geotechnical Engineer.

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Geophysics Location Nos. 4 and 9	
Description	Material Type
	Native Sand Soils
Depth Below Existing Site Grade (feet)	3 to 40
L-Pile Soil Type	Sand (Reese)
Effective Unit Weight (pcf) ¹	115
Angle of Internal Friction, ϕ (°)	32
Undrained Cohesion, c (psf)	0
Lateral Modulus, K (pci)	60
Strain at 50% of Maximum Stress, ϵ_{50}	--
Modulus of Deformation, E_p (ksi)	1.5
Allowable Vertical Parameters	
End Bearing (ksf) ^{2,3,4}	4.0
Skin Friction (ksf) ^{5,6}	0.1

1. Based on the nearby borings drilled for this exploration, we do not anticipate groundwater within the upper 40 feet.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.
7. The recommended design parameters presented in this table are based on the geophysical explorations performed at the structure locations and using correlations between the exploratory borings and geophysical explorations performed at other locations along the transmission line alignment. The subsurface materials should be confirmed during construction and the design values should be adjusted, as needed. Full-time observation of the structure foundation construction should be performed by the Geotechnical Engineer.

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Geophysics Location No. 12		
Description	Material Type	
	Native Sand Soils	
Depth Below Existing Site Grade (feet)	3 to 30	30 to 40
LPile Soil Type	Sand (Reese)	Sand (Reese)
Effective Unit Weight (pcf) ¹	115	125
Angle of Internal Friction, ϕ (°)	32	34
Undrained Cohesion, c (psf)	0	0
Lateral Modulus, K (pci)	60	125
Strain at 50% of Maximum Stress, ϵ_{50}	--	N/A
Modulus of Deformation, E_p (ksi)	1.5	4.0
Allowable Vertical Parameters		
End Bearing (ksf) ^{2,3,4}	4.0	8.0
Skin Friction (ksf) ^{5,6}	0.1	0.6

1. Groundwater was encountered at about 40 feet below grade in the boring while drilling.
2. A factor of safety of 3 was used to determine the allowable end bearing pressure.
3. Applicable for a minimum 5-foot embedment or one pier diameter into the bearing stratum, whichever is deeper.
4. Values applicable to piers bearing a minimum of 5 feet, or one pier diameter, above the bottom of the borehole.
5. A factor of safety of 2 was used to determine the allowable compressive skin friction.
6. Applicable for compressive loading only. Reduce to 2/3 of value shown for uplift loading. Effective weight of shaft can be added to uplift load capacity.
7. The recommended design parameters presented in this table are based on the geophysical explorations performed at the structure location and using correlations between the exploratory borings and geophysical explorations performed at other locations along the transmission line alignment. The subsurface materials should be confirmed during construction and the design values should be adjusted, as needed. Full-time observation of the structure foundation construction should be performed by the Geotechnical Engineer.

SEISMIC CONSIDERATIONS

Based on our subsurface exploration and laboratory testing, it is our opinion that the soils have a low risk of liquefaction. The following table presents the seismic site classification based on the 2015 International Building Code (IBC), the subsurface conditions encountered within the borings, and the results of the geophysical testing performed at selected locations:

Boring/Geophysics Location No.	Site Classification ^{1,2}
1	C ³
2	C ³
3	C ³
4	C ³
5	C
6	C
7	C
8	C
9	C ³
10	C
11	D
12	C
14	C ³

1. In general accordance with the 2015 International Building Code, Section 1613.3.2.
2. The 2015 International Building Code (IBC) requires a site subsurface profile determination extending a depth of 100 feet for seismic site classification. The current scope requested does not include the required 100-foot subsurface profile determination. The deepest borings of this exploration extended to a maximum depth of about 41 feet and this seismic site class definition considers that similar subsurface conditions exist below the maximum depth of the subsurface exploration.
3. The seismic site classification determination was supplemented with the geophysical data collected at this location.

CORROSIVITY

The following table lists the results of laboratory water-soluble sulfate and pH testing performed on samples obtained during our field exploration. These values should be used to help determine potential corrosive characteristics of the on-site soils with respect to contact with the various underground materials that will be used for project construction. Refer to the **Summary of Laboratory Test Results** presented in the **Exploration Results** section for the complete results

Geotechnical Engineering Report

Xcel Line 6584 Glenwood Springs to Mitchell Creek ■ Glenwood Springs, Colorado
February 16, 2021 ■ Terracon Project No. 25205018



of the corrosivity testing performed on the on-site soils in conjunction with this geotechnical exploration.

The corrosion information presented is specific to the samples tested. If the actual soils that will be in contact with the structures at the site are different than those tested, then additional corrosion testing should be performed. Terracon is not a corrosion engineer, and our scope of work was limited to performing corrosion laboratory tests on selected samples, presenting these results, and providing a brief comparison of the results to selected criteria. A qualified corrosion engineer should be consulted if corrosion of underground utilities and structures is a concern.

Boring No.	Sample Depth (feet)	Water-Soluble Sulfate ¹ (%)	pH
1	0 – 5	<0.10	7.0
3	0 – 5	<0.10	7.2
5	0 – 5	<0.10	6.9
6	0 – 5	<0.10	6.9
7	0 – 5	<0.10	7.6
10	0 – 5	<0.10	6.9
11	0 – 5	<0.10	8.0
12	0 – 5	<0.10	6.9

1. Results of water-soluble sulfate testing indicate that samples of the on-site soils have an exposure class of S0 when classified in accordance with Table 19.3.1.1 of the American Concrete Institute (ACI) Design Manual. The results of the testing indicate ASTM Type I Portland Cement is suitable for project concrete in contact with on-site soils. However, if there is no (or minimal) cost differential, use of ASTM Type II Portland Cement is recommended for additional sulfate resistance of construction concrete. Concrete should be designed in accordance with the provisions of the ACI Design Manual, Section 318, Chapter 19.

GENERAL COMMENTS

Our analysis and opinions are based upon our understanding of the project, the geotechnical conditions in the area, and the data obtained from our site exploration. Natural variations will occur between exploration point locations or due to the modifying effects of construction or weather. The nature and extent of such variations may not become evident until during or after construction. Terracon should be retained as the Geotechnical Engineer, where noted in this report, to provide observation and testing services during pertinent construction phases. If variations appear, we can provide further evaluation and supplemental recommendations. If variations are noted in the absence of our observation and testing services on-site, we should be immediately notified so that we can provide evaluation and supplemental recommendations.

Our Scope of Services does not include either specifically or by implication any environmental or biological (e.g., mold, fungi, bacteria) assessment of the site or identification or prevention of

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pollutants, hazardous materials, or conditions. If the owner is concerned about the potential for such contamination or pollution, other studies should be undertaken.

Our services and any correspondence or collaboration through this system are intended for the sole benefit and exclusive use of our client for specific application to the project discussed and are accomplished in accordance with generally accepted geotechnical engineering practices with no third-party beneficiaries intended. Any third-party access to services or correspondence is solely for information purposes to support the services provided by Terracon to our client. Reliance upon the services and any work product is limited to our client, and is not intended for third parties. Any use or reliance of the provided information by third parties is done solely at their own risk. No warranties, either express or implied, are intended or made.

Site characteristics as provided are for design purposes and not to estimate excavation cost. Any use of our report in that regard is done at the sole risk of the excavating cost estimator as there may be variations on the site that are not apparent in the data that could significantly impact excavation cost. Any parties charged with estimating excavation costs should seek their own site characterization for specific purposes to obtain the specific level of detail necessary for costing. Site safety, and cost estimating including, excavation support, and dewatering requirements/design are the responsibility of others. If changes in the nature, design, or location of the project are planned, our conclusions and recommendations shall not be considered valid unless we review the changes and either verify or modify our conclusions in writing.

ATTACHMENTS

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EXPLORATION AND TESTING PROCEDURES

Field Exploration

Boring Layout: The locations of the borings are presented in the **Site Location and Exploration Plans**. The borings were located in the field by overlaying the site plan on Google Earth, recording the latitude and longitude coordinates, and staking the borings using a handheld, recreational-grade GPS unit. The accuracy of the latitude and longitude values is typically about +/- 25 feet when obtaining the values using this method. The accuracy of the boring locations should only be assumed to the level implied by the methods used.

Subsurface Exploration Procedures: The borings were drilled with CME-55 truck-mounted and Diedrich D-50 all-terrain rotary drill rigs with hollow-stem augers and downhole drilling (ODEX) drilling methods. During the drilling operations, lithologic logs of the borings were recorded by the field engineer. Relatively undisturbed samples were obtained at selected intervals using a 2½-inch outside diameter modified California barrel sampler and disturbed samples were obtained using a 2-inch outside diameter standard split spoon sampler. Bulk samples were obtained from auger cuttings. Penetration resistance values were recorded in a manner similar to the standard penetration test (SPT). This test consists of driving the sampler into the ground with a 140-pound hammer free falling through a distance of 30 inches. The number of blows required to advance the barrel sampler 12 inches (18 inches for standard split-spoon samplers, final 12 inches are recorded) or the interval indicated is recorded and can be correlated to the standard penetration resistance value (N-value). The blow count values are indicated on the boring logs at the respective sample depths, barrel sampler blow counts are not considered N-values.

An automatic hammer was used to advance the samplers in the borings performed on this site. A greater efficiency is typically achieved with the automatic hammer compared to the conventional safety hammer operated with a cathead and rope. Published correlations between the SPT values and soil properties are based on the lower efficiency cathead and rope method. This higher efficiency affects the standard penetration resistance blow count value by increasing the penetration per hammer blow over what would be obtained using the cathead and rope method. The effect of the automatic hammer's efficiency has been considered in the interpretation and analysis of the subsurface information for this report.

The standard penetration test provides a reasonable indication of the in-place density of sandy type materials, but only provides an indication of the relative stiffness of cohesive materials since the blow count in these soils may be affected by the moisture content of the soils. In addition, considerable care should be exercised in interpreting the N-values in gravelly soils, particularly where the size of the gravel particle exceeds the inside diameter of the sampler.

Groundwater measurements were obtained in the borings at the time of drilling. Due to safety concerns, the borings were backfilled with auger cuttings and patched with cold patch asphalt

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(where applicable) after drilling. Some settlement of the backfill and patches may occur and should be repaired as soon as possible.

Geophysical Exploration Procedures: Terracon performed geophysical exploration services consisting of seismic refraction and MASW at six locations. Survey lines ranged from approximately 240 to 300 feet in length and had a geophone spacings of 10 to 13 feet. Terracon used a seismic refraction system (SRS) consisting of a SeismicSource DAQLink III seismograph and 24 geophones to derive subsurface seismic velocity information. The approximate location and layout of the survey lines are presented in the **Geophysical Results**.

First-arrival travel times of compressive waves (P-waves) produced by a P-wave source were recorded. Using only the first-arrival travel times and survey geometry, the data was forward modeled using a non-linear optimization technique called adaptive simulated annealing. This algorithm determines the compressive wave velocity model for a corresponding depth and resolution with the minimum travel-time error without searching through every possible model.

Multi-channel analysis of surface waves (MASW) was performed by collecting surface waves created by a seismic source consisting of a sledgehammer and a metal plate. The data was then processed using dispersion analysis software (SurfSeis, engineered by the Kansas Geological Survey) that extracts the fundamental-mode dispersion curve(s). The curves are inverted and modeled to yield a 1D shear-wave velocity profile at the center point of the array for a corresponding depth.

Laboratory Testing

Samples retrieved during the field exploration were returned to the laboratory for observation by the project geotechnical engineer and were classified in general accordance with the Unified Soil Classification System presented in the **Supporting Information**.

An applicable laboratory-testing program was formulated to determine engineering properties of the subsurface materials. Following the completion of the laboratory testing, the field descriptions were confirmed or modified as necessary, and the boring logs were prepared. The boring logs are included in the **Exploration Results**.

Laboratory test results are included in the **Exploration Results**. These results were used for the geotechnical engineering analyses and the development of foundation and earthwork recommendations. Laboratory tests were performed in general accordance with the applicable local or other accepted standards.

Selected soil samples were tested for the following engineering properties:

- Water content
- Dry density
- Grain size distribution
- Atterberg limits
- Water-soluble sulfate content
- pH

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SITE LOCATION AND EXPLORATION PLANS

Contents:

Site Location Plan

Exploration Plan with Aerial Image

Note: All attachments are one page unless noted above.

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SITE LOCATION

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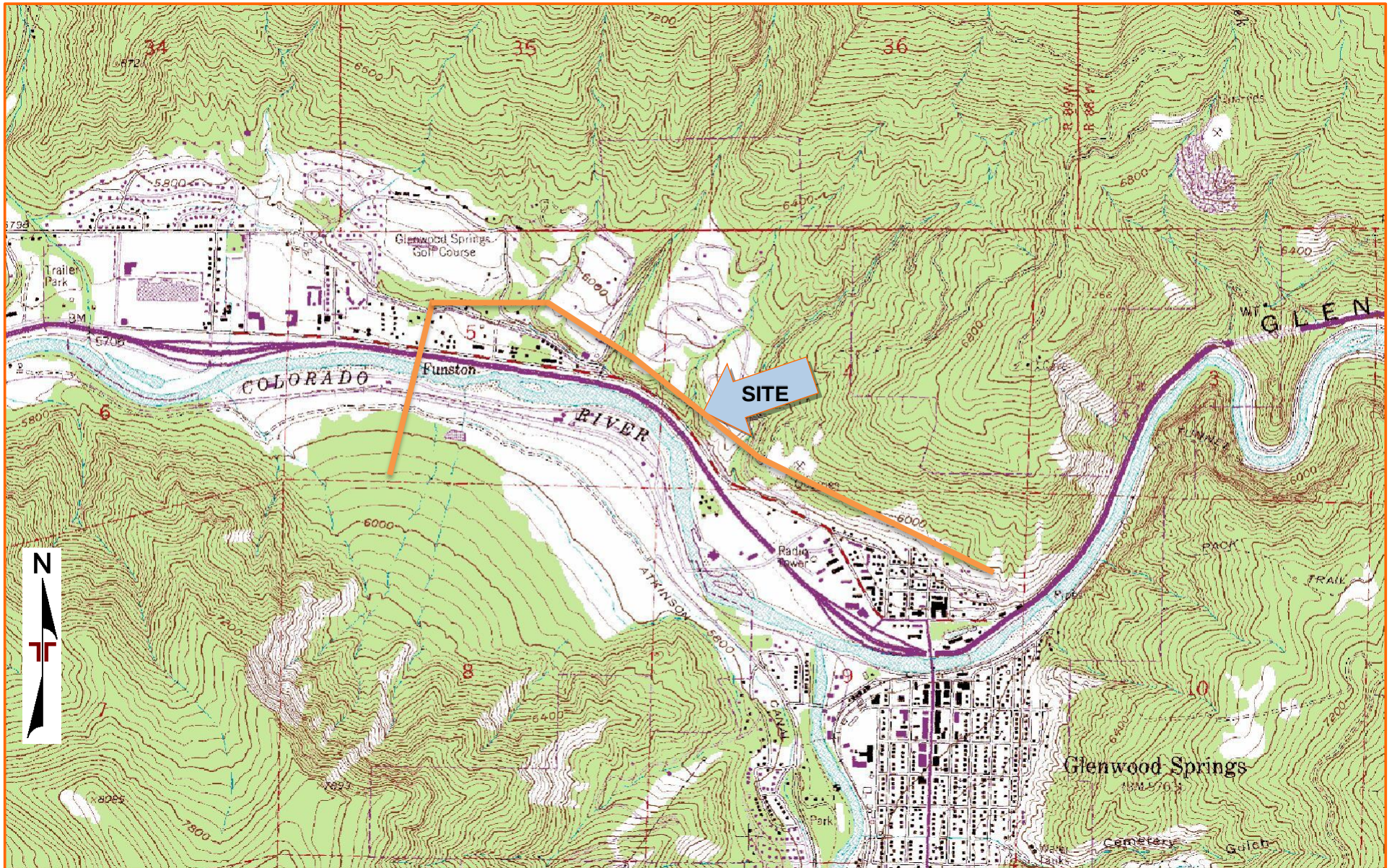


DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT
INTENDED FOR CONSTRUCTION PURPOSES

TOPOGRAPHIC MAP IMAGE COURTESY OF THE U.S. GEOLOGICAL SURVEY
QUADRANGLES INCLUDE: GLENWOOD SPRINGS, CO (1/1/1987).

EXPLORATION PLAN WITH AERIAL IMAGE

Xcel Line 6584 Glenwood Springs to Mitchell Creek ■ Glenwood Springs, Colorado

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DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT
INTENDED FOR CONSTRUCTION PURPOSES

AERIAL PHOTOGRAPHY PROVIDED BY
MICROSOFT BING MAPS

EXPLORATION RESULTS

Contents:

Boring Logs (Boring Nos. 1, 3, 5 through 8, and 10 through 12)

Grain Size Distribution (3 pages)

Summary of Laboratory Test Results

Note: All attachments are one page unless noted above.

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BORING LOG NO. 1

Page 1 of 1

PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

GRAPHIC LOG	LOCATION See Exploration Plan Latitude: 39.5520° Longitude: -107.3214°	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
						LL-PL-PI	
	DEPTH						
	CLAYEY SAND (SC) , with gravel, fine to coarse grained, pale brown, medium dense						
	4.0				12-16	35-21-14	41
	SANDY LEAN CLAY (CL) , with gravel, calcareous, brown, stiff to very stiff	5			10-12		
					7-17		
		10			8-13		
					50/1"		
		15			50/0"		
	SHALE , gray, very hard	20			50/0"		
		25			50/0"		
		30			50/1"		
	Boring Terminated at 31 Feet						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (If any).

Notes:

Abandonment Method:
Boring backfilled with grout upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 12-21-2020

Boring Completed: 12-21-2020

Drill Rig: CME-55

Driller: Terracon

Project No.: 25205018

BORING LOG NO. 3

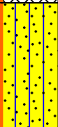
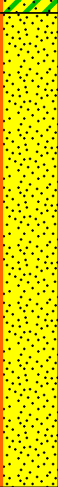
Page 1 of 1

PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL 25205018 XCEL LINE 6584 GL GPJ TERRACON.DATATEMPLATE.GDT 2/16/21

GRAPHIC LOG	LOCATION See Exploration Plan	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
	Latitude: 39.5565° Longitude: -107.3334°					LL-PL-PI	
	DEPTH						
	FILL - SANDY LEAN CLAY (CL) , with gravel, trace limestone fragments, calcareous, brown to grayish brown, hard, varies to silty sand with gravel (SM)					NP	20
4.0					22-15		
	SILTY SAND (SM) , trace gravel and clay, fine to coarse grained, light yellowish brown, medium dense to dense	5			12-14		
9.0					50/11"		
	POORLY GRADED SAND (SP) , with gravel, cobbles and boulders, fine to coarse grained, pale brown, medium dense	10			10-23		
12.0					11-9		
	CLAYEY SAND (SC) , with cobbles and boulders, trace gravel, fine to coarse grained, light yellowish brown, medium dense	15			7-13		
		20			19-20		
	POORLY GRADED SAND (SP) , with gravel, cobbles and boulders, fine to coarse grained, brown, medium dense to very dense	25			50/4"		
		30			16-22		
		35			22-25		
40.0		40			50/5"		
	Boring Terminated at 40 Feet						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (If any).

Notes:

Abandonment Method:
Boring backfilled with auger cuttings upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 06-09-2020

Boring Completed: 06-09-2020

Drill Rig: CME-55

Driller: Terracon

Project No.: 25205018

BORING LOG NO. 5

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PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL 25205018 XCEL LINE 6584 GL.GPJ TERRACON.DATATEMPLATE.GDT 2/16/21

GRAPHIC LOG	LOCATION See Exploration Plan	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
	Latitude: 39.5588° Longitude: -107.3373°					LL-PL-PI	
	DEPTH						
	FILL - SANDY LEAN CLAY (CL) , trace gravel and silt, calcareous, brown, very stiff, varies to silty gravel with sand (GM)					NP	16
3.5					13-16		
	SILTY SAND (SM) , with gravel, trace clay, fine to coarse grained, brown, medium dense	5			10-16		
7.0					23-39		
	POORLY GRADED SAND (SP) , with gravel, trace silt and clay, fine to coarse grained, brown, dense	10			25-39		
					18-21-20		
		15			14-23-20		
18.0							
	SANDY LEAN CLAY (CL) , trace gravel, calcareous, brown, hard	20			16-23-26		
23.0							
	CLAYEY SAND (SC) , with gravel, fine to coarse grained, brown, medium dense to dense	25			15-16-17		
31.0		30			11-9-10		
	SILTY CLAY (CL-ML) , trace sand, calcareous, brown, very stiff						
		35			10-13-11		
38.0							
	POORLY GRADED SAND (SP) , trace gravel, fine to coarse grained, light brown, dense	40			14-16-17		
41.0							
	Boring Terminated at 41 Feet						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (If any).

Notes:

Abandonment Method:
Boring backfilled with auger cuttings upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 10-07-2020

Boring Completed: 10-07-2020

Drill Rig: Diedrich D-50

Driller: Terracon

Project No.: 25205018

BORING LOG NO. 6

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PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

GRAPHIC LOG	LOCATION See Exploration Plan Latitude: 39.5606° Longitude: -107.3398°	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
						LL-PL-PI	
	DEPTH						
	LEAN CLAY (CL) , with sand, trace gravel, calcareous, brown, hard						
	7.0	5			20-25	34-16-18	74
					50/4"		
					50/2"		
		10			42-50/3"		
					8-21-50/5"		
		15			50/3"		
		20			50-50/1"		
		25			50/3"		
		30			50/5"		
		35			20-27-50		
		40			11-15-22		
	41.0						
	Boring Terminated at 41 Feet						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (If any).

Notes:

Abandonment Method:
Boring backfilled with auger cuttings upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 10-09-2020

Boring Completed: 10-09-2020

Drill Rig: Diedrich D-50

Driller: Terracon

Project No.: 25205018

BORING LOG NO. 7

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PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL 25205018 XCEL LINE 6584 GL GPJ TERRACON.DATATEMPLATE.GDT 2/16/21

GRAPHIC LOG	LOCATION See Exploration Plan Latitude: 39.5616° Longitude: -107.3417°	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
						LL-PL-PI	
	DEPTH						
	LEAN CLAY (CL) , with sand, calcareous nodules, light brown to brown, hard						
	6.0 with boulders around 5 feet	5			17-26	32-19-13	80
	SANDY LEAN CLAY (CL) , with gravel, trace silt, calcareous, brown, hard				50-26		
					12-40		
		10			45-15		
	12.0				11-17		
	SILTY SAND (SM) , trace clay, fine to coarse grained, pale brown, medium dense to very dense				44-50/3"		
	with boulders around 15 feet	15					
		20			17-28-50/2"		
		25			11-15-20		
		30			36-36-24		
		35			26-50/3"		
	23.0						
	POORLY GRADED SAND (SP) , with gravel, trace silt, fine to coarse grained, light brown, dense to very dense						
		40			36-34-35		
	41.0						
	Boring Terminated at 41 Feet						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (If any).

Notes:

Abandonment Method:
Boring backfilled with auger cuttings upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 10-08-2020

Boring Completed: 10-08-2020

Drill Rig: Diedrich D-50

Driller: Terracon

Project No.: 25205018

BORING LOG NO. 8

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PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

GRAPHIC LOG	LOCATION See Exploration Plan Latitude: 39.5624° Longitude: -107.3442°	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
						LL-PL-PI	
	DEPTH						
	SILTY SAND (SM) , with cobbles and boulders, trace gravel and clay, fine to coarse grained, light brown, medium dense to very dense, varies to sandy lean clay with gravel (CL)						
					9-8	32-19-13	59
		5			8-16		
					27-50/5"		
9.0	SANDY LEAN CLAY (CL) , with cobbles and boulders, calcareous, brown, very stiff to hard	10			11-14-11		
					50/4"		
		15			27-50/5"		
17.0	POORLY GRADED SAND (SP) , with gravel, cobbles and boulders, fine to coarse grained, light brown, dense to very dense	20			50/5"		
		25			50/5"		
		30			16-24-22		
		35			24-29-45		
41.0	Boring Terminated at 41 Feet	40			50/3"		

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
8-inch diameter hollow stem continuous flight power auger

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (if any).

Notes:

Abandonment Method:
Boring backfilled with auger cuttings upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 10-13-2020

Boring Completed: 10-13-2020

Drill Rig: CME-55

Driller: Terracon

Project No.: 25205018

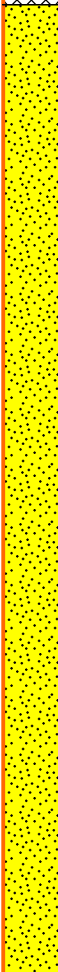
BORING LOG NO. 10

Page 1 of 1

PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

GRAPHIC LOG	LOCATION	See Exploration Plan	DEPTH (Ft.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
	Latitude: 39.5627° Longitude: -107.3504°						LL-PL-PI	
DEPTH								
	FILL - SILTY SAND (SM) , with gravel, fine to coarse grained, brown, very dense						NP	30
	-boulder around 2.5 feet					50/3"		
	POORLY GRADED SAND (SP) , with gravel, trace cobbles and silt, fine to coarse grained, brown to light brown, dense to very dense		5			20-24-50/6"		
						16-15-15		
			10			13-18-26		
						12-28-35		
			15			22-16-16		
			20			12-23-20		
			25			14-40-50/6"		
			30			50/2"		
			35			43-43-50/3"		
			40			50/3"		
Boring Terminated at 41 Feet								

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (If any).

Notes:

Abandonment Method:
Boring backfilled with grout upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 11-17-2020

Boring Completed: 11-17-2020

Drill Rig: CME-55

Driller: Terracon

Project No.: 25205018

BORING LOG NO. 11

Page 1 of 1

PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL_25205018 XCEL LINE 6584 GL.GPJ TERRACON.DATATEMPLATE.GDT 2/16/21

GRAPHIC LOG	LOCATION See Exploration Plan Latitude: 39.5611° Longitude: -107.3505°	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
						LL-PL-PI	
	DEPTH						
0.4	ASPHALT						
4.0	FILL - SILTY CLAY (CL-ML) , trace gravel, calcareous, dark brown, medium stiff, varies to clayey sand (SC)				4-4	29-17-12	49
	LEAN CLAY (CL) , trace sand, calcareous, brown, medium stiff to very stiff	5			6-11		
					7-12		
		10			6-8		
					4-6		
14.0	FAT CLAY (CH) , calcareous, brown, stiff	15			6-7		
17.0	SILTY SAND (SM) , fine to coarse grained, pale brown, loose						
		20			4-9		
22.0	POORLY GRADED SAND (SP) , with gravel, cobbles and boulders, fine to coarse grained, gray to grayish brown, dense						
		25			50/9"		
29.0	ODEX Casing Broke at 29 Feet						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (if any).

Notes:

Abandonment Method:
Boring backfilled with auger cuttings and asphalt upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

None encountered while drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 06-09-2020

Boring Completed: 06-09-2020

Drill Rig: CME-55

Driller: Terracon

Project No.: 25205018

BORING LOG NO. 12

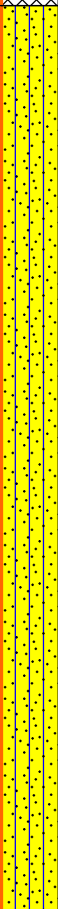
Page 1 of 1

PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

CLIENT: Xcel Energy Services Inc

SITE: Various locations
Glenwood Springs, Colorado

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL 25205018 XCEL LINE 6584 GL.GPJ TERRACON_DATATEMPLATE.GDT 2/16/21

GRAPHIC LOG	LOCATION See Exploration Plan	DEPTH (Ft)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	FIELD TEST RESULTS	ATTERBERG LIMITS	PERCENT FINES
	Latitude: 39.5596° Longitude: -107.3519°					LL-PL-PI	
	DEPTH						
	FILL - SILTY SAND (SM) , with gravel, fine to coarse grained, red, medium dense						
	SILTY SAND (SM) , with gravel, trace cobbles and clay, fine to coarse grained, red to brown, medium dense to very dense						
		5		×	9-8	NP	29
				×	7-8-11		
				×	17-20-22		
		10		×	9-6-10		
				×	27-27-26		
		15		×	50/3"		
				×			
		20		×	8-6-8		
				×			
		25		×	10-7-12		
				×			
		30		×	50/6"		
				×			
		35		×	50/3"		
				×			
		40	▽	×	50/5"		
	Boring Terminated at 41 Feet						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:
4-1/2 inch diameter ODEX down-hole hammer

See [Exploration and Testing Procedures](#) for a description of field and laboratory procedures used and additional data (If any).

Notes:

Abandonment Method:
Boring backfilled with auger cuttings upon completion.

See [Supporting Information](#) for explanation of symbols and abbreviations.

WATER LEVEL OBSERVATIONS

▽ About 40 feet while drilling
▽ About 40 feet about 15 minutes after drilling

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

Boring Started: 11-16-2020

Boring Completed: 11-16-2020

Drill Rig: CME-55

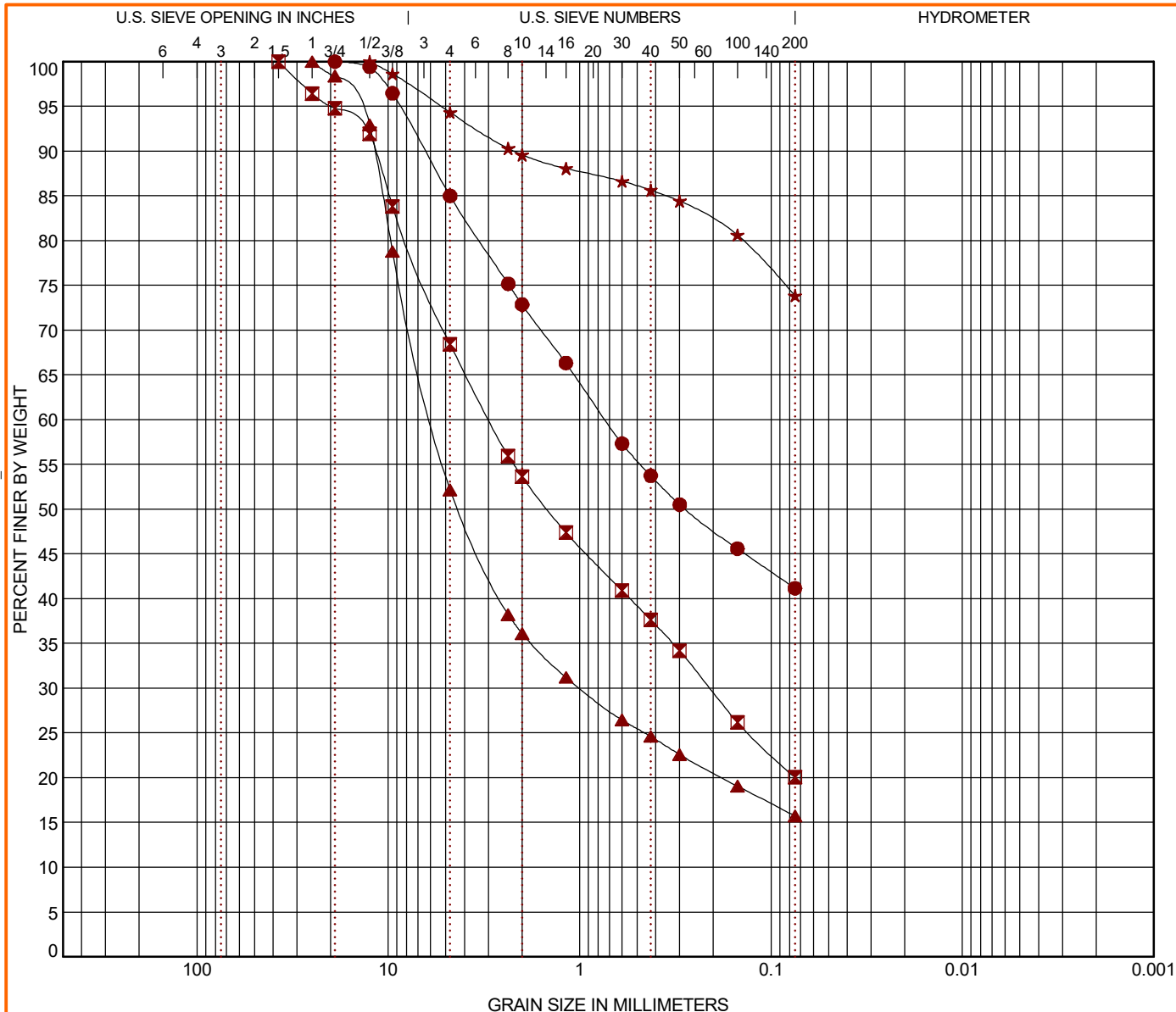
Driller: Terracon

Project No.: 25205018

GRAIN SIZE DISTRIBUTION

ASTM D422 / ASTM C136

LABORATORY TESTS ARE NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GRAIN SIZE: USCS & AASHTO DESC COMBINED 25205018 XCEL LINE 6584 GL.GPJ TERRACON_DATATEMPLATE.GDT 2/11/21



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Boring ID		Depth	USCS Classification		AASHTO Classification		WC (%)	LL	PL	PI	Cc	Cu
●	1	0 - 5	CLAYEY SAND with GRAVEL (SC)		A-6 (2)			35	21	14		
☒	3	0 - 5	SILTY SAND with GRAVEL (SM)		A-1-b (0)			NP	NP	NP		
▲	5	0 - 5	SILTY GRAVEL with SAND (GM)		A-1-b (0)			NP	NP	NP		
★	6	0 - 5	LEAN CLAY with SAND (CL)		A-6 (11)			34	16	18		
Boring ID		Depth	D ₁₀₀	D ₆₀	D ₃₀	D ₁₀	%Gravel	%Sand	%Silt	%Fines	%Clay	
●	1	0 - 5	19	0.733			15.0	43.8		41.2		
☒	3	0 - 5	37.5	2.961	0.209		31.6	48.4		20.0		
▲	5	0 - 5	25	5.827	0.994		47.8	36.4		15.7		
★	6	0 - 5	12.5				5.7	20.5		73.9		

PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

SITE: Various locations
Glenwood Springs, Colorado

Terracon
10625 W I70 Frontage Rd N Ste 3
Wheat Ridge, CO

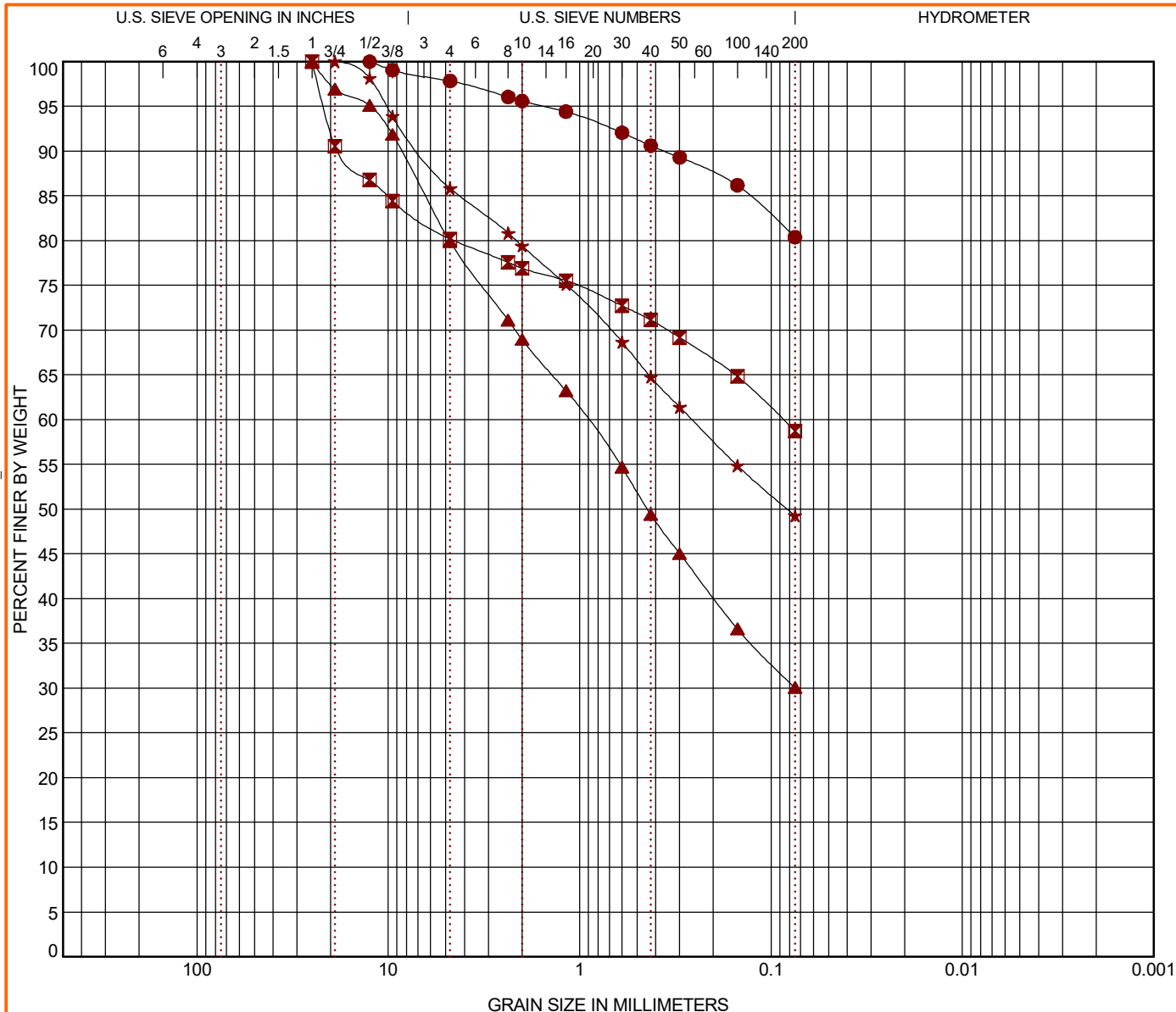
PROJECT NUMBER: 25205018

CLIENT: Xcel Energy Services Inc

GRAIN SIZE DISTRIBUTION

ASTM D422 / ASTM C136

LABORATORY TESTS ARE NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GRAIN SIZE: USCS & AASHTO DESC COMBINED 25205018 XCEL LINE 6584 GL.GPJ TERRACON_DATA TEMPLATE.GDT 2/11/21



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Boring ID		Depth	USCS Classification		AASHTO Classification		WC (%)	LL	PL	PI	Cc	Cu
●	7	0 - 5	LEAN CLAY with SAND (CL)		A-6 (9)			32	19	13		
☒	8	2.5 - 3.5	SANDY LEAN CLAY with GRAVEL (CL)		A-6 (5)			32	19	13		
▲	10	0 - 5	SILTY SAND with GRAVEL (SM)		A-2-4 (0)			NP	NP	NP		
★	11	0 - 5	CLAYEY SAND (SC)		A-6 (3)			29	17	12		
Boring ID		Depth	D ₁₀₀	D ₆₀	D ₃₀	D ₁₀	%Gravel	%Sand	%Silt	%Fines	%Clay	
●	7	0 - 5	12.5				2.2	17.5		80.4		
☒	8	2.5 - 3.5	25	0.087			19.8	21.4		58.7		
▲	10	0 - 5	25	0.913			20.1	49.8		30.1		
★	11	0 - 5	19	0.259			14.2	36.5		49.3		

PROJECT: Xcel Line 6584 Glenwood Springs to Mitchell Creek

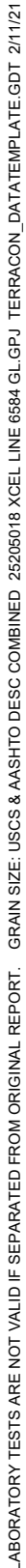
SITE: Various locations
Glenwood Springs, Colorado



PROJECT NUMBER: 25205018

CLIENT: Xcel Energy Services Inc

ASTM D422 / ASTM C136



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GEOPHYSICAL RESULTS

Contents:

Geophysical Exploration Plan
Shear Wave Velocity Profile (6 pages)
P-Wave Velocity Profile (6 pages)

Note: All attachments are one page unless noted above.

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Legend

 Approximate Location of Seismic Lines

Project Manager:	SWB
Drawn by:	KTJ
Checked by:	JAS
Approved by:	SBM

Project No.	25205018
Scale:	As Shown
File Name:	LOC
Date:	October 2020

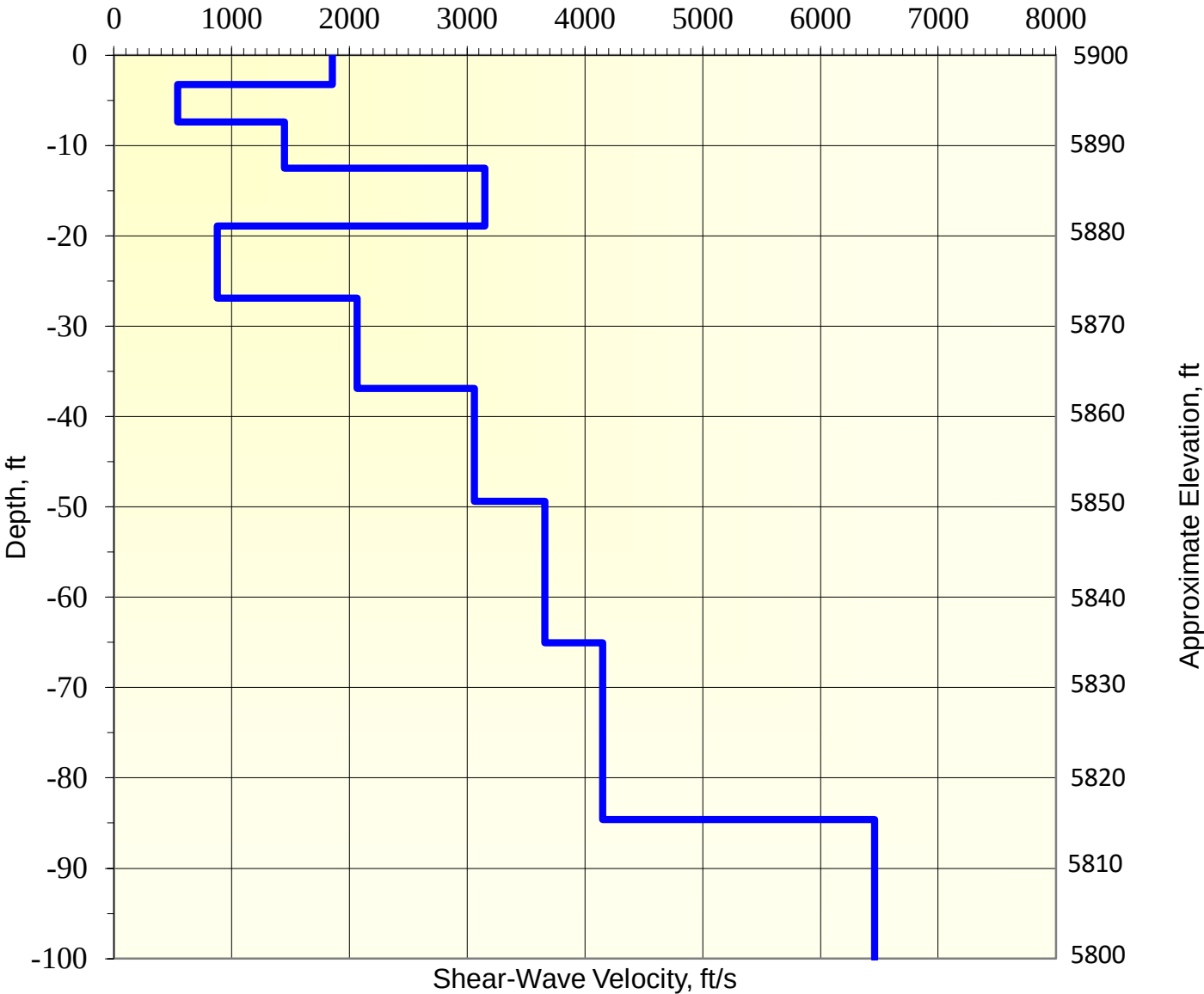
Terracon Consulting Engineers & Scientists
10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033
PH: (303) 429-3300 FAX: (303) 429-3353

Geophysical Exploration Plan

Geophysical Results
Xcel Line 6584 Glenwood Springs to Mitchell Creek
Glenwood Springs, Colorado

Geophysics Location No. 1

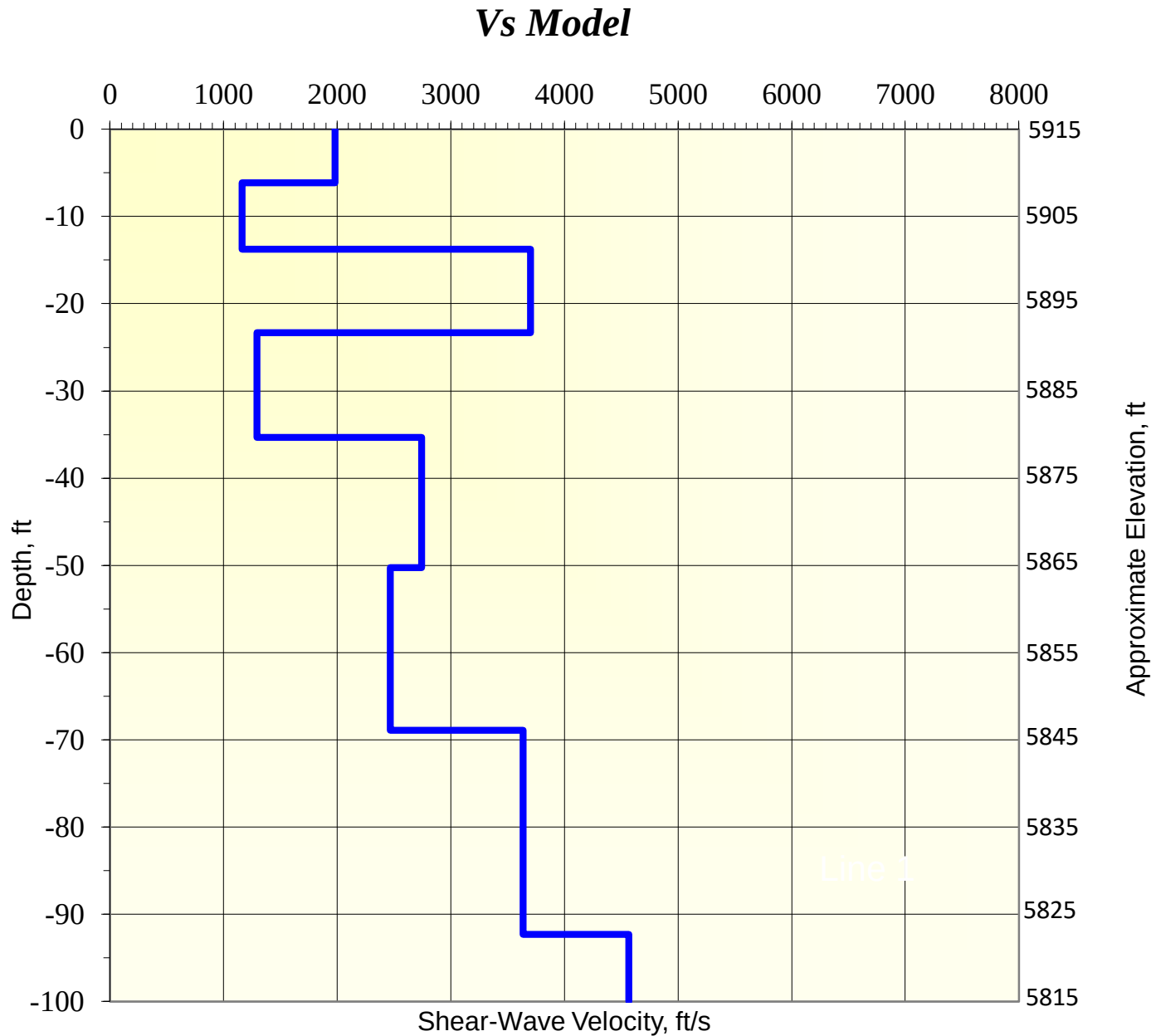
Vs Model



Average Shear-Wave Velocity to 100' = 2,257 ft/s

Project Manager: SWB	Project No. 25205018	Terracon Consulting Engineers & Scientists 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	Shear Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

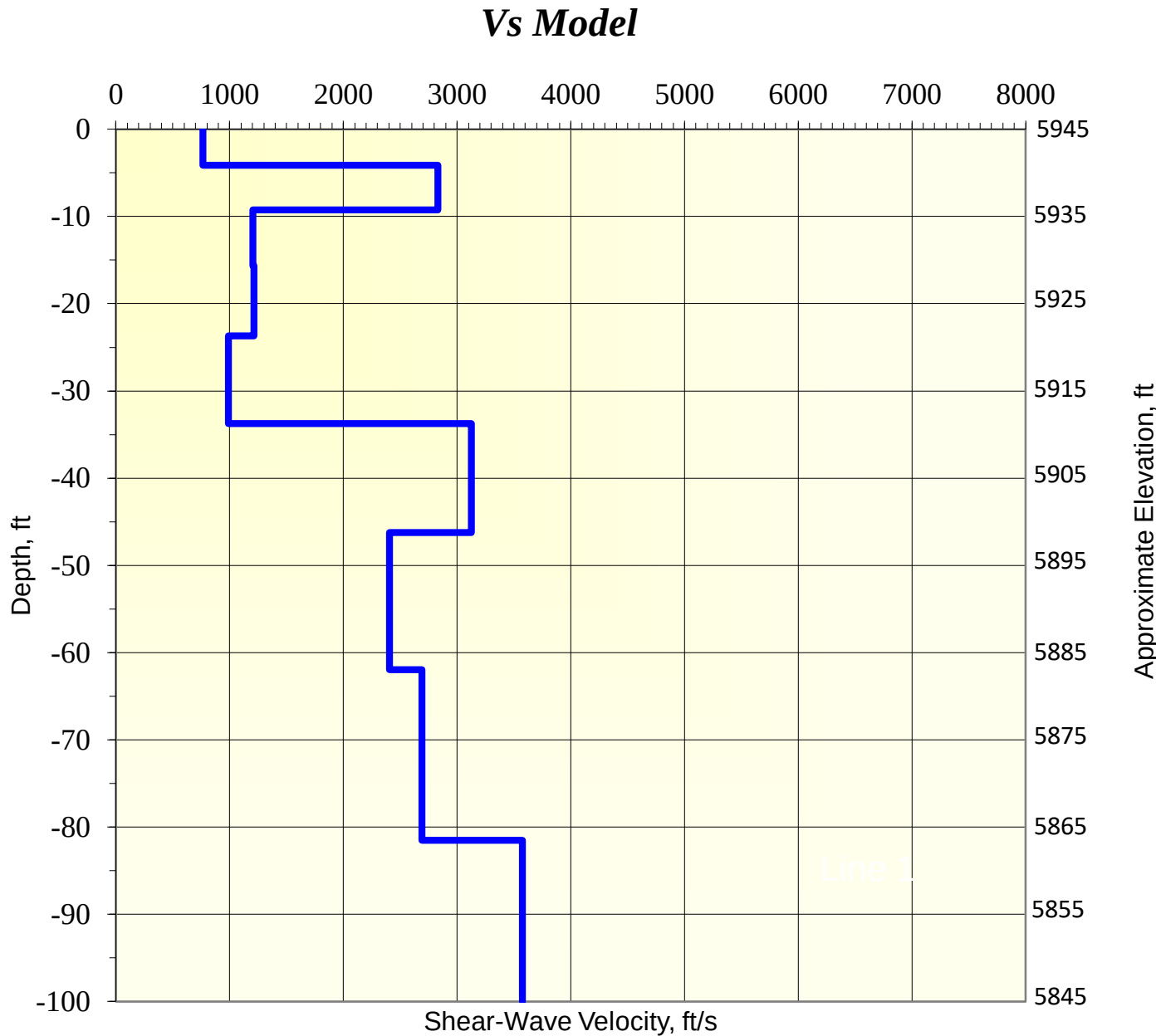
Geophysics Location No. 2



Average Shear-Wave Velocity to 100' = 2,345 ft/s

Project Manager: SWB	Project No. 25205018	Terracon Consulting Engineers & Scientists 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	Shear Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

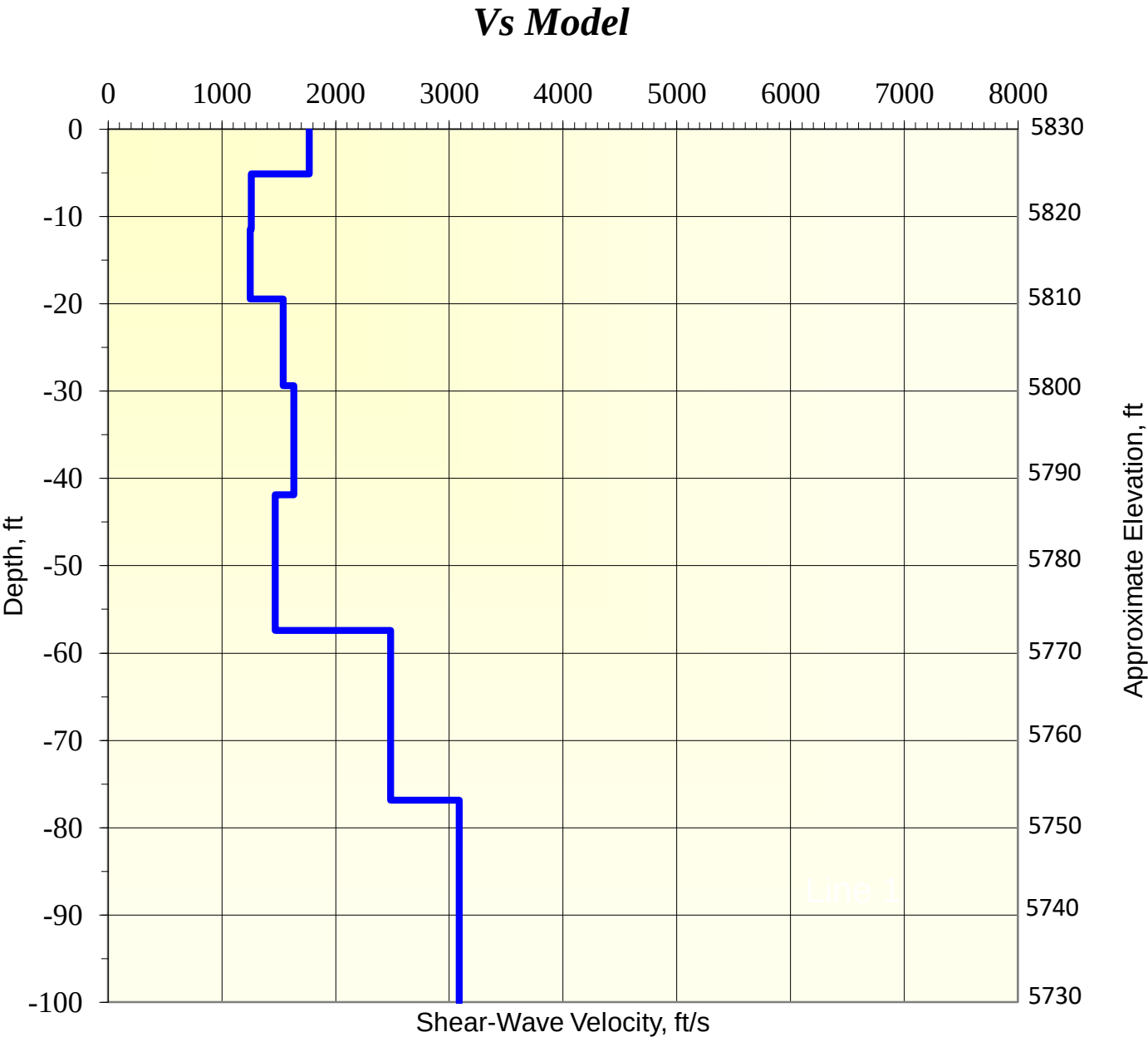
Geophysics Location No. 3



Average Shear-Wave Velocity to 100' = 1,914 ft/s

Project Manager: SWB	Project No. 25205018	Terracon Consulting Engineers & Scientists 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	Shear Wave Velocity Profile	
Drawn by: KTJ	Scale: As Shown		Geophysical Results	
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek	
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado	

Geophysics Location No. 4

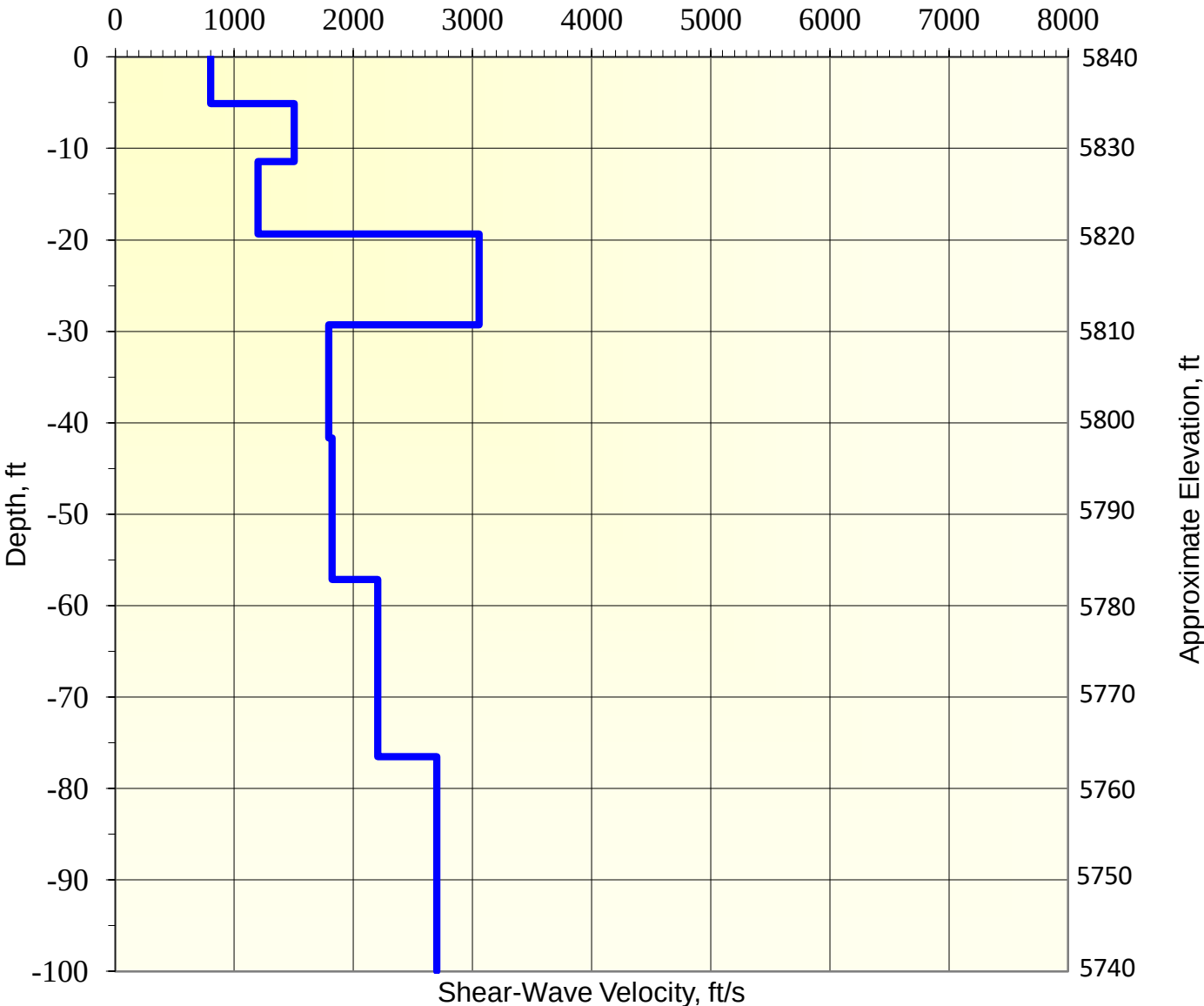


Average Shear-Wave Velocity to 100' = 1,840 ft/s

Project Manager: SWB	Project No. 25205018	 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	Shear Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

Geophysics Location No. 9

Vs Model

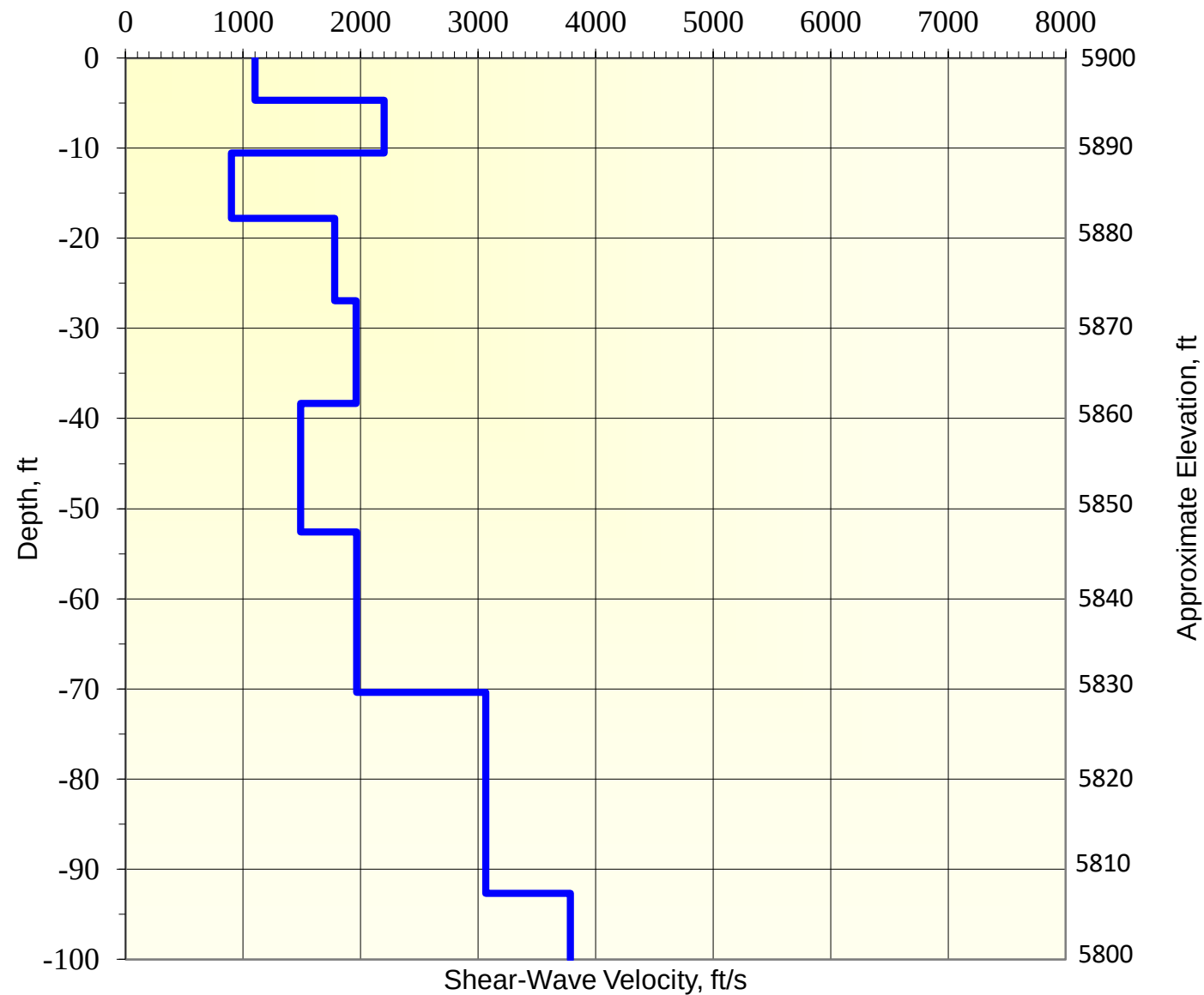


Average Shear-Wave Velocity to 100' = 1,876 ft/s

Project Manager: SWB	Project No. 25205018	Terracon Consulting Engineers & Scientists 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	Shear Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

Geophysics Location No. 14

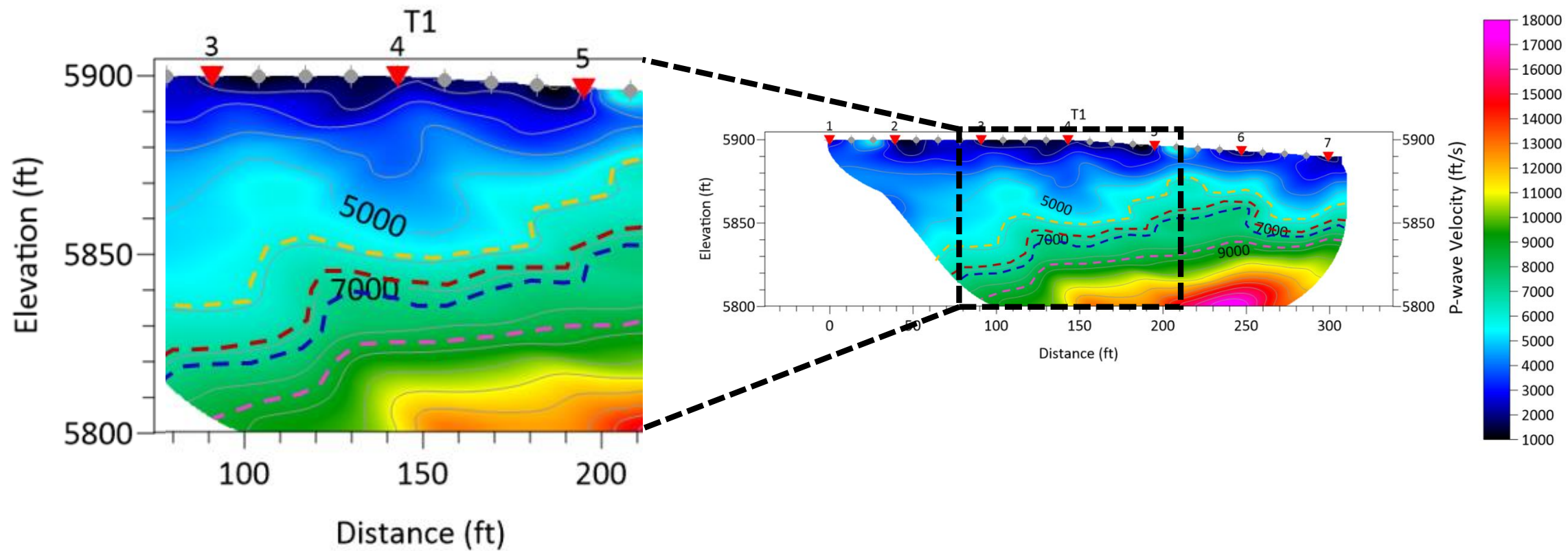
Vs Model



Average Shear-Wave Velocity to 100' = 1,859 ft/s

Project Manager: SWB	Project No. 25205018	 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	Shear Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

Geophysics Location No. 1



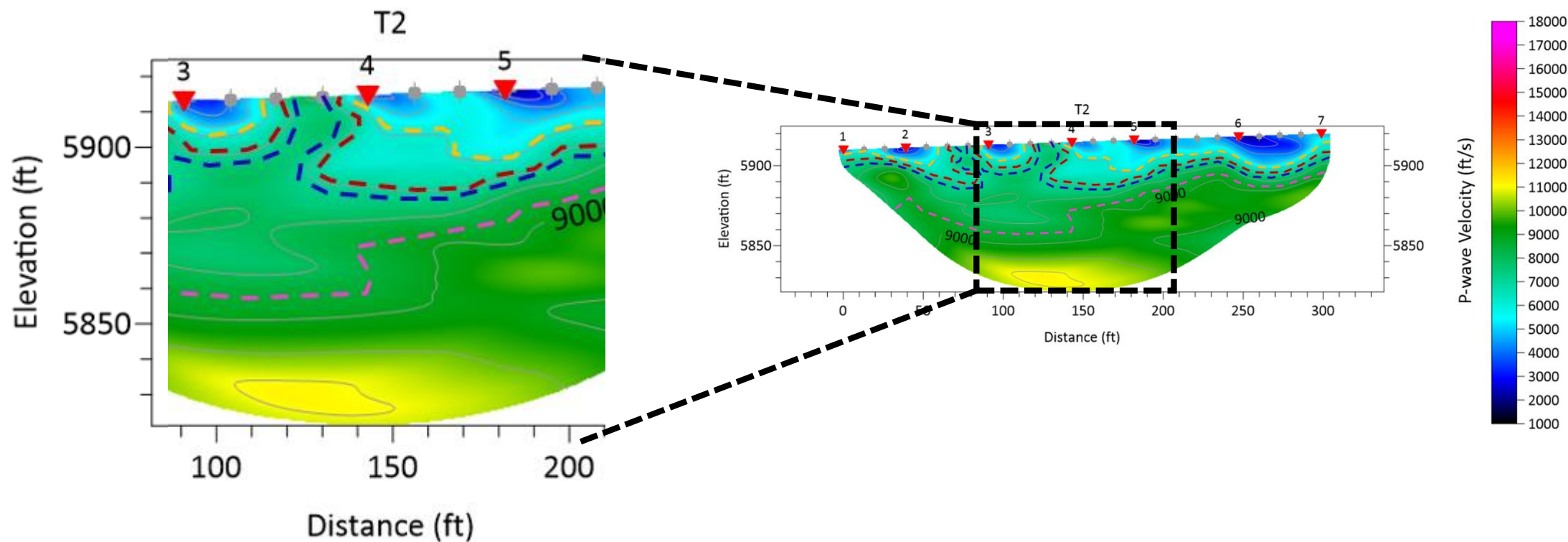
Legend

- Up to 5,900 ft/s rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 6,900 ft/s marginally rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 7,200 ft/s rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 8,500 ft/s marginally rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Shot Locations
- Geophone Locations



Project Manager: SWB	Project No. 25205018	 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	P-Wave Velocity Profile	
Drawn by: KTJ	Scale: As Shown		Geophysical Results	
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek	
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado	

Geophysics Location No. 2



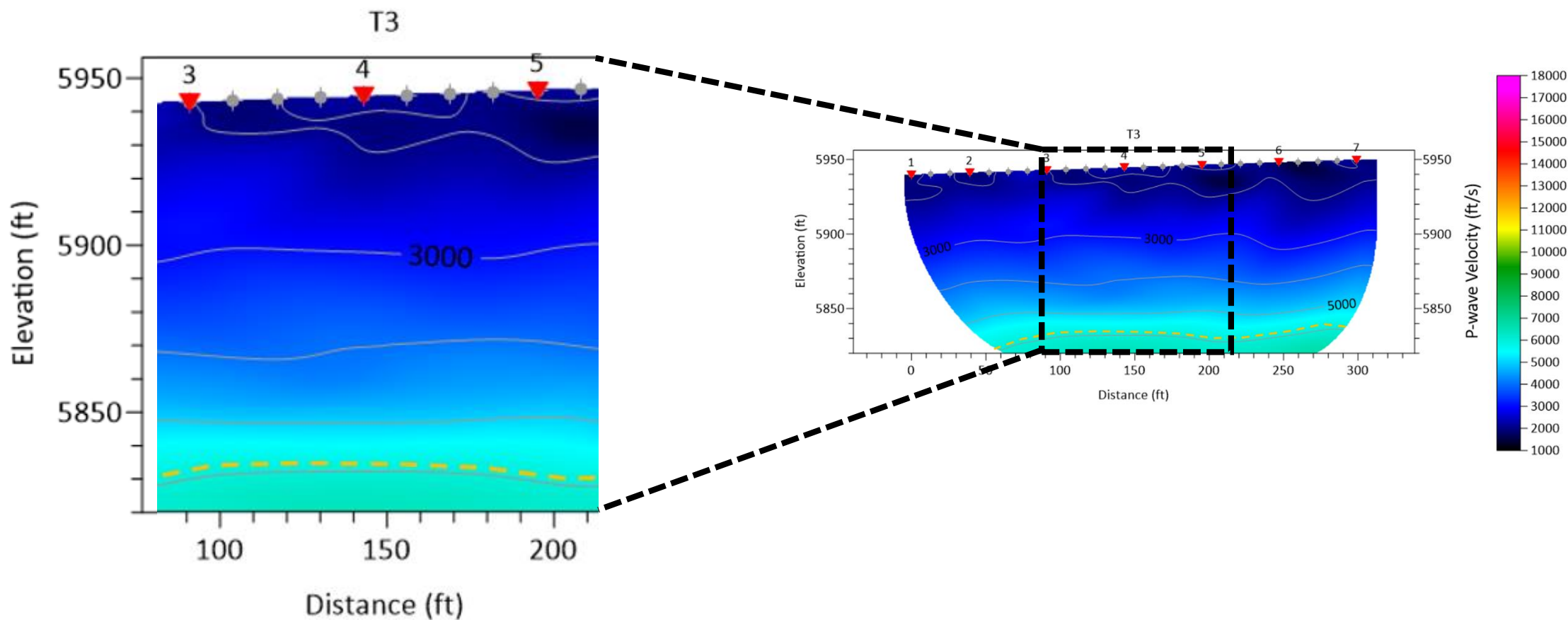
Legend

- Up to 5,900 ft/s rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 6,900 ft/s marginally rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 7,200 ft/s rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 8,500 ft/s marginally rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Shot Locations
- Geophone Locations



Project Manager: SWB	Project No. 25205018	Terracon Consulting Engineers & Scientists 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	P-Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

Geophysics Location No. 3



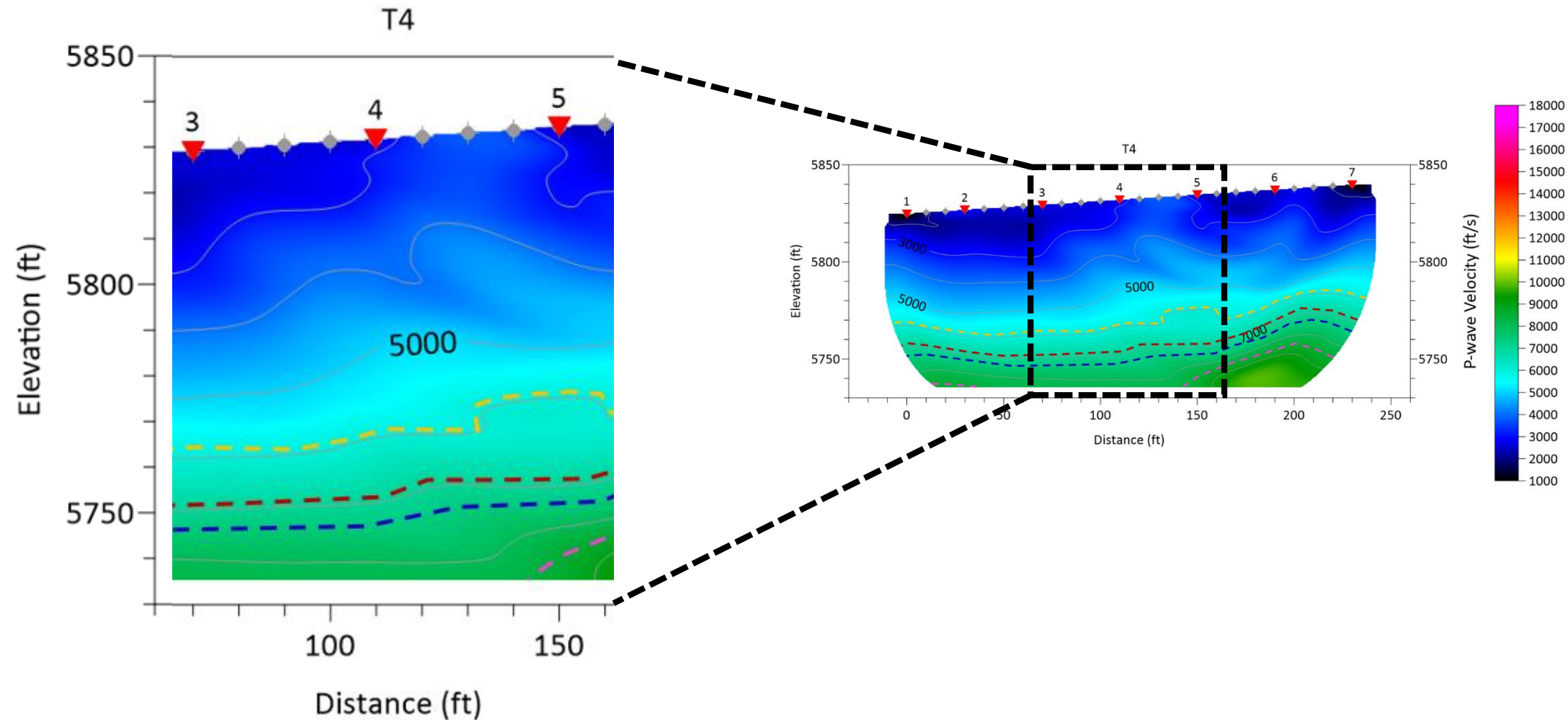
Legend

- Up to 5,900 ft/s rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 6,900 ft/s marginally rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 7,200 ft/s rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 8,500 ft/s marginally rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Shot Locations
- Geophone Locations



Project Manager: SWB	Project No. 25205018	 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	P-Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

Geophysics Location No. 4



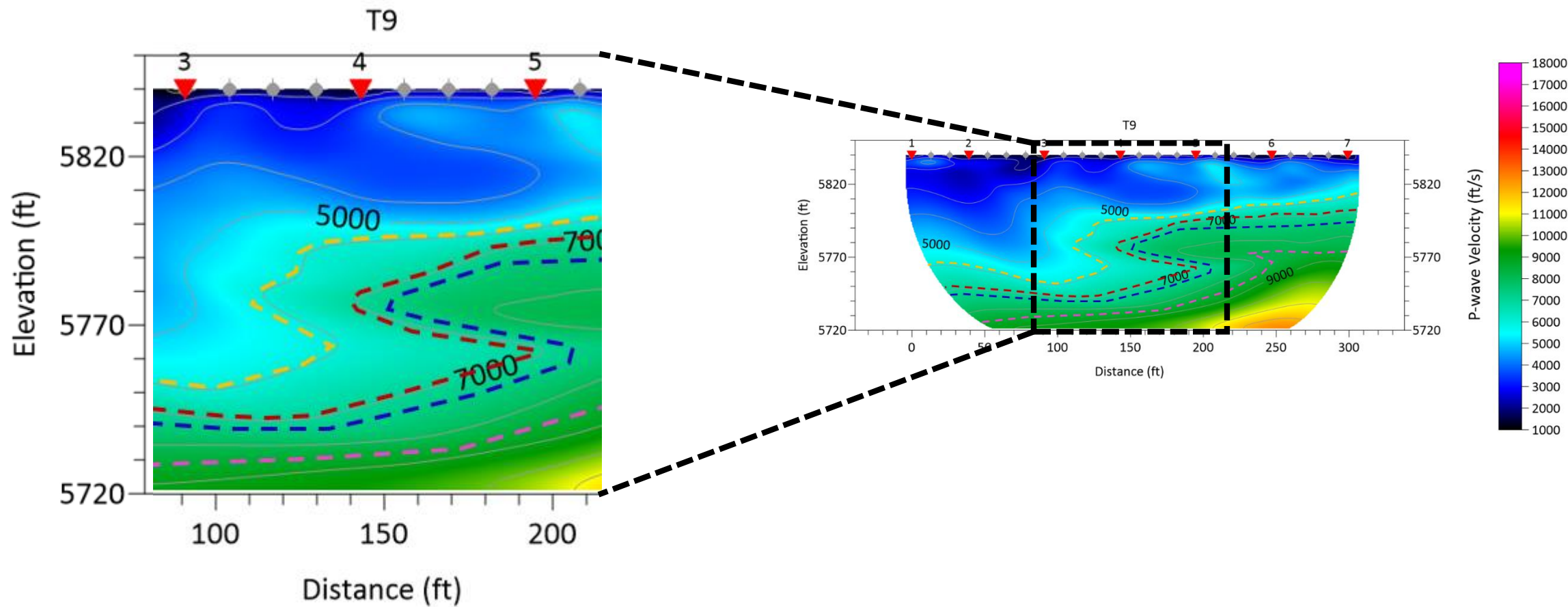
Legend

- Up to 5,900 ft/s rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 6,900 ft/s marginally rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 7,200 ft/s rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 8,500 ft/s marginally rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Shot Locations
- Geophone Locations



Project Manager: SWB	Project No. 25205018	Terracon Consulting Engineers & Scientists 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 429-3300 FAX: (303) 429-3353	P-Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

Geophysics Location No. 9



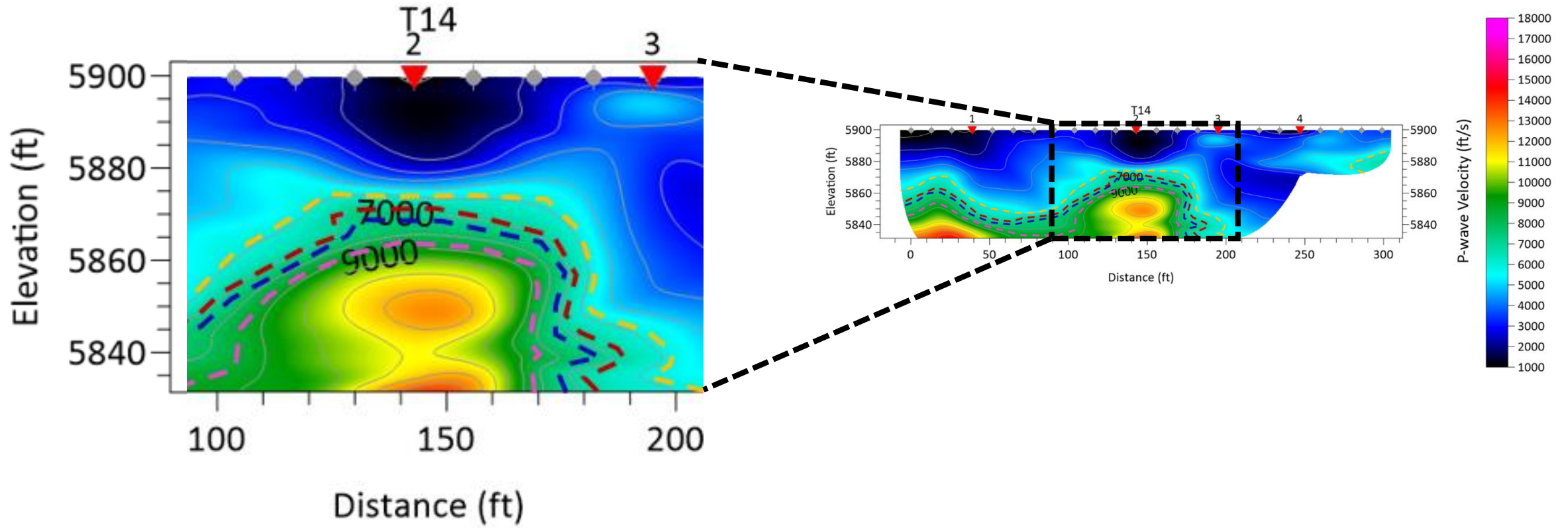
Legend

- Up to 5,900 ft/s rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 6,900 ft/s marginally rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 7,200 ft/s rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 8,500 ft/s marginally rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Shot Locations
- Geophone Locations



Project Manager: SWB	Project No. 25205018	 Consulting Engineers & Scientists 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	P-Wave Velocity Profile	
Drawn by: KTJ	Scale: As Shown		Geophysical Results	
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek	
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado	

Geophysics Location No. 14



Legend

- Up to 5,900 ft/s rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
- Up to 6,900 ft/s marginally rippable with D8R (Catepillar "Handbook of Ripping" Twelfth Edition)
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- Up to 8,500 ft/s marginally rippable with D10R (Catepillar "Handbook of Ripping" Twelfth Edition)
- ▼ Shot Locations
- ◆ Geophone Locations



Project Manager: SWB	Project No. 25205018	 10625 W. I-70 Frontage Rd. N., Ste. 3, Wheat Ridge, Colorado 80033 PH: (303) 423-3300 FAX: (303) 423-3353	P-Wave Velocity Profile
Drawn by: KTJ	Scale: As Shown		Geophysical Results
Checked by: JAS	File Name: LOC		Xcel Line 6584 Glenwood Springs to Mitchell Creek
Approved by: SBM	Date: October 2020		Glenwood Springs, Colorado

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SUPPORTING INFORMATION

Contents:

General Notes

Unified Soil Classification System

Note: All attachments are one page unless noted above.

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GENERAL NOTES

DESCRIPTION OF SYMBOLS AND ABBREVIATIONS

SAMPLING				WATER LEVEL		Water Initially Encountered	FIELD TESTS	(HP)	Hand Penetrometer
						Water Level After a Specified Period of Time		(T)	Torvane
						Water Level After a Specified Period of Time		(b/f)	Standard Penetration Test (blows per foot)
						Water levels indicated on the soil boring logs are the levels measured in the borehole at the times indicated. Groundwater level variations will occur over time. In low permeability soils, accurate determination of groundwater levels is not possible with short term water level observations.		N	N value
								(PID)	Photo-Ionization Detector
								(OVA)	Organic Vapor Analyzer

DESCRIPTIVE SOIL CLASSIFICATION

Soil classification is based on the Unified Soil Classification System. Coarse Grained Soils have more than 50% of their dry weight retained on a #200 sieve; their principal descriptors are: boulders, cobbles, gravel or sand. Fine Grained Soils have less than 50% of their dry weight retained on a #200 sieve; they are principally described as clays if they are plastic, and silts if they are slightly plastic or non-plastic. Major constituents may be added as modifiers and minor constituents may be added according to the relative proportions based on grain size. In addition to gradation, coarse-grained soils are defined on the basis of their in-place relative density and fine-grained soils on the basis of their consistency.

LOCATION AND ELEVATION NOTES

Unless otherwise noted, Latitude and Longitude are approximately determined using a hand-held GPS device. The accuracy of such devices is variable. Surface elevation data annotated with +/- indicates that no actual topographical survey was conducted to confirm the surface elevation. Instead, the surface elevation was approximately determined from topographic maps of the area.

STRENGTH TERMS	RELATIVE DENSITY OF COARSE-GRAINED SOILS (More than 50% retained on No. 200 sieve.) Density determined by Standard Penetration Resistance Includes gravels, sands and silts.			CONSISTENCY OF FINE-GRAINED SOILS (50% or more passing the No. 200 sieve.) Consistency determined by laboratory shear strength testing, field visual-manual procedures or standard penetration resistance			BEDROCK		
	Descriptive Term (Density)	Standard Penetration or N-Value Blows/Ft.	Ring Sampler Blows/Ft.	Descriptive Term (Consistency)	Unconfined Compressive Strength, Qu, psf	Standard Penetration or N-Value Blows/Ft.	Ring Sampler Blows/Ft.	Standard Penetration or N-Value Blows/Ft.	Descriptive Term (Consistency)
	Very Loose	0 - 3	0 - 5	Very Soft	less than 500	0 - 1	< 3	< 24	Soft
	Loose	4 - 9	6 - 14	Soft	500 to 1,000	2 - 4	3 - 5	24 - 35	Firm
	Medium Dense	10 - 29	15 - 46	Medium-Stiff	1,000 to 2,000	4 - 8	6 - 10	36 - 60	Medium Hard
	Dense	30 - 50	47 - 79	Stiff	2,000 to 4,000	8 - 15	11 - 18	61 - 96	Hard
	Very Dense	> 50	≥ 80	Very Stiff	4,000 to 8,000	15 - 30	19 - 36	> 96	Very Hard
				Hard	> 8,000	> 30	> 36		

RELATIVE PROPORTIONS OF SAND AND GRAVEL

Descriptive Term(s) of other constituents	Percent of Dry Weight
Trace	< 15
With	15 - 29
Modifier	> 30

GRAIN SIZE TERMINOLOGY

Major Component of Sample	Particle Size
Boulders	Over 12 in. (300 mm)
Cobbles	12 in. to 3 in. (300mm to 75mm)
Gravel	3 in. to #4 sieve (75mm to 4.75 mm)
Sand	#4 to #200 sieve (4.75mm to 0.075mm)
Silt or Clay	Passing #200 sieve (0.075mm)

RELATIVE PROPORTIONS OF FINES

Descriptive Term(s) of other constituents	Percent of Dry Weight
Trace	< 5
With	5 - 12
Modifier	> 12

PLASTICITY DESCRIPTION

Term	Plasticity Index
Non-plastic	0
Low	1 - 10
Medium	11 - 30
High	> 30

UNIFIED SOIL CLASSIFICATION SYSTEM

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests ^A					Soil Classification	
					Group Symbol	Group Name ^B
Coarse Grained Soils: More than 50% retained on No. 200 sieve	Gravels: More than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels: Less than 5% fines ^C	Cu ≥ 4 and 1 ≤ Cc ≤ 3 ^E		GW	Well-graded gravel ^F
			Cu < 4 and/or 1 > Cc > 3 ^E		GP	Poorly graded gravel ^F
		Gravels with Fines: More than 12% fines ^C	Fines classify as ML or MH		GM	Silty gravel ^{F,G,H}
			Fines classify as CL or CH		GC	Clayey gravel ^{F,G,H}
	Sands: 50% or more of coarse fraction passes No. 4 sieve	Clean Sands: Less than 5% fines ^D	Cu ≥ 6 and 1 ≤ Cc ≤ 3 ^E		SW	Well-graded sand ^I
			Cu < 6 and/or 1 > Cc > 3 ^E		SP	Poorly graded sand ^I
		Sands with Fines: More than 12% fines ^D	Fines classify as ML or MH		SM	Silty sand ^{G,H,I}
			Fines classify as CL or CH		SC	Clayey sand ^{G,H,I}
Fine-Grained Soils: 50% or more passes the No. 200 sieve	Silts and Clays: Liquid limit less than 50	Inorganic:	PI > 7 and plots on or above “A” line ^J		CL	Lean clay ^{K,L,M}
			PI < 4 or plots below “A” line ^J		ML	Silt ^{K,L,M}
		Organic:	Liquid limit - oven dried	< 0.75	OL	Organic clay ^{K,L,M,N}
			Liquid limit - not dried			Organic silt ^{K,L,M,O}
	Silts and Clays: Liquid limit 50 or more	Inorganic:	PI plots on or above “A” line		CH	Fat clay ^{K,L,M}
			PI plots below “A” line		MH	Elastic Silt ^{K,L,M}
		Organic:	Liquid limit - oven dried	< 0.75	OH	Organic clay ^{K,L,M,P}
			Liquid limit - not dried			Organic silt ^{K,L,M,Q}
Highly organic soils:	Primarily organic matter, dark in color, and organic odor				PT	Peat

^A Based on the material passing the 3-inch (75-mm) sieve

^B If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

^C Gravels with 5 to 12% fines require dual symbols: GW-GM well-graded gravel with silt, GW-GC well-graded gravel with clay, GP-GM poorly graded gravel with silt, GP-GC poorly graded gravel with clay.

^D Sands with 5 to 12% fines require dual symbols: SW-SM well-graded sand with silt, SW-SC well-graded sand with clay, SP-SM poorly graded sand with silt, SP-SC poorly graded sand with clay

$$^E Cu = D_{60}/D_{10} \quad Cc = \frac{(D_{30})^2}{D_{10} \times D_{60}}$$

^F If soil contains $\geq 15\%$ sand, add "with sand" to group name.

^G If fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.

^H If fines are organic, add "with organic fines" to group name.

^I If soil contains $\geq 15\%$ gravel, add "with gravel" to group name.

^J If Atterberg limits plot in shaded area, soil is a CL-ML, silty clay.

^K If soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel," whichever is predominant.

^L If soil contains $\geq 30\%$ plus No. 200 predominantly sand, add "sandy" to group name.

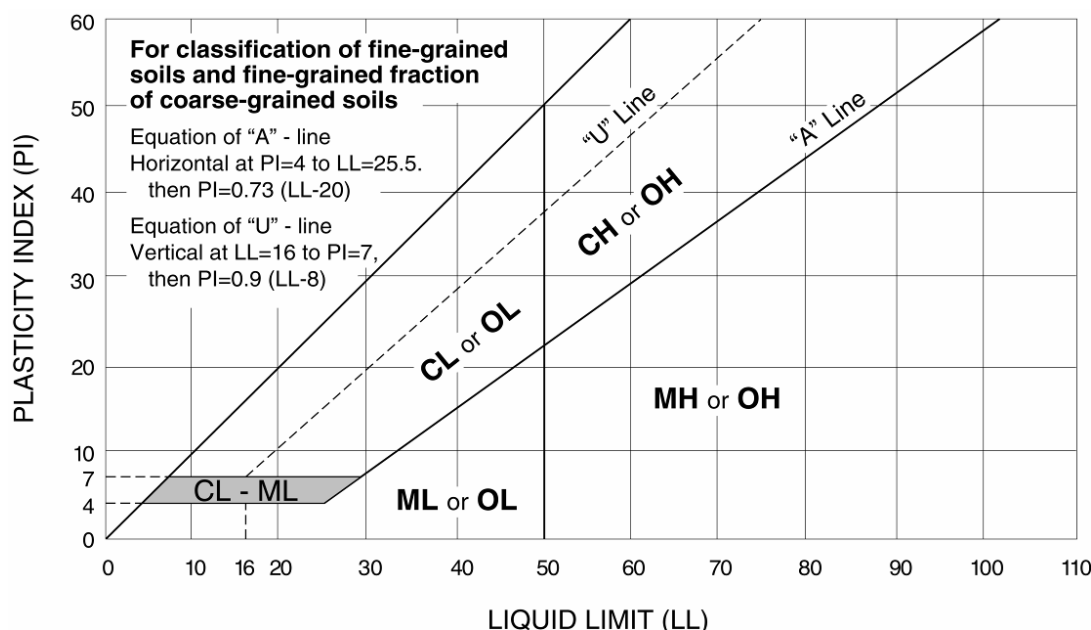
^M If soil contains $\geq 30\%$ plus No. 200, predominantly gravel, add "gravelly" to group name.

^N $PI \geq 4$ and plots on or above "A" line.

^O $PI < 4$ or plots below "A" line.

^P PI plots on or above "A" line.

^Q PI plots below "A" line.



Appendix H-2: Drainage Letter

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Memo

Date: Monday, January 23, 2023

Project: Xcel Energy 6584 Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild

To: City of Glenwood Springs and Garfield County

From: Braileigh Jay – Xcel Energy, Brian Brown – HDR Engineering

Subject: Drainage Letter for Above Ground Utility Construction

Xcel Energy is rebuilding the existing 2.25 mile 69 kV existing overhead electric line from the Glenwood Springs Substation, near E 6th St and N River St (NE of the Glenwood Hot Springs Pool), generally heading west to the Mitchell Creek Substation which is south of the Colorado River about half a mile east of the intersection of Devereux Road and Midland Avenue. See Figure 1 below for a general alignment of the proposed line.

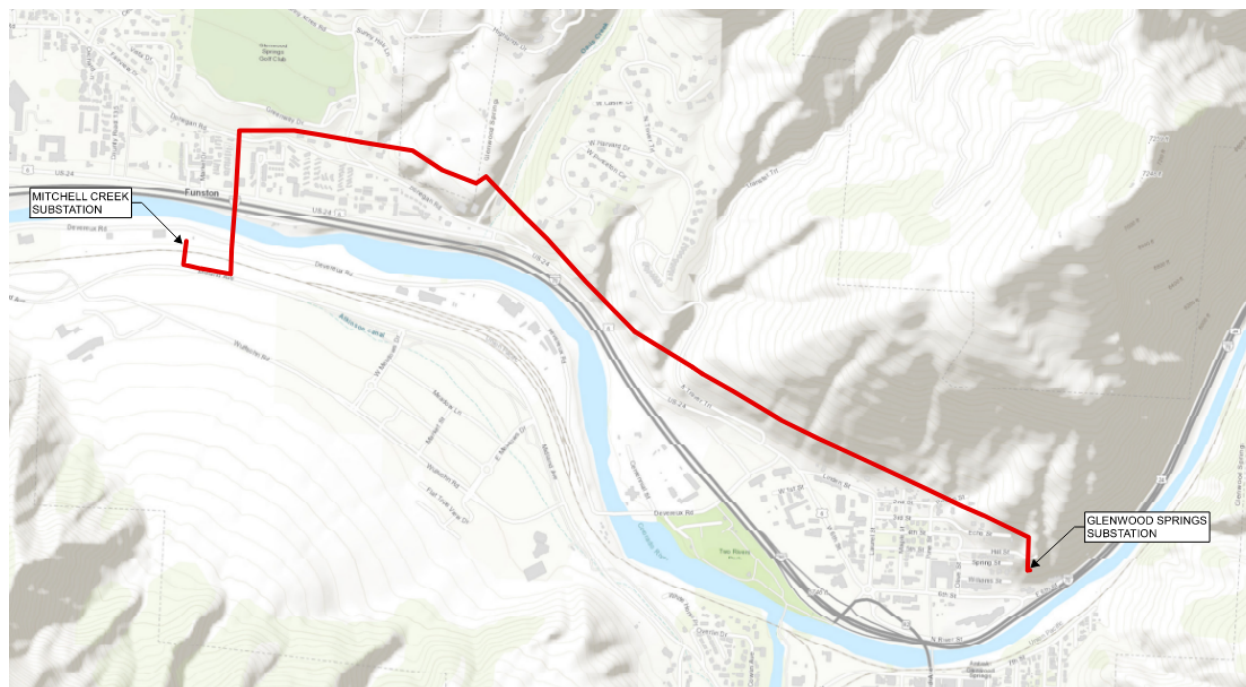


Figure 1 – Proposed Transmission Line alignment

Existing Conditions:

The current overhead transmission alignment is primarily constructed with direct embed wood structures that may have guy wires or multiple poles depending on site conditions and conductor tensioning. The existing pole diameter at the ground level is between 12 – 32 inches. The ground surfacing under and immediately around the structures is mounded immediately adjacent to pole and then tapers to match surrounding undisturbed grades. The project is generally built on steeper terrain with some flatter areas along the project's western third. There is existing access grading and limited leveling near structures in steeper hillsides. As grades become less steep, pre-existing graded access is less obvious or does not exist. Due to the nature of this project, there are currently no permanent water quality features nor existing drainage issues or concerns associated with the transmission line.

The Site project area is defined by existing Xcel Energy transmission right-of-way (ROW) or easements and additional area that will be utilized by temporary construction easements. In total, this project area is approximately 20 acres (line length x easement width). However, far less of this property will be impacted by construction since impacts are generally limited to the structure locations and associated access, not the entirety of the alignment. The disturbed area is estimated to be approximately 6 acres, excluding the staging area which was permitted separately. The area of existing surface treatments, i.e. aggregate, grass, and dirt, was not calculated as it will not change due to this project.

Proposed Conditions:

The line rebuild is in the same alignment as the existing line. The new line structures are generally located within 5 - 20 feet of the existing structure locations in the current line alignment. The proposed structures will be a steel monopole design with one H-frame steel pole structure and either direct bury (tangent structures) or have a concrete pier foundation (corner or dead-end) structures. These structures will be 16 – 32 inches in diameter for direct bury structures and roughly 5-foot diameter for concrete pier foundations. The proposed larger diameter single pole will replace multiple smaller wood poles in numerous locations. During the monopole construction, excavated material that will not be placed back into the excavation will be spread in a thin layer around the pole or removed from the site based on site conditions and landowner agreements.

Grading Impacts

Where feasible, access to many structures for the project will require utilizing existing access to permit truck or equipment access. Localized pad and access grading is temporary, excluding the small pad grading at the helicopter structures. Temporary and permanent grading impacts are listed below:

- New STR 114 – The current structure is on an isolated 'point' impacted by past grading (after the existing pole was installed) in the area. The new structure location will require grading changes to the 'point' to create access pad fill areas for the new pole construction. These changes impact a minor area and will promote increased site infiltration since grades will be reduced from very steep to 2.5H:1V or flatter. Hillside cuts are not required.
- New STR 115 – Prior access grading after the existing pole was installed, has created a narrow access path on the north side of the existing and proposed pole sites. This requires minor cut of the remanent point where the pole is located to create a wider drive path by fill. These changes

impact a small area and do not substantively change grades nor surfacing of the area. Hillside cuts are not required.

- New STR 141 – The proposed grading for structure access and pad is temporary and the most substantive grading change. During construction, run-on flow will be conveyed through the site. Water quality impacts will be mitigated with the use of up-gradient, intermediate, and down-gradient erosion control measures. Post-construction, topographic grades, topsoil cover, and vegetation is to be restored in impacted areas. Drainage paths and runoff are not expected to change, once area is restored.
- New STR 145 & 147 – The proposed grading for both structures is on the north side of Midland Avenue. Limited pad grading is required for foundation construction, setting the structure, and tensioning conductor. As these are temporary impacts, the grades, topsoil, and revegetation will be restored to pre-construction conditions after pad removal.
- Permanent helicopter pad grading sites, numerous locations – At the majority of helicopter structure locations, the compressor and structure pad sites require two 6-ft by 6-ft pads, one for safe compressor placement and one for safe structure excavation. Unless directed otherwise by landowners, these pad locations are expected to become permanent pads in the event of future pole work and associated pad reconstruction. These exceptionally small areas of grade modification with the same surface vegetation will have a de minimis impact on stormwater volume, time of concentration, direction, velocity, and water quality. Therefore, a hydraulic analysis of these small, isolated grading impacts will not be performed within local basin stormwater areas.

Steel Poles

The larger diameter of the proposed structures (i.e. a 2.5 foot diameter existing pole with guy wires compared to a 6 foot proposed diameter pole) will have a de minimus impact on the local stormwater drainage given the structure spacing and the proposed pole diameter increase for the larger basin area for either tangent or dead end structures.

Outcome:

This project will not permanently change the existing surface water flow paths, overall slopes, impervious surface area, nor time of concentration and therefore will not change the runoff volume, runoff peak, nor conveyance path for the alignment. Based on the project type and the absence of permanent stormwater drainage impacts, this type of replacement project does not require permanent water quality features be implemented.

HDR Engineering



Brian Brown, PE

CO PE 41644

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Appendix I: Updated Detail of City ROWs and Parcels to be Utilized for Project Easements

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Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project

City of Glenwood Springs Land Rights

Revision 2: June 2023

Permanent Electric Transmission Line Easements:

1. City ROW (Spring St.)
2. City fee Parcel No. 218509131001
3. City ROW (Hill St.)
4. City ROW (Chestnut St.)
5. City ROW (Olive St.)
6. City ROW (1st St.)
7. City ROW (North St.)
8. City Road (Traver Trail), part of Parcel No. 218504300007
9. City fee Parcel No. 218504300007
10. City fee Parcel No. 218504307006
11. City fee Parcel No. 218504300005
12. City Road (Sunny Acres Road) – aerial crossing, wires only
13. City Road (Donegan Road) – aerial crossing, wires only
14. City fee Parcel No. 218505300113

Temporary Construction Easements (TCEs):

TCEs are necessary for access & construction crew parking and materials setup

1. City ROW (Spring St. & Aspen St.) – coming off of Spring St.
2. City fee Parcel No. 218509131001
3. City ROW (Spring St. loops around to Hill St.)
4. City ROW (Cedar St.)
5. City ROW (Hill St. loops around to Spring St.)
6. City ROW (Hill St. loops around to Spring St)
7. City ROW (coming off of Hill St.)
8. City ROW (Chestnut St.)
9. City ROW (end of Pine St.)
10. City ROW (end of Maple St.)
11. City fee Parcel No. 218509200050 (pull off on Traver Trail)
12. City fee Parcel No. 218504300005
13. City fee Parcel No. 218504307006

**Engineering
Department
Ryan Gordon,
City Engineer**

Date: October 17, 2023

To: Community Development

Re: Xcel 1041 Permit Review

Please see the following engineering comments for the Xcel Location and Extent. These comments are not inclusive of comments from other departments, including Public Works, Building, etc. It is up to the applicant to verify that the appropriate reviews have been completed by these departments. City of Glenwood Springs Engineering reserves the right to make additional comments throughout the application process, especially if significant modifications are made. It is in the applicant's best interest to address all comments holistically to reduce the number of reviews necessary for approvals.

Engineering comments are based on the preliminary information provided and are subject to change and/or modification based on information provided.

1. All easements and/or ROW, temporary and permanent, must be recorded prior to approval of any permits.
2. Please provide a more detailed description of the evacuation plans for setting poles.
 - a. What is the radius of each evacuation?
 - b. When and how will the property owners be notified of the evacuation?
 - c. Will there be two notifications? One well in advanced and another 72 hours before?
3. All construction operations shall abide by the fire condition rules and restrictions when in place.
4. No environmental review has been completed by CPW and no coordination has been had to the date of this application. The City will need to see an environmental review from CPW prior to the issue of this 1041 permit along with any required permits.
5. You will need to get water for air quality control, where do you plan to source your water?
6. All public roads within the City ROW shall be maintained and if damaged will need to be replaced/ repaired per the City Standards.
7. A Grading Permit shall be submitted for each area of work, along with the following documents:
 - a. No work for this project will be allowed to commence until all work easements are recorded.
 - b. Final Stamped reports (Geotechnical, Drainage, Geologic Hazards, etc) for each work area.
 - i. A Drainage Report shall be completed by a qualified State of Colorado licensed Professional Engineer for all permanent impacts.

1. Any sites with drainage discharging directly to Colorado Department of Transportation (CDOT) Right of Way will be required to meet the requirements set forth by the most recent edition of the CDOT Drainage Design Manual. Approval of the report and any discharges to CDOT right of way will require a [CDOT Access Permit](#).
 2. All other sites shall meet the requirements for drainage are outlined within Chapter 4 of the City of Glenwood Springs Engineering Standards available here: Chapter 4 - Engineering Standards.
- ii. A geotechnical report has been provided with the 1041 Application. Provide a final report stamped by a licensed Professional Engineer.
 1. The report identified potential construction concerns around large boulders/cobbles and non-native fill materials. Heavy duty excavation equipment may need to be employed. Has the site access for heavy duty equipment been considered?
 2. Provide a recommendation and design for the structural section for access roads within the City's ROW.
 - iii. A number of these project sites are outside of the City of Glenwood Springs geologic hazards mapping per the City of Glenwood Springs Geologic Hazards Mapping completed by Lincoln Devore in 1978. Mapping is available on the City Website at the following link for your review: Geologic Hazards Mapping
 1. Potential Geologic Hazards should be evaluated by the geotechnical engineer. If geologic hazards are identified, a Geologic Hazards Report should be completed by a qualified State of Colorado licensed Professional Engineer for this site. Mitigation should be completed per the City of Glenwood Springs Municipal Code Section 070.040.020 – Sensitive Area Protection Subsection (C).
 - c. Final Stamped Construction Documents for each work area shall be submitted and approved by the City, including but not limited to:
 - i. Site Plan
 - ii. Grading Plan
 - iii. Drainage Plan
 - iv. Temporary and Final Erosion Control Plans
 - v. Construction Management Plan
 - vi. Restoration/ Revegetation Plan
 - vii. Traffic Control Plan
 - d. The Stormwater Management Plan and Construction Stormwater Discharges Permit or Dewatering Permit shall be submitted to the City.
8. Any retaining walls over four feet (4') in height from bottom of footer to top of wall or adjacent to any area subject to additional loading (tiered walls, traffic, parking, etc) shall be designed by a qualified State of Colorado licensed Professional Engineer.
 9. Any work taking place within the City of Glenwood Springs Right of Way requires a Right of Way Permit for each work site, including staging areas in the ROW.
 - a. Provide a plan indicating the impacts or staging within the ROW. If there is grading or changes in surface type, the following items should be included:

- i. Drainage, Geotechnical, and Geohazard Report, if applicable.
 - ii. Site Plan
 - iii. Grading Plan
 - iv. Drainage Plan, if applicable
 - v. Erosion Control Plan
 - vi. Restoration/Revegetation Plan
 - b. Traffic Control Plan for any impacts to the traveling public.
10. Any work taking place within the CDOT Right of Way will require a Special Use Permit (SUP).
11. Record drawings (As-Built)/Improvement Survey Plat (ISP) will be required to be submitted to the city along with electronic drawings (CAD) as described in the Engineering Standards.
- a. Critical improvements should be identified including, but not limited to:
 - i. Utility improvements, identify:
 - 1. Structures
 - 2. Easements
 - 3. Ownership demarcation points
 - 4. As-built plan for utilities (private or public)
 - ii. Stormwater improvements
 - 1. Verified detention capacity and/or verified infiltration rates.
 - iii. Retaining walls, identify:
 - 1. Locations
 - 2. Height, i.e. top of wall (TOW) and bottom of wall (BOW)
12. It appears that ROW and easement is used interchangeably in the document. Please provide clarification on these terms and how they relate to this project.
13. The “Glenwood Springs Substation” is called the “North Glenwood Substation”. Please update.
14. The Railroad ROW through town is in the County, not the City. Update the county L&E to note this change.
15. It is noted that the contractor is responsible to have a capping plan if they run into any artesian well conditions along the way. A preliminary plan should be created to have a level of confidence that the contractor can cap a well if water is encountered. Most likely it would be hot water which could complicate the planning.
16. Will vegetation removal and maintenance extend out to the 60’ easement area or still be at the 30’ easement area?
17. Is Xcel planning to add Fiber Optic lines to the transmission lines at any time? Will be a change to the existing lines and visual impacts.
18. Provide an exhibit or rendering that shows the visual impact of the specialized structures or stations that connect the underground lines to overhead lines to help the City assess the visual impacts.

19. Electric & Magnetic Field Study evaluates the project at a Maximum Operating Voltage of 72.45kV. The 1041 repeatedly states that the voltage may increase in the future to a maximum of 115kV. Will there be another study conducted given any increase in standard operating voltage? Should this line be evaluated for greater voltage given the current proposal?
20. Temporary Construction Easements will be restored to reasonably the same conditions as pre-construction. Also, all areas not needed for operations and maintenance will be reclaimed in a manner generally similar to their condition prior to construction What is the definition of “Reasonably” and “generally similar”? We assume that restoration of ROW is included in these definitions.
21. Underground installation has been stated to be more than 10 times the cost of overhead installation. Can Xcel provide the cost analysis of both options?
22. It is stated that “The section of the Colorado River crossed by the existing line is not anticipated to be impacted during construction or operation of the Project. Additionally, it is unlikely that the Project would require a Section 404 permit under the Clean Water Act based on the proposed transmission line pole locations and lack of anticipated impact to wetlands or other waters of the United States (WOTUS).” Has Xcel determined if wetlands will be impacted?
23. Garfield County L&E Permit and State of Colorado “Notification of Intention to Submit Permit Application for Major Electrical Facilities” both unresolved. Do these jurisdictions require the permits be pulled before start of work?
24. Has Xcel secured the necessary permits and clearances from ACOE, railroad, CDOT, CPW and other agencies?

If you have any questions about these comments, please contact the City of Glenwood Springs Engineering Department.

December 21, 2023

Hannah Klausman, Director, Economic & Community Development
City of Glenwood Springs
101 W 8th Street
Glenwood Springs, CO 81601

Sent via email to hannah.klausman@cogs.us

RE: Response to City of Glenwood Springs Staff Recommended Conditions of Approval—
Xcel Energy – Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild
(Planning File #45-23, Matters of State Interest 1041 Permit Application, and Location
and Extent) (the “Project”)

Dear Hannah Klausman:

Xcel Energy has reviewed the City of Glenwood Springs Planning and Zoning Commission Report dated December 10, 2023, regarding Planning File #45-23, and is providing responses to the staff recommended conditions of approval for the 1041 Permit as described in the following text and revisions as depicted in the red track changes.

1. The **development Project** shall comply with the requirements of the Code. Any future physical changes or improvements to the ~~property or buildings~~ **Project prior to commencement of construction, with the exception of except for activities related to ongoing operations and maintenance,** are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the Glenwood Springs Municipal Code.

Response: As demonstrated in the 1041 and Location and Extent permit applications, rebuilding the existing electric transmission line between Glenwood Springs and Mitchell Creek substations complies with applicable requirements in the Glenwood Springs Municipal Code. We do not own the transmission line right-of-way in fee and the underlying land rights remain with the individual property owners, including any review and approval necessary for improvements to the associated property or buildings. Xcel Energy is required to operate and maintain our transmission system in a safe manner which may include periodic maintenance, including replacement, of transmission structures or components and vegetation management along the line. These maintenance activities should not require review and approval of the Community Development Director.

2. The applicant shall comply with all verbal representations made in the public hearings, as outlined in all application materials, and/or as revised per conditions herein and approved by the Community Development Director. **Any new agreement made by verbal representation at the hearing shall be documented by a condition to the permit.**

Response: Xcel Energy will comply with all representations included in all application materials, and/or as revised per conditions herein and approved by the Community Development Director or City Council. Verbal representations made in public hearings shall be documented in conditions placed upon the permits as approved by Glenwood Springs.

3. The applicant shall comply with applicable recommendations identified in the technical reports submitted as part of the 1041 permit application including but not limited to Geo-technical and Drainage.

Response: Xcel Energy acknowledges this condition and will comply with applicable recommendations identified in the technical reports submitted as part of the 1041 and Location and Extent permit applications.

4. Prior to submitting a ~~building and/or~~ grading permit application, the owner shall
 - a. Submit ~~a~~ Final Plans for any grading permit applications in accordance with Municipal Code section 070.060.050(c).
 - b. ~~Submit an Engineer's Estimate of all public improvements and provide security for completing said improvements per requirements of the Engineering Standards.~~
 - c. ~~Provide detail and design of "Guard Structures" identified in the grading plan for approval of the Community Development Director. This should include any access grading, excavation, or restoration needed to maintain structures. [May be removed pending response from Glenwood Springs staff review of information provided]~~
 - d. Provide a written contingency plan for encountering artesian groundwater conditions, for review and approval by the City Engineer.
 - e. ~~Enter into a Development Agreement that memorializes the development approvals.~~
 - f. Provide all other permits from outside jurisdictions necessary for the pProject.

Response:

(4a) Xcel Energy will submit the necessary information for any grading permit applications associated with the Project. We do not anticipate submitting a Building Permit Application.

(4b) No public improvements are proposed for the Project and an Engineer's Estimated would therefore not be required or provided.

(4c) Information regarding the "Guard Structures" is provided in Attachment 1 to this letter and the condition is no longer necessary.

(4d) During our pre-engineering site assessment, we performed 40-foot-deep soil borings along the transmission line alignment, including adjacent to the Glenwood Hot Springs. To plan for any artesian conditions our geotech contractor bored with a hollow-stem auger, and if artesian conditions were encountered, they would grout the boring and maintain a head of grout high enough to overcome the artesian conditions. We had a local water resources engineering firm (Zancanella and Associates) monitor the soil bore drilling adjacent to the hot springs. No artesian conditions were found during the soil borings. No travertine limestone layer was encountered. Shale (clay rich mud rock) was encountered at about 31-feet-deep near the hot springs, borings west of there showed mostly weak sand layers. There are two types of foundations we will be using for the transmission structures, concrete pier and direct embed. The maximum below grade embedment of the concrete pier foundations is 26.5 feet. The maximum below grade embedment of directly embedded steel poles is 14.5 feet.

Xcel Energy requests review of the above plan and information by the City Engineer to determine if sufficient. If it provides the necessary information, then this condition would not be necessary.

(4e) In conversation with Glenwood Springs on December 21, 2023, it was determined that Xcel Energy will not be required to enter into a Development Agreement.

(4f) We will provide documentation of other permits necessary for the Project prior to the start of construction.

5. **At the time of Final Plans review associated with grading permits, the applicant shall submit all required civil ~~and architectural~~ plans and related reports that demonstrate compliance with Code requirements and the Engineering Standards, including all applicable comments provided by the City staff.**

Response: We anticipate Final Plans review associated with any requested grading permits and will comply with applicable requirements. We do not anticipate any architectural plans will be created or required for the Project.

6. **The applicant shall provide notice to the City of approved and recorded easements with all involved property owners, including the City of Glenwood Springs prior to the start of construction on each parcel. Prior to issuance of the building permit, the applicant shall**

~~a. Provide evidence of approved and recorded land rights agreements with all involved property owners including the City of Glenwood Springs.~~

Response: Section 105.2.2 of the International Building Code states that

A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

Therefore, the Glenwood Springs-Mitchell Creek Electric Transmission Line Rebuild is not subject to a City building permit.

Evidence of all land rights required to build the Project, including necessary easements, will be secured and recorded, and provided to the City prior to the start of construction on each individual parcel.

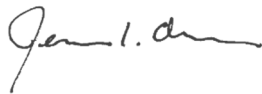
7. Prior to issuance of the Certificate of Completion, owner shall

- a. Provide as-built plans for civil improvements related to grading or similar work and an Improvement Survey Plat per the Engineering Standards

Response: Xcel Energy can only provide as-built plans for electrical infrastructure with a non-disclosure agreement in place which prohibits sharing sensitive data to other entities and requires the information to be secured. As-built plans for civil improvements related to grading or other similar work can be provided without such limitations.

We look forward to working with you during the ongoing permit and construction process. Please feel free contact me by telephone at (303) 285-6533 or email at jennifer.l.chester@xcelenergy.com.

Sincerely,



Jennifer Chester
Xcel Energy
Siting and Land Rights, Manager
1800 Larimer Street
Denver, CO, 80202

ATTACHMENT 1 – GUARD STRUCTURES

During construction, temporary guard structures or trucks (guards) are utilized to elevate or keep conductor off the road when old conductor is being removed and new conductor is being installed. Two types of guards may be utilized depending on the type of road crossing and include a truck with a specialty boom extension or wood poles installed temporarily adjacent to the roadway. Truck-type guards are typically used for smaller road and drive crossings while wood poles are typically used for larger crossings.

When the guards are in place and in use, there may be shoulder and lane closures required. If lane closures are required, Xcel Energy or our construction contractors will submit for any required permits in advance.

Example Truck Guard



Example Wood Pole Guard



MINUTES
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission

Regular Meeting
December 12, 2023
Council Chambers, First Floor
101 W. 8TH STREET 6:00 PM

1. Roll Call

Present: Commissioners: Carolyn Cipperly, Amy Connerton, Pete Waller, Matthew Simms, Joy White, Gregory Cowan

Also Present: Community Development Director Hannah Klausman, Senior Planner Watkins Fulk-Gray, City Engineer Ryan Gordon, Assistant City Engineer Asley Dostal, City Transportation Engineer Lee Barger, City Attorney Karl Handlon.

Actions: Commissioner Cipperly made a motion to seat Alternate Commissioner Gregory Cowan, motion seconded by Commissioner Connerton. Voice vote taken; motion passed unanimously.

2. Conflicts of Interest

None

3. Receipt of Minutes

November 14, 2023 Planning and Zoning Commission special meeting minutes

Commissioner Connerton made a motion to approve the minutes, seconded by Commissioner Simms. Voice vote taken, passed unanimously.

September 26, 2023 Planning and Zoning Commission regular meeting minutes

Commissioner Connerton made a motion to approve the amended minutes, seconded by Commissioner Cipperly. Voice vote taken, passed unanimously.

4. Comments from citizens for items not appearing on the agenda

No public comment was offered.

5. New Items

a. Planning File #63-23 Major Site Architectural Plan, The Benedict

Senior Planner Watkins Fulk-Gray presented Action Item 1: Major Site/Architectural Plan for The Benedict at 2800 Midland Ave.

Staff recommend approval with findings and conditions in the staff report.

Commissioner questions, comments, and staff responses included the following:

- More detail about the tax credit program requested. **Staff response:** The project has received a Low-Income Housing Tax Credit (LIHTC) award, which has federal funding sources and is subject to federal regulations like the Fair Housing Act. Often after the 40-year period, projects become free market. Staff is recommended requiring whatever inclusionary zoning requirements are in place after 40 years if the project becomes free market.
- What is the age limit for the project? **Staff response:** Persons age 55 plus.
- More details requested about the cross access. **Staff response:** Staff displayed the site plan and showed the proposed location of the alley cross access. It would connect to the memory care property and the condos' access point.
- Is the city offering fee waivers? **Staff response:** City Council approved fee waivers for system improvement fees in July.
- Will the voluntary deed restriction program apply to this project? **Staff response:** Only the required inclusionary zoning standards will apply.
- Is the drainage report that was done in 2013 still valid? **Staff response:** There was a follow-up study from this year that validated the findings of the 2014 study.
- What can be considered storage per code requirements? **Staff response:** Code defines what can and cannot be considered storage.
- What can be used for screening? **Staff response:** Code offers several ways to do screening with landscaping.
- Would neighbors to the east benefit from screening and landscaping? **Staff response:** There are no code requirements that they screen the development, but the landscaping that would be removed by the proposed cross access is a tradeoff to weigh.
- Does the City need to change its inclusionary zoning requirements with LIHTC projects? **Staff response:** It is something the City may consider.
- Why was the parking reduction approved? **Staff response:** The project offered structured parking, bike parking beyond what is required.
- Clarify the parking and access easement on the neighboring property. **Staff response:** It was an easement recorded in 2015 that gives exclusive use of Lot 2 for six parking spaces that are on lot 1, as well as providing access and an easement for utilities.
- Are the terms of the parking reduction met? **Staff response:** The parking approved in the parking reduction and proposed in the project are the same. There is a thought that since the parking reduction application proposed a project for age 62 and up, rather than age 55 and up, that there is a conflict.
- Does the elevation fronting the street meet code requirements? **Staff response:** It has the required number of architectural features but does not meet building orientation requirements.
- Clarification about how pedestrian access is proposed to work. **Staff response:** Pedestrians will have to cross 27th to go over the bridge and cross 27th again to get to the underpass that is under construction. There is an existing pedestrian island.
- What is the length elevation fronting 27th? **Staff response:** Staff is not able to respond accurately.
- Does the 27th St. elevation's eve line meet design guidelines? **Staff response:** It meets the minimum architectural features requirement.
- Has the cross access idea been vetted with the memory care owners? **Staff response:** They are aware of the concept. There are some challenges in making the cross access work.

- Has there been a complete traffic study and traffic counts for the area? **Staff response:** The traffic memo does provide some specific estimates based on ITE standards, so we know an estimate for the average number of daily trips and the direction they will likely be going. The information provided is part of the reason the City wants to require right-in, right-out changes.
- How does it work and are there examples of the City being involved in the tenant selection plan? **Staff response:** We can't step on Federal law, but the applicant has ownership of the process with our suggestions.
- How to add recommendation for the City to consider adding a pedestrian flashing light without requiring it of this project? **Staff response:** We will take this into consideration and Engineering is aware of this as a place that possibly needs looking at.
- Is the City good with the submitted drainage report? **Staff response:** Water does go directly into the river, but the proposal meets the City's Engineering guidelines and the water quality and stormwater infrastructure is sufficient to meet the needs.

Applicant provided:

- Background about Catholic Charities Housing
- Conditions of approval are acceptable with the exception of the requirement for cross access. Open space requirements would be compromised.
- There are grade issues on the site
- The project will be independent living for residents with amenity spaces

Questions from Commission to Applicant Team

- What will be the minimum age? Applicant response: 55.
- Sizes of units? **Applicant response:** 533sf
- How is affordability affected those after reducing ages 62 down to 55? **Applicant response:** Difficult to say.
- After 40 year lapses, what happens at that point? **Applicant response:** There are various layers of restriction; funding requirements are tied to this 40-year standard. They are not generally in the business of converting to market rate.
- Are seniors required to be working? **Applicant response:** No.
- Will fire trucks be using the proposed cross access? **Applicant response:** Only ambulances will be able to fit.
- Will residents park in the garage and will they be coming from 27th St? Will guests have access to the garage? **Applicant response:** Residents will have spots in the garage, and guests may also. An additional 17 spaces will be available, and some will be shared with the property to the south.
- Why are there only two accessible parking spaces? **Applicant response:** Two are the number that are required.
- Will ambulances fit in the garage? **Applicant response:** Yes, but they would have to back out.
- Will ambulances block the access drive? **Applicant response:** No.
- Can you create a loop access through the Racquet Club condos? **Applicant response:** It is a different property and thus they have not evaluated that.

- Where would the elevator be located? **Applicant response:** Near the front lobby, there is a ramp that allows ADA access.
- Architectural questions **Applicant response:** They wanted to put the entrances away from the busy 27th St. to accommodate parking.

Comments from the City Engineer

- Fire access is difficult, but there are other design options to increase the width of the proposed cross access. A mirror at the garage exit will help safety.

Comments from the Public

- Wynter: Unhappy lack of contact from developers. Concerns with parking, height, merged access shared with the proposed facility.
- Travis: Too big of a project.
- Dean Moffat: This project is too dense; project doesn't seem to fit.
- Darryl Grosjean: My home is in the Terraces and I have no opposition with this project.
- Jerry Thomas/Executive Director at RF Senior Living: Provided information about the senior living facility's operations.
- Mark Belanger/owner group for RF Senior Living: We were opposed but we are now have come around. We think it is still too massive and parking is insufficient.

Commissioner Connerton made a motion to approve Action Item 1 with conditions as written in the packet. Commissioner White seconded the motion.

Discussion after the motion included:

- Extraordinary to see such an affordable housing project proposed, especially for seniors.
- Would like minimum age to increase.
- Would prefer to have more landscaping in between Racquet Club condos and The Benedict.
- Concerns with lack of parking.
- Age 55 sounds young because of the community we are in; many retirement communities are age 55-plus.
- Would be nice if this could be in a different location.
- Would be nice if there were some two-bedroom apartments.
- Applicants should collaborate with adjacent landowners and be good neighbors.
- Need to make sure common access with The Benedict/Racquet Club condos is safe.

Commissioner Waller called the item to question. Motion passed unanimously with a vote of 6-0.

b. Planning File #45-23 1041 Matters of State Interest Permit, Location and Extent, XCEL Line rebuild

Comm Development Director Hannah Klausman presented the Planning File for a Matters of State Interest permit application and explained that Xcel was the first applicant to go through the permit process adopted by Council in 2021. Ms. Klausman detailed the proceedings and review criteria.

- **Action Item 1:** Approval of a Matters of State Interest Permit for an electric transmission line replacement for Xcel Energy from Glenwood Springs Substation to Mitchel Creek Substation.

Staff recommend approval with findings and conditions in the staff report.

Commissioner questions, comments, and staff responses included the following:

- What is the extent of this project. **Staff response:** The project is one segment of a larger rebuild project for Xcel that extends beyond Glenwood canyon towards Parachute.
- Are there traffic stoppages planned on the interstate, State Hwy or other city streets.
Staff response: None are anticipated currently.
- Where would visual impact be greatest?
Staff response: The project includes taller pole heights and larger steel monopole structures.
- Would there be a hybrid component possible underground/overhead.
Staff response: The applicant reviewed underground routes but cost, and disruption of private property were cited as reasons to not select that route.
Applicant Response: as a starting point we propose above ground because of cost as it is lower, steep terrain and rock underground makes this difficult as a trench with conduit and concrete is used, vault rooms are installed with great disturbance on private land, costs may be prohibitive.
- Is eminent domain a component of this project?
Staff response: That is a tool that can be used if necessary, however Xcel is working with landowners on property rights.
- Could the ultimate increase in 115 kV allow for re-review? **Staff response:** yes.
- Is there consideration for the Bighorn sheep in the canyon? **Staff response:** Colorado Parks and Wildlife was a referral agency for wildlife impact and had not responded with concerns.
- Is the City a funding entity in all this. **Staff response:** No.

Applicant was asked and provided specific Commission information:

- Why the height increase? **Applicant response:** static wire infrastructure
- Will there be notification to neighbors regarding construction operations?
Applicant response: Yes, we will do our best to use the helicopter to minimize staging area impact but do our best to minimize this intrusion from the helicopter as well.
- Have other jurisdictions denied such an application or forced it underground? **Applicant response:** Not that we are aware of.
- Anywhere in Colorado where you go underground? **Applicant response:** Denver Metro and others where ROW is inaccessible
- Time extent of helicopter use? **Applicant response:** Portions of the day of a 2-week period, but not likely to be more than a couple hours a day.
- Easements are 30' wide currently, is vegetation managed, what does the new 60' look like. Is it 60' throughout? **Applicant response:** Currently the area has low vegetation to reduce erosion, revegetation management plan will be a part of the project. Yes 60' throughout.
- How are artesian springs mitigated? **Applicant response:** geotechnical investigations 26' deep revealed no contact with springs and they had a mitigation plan should they had found any
- Do the residents of GWS benefit. **COGS Public Works response:** Yes, the City Electric service takes electricity from this line.

Comments from Public Residents

- **Dean Moffatt:** Concerns with the line not following terrain to minimize impact, bighorn sheep have adapted but suffer impacts, we have been forced to deal with this large-scale project.

Commissioner **Simms** made motion to approve Action Item 1 with findings and conditions as described in the staff report.

Commissioner discussion included the following:

- Xcel has been communicative in work in the past and we expect the same with this project.
- The citizens will benefit from clear communication regarding this project.
- There will be taller towers but the benefits as needed from regulation will be a positive element of the project.
- Protection from wildfire impacts is a great benefit from this project.

Commissioner **Cipperly** seconded the motion.

Commissioner Waller called the item to question. Motion passed unanimously with a vote of 6-0.

9:52pm, Connerton motions to stay past 10pm, with Cowan making a second. Motion passed unanimously.

c. Planning File #68-23 Code Amendments to Title 070 related to Storm-water Development Standards and Fee In-Lieu

City Engineer Ryan Gordon (with Assistant City Engineer Ashley Dostal) presented the need for this proposed code with components of stormwater standards, dispersed individual stormwater systems, and regional City managed stormwater systems.

Staff recommend approval with findings and conditions in the staff report.

Commissioner questions, comments, and staff responses included the following:

- Please explain the Table. **City Engineer response:** estimated costs are in cubic foot of storm water. $\$365 \times 100\text{cf} = 1000\text{cf}$ of impervious increases.
- Will this program cover infrastructure costs? **City Engineer response:** Potentially, we have built out areas so we have missed out on capturing funds over the years, but this will allow us to move forward and deal with developments with small stormwater management issues.
- Discuss what other measures are in place or to be put in place to manage this system. **City Engineer response:** as the standards are rewritten other measures will be required for treatment on site to help mitigate negative stormwater impacts, construction management plan, soil erosion measures, and an upcoming Stormwater masterplan will be pursued to help manage this.

- Are there designations for residential vs commercial or those doing more or larger projects, less pervious area, etc.? **City Engineer response:** Yes, larger developments have sand/oil separators to capture more contaminants.
- Is this a required program? **City Engineer response:** Cost of design and engineering are not in the costs of the assessment, but as an applicant works through the numbers and decides that it isn't worth it can certainly opt out.
- Will there be a combined wastewater and stormwater collection system? **City Engineer response:** no plans for that currently.
- How will this be managed over time? **City Engineer response:** individually there are requirements for a Drainage Letter for site development minor (memo) and major (Full drainage analysis and study). Fee-in Lieu would not require any analysis as previously noted. Stormwater management standards apply throughout the life of a project even though a developer has chosen to become involved in the Fee-in-lieu program.
- Fee language should be clear in the proposed changes. **City Legal Response:** The language is rationally connected to the needs and goals of the fee-in-lieu proposal.
- How is maintenance regulated? **City Engineer response:** Individually homeowners sign a maintenance agreement, non-reporting requirement, but if systems fail then the City may step in, fix, and charge for improvements.

No public comment was taken.

Commissioner **Cowan** made motion to approve the recommended ordinance as presented for fee-in-lieu of stormwater detention.

Commissioner **Connerton** seconded the motion.

Commissioner discussion included the following:

- Collective of positive comments regarding this and other efforts by the City to further conservation and present support of the community.
- Commissioner Cipperly to send language to Legal regarding semantics needed to clarify proposed language changes prior to City Council presentation.

Commissioner Waller called the item to question. Motion passed unanimously with a vote of 6-0.

6. Commissioner Comments

- Cowan is appreciative of the process, how commissioners and staff manage the process.
- Comments on staff report format and wanting page numbers.

7. Director Comments

Community Development Director Hannah Klausman detailed the applications expected in January and wished everyone a happy and safe holiday season, thanking them for their service in 2023.

8. Adjournment

Meeting adjourned at 10:09 PM.

Spring Heights Townhouses Association
503 Spring Street
Glenwood Springs, CO 81601

January 2, 2024

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

RE: Xcel Energy Mitchell Creek Transmission Line Rebuild Project

The Spring Heights Townhouses Association (HOA) is a small 4-unit complex located in north Glenwood Springs. This letter serves as a written public comment on the pending 1041 permit application submitted by Xcel Energy for the Mitchell Creek Transmission Line Rebuild Project.

The HOA requests that the City require Xcel Energy to contribute to the maintenance and improvement of the Hill Street right-of-way as a condition of approval of the 1041 permit. Pursuant to Section 070.080.250 of the City of Glenwood Springs Municipal Code, 1041 permit applications must include mitigation plans to “avoid, minimize or compensate for adverse impacts of the project,” including a description of how “how and when mitigation will be implemented and financed.” Additionally, the City has authority under state statutes to regulate access to its rights-of-way, require developers and other land users to mitigate impacts to drainage and other conditions, and levy costs upon land users for the installation and maintenance of public improvements. The project application and City comments do not adequately address impacts this project will cause to the Hill Street right-of-way. Our HOA asks that the City use its authority to require Xcel Energy to contribute to the cost of mitigating its continuing adverse impact to the Hill Street right-of-way.

Our HOA has been working with the City staff since before 2018 to re-pave an approximately 300-foot section of Hill Street and restore its functionality. Hill Street is a designated “local street” on the City of Glenwood Springs’ Streets Classification Map.¹ Hill Street is a steep previously paved City right-of-way that contains underground utilities. Xcel Energy regularly uses the right-of-way, as detailed below. Hill Street is critically important to our HOA for building maintenance, parking, and most importantly moving large items to the third story living area of each townhome. The third story of each townhome is connected to the Spring Street entry by narrow spiral staircases that are original to the building 1979 construction. This makes moving furniture from the 2nd story to the 3rd story impossible. Hill Street has deteriorated such that it now requires high clearance 4-wheel drive vehicles for access as shown in Figure 1.



Figure 1: Current condition of Hill Street near intersection of Olive Street.
Photo by Tyler Benton January 2, 2023

¹ <https://www.cogs.us/DocumentCenter/View/4304/Streets-Classification-Map-24x36-PDF---City-of-Glenwood-Springs-Grid-4MB>

Xcel Energy regularly uses and will continue to use Hill Street with heavy equipment to access a portion of their Mitchell Creek transmission line. Hill Street is a designated Temporary Construction Easement in Xcel Energy's application. Additionally, it is an existing Permanent Electric Transmission Line easement that Xcel Energy has in the past used regularly to access equipment on the Mitchell Creek transmission line. Despite Xcel Energy's regular use of the right-of-way, the permit application does not adequately address ongoing damage to Hill Street caused by Xcel Energy equipment. Xcel Energy will rely on the right-of-way during construction and will continue to use the right-of-way during the service life of the utility line.

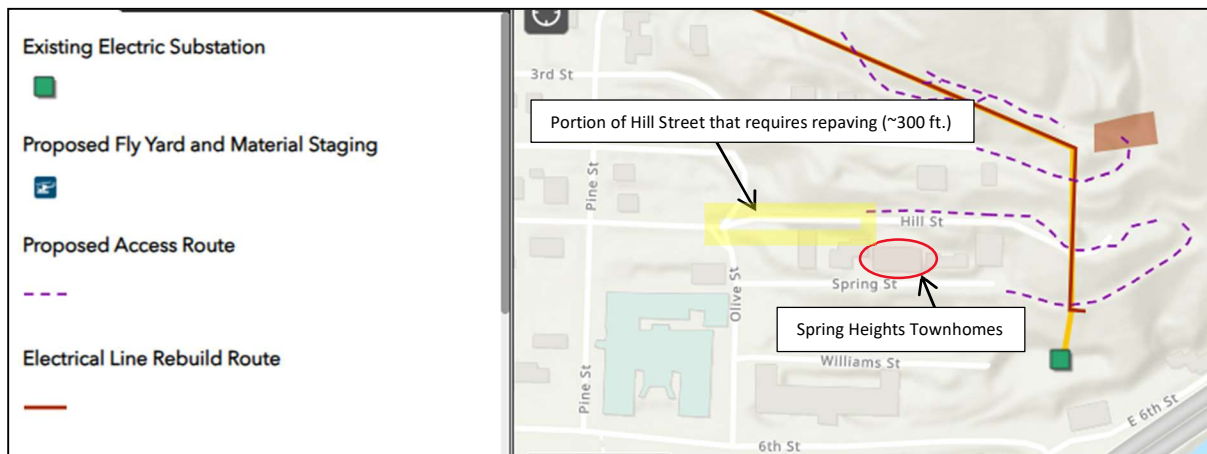


Figure 2: Vicinity map sourced from [Glenwood Springs – Mitchell Creek Electric Transmission Line Rebuild Project \(xcelenergyglenwoodrebuild.com\)](https://xcelenergyglenwoodrebuild.com) on January 1, 2024. Map shows planned access by Xcel Energy via Hill Street. Spring Heights Townhome complex and highlighted portion of Hill Street are added for reference.



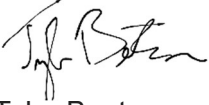
Figure 3: Xcel Energy's contractor driving utility vehicle on Hill Street. Photo by Tyler Benton June 16, 2023

Our HOA is grateful for the City's recent willingness to consider necessary improvements to Hill Street and asks that Xcel Energy share responsibility for this necessary work. In early October 2023, City staff recommend an approach whereby our HOA would pay for re-paving Hill Street and enter into a road maintenance agreement for future repairs. This is turning into a very costly endeavor for our 4-unit complex and costs could reach six figures. As Hill Street is a public right-of-way, we have no control over use by other entities. Xcel Energy has designated Hill Street as an access route for use during construction and during the service life of the utility line. Consequently, it is appropriate that Xcel

Energy contribute to the impacts its equipment has had and will continue to have on the Hill Street right-of-way.

As a condition of 1041 permit approval, our HOA is requesting City Council require Xcel Energy to pay an upfront fee equal to the cost of re-paving Hill Street. In addition, we request Xcel Energy to be financially liable for any future damage to the new asphalt caused by Xcel Energy utility trucks.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'Tyler Benton', with a stylized, cursive script.

Tyler Benton
Board President, Spring Heights Townhome Association



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Ordinance 2024-01; Code Amendment to Title 070 establishing Storm Water Fee In Lieu

Action Requested: Amend Title 070 to Establish Stormwater Fee in Lieu

Department: Engineering

Presented By: Ryan Gordon

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: Under the current development process, a new development or redevelopment is required to comply with the stormwater standards per the City's Engineering Standards (Chapter 4). The current standards require the development to meet both the stormwater quality and stormwater detention requirements.

To comply with the detention requirements, the development typically needs to construct a pond, dry well or other stormwater facility. These facilities require an engineer to analysis the site, design the size of the system, and the systems can be costly to construct. Additionally, they can be difficult to locate on a property depending on site constraints. A Maintenance Agreement is required between the City and the property owner to ensure that the stormwater facilities function properly over the life of the system. In the future, the City will be required to comply with a state issued MS4 permit that regulates sources of stormwater pollution from pipes and drains that flow from the City to the river – the City does not currently have a MS4 permit, but we anticipate that the state will issue one this decade. The MS4 permit requires that the City develops and runs a program to control stormwater discharges, which will include a water quality element. The City would be responsible for inspecting stormwater facilities – both on public and private property - on a regular basis to confirm they are functioning as designed and in compliance with the MS4 permit.

From the Engineering Department's perspective, we would rather have a regional approach to stormwater treatment where the City would construct and maintain regional stormwater treatment facilities instead of having hundreds of dispersed treatment facilities that are constructed and maintained on private property.

To accomplish and facilitate this goal, the City would like to establish a stormwater fee in lieu process to allow developments to pay the City instead of installing stormwater facilities required under the code. The fee, along with city funds, would be used to design and construct these regional stormwater facilities. The fee in lieu will be an option, not a requirement of a development. The developer could still go through the current process of hiring an engineer, designing a stormwater system, constructing the system and establishing an O&M agreement.

The Engineering Department has reviewed multiple recent stormwater projects within the City, which were used to develop the fee in lieu cost based on the construction costs of those stormwater systems. This fee in lieu does not include the cost of design or long term maintenance costs associated with the stormwater system.

The proposed stormwater fee in lieu is \$50 per cubic foot of required detention or \$365 per 100 square feet of in impervious area. Sites will still be required to meet the city's water quality standards onsite, this fee is only an option for detention requirements.

Issues:

Fiscal Impact:

Legal Review: Legal has reviewed the ordinance.

Staff Recommendation: Staff recommends that Council amends Municipal Code Section 070 to establish a stormwater fee-in-lieu.

ORDINANCE NO. 01

Series of 2024

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING TITLE 070.040.030 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, City Staff is recommending the City take a regional approach to stormwater treatment where the City would construct and maintain regional stormwater treatment facilities instead of having hundreds of dispersed treatment facilities that are constructed and maintained on private property; and

WHEREAS, to develop a regional approach to stormwater treatment, City Staff has recommended changes to Section 070.040.030 of the Glenwood Springs Municipal Code (the “Code”); and

WHEREAS, the recommended amendment to the development code to address the foregoing issues are set forth on **Exhibit A** attached hereto; and

WHEREAS, on December 12, 2023, the Planning and Zoning Commission found that the recommended amendments on **Exhibit A** satisfy the Code Amendment Approval Criteria set forth in Section 070.060.040(c)(3)d.3. and recommended adopting the amendments on **Exhibit A**; and

WHEREAS, the City Council finds and declares that the amendments to the development code on **Exhibit A** satisfy the Code Amendment Approval Criteria set forth in Section 070.060.040(c)(3)d.3. and are proper and necessary to advance the public health, safety, and welfare of the City’s residents.

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

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

Section 2. Section 070.060.040(c)(3)d.3 of the Glenwood Springs Municipal Code is hereby amended as set forth in **Exhibit A** attached hereto.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS 4TH DAY OF JANUARY 2024.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, 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 _____ 2024.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk

Exhibit A. Proposed Code Amendments

070.040.030 Site Development and Improvement Standards.

* * * *

(e) *Site Development and Improvement Standards.*

(1) *Drainage Plan.* Every development plan shall include a drainage plan that meets the requirements of the City's Engineering Standards.

(2) Fee in Lieu of Stormwater Management

a. Prior to the issuance of the building permit or a change in use of the property, the developer of a property may submit an application to the Director and City Engineer for payment of fee in lieu of onsite Stormwater management requirements in the City's Engineering Standards.

b. The fee in lieu shall be established by resolution of the City Council in an amount that is calculated to approximate the cost of obtaining, developing, and maintaining a public stormwater system.

c. All fees in lieu paid pursuant to this Subsection shall be deposited in a separate fund, which fund may be used to undertake future projects to accommodate stormwater management. These fees may not be used for the general expenses of the City.

(3) *Erosion and Sediment Control, Slope Stabilization, and Revegetation Plan.* Every development plan shall include an erosion and sediment control plan that meets the requirements of the City's Engineering Standards.

~~(3)~~ (4) *Lot and Block Design.*

a. *Lot Size and Access.*

1. Each lot in a development shall be designed to provide an adequate, accessible building site for a structure devoted to the intended use of the land.
2. Lot sizes shall be in conformance with applicable zone district regulations or Planned Unit Development regulations. Where individual water or sewage systems are proposed for each lot, lot sizes shall be in conformance with standards of the Colorado Department of Public Health and Environment.

b. *Solar Access.* Lots and blocks shall be designed to afford the maximum solar access to each building site.

1. *Lot Orientation.*

- i. All residential development is strongly encouraged to consider siting to maximize solar access for individual units as well as for parking areas and internal streets.
- ii. To the maximum extent feasible, a minimum of fifty (50) percent of the single-family lots in a subdivision shall:
 - a. Have a north-south dimension of ninety (90) feet or more; and
 - b. Have a front lot line that is oriented within thirty (30) degrees of a true east-west axis.

-
2. *Lots Adjacent to Railroad Right-of-Way.* If any part of a residential development borders an active railroad right-of-way, lots adjacent to such right-of-way shall either have a minimum depth of one hundred fifty (150) feet or be provided with a landscaped fifty-foot buffer strip adjacent to the railway or a parallel street adjacent to the railway. No dwelling unit shall be located within fifty (50) feet of the active railroad right-of-way.
- ~~{4}~~ {5} *Uniform Street Standards.* Design and improvement of streets shall comply with the City's Engineering Standards.
- ~~{5}~~ {6} *Water Distribution.* The water main distribution system of a development shall be designed to connect with the City water system, to be compatible with the existing system and to make water available to each lot in the proposed development. Fire hydrants shall be located to ensure protection to each lot based on utilization of existing City firefighting equipment and shall be approved by the Fire Chief.
- ~~{6}~~ {7} *Wastewater Collection.*
- a. Where the City wastewater collection system is within four hundred (400) feet of an existing wastewater main collection system, the wastewater collection system shall connect with the City system and provide service to each lot in the proposed development. Design of the system shall be the responsibility of the developer. The system shall be designed as required in the City's Engineering Standards and is subject to the approval of the City Engineer.
 - b. When the City wastewater collection system is not within four hundred (400) feet of an existing wastewater main collection system, the developer shall be responsible for installation of a wastewater collection system for the development. Such system shall meet all federal, state, and local laws and regulations concerning design and installation of the system.
- ~~{7}~~ {8} *Underground Utilities.*
- a. All wires, cables or other equipment for the distribution of electric energy and telecommunication signals, with the exception of transformers, meters, junction boxes, and like equipment, shall be placed underground where practicable.
 - b. Where subdivisions or developments are approved along or with crossing existing overhead power and communications facilities, energy and telecommunications may be obtained from these existing facilities. The connections to these facilities shall be placed underground unless otherwise approved by the Public Works Department due to economic, engineering, or aesthetic reasons.
 - c. Utility easements and rights-of-way shall be provided in the subdivision or development meeting the requirements of City systems for the installation and maintenance of energy distribution, telecommunication facilities, water, wastewater, and storm drainage facilities.

Planning File 68-23, Title 070 Code Amendment

Stormwater Fee In Lieu

Thursday, January 4, 2023 City Council



Proposed Code Amendments

070.040.030 (e) Site Development and Improvement Standards.

(e) *Site Development and Improvement Standards.*

(1) *Drainage Plan.* Every development plan shall include a drainage plan that meets the requirements of the City's Engineering Standards.

(2) Fee in Lieu of Stormwater Management

a. Prior to the issuance of the building permit or a change in use of the property, the developer of a property may submit an application to the Director and City Engineer for payment of fee in lieu of onsite Stormwater management requirements in the City's Engineering Standards.

b. The fee in lieu shall be established by resolution of the City Council in an amount that is calculated to approximate the cost of obtaining, developing, and maintaining a public stormwater system.

c. All fees in lieu paid pursuant to this Subsection shall be deposited in a separate fund, which fund may be used to undertake future projects to accommodate stormwater management. These fees may not be used for the general expenses of the City.

(3) *Erosion and Sediment Control, Slope Stabilization, and Revegetation Plan.* Every development plan shall include an erosion and sediment control plan that meets the requirements of the City's Engineering Standards.

~~(3)~~ (4) *Lot and Block Design.*



Review Criteria and Analysis

Prior to approval the City Council shall consider whether and to what extent the proposed amendment:

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

Planning and Zoning Commission reviewed the application at their December 12, 2023 meeting and recommended approval with a unanimous vote.



Recommendation and Suggested Findings

Action Item:

Consideration of code text amendments to Municipal Code Section 070.040.030 adding a stormwater fee in-lieu.

Planning and Zoning Commission recommends approval of the code text amendments, with the following suggested findings:

The proposed code amendments are:

- i. Is consistent with the Comprehensive Plan and other City policies;
- ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- iii. necessary to address a demonstrated community need;
- iv. Is necessary to respond to substantial changes in conditions and/or policy; and
- v. Is consistent with the general purpose and intent of this code.





Planning and Zoning Commission Report

Date: December 12, 2023
To: Planning and Zoning Commission
From: Ryan Gordon, City Engineer
Subject: Planning File #68-23 Code Amendments to Title 070 related to Storm-water Development Standards and Fee In-Lieu.

Applicant: City of Glenwood Springs

ACTION ITEMS

Consideration of Code Text Amendments to Title 070 and the Engineering Standards to adopt a stormwater fee-in-lieu.

BACKGROUND

Under the current development process, a new development or redevelopment is required to comply with the stormwater standards per the City's Engineering Standards (Chapter 4). The current standards require the development to meet both the stormwater quality and stormwater detention requirements.

To comply with the detention requirements, the development typically needs to construct a pond, dry well or other stormwater facility. These facilities require an engineer to analyze, size and design and can be costly to construct. Additionally, they can be difficult to locate on a property depending on site constraints. A Maintenance Agreement is required between the City and the property owner to ensure that the stormwater facilities function properly.

The City will be required to comply with a state issued MS4 permit that regulates sources of stormwater pollution from pipes and drains that flow from the City to the river – the City does not currently have a MS4 permit but we anticipate that the state will issue one within the next couple of years. The MS4 permit requires that the City develops and runs a program to control stormwater discharges which will include a water quality element. The City would be responsible for inspecting stormwater facilities – both on public and private property - on a regular basis to confirm they are functioning as designed and in compliance with the MS4 permit.

From the Engineering Department's perspective, a regional approach to stormwater treatment where the City would construct and maintain regional stormwater treatment facilities would be preferred over having hundreds of dispersed treatment facilities that are constructed and maintained on private property.

To accomplish and facilitate this goal, the City would like to establish a stormwater fee in lieu process to allow developments to pay the City instead of installing stormwater facilities required under the code. The fee would be used to design and construct these regional stormwater facilities.

This fee in lieu is not a requirement of a development to pay and they can still go through the current process of hiring an engineer, designing a stormwater system, constructing the system and establishing an O&M agreement.

Engineering has reviewed multiple recent projects in the City and have developed the fee in lieu based on the constructed cost of the stormwater system. This fee in lieu does not include the cost of design or long term maintenance costs associated with the stormwater system.

The stormwater fee in lieu is \$50 per cubic foot of required detention or \$365 per 100 square feet of in impervious area.

PROJECT SUMMARY

This fee in lieu is not a requirement of a development to pay and they can still go through the current process of hiring an engineer, designing a stormwater system, constructing the system and establishing an O&M agreement.

Engineering has reviewed multiple recent projects in the City and have developed the fee in lieu based on the constructed cost of the stormwater system. This fee in lieu does not include the cost of design or long term maintenance costs associated with the stormwater system.

The stormwater fee in lieu is \$50 per cubic foot of required detention or \$365 per 100 square feet of in impervious area.

In order to add a fee in-lieu for Stormwater requirements the following code sections would be added to **070.040.030 - Site Development and Improvement Standards.**

(e) *Site Development and Improvement Standards.*

(1) *Drainage Plan.* Every development plan shall include a drainage plan that meets the requirements of the City's Engineering Standards.

(2) *Fee in Lieu of Stormwater Management*

a. Prior to the issuance of the building permit or a change in use of the property, the developer of a property may submit an application to the Director and City Engineer for payment of fee in lieu of onsite Stormwater management requirements in the City's Engineering Standards.

b. The fee in lieu shall be established by resolution of the City Council in an amount that is calculated to approximate the cost of obtaining, developing, and maintaining a public stormwater system.

c. All fees in lieu paid pursuant to this Subsection shall be deposited in a separate fund, which fund may be used to undertake future projects to accommodate stormwater management. These fees may not be used for the general expenses of the City.

REVIEW CRITERIA AND STAFF ANALYSIS A Code amendment is a legislative decision by the City Council. Prior to recommending approval or approving a proposed Code amendment, the Planning Commission and City Council shall consider whether and to what extent the proposed amendment. Staff analysis is provided in **BOLD.**

i. Is consistent with the Comprehensive Plan and other City policies;

The Comprehensive Plan identifies the following goals that are supported by this proposal:

- **Preserve natural resources and protect against hazards**
- **Advance climate and resiliency goals as a core community value**

ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;

The proposed code language does not conflict with other provisions and is modeled after similar fee in-lieu systems the City already has codified.

iii. Is necessary to address a demonstrated community need;

With the impending MS4 designation from the State of Colorado, the City of Glenwood Springs needs the ability to design, monitor, and manage the stormwater system. This code change will assist with that task. Additionally, the requirement to accommodate stormwater management on site is challenging for most developments, and a City wide approach will be more efficient.

iv. Is necessary to respond to substantial changes in conditions and/or policy; and

The State's MS4 requirements are a substantial change for the City of Glenwood Springs.

v. Is consistent with the general purpose and intent of this Code.

Staff finds the proposal consistent with the purpose of the Development Code which is to protect the public health, safety, and welfare of the City and to implement the policies, goals, and strategies adopted by the City of Glenwood Springs, including those set forth in the Glenwood Springs Comprehensive Plan.

Staff finds that the proposal meets the five criteria.

REVIEWING AGENCY COMMENTS

Public Works and Engineering have incorporated comments into the text language.

ACTION ITEMS & STAFF RECOMMENDATIONS

Staff recommends approval of the Code Text Amendments to Title 070 establishing a stormwater fee in-lieu and associated Engineering Standards.

Suggested Findings:

The proposal:

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

MINUTES
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission

Regular Meeting
December 12, 2023
Council Chambers, First Floor
101 W. 8TH STREET 6:00 PM

1. Roll Call

Present: Commissioners: Carolyn Cipperly, Amy Connerton, Pete Waller, Matthew Simms, Joy White, Gregory Cowan

Also Present: Community Development Director Hannah Klausman, Senior Planner Watkins Fulk-Gray, City Engineer Ryan Gordon, Assistant City Engineer Asley Dostal, City Transportation Engineer Lee Barger, City Attorney Karl Handlon.

Actions: Commissioner Cipperly made a motion to seat Alternate Commissioner Gregory Cowan, motion seconded by Commissioner Connerton. Voice vote taken; motion passed unanimously.

2. Conflicts of Interest

None

3. Receipt of Minutes

November 14, 2023 Planning and Zoning Commission special meeting minutes

Commissioner Connerton made a motion to approve the minutes, seconded by Commissioner Simms. Voice vote taken, passed unanimously.

September 26, 2023 Planning and Zoning Commission regular meeting minutes

Commissioner Connerton made a motion to approve the amended minutes, seconded by Commissioner Cipperly. Voice vote taken, passed unanimously.

4. Comments from citizens for items not appearing on the agenda

No public comment was offered.

5. New Items

a. Planning File #63-23 Major Site Architectural Plan, The Benedict

Senior Planner Watkins Fulk-Gray presented Action Item 1: Major Site/Architectural Plan for The Benedict at 2800 Midland Ave.

Staff recommend approval with findings and conditions in the staff report.

Commissioner questions, comments, and staff responses included the following:

- More detail about the tax credit program requested. **Staff response:** The project has received a Low-Income Housing Tax Credit (LIHTC) award, which has federal funding sources and is subject to federal regulations like the Fair Housing Act. Often after the 40-year period, projects become free market. Staff is recommended requiring whatever inclusionary zoning requirements are in place after 40 years if the project becomes free market.
- What is the age limit for the project? **Staff response:** Persons age 55 plus.
- More details requested about the cross access. **Staff response:** Staff displayed the site plan and showed the proposed location of the alley cross access. It would connect to the memory care property and the condos' access point.
- Is the city offering fee waivers? **Staff response:** City Council approved fee waivers for system improvement fees in July.
- Will the voluntary deed restriction program apply to this project? **Staff response:** Only the required inclusionary zoning standards will apply.
- Is the drainage report that was done in 2013 still valid? **Staff response:** There was a follow-up study from this year that validated the findings of the 2014 study.
- What can be considered storage per code requirements? **Staff response:** Code defines what can and cannot be considered storage.
- What can be used for screening? **Staff response:** Code offers several ways to do screening with landscaping.
- Would neighbors to the east benefit from screening and landscaping? **Staff response:** There are no code requirements that they screen the development, but the landscaping that would be removed by the proposed cross access is a tradeoff to weigh.
- Does the City need to change its inclusionary zoning requirements with LIHTC projects? **Staff response:** It is something the City may consider.
- Why was the parking reduction approved? **Staff response:** The project offered structured parking, bike parking beyond what is required.
- Clarify the parking and access easement on the neighboring property. **Staff response:** It was an easement recorded in 2015 that gives exclusive use of Lot 2 for six parking spaces that are on lot 1, as well as providing access and an easement for utilities.
- Are the terms of the parking reduction met? **Staff response:** The parking approved in the parking reduction and proposed in the project are the same. There is a thought that since the parking reduction application proposed a project for age 62 and up, rather than age 55 and up, that there is a conflict.
- Does the elevation fronting the street meet code requirements? **Staff response:** It has the required number of architectural features but does not meet building orientation requirements.
- Clarification about how pedestrian access is proposed to work. **Staff response:** Pedestrians will have to cross 27th to go over the bridge and cross 27th again to get to the underpass that is under construction. There is an existing pedestrian island.
- What is the length elevation fronting 27th? **Staff response:** Staff is not able to respond accurately.
- Does the 27th St. elevation's eve line meet design guidelines? **Staff response:** It meets the minimum architectural features requirement.
- Has the cross access idea been vetted with the memory care owners? **Staff response:** They are aware of the concept. There are some challenges in making the cross access work.

- Has there been a complete traffic study and traffic counts for the area? **Staff response:** The traffic memo does provide some specific estimates based on ITE standards, so we know an estimate for the average number of daily trips and the direction they will likely be going. The information provided is part of the reason the City wants to require right-in, right-out changes.
- How does it work and are there examples of the City being involved in the tenant selection plan? **Staff response:** We can't step on Federal law, but the applicant has ownership of the process with our suggestions.
- How to add recommendation for the City to consider adding a pedestrian flashing light without requiring it of this project? **Staff response:** We will take this into consideration and Engineering is aware of this as a place that possibly needs looking at.
- Is the City good with the submitted drainage report? **Staff response:** Water does go directly into the river, but the proposal meets the City's Engineering guidelines and the water quality and stormwater infrastructure is sufficient to meet the needs.

Applicant provided:

- Background about Catholic Charities Housing
- Conditions of approval are acceptable with the exception of the requirement for cross access. Open space requirements would be compromised.
- There are grade issues on the site
- The project will be independent living for residents with amenity spaces

Questions from Commission to Applicant Team

- What will be the minimum age? **Applicant response:** 55.
- Sizes of units? **Applicant response:** 533sf
- How is affordability affected those after reducing ages 62 down to 55? **Applicant response:** Difficult to say.
- After 40 year lapses, what happens at that point? **Applicant response:** There are various layers of restriction; funding requirements are tied to this 40-year standard. They are not generally in the business of converting to market rate.
- Are seniors required to be working? **Applicant response:** No.
- Will fire trucks be using the proposed cross access? **Applicant response:** Only ambulances will be able to fit.
- Will residents park in the garage and will they be coming from 27th St? Will guests have access to the garage? **Applicant response:** Residents will have spots in the garage, and guests may also. An additional 17 spaces will be available, and some will be shared with the property to the south.
- Why are there only two accessible parking spaces? **Applicant response:** Two are the number that are required.
- Will ambulances fit in the garage? **Applicant response:** Yes, but they would have to back out.
- Will ambulances block the access drive? **Applicant response:** No.
- Can you create a loop access through the Racquet Club condos? **Applicant response:** It is a different property and thus they have not evaluated that.

- Where would the elevator be located? **Applicant response:** Near the front lobby, there is a ramp that allows ADA access.
- Architectural questions **Applicant response:** They wanted to put the entrances away from the busy 27th St. to accommodate parking.

Comments from the City Engineer

- Fire access is difficult, but there are other design options to increase the width of the proposed cross access. A mirror at the garage exit will help safety.

Comments from the Public

- Wynter: Unhappy lack of contact from developers. Concerns with parking, height, merged access shared with the proposed facility.
- Travis: Too big of a project.
- Dean Moffat: This project is too dense; project doesn't seem to fit.
- Darryl Grosjean: My home is in the Terraces and I have no opposition with this project.
- Jerry Thomas/Executive Director at RF Senior Living: Provided information about the senior living facility's operations.
- Mark Belanger/owner group for RF Senior Living: We were opposed but we are now have come around. We think it is still too massive and parking is insufficient.

Commissioner Connerton made a motion to approve Action Item 1 with conditions as written in the packet. Commissioner White seconded the motion.

Discussion after the motion included:

- Extraordinary to see such an affordable housing project proposed, especially for seniors.
- Would like minimum age to increase.
- Would prefer to have more landscaping in between Racquet Club condos and The Benedict.
- Concerns with lack of parking.
- Age 55 sounds young because of the community we are in; many retirement communities are age 55-plus.
- Would be nice if this could be in a different location.
- Would be nice if there were some two-bedroom apartments.
- Applicants should collaborate with adjacent landowners and be good neighbors.
- Need to make sure common access with The Benedict/Racquet Club condos is safe.

Commissioner Waller called the item to question. Motion passed unanimously with a vote of 6-0.

b. Planning File #45-23 1041 Matters of State Interest Permit, Location and Extent, XCEL Line rebuild

Comm Development Director Hannah Klausman presented the Planning File for a Matters of State Interest permit application and explained that Xcel was the first applicant to go through the permit process adopted by Council in 2021. Ms. Klausman detailed the proceedings and review criteria.

- **Action Item 1:** Approval of a Matters of State Interest Permit for an electric transmission line replacement for Xcel Energy from Glenwood Springs Substation to Mitchel Creek Substation.

Staff recommend approval with findings and conditions in the staff report.

Commissioner questions, comments, and staff responses included the following:

- What is the extent of this project. **Staff response:** The project is one segment of a larger rebuild project for Xcel that extends beyond Glenwood canyon towards Parachute.
- Are there traffic stoppages planned on the interstate, State Hwy or other city streets.
Staff response: None are anticipated currently.
- Where would visual impact be greatest?
Staff response: The project includes taller pole heights and larger steel monopole structures.
- Would there be a hybrid component possible underground/overhead.
Staff response: The applicant reviewed underground routes but cost, and disruption of private property were cited as reasons to not select that route.
Applicant Response: as a starting point we propose above ground because of cost as it is lower, steep terrain and rock underground makes this difficult as a trench with conduit and concrete is used, vault rooms are installed with great disturbance on private land, costs may be prohibitive.
- Is eminent domain a component of this project?
Staff response: That is a tool that can be used if necessary, however Xcel is working with landowners on property rights.
- Could the ultimate increase in 115 kV allow for re-review? **Staff response:** yes.
- Is there consideration for the Bighorn sheep in the canyon? **Staff response:** Colorado Parks and Wildlife was a referral agency for wildlife impact and had not responded with concerns.
- Is the City a funding entity in all this. **Staff response:** No.

Applicant was asked and provided specific Commission information:

- Why the height increase? **Applicant response:** static wire infrastructure
- Will there be notification to neighbors regarding construction operations?
Applicant response: Yes, we will do our best to use the helicopter to minimize staging area impact but do our best to minimize this intrusion from the helicopter as well.
- Have other jurisdictions denied such an application or forced it underground? **Applicant response:** Not that we are aware of.
- Anywhere in Colorado where you go underground? **Applicant response:** Denver Metro and others where ROW is inaccessible
- Time extent of helicopter use? **Applicant response:** Portions of the day of a 2-week period, but not likely to be more than a couple hours a day.
- Easements are 30' wide currently, is vegetation managed, what does the new 60' look like. Is it 60' throughout? **Applicant response:** Currently the area has low vegetation to reduce erosion, revegetation management plan will be a part of the project. Yes 60' throughout.
- How are artesian springs mitigated? **Applicant response:** geotechnical investigations 26' deep revealed no contact with springs and they had a mitigation plan should they had found any
- Do the residents of GWS benefit. **COGS Public Works response:** Yes, the City Electric service takes electricity from this line.

Comments from Public Residents

- **Dean Moffatt:** Concerns with the line not following terrain to minimize impact, bighorn sheep have adapted but suffer impacts, we have been forced to deal with this large-scale project.

Commissioner **Simms** made motion to approve Action Item 1 with findings and conditions as described in the staff report.

Commissioner discussion included the following:

- Xcel has been communicative in work in the past and we expect the same with this project.
- The citizens will benefit from clear communication regarding this project.
- There will be taller towers but the benefits as needed from regulation will be a positive element of the project.
- Protection from wildfire impacts is a great benefit from this project.

Commissioner **Cipperly** seconded the motion.

Commissioner Waller called the item to question. Motion passed unanimously with a vote of 6-0.

9:52pm, Connerton motions to stay past 10pm, with Cowan making a second. Motion passed unanimously.

c. Planning File #68-23 Code Amendments to Title 070 related to Storm-water Development Standards and Fee In-Lieu

City Engineer Ryan Gordon (with Assistant City Engineer Ashley Dostal) presented the need for this proposed code with components of stormwater standards, dispersed individual stormwater systems, and regional City managed stormwater systems.

Staff recommend approval with findings and conditions in the staff report.

Commissioner questions, comments, and staff responses included the following:

- Please explain the Table. **City Engineer response:** estimated costs are in cubic foot of storm water. $\$365 \times 100\text{cf} = 1000\text{cf}$ of impervious increases.
- Will this program cover infrastructure costs? **City Engineer response:** Potentially, we have built out areas so we have missed out on capturing funds over the years, but this will allow us to move forward and deal with developments with small stormwater management issues.
- Discuss what other measures are in place or to be put in place to manage this system. **City Engineer response:** as the standards are rewritten other measures will be required for treatment on site to help mitigate negative stormwater impacts, construction management plan, soil erosion measures, and an upcoming Stormwater masterplan will be pursued to help manage this.

- Are there designations for residential vs commercial or those doing more or larger projects, less pervious area, etc.? **City Engineer response:** Yes, larger developments have sand/oil separators to capture more contaminants.
- Is this a required program? **City Engineer response:** Cost of design and engineering are not in the costs of the assessment, but as an applicant works through the numbers and decides that it isn't worth it can certainly opt out.
- Will there be a combined wastewater and stormwater collection system? **City Engineer response:** no plans for that currently.
- How will this be managed over time? **City Engineer response:** individually there are requirements for a Drainage Letter for site development minor (memo) and major (Full drainage analysis and study). Fee-in Lieu would not require any analysis as previously noted. Stormwater management standards apply throughout the life of a project even though a developer has chosen to become involved in the Fee-in-lieu program.
- Fee language should be clear in the proposed changes. **City Legal Response:** The language is rationally connected to the needs and goals of the fee-in-lieu proposal.
- How is maintenance regulated? **City Engineer response:** Individually homeowners sign a maintenance agreement, non-reporting requirement, but if systems fail then the City may step in, fix, and charge for improvements.

No public comment was taken.

Commissioner **Cowan** made motion to approve the recommended ordinance as presented for fee-in-lieu of stormwater detention.

Commissioner **Connerton** seconded the motion.

Commissioner discussion included the following:

- Collective of positive comments regarding this and other efforts by the City to further conservation and present support of the community.
- Commissioner Cipperly to send language to Legal regarding semantics needed to clarify proposed language changes prior to City Council presentation.

Commissioner Waller called the item to question. Motion passed unanimously with a vote of 6-0.

6. Commissioner Comments

- Cowan is appreciative of the process, how commissioners and staff manage the process.
- Comments on staff report format and wanting page numbers.

7. Director Comments

Community Development Director Hannah Klausman detailed the applications expected in January and wished everyone a happy and safe holiday season, thanking them for their service in 2023.

8. Adjournment

Meeting adjourned at 10:09 PM.



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Glenwood Springs Post Independent** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 945-8515**.

Notice ID: 4kRdlb7ofFcjkT63nE8 | **Proof Updated: Dec. 21, 2023 at 01:20pm MST**
Notice Name: Engineering Stormwater Ordinance CC Notice

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

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Hannah Klausman	Glenwood Springs Post
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Columns Wide: 1	Ad Class: Legals
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12/25/2023: Other	15.30
01/01/2024: Other	13.20
Affidavit Fee	10.00

Subtotal	\$38.50
Tax	\$0.00
Processing Fee	\$3.85
Total	\$42.35

Please take notice that the Glenwood Springs City Council will conduct a public hearing to consider on first reading, an Ordinance for Code Text Amendments to Municipal Code Title 070 related to Site and Development Standards including but not limited to Sections 070.040.030. Glenwood Springs City Council will also consider a resolution to update the Engineering Standards related to Chapter 4 Stormwater Standards.

The public hearing will be held on Thursday, January 4th, 2024, after 6:15pm at City Hall, 101 W. 8th Street in Glenwood Springs. Additional information on the hearing and proposed amendments is available for review at the Engineering Department by calling (970) 384-6435.

The City of Glenwood Springs ensures meaningful access to City programs, services, and activities to comply with American Disabilities Act and reasonably provides translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids and services. To request these services, contact Bryana Starbuck, Public Information Officer, bryana.starbuck@cogs.us or 970-309-7521.

PUBLISHED IN THE GLENWOOD SPRINGS POST INDEPENDENT ON MONDAY, DECEMBER 25, 2023 AND MONDAY, JANUARY 1, 2024.



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item:	Resolution 2024-03; Storm Water Fees
Action Requested:	Adopting Chapter 4 - Stormwater in the Engineering Standards
Department:	Engineering
Presented By:	Ryan Gordon
Strategic Goals:	Provide Efficient and Responsive City Government
Background Info:	The Engineering Department is revising and updating all the engineering standards in 2023 and 2024. Chapter 4 -Stormwater is the first chapter to be revised as there are revisions that are associated with the proposed fee-in-lieu ordinance. The current stormwater standard has multiple outdated references and is overall difficult to follow. Chapter 4 was partially revised several years ago but was not completed. Significant updates to the chapters are: • Currently, all applicants are required to provide a detailed drainage analysis, either a “Minor Drainage Report” or a “Major Drainage Report” based on the size of the proposed development. Both reports are extensive and the current language of what is required is confusing. The revisions clarify the requirements and creates a simpler process for small projects (less than 1,000 square feet) to address stormwater. • The revisions include the process and parameters for applicants to apply for the stormwater fee-in-lieu. • A Construction Management Plan (CMP) is required for all projects that require a grading permit (projects that disturb more than 200 square feet). The CMP requires that an applicant plan for erosion protection and stormwater management – a checklist has been developed to help the applicant to develop the needed plans to comply with the CMP.
Issues:	None at this time.
Fiscal Impact:	None at this time.
Legal Review:	Legal has reviewed the resolution
Staff Recommendation:	Staff recommends Council adopt the revisions to Chapter 4 - Stormwater of the Engineering Standards

RESOLUTION 2024 - 03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, ADOPTING
CHAPTER 4 STORMWATER OF THE ENGINEERING
STANDARDS**

WHEREAS, Title 070 of the Glenwood Springs Municipal Code references Engineering Standards that were adopted by City Council by Resolution 2018-33, effective August 2nd, 2018; and

WHEREAS, the adopted Engineering Standards set forth standards and design criteria for streets, sidewalks, grading, drainage, wastewater collection systems and other infrastructure and improvements associated with the development of land within the City; and

WHEREAS, City staff recommends adopting a new Chapter 4 to the Engineering Standards to update the requirements for water quality, drainage report standards, fee-in-lieu guidance and overall stormwater standards updates; and

WHEREAS, City staff also recommends adding Appendix A to Chapter 4 Stormwater of the Engineering Standards, Construction Management Plan Checklist; and

WHEREAS, City Council desires to adopt the recommended changes to the Engineering Standards.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF
GLENWOOD SPRINGS 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 Chapter 4 of the Engineering Standards set forth on Exhibit A attached hereto and incorporated herein, effective January 4th, 2024.

INTRODUCED, READ, AND PASSED THIS 4th DAY OF JANUARY 2024.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk



Chapter 4

Stormwater Standards

City of Glenwood Springs Engineering

Revised 2024

Chapter 4 Stormwater Standards

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Chapter 4 Stormwater Standards

I. Introduction

The standards in this chapter are intended to be applied by The City of Glenwood Springs Engineering Department while reviewing proposed drainage facilities and stormwater discharges associated with development and redevelopment projects. They are also intended to comply with the most recent version of the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division's (WQCD) Colorado Discharge Permit System (CDPS) Stormwater Discharges Associated with Municipal Separate Storm Sewer Systems (MS4s) and the most recent version of the Mile High Flood District (MHFD) Urban Storm Drainage Criteria Manual.

A variety of stormwater management techniques shall be implemented to address the impacts of development. Proper management of stormwater runoff minimizes damage to public and private property, protects infrastructure, safeguards the public health, safety, and general welfare, and protects water resources and aquatic wildlife.

This chapter establishes design and review criteria for the construction, function, and use of stormwater best management practices (BMP's) that may be used to meet the minimum development standards. It also establishes the long-term responsibility and maintenance of BMPs to ensure that they continue to function as designed, are maintained appropriately, and protective of public safety.

The Urban Drainage and Flood Control District (UDFCD) has developed a lengthy and robust Urban Storm Drainage Criteria Manual (USDCM). Volume 3 of the USDCM (Volume 3) includes extensive language covering the importance of stormwater quality treatment and the functional mechanisms associated with various types of treatment facilities. It also includes detailed design guidance and criteria that are updated frequently based on ongoing field research on the functionality of various treatment facilities. While the climate and topography of Glenwood Springs are different from those in the Denver metro area, Volume 3 is a valuable reference and is cited throughout this Chapter.

The following is a summary of the minimum standards. This summary should only serve as a guideline for general understanding of stormwater management requirements in Glenwood Springs and for development of a conceptual design. Detailed and specific requirements are included throughout Chapter 4, that have the potential to significantly impact a site's design.



II. Minimum Standards

- A. Better Site Design – Site designs should preserve the natural drainage and treatment systems, reduce the generation of additional stormwater runoff and pollutants, and fully increase infiltration of stormwater into the ground rather than into hard infrastructure practicable.
- B. Water Quality Capture Volume (WQCV) – New development and redevelopment shall treat a volume of water equal to the 80th percentile runoff event for their site. This volume has been sized to remove 90% of particles greater than 60 microns in size by releasing the WQCV over a 12-hour period. The WQCV is determined based on the site's impervious area and can be reduced as impervious area is reduced.
- C. Detention – New development and redevelopment shall detain for the minor and major storm event up to the point that the stormwater system downstream can accommodate. In most cases, a site will be controlling the post-development peak discharge rate to the predevelopment rate for the 2-year event and 25-year event. Most redeveloped areas in the urban core will not be required to detain anything above the WQCV.
- D. Stormwater system – The downstream system from each site must be able to safely pass flows from the 2- or 25-year and 100-year event. A downstream hydrologic analysis must be performed to determine if there are any additional impacts in terms of peak flow increase or downstream flooding while meeting minimum standards #2 and #3. This analysis must be performed at the discharge points of the site and, at a minimum, at the next two downstream structures.
- E. Floodplains: Development and redevelopment is regulated in all floodplains and flood ways as delineated by FEMA and State regulations. Developments within these areas will be required to determine flood plain elevations for their site through a Floodplain Development Permit, see Chapter 1 for permit and guidance. Other requirements are detailed in City Municipal Code Section 070.040.020(d) Development in Waterways and Areas of Special Flood Hazards.
- F. Geologic Hazards: Development and redevelopment is restricted in those areas recognized in the Geologic Hazard Ordinance City Municipal Code Section 070.040.020(c) Development in Areas of Geologic Hazard.



III. Definitions and Abbreviations

- A. BMP-Best Management Practice: A device, practice, or method for removing, reducing, retarding, or preventing targeted stormwater runoff constituents, pollutants, and contaminants from reaching receiving waters.
- B. CDPHE-Colorado Department of Public Health and Environment: The principal department of the Colorado State government responsible for public Health and environmental agency. This is the permitting agency for water quality permits. Colorado Department of Public Health and Environment (CDPHE).
- C. CDPS-Colorado Discharge Permit System: Permitting system for all stormwater permits through CDPHE.
- D. Culvert: A transverse facility to convey water under a roadway or railway.
- E. EPA- Environmental Protection Agency: An independent executive agency of the United States federal government tasked with environmental protection matters.
- F. FILO- Fee in Lieu of: A fee designed to be paid instead of installing public infrastructure.
- G. Historic: Conditions prior to any land development (i.e., native/undisturbed).
- H. Major Storm: 100-year (0.01% chance) storm event.
- I. MHFD- Mile High Flood District: Denver Area stormwater management resource.
- J. MDCIA- Minimizing Directly Connected Impervious Area: A variety of runoff reduction strategies based on reducing impervious areas and routing runoff from impervious surfaces over grassy areas to slow runoff and promote infiltration. The concept of MDCIA has been recommended by MHFD as a key technique for reducing runoff peaks and volumes following urbanization.
- K. Minor Storm: 25-year (0.04% chance) storm event.
- L. LID- Low Impact Development: Refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat.
- M. Professional Engineer: A qualified State of Colorado registered professional engineer that ensures that a site feature (stormwater, walls, grading, etc.) are installed correctly. as specified in the design.
- N. Stormwater System: Storm systems include streets, curbs, gutters, inlets, culverts, pipes, outfalls, roadside ditches (swales), detention areas, ponds,



wetlands, the Roaring Fork and Colorado Rivers and their tributaries within City boundaries to which stormwater is collected and conveyed.

- O. USDCM- Urban Storm Drainage Criteria Manual: Manual (Volumes 1, 2, and 3) developed by MHFD for guidance on stormwater management.
- P. WQCV- Water Quality Capture Volume: The runoff retention capacity of a BMP that is designed to capture and treat, at a minimum, the 80th percentile runoff event from an entire site, i.e., 80 percent of the most frequent occurring storms are fully captured and treated and larger events are partially treated.

DRAFT



IV. Stormwater Standards

1. Overview of Requirements

Unless specifically exempted, no development, disturbance of land, or construction shall be undertaken without first having been reviewed, approved, and issued a permit compliant with the requirements of the Engineering Standards. Unless specifically exempted, no building shall be erected, moved, or structurally altered without a building permit issued pursuant to the Glenwood Springs Municipal Code. This Chapter provides detailed guidelines on the development and building permits that require engineering review. For complete requirements, refer to the Glenwood Springs Municipal Code

All development and redevelopment projects in the City of Glenwood Springs that will:

- Increase the amount of impervious area on a site (this includes adding hard surface patios, increasing the footprint of the house, etc.)
- Disturb more than 200 square feet of land on the site (this includes grading, even if a structure or hard surface is not added, as well as “scrape and replace” of impervious area),
- Demolish more than 50% of the interior (based on the entire square footage of rooms where floors, ceilings, or walls are exposed over the square footage of the structure)

are required to an engineering review as part of the building permit, ROW permit, or grading permit application review process.

Refer to Table 1.0 for a guide on the requirements by the size of the project and subject property.



Table 1.0 General Requirements for Projects

Project Description	Area Added or Disturbed	General Requirements
Disturbing less than 200 SF	<200 SF	No Requirements
Landscaping or grading only, no impervious and or change to the drainage pattern.	200-1000 SF	• CMP
Landscaping or grading only that might include hardscape or change in grade or drainage pattern, small additions, small scrape and replace.	200-1000 SF	• WQCV or drain to green-space • CMP • Drainage Letter • FILO
Replacement of existing hardscape	Limited to footprint of existing hardscape	• CMP • WQCV or drain to green space for impervious area. • FILO
Interior Work Only	<50% Demolished	• CMP with 500 SF of Work
Interior Work Only Existing Lot Coverage 0-50%	>75% Demolished	• CMP • WQCV for Entire Area • Conveyance for Flows
Existing Lot Coverage 50%-100%	>200 SF	• CMP • WQCV for Entire Area • Conveyance for Flows • Detention to the Undeveloped rate Drainage Report or FILO • Requires a Professional Engineer
Landscaping, grading, installing or disturbing hardscapes, additions to structures	>1000 SF	• CMP • WQCV for Entire Area • Conveyance for Flows • Detention to the Changed rate Drainage Report or FILO • Requires a Professional Engineer

Notes:

- Special Circumstances: Any work, regardless of amount or size, performed on historic properties, in environmentally sensitive areas, geologic hazard areas, in jurisdictional or non-jurisdictional floodplains may be required to submit information for permit review and may be required to provide a more detailed drainage analysis and design than suggested in the table above.
- Pre-project lot coverage is determined by dividing the total hardscape footprint on the lot (house, driveway, patios, sidewalks, etc.) by the total lot area. Interior demolition is measured by the square footage of the room renovated/modified divided by the total square footage of the structure.



2. Review and Acceptance

The City shall review all drainage submittals for general compliance with the Engineering Standards. An acceptance by The City does not relieve the owner, engineer, or designer from the responsibility of ensuring that the design, calculations, plans, specifications, construction, and record drawings follow the criteria as stated in the owner's and engineer's certifications.

The City may, but is not required to, refer submittals to other agencies that have an interest or responsibility for drainage and/or water quality issues. Other review agencies may include local or State agencies, such as the Colorado Water Conservation Board or the Colorado Geologic Survey, responsible for floodplain and water quality, slope stability, mudflow analysis, geology, water rights and other stormwater related issues.

3. Stormwater Fee in Lieu

- A. The City recognizes that the stormwater infrastructure requirements may be difficult to achieve due to site constraints and costs. To help mitigate these constraints The City has provided the option of payment of a voluntary fee-in-lieu of detention (FILO). The amount of the fee is based on the estimate of the cost of providing detention in Glenwood Springs. However, if a developer can show that their cost of detention is less than The City cost estimate, The City has the option of accepting this lesser amount or asking the developer to build on-site detention.
- B. The average calculations showed that the volume of detention needed is approximately 7.3 cubic feet of rainwater runoff per 100 square feet of impervious area for the maximum design storm. The City reviewed engineer cost estimates and called local contractors to determine that it cost approximately \$50.00 per cubic foot of detention in Glenwood Springs. The FILO then works out to be \$365 per 100 square feet of impervious area added or redeveloped. **The fee can be referenced in the Municipal Code _____.**
- C. The fees collected through the FILO program will be used to improve conveyance and detention throughout the city and reduce impacts of urban runoff on the rivers.
- D. Exceptions can be made to the FILO or detention requirements and any development can apply for a variance by following the procedures outlined in Chapter 1 of the Engineering Standards.

4. Drainage Letter and Report

The purpose of the Drainage Plan and Report is to identify and refine conceptual solutions to the drainage changes that may occur onsite and offsite because of the development. These reports are required, unless determined by the City Engineer Department to be unnecessary.

Preparation of plan documents shall follow the standards and guidance found in Chapter 1 of the Engineering Design Standards. For projects, all reports shall:

- Be typed on 8½" by 11", electronic, pdf format.
- Contain enough information to describe the existing site, proposed work, explanation of steps taken to reduce impervious area and implement low impact development strategies, pre- and post-drainage patterns, sizing calculations for stormwater management facilities, how chosen facilities should operate and be maintained.
- The site plan, drawings, figures, plats, calculations, and tables shall be included in the plan set.
- Contain a certification sheet that includes the following statement and Professional Engineer's stamp and signature:

"I hereby affirm that this (Type of Report/Letter) and the accompanying plans for the (type or phase design) of (Name of Development) was prepared by me (or under my direct supervision) for the owners thereof in accordance with the provisions of the City of Glenwood Springs Stormwater, Drainage, Water Quality and Erosion Control Chapter and approved variances and exceptions listed thereto. I understand that it is the policy of the City of Glenwood Springs that the City of Glenwood Springs does not and will not assume liability for drainage facilities designed by others."

License No. _____

Licensed Professional Engineer, State of Colorado (Affix Seal)



A. Drainage Letter

A Drainage Letter is a short letter prepared for a site that has less than 1000 square feet of impervious added. The letter shall include:

- i. Description of the existing site, including common location, topography, land use, ground cover, soil type (if known), drainage pattern, riparian areas, wetlands, and receiving system.
- ii. Description of the proposed project, including changes to land use, topography, ground cover, soil type, drainage pattern and receiving system.
- iii. Discussion of any drainage issues.
- iv. Discussion of drainage basins and drainage alterations, including increases in flow, changes in direction, outfalls, etc.
- v. Description of proposed stormwater conveyance system
 1. Pervious infrastructure - Description of water quality improvements. Improvements must be made for at least the project area. Describe what efforts have been made to reduce runoff and increase infiltration (e.g. reduces impervious area, disconnect impervious area, route runoff via landscape rather than hard infrastructure). Demonstrate that 60% of the WQCV is either infiltrated or evaporated.
 2. Impervious infrastructure - Calculations to determine the WQCV and design a BMP that can treat that volume. WQCV and BMP design shall meet the requirements of USDCM Volume 3.

The Drainage Letter shall be stamped and signed by a qualified professional engineer licensed in Colorado.

B. Drainage Report

The Drainage Report shall provide details of the proposed drainage facilities including grading, erosion control, and stormwater treatment.

The purpose of the Drainage Report is to:

- i. Describe the existing site, including common location, topography, land use, ground cover, soil type, drainage pattern, location of riparian areas and wetlands, upstream runoff and receiving system (all downstream structures to outfall and riparian and wetland areas).



- ii. Describe the proposed project, including changes to land use, topography, ground cover, soil type, drainage pattern and receiving system.
- iii. Discuss any previous drainage studies (i.e., project master plans) for the site that influence or are influenced by the drainage design and the mitigation plan for any impacts.
- iv. Discuss the effects of adjacent drainage issues.
- v. Provide references to major drainage way planning studies such as flood hazard delineation reports, master plans, and flood insurance rate maps.
- vi. Discuss potential drainage impact of site constraints such as streets, utilities, existing structures, riparian areas, wetlands, and development or site plan.
- vii. Identify all irrigation facilities and waterways within the watershed that will influence or be influenced by the site drainage.
- viii. Describe proposed stormwater conveyance system.
 - 1. Pervious infrastructure - Description of water quality improvements. Improvements must be made for at least the project area. Describe what efforts have been made to reduce runoff and increase infiltration (e.g., reduces impervious area, disconnect impervious area, route runoff via landscape rather than hard infrastructure). Demonstrate that 60% of the WQCV is either infiltrated or evaporated.
 - 2. Impervious infrastructure - Calculations to determine the WQCV and design a BMP that can treat that volume. WQCV and BMP design shall meet the requirements of USDCM Volume 3.
- ix. Discuss easements and tracts for drainage purposes, including the conditions and limitations for use.
- x. The report must include printed copies of the input and output files for all computer models used for the analysis and design.
- xi. Reference plan drawings as needed.

The location, type, and design of the stormwater system shall be identified at a construction plan level or 95% design level. The Drainage Report shall provide details of the proposed drainage facilities, including grading and stormwater treatment. Not all designs may be completely finalized during the development process, and minor changes may occur during the development of the construction documents. If changes occur during final construction plan preparation or during construction, a

Drainage Report Addendum shall be submitted for review and approval along with the construction documents. The Drainage Report shall be stamped and signed by a qualified professional engineer licensed in Colorado.

5. Floodplain and Geologic Hazard Requirements

- A. Development within areas of special flood hazard must adhere to the standards in City Municipal Code Section 070.040.020(d) Development in Waterways and Areas of Special Flood Hazards.
 - i. Developments within these areas are required to determine the flood plain elevations for their site and complete a Floodplain Development Permit, see the City Municipal Code for permit and guidance.
- B. Development within areas of geologic hazards must adhere to the standards in the Geologic Hazard Ordinance City Municipal Code Section 070.040.020(c) Development in Areas of Geologic Hazard.

6. Rainfall

This section provides regionally specific rainfall depth, duration, frequency, and intensity data; runoff data; for use in addressing stormwater management for City projects.

- A. Overview
 - i. Climate: The climate in Glenwood Springs offers mild weather with low humidity and year-round sunshine. Summer weather in Glenwood Springs starts around June or July where temperatures reach 80°F during the day, although temperatures are much cooler during the night. The occasional summer shower can occur at any time, sometimes turning into thunderstorms. Autumn in Glenwood Springs is usually dry and warm and during September daytime temperatures can reach 70°F, but night temperatures can drop to below freezing. Winter daytime temperatures typically range from 20 to 40°F in the City and from 10 to 30°F on the mountain. Once the sun goes down, the temperature drops dramatically. The City of Glenwood Springs often sees isolated short, high intensity storms leading to significant concentrated flooding and debris events.
 - ii. Flooding: The current Flood Insurance Study was completed on October 15, 1985. The Mitchell Creek basin was re-mapped and a CLOMER for this floodplain was accepted in 2018. The Flood Insurance Rate Map for Glenwood Springs is, for insurance purposes, the principal product of the Flood Insurance Study. This map contains the official delineation of flood insurance zones and base flood elevations.



- iii. Peak Flow: The maximum rate of discharge during the period of runoff caused by a storm. The information about peak flows and associated volume of runoff during various floods that have been observed in the past can be compiled with the analysis of the observed discharge data and runoff hydrographs.

B. Methodology

The methodology used to generate the rainfall data for a project shall depend on the size of the drainage basin being studied. The Design Engineer needs to provide justification for the selected runoff generation method used. Methods available to calculate urban runoff generated in the Glenwood Springs area are:

i. Small basins (less than 90 Acres)

1. Rational Method: This method is the widely accepted method for determining runoff on small sites. This method uses rainfall data in the form of intensity-duration (time)-frequency curves, discussed in this section. The Rational Method becomes less valid over larger areas with larger basins.

ii. Large Basins (greater than 90 Acres)

1. TR-55: A simplified procedure for estimating runoff and peak discharges in small watersheds.
2. TR-20: A computer program that formulates hydrology on a physically based watershed scale runoff event model that computes direct runoff and develops hydrographs.
3. Colorado Urban Hydrograph Procedure (CUHP): Used for calculating runoff for basins that are larger than 90 acres. This method is not to be used for smaller basins, as it will generally overestimate or underestimate peak runoff rates.
4. Storm Water Management Model (SWMM) Version 5: A model developed by the EPA that is a dynamic rainfall-runoff-routing simulation model for single events or long term (continuous) simulation of runoff quantity and quality for primarily urban areas.

iii. Rainfall Depth, Duration, Frequency, and Intensity

The rainfall IDF curve is a statistical formula to describe the relationship between the local rainfall characteristics and return periods. The IDF curve is used in the Rational Method for peak runoff predictions of basins smaller than 90 acres. Rainfall intensity data, which form the basis of the IDF curves.



iv. Design Rainfall Distribution

For larger drainage areas (over 90 acres) or for sizing facilities where a hydrograph must be analyzed, such as a detention pond, a temporal distribution must be assigned to a precipitation event for calculation of runoff. Characteristics of a temporal distribution include duration and distribution (depth at a certain time) of rainfall.

C. The rainfall and snowfall design information needed for storm and snowmelt runoff analyses in the City of Glenwood Springs is defined below. Major subjects include:

- i. Precipitation statistics for the City of Glenwood Springs.
- ii. IDF (intensity-duration-frequency) relationships for flood predictions from small watersheds.
- iii. Temporal rainfall distributions for flood flow simulation through large watersheds
- iv. snowmelt calculation methods
- v. the derivation of WQVC

The 2-, 25-, and 100-year storms are needed for drainage designs. The IDF curves provided in the figures below are based upon data in the Precipitation-Frequency Atlas of the United States, Midwestern States, NOAA Atlas 14, Volume 8 (NOAA 2013).



Figure 7.1 Tabular Representation of Point Precipitation Frequencies

PF tabular

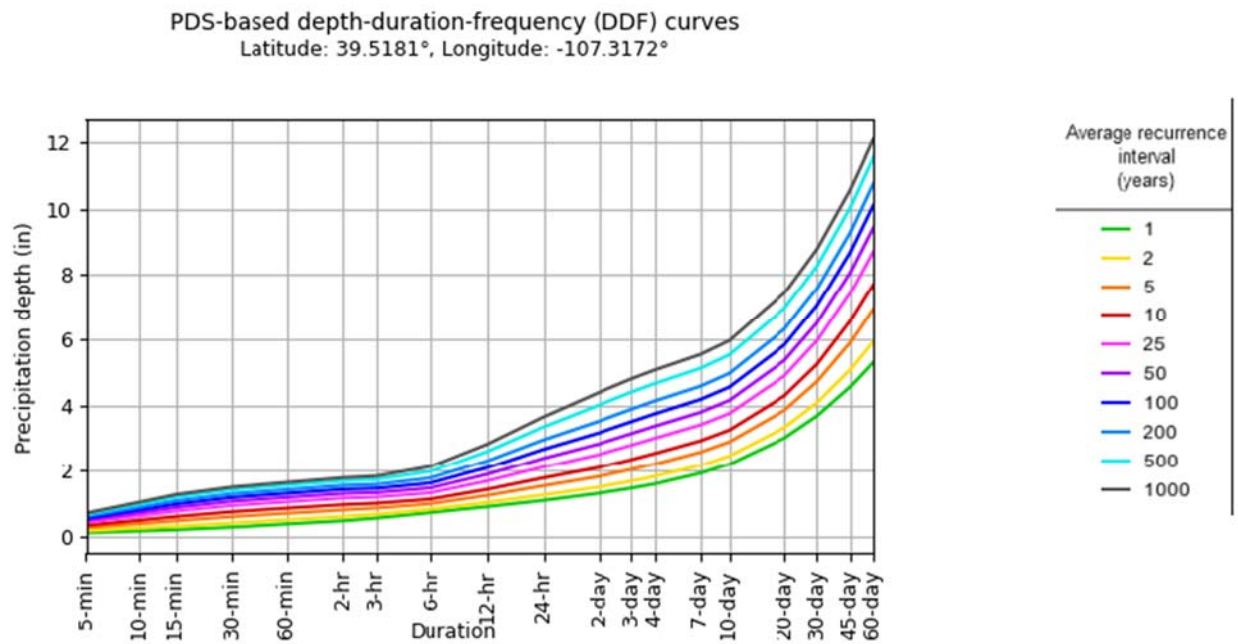
PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.116 (0.092-0.150)	0.176 (0.139-0.228)	0.268 (0.212-0.348)	0.339 (0.266-0.443)	0.430 (0.320-0.573)	0.494 (0.360-0.671)	0.553 (0.388-0.773)	0.607 (0.408-0.876)	0.670 (0.432-1.00)	0.712 (0.451-1.09)
10-min	0.170 (0.135-0.220)	0.258 (0.204-0.333)	0.392 (0.310-0.509)	0.497 (0.390-0.648)	0.630 (0.468-0.839)	0.723 (0.527-0.983)	0.809 (0.569-1.13)	0.889 (0.597-1.28)	0.982 (0.633-1.46)	1.04 (0.660-1.60)
15-min	0.208 (0.165-0.269)	0.314 (0.249-0.407)	0.479 (0.378-0.621)	0.606 (0.476-0.791)	0.768 (0.571-1.02)	0.882 (0.643-1.20)	0.987 (0.694-1.38)	1.08 (0.728-1.56)	1.20 (0.772-1.79)	1.27 (0.805-1.95)
30-min	0.285 (0.226-0.369)	0.411 (0.326-0.532)	0.604 (0.477-0.784)	0.753 (0.591-0.982)	0.940 (0.698-1.25)	1.07 (0.780-1.45)	1.19 (0.836-1.66)	1.30 (0.872-1.87)	1.42 (0.916-2.12)	1.50 (0.950-2.31)
60-min	0.381 (0.303-0.493)	0.510 (0.404-0.660)	0.707 (0.559-0.918)	0.860 (0.675-1.12)	1.05 (0.784-1.40)	1.19 (0.867-1.61)	1.31 (0.923-1.83)	1.42 (0.959-2.06)	1.56 (1.00-2.32)	1.64 (1.04-2.52)
2-hr	0.478 (0.384-0.608)	0.608 (0.488-0.776)	0.810 (0.648-1.04)	0.967 (0.769-1.24)	1.17 (0.881-1.53)	1.31 (0.966-1.75)	1.44 (1.02-1.98)	1.55 (1.06-2.21)	1.69 (1.10-2.49)	1.78 (1.14-2.70)
3-hr	0.560 (0.454-0.707)	0.679 (0.549-0.858)	0.865 (0.697-1.10)	1.01 (0.809-1.29)	1.20 (0.917-1.57)	1.34 (0.998-1.78)	1.46 (1.05-2.00)	1.59 (1.09-2.24)	1.73 (1.14-2.53)	1.84 (1.18-2.75)
6-hr	0.732 (0.600-0.909)	0.833 (0.682-1.04)	1.00 (0.816-1.25)	1.14 (0.923-1.43)	1.33 (1.04-1.73)	1.48 (1.13-1.95)	1.63 (1.19-2.22)	1.78 (1.25-2.50)	1.99 (1.33-2.88)	2.14 (1.39-3.16)
12-hr	0.908 (0.754-1.11)	1.04 (0.860-1.27)	1.25 (1.03-1.54)	1.43 (1.18-1.77)	1.69 (1.34-2.16)	1.89 (1.46-2.46)	2.10 (1.56-2.81)	2.31 (1.63-3.19)	2.60 (1.76-3.71)	2.82 (1.85-4.10)
24-hr	1.10 (0.924-1.32)	1.26 (1.06-1.52)	1.54 (1.29-1.86)	1.78 (1.48-2.16)	2.12 (1.70-2.68)	2.39 (1.87-3.07)	2.67 (2.00-3.52)	2.95 (2.11-4.02)	3.35 (2.29-4.70)	3.65 (2.42-5.21)
2-day	1.32 (1.12-1.56)	1.51 (1.28-1.78)	1.83 (1.55-2.17)	2.11 (1.78-2.52)	2.51 (2.04-3.12)	2.83 (2.24-3.58)	3.17 (2.41-4.12)	3.52 (2.55-4.73)	4.01 (2.78-5.55)	4.40 (2.95-6.18)
3-day	1.47 (1.26-1.72)	1.68 (1.45-1.98)	2.04 (1.75-2.40)	2.35 (2.00-2.78)	2.79 (2.29-3.44)	3.14 (2.50-3.93)	3.51 (2.68-4.51)	3.88 (2.83-5.15)	4.40 (3.07-6.03)	4.81 (3.25-6.69)
4-day	1.60 (1.38-1.86)	1.83 (1.58-2.13)	2.21 (1.90-2.58)	2.54 (2.17-2.98)	3.00 (2.47-3.66)	3.37 (2.70-4.18)	3.74 (2.88-4.77)	4.13 (3.03-5.44)	4.66 (3.26-6.33)	5.07 (3.44-7.01)
7-day	1.92 (1.68-2.21)	2.17 (1.89-2.49)	2.58 (2.24-2.97)	2.92 (2.52-3.38)	3.40 (2.83-4.09)	3.79 (3.06-4.62)	4.18 (3.24-5.25)	4.58 (3.38-5.94)	5.12 (3.62-6.85)	5.54 (3.79-7.55)
10-day	2.20 (1.94-2.51)	2.46 (2.16-2.80)	2.89 (2.53-3.30)	3.25 (2.82-3.73)	3.75 (3.14-4.46)	4.15 (3.38-5.02)	4.55 (3.56-5.66)	4.97 (3.69-6.38)	5.53 (3.93-7.33)	5.96 (4.10-8.05)
20-day	3.01 (2.69-3.36)	3.33 (2.97-3.73)	3.85 (3.42-4.33)	4.29 (3.79-4.84)	4.90 (4.15-5.71)	5.36 (4.42-6.36)	5.83 (4.62-7.12)	6.31 (4.75-7.95)	6.95 (4.99-9.04)	7.44 (5.18-9.87)
30-day	3.68 (3.32-4.08)	4.08 (3.67-4.52)	4.72 (4.23-5.25)	5.25 (4.67-5.86)	5.96 (5.09-6.87)	6.51 (5.40-7.62)	7.04 (5.61-8.49)	7.58 (5.74-9.43)	8.27 (5.98-10.6)	8.79 (6.16-11.5)
45-day	4.55 (4.13-4.98)	5.07 (4.60-5.56)	5.89 (5.32-6.48)	6.54 (5.87-7.23)	7.41 (6.36-8.42)	8.05 (6.73-9.31)	8.67 (6.95-10.3)	9.27 (7.06-11.4)	10.0 (7.28-12.7)	10.6 (7.45-13.7)
60-day	5.30 (4.84-5.76)	5.93 (5.41-6.45)	6.92 (6.29-7.55)	7.70 (6.94-8.44)	8.70 (7.50-9.79)	9.43 (7.92-10.8)	10.1 (8.14-11.9)	10.8 (8.22-13.1)	11.6 (8.42-14.5)	12.1 (8.57-15.6)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

(NOAA Atlas 14, Volume 8, Version 2; Glenwood Springs, Colorado; Latitude 39.5455°, Longitude -107.326°, Elevation 5788.02 feet)



Figure 7.2 DDF CURVE



(NOAA Atlas 14, Volume 8, Version 2; Glenwood Springs, Colorado; Latitude 39.5455°, Longitude -107.326°, Elevation 5788.02 feet)

Table 7.1 Rainfall Intensity-Duration-Frequency, Glenwood Springs, Co

Return Period	Rainfall Intensity in inch/hr for Various Periods of Duration								
	5-min	10-min	15-min	30-min	60-min (P ₁)	2-hr	3-hr	6-hr	24-hr
2-yr	2.11	1.56	1.25	0.82	0.51	0.31	0.23	0.14	0.05
5-yr	3.17	2.35	1.88	1.20	0.72	0.41	0.29	0.16	0.05
10-yr	4.00	2.96	2.36	1.49	0.87	0.49	0.34	0.19	0.05
25-yr	5.04	3.75	2.98	1.86	1.06	0.58	0.40	0.21	0.05
50-yr	5.83	4.33	3.44	2.13	1.21	0.65	0.44	0.23	0.06
100-yr	6.50	4.83	3.84	2.36	1.33	0.70	0.48	0.24	0.06

Using the data in Table 7.1 (derived from NOAA Atlas 14 Volume 8), the following equation was used to determine intensities not shown in the IDF table or curve.

$$I = \frac{a \cdot P_1}{(b + t_c)^c} \quad \text{EQ. 7.1}$$

Where,

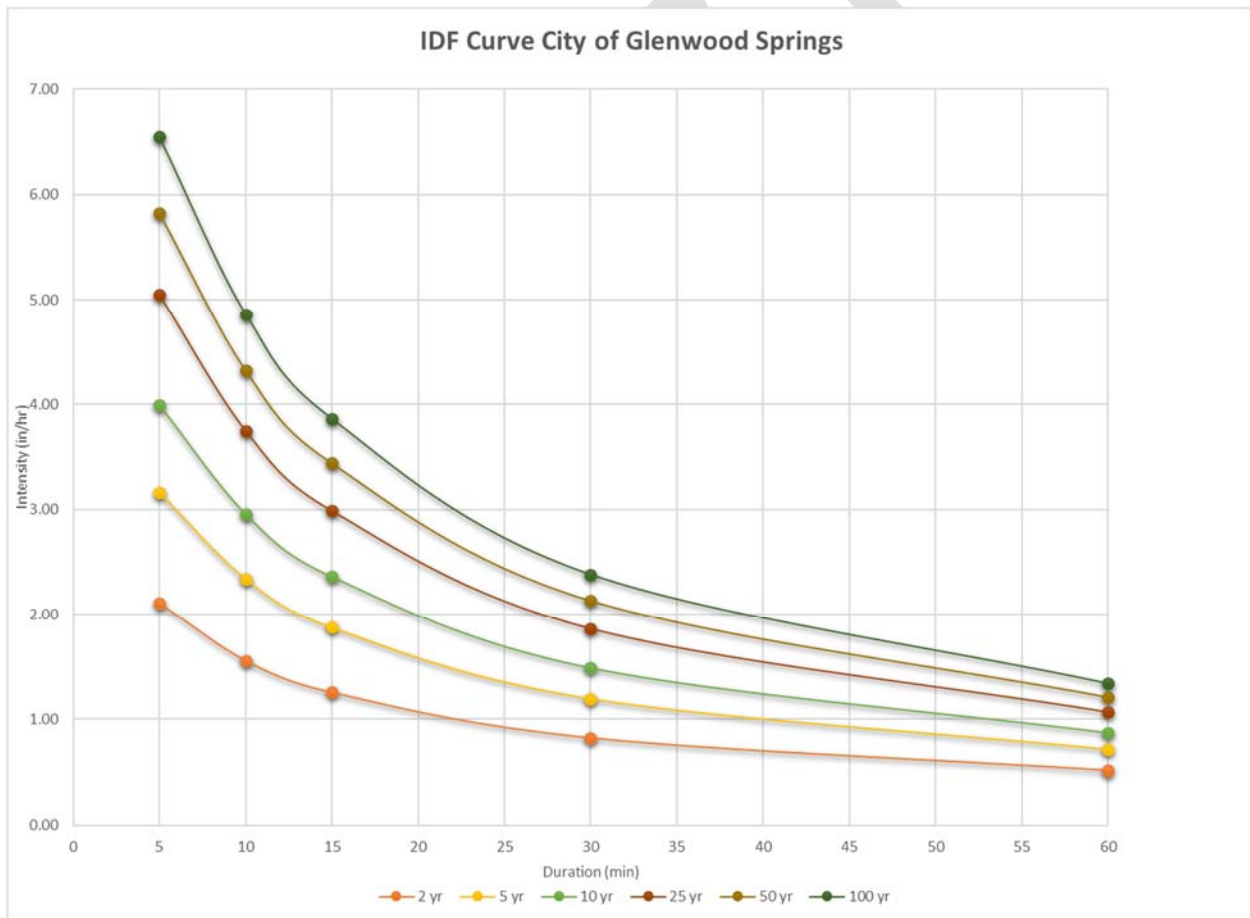
I= intensity

P1= 1-hr rainfall depth (inches

Tc= time of concentration

a,b,c= constants

Figure 7.3 IDF Curve, Glenwood Springs, Co



Note: Graphical representation of rainfall intensity, inches per hour, over a duration of time, in minutes, for several time periods, year.

7. Runoff

The surface in a watershed is composed of pervious or impervious areas. The pervious surface is the area where water can readily infiltrate into the ground. The impervious surface is the area that produces direct runoff as soon as it rains. As urbanization occurs, impervious areas increase. As a result, the total amount of runoff volume increases. In urban hydrology, the percentage of impervious area is the most sensitive parameter to runoff generation.

Estimates of runoff flow rates and volumes for selected levels of protection provide the basis for the design of drainage facilities for the management of flood discharges and water quality in a drainage system.

A. Hydrologic Loss

In a rain event, not all raindrops reach the ground. Raindrops can be lost to evaporation, infiltration, puddles, or land on vegetation. All major losses considered in the rainfall and runoff modeling techniques include soil infiltration and depression loss.

B. Soil Infiltration Loss

Infiltration is the penetration of water into the soil. Different soil types can affect this penetration rate. The Natural Resources Conservation Service (NRCS) has classified soils into four types (SCS 1983)

- Type A Soil – Soils having high infiltration rates such as sand and gravel.
- Type B Soil – Soils having moderate infiltration rates such as loamy soils.
- Type C & D Soil – Soils having very slow infiltration such as clay soils.

C. Depression Loss

Depression losses account for the amount that puddles in low areas, ponds, and potholes. These losses are only considered in CUHP/SWMM Modeling. Refer to the chart below for depression capacity for various land uses.

Soil Type	Initial Rate Inch/hr	Final Rate Inch/hr	Decay Coefficient 1/sec for CUHP	Decay Coefficient 1/hr for SWMM
A	5	1	0.0007	2.52
B	4.5	0.6	0.0018	6.48
C&D	3	0.5	0.0018	6.48

D. Hydraulic Criteria

Identify the hydraulic design point for closed systems tied to The City's existing collection system.

Identify flow capacity of drainage facilities, such as:

- i. Calculate culvert sizes with capacities and area of contribution.
- ii. Calculate storm sewer capacity including capacity of next two downstream drainage structures (max velocity 20 ft/sec, HGL 12 inches below ground, EGL below ground, minimum velocity of 5 ft/sec at half full conduit flow).
- iii. Calculate gutter capacity (max velocity 10 ft/sec, allowable spread = 4 feet minor storm, 12-inch depth at flow line for major storm, $n=.016$ for street, $n=.025$ for grass)
- iv. Calculate storm inlet capacity (clogging factor = 50%).
- v. Calculate storm inlet capacity (clogging factor = 50%).

8. Detention

A. Types of Detention Basins:

- i. Dry Detention Basins
- ii. Bio-retention or sand filter facilities
- iii. Wet Detention basins
- iv. Above/Below Ground

9. Water Quality

The City of Glenwood Springs water quality and erosion control design criteria relies on guidance provided in the MHFD USDCM Volume 3. The procedure is outlined below:

- A. Calculate the WQCV and Volume Reduction: This section presents the hydrologic basis and calculations for the WQCV and discusses the benefits of attenuating this volume. This section also describes various methods for quantifying volume reduction when using LID practices. The use of these methods should begin during the planning phase for preliminary sizing and development of the site layout. The calculations and procedures in this section allow the engineer to determine effective impervious area, calculate the WQCV, and more accurately quantify potential volume reduction benefits of BMPs.

- B. Select Stormwater Treatment Facility for new development or redevelopment: Treatment facility selection involves many factors such as physical site characteristics, treatment objectives, aesthetics, safety, maintenance requirements, and cost. Typically, there is not a single answer to the question of which facility should be selected for a site; there are usually multiple solutions ranging from standalone treatment facilities to treatment trains that combine multiple facilities to achieve the water quality objectives.
- i. Stormwater Treatment Facility Maintenance (MHFD USDCM Volume 3, Chapter 6): For stormwater treatment facilities to be effective, proper maintenance is essential. Maintenance includes both routinely scheduled activities, as well as non-routine repairs that may be required after large storms, or because of other unforeseen problems. Stormwater treatment facility maintenance is the responsibility of the entity owning the facility; however, local governments with MS4 permits are responsible for ensuring that maintenance of privately owned facilities occurs within their MS4. Facilities should be designed with maintenance as one of the key design considerations. Planning-level design guidance pertaining to maintenance is included in the individual Fact Sheets contained within this chapter. This chapter focuses on maintenance of in-service facilities and provides recommendations for private facility owners, as well as for MS4 permittees responsible for ensuring proper maintenance for both public and private facilities within their MS4.
- C. Colorado Department of Transportation's (CDOT) Erosion Control and Stormwater Quality Field Guide, provides an overview of erosion and sediment control principles and information on construction best management practices (BMPs). <https://www.codot.gov/programs/environmental/water-quality/assets/pocket-field-guide-english>.
- D. The Construction Management Plan Checklist, provided on the City of Glenwood Springs Engineering Department Website. (Add hyper Link to Checklist Location on COGS)



10. Calculating WQCV

- A. The WQCV is calculated as a function of imperviousness and BMP type using Equation 11.1 and Table 11.1, and as shown in Figure 12.1:

$$WQCV = 0.70 Aa(0.91I^3 - 1.19I^2 + 0.78I)/12 \quad \text{EQ. 11.1}$$

Where:

WQCV = Water Quality Capture Volume (ft³)

A = Area draining to the treatment facility (ft²)

a = Coefficient corresponding to BMP type and from Table 4.11

I = Imperviousness (percent expressed as a decimal)

Note: The provided equation is modified from MHFD USDCM Volume 3 Equation 3-1.

This equation was developed based on rainfall data from the Denver Metro area.

However, in reviewing MHFD USDCM Volume 3, Figure 3-1: Map of the average runoff Producing Storm's Precipitation Depth in the United States in Inches the precipitation depth of the average runoff producing storm in Glenwood Springs is 0.30 inches, while in Denver it is 0.43 inches. The WQCV equation above includes the coefficient of 0.70 to adjust for the equation for use in Glenwood Springs.

At a planning level, the watershed imperviousness can be estimated based on the zoned density. When finalizing design, calculate imperviousness based on the site plan.

Table 11.1 Drain Time Coefficients for WQCV

Drain Time (hours)	Coefficient, <i>a</i>
12 hours (filtration BMPs)	0.8
24 hours (constructed wetland ponds)	0.9
40 hours (extended detention)	1.0
No attenuation (e.g. grass buffer or swale)	1.0

Ref: Mile High Flood District Urban Drainage Criteria Manual Volume Three Table 3-2

B. Effective Imperviousness

The imperviousness value used in the WQCV calculation for sites that implement low impact development (LID) principles such as green infrastructure and MDCIA may be reduced to reflect the site's effective imperviousness. The effective imperviousness is dependent on the level of MDCIA implemented for high-level planning applications.

- Level 1 includes designing impervious surfaces to drain over a grass buffer or other pervious surface prior to reaching any stormwater conveyance system.



- Level 2 is an enhancement to Level 1 and includes eliminating curb and gutter or using slotted curbs; low-velocity pervious grass- or rock-lined swales instead of storm sewers, and pervious street shoulders.

Guidance on calculating effective imperviousness for Level 1 and Level 2 MDCIA can be found in Volume 3 of the USDCM.

Where a detailed site plan has been developed and the square footage of directly connected impervious area, unconnected impervious area, receiving pervious area, and separate pervious area have all been defined, a more detailed effective imperviousness can be determined using the methods in Volume 3 of the USDCM.

C. Detention

When a site requires a detention facility, a single facility may be designed to serve as both the detention and stormwater quality treatment facility. Detention facilities that are also water quality treatment facilities have outlets to provide for both the stormwater quality treatment and detention release rates. For these facilities, the guidance in the USDCM for Excess Urban Runoff Volume (EURV) facilities shall be followed.

Guidance on how to design extended detention basins, sand filter basins, bioretention, and permeable pavement to meet the WQCV standard are included in the fact sheets in Volume 3 of the USDCM.

When detention storage volume is sized for a site that also incorporates a water quality capture volume (WQCV), the 100-year volume required for quantity detention must be added to the entire WQCV. The WQCV must also be added in its entirety to the required 2- or 25-year volume.

11. Calculation WQCV Reduction

- Runoff volume reduction is an important part of the Four Step Process for stormwater management as discussed in MHFD USDCM Volume 3, Chapter 1 and is fundamental to effectively manage stormwater runoff.

The approach recommended in this section is based on the Four-Component Land Use Model that is used by the Colorado Urban Hydrograph Procedure (CUHP) and the EPA Stormwater Management Model (SWMM). This conceptual model, illustrated in Figure 4.12, represents a drainage area by four components:

- Directly Connected Impervious Area (DCIA) – DCIA is an impervious area that drains to the storm drain system or stream without flowing over surfaces that would allow for infiltration.



- ii. Unconnected Impervious Area (UIA) – UIA is an impervious area that drains to a receiving pervious area, where there is an opportunity for infiltration.
- iii. Receiving Pervious Area (RPA) – RPA is a pervious area that receives runoff from UIA and allows for infiltration.
- iv. Separate Pervious Area (SPA) – SPA is a pervious area that does not receive runoff from impervious surfaces.

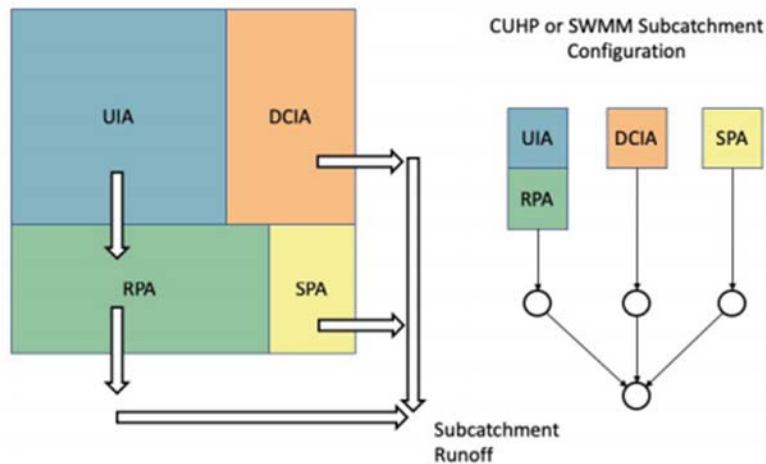


Figure 12.1: Water Quality Capture Volume (WQCV) Based on BMP Drain Time
 Ref: Mile High Flood District Urban Drainage Criteria Manual Volume Three Figure 3-2.

B. Detention Criteria

- i. Detention needs to be provided for the increase in runoff from the pre- and post-developed conditions. The Design Engineer needs to provide justification for the selected detention requirement method used. Methods available to calculate detention in the Glenwood Springs area are:

1. Federal Aviation Administration (FAA): a Rational Formula-based procedure that is used in calculation and design of detention facilities with tributary areas of less than five (5) acres in size. This method provides sizing for one level of peak control only and not for multi-stage control facilities. The input required for this Rational Formula-based FAA volume calculation procedure includes:

The calculations are best set up in a tabular (spreadsheet) form with each 5-minute increment in duration being entered in rows and the following variables being entered, or calculated, in each column:

Determine the inflow volume by multiplying the peak flow rate (CiA) by the time of concentration (Tc) as calculated by the rational method:

$$V_i = (CiA)(T_c)60 \frac{sec}{min} \quad \text{EQ:12.1}$$

Where:

Vi = Inflow volume (ft³)

C = Rational Method runoff coefficient for the major or minor storm

i = Design Rainfall Intensity (in/hour)

A = area of the catchment tributary to the storage facility (acres)

Tc = Rational Method time of concentration for the tributary catchment (minutes) (see the Runoff chapter)

2. Determine the outflow volume by multiplying the allowable release (Qo) rate by the time of concentration (Tc):

$$V_o = (Q_o)(T_c)60 \frac{sec}{min} \quad \text{EQ. 12.2}$$

Where:

Vo = Outflow Volume

Qo = Allowable maximum release rate from the detention facility (cfs)

Tc = Rational Method time of concentration for the tributary catchment (minutes) (see the Runoff chapter)

3. If the entire site is not tributary to the detention pond, the allowable release rate from the detention pond must be decreased to compensate for site runoff that does not pass through the detention pond. The allowable release rate is calculated as the total site predevelopment runoff rate minus the post-development undetained flow rate. The result will be that the post-development peak flow from the entire site will meet the pre-development runoff rate criteria. A maximum of 5% of the total site is allowed to bypass the detention pond.

$$Q_o = Q_{pre-developed} - Q_{undetained} \quad \text{EQ. 12.3}$$

Where:

Q_o = Allowable maximum release rate from the detention facility (cfs)

$Q_{pre-developed}$ = Allowable maximum release rate from the site in the pre-developed condition (cfs)

$Q_{undetained}$ = The release rate that bypasses the detention facility (cfs)

4. Determine the storage volume by subtracting the outflow volume (V_o) from the inflow volume (V_i):

$$V_{storage} = V_i - V_o \quad \text{EQ. 12.4}$$

- ii. Storm Water Management Model (SWMM): May be used in calculation storage facilities with tributary areas of twenty (20) acres or more.
- iii. Both FAA and SWMM can be used for sizing of detention for storage facilities with tributary areas between five (5) and twenty (20) acres, but the FAA calculating should be increased by 20% to better align with the SWMM calculation.
- iv. Mile High Flood District (MHFD) Software/Spreadsheets.

12. WQCV in Sizing Detention Storage

When detention storage volume is sized for a site that also incorporates a water quality capture volume (WQCV), the 25-year volume required for quantity detention must be added to the entire WQCV. The WQCV must also be added in its entirety to the required 2-year or 25-year volume.

13. Permanent Stormwater Treat Facilities



Management of stormwater quality is important for river communities like Glenwood Springs. This section presents design requirements for permanent stormwater treatment facilities, the applicability of the requirements, runoff reduction, and site planning concepts. Information specific to industrial and commercial activities, design details, and design requirements associated with maintenance are also included. The goal of the requirements outlined in this section is to keep our streams and drainageways healthy.

The City is required to comply with the Colorado Discharge Permit System (CDPS). The content of this section will be revised as The City's requirements change. The naming convention for facilities that treat stormwater quality after construction has varied over time but are most generally called "Best Management Practices" (BMPs). The City's term for these facilities is "permanent stormwater treatment facilities". The term "treatment facilities" may also be used.

A. Site Planning

To minimize detrimental impacts to water quality in the city, site planning should consider how the site will be used as well as how stormwater runoff will be conveyed and treated to mitigate the impacts of development. These planning principles are guidelines, and no specific criteria is associated with them.

General site planning goals for every development are as follows:

- i. Reduce runoff and maximize stormwater infiltration by minimizing directly connected or continuous impervious areas, slowing runoff through previous and/or vegetated areas, and avoiding over compaction of pervious soil types.
- ii. Centralize treatment facilities and integrate them with site operations to minimize land use, achieve greater economy of scale, and reduce the number of treatment facilities requiring maintenance.
- iii. Minimize impacts to the natural environment including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.
- iv. Promote riparian habitat by utilizing broad, shallow drainageways, open areas, and existing natural channels.
- v. Include tree planting to provide canopy stormwater capture and root intrusion to augment soil infiltration rates, especially in proximity to impervious surfaces and waterbodies to enhance shading.

- vi. Anticipate the risk for pollutant discharge from site operations such as washing, fueling, manufacturing, materials storage, and vehicle maintenance, among others. Develop operational procedures to minimize the risk of spills and design the site layout to prevent any spills from leaving the site.
- vii. Consider the freeze/thaw nature of the City's winter climate when selecting treatment facilities and how this may impact maintenance.
- viii. Limit the use of proprietary structures for water quality treatment as more frequent maintenance is typically required to maintain adequate performance. Proprietary structures often have high long-term costs.
- ix. Design treatment facilities for ease of maintenance.
- x. Any portion of a site not draining to a treatment facility should have a very low pollutant load and should drain across a vegetated area prior to discharge from the site. No impervious area should discharge directly into wetlands, the Roaring Fork River, the Colorado River, or one of their tributaries.

Best practices used to meet the city's site planning goals include low impact development (LID), green infrastructure, and nature-based solutions. One type of low impact development is minimizing directly connected impervious areas (MDCIA). MDCIA reduces runoff from the site by routing it from impervious surfaces to pervious areas to promote infiltration. Developing the layout of a site to reduce runoff will also reduce the required size of WQCV treatment facilities.

B. Methods of MDCIA:

include using pervious drainage conveyances where appropriate, routing downspouts across pervious areas, and incorporating vegetated areas into locations that generate and convey runoff like parking lots and driveways. Grass buffers, grass swales, and bioretention can all be used. Other LID principles include the following:

- i. Protect areas that add value such as those with mature trees, stream corridors, wetlands, and soils with high infiltration rates.
- ii. Minimize impacts by being creative with site layout to reduce the extent of paved and other impervious areas.
- iii. Concentrate new impervious areas over Type C and D soils and preserve areas over Type A and B soils for landscape areas and other permeable surfaces.



- iv. Maintain natural drainage patterns and implement sheet flow.
- v. Consider stormwater quality needs early in the development process to better integrate stormwater treatment facilities into the site.
- vi. Select permanent stormwater treatment facility based on expected pollutant type.

Volume 3 of the USDCM offers extensive text regarding planning principles and ideas to minimize site runoff. Volume 3 of the USDCM provides graphics that offer some general guidance as to the treatment facilities that are typically used for sites having specific characteristics.

C. Applicability

Permanent stormwater treatment facilities are required for all new development and redevelopment sites.

The city currently has no regional WQCV treatment facility. If the City constructs a regional WQCV treatment facility in the future, and a developer would like to use it to provide water quality treatment, Public Works must be contacted to determine the feasibility and associated requirements.

D. Design Standards

This section discusses design criteria for permanent stormwater treatment facilities that are allowed for use in the city. These treatment facilities include extended detention basins, grass swales, grass buffers, sand filter basins, bioretention (previously known as porous landscape detention or PLD), and proprietary structures. Permeable pavement is also allowed provided the maintenance agreement and the O&M Plan do not allow sanding. Retention ponds and wetland facilities are not typically allowed because water rights are a necessary component for legal standing of these facility types. Other types of treatment facilities may be proposed by the design engineer.

Proposals to use other treatment facility types are required to include detailed data and calculations showing that a proposed treatment facility meets one of the design standards listed in this section. The design of treatment facilities shall facilitate maintenance.



i. Tributary Offsite Area:

When an offsite area is tributary to a permanent stormwater treatment facility there are two options. The first option is to intercept the offsite flow and route it around or through the site in a separate conveyance system. The second option, if offsite flow cannot be separated, is to size the treatment facility for the entire tributary area. This could mean a much larger design volume for volume-based facilities or a larger peak runoff rate from the 80th percentile storm event for flow-based facilities.

ii. Right-of-Way Restrictions:

Privately owned and maintained treatment facilities must be located outside the public right-of-way and offline from public stormwater conveyance systems.

iii. Maintenance

Long-term maintenance requirements are a critical component of treatment facility selection and design because facilities that are not properly maintained do not function properly and/or do not treat stormwater runoff to the extent required by the MS4 permit. All new facilities shall be designed to facilitate maintenance operations.

Maintenance considerations that must be evaluated during the selection and design process include accessibility, required equipment, frequency of maintenance, special required training, and the need for replacement materials.

iv. Access

An easement shall be provided in accordance with Section 5.3 to allow City staff to access the facility if the responsible agency is negligent. Access roads shall be provided to all structures including forebays, outfalls, inlets, micropools, outlet structures, and proprietary facilities. Access roads must support an 80,000-pound vehicle load, be at least 10 feet wide, and have an inside turning radius of at least 25 feet. Access roads must pass close enough to each structure that the equipment to be used will reach the structure. A backhoe with a reach of 25 feet must be able to pass within 25 feet of the structure without leaving the access road. If the access road cannot pass close enough to the structure for the equipment to reach, a concrete access ramp or similar supportable material, such as a 6-inch layer of angular 4-

inch-minus riprap, shall be provided at a slope no steeper than 10:1. Concrete ramps shall be scored for wet weather traction.

v. Forebays

Accessible forebays shall be provided at all concentrated inflow points of extended detention basins and sand filter basins for removal of accumulated sediment and floatables. The forebay must be designed in accordance with Volume 3 of the USDCM.

vi. Stockpile Areas

Facilities should be designed with stockpile areas for temporary storage and drying of mucked out material. A stockpile area should be directly adjacent to each structure to be cleaned out. Stockpile areas shall be located outside the low flow area and should be as flat as possible. Total stockpile area shall be twice the square footage of all forebays and the micropool.

vii. Extended Detention Basins

Extended detention basins shall include a micropool with a hard bottom against which to excavate that is accessible to a vacuum truck or backhoe. Extended detention basins shall include a trickle channel at least 48 inches wide with no cross slope. Trickle channels shall have a concrete bottom and sides at least 6 inches high to allow access for lightweight maintenance equipment if the trickle channel longitudinal slope is less than 5%

viii. Infiltration Facilities

Sand filter basins have a short lifespan and shall include pretreatment to remove trash and larger sediment. If located next to a roadway, infiltration facilities shall include a barrier to prevent degradation of the roadway subgrade.

During construction and maintenance operations, special care shall be taken to avoid compaction of subsurface soils that will reduce infiltration rates.

If a full infiltration basin is not used, an underdrain system including a loading evaluation will be required and cleanouts must be provided every 300 feet. Infiltration testing shall be conducted after construction and prior to acceptance to ensure the facility functions as intended.

ix. Proprietary Structures

Proprietary structures that do not require confined space entry procedures are preferred. Careful design of access to vaults and use of a vacuum truck may eliminate confined space entry requirements.

Treatment facilities require regular inspection and maintenance, to be completed by the property owner. Section 4.14 outlines the inspections and maintenance requirements. Based on site conditions, the design engineer may require additional maintenance measures, a more frequent schedule, or unique protocols for a site. Volume 3 of the USDCM should be consulted when determining the maintenance schedule, activities, and protocols to be included on the O&M Plan.

14. Ownership and Maintenance Plan

An Ownership and Maintenance (O&M) Plan must be developed, submitted, and approved as part of the Stormwater Quality Plan and then also included as part of the Ownership and Maintenance (O&M) Agreement. An executed O&M Agreement is required prior to facility approval and project close out.

A. Inspection and Maintenance Requirements:

An executed O&M Agreement is required prior to facility approval and project close out. The requirements of an O&M Plan are outlined in a checklist in the appendix. City staff is available for consultation during the treatment facility selection and design process to ensure the design meets the requirements in this section. Minimum required components for maintenance are presented below.

Table 15.1: Minimum Required Inspection and Maintenance Schedule

Extended Detention Basin	
Activity	Required Frequency
Inspection for debris at outlet, sediment in the forebay, and damage to structures or embankments; maintain or repair as necessary	Twice annually
Remove sediment from forebay, trickle channel(s), and micropool; aeration of vegetated areas	Annually
Mowing	As needed to maintain 6" height and control weeds
Irrigation and application of fertilizer, herbicide, and pesticide	As needed to maintain vegetative health

Note: Maintenance frequency is highly dependent on construction activity within the tributary area, associated erosion control measures, and the design of the facility. More frequent removal of accumulated sediment may be required, but detention basins are generally low maintenance facilities.

Sand Filter Basin and Bioretention	
Activity	Required Frequency
Inspection to confirm infiltration rate after rainfall; maintain as necessary. Debris and litter removal.	Twice annually
Mowing, plant care, irrigation, and application of fertilizer, herbicide, and pesticide (for bioretention only)	As needed to maintain vegetative health
Mulch replacement (for bioretention only)	As needed to maintain 3" depth
Inspection of underdrain	When ponding lasts longer than 24 hours
Sediment removal and replacement of media	When ponding lasts longer than 24 hours and underdrain is not clogged

Proprietary Structure	
Activity	Required Frequency
Inspection for debris that may cause bypass of design treatment flow rate; maintain as necessary.	Quarterly for first 2 years; as indicated based on first 2 years after that
Filter cartridge inspection; replace as necessary	Twice annually
Debris removal, filter cartridge replacement, and vacuuming	As recommended by the manufacturer



Grass Swale, Grass Buffer	
Activity	Required Frequency
Inspection for uniform cover, sediment accumulation, rill and gully development, and impacts from foot or vehicle traffic; maintain as necessary. Debris and litter removal.	Twice annually
Aeration	Annually
Mowing	As needed to maintain 6" height
Irrigation and application of fertilizer, herbicide, and pesticide	As needed to maintain vegetative health

Note: Grass swales and buffers may need to be scraped or detached to restore original cross section and infiltration rate; Reseeding or resodding may be required to restore vegetative cover.

Permeable Pavement	
Activity	Required Frequency
Inspect during rainfall event or with applied water to ensure infiltration and integrity of system components; Maintain as necessary	Annually
Sweeping to remove sediment and debris	Monthly
Vacuuming to remove sediment that has filled void spaces	Annually

Note: Avoid sealing or repaving with non-porous materials; do not apply sand as part of winter operational procedures.

If the conditions of the O&M Agreement presented in the O&M Plan are not met, city staff may inspect facilities or respond to complaints relating to facilities that may not be performing properly. Facility owners should expect notification of inspections and subsequent findings to be communicated by inspection personnel. If maintenance efforts are not properly conducted over time, the city may complete the maintenance and back-charge the owner as included in the Maintenance Agreement.



15. References

- City of Aspen, *Urban Runoff Management Plan*
- Colorado Department of Transportation's (CDOT) Erosion Control and Stormwater Quality Filed Guide, provides an overview of erosion and sediment control principles and information on construction best management practices (BMPs).
<https://www.codot.gov/programs/environmental/water-quality/assets/pocket-field-guide-english>.
- Denver Urban Drainage and Flood Control District (UDFCD). *Urban Storm Drainage Criteria Manual*
- NOAA (2013), "*Precipitation Frequency Atlas of the United States, Midwestern States, NOAA Atlas 14 Volume 8*," National Oceanic and Atmospheric Administration, Washington, D.C.: US Department of Congress, National Weather Service, Silver Spring, Maryland.
- Station 05-3359 as Glenwood Springs #2, Daily Precipitation Record from January 1980 through December 2008, Western Regional Climate Center, Desert Research Institute 2215 Raggio Parkway, Reno, NV
- United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, 2019





Construction Management Plan Checklist

Prior to the approval of a building/ROW/Grading permit, any commercial, multi-family, or applicable single family/duplex project must complete an approved Construction Site Management Plan (CSMP). Below are the required items to be included in the CSMP. Please check "yes" if the item is included, "no" if it is not, and "N/A" if not-applicable. Please provide an explanation for any "No" answers at the bottom of the checklist.

Project Name: _____	Date: _____
Estimated Construction Start Date: _____	End Date: _____
Individual responsible for CSP monitoring and compliance	
Name: _____	Phone # (local): _____

	Yes	No	N/A
1. General			
a. CSP is shown on the proposed site plan	☐	☐	☐
b. Schedule Pre-Construction Meeting (<i>required only for commercial, industrial, & multifamily projects</i>)	☐	☐	☐
c. Right of Way permit (i.e. work or obstruction within ROW). <i>If required, describe below and include estimated start and stop dates.</i>	☐	☐	☐
2. Erosion and Sedimentation Control Plan showing			
a. Topographic Information – including sufficient detail to characterize the site	☐	☐	☐
b. Areas and extent of soil disturbance (show any phasing)	☐	☐	☐
c. Location of all on site and adjacent water bodies, wetlands, drainages, and storm water systems	☐	☐	☐
d. Vehicle tracking control measures (vehicle track pad, vehicle wash station, etc.)	☐	☐	☐
e. Inlet protection	☐	☐	☐
f. Perimeter Control Measures (BMPs)	☐	☐	☐
g. Standard details for all proposed control measures	☐	☐	☐
3. Site Construction Facilities (Identify the following):			
a. Staging areas	☐	☐	☐
b. Stockpile areas	☐	☐	☐
c. Dumpsters and trash receptacles	☐	☐	☐
d. Sanitary facilities	☐	☐	☐
e. Loading/Unloading areas	☐	☐	☐
f. Trailers and field offices (show access)	☐	☐	☐
4. Parking:			
a. Location and number of onsite and any offsite stabilized parking areas	☐	☐	☐
b. Is project located downtown? <i>If so, describe below where contractor parking will occur</i>	☐	☐	☐

5. External Traffic Control Plan showing:			
a. Show/label all traffic control devices (MUTCD compliant)	☐	☐	☐
b. Site access points; show existing adjacent streets and driveways; identify any changes and associated signage	☐	☐	☐
c. Sidewalks and trails; identify any changes and associated signage	☐	☐	☐
d. Use of the public Right of Way (ROW) - generally not permitted (for constrained sites show any proposed use of ROW, and obtain a ROW Permit from the City)	☐	☐	☐
e. Crane use details, including but not limited to, ROW encroachment, swing radius, loading locations (Crane will require ROW permit from the City)	☐	☐	☐
6. Internal Access Control showing			
a. Emergency access- <u>24' wide all weather surface for emergency access thru site</u> (to be maintained at all times)	☐	☐	☐
7. CSP Standard Notes:			
a. Standard CSP notes included on the site plan or Civil Plan Sheets	☐	☐	☐
8. Dust Control			
Provide narrative describing efforts to reduce fugitive dust from construction activities:			
Provide explanation for any "No" or "N/A" answers:			

**** Plans shall be phased and updated as the project evolves and site conditions change.**

**** Please notify adjacent property owners prior to mobilization.**

Standard Notes for Construction Management Plans:

1. This plan shall be kept on site at all times and updated to reflect any changes.
2. Clearing or grading shall not begin until all control measures have been installed.
3. Contractor is responsible for installing and maintaining temporary erosion and sediment control measures during construction and establishing any required permanent control measures to prevent release of pollutants from the project site.
4. Control measures shall be used, modified, and maintained whenever necessary to reflect current conditions. Control measures shall be inspected weekly and after every precipitation event. Accumulated sediment shall be removed from control measures when the sediment level reaches $\frac{1}{2}$ the height of the control measure.
5. The contractor shall promptly remove all sediment, mud, and construction debris that may accumulate in the right of way, private property, or water ways as a result of the construction activities.
6. All ingress and egress access points on to the disturbed site must be stabilized with a vehicle tracking control pad. Access shall only be via approved locations as shown on approved CSP.
7. Temporary soil stabilization measures shall be implemented where ground disturbances have temporarily or permanently ceased for 14 days or for areas of land disturbance within one growing season.
8. Concrete waste and washout water from mixing trucks shall be contained on site, removed from the site, and properly disposed. Materials shall not be allowed to enter state waters.
9. Contractor is responsible for complying with all local, state, and federal laws. In addition contractor must obtain required permits.
10. Emergency access must be kept obstacle free and passable at all times.
11. For any work to be done in the Right of Way, coordinate with the City ROW Manager regarding special permitting. No work shall be conducted in the ROW between November 1 and May 1 without prior approval from the director of Public Works.
12. Where required as part of the ROW permit or where site work affects the pedestrian or vehicle travel way, traffic control shall be installed. All traffic control shall be in accordance with the Manual on Uniform Traffic Control Devices, latest edition.
13. Sidewalks adjacent to construction sites shall be maintained, for public use, by the contractor. In areas where construction is taking place next to the sidewalk and overhead hazards are possible, site is responsible for installing and maintaining sidewalk protection.



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Ordinance 2024-02; Boards and Commissions Term Limits

Action Requested:

Department: City Administration

Presented By: Karl Hanlon

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: Ordinance 2020-29 strictly limiting the terms of Boards and Commissions to two-three-year terms with no exceptions. At the Mayor's direction, Ordinance 2024-02 replaces that language with the prior code language allowing Council to reappoint members beyond the two-term limitation.

Issues:

Fiscal Impact: None.

Legal Review: Legal prepared the ordinance.

Staff Recommendation: None.

ORDINANCE NO. 02

Series of 2024

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING SECTION 020.020.040(C) TO LIMIT BOARD MEMBER TERMS ON BOARDS AND COMMISSIONS.

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

WHEREAS, Section 020.020.040(c) of the Glenwood Springs Municipal Code regulates term limits for members of boards and commissions; and

WHEREAS, the City Council amended Section 020.020.040(c) via Ordinance 29, Series of 2020 strictly limiting the term of Boards and Commission members to two, three-year terms; and

WHEREAS, the City Council has determined that the original language better suits the needs of the City and is in the best interest of the City to allow City Council to appoint members to additional terms if City Council wishes to; and

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

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

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

Section 2. Section 020.020.040(c) is hereby amended as follows, with double underlined text added and strike through language deleted:

Section 020.020.040 – Appointment, removal, term and vacancies of boards and commissions.

(c) *Limit to term of members.* Unless it is deemed vital by the City Council that an appointed member of a board or commission be retained in office, each member shall be replaced after having served for six (6) years on a board or commission; however, nothing in this subsection shall be construed to prevent the appointment of a member to a new term where, at the expiration of their current term, they will have served for less than six (6) years. ~~No Board member shall serve more than two~~

~~(2) successive terms on the same board or commission. An individual may serve multiple non-successive terms on the same board or commission.~~

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED BY TITLE ONLY
THIS ____ DAY OF JANUARY 2024.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY THIS ____ DAY OF
_____ 2024.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item:	Resident Occupied Housing Standards
Action Requested:	Direction from Council on amending Resident Occupancy Standards.
Department:	Economic and Community Development
Presented By:	Hannah Klausman
Strategic Goals:	Protect and Preserve our Quality of Life
Background Info:	At the December 7, 2023 City Council meeting, Council requested a review of the City's Resident Occupancy Housing Standards.
Issues:	In July 2023, City Council adopted Ordinance 2023-10 setting new Housing Variety Standards. Those standards included the following components: Development projects including <u>25 or more units</u> shall incorporate a minimum of two (2) housing types. Development projects with <u>40 or more units</u> shall incorporate a minimum of three (3) housing types. Development projects with <u>80 or more units</u> shall incorporate a minimum of four (4) housing types. Each type must represent a minimum of 25% of the total dwelling units provided unless otherwise indicated in the category below. The following housing types may be used to satisfy these standards: 1. Detached single-family dwellings; 2. Accessory dwelling units; 3. Two-family dwellings; 4. Single-family townhouse dwellings; 5. Multi-family dwellings other than two-family or townhouse dwellings. 6. Live-work units. 7. Inclusion of three different bedroom count configurations. Each bedroom type shall be a minimum of 10% of the total dwelling units. 8. 100% of units Deed Restricted for Resident Occupancy. Resident occupancy is defined in Glenwood Springs Community Housing Guidelines as adopted by City Council. 9. 35% of the total number of units deed restricted to an average of 100% Area Median Income. A proposal for consideration is to include that developments must include either item 8 or 9 as part of their compliance with the housing standards. This would result in all residential projects over 25 units providing either an affordability or resident occupancy component. Changes to code necessitate a public hearing with Planning and Zoning Commission, prior to two readings before City Council for approval.
Fiscal Impact:	The proposal has financial impacts related to cost of construction for Developers.
Legal Review:	Legal has reviewed possible changes to resident occupancy standards for compliance with legal obligations.
Staff Recommendation:	Staff defers to Council on Resident Occupancy standards in Title 070.



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: City Attorney

Action Requested: None.

Department: Attorney

Presented By: Karl Hanlon

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: At the Mayor's direction, information regarding other jurisdictions' codes of conduct for elected officials is attached for potential future discussion. Also attached is the most recent draft the Council had previously been working on. Former Councilor Willman had been the primary author of the working drafts. No action is necessary.

Issues: NA

Fiscal Impact: NA

Legal Review: NA

Staff Recommendation: NA

City of Glenwood Springs

Charter and Municipal Code Provision Summary

Colorado Open Meetings Summary

Notes - Prepare by Charlie Willman, Third Ward Councilperson - May & June 2020

I. Charter - Article III - City Council

- A. 3.1 - powers include “to preserve and enforce good government.”
- B. 3.3 - Mayor - presiding officer and “required to vote”
- C. 3.5 Vacancies - created by
 - 1. Recall
 - 2. Death
 - 3. Incapacitation
 - 4. Resignation
 - 5. Missing three consecutive regular meeting of City Council
 - 6. Becomes a non resident of City
 - 7. Becomes a non resident of Ward for which Councilperson is elected
- D. 3.6 Oath of Office includes “faithfully perform the duties of his or her office.”
- E. 3.10 Council-Administration Relations - conducted solely through the City Manager and no member “shall give orders to any of the subordinates of the City Manager
- F. 7.1 - Boards and Commissions - shall operate in accordance with the rules of procedure set forth by Council
- G. 13.12 Violations of Charter and Municipal Code - misdemeanor with fine of up to \$1000 and imprisonment of up to one year.

II. Municipal Code 020

- A. 020.010 - Council
 - 1. .010 - powers as noted above - and to establish “policy for all boards and commissions per 020.020.010
- B. 020.020 - Boards and Commissions
 - 1. .020 (15) - mayor may appoint up to two Council members to act as liaison between Council and a Board or Commission
 - 2. .040 (d) members shall be subject to removal, at any time, by City Council
- C. 020.030 - Conduct and Procedures for Meetings
 - 1. .030 (1) work sessions are
 - a. to be “devoted exclusively to matters regarding which the interchange of information preliminary to taking action there is deemed to be essential.”
 - b. No formal votes are taken nor “shall any member enter into a commitment with another respecting a vote to be taken subsequently at a formal meeting.”
 - c. “To encourage the interchange of ideas at work sessions, it shall be standing policy that individual members not be quoted on ideas that they propose.”

2. **.030 (2) conference sessions seem to be the same as work sessions in definition**
- D. 020.050 - Open Meetings - Executive Sessions
1. Open except Council may conduct executive sessions (note - no provision for Boards and Commissions to hold executive sessions).
 2. Executive Session
 - a. only during regular or special meeting of Council
 - b. No final policy decision, resolution, rule, regulation, formal action or approving a contract or to pay money can be made.
 - c. Limited to:
 - (1) Consider the appointment, employment or dismissal of the City Manager, Municipal Judge or City Attorney.
 - (2) Hear charges or complaints brought against the City Manager, Municipal Judge or City Attorney.
 - (3) Hear testimony and statements concerning persons proposed as members of a board or commission.
 - (4) Legal matters which come within the attorney-client privilege.
 - (5) Discussions with the Chief of Police, District Attorney or their appointed representatives on matters posing a threat to the security of public buildings, public services or facilities.
 - (6) To determine the City's position relative to issues that may be subject to negotiation, to receive reports on negotiation progress and status, to develop strategy and to instruct the City's negotiators.
- E. 020.070 - agendas -
1. Roll call
 2. "An agenda shall also include approval of minutes of previous meetings, **reports from boards and commissions**, old business, new business, communications, citizens appearing before the Council, introduction and adoption of resolutions and ordinances, **departmental reports** and adjournment.
 3. Only matters on agenda may be considered at regular meetings unless a majority of council approves - (**Note** - cannot add items to special meetings.)
- F. 020.080 - Presiding officer is Mayor or in absence Mayor Pro Tem - provisions if both are missing
- G. 020.090 - Conduct of meetings
1. 1.b. Every Council Member desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
 2. 1.c. A member, once recognized, shall not be interrupted while speaking unless it be to call him/her to order or as may be otherwise provided. If a member, while speaking, is called to order, he/she shall cease speaking

until the question of order is determined; and, if in order, he/she shall be permitted to proceed.

3. 2.c. Members of public limited to **five minutes** unless presiding officer grants an extension (Note - 2.e. - if council asks questions - not part of five minutes)
4. 2.d. - comments must be addressed to council as a whole and not to any specific member and questions should be directed to Council through the presiding officer.
5. 2.f. - after public comment is closed - all further debate is Council only
6. 2.g. - prior to comment - presiding officer sees how many persons want to comment on an issue - if more than 5 members of public - can limit time to less than five minutes
7. 3. – “Any person who makes personal, impertinent or slanderous remarks while Council is in session or who shall become boisterous while addressing the Council shall be forthwith barred from further audience before the Council by the presiding officer unless permission to continue is granted by a majority vote of the Council. The Chief of Police, or such member or members of the Police Department as he/she may designate, shall be the sergeant-at-arms of the Council meetings. He/she shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon the instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to remove any person from the Council meeting who violates the order and decorum of the meeting.” **(Note - does not seem to be limited to public and could be implied to apply to council members.)**
8. 4 - Robert’s Rule of Order applies

H. 030.100 - Voting

1. (1)The City Clerk calls the name of each Council Member and the “yes” or “no” of each shall be recorded in minutes
2. (5) “Council Members not entitled to vote on a motion because of personal or private interest shall be deemed present for purposes of determining whether or not a quorum is present.”
3. **(Note - does not seem to allow for abstaining)**

I. 030.110 - Board and Commissions meeting conducted the same except as it pertains to preparing agenda.

III. Municipal Code 020.040 - Conflict of Interest

- IV. Open Meeting Law - Colorado Revised Statutes 24-6-401 et. seq.
- A. §402(1)(b) - "Meeting" means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.
 - B. §402(2)(b) - All meetings of a quorum or three or more members of any local public body, whichever is fewer, at which any public business is discussed or at which any formal action may be taken are declared to be public meetings open to the public at all times.
 - C. §402(2)(c) - Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.
 - D. §402(2)(d.5)(II)(C) & (D) -
 - 1. (C) If a court finds, upon application of a person seeking access to the record of the executive session of a local public body in accordance with section 24-72-204 (5.5) and after an in camera review of the record of the executive session, that the local public body engaged in substantial discussion of any matters not enumerated in subsection (4) of this section or that the body adopted a proposed policy, position, resolution, rule, regulation, or formal action in the executive session in contravention of subsection (4) of this section, the portion of the record of the executive session that reflects the substantial discussion of matters not enumerated in subsection (4) of this section or the adoption of a proposed policy, position, resolution, rule, regulation, or formal action shall be open to public inspection pursuant to section 24-72-204 (5.5).
 - 2. (D) No portion of the record of an executive session of a local public body shall be open for public inspection or subject to discovery in any administrative or judicial proceeding, except upon the consent of the local public body or as provided in sub-subparagraph (C) of this subparagraph (II) and section 24-72-204 (5.5).
 - E. §402(2)(e) - does not apply to any chance meeting or social gathering at which discussion of public business is not the central purpose.
 - F. §402(4) - The members of a local public body subject to this part 4, upon the announcement by the local public body to the public of the topic for discussion in the executive session, including specific citation to this subsection (4) authorizing the body to meet in an executive session and identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized, and the affirmative vote of

two-thirds of the quorum present, after such announcement, may hold an executive session only at a regular or special meeting and for the sole purpose of considering any of the following matters; except that no adoption of any proposed policy, position, resolution, rule, regulation, or formal action, except the review, approval, and amendment of the minutes of an executive session recorded pursuant to subsection (2)(d.5)(II) of this section, shall occur at any executive session that is not open to the public:

- (a) The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the local public body has a personal interest in such purchase, acquisition, lease, transfer, or sale;
- (b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions. Mere presence or participation of an attorney at an executive session of the local public body is not sufficient to satisfy the requirements of this subsection (4).
- (c) Matters required to be kept confidential by federal or state law or rules and regulations. The local public body shall announce the specific citation of the statutes or rules that are the basis for such confidentiality before holding the executive session.
- (d) Specialized details of security arrangements or investigations, including defenses against terrorism, both domestic and foreign, and including where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law;
- (e) (as applicable to municipalities) Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.
- (f) (as applicable to municipalities) Personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. The provisions of this paragraph (f) shall not apply to discussions concerning any member of the local public body, any elected official, or the appointment of a person to fill the office of a member of the local public body or an elected official or to discussions of personnel policies that do not require the discussion of matters personal to particular employees.
- (g) Consideration of any documents protected by the mandatory nondisclosure provisions of the "Colorado Open Records Act", part 2 of article 72 of this title; except that all consideration of documents or records that are work product as defined in section 24-72-202 (6.5) or that are subject to the governmental or deliberative process privilege shall occur in a public meeting unless an executive session is otherwise allowed pursuant to this subsection (4)

Page 1 of 4
City of Glenwood Springs
Modified Rules of Procedure¹
Draft for Council Comment - September 3, 2020

I. Council Meeting Procedures

A. Open to Public

All meetings and work sessions of the City Council shall be open the public and must complied with Colorado's Open Meetings Law.

B. Addressing matters before Council

1. The Mayor, or Mayor Pro Tem in the Mayor's absence, shall preside at all work sessions of Council and all regular and special meetings of Council as provided in the City's Code and/or Charter.
2. The City's Code of Conduct shall be followed during all meetings of Council
3. A Council Member must be recognized by the Mayor and be given the floor in order to address the Council.
4. A Council Member shall have three minutes to address the matter before Council. Additional time may be requested and reasonable additional time should be granted by the Mayor² depending upon the complexity of the matter before Council.
5. A Council Member shall not be granted a second time to address a matter until all other Council Members wishing to address the issue have had his/her opportunity to speak to the matter. Secondary comments shall be restricted to responding to other Council Member comments.
6. No Council Member shall interrupt another Council Member.
7. Interrupting a Council Member or engaging in side discussions while another person has the floor is out of order and the Mayor should direct the member(s) to cease this behavior.
8. The Mayor may independently decide to deviate from or temporarily suspend the Rules of Procedure in order to increase meeting efficiency and to best enable full and informed discussion of a matter before the Council. However, such independent action by the Mayor remains subject to a

¹ It is the intent that these Rules would replace Roberts Rule of Order if adopted by Council. Roberts Rules would be maintained for any matters not directly addressed in these Rules of Procedure.

² Any reference to the Mayor in these Rules of Procedure shall apply to the Mayor Pro Tem if presiding at the Council Meeting.

Point of Order and/or a Point of Appeal through which a Council Member can bring the meeting into full compliance with the Rules of Procedure.

9. Any matter upon which public comment is taken shall be open to the public comment as directed by the Mayor. During such time, any member of public may address the Council on the pending matter. Such person shall provide his/her full name and his address. Such comments shall be limited to three minutes, unless the Mayor allows a brief extension of time to comment. A member of public shall address the Council as a whole and shall not direct comments toward an individual Council Member. Any member of the Public who makes belligerent, personal, impertinent, slanderous, threatening, abusive or disparaging comments or who becomes disruptive during a meeting will be directed by the Mayor to cease such conduct and may be removed by the Mayor from the meeting if such conduct continues.

C. Procedures for Motions

1. Any matter before Council which requires a formal decision of Council shall be decided by a Motion made by a Council Member.
2. Any Council Member (including the Mayor) may make a Motion.
3. All Motions before discussions shall require a second from another Council Member.
4. A Motion may be withdrawn before a second is made or with the consent of the Council Member seconding the Motion.
5. A Council Member, with the consent of the second, may accept a proposed amendment to the motion.
6. In the alternative, any Council Member may move to Amend the Motion. Only one Motion to Amend may be pending at any time.
7. If the Motion to Amend is seconded by another Council Member, then the vote shall first taken upon the Motion to Amend and then:
 - a. If Motion to Amend is approved, a vote on the Amended Motion.
 - b. If Motion to Amend is not approved, a vote on the Original Motion.
8. All Council Members are required to vote "yes" or "no" on a Motion unless the Council Member has been excused from the matter and that portion of the Council Meeting due to a Conflict of Interest. No Council Member may abstain from voting on any motion. Unless otherwise provided in these Rules of Procedure, or by the City's Code of Conduct, the Municipal Code or Municipal Charter, a majority vote is required to approve a pending motion. A tie vote denies approval of the pending motion. If a Council member announces "abstain" or refuses to vote then his/her vote should be counted as an affirmative vote on the matter for which a vote is being taken.

D. **Types of Motions.**

1. **Main Motion.** Presents to Council an item for action. May only be made when no other motion is pending.
2. **Motion to Amend.** Relates to and supplements or builds upon the Main motion.
3. **Motion to Continue.** Continues the pending motion to a future date certain. It may also continue debate on the pending Motion to a later time in the same meeting.
4. **Motion to Continue Indefinitely.** Such motion effectively kills the matter before Council. This may be made before or during debate on a pending motion or matter. This may not be used when the matter before Council relates to Council's decision on quasi-judicial matters.
5. **Motion to Call the Question.** Closes debate on the pending motion. No second is required but if a Council Member objects to the Call for Question, then a vote must be taken on the Motion to Call the Question. There shall be no debate on such motion.
6. **Motion for Recess.** Any Council Member may move for a recess not to exceed 15 minutes. If there is objection, then the motion shall need a second and a vote shall be taken. There shall be no debate on such motion.
7. **Motion to Adjourn.** Any Council Member may move for adjournment of a meeting. If there is objection, then the motion shall need a second and a vote shall be taken. Debate shall be allowed on such motion. If a quasi-judicial matter(s) are still pending during that Council meeting they shall automatically be continued to the next regularly scheduled meeting of Council if the Motion to Adjourn is approved.
8. **Motion to Reconsider.** This requests the Council to reconsider a matter upon which a motion was made and upon which a vote was taken. A Motion to Reconsider must be made at the same Council meeting as the vote sought to be reconsidered was made or at the next regular meeting of Council. It may only be made by a Council Member who was on the prevailing side in the previous vote. Debate on the Motion to Reconsider only relates to the reason(s) to reconsider the previous vote and not to the underlying matter upon which the original vote was taken. Two-thirds of the Council Members voting on the Motion to reconsider is required to reconsider the prior vote. If the Motion to Reconsider is approved then debate resumes on the Original Motion.
9. **Motion for Executive Sessions.** Such motions must be made and approved as provided by the Municipal Code, Charter and/or State law.

E. **Points of Procedure.**

1. **Point of Order.** Used only when a Council Member asserts that these Rules of Procedure are not being followed or whether a Council Member is violating the Code of Conduct. If made, the Mayor shall decide whether or not the Rules of Procedure or the Code of Conduct are not being followed and take action as provided in these Rules of Procedure or the Code of Conduct. A Point of Order shall not interrupt another Council Member but only asserted after the Council Member has finished speaking.
2. **Point of Information.** This is a request by a Council Member for more information or clarify matters being discussed. It is not a time to present further comment by the Council Member requesting the Point of Information. This shall not interrupt another Council Member but only requested after the Council Member has finished speaking.
3. **Point of Appeal.** A request by a Council Member to challenge a decision of the Mayor concerning the application of these Rules of Procedure. A Point of Appeal shall customarily be in order immediately following the Mayor's decision and may be declared out of order and unavailable where the Council has relied upon the Mayor's decision and continued the proceeding in reliance upon, or in accordance with, the Mayor's decision. The Council Member making the Point of Appeal may briefly state his or her reason for the Point, and the Mayor may briefly explain his or her ruling, but there shall be no further debate on the Point of Appeal. If requested by the Council Member making the Point, a vote shall be taken to uphold or overturn the decision of the Mayor. No second is required to require such a vote.

II. **Application to Boards and Commission.** To the extent reasonable and necessary these Rules of Procedure shall apply to meetings of the City's Boards and Commissions.

Page 1 of 4
**CITY COUNCIL CODE OF CONDUCT AND ETHICS
CITY OF GLENWOOD SPRINGS, COLORADO**

I. Purpose:

City Council Members are always held to the highest standards. Council members are agents of the public purpose and hold office for the benefit of the residents of the City. Debate and presentation of opposing views is part of the democratic process, but it should always be conducted in a professional manner.

Effective governance requires that City Council members to be independent, impartial and responsible to all the residents of the City. Council members should work collaboratively to find common solutions that are in the City's and its' residents' best interest. City Council makes decisions that impact all the residents, businesses and visitors of the City and should direct its discussion to that end. Once a decision is made by Council, the members of Council should support the Council and the City to move forward with effective implementation of the decision.

Council members are expected to exhibit professional behavior when representing the City, whether during Council or outside City Council meetings. All decisions and policies shall be made in accordance with the Colorado Constitution, State Statutes, the Municipal Charter, and the Municipal Code

II. General Expectations of City Council Members

A. Responsibility.

1. I understand that the community expects me to serve with dignity and respect and be an agent of the democratic process.
2. I will avoid actions that might cause the public to question my independent judgment.
3. I will not use my office or the resources of the city for personal or political gain.
4. I am a prudent steward of public resources and I actively consider the impact of my decisions on the financial and social stability of the city and its citizens.
5. I will be prepared for and attend all work sessions and regular and special meetings of City Council and all meetings of Boards and Commissions of the City to which I am assigned.
6. I will fully actively listen and participate during all meetings and work sessions of City Council and will not engage in personal business by email, by text or any other means during any meeting or work session except during recesses.

B. Fairness.

1. I will promote consistency, equity, diversity and non-discrimination in public agency decision making.
2. I will make decisions based on the merits of an issue, including research and facts.
3. I will encourage diverse public engagement in decision-making processes and support the right of the public to have access to public information concerning the conduct of the city's business.

C. Respect.

1. I will treat my fellow city officials, staff, commission members and the public with patience, courtesy, civility, and respect, even when we disagree on what is best for the community and its citizens.

D. Integrity.

1. I will be honest with all elected officials, staff, commission members, boards, and the public.
2. I will be prepared to make decisions for the best interest of the public whether those decisions are popular or not.
3. I will take responsibility for my actions even when it is uncomfortable to do so.

III. **Meeting Decorum.**

- A. These general rules of decorum should be observed during City Council meetings.
1. All comments should be constructive.
 2. No personal attacks shall be made by Council, the Public and or City Staff toward City Council members, the public and/or City Staff nor will a Council Member cause or encourage third parties to engage in such behavior.
 3. No belligerent, personal, impertinent, slanderous, threatening, abusive or disparaging comments should be made.
 4. No shouting or threatening behavior shall occur.
 5. No engaging in violent or distracting action shall be allowed.
 6. No willful injury of furnishings or of the interior of the Council chambers or meeting hall shall occur.
 7. No one shall refuse to obey any of the rules of conduct provided within this section, including the limitations on occupancy and seating capacity.
 8. No one shall refuse to obey an order of the presiding officer.
 9. No unreasonably loud or disruptive language, noise, or conduct which obstructs the work or the conducting of the business of the Council shall be allowed.

10. No Council member shall be intoxicated or under the influence of drugs during a Council Meeting or work session
11. Except as to agenda items presented by members of City Staff, Council members shall direct all comments and questions of Staff during City Council meetings to the City Manager or City Attorney.

B. The Presiding Officer may direct the removal of any member of the Public or Staff from a Council Meeting for conduct described above after that person has been given a warning by the Presiding Officer. If a Council member repeatedly violates the Meeting Decorum provided above the Presiding Officer may call a recess, adjourn the meeting or have the Council member removed if the Presiding Officer reasonably believes the behavior presents a threat to Council, the Public or Staff.

IV. Council Interactions with Staff.

Pursuant to the Municipal Charter, City Council has direct supervisory authority over the City Manager, City Attorney and Municipal Judge. These positions are appointed and serve at the will of Council and the City Manager is responsible for the supervision, including hiring, disciplining and termination of all other City employees. Section 3.10 of the Municipal Charter provides that:

Except for the purpose of inquiry, the Council and its members shall deal with the administrative functions of the City solely through the City Manager and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager.

Council Members shall adhere to the Charter requirements.

V. Boards and Commissions

- A. This Code of Conduct applies to all appointed members of Boards and Commission.
- B. Conduct during meetings
 1. Members of the Boards and Commissions should regularly attend all regular and special meetings of Boards and Commissions. Failure to do so may result in a Member being removed by Council or not reappointed pursuant to the Municipal Code.
 2. Members of Boards and Commissions shall comply with this Code of Conduct.

VI. Executive Sessions and Confidential Communications

- A. Purpose. Executive sessions are for purposes set forth in the Open Meetings law and include confidential attorney/client or other legal privilege.
- B. Non-disclosure. Executive sessions and Confidential Communications are confidential and privileged and no disclosure of matters presented or discussed during an executive sessions or in Confidential Communications shall be made by any Council member without permission of the entire Council granted during an open meeting of Council.
- C. Waiver of confidentiality. No council member can, for him/herself, waive the privilege which attaches to executive sessions or confidential communications. Only the Council by majority vote in open session may waive the privilege.
- D. Scope of executive sessions. All discussion/presentation of materials must pertain to the announced matters at the commencement of session and must be matters for which executive sessions are allowed pursuant to the City Code and/or Open Meetings law
- E. Duty to limit scope. If matters occur during an executive session that are outside of scope of announced matters at the commencement of session or which violate City Code and/or the Open Meetings law, each Council member has an affirmative duty to immediately bring this to the attention of the Mayor during the executive session.

VII. Remedies/Sanctions for violation of Code of Conduct

- A. Notwithstanding other provisions of law under which violations of the Constitution, Statutes or the Municipal Charter and Code are addressed, Council may upon a written complaint by any member of the Council or Public take such action for continued violations of this Code as permitted by law including but not limited to Public Censure.
- B. As provided in the Municipal Charter and Code the Mayor may remove a Council member from any Board or Commission which they were appointed and so notify the Board or Commission that a the removed Council member's participation would be limited to that of a member of the public and not as an appointed member of Council.

Chapter 7 Code of Conduct¹

2-7-1. Purpose, Legislative Intent and Findings.

- (a) Purpose: The purpose of this chapter is to protect the integrity of city government by:
 - (1) Defining and forbidding certain activities including bribery and profiteering from public office.
 - (2) Establishing high standards of conduct for elected officials, appointed board and commission members and city employees by setting forth certain expectations of behavior that all such individuals shall maintain while elected, appointed or employed by the City of Boulder.
 - (3) Fostering public trust by defining standards of honest government and prohibiting the use of public office for private gain.
- (b) Legislative Intent: It is the intent of the city council to:
 - (1) Establish rules of conduct that meet or exceed the rules established by the Colorado State Constitution and the Colorado Revised Statutes.
 - (2) Establish expectations to encourage public officials and public employees to maintain the highest standard of conduct to justify the public trust that they enjoy.
 - (3) Exercise the City of Boulder's right to develop laws related to ethics in local government and appropriate standards of local conduct as matters of local concern as established by the Colorado State Constitution in Article XX recognized by Article XXIX, § 3(6).
- (c) Findings: The city council finds and determines that this chapter is necessary to protect the public health, safety, and welfare of the residents of Boulder and is a matter of local concern.

Ordinance No. 7957 (2014)

2-7-2. Prohibited Acts.

- (a) Personal Benefit Prohibited: No public official or public employee shall solicit, receive or accept anything of value in exchange for performing or refraining from performing any act associated with the official or employee's position with the city.
- (b) Use of Position for Gain Prohibited: No public official or public employee shall use his or her public office or position for financial gain.
- (c) Use of Confidential Information for Financial Gain Prohibited: No public official or public employee shall use or disclose confidential information obtained as a result of holding his or her public office or position, to obtain financial gain, whether for personal gain; gain for his or her relative; gain of any property or entity in which the official or employee has a substantial interest; or gain for any person or for any entity with whom the official or employee is negotiating for or has any arrangement concerning prospective employment.

¹Ord. No. 7957, § 1, adopted December 16, 2014 , amended Chapter 7 in its entirety to read as herein set out. Former Chapter 7, §§ 2-7-1—2-7-15, pertained to similar subject matter, and derived from Ordinance Nos. 3792, 4677, 5396, 7286, 7442.

2-7-3. Duty to Maintain the Confidentiality of Privileged Information.

- (a) **Duty of a Public Official:** No public official shall disclose privileged or confidential information without a public majority vote granting the permission of the council or similar body that holds the privilege. The sanction for a member of the city council, board, commission, task force or similar body shall be censure of the body, reached by a majority vote of the body, not including the member charged with disclosing such confidential information.
- (b) **Duty of a Public Employee:** No public employee shall disclose privileged or confidential information, obtained as a result of holding his or her public office or position, unless the employee has first received approval by the city manager acting upon the advice of the city attorney.

2-7-4. Gifts to Public Officials and Public Employees.

- (a) **Gifts Prohibited:** No public official or public employee or relative of such employee or official shall accept anything of value including, without limitation, a gift, a favor, a discount or a promise of future employment if:
 - (1) The official or employee is in a position to take official action with regard to the donor; or
 - (2) The city has or is known to be likely to have a transactional, business, or regulatory relationship with the donor.
- (b) **Exceptions and Items not Considered Gifts:** The following shall not be considered gifts for purposes of this section, and it shall not be a violation of this chapter for a person to accept the same:
 - (1) Campaign contributions as permitted by law;
 - (2) An unsolicited, occasional non-pecuniary gift of a maximum amount of \$53 or less in value. The maximum amount will be equal to the amount established by the state of Colorado pursuant to Colorado Constitution Article XXIX, Section 6;
 - (3) A gift from a relative;
 - (4) An award, publicly presented, in recognition of public service;
 - (5) Reasonable expenses for attendance at a convention, fact-finding mission or trip, or other meeting if the person is scheduled to deliver a speech, make a presentation, participate in a panel, or represent the city provided that if travel expenses are paid:
 - (A) The travel is for a legitimate city purpose;
 - (B) The travel arrangements are appropriate to that purpose;
 - (C) The expenses paid are for a time period that is no longer than reasonably necessary to accomplish the business that is its purpose;
 - (D) The public official or public employee who will be traveling is not currently, was not in the recent past, and will not in the reasonably foreseeable future, be in a position to take direct official action with respect to the donor;

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- (E) Prior to travelling, the public official informs the city council or the employee informs the city manager of the name of the party paying for the travel expenses and the reason for the travel; and
 - (F) After completing the travel, the public official reports compliance of the first four conditions to the city council and the public employee reports compliance with the first four conditions to the city manager.
- (6) Items which are similarly available to all employees of the city or to the general public on the same terms and conditions; and
 - (7) A single unsolicited ticket given to a city council member and valued at not in excess of \$150 to attend events on behalf of the city, such as awards dinners, nonprofit organization banquets and seminars, provided that:
 - (A) The ticket is offered only to the council member and has no resale value; and
 - (B) The ticket is not offered by a commercial vendor who sells or wishes to sell services or products to the city.
 - (8) A single unsolicited ticket given to a council member and valued at not in excess of \$150 in each calendar year to attend a sporting event, concert or other event provided by a governmental entity or nonprofit organization, if the event is sponsored by the governmental entity or nonprofit organization, and the purpose of attending the event is to promote the relationship between the city and the other governmental entity or nonprofit organization.

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2-7-5. Prior Employment, Outside Employment, and Subsequent Employment.

- (a) **Prior Employment:** No person shall be disqualified from service with the city as a public official or public employee solely because of his or her prior employment. Public officials and public employees shall not take any action with respect to their former employers for a period of six months from the date of termination of the prior employment if such action involves an exercise of discretion by the public official or public employee and provides direct benefit to the prior employer, including but not limited to a contract, lease, employment or regulatory approval.
- (b) **Disclosure of Employment and Other Business Activities:** All public employees, shall report existing or proposed outside employment or other outside business interests that may affect their responsibilities to the city in writing to their appointing authorities prior to being appointed or hired. After being appointed or hired, all such people shall report any changes of employment or changes to outside business interests that may affect the person's responsibilities to the city, within thirty days after accepting the same. An employee that has received permission from the city manager may engage in outside employment or outside business interests.
- (c) **Disclosure by Public Officials:** Public Officials shall report any change in their employment status that could give rise to a conflict of interest under this chapter.
- (d) **Activities That Occur After Termination of Employment or Office:** No former public official or public employee shall seek or obtain employment concerning matters upon which he or she took any action during his or her service with the city for six months following termination of office or employment if such action, occurred less than four years prior to seeking or obtaining employment, involved an exercise of discretion by the public official or public employee and provided direct benefit to the employer, including but not limited to a contract, lease, employment or regulatory approval. This provision may be waived by the city council or the city manager.

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- (e) **Participation of Former Officials or Employees:** No former public official or public employee shall appear before, or participate in, a city board, commission, task force or similar body on which he or she was a member or served directly as an employee concerning any matter or on which he or she took official action during his or her service with the city for twelve months following termination of office or employment. This prohibition may be waived by the city council by appointment or vote. This prohibition shall not apply to persons who appear before the city in their capacity as an elected official following termination of their office or employment with the city.
 - (f) **Participation in Litigation After Termination:** No former public official shall engage in any action or litigation in which the city is involved on behalf of any other person or entity, if the action or litigation involves a matter upon which the person took official action during his or her service with the city for twelve months following termination of service with the city.

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2-7-6. Employment of Relatives.

- (a) No public official or public employee shall appoint, hire, or advocate the appointment or hiring by the city any person who is his or her relative. In the event that an employee is concerned that the employee's decision to appoint, hire or advocate the appointment or hiring by the city a person who is the employee's relative may cause an appearance of violating this section, the employee may request that the city manager make such decision on the employee's behalf. Council-appointed officers may request the city council to make such an appointment or hiring decision on their behalf.
- (b) The city may enter into transactions with companies, corporations or other business organizations that employ a relative of a city public official or public employee provided that:
 - (1) The public official or public employee does not participate in the decision making that leads to hiring the company, corporation, or other business organization that employs his or her relative; or
 - (2) The business organization is a publicly-traded corporation that provides its services or products to the city on nondiscriminatory terms justified by the market facts and circumstances of each transaction; or
 - (3) The company, corporation, or business organization has been doing business with the city for at least one year prior to the date the city official's or employee's relative became employed by the company, corporation or other business organization, and the city official's or employee's relative is not directly employed upon matters involving the city and does not have his or her compensation tied in any manner to the success of the company, corporation, or other business organization, or its ability to obtain business or earn compensation from the city.

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2-7-7. Representing Others Before the City Prohibited.

- (a) **City Council Members Barred From Representing Others:** No city council member shall appear on behalf of himself or herself, or another person, before the city council or any city board, commission, task force or similar body. A city council member may be affiliated with a firm appearing on behalf of or employed by another person concerning any transaction with the city before such a body if the council member discloses the situation and recuses himself or herself pursuant to Section 2-7-9, "Disclosure and Recusal Procedure," B.R.C. 1981. This prohibition shall not apply when a city council member is appointed by a majority vote of the council to represent the council before a board or commission.

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- (b) Board, Commission or Task Force Members Barred From Representing Others: An appointee to a city board, commission, task force or similar body may appear or be affiliated with a firm appearing concerning any transaction with the city under the following circumstances:
- (1) An appointee may appear on his or her own behalf before the body of which he or she is a member to represent his or her personal interests, if the appointee discloses the situation and recuses himself or herself pursuant to Section 2-7-9, "Disclosure and Recusal Procedure," B.R.C. 1981, or before the city council;
 - (2) An appointee may appear on behalf of another person before any city body except the body of which the appointee is a member, except with respect to a matter that has or may come before the board or commission on which he or she serves;
 - (3) A firm with which an appointee is affiliated may not appear on behalf of or be employed by another person concerning any transaction before the body of which the appointee is a member unless the appointee discloses the situation and recuses himself or herself pursuant to Section 2-7-9, "Disclosure and Recusal Procedure," B.R.C. 1981.
- (c) Public Employees Barred From Representing Others: No public employee shall appear on behalf of or be employed by another person concerning any transaction with the city or before the city council or any city board, commission, task force or similar body. A public employee may appear before such a body on his or her own behalf or on behalf of such employee's spouse, parent, or child. Nothing in this chapter shall be deemed to prohibit the city manager from establishing additional policies and regulations to prevent conflicts of interest between public employees and the city.
- (d) City Council Members and Municipal Court: No city council member who is an attorney shall appear on behalf of or be employed by another person or be affiliated with a firm appearing on behalf of or employed by another person concerning any matter before the municipal court.
- (e) Public Employees and Municipal Court: No public employee who is an attorney shall appear on behalf of or be employed by another person or be affiliated with a firm that appears on behalf of or is employed by another person concerning any matter before the municipal court. A non-attorney employee may appear before the municipal court on his or her own behalf, and an employee other than a municipal court judge may appear on behalf of such employee's spouse, parent, or child to the extent otherwise allowed by law. This authority is intended to allow employees to assist family members in matters before the municipal court to the extent permitted by law but not to promote the unauthorized practice of law.
- (f) Board, Commission, or Task Force Member and Municipal Court: An appointee to a city board, commission, task force or similar body may appear before the municipal court and may be affiliated with a firm appearing before the municipal court.
- (g) Consent to Sue: No public official shall by himself or herself or as an affiliate of a firm appear on behalf of a party in a civil law suit in which the city is an adverse party, unless the public official first obtains the consent of the city council.

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2-7-8. Expectations.

- (a) These expectations are intended to establish ethical standards to guide public officials and public employees in the execution of their offices in a manner that will reflect well on the city and promote the public's trust in local government.
- (b) Compliance with this section will not constitute a defense for violation of another subsection or section of this chapter. Violation of this section may be considered as the basis for censure of a public official, or in the

most serious cases, removal of a board or commission member. Violation of this section may be the basis of disciplinary action, or in the most serious cases, termination of a public employee.

- (c) A public official who determines that his or her actions may be considered to be in violation of this section should consider disclosure and discussion of the potential violation in a public meeting before the council, board, commission, task force or similar body on which the person serves.
- (d) A public official whose participation in a matter would violate this section shall recuse herself or himself as prescribed by Section 2-7-9, "Disclosure and Recusal Procedure," B.R.C. 1981.
- (e) A public official or public employee shall:
 - (1) Strive at all times to serve the best interests of the city regardless of his or her personal interest.
 - (2) Perform duties with honesty, care, diligence, professionalism, impartiality and integrity.
 - (3) Strive for the highest ethical standards to sustain the trust and confidence of the public they serve, not just the minimum required to meet legal or procedural requirements.
 - (4) Use sound judgment to make the best possible decisions for the city, taking into consideration all available information, circumstances and resources.
 - (5) Act within the boundaries of his or her authority as defined by the city charter and code.
 - (6) Treat colleagues and members of the public professionally and with courtesy.
 - (7) Disclose personal or professional relationships with any company or individual who has or is seeking to have a business relationship with the city, if the official or employee has any authority to exercise discretion over the business relationship.
 - (8) Disclose any benefit he or she will receive from any matter requiring the exercise of discretion by the officer or employee.
 - (9) Use city resources, facilities and equipment only for city purposes, except for reasonable incidental personal use that does not interfere with city business.
 - (10) Disclose waste, fraud, abuse and corruption to appropriate authorities.
- (f) A public official or public employee shall not:
 - (1) Advocate or support any action or activity that violates a law or regulatory requirement.
 - (2) Use his or her position or decision-making authority for his or her benefit.
 - (3) Expend city funds for his or her personal use or benefit.
 - (4) Misrepresent known facts in any issue involving city business.
 - (5) Exercise authority or discretion in any matter in which he or she will benefit as a result of that exercise of authority or discretion.
 - (6) Use city resources, facilities or equipment for personal profit, for outside business interests or to access any inappropriate material, except if viewing such material is a necessary and proper part of their duties.
 - (7) Participate in any decision to appoint, hire, promote, discipline or discharge a relative for any position with the city.
 - (8) Supervise a relative in the performance of the relative's official powers or duties.
 - (9) Compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

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- (10) Act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any employee, or an applicant for a position, including appointment to a board or commission, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.
 - (11) Solicit or accept anything of value from anyone doing business with the city.
 - (12) Solicit or accept employment from anyone doing business with the city, unless the official or employee completely withdraws from city activity regarding the party offering employment.
 - (13) Use his or her public position to obtain a benefit for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship.
 - (14) Vote, authorize, recommend, or in any other way use his or her position to secure approval of a contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest.
 - (15) Use, or authorize the use of, his or her title, the name "City of Boulder," or the city's logo in a manner that suggests impropriety, favoritism, or bias by the city or the official or employee.
 - (16) Use, or authorize the use of, his or her title, the name "City of Boulder," or the city's logo in a manner that suggests or implies that the city supports or opposes a candidate or ballot measure, except that public officials may identify themselves and their position as public officials supporting or opposing candidates or ballot measures.
 - (17) Use, or authorize the use of, his or her title, the name "City of Boulder," or the city's logo in for personal profit or advantage.
 - (18) Use city resources, facilities or equipment to support or oppose any political candidate or ballot measure.

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2-7-9. Disclosure and Recusal Procedure.

- (a) Disclosure and Recusal: No person with an interest prohibited pursuant to Section 2-7-2, B.R.C. 1981, and no person described in Subsection 2-7-7(a) or (b), B.R.C. 1981, shall fail to give written notice of the interest described in such section or subsection to the city council or the city board, commission, task force or similar body of which the person is a member and the city manager as soon as reasonably possible after the interest has arisen. However, no written notice is required if such person discloses the conflict of interest on the record of a public meeting of the city council or the city board, commission, task force or similar body of which the person is a member. The interested council member, employee, or appointee shall thereafter:
 - (1) Refrain from voting upon or otherwise acting in an official capacity in such transaction;
 - (2) Physically absent himself or herself from the room in which a matter related to such transaction is being considered; and
 - (3) Not discuss any matter related to such transaction with any other member of the council, board, commission, task force or similar body of which the person is a member.
- (b) Recusal by the Council, Board, Commission, Task Force or Similar Body: The city council and any city board, commission, task force or similar body may order recusal of one of its members if that member has an obligation to do so under this chapter and has failed to do so. Such an order is valid if reached after majority

vote of the members of the body, not including the member whose recusal is sought, based on competent evidence.

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2-7-10. Enforcement.

- (a) Violations Prohibited: No person shall violate the requirements of this chapter.
- (b) Complaints: A complaint alleging a violation of this chapter may be initiated by any of the following:
 - (1) Complaints Initiated by the City Manager or City Attorney: The city manager or city attorney may initiate an investigation of any city employee, other than those directly reporting to the city council, if facts are alleged to the city manager in any form that, if true, would constitute a violation of the provisions of this chapter.
 - (2) Complaints Initiated by a Resident or City Employee: A resident of the City or any city employee may initiate an investigation of any city council member, employee or appointee to a city board, commission, task force or similar body by filing a sworn statement with the city clerk setting forth facts which, if true, would constitute a violation of a provision of this chapter.
 - (3) Complaints Initiated by the City Council: The city council may initiate an investigation of any of its employees, and of any city council member or appointee to a city board, commission, task force or similar body if facts are alleged to the council that, if true, would constitute a violation of the provisions of this chapter.
- (c) Investigation of a Complaint: The city manager (for city employees) or the city council (for all others) shall request the city attorney to conduct an investigation regarding a violation of this chapter. The city attorney may request that the city council appoint special counsel to investigate and prosecute any case that may cause the city attorney to have a conflict of interest or may cause an appearance of impropriety under the provisions of this chapter, or may violate any rule regarding professional responsibility.
- (d) Response to All Complaints Required: A public official, or body or appointee thereof, conducting an investigation pursuant to Subsection (b) of this section shall prepare written findings of fact and conclusions of law in response to all complaints that shall be made available to the public upon completion of the investigation. The response may include a finding that the complaint has no merit, is frivolous, is groundless or is brought for purposes of harassment.
- (e) Limitations: No action may be taken on any complaint that is filed later than twelve months after discovery of the facts supporting an allegation that a violation of this chapter occurred.

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2-7-11. Sanctions and Remedies for Violation.

- (a) Transactions Voidable: If a transaction including but not limited to a contract or sale is consummated contrary to the provisions of Subsection 2-7-2(a), B.R.C. 1981, the city council may void the transaction.
- (b) Removal by City Council: The city council may remove any of its employees and any member of a city board, commission, task force or similar body that it finds has willfully violated any provision of this Section. 2-7-10 "Enforcement," B.R.C. 1981.
- (c) Sanction Recommendations: If the party conducting an investigation pursuant to Section 2-7-10, "Enforcement," B.R.C. 1981, finds that a city council member or an appointee to a city board, commission, task force or similar body, or employee has violated any provision of this chapter, the investigator shall

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provide its findings and recommendations to the city manager or city council, as appropriate, who or which in turn may take any of the following actions:

- (1) In the case of a city council member, a motion of censure;
 - (2) In the case of a public employee, a motion for censure or a recommendation that the employee's appointing authority consider disciplining or discharging the employee;
 - (3) In the case of a member of a board or commission removal as provided in subsection (b) of this section; or
 - (4) As an alternative or in addition to the sanctions imposed herein, the city council may resolve that any person or entity causing, inducing, or soliciting a public official or public employee to violate this chapter may not be involved in any transaction with the City, including but not limited to the award of any city contract, grant, loan or any other thing of value for a period of twelve months or that any such contract, grant, loan or thing of value be terminated, repaid or forfeited.
- (d) Civil Remedies: Any person incurring actual monetary damage as a direct and proximate result of a violation of Section 2-7-2, "Prohibited Acts," B.R.C. 1981 or Section 2-7-3, "Duty to Maintain the Confidentiality of Privileged Information," B.R.C. 1981 may commence a civil action in the District Court in and for the County of Boulder for equitable relief to enforce the provisions of this chapter upon a showing of willful violation of any provision of this chapter. Before filing such an action, the person shall present the claim to the city attorney to investigate in accordance with Subsection 2-7-11(c), B.R.C. 1981. The city attorney or appointed special council shall have sixty days to act thereon. No civil action in district court pursuant to this subsection may be commenced later than twelve months after a violation of this chapter is alleged to have occurred.
- (e) Criminal Sanctions: The city attorney, or special counsel authorized to act on behalf of the city attorney, acting on behalf of the people of the city, may prosecute any violation of Section 2-7-2, "Prohibited Acts," B.R.C. 1981 or Section 2-7-3, "Duty to Maintain the Confidentiality of Privileged Information," B.R.C. 1981 in municipal court in the same manner that other municipal offenses are prosecuted.

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2-7-12. Role of the City Attorney.

- (a) Any city council member, employee, or appointee to a city board, commission, task force or similar body may request an advisory opinion of the city attorney whenever a question arises as to the applicability of this chapter to a particular situation.
- (b) Appointment of Outside Counsel: If the city attorney has a conflict of interest or a matter arise in which the city attorney believes that a reasonable person would question his or her objectivity, the city attorney shall appoint a neutral outside counsel to investigate the issue and make a recommendation.

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2-7-13. Exemptions From Chapter.

Nothing in this chapter shall be deemed to apply to a city employee or appointee to a city board, commission, task force or similar body who appears before any such body to urge action on a policy or issue of a general civic nature or to the relationship between the city council, the city and a general improvement district. Participation in an improvement district shall not, in and of itself, constitute a conflict of interest for a city council or improvement district advisory committee decision concerning the district.

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2-7-14. Definitions.

Affiliated with means an employee, partner, agent, stockholder, joint venturer or corporate director of any business organization or a person who shares office space with such organization.

Appear on behalf of means to act as a witness, advocate or expert or otherwise to support or oppose the position of another person.

Benefit shall mean anything of value accruing to an official or employee. A benefit shall not include any situation in which the official, employee or family member has only a remote interest. A benefit does not include things that affect the entire membership of a significant class or a significant segment of the community in a similar manner as the affected public official or employee. An official or employee is deemed to have received a benefit if any of the following receive a benefit:

- (1) A Family Member;
- (2) Any person or business entity with whom a contractual relationship exists with the official or employee;
- (3) Any business entity in which the official or employee is an officer or director; or
- (4) Any business entity in which the official or employee has a stock, legal ownership, or beneficial ownership of at least five percent of the total stock or total legal and beneficial ownership, or which is controlled or owned directly or indirectly by the official or employee.

Employment means providing personal services as an employee or an independent contractor, with or without consideration.

Family Member shall mean a spouse, domestic partner, partner in a civil union, child, and whether related through adoption or marriage, a parent, brother or sister.

Gift means any payment, entertainment, subscription, forbearance, service or any other thing of value, rendering or deposit of money, which is transferred to a donee directly or in trust for his or her benefit. *Gift* shall not include campaign contributions as permitted by law.

Official action means any legislative, administrative or quasi-judicial act of any public official or employee including, without limitation, participation in, or influence of, the decision-making process leading up to a vote or final determination.

Public employee or employee means any person holding any paid position of employment with the City, but shall not include consultants or contractors who have independent control over their work product.

Public Official shall mean any elected or appointed city official, including city council members and members of boards and commissions.

Relative means any person related to a public official or an employee by blood, marriage or adoption, through the second degree of consanguinity, including, without limitation, the following: spouse, parents, parents-in-law, children, children-in-law, brothers and sisters, brothers and sisters-in-law, grandparents, grandchildren, aunts, uncles, cousins, nephews and nieces. A separation between spouses shall not be deemed to terminate relationships described above which exist only because of marriage.

Remote Interest shall mean any interest which is incidental to the contract or transaction and shall include:

- (1) A position as a non-salaried director, officer or employee of a non-profit corporation or organization;
- (2) Less than five percent of the total stock or total legal and beneficial ownership in a business entity;
- (3) A position of employment held by a family member which is not a director, officer, manager or supervisor in a business entity;

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- (4) A position of employment held by a family member which does not directly exercise decision making authority affecting the contract or transaction; or
 - (5) A position in a representative capacity such as a receiver, trustee or administrator.

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2-7-15. Examples of Violations.

The examples in this paragraph are intended to provide guidance for the implementation of these rules. These are examples only; behavior not listed here also can violate these rules.

The following acts would constitute a violation of this chapter:

- (a) A person lies to a constituent in violation of Paragraph 2-7-8(f)(4), B.R.C. 1981.
- (b) A person favors a personal friend when awarding a city contract in violation of Paragraph 2-7-8(f)(13), B.R.C. 1981.
- (c) A person fails to disclose a professional relationship with a firm seeking to do business with the city in violation of Paragraph 2-7-8(e)(7), B.R.C. 1981.
- (d) A person fails to disclose owning stock in a company involved in a matter that requires the exercise of discretion by the person in violation of Paragraph 2-7-8(e)(8), B.R.C. 1981.
- (e) A person uses a city computer to operate a personal business in violation of Paragraph 2-7-8(e)(9), B.R.C. 1981.
- (f) A person uses a city phone for a political campaign in violation of Paragraph 2-7-8(f)(18), B.R.C. 1981.
- (g) A person fails to disclose fraud by a public employee in violation of Paragraph 2-7-8(e)(10), B.R.C. 1981.
- (h) A person arranges a repaving project that benefits his or her neighborhood in violation of Paragraph 2-7-8(f)(2), B.R.C. 1981.
- (i) A council member participates in a decision that affects the value of his or her real property in violation of Paragraph 2-7-8(f)(2), B.R.C. 1981.
- (j) A person uses city photocopies machines to make 100 flyers to advertise a personal business Paragraph 2-7-8(f)(3), B.R.C. 1981.
- (k) A person makes verbal attacks against someone who contacted the city for information in violation of Paragraph 2-7-8(e)(2), B.R.C. 1981.
- (l) A person recommends that his or her department hire his or her niece in violation of Paragraph 2-7-8(f)(7), B.R.C. 1981.
- (m) A person supervises his or her spouse in violation of Paragraph 2-7-8(f)(8), B.R.C. 1981.
- (n) A council member seeks a campaign contribution from a public employee in violation of Paragraph 2-7-8(f)(9), B.R.C. 1981.
- (o) A supervisor encourages employees to attend a campaign fundraiser for a council member in violation of Paragraph 2-7-8(f)(9), B.R.C. 1981.
- (p) A supervisor implicitly requires an employee to make a campaign contribution as a condition of receiving a positive evaluation in violation of Paragraph 2-7-8(f)(9), B.R.C. 1981.
- (q) A person accepts a lunch from a person seeking to do business with the city in violation of Paragraph 2-7-8(f)(11), B.R.C. 1981.

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- (r) A person seeks employment with a contractor whom the person previously hired to work for the city in violation of Paragraph 2-7-8(f)(12), B.R.C. 1981.
 - (s) A person obtains an internship for his or her son with a company doing business with the city in violation of Paragraph 2-7-8(f)(13), B.R.C. 1981.
 - (t) A board member who is an architect participates in a decision in which his or her firm represents the applicant in violation of Paragraph 2-7-8(f)(5), B.R.C. 1981.
 - (u) A board member who is an attorney participates in a decision in which his or her firm represents a party to the transaction being considered in violation of Paragraph 2-7-8(f)(5), B.R.C. 1981.
 - (v) A person endorses a business using his or her city title in violation of Paragraph 2-7-8(f)(15), B.R.C. 1981.
 - (w) A person solicits work for his or her off-duty business, by advertising his or her work as a City of Boulder employee in violation of Paragraph 2-7-8(f)(17), B.R.C. 1981.
 - (x) A council member solicits business by relying upon his or her position as a city council member in violation of Paragraph 2-7-8(f)(17), B.R.C. 1981.

Ordinance No. 7957 (2014)

HRP040 CODE OF CONDUCT

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1 OVERVIEW

1.1 Code of Conduct statement

Brisbane City Council conducts its business with integrity, honesty and fairness, and complies with all relevant laws, regulations, codes and corporate standards.

Everyone working for Brisbane City Council must follow the highest standards of ethical behaviour when dealing with customers and each other. Our leaders must encourage a culture where ethical conduct is recognised, valued and followed at all levels.

Council actively supports, encourages, develops and expects its workers to:

- **Deliver value** by operating safely, ethically and responsibly. We drive productivity and efficiency to ensure we are a financially sustainable organisation.
- **Act as 'One Council'** by working together to provide seamless service to our residents and business customers. We respect Council's decision-making processes and corporate priorities at a local level for the greater good of the organisation.
- **Continuously improve** how we deliver services by listening to and understanding the needs of our customers. We operate in a self-service environment and use quality data from agreed 'sources of truth' to inform decisions and achieve best value.
- **Be capable and effective** by being adaptable and cost-effective in delivering our products and services. Our leaders are accountable to communicate business priorities and performance expectations to their teams and offer regular feedback and recognition.

1.2 Public sector ethics and corporate values

The *Public Sector Ethics Act 1994* (Qld) identifies four fundamental ethical principles that guide our behaviour as public officials. The four ethical principles are:

- integrity and impartiality
- promoting the public good
- commitment to the system of government
- accountability and transparency.

The [values](#) we share as employees of Brisbane City Council are:

- passion for Brisbane
- responsive customer service
- respect for people
- courage to make a difference
- working together
- getting things done
- value for money.

The four ethical principles, together with Brisbane City Council's corporate values, form the basis of this Code of Conduct. They apply to all Brisbane City Council workers and guide our thinking, actions and decision-making.

This Code of Conduct is a set of standards and behaviours related to the way we do our work. It puts a responsibility on each of us to use sound judgement.

It aims to deliver best practice by ensuring those standards are clear and guided by sound ethics. By consistently applying these standards, we enhance public trust and confidence in Council through the actions of each of us. Nothing in this Code interferes with your rights as a private citizen or a ratepayer.

The Code does not cover every situation. However, the values, ethics, standards and behaviours it outlines are a reference point to help make decisions in situations not covered by the Code. If you act in good faith and in keeping with the spirit of the Code, you can expect to be supported by your colleagues, your team leader/supervisor and by Council.

The FAIR test is included to help you to make good decisions in situations not covered by the Code.

2 APPLICABILITY

All Brisbane City Council workers, regardless of their employment status, role or position must be familiar with and follow the spirit and content of the Code of Conduct.

Brisbane City Council workers are:

- employees of Council whether permanent, or temporary (whether working full-time, part-time or on a flexible working arrangement) or casual. This includes executives, managers, supervisors, team leaders, employees on common law contracts, ward office employees, Lord Mayor's Office employees, apprentices and trainees, team members, individuals and employees of other organisations or agencies who are working in Council on a secondment arrangement.
- contractors or subcontractors
- an employee of a contractor or subcontractor
- an employee of a labour hire company who is assigned to work in a business or undertaking
- an outworker
- employees of other organisations or agencies who are working in Council on a secondment arrangement
- a student gaining work experience or undertaking an unpaid placement
- a volunteer
- a person of a class prescribed in the *Work Health and Safety Act 2011* (Qld).

3 DEFINITIONS

Acceptable use – see definition of ‘limited personal use’.

Asset – Council’s assets include property (physical and intellectual property), plant, equipment, information, ICT assets, ID and access cards, goods, products and valuables (this includes surplus material, waste material, and off-cuts).

Conflict of interest – a conflict between a Brisbane City Council worker’s work responsibilities and their personal or private interests. A conflict of interest can arise from either gaining a personal advantage or avoiding a personal loss. Conflicts of interest can be real (actual) or perceived (apparent). Interests can be financial, non-financial, personal, private, family, friend or business.

- **A real conflict of interest** is a conflict between the worker’s duties and their private interests.

Example:

- Ron is on a recruitment and selection panel and his sister is applying for a position to be decided by that panel.

- **A perceived conflict of interest** is if it seems a worker’s private interests could improperly influence them at work, as judged by a reasonable person.

Examples:

- Frida works for Council as a community grants funding program manager. On the weekend she plays tennis with the director of a community organisation applying for funding through the program Frida is managing.
- Jerry, who is responsible for assessing building applications, receives an application for major extensions to a house owned by an old school friend.

- **A financial interest** is when the worker could gain a personal financial benefit including having shares, receiving gifts, benefits or bribes or receiving hospitality or travel.

Example:

- Kim’s partner owns a company which is tendering for work with Council.

- **A non-financial interest** is when the worker could gain a non-financial benefit such as personal recognition, offer of employment, avoidance of a penalty, or influence a Council outcome for a friend or family member.

Examples:

- You work in the strategic procurement area and a friend asks you to keep an eye on his tender application
- You work in the funding application area and you are also president of a local group applying for funding from Council
- You work in the development applications area and your children’s school will be affected by a new development and the development proposal has been submitted to Council for approval.

Corrupt conduct – as defined in the *Crime and Corruption Act 2001* (Qld) means the conduct of a person, regardless of whether the person holds or held an appointment, that –

- (a) *adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of –*
 - (i) *a unit of public administration; or*
 - (ii) *a person holding an appointment; **and***
- (b) *results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that –*
 - (i) *is not honest or is not impartial; or*
 - (ii) *involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or*
 - (iii) *involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; **and***
- (c) *would, if proved, be –*

- (i) *a criminal offence; or*
- (ii) *a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.*

Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) *impairs, or could impair, public confidence in public administration; **and***
- (b) *involves, or could involve, any of the following—*
 - (i) *collusive tendering;*
 - (ii) *fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)—*
 - (A) *protecting health or safety of persons;*
 - (B) *protecting the environment;*
 - (C) *protecting or managing the use of the State's natural, cultural, mining or energy resources;*
 - (iii) *dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;*
 - (iv) *evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;*
 - (v) *fraudulently obtaining or retaining an appointment; **and***
- (c) *would, if proved, be—*
 - (i) *a criminal offence; or*
 - (ii) *a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.*

Discrimination – as defined in various state and federal legislation, discrimination occurs if a person treats, or proposes to treat, someone unfavourably due to a personal characteristic which is protected by law, for example, their sex, relationship status, age, race.

In some circumstances, discrimination can be considered lawful, such as where the inherent requirements of the position require certain attributes (e.g., required attributes of an arborist position may be climbing trees, carrying tools, and working at heights).

Government agencies – include other local, state and federal governments, government-owned corporations, statutory authorities and other public bodies.

ICT asset – any information-related technology, supplied, managed or controlled by Council including, but not limited to, networks, computing systems, software, computers, telephones and telecommunication devices, mobile computing devices, removable media, digital or analogue recorders (including, but not limited to, DVD and video), cameras, printers, fax machines, photocopiers, scanners, media players and similar.

Indictable offence – as defined by the *Criminal Code Act 1899* (Qld) and similar legislation, means a crime or misdemeanour that cannot be prosecuted except upon indictment (a written charge by a person authorised to prosecute criminal offences). An indictable offence may be heard by a court (and jury) or may be dealt with summarily by a judge.

Limited personal use – personal use that is infrequent and brief and is performed during the worker's non-paid time, that is, before and after work and during lunch breaks. Examples of permitted personal use include online banking, bill paying, sending or receiving infrequent personal messages by email providing the content of the message does not breach the Code of Conduct.

Acceptable personal use does not:

- interfere with the operations of the Brisbane City Council or
- present a possible risk to Council's reputation or
- compromise Council's legal obligations in any way, e.g., breach of copyright, unauthorised storage of sensitive personal information or
- involve downloading, streaming or storing music, movies, video clips, pictures or any other material not associated with your work or

- result in a real or perceived conflict of interest between any private employment, or the operation of a personal business, and an employee's official duties or
- involve deliberate viewing, downloading, or contributing to inappropriate material, e.g., pornography, extreme violence, racism, terrorism or any illegal activity or
- permit workers to use their Council email address to subscribe to or register for any service not related to Council business or not endorsed by Council or
- detract from the performance of your work, e.g., online gaming, gambling, or auctions sites such as eBay.
- breach this Code of Conduct, Acceptable Access and Use of ICT procedure (iD30), *City of Brisbane Act 2010* (Qld), *Crime and Corruption Act 2001* (Qld) or related state and federal legislation and regulations.

Personal information – information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. Personal information includes employee records, collected, stored, used and disclosed by Council, its employees, Councillors, contractors and consultants, unless otherwise exempted by legislation.

Personal use – personal or life interests, not associated with the performance of your official duties.

Public official – an employee of Council.

Public sector entity – Council.

Sexual harassment – any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances.

Social media – using ICT technology to share information, communicate and engage with others. Social media sites may include social networking (e.g., Facebook), micro-blogging (e.g., Twitter), photo and video sharing, blogs, wikis, forums, discussion boards, and online social groups.

Summary offence – a minor criminal offence or misdemeanour, which is dealt with summarily by a magistrate.

Workplace bullying –

- a) while the worker is at work an individual or group of individuals repeatedly behaves unreasonably towards—
 - i. the worker; or
 - ii. a group of workers of which the worker is a member; and
- b) that behaviour creates a risk to the health and safety of the worker.

Young people – people under the age of 18 years.

4 PROCEDURE REQUIREMENTS

4.1 The first principle – Integrity and impartiality

4.1.1 Ethics value

In recognition that public office involves a public trust, public sector entities, public officials and Council workers seek to promote public confidence in the integrity of the public sector and:

- are committed to the highest ethical standards; and
- accept and value their duty to provide advice which is objective, independent, apolitical and impartial; and
- show respect towards all persons, including workers, clients and the general public; and
- acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and
- are committed to honest, fair and respectful engagement with the community.

4.1.2 Standards of conduct

4.1.2.1 Behaviour towards each other

We must all treat each other with trust, respect, honesty, fairness, sensitivity and dignity. Workers who supervise or manage others have a special responsibility to model this kind of behaviour, and to ensure that the people they supervise understand the standard of performance and behaviour that is expected of them.

You are expected to accommodate and respect different opinions and perspectives and manage disagreements by rational debate. You must not behave towards any other person in a way that could be perceived as intimidating, overbearing or as workplace bullying or sexual harassment.

Effective teamwork is an essential part of a productive workplace culture. Each team member is expected to work co-operatively with fellow workers and willingly participate and engage in team activities (e.g., meetings).

4.1.2.2 Non-discriminatory workplace

Council is committed to creating and maintaining a workplace free from unlawful discrimination. By law, all workers must ensure that discrimination is not part of our workplace or our practices.

4.1.2.3 Workplace bullying and sexual harassment

Council is committed to preventing bullying and harassment of workers and the public. Creating a work environment free of bullying and harassment is everyone's responsibility. As a worker you must take steps to prevent workplace bullying and sexual harassment, and address improper or inappropriate behaviours before they become severe, persistent or pervasive.

All workers are expected to contribute to building a workplace that tolerates differences and which is free from intimidation, bullying and harassment.

4.1.2.4 Conflict of interests

You must declare any conflicts of interest, if and when they arise during your engagement with Council, including when making decisions. If you believe you have a conflict of interest (see section 3, Definitions), whether real or perceived, you are required to inform your team leader/supervisor promptly. If you are unsure, you must discuss the matter with your team leader/supervisor.

Until it is resolved, make sure you are not part of any decision-making processes related to the matter.

If you feel you have a conflict of interest between professional and corporate values, discuss it with your team leader/supervisor.

4.1.2.5 Influences on decision-making

You must not influence any person in an improper way to try to obtain any advantages or favours.

You must not deliberately mislead decision-makers by providing them with false, biased, incomplete, or inaccurate information.

All decisions you make must be, and be seen to be, fair and transparent. This can be achieved by:

- following Council's procedures and processes
- keeping clear, accurate and complete records and
- recording how and why decisions were made.

You must not in any way misrepresent your qualifications, experience or expertise in any recruitment and selection process.

The FAIR test (section 4.7) has more information on this.

4.1.2.6 Accepting gifts and benefits

You must not ask for a personal payment or other benefit for doing something as a Council worker.

Occasionally you could be offered gifts or benefits from people with whom you do business. You can accept gifts or benefits in certain circumstances; however, you must not accept any gifts or benefits if there is a possibility that in doing so, you could create a real or perceived conflict of interest. You cannot accept cash or any item that is readily convertible to cash.

Ask yourself if accepting the gift or benefit could suggest that the giver may or would receive favourable treatment. Your supervisor can advise you about the receipt of gifts, gratuities, and benefits.

4.1.2.7 Employment outside Council (including operating a personal business)

It is not Council's intention to stop you from holding secondary employment or operating a personal business outside your normal working hours, providing your private employment or business:

- does not create a real or perceived conflict of interests; and
- has no effect on the performance of your official duties, including effects from a safety/fatigue management perspective and possible exacerbation of an illness or injury; and
- is not likely to bring Council's reputation into disrepute
- does not use Council assets (physical, intellectual property and information) and ICT assets; and
- continues to meet these requirements.

Approval is automatically granted for you to undertake private employment or operate a personal business outside of your normal working hours, providing the above requirements are met.

You must obtain prior written approval from the relevant [delegate](#) if:

- there is a likelihood that the above requirements may not be met; or
- you wish to undertake private employment or operate a personal business during a period of leave (both paid and unpaid).

The delegate is responsible for ensuring any such approval is registered in the payroll system and a copy is placed on your personal history file.

Although you don't need written approval, if you undertake voluntary work or a hobby you must ensure that these activities also meet the above requirements. If you are unsure, you must discuss the matter with your team leader/supervisor.

4.1.2.8 Public comments on Council business

As a general rule, councillors comment publicly on Council business. Council business can be topical, sensitive and controversial and there is a process to be followed when making public comments.

If you are asked to comment on any Council matter by the media or public relations firms, refer the agency to City Communication.

Sometimes, it might be appropriate to share information based on your personal and professional experience (e.g., in seminars or training programs). Make sure that if you share your experiences, you do not breach the confidentiality of Council information or privacy of other persons (this can potentially include comments made and information shared in your personal life by whatever method of communication you use, including social media).

4.1.2.9 External activities

You are not to take part in political affairs while on duty. Council's corporate ICT network, including internet access and email, must not be used for political messages or circulating defamatory or disparaging remarks against individuals or groups.

You are free to engage in trade union, party-political, professional, interest group or charity activities. You must make sure that your participation in such activities does not cause a conflict of interest, and that it does not restrict or impact on the performance of your duties with Council.

In accordance with section 197(3) of the *City of Brisbane Act 2010* (Qld), you must not use your role in Council, Council information or information gained in the course of your duties to advance your position or standing in an external organisation, nor for the benefit or promotion of an external organisation. You must not provide Council information to members of other groups or related persons, except where this information is publicly available.

If you comment publicly in connection with trade union, party-political, professional, interest group or charity activities, you must make it clear that the comment is your opinion as a member of those organisations. You must not give your unauthorised opinion as a Council employee or worker.

You must not make negative or disparaging posts or comments or make political comments on Council's official social media channels, e.g., Facebook, Twitter, from your personal accounts.

As an employee, you are the face of Council in the community. If you identify yourself or can be identified as a Council employee, your out-of-work behaviour and personal opinions are likely to come under public scrutiny. When using social media outside of work hours, assume that material you post online can be made public at any time and may be permanent. Be aware that your posts and photos may be shared by others in ways beyond your control and may reach unintended audiences. Even when you post material anonymously or use private social media channels, you must continue to uphold this Code of Conduct.

Example: If you are identified as a Council employee and you post racist remarks about your manager or a colleague on the internet (for example, Facebook), you may be in breach of this Code of Conduct.

4.1.2.10 Fairness to suppliers

You must comply with the procedures and delegations of authority for various stages of procurement when seeking suppliers for goods or services.

If you have been approved to be involved in offering contracts or buying goods and services from outside Council, you must be sure you have taken reasonable, fair and consistent steps to allow all potential suppliers to bid for work.

You also need to ensure that you don't incur any liability or enter into any contract on behalf of Council, or alter the terms or conditions of any approved contract, unless you are authorised to do so.

4.1.3 Working with children and young people

The *Working with Children (Risk Management and Screening) Act 2000* (Qld) requires business in regulated employment to have a Code of Conduct for working with children and young people. This Code outlines appropriate standards of behaviour for adults towards children. It serves to protect children and reduce any opportunities for abuse or harm to occur. The Code also assists workers and volunteers by providing guidance on how to best support children and avoid or better manage difficult situations.

For further information on Council's Working with children check requirements, refer to the [Working with children check \(blue card\) procedure \(HRP011b\)](#).

Working with children and young people Code of Conduct statement:

Council aims to be a child-safe organisation and create an environment where everyone feels safe, respected and valued. Council promotes and protects the rights, interests and wellbeing of children and young people in Brisbane, particularly those most vulnerable.

Council supports the rights of children and young people and will act without hesitation to ensure a safe and caring environment is maintained at all times. Council also supports the rights and wellbeing of our workers and encourages active participation in maintaining a secure environment for all participants, including young people who are participants in Council's workforce, such as school-based trainees, apprentices, and students on work experience.

For positions which provide services or activities for children and young people:

- Council will ensure:
 - working with children blue card checks of employees and volunteers are done as required; and
 - procedures are in place to manage any risks of harm to children and young people by Council workers.
- Workplace supervisors of young workers or students (under the age of 18) on work experience may not be required to have a working with children (blue) card. You are responsible for notifying your team leader or manager if your working with children (blue) card lapses or is cancelled.
- If you are a bus operator, you are required to carry your valid Driver Authorisation (DA) card and notify any changes to your DA (e.g., cancellation, suspension) to your supervisor.

Brisbane City Council workers will:

- follow organisational policy and guidelines for the safety of children as outlined in this Code of Conduct and working with children guidelines, as well as all relevant local, state and national laws pertaining to working with children and young people
- treat everyone with respect and honesty (this includes workers, volunteers, students, children, young people and parents)
- be respectful of children's rights, background, culture, religion, politics and beliefs
- set clear boundaries about appropriate behaviour to children in the organisation and community
- always have another adult present or in sight when working with, or in proximity to, children (*Passenger Services employees are required to comply with the Queensland Department of Transport and Main Roads Code of Conduct for School Students Travelling on Buses – Information for Bus Drivers and Council's Bus Operator Handbook*)
- conduct themselves in a manner consistent with their position as a positive role model to children, and as a representative of Council
- report and act on any breaches of these standards of behaviour
- where a child discloses harm to an employee, or where an employee has a suspicion of harm, the employee must report this to Ethical Standards at the earliest opportunity.

Brisbane City Council workers **will not**:

- become involved in inappropriate conversations of a sexual nature, make sexually suggestive comments or expose children and young people to the sexual behaviour of others
- initiate unnecessary physical conduct with children or do things of a personal nature that children can do for themselves
- personally correspond (including email and/or mobile phone) with a child or young person in respect of personal feelings for a child or young person
- spend inappropriate time with a child or young person or show special favours.

All workers who have contact with children and young people must abide by the Code of Conduct.

Where an incident involves a young person who is a Council worker, a manager will make immediate contact with the young person's parent or guardian.

Suspected breaches of the Code will be treated individually and all relevant circumstances will be taken into account. Suspected breaches will be treated in line with the [Managing poor performance and misconduct procedure \(HRP130\)](#). Depending on the severity of the breach, formal disciplinary proceedings may be taken. Matters will be referred to Ethical Standards and the Crime and Corruption Commission as necessary.

4.2 The second principle - Promoting the public good

4.2.1 Ethics value

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public sector entities, public officials and Council workers:

- accept and value their duty to be responsive to both the requirements of government and to the public interest; and

- accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions; and
- accept and value their duty to manage public resources effectively, efficiently, and economically; and
- value and seek to achieve excellence in service delivery; and
- value and seek to achieve enhanced integration of services to better service clients.

4.2.2 Standards of conduct

4.2.2.1 Using Council assets

All workers share the responsibility for looking after Council assets.

If you are in charge of assets you must take good care of them while they are in your possession or use, and ensure they are used economically and efficiently. It is an offence to unlawfully destroy or damage Council property or to misuse, or allow anyone else to misuse, Council assets.

You must make sure assets are secured against theft and properly stored, maintained and repaired.

You must ensure that you use Council assets only for official Council business, unless written approval has been granted by your manager.

If you use a Council vehicle, you must not use it for private or non-official purposes, unless in circumstances specifically allowed by Council or you have prior written approval from your manager.

You must abide by Council's security procedures and rules for:

- accessing Council's assets and
- obtaining and displaying security photo ID cards.

You must not allow anyone else unauthorised access to Council assets.

You are not to access or disclose any information about customers unless you are carrying out official Council business.

You must return all Council assets and all work-related documents when your employment ends with Council.

4.2.2.2 Using Council's ICT assets

Any file stored on or information accessed using Council's ICT assets is discoverable by Council. All devices (including personal ICT devices) or systems connected to Council's corporate ICT network may be subject to scrutiny.

- You can use Council's ICT assets for:
 - accessing data, information, websites, etc. for official purposes and as necessary where it supports or informs the work you do
 - limited personal use in accordance with the [Acceptable Access and Use of ICT procedure](#), providing you comply with Council's rules and guidelines about acceptable use of ICT and social media. Limited personal use means use that is infrequent and brief, and is performed during your non-paid time, that is, before and after work and during lunch breaks. Refer to section 3, Definitions for more information.
- You can use Council's telephones and telecommunication devices/applications for messaging and making local calls that you cannot make conveniently outside working hours on a reasonable basis.
- You must not use Council's ICT assets to:
 - store large quantities of personal data or photos or non-work documents
 - download, stream or store music, movies, video clips, pictures, or other material not associated with your work
 - make unauthorised copies of software, music, videos, games, etc.
 - introduce, download or use unauthorised software
 - access or circulate inappropriate material.

- You can connect a personal ICT device (e.g., mobile phones) to a Council ICT asset to charge the device only, if you adhere to the requirements outlined in the Acceptable access and use of ICT procedure (ICT30).
- If you telecommute or work from a remote location, you must use a Council-authorised telecommuting or remote working solution or service.
- You must not transfer, download or store Council's electronic files to or in, a non-Council location, e.g., on a home computer, personal email account, personal USB device, personal ICT device.
- You must adhere to Council's security requirements and not attempt to bypass or modify any protection, restriction or security measure put in place by Council or authorised third parties.

4.2.2.3 Public money

You must maintain high standards of accountability if you collect and use public money.

You are not to borrow or use Council money for private purposes. This also applies to items such as corporate credit cards, taxi vouchers and public transport ticketing cards.

4.2.2.4 Intellectual property

You must obtain written approval before arranging to publish or disclose any articles or materials you produced as part of your official duties. Any original work, invention or product you contributed to in association with your work remains Council property.

Similarly, you must not publish or disclose any matters relating to Council's intellectual property without appropriate authority.

This does not stop you from sharing with other organisations information relating to your official duties. However, if you do, you must make sure you do not breach the confidentiality of Council information, its employees or its clients, or compromise Council's intellectual property rights.

You must also respect the intellectual property rights of individuals and organisations outside Council. For example, you must not copy, quote or reproduce their work unless they have given you permission to do so. Where you make reference to the work of others, you must cite or acknowledge the source.

You must not infringe copyright law including the intellectual property of any individual or organisation. For example, you must not store or copy audio, video or image files, printed media and software without appropriate license or approval on Council assets.

4.2.2.5 Customer service

All Council workers are energised and proud to serve customers. We are a trusted Council and take responsibility to deliver on promises, while treating members of the public with honesty, fairness, sensitivity and dignity.

Our customers have strong voices, so they have a right to complain or criticise Council. We value customer feedback. It is important to make all reasonable efforts to help customers lodge complaints.

At Council, we are one team working together to provide seamless service. It is important to know there is support available if you are unsure of how to deal with difficult situations and difficult people. If you think a situation is threatening or intimidating, you are entitled to withdraw. If in doubt, ask for help from a more experienced colleague, or a team leader/supervisor. Council will support any employee who believes they are under threat from a member of the public.

4.2.2.6 Concern for the environment

One of the key themes for the [Brisbane Vision 2031](#) is growing a clean, green city. We all share the responsibility to protect our natural environment, creating healthy surroundings for our community, and for managing the impacts of air, water, land and noise pollution. This includes individual responsibility for our own actions (e.g., taking care in disposing of waste and using and storing chemicals, reducing energy consumption and waste in our workspaces where we can, and applying high standards for environmental protection across the region).

4.2.2.7 Community engagement

Council's [Brisbane Vision 2031](#) strongly articulates Council's intent to engage the community on major issues affecting the future of the city and activities that have significant impacts on neighbourhoods.

It is essential that Council has a consistent approach to community engagement and that it uses effective engagement practices. Any engagement undertaken by Council needs to be conducted in a meaningful way so that the community is clear about what it is able to influence and knows that its interests have been considered in the planning process. Wherever possible, you are expected to provide community members with feedback on how their input has influenced Council's decisions. This will help to increase their trust in Council generally and maintain their involvement in future Council engagement activities.

Council has a [Community Engagement policy](#) and guidelines for consistent and effective engagement practices. You are expected to comply with these when engaging with the community to augment Council's decision-making processes and to ensure that decisions are made in the public interest.

4.2.2.8 Working with other government agencies

Brisbane City Council aims to conduct its business with the best interests of the organisation and the community it serves. Building effective formal partnerships and leveraging informal networks with other government agencies, community and industry stakeholders are crucial to achieving our [Brisbane Vision 2031](#). Below is a set of guidelines Council workers can refer to when undertaking their duties in dealing with federal government, state government and other government agencies.

- (1) You must first and foremost represent the interests and contribute to the achievement of Brisbane City Council's strategic goals. As a Council worker, you must carry out your duties with the best interests of Brisbane City Council in mind.
- (2) You must obtain approval from your manager and inform the relevant Chair before dealing with other government agencies on significant matters. These matters include:
 - entering into formal agreements
 - advising on Council's strategic position that has not been formally adopted by full Council
 - dealing with significant operational matters (examples of significant operational matters include (but are not limited to) core services that relate to Council's statutory obligations, capital projects above \$500,000 and services that have high community usage and/or are of significant public interest), and/or
 - sharing or disclosing Council information that is commercial-in-confidence and/or not publicly available.

These principles do not cover every situation and you are advised to seek guidance from your supervisor when dealing with a particular issue or operational matter of which you may be uncertain.

4.3 The third principle - Commitment to the system of government

4.3.1 Ethics value

In recognition that public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public sector entities, public officials and Council workers:

- accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and local government; and
- are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
- accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.

This does not limit the responsibility of a public sector entity or public official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the entity or official.

4.3.2 Standards of conduct

4.3.2.1 Acting within the law

As a worker of Council, you are expected to comply with:

- the Code of Conduct
- the *City of Brisbane Act 2010* (Qld) and *City of Brisbane Regulation 2012* (Qld)
- Council ordinances and local laws
- Council's corporate rules, which include policies, procedures and guidelines, as they may change from time to time
- all relevant State and Commonwealth legislation
- specific legislation relating to your employment, e.g., road rules.

In accordance with section 15 of the *City of Brisbane Act 2010* (Qld), all employees of Council have the following responsibilities:

- (a) *implementing the policies and priorities of the council in a way that promotes—*
 - (i) *the effective, efficient and economical management of public resources; and*
 - (ii) *excellence in service delivery; and*
 - (iii) *continual improvement;*
- (b) *carrying out their duties in a way that ensures the council—*
 - (i) *discharges its responsibilities under this Act; and*
 - (ii) *complies with all laws that apply to the council; and*
 - (iii) *achieves its corporate plan;*
- (c) *providing sound and impartial advice to the council;*
- (d) *carrying out their duties impartially and with integrity;*
- (e) *ensuring their personal conduct does not reflect adversely on the reputation of the council;*
- (f) *improving all aspects of their work performance;*
- (g) *observing all laws relating to their employment;*
- (h) *observing the ethics principles under the Public Sector Ethics Act 1994, section 4;*
- (i) *complying with a code of conduct under the Public Sector Ethics Act 1994.*

If you think that a direction may be in breach of the law, you have the right and responsibility to respectfully question how you do your work, particularly if you think there is an imminent risk to the safety of yourself or others.

You are responsible for advising your divisional or executive manager if you are charged, or about to be charged, of the outcome of:

- a summary offence relating to your employment with Council; or
- an indictable offence, whether or not that offence relates to your employment with Council, you must immediately report the circumstances to your divisional or executive manager.

If you uncover evidence or have reasonable suspicion there is corrupt conduct, you must notify your divisional or executive manager or Ethical Standards at the earliest opportunity.

4.3.2.2 Raising concerns

You have the right to comment on or raise concerns about Council policies or practices where they impact on your work. However, you must do this in a reasonable, constructive way and take responsibility for your comments and views. You are required to comply with any lawful management direction, except where there is an imminent risk to safety.

If you think there is a better way of doing something, you have the right and responsibility to respectfully question how you do your work. When you have raised your suggestion or concern you are required to work as directed by your supervisor, except where there is an imminent risk to safety. If the matter cannot be resolved within the workgroup, it should be immediately referred to your manager.

When raising complaints or grievances, employees are expected to act with honesty and in good faith. Complaints that are considered vexatious or frivolous will not be progressed, and the employee will be managed in accordance with the [Managing poor performance and misconduct procedure \(HRP130\)](#) and procedures dealing with vexatious and frivolous complaints.

4.3.2.3 Handling information

In accordance with section 197(5) of the *City of Brisbane Act 2010* (Qld), you must not release information that you know, or should reasonably know, is information that:

- (a) is confidential to Council; and
- (b) Council wishes to keep confidential.

You must respect the copyright, trademarks and patents of your suppliers. You must not reproduce or quote suppliers' material unless your license specifically allows it. See sections 4.2.2.4 and 4.4.2.3 of this Code.

This obligation survives after you leave Council's employment or your contract for services ends.

4.3.2.4 Advice given to elected officials

Council must give elected officials (Councillors) advice that is thorough, responsive and unbiased so that Councillors can make decisions and carry out their community responsibilities. If you are unsure on how to respond to a Councillor, discuss this with your team leader/manager or refer to the [Acceptable requests guidelines \(AP038\)](#).

If you believe there is conflict between a request from an elected official and Council policies, discuss this with your team leader/supervisor.

4.4 The fourth principle - Accountability and transparency

4.4.1 Ethics value

In recognition that public trust in public office requires high standards of public administration, public sector entities and public officials:

- are committed to exercising proper diligence, care and attention; and
- are committed to using public resources in an effective and accountable way; and
- are committed to managing information as openly as practicable within the legal framework; and
- value and seek to achieve high standards of public administration; and
- value and seek to innovate and continuously improve performance; and
- value and seek to operate within a framework of mutual obligation and shared responsibility between public sector entities and public officials.

4.4.2 Standards of conduct

4.4.2.1 Diligence, care and attention

Council aims to conduct its business with integrity, honesty and fairness, and to achieve the highest standards in service delivery. You contribute to this aim by carrying out your duties honestly, responsibly, in a conscientious manner, and to the best of your ability. This includes:

- giving priority to official duties over personal activities during work time
- truthfully recording work and leave periods
- helping Council achieve its mission and goals by acting to improve systems and practices
- conducting yourself in a way so others gain confidence and trust in the way Council does business
- not allowing your conduct to distract or prevent others from working
- not exposing Council to a judgment for damages against it, as a result of your negligence or breach of any law or ordinance
- ensuring that you carry out your work diligently, accurately, and to the required performance standards and timeframes
- proactively seeking assistance if you are experiencing difficulties with your work
- ensuring your personal conduct does not reflect adversely on Council's reputation.

If you are responsible for managing or supervising others, you must also ensure that:

- you model the values and principles outlined in this Code, and ensure that workers within your area of responsibility understand and comply with the Code
- you do not come under a financial obligation to any worker you supervise or manage
- your work and the work of those you supervise contributes to the achievement of Council's goals
- employee performance is monitored and individuals are given constructive and regular feedback on their performance in line with procedures
- where practicable, employees are given training opportunities to assist them in developing their careers
- workloads are fairly distributed
- resourcing for a work team is neither excessive nor inadequate for the job
- workers who collect, handle or disburse public money are properly supervised
- employee work times, overtime, allowances and absences are correctly recorded on time/flex sheets and pay summary reports, and time is accurately costed
- you do not exercise your delegations until you have considered all the necessary information and you are satisfied that all legislative or procedural requirements are met.
- appropriate action is taken if breaches of this Code occur.

4.4.2.2 Attendance at and absence from duty

You are expected to follow Council employment and working arrangements, agreements and rulings on attendance at work and leave. This includes notifying your team leader/supervisor of any unscheduled absences prior to the beginning of your shift (where practicable), not being absent without approval.

Absence without approval and without reasonable excuse can create concerns for your safety and unproductive time for others, and may result in deductions in salary/pay for the period of absence and/or possible disciplinary action.

4.4.2.3 Confidentiality

Council possesses information about individuals, businesses and commercial issues which is private and sensitive, and which could be harmful if released. Workers must only access information and records they require in the course of their Council duties. Workers must keep this information confidential at all times.

You can maintain confidentiality by:

- taking care about discussing work matters with anyone not entitled to know such information
- taking responsibility to protect confidential files and information
- not sharing your access to Council system accounts with others, this includes keeping your Council ICT system password confidential
- handling and using Council and customer information, in accordance with its information security label, and
- referring all media enquiries to your team leader or manager or City Communication.

In accordance with section 197(3) of the *City of Brisbane Act 2010* (Qld), you must not use information acquired as a Council worker to gain (directly or indirectly) an advantage for yourself or someone else, or cause detriment to Council. This obligation continues after you leave Council's employment or your contract for services ends.

4.4.2.4 Privacy

You are expected to take all reasonable and appropriate steps to protect the privacy of individuals having regard to the requirements of the *Information Privacy Act 2009* (Qld), including the Information Privacy Principles in this Act. Accordingly, you must:

- respect and protect individuals' personal information
- use personal information only for the purpose for which it was collected
- not disclose personal information to other sections of Council unless the individual has expressly or impliedly agreed to that use of the information

- not disclose personal information to external organisations except where there is a legislative requirement to do so or where it is contracted as part of a service being performed on Council's behalf.

4.4.2.5 Continuing development

You are expected to maintain and improve your work performance and that of your work unit in the delivery of customer service. You have a continuing responsibility to maintain and enhance your skills and expertise and keep up to date the knowledge associated with your area of work. Council will assist you by providing equitable access to training and development opportunities.

4.4.2.6 Workplace health and safety

We are all committed to Zero Harm in the way we conduct our business and Council activities. You must take reasonable steps to ensure your own safety, health and welfare in the workplace. You also have a duty of care to both fellow workers and members of the public. This duty of care extends to both psychological and physical health and wellbeing.

We must all:

- identify hazards and manage risks to health and safety
- attend work fit and able to engage in Council activities safely
- demonstrate behaviour in the workplace which ensures work is performed in a safe and effective manner
- perform all work safely and follow safe work practices
- use personal protective equipment, if required
- report any incidents or hazards immediately and support investigations
- take corrective action to make the workplace or work activities safe and implement improvements.

We must keep the workplace drug and alcohol-free to maintain the trust and confidence of customers and the health and safety of all workers. The use of drugs or alcohol adversely affects productivity, attendance and on-the-job safety.

Accordingly, Council has a framework for the management and control of the risks associated with the effects of drugs and alcohol in the workplace. This ensures all Council workers are fit and able to engage in Council activities safely in accordance with Zero Harm principles. You must be aware of and adhere to Council's requirements relating to drugs and alcohol (refer to [Managing drugs and alcohol in the workplace procedure \(HRP151\)](#) and [Drug and alcohol management procedure \(Bracalba and Mt Coot-tha Quarries\) \(HRP150\)](#)).

You must not:

- use, possess or be under the influence of drugs or possess drug related utensils or paraphernalia while on duty or in the workplace
- exceed the breath alcohol concentration and cut-off limits for drugs as outlined in [Managing drugs and alcohol in the workplace procedure \(HRP151\)](#) or the [Drug and alcohol management procedure \(Bracalba and Mt Coot-tha Quarries\) \(HRP150\)](#) while on duty or in the workplace
- consume alcohol while on duty or in the workplace
- gamble or bet on Council premises (except for authorised sweeps and tipping competitions)
- smoke or vape (using electronic cigarettes) in Council buildings, offices or vehicles.

For further information refer to [Drugs and alcohol testing](#), the [Managing drugs and alcohol in the workplace procedure \(HRP151\)](#), the [Drug and alcohol management procedure \(Bracalba and Mt Coot-tha Quarries\) \(HRP150\)](#) and [Managing employees who smoke](#).

4.5 Breaches of the Code of Conduct

A breach of the Code of Conduct damages business, public and work relationships. Any act or lack of action that contravenes the Code may be a breach of Council ordinances and local laws. Suspected breaches will be treated individually, and all relevant circumstances will be taken into account.

Suspected breaches by employees will be managed in line with the [Managing poor performance and misconduct procedure \(HRP130\)](#). Depending on the severity of the breach, formal disciplinary action

may be taken in accordance with the *City of Brisbane Act 2010* (Qld) and Council ordinances and local laws.

Council has identified a number of matters that are reportable matters. The following matters must be reported to Ethical Standards for assessment, and the Crime and Corruption Commission as necessary.

- Corrupt conduct or suspected corrupt conduct (refer to section 3, Definitions)
- Allegations that an employee has carried out official duties in a way that lacks honesty and impartiality; or breaches the community's trust; or involves an improper use of official information.
- Any action that is deemed to be a criminal offence, or an act which, if established, would reasonably warrant dismissal from Council's employment. Examples are stealing Council property or a customer's property; accepting a bribe; fraud; assault of a co-worker or customer; disclosing confidential information.

You may be suspended from duty in line with Council's [suspension protocol](#):

- if there is suspected misconduct, including corrupt conduct
- while an investigation is progressed
- while charges are determined by the relevant court.

Suspension from duty will be on full pay, in accordance with the *City of Brisbane Act 2010* (Qld).

Any subsequent disciplinary action will be in accordance with the [Managing poor performance and misconduct procedure \(HRP130\)](#).

4.6 If you have a concern

The *Public Interest Disclosure Act 2010* (Qld) and the *Public Sector Ethics Act 1994* (Qld) aim to create a work environment where public sector employees understand and maintain appropriate standards of conduct.

If you have a concern, or suspect a breach of the Code involving one or more Brisbane City Council workers, the *Public Interest Disclosure Act 2010* (Qld) gives you the right and the protection to report issues using:

- internal channels (e.g., team leader, divisional or executive manager, Chief Executive Officer, Ethical Standards or contact officer)
- external channels (e.g., Crime and Corruption Commission, Queensland Human Rights Commission, Queensland Ombudsman).

4.7 The FAIR test

Good decision making is FAIR decision making and should be at the heart of all we do in Council. As part of your decision-making process, ask yourself:

- 1) Am I being **F**air?
Are my actions lawful and will they withstand scrutiny, reflect community expectations and align with Council's values?
- 2) Am I being **A**ccountable?
Am I taking responsibility for my behaviour and using sound judgement?
- 3) Am I acting with **I**ntegrity?
Are my actions in line with the Code of Conduct and promote confidence without bias?
- 4) Have I taken the time to **R**eflect?
What, if anything, should I do differently throughout my decision-making process?

4.8 Considering human rights

The *Human Rights Act 2019* (Qld) requires Council to act compatibly with human rights and to give consideration to human rights before making a decision. The human rights are outlined in the *Human Rights Act 2019* (Qld) under sections 15 to 37.

In order for a decision, policy or action to be compatible with human rights, it:

- cannot limit a human right; or
- can limit a human right only to the extent that it is considered reasonable and demonstrably justified in the circumstances.

All Council workers should ensure they are familiar with the relevant human rights when performing their role. Additionally, when taking an action or making a decision, ensure the following steps are demonstrated.

Step 1: Identify relevant rights

Consider whether any of the human rights protected under the *Human Rights Act 2019* (Qld) are relevant to the circumstances (rights may be broader than they seem).

Step 2: Consider the impact

Will your action or decision limit or restrict any of the rights identified?

If yes, then consider Step 3.

Step 3: Is the limitation reasonable and justified

Consider:

- Is there a law or regulation that allows you to limit a person's rights?
- What is the purpose of the limitation?
- Will your action or decision effectively achieve this purpose?
- Is this the least restrictive way to achieve your purpose?
- Do the benefits outweigh the harm caused by the limitation?

If the action or decision limits a human right, but it is considered compatible in the circumstances, you will be required to document your decision-making process.

If the action or decision appears incompatible, make modifications, and then reassess compatibility. The application of Council's FAIR test may also assist in when considering taking an action or making a decision.

5 AUTHORITY

- EMT 14 July 2021
- JCC 2 September 2021

6 PROCEDURE OWNER

Chief Human Resources Officer

7 FILE REFERENCE

Council File 6/3/2

8 FURTHER ASSISTANCE

If you read the Code and are still unsure of how it applies to you, it is important that you discuss this with your manager, team leader, executive or divisional manager. In most cases, they will be able to answer your enquiries.

If you have concerns about approaching any of these people, contact the next most senior person in your area. You might wish to contact your union representative or one of the following:

- Ethical Standards
- HelpPhone 3407 1111>2

9 RELATED INFORMATION – ETHICAL ISSUES AND CONTACTS

Acting lawfully and complying with lawful instructions

- Employee Relations
- City Legal for *City of Brisbane Act 2010* (Qld) and *City of Brisbane Regulations 2012* (Qld)
- [Local laws](#)

Non-discriminatory workplace

- [Workplace bullying, sexual harassment and discrimination prevention procedure \(HRP149\)](#)
- [Grievance procedure \(HRP146\)](#)

- [Resolving grievances](#)
- City Legal for *Anti-Discrimination Act 1991* (Qld)

Application of equity and diversity principles

- [Equity, diversity and inclusion](#) intranet page
- [Recruitment and selection procedure \(HRP001\)](#)
- *Anti-Discrimination Act 1991* (Qld)
- *City of Brisbane Act 2010* (Qld)
- *Human Rights Act 2019* (Qld)
- *Disability Discrimination Act 1992* (Cth)
- *Racial Discrimination Act 1975* (Cth)

Workplace bullying and sexual harassment

- [Workplace bullying, sexual harassment and discrimination prevention procedure \(HRP149\)](#)
- [Grievance procedure \(HRP146\)](#)
- *Industrial Relations Act 2016* (Qld)
- *Fair Work Act 2009* (Cth)

Information and options for resolving workplace conflicts and harassment issues

- [Contact officers](#)

Intellectual property

- [Intellectual Property policy \(AP085\)](#)
- [Intellectual Property guidelines \(AP086\)](#)

Information privacy principles

- [Privacy Policy \(AP174\)](#)
- *Information Privacy Act 2009* (Qld)
- *Privacy Act 1988* (Cth)

Equity of access to Council expenditure

- [Legal, finance and procurement](#)

Conflicts of interest

- Section 175(3) of the *City of Brisbane Act 2010* (Qld)

Gifts, gratuities and benefits

- [Receipt of Gifts, Gratuities and Benefits procedure \(AP208\)](#)

Leaving the organisation

- [Security procedure \(AP192\)](#)

Public comments on Council business

- [Media Relations procedure \(CC008\)](#)

Using Council's ICT Assets, limited personal use

- [Acceptable Access and Use of ICT procedure \(ID30\)](#)
- [Acceptable usage of the internet procedure \(ICT21\)](#)
- [Information asset and recordkeeping policy \(ICT23\)](#)
- [Social Media procedure \(CC002\)](#)
- [Personal social media usage guidelines](#)
- [Good recordkeeping](#)

Concern for the environment

- [Environmental policy \(EM001\)](#)

Self-development obligations

- [Performance leadership site](#)

Workplace health and safety

- [Wellness, Safety and Health site](#)
- *Work Health and Safety Act 2011* (Qld)
- [Managing employees who smoke](#)
- [Drug and alcohol management procedure \(Bracalba and Mt Coot-tha quarries\) \(HRP150\)](#)
- [Managing drugs and alcohol in the workplace \(HRP151\)](#)

Use of vehicles for non-official purposes

- [Procedure for the Use of Council Vehicles \(AP036\)](#)

Breaches of this Code

- [Managing Poor Performance and Misconduct procedure \(HRP130\)](#)
- [City Legal](#) for *City of Brisbane Act 2010* (Qld) and *City of Brisbane Regulations 2012* (Qld)
- [Local laws](#)

Disclosures under the *Public Interest Disclosure Act 2010* (Qld)

- [City Legal](#)
- [Ethical Standards](#)

10 REVIEW DATE

July 2024

Last reviewed July 2021



CODE OF CONDUCT FOR ELECTED OFFICIALS

Adopted by City Council

Resolution No. 15-2004

March 2, 2004

City of Evans Code of Conduct for Elected Officials

The Three Rs of Evans Government Leadership: Roles, Responsibilities and Respect

The City Charter provides detailed information on the roles and responsibilities of Council members, the Mayor Pro-Tem, and the Mayor. The City's Code of Ethics provides guidance on ethical issues and questions of right and wrong. Until now, what has not been clearly written down is a Code of Conduct for Evans' elected officials.

This Code of Conduct is designed to describe the manner in which Council members should treat one another, city staff, constituents, and others they come into contact with in representing the City of Evans. It reflects the work of the City Council with defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. The City Council also considered a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The contents of this Code of Conduct includes:	Page
• Overview of Roles & Responsibilities	2
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• How Governing Body Members Can Govern Better	13
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The constant and consistent theme through all of the conduct guidelines is "respect." Council members experience stress in making decisions that impact the lives of the citizens. At times, the impacts of the entire community must be weighed against the impact of only a few. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Council members to do the right thing in even the most difficult situations.

Overview of Roles & Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in the Evans City Charter, Evans Municipal Code and in the Handbook for Municipal Elected Officials, published by the Colorado Municipal League.

MAYOR

- Elected “at-large” for a two year term (Evans City Charter, Section 3.4)
- Recognized as head of the City Government for all ceremonial purposes (Evans City Charter, Section 3.9)
- Preside over meetings of the City Council (Evans City Charter, Section 3.9)
- Has same speaking and voting rights as any other member (Evans City Charter, Section 3.9)
- Shall in no case have the power to veto (Evans City Charter, Section 3.9)
- Executes and authenticates legal instruments requiring signature (Evans City Charter, Section 3.9)
- Shall be the conservator of peace, and in emergencies may exercise within the City the powers conferred by the Governor of the State of Colorado for purposes of military law, and shall have the authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the City and to suppress riot and disorder (Evans City Charter, Section 3.9)
- Leads the Council into an effective, cohesive working team.

MAYOR PRO-TEM

- Elected by the City Council at the first meeting following their election (Evans City Charter, Section 3.9)
- Performs the duties of the Mayor if the Mayor is absent or disabled (Evans City Charter, Section 3.9)

ALL COUNCILMEMBERS

All members of the City Council, including the Mayor and Mayor Pro-Tem, have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

All Council members should:

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of meetings and be familiar with issues on the agenda
- Represent the City at ceremonial functions at the request of the Mayor
- Be respectful of other people’s time. Stay focused and act efficiently during public meetings.

- Serve as a model of leadership and civility to the community
- Inspire public confidence in Evans government
- Provide contact information with the City Clerk in case of an emergency or an urgent situation arises while the Councilmember is out of town
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities

Policies & Protocol Related To Conduct

Ceremonial Events

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor Pro-Tem will be recommended to serve as the substitute. Invitations received at City Hall are presumed to be for official City representation. Invitations addressed to Council members at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Council members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor or the appropriate City staff. If correspondence is addressed only to one Councilmember, that correspondence will be shared with the rest of the Council.

Endorsement of Candidates

Council members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings or functions.

Intergovernmental Relations

The Council values intergovernmental relations with neighboring communities and other entities. As a result, Council members should make a concerted effort to attend scheduled meetings with other entities to further promote intergovernmental relations.

Legislative Process

The City generally follows Roberts Rule of Order for meeting management.

Public Meeting Hearing Protocol

The Mayor will open the public hearing. Staff will make the initial presentation. The applicant or appellant shall have the right to speak first. The Mayor will determine the length of time allowed for this presentation. Speakers representing pro points of view will be allowed to follow. Speakers representing opposing points of view will then follow. The Mayor will determine how much time will be allowed for each speaker, with 3 to 5 minutes the standard time granted. The Mayor will then ask the Council if any issues need clarification before the public hearing is

closed. The Mayor has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly. Council members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Council members are not appropriate until after the close of the public hearing. Council members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Main motions may be followed by amendments, followed by substitute motions. Any Councilmember can call for a point of order. Only Council members who voted on the prevailing side may make motions to reconsider.

Travel Expenses

The purpose of this regulation is to establish the policies and procedures for Council members who travel on official City business either in-state or out-of-state. Such travel shall include attendance at conferences, seminars, and training sessions on behalf of the City. The City shall pay reasonable expenses for registration fees, lodging, meals, transportation, and all allowable miscellaneous expenses for the Council member only. All travel expenses will be handled in the same manner and consistent with the provisions within the City's Employee Handbook.

Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

- **Practice civility, professionalism and decorum in discussions and debate**

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Council members should conduct themselves in a professional manner at all times, including dress.

- **Honor the role of the Mayor in maintaining order**

It is the responsibility of the Mayor to keep the comments of Council members on track during public meetings. Council members should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

- **Avoid personal comments that could offend other Council members**

If a Councilmember is personally offended by the remarks of another Councilmember, the offended Councilmember should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Councilmember to justify or apologize for the language used. The Mayor will maintain control of this discussion.

- **Demonstrate effective problem-solving approaches**

Council members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

- **Be punctual and keep comments relative to topics discussed**

Council members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Council members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discussed scheduled issues.

IN PRIVATE ENCOUNTERS

- **Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

- **Be aware of the insecurity of written notes, voicemail messages, and e-mail**

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this e-mail message was forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

- **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

- **Limit contact to specific City staff**

Questions of City staff and/or requests for additional background information should be directed to the City Manager, City Attorney, or Department Heads. The City Manager should be copied on or informed of any request.

Requests for follow-up or directions to staff should be made only through the City Manager or the City Attorney when appropriate. When in doubt about what staff contact is appropriate, Council members should ask the City Manager for direction. Materials supplied to a Councilmember in response to a request will be made available to all members of the Council so that all have equal access to information.

- **Do not disrupt City staff from their jobs**

Council members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

- **Never publicly criticize an individual employee**

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

- **Do not get involved in administrative functions**

Council members must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. The Evans City Charter, Section 4.6, also contains information about the prohibition of Council interference in administrative functions.

- **Check with City staff on correspondence before taking action**

Before sending correspondence, Council members should check with City staff to see if an official City response has already been sent or is in progress.

- **Do not attend meetings with City staff unless requested by staff.**

Even if the Councilmember does not say anything, the Councilmember's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

- **Limit requests for staff support**

All mail for Council members is opened by the City Clerk. Mail addressed to the Mayor is reviewed first by the City Manager who notes suggested action and/or follow-up items.

Requests for additional staff support – even in high priority or emergency situations -- should be made to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

- **Do not solicit political support from staff**

Council members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Council Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Council members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- **Be welcoming to speakers and treat them with care and gentleness**

Speaking in front of Council can be a difficult experience for some people. Some issues the Council undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

- **Be fair and equitable in allocating public hearing time to individual speakers**

The Mayor will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three-minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Mayor reopens the public hearing for a limited and specific purpose.

- **Give the appearance of active listening**

It is disconcerting to speakers to have Council members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

- **Ask for clarification, but avoid debate and argument with the public**

Only the Mayor – not individual Council members -- can interrupt a speaker during a presentation. However, a Councilmember can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

- **No personal attacks of any kind, under any circumstance**

Council members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

- **Follow parliamentary procedure in conducting public meetings**

The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, subject to the appeal of the full Council.

IN UNOFFICIAL SETTINGS

- **Make no promises on behalf of the Council**

Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

- **Make no personal comments about other Council members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council members, their opinions and actions.

- **Remember that despite its impressive population figures, Evans is a small community at heart**

Council members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Evans. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Council Conduct with Other Public Agencies

- **Be clear about representing the City or personal interests**

If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state:

- 1) if his or her statement reflects personal opinion or is the official stance of the City;
- 2) whether this is the majority or minority opinion of the Council. Even if the Councilmember is representing his or her own personal opinions, remember that this still may reflect upon the City as an organization.

If the Councilmember is representing the City, the Councilmember must support and advocate the official City position on an issue, not a personal viewpoint.

If the Councilmember is representing another organization whose position is different from the City, the Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Council members should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

- **Correspondence also should be equally clear about representation**

City letterhead may be used when the Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed as part of the permanent public record.

It is best that City letterhead not be used for correspondence of Council members representing a personal point of view, or a dissenting point of view from an official Council position.

Council Conduct With Boards and Commissions

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- **If attending a Board or Commission meeting, be careful to only express personal opinions**

Council members may attend any Board or Commission meeting, which are always open to any member of the public. However, if the Board or Commission is conducting a public hearing, the Councilmember shall remove themselves from the proceedings. Council members should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council. Also, a Councilmember's presence may affect the conduct of the Board or Commission and limit their role and function.

- **Limit contact with Board and Commission members**

It is inappropriate for a Councilmember to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. Council members should contact staff in order to clarify a position taken by the Board or Commission.

- **Remember that Boards and Commissions serve the community, not individual Council members**

The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to individual Council members, nor should Council members feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

- **Be respectful of diverse opinions**

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers must be fair and respectful of all citizens serving on Boards and Commissions.

- **Keep political support away from public forums**

Board and Commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Council members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Councilmember.

- **Inappropriate behavior can lead to removal**

Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council and the individual is subject to removal from the Board or Commission.

Council Conduct with The Media

Council members may be contacted by the media for background and quotes.

- **The best advice for dealing with the media is to never go "off the record"**

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

- **The Mayor is the official spokesperson for the representative on City position.**

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.

- **Choose words carefully and cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Sanctions

- **Public Disruption**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

- **Inappropriate Staff Behavior**

Council members should refer to the City Manager any City staff who do not follow proper conduct in their dealings with Council members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions.

• **Council members Behavior and Conduct**

City Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

Council members should point out to the offending Councilmember infractions of the Code of Ethics or Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro-Tem.

It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

If violation of the Code of Ethics or Code of Conduct is outside of the observed behaviors by the Mayor or Council members, the alleged violation should be referred to the Mayor. The Mayor should ask the City Manager and/or the City Attorney to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Council to consider in a public meeting; or forming a Council ad hoc subcommittee to review the allegation; the investigation and its findings, as well as to recommend sanction options for Council consideration.

Principles of Proper Conduct

Proper conduct IS ...

- o Keeping promises
- o Being dependable
- o Building a solid reputation
- o Participating and being available
- o Demonstrating patience
- o Showing empathy
- o Holding onto ethical principles under stress
- o Listening attentively
- o Studying thoroughly
- o Keeping integrity intact
- o Overcoming discouragement
- o Going above and beyond, time and time again
- o Modeling a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals . . . respect for the validity of different opinions . . .
respect for the democratic process . . . respect for the community that we serve.

Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights or good will of others?
 - What are my interior motives and the spirit behind my actions?
 - If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
 - How would my conduct be evaluated by people whose integrity and character I respect?
 - Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
 - Is my conduct fair? Just? Morally right?
 - If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
 - Does my conduct give others reason to trust or distrust me?
 - Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
 - Do I exhibit the same conduct in my private life as I do in my public life?
 - Can I take legitimate pride in the way I conduct myself and the example I set?
 - Do I listen and understand the views of others?
 - Do I question and confront different points of view in a constructive manner?
 - Do I work to resolve differences and come to mutual agreement?
 - Do I support others and show respect for their ideas?
 - Will my conduct cause public embarrassment to someone else?
-

How Governing Body Members Can Govern Better

The following items are taken from the Colorado Municipal League, Handbook for Municipal Elected Officials, and is reprinted from the League of Kansas Municipalities' brochure, "Suggestions for Successful Public Service"

Governing is clearly more of an art than a science. There are no ultimate answers on how to govern; different approaches are to be expected, and probably desired. However, there do seem to be some fundamentals. The suggestions that follow range from practical, common sense fundamentals to those more philosophic and theoretical. These tips for successful and effective public service are intended to assist mayors, council members, and board trustees. While most suggestions relate to individual officers others apply to the governing body as a whole. These two applications, however, are interdependent - the capacity of a governing body to govern effectively is dependent on the collective capacities of at least a majority of its membership. These suggestions are not in any priority order, and not all are universally accepted. All of them, however, are worth consideration by anyone who would serve the public through an elective local office.

1. Learn all you can about your city, its history, its operation, its financing. Do your homework. Know your city ordinances. Dust off your comprehensive plan.
2. Devote sufficient time to your office and to studying the present and future problems of your community.
3. Don't bum yourself out on the little things but recognize that they are often important to the public. Save some energy - and time - for the important matters.
4. Don't act as a committee of one; governing a city requires team effort - practically and legally.
5. Don't let honest differences of opinion within the governing body degenerate into personality conflicts.
6. Remember that you represent all the people of your community, not just neighbors and friends. Be wary of personal experiences coloring your public decisions.
7. Take your budget preparation job seriously, for it determines what your city does or does not do for the coming year and will also influence what happens in future years.
8. Establish policy statements. Written policy statements let the public, and the city staff, know where they stand. They help the governing body govern, and writing them provides a process to develop consensus.
9. Make decisions on the basis of public policy, and be consistent. Treat similar situations similarly, and avoid favoritism.
10. Focus your attention on ways to prevent problems, rather than just trying to solve them as they occur. Filling potholes is one approach to governing; developing plans to prevent them is more important.

11. Don't be misled by the strong demands of special interest groups who want it done now, their way. Your job is to find the long-term public interest of the community as a whole, and you may be hearing from the wrong people.
12. Don't rush to judgment. Few final actions have to be taken at the first meeting at which they are considered. Avoid "crisis management."
13. Don't be afraid of change. Don't be content to just follow the routine of your predecessors. Charge your appointed officers and employees with being responsible for new ideas and better ways. Listen to what they have to say.
14. Don't give quick answers when you are not sure of the real answer. It may be embarrassing to appear ignorant, but it can be more embarrassing, and damaging, to tell a person something which is wrong.
15. As an individual, even if you are the mayor, don't make promises you can't deliver! Most decisions and actions require approval of the governing body, and this takes a majority vote.
16. Remember that you have legal authority as a governing body member only when the governing body is in legal session.
17. Don't spring surprises on your fellow governing body members or your city staff, especially at formal meetings. If a matter is worth bringing up for discussion, it's worth being on the agenda. Surprises may get you some publicity, at the embarrassment of others, but they tend to erode the "team" approach to governance.
18. Participate in official meetings with the dignity and decorum fitting those who hold a position of public trust. Personal dress and courteous behavior at meetings help create an environment for making sound public decisions.
19. Conduct your official public meetings with some formality, and follow rules of procedure. Have an agenda, and follow it. Most governing body members agree that formal meetings expedite the process and promote better decision making.
20. Don't be afraid to ask questions. It is one of the ways we learn. But do your homework by studying agenda material before meetings.
21. Vote yes or no on motions. Don't cop out by abstaining except when you have a conflict of interest. A pass does not relieve you of responsibility when some decision must be made.
22. Once a majority decision of the governing body has been made, respect that official position and defend it if needed, even if you personally disagreed.
23. Respect the letter and intent of the open meetings law, but also keep private and confidential matters to yourself. Don't gossip.
24. Retain competent, key employees, pay them well, trust their professional judgment, and recognize their authority and responsibilities.
25. Don't bypass the system! If you have a manager or other chief administrative officer, stick to policy making and avoid personal involvement in the day-to-day operations of the municipality. If you do not have an administrative officer, make

sure you have some management system that officers, employees, and the public understand.

26. Don't let others bypass the system. Insist that people such as equipment or service suppliers work with your city staff. If direct contact with governing body members is necessary, it should be with the governing body as a whole, or a committee, and not on a one-on-one basis.
27. Don't pass the buck to the staff or employees when they are only following your policies or decisions.
28. Don't always take no for an answer. The right question may be "How can we do this?" instead of "May we do this?" Be positive!
29. Learn to evaluate recommendations and alternative courses of action. Request that your staff provide options. Encourage imaginative solutions.
30. Avoid taking short-term gains at the expense of long-term losses. Be concerned with the long-term future of the city.
31. In determining the public interest, balance personal rights and property interests, the possible harm to a few versus the good of the many. Recognize that in some situations, everyone can't be a winner.
32. Remember that cities are for people! Be concerned with the total development - physical, economic, and social - of your community.
33. Don't act as if the city operates in a vacuum. Cities must work within the intergovernmental system to be effective. Keep in contact and cooperate with your federal, state, county, and school officials.
34. Know your neighbors. Get to know the officials of neighboring and similar size cities. Visit other cities, particularly those with a reputation of being well run.
35. Learn to listen - really listen - to your fellow governing body members and the public. Hear what they are trying to say, not just the words spoken.
36. Keep your constituents informed, and encourage citizen participation.
37. Be friendly and deal effectively with the news media. Make sure what you say is what you mean. Lack of good communication, with the media and the public, can be a major problem for municipal officials.
38. Remember that what you say, privately and publicly, will often be news. You live in a glass house. Avoid over-publicizing minor problems.
39. Expect, and respect, citizen complaints. Make sure that your governing body members and your city, have a way to deal effectively with them. Have a follow-up system.
40. Be careful about rumors. Check them out. Help squelch them when you know they are false.
41. Appoint citizen advisory committees and task forces when you need them, but be prepared to follow their advice if you use them.
42. Take care in your appointments to boards and commissions. Make sure they are willing and capable as well as representative of the whole community.

43. Never allow a conflict of interest to arise between your public duties and your private interests. Be sensitive to actions you take that might even give the appearance of impropriety.
 44. Seek help. Use manuals, guides, and other technical assistance and information available from the Colorado Municipal League and other agencies. Attend workshops and conferences put on for the benefit of you and your city.
 45. Pace yourself. Limit the number of meetings you attend. Set some priorities, including the need to spend time with your family. Recognize that life - and the city - is dependent on a lot of things you have little control over.
 46. Establish some personal goals and objectives. What do you want to help accomplish this year? Next year?
 47. Help develop some short-term and long-term goals and objectives for your city, and check your progress at least every six months,
 48. Similarly, help your city develop a vision of the future. Plan from the future to the present - no vision, no plan. One of the important purposes of a governing body is to establish a vision for the future.
 49. Focus on the future, and try to leave your city better than that which you inherited as a city officer.
 50. Be a leader, as well as part of the team of elected and appointed officials who were selected to make your city an even better place to live.
 51. At least once a year, schedule a governing body discussion about how you are governing. Review the processes and procedures. Sit back and ask, "How are we doing? How can we do things better?"
 52. Be enthusiastic about your public service and the privilege you have, and let the public know it. But maintain your sense of humor. Don't take yourself or the business of government so seriously that you don't enjoy it. It should be fun as well as a rewarding experience.
 53. Celebrate! Always focusing on problems and issues may lead you, the governing body, and the public, to believe that nothing positive ever happens. Good things do happen. Let the public share your successes.
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Glossary of Terms

attitude	The manner in which one shows one's dispositions, opinions, and feelings
behavior	External appearance or action; manner of behaving; carriage of oneself
civility	Politeness, consideration, courtesy
conduct	The way one acts; personal behavior
courtesy	Politeness connected with kindness
decorum	Suitable; proper; good taste in behavior
manners	A way of acting; a style, method, or form; the way in which things are done
point of order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
point of personal privilege	A challenge to a speaker to defend or apologize for comments that a fellow Councilmember considers offensive
propriety	Conforming to acceptable standards of behavior
protocol	The courtesies that are established as proper and correct
respect	The act of noticing with attention; holding in esteem; courteous regard



Council Relations Policy and Code of Ethics

The College Station City Council is the governing body for the City of College Station; therefore, it must bear the initial responsibility for the integrity of governance. The council is responsible for its own development (both as a body and as individuals), its responsibilities, its own discipline, and its own performance. The development of this policy is designed to ensure effective and efficient governance.

This policy will address mayor and council relations, council and staff relations, and council and media relations. By adopting these guidelines for elected officials, we acknowledge our responsibility to each other, to our professional staff, and to the public. The city council will govern the city in a manner associated with a commitment to the preservation of the values and integrity of representative local government and democracy, and a dedication to the promotion of efficient and effective governing. The following statements will serve as a guide and acknowledge the commitment being made in this service to the community:

1. The council has as high priorities the continual improvement of the member's professional ability and the promotion of an atmosphere conducive to the fair exchange of ideas and policies among members.
2. The council will endeavor to keep the community informed on municipal affairs; encourage communication between the citizens and the city council; strive for strong, working relationships among College Station, Brazos County, Bryan, TAMU, and College Station Independent School District elected officials.
3. In its governance role, the council will continue to be dedicated to friendly and courteous relationships with staff, other council members, and the public, and seek to improve the quality and image of public service.
4. The council will also strive to recognize its responsibility to future generations by addressing the interrelatedness of the social, cultural, and physical characteristics of the community when making policies.
5. And finally, each council member will make a commitment to improve the quality of life for the individual and the community, and to be dedicated to the faithful stewardship of the public trust.

Statement of Mission

In order to ensure proper discharge of duties for the improvement of democratic local government, College Station City Council members should display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of College Station and to each other in their relationships.

Section I: Mayor-City Council Relations

A. Mayor's Responsibilities

1. The mayor shall be the presiding officer at all meetings. The mayor pro-tem shall preside in his/her absence.
2. The mayor shall have a voice in all matters before the council and may vote on all agenda items requiring council action.
3. The mayor shall preserve order and decorum and shall require council members engaged in debate to limit discussion to the question under consideration.
4. The mayor is the spokesperson for the council on all matters unless absent, at which time his/her designee will assume the role.
5. The mayor will encourage all council members to participate in council discussion and give each member an opportunity to speak before any member can speak again on the same subject. The mayor may limit each speaker to five minutes to ensure efficient use of time.
6. The mayor is responsible for keeping the meetings orderly by recognizing each member for discussion, limiting speaking time, encouraging debate among members and keeping discussion on the agenda item being considered.
7. Should a conflict arise among council members, the mayor serves as mediator.
8. The mayor is responsible for the orientation of all new council members after an election. The orientation shall include council procedures, staff and media relations, current agenda items and municipal leadership training programs.

B. Council Responsibilities

1. Any council member may request the mayor to place an item on the agenda for discussion. Should staff time be required to address this item, the mayor will canvass all council members to determine the support for commitment of staff time and resources. The same action should be taken by the mayor when council concerns require staff time and budget.
2. Each council member is encouraged to attend at least one Texas Municipal League sponsored conference each year in order to stay informed on issues facing municipalities.

3. It is the responsibility of council members to be informed about previous action taken by the council in their absence. In the case of absence from a workshop session where information is given, the individual council member is responsible for obtaining this information prior to the council meeting when said item is to be voted upon.
4. When addressing an agenda item, the council member shall first be recognized by the mayor, confine himself/herself to the question under debate, avoid reference to personalities, and refrain from impugning the integrity or motives of any other council member or staff member in his/her argument or vote.
5. In the absence of a ruling by the mayor on any procedural matter, a council member may move to change the order of business or make any other procedural decision deemed appropriate. The affirmative vote of a majority of the council members present and voting shall be necessary to approve the motion.
6. Any council member may appeal to the council as a whole from a ruling by the mayor. If the appeal is seconded, the person making the appeal may make a brief statement and the mayor may explain his/her position, but no other member may speak on the motion. The mayor will then put the ruling to a vote of the council.
7. Any council member may ask the mayor to enforce the rules established by the council. Should the mayor fail to do so, a majority vote of the council members present shall require him/her to do so.
8. When a council member is appointed to serve as liaison to a board, the council member is responsible for keeping all council members informed of significant board activities; therefore, regular attendance to the assigned board is of great importance. In the event a council member is absent from three meetings in a twelve month period that are considered unexcused as defined in Ordinance 2406, the City Secretary shall notify the council member by letter requesting an explanation for the absences. After reviewing the explanation for absences, if the City Council finds that the absences are unexcused, the City Council may choose to remove the council member from the assigned board for non-attendance at the board meetings.

C. Code of Conduct for Mayor and Council Members

1. During the council meetings, council members shall preserve order and decorum, shall not interrupt or delay proceedings, and shall not refuse to obey the orders of the mayor or the rules of the council. Council members shall demonstrate respect and courtesy to each other, to city staff members, and to members of the public appearing before the council. Council members shall refrain from rude and derogatory remarks and shall not belittle staff members, other council members, or members of the public.

2. They should not use their position to secure special privileges and should avoid situations that could cause any person to believe that they may have brought bias or partiality to a question before the council.
3. Members of the council will not condone any unethical or illegal activity. All members of the council agree to uphold the intent of this policy and to govern their actions accordingly.

Section II: Council and Staff Relations

No single relationship is as important as that of the council and their city manager in effectively governing the City of College Station. It is for this reason that the council and the city manager must understand their respective roles in that process. The city manager is the primary link between the council and the professional staff. The council's relationship with the staff shall be through the city manager.

1. In order to ensure proper presentation of agenda items by staff, questions arising from council members after receiving their information packet should be whenever possible, presented to the city manager for staff consideration prior to the council meeting. This allows staff time to address the council member's concern and provide all council members with the additional information.
2. The city manager shall designate the appropriate staff member to address each agenda item and shall see that each presentation is prepared and presented in order to inform and educate the council on the issues which require council action. The presentation should be professional, timely, and allow for discussion of options for resolving the issue. The staff member making the presentation shall either make it clear that no Council action is required, present the staff recommendation, or present the specific options for council consideration.
3. The city manager is directly responsible for providing information to all the council concerning any inquiries by a specific council member. If the city manager or his/her staff's time is being dominated or misdirected by a council member, it is his/her responsibility to inform the mayor of the concern (any action necessary is covered under Section I A:7).
4. The city manager will be held responsible for the professional and ethical behavior of himself/herself and the discipline of his/her staff. The city manager is also responsible for seeing that his/her staff also receives the education and information necessary to address the issues facing municipal government.
5. Any conflicts arising between the city staff and the council will be addressed by the mayor and the city manager.
6. All staff members shall show each other, each council member, and the public respect and courtesy at all times. They are also responsible for making objective, professional presentations to ensure public confidence in the process.

7. The city manager, after an election, will make sure that staff has prepared information needed for the orientation of new council members and inform them of any Texas Municipal League conferences and seminars available. The city manager will also be responsible for meeting personally with new members and informing them about city facilities and procedures.

Section III: Council and Media Relations

Since the democratic form of government is only successful when the citizens are kept informed and educated about the issues facing their municipality, it is imperative the media play an important role in the council-manager-media relations. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure fair relationships with print, radio, and television reporters. The council and the city manager recognize that the news media provide an important link between the council and the public. It is the council's desire to establish a professional working relationship to help maintain a well informed and educated citizenry.

1. During the conduct of official business, the news media shall occupy places designated for them or the general public.
2. All reporters will receive an agenda in advance and will be furnished support material needed for clarification if requested.
3. In order to preserve the decorum and professionalism of council meetings, the media are requested to refrain from conversing privately with other people in the audience and to conduct any interviews with the public outside the council chambers while council is in session.
4. Since the government body conducts business differently, it is requested that all reporters new to city council meetings meet with the city manager, mayor, or the media relations representative prior to covering their first meeting to be informed of policies and procedures to help ensure a professional working relationship between the media reporter and the city.
5. On administrative matters, the city manager is the spokesperson, unless he/she has appointed a media relations person to present staff information on the agenda.
6. The mayor, or his/her designee, is the primary spokesperson for the city on matters regarding policy decisions or any council information pertaining to issues on the agenda. In order to ensure fair treatment of an issue, any clarifications requested by the media on the issue should be addressed after the meeting. When opposing positions have been debated, regardless of the outcome, the public is better informed when all sides have adequate coverage by the media. This lets the public know that the item was seriously debated and options discussed before a vote was taken, and helps build confidence in the democratic process.

7. The College Station City Council is made up of six council members and a mayor, each elected by the citizens of College Station. In respect to each council member and his/her constituents, his/her views as presented on an issue before the council should provide equitable representation from all seven members. Even though council members may express differing ideas, equitable representation helps promote unity of purpose by allowing the public to be informed of each member's position during his/her term of office and not only during an election campaign.

We all have the responsibility to protect the integrity of our governing process and therefore, have read and agreed to the above guidelines.

College Station City Council Code of Ethics

The office of elected officials is one of trust and service to the citizens of College Station. This position creates a special responsibility for the College Station city council member. In response to this, the College Station city council is expected to govern this city in a manner associated with a commitment to the preservation of the values and integrity of representative local government and local democracy and a dedication to the promotion of efficient and effective governing. To further these objectives, certain ethical principles shall govern the conduct of every council member, who shall:

1. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the citizens of College Station;
2. Recognize that the chief function of local government at all times is to serve the best interests of all of the people;
3. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;
4. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the council. Do not seek nor accept gifts or special favors; believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest;
5. Recognize that public and political policy decisions, based on established values, are ultimately the responsibility of the city council, and
6. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of College Station. It is recognized that certain exceptions are made by the State for executive sessions; however, any action as a result of that type of meeting will be handled later in open session.

CODE OF CONDUCT AND ETHICS¹

1. Intent.

This Code of Conduct and Ethics ("Ethics Code") is adopted in accordance with Section 3.06 of the Home Rule Charter for the Town of Severance (the "Charter") and is intended to govern the conduct of elected and appointed officials of the Town with respect to conflicts of interest and the performance of their official duties on behalf of the Town and its residents.

2. Purpose.

- A. The Town Council recognizes that the holding of public office is a public trust and that public officials have a fiduciary duty to carry out the responsibilities of their office for the benefit of the Town. The Town Council finds that ethical standards among its members and the members of the Town's boards and commissions are essential to the public affairs of the Town. In pursuit of such goals, the Town Council adopts the following rules, regulations, standards, and procedures as set forth in this Ethics Code.
- B. The purposes of this Ethics Code are to foster public trust and promote public confidence in the integrity of the Town government, and to provide guidance in the event of conflicts of interest to members of the Town Council and to the boards and commissions operating on behalf of the Town. This Ethics Code is further intended to foster public trust by ensuring that government decisions and policy be made in proper channels of the government structure; and by prohibiting the use of public office for private gain.
- C. This Ethics Code establishes guidelines for standards of conduct by setting forth those acts or actions that are incompatible with the best interests of the Town; by directing disclosure of private, financial, or other substantial interests in matters affecting the Town; and by imposing appropriate sanctions upon elected or appointed officials who violate the provisions of this Ethics Code.
- D. While it is critical that elected and appointed officials of the Town follow both the letter and spirit of this Ethics Code, it is equally important that they strive to avoid situations that may create public perceptions of violations of this Ethics Code. Perceptions of such violations can have the same negative impact on public trust as actual violations.

3. Scope of coverage.

The provisions of this Ethics Code shall be applicable to all members of the Town Council and all appointed members of the Town's boards.

4. Definitions.

As used in this Ethics Code, the following terms shall have the following meanings, except where the context clearly requires a different meaning:

"Appear on behalf of" means to act as a witness, advocate, or expert, or otherwise to support the position of another person.

¹ Adopted Feb. 22, 2022, Res. 2022-08R; amended _____, 2022, Res. 2022-15R (adding § 12).

"Board" means the Town planning commission, the Town tree board, and any other appointed board or commission, including advisory and appeal boards, created by ordinance of the Town Council or as set forth in the Town Charter or Town Code.

"Board member" means an appointed regular or alternate member of a Town board.

"Business" means any corporation, limited liability company, trust, partnership, association, sole proprietorship, firm, venture, or other legal entity carrying on a business, whether or not operated for profit.

"Confidential information" means any information that is not available to the general public or is deemed confidential in accordance with local, state or federal law, and which is obtained by reason of a Council member's or board member's official position or under circumstances by which a reasonable person could anticipate that such information not be disclosed. Confidential information shall also include matters discussed in executive sessions; however, information otherwise available to the general public does not become "confidential" merely because it was discussed in executive session.

"Conflict of interest" means a financial interest or personal interest of the Council or board member or of any relative of such member that interferes with or influences or may interfere with or influence the conduct of the duties or the exercise of the powers of the Council or board member on behalf of the Town. The term "conflict of interest" includes the restrictions set forth in Section 6 of this Ethics Code.

"Contract" means an arrangement or agreement, including the bidding or negotiation process therefor, pursuant to which any land, goods, materials, services, or other thing of value is to be furnished to the Town for a valuable consideration to be paid by the Town or is to be sold or transferred by the Town, provided the amount involved is more than one hundred dollars. The term "contract" shall include any subcontract thereof.

"Council" means the Town Council of the Town of Severance.

"Council member" means a member of the Town Council of the Town of Severance, including the Mayor.

"Day" means working days.

"Financial interest" means a pecuniary, property, or commercial interest or any other interest, the primary significance of which is economic gain or the avoidance of economic loss, held by a Council or board member or his or her relative. A "financial interest" includes, without limitation:

1. An ownership interest in a business, including ownership of securities of a corporation, or of any beneficial interest in a business, the aggregate amount of which interest or securities owned by the Council or board member and the Council or board member's relative is five (5) percent or more of any class of securities of such business or five (5) percent or greater ownership in such business;
2. A creditor interest in an insolvent business;
3. Employment or a prospective employment for which negotiations have begun, or a contractual relationship that directly relates to a matter under consideration;
4. An ownership interest in real or personal property;
5. A loan or any other debtor interest; or
6. A position as a director, manager, or officer in a business.

However, the term "financial interest" shall not include any matter involving the common public good or necessity or any matter in which a similar benefit is conferred to all persons or property similarly situated.

"Matter" or "matters" includes, without limitation, any contract, any sale, lease, or purchase of an interest in land, goods, materials, supplies, or services, and any processing or granting of a development right, license, permit, application, inspection, or administrative approval.

"Official act" or "official action" means any vote, decision, discussion, determination, recommendation, approval, disapproval, or other action, including inaction, of any Council or board member or of the Town Council or of any board of the Town.

"Pending" means those matters before the Town for an official act or action. Such matters shall not be considered "pending" if no application or request for such official act or action has been filed with or received by the Town.

"Person" means any individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, limited liability company, partnership, association, or other legal entity.

"Personal interest" shall mean a direct or indirect interest, not shared by the general public, having value peculiar to a particular Council or board member, whether or not the value is related to monetary, financial, commercial, or property matters, which value may accrue to such Council or board member or result in such Council or board member deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order, or other official action, or the performance or nonperformance thereof, by the Town. Personal interest does not include any matter in which a similar benefit is conferred to all persons or property similarly situated to that of the Council or board member.

"Relative" means a Council or board member's spouse, domestic partner, child, parent, brother, sister, any dependent, or any person assuming a relationship being the substantial equivalent of those listed herein. "Domestic partner" shall mean an unmarried adult, unrelated by blood, with whom an unmarried Council or board member has an exclusive, committed relationship, maintains a mutual residence, and shares basic living expenses.

"Town" means the Town of Severance, Colorado, a Colorado home rule municipal corporation.

5. General duties.

All Council and board members have a duty to use their public positions to contribute to the public good. This Ethics Code shall not preclude such persons from acting in any manner consistent with their official duties or from providing assistance or public services to anyone who is entitled to them. All Council and board members, however, also have a fiduciary duty to refrain from using their positions in any manner for personal or private gain or which is detrimental to the public good. Council and board members must be mindful that the appearance of impropriety can be as corrosive of public confidence as an actual impropriety and must strive to avoid situations that may create an appearance of impropriety.

6. Rules of conduct for Council members and board members.

A. Confidential information.

1. No Council or board member may disclose to third parties any confidential information unless authorized to do so by a two-thirds vote of the applicable Council members and board members in office, except as required by law.

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2. No Council or board member may waive any confidence or privilege of the Council or the board unless authorized to do so by a two-thirds vote of the applicable Council or board members in office, except as required by law.
 3. The obligations and requirements of this subsection A. continue to apply to Council members and board members after leaving office.
 3. Whether or not it shall involve disclosure, no Council or board member shall use or permit the use of any confidential information to advance his or her personal or financial interest or those of any other person, unless such information is available to the public at large.
- B. *Gifts.* No Council or board member may solicit or accept from any one person or entity a present or future gift, favor, loan, service, honorarium, or thing of value, whose cumulative value is more than sixty-five dollars (\$65) per annum, or of any value whatsoever under circumstances that would lead a reasonable person to believe that such gift, favor, loan, service, honorarium, or thing of value was made or given primarily for the purpose of influencing or attempting to influence such Council or board member in connection with an official act, or as a reward for official action he or she has previously taken. This prohibition shall not apply to:
1. Campaign contributions and contributions in kind reported in full compliance with the Colorado Fair Campaign Practices Act.
 2. Admission and reasonable expenses for attendance at conferences, meetings, seminars, training sessions, cultural events, award ceremonies, or conventions related to or in connection with Town business.
 3. Acceptance of food and refreshment at conferences, meetings, seminars, training sessions, luncheon and dinner meetings, special occasions and other instances in conjunction with Town business.
 4. An unsolicited item of trivial value less than fifty dollars (\$50), such as a pen, calendar, plant, book, note pad, or other similar item, or an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item.
 5. A gift given by an individual who is a relative or personal friend of the recipient on a special occasion.
 6. Payment of salary from employment, including other government employment, in addition to any that may be earned from being a Council or board member, and reimbursement of necessary and reasonable expenses directly related to such employment.
- C. *Conflict of interest.* No Council or board member may participate in any discussion of, or take any official action on, any matter in relation to which the Council or board member has a conflict of interest, as provided in Section 7 of this Ethics Code. In addition, a Council or board member must not perform an official act that directly and substantially affects to its economic benefit a business or other undertaking in which such Council or board member has a substantial personal or financial interest, or that directly and substantially affects to its economic detriment any business or other undertaking when such Council or board member has a substantial personal or financial interest in a competing business or undertaking.
- D. *Appearances before Council and boards.* No Council or board member may appear on behalf of a private party before the Council or board, unless otherwise permitted by the Town Code, except that any Council or board member may appear before the Council or any board to address that Council or
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board member's own personal interest. Nothing in this subsection shall preclude a Council or board member in the same manner and under the same circumstances as any other person from appearing before the Council or any board on an application of the Council or board member for a permit, license, or other approval of the Council or board required by law.

- E. *Civil litigation.* No Council or board member may appear on behalf of or represent any private interests, other than the Council member's or board member's own interest, against the interests of the Town in any civil litigation to which the Town is or may become a party, unless the consent of the Council or applicable board is first obtained, except that any Council or board member may testify under oath if subpoenaed.
- F. *Service on other governmental entities or associations.* A Council or board member may serve on a board of another governmental entity or association as long as the Council or board member (1) first requests the consent of the Council to apply for, run for, or seek appointment to the board of the other governmental entity or association and a majority of the Council members in office approve the request, (2) does not receive any personal pecuniary benefit from such service, other than reimbursement for expenses directly related to such service, (3) explicitly discloses such service through a conflict-of-interest disclosure as to type of position, compensation, and role, to be kept on file with the Town and with the other governmental entity, (4) discloses a conflict and recuses themselves from an official act of the Council or board that may directly or substantially affect the other governmental entity or association, and (5) discloses a conflict and recuses themselves from an official act of the other governmental entity or association that may directly or substantially affect the Town.
- G. *Personal benefit.* No Council or board member may use any Town property, equipment, or employee services for personal or private purposes, gain, or advantage except in the same manner and under the same circumstances as any other person who is not a Council or board member of the Town.
- H. *Special consideration.* No Council or board member may request or grant to any person any special consideration, treatment, or advantage beyond that which is available to every other person in similar circumstances or need.
- I. *Voting on matters involving own conduct.* No Council or board member may take any official action on or vote on any question concerning the member's own conduct.
- J. *Other conduct.* It shall be a violation of this Code of Conduct for any Council or board member to engage in other conduct which threatens the public confidence in the integrity of the Town government, including but not limited to illegal conduct, conduct which puts self-interest before public interest, willful or persistent failure to perform his or her duties, engaging in any form of harassment or unlawful discrimination, or any other conduct involving dereliction of duties.

7. Conflict of interest—Disclosure; Recusal.

- A. No Council or board member may vote on any matter if the member has a conflict of interest as defined above. In the event that a Council or board member has a conflict of interest in any matter proposed or pending before the Council or board of which he or she is a member, the member shall disclose the conflict of interest in a public meeting and shall not vote, participate in, or take any official action on the matter.
- B. In the event that any Council or board member is aware that he or she could reasonably be perceived as having such a conflict of interest or is unsure of the existence of such a conflict, the member shall

nevertheless disclose the possibility of such conflict of interest to the Council or board. The member may request an advisory opinion pursuant to Section 9 of this Ethics Code and if it is determined that such member has a conflict of interest, the member shall disclose such conflict of interest to the Council or board and shall not vote, participate in, or take any official action on the matter.

- C. A Council or board member with a conflict of interest shall physically remove himself or herself from the room in which the Council or board is meeting and shall refrain from attempting to influence the decisions of the other members of the Council or board of which the person is a member. No vote shall be recorded for a Council or board member who refrains from voting due to a conflict of interest. After the Council or board has completed consideration of the matter, the member may return and resume his or her duties as a member of the Council or board.
- D. A Council or board member who has a conflict of interest may vote notwithstanding the requirements and restrictions of this section if his or her participation is necessary to obtain a quorum or otherwise enable the Council or board to act and if he or she complies with the disclosure procedures under subsection A or B of this section.

8. Quasi-judicial decisions.

- A. *Duty to remain impartial.* Each Council and board member shall be and remain impartial when making any quasi-judicial decision. Any Council or board member who cannot be impartial in making a quasi-judicial decision shall follow the disclosure and recusal procedures in Section 7 of this Ethics Code.
- B. *No investigation or ex parte communications.* No Council or board member shall receive nor shall any Town employee or member of the public provide to any Council or board member any substantive oral or written information, except for legal advice, regarding a matter which is pending before the Council or board on which the member sits, and which is the subject of a quasi-judicial hearing before the Council or board, outside of the quasi-judicial hearing process. The term "quasi-judicial hearing process" includes, but is not limited to, preparations necessary for such hearing such as written staff reports, scheduling, agendas, proposed resolutions and ordinances, posting or publishing notice, and legal advice. The Town Attorney shall provide affected Council or board members advice on what constitutes a quasi-judicial decision.
- C. *Disclosure.* In the event a Council or board member shall inadvertently or unintentionally receive any substantive oral or written information outside of the quasi-judicial hearing process, as prohibited in this section, the Council or board member shall fully and completely disclose such substantive oral or written information received at the start of the quasi-judicial public hearing process. By making such full and complete disclosure, the Council or board member shall be deemed to be in compliance with the requirements of this section. Failure to make such full and complete disclosure shall be a violation of this section.

9. Advisory opinions.

- A. Any Council or board member may request from the Town Attorney an advisory opinion whenever a question arises as to the applicability of this Ethics Code to a particular situation. In determining whether or not a Council or board member has a conflict of interest, consideration may be given to the following:
 - 1. The purposes and provisions of this Ethics Code;
 - 2. Whether the potential conflict of interest would impede independence of judgment;

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3. The effect of the member's participation on public confidence in the integrity of the Council or board and of the Town government;
 4. Whether the member's participation is likely to have any significant effect on the ultimate disposition of the matter; and
 5. The member's fiduciary obligations to the Town.
- B. Should the Town Attorney at any time determine that he or she has a conflict of interest in carrying out the duties of this section, the Town attorney shall request that the Town Council appoint special counsel to undertake such duties. Special counsel must be engaged by a majority vote of the Council and his or her reasonable fees and expenses shall be paid by the Town.

10. Enforcement.

- A. *Council to enforce.* The Town Council shall have the responsibility for the enforcement of this Ethics Code and the Town's Charter as to Council and board members. The Council shall have the power to investigate any complaint and to initiate any civil action on behalf of the Town where it believes such action is appropriate. If the accused is a Council member, the procedures in Subsection 7.C. shall apply, except that the accused Council member may participate as a party in a hearing on a complaint under this section. Further, the Council shall have the power to appoint a hearing officer to carry out all duties assigned to the Council in this section, except that only the Council may impose sanctions under subsection I. of this section and determine whether to reimburse attorney fees under subsection K. of this section.
- B. *Verified complaint.* Any person who believes that a Council or board member has violated any of the provisions of this Ethics Code or the Charter and wishes to initiate proceedings on such alleged violation shall file a written complaint with the Town Clerk, who shall forthwith forward the complaint to the Council. The Town Clerk shall within ten days of a receipt of a complaint cause to be personally served a copy of the complaint to the Council or board member who is the subject of the complaint. The complaint must state in detail the facts of the alleged violation, must specify the provisions of this Ethics Code or the Charter alleged to have been violated, and must contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any complaint that does not contain such a signed statement shall be returned forthwith to the complainant without action.
- C. *Dismissal.* If the Council determines that the verified complaint does not allege facts sufficient to constitute a violation of this Ethics Code or the Charter, it shall dismiss the complaint and notify the complainant and the accused.
- D. *Investigation.* Following the receipt of a complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis to believe that a violation of this Ethics Code or the Charter has been committed or that an investigation of a possible violation is warranted, the Council may cause an investigation to be made of the circumstances concerning the possible violation. An investigation shall be conducted by a special investigator, who shall be a qualified disinterested party recommended by the Town Attorney, and who shall be engaged by a majority vote of the Council. The reasonable fees and expenses of the special investigator shall be paid by the Town. Before invoking its investigatory powers, the Council shall approve a motion which shall state the nature and purpose of the investigation, the actions or activities to be investigated and the persons who are the subject of
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the investigation. The Council shall, within five days, serve a copy of the motion on the accused together with a notice informing the person that he or she is the subject of the investigation and a general statement of the applicable provisions for which violations are being investigated.

- E. *Special investigator.* The special investigator may interview witnesses and request documents that may be relevant to the investigation. Before completing the investigation, the special investigator shall provide the Council or board member against whom the complaint is made an opportunity to provide information concerning the complaint. Such information must be provided in writing. Upon completion of the investigation, the special investigator shall provide a written investigation report to the Council stating whether there is probable cause to believe the violation(s) alleged in the complaint occurred, whether the investigation revealed that there is probable cause to believe that different or additional violations of this Ethics Code or the Charter occurred, or recommending dismissal of the complaint, and the basis for the special investigator's conclusions. A copy of the investigation report shall be provided to the Council and served on the accused.
- F. *Dismissal or hearing.* Upon completion of the investigation, the Council shall review the investigation report and dismiss the complaint if it determines there was no violation of this Ethics Code or of the Charter. If the Council determines, based on the investigation report, that there is probable cause that a violation occurred, it shall by motion set a hearing date, time and place. The investigative report and notice of the hearing shall be served on the accused not less than thirty days prior to the hearing.
- G. *Hearing.* The mayor or mayor pro tem shall preside over the hearing on the complaint and shall determine all procedural issues with the assistance of the Town Attorney. The special investigator shall present the case against the accused. The accused may be represented pro se or by any person of the accused's choice. The hearing shall be conducted so as to provide fundamental fairness, although strict rules of procedure and evidence need not be followed. All witnesses shall be subject to cross-examination. Documentary evidence that can be reasonably authenticated shall be admitted for consideration. A violation of this Ethics Code or the Charter shall be proven by a preponderance of the evidence as determined by two-thirds of all the voting members of the Council. Upon finding that the accused violated this Ethics Code or the Charter, the Council may continue the hearing to discuss and, in its discretion, to receive additional evidence regarding the appropriate penalty.
- H. *Findings.* At the conclusion of the hearing regarding the alleged violation, the Council shall dismiss the charges or find that the accused violated this Ethics Code or the Charter. The Council shall serve on the accused a written findings and order within thirty days after conclusion of the hearing.
- I. *Sanctions.* Upon finding that a Council or board member has violated this Ethics Code or the Charter, the Council may impose an oral or written reprimand, a public censure, non-financial restorative justice measures, or other sanctions as the Council deems just and appropriate depending on the seriousness of the violation and any mitigating circumstances. The Council may also remove any board member from such person's appointed position. The Council may also remove a Council or board member from any committees, boards, or other special or ex officio appointments. If a hearing officer appointed by the Council issued the findings and order, the hearing officer may provide a recommendation regarding sanctions for the Council's consideration.
- J. *Service.* Service of any notice or other document pursuant to this section or this Ethics Code is complete upon mailing certified mail to the person's last known address, or upon personal service.

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- K. *Reimbursement of attorney fees.* If the final outcome of any complaint filed pursuant to this section is dismissal or in the event the Council or board member against whom a complaint is filed is found by the Council not to be in violation of the provisions of this Ethics Code or the Charter, then, in that event, the Council or board member may request and the Town may reimburse the Council or board member for any attorney fees actually expended by the Council or board member in his or her defense of the complaint, in an amount determined by the Council in its sole discretion, subject to appropriation. The Council or board member seeking such reimbursement of attorney fees as provided for herein shall file a complete and detailed request for reimbursement with the Council showing amounts expended and specific legal services received. The Council shall then review the request and determine its appropriateness hereunder. In the event the Council has determined by resolution to reimburse such fees, the Town shall reimburse such fees within 60 days of receipt of the request for reimbursement, subject to appropriation therefor.
- L. *Other actions not precluded.* Nothing in this section or this Ethics Code shall be construed to preclude other actions that may be available at law against a Council or board member for violations of this Ethics Code or the Charter.

11. Compliance with other laws.

The requirements of this Ethics Code shall be in addition to the applicable requirements of the Town Charter, the Town Code, the Colorado Constitution, and the laws of the state. To the extent any conflict exists between the requirements of this Ethics Code and the requirements of the Town Code, the Colorado Constitution, or the laws of the state, the more restrictive provision shall apply.

12. Conduct with Town Staff.

- A. For purposes of this section, "staff" shall mean employees of the Town, the Town Manager, and contract consultants performing services for the Town. "Staff" does not include the Town Attorney or the Town's Municipal Judge.
- B. In interacting with Town staff, Council members and board members shall:
1. Treat all staff members as professionals;
 2. Not disrupt staff in the performance of their duties;
 3. Not publicly criticize individual staff members;
 4. Direct all questions of staff through the Town Manager; and
 5. Not attend staff meetings unless invited by the Town Manager.
- C. Individual Council members and board member are prohibited from giving a direct order to any staff member, and from soliciting political support from any staff member for any Council member's or board member's campaign for any elected or appointed office.
- D. If a Council member wishes to discuss matters relating to Town operations and administrative services with Town staff, the Council member must first advise the Town Manager. The Town Manager
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may either arrange a time and place for the Council member to discuss the matter with the appropriate staff, or arrange for the appropriate staff to attend a Town Council meeting to discuss the matter with the entire Council, as appropriate.

E. Council members and board members may only request information from staff through the Town Manager. If, in the Town Manager's determination, more than 60 minutes of staff time per calendar week will be required to obtain or compile the requested information, the request will not be processed unless the matter is placed on the Town Council's agenda for consideration at an upcoming regular or special meeting. The Town Manager will proceed to direct staff to fulfill the request only if so directed by a vote of the majority of the Council present.



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Council Social Event Location

Action Requested:

Department: City Clerk

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
January 4, 2024

Agenda Item: Adjournment

Action Requested:

Department: City Clerk

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation: