



AGENDA
 CITY OF GLENWOOD SPRINGS
 REGULAR CITY COUNCIL MEETING
 MARCH 19, 2026
 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@coqs.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@coqs.us.

WORK SESSION

3:00	Continued Discussion of Employee Housing Possibility at the Residences on Grand	Information/Discussion
3:45	Housing Policy and Data Worksession	Information/Discussion
4:30	Cybersecurity	Information/Discussion
5:15	Break to Get Dinner	
5:30	Electric Vehicle Carshare Program	Discussion and/or Action

ZOOM INSTRUCTIONS

When: Mar 19, 2026 06:00 PM Mountain Time (US and Canada)
 Join from PC, Mac, iPad, or Android: <https://us02web.zoom.us/j/88122156974?pwd=5hFhKJZKEGGpK0dDVplbchPu6dV8nX.1>
 Passcode:565937
 Join via audio: +1 719 359 4580 US
 Webinar ID: 881 2215 6974

REGULAR SESSION

1. Roll Call
2. Agenda Changes
3. Disclosure of Councilor Conflicts of Interest
4. Citizens Appearing Before Council and Council Response (For Items Not on the Agenda-Comments Limited to 3 Minutes)
5. Council Announcements
6. Consent Agenda Discussion and/or Action
 - A. March 5, 2026 Council Minutes
 - B. Finance Advisory Board Reappointment
 - C. Electric Vehicle Carshare Program
 - D. Award Request for Proposal (RFP) 2026-04P Traver Trail Pump Station #1 Replacement
 - E. Letter of Support to Garfield County Regarding Thompson Divide
 - F. Resolution 2026-07; Colorado Department of Transportation Grant Award Agreement
7. Arbor Day Proclamation Presentation

ACTIONS AND/OR PRESENTATIONS

- | | |
|--|--------------------------|
| 8. Public Update on Special Use Permit and Certificate of Occupancy (CO) Status for 100/200 Midland Avenue Occupied by Immigration and Customs Enforcement (ICE) | Discussion and/or Action |
| 9. Charter Commission | Discussion and/or Action |
| 10. Ordinance 2026-04; Planning File COMDEV 000015-2026, Colorado Wildfire Resiliency Code. Second Reading | Discussion and/or Action |
| 11. Planning File ARC-000130-2025, Minor Site and Architectural Plan 210 8th Street (REQUEST FOR CONTINUANCE TO APRIL 2, 2026) | Discussion and/or Action |
| 12. Council Comments | |
| 13. Report from City Administration | |
| A. City Manager | |
| B. City Attorney | |
| C. Correspondence Incoming/Outgoing | |
| 14. Social Event Announcement | |
| 15. Adjournment | |

View the City of Glenwood Springs Accessibility Policy at www.coqs.us/ADA. - Ver el Póliza de Accesibilidad de la Ciudad de Glenwood Springs en www.coqs.us/ADA



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Housing Policy and Data Worksession

Action Requested: No action is required at this time. However, please provide staff direction for next steps and/or additional information as necessary.

Department: Economic and Community Development

Presented By: Watkins Fulk-Gray, Trent Hyatt, Jacob Zook

Strategic Goals: Provide Efficient and Responsive City Government

Background Info: At the February 19, 2026 work session, City Council asked Staff to prepare housing and demographic data to provide a basis for an ongoing discussion about housing policy. Council asked for the following information:

1. Population;
2. Number of units existing;
3. Available units for rent/vacancy rate and comparison to neighbors;
4. Average occupants per dwelling unit;
5. Number of bedrooms;
6. How many people live in the bedrooms there are;
7. Housing needs generally; and
8. What have the results been of the resources we've spent on housing.

Below are the requested data with context about how the data is gathered or estimated. In many cases there are multiple data sources or ways to arrive at an answer, and Staff has provided brief context on methodology.

Issues:

Population

The City of Glenwood Springs' current estimated population is 10,230 as of 2024, based on the most current available data. This estimate is provided by the Colorado State Demography Office (SDO), which uses the 2020 decennial census (a count of every person living in City limits) as its basis, and each year aggregating county-level births, deaths, and migration, then using housing production data reported by counties and municipalities to estimate municipal-level population change. Other estimates for population including the American Community Survey (ACS) employ similar methodology, estimating annual population change by utilizing county-level births, deaths, migration, and housing production. The ACS's current estimate is 10,241. Placer.ai, a service the City subscribes to, uses cell phone data to count the number of people who reside long-term within City limits. Placer.ai's estimate is 10,075 people based on the last 12 months of cell phone data.

Number of Units Existing

The best source for total existing housing in Glenwood is the State Demography Office (SDO), which reports that there are 4,470 dwelling units of all types as of July 1, 2024.

Other sources, such as the ACS, are average estimates based on small sample surveys collected over rolling 5-year periods for a municipalities under 65,000 people (survey frequency is increased in larger populations). Surveys of this nature provide valuable insight into the characteristics of households, such as income, cost of living, occupancy, employment, and education — however, this methodology is not ideal for counts such as the number of housing units given the margin of error in ACS data resulting in variation in reported values from year to year.

Vacancy Rate

The State Demography Office in 2024, the latest data available, estimated that the City's residential vacancy rate is 8.4% based on residential surveys. The SDO estimates for vacancy rates of surrounding communities are as follows: Carbondale - 6.5%, Eagle - 5%, New Castle - 4.1%, and Rifle - 4.4%. The vacancy rate is calculated by dividing the number of homes not occupied or which house people temporarily (such as seasonal workers) by the total number of homes. Excluding homes identified in the data as used for seasonal, recreational, or occasional uses yields a much lower vacancy rate that Staff can discuss in greater detail if desired.

The fourth quarter 2025 Colorado Statewide Apartment Survey, which is a regional study of rental properties, calculated the Glenwood Springs region (Parachute to Basalt) to have a vacancy rate of 3.6%. This is estimated by surveying larger apartment buildings that self-report their vacancy rates.

Average occupants per dwelling unit

The SDO estimate for average occupants per dwelling unit is 2.44. This is calculated by dividing household population by the number of occupied housing Units; $10,001 / 4,094 = 2.44$ average occupants per dwelling. Note, the household population is the total population minus group quarters population, group quarters referring to places where people live or stay in a group living arrangement that is owned or managed by an organization providing housing and/or services for the residents (i.e. college residence halls, residential treatment centers, skilled nursing facilities, group homes, military barracks, prisons and worker dormitories).

Number of Bedrooms in Glenwood Springs

The ACS counts bedrooms, but due to the methodology employed in the collection of this data the margins of error in the reported values exceed reasonable bounds for analysis.

How Many People Live in the Bedrooms We Have

Because no reliable data exists for the number of bedrooms in Glenwood Springs, Staff has provided information about how many people occupy dwelling units in Glenwood, rather than people-per-bedroom. The distribution of housing units by number of occupants is as follows:

1-Person: 30.6%
2-Person: 34.7%
3-Person: 17.1%
4-Person: 10.0%
5-Person: 5.1%
6-Person: 2.1%
7-or-more-Person: 0.4%

Housing Needs

There are many ways to determine housing needs and their severity. Some measures of need are the proportion of residents that are housing cost-burdened (residents who spend more than 30% of their income on housing costs), the number of residents in overcrowded or temporary housing situations, the number of workers who commute to Glenwood from less expensive towns, the gap between average home purchase price and what is affordable to the average household, the number of unfilled jobs, and "keep up" housing need that recognizes growth and future housing need.

The [2023 Glenwood Springs Strategic Housing Plan Update](#) (the Housing Plan) utilizes all of these metrics except for overcrowding.

The Housing Plan found the following:

- 38% of residents are housing cost-burdened;
- 78% of workers in Glenwood commute from outside the City;
- The gap between the affordable purchase price and actual median purchase price was \$293,000 in 2022 (affordable purchase price is the amount that a median-income family would be able to afford when spending 30% of household income on housing costs);
- In early 2023, the Study estimated there were 988 unfilled jobs in Glenwood and estimated a need of 650 housing units to keep up with demand for housing based on future employment

growth. Future employment growth assumes a 45% capture rate of Garfield County's employment growth, and a need to house 30% of those employees. The Plan assumes 1.6 job holders per household.

Past COGS Housing Investments

Some of the recent investments the City has made in housing include funding for Mountain Mobile Home Park (now Glen Valley Cooperative), L3/The Carter condominiums, The Benedict, Canyon Vista, the West Mountain Regional Housing Coalition, the City's own employer-based rental assistance program, and the City's down payment assistance program. The chart below shows the amount of funding and other pertinent information about these projects or programs. These investments have made important housing developments possible when they may not have happened otherwise or would have occurred at higher costs that are passed on to residents.

Project	Type	City funding	Funding per unit
Mountainview Flats	40-unit multifamily (rental)	\$348,000	\$8,711
Glen Valley Coop	40-unit mobile home park (ownership)	\$1.5 million	\$37,500
L3/The Carter	88-unit ownership condos	\$3 million	\$34,000
The Benedict	34-unit multifamily for seniors (rental)	\$363,629	\$10,695
Canyon Vista	80-unit multifamily rental	\$3.8 million	\$47,704
West Mountain Regional Housing Coalition	Organizational funding for various programs	\$21,000 per year membership due \$100,000 annually for Good Deeds program	N/A; but 15 buy-down deed restrictions in Glenwood
Employer-based rental assistance program	Rental assistance program	\$17,903 in 2025	\$2,984 per sponsored employee
Down payment assistance program	Program for subsidizing ownership	None, money is fronted and reimbursed by the State. State money spent in 2025 was \$308,500	\$77,125

Fiscal Impact: N/A

Legal Review: N/A

Staff Recommendation: Provide Staff direction on topics City Council would like to explore further.

The P&Z held worksessions on 11/28/25 and 12/16/25 to discuss housing policy and projects. Staff used Mentimeter, a phone-based voting system, to capture priorities, feedback, and to spark conversation. Below is a summary of the P&Z's polls and feedback from these two worksessions.

11/28/25 worksession:

When presented with the following list of potential zoning changes, the P&Z ranked their priorities as follows:

1. Density bonuses
2. Allowing duplexes in more places
3. Commercial-to-residential conversions
4. Hotel conversions to housing
5. Reducing parking requirements for ADUs

When presented with the following list of potential funding actions, their priorities were as follows:

1. Employer-based rental assistance
2. Mobile home park preservation
3. Regional work through WMRHC
4. Down payment assistance (tied)
4. Incentives to convert STRs to long-term rentals (tied)
4. Licensing/creating pre-approved designs (tied)
5. Housing navigator staff position
6. Tenants' rights education

When asked about additional topics they would like to explore, they said tiny homes, ADUs, incentives for employee housing, long-term camping areas, single stair reform, reducing costs for ADUs and infill development, changing building codes to make multifamily housing cheaper and easier, process for construction of 4 units or less, and short-term rentals.

Other feedback from 11/28/25 included:

- A joint worksession with WHFAB is desired
- What is the homeownership rate for the City?

- Is there a target population number for Glenwood?
- Large apartment buildings are not as well suited to our community
- Smaller, infill development is more desirable
- Building code changes involving point access block changes is a tool that may help and will be up to the design/build community to implement it
- How many deed restricted properties are there in Glenwood?
- Could we build deed restricted housing on City-owned land, with a ballot question?
- How people would feel about a ballot question involving for-sale housing on City-owned land might depend on there being another grocery store in Glenwood. Small single-family homes would appeal.
- It's not possible to house everyone who wants to live in Glenwood
- People would prefer to see homes remodeled and converted to more density than be torn down
- A program to assist homeowners rehabbing their homes may be good
- Does WHFAB have any topics they want P&Z to discuss?

12/16/25:

When presented with the following list of actions relating to tiny homes and ADUs, the P&Z ranked their priorities as follows:

1. Allow smaller lots
2. Allow ADUs to be subdivided from primary home
3. Eliminate parking requirements for ADUs
4. Allow smaller homes than currently
5. Offering pre-approved models
6. Allow homes not on permanent foundations
7. Allowing RVs to be used as a primary home

When presented with the following list of potential things that density bonuses could incentivize, the P&Z ranked their priorities as follows:

1. Affordable housing
2. Development near RFTA or Ride Glenwood stops
3. Specific residential types of development (tie)
3. ADA/accessible housing (tie)
3. Senior housing (tie)
4. Green building
5. Development in certain neighborhoods or locations

6. Specific nonresidential uses

When asked open-endedly what the P&Z thinks density bonuses should incentivize, they said:

- dense infill development
- for-sale opportunities
- deed restricted units
- duplexes
- affordable for-sale units
- fitting neighborhood character
- historic preservation

When presented with the following list of public education and outreach actions, the P&Z ranked their priorities as follows:

1. Information aimed at taking away emotion or fear from certain kinds of development
2. infrastructure and water capacity
3. discussions about regionalism
4. issues surrounding severity of housing cost
5. public-private-partnership possibilities
6. housing navigator position or type of assistance possibilities

When asked open-endedly what the public needs to know about housing or what an educational campaign should include, the P&Z said: Benefits to our community through housing becoming more accessible, Get employers onboard with housing assistance, the demographic makeup of Glenwood Springs and how the city needs to plan for a shift, Code change for smaller lot size so small homes at more affordable, Housing data over time, the supply/demand disparity, and how many GWS homes sit empty most of the time.

Other feedback from 12/16/25 included:

- What is the purpose of requiring occupants of deed restricted units to work in Glenwood? What would it take to change the housing guidelines to allow deed restricted units to be occupied by workers elsewhere?
- How much success are we having with hotel to housing conversions?
- Does the City lose sales tax revenue when there are these hotel conversions?
- Rather than have P&Z topics be brought forward based on City Council comments, can these topics be brought forward only after a motion, so that it is something the full City Council is interested in?

- Do we know how many seasonal employees we have?

The Workforce Housing Fund Advisory Board (WHFAB) held a worksession on 2/10/26 to discuss housing policy and projects. They were asked similar questions to those discussed by P&Z. Staff used Mentimeter, a phone-based voting system, to capture priorities, feedback, and to spark conversation. Below is a summary of WHFAB's polls and feedback.

When presented with the following list of potential zoning changes, WHFAB ranked their priorities as follows:

1. Density bonuses
2. Reducing parking requirements for ADUs
3. Allowing duplexes in more places (tied)
3. Hotel conversions to housing (tied)
4. Commercial-to-residential conversions

When presented with the following list of potential funding actions, WHFAB's priorities were as follows:

1. Employer-based rental assistance
2. Funding regional work through WMRHC
3. Housing navigator staff position
4. Mobile home park preservation (tied)
4. Down payment assistance (tied)
5. Incentives to convert STRs to long-term rentals
6. Tenants' rights education
7. Licensing/creating pre-approved designs

When presented with the following list of public education and outreach actions, the P&Z ranked their priorities as follows:

1. Information aimed at taking away emotion or fear from certain kinds of development
2. infrastructure and water capacity
3. public-private-partnership possibilities (tied)
3. discussions about regionalism (tied)
4. issues surrounding severity of housing cost

5. housing navigator position of type of assistance possibilities

When asked open-endedly what the public needs to know about housing or what an educational campaign should include, WHFAB said:

- Importance of housing for the health of our community and the services we require. Improvements in quality of life for current and future residents with thoughtful increase in housing access.
- Outside our inner circles, few know what is going on and hearsay runs rampant. Consistent and accurate info., can't be over communicated. I Dont think the general public knows what we are doing.
- Opportunities available for real progress if we leverage smart thinking, ppp, funding from diverse sources, regional approaches
- Explanation of how deed restrictions work. Opportunities available in the valley for down payment assistance and financing. Basic information about credit.

When asked about additional topics to explore, they said:

- Figure out how to lend 2c funds so we can leverage their use multiple times. Look for big untapped sources of funding for housing and other underfunded local needs
- More ownership projects where the workforce has an opportunity to own or advanced affordable rental with Savings and Investment education is apart of the rental agreement.
- Land banking

REPORT

Glenwood Springs Strategic Housing Plan Update



June 2023

EPS #223087

Prepared for:



Prepared by:

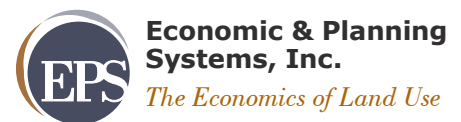


Table of Contents

1	Introduction	1
2	Policy Tools	3
	Use of Vacant Land for Housing	3
	Preservation Policies	12
	Density Bonus	22
	Funding Sources	26
3	Needs Assessment	41
	Market Context	41
	Needs Assessment	45
4	Public Engagement	53
	Open House Summary.	54
5	Recommendations and Implementation	59

Tables

Table 1. Vacant City-Owned Parcels, Glenwood Springs	10
Table 2. Local Funding Sources	27
Table 3. Housing and Demographic Snapshot.	41
Table 4. Owner Mailing Address, Glenwood Springs, 2022	43
Table 5. Glenwood Springs STRs by Property Type, March 2023.	44
Table 6. Cost Burden by AMI, Glenwood Springs, 2021.	47
Table 7. Vacant Jobs by AMI, Glenwood Springs, 2023.	48
Table 8. In-Commuting, Glenwood Springs.	49
Table 9. Future Housing Demand, Glenwood Springs, 2023-2043	50
Table 10. Summary of Current Housing Needs.	51
Table 11. Total Housing Need by AMI, Glenwood Springs	52

Figures

Figure 1. Vacant, City-Owned Parcels, Glenwood Springs	11
Figure 2. Median Home Sale Price, Glenwood Springs, 2015-2022	41
Figure 3. Affordability Gap for For-Sale Units, Glenwood Springs, 2015-2022 . . .	42

1. Introduction

IN 2022, THE CITY OF GLENWOOD SPRINGS partnered with Economic & Planning Systems and RRC Associates to provide an update to the 2010 Strategic Housing Plan. Over the past decade, Glenwood Springs and the greater Roaring Fork Valley region have faced major housing market pressure, owing to an expanding economy, increasing levels of tourism and visitation, and a growing interest in local real estate from people outside of the region. As a result, housing has become increasingly unaffordable for local residents and especially the local workforce, presenting significant challenges for Glenwood Springs. A lack of affordable housing negatively affects the local economy, making workforce recruitment and retention harder and straining the ability of businesses to operate at full capacity. A lack of affordable housing and rising housing costs also leads to greater housing instability for residents, increasing the risk of displacement and undermining community health. Housing stability and affordability are critical goals for the immediate and long-term prosperity of Glenwood Springs, and the City is actively invested in seeking out solutions that advance these goals.

Throughout this effort, the consultant team, in partnership with City staff, have worked to create a detailed analysis of policy strategies that will both drive the development of affordable housing and preserve existing affordable housing.

This plan includes a housing needs assessment that documents total housing need in Glenwood Springs. The needs assessment is intended to illustrate current housing conditions and to guide and inform future policy efforts. While a 2005 needs assessment and a 2019 regional housing study documented local housing needs, this needs assessment presents an updated methodology and accounts for current housing conditions.

AT A GLANCE
**STRATEGIC
PLAN
UPDATE**

4
**Housing Policy
Areas**

- Use of vacant land for housing and public-private partnerships;
- Establishment of policies to preserve existing housing;
- Fine-tuning of density bonus program;
- Creation of dedicated funding sources for affordable housing;

The intention of this plan is to analyze these policy areas in detail and to deliver actionable recommendations on how the City can best implement these policies.

PREVIOUS STRATEGIC PLAN

In 2010, the City of Glenwood Springs, together with a consultant team, prepared a Strategic Housing Plan to guide future housing policy efforts. This plan was intended to implement the recommendations from the 2005 Housing Needs Assessment. This Strategic Housing Plan put forward key housing goals and objectives as well as seven priority strategies. These strategies include:

- Public/Private Development on City Land
- Rehabilitation and Weatherization
- Commercial Linkage
- Housing Funding Strategies
- Inclusionary Housing Amendments
- Development Incentives
- Annexation Policies

This plan involved extensive public engagement efforts, including a public open house and work sessions with the City's Housing Commission, Planning and Zoning Commission, and City Council. These public engagement efforts have been critical to the direction of the project and are documented in detail in their own chapter.

This Strategic Plan Update builds on and expands the initial Strategic Plan effort. This Update provides a more detailed analysis of housing policy tools as well as a housing needs assessment. Recognizing that the housing affordability and policy environment has changed since 2010 and although the recommendations in the 2010 plan remain applicable, this Strategic Plan Update provides the City with a clear set of policy actions that can affect change in the current context.

It is also important to note the actions that the City of Glenwood Springs has taken on housing affordability over the past several years. Since 2019, the City has:

- Implemented short-term rental program changes, including overall caps, setback requirements between short-term rentals, reinstating Building Department Inspections, and increasing fees to cover staff time on managing the vacation rental program;
- Established inclusionary zoning requirements for a percentage of larger housing developments to restrict maximum rents and sales price to 100 percent of area median income and for units to be resident occupied;
- Made changes to the regulations for Accessory Dwelling Units that make adding an ADU within the existing footprint of a building easier in addition to changing other dimensional standards to make ADUs easier to permit;
- Approved two City-owned parcels for affordable housing development with Habitat for Humanity Roaring Fork;
- Enacted code changes that facilitate the conversion of motels/hotels to housing;
- Passed a 2.5% increase in local lodging tax, the revenue of which will be allocated to various programs and projects that support affordable housing.

This Strategic Plan Update expands on these efforts and gives policymakers critical information and recommendations to further advance policies and programs to advance affordable housing in Glenwood Springs.

2. Policy Tools

Central to this strategic plan update is an evaluation of policy tools that the City can use to advance housing affordability in Glenwood Springs. This chapter provides an analysis of four key policy tools that would be used to expand and/or preserve affordable housing in Glenwood Springs. These include the use of vacant land for housing, preservation, a density bonus, and funding sources. The analysis incorporated best policy practices from around the state on how these policy tools could be implemented in Glenwood Springs.

Use of Vacant Land for Housing

This outlines a process for the City to structure public-private partnerships for housing development on City-owned land. The memorandum discusses key components of such a process, including defining the development opportunity, establishing evaluation criteria, and evaluating sale or lease models. In addition, an inventory and analysis of City-owned parcels best suited for development is provided, to frame the immediate opportunities.



Development Process

City-owned land is a key asset for accommodating future housing development, especially affordable housing. With high land costs and a relatively limited amount of developable land in Glenwood Springs, City-owned parcels represent an important opportunity for the City to help create new housing and expand affordable housing options. In addition, the City can seek to establish P3s for redevelopment on privately held sites. Certain privately held properties may be suitable for housing development, and the City can work with the owners of these properties directly to set the terms for redevelopment.

A list of potential parcels will be shown later in this section. It is recommended that the City identify and prioritize two to four parcels that are most suited for housing development and that will be the soonest to enter the RFP process. Once identified, the City should pursue the development of housing on these parcels.

Establishing a formalized process is a critical step towards utilizing City-owned land for new housing development. In order to attract housing development to these parcels, the City needs to form a partnership with a developer, drawing up terms that address the needs of each. The public private partnership (P3) works best when both parties can achieve the needed returns to justify the investment. For the private side, this takes the form of financial returns. For the public side, it typically represents advancing community goals, which in this case surround expanding the affordable housing inventory.

The initial step is to seek out and select a developer. This is best accomplished through a formalized, structured Request For Proposal (RFP) process, in which the City issues an RFP outlining project details and evaluation criteria. To achieve the greatest level of clarity, it is best practice to issue one RFP per project.

Implementing this policy tool will help the City achieve the following goals:

1. Expanding avenues for affordable housing development by leveraging City-owned land.
2. Building buy-in and support from elected officials and community members.
3. Creating clarity and transparency for prospective developers, making housing development on City-owned parcels attractive.

When seeking out a development partner, the City should include key project elements in its request for proposals. This creates transparency and sets expectations for both potential developers and for City staff and elected officials. Key project elements include:

- A range of units desired for the project
- Desired project density
- Desired development type(s) (i.e., townhomes, apartments, single family homes)
- Preferred mixture of for-sale or for-rent units
- Indication of whether the land will be sold or leased, and at what price
- Desired community benefits and/or amenities to be provided
- Type and degree of affordability restrictions required by the City
- Timeline for development

Evaluation Criteria

Effectively screening and selecting a development proposal requires establishing a clear and predictable set of criteria. The criteria below represent the most important considerations for a potential project, although City staff should be able to tailor a narrower set of evaluation standards for any specific project. Based on the attributes of a prospective project, City staff can apply specific weighting to each criterion that reflects the priorities of the City and the opportunities and constraints of a given site. Those in charge of selection may request more information and meet with the proposer as necessary.

AFFORDABILITY

As this process is aimed at expanding the availability of affordable housing in Glenwood Springs, a key consideration for selecting a developer is the affordability that a project proposes to deliver. Ideally, the affordable units delivered by a proposed project needs to exceed the affordability prescribed by the existing inclusionary housing ordinance in Glenwood Springs, which requires that 20 percent of rental units in residential projects with 10 or more units are affordable at an average of 100 percent of area median income.

To the extent that the City will commit additional funds, it can stipulate greater affordability. For some sites, it may seek a goal for 100 percent of the units to be sold/leased as affordable. As available, the City can provide the funds to cover the corresponding funding gap and increase the effectiveness of any given site to expanding the affordable housing supply.

The affordability of non-market rate, or deed restricted housing units is typically linked to area median income, or AMI, which is a measure of how much income households earn in a given area. Affordable units in a development are classified according to AMI level. For example, units at 80 percent AMI are required to charge a rental rate equivalent to 30 percent of the monthly income for a

household that earns 80 percent of the area median income. Correspondingly, lower AMI levels charge lower rents. As a result, it is more financially challenging for a developer to build units at lower levels of AMI, and achieving these lower AMI levels in residential development often requires additional incentives.

An additional consideration is the extent to which the project provides affordable units in a variety of sizes, including 2- and 3-bedroom units. Larger units typically better serve families and residents looking to live with roommates in order to save on housing costs, which are two important areas of housing need.

A project should seek to:

1. Deliver a significant number of affordable, deed-restricted units.
2. Price the units at relatively deep levels of affordability, based on the funding available, recognizing the importance of lower AMI units.
3. Provide units with a variety of bedroom types, including larger 2- and 3-bedroom units.

FINANCIAL FEASIBILITY

For a parcel of land to attract housing development interest, the development must be financially feasible for a prospective developer. A proposed project should credibly demonstrate financial viability without the need for additional subsidy from public sources. A goal of this process is to seek development that balances financial feasibility with affordability. A project should:

- a. Provide evidence that the project is supportable in the market and is financially feasible with a reasonable but not excessive return on investment to the development entity. The return should align with industry standards.
- b. Minimize commitment of City financial resources and investment risk.
- c. In some cases, P3 development can create a recurring source of revenue for the City. If this can be achieved on a given site, the City should pursue this opportunity and channel these funds into future affordable housing projects.

That said, if the City prioritizes the percentage of units to be set aside as affordable and/or a pursuit of lower AMI levels, there may not be surplus revenue for the City to realize.

COMMUNITY BENEFITS

An additional consideration for a proposed development is the provision of community benefits. While subject to the location and development constraints of a parcel, these benefits could include:

- a. Improvements to infrastructure in the public realm.
- b. High-quality green space or public space.
- c. Ground floor retail or community space, for sites near or within the urban fabric.

DEVELOPMENT TEAM EXPERIENCE

The qualifications and experience of the development team is another important selection factor. The developer should:

- a. Provide evidence of the developer’s previous experience and financial capability to complete the project.
- b. Provide evidence of the development team’s experience and technical capability to complete the project.
- c. Provide evidence of previous experience with Joint Development projects and/or experience working with public entities.

Models of Development

In formulating an effective RFP process for housing development on City-owned land, a key consideration is whether the City wants to sell or lease the property that will be developed. The sale model and the lease model each have particular advantages, disadvantages, and tradeoffs. The decision to sell or lease a parcel depends largely on the goals and priorities of the City in utilizing its land holdings for housing development. Considerations around attractiveness to developers, revenue generation, control of land, long-term enforcement of affordability restrictions, and capacity to manage land are particularly relevant to pursuing a sale or lease model. The following section provides an overview of each model, along with common advantages and disadvantages for each.

SALE MODEL

One model of utilizing vacant parcels for housing development is for the City to directly sell the property to a developer. For the sale model to work effectively, the City must establish restrictions for the development of the parcel related to the level of affordability and other project requirements that the City and the developer can agree upon. These function as binding requirements for the developer to follow in exchange for being sold the land. For the parcel to remain attractive for development, the agreed upon sale price would have to be lower than if sold outright without development restrictions. While the exact sale price would vary by parcel and circumstance, it would likely need to be below market value, reflecting the impact of the affordability component and other requirements.

Such a sale could be done such that the City would receive the purchase price as an interest-bearing long term revenue stream. The agreed upon sales price would be paid as an annuity paying the purchase price over an extended period of time, including interest.

There are a number of advantages for a landowner to enter into sale instead of leasing the property. These are:

- A sale is typically more attractive to prospective developers, as ownership of the land increases the long-term value of the property for the development, and positions the developer to receive more favorable financing terms from lenders.
- The City could generate revenue from the sale.
- The City would no longer be responsible for managing and maintaining the land, freeing it from using additional staff capacity or City resources.

There are, however, potential disadvantages to a landowner in a sale transaction. These are:

- The City would not retain ownership of the property and as a result would not have direct control over the property. Its ability to exert control over the property's uses would depend on how effectively it can enforce deed restrictions. The City would also lose its ability to exert control over a project's timeline.
- The City would have no opportunity to generate future revenues beyond the terms of the sale.
- The intended use of the property could change over the long term if the owner decides to redevelop or sell the property.

LEASE MODEL

A ground lease (or land lease) involves the leasing of ground to a developer or builder who then has the right to develop and use the land for the duration of the lease. During the term of the lease, the tenant owns any improvements made to the property including any buildings it constructs. Ground leases tend to have longer terms, typically 50 years or more, and often up to 99 years with options, in order to allow the developer to obtain financing and to have the ability to utilize the land for its purposes over the useful life of the project. All expenses related to the property are the obligation of the leaseholder (e.g., taxes, repair and maintenance expenses, insurance costs, and financing costs).

Land leases are most common with commercial properties but there are some applications where they are used for residential development. This includes some mobile home parks, multifamily housing on public agency lands (such as joint development of transit station properties and where the sale of land is restricted), as well as when the land ownership is being held to facilitate the development of affordable housing, which is potentially applicable here. There are a number of advantages for a landowner to enter into a ground lease instead of selling the property outright. These are:

- The landowner retains ownership of the property. This is an important consideration for the City, who has an interest in maintaining long-term ownership in order to ensure that the property has a socially and economically productive use over the long term.
- A landowner retains greater control over the type of development and permitted uses of the land that is leased. Many ground leases require a tenant to develop, construct and operate a specific type of project and not change the nature of the project without the landlord's prior approval. The landlord has more control over the deed restrictions on the land, which can be particularly important when reviewing transactions for future buyers of condominium-ized units that are developed and initially sold with affordability covenants.
- The total revenues from a ground lease (in nominal dollars) are usually higher over the term of the lease than if the property were sold upfront fee simple.

There are, however, potential disadvantages to a landowner in a ground lease transaction. These are:

- If a landowner permits its fee interest in the land to be security for the tenant's financing (a subordinated ground lease, which will almost certainly be the case), the landlord runs the risk of losing its property through foreclosure if the developer defaults under its financing and the lender will insist on having great flexibility as to uses.
- If a landowner does not include sufficient controls in the ground lease document, a landowner may have little or no control over the development and use of the land.
- The City may have limited capacity to manage the land as the long-term landlord.

Incentives

Typically, discounted land value is sufficient to generate interest from developers. However, given current market conditions in Glenwood Springs, high construction costs, and a persistent shortage of construction labor, additional incentives may be needed to encourage developers to seek out housing development opportunities on these sites. In addition, the affordability requirements that would likely be associated with development on City-owned sites and the corresponding limitations to future development revenues may further necessitate additional incentives. Providing additional incentives to developers could also be a way for the City to drive deeper levels of affordability in new projects that would otherwise not be feasible to achieve.

Land Inventory

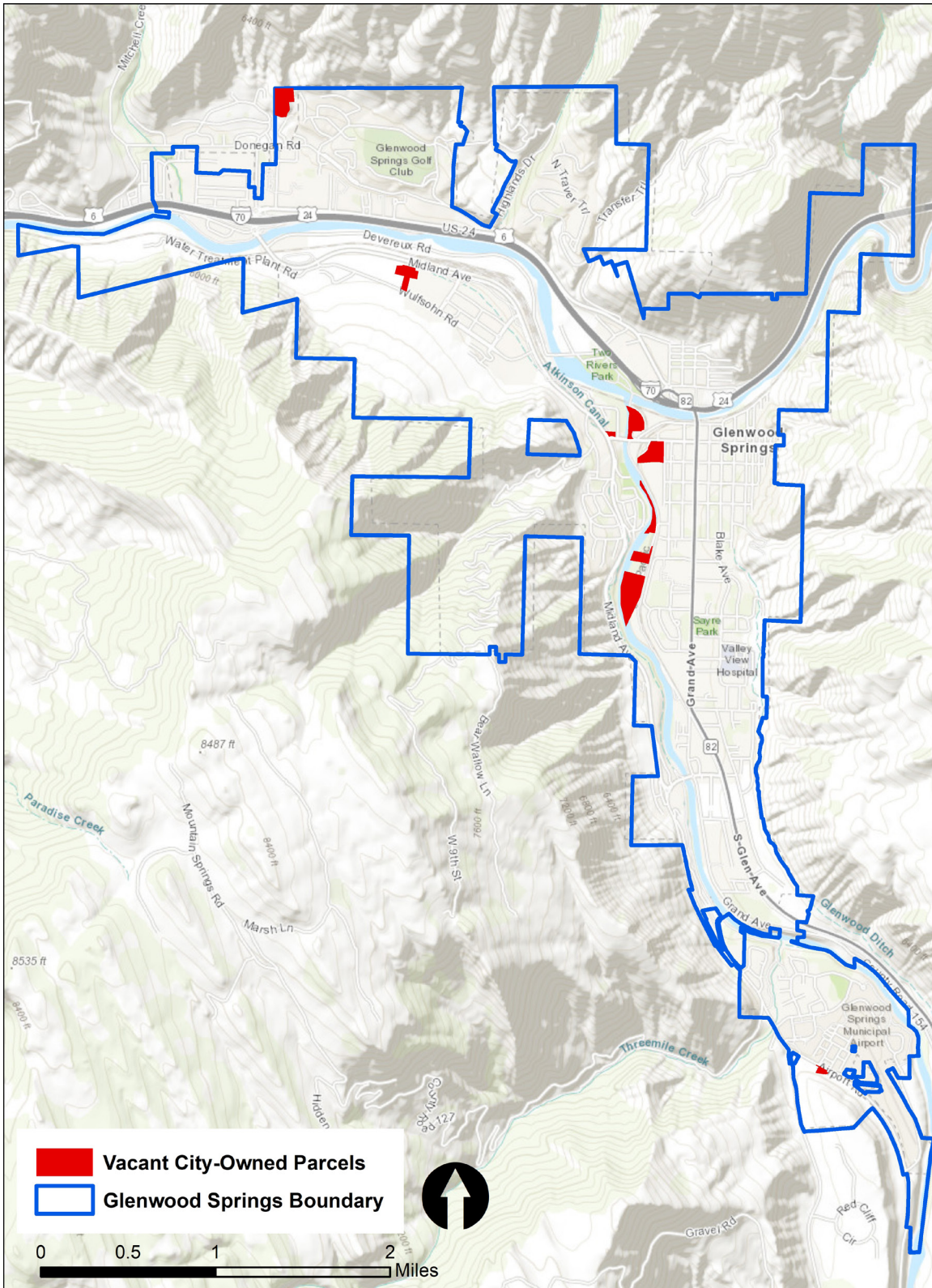
Currently, the City of Glenwood Springs owns nine parcels that can accommodate housing development. A summary of each parcel is shown below in **Table 1** and a map of each parcel is shown in **Figure 1** on the next page. The parcels vary in terms of size and context. In total, the inventory could accommodate 400 to 550 units of new housing. The parcels are located throughout Glenwood Springs, with a few located in the northwestern part of the City, a few located in the central part of the City along the Roaring Fork river, and one parcel located in the southern part of the City. Each parcel has particular constraints related to size, environmental barriers, and zoning. A key consideration for prioritizing parcels for housing development is location. In particular, the proximity of a parcel to transit is critical for connecting future residents to public transportation options and for limiting the potential traffic impacts of new housing development. City staff has also conducted an analysis of City-owned land, which should be used to guide future efforts.

Description	Acres	Unit Potential	Zoning	Public Vote?
No Public Vote				
8th and Midland	0.40	5 to 10	RH- High Density	No
Iddings Property	0.80	15 to 20	RH- High Density	No
Ballard Property	1.20	15 to 25	CO- Commercial	No
Raymond Property	2.96	20 to 30	RM1- Medium Density	No
Confluence	3.80	50 to 75	LI- Light Industrial	No
Vogelaar Site	5.00	50 to 75	CO- Commercial	No
Lone Pine Property	10.00	70 to 100	RM1- Medium Density	No
Total	24	225 to 340		
Public Vote				
West Glenwood Estates	5.75	10 to 20	HP- Hillside	Yes
Glenwood Meadows Tract D	3.90	10 to 30	HP- Hillside	Yes
	10	20 to 50		

Table 1. Vacant City-Owned Parcels, Glenwood Springs

Source: City of Glenwood Springs; Economic & Planning Systems

Figure 1. Vacant, City-Owned Parcels, Glenwood Springs



Preservation Policies

This section describes policy approaches aimed at the preservation of housing stock in Glenwood Springs. This includes a discussion of key policy tools, the factors involved in establishing them, and ways to increase their effectiveness.

Role of Preservation

While the other policy tools presented in this strategic housing plan are intended to create new affordable housing, the tools described here are aimed at the preservation of existing housing stock. With rising home prices and rents, Glenwood Springs residents, and especially middle- and low-income residents, are vulnerable to market pressures and displacement. Preserving existing housing units and ensuring long-term affordability of these units is essential to improving housing stability and supporting the ability of residents to stay in Glenwood Springs. Moreover, preservation is an effective way to increase housing stability while investing fewer resources than is required by new development. The discussion around preservation is framed around the following questions:

- What are the most effective policy tools for preservation?
- How can the City best apply its resources to preserve existing housing stock?
- What groups or organizations can the City partner with to strengthen preservation efforts?
- What housing stock does the City want to prioritize in its preservation efforts?
Key housing types include:
 - Rental housing
 - Owner housing
 - Mobile homes
 - Hotel/Motel conversions
- What areas or neighborhoods, if any, are the highest priority for preservation?

Community Land Trusts

A community land trust (CLT) is a model of land stewardship intended to ensure community control of land and long-term housing affordability. A CLT functions by acquiring and maintaining permanent ownership of land. With its land holdings, CLTs develop product and ‘go vertical’ on the land they have acquired, by separating the ownership of land from the ownership of the home by selling the home itself to the buyer, but leasing the land beneath the home, often through a long-term (99-year lease is common) renewable lease. This approach keeps land under the permanent control of the CLT, which removes the land from the speculative market and ensures long-term affordability and a long-term use consistent with the mission of the CLT.

The CLT model creates several important benefits for housing affordability. By removing the cost of land from the price of a home, homes sold by a CLT are often sold at a below-market price that is more affordable to low- and middle-income households who would otherwise struggle to find housing options. As a result, prospective buyers of homes in a CLT are often income qualified. In addition, CLTs place deed restrictions on the future sale price of a home, preserving long-term affordability for future generations and insulating a home from excessive market inflation or speculation. While deed restrictions on appreciation limit the amount of equity homeowners can generate, this model expands access to the housing market, especially home ownership, to households that would otherwise be excluded from it. The CLT model is generally regarded as a more effective method of maintaining affordability, as lenders require the landowner to be engaged with any future transaction, and thus, the CLT is directly involved and can qualify prospective owners based on asset and income limits.

Establishing Land Holdings

A critical aspect of forming and running an effective CLT is establishing land holdings. Without land holdings, a CLT is limited in the impact it can make on creating and preserving affordable housing. The process of a CLT acquiring land is centered around a few key considerations:

- a. Generating funding for land acquisition.
- b. Establishing a decision-making process and criteria for acquiring land (deploying funds).
- c. Retaining (or contracting for) staff that can nimbly move in markets at the pace of traditional commercial brokers
- d. Locating and acquiring suitable parcels available at a low cost.

Given the financial constraints associated with forming and operating a CLT, low-cost land acquisition enable CLTs to be the most effective. Several possible avenues exist for a CLT in Glenwood Springs to create and grow land holdings, including:

- **Municipally-owned land** – The City could partner with a CLT to donate municipally-owned parcels, or sell them at a below-market cost, with the stipulation that the land is used for the desired purpose of affordable housing development. The City owns several parcels that are potentially suitable for a land trust. Prior to any transactions, it would need to prioritize particular parcels for CLT ownership and optimal development programs, following its process for land disposition.
- **Land from private citizens or nonprofits** – A CLT could work with philanthropically-minded landowners, nonprofits, or foundations to acquire land at a low cost. As CLTs are mission-driven nonprofits, they are well-positioned to receive land donations to further their goals of expanding and preserving affordable housing.
- **Land from other public entities** – Other public entities, including the school district, state or federal agencies, could partner with a CLT to provide land for affordable housing. However, there is a relatively limited amount of such land in Glenwood Springs and public agencies often have approval processes as well as financial motivations, which make providing land to CLTs at a low cost challenging.

CLT Formation and Governance

The most common way CLTs are organized is as a nonprofit organization. Nonprofit CLTs are governed by a board, which typically consists of a combination of community members, residents of CLT properties, and people involved in the housing field. The composition of the board and the decision-making processes implemented by CLTs vary, with some CLTs opting for a greater degree of grassroots community control through giving CLT residents more board representation, while other CLTs do not emphasize direct resident or community participation in governance.

In Glenwood Springs, a nonprofit organization would likely form and run a CLT. Alternatively, an existing CLT could expand its work to Glenwood Springs, ideally with local support. There is, for example, a CLT with a capability of serving at a statewide level and is currently serving multiple municipalities on the Front Range. It is currently unclear what organization would take on forming and running a CLT, and the City should engage with various groups in the community to gauge possible interest and capacity.

Management of a CLT

A CLT must be operated and managed, which requires full-time staff. This means that a CLT has to be able to find qualified staff and secure funding for staffing needs as well as other ongoing operational needs. Funding for these needs can come from several sources, including grants from local governments and grants from foundations and nonprofits. Most CLTs also charge a small monthly land rent on homeowners as part of the land lease agreement, which can generate additional funding for operations.

Deed Restrictions

Following their mission of long-term housing affordability, CLTs set deed restrictions on the homes that they sell as part of the land lease agreement. When a homeowner purchases a home in a CLT, the owner agrees to sell the home at a restricted price, which typically follows a set resale and appreciation formula. The purpose of this is to preserve long-term affordability and ensure that the home is affordable to a future low- or middle-income buyer. In addition, a CLT typically sets resale terms that require a home to be sold to an income-qualified buyer. CLTs can establish additional deed restrictions on homes, including deed restrictions that require local employment, or that require primary residency. In setting deed restrictions, a CLT has to balance long-term affordability with the ability of homeowners to build wealth. The level of deed restrictions also depends on the extent to which a CLT receives public investment or subsidy, with greater public investment typically warranting deeper affordability requirements and more restrictive deed restrictions.

The formation of a CLT will have many benefits, both in the short-term—related acquisition and production, and in the long-term—related to effective management. A CLT can be utilized for a range of activities. Examples are provided in the following sections.

Mobile Home Park Preservation

Currently, there are seven mobile home parks with a total of 246 units in Glenwood Springs. Mobile homes are a form of naturally occurring affordable housing, as they are available at a lower cost than traditional homes and typically serve as housing for lower-income residents. This position in the housing market also makes mobile home residents particularly vulnerable to displacement. Typically, mobile homes are located in mobile home parks in which residents own their individual mobile homes, but do not own the land beneath the mobile home. The park itself is most commonly owned by a landlord who maintains the park and collects lot rent from each individual mobile home resident.

Mobile home residents are especially vulnerable to displacement pressures. As land is increasingly valuable in Colorado communities such as Glenwood Springs, mobile home parks are often considered by speculative developers and are sometimes sold and redeveloped into another use, resulting in the displacement of residents. More commonly, landlords will raise lot rents to establish better land sale values and sell the mobile home park to a new landlord that, in turn, raises lot rents to prove out the investment metrics, creating additional economic strain for residents and pushing many out. Mobile homes, despite their name, are expensive and cumbersome to move to another location, further compounding the economic strain on residents and further limiting the options residents have when faced with redevelopment or increasing lot rents.

As a key source of naturally occurring affordable housing, mobile homes are an important element of housing preservation strategy. With recent State legislation that has expanded policy tools for mobile home park preservation, the City can apply both its own policy tools and can promote and utilize State policy tools to support mobile home park preservation and improve housing stability for residents. This section provides an overview of the different policy approaches for mobile home park preservation.

Summary of Recent Legislation

In 2020 and in 2022, the Colorado State Legislature passed laws that significantly expand protections for mobile home park residents and that expand opportunities for residents to purchase their park, as well as a law that provides State funding for mobile home park preservation. Key provisions of the legislation include:

- Mobile home park owners must inform residents of their intent to sell a park or change the use of the land. Written notice must be delivered to park residents within 14 days of showing intent to sell.
- If an owner intends to sell a mobile home park, park residents have 120 days to make an offer to purchase the mobile home park and arrange financing before the owner can close on a sale. Previously, residents were not guaranteed any amount of time to make a purchase offer. The law requires the landlord to negotiate in good faith.
- A public entity can purchase a mobile home park with the purpose of preserving the park as long-term affordable housing, and the public entity can exercise a right of first refusal on purchasing the park. For this to happen, a majority of residents in a mobile home park have to agree to assign their right to purchase to the public entity.
- Park owners who will displace mobile home park residents resulting from a change in use of the park have to compensate the resident with relocation assistance within thirty days of receiving a request from the homeowner.
- Park owners are prohibited from retaliating against residents on the basis of complaints about park habitability violations and are prohibited from coercing or influencing residents in their decision to purchase their park.
- Residents or a residents' association have the right to request a meeting with the landlord, which the landlord must attend within 30 days, up to twice per year. Landlords also cannot prohibit residents from convening resident meetings on park property or charge a fee for doing so.
- The State established a \$35 million revolving loan and grant fund designated for mobile home park residents seeking to purchase or improve their mobile home park. This funding can be used for a limited number of purposes, including as financing for residents seeking to purchase their park, as grants to residents seeking to stabilize lot rents, or as grants to nonprofits who provide technical assistance to park residents such as assessments of park condition or legal services.

Resident Purchase of Mobile Home Parks

An important avenue for mobile home park preservation is enabling residents to purchase their park. As mobile home park residents typically do not own the land where the park is located, a sale to an outside buyer can cause a park to be redeveloped, which displaces residents, or can lead to higher lot rents, which can also displace residents. If residents are able to purchase their park, it can lead to greater stability and long-term preservation, with residents gaining greater ownership and control over their housing situation and better insulating residents from market pressures.

The biggest barrier to residents purchasing their mobile home park is financial, as successfully purchasing a park is expensive. Enabling residents to purchase their park often requires direct financial support, typically in the form of low-cost financing. Currently, possible sources of financing for this include local nonprofits and the recent fund established by the State. While these resources exist and are growing, purchasing a mobile home park is a complicated, time-intensive, and resource-intensive process. It is critical for residents to have the ability to access these resources as well as guidance and technical assistance on the purchasing process and financing options, which requires outreach and organization. Various nonprofits can take an active role in this process, such as Resident Owned Communities USA, Thistle ROC, and Manaus, as can the City, which will be described in the next section.

Connecting Residents with Resources and Outreach

A major barrier to residents purchasing their mobile home park is a lack of awareness and understanding of the process to do so. Residents need to be aware of their rights and need to be able to effectively navigate the process of purchasing their park. Ideally, such efforts are resident-initiated. However, the City can also play a role in connecting mobile home park residents with resources through different approaches, including:

- **Creating a Resource Guide** – The City could create a guide to help residents navigate laws around landlord-tenant regulations in mobile home parks, including laws around the process of selling a park, retaliation, repairs, forming community associations, and mediation. The guide would be publicly accessible and promoted to mobile home residents.
- **Complaint portal** – The City could create a portal or hotline for mobile home park residents to submit complaints about violations of code in their park. This would enable the City to better regulate mobile home parks, to better mediate disputes, and to connect residents with available resources.

- **Community Legal Nights** – This would be a semi-regular event in which mobile home park residents would be invited to learn about their rights as tenants and about available resources for navigating maintenance, resident purchases of parks, and disputes with landlords. These events could be held by the City, or alternatively, by legal nonprofits or advocacy groups, such as the Colorado Poverty Law Project or Manaus, which would require the City to reach out and partner with these groups.

Land Use Overlays

Creating a zoning designation for mobile home communities allows for targeted regulations and standards for these areas. This strategy is also used by some communities as a way to preserve mobile homes as a component of the local housing stock; once an area is protected by a zoning designation, it is far more difficult for the owner to sell it for a different use or to change the use of the property and force the tenants to move. Currently, most mobile home parks in Glenwood Springs have a residential high density zoning designation, which is a zoning designation conducive to potential redevelopment. Adjusting the zoning to preclude redevelopment could prevent future redevelopment and displacement of residents.

Support for Maintenance and Infrastructure

A common issue for residents who purchase their mobile home park is the cost of deferred maintenance and site improvements. When these costs are high, it can push residents to raise lot rents to cover them, undermining some of the initial purpose and benefits of purchasing their park. To address this issue and ensure long-term stability, the City can work with residents to secure funding for site and infrastructure improvements. This assistance can take several forms, including direct loans or grants from the City, or grants from nonprofit or philanthropic sources. In the latter case, the City can work with residents to create clarity on necessary site improvements and to connect residents with available funding. Public assistance for mobile home park infrastructure and site improvements can carry requirements related to limiting lot rents, park uses, and deed restrictions.

Other Preservation Policy Tools

In addition to the policy tools described above, the City can implement and utilize other possible policy tools to preserve existing housing stock. The policy tools are organized according to whether they serve rental or owner housing and are summarized below.

Rental Housing

- **Rental assistance:** As rents rise, tenants often face a significant financial burden, potentially leading to eviction or the need to move to a less expensive housing situation. Under a tight rental market, a less expensive housing situation can mean moving out of a city altogether to a lower-cost market. A way to ensure that tenants are able to stay housed where they are is by providing rental assistance. To do this, the City can establish a rental assistance program using public funding. The program can be targeted for particular tenants based on income and current risk of displacement. Rental assistance payments can last for a set number of months and can carry conditions for the landlord, such as agreements to not raise rent or agreements to not evict the tenant for a certain amount of time.
- **Apartment acquisition fund:** A policy approach to preserve relatively lower-cost rental units and to make the units permanently affordable is by establishing an apartment acquisition fund. This fund would function by providing either low-interest loans or grants to land trusts, nonprofits, or tenants to acquire a rental building that goes up for sale. The program would target smaller, market-rate apartment buildings that house low-income renters, and the buyer of the building would commit to terms that permanently set the rents at levels affordable to low-income renters. Buildings like this often go up for sale, with the expectation that the buyer will either scrape the building and develop more expensive units, kicking the existing tenants out in the process, or that the buyer will sharply increase rents, pricing tenants out. It is important to prevent these units from being purchased by buyers who will not preserve their affordability and into the hands of organizations who are committed to long-term affordability.
- **Rental Rehab:** Older rental housing is often an important source of naturally occurring affordable housing for low- and middle-income populations. An approach to preserving older rental housing stock with habitability issues or with significant maintenance needs is a rental rehab program. Under such a program, the City would provide grants or low-interest loans to rental

property owners to make essential repairs and repairs that improve tenant quality of life. Specific standards can be established for property eligibility. In exchange for the receiving public funding for rehab, landlords would have to agree to particular terms, including limits on rental rates, lease priority for tenants below a certain income level, and lease guarantees for existing tenants. This type of program could improve housing conditions for existing renters and ensure their long-term housing stability by preserving critical rental housing stock.

- **Hotel Conversions:** A way to utilize existing buildings to grow the stock of affordable housing is through hotel conversions. With public funding, hotels can be converted into housing units and rented to local households. Converting an existing hotel into housing can be done at a significantly lower cost than creating a new housing unit, as it utilizes an existing building and infrastructure.

Owner Housing

- **Home Repair Loans and Grant Program:** Repair costs can often be a major financial burden for low- and middle-income homeowners. When costs become too high, owners can face pressure to sell their home and move elsewhere. A common way to prevent this from happening and to preserve housing stock for these homeowners is to provide access to low-interest home repair loans and grants. The City could establish a program with public funding and could set program parameters related to participant income, loan repayments, and sale restrictions, primarily targeting households at the greatest risk of displacement. Maintaining affordable housing that already exists and is owned by income-qualified residents is far more efficient than new construction.
- **Property Tax Abatements:** With rising housing prices in Glenwood Springs, the tax burden for homeowners has grown over the past several years. A growing tax burden can have a negative effect on low- and middle-income households, as well as seniors on fixed incomes, who face greater pressure to sell their home and move elsewhere. A property tax abatement program could lower the financial burden for homeowners and could help preserve this segment of the housing stock. Ideally, the program would be targeted at households that face the greatest displacement pressures, including low-income households and households on fixed incomes.

WHAT IS A DENSITY BONUS?

A density bonus is a land use tool that enables new residential developments to build a greater number of units than would otherwise be permitted by the underlying zoning. A density bonus can take several different forms depending on local zoning context, community character, or other development constraints. A density bonus provides an incentive for developers to build more housing units, better utilize existing land, and maximize the buildable area of a lot to enable infill development. Depending on context and policy intent, a density bonus can be achieved through various changes to land use regulations that enable the construction of more buildable finished floor area and therefore more units in a development, leading to greater density. The additional density expands the local housing supply and depending on the mechanism used to authorize the additional density, may include affordability restrictions.

Density Bonus

This section describes policy approaches related to a density bonus in Glenwood Springs. This includes a discussion of a density bonus and its variations, the factors involved in establishing a density bonus, and its relationship with affordable housing.

A density bonus is a valuable housing policy tool because it provides the market an avenue to deliver workforce/affordable housing units while requiring minimal additional investment from the City. Allowing greater density on existing parcels can reduce per-unit development costs, making housing development more attractive. As the city has a limited amount of developable land remaining, allowing greater density is an effective way to utilize existing land without growing outward. Residential density, when built near transit service, can also expand the use of public transportation, reducing potential traffic impacts.

Since 2021, Glenwood Springs has offered a density bonus as part of its inclusionary housing ordinance. The density bonus is general, stating that “as part of any new residential or mixed-use development, the City may offer a density bonus.” To date, the density bonus has not attracted developer interest, as no project has taken advantage of the policy. The limited interest in the density bonus highlights the need to modify the policy, raise awareness in the community related to the availability of this option, and more clearly define the parameters to be used by the City for a density bonus approval.

Structure of a Density Bonus

An effective density bonus will clearly define the parameters for developments seeking additional density. Generally, there are two approaches. The first involves larger developments that are typically multifamily/condominium buildings. The second involves an approach of increasing the unit count in low-density single-family neighborhoods, in the form of Accessory Dwelling Units (ADUs) which add one unit to a give lot, or can involve two or three additional units for lots that can accommodate the design parameters.

An important parameter and possible future code change is to specify how many additional units can be built by using a density bonus under each of these types of programs. For example, a density bonus can be set at a particular number of units on a given lot or can be set as a percentage of units permitted by underlying zoning.

Another important parameter is specifying how a density bonus can be achieved. While this can vary by the type of housing a density bonus applies to, a density bonus is often achieved by modifying development standards and land use regulations, such as:

- Allowing a greater number of units on a given lot or a greater number of units per acre of land
- Allowing additional height or stories
- Allowing a higher floor-to-area ratio
- Reducing the required minimum lot size
- Reducing setback requirements
- Reducing parking requirements

Neighborhood Context

A density bonus policy typically varies by zoning and neighborhood context. Given the wide range of neighborhood and housing types in Glenwood Springs, a density bonus is likely to take different forms in different areas of the city. The form a density bonus takes also depends on policy priorities and the type of housing that the City is seeking to incentivize, whether duplexes, fourplexes, townhomes, or apartments. Generally, a density bonus in Glenwood Springs would be targeted to the following contexts:

- **Residential Neighborhoods** – In the residential neighborhoods in Glenwood Springs that primarily consist of single-family homes, a density bonus could be used to promote the construction of smaller residential developments, including duplexes, triplexes, and fourplexes, often referred to as ‘missing middle’ housing. This would involve changing the land use code to allow more units to be built on existing lots, such as allowing duplexes, triplexes, or fourplexes in the RM1, RL, and/or RR zone districts.
- **Commercial and Transit Corridors** - In areas of Glenwood Springs with greater residential and commercial density, such as major corridors, a density bonus could be implemented to encourage the construction of multifamily housing. This would involve changes to the land use code such as increasing allowable height and reducing parking requirements, enabling more units to be built as part of particular multifamily projects. Using a density bonus to encourage transit-oriented development is also critical for connecting future residents of housing developments to public transportation options and in limiting the potential traffic impacts of new housing development. A density bonus could specifically permit greater density for residential projects close to existing transit stops or in transit corridors in Glenwood Springs.

Existing Glenwood Springs Land Use Regulations Context

- **Current Density Bonus Standards** - Glenwood Springs offers a density bonus as part of its inclusionary housing ordinance. The density bonus is general, stating that “as part of any new residential or mixed-use development, the City may offer a density bonus.”
- **Current Inclusionary Housing Standards** - Glenwood Springs has an inclusionary housing ordinance requiring 20 percent of new rental units and 10 percent of new for-sale units in projects with 10 or more units to be affordable at or below 100 percent of area median income.

Affordability and Relationship with Inclusionary Zoning Ordinance

As a policy tool aimed at expanding affordable housing, a density bonus should have transparent affordability parameters. A density bonus should specify how many units in a project need to be affordable and at what level of affordability.

Alternatively, a density bonus policy could be designed to require a greater level of affordability than required by the current inclusionary housing ordinance. If the goal of the density bonus is to achieve greater affordability than required by the inclusionary housing ordinance, the density bonus policy should provide specific parameters around the share of affordable units and average affordability level of units needed to receive the density bonus.

A density bonus has to balance the need for affordability with attractiveness to prospective developers. An effective density bonus would enable developments to deliver a greater level of affordability while maintaining financial feasibility. If affordability requirements are too high, there may be limited developer interest in using a density bonus.

Examples in Colorado

Currently, several municipalities in Colorado have density bonus programs, each with varying structures and standards. Three examples are shown below: Pagosa Springs, Denver, and Longmont.

Pagosa Springs

As of 2021, Pagosa Springs has a density bonus available for residential projects with two or more units. The density bonus specifies that the town can grant a density bonus of up to 50 percent of the number of allowable units permitted in an underlying zoning district for both rental and for-sale projects. The policy has an affordability requirement, as the additional units must be affordable to households at or below 120% of area median income. The density bonus can be achieved through various land use code modifications, including increasing allowable height, encroaching into setbacks, or reducing parking requirements.



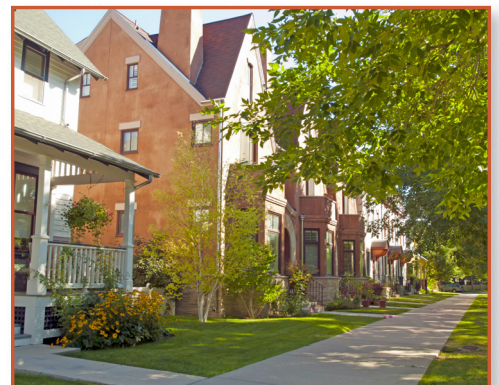
Denver

As of 2022, Denver has an inclusionary housing ordinance (IHO) for rental and for-sale projects, which requires a certain share of affordable units in all new residential projects with 10 or more units. The policy grants a density bonus to projects that provide greater affordability than required by the IHO. Specifically, projects that exceed the affordability requirements of the IHO are eligible for height increases, reductions of parking requirements, and exemption from parking requirements if the projects is located within a quarter mile of a transit station.



Longmont

Longmont has an inclusionary housing ordinance for for-sale and rental projects, which requires a certain share of affordable units in all new residential projects. In conjunction with the IHO, for projects that meet the set-aside requirements, the City has several density bonus-related incentives, including a 20 percent increase in allowable unit density, increased allowable height, reductions in setback and landscaping standards, minimum lot size reductions, and reduced parking requirements. In this case, the density allowances do not generate additional units above the minimum IHO threshold but do make it easier for developers to comply.



IMPORTANCE OF FUNDING SOURCES

Establishing dedicated funding sources is essential to developing a robust set of policy tools and interventions to expand affordable and workforce housing. A litany of possible funding sources exists, and the purpose of this report is to summarize the options available to the City of Glenwood Springs and provide an overview of the potential benefits and limitations of each funding source. Locally, a municipality can generate revenue for housing from fees and from taxes, which require different processes to implement and carry different requirements related to how revenue is used. The State of Colorado also has funding available for housing that municipalities can draw from. The State has made recent investments in affordable housing, including over \$450 million allocated in early 2022 from federal COVID-19 relief funds, as well as a 2022 law passed through ballot measure that will dedicate \$300 million annually to housing-related programs.

Funding Sources

This section summarizes possible funding sources that the City of Glenwood Springs can dedicate to affordable and workforce housing programs.

Current Funding for Housing

Until 2022, Glenwood Springs did not have any municipal funding sources dedicated to housing. In 2022, Glenwood Springs voters passed a 2.5 percent increase in the local lodging tax, which is expected to generate \$1.3 to \$1.5 million in revenue annually. The revenue will be placed into a Workforce Housing Fund that will be used to fund various housing programs and projects.

The primary goal of the Workforce Housing Fund is to increase the supply of workforce housing for individuals and families living and working within the city. The Workforce Housing Fund would be focused on maintaining the City's existing workforce housing stock and providing new workforce housing for Glenwood workers through the following programs:

- Property Acquisition, including land banking, rehabilitation of existing buildings, hotel or motel conversions, maintaining mobile home parks and other expenses related to maintaining other existing workforce housing.
- Forming partnerships with private, nonprofit and other public entities to develop workforce housing, including filling financing gaps and leveraging additional resources to create affordable workforce housing.
- Buy-downs and incentives, including using funds to defray the cost of existing housing stock for the purpose of affordable workforce housing.
- Down Payment Assistance, including providing a secondary loan to help potential home buyers enter the homeownership market.

Local Funding Sources

This section describes the possible local funding sources that Glenwood Springs could use to fund affordable housing. The section includes a detailed explanation of each funding source with an assessment of revenue potential, barriers, and other examples from around Colorado. The funding sources are categorized into taxes and fees, which carry different implementation and spending requirements. The table below shows a summary of each potential funding source.

Table 2. Local Funding Sources

Program	Election?	Description	Revenue Potential
Fees			
Residential Linkage	No	Levied per square foot of new development	N/A
Commercial Linkage	No	Levied per square foot of new development	N/A
Real Estate Transfer Fee	No	Regulatory fee imposed on all real estate transfers.	A \$500 flat fee would generate \$170,000 annually.
Short-term rental fee	No	A per-bedroom fee on short-term rentals charged annually.	A \$500 per-bedroom fee would generate \$110,000 annually
Taxes			
Occupational Privilege Tax	Yes	Tax on employers for each employee per month	A \$2 per employee per month tax would generate \$750,000 annually
Attractions Tax	Yes	Tax charged on admission to places, events, and performances open to the public	N/A
Property Tax	Yes	Additional mill levy on property with revenue dedicated to housing	An increase of 2.00 mills would generate \$850,000 annually
Sales Tax	Yes	An increase of the municipal sales tax rate with revenue dedicated to housing	A 0.25% sales tax would generate \$1.5 million annually
Short-term rental tax	Yes	A tax levied on guest stays at short-term rentals	A 5% STR tax would generate \$340,000 annually
Vacancy Tax	Yes	New tax imposed annually on residential units that are not a primary residence.	A \$2,000 annual tax would generate \$700,000 annually

Source: Economic & Planning Systems

Fees

Fees can be a significant source of funding for affordable housing. Currently, the primary types of fees in Colorado are impact fees and regulatory fees, which carry different legal standards. Fees differ from taxes in that 1). Fees typically must have a reasonable relationship to the issue they seek to mitigate or offset, 2). Revenue collected from fees must be spent on costs related to their purpose, and 3). Fees can be implemented through an ordinance from the local governing body, rather than through a direct vote of the electorate. Given the constraints from TABOR and the political challenges associated with passing taxes through popular vote, fees are a viable avenue for generating additional funding. Additionally, recent court precedents, including the Aspen Bag Fee decision, have expanded the possible horizons of regulatory fees in Colorado.

Linkage Fees

An affordable housing linkage fee is a form of impact fee. Linkage fees function like capital impact fees (e.g., fire, police, transportation) or water and sewer tap fees in that they are levied on new residential and commercial development proportional to its impact on the public infrastructure and facilities funded with the fee. There must be a rational nexus and rough proportionality between the fee charged and the impact of the development on which it is levied. Implementing a linkage fee requires that a study be completed to determine this nexus. Linkage fees are typically charged on a per square foot basis at time of building permit. Like capital impact fees, linkage fees must be accounted for in a fund and spent on costs related to their purpose, affordable housing development in this case. These costs include construction, land acquisition, planning and design services, development fees, fee reimbursements or any cost related to the production or expansion of affordable housing.

REVENUE POTENTIAL

A limitation of a linkage fee is that its revenue potential is dependent on the level of construction activity within a market, which can fluctuate by stage in a market cycle and by the level of developer interest in a particular market. In addition, the revenue potential of linkage fees is dependent upon the amount of developable land available and the buildout potential for new residential and commercial over time. In Glenwood Springs, long-term buildout potential and therefore linkage fee revenue potential may be limited due to a relatively small number of developable sites and land constraints.

PROCESS FOR ADOPTION AND BARRIERS

As a fee, not a tax, linkage fees are adopted by ordinance by the local governing body. While the legal validity of implementing linkage fees is well-established, linkage fees may encounter political pushback and pushback from the development community more broadly. Linkage fees place the burden of raising revenue for affordable housing on new residential and commercial development, rather than distributing the burden across the community, which poses challenges for generating political support. Implementing a linkage fee also requires a nexus study to be conducted.

EXAMPLES ELSEWHERE IN COLORADO

Several municipalities have implemented affordable housing linkage fees, including Denver, Boulder, Aspen, Telluride, and Mountain Village. It is a commonly used tool to generate funding for affordable housing.

Short-term Rental Fee

A short-term rental fee is a regulatory fee levied on short-term guest rentals, typically on an annual per-bedroom basis. The fee applies to property owners with a short-term rental license. The fee is predicated on the existence of reasonable relationship between guest spending from short-term rentals and the demand for affordable housing that guest spending creates through generating employment. An STR fee also accounts for the possibility that a home used as a short-term rental could be occupied by a local resident, and the fee is further based on the difference between the impact of guest spending in the local economy and the baseline impact of local resident spending. In markets with a significant amount of visitation activity, a short-term rental fee is a viable way to generate funding for affordable housing from the tourism economy and in a way that is passed onto visitors rather than residents. As a regulatory fee, use of revenue is inflexible and must be allocated to costs related to its purpose. In the case of an STR fee, revenue would have to be placed in a fund restricted to implementing affordable and workforce housing-related programs.

REVENUE POTENTIAL

The revenue potential of a short-term rental is directly linked to the number of licensed short-term rentals within a municipality. In Glenwood Springs, the base of short-term rentals is relatively small, with a total of 110 licensed short-term rentals. Assuming an average of 2 bedrooms per short-term rental, an annual per-bedroom fee of \$500, which is comparable to existing fees in other towns, would generate approximately \$110,000 in annual revenue.

PROCESS FOR ADOPTION AND BARRIERS

In order to legally justify the fee, a city would need to provide a study that demonstrates the rationale of a short-term rental fee. The study would determine an annual fee level based on a reasonable relationship between guest spending from STRs and the demand for affordable housing. As a fee, not a tax, short-term rental fees are adopted by ordinance by the local governing body. Short-term rental fees have passed legal scrutiny in other municipalities. Generally, the biggest barrier would be political will, especially given the recent increase in lodging tax and the relatively small revenue potential.

EXAMPLES ELSEWHERE IN COLORADO

Breckenridge and Vail have implemented short-term rental fees, and several other municipalities and counties are currently exploring short-term rental fees as a way to generate funding for affordable housing.

Real Estate Transfer Fee

A real estate transfer fee is a possible type of regulatory fee on residential and commercial property sales. The fee would be charged at the time of closing on residential and commercial transactions within a given municipality, and it would be the responsibility of the buyers and sellers, realtors, title companies, and lenders to ensure that the fee is collected and remitted to the municipality. The municipality would place the fee revenue in a fund restricted to implementing a variety of workforce housing programs; the revenue would not be used for general operating purposes.

In order to adopt a real estate transfer fee as a regulatory fee, a municipality would have to demonstrate the rationale for the fee under the City's powers to regulate health, safety, general welfare, and morals under its police powers and to show a reasonable relationship between the fee being paid and the benefits received by the fee payers. A study would have to identify the direct and indirect benefits to fee payers. Finally, the fee would have to be reasonably related to the direct and indirect costs to a municipality of providing affordable and workforce housing services or regulating the development of affordable and workforce housing, the purposes for which the fee is collected.

A benefit of a real estate transfer fee is that it captures revenue from property sales, which distributes the burden of funding affordable housing across a broad segment of the community. It is also a relatively progressive revenue source, as fee payers are those who sell real estate and are generally higher income.

It is important to note that a real estate transfer fee has not yet been implemented anywhere in Colorado. As such, this is a preliminary description of the fee, so please note that implementing such a fee is unproven and could face legal risks.

REVENUE POTENTIAL

Current analyses suggest that a real estate transfer fee would have to be set as a flat fee on transactions. At a fee level of \$500 per transaction, and with 350 annual property sales in Glenwood Springs, a real estate transfer fee would generate approximately \$175,000 in revenue annually.

Process for Adoption and Barriers

As a regulatory fee, a real estate transfer fee could be adopted by ordinance by the local governing body. Real estate transfer fees have not yet passed legal scrutiny in other municipalities and would likely face legal pushback if implemented. While a few legal opinions suggest that the Colorado Supreme Court may rule favorably on a real estate transfer fee, there is no guarantee of success. The risk of the fee not passing legal scrutiny is also substantial. If a municipality passes a real estate transfer fee, but the fee gets struck down by the State Supreme Court, the municipality is legally liable to return the fee revenue it has collected with 10% simple interest. While such a fee may have political support, the legal barriers and risks are currently high. However, it is worth noting that if other municipalities may pass a real estate transfer fee within the next few years, it could set a legal precedent and open the door for other municipalities to implement the fee.

EXAMPLES ELSEWHERE IN COLORADO

No municipalities currently have real estate transfer fees, but several have real estate transfer taxes, which were grandfathered in as they were implemented before TABOR. These include Aspen, Avon, Minturn, Telluride, Vail, Frisco, Ophir, and Crested Butte.

Taxes

Taxes are the most common funding source for affordable housing in Colorado. The primary challenge with taxes in Colorado is that passing a new tax or tax increase requires a vote and majority approval of the electorate through a ballot measure. The following taxes are the most commonly used taxes to fund affordable housing around the state.

Property Tax

Property tax revenue can serve as a dedicated funding source for housing, either by reallocating existing property tax revenues or establishing an additional property tax levy. Under Colorado law, a mill levy must be uniform on all taxable property. Property taxes are regarded as progressive, as property owners tend to be on the upper end of the income distribution. As property values have increased significantly over the past decade, a property tax levy is also a way to capture a portion of those gains for public purposes. Certain property owners, including low-income homeowners and seniors, can face a significant financial burden from increased property taxes, which can lead to housing instability. To address this, it is possible to establish a refund or abatement program for certain residents in order to reduce their property tax burden. Another advantage of property taxes is that it distributes the burden of generating revenue more broadly and evenly across the community.

REVENUE POTENTIAL

Under current valuations, a property tax levy of 2.00 mills in Glenwood Springs would generate approximately \$850,000 annually. This would increase the property tax burden of a median-priced home by \$10 per month.

PROCESS FOR ADOPTION AND BARRIERS

Property tax increases are legal and have been used in other communities to raise revenue for public investments. The largest barrier to using property taxes as a dedicated funding source for housing, however, is political. Under TABOR, property tax increases require approval of the electorate. As raising property taxes increases the financial burden on property owners, they are often politically unpopular and unsuccessful when on the ballot, especially given recent increases in property values.

EXAMPLES ELSEWHERE IN COLORADO

In 2022, voters in Grand County passed a ballot initiative to establish an additional property tax levy to be dedicated to housing. The proposed mill levy

is 2.00 mills and it is projected to generate approximately \$1.2 million in revenue annually and will be managed by the Fraser River Valley Housing Partnership. While property taxes often face political resistance, this is a successful example of a mountain community with the political appetite to fund workforce and affordable housing through property taxes.

Short-term Rental Tax

A short-term rental tax is an excise tax levied on guest stays in properties licensed as short-term rentals. Typically, a short-term rental tax is charged on visitor stays, on top of the existing sales and lodging taxes levied on visitor stays. In markets with a significant base of tourism, this tax can be an effective way to generate revenue from visitors rather than the local community. Moreover, as short-term rentals have proliferated as a lodging type over the past several years and have created negative impacts on housing markets, short-term rental taxes are increasingly seen as a viable, defensible revenue source for affordable housing.

REVENUE POTENTIAL

Glenwood Springs currently has 110 properties permitted as short-term rentals. Under current market conditions, a 5% short-term rental tax would generate approximately \$340,000 annually. Relative to other funding sources, the revenue potential is small, largely because of the limited number of licensed short-term rentals in Glenwood Springs.

PROCESS FOR ADOPTION AND BARRIERS

Implementing a short-term rental tax dedicated to affordable housing requires voter approval. Short-term rental taxes for housing have proven to be attractive for voters in recent elections around Colorado and have demonstrated political viability, although given the recent passage of a lodging tax increase in Glenwood Springs and limited revenue potential, a short-term rental tax may face political barriers, or indifference, in Glenwood Springs.

EXAMPLES ELSEWHERE IN COLORADO

Short-term rental taxes have recently emerged in mountain and resort communities as an important funding source for housing. In the past year, voters in several communities have passed short-term rental taxes to fund affordable and workforce housing, including:

- Aspen – 5% to 10% tax, depending on property classification.
- Carbondale – 6% tax

- Steamboat – 9% tax
- Salida – 4x increase on the nightly STR tax per bedroom
- Avon – 2% tax
- Frisco – 5% tax
- Dillon – 5% tax

Sales Tax

In markets where tourism or economic development is a strong driver of service-sector employment (and subsequently housing demand), such as Glenwood Springs, dedicating a portion of sales taxes towards housing can be an effective way to leverage a market driver without unduly burdening local households.

Sales taxes can generate a considerable amount of revenue. However, sales taxes are often regarded as regressive, as low-income households tend to spend a greater percentage of their income on local consumption than higher-income households, and therefore pay a higher share of their income to sales tax. While the burden of sales tax is distributed across the community and to visitors, the burden can be more significant for low-income households who consume locally.

REVENUE POTENTIAL

Glenwood Springs currently has a local sales tax of 3.70%, and a total sales tax rate of 8.60% with state, county, and transit authority sales taxes included. Given current levels of activity, a quarter-cent sales tax (0.25%) would generate approximately \$1.5 million annually, making the revenue potential of a sales tax significant.

PROCESS FOR ADOPTION AND BARRIERS

Sales taxes are a well-established and widely used way for municipalities to generate revenue. The biggest barrier for sales tax is political, as increasing the sales tax rate requires voter approval. With a current sales tax rate of 8.60% and an economic environment in which the cost of living has been going up, raising the sales tax rate could very well face substantial political pushback.

Examples elsewhere in Colorado

Practically every community in Colorado has a local sales tax, although relatively few use the revenue for housing. Communities in Colorado, including Aspen, Summit County, and Loveland use a portion of sales tax revenue to fund affordable and workforce housing goals.

Occupational Privilege Tax

An Occupational Privilege Tax, commonly known as a ‘Head Tax’, is a tax levied on employers for each employee they have working for their business establishment. An OPT is typically levied on a per employee per month basis. In Colorado, most places with an OPT levy the tax monthly on each employee, and levy an additional per month match on the employer for each employee they have. Under this structure, a \$2 monthly per employee OPT would generate \$4 per employee per month, with half paid by the employee and half paid by the employer. As this is a tax, revenue from an OPT can be dedicated to funding housing.

REVENUE POTENTIAL

With a current employment base of 16,000 in Glenwood Springs, a \$2 per employee per month OPT with an employer match would generate approximately \$770,000 annually. Over time, revenue would grow if employment were to grow.

PROCESS FOR ADOPTION AND BARRIERS

An OPT requires voter approval, so the main barrier is political. As this tax is not commonly used in Colorado, successfully passing one would require building buy-in and coalitions in the community, among both employees and employers.

EXAMPLES ELSEWHERE IN COLORADO

Currently, five jurisdictions in Colorado have an OPT: Denver, Greenwood Village, Aurora, Glendale, and Sheridan. OPT levels typically range from \$2 per employee per month to \$6 per employee per month.

VACANCY TAX

A vacancy tax is a tax levied on vacant homes. The definition of a vacant home can vary, but is generally considered a home that is not the owner’s primary residence, and is also not rented out to tenants for any significant amount of time over the course of a year. Vacant homes are also commonly referred to as second homes. In mountain and resort communities across Colorado, vacant homes are common and often comprise a significant share of the total housing stock. Generally, a tax on vacant homes would be considered a progressive tax, as the burden would be placed on owners of vacant homes who tend to be high-income.

REVENUE POTENTIAL

The revenue potential of a vacancy tax would likely fluctuate from year to year based on changes in the vacant housing stock. Assuming that there are 140 vacant housing units in Glenwood Springs, a \$2,000 annual tax would generate \$280,000 in revenue annually.

PROCESS FOR ADOPTION AND BARRIERS

Implementing a vacancy tax requires voter approval. Currently, no municipalities in Colorado have a vacancy tax, so no examples exist to show the legal barriers that a vacancy tax might encounter. The main barrier to a vacancy tax is gaining the support of the electorate.

A potential barrier for a vacancy tax is the need to establish a system to categorize vacant homes and collect and enforce the vacancy tax. Various models for this exist in other cities in North America. In most cases, a vacancy tax would require additional staff capacity and enforcement infrastructure.

EXAMPLES ELSEWHERE IN COLORADO

Currently, no municipalities in Colorado have a vacancy tax. In 2021, Crested Butte referred a vacancy tax (referred to as a community housing tax) to the municipal ballot that proposed to levy a \$2,500 annual tax on residential units that were not the primary residence of the owner and were not rented out for at least 6 months out of the year, and on undeveloped property that is zoned for residential use. The measure failed at the ballot, with 56% of voters rejecting the measure. No other communities in Colorado have attempted to pass a vacancy tax, although other cities in North America, including Vancouver and San Francisco, have implemented vacancy taxes.

Attractions/Admissions Tax

An admissions tax is a sales tax levied on any charge imposed to gain admission to any place, event, performance, or scheduled activity open to the public. Common examples of places that require such charges include concerts, theater performances, sports events, amusement parks, water parks, pools, and spas. As Glenwood Springs draws a high amount of visitors every year, many of whom visit the various paid attractions in the city, establishing an attractions tax would be a way to generate revenue from tourism without placing a significant additional burden on local households.

REVENUE POTENTIAL

Glenwood Springs has several attractions that require an admission charge, including Glenwood Hot Springs, Glenwood Caverns Adventure Park, and Iron Mountain Hot Springs. Given the high volume of visitors that these places attract, an admissions tax could generate a substantial amount of revenue for housing.

PROCESS FOR ADOPTION AND BARRIERS

This type of tax is applied in other municipalities in Colorado, so it is a relatively well-established revenue source. The primary barrier in Glenwood Springs would be political, as implementing this tax would have to gain majority approval of the electorate. This tax may draw pushback from various stakeholders in the community so it would likely require a concerted coalition-building to effort to convince the electorate.

EXAMPLES ELSEWHERE IN COLORADO

Several municipalities around Colorado levy taxes on admissions to events and places that are open to the public. These include Aurora, Boulder, Northglenn, Arvada, Mt. Crested Butte, and Wheat Ridge. The tax rates typically range between 3% and 5%.

State Funding Sources

2022 State Investment in Affordable Housing

In 2022, the Colorado State Legislature invested a significant amount of funding in programs aimed at affordable housing and housing stability. Using funds from the American Rescue Plan Act, the State Legislature has allocated over \$400 million to various affordable housing programs, including:

- \$150 million for a revolving loan fund to support affordable housing developments
- \$138 million for a grant program to fund affordable housing-related projects, including infrastructure, new construction, land banking, affordable housing conversions, and eviction defense.
- \$35 million for a loan, grant, and technical assistance program to support mobile home owners seeking to purchase their mobile home park.
- \$40 million for a program that supports modular housing development.
- \$25 million to expand CHFA's middle income access program, which provides financing to support workforce housing developments.

The funding was officially allocated by the legislature as of late 2022, so funds will be available in the coming year. The Department of Local Affairs (DOLA) is responsible for administering the programs. This represents a significant influx of funding that municipalities should seek to leverage.

Colorado Proposition 123

In November 2022, Colorado voters passed State Proposition 123. Proposition 123 expands state funding for affordable housing by setting aside a small portion of annual state income tax revenue, equivalent to 0.1 percent of taxable income. In the first year, the measure is expected to generate \$290 million in revenue. This represents a large state investment in affordable housing, significantly higher than previous levels of state investment in housing. It is a potentially major funding source for municipalities and an important opportunity for Glenwood Springs to expand its funding for affordable and workforce housing.

The funding generated by proposition 123 will be allocated to a defined set of programs, described below. The law defines affordable housing as at or below 60% of area median income for rental housing, and at or below 100% of area median income for ownership housing.

The first three programs will be managed by the Office of Economic Development and International Trade (OEDIT). The second three programs will be managed by the Division of Housing within the Department of Local Affairs (DOLA).

Land Banking: \$26-\$43 million annually

- This will provide grants to local governments or loans to housing nonprofits for the purpose of acquiring land for affordable housing development. Loans made by the program can be forgiven if the land is zoned for housing within 5 years and permitted and funded for housing within 10 years.
- Municipalities can effectively use this funding to expand their inventory of publicly owned parcels, and with an expanded inventory, drive affordable housing development. Alternatively, municipalities can work with housing nonprofits or land trusts to expand their land holdings intended for affordable housing development.

Equity for affordable housing projects: \$70-\$121 million annually

- This will provide equity investments in rental projects that commit to permanent affordability at an average of 90% of area median income. The investment can be made in new projects as well as existing projects that commit to preserving affordability.
- This program also creates a structure for a tenant equity vehicle, which provides tenants living in the project for at least one year a share of the project's equity growth, which the tenant can apply to a down payment for a home.

Concessionary Debt for Affordable Housing projects: \$26-\$61 million annually

- This will provide low-interest debt financing for rental projects that are permanently affordable at an average of 60% of AMI. The funds will be available to both new projects and existing projects that commit to preserving affordability.
- Funding priority will go to projects that are high-density and align with goals of environmental sustainability.

Affordable Homeownership: up to \$58 million annually

- This creates a down payment assistance program for homeowners below 120% of AMI.
- This offers grants and loans to housing nonprofits and land trusts to support affordable home ownership.
- This also creates a grant and loan program to associations of mobile home park owners to assist them with purchasing their park.

Homelessness Prevention: up to \$52 million annually

- This provides grants and loans to housing nonprofits and local governments to expand rental assistance, housing vouchers, and eviction defense for those at risk of homelessness.
- Also provides loans and grants to support the development of supportive housing.

Capacity Building for local governments: Up to \$5.8 million annually

- This will provide grants to local governments to increase the capacity of planning departments, with the intent of enabling planning departments to more effectively process land use, permitting, and zoning applications for housing development.

Requirements for Participation

In order for a municipality to be eligible to receive funding, or for affordable housing projects within a jurisdiction to be eligible for funding, the municipality must meet specific standards.

- A municipality must establish a plan to increase the inventory of affordable housing units within its boundaries by three percent annually, starting in 2027. Municipalities have to submit this plan by November 1, 2023. Part of this plan is to establish a baseline level of existing affordable housing units, which the municipality can do by referencing estimates from the American Community Survey, or estimates from the Department of Housing.
- A municipality must create a fast-track approval process for all housing development applications in which at least half of the units are affordable. The fast-track approval process requires that municipalities reach a decision on permit or zoning applications within 90 days of submittal, with certain exceptions.

3. Needs Assessment

While the previous chapter focuses on housing policy tools the City can implement to address housing needs, this chapter documents housing market conditions and overall housing need in Glenwood Springs, focusing on the scale of housing need and organizing housing need by income level. This needs assessment is intended to inform policy decisions around housing policy tools and funding for housing programs, and ultimately to serve as a reference point for policymakers and City staff looking to better understand overall housing need when implementing policies and programs.

Market Context

A snapshot of housing and demographic conditions in Glenwood Springs is shown below in **Table 3**. In total, Glenwood Springs has just over 10,000 residents and about 4,300 housing units.

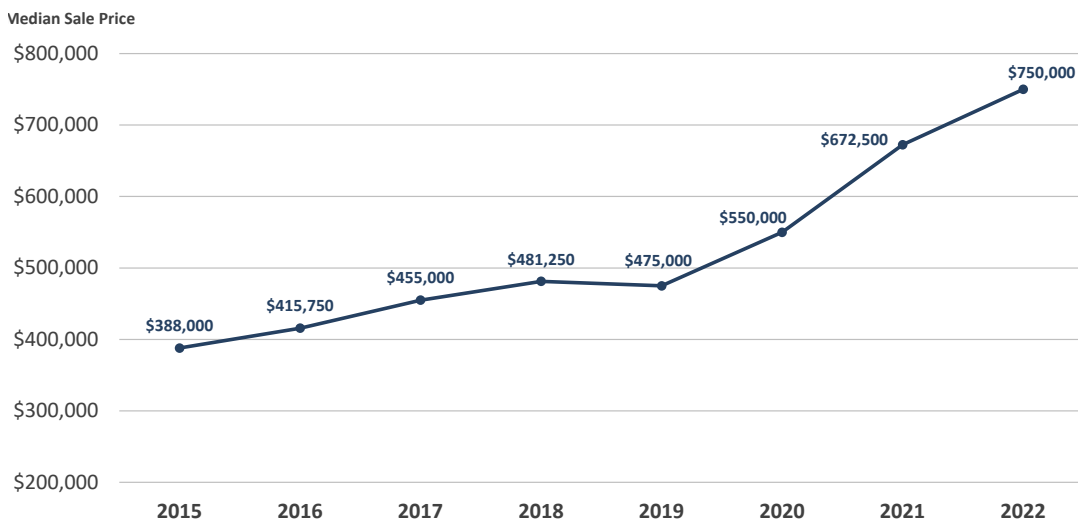
Housing prices in Glenwood Springs have risen significantly in recent years. From 2015 to 2022, the median home sale price increased from \$388,000 to \$750,000, which represents a total increase of 93 percent and a compound annual increase of 9.9 percent, as shown in **Figure 2**.

Table 3. Housing and Demographic Snapshot

Description	Most Recent Year
Population	10,085
Households	3,943
Housing Units	4,346
Second Homes	150
<i>As % of Total Housing Units</i>	3.5%
Short-term rentals	108
<i>As % of Total Housing Units</i>	2.5%
Cost Burdened HHs	1,491
<i>As % of Total HHs</i>	38%
In-Commuters	8,916
<i>As % of Total Employees</i>	78%

Source: DOLA; U.S. Census; Economic & Planning Systems

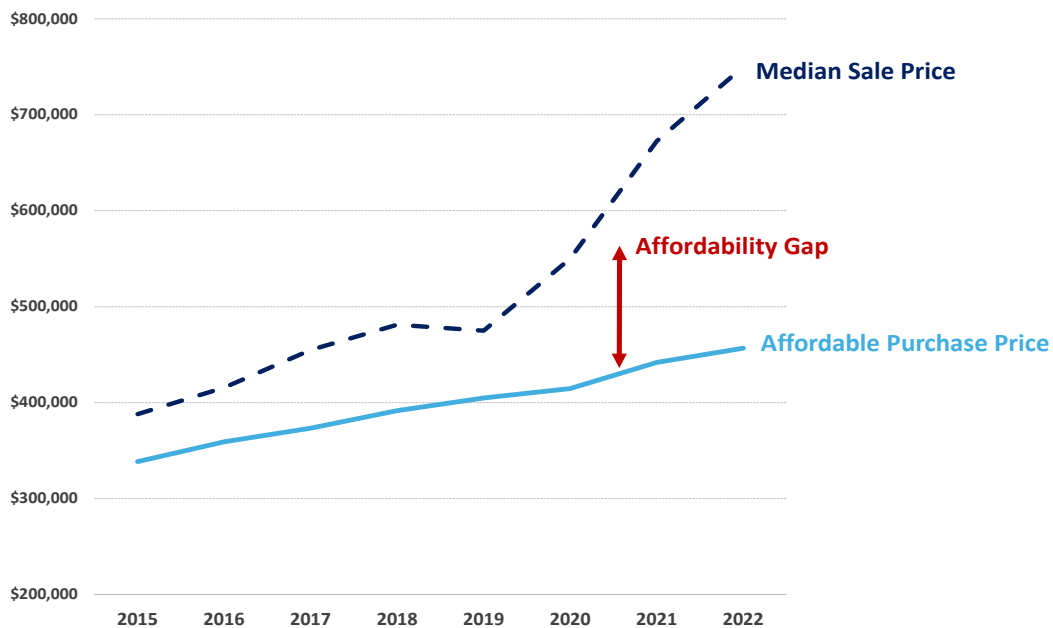
Figure 2. Median Home Sale Price (Inclusive of Single Family and Condo/Townhome Units), Glenwood Springs, 2015-2022



Source: MLS; Economic & Planning Systems

Incomes have not kept pace with housing prices in Glenwood Springs. The affordable purchase price, which represents the home purchase price at which a household earning the average wage pays 30 percent of its income on housing costs, increased at a much slower rate than the median home price. When the affordable purchase price is lower than the median home price, there is an ‘affordability gap.’ As shown in **Figure 3**, the affordability gap in Glenwood Springs increased from \$49,000 in 2015 to \$293,000 in 2022, indicating that housing has becoming even further out of reach financially for working households in Glenwood Springs over the past several years.

Figure 3. Affordability Gap for For-Sale Units, Glenwood Springs, 2015-2022



Source: MLS; Economic & Planning Systems

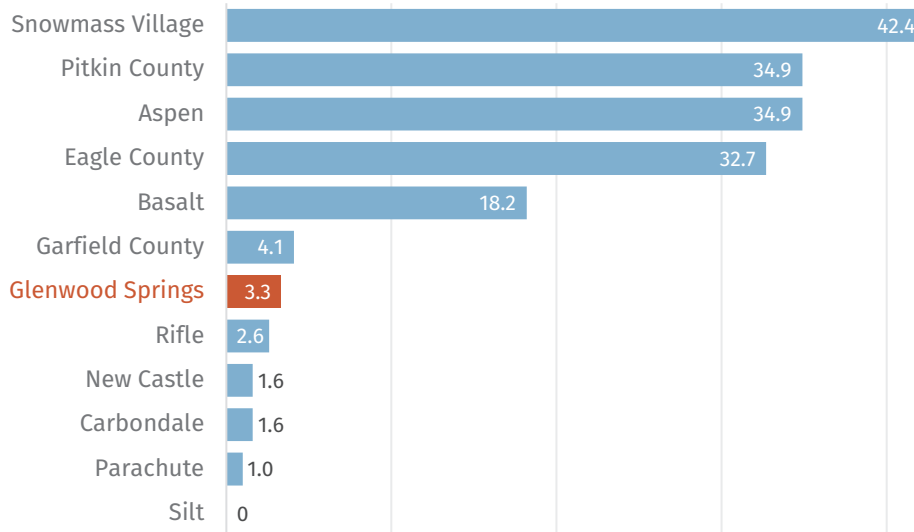
Second Homes

Second homes have accounted for a modest and generally stable share of Glenwood Springs’ housing supply over the past 15 years. Second homes are classified by the U.S. Census Bureau as vacant housing units for seasonal, recreational, or occasional use. The U.S. Census estimates that Glenwood Springs had an average of 140 such units over the 2017-2021 period, representing 3.3% of the City’s housing inventory. Estimates were generally similar for the 2012-2016 period (196 units, 4.5% of supply) and the 2007-2011 period (145 units, 3.3% of supply).

For context, a much higher share of the housing stock is vacant units for seasonal, recreational or occasional use in Snowmass Village, Aspen, and Basalt, as well as in Pitkin County and Eagle Counties. The share of housing units in Glenwood Springs that are second homes is more comparable to Garfield County, as well as Carbondale, New Castle, Silt, Rifle, and Parachute.

Second Homes

Based on percentage of housing inventory



Additional perspective is available by looking at the mailing address of Glenwood Springs homeowners. Communities with high levels of second homeownership tend to have a high share of homeowners with an out of region property tax mailing address. In Glenwood Springs, most single-family homes, condos/townhomes, and mobile homes are owned by people with a Glenwood Springs zip code (78.0%). An additional 9.5% are owned by persons with a mailing address in the broader Garfield / Pitkin / Eagle / Mesa County region, while 11.6% are owned by persons living elsewhere in Colorado or out of state.

Table 4. Owner Mailing Address of Single-Family, Condo, Townhome, and Mobile Home Units, Glenwood Springs, 2022

Owner Mailing Address	Units	% Total
Glenwood Springs	2,922	78%
Other Garfield County	214	6%
Pitkin, Eagle, and Mesa Counties	143	4%
Other Colorado	194	5%
Out of state	239	6%
Mailing address unavailable	33	1%
Total	3,745	100%

Source: Garfield County Assessor; Economic & Planning Systems

Homeowner mailing address is an imperfect indicator of vacation homeownership, since out-of-region owners may use their unit in a variety of ways (e.g., second home, rented long-term to a Glenwood resident, etc.). As such, the Census data discussed previously is likely to be a better measure of second homeownership than homeowner mailing address.

Short-term rentals

The City of Glenwood Springs licenses and regulates Short-Term Rentals (STRs), i.e., the rental of an entire dwelling unit for less than 30 days for monetary compensation. The City limits the supply STRs by capping them at 18% of the free-market housing stock in the City’s General Improvement District (GID), and 5% of the free-market housing stock outside of the GID. Additionally, outside of the GID, an STR must be at least 250 feet away from another STR.

As of March 2023, Glenwood Springs had 108 licensed STRs, equivalent to approximately 2.5% of the City’s housing stock. Interestingly, as of March 2023, most STRs were owned by persons living in a Glenwood Springs zip code (69%), and an additional 7% of owners lived elsewhere in Garfield County or in other nearby communities. Only 22% lived elsewhere in Colorado or out-of-state. Insofar as second homeowners tend to live a reasonable distance away from their second home, this may suggest that there is not too much overlap between Glenwood Springs’ second home housing stock and STR housing stock.

Also of note, most STRs in Glenwood Springs are single-family dwellings (79 percent), as shown in **Table 3**. Insofar as single-family units tend to have higher sales prices and values than attached units, this may imply that STRs are primarily concentrated within a higher-cost segment of Glenwood Springs’s housing supply.

Table 5. Glenwood Springs STRs by Property Type, March 2023

Description	Units	% Total
Single Family Detached	85	79%
Duplex	8	7%
Condo	4	4%
Mixes Use	4	4%
Townhome	4	4%
Apartment	3	3%
Total	108	100%

In addition to STRs, the City also licenses Accessory Tourist Rentals (ATRs), i.e., the rental of a single room in a residence. The City had 12 ATRs as of March 2023.

Source: City of Glenwood Springs STR Log; Economic & Planning Systems

Needs Assessment

The purpose of this section is to provide an estimate of total housing need in Glenwood Springs. An estimate of total housing need is important because it demonstrates the scale of affordable housing challenges in Glenwood Springs and informs policy and planning efforts on what housing programs to establish and how much funding to allocate to them. The housing need estimate shown in this strategic plan reflects need as of 2023.

The estimate of total housing need can be categorized into current need and future need. Current need (or ‘catch-up’) is the additional housing that is needed to meet current demand. Future need (or ‘keep-up’) is the additional housing that is needed to meet new housing demand over the next 20 years.

The estimate of current housing need has three main components, as listed below. Each component has an associated policy goal that determines the degree of need.

- **Cost burden:** Reduce the number of cost burdened households in Glenwood Springs by 50 percent.
- **Vacant jobs:** Provide housing sufficient to fill 100 percent of vacant/unfilled jobs in Glenwood Springs.
- **In-commuting:** Increase the share of the workforce housed in the City from 22 percent to 30 percent – or equivalently, reduce the share of the Glenwood Springs workforce that commutes in from another place from 78 percent to 70 percent.

These three components of need make up the total current housing need in Glenwood Springs. In the next section, each of these components will be described in detail and estimates of need will be shown and organized by area median income (AMI) level.

In addition to current housing needs, this needs assessment incorporates an estimate of future housing demand. This represents the housing need that will be generated by employment growth in Glenwood Springs over the next 20 years.

EPS has established a target income range for housing need between 30 percent and 150 percent of AMI. This reflects the income range that can realistically be served by affordable housing programs established by the City. Housing affordable to households under 30 percent of AMI requires deep financial support that cannot feasibly be provided through local housing programs and

is typically served by federal subsidies, while housing affordable to households above 150 percent of AMI is generally market-rate and does not require financial support from local housing programs. While this needs assessment estimates housing need at all income levels, the addressable housing need target presented by this study reflects need between 30% and 150% of AMI.

Total housing need in Glenwood Springs can be met through a variety of policy tools, including those that produce new housing and those that preserve or improve the affordability of existing housing.

Cost Burden

A household is considered housing cost burdened if it spends more than 30 percent of its gross income on housing (including rent or mortgage, plus utilities, HOA fees, property taxes, and selected other housing costs). Cost burden is an important indicator for housing stability because it represents households in unaffordable living situations. For these households, cost burden creates financial strain and the potential for displacement. Cost burden is a relevant component of housing need because it accounts for current Glenwood Springs households who need more affordable housing situations.

The number of cost burdened households in Glenwood Springs was estimated for both owner and renter households by AMI level, using the most recent available data from the U.S. Census. As shown in **Table 4** on the following page, 898 renter households and 593 owner households are cost burdened, resulting in a total of 1,491 cost burdened households, which represents 33% of all households in Glenwood Springs. Renter households are more likely to be cost burdened (44%) than are owner households (24%). Among renters, a particularly high share of households below 60 percent of AMI are cost burdened (73%).



To estimate housing need, EPS did not include every cost burdened household. This needs assessment sets a policy goal of taking 50 percent of cost burdened households, or reducing cost burden by half. The reason for using 50 percent instead of all cost burdened households is that it is unrealistic and impractical from a policy perspective to change the housing situation of every cost burdened household, as many households may not want to move out or enter a different housing situation. Using this goal of reducing cost burden by 50 percent, the total housing need resulting from cost burden in Glenwood Springs is 746, and the housing need between 30% and 150% of AMI is 381.

Table 6. Cost Burden by AMI, Glenwood Springs, 2021



Cost Burden by AMI	Cost Burdened HHs	Share of total HHs	Cost Burdened HHs
Renter Households			
Under 30% AMI	373	72%	187
30% to 60% AMI	352	73%	176
60% to 80% AMI	68	25%	34
80% to 100% AMI	36	18%	18
100% to 120% AMI	7	12%	3
120% to 150% AMI	10	12%	5
Above 150% AMI	52	12%	26
All Renter Households	898	44%	449
Owner Households			
Under 30% AMI	126	67%	63
30% to 60% AMI	116	45%	58
60% to 80% AMI	63	31%	31
80% to 100% AMI	51	26%	25
100% to 120% AMI	24	14%	12
120% to 150% AMI	36	14%	18
Above 150% AMI	178	14%	89
All Owner Households	593	24%	297
Total Cost Burdened Households	1,491	33%	746
Total Cost Burdened HHs between 30% and 150% AMI	762	35%	381

Source: U.S. Census; Economic & Planning Systems

Vacant Jobs

The second component of current housing need is vacant or unfilled jobs. Unfilled jobs are a key source of housing need because they are directly tied to the functioning and well-being of the local economy in Glenwood Springs. When jobs are unfilled, businesses are unable to fully operate, which has negative effects on business owners and on quality of life for local residents who patronize and rely on businesses in their day-to-day lives. It is clear that a lack of affordable housing is a major cause of job vacancies, as many potential employees are unable to live near these vacant jobs in Glenwood Springs due to prohibitively high housing costs. To fill these jobs, more housing is needed.

EPS estimated housing need from vacant jobs using data from the Colorado Department of Labor and Employment, which tracks job listings in municipalities across the state. Data on vacant jobs in Glenwood Springs was taken at the beginning of 2023 and was organized by AMI level.

As shown in **Table 5**, there are a total of 988 vacant jobs in Glenwood Springs, most of which are at wage levels below 80 percent of AMI. Translating vacant jobs to housing demand required two additional adjustments. First, a jobs per person factor of 1.3 was applied to the number of vacant jobs, accounting for people who hold multiple jobs. This number was then divided by 1.6 to account for an average of 1.6 jobholders per household. The resulting number represents total housing demand from vacant jobs.

This needs assessment sets a policy goal of filling 100 percent of vacant jobs. As a result, filling vacant jobs generates a total housing need of 419 units in Glenwood Springs between 30% and 150% of AMI.

Table 7. Vacant Jobs by AMI, Glenwood Springs, 2023

AMI Category	Vacant Jobs	Jobs per Person	Jobholders per HH	Housing Need
Under 30% AMI	90	1.30	1.60	43
30% to 60% AMI	482	1.30	1.60	232
60% to 80% AMI	213	1.30	1.60	102
80% to 100% AMI	124	1.30	1.60	60
100% to 120% AMI	39	1.30	1.60	19
120% to 150% AMI	14	1.30	1.60	7
Above 150% AMI	<u>26</u>	1.30	1.60	12
Total	988			475
Total between 30% and 150% AMI	872			419

Source: CDLE; Economic & Planning Systems

Commuting

The final component of current housing need is a reduction of in-commuting. In-commuters, or people who commute from another place to work in Glenwood Springs, represent approximately 78 percent of the Glenwood Springs workforce. This is a relevant component of housing need because reducing in-commuting is beneficial for the City’s economic health, for stability and quality of life for workers, and for the environment. Moreover, many Glenwood Springs workers who live elsewhere do so because of high housing costs and would prefer to live in Glenwood if affordable housing were available. To reduce in-commuting and enable a portion of the Glenwood workforce who commute in to live in Glenwood Springs, more housing is needed.

Currently, 78 percent of workers in Glenwood Springs commute in from other places. This means that only 22 percent of the workforce both works and lives in Glenwood Springs or is housed locally. To estimate housing need, we used data on commuting patterns from the U.S. Census (LEHD) and organized it by AMI level. As shown in **Table 6**, approximately 2,515 persons working in Glenwood Springs also live in Glenwood Springs. This needs assessment sets a policy goal of increasing the share of the workforce housed locally from 22 percent to 30 percent (or equivalently, reducing the share of in-commuters from 78 percent of the Glenwood Springs workforce to 70 percent). With this goal, an additional 914 workers would need to be housed locally. Accounting for an average of 1.6 jobholders per household, there is a need for 546 additional housing units between 30% and 150% of AMI in Glenwood Springs resulting from a reduction to in-commuting.

Table 8. In-Commuting, Glenwood Springs

Description	Current Status <i>a</i>	Goal <i>b</i>	Total <i>b-a</i>	Jobholders per HH	Units Needed <i>(b-a)/1.6</i>
Share Housed Locally	22%	30%			
Under 30% AMI	0	0	0	1.60	0
30% to 60% AMI	398	543	145	1.60	90
60% to 80% AMI	95	129	34	1.60	21
80% to 100% AMI	993	1,354	361	1.60	226
100% to 120% AMI	50	68	18	1.60	11
120% to 150% AMI	866	1,181	315	1.60	197
Over 150% AMI	<u>113</u>	<u>155</u>	<u>41</u>	<u>1.60</u>	<u>26</u>
Total	2,515	3,429	914	1.60	572
Total 30% to 150% AMI	2,401	3,275	873	1.60	546

Source: LEHD; U.S. Census; Economic & Planning Systems

Future Demand ('Keep-up')

While reducing cost burden, filling vacant jobs, and reducing in-commuting are focused on addressing current housing need, the last component of this needs assessment estimates future housing demand, or 'keep-up' needs. Future housing demand accounts for the housing demand generated by employment growth in Glenwood Springs over the next 20 years. For Glenwood Springs to sustain its workforce at current levels, it is important to accommodate this future housing demand from employment growth.

Estimates of future housing demand were based on employment growth projections for Garfield County from the Department of Local Affairs (DOLA) and are shown in **Table 7**. Using these projections, EPS estimated that Glenwood Springs will capture 45 percent of countywide employment growth, which is in line with historic trends. Because only a portion of these new employees will live in Glenwood Springs, EPS applied a commuting factor to local employment growth. Consistent with the proposed policy goal of housing 30 percent of the workforce locally, we have set a target that 30 percent of future new employees will also live in Glenwood Springs. After adjusting for multiple jobholders and an average of 1.6 earners per household, this results in new housing demand of 651 units over the next 20 years, or 33 units annually.

Table 9. Future Housing Demand, Glenwood Springs, 2023-2043

Description	Factor	2023	2033	2043	2023-2043	
					Total	Ann. #
Factors						
Earners per HH	1.60					
Jobs per Employee	1.30					
Jobs Projection						
Garfield County		33,827	38,490	43,797		
Glenwood Springs	45% capture	15,222	17,321	19,709	4,487	224
Glenwood Housing Demand						
<u>1 - From Local Job Growth - Current Commuting Rates</u>						
Glenwood Jobs		15,222	17,321	19,709	4,487	224
Live in Glenwood	22%	3,349	3,811	4,336	987	49
Employees	1.30	2,576	2,931	3,335	759	38
Households	1.60	1,610	1,832	2,085	475	24
Glenwood Housing Demand						
<u>2 - From Local Job Growth - Target Commuting Rates</u>						
Glenwood Jobs		15,222	17,321	19,709	4,487	224
Current Housed Locally	22%	3,349	3,811	4,336	987	49
Target Housed Locally	30%	4,567	5,196	5,913	1,346	67
Net Additional Housed Locally		1,218	1,386	1,577	359	18
Employees	1.30	937	1,066	1,213	276	14
Households	1.60	585	666	758	173	9
Total Housing Demand		2,195	2,498	2,843	650	33

Source: DOLA; BLS; Economic & Planning Systems

Summary

To meet current housing needs, Glenwood Springs needs an additional 1,792 housing units (with some of the need potentially addressable by making a portion of the existing housing stock more affordable). A need for 746 additional units is created by reducing cost burden by 50 percent, a need for 475 additional units is created by filling 100 percent of vacant jobs, and a need for 572 additional units is created by increasing the share of the workforce housed locally from 22 percent to 30 percent.

After accounting for income level, total target need between 30% and 150% of AMI equals to 1,346 new and/or more affordable units. These estimates are summarized in **Table 8**.

It is important to note that this housing need can be met through a combination of new affordable housing development and the preservation of existing housing stock. The need for 1,346 additional units does not necessarily require building 1,346 new units. Policies that preserve the long-term affordability of existing housing units, such as buy downs, land trusts, rental rehab, and mobile home preservation, can be used to meet a portion of this housing need. It is ultimately up to the City to determine the policy tools that will be implemented to meet housing need.

Table 10. Summary of Current Housing Needs

AMI Level	Cost Burden	Unfilled Jobs	In Commuters	Total
Under 30% AMI	249	43	0	293
30% to 60% AMI	234	232	90	556
60% to 80% AMI	65	102	21	189
80% to 100% AMI	44	60	226	329
100% to 120% AMI	15	19	11	45
120% to 150% AMI	23	7	197	227
Above 150% AMI	115	12	26	153
Total	746	475	572	1,792
Need between 30% and 150% AMI	381	419	546	1,346

Source: Economic & Planning Systems

Looking at both catch-up and keep-up demand, Glenwood Springs needs 1,792 housing units to meet current housing needs and 650 housing units to meet future housing demand over the next 20 years. Combined, Glenwood Springs needs 2,442 units of housing over the next 20 years or 122 units annually.

Within the target range of 30% to 150% AMI, there is a current housing need of 1,346 units and a future housing need of 512 units. Combined, Glenwood Springs needs 1,858 units of housing between 30% and 150% of AMI over the next 20 years, or 93 units annually. These estimates are summarized in **Table 9**.

Table 11. Total Housing Need by AMI, Glenwood Springs

AMI Level	Current Need	Future Need	Total Need	% of Total	Annual Need
Under 30% AMI	293	65	358	15%	18
30% to 60% AMI	556	145	701	29%	35
60% to 80% AMI	189	13	202	8%	10
80% to 100% AMI	329	188	517	21%	26
100% to 120% AMI	45	64	109	4%	5
120% to 150% AMI	227	102	328	13%	16
Above 150% AMI	153	73	226	9%	11
Total	1,639	650	2,442	100%	122
Total, 30% to 150% AMI	1,346	512	1,858	100%	93

Source: Economic & Planning Systems

4. Public Engagement

As part of this Strategic Plan Update, the EPS and RRC team, along with City staff, conducted public engagement and outreach. The goal of the public engagement was to gather feedback from members of the public on the specific housing policy tools presented in the plan, and to get a sense of public sentiment on housing issues in Glenwood and what the desired role of the City is in addressing these issues.

The centerpiece of public engagement for this project was a public open house. The consultant team, in cooperation with City staff, held a public open house on Monday, February 13th at the Glenwood Springs recreation center, offering an afternoon session and an evening session that in total drew over 50 people. At the open house, the team presented boards with information on each policy tool and project background, which attendees could leave comments on with sticky notes. In addition, the team provided a survey that over 40 attendees filled out. The materials presented at the open house as well as the survey were made available online for people who could not attend the open house.

The open house gave the consultant team a significant amount of feedback on the housing ideas in this plan. A summary of the open house is provided below.



Open House Summary

Overall, the open house was constructive and insightful. Many attendees had a positive attitude towards the City's efforts and were curious and willing to share their ideas on housing. There is a general sense of urgency around housing issues in Glenwood and the perception that the City has a major role to play in addressing them. At the same time, there is an appetite to see implementation and results – the public wants to see progress and housing programs/policies that work, and wants to hold the City accountable for their impact.

The team summarized the sentiments we heard from the public on each policy tool and sentiments on housing policy more generally. The summary is based on a combination of what people wrote in the survey, the comments people provided on the boards, and what we heard in conversations. We have also summarized the results from a few specific survey questions. The summary is shown below:

General Thoughts

- Encourage valley-wide collaboration on housing issues and form partnerships with other jurisdictions.
- New housing should be transit oriented and be integrated with multimodal transportation options. People want new housing but recognize that vehicle traffic is currently a problem and should be limited where possible.
- The free market is not going to deliver the housing that people need, and the City needs to prioritize affordable and deed-restricted housing.
- Housing tools should prioritize incentives over restrictions and requirements: carrots, not sticks.
- Infill and upzoning are useful approaches to encouraging more housing, especially given land constraints. Single-family homes can easily become duplexes, fourplexes, and have ADUs.
- We need to monitor progress on housing programs and see results. The community should be engaged in these efforts, not just elected officials.
- There is a need for a multifaceted approach to addressing housing needs that uses multiple policy tools.
- Protecting community character is a concern with new housing development and growth.
- There is some hesitation around additional rental housing, and a perceived need for more for-sale units so that households can build wealth.
- There is some skepticism towards density and growth, as this creates additional traffic and crowding.

Vacant Land and P3s

- Selling land to private developers has risks and can be seen as a giveaway. It is more advantageous for the City to retain ownership of its land.
- The City should engage Garfield County to donate/use land for housing development.
- Parcels near transit should be a priority for new development.
- The City should consider what the right mix of residential and commercial is in mixed-use projects so that financing for residential does not become too challenging.
- A leasing model can be effective with the right deed restrictions.

Density Bonus

- A density bonus should be codified by the City and easy to understand.
- Infill development is a priority. It could be a good policy idea to allow and incentivize ADUs, duplexes, and fourplexes in existing single-family neighborhoods.
- Integrating housing density with transit is important. Multiple people mentioned the importance of incentives for density near transit lines, such as lower parking requirements.
- Efforts at dense residential development should be paired with expanding multimodal transportation options. This reduces car dependency and traffic impacts.
- There is a need to have higher affordability requirements for projects that receive density bonuses.

Preservation

- The City needs to be even more active in limiting short-term rentals and ensuring residential neighborhoods do not become commercialized. Houses should not become hotels.
- Community land trusts are a priority and should be built up.
- It is important to upgrade mobile homes to become more energy efficient.
- There is a need to expand housing options for seniors and to enable people to age in place.
- Home repair loans are an effective policy, especially for homeowners who are lower income.
- The City should ensure that it preserves land for future housing needs.
- For the preservation of older homes, habitability, such as the presence of mold and radon, may be a major issue.

Funding

- There is significant positive sentiment towards a vacancy tax and short-term rental fees. This reflects frustration with second homes and absentee ownership.
- An attractions tax, targeted at the hot springs and Glenwood caverns, is also an attractive option for funding.
- General hesitancy towards an occupational privilege tax (head tax). There is a worry that this could discourage hiring and harm both businesses and employees.
- General hesitancy towards higher property taxes.
- The City should be careful with adding fees and taxes, as this may stifle development and economic activity.
- The City needs to have a clear plan on how funding will actually be used by the City. The public wants to see results and accountability.

Key Survey Questions

- On a scale of 1 to 5 (with 1 being the least and 5 being the most), how involved should the City be in addressing Glenwood's housing needs?
 - o Among 40 responses, there was an average score of 4.5.
 - o This shows that attendees see the involvement and role of the City as crucial.
 - o Only a few people assigned a low score, which means that only a few people see a limited role for the City.
- What do you think is a higher priority for Glenwood: preservation of existing housing stock or the production of new housing stock?
 - o 13 people said preservation, 10 said production, and 8 said both.
 - o Indicates that there is an appetite for an approach that uses both preservation and production policy tools.
- Out of all the policy tools you have seen tonight, which is the least appropriate for Glenwood?
 - o Many respondents indicated that all of the tools are appropriate, depending on the context. There is a general appetite to see all the tools utilized.
 - o Density bonus had the most responses, indicating that it is seen as the least appropriate.
 - o Vacant land/P3s and funding sources also had a handful of responses indicating it is not appropriate.

THIS PAGE INTENTIONALLY LEFT BLANK

5. Recommendations and Implementation

This section provides specific recommendations for each of the four policy areas addressed in this plan and for the needs assessment. These recommendations are intended to guide future efforts by the City to implement policy changes and new policy tools.

► **Development of Vacant Land and Public Private Partnership Opportunity**

- 1. For vacant City-owned parcels, identify those that are the highest near-term priority for housing development, and those that represent a long-term land reserve for affordable housing.**

The existing analysis from City staff on City-owned land will help inform this. See Figure 1 and Table 1 of this report for an inventory of City-owned vacant parcels. The Vogelaar site has been identified by staff as a priority site.

- 2. For each parcel that is a near-term priority, describe key characteristics and provide a summary of desired density, product type, affordability, and tenure of future residents. In addition, determine whether the development potential of each parcel is best achieved through a sale or a ground lease**
- 3. Establish an RFP framework with transparent evaluation criteria for the proposed housing developments.**
- 4. Cultivate relationships with prospective developers and contractors to establish a pool of potential RFP respondents.**
- 5. Identify additional incentives that the City would be willing to provide for housing on the City-owned parcels identified for development, as these may be needed to attract developer interest.**

The use of these funds could be stipulated within the RFP solicitation, or could be introduced during project refinement after a developer has been selected.

- 6. As appropriate, the City should develop and maintain some form of ownership of the housing built on city-owned vacant land.**

This removes a key barrier to development of these sites, as finding a suitable developer is a challenge. Moreover, this gives the city more control over the development and the long-term use of the land.

► **Preservation**

1. Prioritize preservation policy tools for near-term implementation.

Mobile Homes

- Prioritize the preservation of mobile home parks. Mobile homes are a key part of Glenwood’s naturally occurring affordable housing inventory, while residents are vulnerable to displacement. With recent State legislation expanding policy tools and funding, the City should support mobile home park preservation and improve housing stability for residents.
 - Expand existing information on mobile home park inventory to include zoning and land use potentials, assessed valuation, infrastructure condition, and resident concerns.
 - Identify mobile home parks with the highest risk of resident displacement and with the greatest need for assistance.
 - Implement policies and programs to stabilize mobile home park residents. These can include land use overlays, supporting resident purchases of mobile home parks, support for park infrastructure and maintenance, and connecting park residents with legal and technical assistance.

Hotel conversions

- Continue efforts around identifying hotels for acquisition and conversion to housing.

2. Community land trusts

Determine whether to partner with a statewide/regional CLT or to form a CLT locally. Additionally, identify parcels for land acquisition/donation.

3. Recognize the potential for other preservation approaches to be implemented at a later date, including, rental assistance, apartment acquisition fund, relocation assistance, and home repair loan program.

4. Estimate costs associated with the higher priority preservation actions.

Develop a Sources and Uses analysis to test the depth of current funding available relative to the need. Commit funds and/or seek additional funds as needed.

► Density Bonus

1. **Update the zoning code to enable up to three units on lots currently zoned for single-unit housing, requiring deed restrictions for additional units.**

Ensure adequate parameters on new units related to parking, design, and other neighborhood compatibility factors that accommodate the additional density within established neighborhoods and minimize impacts. For new units, require deed restrictions such as resident occupancy, local employment, and potentially income limits.

2. **When major development occurs on commercial corridors, seek opportunities to increase development potential.**

This strategy should be employed as opportunities arise.

3. **Update code to define the affordability parameters required to receive a density bonus.**

Note that there may be various levels of affordability requirements, reflecting the level of public funds invested in the housing stock. Each should be presented in the context of the current inclusionary housing ordinance.

4. **Consider a density bonus policy that applies to residential projects below the 10-unit threshold set by the current inclusionary housing ordinance.**

5. **Update the existing density bonus to clearly define policy parameters and how developments can achieve it.**

Raise awareness of this tool in the community.

► **Funding Sources**

- 1. Estimate the annual revenue potential of the recently passed lodging tax increase dedicated for affordable housing (2C).**
- 2. Seek to leverage state funding sources for affordable housing, including funding recently allocated by the state legislature and upcoming funding that will be made available through proposition 123.**

Ensure that Glenwood Springs is eligible to receive this funding.

- 3. Establish a five-year plan that projects revenues from local sources, leverages those against potential state and federal sources, and provides a targeted estimate of resources.**

Develop a working set of assumptions related to potential expenditures and develop plans to address gaps as needed. Consider ways to expand funding sources locally.

► **Needs Assessment**

- 1. Glenwood Springs has a total housing need of 1,858 units. This housing need is based on the following goals:**
 - Reduce the number of cost burdened households in Glenwood Springs by 50 percent, which leads to a need for 381 units.
 - Provide housing sufficient to fill 100 percent of vacant/unfilled jobs in Glenwood Springs, which leads to a need for 419 units.
 - Increase the share of the workforce housed in the City from 22 percent to 30 percent, which leads to a need for 546 units.
 - Accommodate future housing demand generated by employment growth over the next 20 years, which leads to a need for 512 units.
- 2. Categorize housing need into need served by production and need served by preservation.**
- 3. Update the housing needs assessment every five years to monitor and reflect changing economic and market conditions.**



4.5 | Housing

Background

Glenwood Springs has historically been a place where people of all income levels have the opportunity to live, work, play, and raise a family, within the same community. That vision has been increasingly challenging to maintain, however, in an environment of rapidly climbing home prices. For workers in Glenwood Springs to continue to have the ability to live here, both the amount of housing and the variety of housing types need to be increased. The value and impact of affordable owner-occupied housing should not be forgotten or underestimated. When those who wish to put down roots can buy into a community, they are more likely to stay.

By providing housing opportunities for people of all income groups, the community may realize several benefits including reduced traffic congestion, increased social diversity, increased vitality in areas with new housing, and increased economic vitality as workers can shop in the same community where they live. The City reconfirms its commitment to include some percentage of affordable residential units in all new development projects.

Housing Cost Dynamics

Housing prices have been rising faster than wages nationally - a dynamic even more out of balance in desirable mountain locales where residential land supply is limited by topography and demand is partly driven by purchasers outside the local labor market (retirees, second-home owners, corporate/private equity buyers).

The resulting decline in housing affordability hurts the ability of employers to hire and retain employees across all wage levels and adds to traffic congestion as Glenwood Springs workers must increasingly find housing outside of Glenwood Springs (typically further from the Roaring Fork Valley, towards New Castle and Rifle). The reliance on in-commuting has been growing fastest among the Town's large health care and education services sectors.

Housing Supply

Adding new housing supply across a variety of price and rent points will be critical to stem imbalances in affordability and reduce the need for in-commuting.

While the City has seen a surge in multifamily rental development, there has been little added supply of affordable ownership housing (either “naturally affordable” market-rate or subsidized). A healthy balance of rental and ownership housing is important to maintaining opportunities for residents to remain in (or locate to) Glenwood Springs, regardless of life-stage.

Although some residential development sites remain within Glenwood Springs, the long-term capacity of housing land will be increasingly constrained by terrain and infrastructure, so adaptability and creativity in development patterns will be key to maintaining housing supply growth.

Some factors affecting housing affordability, such as land values and construction costs, are outside the City’s ability to control. Many other inputs, however--such as land use mix, allowable density, parking requirements, and regulations as to minimum unit size, design, and building materials-- can affect the supply and pricing of housing and are directly influenced by City policies and regulations.

Any housing supply added to the City at any price point can help to put downward pressure on overall market pricing. However, units added at the higher end of the price/rent spectrum are more likely to attract part-time residents or vacation rental owners (as opposed to local employees), gradually shifting the community demographic mix and resulting in more housing that is at least occasionally vacant.



Mobile Homes

Mobile Homes

Mobile homes account for 5% of all housing units in Glenwood Springs, and represent one of the key areas of affordable housing in the community. In Colorado, mobile homes are the State’s largest source of unsubsidized affordable housing, or “naturally-occurring affordable housing.” Economic, political, and social forces threaten the legal and financial stability of this type of housing, and owners of mobile homes who rent lots in mobile home parks are perhaps in the most vulnerable position. As tenants in mobile home parks, these owners have fewer and weaker rights than their landlords do, and park owners often experience financial difficulties that can best be cured by selling their property to new owners. Many new owners in recent years are private equity firms and corporate buyers who recognize the stable revenues generated by parks and see the profit potential of the rentable lots, which are in high demand because of the shrinking supply of mobile home parks.

Strategies

Increase Density

Increase housing density.

Identify opportunities to increase allowable unit density in areas where supporting infrastructure (transportation, sewer, public safety) is adequate and impacts on aesthetic and safety for surrounding residents can be mitigated. Individual housing design and quality should be compatible with adjacent uses and quality should be sufficient for long-term livability and energy efficiency. Identify opportunities to build a mix of housing typologies of affordable and workforce through land banking, public private partnerships, and non profit organizations.

Encourage Accessory Dwelling Units (ADUs).

Consider further reduction to limits on the creation of accessory dwelling units (ADUs) where such activity can incrementally add unit density and provide additional owner/renter financial flexibility.

Continue to utilize inclusionary zoning as a tool to produce more affordable and workforce housing.

Continue to pursue and refine regulations related to inclusionary zoning (requirements that a certain percentage of any new residential construction be set aside for certain affordability levels). Maintain regular feedback with developers and property owners to ensure inclusionary targets encourage, rather than deter new housing development (both affordable and overall). Maintain requirements that affordable buyers/renters be employed locally, but revisit and refine definitions of “local” as appropriate.



Medium density housing in Glenwood Springs

Pursue the Community Land Trust model.

Consider establishing or participating in an existing community land trust, possibly in conjunction with philanthropic private-sector or employer-driven funding. In this model, land within the City and surrounding impact areas is acquired and held to be developed as permanently affordable housing, with structures sold to individuals (with built-in limits to appreciation upon resale) and land remaining under trust ownership. Such programs have been tried in the past with limited success, but as other communities around the West experiment with creative arrangements, there may be fruitful emerging best-practices worth adapting here.

Locate housing near jobs and transit.

Consider adding an overlay to the City’s land use plan, identifying areas where efforts to encourage new affordable housing may be especially needed and/or promising. Criteria should include proximity to employment areas, access to new or planned public transportation options, and compatibility with well-designed higher-density development. Utilize the housing/transportation index to evaluate true affordability of development proposals.

Promote mixed-use development.

Identify opportunities for vertical mixed-use (residential over commercial) and live-work housing, especially for redevelopment in historic areas where density and land use mix is already established.

Provide diversity in housing types.

By providing affordable and workforce housing opportunities for people of all incomes, seniors, and students, the community may realize several benefits including increases in social diversity and vitality as community members shop in the same community where they live.

Preserve existing, naturally-occurring affordable housing.

Support efforts to maintain a naturally-occurring affordable housing stock in Glenwood Springs, including existing mobile home communities. Strategies for enhancing these communities should be explored to promote a high quality of life and the City could play a role in assisting residents in achieving this.

Regional Approach

Address housing regionally.

Because a portion of affordable housing demand is created in large part by regional conditions (employment and the spread of high housing costs from “up-valley” locations), the responsibility for community housing should also be addressed regionally. Thus, the City should work with Garfield, Pitkin and Eagle counties to combine resources, share strategies, and jointly seek funding and land for community housing projects. Currently, regional efforts are organized at the county scale, with agencies such as Garfield County Housing Authority, the Aspen/Pitkin County Housing Authority

Mobile homes serve as naturally-occurring affordable housing in Glenwood Springs



(APCHA), and the Eagle County Housing Department all pursuing similar housing-related objectives. The City of Glenwood Springs is a founding member of the West Mountain Regional Housing Coalition nonprofit, formed in 2022, that will focus short-term on development neutral strategies including a regional buy-down program, rental assistance, and Accessory Dwelling Unit assistance. The Coalition is dedicated to increasing the availability and accessibility of affordable community housing within Pitkin, Eagle, and Garfield Counties, including but not limited to workforce, senior, supportive, and other housing needs that arise.

Glenwood Springs should continue to support and advocate for multi-county, multi-municipality approaches that can broaden the regional approach to better match the emerging housing market and commuting realities across the Roaring Fork and I-70 west region.

Accommodate seasonal workers.

Explore alternative housing types for accommodating seasonal workers who are often young, single, and seeking very low-cost places to stay. These could include dormitories, hostels, camps, or other accommodations that employers could offer or provide subsidy for. Motels or other lodging could be converted for such extended stay temporary housing uses, as made possible in recent ordinance changes.

Housing

#	Policy/Action	Champion	Timeline	High Priority
5.1	Increase housing density.			
5.1.A	Provide incentives for developers to build condos or townhouse units, including identifying and supporting condominiumization opportunities to increase homeownership .	Community Development	Near Term	
5.1.B	Support the ad hoc housing coalition to come up with affordable housing options.	Community Development and Committee	Near Term	
5.2	Encourage Accessory Dwelling Units (ADUs).			
5.2.A	Consider policy changes to increase ADUs.	Community Development	Near Term	x
5.2.B	Address barriers to ADUs such as parking and consider policy changes to increase ADUs in a housing strategy.	Community Development	Near Term	
5.3	Continue to utilize inclusionary zoning as a tool to produce more affordable and workforce housing.			
5.3.A	Refine policy and regulations related to inclusionary housing to increase workforce and affordable housing opportunities. Evaluate for 10-25% dedicated affordable units.	Community Development	Ongoing	x
5.3.B	Re-evaluate current deed restriction policies to determine effectiveness for homeownership and adjust City policy accordingly.	Community Development	Ongoing	x
5.3.C	Require qualified workforce and affordable housing buyers and renters under subsidized housing programs to be employed locally within city limits or in close proximity as determined by deed restriction regulations.	Community Development	Near Term	
5.3.D	Review the short term rental policy to determine impact in local housing market.	Community Development and Consultants	Near Term	
5.4	Pursue a community land trust model.			
5.4.A	Establish, or participate with an existing community land trust to expand homeownership opportunities.	Community Development	Near Term	
5.5	Promote mixed-use development.			
5.5.C	Require high-quality, energy efficient design for mixed-use and higher density housing projects.	Community Development	Near Term	x

Housing

#	Policy/Action	Champion	Timeline	High Priority
5.6	Provide diversity in housing types.			
5.6.A	Develop a local Housing Strategy with robust public engagement. The Community Development Department is currently working on a 2023 Housing Strategy Plan. Housing Strategy should address mitigating the cost of housing and rental costs, evaluating the need for subsidies for affordable/attainable housing.	Community Development	Ongoing	x
5.6.B	Establish baseline annual goals for housing production that promotes a mix of housing types.	Community Development	Long Term	
5.6.C	Identify potential parcels for the development of senior housing and identify partners to develop.	Community Development	Long Term	
5.6.D	Create a policy or program to preserve existing missing middle housing and explore ways to develop new missing middle housing.	Community Development	Near Term	
5.7	Preserve existing, naturally-occurring affordable housing.			
5.7.A	Create a policy or program to preserve existing, naturally occurring affordable housing such as mobile homes.	Community Development	Near Term	
5.8	Address housing regionally.			
5.8.A	Partner with Garfield, Pitkin and Eagle Counties to combine resources, share strategies, and jointly seek funding and land for community housing projects.	Community Development, Garfield, Pitkin and Eagle Counties	Ongoing	
5.8.B	Support the West Mountain Regional Housing Coalition in its efforts, including a regional buy-down program, rental assistance, and ADU assistance.	Community Development	Ongoing	
5.9	Accommodate seasonal workers.			
5.9.A	Explore alternative housing types that accommodate seasonal workers, including dormitories, hostels, camps, or other accommodations that employers could provide subsidy for.	Community Development	Long Term	

Exhibit A | WHFAB 2024-2027 Implementation Plan



Workforce Housing Fund Advisory Board 2024 – 2027 IMPLEMENTATION PLAN

PURPOSE:

We believe providing trusted expertise and confidence to expand and maintain housing for individuals living and working in Glenwood Springs is critical to bridging the housing gap of our community.

VALUES:

- **EQUITY** – we advance housing solutions that leverage investment dollars ensuring all members of our workforce have a range of choices for where to live now and in the future.
- **TRANSPARENCY** – we develop and deliver housing solutions in an open and honest way.
- **INTEGRITY** – we do what we say we are going to do.
- **FAIRNESS** – we execute our work without favoritism or discrimination.

GOALS & STRATEGIES:

1. Provide a place to go and a person to talk to for people seeking housing solutions in Glenwood Springs.
 - A. Build an affordable housing information and resource website by December 2024.
 - B. Hire a City of Glenwood Springs Housing Manager by August 2024.
2. Increase affordable housing by 3%, based on the City of Glenwood Springs 2023 Strategic Housing Plan’s projected long-range need for dwelling units*, through **property preservation & affordable housing creation strategies**, by December 2027.
 - A. Establish property acquisition pilot program(s) to facilitate purchase of existing properties (i.e. mobile home parks) for affordable housing preservation and/or land banking by December 2024.
 - B. Design and implement rental assistance pilot program(s) inclusive of immediate and long-term rental subsidy options, for households at 30 – 150% of AMI** and any additional criteria established by the working groups, by December 2024.
 - C. Design and implement homeownership assistance pilot program(s) (i.e. buy down), in partnership with West Mountain Regional Housing Coalition, for households at 30 – 150%** of AMI and any additional criteria established by the working groups, by December 2025.
 - D. Establish property preservation pilot program(s) to facilitate rehabilitation and conversion of existing properties by December 2025.
 - E. Implement funding opportunities with loans, incentives, cash subsidy and other gap financing that leverages private funding by December 2026.
3. Increased confidence and trust in Glenwood Springs commitment to addressing workforce housing.
 - A. Provide CoGS Council a multi-year plan, priorities and resource allocation recommendations for the use of 2C funds, by February 2024.
 - B. Establish program/initiative working groups for design and implementation of pilot programs by April 2024.

VISION:

Glenwood Springs will be a community where the local workforce can live and thrive.

Exhibit A | WHFAB 2024-2027 Implementation Plan



Workforce Housing Fund Advisory Board

RECOMMENDED APPROACH:

The Workforce Housing Fund Advisory Board recommends the following approach in executing their duties and responsibilities on behalf of the City of Glenwood Springs Council and community members:

- Pursue multiple pilot projects within each affordable housing strategy in effort to be adaptive and responsive to community needs, market realities and opportunities.
- Develop and implement programs targeted at individuals working and living or aspiring to live in Glenwood Springs for households at 30 – 150% of AMI* and any additional criteria established by the working groups.
- Dedicate \$75,000 of annual 2C funding to support 50% of an Affordable Housing Program Manager for advancing of the WHFAB recommended and Council approved strategies with the balance of the position being funded by alternative sources.
- Budget 50% of the balance of annual 2C funding to support property preservation and housing creation strategies.
- Budget 50% of the balance of annual 2C funding to support the development of existing property purchasing program(s) for implementing affordable housing strategies to include but not limited to; land banking, rehabilitation and/or preservation.

* <https://www.cogs.us/DocumentCenter/View/9241/Strategic-Housing-Plan-Update>

** <https://dlg.colorado.gov/area-median-income-and-housing-calculator>



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Cybersecurity

Action Requested: NA

Department: Information Technology

Presented By: Tim Bergman

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

Background Info: Information technology staff will provide Council with an update on Cybersecurity and how we maintain a secure posture with technology. How we are currently using Artificial Intelligence (AI) operational succession planning.

Issues: NA

Fiscal Impact: No budget impact that is not already appropriated, this is just an update and discussion.

Legal Review: NA

Staff Recommendation: NA



CITY OF
GLENWOOD
SPRINGS

COLORADO

Firewall & Cybersecurity

March 19, 2026

Nick Giglio, IT



Toady's Three Topics

- **Purpose:** Why Cybersecurity matters to the City
- **Technology:** The platforms we have implemented
- **Security Posture:** How we run day-to-day



Why Cybersecurity Matters

- Keep essential services available
 - Public safety, utilities, finance, public records
- Protect sensitive information
 - Resident data, payroll, legal, police evidence systems
- Reduce chance of costly outages and disruptions
- Meet public-sector expectation and requirements
 - Policies, audits, CJIS/NIST/ISO/HIPPA compliance

In plain terms

We treat cybersecurity like building security: locks, alarms, cameras, and trained staff so the City operations can keep running.



What a Firewall Does



What it allows:

Legitimate business traffic that staff and residents need.

(Email, web services, payment portals, vendor access, remote connections)

What it blocks:

Known malicious activity

(Hacking attempts, ransomware, command-and-control, unsafe websites, suspicious file downloads)

Firewall Platform

Fortinet “Next-generation firewall” capabilities

Blocks Modern Threats

Stops more than just “bad websites”. It detects suspicious behaviors and known attack patterns in real time.

Controls What Apps Do

Recognizes applications (not just the ports) and enforces policies.

For example: Limiting risky file-sharing tools.

Secures Access

Provides encrypted access so staff and approved partners can connect safely on and off site.



Our Security Posture

- People + Process + Technology (defense in depth)
- Protection with multiple layers
 - **Identity:** Strong logins + Multi Factor Authentication (MFA)
 - **Devices:** Patching, endpoint protection, secure configuration
 - **Network:** Segmentation + firewall threat protection
 - **Data:** Backups, recovery testing, least-privilege access
 - **Monitoring:** Logging, alerting, and incident response



How we measure and improve

Our approach is risk-based and aligned with recognized standards

- CIS Controls/NIST/ISO/DHS/CJIS
 - CIS benchmarks (version 8)
 - NIST CSF
 - ISO/IEC 27001



What the City Should Expect

- Reduction in exposure to common attacks
- Improve visibility and accountability
- Support safe modernization



Artificial Inelegance

Practical use, clear guardrails, human oversight

- Used to help staff work smarter/productivity tool
- Value is in the speed, support and better access to information
- People are still responsible for decisions



How we approach AI

- Human review remains required for important decisions and public facing content
- Sensitive or regulated information only used in approved tools and workflows
- AI output should be treated as drafts, not answers
- Records retention, transparency, and public accountability all apply



SharePoint and Handbooks

The digital front door for staff information and collaboration

Why it matters

Information is scattered across email, folders, and individual machines.

Staff need one reliable place to find forms, policies, documents etc.

What good looks like

- Clear navigation
- Defined content owners
- Consistent libraries
- Search that works
- Roles based access
- Current content

Secure posture

- Better structure means less duplication
- Clear ownership, better accountability
- Unifies analog and digital records management



How AI and SharePoint fit

AI works best when the underlying information is organized, current, and permissioned correctly

- SharePoint is the trusted home for shared knowledge
- Organization improves search and reduces time spent looking for info, reduces legacy infrastructure



Questions?





City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Electric Vehicle Carshare Program

Action Requested:

Department: Engineering

Presented By: Lee Barger, Ryan Gordon

Strategic Goals: Provide Efficient and Responsive City Government
Preserve and Improve Infrastructure
Protect and Preserve our Quality of Life
Generate Sustainable Economic Development
Ensure Public Safety

Background Info: Clean Energy Economy for the Region (CLEER) is preparing a grant application for a CAMP (Community Accelerated Mobility Project) grant for Colorado Carshare’s Western Slope EV Carshare Expansion program. This is a program that provides an electric vehicle carshare program to communities throughout the Western Slope. The expansion will allow for a more affordable transportation experience, when compared to vehicle ownership, particularly considering that the environmental benefits of low- and zero-emissions vehicles often come at a premium cost.

CLEER will present and is asking for a letter of support for this grant application and also asking for the City to dedicate one of the chargers in the Cooper garage to this program. The four chargers in the garage get used about 50% of the time, so there appears to be sufficient capacity for us to dedicate one of the four for this program to use.

Issues: None

Fiscal Impact: None

Legal Review: Legal will review any agreements

Staff Recommendation:

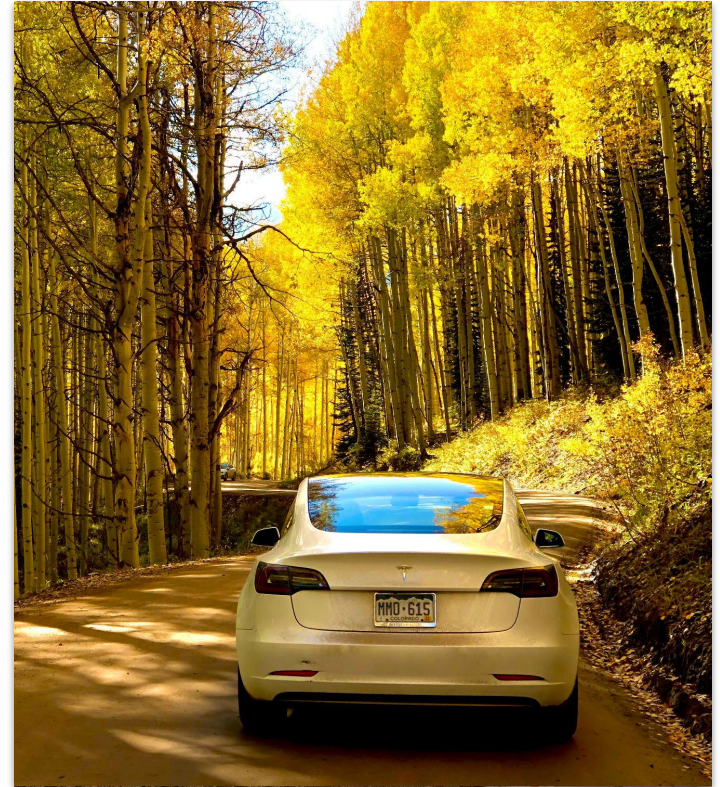
Western Slope EV Carshare

Project Overview & Letter of Support

March 19th, 2026

Proposed Project Description

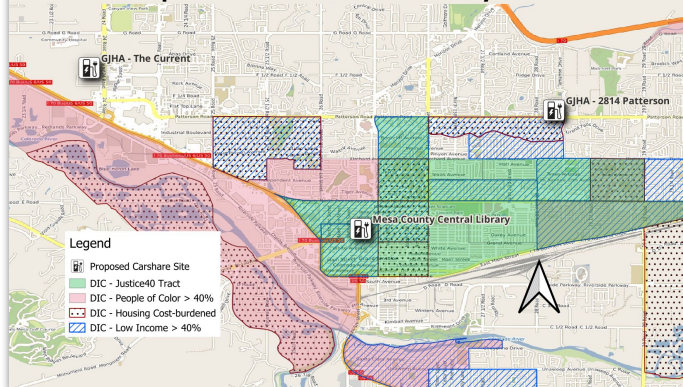
- Proposed Western Slope EV Carshare
- 7 sites across Mesa & Garfield County
 - Carbondale, Glenwood, Rifle, Grand Junction
 - 8 EVs total, 4 in each county
- Applying to the Colorado Energy Office CAMP Implementation Phase Grant with Colorado Carshare as the Lead Applicant & carshare service provider
- CLEER will be a partner & subrecipient of the grant, providing regional engagement & grant admin support



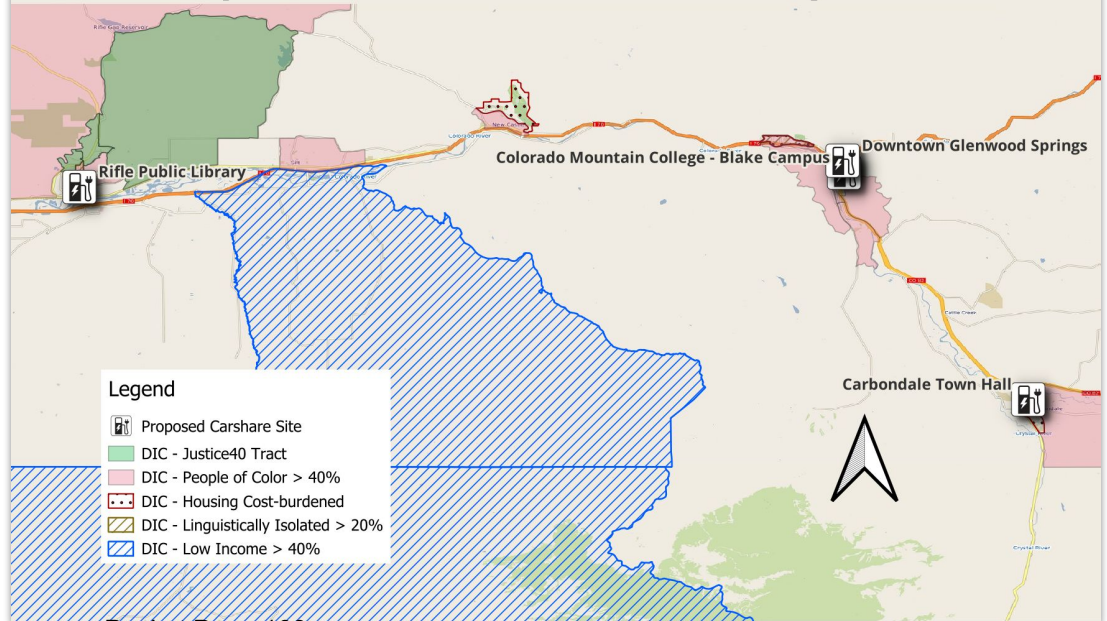
Proposed Project Locations

EV Car share sites chosen for anticipated high Carshare demand & to maximize existing charging infrastructure.

Western Slope EV Carshare Expansion Proposed Mesa County Sites

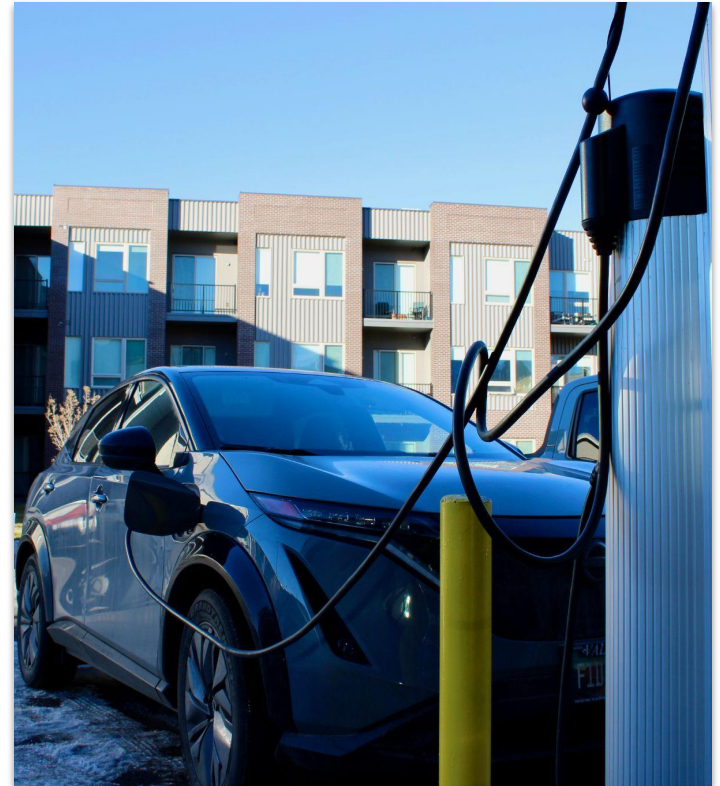


Western Slope EV Carshare Expansion Proposed Garfield County Sites



How Colorado Carshare Works

- Membership based (individuals or fleets)
- Reserve a EV for one hour, to multiple days
- Round trip EV reservations
- Subsidized rates for eligible low-income members, non-profits, students, etc.
- Colorado Carshare operates over 70 vehicles in its fleet, on the Front Range, allowing for member use throughout Colorado



Project Benefits

Provides a new and affordable transportation option to residents & visitors.

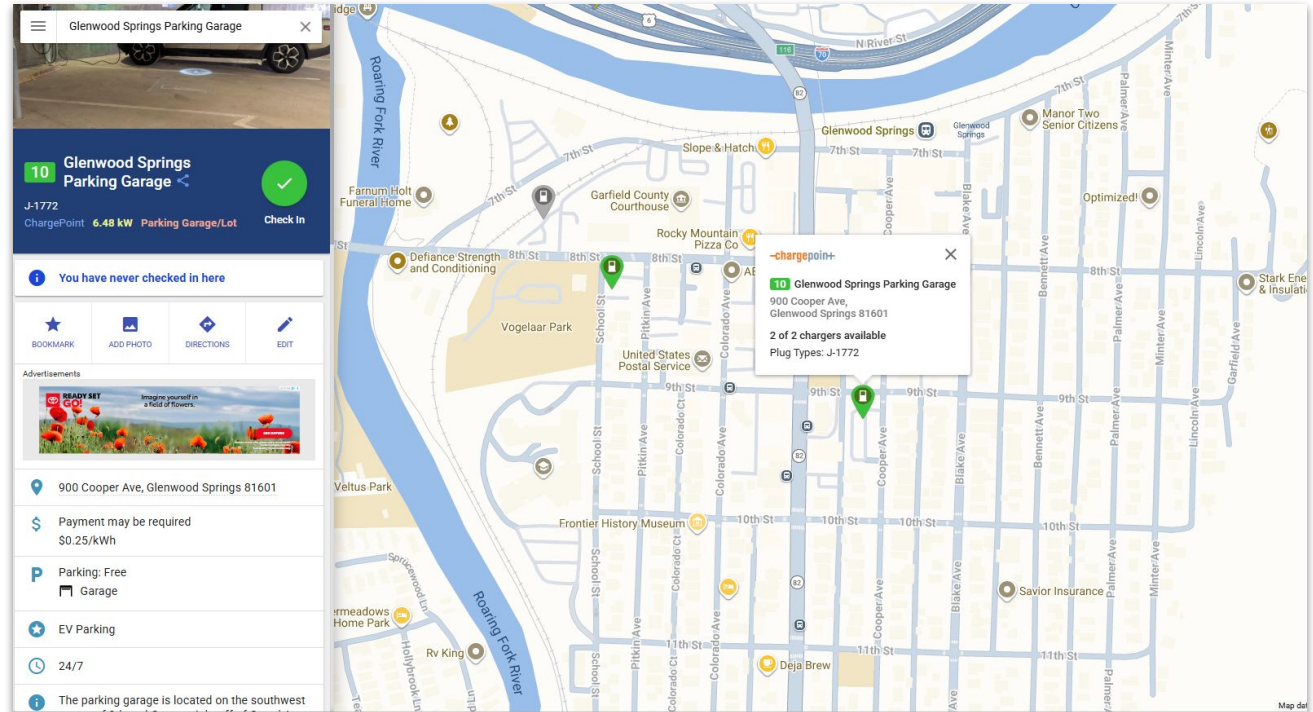
Collectively, the sites will serve an estimated 5,500 residents within ¼-mile, including over 180 affordable housing units.

Regionally, the sites will serve approximately 100,000 residents across Garfield and Mesa Counties.



Proposed Glenwood Carshare Site Location

- 1-parking space currently served by the existing city-owned EV charger (1-port) in the city-owned downtown parking garage on 9th Street



City of Glenwood Springs Request

- Commitment to host an EV car share site at the proposed site for the 3-year grant term.
- Letter of support & commitment for the grant application.
- Financial commitment options:
 - City continues paying for the EV car share dedicated charger (warranty, networking, maintenance, electricity, etc.) as a in-kind donation to the program. ~\$2,000/year.
 - City pays for some costs and the grant covers some costs.



Contact Us with Questions

- Dova Castaneda Zilly - Clean Mobility Program Manager
 - dova@cleanenergyeconomy.net
 - 970-510-3190
- Emily Williams - Education & Outreach Manager
 - emily@cleanenergyeconomy.net
 - 970-510-3176



CLEER

CLEAN ENERGY ECONOMY FOR THE REGION

Thank you for considering!

March XX, 2026



Colorado Energy Office
1600 Broadway, Suite 1960
Denver, CO 80202

To: CAMP Grant Proposal Review Staff

Subject: Letter of Support for Colorado Carshare's Western Slope EV Carshare Expansion

On behalf of the City of Glenwood Springs, it is our pleasure to offer our strong support for Colorado Carshare's proposal to bring EV Carshare to Colorado's Western Slope. As a city whose residents, tourists, and local businesses depend on reliable transportation access, our community will benefit greatly from having by-reservation access to vehicles for trips where active transportation or transit are not viable. The Expansion will allow for a more affordable transportation experience, when compared to vehicle ownership, particularly considering that the environmental benefits of low- and zero-emissions vehicles often come at a premium cost.

The City is also actively engaged in ongoing transportation demand management (TDM) programs and a regional effort to form a transportation management organization (TMO) because, for one, an average of 27,726 vehicles drove through Glenwood Springs every day in 2025—a record high. An EV car share will directly support programming by making it easier for residents, tourists, and businesses alike to decide not to add another vehicle to our local roads.

Additionally, many residents of Western Colorado experience burdensome transportation costs or suffer from poor access to services, particularly those living in Disproportionately Impacted Communities, of which Glenwood Springs is identified as one, according to the Transportation Equity Screening Tool for Colorado Energy Office Transportation Programs. Thoughtfully locating Carshare locations in community hubs like Colorado Mountain College and in Downtown Glenwood will ensure that a wide variety of residents have access to the service. While Glenwood Springs is not committing to hosting an EV carshare site at this time, we are engaged in assessing what that could look like if the grant is awarded.

We commend Colorado Carshare for making the effort to serve a broader population of Colorado, and hope you will consider funding this effort.

Sincerely,

[Printed name, Title, Organization]



March XX, 2026

Colorado Energy Office
1600 Broadway, Suite 1960
Denver, CO 80202

To: CAMP Grant Proposal Review Staff

Subject: Letter of Commitment for Colorado Carshare's Western Slope EV Carshare Expansion

On behalf of the City of Glenwood Springs, it is our pleasure to offer our commitment and support for the proposal to bring EV Carshare to the Western Slope. As a city whose residents, tourists, and local businesses depend on reliable transportation access, our community will benefit greatly from having by-reservation access to EVs for trips where active transportation or transit are not viable. The Expansion will also allow for more affordable transportation options. The City is also actively engaged in ongoing transportation demand management (TDM) programs and a regional effort to form a transportation management organization (TMO) because, for one, an average of 27,726 vehicles drove through Glenwood Springs every day in 2025—a record high. An EV car share will directly support programming by making it easier for residents, tourists, and businesses alike to decide not to add another vehicle to our local roads.

Additionally, many residents of Western Colorado experience burdensome transportation costs or suffer from poor access to services, particularly those living in Disproportionately Impacted Communities, of which Glenwood Springs is identified as one, according to the Transportation Equity Screening Tool for Colorado Energy Office Transportation Programs. Thoughtfully locating Carshare locations in community hubs like Downtown Glenwood will ensure that a wide variety of residents have access. Specifically, the City of Glenwood Springs commits to:

- Host a Carshare EV on our property at the city-owned parking garage at 900 Cooper Ave, Glenwood Springs, and dedicate 1-port of our existing L2 charger to the EV
- Coordinate to ensure adequate site access, signage, and public visibility
- Support community engagement efforts to promote awareness and use of the EV Carshare program amongst our residents, local businesses, and tourists

We commend Colorado Carshare for making the effort to serve a broader population of Colorado, and hope you will consider funding this effort.

Sincerely,

[Printed name, Title, Organization]



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: March 5, 2026 Council Minutes
Action Requested: March 5, 2026 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
MARCH 5, 2026
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 1. 3:58 Roll Call

Present: Councilor Smith, Councilor Schachter, Councilor Weimer, Mayor Dehm, Mayor Pro Tem Zalinski, Councilor Schmahl, and Councilor Townsley.

Staff Present: Also present were City Manager Steve Boyd, City Clerk Ryan Muse, City Attorney Karl Hanlon, Chief of Public Safety Joseph Deras, Finance Director Yvette Gustad, Director of Economic and Community Development Trent Hyatt, Director of Operations Tim Bergman, Housing Development Manager/Planner Watkins Fulk-Gray, Public Works Director Matt Langhorst, and City Engineer Ryan Gordon.

Item 2. 4:14 Agenda Changes

There were none.

Item 3. 4:39 Disclosure of Any Councilor Conflicts of Interest

There were none.

Item 4. 4:47 Citizens Appearing Before Council and Council Response (for items not on the agenda - comments limited to 3 minutes)

Ashley Stahl, city resident, made comments on the ICE detention center and SPEAR.

Erin Anderson, city resident, made comments on the ICE detention center and flock cameras.

Zody Woolsey, city resident, made comments about flock cameras and data security.

Jamie LaRue, city resident, made comments about library funding.

Don Gillespie, city resident, made comments about downtown parking and affordable housing.

Pat Helling, city resident, made comments about the state of the city event, enforcement of city ordinances, traffic on Grand Avenue, and barking dog noise from Wanderlust.

Linda McKinley, city resident, made comments about the state of the city event, and the growth projects happening in the city.

Dawn Dexter, New Castle resident, made comments about library funding, the ICE detention center, flock cameras, and SPEAR.

Sally Boughton, non-resident, made comments on the ICE detention center.

Councilor Townsley, Councilor Schachter, Councilor Smith, Mayor Dehm, City Attorney Karl Hanlon, City Manager Steve Boyd, and Mayor Pro Tem Zalinski responded to citizen comments.

Item 5. 41:32 Council Announcements

Councilor Smith made announcements regarding the Historic Preservation Commission list of historic structures, Hispanic Western Slope History Lectures at the library, Transportation Commission bike share program, response to a request for more recreation activities for seniors, and a proposed Colorado Communities for Climate Action letter.

Councilor Townsley made announcements regarding the response to the request for more recreation activities for seniors, as well as Art Center renovations and programming.

Councilor Schmahl made announcements about paid parking downtown.

Mayor Pro Tem Zalinski made an announcement to acknowledge Economic Development Specialist Jacob Zook for his work with economic data particularly the data he recently provided the River Commission around river users.

Item 6. 51:18 Consent Agenda

***Mayor Pro Tem Zalinski moved to approve the consent agenda as written.
Councilor Townsley seconded the motion.***

Councilor Smith and Mayor Pro Tem Zalinski made comments.

54:55 The motion passed unanimously.

Item 7. 55:27 Resolution 2026-04; Supporting an Application for Down Payment Assistance Grant from the Division of Housing

Housing Development Manager/Planner Watkins Fulk-Grey opened the item.

Councilor Townsley, Councilor Smith, and Councilor Schachter asked questions.

Mayor Dehm opened the item for public comment.

There were none.

Mayor Dehm closed the public portion.

1:05:53 Mayor Pro Tem Zalinski, seconded by Councilor Smith, moved to approve Resolution 2026-04; Supporting an Application for Down Payment Assistance Grant from the Division of Housing.

Mayor Pro Tem Zalinski, Councilor Townsley, and Councilor Schachter made comments.

1:19:04 The motion passed 5:2 with Councilor Townsley and Councilor Schmahl voting against.

Item 8. 1:19:19 City Wide Project Update

City Engineer Ryan Gordon and Public Works Director Matt Langhorst presented on the item.

Mayor Pro Tem Zalinski, Councilor Schmahl, and Councilor Smith asked questions and made comments.

Item 9. 1:58:25 Master Service Agreement for South Bridge Construction Management

City Engineer Ryan Gordon opened the item.

Councilor Smith asked a question.

2:01:08 Councilor Weimer, seconded by Councilor Townsley, moved to approve Master Service Agreement for South Bridge Construction Management as presented.

Councilor Smith, Councilor Schmahl, and Councilor Weimer, Councilor Townsley, and Mayor Dehm made comments and asked questions.

2:23:47 The motion passed 5:2 with Councilor Townsley and Councilor Schmahl voting against.

Item 10. 2:24:09 Financial Policy for Speeding Violations

Finance Director Yvette Gustad presented on the item.

Mayor Dehm, Mayor Pro Tem Zalinski, Councilor Schmahl, and Councilor Smith asked questions.

Mayor Dehm opened the item for public comment.

There were none.

Mayor Dehm closed the public portion.

2:33:50 Councilor Weimer moved, seconded by Mayor Pro Tem Zalinski, to approve Financial Policy for Speeding Violations as presented.

Councilor Smith and Councilor Schachter made comments.

2:40:42 The motion passed 6:1 with Councilor Schmahl voting against.

Item 11. 2:40:56 Ordinance 2026-06; First Appropriation to the 2026 Budget. One Reading

Finance Director Yvette Gustad opened the item.

Council had no questions.

Mayor Dehm opened the item for public comment.

There were none.

Mayor Dehm closed the public portion.

2:42:18 Mayor Pro Tem Zalinski, seconded by Councilor Weimer, moved to approve Ordinance 2026-06; First Appropriation to the 2026 Budget.

Councilor Smith, Councilor Townsley, Mayor Pro Tem Zalinski, Councilor Schachter, and Councilor Schmahl made comments.

2:53:30 The motion passed 5:2 with Councilor Schmahl and Councilor Smith voting against.

Item 12. 2:53:50 Council Comments

Councilor Smith made a comment about the Colorado Communities for Climate Action proposed letter on guardrails on data centers.

Councilor Schmahl, Mayor Dehm, City Manager Steve Boyd, and City Attorney Karl Hanlon made comments about the Climate Action letter.

Councilor Townsley made comments about the purchase price of the county parcels. He also made comments about downtown parking.

Mayor Dehm, Councilor Schachter, Councilor Smith, Mayor Pro Tem Zalinski, Councilor Schmahl, made comments about downtown parking.

Item 13. 3:13:27 Report from City Administration

City Manager Steve Boyd requested council send potential work session topics. He also reported on the caring workplace model and that he will be out of office for the first council meeting in April.

Item 14. 3:16:01 Social Event Announcement

Tonight's social event will take place at Doc Holiday's following the Council meeting.

Item 15. 3:16:13 Adjournment

Mayor Pro Tem Zalinski moved to adjourn. Councilor Schachter seconded, and the motion passed unanimously.



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Finance Advisory Board Reappointment

Action Requested:

Department: City Clerk

Presented By:

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

Background Info: **Councilor Schachter's Recommendation**
Reappoint Ksana Oglesby to a regular seat on the Finance Advisory Board with a term expiring February 2029.

Composition of the Finance Advisory Board

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

Powers and Duties 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.

Issues: NA

Fiscal Impact: NA

Legal Review: NA

Staff Recommendation: Staff recommends reappointment.

Print

Financial Advisory Board Application - Submission #3680

Date Submitted: 3/2/2026

Financial Advisory Board Application

City of Glenwood Springs
101 W. 8th St.
Glenwood Springs, CO 81601

Steve Boyd, City Manager
steve.boyd@cogs.us
970-384-6422



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

Membership Qualifications*

You must qualify with one of the options below to be eligible to serve on the Financial Advisory Board. 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.
- Non-resident who owns or is employed by a business within Glenwood Springs city limits.
- Youth resident (under the age of 18) within the 81601 zip code or attending school within city limits.

Please select today's date*

2/26/2026

Personal Information

First Name*

Ksana

Last Name*

Oglesby

Occupation*

CFO Consultant

Home Address*

[Redacted]

City*

Glenwood Springs

State*

CO

Zip Code*

81601

Mobile Phone Number*

[REDACTED]

Email Address*

[REDACTED]

Home Phone Number

[REDACTED]

Work Phone Number

[REDACTED]

Mailing Address (If different than home address)

[REDACTED]

City

Glenwood Springs

State

CO

Zip Code

81601

Personal and Professional Interests

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

As a longtime resident of Glenwood, I am interested in helping to ensure that the town thrives. I believe it is the duty of every citizen to participate in the running of their government(s) as they are able and FAB is a good fit for my financial leadership education and experience.

What do you view as the role of a Financial Advisory Board member?*

To participate actively in the FAB meetings, bringing professional knowledge and expertise to assist the council in evaluating financial information, and leaving personal agendas and political views at the door.

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

To assist the council and city staff in evaluating issues of financial importance (budgets, utility rates, capital projects, etc.) as well as reviewing grants and making recommendations.

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

I have over twenty years of financial leadership and have been a resident of Glenwood for over thirty years collectively. As a CPA and an MBA I have deep expertise in financial analysis. Working primarily with nonprofits, I also bring the perspective of that segment of our community to the table.

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

There have been many times as a CFO when I have had to tell program directors that they can't do something they want to do, either because it is not financially viable or because it is not allowable (under employment law or grant restrictions). I explain the reasoning, which doesn't always result in the program director going happily on their way. At the end of the day, my role is to protect the interests of the organization.

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. In my collective nine years of serving on FAB thus far I have always been mindful that we serve as an appointed board, not a an elected one. Our job is to evaluate and advise in the context of the City, not our own personal opinions or political views.


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

No,

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

I have served on the FAB for nine years (with a one year break for term limits). I also serve on several other government and nonprofit boards in the community. I am currently Chair of the FAB.

Have you previously served on the Financial Advisory Board?*

Yes 


Reappointment Applicants

These questions only required for reappointment applicants.

Why do you think you should be reappointed?

My expertise as a CPA and MBA with deep ties to the community continues to be valuable in providing the council with recommendations and advise on financial issues pertinent to the City. In addition, my background as a nonprofit CFO provides a valuable perspective on that vital segment of our community,

Have you served two full successive terms on the Financial Advisory Board?

No 

Powers and Duties of the Tourism Management Board

(as defined in Title 020 of the Glenwood Springs Municipal Code); (d) Powers and Duties of Financial Advisory Board.

The powers and duties of the Financial Advisory Board shall be:

1. The Financial 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 Financial Advisory Board shall be binding upon the City or anyone acting on its behalf.

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:

Planning and Zoning Commission;
Finance Advisory Board;
Tourism Management 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;
Workforce Housing Fund Advisory Board;
Glenwood Springs Housing Commission.

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

(c) Limit to term of members. Unless it is deemed vital by the City Council that an appointed member of a board or commission be retained in office, no Board member shall serve more than two (2) full successive terms on the same board or commission. An individual may serve multiple non-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
March 19, 2026

- Agenda Item:** Electric Vehicle Carshare Program
- Action Requested:** Staff is requesting a letter of support for CLEER to pursue a grant for the EV charger and car sharing program. This is a topic discussed on an earlier work session.
- Department:** Engineering
- Presented By:** Lee Barger
- Strategic Goals:** Provide Efficient and Responsive City Government
Preserve and Improve Infrastructure
Protect and Preserve our Quality of Life
Generate Sustainable Economic Development
Ensure Public Safety
- Background Info:** Clean Energy Economy for the Region (CLEER) is preparing a grant application for a CAMP (Community Accelerated Mobility Project) grant for Colorado Carshare’s Western Slope EV Carshare Expansion program. This is a program that provides an electric vehicle carshare program to communities throughout the Western Slope. The expansion will allow for a more affordable transportation experience, when compared to vehicle ownership, particularly considering that the environmental benefits of low- and zero-emissions vehicles often come at a premium cost.
- CLEER will present and is asking for a letter of support for this grant application and also asking for the City to dedicate one of the chargers in the Cooper garage to this program. The four chargers in the garage get used about 50% of the time, so there appears to be sufficient capacity for us to dedicate one of the four for this program to use.
- Issues:** None
- Fiscal Impact:** None
- Legal Review:** Legal will review all agreements
- Staff Recommendation:** Staff recommends council provide a letter of support

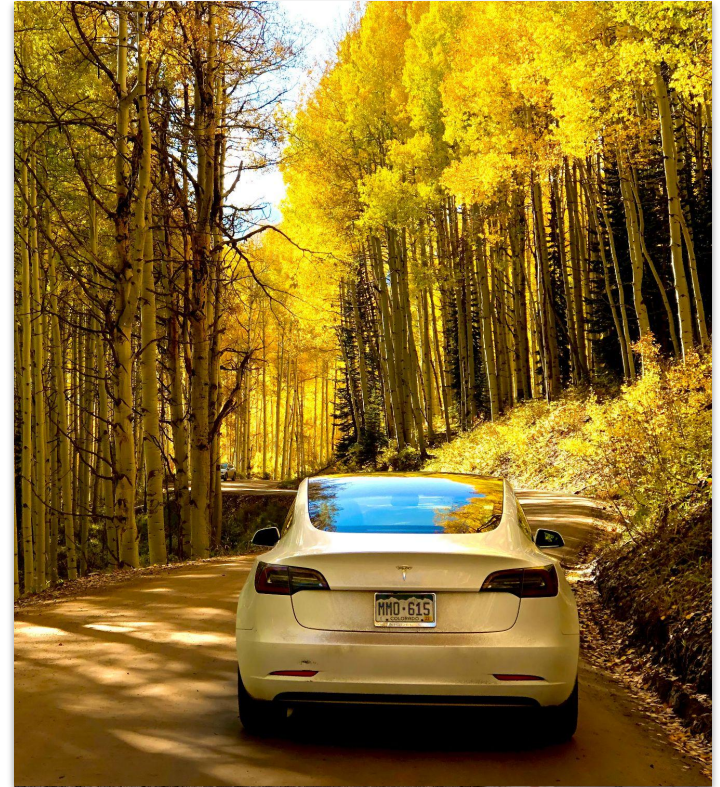
Western Slope EV Carshare

Project Overview & Letter of Support

March 19th, 2026

Proposed Project Description

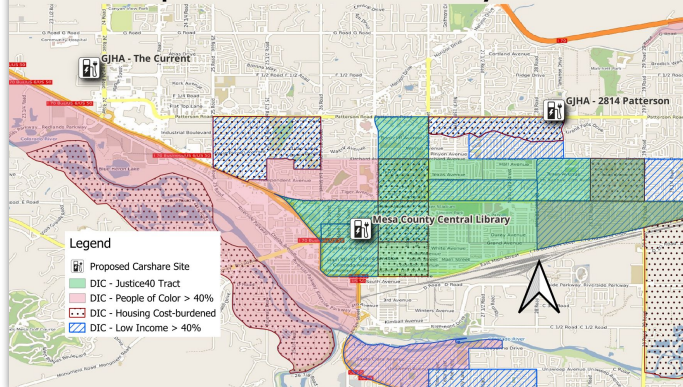
- Proposed Western Slope EV Carshare
- 7 sites across Mesa & Garfield County
 - Carbondale, Glenwood, Rifle, Grand Junction
 - 8 EVs total, 4 in each county
- Applying to the Colorado Energy Office CAMP Implementation Phase Grant with Colorado Carshare as the Lead Applicant & carshare service provider
- CLEER will be a partner & subrecipient of the grant, providing regional engagement & grant admin support



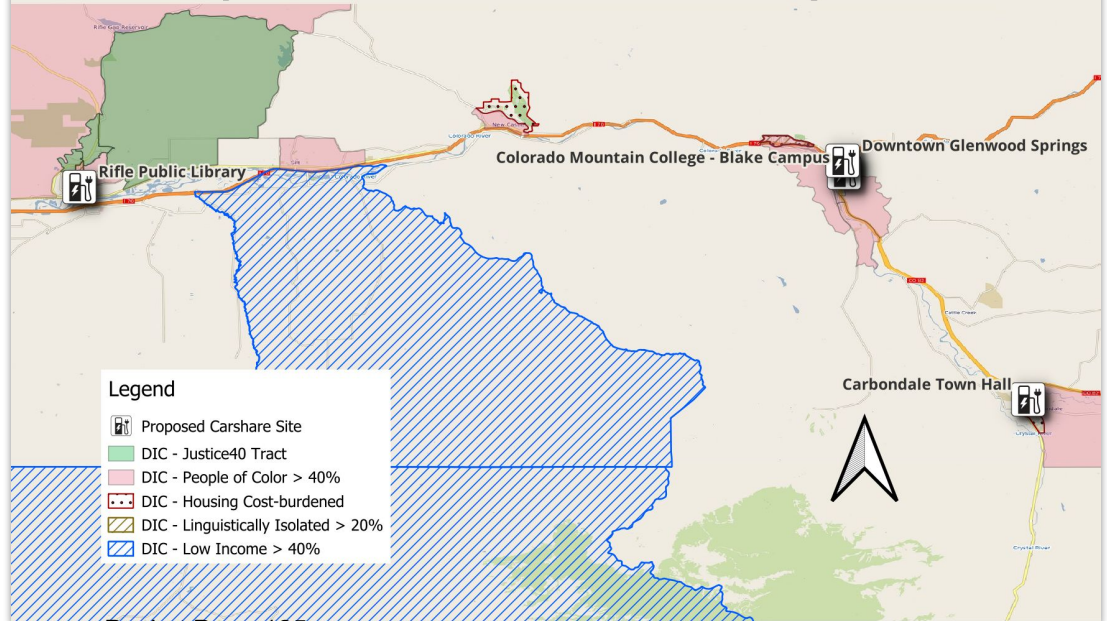
Proposed Project Locations

EV Car share sites chosen for anticipated high Carshare demand & to maximize existing charging infrastructure.

Western Slope EV Carshare Expansion Proposed Mesa County Sites

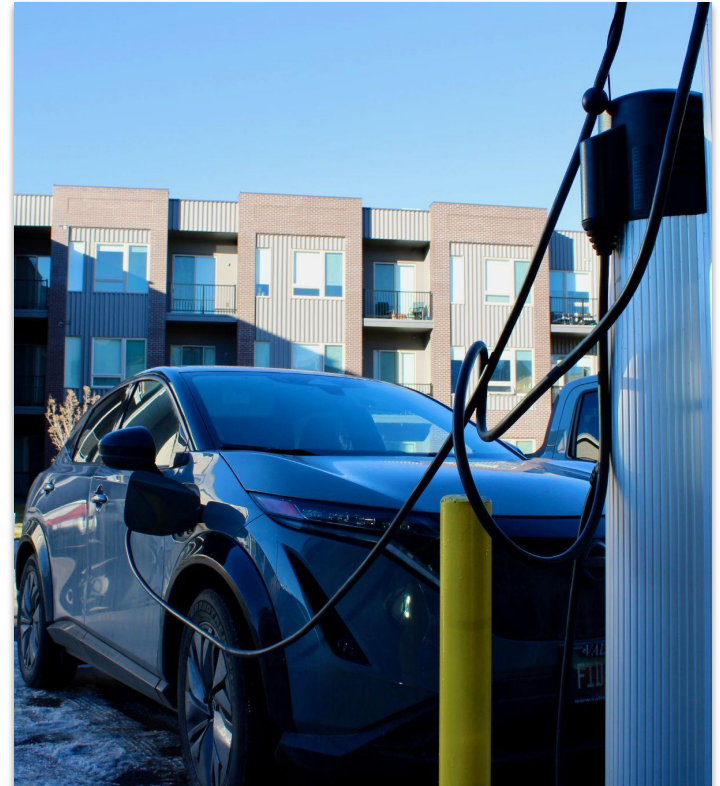


Western Slope EV Carshare Expansion Proposed Garfield County Sites



How Colorado Carshare Works

- Membership based (individuals or fleets)
- Reserve a EV for one hour, to multiple days
- Round trip EV reservations
- Subsidized rates for eligible low-income members, non-profits, students, etc.
- Colorado Carshare operates over 70 vehicles in its fleet, on the Front Range, allowing for member use throughout Colorado



Project Benefits

Provides a new and affordable transportation option to residents & visitors.

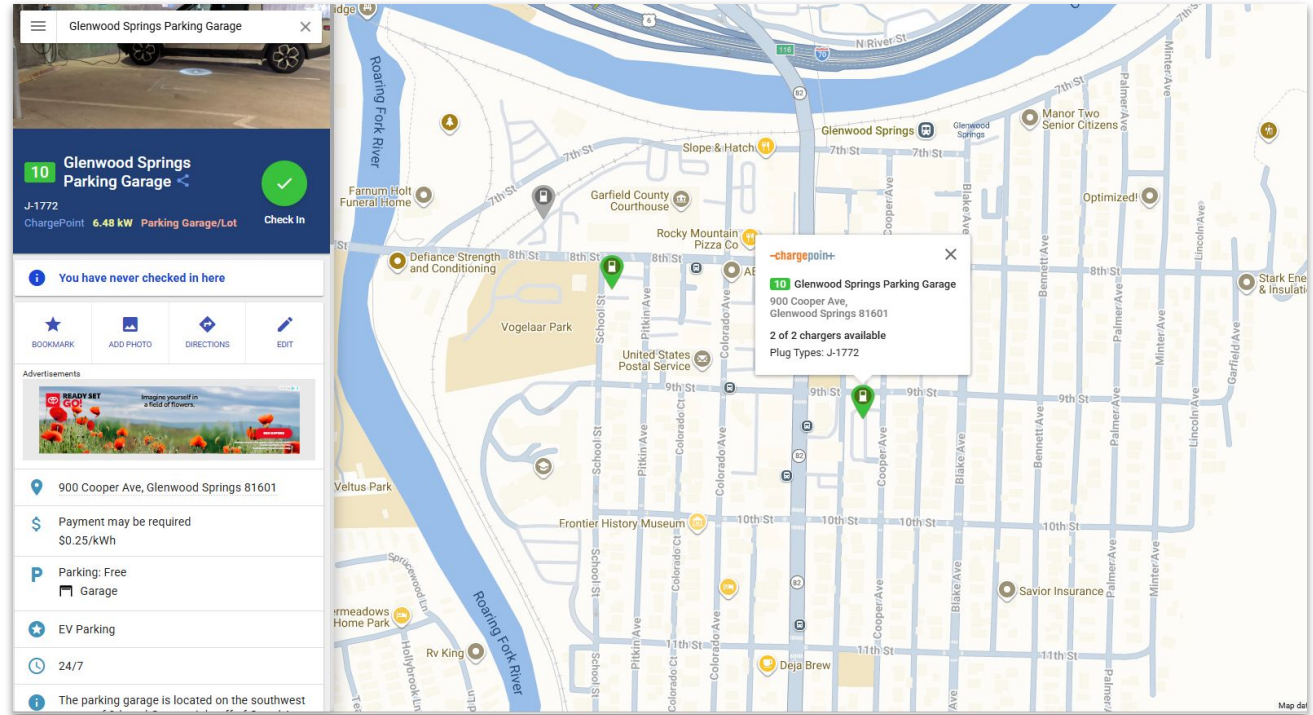
Collectively, the sites will serve an estimated 5,500 residents within ¼-mile, including over 180 affordable housing units.

Regionally, the sites will serve approximately 100,000 residents across Garfield and Mesa Counties.



Proposed Glenwood Carshare Site Location

- 1-parking space currently served by the existing city-owned EV charger (1-port) in the city-owned downtown parking garage on 9th Street



City of Glenwood Springs Request

- Commitment to host an EV car share site at the proposed site for the 3-year grant term.
- Letter of support & commitment for the grant application.
- Financial commitment options:
 - City continues paying for the EV car share dedicated charger (warranty, networking, maintenance, electricity, etc.) as a in-kind donation to the program. ~\$2,000/year.
 - City pays for some costs and the grant covers some costs.



Contact Us with Questions

- Dova Castaneda Zilly - Clean Mobility Program Manager
 - dova@cleanenergyeconomy.net
 - 970-510-3190
- Emily Williams - Education & Outreach Manager
 - emily@cleanenergyeconomy.net
 - 970-510-3176



CLEER

CLEAN ENERGY ECONOMY FOR THE REGION

Thank you for considering!

March XX, 2026



Colorado Energy Office
1600 Broadway, Suite 1960
Denver, CO 80202

To: CAMP Grant Proposal Review Staff

Subject: Letter of Support for Colorado Carshare's Western Slope EV Carshare Expansion

On behalf of the City of Glenwood Springs, it is our pleasure to offer our strong support for Colorado Carshare's proposal to bring EV Carshare to Colorado's Western Slope. As a city whose residents, tourists, and local businesses depend on reliable transportation access, our community will benefit greatly from having by-reservation access to vehicles for trips where active transportation or transit are not viable. The Expansion will allow for a more affordable transportation experience, when compared to vehicle ownership, particularly considering that the environmental benefits of low- and zero-emissions vehicles often come at a premium cost.

The City is also actively engaged in ongoing transportation demand management (TDM) programs and a regional effort to form a transportation management organization (TMO) because, for one, an average of 27,726 vehicles drove through Glenwood Springs every day in 2025—a record high. An EV car share will directly support programming by making it easier for residents, tourists, and businesses alike to decide not to add another vehicle to our local roads.

Additionally, many residents of Western Colorado experience burdensome transportation costs or suffer from poor access to services, particularly those living in Disproportionately Impacted Communities, of which Glenwood Springs is identified as one, according to the Transportation Equity Screening Tool for Colorado Energy Office Transportation Programs. Thoughtfully locating Carshare locations in community hubs like Colorado Mountain College and in Downtown Glenwood will ensure that a wide variety of residents have access to the service. While Glenwood Springs is not committing to hosting an EV carshare site at this time, we are engaged in assessing what that could look like if the grant is awarded.

We commend Colorado Carshare for making the effort to serve a broader population of Colorado, and hope you will consider funding this effort.

Sincerely,

[Printed name, Title, Organization]



March XX, 2026

Colorado Energy Office
1600 Broadway, Suite 1960
Denver, CO 80202

To: CAMP Grant Proposal Review Staff

Subject: Letter of Commitment for Colorado Carshare's Western Slope EV Carshare Expansion

On behalf of the City of Glenwood Springs, it is our pleasure to offer our commitment and support for the proposal to bring EV Carshare to the Western Slope. As a city whose residents, tourists, and local businesses depend on reliable transportation access, our community will benefit greatly from having by-reservation access to EVs for trips where active transportation or transit are not viable. The Expansion will also allow for more affordable transportation options. The City is also actively engaged in ongoing transportation demand management (TDM) programs and a regional effort to form a transportation management organization (TMO) because, for one, an average of 27,726 vehicles drove through Glenwood Springs every day in 2025—a record high. An EV car share will directly support programming by making it easier for residents, tourists, and businesses alike to decide not to add another vehicle to our local roads.

Additionally, many residents of Western Colorado experience burdensome transportation costs or suffer from poor access to services, particularly those living in Disproportionately Impacted Communities, of which Glenwood Springs is identified as one, according to the Transportation Equity Screening Tool for Colorado Energy Office Transportation Programs. Thoughtfully locating Carshare locations in community hubs like Downtown Glenwood will ensure that a wide variety of residents have access. Specifically, the City of Glenwood Springs commits to:

- Host a Carshare EV on our property at the city-owned parking garage at 900 Cooper Ave, Glenwood Springs, and dedicate 1-port of our existing L2 charger to the EV
- Coordinate to ensure adequate site access, signage, and public visibility
- Support community engagement efforts to promote awareness and use of the EV Carshare program amongst our residents, local businesses, and tourists

We commend Colorado Carshare for making the effort to serve a broader population of Colorado, and hope you will consider funding this effort.

Sincerely,

[Printed name, Title, Organization]



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

- Agenda Item:** Award Request for Proposal (RFP) 2026-04P Traver Trail Pump Station #1 Replacement
- Action Requested:** City Council approval to award Request for Proposal 2026-04, Traver Trail Pump Station #1 replacement, to Heyl Construction for \$749,402.50 per bid.
- Department:** Public Works
- Presented By:** Matthew Langhorst
- Strategic Goals:** Preserve and Improve Infrastructure
- Background Info:** The city Water Department has a 5 and 10-year capital plan process that looks at the city's infrastructure and plans for replacements of systems prior to them failing. Pump Station #1, above Highway 6, is an old facility, it is an underground facility, and it is in need of replacement prior to failure. Design was completed in 2025/2026, bid documents were put out to Bidnet in early 2026. Bids have been received and Heyl's qualified bid is under the approved 2026 budget, which was \$775,000.
- Issues:** None at this time.
- Fiscal Impact:** This section of the work fits within the proposed budget. The city will be completing the electrical and generator work in house.
- Legal Review:** Legal will be part of the contract documentation.
- Staff Recommendation:** Staff is recommending City Council approve award Request for Proposal 2026-04, Traver Trail Pump Station #1 replacement, to Heyl Construction for \$749,402.50 per bid.



BPS No. 1

Project No. 2021-171.005 - Bid Date March 10, 2026

Item #	Estimated Quantity	Unit	Description	Dietzler Construction		Gould Construction		Johnson Construction		Heyl Construction		Phoenix Construction		Velocity Constructors		TWX Colorado		Max	Min	Average
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Cost
1	1	LS	Mobilization	86,250.00	86,250.00	162,180.61	162,180.61	45,000.00	45,000.00	71,900.00	71,900.00	64,534.81	64,534.81	272,568.00	272,568.00	150,000.00	150,000.00	\$272,568.00	\$45,000.00	\$121,776.20
2	1	LS	Demolition	39,675.00	39,675.00	14,874.59	14,874.59	40,000.00	40,000.00	10,900.00	10,900.00	11,432.71	11,432.71	25,506.00	25,506.00	35,000.00	35,000.00	\$40,000.00	\$10,900.00	\$25,341.19
3	1	LS	Site Grading and Improvements	41,400.00	41,400.00	20,731.16	20,731.16	33,000.00	33,000.00	15,600.00	15,600.00	26,496.31	26,496.31	64,102.00	64,102.00	175,000.00	175,000.00	\$175,000.00	\$15,600.00	\$53,761.35
4	890	LF	Shallow Utility Installation	97.18	86,490.20	98.48	87,647.20	95.00	84,550.00	55.25	49,172.50	48.27	42,960.30	24.00	21,360.00	225.00	200,250.00	\$200,250.00	\$21,360.00	\$81,775.74
5	1	LS	Yard Piping	87,400.00	87,400.00	61,230.03	61,230.03	90,000.00	90,000.00	69,500.00	69,500.00	53,705.61	53,705.61	39,583.00	39,583.00	150,000.00	150,000.00	\$150,000.00	\$39,583.00	\$78,774.09
6	1	LS	BPS No. 1 Concrete	53,475.00	53,475.00	37,156.06	37,156.06	62,000.00	62,000.00	39,500.00	39,500.00	36,680.16	36,680.16	36,126.00	36,126.00	35,000.00	35,000.00	\$62,000.00	\$35,000.00	\$42,848.17
7	1	LS	BPS No. 1 Building	85,100.00	85,100.00	163,980.65	163,980.65	220,000.00	220,000.00	161,000.00	161,000.00	165,211.69	165,211.69	282,693.00	282,693.00	75,000.00	75,000.00	\$282,693.00	\$75,000.00	\$164,712.19
8	2	EA	Duty Pump	57,659.39	115,318.78	52,292.10	104,584.20	58,000.00	116,000.00	51,750.00	103,500.00	54,048.71	108,097.42	52,697.00	105,394.00	150,000.00	300,000.00	\$300,000.00	\$103,500.00	\$136,127.77
9	1	LS	Process Piping	124,200.00	124,200.00	82,329.09	82,329.09	85,000.00	85,000.00	76,000.00	76,000.00	91,899.28	91,899.28	79,819.00	79,819.00	200,000.00	200,000.00	\$200,000.00	\$76,000.00	\$105,606.77
10	1	LS	BPS No. 1 Mechanical/HVAC	46,000.00	46,000.00	82,056.68	82,056.68	89,000.00	89,000.00	71,900.00	71,900.00	76,857.40	76,857.40	67,712.00	67,712.00	35,000.00	35,000.00	\$89,000.00	\$35,000.00	\$66,932.30
11	1	LS	Erosion Control	2,875.00	2,875.00	11,199.26	11,199.26	5,000.00	5,000.00	3,000.00	3,000.00	4,944.16	4,944.16	49,938.00	49,938.00	25,000.00	25,000.00	\$49,938.00	\$2,875.00	\$14,565.20
12	1	LS	Site Restoration	2,300.00	2,300.00	2,542.10	2,542.10	4,500.00	4,500.00	7,500.00	7,500.00	9,240.57	9,240.57	7,665.00	7,665.00	25,000.00	25,000.00	\$25,000.00	\$2,300.00	\$8,392.52
13	1,850	SY	Access Road Asphalt	63.25	117,012.50	44.08	81,548.00	50.00	92,500.00	37.80	69,930.00	49.73	92,000.50	36.00	66,600.00	50.00	92,500.00	\$117,012.50	\$66,600.00	\$87,441.57
TOTAL				887,496.48	887,496.48	TOTAL	912,059.63	TOTAL	966,550.00	TOTAL	749,402.50	TOTAL	784,060.92	TOTAL	1,119,066.00	TOTAL	1,497,750.00			



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Letter of Support to Garfield County Regarding Thomson Divide

Action Requested: Sign a letter of support to send the Garfield County Board of Commissioners regarding the City's ongoing commitment to the protection of the Thomson Divide.

Department: City Administration

Presented By:

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

Background Info: On September 18, 2025, Council passed Resolution 2025-20; Longstanding Support for Protecting the Thomson Divide.

Issues: NA

Fiscal Impact: NA

Legal Review: Legal has reviewed.

Staff Recommendation: NA



City of Glenwood Springs

101 West 8th Street, Glenwood Springs, CO 81601

Glenwood Springs City Council
citycouncil@cogs.us

3/19/2026

Dear Members of the Garfield Board of County Commissioners,

We, the City of Glenwood Springs, respectfully request your renewed support for our shared efforts to protect the Thompson Divide through the enactment of the Colorado Outdoor Recreation and Economy (CORE) Act. As a neighboring municipality with a deep commitment to conserving our region’s natural landscapes, outdoor recreation, and local economies, we believe that a united voice from Garfield County is meaningful to advancing this important cause.

As you know, the Thompson Divide, located just south of Glenwood Springs and Carbondale, is a landscape of immense ecological, cultural, and economic significance. It offers world-class outdoor recreation opportunities, serves as a vital wildlife habitat, and sustains historic ranching operations that have been a cornerstone of our local culture for over a century. The area’s diverse wildlife attracts hikers, anglers, campers, and hunters, whose outdoor pursuits provide a meaningful economic boost to our communities.

For over a decade, our local governments and citizens have championed the conservation of the Thompson Divide. Our support has been unwavering—whether through resolutions, letters to federal officials, or advocacy efforts—highlighting the importance of protecting this public land from new oil and gas leasing. Notably, in 2025, Carbondale and Glenwood Springs each passed renewed resolutions of support for the CORE Act (attached), in hopes that Congress will move the legislation forward and secure permanent protections for the Thompson Divide.

The CORE Act’s reintroduction by Colorado’s congressional delegation this Congress offers a pathway to ensure that our region’s outdoor recreation, wildlife, and ranching heritage are preserved for generations to come. We firmly believe that enacting this legislation is in the best interest of our communities and our shared environment.

We respectfully request that the Garfield Board of County Commissioners renew their support for the CORE Act and urge Congress to pass the bill. Your renewed support will underscore over a decade of community collaboration that has resulted in a unified regional commitment to conserving our natural landscapes, sustaining our economy, and protecting our way of life.

Thank you for your consideration and leadership in this vital matter. We look forward to working together to secure a sustainable future for the Thompson Divide and our communities.

Sincerely,

Marco Dehm
Mayor
City of Glenwood Springs

RESOLUTION 2025- 20

A RESOLUTION REAFFIRMING THE CITY OF GLENWOOD SPRINGS’ LONG-STANDING SUPPORT FOR PROTECTING THE THOMPSON DIVIDE FROM NEW OIL AND GAS LEASING THROUGH A 20-YEAR ADMINISTRATIVE WITHDRAWAL AND PERMANENT LEGISLATIVE WITHDRAWAL UNDER THE COLORADO OUTDOOR RECREATION AND ECONOMY (CORE) ACT

WHEREAS, the Thompson Divide is a landscape just south of the City of Glenwood Springs that provides incredible outdoor recreation opportunities, is home to valuable wildlife habitat, and supports some of the oldest ranching operations in the region; and

WHEREAS, the abundant amount of diverse wildlife in this public land brings in hikers, anglers, campers, and hunters, and these avid outdoorsmen and women are an important supplement to our economy; and

WHEREAS, for over a decade and with broad-based support from local citizens, the City of Glenwood Springs has consistently supported conservation of public lands in the Thompson Divide; and

WHEREAS, in 2009, both the City of Glenwood Springs and the Town of Carbondale resolved that community, environmental, and economic values in the Divide “deserve preservation and protection,” and supported “efforts of the Thompson Divide Coalition to explore legislative initiatives and other opportunities to protect these special areas from energy development,”; and

WHEREAS, in 2012, Glenwood Springs City Council passed Resolution 2012-21 supporting a bill drafted by Senator Bennett to provide a middle ground for the conflict; the draft bill presented an option that would have withdrawn unleased public minerals in the area from future oil and gas development while also preserving existing private property rights for current leaseholders; and

WHEREAS, in 2019, the City of Glenwood Springs and the Town of Carbondale sent letters to Sen. Michael Bennet, Sen. Cory Gardner, Rep. Scott Tipton, and Rep. Joe Neguse declaring support for “provisions of the CORE Act that will protect public lands in the Thompson Divide with a permanent withdrawal from availability for future leasing...”; and

WHEREAS, in 2022, the Glenwood Spring City Council and the Town of Carbondale Trustees sent letters to President Biden urging executive action to help protect this special place, and specifically encouraging the President to implement a 20-year mineral withdrawal for the Thompson Divide under the Federal Lands Policy and Management Act, while underscoring continued support for passage of the Colorado Outdoor Recreation and Economy (CORE) Act; and

WHEREAS, in 2023, the Glenwood Springs City Council and the Town of Carbondale submitted a joint letter to the Colorado State Director of the Bureau of Land Management Doug Vilsack supporting the proposed 20-year administrative withdrawal for the Thompson Divide; and

WHEREAS, the U.S. Departments of the Interior and Agriculture approved the 20-year administrative withdrawal for the Thompson Divide in 2024 as a result of broad support from local communities and governments including the City of Glenwood Springs; and

WHEREAS, the CORE Act has been reintroduced by the Colorado delegation in the 119th Congress; and

WHEREAS, it's in our community's best interest to ensure the administrative withdrawal remains in place until the Thompson Divide is permanently closed to oil and gas leasing through the CORE Act or other federal legislation;

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

Section 1. That the City of Glenwood Springs reaffirms its long-standing commitment to the protection of the Thompson Divide from new oil and gas leasing.

Section 2. That the City of Glenwood Springs continues to express strong support for the current 20-year administrative withdrawal and recognizes the meaningful interim protection it provides.

Section 3. That the City of Glenwood Springs remains steadfast in its support for the Colorado Outdoor Recreation and Economy (CORE) Act, which would permanently withdraw the Thompson Divide from future oil and gas leasing.

INTRODUCED, READ, AND PASSED THIS 18th DAY OF SEPTEMBER 2025.

CITY OF GLENWOOD SPRINGS, COLORADO

Marco Dehm, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Resolution 2026-07; Colorado Department of Transportation Grant Award Agreement

Action Requested: Approve Resolution 2026-07; Awarding KGWS Summers Airport with CDOT funding.

Department: Finance

Presented By:

Strategic Goals: Provide Efficient and Responsive City Government
Preserve and Improve Infrastructure

Background Info: KGWS Summers Airport applied for a pass-through grant as we are the governing body.

Issues: None

Fiscal Impact: None. This is financed entirely by KGWS.

Legal Review: NA

Staff Recommendation: Staff recommends approval.

EXHIBIT B, RESOLUTION

RESOLUTION

WHEREAS:

The General Assembly of the State of Colorado declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in CRS §43-10-101 (the Act) "... that there exists a need to promote the safe operations and accessibility of general aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency..."

The Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics ("the Division") to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. SEE CRS §43-10-103 and C.R.S. §43-10-105 and CRS §43-10-108.5 of the Act.

Any eligible entity operating a public-accessible airport in the state may file an application for and be recipient of a grant to be used solely for aviation purposes. The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures, grant assurances and requirements as defined in the Division's Programs and Procedures Manual, ("the Manual") and the Airport Sponsor Assurances for Colorado Discretionary Aviation Grant Funding ("Grant Assurances") attached hereto as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED THAT:

The **City of Glenwood Springs**, as a duly authorized governing body of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of a state aviation system grant. The **City of Glenwood Springs** states that such grant shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

By signing this Grant Agreement, the applicant commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and stated in the Grant Agreement and Grant Assurances as shown in Exhibit C, Table 1.

FURTHER BE IT RESOLVED:

That the **City of Glenwood Springs** hereby designates Amy Helm as the Project Director, as described in the Manual and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, including executions of the Grant Agreement and any amendments.

FURTHER:

The **City of Glenwood Springs** has appropriated or will otherwise make available in a timely manner all funds, if any, that are required to be provided by the Applicant under the terms and conditions of the Grant Agreement.

FINALLY:

The **City of Glenwood Springs** hereby accepts all guidelines, procedures, standards, and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the Grant Agreement submitted by the State, including all terms and conditions contained therein.

By: Steve Boyd, City Manager

Date: _____

ATTEST (if needed)

N/A

**Grant Award Letter
Intergovernmental Grant Agreement**

Cover Page

State Agency

Colorado Department of Transportation,
Colorado Aeronautical Board, Division of
Aeronautics

Grant Issuance Date

The Effective Date

Grant Expiration Date

June 30, 2029

Grantee

City of Glenwood Springs

Grant Amount

State Funds: \$200,000.00

Local Match Amount: \$22,223.00

Agreement Authority

Authority to enter into this Agreement exists in CRS §43-10-108.5 and funds have been budgeted, appropriated and otherwise made available pursuant to CRS §§39-27-112(2)(b), 43-10-109, 43-10-102 and a sufficient unencumbered balance thereof remains available for payment. Required approvals, clearance, and coordination have been accomplished from and with appropriate agencies.

Grant Purpose

1. Design for Airport Development Relocation Plan

Exhibits and Order of Precedence

The following Exhibits and attachments are included with this Agreement:

1. Exhibit A, Discretionary Aviation Grant Application/Statement of Work
2. Exhibit B, Resolution
3. Exhibit C, Grant Assurances
4. Exhibit D, Sample Option Letter

In the event of a conflict of inconsistency between this Agreement and any Exhibit or attachment, such conflict or inconsistency shall be resolved by reference to the documents in the following order of priority:

1. Colorado Special Provisions in §19 of the main body of the Grant Award Letter
2. The provisions of the other sections of the main body of the Grant Award Letter
3. Exhibit A, Discretionary Aviation Grant Application/Statement of Work
4. Exhibit B, Resolution
5. Exhibit C, Grant Assurances
6. Executed Option Letters, if any

Principal Representatives

For the State:

Scott Storie, Aviation Planner
CDOT - Division of Aeronautics
5126 Front Range Parkway
Watkins, CO 80137
scott.storie@state.co.us
(303) 512-5251

For Grantee:

Amy Helm
KGWS Sumers Airpark
PO Box 401
Glenwood Springs, CO 81602
kgwsairport@gmail.com
(970) 987-5916

Signature Page

The Signatories Listed Below Authorize this Grant

GRANTEE

City of Glenwood Springs

STATE OF COLORADO

Jared S. Polis, Governor
Department of Transportation
Division of Aeronautics

By: Steve Boyd, City Manager

Date: _____

By: David R. Ulane, Director

Date: _____

In accordance with §24-30-202, C.R.S., this Agreement is not valid until signed and dated below by the State Controller or an authorized delegate.

STATE CONTROLLER

Robert Jaros, CPA, MBA, JD

By: Department of Transportation

Effective Date _____

1. GRANT

As of the Grant Issuance Date, the State Agency shown on the first page of this Grant Award Letter (the "State") hereby obligates and awards to Grantee shown on the first page of this Grant Award Letter (the "Grantee") an award of Grant Funds in the amounts shown on the first page of this Grant Award Letter. By accepting the Grant Funds provided under this Grant Award Letter, Grantee agrees to comply with the terms and conditions of this Grant Award Letter and requirements and provisions of all Exhibits to this Grant Award Letter.

2. TERM

A. Initial Grant Term and Extension

The Parties' respective performances under this Grant Award Letter shall commence on the Grant Issuance Date and shall terminate on the Grant Expiration Date unless sooner terminated or further extended in accordance with the terms of this Grant Award Letter. Upon request of Grantee, the State may, in its sole discretion, extend the term of this Grant Award Letter by providing written notice to the Grantee in a form substantially equivalent to Exhibit D.

B. Early Termination in the Public Interest

The State is entering into this Grant Award Letter to serve the public interest of the State of Colorado as determined by its Governor, General Assembly, the Colorado Aeronautical Board, or Courts. If this Grant Award Letter ceases to further the public interest of the State or if State, Federal or other funds used for this Grant Award Letter are not appropriated, or otherwise become unavailable to fund this Grant Award Letter, the State, in its discretion, may terminate this Grant Award Letter in whole or in part by providing written notice to Grantee that includes, to the extent practicable, the public interest justification for the termination. If the State terminates this Grant Award Letter in the public interest, the State shall pay Grantee an amount equal to the percentage of the total reimbursement payable under this Grant Award Letter that corresponds to the percentage of Work satisfactorily completed, as determined by the State, less payments previously made. Additionally, the State, in its discretion, may reimburse Grantee for a portion of actual, out-of-pocket expenses not otherwise reimbursed under this Grant Award Letter that are incurred by Grantee and are directly attributable to the uncompleted portion of Grantee's obligations, provided that the sum of any and all reimbursements shall not exceed the maximum amount payable to Grantee hereunder. This subsection shall not apply to a termination of this Grant Award Letter by the State for breach by Grantee.

C. Extension Terms - State's Option

The State, at its discretion, shall have the option to extend the performance under this Grant Award Letter beyond the Initial Term for a period, or for successive periods, of one year or less at the same rates and under the same terms specified in the Grant Award Letter (each such period an "Extension Term"). In order to exercise this option, the State shall provide written notice to Grantee in a form

substantially equivalent to Exhibit D, Sample Option Letter, attached to this Grant Award Letter.

3. PURPOSE

The General Assembly of the State of Colorado declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in CRS §43-10-101 (the Act) "... that there exists a need to promote the safe operations and accessibility of general aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency..."

The Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics ("the Division") to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. SEE CRS §43-10-103 and C.R.S. §43-10-105 and CRS §43-10-108.5 of the Act.

Any entity operating a public-accessible airport in the state may file an application for and be recipient of a grant to be used solely for aviation purposes. The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures, grant assurances and requirements as defined in the Division's Programs and Procedures Manual, ("the Manual") and the Airport Sponsor Assurances for Colorado Discretionary Aviation Grant Funding attached hereto as Exhibit C.

4. DEFINITIONS

The following terms shall be construed and interpreted as follows:

- A. "**Breach of Agreement**" means the failure of a Party to perform any of its obligations in accordance with this Grant Award Letter, in whole or in part or in a timely or satisfactory manner. The institution of proceedings under any bankruptcy, insolvency, reorganization or similar law, by or against Grantee, or the appointment of a receiver or similar officer for Grantee or any of its property, which is not vacated or fully stayed within 30 days after the institution of such proceeding, shall also constitute a breach. If Grantee is debarred or suspended under §24-109-105, C.R.S. at any time during the term of this Grant Award Letter, then such debarment or suspension shall constitute a breach.
- B. "**Budget**" means the budget for the Work described in Exhibit A.
- C. "**Business Day**" means any day in which the State is open and conducting business, but shall not include Saturday, Sunday or any day on which the State observes one of the holidays listed in §24-11-101(1) C.R.S.
- D. "**CJI**" means criminal justice information collected by criminal justice agencies needed for the performance of their authorized functions, including, without limitation, all information defined as criminal justice information by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice

Information Services Security Policy, as amended and all Criminal Justice Records as defined under §24-72-302 C.R.S.

- E. **“CORA”** means the Colorado Open Records Act, §§24-72-200.1 *et. seq.*, C.R.S.
- F. **“Exhibits”** means the exhibits and attachments included with this Grant Award Letter as shown on the first page of this Grant Award Letter
- G. **“Extension Term”** means the period of time by which the Grant Expiration Date is extended by the State through delivery of notice as described in §2.A of this Grant Award Letter.
- H. **“Federal Award”** means an award of Federal financial assistance or a cost-reimbursement agreement under the Federal Acquisition Regulations by a Federal Awarding Agency to the Recipient. “Federal Award” also means an agreement setting forth the terms and conditions of the Federal Award. The term does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program .
- I. **“Federal Awarding Agency”** means a federal agency providing a Federal Award to a Recipient. The Federal Aviation Administration is the Federal Awarding Agency for the Federal Award which is the subject of this Grant.
- J. **“Goods”** means any movable material acquired, produced, or delivered by Grantee as set forth in this Grant Award Letter and shall include any movable material acquired, produced, or delivered by Grantee in connection with the Services.
- K. **“Grant Award Letter”** means this letter which offers Grant Funds to Grantee, including all attached Exhibits, all documents incorporated by reference, all referenced statutes, rules and cited authorities, and any future updates thereto.
- L. **“Grant Funds”** means the funds that have been appropriated, designated, encumbered, or otherwise made available for payment by the State under this Grant Award Letter.
- M. **“Grant Expiration Date”** means the Grant Expiration Date shown on the first page of this Grant Award Letter.
- N. **“Grant Issuance Date”** means the Grant Issuance Date shown on the first page of this Grant Award Letter.
- O. **“Incident”** means any accidental or deliberate event that results in or constitutes an imminent threat of the unauthorized access or disclosure of State Confidential Information or of the unauthorized modification, disruption, or destruction of any State Records.
- P. **“Initial Term”** means the time period between the Grant Issuance Date and the Grant Expiration Date.
- Q. **“Manual”** means the Programs and Procedures Manual as approved by the Colorado Aeronautical board that is available on the Colorado Division of Aeronautics’ website.
- R. **“Matching Funds”** means the funds provided by Grantee as a match required to receive the Grant Funds.

- S. **“Party”** means the State or Grantee, and **“Parties”** means both the State and Grantee.
- T. **“PII”** means personally identifiable information including, without limitation, any information maintained by the State about an individual that can be used to distinguish or trace an individual’s identity, such as name, social security number, date and place of birth, mother’s maiden name, or biometric records; and any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information. PII includes, but is not limited to, all information defined as personally identifiable information in §§24-72-501 and 24-73-101 C.R.S.
- U. **“Services”** means the services to be performed by Grantee as set forth in this Grant Award Letter, and shall include any services to be rendered by Grantee in connection with the Goods.
- V. **“State Confidential Information”** means any and all State Records not subject to disclosure under CORA. State Confidential Information shall include, but is not limited to, PII, CJI, and State personnel records not subject to disclosure under CORA. State Confidential Information shall not include information or data concerning individuals that is not deemed confidential but nevertheless belongs to the State, which has been communicated, furnished, or disclosed by the State to Grantee which (i) is subject to disclosure pursuant to CORA; (ii) is already known to Grantee without restrictions at the time of its disclosure to Grantee; (iii) is or subsequently becomes publicly available without breach of any obligation owed by Grantee to the State; (iv) is disclosed to Grantee, without confidentiality obligations, by a third party who has the right to disclose such information; or (v) was independently developed without reliance on any State Confidential Information.
- W. **“State Fiscal Rules”** means the fiscal rules promulgated by the Colorado State Controller pursuant to §24-30-202(13)(a) C.R.S.
- X. **“State Fiscal Year”** means a 12 month period beginning on July 1 of each calendar year and ending on June 30 of the following calendar year. If a single calendar year follows the term, then it means the State Fiscal Year ending in that calendar year.
- Y. **“State Records”** means any and all State data, information, and records, regardless of physical form, including, but not limited to, information subject to disclosure under CORA.
- Z. **“Subcontractor”** means third-parties, if any, engaged by Grantee to aid in performance of the Work. **“Subcontractor”** also includes sub-grantees.
- AA. **“Work”** means the delivery of the Goods and performance of the Services described in this Grant Award Letter.
- BB. **“Work Product”** means the tangible and intangible results of the Work, whether finished or unfinished, including drafts. Work Product includes, but is not limited to, documents, text, software (including source code), research, reports, proposals, specifications, plans, notes, studies, data, images, photographs, negatives, pictures, drawings, designs, models, surveys, maps, materials, ideas,

concepts, know-how, and any other results of the Work. "Work Product" does not include any material that was developed prior to the Grant Issuance Date that is used, without modification, in the performance of the Work.

Any other term used in this Grant Award Letter that is defined in an Exhibit shall be construed and interpreted as defined in that Exhibit.

5. STATEMENT OF WORK

Grantee shall complete the Work as described in this Grant Award Letter and in accordance with the provisions of Exhibit A. The State shall have no liability to compensate or reimburse Grantee for the delivery of any goods or the performance of any services that are not specifically set forth in this Grant Award Letter.

6. PAYMENTS TO GRANTEE

A. Maximum Amount

Payments to Grantee are limited to the unpaid, obligated balance of the Grant Funds. Financial obligations of the State payable after the current State Fiscal Year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. The State shall not be liable to pay or reimburse Grantee for any Work performed or expense incurred before the Grant Issuance Date or after the Grant Expiration Date; provided, however, that Work performed and expenses incurred by Grantee before the Grant Issuance Date that are chargeable to an active Federal Award may be submitted for reimbursement as permitted by the terms of the Federal Award.

B. Increase or Decrease Quantities and Total Price - State's Option

The State, at its discretion, shall have the option to increase or decrease the quantity of goods/services described in Exhibit A at the same rates and under the same terms specified in this Grant Award Letter. In order to exercise this option, the State shall provide written notice to Contractor in in form substantially equivalent to Exhibit D prior to the end of the current Grant Award Letter term. Delivery of Goods and performance of Services shall continue at the same rates and terms as described in this Grant Award Letter.

C. Matching Funds.

Grantee shall provide the Local Match Amount shown on the first page of this Grant Award Letter and described in Exhibit A (the "Local Match Amount"). Grantee shall appropriate and allocate all Local Match Amounts to the purpose of this Grant Award Letter each fiscal year prior to accepting any Grant Funds for that fiscal year. Grantee does not by accepting this Grant Award Letter irrevocably pledge present cash reserves for payments in future fiscal years, and this Grant Award Letter is not intended to create a multiple-fiscal year debt of Grantee. Grantee shall not pay or be liable for any claimed interest, late charges, fees, taxes or penalties of any nature, except as required by Grantee's laws or policies.

D. Reimbursement of Grantee Costs

The State shall reimburse Grantee's allowable costs, not exceeding the maximum total amount described in this Grant Award Letter for all allowable costs described

in this Grant Award Letter and shown in the Budget, except that Grantee may adjust the amounts between each line item of the Budget without formal modification to this Agreement as long as the Grantee provides notice to the State of the change, the change does not modify the total maximum amount of this Grant Award Letter or the maximum amount for any state fiscal year, and the change does not modify any requirements of the Work.

E. Close-Out.

Grantee shall close out this Grant within 45 days after the Grant Expiration Date. To complete close out, Grantee shall submit to the State all deliverables (including documentation) as defined in this Grant Award Letter and Grantee's final reimbursement request or invoice.

7. REPORTING - NOTIFICATION

A. Performance and Final Status

Grantee shall submit all financial, performance and other reports to the State no later than the end of the close out described in §6.E, containing an evaluation and review of Grantee's performance and the final status of Grantee's obligations hereunder.

B. Violations Reporting

Grantee shall disclose, in a timely manner, in writing to the State and the Federal Awarding Agency, all violations of federal or State criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal Award. The State or the Federal Awarding Agency may impose any penalties for noncompliance allowed under 2 CFR Part 180 and 31 U.S.C. 3321, which may include, without limitation, suspension or debarment.

8. GRANTEE RECORDS

A. Maintenance and Inspection

Grantee shall make, keep, and maintain, all records, documents, communications, notes and other written materials, electronic media files, and communications, pertaining in any manner to this Grant Award Letter for a period of three years following the completion of the close out of this Grant Award Letter. Grantee shall permit the State to audit, inspect, examine, excerpt, copy and transcribe all such records during normal business hours at Grantee's office or place of business, unless the State determines that an audit or inspection is required without notice at a different time to protect the interests of the State.

B. Monitoring

The State will monitor Grantee's performance of its obligations under this Grant Award Letter using procedures as determined by the State. The State shall have the right, in its sole discretion, to change its monitoring procedures and requirements at any time during the term of this Agreement. The State shall monitor Grantee's performance in a manner that does not unduly interfere with Grantee's performance of the Work.

C. Final Audit Report

Grantee shall promptly submit upon request to the State a copy of any final audit report of an audit performed on Grantee's records that relates to or affects this Grant Award Letter or the Work, whether the audit is conducted by Grantee or a third party.

9. CONFIDENTIAL INFORMATION-STATE RECORDS

A. Confidentiality

Grantee shall hold and maintain, and cause all Subcontractors to hold and maintain, any and all State Records that the State provides or makes available to Grantee for the sole and exclusive benefit of the State, unless those State Records are otherwise publicly available at the time of disclosure or are subject to disclosure by Grantee under CORA. Grantee shall not, without prior written approval of the State, use for Grantee's own benefit, publish, copy, or otherwise disclose to any third party, or permit the use by any third party for its benefit or to the detriment of the State, any State Records, except as otherwise stated in this Grant Award Letter. Grantee shall provide for the security of all State Confidential Information in accordance with all policies promulgated by the Colorado Office of Information Security and all applicable laws, rules, policies, publications, and guidelines. Grantee shall immediately forward any request or demand for State Records to the State's principal representative.

B. Other Entity Access and Nondisclosure Agreements

Grantee may provide State Records to its agents, employees, assigns and Subcontractors as necessary to perform the Work, but shall restrict access to State Confidential Information to those agents, employees, assigns and Subcontractors who require access to perform their obligations under this Grant Award Letter. Grantee shall ensure all such agents, employees, assigns, and Subcontractors sign nondisclosure agreements with provisions at least as protective as those in this Grant Award Letter, and that the nondisclosure agreements are in force at all times the agent, employee, assign or Subcontractor has access to any State Confidential Information. Grantee shall provide copies of those signed nondisclosure restrictions to the State upon request.

C. Use, Security, and Retention

Grantee shall use, hold and maintain State Confidential Information in compliance with any and all applicable laws and regulations in facilities located within the United States, and shall maintain a secure environment that ensures confidentiality of all State Confidential Information wherever located. Grantee shall provide the State with access, subject to Grantee's reasonable security requirements, for purposes of inspecting and monitoring access and use of State Confidential Information and evaluating security control effectiveness. Upon the expiration or termination of this Grant Award Letter, Grantee shall return State Records provided to Grantee or destroy such State Records and certify to the State that it has done so, as directed by the State. If Grantee is prevented by law or regulation from returning or destroying State Confidential Information, Grantee warrants it will guarantee the confidentiality of, and cease to use, such State Confidential Information.

D. Incident Notice and Remediation

If Grantee becomes aware of any Incident, it shall notify the State immediately and cooperate with the State regarding recovery, remediation, and the necessity to involve law enforcement, as determined by the State. After an Incident, Grantee shall take steps to reduce the risk of incurring a similar type of Incident in the future as directed by the State, which may include, but is not limited to, developing and implementing a remediation plan that is approved by the State at no additional cost to the State.

E. Safeguarding PII

If Grantee or any of its Subcontractors will or may receive PII under this Grant Award Letter, Grantee shall provide for the security of such PII, in a manner and form acceptable to the State, including, without limitation, State non-disclosure requirements, use of appropriate technology, security practices, computer access security, data access security, data storage encryption, data transmission encryption, security inspections, and audits. Grantee shall be a "Third-Party Service Provider" as defined in §24-73-103(1)(i), C.R.S. and shall maintain security procedures and practices consistent with §§24-73-101 *et seq.*, C.R.S.

10. CONFLICTS OF INTEREST

Grantee shall not engage in any business or activities, or maintain any relationships that conflict in any way with the full performance of the obligations of Grantee under this Grant. Grantee acknowledges that, with respect to this Grant Award Letter, even the appearance of a conflict of interest shall be harmful to the State's interests and absent the State's prior written approval, Grantee shall refrain from any practices, activities or relationships that reasonably appear to be in conflict with the full performance of Grantee's obligations under this Grant Award Letter. If a conflict or the appearance of a conflict arises, or if Grantee is uncertain whether a conflict or the appearance of a conflict has arisen, Grantee shall submit to the State a disclosure statement setting forth the relevant details for the State's consideration.

11. INSURANCE

Grantee shall maintain at all times during the term of this Grant Award Letter such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the Colorado Governmental Immunity Act, §24-10-101, *et seq.*, C.R.S. (the "GIA"). Grantee shall ensure that any Subcontractors maintain all insurance customary for the completion of the Work done by that Subcontractor and as required by the State or the GIA.

12. BREACH OF AGREEMENT

In the event of a Breach of Agreement, the aggrieved Party shall give written notice of Breach of Agreement to the other Party. If the notified Party does not cure the breach, at its sole expense, within 30 days after the delivery of written notice, the Party may exercise any of the remedies as described in §13 for that Party. Notwithstanding any provision of this Grant Award Letter to the contrary, the State, in its discretion, need not provide notice or a cure period and may immediately terminate this Grant Award Letter in whole or in part or institute any other remedy in

this Grant Award Letter in order to protect the public interest of the state; or if Grantee is debarred or suspended under §24-109-105, C.R.S., the State, in its discretion, need not provide notice or cure period and may terminate this Grant Award Letter in whole or in part or institute any other remedy in this Grant Award Letter as of the date that the debarment or suspension takes effect.

13. REMEDIES

In addition to any remedies available under any exhibit to this Grant Award Letter, if Grantee fails to comply with any term or condition of this Grant Award Letter, the State may terminate some or all of this Grant and require Grantee to repay any or all Grant Funds to the State in the State's sole discretion. The State may also terminate this Grant Award Letter at any time if the State has determined, in its sole discretion, that Grantee has ceased performing the Work without intent to resume performance, prior to the completion of the Work.

14. DISPUTE RESOLUTION

Except as herein specifically provided otherwise or as, disputes concerning the performance of this Grant Award Letter that cannot be resolved by the designated Party representatives shall be referred in writing to a senior departmental management staff member designated by the State and a senior manager or official designated by Grantee for resolution.

15. NOTICES AND REPRESENTATIVES

Each Party shall identify an individual to be the principal representative of the designating Party and shall provide this information to the other Party. All notices required or permitted to be given under this Grant Award Letter shall be in writing, and shall be delivered either in hard copy or by email to the representative of the other Party. Either Party may change its principal representative or principal representative contact information by notice submitted in accordance with this §15.

16. RIGHTS IN WORK PRODUCT AND OTHER INFORMATION

Grantee hereby grants to the State a perpetual, irrevocable, non-exclusive, royalty free license, with the right to sublicense, to make, use, reproduce, distribute, perform, display, create derivatives of and otherwise exploit all intellectual property created by Grantee or any Subcontractors or Subgrantees and paid for with Grant Funds provided by the State pursuant to this Grant Award Letter.

17. GOVERNMENTAL IMMUNITY

Liability for claims for injuries to persons or property arising from the negligence of the Parties, their departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this Grant Award Letter shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

18. GENERAL PROVISIONS

A. Assignment

Grantee's rights and obligations under this Grant Award Letter are personal and may not be transferred or assigned without the prior, written consent of the State. Any attempt at assignment or transfer without such consent shall be void. Any assignment or transfer of Grantee's rights and obligations approved by the State shall be subject to the provisions of this Grant Award Letter.

B. Captions and References

The captions and headings in this Grant Award Letter are for convenience of reference only, and shall not be used to interpret, define, or limit its provisions. All references in this Grant Award Letter to sections (whether spelled out or using the § symbol), subsections, exhibits or other attachments, are references to sections, subsections, exhibits or other attachments contained herein or incorporated as a part hereof, unless otherwise noted.

C. Entire Understanding

This Grant Award Letter represents the complete integration of all understandings between the Parties related to the Work, and all prior representations and understandings related to the Work, oral or written, are merged into this Grant Award Letter.

D. Modification

The State may modify the terms and conditions of this Grant Award Letter by issuance of an updated Grant Award Letter, which shall be effective if Grantee accepts Grant Funds following receipt of the updated letter. The Parties may also agree to modification of the terms and conditions of the Grant Award Letter in a formal amendment to this Grant Award Letter, properly executed and approved in accordance with applicable Colorado State law and State Fiscal Rules.

E. Statutes, Regulations, Fiscal Rules, and Other Authority.

Any reference in this Grant Award Letter to a statute, regulation, State Fiscal Rule, fiscal policy or other authority shall be interpreted to refer to such authority then current, as may have been changed or amended since the Grant Issuance Date. Grantee shall strictly comply with all applicable Federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

F. Digital Signatures

If any signatory signs this Grant Award Letter using a digital signature in accordance with the Colorado State Controller Contract, Grant and Purchase Order Policies regarding the use of digital signatures issued under the State Fiscal Rules, then any agreement or consent to use digital signatures within the electronic system through which that signatory signed shall be incorporated into this Grant Award Letter by reference.

G. Severability

The invalidity or unenforceability of any provision of this Grant Award Letter shall not affect the validity or enforceability of any other provision of this Grant Award

Letter, which shall remain in full force and effect, provided that the Parties can continue to perform their obligations under the Grant in accordance with the intent of the Grant.

H. Survival of Certain Grant Award Letter Terms

Any provision of this Grant Award Letter that imposes an obligation on a Party after termination or expiration of the Grant shall survive the termination or expiration of the Grant and shall be enforceable by the other Party.

I. Third Party Beneficiaries

Except for the Parties' respective successors and assigns described above, this Grant Award Letter does not and is not intended to confer any rights or remedies upon any person or entity other than the Parties. Any services or benefits which third parties receive as a result of this Grant are incidental to the Grant, and do not create any rights for such third parties.

J. Waiver

A Party's failure or delay in exercising any right, power, or privilege under this Grant Award Letter, whether explicit or by lack of enforcement, shall not operate as a waiver, nor shall any single or partial exercise of any right, power, or privilege preclude any other or further exercise of such right, power, or privilege.

K. Accessibility

- i. Grantee shall indemnify, save, hold harmless, and assume liability on behalf of the State, its officers, employees, agents and assignees (collectively the "Indemnified Parties") for any and all costs, expenses, claims, damages, liabilities, court awards, attorney fees and related costs, and other amounts incurred by any of the Indemnified Parties in relation to Grantee's noncompliance with §§24-85-101, et seq., C.R.S., or the *Accessibility Standards for Individuals with a Disability* as established by the Office of Information Technology pursuant to Section §24-85-103, C.R.S. State employees are considered third parties for the purposes of this section.
- ii. Grantee shall comply with the *Accessibility Standards for Individuals with a Disability*, as adopted by the Office of Information Technology pursuant to §24-85-103 C.R.S.
- iii. The State may require Grantee's compliance with the *Accessibility Standards for Individuals with a Disability* adopted by the Office of Information Technology pursuant to §24-85-103 C.R.S. is determined and tested by a qualified third party selected by the State. The State may ask the Grantee to review the selection of the third party. Grantee shall be responsible for all costs associated with the third-party vendor's assessment. If Grantee is not in compliance as determined by the third-party vendor, at the State's request and at the State's direction, Grantee shall promptly take all necessary actions to come into compliance using a State-approved vendor, at no additional cost to the State.

19. COLORADO SPECIAL PROVISIONS (COLORADO FISCAL RULE 3-3)**A. Statutory Approval. §24-30-202(1) C.R.S.**

This Grant Award Letter shall not be valid until it has been approved by the Colorado State Controller or designee. If this Grant Award Letter is for a Major Information Technology Project, as defined in §24-37.5-102(2.6), then this Grant Award Letter shall not be valid until it has been approved by the State's Chief Information Officer or designee.

B. Fund Availability. §24-30-202(5.5) C.R.S.

Financial obligations of the State payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.

C. Governmental Immunity.

Liability for claims for injuries to persons or property arising from the negligence of the Parties, its departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

D. Independent Contractor.

Grantee shall perform its duties hereunder as an independent contractor and not as an employee. Neither Grantee nor any agent or employee of Grantee shall be deemed to be an agent or employee of the State. Grantee shall not have authorization, express or implied, to bind the State to any agreement, liability, or understanding, except as expressly set forth herein. Grantee and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Grantee or any of its agents or employees. Grantee shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Grant Award Letter. Grantee shall (a) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (b) provide proof thereof when requested by the State, and (c) be solely responsible for its acts and those of its employees and agents.

E. Compliance with Law.

Grantee shall comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

F. Choice of Law, Jurisdiction, and Venue.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Grant Award Letter. Any

provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Grant Award Letter shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

G. Prohibited Terms.

Any term included in this Grant Award Letter that requires the State to indemnify or hold Grantee harmless; requires the State to agree to binding arbitration; limits Grantee's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Grant Award Letter shall be construed as a waiver of any provision of §24-106-109 C.R.S.

H. Software Piracy Prohibition.

State or other public funds payable under this Grant Award Letter shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Grantee hereby certifies and warrants that, during the term of this Grant Award Letter and any extensions, Grantee has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Grantee is in violation of this provision, the State may exercise any remedy available at law or in equity or under this Grant Award Letter, including, without limitation, immediate termination of this Grant Award Letter and any remedy consistent with federal copyright laws or applicable licensing restrictions.

I. Employee financial Interest/Conflict of Interest. §§24-18-201 and 24-50-507 C.R.S.

The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this Grant Award Letter. Grantee has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Grantee's services and Grantee shall not employ any person having such known interests.

Exhibit A, Discretionary Aviation Grant Application/Statement of Work

Colorado Division of Aeronautics

APPLICANT INFORMATION

Applicant Sponsor: City of Glenwood Springs	Mailing Address: PO Box 401 Glenwood Springs, CO 81602
Airport: KGWS Summers Airpark	Email Address: kgwsairport@gmail.com
Identifier: GWS	Phone Number: (970) 987-5916

GRANT DETAILS

Grant Name: 26-GWS-01

Project Director: Amy Helm

Terms

Execution Date: The Effective Date	Expiration Date: June 30, 2029
--	--

FUNDING SUMMARY

Funding Source	Funding Amount
State Aviation Grant:	\$200,000.00
Local Cash:	\$22,223.00
Local In-Kind:	\$0.00
Federal Aviation Grant:	\$0.00
Total Project Funding:	\$222,223.00

PROJECT SUMMARY & BUDGET

This is an Airfield Development Plan for the Southwest Parcel of the airport. The following Scope of Work is necessary to create an engineering plan for the Southwest parcel, which would then allow the building of hangars per our Airport Layout Plan Update. The Engineering Plan needs to be completed as soon as possible, due to the pressing South Bridge development. The City of Glenwood Springs is focused on relocating the maintenance facility and 10 bay T-hangar unit per their South Bridge design. Scope of Work: 1) Topographic design survey. 2) Subsurface Utility Engineering Study (SUE). 3) Drainage master plan. 4) Roadway, taxiway layout and design. 5)

Erosion control and construction management plan. 6) Landscape plan. 7) Demolition plan. 8) Construction phasing plan. 9) Construction drawings for the entire area. 10) Onsite septic design. 11) Utility design. 12) Geotechnical investigation.

ELEMENT DESCRIPTION	STATE FUNDING	STATE %	LOCAL FUNDING	LOCAL %	FEDERAL FUNDING	FED %	TOTAL
A. Design for Airport Development Relocation Plan	\$200,000	Up to 90.00	\$22,223	10.00	\$0	0.00	\$222,223
TOTALS	\$200,000		\$22,223		\$0		\$222,223

EXHIBIT B, RESOLUTION

RESOLUTION

WHEREAS:

The General Assembly of the State of Colorado declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in CRS §43-10-101 (the Act) "... that there exists a need to promote the safe operations and accessibility of general aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency..."

The Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics ("the Division") to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. SEE CRS §43-10-103 and C.R.S. §43-10-105 and CRS §43-10-108.5 of the Act.

Any eligible entity operating a public-accessible airport in the state may file an application for and be recipient of a grant to be used solely for aviation purposes. The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures, grant assurances and requirements as defined in the Division's Programs and Procedures Manual, ("the Manual") and the Airport Sponsor Assurances for Colorado Discretionary Aviation Grant Funding ("Grant Assurances") attached hereto as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED THAT:

The **City of Glenwood Springs**, as a duly authorized governing body of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of a state aviation system grant. The **City of Glenwood Springs** states that such grant shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

By signing this Grant Agreement, the applicant commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and stated in the Grant Agreement and Grant Assurances as shown in Exhibit C, Table 1.

FURTHER BE IT RESOLVED:

That the **City of Glenwood Springs** hereby designates Amy Helm as the Project Director, as described in the Manual and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, including executions of the Grant Agreement and any amendments.

FURTHER:

The **City of Glenwood Springs** has appropriated or will otherwise make available in a timely manner all funds, if any, that are required to be provided by the Applicant under the terms and conditions of the Grant Agreement.

FINALLY:

The **City of Glenwood Springs** hereby accepts all guidelines, procedures, standards, and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the Grant Agreement submitted by the State, including all terms and conditions contained therein.

By: Steve Boyd, City Manager

Date: _____

ATTEST (if needed)

N/A

Exhibit "C"

Airport Sponsor Assurances for Colorado Discretionary Aviation Grant Funding

Revised October 15, 2025

I. APPLICABILITY

- a. These assurances shall be complied with by Airport Sponsors in the performance of all projects at airports that receive Colorado Department of Transportation - Division of Aeronautics (Division) Colorado Discretionary Aviation Grant (CDAG) funding for projects including but not limited to: master planning, land acquisition, equipment acquisition or capital improvement projects (Project). It is not the intent of these Assurances to expand existing Federal Aviation Administration (FAA) Grant Assurances for airports included in the National Plan of Integrated Airport Systems (NPIAS); as similar assurances already exist for acceptance of FAA funding.
- b. Upon acceptance of this grant agreement these assurances are incorporated in and become a part thereof.

II. DURATION

- a. The terms, conditions and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the Project as defined in Table 1 (Useful Life), or if the airport for which the Project is funded ceases to function as a public airport, for twenty (20) years from the date of Project completion, whichever period is greater. However, there shall be no limit on the duration of the assurances with respect to real property acquired with CDAG Project funds.

III. COMPLIANCE

- a. Should an Airport Sponsor be notified to be in non-compliance with any terms of this agreement, they may become ineligible for future Division funding until such non-compliance is cured.
- b. If any Project is not used for aviation purposes during its Useful Life, or if the airport for which the Project is funded ceases to function as a public airport, for twenty (20) years from the date of Project completion or at any time during the estimated useful life of the Project as defined in Table 1, whichever period is greater, the Airport Sponsor may be liable for repayment to the Division of any or all funds contributed by the Division under this agreement. If the airport at which the Project is constructed is abandoned for any reason, the Division may in its discretion discharge the Airport Sponsor from any repayment obligation upon written request by the Airport Sponsor.

IV. AIRPORT SPONSOR STATE GRANT ASSURANCES

1. **Compatible Land Use.** Compatible land use and planning in and around airports benefits the state aviation system by providing opportunities for safe airport development, preservation of airport and aircraft operations, protection of airport approaches, reduced potential for litigation and compliance with appropriate airport design standards. The airport will take appropriate action, to the extent reasonable, to restrict the use of land adjacent to, in the immediate

vicinity of, or on the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

2. **On-Airport Hazard Removal and Mitigation.** The airport will take appropriate action to protect aircraft operations to/from the airport and ensure paths are adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.
3. **Safe, Efficient Use, and Preservation of Navigable Airspace.** The airport shall comply with 14 CFR Part 77 for all future airport development and anytime an existing airport development is altered.
4. **Operation and Maintenance.** In regards to Projects that receive Division funding, the airport sponsor certifies that it has the financial or other resources that may be necessary for the preventive maintenance, maintenance, repair and operation of such projects during their Useful Life.

The airport and all facilities which are necessary to serve the aeronautical users of the airport shall be operated at all times in a safe and serviceable condition. The airport will also have in effect arrangements for:

- a. Operating the airport's aeronautical facilities whenever required;
 - b. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - c. Promptly notifying airmen of any condition affecting aeronautical use of the airport.
5. **Airport Revenues.** All revenues generated by the airport will be expended by it for the capital or operating costs of the airport, the local airport system, or other local facilities owned or operated by the owner or operator of the airport for aviation purposes.
 6. **Airport Layout Plan (ALP).** Once accomplished and as otherwise may be required to develop, it will keep up-to-date a minimum of an ALP of the airport showing (1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of all existing improvements thereon.

7. **Use for Aviation Purposes.** The Airport Sponsor shall not use runways, taxiways, aprons, seeded areas or any other appurtenance or facility constructed, repaired, renovated or maintained under the terms of this Agreement for activities other than aviation purposes unless otherwise exempted by the Division.

TABLE 1

Project Type	Useful Life
a. All construction projects (unless listed separately below)	20 years
b. All equipment and vehicles	10 years
c. Pavement rehabilitation (not reconstruction, which is 20 years)	10 years
d. Asphalt seal coat, slurry seal, and joint sealing	3 years
e. Concrete joint replacement	7 years
f. Permanent aviation fuel farms, including storage tanks, dispensing vehicles and related equipment*	15 years
g. Airfield lighting and signage	10 years
h. Navigational Aids	15 years
i. Buildings	40 years
j. Land	Unlimited

*Temporary, non-permanent aviation fuel storage equipment (such as tank trailers and skid mounted self-contained storage tanks) that is used exclusively to facilitate the transition from 100LL avgas to unleaded avgas is not subject to a specific useful life.

Exhibit D, Sample Option Letter

State Agency

Colorado Department of Transportation,
 Colorado Aeronautical Board, Division of
 Aeronautics

Option Letter Number

[Insert the Option Number (e.g. "1" for the first option)]

Grantee

[Insert Grantee's Full Legal Name, including "Inc.", "LLC", etc.]

Original Agreement Number

[Insert CMS number or Other Agreement Number of the Original Agreement]

Current Agreement Maximum Amount

Option Agreement Number

[Insert CMS number or Other Agreement Number of this Option]

Initial Funding

State Funding: \$0.00

Agreement Performance Beginning Date

[Month Day, Year]

Modifications

Option Letter 1 \$0.00
 Option Letter 2 \$0.00
 Option Letter 3 \$0.00
 Option Letter 4 \$0.00

Current Agreement Expiration Date

[Month Day, Year]

Modified Agreement Maximum Amount \$0.00

Options:

- A. Option to extend for an Extension Term
- B. Option to change the quantity of Goods/Service under the Agreement

Required Provisions:

A. **For use with Option 1(A):** In accordance with Section(s) Number of the Original Agreement referenced above, the State hereby exercises its option for an additional term, beginning Insert start date and ending on the current Agreement expiration date shown above, at the rates stated in the Original Agreement, as amended.

- B. **For use with Options 1(B):** In accordance with Section(s) Number of the Original Agreement referenced above, the State hereby exercises its option to Increase/Decrease the Agreement Maximum Amount for an Increase/Decrease in the quantity of Goods/Services or both at the rates stated in the Original Agreement, as amended.
- C. **For use with all Option Letters:** The Agreement Maximum Amount table on the Agreement’s Signature and Cover Page is hereby deleted and replaced with the Current Agreement Maximum Amount table shown above and Exhibit A is hereby deleted and replaced with Exhibit A-# incorporated and attached hereto.

Option Effective Date:

The effective date of this Option Letter is upon approval of the State Controller.

GRANTEE
City of Glenwood Springs

STATE OF COLORADO
Jared S. Polis, Governor
Department of Transportation
Division of Aeronautics

By: Name of Authorized Signer, Title
Date: _____

By: David R. Ulane, Director
Date: _____

In accordance with §24-30-202, C.R.S., this Agreement is not valid until signed and dated below by the State Controller or an authorized delegate.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By: Department of Transportation
Date_____



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Arbor Day Proclamation

Action Requested: Proclaim April 24, 2026 to be Arbor Day in the City of Glenwood Springs.

Department: City Clerk

Presented By: Rod Tarullo

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

Background Info: The City of Glenwood Springs has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways. This proclamation designates April 24, 2026 as Arbor Day in the City of Glenwood Springs and urges all residents to support efforts to care for our trees and woodlands, to support our City's community forestry program, and to plant trees to gladden the hearts and promote the well-being of present and future generations.

Issues: None

Fiscal Impact: None

Legal Review: None

Staff Recommendation: Proclaim April 24, 2026 to be Arbor Day in the City of Glenwood Springs.



OFFICIAL PROCLAMATION

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, _____, Mayor of the City of
Glenwood Springs, Colorado _____, do hereby proclaim
April 24th, 2026 _____ as **ARBOR DAY**
In the City of _____ Glenwood Springs _____, and I urge all citizens
to celebrate Arbor Day and to support efforts to protect our
trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and
promote the well-being of this and future generations.

DATED THIS 19th day of March, 2026
Mayor _____





City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

- Agenda Item:** Public Update on Special Use Permit and Certificate of Occupancy (CO) Status for 100/200 Midland Avenue Occupied by Immigration and Customs Enforcement (ICE)
- Action Requested:** Hear update from Staff and any associated public comment.
- Department:** City Administration
- Presented By:** Steve Boyd
- Strategic Goals:** Provide Efficient and Responsive City Government
- Background Info:** This building permit and related Special Use Permit (SUP) has been the topic of questions and public concern.
- Issues:** Current status of planning file to be discussed.
- Fiscal Impact:** NA
- Legal Review:** Legal will be available to assist in the discussion.
- Staff Recommendation:** Dependent upon compliance of SUP and CO.

From: [Patricia Goudvis](#)
To: [City Council](#)
Subject: ICE facility at Midland Center
Date: Wednesday, March 18, 2026 10:58:37 AM

Some people who received this message don't often get email from pgoudvis@mindspring.com. [Learn why this is important](#)

Dear GWS City Council:

I am unable to attend the 3/19 meeting in person and so am sending these comments with the hope they will be included in the packet.

As a concerned citizen in the valley, I write with regard to the ICE Facility at Midland Center.

I am sickened by the cruel and illegal actions ICE has taken against our neighbors here in Garfield County. ICE's actions in Minneapolis, Chicago, Portland, and Los Angeles have demonstrated over and over that they are lawless, dangerous, and inhumane.

I do not want ICE in our community.

According to the City of Glenwood Springs (COGS) municipal codes, ICE should not be allowed to operate in their current location at the Midland Center.

- Under COGS municipal code, detention facilities are prohibited in Commercial Zones like Midland Center.
- The ICE facility has only been able to operate in the Midland Center because COGS issued them a Special Use Permit back in 2003.
- Given the many changes in circumstances since 2003, ICE no longer satisfies the city's requirements for a Special Use Permit. Under COGS Unified Development Code, a Special Use must:
 1. be compatible with existing uses;
 2. not be detrimental to health, safety and community welfare;
 3. be consistent with goals of the Comprehensive plan; and
 4. take into consideration any net benefit to the local economy.
- COGS should revoke ICE's Special Use Permit.

Furthermore:

-The Special Use Permit for the Midland detention facility was granted explicitly on the basis of 12 hour holds. ICE unilaterally changed the maximum time people can be held in a Temporary Holding Center from 12 hours to 72 hours. Given this change, the permit should no longer be valid.

-ICE now operates in a rogue fashion with disregard for the law and no accountability. They violate their own regulations:

Example 1: Temporary Hold Centers which ICE changed to allow 72 hour holds are actually holding people for up to 39 days (or 936 hours).

Example 2: ICE regulations state that no unaccompanied minors, no women with children, and no one over 70 are allowed to be held in these centers, yet they are now holding babies and elderly people in these facilities. In Colorado, ICE has held people as young as a one year old baby and as old as a 91 year old man.

-ICE regulations forbid beds in these detention centers; most only contain a bench and sometimes a toilet. Where are detainees sleeping when they are held at the Midland Center facility for extended periods?

-Given ICE's lawlessness and its refusal to answer to local authorities (e.g., Minneapolis), COGS has no ability to conduct oversight and stop ICE from violating its own regulations and violating the conditions of the Special Use Permit.

-When the Special Use Permit was granted this region of Glenwood Springs was much more industrial; it is now a pedestrian-friendly area that is part of a community of shopping and trail use. ICE is now incompatible with existing uses.

-The facility no longer meets the city's requirements for a Special Use Permit. ICE's use of the facility as a secret detention and transfer facility where friends and neighbors disappear is detrimental to community welfare, clashes violently with Glenwood's small town character, and brings no net economic benefit to our community.

Even if ICE were to bring everything up to code and get proper permits and so forth, they are a detriment to the community. Stand up to lawless and violent treatment of community members, the vast majority of whom have no criminal records.

Thank you,

Patricia Goudvis
3402 CR 103
Carbondale, CO 81623
617-905-5119
pgoudvis@mindspring.com

From: [Sarah Klingelheber](#)
To: [Ryan M. Muse](#)
Subject: 3/19 GWSCC Public Comment re: 100 Midland Ave. Special Use Permit
Date: Wednesday, March 18, 2026 12:22:11 PM

You don't often get email from swoods98@icloud.com. [Learn why this is important](#)

Date: March 18, 2026

To: The Glenwood Springs City Council

Re: Public comment regarding Special Use Permit Compliance of the Immigration and Customs Enforcement short-term detention and administrative office at 100 Midland Avenue at the Midland Center

Dear Glenwood Springs City Council and to whom it may concern,

I would like to urge the Glenwood City Council to investigate Immigration and Customs Enforcement's (ICE) compliance with the City issued Special Use Permit of their short-term detention facility and administrative office operated at Midland Center at 100 Midland Ave. near the Glenwood Meadows shopping area in Glenwood Springs. This issue must be investigated and verified for the public to have trust in ICE's enforcement activities and for the Glenwood Springs government to be trusted to support the law and fair and humane processes for all. If, after the Glenwood Springs investigation, it is found that ICE is in non-compliance of the Special Use Permit, the permit must be revoked.

I am aware, from multiple sources (the Deportation Data Project at the University of California Berkeley School of Law in collaboration with UCLA's Center for Immigration Law and Policy, Colorado Times Recorder, and Aspen Daily News) that there is evidence that the Special Use Permit **HAS NOT** been followed by ICE's activities at this location. The data from these sources (provided by the compilation of U.S. government data) shows that ICE held multiple detainees for longer than 12 hours last year.

In the Aspen Daily News article by Eleanor Bennet ICE spokesperson is quoted as saying, ' "The Deportation [Data] Project created by UC Berkeley is an external organization that DHS cannot verify the source of, accuracy, completeness or methodology of the data," the spokesperson said. ' While ICE gave no data of its own in response.

In a time where trust in government and law enforcement is at a low, it is imperative that the City and City Council members provide the verification needed by conducting a thorough non-biased investigation into whether the ICE facility has held people for more than 12 hours which would be in violation of the Special Use Permit the City granted them in 2003.

With regulations changing rapidly at the federal level it is imperative that local governments keep up with their oversight of laws: Aspen Daily News reported "Until last summer, ICE operated under its own 2025 National Detention Standards and the 2011 Performance-Based National Detention Standards for short-term hold rooms, which both state that an individual may not be detained in an ICE facility's hold room for more than 12 hours. But the agency on June 24 sent an internal memo to its field office directors waiving the 12-hour rule and extending the maximum detainment time for short-term holding facilities to 72 hours, 'absent exceptional circumstances'."

The City of Glenwood Springs deserves answers and deserves compliance of their laws. I

agree that “if the City confirms that ICE violated the 12-hour condition of its special use permit, officials said the city’s planning and zoning commission will -> **MUST**<- probably conduct a hearing to consider revoking the permit, which could force the facility to close.

Although I am a citizen of Carbondale, I am a citizen of Garfield County which this ICE office serves and I demand that local laws are followed in order to maintain humane processes for all.

Thank you for your time and for your service,
Sarah Klingelheber
Carbondale, CO

From: [Ellen Freedman](#)
To: [Ryan M. Muse](#)
Subject: For the March 19 City Council Packet
Date: Wednesday, March 18, 2026 1:05:32 PM

You don't often get email from ellenfreedman7b@gmail.com. [Learn why this is important](#)

Dear Glenwood Springs City Council Members,

I have lived and worked in this region for the past 32 years and my family and I spend a great deal of time and money in Glenwood Springs shopping, dining, and accessing health care - Glenwood is the heart of our region. My first job here in the mid-90's was with the Advocate Safehouse Project where I worked with other nonprofits, schools, law enforcement and government officials from Parachute to Carbondale and was constantly struck with the deep caring and strong sense of community that exists in Glenwood Springs and throughout this region.

The ICE detention/hold center at 100 Midland is anathema to who we are as a community and I urge you not to renew that permit. This unsafe hold center is making possible the disappearance of our neighbors, friends, and co-workers to the Aurora ICE detention center, from which they do not return to their families or our community.

I urge you to join communities throughout the country who are saying no to ICE centers, including many Republican led towns and Republican elected officials, such as Republican Sen. Roger Wicker of Mississippi, Mayor David Holt of Oklahoma, and Rep. Meuser of Pennsylvania, just to name a few.

You have the power to say no to the cruelty and inhumanity that we have been witnessing throughout our country. Take a stand against ICE in our community and be on the right side of history: do not renew the permit for the ICE center in Glenwood Springs.

Thank you,
Ellen Freedman
Basalt, CO

From: [Elias Schendler](#)
To: [Ryan M. Muse](#)
Subject: March 19th Council Meeting
Date: Wednesday, March 18, 2026 1:52:43 PM

You don't often get email from eliaschendler@gmail.com. [Learn why this is important](#)

Dear Glenwood Springs City Council,

The upcoming vote to continue running an ICE internment camp or to revoke its permit will show the people of the Roaring Fork Valley what the Glenwood Springs City Council stands for. I've grown up in this valley, and last year I graduated from Basalt High School, along with my Latino friends. I know, just like you all, how much the Latino community contributes to this amazing place. Revoking the permit will end the ongoing evil activity in Glenwood. Regardless of your political views, this vote shouldn't be a hard decision if you have a shred of moral decency. Love your neighbor as yourself.

Thanks,
Elias

From: [Lari Goode](#)
To: [Ryan M. Muse](#)
Subject: Written Comment on ICE Special Use Permit for meeting tomorrow night
Date: Wednesday, March 18, 2026 2:42:53 PM

You don't often get email from larigoode@gmail.com. [Learn why this is important](#)

As commerical property owners in Glenwood Springs, we wanted to express our concern over the ICE Special Use Permit. It is our understanding that ICE no longer satisfies the city's requirements for a Special Use Permit. We believe that all businesses in Glenwood Springs should be responsible for upholding rules that have been imposed upon them by the COGS and that the COGS should revoke ICE's Special Use Permit.

Lari Goode and Mark Fischer
John and Jess Little



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Charter Commission

Action Requested: Discuss the findings of the Charter Commission and decide whether to put any of the issues on the November ballot.

Department: City Administration

Presented By: Steve Boyd

Strategic Goals: Provide Efficient and Responsive City Government
Preserve and Improve Infrastructure
Protect and Preserve our Quality of Life
Generate Sustainable Economic Development
Ensure Public Safety

Background Info: The Charter Commission was formed in January 2025, at the request of City Council, from a diverse ideological background of engaged citizens. They were tasked with going over the charter and suggesting changes to City Council at a later date, to possibly be in the November election. In a September 2025 work session, City Council decided not to move forward with any of the findings at that time. The charter was last changed in 2007.

Issues: Any possible change to the charter must be voted on by the citizens of Glenwood Springs. There are dozens of changes, but the charter is being presented as four issues. 1. Whether to move the municipal election to November. 2. Whether the Mayor should be an elected position. 3. Whether all Councilors should be elected at-large. 4. The rest of the changes are addressed as a "clean up" item.

Fiscal Impact: NA

Legal Review: Legal was involved as Council to this Commission.

Staff Recommendation: NA

Memorandum
City Council Special Charter Committee of 2025

To: City Council, City Manager and City Attorney

Dated: May 28, 2025

The Special Charter Committee of 2025 has been meeting since early this year and to review the City Charter and to recommend changes to the same.

The Committee is comprised of a number of citizens of the City including several past Council members: Jon Banks, Audrey Burgio, Martha Cochran, Chad Lee, Mike McCallum, Ashley Moffatt and Charlie Willman. It has been assisted in this process by the City Manager, City Clerk and City Attorney.

The Committee did a comprehensive section by section review of the Charter and also reviewed Charters from other Colorado municipalities.

Most of the changes are wording changes for clarification, changes to make the Charter up to date and elimination of unnecessary provisions.

Attached for your review is a “redline” of the suggested changes in these areas. There were some suggestions by members which are not incorporated into these draft redlines but the attached changes were the consensus of a majority of the Special Charter Committee. Also there were several questions for Karl Hanlon which have been sent to him.

Several areas were discussed and may not be reflected in the attached redlines and these include the following for which the Committee seeks further direction from Council:

1. The Committee may want to update the preface.
2. The Committee discussed timing regarding the dates to hold special elections but the decision was made to follow the Uniform Election Code.
3. The Committee discussed adding until Article III, City Council, a requirement for the Council to adopt by ordinance a Conflict of Interest policy and providing that the Council members (and Board and Commissions members) must adhere to this policy. Also adding to the Article III the “rules of procedure.” Roberts Rules of Order have been used by there are more limited set of Model Rules that the ABA has adopted which could be considered. The Model Rules are attached. The Committee believes the Charter should require the Council to adopt a conflict of interest policy and “rules of procedure.”
4. Section 3.2 now provides that no Council member shall be “a salaried employee of the City.” The Committee recommends adding a provision that prohibits a

Council member from contacting with the City during that member's term of office. This should include holding an employment position for a company that seeks to provides materials or services to the City.

5. Section 3.8. Discussion has been held in the past regarding attendance by a council member by virtual/remote means. The Committee thought maybe an occasional meeting could be attended remotely but opposed frequent attendance remotely. This could be made by ordinance and does not need to be added to the Charter except possibly in Sec. 4.2 regarding voting.
6. Sec. 4.2, second paragraph, if Council adds a conflict of interest policy as noted above to the Charter, then this should be reworded to reflect that policy.
7. Section 5.2. The Committee discussed for Charter Amendments only increasing the number of registered electors to be higher such as 10%. The Charter should not be easy to amend.
8. Section 6.1. The Committee discussed changing the geographic limitation for the City Manager but decided against changing this.
9. Section 7.2. The Committee felt this section was not necessary.
10. Section 8.5. The Committee did not feel that there was a need for the judge to reside within 10 miles and could limit Council's selection of the best candidate for the position.
11. Section 11.2. This may conflict with 13.2 and the may need to be amended.
12. Section 13.7(10) Do we need to change this definition or add a definition for registered elector.

The Committee recommends holding a Public Hearing the following issues;

1. Changing the regular election to November.

Sec. 2.3 of the Charter and other provisions would need to be changed. Provisions would include a change in term for the following Spring election of council members as well as questions relater to term limits which under Tabor are limited to two terms.
2. Should all members of Council be elected at large or should there continue to be 5 wards and two at large positions (subject to an elected Mayor as discussed below).
3. The direct election of the Mayor rather than by Council.

Issues that the Committee discussed that should be addressed would be whether this replaces one of the at large positions (subject to above); is this a two year or four year term; do we want to add eligibility requirements to run for Mayor such as prior service on Council or other; can a person serve two terms as Council member and then more as Mayor; and what are the term limits for the Mayor. The Committee does recommend that the Mayor Pro Tem would still be selected by the Council even if there was an elected Mayor. The Committee also discussed the idea if the Mayor is selected by Council of allowing Council to remove and replace the Mayor for good cause (not defined by the Committee).

If the decision is to place these issue on the ballot, each issue would require a series of changes to the Charter. The Committee would suggest one ballot question on “clean up” matters and one ballot question on each of the other changes for which a public hearing is held and Council decides to ask the voters their preferences.

These ballot questions would best be placed on the November 2025 ballot but if not then on the November 2026 ballot.

Memorandum
City Council Special Charter Committee of 2025

To: City Council, City Manager and City Attorney
From: Jon Banks, Charter Committee member
Dated: June 17, 2025

During the first meeting of the Charter Committee, we agreed that we would present to Council alternatives for revising the charter, rather than a single recommendation. This memo presents such alternative ideas for consideration. Our Chairman, Charlie Willman, recommend that I submit these items.

There are three parts:

1. Alternative revisions to address specific issues in the current charter. Some of these were discussed at our meetings, but were not included in Charlie Willman's previous memo.
2. A report on past changes to the election schedule and why they were made. I believe our committee would be remiss to advance the idea of November elections without understanding why a previous council had abandoned them.
3. A draft of a municipal 'Bill of Rights'. I was disappointed that I did not get an opportunity to present this to the committee, so I am including it here. I'm sure it would benefit from discussion and debate, and could be improved with wider input.
Our charter addresses the organization and powers of the city, just as the US Constitution does for the federal government. But in 1788, delegates refused to ratify the US Constitution until the Bill of Rights was added, setting out protections for the people.
Through several past presidential terms, we've seen how important the Bill of Rights was in protecting our individual freedoms against over-reaching government.
I'm sure some will think this isn't necessary; that we can trust our local government to look out for us. And if all citizens were angels and everyone in government were saints, that would be true. But we're all human, and the time may come when the people of Glenwood Springs will be glad they have these protections.

1. Alternative Revisions

A. Choosing a Mayor

Our committee was unable to come up with strong reasons for or against a directly-elected mayor, rather than the current system, with council-elected mayor.

Either way, the risk is having a mayor who just isn't up to the job. Currently, a mayor would serve two years to the next Council election before there could be another vote.

A simple solution is to continue having Council elect the mayor after each council election, but have the mayor serve at the pleasure of council. That is, a majority on Council could elect a new mayor at any time. No cause or reason need be given. Assuming the mayor would vote for themselves, replacing them would take four out of the six remaining votes, a two-thirds majority.

That would allow Council to replace a mayor if it became obvious he or she wasn't working out. It would be rare and difficult for a council to take that step, as it should be.

B. Vacancies on Council

Section 3.5 addresses short and long-term vacancies on Council. It seems backwards. Citizens should be represented by a councilor of their choice, as much as possible. An appointed councilor is fine if they are short-term and relatively temporary.

But now, a short-term vacancy is filled by election, and a long term vacancy is filled by appointment. (A short term vacancy is 90 days or less before an election; a long term vacancy is anything more)

Under the current rules, if a councilor was unable to serve shortly after being elected, Council would appoint their replacement. The appointee would serve until the next municipal election, almost two years. For a long-term vacancy like that, the people should have the opportunity to elect their representative, and not have one chosen for them.

An improvement would be to reverse the current method, and have short-term vacancies filled by appointment (if at all), and long-term vacancies filled by election.

C. Voting Wards

We can improve our rules regarding voting wards with the following additions:

2.5 d) Council shall adjust the ward boundaries at least every ten years, but no more often than five years.

2.5 e) No change in ward boundaries may be made that would disenfranchise a sitting councilperson, a councilperson-elect, or a council candidate.

2. Report On Past Changes To The Election Schedule

When the Charter Committee first met, the idea of moving city elections to November was proposed. We learned that elections had once been in November, and had been moved to April about 22 years ago. Some councilmen from that time were available, and I suggested we invite them to a meeting and get their input. That didn't happen.

I believe the committee would be remiss to advance the idea of November elections without understanding why a previous council had abandoned them. I asked Dave Merritt, one of the then-serving councilmen, to share his wisdom and knowledge with me, and he graciously agreed. It was helpful.

Dave said that the decision to switch city elections from November to April wasn't controversial; there was a general agreement on Council that it was the right thing to do.

Dave said, "On the November election, we were looking at a lot of competing issues on the ballot each time, and wanted to get more attention to the city council elections themselves."

Between presidential, congressional, and statehouse elections in even numbered years, and state and county issues as well as school board elections in odd years, the November ballot is always crowded. It's more expensive to campaign when you're competing for attention. And the newspaper only prints so many letters to the editor ... council endorsements get little space among the federal, state, and county candidates.

Holding a local election costs about \$10,000, approximately 0.01% of the city budget. Asked about the cost of an April election, Dave said, "Cost savings should not be an issue in improving democracy."

Asked if the higher turnout in a mainstream November election is an advantage, Dave said, "No. I feel you could get more attention on the candidates who are actually running, in a spring election."

Dave organizes some candidate forums, where Lions club members can meet candidates and ask questions. He believed it would be much harder for community groups to do that in November, when there might be more candidates than they'd have time to meet with ... or candidates that wouldn't have time to meet with them. It would hurt candidate access.

Asked if it would be more expensive for candidates to campaign in November, Dave said, "Yes. You're trying to get attention with a more difficult audience. You only have a limited amount of space in the newspaper for letters to the editor and for other supporting issues. You might have to choose which candidate you're going to write a letter for?"

Even with more campaigning moving to electronic and on-line media, Dave felt that it was still a case of information overload and 'competing for eyes' in November. "You can get a lot more focus on the candidates running for the city council elections, if that is the only issue on the ballot in April."

Dave felt that April elections allow people to be better informed on local issues and candidates, saying "They've had more time to look at just those candidates. Better information makes better decisions."

And finally, twenty years later, did he think the change was successful? Dave said, "Yes."

3. Adding a ‘Municipal Citizen’s Bill of Rights’ to the charter

It is right and proper that this charter provides for certain rights and protections to the citizens of Glenwood Springs, a citizen being defined as a resident of the City.

A. Fair Conduct of Meetings

Neither Council nor any City board or commission shall conduct any business after 10:30PM. Council may not conduct any business unless requirements for notice and posting have been properly met. Agenda items shall not be added after the agenda has been publicly posted.

Open and transparent government is a right of the citizens, so in any agenda or published document, the title of any ordinance or resolution shall include, at a minimum, a substantive description identifying the purpose and effect. Such description shall be in plain language and complete in itself, without requiring the reader to reference any other document.

Citizens shall have the right to speak openly at all public government meetings without having to register or seek permission at any time prior to the public meeting. This also includes the right to see all meeting agendas at least 24 hours before any public meeting of the local elected government officials, as well as all board or commission meetings and work sessions.

All meetings and worksessions of Council shall be recorded and retained, with the recordings available to the public.

No more than 50% of the members of any City advisory board or commission shall derive income from the industry or activity with which that board or commission is concerned.

B. Local Taxpayer Rights

No tax rate increase or levy of any new tax shall be effective without prior voter approval. This clause shall survive any repeal or modification of the Taxpayer’s Bill of Rights at the state level.

C. Citizen Initiated Petitions

A petition verified by the valid affidavits of its circulators in each of its sections shall be prima facie evidence that the signatures thereon are genuine and true.

Council shall establish procedures for electronic signatures on citizen originated petitions, without increasing the number of signatures required compared to paper petitions.

D. Fees Shall Reflect Actual Costs

In adopting any new City-imposed fee or changing the amount of any existing City-imposed fee for any service rendered by the City (specifically excluding franchise fees), Council shall determine the amount of such fee based on the direct costs incurred by the City in providing the service for which the fee is charged.

E. Right to Fair Elections.

The people of the City of Glenwood Springs have a right to fair elections, which shall include but not be limited to the right to an electoral process free from undue corporate influence. That right shall

also include, without limitation, that the authority to make campaign contributions to any local candidate or local issue committee shall be exercised only by registered electors of the City otherwise qualified under Colorado law, or a company that has their primary business street address within the City (a Local Business). No person shall make, and no candidate, candidate committee, or issue committee shall accept, a contribution from anyone other than such registered elector or Local Business. Local Businesses under common control shall be counted as one entity in determining contribution limits. Labor unions, political action committees, political parties, and all other campaign funding entities shall be prohibited from donating to local candidate and issue campaigns or spending money to influence the outcome of any local ballot measure or candidate, as those contributions unfairly influence electoral outcomes and undermine the peoples' right to fair elections.

F. Privacy

The City shall not sell, share, give away, or disclose the personally identifiable data of City residents, or allow a third-party to do so, unless federal or state law requires such action, explicitly permits such action, or establishes that data to be a public record. No such data, gathered without the explicit consent of the citizen, shall be retained for more than 30 days, unless it is the subject of a criminal or civil investigation or action.

No surveillance equipment or software shall be purchased, leased, rented, borrowed, accepted, or otherwise acquired or used by the City without a single-subject public hearing at which the City shall disclose the type of equipment or software, the cost, the purpose, the location at which the equipment will be used, the nature and type of data to be collected, how and for what duration the data will be retained, safeguarded, and used, whether any third-party other than the City will have access to the data, and the identity of all such third-parties.

Any procurement by the City of surveillance equipment or software shall require prior notice to the public, a meaningful opportunity to comment, and the affirmative approval of Council.

Surveillance equipment and software is defined to mean anything that gathers personally identifiable information about City citizens without their explicit consent, including but not limited to facial recognition technology, license plate readers, biometric information, or interception of wireless or wired communications.

No registration, account, or disclosure of personally identifiable information shall be required to view records placed on-line by the City.

G. Right of Local Community Self-Government

The people's right of local community self-government includes but is not limited to their power to compel their government to protect their rights, health, and safety.

H. Right to Enforcement.

The people of the City of Glenwood Springs possess the right to enforce their rights expressed in this Charter. If the City fails to enforce or defend these rights, or, a court fails to uphold these rights, any natural person may enforce these rights through direct action or via a suit at law or in equity as a private attorney general plaintiff, for damages and costs of litigation, including, without limitation, expert and attorney fees.

ARTICLE I. GENERAL PROVISIONS

Sec. 1.1 Name and boundaries.

The municipal corporation heretofore existing as the City of Glenwood Springs, which is located in Garfield County, State of Colorado, shall remain and continue as a body politic and corporate and under this Charter be known as the City of Glenwood Springs, ~~with the same boundaries, until changed in a manner authorized by law.~~

Sec. 1.2 Powers.

The City shall have all the power of local self-government and home rule and all power possible for a city to have under the Constitution and laws of the State of Colorado. The enumeration of particular powers in this Charter is not exclusive of others.

Sec. 1.3 Rights and liabilities.

By the name of the City of Glenwood Springs, the municipal corporation shall have perpetual succession; shall own, possess and hold all property, real and personal heretofore owned, possessed and held by the City, and does assume and shall manage and dispose of all trusts in any way connected therewith; shall succeed to all the rights and liabilities; shall acquire all benefits and does assume and shall pay all bonds, obligations, and indebtedness of the City; may, by the name of the City of Glenwood Springs, sue and defend, purchase, receive, hold and enjoy, or sell and dispose of real and personal property, and shall have a common seal and alter the same at pleasure.

Sec. 1.4 Present ordinances in force.

All ordinances of the City in force at the time that this Charter becomes effective shall continue in force, except as they may conflict with the provisions of this Charter, or shall be amended or repealed by ordinance enacted under authority of this Charter.

ARTICLE II. ELECTIONS

Sec. 2.1 Colorado Municipal Election Laws adopted.

City elections shall be governed by the ~~Uniform Colorado Municipal~~ Election Code of 19~~265~~ as now existing, or hereafter amended or modified, except as otherwise provided in this Charter, or by ordinance.

Sec. 2.2 ~~Registrations, judges and clerks.~~ Deleted as unnecessary

~~The establishment of the regulations on registration, judges, and clerks, and the conducting of elections shall be governed by the Colorado Municipal Election Code of 1965 as now existing, or hereafter amended or modified, except as otherwise provided in this Charter, or by ordinance.~~

Sec. 2.3 Election date.

A general municipal election shall be held biennially on the first Tuesday in the month of April in odd numbered years. Special municipal elections shall be held in accordance with the provisions of this Charter. The polling places shall be open from seven a.m. to seven p.m. on election days.

(15-04, §1; 15-07, §1)

Sec. 2.4 Special elections.

Any special municipal election shall be called by resolution or ordinance of the Council ~~at least ninety (90) days in advance of such election, or as provided stipulated~~ in the ~~Colorado Municipal Election Code or the~~ Uniform Election Code of ~~1992~~ ~~the Colorado Revised Statutes~~, as amended from time to time. The resolution or ordinance calling a special municipal election shall set forth the purpose of such election.

(15-07, §1)

Sec. 2.5 Election wards.

The City, as its corporate limits are now established, or may hereafter be extended or changed, is hereby divided into five wards.

~~with numbers and boundaries as follows:~~

~~WARD 1~~

~~All that area southerly and westerly of a line starting at the intersection of the westerly City Limits line southerly of the Colorado River, extended north, and the centerline of the Colorado River, then easterly along the centerline of the Colorado River to the intersection of the centerlines of the Colorado River and Grand Avenue (State Highway 82), then southerly along the centerline of Grand Avenue to the intersection of the centerlines of Grand Avenue and 14th Street, then westerly along the centerline of 14th Street to the centerline of Coach Don Miller Drive, then westerly and southerly along the centerline of Coach Don Miller Drive to the intersection of the centerline of Coach Don Miller Drive and the northerly line of the parcel of City owned land located at 1477 Riverside Drive (Kline Family LLC Parcel) extended easterly, then westerly along the northerly line of the parcel of City owned land located at 1477 Riverside Drive to the centerline of the Roaring Fork River, then southerly along the centerline of the Roaring Fork River to the intersections of the centerlines of the Roaring Fork River and 27th Street, then westerly along the centerline of 27th Street to the intersection of the centerlines of 27th Street and Midland Avenue, then southerly along the centerline of Midland Avenue to the intersection of the centerline of Midland Avenue and the southerly line, extended easterly, of the parcel of land platted as Riverview Terrace.~~

~~WARD 2~~

~~All of that area northerly and westerly of a line starting at a point on the centerline of the Colorado River, said point being south of the western most point on the City Limits line northerly of the Colorado River, then easterly along the centerline of the Colorado River to the intersection of the centerlines of the Colorado River and Devereux Road, then northerly along the centerline of Devereux Road to the intersection of the centerlines of Devereux Road and State Highway 6, then westerly along the centerline of State Highway 6 to the intersection of the centerlines of State Highway 6 and Traver Trail, extended southerly, then northerly along the centerline of Traver Trail to the intersection of the centerlines of Traver Trail and Transfer Trail, extended southerly, then northerly along the centerline of Transfer Trail to the intersection of the centerline~~

of Transfer Trail and the City Limits line located on the westerly line of Lot 2, Section 4, T.6 S., R. 89 W., 6th PM

WARD 3

All that area northerly and easterly of a line starting at the intersection of the centerline of 14th Street, extended easterly, and the easterly City Limits line, then westerly along the centerline of 14th Street to the intersection of the centerlines of 14th Street and Grand Avenue (State Highway 82), then northerly along the centerline of Grand Avenue to the intersection of the centerlines of Grand Avenue and the Colorado River, then westerly along the centerline of the Colorado River to the intersection of the centerlines of the Colorado River and Devereux Road, then northerly along the centerline of Devereux Road to the intersection of the centerlines of Devereux Road and State Highway 6, then westerly along the centerline of State Highway 6 to the intersection of the centerlines of State Highway 6 and Traver Trail, extended southerly, then northerly along the centerline of Traver Trail to the intersection of the centerlines of Traver Trail and Transfer Trail, extended southerly, then northerly along the centerline of Transfer Trail to the intersection of the centerline of Transfer Trail and the City Limits line located on the westerly line of Lot 2, Section 4, T.6 S., R. 89 W., 6th PM

WARD 4

All that area southerly and easterly of a line starting at the intersection of the centerline of 14th Street, extended easterly, and the easterly City Limits line, then westerly along the centerline of 14th Street to the centerline of Coach Don Miller Drive, then westerly and southerly along the centerline of Coach Don Miller Drive to the intersection of the centerline of Coach Don Miller Drive and the northerly line of the parcel of City owned land located at 1477 Riverside Drive (Kline Family LLC Parcel) extended easterly, then westerly along the northerly line of the parcel of City owned land located at 1477 Riverside Drive to the centerline of the Roaring Fork River, then southerly along the centerline of the Roaring Fork River to the intersection of the centerline of the Roaring Fork River and the easterly line of Rosebud Cemetery, extended south.

WARD 5

All that area southerly and westerly of a line starting at the intersection of the centerline of Midland Avenue and the southerly line, extended easterly, of the parcel of land platted as Riverview Terrace, then northerly along the centerline of Midland Avenue to the intersection of the centerlines of Midland Avenue and 27th Street, then easterly along the centerline of 27th Street to the intersection of the centerlines of 27th Street and the Roaring Fork River, then southerly along the centerline of the Roaring Fork River to the intersection of the centerline of the Roaring Fork River and the easterly line of Rosebud Cemetery, extended south, then north along the extended easterly line of Rosebud Cemetery to the intersection of the extended easterly line of Rosebud Cemetery and the centerline of South Grand Avenue (County Road 154), then southerly along the centerline of South Grand Avenue and County Road 154 to the intersection of the centerline of County Road 154 and the southerly line of the Deerwalker Subdivision, extended north, then southerly along the southerly line of the Deerwalker Subdivision to the intersection of the southerly line of the Deerwalker Subdivision and the Roaring Fork River, then southerly along the centerline of the Roaring Fork River to the intersection of the centerline of the Roaring Fork River and the south line of Section 27, T.6 S., R. 89 W., 6th PM.

The aforementioned ward boundaries shall be effective commencing with the general municipal election on November 5, 1985.

The Council shall have the authority, and is hereby directed to realign and redistrict the above said wards at such time as the growth, redistribution of population or otherwise requires the same, provided, however, that:

- (a) The number of wards shall not be reduced to less than five;
- (b) The same shall be accomplished by ordinance effective more than one year preceding any general municipal election date; and

-
- (c) All wards shall be contiguous, compact and have approximately the same number of voters as determined by the number registered to vote in the preceding general municipal election.

(Amend. No. 1, 8-7-73; Res. No. 85-13, § 1; 15-07, §1; A. 24-04, § 1)

Sec. 2.6 Elective officers.

The elective officers of the City shall be seven Councilpersons. One member of Council shall be nominated and elected from each of the several wards of the City and the remainder of the members of Council shall be nominated and elected from the City at large.

(15-07, § 1)

Sec. 2.7 Nominations for elective municipal office.

Nominations for elective municipal office shall be by petition as provided by the [Uniform Colorado Municipal Election Code of 199265](#), as now existing, or hereafter amended or modified, [and](#) except as otherwise provided in this Charter or by ordinance.

ARTICLE III. CITY COUNCIL

Sec. 3.1 City council.

All powers of the City not otherwise limited or conferred upon others by this Charter shall be vested in a Council consisting of seven members. [Council #](#) shall have the power to enact and provide for the enforcement of all ordinances necessary to protect life, health and property; to declare, prevent and summarily abate and remove nuisances; to preserve and enforce good government, general welfare, order and security of the City and the inhabitants thereof, to enforce ordinances and regulations by ordaining fines and sentencing as established in Section 13.12 of this Charter; to provide for the granting of probation and the conditional suspension of sentences by the Municipal Court; and to delegate to boards and commissions, within limitations of the Constitution and this Charter, such functions, powers, and authority of the City as [Council#](#) deems proper and advisable. No enumeration of particular powers granted to the Council shall be construed to impair any general grant of power herein contained or granted by the Constitution, nor to limit any such grant to powers of the same class or classes as those so enumerated.

(15-07, § 1)

Sec. 3.2 Qualifications of councilpersons.

Each Councilperson, when nominated and elected, or appointed, shall be a registered elector of the City and shall have been registered in and shall have resided in the City for one year immediately preceding each election. No Councilperson shall be a salaried employee of the City or hold any other municipal public office during his term as Councilperson.

(Amend. No. 2, 8-7-73; 29-83)

Sec. 3.3 Mayor and mayor pro tem.

The Mayor shall be the presiding officer and required to vote and shall be elected from the members of the Council at its organizational meeting, by a majority vote, after each general municipal election. The Mayor shall be recognized as head of the City government for all ceremonial and legal purposes, and shall execute and authenticate legal instruments requiring the Mayor's signature as such official.

The Council shall elect a Mayor Pro Tem who shall act as Mayor during the absence of the Mayor with all powers herein granted to the Mayor.

(15-07, § 1)

Sec. 3.4 Terms of office.

At each general municipal election, the terms of office for which the Councilmember shall be elected shall be four years beginning with taking the oath at the first regular meeting of the Council following their election and ending at the first regular meeting of the Council following the general election at which that member is re-elected or replaced with a new council member.

~~Terms of the newly elected members of Council shall begin upon their taking oath at the first regular meeting of the Council following their election. Council members elected at the November 6, 2007 election (Ward 1, Ward 3, Ward 4 and At Large) shall serve until the first regular meeting of the Council after the April, 2011 election. Council members elected at the November 1, 2005 election (Ward 2, Ward 5 and At Large) shall serve until the first regular meeting of the Council after the April, 2009 election.~~

~~At each general municipal election, the terms of office for which the Councilmember shall be elected shall be four years.~~

(Amend. No. 3, 8-17-73; 15-07, § 1; Res. No. 85-13, § 2)

Sec. 3.5 Vacancies.

A Councilmember's office shall become vacant whenever he or she is recalled, dies, becomes incapacitated, resigns, misses three unexcused consecutive regular meetings of the City Council, removes from or becomes a non-resident of the City, or removes from the ward from which he or she was elected. Vacancies shall be filled in the following manner:

- (a) Appointment by Council if the vacancy occurs more than ninety days before the next general municipal election. The appointee shall be selected by a majority vote of Council and such appointment shall be made within thirty days after such vacancy occurs. All such appointments shall be until a successor is elected and qualified at the next general municipal election. Vacancies occurring in the offices of Councilpersons elected from the several wards of the City shall be filled as herein provided by the appointment of a person residing in the ward wherein the vacancy occurs and who is otherwise qualified, as provided in Article 3, Section 2, of this Charter. In the event that a vacancy occurs in the office of Mayor, the appointment shall be for the office of Councilperson only and the Mayor Pro-Tem shall assume the duties of Mayor.
- (b) By election at the next general municipal election if the vacancy occurs within the ninety days immediately preceding said election.
- (c) By election at a special municipal election if three or more vacancies exist at any one time and there will not be a general municipal election within the ninety days immediately succeeding the date that the third vacancy occurred. In the event of such multiple vacancies, Council shall call a special

(Supp. No. 34)

Created: 2024-12-11 13:32:40 [EST]

municipal election to be held within sixty days from the occurrence of the third vacancy to elect a Councilperson to fill each vacated office.

All members of Council elected to fill vacancies as provided in subparagraphs (b) and (c) hereof and those elected subsequent to the filling of a vacancy by appointment as provided in subparagraph (a) hereof shall be elected to fill only the unexpired terms of the offices so vacant.

(24-76, § 1; 37-81, § 2; 29-83, § 2; 15-07 § 1)

Sec. 3.6 Oath of office.

Members of Council and applicable employees of the City shall each take an oath or affirmation before entering upon the duties of his or her office, that he or she will support [and uphold](#) the Constitutions of the United States and the State of Colorado, and the Charter and ordinances of the City of Glenwood Springs, and faithfully perform the duties of his or her office.

(15-07, § 1)

Sec. 3.7 Compensation of members of council.

City Council's compensation may be changed by ordinance from time to time; provided, however, that no increase so granted will take effect before the next general election of City Council.

(15-07, § 1)

Sec. 3.8 Council meetings.

(a) The organizational meeting of the Council shall be held at the first regular meeting [in April](#) following the regular municipal election. At the organizational meeting, the outgoing City Council shall meet to act upon any ordinances pending on second reading.

After the outgoing Council has performed the foregoing duties, the outgoing Council shall adjourn sine die, new members of the incoming Council shall take the oath of office as provided in Section 3.6 of the Charter, and the incoming Council shall henceforth assume all powers and duties as set forth herein.

(b) Council meetings shall be held in the Council Chambers at the City Hall, or other designated assembly room. The regular meetings of the Council shall be not less than twice a month and shall be held on the first and third Thursday of each month unless changed by ordinance of the City Council. All regular and special meetings of the Council shall be open to the public.

(c) [A majority of the Four \(4\)](#) members of Council shall constitute a quorum for the transaction of business.

(52-87, § 2; 15-07, § 1)

Sec. 3.9 Special meetings.

Special meetings of the Council shall be called by the City Clerk on the written request of the Mayor, or any two members of the Council ~~on at least twenty four hours written notice to each member of the Council, served personally or left at his or her usual place of residence; but a special meeting may be held on shorter notice, if all members of the Council are present or have waived notice thereof in writing.~~

(37-81, § 1; 15-07, § 1)

Sec. 3.10 Council-administration relations.

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.

Sec. 3.11 Independent audit.

An independent audit of all financial affairs of the City shall be made by registered or certified public accountants experienced in the municipal accounting selected by the Council:

- (1) Annually, and
- (2) Upon the termination of the employment of the Director of Finance, or the City Manager, or both, more than ninety (90) days after or more than thirty (30) days before the effective date of the nearest annual audit.

(27-79, § 1)

ARTICLE IV. ORDINANCES

Sec. 4.1 When required.

All legislative enactments of the Council must be in the form of ordinances. Legislative enactments as used herein shall include, but not be limited to, every act making an appropriation, levying a tax, authorizing the borrowing of money, creating an indebtedness, establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property.

Sec. 4.2 Voting.

A roll call or electronically displayed vote of Council shall be taken upon the first and second introductions of all ordinances and the "yeas" and "nays" entered upon the minutes or records of the Council proceedings. Except as otherwise provided in this Charter, passage of every ordinance upon first reading shall require the affirmative vote of a majority of Council present and entitled to vote thereon, and final passage of every ordinance shall require the affirmative vote of a majority of the entire Council entitled to vote thereon.

Every member, when present, must vote upon ordinances, except that a member who has a personal or private interest in any ordinance proposed or pending before the Council shall disclose this fact to it and shall not be entitled to vote thereon; provided, however, should any member entitled to vote thereon fail to vote, his or her vote shall be recorded in the affirmative.

(15-07, § 1)

Sec. 4.3 Form of ordinance.

Every ordinance shall be introduced in written or printed form. The enacting clause of all ordinances shall be, "THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS."

Sec. 4.4 Procedure of passage.

The course that an ordinance shall take for passage shall be:

- (a) Introduction at any regular or special meeting by any member of the Council.
- (b) At the first introduction, reading the title and number only ~~and, unless a Council member or citizen in attendance requests a reading in full of any ordinance except standard codes proposed to be adopted by reference pursuant to Section 4.6 of this Charter,~~ at least one (1) digital electronic or paper copy of all ordinances shall be available at the meeting for public inspection, and ~~except for standard codes to be adopted by reference pursuant to Section 4.6,~~ either a digital or paper copies of ordinances shall be furnished to each member of Council.
- (c) Passage or rejection on first reading by a roll call or electronically displayed vote of the City Council.
- (d) If passed upon first introduction, the title of the ordinance shall be published, or the title of an amendment thereto, together with a statement that the text is available for public inspection and acquisition in the office of the City Clerk. Except for standard codes adopted by reference pursuant to Section 4.6, the full ordinance shall also be electronically displayed.
- (e) Introduction a second time at a regular or special meeting of Council, ~~held not earlier than seven days~~ after publication, for final passage or rejection by roll call or electronically displayed vote of the Council.
- (f) At the second introduction, reading of the title and number of the ordinance.
- (g) Final passage or rejection by roll call or electronically displayed vote of the Council.
- (h) An ordinance may be amended as to form at the second introduction by a roll call or electronically displayed vote of the Council.
- (i) After final passage, the ordinance shall be published by title and number, with notice that the text of any amendments as to form enacted upon the second introduction are available in full text in the office of the City Clerk.
- (j) Appropriation ordinances are excepted from the provisions of (d) and (e) above. The annual appropriation ordinance shall be passed at a meeting of Council on or before the first regular meeting of December of each year. The annual appropriation ordinance may be introduced by the reading of its title and number, ~~unless a member of Council or citizen attending the meeting requests a reading in full;~~ each member of Council shall be furnished with one (1) paper or digital copy of the appropriation ordinance, and at least one (1) electronic or paper copy shall be available at the meeting for public inspection.
- (k) An ordinance, when passed, shall take effect and be in force ten (10) days after final publication except for ordinances necessary for the immediate preservation of the public peace, health or safety, which shall take effect upon final publication if they are approved by at least five (5) members of Council on final reading. Such excepted ordinances shall contain a finding that Council deems the passage of the ordinance to be necessary for the immediate preservation of public peace, health or safety, and a brief statement in support of this finding, which shall be conclusive.

(24-76, § 2; 15-07, § 1)

Sec. 4.5 Disposition.

A true copy of every ordinance, as adopted by Council, shall be numbered and recorded, and adoption shall be authenticated by the signatures of the Mayor and the City Clerk and proof of publication by the certificate of the publisher, respectively. Original ordinances and the proofs of publication for the same shall be kept and be available for public inspection in the office of the City Clerk [which inspection may be by electronic means](#).

(37-81, § 1; 15-07, § 1)

Sec. 4.6 Codes published by reference.

Standard codes, promulgated by the Federal Government, the State of Colorado, or any agency of either, or by any municipality within the State of Colorado, including the City of Glenwood Springs, or by recognized trade or professional organizations, or amendments or revisions thereof may be adopted by reference; providing the publication of the adopting ordinance shall advise that copies of the code to be adopted by reference are available for inspection at the office of the City Clerk and providing that any penalty clause in said codes may be adopted only if set forth in full and published in the adopting ordinance.

(37-81, § 1)

Sec. 4.7 Severability of ordinances.

Unless an ordinance shall expressly provide to the contrary, if any portion of an ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the ordinance which can be given affect without the invalid portion or application; provided such remaining portions or applications are not determined by the court to be inoperable, and to this end ordinances are declared to be severable.

Sec. 4.8 Ordinances, resolutions and motions.

All actions of the Council not required by this Charter to be in the form of ordinances, may be in the form of resolutions and motions, on which the "yeas" and "nays" shall be entered upon the minutes or records of the Council proceedings. Every member, when present, must vote upon ordinances, resolutions and motions, except that a member who has a personal, private or conflict of interest in any ordinance, resolution and motion proposed or pending before the Council shall disclose this fact to it and shall not be entitled to vote thereon; provided, however, should any member entitled to vote thereon fail to vote, his vote shall be recorded in the affirmative.

(15-07, § 1)

ARTICLE V. INITIATION, REFERENDUM AND RECALL

Sec. 5.1 Citizen initiative and referendum.

A ballot question, new ordinance, or a referendum on an enacted effective ordinance may be initiated by citizen petition to the electorate, as hereafter provided; or the Council may, on its own motion, submit an ordinance, question or issue to the electorate as hereafter provided.

(15-07, § 1)

Sec. 5.2 Petition requirements.

A citizen initiated petition shall be signed by registered electors in a number not less than five percent (5%) of the number of persons who were registered electors of the City as of the date of the last regular City election, and all signatures on said petition shall be obtained within twenty-one (21) days before the date of filing the petition with the City Clerk. Any such petition shall be addressed to the Council and may be the aggregate of two or more petition papers identical as to content and simultaneously filed by one person. An initiated petition shall set forth in full the proposed ordinance, and no petition shall propose to initiate more than one ordinance. A referendum petition shall identify the ordinance, or part thereof, or code section it proposes to have repealed or amended. Each signer of a petition shall sign his or her name, the date and his or her place of residence by street and number. To each petition paper there shall be attached a sworn affidavit by the circulator thereof stating the number of signers thereof, that each signature thereon is the genuine signature of the person whose name it purports to be and that it was made in the presence of the affiant. Such petition shall be filed with the City Clerk who shall, within fifteen (15) days, canvass the signatures thereon. If the petition does not contain a sufficient number of signatures or qualified electors of the City, or any other error or insufficiency shall be found in the petition, the City Clerk shall notify forthwith, by [regular or electronic](#) mail, the person filing such petition. Fifteen (15) days from the date of mailing such notice shall be allowed for the filing of supplemental or corrected petition papers. When a petition with sufficient signatures is filed within the time allowed by this section, the City Clerk shall present the petition to the Council at its next regular meeting.

(37-81, § 3; 15-07, § 1)

Sec. 5.2.1 Time for submission of referendum petitions.

Any person seeking a referendum on an enacted, effective ordinance shall submit to the City Clerk a written notice of intent to circulate a referendum petition within ten (10) days after final publication of the subject ordinance. The petitioner shall then submit the referendum petition within twenty-one (21) days of submission of the notice of intent to circulate.

(28-91, § 2; 15-07, § 1)

Sec. 5.3 Council procedure on petitions.

Upon presentation to the Council of a citizen petition by the City Clerk the Council shall, within thirty (30) days, either:

- (a) Adopt the ordinance as submitted by an initiated petition;
- (b) Repeal the ordinance, or part thereof, referred to by a referendum petition; or
- (c) Determine to submit to the electors the question as set forth in the petition.

(37-81, § 3; 07-15, § 1)

Sec. 5.4 Submission of ordinances to electors.

All ordinances, or parts thereof, be they initiated, referred or upon motion of Council, shall be submitted at the next regular City election held in the City for any other purpose or in the discretion of the Council at a special election called for that specific purpose. If no ~~regular or special~~ election is to be held in the City for any other purpose within one hundred fifty (150) days from the time the petition is presented to the Council, and it does not enact or repeal the ordinance, or part thereof, referred to by a petition, then the Council shall by resolution or

ordinance call a special election for the submission of the question to the electors, which said election shall be held within ninety (90) days from such date of presentation. The results of all elections held under the provisions of this section shall be determined by a majority vote of the electors voting thereon.

(15-07, § 1)

Sec. 5.5 Miscellaneous provisions on petitions.

An ordinance adopted by the electorate may not be amended or repealed for a period of six (6) months after the date of the election at which it was adopted; provided, however, Council may make technical changes in such an ordinance by amendment thereof, which, by change of conditions or circumstances, or otherwise, are necessary to give full effect thereto. An ordinance repealed by the electorate may not be re-enacted for a period of six (6) months after the date of the election at which it was repealed. Any ordinance, however, may be adopted, amended or repealed at any time by appropriate referendum or initiatory procedure in accordance with the foregoing provisions of this Charter, or if submitted to the electorate by the Council on its own motion. If two or more ordinances adopted at the same election shall have conflicting provisions, the provisions in the ordinance receiving the highest number of affirmative votes shall govern.

(15-07, § 1)

Sec. 5.6 Ordinances excepted.

Anything to the contrary notwithstanding, ordinances authorizing the issuance of bonds, levying taxes, the annual appropriation ordinances and those ordering improvements initiated by petition to be paid for by special assessments and those declaring an emergency shall be excepted from the referendum.

Sec. 5.7 Recall.

Every elective officer of the City may be recalled at any time after six (6) months in office by the electors entitled to vote for a successor of such incumbent through the procedure and in the manner provided for in Article XXI of the Constitution as now existing, or as may hereafter be amended or modified.

(29-83, § 4).

Sec. 5.8 Recall procedure by council.

The Council may provide by ordinance such further recall procedure as may be deemed necessary as long as it is not inconsistent with the Constitution or this Charter. However, in no event shall an ordinance require any recall petition to be signed by more than twenty-five percent (25%) of the electors of the entire vote cast at the last preceding election for all candidates for the office.

After one (1) recall petition and election, no further petition shall be filed against the same officer during the term for which he was elected, unless the petitioners signing said petition shall equal fifty percent (50%) of the votes cast at the last preceding general election for all candidates for the office.

Article VI. CITY ADMINISTRATION

Sec. 6.1 City manager.

The City Manager shall be the chief administrative officer of the City and shall reside within a ten-mile radius of the corporate limits of the City.

(29-83, § 5)

Sec. 6.2 Appointment and qualifications.

The Council by majority vote shall appoint a City Manager within one hundred twenty (120) days after any vacancy exists in such position, who shall serve at the pleasure of a majority of the Council at a salary to be fixed by the Council. He or she shall be selected on the basis of executive and administrative qualifications with special reference to actual experience in and knowledge of accepted practice in respect to the duties of the office.

(24-76, § 3; 15-07, § 1)

Sec. 6.3 Absence of city manager.

The City Council may appoint or designate an acting City Manager during any period of vacancy in the office, or during the absence of the City Manager from the City. In addition, for short temporary absences not exceeding twenty-one (21) days, the City Manager may appoint an acting City Manager. Such acting City Manager shall, while in such office, have all the responsibilities, duties, functions, protections, and authority of the City Manager.

(Res. 77-18(A), § 1)

Sec. 6.4 Powers and duties.

The City Manager shall be responsible to the Council for the efficient administration of all affairs of the City placed in his or her charge, and to that end shall have the power and duty to:

- (a) Enforce the laws and ordinances of the City.
- (b) Appoint, subject to the provisions of this Charter, all the officers and employees of the City, except where this Charter expressly provides otherwise. The City Manager may remove, suspend, demote or discipline any officer or employee of the City, except such as are appointed by Council.
- (c) Make appointments on the basis of executive and administrative ability and the training and experience of such appointees in the work which they are to perform.
- (d) Prepare a proposed budget annually and submit it to the Council and be responsible for the administration of the budget after its adoption.
- (e) Prepare and submit to the Council as of the end of the fiscal year a complete report on finances and administrative activities of the City for the preceding year and, upon request of the Council, make written or verbal reports at any time concerning the affairs of the City under the City Manager's supervision.
- (f) Keep the Council advised of the financial condition and future needs of the City and make such recommendations to the Council as the City Manager may deem necessary or expedient.
- (g) Exercise supervision and control over all executive and administrative departments and recommend to the Council any proposal the City Manager thinks advisable to establish, consolidate or abolish administrative departments.

-
- (h) Enforce all terms and conditions imposed in favor of the City or its inhabitants in any contract or public utility franchise and, upon knowledge of any violation thereof, report same to the Council for such action and proceedings as may be necessary to enforce the same.
 - (i) Attend Council meetings and participate in discussions with the Council in an advisory capacity.
 - (j) Be responsible for the establishment and maintenance of a system of accounts of the City which shall conform to any uniform system required by the Council and to generally accepted principles and procedures of governmental accounting.
 - (k) Be responsible for City purchases and for engineering, architectural and maintenance, construction and equipment services required by the City.
 - (l) For such other duties as may be prescribed by this Charter, by ordinance, or by Council.

(27-79, § 2; 15-07, § 1)

Sec. 6.5 Director of finance and city clerk.

There shall be a Director of Finance and a City Clerk who shall be appointed by the City Manager, to serve at the pleasure of the City Manager. The City Manager may also appoint a deputy or deputies to serve under the Director of Finance or the City Clerk who shall have the authority to act in the absence of the Director of Finance or the City Clerk, respectively.

(37-81, § 4)

Sec. 6.6 Duties and powers of director of finance and city clerk.

- (a) The Director of Finance shall be the City Treasurer with the power to administer oaths and take acknowledgments under the seal of the City. The Director shall keep and supervise all financial accounts, receive and have custody of all monies of the City, collect all City taxes, electrical fees, water fees and other charges for City services, issue licenses and collect fees therefore, and perform such other duties pertaining to the Department of Finance as are specified in this Charter or required by ordinance or assigned by the City Manager.
- (b) The City Clerk shall be the Clerk of the Council with the power to administer oaths and take acknowledgments under seal of the City. The Clerk shall make and keep all records of the City and publish notice on behalf of the City not specifically entrusted to or required of any other department by this Charter or by ordinance. The Clerk should perform such other duties pertaining to the City records as are specified in this Charter or by ordinance or assigned by the City Manager.

(27-79, § 3; 29-83, § 6; 15-07, § 1)

Sec. 6.7 Departments created.

- (a) The administrative functions of the City shall be performed by such departments as may hereafter be established by ordinance. Upon recommendation of the City Manager, the Council may, by ordinance, establish departments necessary to perform and carry out the City's lawful functions, and the Council may, by ordinance, consolidate or merge ~~any~~ departments.
- (b) Residency requirements for all members of the police and emergency services departments shall be specified in the City of Glenwood Springs Employee Handbook.

(c) In the employment of persons to work for the City, whether by contract or otherwise, all other things being equal, preference shall be given to the residents of the City.

(27-79, § 4; 24-76, § 4; Res. No. 77-18A, § 2; 29-83, §§ 7, 8; 32-94, § 1)

ARTICLE VII. BOARDS AND COMMISSIONS

Sec. 7.1 General provisions.

The Council may establish Boards and Commissions and provide for their powers and duties, and the Council may consolidate, merge, or abolish any of the said Boards or Commissions. The establishment, consolidation, merger, or abolishment of any Boards or Commissions shall be accomplished only by ordinance. Unless otherwise required by law or this Charter, all Boards and Commissions shall be appointed by the Council. Initial appointments by the Council shall specify the term of office of each individual in order to achieve overlapping tenure. All members shall be subject to removal by the appointing authority. The Council shall make appointments to fill vacancies for unexpired terms. Except as otherwise provided in this Charter, each Board and Commission shall choose its own chairman and vice-chairman from its members and operate in accordance with the rules of procedures set forth by the appointing authority.

All meetings shall be open to the public. Copies of all records and minutes of all meetings shall be kept and placed in the office of the City Clerk or in the office of the Department staffing the Board or Commission for public inspection. Reports shall be made to the Council as the Council shall require.

(37-81, § 1; 15-07, § 1)

Sec. 7.2

~~Services provided.~~

~~The Council may provide by ordinance for the planning, establishment, and supervision of a community recreation program and for equipping and maintaining City-owned or controlled parks, recreational areas and facilities, in and outside the City, which functions shall be under the direction of the City Manager.~~

~~The City may cooperate with other public authorities, organizations, or individuals, in or outside the City, to implement the operations of any programs for the benefit of the public.~~

ARTICLE VIII. CITY ATTORNEY AND MUNICIPAL COURT

Sec. 8.1 Appointment of city attorney.

The Council shall appoint a City Attorney who shall be the legal representative of the City and shall advise the Council and City officials in matters relating to their official powers and duties. The City Attorney shall be an attorney-at-law admitted to practice in Colorado. ~~The Council may provide the City Attorney with such assistants as the Council may deem necessary.~~ The Council shall establish compensation for the City Attorney and special counsel.

(15-07, § 1)

Sec. 8.2 Duties.

The City Attorney or assistants shall represent the City in all legal proceedings; supervise the drafting of all ordinances; and the preparation of all other legal documents. The City Attorney or assistants shall attend all Council meetings and shall perform all services incident to this position as may be required by this Charter or the ordinances of the City.

Sec. 8.3 Special counsel.

The Council may, on its own motion, or upon request of the City Attorney, in special cases employ special counsel to serve under the direction of the City Attorney. Special counsel engaged in regard to irregularities found by audit or any alleged dereliction in the duties of any officer or employee, shall serve independently of the City Attorney.

Sec. 8.4 Municipal court.

There shall be a Municipal Court which shall have jurisdiction to hear and try all alleged violations of this Charter and the City ordinances. The Municipal Court shall have all jurisdiction as is provided under state statutes and rules promulgated by the Colorado Supreme Court. The Municipal Court shall be a qualified Municipal Court of Record and shall keep a verbatim record of all proceedings and evidence at trials by either electric devices or stenographic means. The Council shall provide suitable quarters for the honor and dignity of the Municipal Court and all supplies and things necessary for the proper functioning of the Court.

Sec. 8.5 Qualifications and appointment of municipal judges, assistant municipal judges, and substitute municipal judges.

The Council shall appoint one or more municipal judges and such assistant municipal judges as may be reasonably necessary to insure the prompt and expeditious determination of Municipal Court matters. Council may also appoint substitute municipal judges as circumstances may require in case of temporary absence, sickness, disqualification, or other inability of the presiding or assistant municipal judges to act. Each municipal judge, assistant municipal judge, and substitute municipal judge shall be admitted to and licensed in the practice of law in Colorado so long as such person acts as judge, shall be at least twenty-five (25) years of age at the time the duties of the office are assumed, ~~shall reside within a ten (10) mile radius of the corporate limits of the City,~~ and shall take the oath of office as set forth in Article III, Section 6, of this Charter.

Each judge shall be appointed for a term of two (2) years, and any vacancy shall be filled by appointment by the Council for the remainder of the unexpired term. The Council shall provide for the salary of each municipal judge or assistant municipal judge which shall be a fixed annual compensation and payable on a monthly basis. The Council may pay any substitute judge, appointed pursuant to this section, proportionate to the services rendered served by such judge.

(27-79, § 5; 29-91, § 2; 15-07, § 1)

ARTICLE IX. CITY FINANCES

Sec. 9.1 Fiscal year.

The fiscal year for the City and of all its agencies shall begin on the first day of January and end on the thirty-first day of December each year.

Sec. 9.2 Annual budget.

On or before the first regular Council meeting in October of each year, the City Manager shall submit to the Council a complete budget for the City for the next fiscal year.

(24-76, § 5; 15-07, § 1)

Sec. 9.3 Scope of the budget.

The budget adopted by the Council shall contain:

- (a) An estimate of anticipated revenue from all sources ~~other than the tax levy~~ for the ensuing year.
- (b) An estimate of the general fund cash surplus at the end of the current fiscal year, or of the deficit to be made up by appropriation.
- (c) The estimated expenditures necessary for the operation of the several departments, offices, and agencies of the City.
- (d) Debt service requirements for the ensuing fiscal year.
- (e) A program of proposed capital projects for the ensuing year and the five (5) years thereafter, which shall contain estimates of the cost of such projects, together with suggested methods of financing the same. The City Manager shall include those projects previously considered and not abandoned and give reasons therefor. This report may be a part of the budget or a separate report attached thereto.
- (f) A balance between the total estimated expenditures including any deficit to be met, and moneys set aside for public improvements and total anticipated revenue, plus any surplus. All estimates shall be in detail showing revenues by source, and expenditures by organizational units, activities, character and object.

Sec. 9.4 Budget hearing.

On receipt of the proposed budget, the Council shall set a day for the hearing of the budget and shall show that such proposed budget is ~~available~~ ~~open~~ for inspection by the public in person or electronically. ~~at the office of the Director of Finance~~. Notice of the time and place of such hearing shall be published at least once ten (10) days prior to such hearing.

(37-81, § 1)

Sec. 9.5 Adoption of the budget.

After said public hearing and on or before the first regular meeting of Council in November of each year, the Council shall adopt by resolution the budget for the ensuing fiscal year.

(30-91, § 2; 15-07, § 1)

Sec. 9.6 Annual appropriation.

After said public hearing and on or before the first regular meeting in December of each year, the Council shall pass the annual appropriation ordinance in which shall be appropriated such sums of money as the Council deems necessary to defray all expenses and liabilities of the City during the ensuing year.

The annual appropriation ordinance shall be based upon the budget as adopted, but need not be itemized further than by departments and the major divisions thereof, and by each independent office and agency.

Sec. 9.7 Certification of tax levy.

Not later than the first regular meeting of Council in December of each year, or such other date required by law, the Council shall fix the amount of tax levy which shall be assessed upon each dollar of assessed valuation of all taxable property within the corporate limits of the City, and shall cause the same to be certified to the County as required by law. If the Council should fail in any year to make such levy as above provided, the rate last fixed shall be the rate for the ensuing fiscal year, which rate shall be levied as by law provided.

(15-07, § 1)

Sec. 9.8 General fund.

There is hereby established a fund to be known as the general fund. All revenues not specifically allocated to any other fund shall be placed in the general fund. All general functions of the City shall be financed by expenditures from the general fund.

Sec. 9.9 Contingencies.

The general fund may contain an item for contingencies. Except in those cases where there is no logical account to which an expenditure can be charged, expenditures shall not be charged directly to contingencies; but instead, the necessary part of the appropriation for contingencies shall be transferred to the logical account, and the expenditure charged to such account. No such transfer shall be made without the express approval of the Council, and then only for expenditures which could not readily be foreseen at the time the budget was adopted.

Sec. 9.10 Special funds.

Additional funds which shall be known as special or enterprise funds shall be created by ordinance to provide for moneys to be held for special purposes, such as: depreciation and obsolescence; debt service; equipment and building replacement; special services; local improvements; City-owned utilities; trust funds and endowments; and such other purposes as the Council may determine.

(15-07, § 1)

Sec. 9.11 Capital project fund.

The Council may create a fund to be known as the capital project fund for the purpose of paying the cost of capital improvements, including purchase of land, buildings or equipment, and the improvement and the construction of public works. The Council shall have power to define the rules and regulations pertaining to such fund by ordinance and shall have power to transfer from time to time moneys from the general fund to the capital project fund; however, no monies may be transferred by the Council at any time from the capital project fund to the general fund. Unless unexpended appropriated monies are carried over to the next fiscal year by resolution of the City Council, all monies remaining for an appropriation in the capital project fund at the end of a fiscal year shall revert to the capital project fund balance. Any such monies not appropriated by Council in the budget for the following fiscal year shall automatically become additional monies in the contingency capital project appropriation for that fiscal year.

(37-81, § 6)

Sec. 9.12 Transfer of funds.

The Council may, by the affirmative vote of five (5) or more of the Council, transfer any unencumbered appropriation balance or portion thereof, from one department to another at any time; except that no transfer shall be made from any sinking fund, encumbered fund, or capital project fund.

Sec. 9.13 Additional appropriation.

The Council may make additional appropriations by ordinance during the fiscal year for unanticipated expenditures required of the City, but such additional appropriations shall not exceed the amount by which actual and anticipated revenues of the year are exceeding the revenues as estimated in the budget, unless the appropriations are necessary to relieve an emergency as set forth in the adopting ordinance endangering the public health, peace or safety.

Sec. 9.14 Investments.

Funds on hand which are not then needed in the conduct of the affairs of the City may be invested in securities which are legal investments for public funds under the statutes in effect at the time of such investments. In investing such funds, all other things being equal, preference shall be given to local financial institutions.

(29-83, § 9)

Cross reference(s)—Charter §13.6

ARTICLE X. BONDED INDEBTEDNESS

Sec. 10.1 General Obligation Bonds, Water Extension Bonds, and Sewer Extension Bonds.

Indebtedness and obligations of the City shall be incurred and limited as provided in Articles XI and XX of the Constitution, as now existing or as may hereafter be amended or modified, applicable to towns and cities, except as otherwise provided in this Charter. The Council shall have power to issue general obligation bonds of the City for any public purpose upon the affirmative vote of a majority of the taxpaying electors of the City voting thereon at any special or general election; provided, however, that sewer bonds as well as water bonds need not be so authorized. The total outstanding general obligation indebtedness of the City, other than water bonds or sewer bonds, shall not at any time exceed ten percent (10%) of the assessed valuation of the taxable property within the City as shown by the last preceding assessment for tax purposes. Bonds of the City, other than water bonds and sewer bonds, shall mature in not more than twenty-five (25) years from date and shall be payable in annual installments commencing not later than five (5) years after the date of issue of said bonds. Water bonds and sewer bonds shall mature and be payable as provided by the ordinance authorizing the issuance of said bonds.

(29-83, § 10)

Sec. 10.2 Refunding bonds.

The Council may authorize, by ordinance, without an election, issuance of refunding bonds for the purpose of paying or providing for the payment of, by escrow deposit or otherwise outstanding bonds of the City, including special improvement bonds.

Sec. 10.3 Special and local improvement districts and construction of improvements therein.

The Council shall have the power to establish, by ordinance, improvement districts for the construction of special or local improvements of every land and character. Such districts shall be established in accordance with the provisions of this section.

- A. Necessity of District. Council shall, by resolution, determine that it is necessary to form a district by finding:
 - (1) Such improvement is necessary for the preservation of the public peace, safety, health or welfare, or
 - (2) A petition requesting improvements signed by the owners of more than fifty percent (50%) of the area of the proposed district, provided that such majority shall include not less than fifty percent (50%) of the landowners residing in the territory.
- B. Public Hearing. Such resolution shall include a date, time and place for a public hearing at which all interested parties may appear and give testimony and shall state the method and manner by which Council proposes to assess the property owners in the proposed improvement district. Such resolution shall be published, not less than seven (7) days nor more than fourteen (14) days, prior to the date of the public hearing, in a newspaper of general circulation in the City. In addition, a copy of such resolution shall be mailed by first class mail, postage prepaid, to each property owner to be included within the proposed special improvement district. At the conclusion of the public hearing, the Council shall consider all protests and shall establish or reject all or any part of the proposed district as the interests of the property owners within the proposed district and the general public may best be served.
- C. Ordinance Establishing District. In the event Council determines, after the public hearing, to establish an improvement district it shall do so by ordinance. The establishing ordinance shall prescribe the area to be included in the improvement district and the method and manner of making such improvements and assessing the costs of such improvements. The method of assessment shall bear a rational relationship to the benefits to be conferred upon the property to be assessed and may be based upon front footage, assessed valuation or other methods or combination of methods.
- D. Financing Improvements. The Council by the establishing ordinance or by subsequent ordinance or both shall provide for the method by which the costs and expenses of the organization of the district and the construction or installation of the improvements shall be made. Those methods may include the issuance of bonds or the funding of the costs and expenses from current appropriations. In the event the costs and expenses are paid from the current appropriations, the interest rate shall be set by Council in accordance with the interest rate which could be earned by the City should those same funds be invested by the City for the same period given the property owners to repay their assessments to the City.
- E. Prepayment of Assessments. Property owners shall have the right to pay their individual assessments in full prior to certification of the assessment to the County and such payment in full shall be subject to a discount in an amount to be set by Council not to exceed its proportional share of the interest plus the cost of annual collection.

(29-83, § 11)

Sec. 10.4 Special or local improvement district bonds-general benefits.

In consideration of general benefits conferred on the City at large from the construction or installation of improvements in special or local improvement districts, the Council may levy annual taxes on the taxable property within the City, not exceeding one mill in any one year, to be disbursed as determined by the Council for the paying of such benefits, for the payment of any assessments levied against the City itself in connection with bonds issued for special or local improvement districts and for the purpose of advancing money to maintain current payments of interest and equal annual payments of the principal amount of bonds issued for any special or local improvement district hereafter created.

Sec. 10.5 Bond sales-limitations.

All the terms and conditions of all bonds issued pursuant to the provisions of this Charter shall be fixed by the authorizing ordinance and such bonds shall be sold to the best advantage of the City, provided that refunding bonds may be exchanged, dollar for dollar, for the bonds being refunded. Each bond issue may contain provisions for the redemption of bonds prior to their respective maturity dates on such terms as may be provided by the Council.

(29-83, § 12)

Sec. 10.6 Sales tax revenue securities.

The Council may authorize, by ordinance, without an election, securities made payable solely out of the proceeds of any sales or use taxes, or from any portion, however determined, or any combination, of sales and use taxes ("Sales Tax Revenue Securities"). Sales Tax Revenue Securities include, without limitation, interim or short term securities, and securities extending or funding such interim or short term securities. Sales Tax Revenue Securities may be refunded in the manner provided in Section 10.2. No Sales Tax Revenue Securities shall be issued for a term longer than twenty-five (25) years from the date thereof. Sales Tax Revenue Securities shall not be subject to any restrictions or limitations contained in Section 10.1. Sales or use taxes, or any portion, however determined, or any combination of sales and use taxes may also be pledged as additional security for any other City securities.

(6-83, § 3)

ARTICLE XI. TAXATION

Sec. 11.1 Authority to levy taxes.

The Council may levy and collect taxes for municipal purposes, and it may levy and collect special assessments for local improvements as provided in this Charter or by ordinance; provided, however, that no income tax, sales tax, or cigarette or tobacco tax shall be levied after the adoption of this Charter until it shall have been approved by a majority of the electorate at a regular or special election. This section shall have no effect on any taxes in existence on the effective date hereof.

Sec. 11.2 Authority to acquire property.

In addition to any other power it has to acquire property, the City is hereby authorized to purchase or otherwise acquire property on which there are delinquent taxes and/or special assessments. The City may sell and

dispose of any property acquired under this authority, provided provision for any such sale or disposal is accomplished by ordinance.

ARTICLE XII. FRANCHISES

Sec. 12.1 Granting of franchises.

Any franchise relating to any street, alley, public place or property of the City shall be subject to the initiative and referendum powers reserved to the people under Article V of this Charter and Sec. 1 of Article V of the Colorado Constitution. Such referendum powers shall be guaranteed notwithstanding a recital in an ordinance granting such franchise that such ordinance is necessary for the immediate preservation of the public peace, health and safety. If such a referendum is ordered to be submitted to the registered electors, the grantee of such franchise shall deposit with the Director of Finance the expense, as determined by the Director of Finance, of such submission.

(24-76, § 6; 47-87, § 2)

Sec. 12.2 Present franchises.

All franchise ordinances of the City in effect at the time this Charter is adopted shall remain in full force and effect, according to their provisions and terms, until the expiration date provided in such ordinances, or until such ordinances are amended in order to comply with state and federal law or upon mutual agreement of the City and the franchisee.

(24-76, § 6)

Sec. 12.3 Extension of territory.

With respect to any franchise, after negotiation or mutual agreement, the Council may by ordinance extend the area to include streets, or public places and property not embraced in such franchise, when public convenience and necessity require, subject to all terms and conditions of such original franchises, and coextensive with the terms thereof, without a vote of the qualified taxpaying electors.

Sec. 12.4 Term, compensation, restriction.

No franchise, lease, or right to use the streets, alleys, or the public places or property of the City shall be granted for longer than twenty (20) years. [Council's consideration of franchises or leases or other use of the streets, alleys or public spaces shall incorporate shall incorporate the best practices at that time for granting such rights.](#) Every grant of a franchise shall fix the amount and manner of payment of the compensation to be paid by the grantee for the use of the same. This provision shall not exempt the grantee from any lawful taxation upon grantee or grantee's property, nor from any license, charges, or other impositions, levied by the Council, not levied on account of the use granted by the franchise.

(15-07, § 1)

Sec. 12.5 Revocable permits.

The Council may grant permits for the temporary use or occupation of any street, alley, public place or property of the City and establish conditions and compensation to be paid the City therefor.

Sec. 12.6 Condemnation or purchase.

The right of the City to construct, purchase, or condemn any public utility, work or way, as provided by law, is expressly reserved.

Sec. 12.7 Assignment.

Assigning, selling, leasing, or otherwise alienating a franchise shall be considered a forfeiture unless consent is given by the Council by ordinance.

Sec. 12.8 Books and records.

The Council shall cause to be kept in the office of the Director of Finance an indexed franchise record in which shall be transcribed copies of all franchises granted by the City. The record shall be a complete history of all such franchises and shall include a comprehensive and convenient reference to all actions at law affecting the same, copies of all annual and inspection reports, and such other information as the Council may require.

Sec. 12.9 Control of franchise for use of water reserved to city.

No franchise, right, or privilege shall be granted affecting the use of the water belonging to the City, or affecting its water systems, without retaining complete and absolute control in the City.

Sec. 12.10 Common use of facilities.

The Council shall have the power to require any holder of a franchise from the City, or other public utility, to allow the use of its rights-of-way, poles, and wires by any franchise holder, or the City itself, upon payment of a reasonable rental therefor, and the City may, under the terms prescribed by the Council, allow such franchise holders to use rights-of-way, poles, and wires of City-owned utilities.

ARTICLE XIII. MISCELLANEOUS LEGAL PROVISIONS

Sec. 13.1 Water rights in annexation.

The City shall have the power to purchase, or obtain, such existing water rights as may be used upon, or allotted to, any land which is annexed to the City.

Sec. 13.2 Restriction on sales of land and water rights.

Neither lands owned by the City, nor water rights, shall be sold or conveyed without an affirmative vote of a majority of the qualified electors. Nothing in this provision, however, shall prohibit the City from exchanging, or changing point of diversion of water rights without such vote.

The City shall continue to own, operate, repair, and maintain the Glenwood Springs municipal airport, including its facilities, improvements, and runway, in at least the general condition and configuration that existed on January 1, 2021, unless and until most of the qualified electors of the City approve the sale or permanent closure of the airport. Nothing in this provision shall (i) prohibit the City from constructing a tunnel under the airport runway, improving the airport, or extending the runway, or (ii) compel the City to use non-airport enterprise funds to operate, repair, maintain, or improve the airport.

(Amend. of 4-23-2024)

Editor's note(s)—Charter § 13.2 was amended by the voters in a special municipal mail ballot election held on May 3, 2022 and certified on May 13, 2022.

Sec. 13.3 Reserved.

Editor's note(s)—Ord. No. 37-1981, §7, repealed this section which set forth the notice required to be given the city in the event of negligence action claim against the City.

(Res. No. 77-18A, § 4)

Sec. 13.4 Right of eminent domain.

The City shall have the right of eminent domain as provided by the Constitution and the statutes.

Sec. 13.5 Surety bonds.

Except as otherwise provided in this Charter, all officers of the City whose duties involve the custody of public property or the handling of public funds, either by way of receipt or disbursement or both, and all other officers and employees so required by the Council shall, before they enter upon the duties of their respective office, file with the City an official bond, in such form and amount as the Council shall direct and approve. The requirements of this paragraph may be met by the purchase of one or more appropriate blanket surety bonds covering all or a group of City employees and officers.

All official bonds shall be corporate surety bonds and the premium thereon shall be paid by the City. The Director of Finance shall be custodian of all bonds of all officers or employees, except that the City Manager shall be custodian of any bonds pertaining solely to the Director of Finance.

Sec. 13.6 City depository.

The Council shall designate depositories for City funds and shall provide for the regular deposit of all City moneys. The Council shall provide for such security for the City deposits as is authorized or permitted by statute.

Cross reference(s)—Charter §9.14

Sec. 13.7 Contracts with other governmental units.

The Council may, by resolution or by ordinance, enter into contracts or agreements with other governmental units or special districts for the use of buildings, equipment, or facilities, and for furnishing or receiving commodities or services.

Sec. 13.8 Bequests, gifts or donations.

The Council, on behalf of the City, may receive bequests, gifts, and donations of all kinds of property in fee simple or in trust, for public, charitable or other purposes, and do all things and acts necessary to carry out the purposes of such gifts, bequests, and donations, with the power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest or trust.

(Supp. No. 34)

Created: 2024-12-11 13:32:42 [EST]

Sec. 13.9 Competitive bidding.

When the City purchases materials or equipment [or retains services](#) for ~~twenty-five~~[one hundred](#) thousand dollars (\$~~10025~~,000.00) or more, ample opportunity shall be given for competitive bidding; however, the City need not engage in competitive bidding when purchasing through or from an agency of the state or federal government which engaged in competitive bidding to purchase the equipment or materials, when the City Council determines an emergency exists or when the City Council determines there is only one source for an item. In addition Council may provide for purchase of used equipment at other than competitive bid if it is determined to be to the best advantage to the City. Council shall provide by ordinance for procedures to implement this section.

(24-76, § 7; Res. No. 77-18A, § 5; 27-79, § 6; 29-83, § 13; 19-03 § 1)

Sec. 13.10 Emergency purchases.

In case of emergency affecting the public peace, health, or safety, the Council may waive all provisions for competitive bidding and direct the City Manager, acting as purchasing agent for the City, to purchase necessary supplies in the open market at not more than commercial prices.

Sec. 13.11 City not to pledge credit.

The City shall not lend or pledge the credit or faith thereof, directly or indirectly, in any manner to, or in aid of, any person, company or corporation, public or private, for any amount, or for any purpose whatever; or become responsible for any debt, contract or liability of any person, company or corporation, public or private, in or out of the State.

Sec. 13.12 Penalties for violation of Charter and Municipal Code.

- A. Any violation of a provision of this Charter shall be deemed a misdemeanor. Any person convicted of such violation may be punished by fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than one (1) year.
- B. Any violation of a provision of the Glenwood Springs Municipal Code as adopted by the City Council from time to time shall be deemed a misdemeanor. Any person convicted of such violation may be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than one (1) year.

(31-83, § 1)

Sec. 13.13 Article and section headings.

The article and section headings used in this Charter are for convenience only, and shall not be considered as part of the Charter.

Sec. 13.14 Amendments.

This Charter may be amended at any time in the manner provided by the Constitution [and the Colorado Revised Statutes](#). Should two or more amendments adopted at the same election have conflicting provisions, the one receiving the largest affirmative vote shall prevail as to those provisions.

Sec. 13.15 Time for Completion or act.~~Saturdays, Sundays, and holidays.~~

Whenever the date fixed by this Charter, or by ordinance, for doing or completion of any act, except a regular City Council meeting, falls on a [day when the City's government is not open for regular business or on a Saturday, Sunday or legal holiday](#), such act shall be done or completed on the next succeeding day [the City government is open for regular business](#) which is not a Saturday, Sunday or a legal holiday. Whenever a regular City Council meeting falls on a legal holiday, such meeting shall be continued until the next regularly scheduled city council meeting.

(37-81, § 8)

Sec. 13.16 Zoning.

The Council shall comply with the procedures and ordinances for zoning now or hereafter amended or enacted.

Sec. 13.17 Interpretations.

- (a) All words used in this Charter indicating the present tense shall not be limited to the time of the adoption of this Charter but shall extend to and include the time of the happening of any event or requirement for which provision is made herein.
- (b) The singular number shall include the plural, the plural number shall include the singular, and the masculine gender shall extend to and include the feminine gender and the neuter.
- (c) Definitions. As used in this Charter:
 - 1. "Ad valorem tax" means only the general property tax levied annually on real or personal property listed with the assessor of Garfield County, Colorado; it shall not include any one or more of the following taxes: income tax, sales tax, use tax, excise tax or specific ownership tax on a motor vehicle or trailer. The generality of this definition shall not be restricted by the listing set forth herein.
 - 2. "City" means the City of Glenwood Springs, Colorado, a municipal corporation.
 - 3. "Constitution" and "statute" mean the Constitution and laws of the State of Colorado, respectively, in effect at the time the provision of the Charter containing the words "Constitution" and "statute" are to be applied.
 - 4. "Council" means the City Council of the City of Glenwood Springs, Colorado.
 - 5. "Elector" means any person who is at least eighteen years of age, a citizen of the United States, and who has resided in the State of Colorado for three (3) months and in a ward of the City for thirty-two (32) days immediately preceding the election at which he offers to vote and who is registered to vote.
 - 6. "Person" may extend and be applied to bodies politic and corporate, and to partnerships, and associations as well as to individuals.
 - 7. "Public utility" when used in this Charter means any person, firm or corporation operating heat, power or light systems, communication systems, water, sewer or scheduled transportation systems, and serving or supplying the public under a franchise granted by the City.
 - 8. "Publication" means publishing in a newspaper of general circulation within the City.
 - 9. "State" and "County" mean the State of Colorado and the County of Garfield, respectively.

10. "Taxpaying elector" and "qualified taxpaying elector" means an elector who owns real or personal property within the City and has paid an ad valorem tax thereon in the calendar year last preceding the election or in the calendar year in which the election is held. An elector who is obligated to pay ad valorem taxes under a contract to purchase real property within the City shall be considered as a taxpaying elector or qualified taxpaying elector within the meaning of this definition.
11. "Ward" means a district, the boundaries of which have been established pursuant to Article 2, Section 5, of this Charter or which will be established by Council pursuant to Article 2, Section 5, of this Charter, from which an elective officer or officers shall be elected.
12. "Written" and "in writing," except in reference to signatures, shall include printing, typewriting, engraving, stencil duplicating, lithographing, electronic processing system or any other similar method.

(Amend. No. 4, 8-7-73; 15-07, § 1)

Sec. 13.18 Severability of charter provisions.

If any provision, section, article or clause of this Charter or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect any remaining portion or application of the Charter which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable, and to this end this Charter is declared to be severable.

Sec. 13.19 Growth accountability.

Upon City approval of any annexation, or upon approval of any residential or mixed-use housing to be built on City owned land, Council shall, on its own motion, submit the ordinance, question, or issue to the electorate as provided in Article V of this Charter.

Any application for a development permit which includes more than four new dwelling units shall be subject to review by the Planning and Zoning Commission and by Council, and shall require approval by Council.

(Amend. of 4-23-2024)

ARTICLE XIV. Reserved¹

Certificate of Charter Convention

We, the undersigned, members of the Glenwood Springs Charter Convention, duly elected by the people of Glenwood Springs, Colorado, at a special election held on July 12, 1966, under authorization of Article XX, Constitution of the State of Colorado, to frame a Home Rule Charter for the City of Glenwood Springs, do hereby certify that the foregoing is the proposed Charter as finally approved and adopted by the members of said Convention on the 9th day of September, 1966, for submission to the people of Glenwood Springs at a special election to be held on October 11, 1966.

Done in triplicate at Glenwood Springs, Colorado, this 9th day of September, 1966.

/s/ E.L. Busby President and Chairman	/s/ Kenneth Hollenbaugh
--	-------------------------

¹Editor's note(s)—Ord. No. 07-15, § 1, repealed Art. XIV, which pertained to Transitional periods.

**Results
Certificate of Election**

CITY OF GLENWOOD SPRINGS)

COUNTY OF GARFIELD) ss.

STATE OF COLORADO)

I, ANN F. SKIDMORE, City Clerk of the City of Glenwood Springs, Colorado, do hereby certify that the above and foregoing Proposed Charter for the City of Glenwood Springs, Colorado was submitted to the qualified electorate of the City of Glenwood Springs, Colorado, after having been duly published in full three times and a week apart at a Special Municipal Election held in said City on Tuesday, the 11th day of October, 1966, and approved by a majority of those voting thereon, and that the vote for and against said Charter was as follows:

For: 176

Against: 73

I further certify that said Charter was published in full within ten days following said election, the same being October 19, 1966.

WITNESS my hand and seat of the City of Glenwood Springs, Colorado, this 19th day of October, 1966. Ann F. S Skidmore
City Clerk
City of Glenwood Springs,
Colorado



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

- Agenda Item:** Ordinance 2026-04; Planning File COMDEV 000015-2026, Colorado Wildfire Resiliency Code. Second Reading
- Action Requested:** **Action 1** - Consideration of Ordinance 2026-04; Planning File COMDEV 000015-2026, Colorado Wildfire Resiliency Code (First Reading)
- Department:** Economic and Community Development
- Presented By:** Trent Hyatt, Victor Meraz, Robin Pitt
- Strategic Goals:** Protect and Preserve our Quality of Life
Ensure Public Safety
- Background Info:** Senate Bill 23-116 established the Colorado Wildfire Resiliency Code (CWRC) Board that is required to promulgate rules concerning the adoption and administration of code and standards for the hardening of structures and parcels in the wildland-urban interface (WUI) throughout Colorado. This applies to all new habitable structures, with some exemptions, and significant alternations, additions and repairs of existing structures. A map ([found here](#)) based on slope, fuel and critical weather data is used to classify low, medium and high wildfire hazards. Structures in the low hazard must meet Class 1 requirements and those found in medium and high hazard must meet Class 2 requirements for both structure hardening and site management. Structure hardening is applied to the construction of roofing, gutters & downspouts, vents, eaves, decking and other projections. Site management includes the 5 foot immediate zone around the structure and thinning of vegetative fuels leading up to it. C.R.S. 24-33.5- 1237 gives governing bodies until April 1, 2026 to adopt a code that meets or exceeds the CWRC and to start enforcing the code within three months of adoption. The draft ordinance is intended to provide the necessary amendments to the Glenwood Springs Municipal to comply with the state mandate.
- Issues:** Parcels along the perimeter of the City are rated as having high hazards related to slopes, fuels, and critical weather. As you move inward, areas are classified as having moderate hazards. Interior areas of the City, as with many municipalities, are not classified by the CWRB mapping. Staff recommends classifying these areas as having a moderate hazard rating for multiple reasons. First, these areas are generally denser and consist of numerous existing structures without fire suppression systems to protect them during a wildfire event. Second, this will allow for equal application of the new standards, whereas the high and moderate ratings require the same Class 2 building and site standards.
- Fiscal Impact:** Adoption of the ordinance is not expected to have a significant fiscal impact on the City. Additional staff time (Building Official and Fire Marshall) is necessary in the review of applicable building permit applicable to determine compliance with the code. However, staffing is adequate to cover the additional review time required.
- Concerns regarding the cost of applying these regulations have been brought forth by contractors, building associations, and jurisdictions across the state. Some jurisdictions, such as Durango, has outlined that implementation of the standards may result in as much as a 20 percent increase in building costs. However, many of the regulations outlined in the new code, such as Class A rated roofing and building exteriors, are already required by the City. Data for the City suggests that cost increase should be closer to the 2-3 percent range.
- Legal Review:** Legal has reviewed the attached ordinance.
- Staff Recommendation:** Staff recommends approval of Ordinance 2026-04 on second reading as outlined in the above.

ORDINANCE NO. 04

Series of 2026

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ADOPTING THE COLORADO WILDFIRE RESILIENCY CODE AS TITLE 060, ARTICLE 060.095 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, in July 2025 the state legislature adopted the State of Colorado Wildfire Resiliency Code (the “CWRC”) which requires municipalities to adopt the CWRC prior to April 1, 2025; and

WHEREAS, City Council finds it is necessary and proper to adopt the CWRC as Title 060, Article 095, of the Glenwood Springs Municipal Code as provided in Section 2, below.

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

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

Section 2. Adoption. The Colorado Wildfire Resiliency Code is hereby adopted as Article 060.095 as follows:

* * * *

TITLE 060 - CONSTRUCTION BUILDING CODES AND REGULATIONS

* * * *

ARTICLE 060.095 - COLORADO WILDFIRE RESILIENCY CODE

060.095.010. Adoption.

The 2025 Colorado Wildfire Resiliency Code (CWRC) was established on July 1, 2025, by the Department of Public Safety Division of Fire Prevention and Control 8CCR 1507-39, for the purpose of adopting minimum codes and standards for hardening structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface.

060.095.020. Amendments.

The code adoption herein is modified by the following amendments:

- (a) Section 103.1 is amended to read as follows:

103.1 Creation of Agency. The Building Department and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

(b) Appendix A, Section A101.1 is amended to read as follows:

A101.1 General. Where not otherwise provided in the requirements of the International Building Code, International Residential Code, or International Fire Code, permits are required in accordance with Sections A101.2 through A101.9.

* * * *

Section 2. Upon the effective date of this ordinance, the codifier is hereby authorized to renumber the Code in conformance with this adoption.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED BY TITLE ONLY
THIS ___ DAY OF FEBRUARY 2026.

CITY OF GLENWOOD SPRINGS, COLORADO

Marco Dehm, 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
_____ 2026.

CITY OF GLENWOOD SPRINGS, COLORADO

Marco Dehm, Mayor

ATTEST:

Ryan Muse, City Clerk

Colorado Wildfire Resiliency Code

Chapter 1 - Scope and Administration

Part 1 - General Provisions

Section 101 - Scope and General Requirements

101.1 Title.

These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by the City of Glenwood Springs, Colorado, hereinafter referred to as “this code.”

101.2 Scope.

The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises that contain occupiable and/or habitable space, or change in use resulting in an occupiable and/or habitable space, unless excepted, within the wildland-urban interface areas of Colorado, as designated in this code. Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

101.2.1 Appendices.

Provisions in the appendices shall not apply unless specifically adopted.

101.2.2 Factory-Built Structures (nonresidential, residential, and tiny homes).

Structure hardening provisions of this code for factory-built structures as defined by sections 24-32-3302(9), (10), (11), and (35), C.R.S., are in accordance with Rules adopted by the Division of Housing in 8 CCR 1302-1, Rule 2 Codes and Standards.

101.2.3 HUD Code Homes.

Homes built to the HUD Manufactured Home Construction and Safety Standards are exempt from structure hardening requirements on their first installation. Homes built to the HUD Manufactured Home Construction and Safety Standards which are

moved into an applicable Wildfire Resiliency code area are subject to the provisions of this code as required by the authority having jurisdiction (or AHJ).

101.3 Purpose.

The purpose of this code is to establish minimum regulations for the safeguarding of life and for property protection. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.

The unrestricted use of property in wildland-urban interface areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire protection facilities to control the spread of fire in wildland-urban interface areas shall be in accordance with this code.

This code shall supplement the jurisdiction's building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire and life-safety hazards of the wildland-urban interface areas.

101.4 Retroactivity.

The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code and conditions that, in the opinion of the code official, constitute a distinct hazard to life or property.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive.

101.5 Additions or alterations.

Additions or alterations shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided that, when the work increases the footprint of the existing structure by 500 square feet or greater, the addition or alteration conforms to that required for a new building or structure.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive.

Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to

become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

101.6 Roof coverings.

The roof covering on buildings or structures in existence prior to adoption of this code that are replaced or have 25 percent or more of the surface area of the roof replaced, or where work to reconstruct, alter, or repair the roof covering effectively replaces such material, shall require the entirety of the roof covering to be replaced with a roof covering required for new construction specified in Sections 403.2 through 403.2.2.

Exception: Existing roof coverings that are compliant with Section 403.2.

101.7 Exterior walls.

The exterior walls of building or structures in existence prior to adoption of this code where 25 percent or more of the total exterior wall surface area is replaced, or where work to reconstruct, alter or repair the exterior walls effectively replaces the exterior wall material, shall require the entirety of the exterior wall surface area, including attachments, to be replaced with materials required for new construction specified in Section 404.3 through 404.3.2 and the immediate zone within 5 feet of the structure shall be made to comply with Section 503.1.

Exception: Existing exterior walls that are compliant with Section 404.3.

101.8 Maintenance.

Buildings, structures, landscape materials, vegetation, defensible space or other devices or safeguards required by this code shall be maintained in conformance to the code edition under which installed. The owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures, landscape materials and vegetation.

Section 102 – Applicability

102.1 General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code, or any other adopted code, specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.2 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards.

The codes and standards referenced in this code are listed throughout this code. Such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

102.4.1 Conflicts.

Where conflicts occur between provisions of this code and the referenced codes and standards, the provisions of this code shall govern.

102.4.2 Provisions in referenced codes and standards.

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

102.5 Subjects not regulated by this code.

Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or policies adopted by the authority having jurisdiction, compliance with applicable standards of other nationally recognized safety standards, as approved, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the code official to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

102.6 Matters not provided for.

Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code, shall be determined by the code official consistent

with the necessity to establish the minimum requirements to safeguard the public health, safety and general welfare.

102.7 Partial invalidity.

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.8 Existing conditions.

The legal occupancy or use of any structure or condition existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Fire Code or the International Property Maintenance Code, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

102.9 Historic structures.

A variance is authorized to be issued for the repair or rehabilitation of a historic structure or construction of a contributing structure upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure, within the spirit of this code.

Exception: Within wildfire hazard areas, historic structures that do not meet one or more of the following designations:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.
2. Determined as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district.
3. Designated as historic under a state or local historic preservation program.

102.9.1 Historic preservation exemption.

The authority having jurisdiction may establish a historic preservation exemption or exemptions in their jurisdiction that consists of the spirit and intent of this code.

102.10 Work exempt from permit under this code.

Exemptions from code requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other

laws or ordinances of the jurisdiction. Compliance with this code shall not be required for the following:

1. Interior alterations of existing structures.
2. Additions that do not increase the footprint of a structure by more than 500 square feet.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior roof covering of an existing building, when less than 25 percent of the surface area of the exterior roof covering or an attachment thereto is affected.
5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Painting, staining and similar maintenance or restorative work.
7. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
8. Accessory structures and buildings of an accessory character classified as Utility and Miscellaneous Group U (including Agricultural Structures) located more than 50 feet from a structure containing occupiable or habitable space.
9. Fences located more than 8 feet from a habitable structure.
10. Any thirty-five acre parcel with only one residential structure on it that does not abut a residential or commercial area.

Part 2 - Administration and Enforcement

Section 103 - Code Compliance Agency

103.1 Creation of agency.

The Building Department **is** hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

103.2 Appointment.

The code official shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies.

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

Section 104 - Duties and Powers of the Code Official

104.1 Powers and duties of the code official.

The code official is hereby authorized to enforce the provisions of this code.

104.2 Determination of compliance.

The code official shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code.

104.2.1 Technical assistance.

To determine compliance with this code, the code official is authorized to require the owner, the owner's authorized agent or the person in possession or control of the building or premises to provide a technical opinion and report.

104.2.1.1 Costs.

A technical opinion and report shall be provided without charge to the jurisdiction.

104.2.1.2 Preparer qualifications.

The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code

official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.1.3 Content.

The technical opinion and report shall analyze the properties of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management to identify and propose necessary recommendations.

104.2.1.4 Tests.

Where there is insufficient evidence of compliance with the provisions of this code, the code official shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the code official shall approve the testing procedures. Such tests shall be performed by a party acceptable to the code official.

104.2.2 Alternative materials, design and methods.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved.

104.2.2.1 Approval authority.

An alternative material, design or method shall be approved where the code official finds that the proposed alternative is satisfactory and complies with Sections 104.2.2.2 through 104.2.2.7, as applicable.

104.2.2.2 Application and disposition.

Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the code official for approval. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons the alternative was not approved.

104.2.2.3 Compliance with code intent.

An alternative material, design or method of construction shall comply with the intent of the provisions of this code.

104.2.2.4 Equivalency criteria.

An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:

1. Quality.
2. Strength.
3. Effectiveness.
4. Durability.
5. Safety, other than fire safety.
6. Fire safety.

104.2.2.5 Tests.

Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

104.2.2.5.1 Fire tests.

Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.

104.2.2.6 Reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 104.2.2.6.1 and 104.2.2.6.2.

104.2.2.6.1 Evaluation reports.

Evaluation reports shall be issued by an approved agency and use of the evaluation report shall require approval by the code official for the installation. The alternate material, design or method of construction and product evaluated

shall be within the scope of the code official's recognition of the approved agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the code official.

104.2.2.6.2 Other reports.

Reports not complying with Section 104.2.2.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.2.7 Peer review.

The code official is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or method of construction, prepared by a peer reviewer that is approved by the code official.

104.2.3 Modifications.

Where there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided that the code official shall first find that one or more special individual reasons make the strict letter of this code impractical, that the modification is in conformance with the intent and purpose of this code, and that such modification does not lessen health, life and fire safety requirements. The details of the written request and action granting modifications shall be recorded and entered into the files of the code enforcement agency.

104.3 Applications and permits.

The code official is authorized to receive applications, review construction documents and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.4 Access to Property.

For the purpose of inspecting and enforcing the provisions of this code and the terms and conditions of any permit issued under this code, the code official is authorized to enter upon private property at reasonable times and upon reasonable notice for the

purpose of determining compliance with this code and to evaluate conditions relative to the permit application.

104.4.1 Authorization.

The owner or occupant of the property having a permit under this code shall allow the code official access to the property to perform the required inspections. If access is denied, the code official shall apply to the Court with jurisdiction to seek authority to access the property.

104.5 Identification.

The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders.

The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Official records.

The code official shall keep official records as required by Sections 104.7.1 through 104.7.5. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

104.7.1 Approvals.

A record of approvals shall be maintained by the code official and shall be available for public inspection during business hours in accordance with applicable laws.

104.7.2 Inspections.

The code official shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

104.7.3 Code alternatives and modifications.

Application for alternative materials, design and methods of construction and equipment in accordance with Section 104.2.2; modifications in accordance with Section 104.2.3; and documentation of the final decision of the code official for either shall be in writing and shall be retained in the official records.

104.7.4 Tests.

The code official shall keep a record of tests conducted to comply with Sections 104.2.1.4 and 104.2.2.5.

104.7.5 Fees.

The code official shall keep a record of fees collected and refunded in accordance with Section 106.

104.8 Liability.

The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable, either civilly or criminally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of any act or omission in the discharge of official duties.

104.8.1 Legal defense.

Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code or other laws or ordinances implemented through the enforcement of this code shall be defended by legal representatives of the jurisdiction until final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment.

Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

104.9.1 Materials and equipment reuse.

Materials, equipment and devices shall not be reused unless such elements are in good working order and approved.

104.10 Other agencies.

When requested to do so by the code official, other officials of this jurisdiction shall assist and cooperate with the code official in the discharge of the duties required by this code.

Section 105 - Temporary Uses, Equipment and Systems

105.1 General.

The code official is authorized to issue a permit for temporary uses, equipment and systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

105.2 Conformance.

Temporary uses, equipment and systems shall conform to the requirements of this code as necessary to ensure health, safety and general welfare.

105.3 Temporary service utilities.

The code official is authorized to give permission to temporarily supply service utilities.

105.4 Termination of approval.

The code official is authorized to terminate such permit for temporary uses, equipment and systems and to order the same to be discontinued.

Section 106 – Fees

106.1 General.

An AHJ has the authority to establish fees.

Section 107 - Stop Work Order

107.1 Authority.

Where the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

107.2 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall

state the reason for the order and the conditions under which the cited work is authorized to resume.

107.3 Emergencies.

Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

107.4 Failure to comply.

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

Chapter 2 - Definitions

Section 201 - General

201.1 Scope.

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability.

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes.

Where terms are not defined in this code and are defined in other International Codes, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

Section 202 – Definitions

Accessory Structure. A building or structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

Agricultural Building. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

Approved. Acceptable to the code official.

Building. Any structure intended for supporting or sheltering any occupancy.

Class A Tests. Class A Tests are applicable to roof coverings that are expected to be effective against severe fire exposure, afford a high degree of fire protection to the roof deck, do not slip from position, and are not expected to present a flying brand hazard.

Code Official. The official designated by the jurisdiction to interpret and enforce this code, or the code official's authorized representative.

Defensible Space. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

Embellishments. Elements incorporated in design and construction for ornamental or decorative purpose that are not integral to the structure or structural support.

Fire Intensity Classification. The level of fire intensity identified for areas where significant fuel hazards and associated dangerous fire behavior may exist, based upon vegetative fuels, topography, weather conditions, and flame length value.

Fire-Resistance-Rated Construction. The use of materials and systems in the design and construction of a building or structure to safeguard against the spread of fire within a building or structure and the spread of fire to or from buildings or structures to the wildland-urban interface area.

Fire-Retardant-Treated Wood. Fire-retardant-treated wood is any wood product that, when impregnated with chemicals by a pressure process or other means during manufacture, shall have, when tested in accordance with ASTM E84 or UL 723, a listed flame spread index of 25 or less. The ASTM E84 or UL723 test shall be continued for an additional 20-minute period and the flame front shall not progress more than 10.5 feet beyond the centerline of the burners at any time during the test.

Flame Spread Index. A comparative measure, expressed as a dimensionless number, derived from visual measurements of the spread of flame versus time for a material tested in accordance with ASTM E84.

Fuel Modification. A method of modifying fuel load by reducing the amount of nonfire-resistive vegetation or altering the type of vegetation to reduce the fuel load.

Habitable Space. A space in a building for living, sleeping, eating or cooking.

Heavy Timber Construction. As described in Section 602.4 of the 2024 International Building Code.

Home Ignition Zone. Home Ignition Zone (HIZ) is the home and the area around the home (or structure). The HIZ takes into account both the potential of the structure to ignite and the quality of defensible space surrounding it.

Ignition-Resistant Building Material. A type of building material that resists ignition or sustained flaming combustion sufficiently so as to reduce losses from wildfire exposure of burning embers and small flames.

Ignition-Resistant Vegetation. Plants that are less likely to readily ignite from a flame or other ignition source and produce fewer embers. While they can still be damaged by fire, their foliage and stems don't significantly contribute to the intensity of the fire.

Log Wall Construction. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is not less than 6 inches. Log wall construction shall follow requirements of ICC 400.

Multilayered Glazed Panels. Window or door assemblies that consist of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.

Noncombustible. As applied to building construction material means a material that, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire.
2. Any material conforming to ASTM E136 shall be considered noncombustible within the meaning of this section.
3. For the purposes of this code, fire-rated gypsum board tested in accordance with ASTM C1396 with no less than a 1-hour fire-resistance-rating with fire exposure from the outside only is considered a noncombustible material.

Occupiable Space. A room or enclosed space designed for human occupancy in which individuals congregate for amusement, education or similar purposes or in which occupants are engaged at labor.

Roof Assembly. A system designed to provide weather protection and resistance to design loads. The system consists of a roof covering and roof deck or a single component serving as both the roof covering and the roof deck. A roof assembly can include an underlayment, thermal barrier, ignition barrier, insulation or a vapor retarder.

Roof Covering. The covering applied to the roof deck for weather resistance, fire classification or appearance.

Roof Deck. The flat or sloped surface not including its supporting members or vertical supports.

Slope. The variation of terrain from the horizontal; the number of feet rise or fall per 100 feet measured horizontally, expressed as a percentage.

Structure. That which is built or constructed.

Structure Ignition Zone. Structure Ignition Zone (SIZ) is the structure and the area around the structure (or home). The SIZ takes into account both the potential of the structure to ignite and the quality of defensible space surrounding it.

Tree Crown. The primary and secondary branches growing out from the main stem, together with twigs and foliage.

Wildland-Urban Interface. That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.

Chapter 3 - Wildfire Hazard Identification

Section 301 - General

301.1 Scope.

The provisions of this chapter provide methodology to establish and record wildfire hazard based on the findings of fact to be regulated by this code.

301.2 Objective.

The objective of this chapter is to provide simple baseline criteria for determining wildland-urban interface areas based on the wildfire hazard.

Section 302 - Wildland-Urban Interface Area Designations

302.1 Declaration.

The AHJ shall declare the wildland-urban interface areas within the jurisdiction as defined by this code. The wildland-urban interface areas shall be based on the findings of fact.

Section 303 - Mapping and Applicability

303.1 Mapping of Wildfire Hazard Areas.

Wildfire Hazard shall be recorded on official maps. These maps identify areas subject to the provisions of this code and shall be available for public inspection through an accessible online platform and at designated local government offices.

303.1.1 Map.

This map shall be based on a combination of factors including, but not limited to, vegetative fuels, topography, local weather patterns, and fire behavior modeling data.

303.1.2 Locally Developed Mapping.

The AHJ may develop and adopt local maps designating wildfire hazard and fire intensity classifications within its jurisdictional boundaries in accordance with Sections 303.1 through 303.3.

303.2 Fire Intensity Classification.

Fire Intensity Classification shall be identified on the map in accordance with Section 303.1. Fire Intensity Classification is determined by expected wildfire behavior, including flame length and suppression difficulty and is separated into three levels: low, moderate, and high. The identified fire intensity classification establishes code requirements for construction and mitigation.

303.2.1 Low Fire Intensity Classification.

Low Fire Intensity Classification is identified in areas with light to medium surface fuels, such as grasses, shrubs, and scattered low-density vegetation. These fuels are often discontinuous, which limits flame propagation but can sustain burning under moderate weather conditions. Fires in this class may occur on gentle to moderate slopes, where topography begins to influence the rate of spread. Although flame lengths remain relatively small—typically less than two feet—limited spotting may occur, especially with wind. Trained firefighters with protective equipment and standard hand tools can usually suppress these fires through direct attack, particularly on slopes under 30 percent. Mechanized equipment is typically unnecessary.

Key Characteristics Include:

1. Fuels: Light to medium surface fuels, including grasses, shrubs, and scattered vegetation (e.g., WNL, USL fuel types).
2. Flame Length: Less than 2 feet.
3. Rate of Spread: Low, increasing with slopes over 20 percent.
4. Spotting: Very short-range spotting is possible under windy conditions.
5. Terrain Influence: More active fire behavior on moderate slopes (20 to 30 percent).
6. Suppression Difficulty: Easily suppressed by trained firefighters using basic protective gear and hand tools. Direct attack is effective, and mechanized support is rarely needed.

303.2.2 Moderate Fire Intensity Classification.

Moderate Fire Intensity Classification is identified in areas with moderate to heavy fuel loads, such as dense shrubs, small trees, and accumulated ground fuels. Fires in this class present continuous horizontal and vertical fuel arrangements, allowing flames to reach up to 8 feet in length. Fire behavior is notably influenced by moderate to steep slopes, often accelerating the spread. Short-range spotting becomes more

common, complicating suppression efforts. Ground crews typically require mechanized support, such as engines and dozers, to establish control lines. Aircraft assistance may be necessary, particularly in inaccessible terrain. There is a significant increase in the potential for property damage and risk to life, especially in wildland-urban interface areas.

Key Characteristics Include:

1. Fuels: Moderate to heavy fuels, including dense shrublands, small trees, timber litter, and canopy fuels (e.g., USH, UIH fuel types).
2. Flame Length: Up to 8 feet.
3. Rate of Spread: Moderate to high, increasing significantly on slopes over 30 percent.
4. Spotting: Short-range spotting is common.
5. Terrain Influence: Steep slopes (30 percent or greater) increase fire spread and intensity.
6. Suppression Difficulty: Challenging for ground crews without support from engines, dozers, or aircraft. Dozers and plows are generally effective on moderate terrain.

303.2.3 High Fire Intensity Classification.

High Fire Intensity Classification is identified in areas with heavy, continuous fuel loads, such as dense forest canopies, thick understory growth, and heavy dead/downed material. Fires in this class frequently occur on steep slopes, often exceeding 40 percent, where topography dramatically increases the rate of spread and severity. Flame lengths can exceed 30 feet, and both short- and medium-range spotting are common, particularly in windy conditions. Direct suppression by ground crews is typically ineffective, requiring indirect attack strategies, such as backburns and aerial retardant drops. Fires in this class pose extreme risk to life, property, and firefighter safety, especially in rugged or remote areas.

Key Characteristics Include:

1. Fuels: Heavy fuels, including dense forests, urban core areas with heavy fuel loads, and canopy-dominated regions (e.g., WNH, USH, UCH fuel types).
2. Length: Up to 30 feet or more.
3. Rate of Spread: Rapid, especially on slopes greater than 40 percent.

4. Spotting: Short-range spotting is common; medium-range spotting is possible under windy conditions.

5. Terrain Influence: Slopes over 40 percent amplify intensity and spread, creating dangerous conditions for suppression.

6. Suppression Difficulty: Direct attack by ground forces and dozers is generally ineffective. Indirect strategies (backburning, aerial support) are often necessary. These fires present significant danger to life, property, and responder safety.

303.3 Applicability of Code Provisions.

The requirements of this code shall apply to all parcels located within designated Wildfire Hazard Areas and corresponding fire intensity classifications as identified on the official maps. The level of structure hardening, defensible space, and other mitigation measures required shall correspond to the applicable fire intensity classification—Low, Moderate, or High—as established by the board. Structures and parcels identified with low fire intensity classification shall be constructed and maintained in accordance with the provisions for Class 1 structure hardening and site and area requirements.

Structures and parcels identified with moderate to high fire intensity classifications shall be constructed and maintained in accordance with the provisions for Class 2 structure hardening and site and area requirements.

Section 304 - Ground-Truthing

304.1 Purpose.

This section establishes a process for owners or the owners authorized representative to request a ground-truthing review of their property's Wildfire Hazard or fire intensity classification as identified on state or locally adopted maps. The intent is to provide an opportunity to verify that mapping accurately reflects current, site-specific conditions.

304.2 Determination of Fire Intensity Classification and Code Requirements.

As determined by the code official, the fire intensity classification and associated requirements shall be based on a review of the vegetative fuels on the parcel and within 300' of the parcel boundary, topography, local weather patterns, and fire behavior modeling data and in accordance with the following fire intensity classifications:

304.2.1 Low Fire Intensity Classification in accordance with Section 303.2.1

304.2.2 Moderate Fire Intensity Classification in accordance with Section 303.2.2

304.2.3 High Fire Intensity Classification in accordance with Section 303.2.3

This determination shall be made based on existing conditions or conditions that have been established by a development plan approved by the local jurisdiction. Technical documentation shall be submitted in support of such request by a qualified wildfire professional and in accordance with Section 104.2.

Chapter 4 - Structure Hardening

Section 401 – General

401.1 Scope.

Exterior design and construction of new buildings and structures within the wildland-urban interface areas of Colorado shall be constructed in accordance with this chapter.

Exceptions:

1. Buildings of an accessory character classified as Group U occupancy (including agricultural buildings) of any size located at least 50 feet from a structure containing occupiable or habitable space.
2. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior roof covering of an existing building, when less than 25 percent of the surface area of the exterior roof covering or an attachment thereto is affected.
5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Additions that do not increase the footprint of a structure by more than 500 square feet.

Section 402 - Building Material

402.1 Building material.

Building materials shall comply with any one of the requirements in Section 402.2 through 402.4.

402.2 Noncombustible material.

Noncombustible material shall comply with the definition of noncombustible materials in Section 202.

402.3 Fire-retardant-treated wood.

Fire-retardant-treated wood shall be identified for exterior use and shall meet the requirements of Section 2303.2 of the 2024 International Building Code.

402.4 Ignition-resistant building material.

Material shall be tested on the front and back faces in accordance with the extended ASTM E84 or UL 723 test, for a total test period of 30 minutes, or with the ASTM E2768 test. The materials shall bear identification showing the fire test results. Panel products shall be tested with a ripped or cut longitudinal gap of 1/8 inch. The materials, when tested in accordance with the test procedures set forth in ASTM E84 or UL 723 for a test period of 30 minutes, or with ASTM E2768, shall comply with Sections 402.4.1 through 402.4.3.3. Materials or products which melt, drip or delaminate to the extent that the flame front is interrupted are not permitted.

Exception: Materials composed of a combustible core and a noncombustible exterior covering made from either aluminum at a minimum 0.019 inch thickness or corrosion-resistant steel at a minimum 0.0149 inch thickness shall not be required to be tested with a ripped or cut longitudinal gap.

402.4.1 Flame spread.

The material shall exhibit a flame spread index not exceeding 25.

402.4.2 Flame front.

The material shall exhibit a flame front that does not progress more than 10 feet 6 inches beyond the centerline of the burner at any time during the test.

402.4.3 Weathering.

Ignition-resistant building materials shall maintain their performance in accordance with this section under conditions of use. The materials shall meet the performance requirements for weathering (including exposure to temperature, moisture and ultraviolet radiation) contained in Sections 402.4.3.1 through 402.4.3.3, as applicable to the materials and conditions of use.

402.4.3.1 Evaluation requirements for weathering.

Fire-retardant-treated wood, wood-plastic composite materials and plastic lumber materials shall be evaluated after weathering in accordance with Method A

“Test Method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing” in ASTM D2898.

402.4.3.2 Wood-plastic composite materials.

Wood-plastic composite materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation, then weathering in accordance with ASTM D7032 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.

402.4.3.3 Plastic lumber materials.

Plastic lumber materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation, then weathering in accordance with ASTM D6662 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.

Section 403 - Class 1 Structure Hardening

403.1 General.

Class 1 structure hardening shall be in accordance with Sections 403.2 through 403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the wildland-urban interface having a low fire hazard severity.

403.2 Roofing.

Roofs shall have a roof covering or roof assembly classified as Class A when tested in accordance with ASTM E108 or UL 790.

403.2.1 Flame and ember protection of roofs.

For roof assemblies where the roof covering profile creates a space between the roof covering and roof deck, the space shall resist the entry of flames and embers by one or more of the following methods:

1. Firestopping with noncombustible material of the space between the roof covering and the roof deck.
2. Installation of one layer of cap sheet complying with ASTM D3909 over the combustible roof deck.
3. Installation of a listed Class A classified roof assembly.

403.2.2 Roof valley flashings.

Valley flashings shall be not less than 0.019 inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36- inch-wide underlayment consisting of one layer of cap sheet complying with ASTM D3909 running the full length of the valley.

403.3 Gutters and downspouts.

Gutters and downspouts shall be constructed of noncombustible material.

403.4 Ventilation Openings.

Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be in accordance with Section 403.4.1 or Section 403.4.2 as applicable.

403.4.1 Performance Requirements.

Ventilation openings shall be fully covered with listed vents, tested in accordance with ASTM E2886, to demonstrate compliance with all the following requirements:

1. There shall be no flaming ignition of the cotton material during the Ember Intrusion Test.
2. There shall be no flaming ignition during the Integrity Test portion of the Flame Intrusion Test.
3. The maximum temperature of the unexposed side of the vent shall not exceed 662°F (350°C).

403.4.2 Prescriptive Requirements.

Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be covered with noncombustible 404.3corrosion-resistant mesh with openings not to exceed 1/8-inch.

Section 404 - Class 2 Structure Hardening

404.1 General.

Class 2 structure hardening shall be in accordance with Sections 404.2 through 404.10.1 as well as the provisions of Class 1 structure hardening in Sections 403.2-403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the wildland-urban interface having a moderate or high fire hazard severity. See also Sections 101.6-101.7.

404.2 Protection of eaves.

Eaves and soffits shall be protected on the exposed underside by noncombustible material, ignition-resistant materials, or by materials approved for not less than 1-hour fire-resistance-rated construction, 5/8-inch Type X drywall, 2-inch nominal dimension lumber, or 1 inch nominal fire-retardant-treated wood or 3/4 inch nominal fire-retardant-treated plywood, identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 International Building Code. Fascias are required and shall be protected on the backside by noncombustible material, ignition-resistant materials, or by materials approved for not less than 1-hour fire-resistance-rated construction, 5/8-inch Type X drywall, or 2-inch nominal dimension lumber.

404.3 Exterior Walls.

Exterior walls of buildings or structures shall be constructed with one of the following methods:

1. Exterior wall assemblies with a minimum of 1-hour fire-resistance rating, rated for exposure on the exterior side.
2. Approved noncombustible materials.
3. Heavy timber or log wall construction.
4. Noncombustible materials complying with Section 402.2 on the exterior side.
5. Fire-retardant treated wood complying with Section 402.3 on the exterior side. The fire-retardant-treated wood shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 International Building Code.
6. Ignition-resistant materials complying with Section 402.4 on the exterior side. Such material shall extend from the top of the foundation to the underside of the eave or the underside of the roof sheathing.

Exceptions:

1. Exterior wall embellishments and architectural trim (exclusive of trim on exterior windows and doors) not to exceed 5 percent of the square footage of the exterior wall.
2. Roof or wall top cornice projections and similar assemblies.
3. Solid wood rafter tails and solid wood blocking installed between rafters having minimum dimension 2 inch nominal.

404.3.1 Exterior Wall Coverings.

Exterior wall coverings shall be limited to the following:

1. Noncombustible materials.
2. Fire-retardant-treated wood.
3. Ignition-resistant building materials.

Exception: Where options 1 or 2 in section 404.3 are used, vinyl siding may be used as an exterior covering.

404.3.2 Flashing.

A minimum of 6 inches of metal flashing or noncombustible material applied vertically between the wall sheathing and the exterior cladding shall be installed at the ground, decking, and roof intersections. Combustible sheathing products exposed by the gap created at the base of the exterior walls, posts, or columns must be protected with noncombustible material or ignition-resistant building materials while still permitting drainage and moisture control from behind exterior cladding.

404.4 Underfloor enclosure.

Buildings or structures shall have underfloor areas enclosed to the ground or comply with exterior walls in accordance with Section 404.3.

404.5 Decking.

Unenclosed decks shall have the deck walking surface constructed of one of the following:

1. Approved noncombustible materials

2. Class A rated material

Exception: Composite decking material with a minimum of Class B rating

3. Fire-retardant-treated wood identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 International Building Code

4. Ignition-resistant building materials in accordance with Section 402.4.

404.6 Appendages and Projections.

Appendages and projections shall be constructed in accordance with Section 404.3.

404.7 Exterior Glazing.

Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire protection rating of not less than 20 minutes.

404.8 Exterior Doors.

Exterior doors shall be approved noncombustible construction, solid core wood not less than 1 3/4-inches thick, or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 404.7.

Exception: Vehicle access doors.

404.9 Vehicle Access Door Perimeter Gap.

Exterior vehicle access doors shall resist the intrusion of embers from entering by preventing gaps between doors and door openings, at the head, sill, and jamb of doors from exceeding 1/8 inch as approved by the AHJ.

Gaps between doors and door openings shall be controlled by one of the following methods:

1. Weather-stripping products made of materials that:
 - a. have been tested for tensile strength in accordance with ASTM D638 (Standard Test Method for Tensile Properties of Plastics) after exposure to ASTM G155 (Standard Practice for Operating Xenon Arc Light Apparatus for Exposure of Non-Metallic Materials) for a period of 2,000 hours, when the maximum allowable difference in tensile strength values between exposed and non-exposed samples does not exceed 10 percent; and
 - b. exhibit a V-2 or better flammability rating when tested to UL 94 (Standards for Tests for Flammability of Plastic Materials for Parts in Devices and Appliances).

2. Door overlaps onto jambs and headers.
3. Garage door jambs and headers covered with metal flashing.

404.10 Detached Accessory Structures.

Detached accessory structures located less than 50 feet from a building containing habitable or occupiable space shall have exterior walls constructed in accordance with Section 404.3 through 404.3.2.

404.10.1 Underfloor areas.

Where the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 404.3 or underfloor protection in accordance with Section 404.4 or with 1/8-inch metal corrosion-resistant screen with a hardened zone within 5 feet.

Exception: The enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction, heavy timber construction, noncombustible materials on the exterior side, or fire-retardant-treated wood on the exterior side. The fire-retardant-treated wood shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 International Building Code.

Chapter 5 - Site and Area Requirements

Section 501 - General

501.1 Scope.

The provisions of this chapter shall apply to parcels subject to this code.

501.2 Reference.

As needed, the code official shall refer to the Home Ignition Zone (HIZ) Guide as developed by the Colorado State Forest Service.

Where conflicts occur between provisions of this code and the HIZ Guide, the provisions of this code shall govern. The provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

Section 502 - Class 1 Requirements

502.1 Structure Ignition Zone 1 (0-5 feet): Immediate Zone

502.1.1 Objective.

This zone is designed to reduce or eliminate ember ignition and direct flame contact with the structure, decks, stairs, and attachments.

502.1.2 Materials.

Use noncombustible, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth or stone/concrete pavers.

Exception: Ignition-resistant plantings, per an approved list by the AHJ that is not less than that created by the Colorado State Forest Service, are allowed in the Immediate Zone.

502.1.3 Plantings.

Remove all plantings including shrubs, slash, combustible mulch and other woody debris, with the exception of ignition-resistant vegetation.

502.1.4 Trees.

There shall be no planting of new trees in the immediate zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.

Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.

502.2 Site Signage

502.2.1 Marking of roads.

Approved signs or other approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.

502.2.2 Marking of fire protection equipment.

Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the code official to prevent obstruction.

502.2.3 Address markers.

Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner approved by the code official.

502.3 Retaining Walls

502.3.1 Retaining Walls.

Retaining walls shall be constructed with either noncombustible or ignition-resistant materials when any of the following conditions exist:

The retaining wall is within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure.

The retaining wall is integral to the support of a structure regulated by this code.

The retaining wall is integral to the egress from a structure regulated by this code to a public way, easement, or private road.

502.4 Fencing

502.4.1 Fencing.

Fencing within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure shall be constructed with noncombustible or ignition-resistant materials.

Exception: Vinyl fencing. Vinyl fencing may be allowed.

Section 503 - Class 2 Requirements

503.1 General.

Class 2 site and area requirements shall be in accordance with Sections 503.2 through 503.3.2 and include all requirements of Class 1 in Sections 502.1 through 502.4.

503.2 Structure Ignition Zone 2 (5-30 feet) Intermediate Zone

503.2.1 Objective.

This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to structures.

503.2.2 Dead Materials.

Within the fuel modification area, hazardous dead plant material must be removed from live vegetation.

503.2.3 Fuels Accumulation.

Avoid large accumulations of surface fuels such as logs, branches, slash and combustible mulch.

503.2.4 Trees.

Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.

503.2.4.1 Tree Spacing.

Tree crowns within this zone shall be spaced to prevent structure ignition and promote fuel discontinuity to limit fire spread.

503.2.5 Shrubs.

Shrub groups within this zone shall be spaced to prevent structure ignition. Shrubs shall be at least 10 feet away from the edge of tree branches.

503.3 Structure Ignition Zone 3 (30-100 feet) Expanded Zone

503.3.1 Objective.

This zone focuses on mitigation that keeps fire on the ground.

503.3.2 Tree Spacing.

Tree crowns within this zone shall be spaced at a minimum of 6-10 feet.

Appendix A: Permits

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

A101.1 General.

Where not otherwise provided in the requirements of the International Building Code, **International Residential Code**, or International Fire Code, permits are required in accordance with Sections A101.2 through A101.9.

A101.2 Permits required.

Unless otherwise exempted, buildings or structures regulated by this code shall not be erected, constructed, altered, repaired, moved, converted, changed, or changed in use or occupancy unless a separate permit for each building or structure has first been obtained from the code official. For buildings or structures erected for temporary uses, see Section 105.

A101.3 Permit application.

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made.
2. Describe the land on which the proposed work, activity, operation, practice or function is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building, work, activity, operation, practice or function.
3. Indicate the use or occupancy for which the proposed work, activity, operation, practice or function is intended.
4. Be accompanied by plans, diagrams, computation and specifications and other data as required in Appendix B.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant or the applicant's authorized agent.

7. Give such other data and information as required by the code official.

A101.3.1 Preliminary inspection.

Before a permit is issued, the code official is authorized to inspect and approve the systems, equipment, buildings, devices, premises and spaces or areas to be used.

A101.3.2 Time limitation of application.

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

A101.4 Permit approval.

Before a permit is issued, the code official, or an authorized representative, shall review and approve permitted uses, occupancies or structures. Where laws or regulations are enforceable by other agencies or departments, a joint approval shall be obtained from agencies or departments concerned.

A101.5 Permit issuance.

The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the code official is allowed to issue a permit to the applicant.

When the code official issues the permit, the code official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the code official, and work regulated by this code shall be done in accordance with the approved plans.

A101.5.1 Refusal to issue a permit.

Where the application or construction documents do not conform to the requirements of pertinent laws, the code official shall reject such application in writing, stating the reasons therefor.

A101.6 Validity of permit.

The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or conceal the provisions of this code or other ordinances of the jurisdiction shall not be valid.

A101.7 Expiration.

Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Any permittee holding an unexpired permit is allowed to apply for an extension of the time within which work is allowed to commence under that permit where the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The code official is authorized to extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

A101.8 Retention of permits.

Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the code official or other authorized representative.

A101.9 Revocation of permits.

Permits issued under this code can be suspended or revoked where it is determined by the code official that:

1. It is used by a person other than the person to whom the permit was issued.
2. It is used for a location other than that for which the permit was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.
4. The permittee fails, refuses or neglects to comply with any order or notice duly served on him or her under the provisions of this code within the time provided therein.

5. There has been any false statement or misrepresentation as to material fact in the application or plans on which the permit or application was made.

6. The permit is issued in error or in violation of any other ordinance, regulations or provisions of this code.

The code official is allowed to, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

Appendix B: Construction Documents

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

B101.1 General.

Plans, engineering calculations, diagrams and other data shall be submitted in the format as required by the jurisdiction. The construction documents shall be prepared and submitted where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the code official is authorized to require additional documentation.

Exception: Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

B101.2 Information on plans and specifications.

Plans and specifications shall be drawn to scale on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations.

B101.3 Site plan.

In addition to the requirements for plans in the International Building Code, site plans shall include topography, landscape and vegetation details and locations of structures or building envelopes. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted. Identify the fire intensity classification.

B101.3.1 Defensible Space Site Plans.

Defensible space site plans shall be prepared and submitted to the code official for review and approval as part of the site plans required for a permit. The code official is authorized to waive or modify the requirement for a defensible space site plan where the application for permit is for alteration or repair or where otherwise warranted.

B101.4 Other data and substantiation.

Where required by the code official, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

B101.5 Retention of plans.

One set of approved plans, specifications and computations shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work or as required by state or local laws.

B101.6 Examination of documents.

The code official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

B101.7 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and changes made during construction that are not in compliance with the approved documents shall be resubmitted for approval as an amended set of construction documents.

B101.8 Previous approvals.

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

B101.9 Phased approval.

The code official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Appendix C: Inspection and Enforcement

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

C101.1 Inspection.

Inspections shall be in accordance with Sections C101.1.1 through C101.1.4.3.

C101.1.1 General.

Construction or work for which a permit is required by this code shall be subject to inspection by the code official and such construction or work shall remain visible and able to be accessed for inspection purposes until approved by the code official.

It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

Where required by the code official, a survey of the lot shall be provided to verify that the mitigation features are provided and the building or structure is located in accordance with the approved plans.

C101.1.2 Authority to inspect.

The code official shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the code official for the purpose of ascertaining and causing to be corrected any conditions that could reasonably be expected to cause fire or contribute to its spread, or any violation of the purpose of this code and of any other law or standard affecting fire safety.

C101.1.2.1 Approved inspection agencies.

The code official is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

C101.1.2.2 Inspection requests.

It shall be the duty of the holder of the permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

C101.1.2.3 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the code official.

C101.1.3 Reinspections.

To determine compliance with this code, the code official can cause a structure to be reinspected. A fee can be assessed for each inspection or reinspection where work for which inspection is called is not complete or where corrections called for are not made.

Reinspection fees can be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the code official.

To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. Where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

C101.1.4 Testing.

Installations shall be tested as required in this code and in accordance with Sections C101.1.4.1 through C101.1.4.3. Tests shall be made by the permit holder or authorized agent and observed by the code official.

C101.1.4.1 New, altered, extended or repaired installations.

New installations and parts of existing installations that have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose defects.

C101.1.4.2 Apparatus, instruments, material and labor for tests.

Apparatus, instruments, material and labor required for testing an installation or part thereof shall be furnished by the permit holder or authorized agent.

C101.1.4.3 Reinspection and testing.

Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

C101.2 Enforcement.

Enforcement shall be in accordance with Sections C101.2.1 and C101.2.2.

C101.2.1 Authorization to issue corrective orders and notices.

Where the code official finds any building or premises that are in violation of this code, the code official is authorized to issue corrective orders and notices.

C101.2.2 Service of orders and notices.

Orders and notices authorized or required by this code shall be given or served on the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation either by verbal notification, personal service, or delivering the same to, and leaving it with, a person of suitable age and discretion on the premises; or, if such person is not found on the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises and by mailing a copy thereof to such person by registered or certified mail to the person's last known address.

Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.

C101.3 Compliance with orders and notices.

Compliance with orders and notices shall be in accordance with Sections C101.3.1 through C101.3.8.

C101.3.1 General compliance.

Orders and notices issued or served as provided by this code shall be complied with by the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation to which the corrective order or notice pertains.

If the building or premises is not occupied, then such corrective orders or notices shall be complied with by the owner or the owner's authorized agent.

C101.3.2 Compliance with tags.

Building or premises shall not be used when in violation of this code as noted on a tag affixed in accordance with Section C101.3.1.

C101.3.3 Removal and destruction of signs and tags.

A sign or tag posted or affixed by the code official shall not be mutilated, destroyed or removed without authorization by the code official.

C101.3.4 Citations.

Persons operating or maintaining an occupancy or premises subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the code official shall be guilty of a misdemeanor.

C101.3.5 Unsafe conditions.

Buildings, structures or premises that constitute a fire hazard or are otherwise dangerous to human life, or that in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other ordinance, are unsafe conditions. Unsafe buildings or structures shall not be used. Unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to applicable state and local laws and codes.

C101.3.5.1 Record.

The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

C101.3.5.2 Notice.

Where an unsafe condition is found, the code official shall serve on the owner, owner's authorized agent or person in control of the building, structure or premises, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or requires the unsafe structure to be demolished. Such notice shall require the person thus notified, or their designee, to declare to the code official within a stipulated time, acceptance or rejection of the terms of the order.

C101.3.5.2.1 Method of service.

Such notice shall be deemed properly served where a copy thereof is served by one of the following methods:

1. Delivered to the owner or the owner's authorized agent personally.
2. Sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with a return receipt requested.
3. Delivered in any other manner as prescribed by local law.

Where the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent or on the person responsible for the structure shall constitute service of notice on the owner.

C101.3.5.3 Placarding.

Upon failure of the owner, the owner's authorized agent or the person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "UNSAFE" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

C101.3.5.3.1 Placard removal.

The code official shall remove the unsafe condition placard whenever the defect or defects on which the unsafe condition and placarding action were based have been eliminated. Any person who defaces or removes an unsafe condition placard without the approval of the code official shall be subject to the penalties provided by this code.

C101.3.5.4 Abatement.

The owner, the owner's authorized agent, operator or occupant of a building, structure or premises deemed unsafe by the code official shall abate, correct or

cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

C101.3.5.5 Summary abatement.

Where conditions exist that are deemed hazardous to life and property, the code official is authorized to abate or correct summarily such hazardous conditions that are in violation of this code.

C101.3.5.6 Evacuation.

The code official shall be authorized to order the immediate evacuation of any occupied building, structure or premises deemed unsafe where such hazardous conditions exist that present imminent danger to the occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or reenter until authorized to do so by the code official.

C101.3.6 Prosecution of violation.

If the notice of violation is not complied with promptly, the code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

C101.3.7 Violation penalties.

An AHJ has the authority to establish fees.

C101.3.8 Abatement of violation.

In addition to the imposition of the penalties herein described, the code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

2025 Colorado Wildfire Resiliency Code Rollout

Robin Pitt

Fire Marshal

robin.pitt@cogs.us

970-384-6433



Colorado Senate Bill 23-166: THE ESTABLISHMENT OF A WILDFIRE RESILIENCY CODE BOARD



COLORADO
Wildfire
Resiliency
Code Board

The Bill was introduced to the Senate by ***Senators Cutter and Exum*** on February 17th, 2023, passed in both the Senate and House, as amended, and was signed into law by the Governor on May 12th



Key Elements

Established a Wildfire Resiliency Code Board that is required to promulgate rules concerning the adoption and administration of codes and standards for the hardening of structures and parcels in the wildland-urban interface in Colorado



Key Elements

- The bill ***requires a governing body*** with jurisdiction in an area within the wildland-urban interface ***to adopt and enforce a code that meets or exceeds*** the minimum standards of the codes adopted by the board.
- ***Enforcement of the codes*** is done in accordance with the rules and regulations for code enforcement adopted by the governing body.
- If the governing body does not have rules and regulations for code enforcement, the ***governing body may request support from the Division*** to enforce the code.



Key Elements

The Board will be Responsible for:

- Defining the wildland-urban interface and identify areas of the state that are within it;
- Adopting minimum codes and standards based on best practices to reduce the risk to life and property from the effects of wildfires;
- Identifying hazards and types of buildings, entities, and defensible space around structures to which the codes apply; and
- Establishing a process for a governing body to petition the board for a modification to the codes and establish the criteria and process for the board to grant or deny an appeal from a decision of the board on a petition for modification.



Key Elements

The board consists of **21 appointed voting members** with specific government or industry qualifications and **3 non-voting members**, representing 3 State agencies. Appointments are **3-year terms**, with the exception that two-thirds of the initial appointments will be staggered. Members may be appointed for **one additional term**.



Speaker of the House	President of the Senate	Executive Director		Senate Minority Leader	House Minority Leader
Colorado Building Codes Professional: Rural Communities	Colorado Building Codes Professional: Urban Communities	Statewide Organization for Architects	Municipal Representative of Jurisdiction with Code for Wildfire Resilience	Statewide Organization for Home Building Professionals	Municipal Representative: Rural Communities
Statewide Organization for Commercial Building Professionals	County Representative: Urban Communities	Fire Marshal, Fire Chief, or Fire Engineer (x2)	County Representative of Jurisdiction with Code for Wildfire Resilience	County Representative: Rural Communities	Statewide Associate of Property and Casualty Companies
Municipal Representative: Urban Communities	Statewide Association of Non-Profit Utilities	Wildland Fire Behavior or Wildfire Mitigation Science and Strategies Expert	Building Trades Professional		
Investor-Owned Utilities		Colorado Land Use of Community Planning Professional	Nonprofit Home Builder for Affordable Home Ownership		
		Hazard Mitigation Professional			

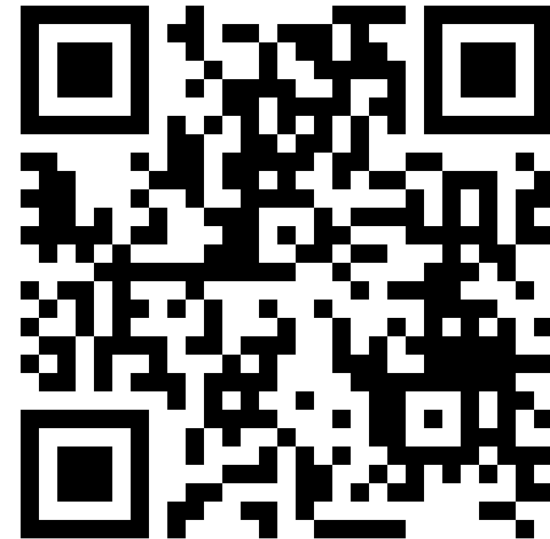


DOWNLOAD YOUR COPIES

Copies of the:

- 2025 Colorado Wildfire Resiliency Code (CWRC)
- The Colorado Regulations (8 CCR 1507-39)
- State Map for the application of the 2025 CWRC

Can all be downloaded for
FREE on our Website
dfpc.colorado.gov/WRCB



2025 Colorado Wildfire Resiliency Code



The code is an adaptation of Chapters 1, 2, 3, and 5 of the [2024 International Wildland Urban Interface Code](#) by the International Code Council (ICC), © 2023 by INTERNATIONAL CODE COUNCIL, INC.

The code also includes limited use and adaption of other standards and guidelines. These include the [2022 NFPA 1140 Standard for Wildland Fire Protection](#) by the National Fire Protection Association (NFPA), © 2023 National Fire Protection Association (NFPA); the [2023 Model Ordinance for Construction in WUI Area](#) by the Insurance Institute for Business and Home Safety (IBHS), and the [2021 Home Ignition Zone](#) Guide by the Colorado State Forest Service (CSFS).

ATTRIBUTIONS

SCOPE

To what does the code apply?

When in the identified WUI, the permitting and Inspections of:

- New construction of structures and defensible space around structures
- Significant alterations/additions/repairs
 - 500sf+ increased footprint of a structure
 - 25%+ of an exterior of a structure affected

To what does the code NOT apply?

- Interior alterations of existing structures
- 35acre+ parcels with only 1 residential structure NOT abutting residential or commercial area
- Exterior painting, staining and similar routing maintenance work
- Fences located more than 8 feet from a habitable structure



APPLICABILITY

*This is a state *minimum* code, as such:

2 levels of code requirements

Class 1 - applies to all areas identified with low fire hazard (yellow)

Class 2 - applies to areas identified with moderate to high fire hazard (orange and red)



MAPPING

Governing bodies shall adopt the state map or develop a local map

State map developed to identify fire hazard throughout CO

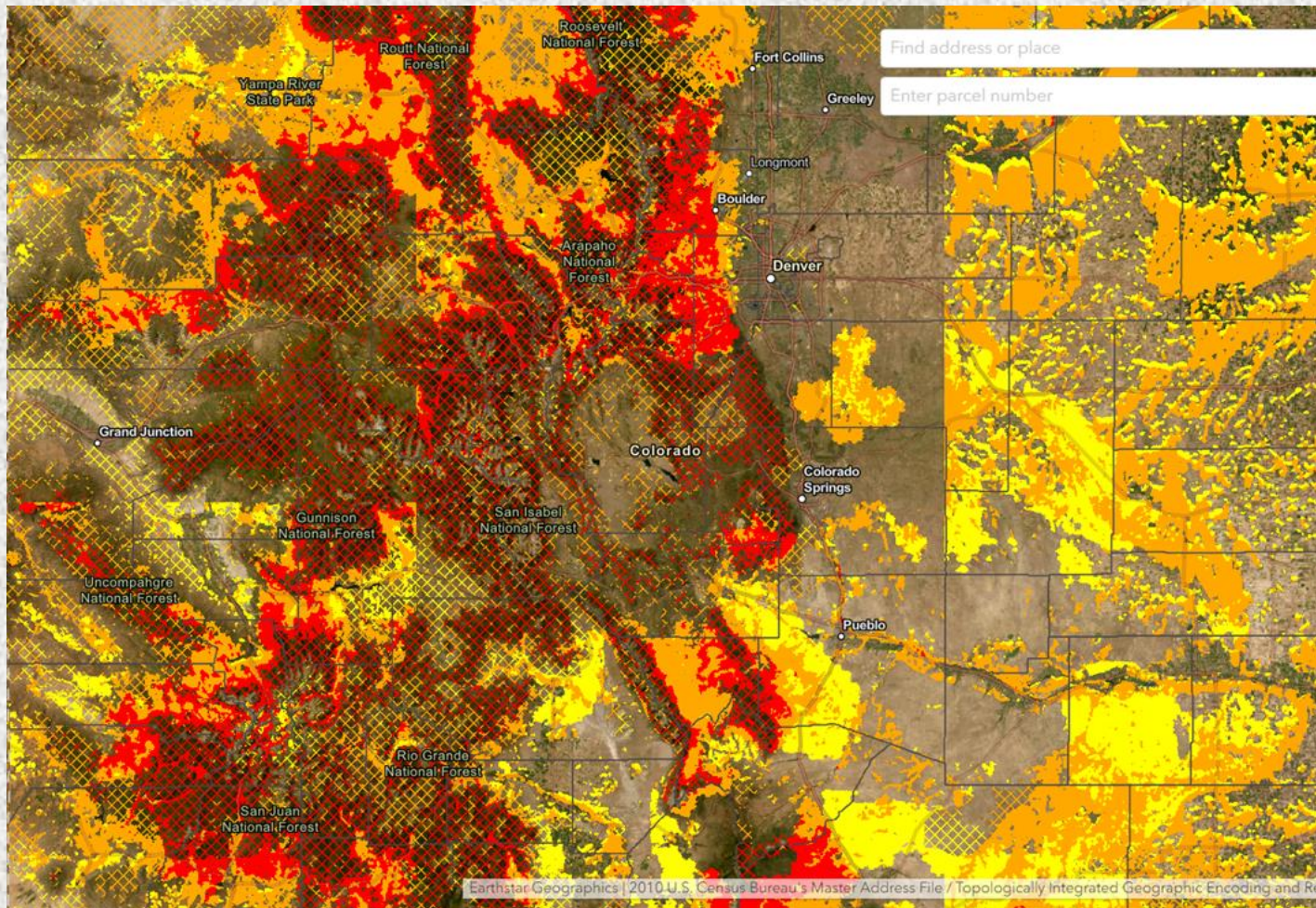
Informed by data modeling that identifies:

- Slope
- >50 fuel types
- 40yrs of critical fire weather

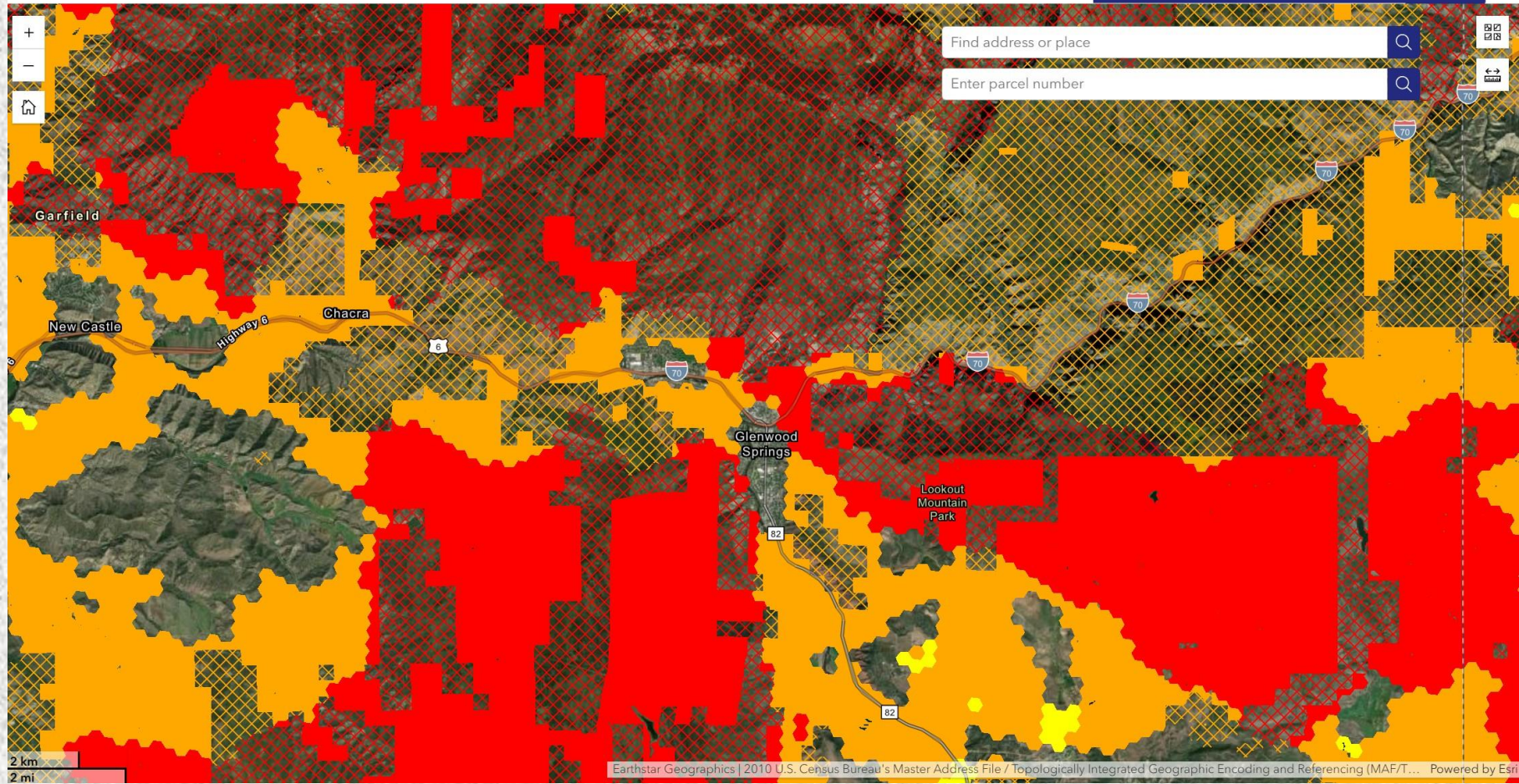
Local map must illustrate information based on actual conditions present that either meets or exceeds the intent of the code.

- Adopted local maps will be valid for 3 years.





MAP



MAP

CODE REQUIREMENTS - Class 1

Class 1 - Structure Hardening

Roofing

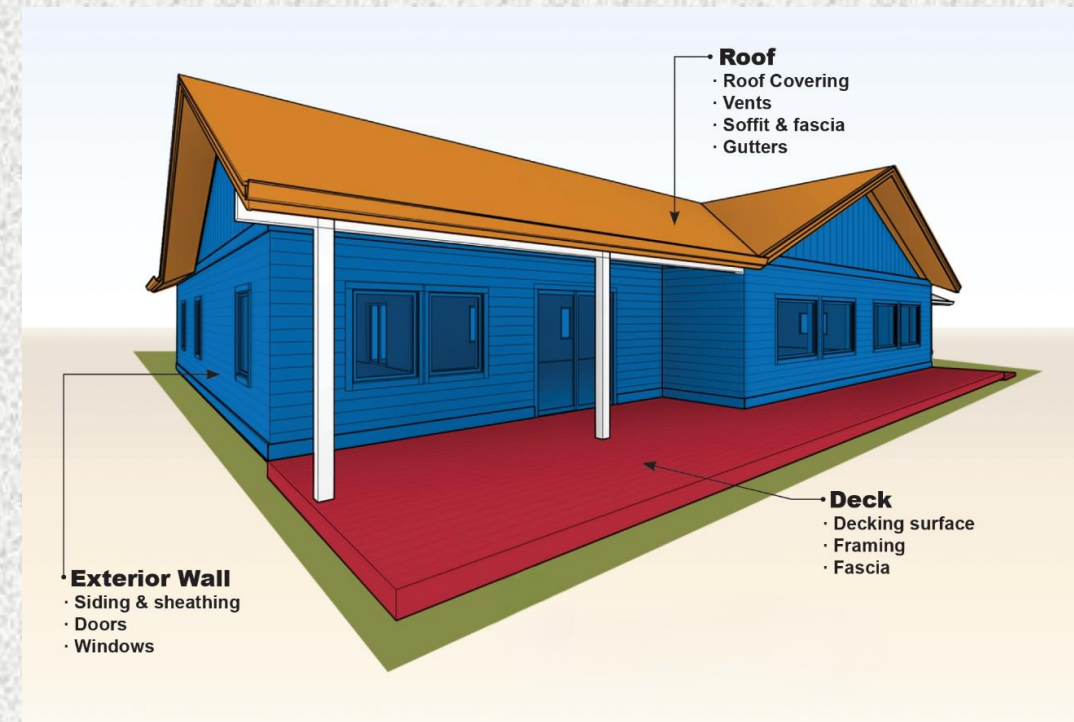
- Class A covering or assembly

Gutters & Downspouts

- Noncombustible materials

Vents

- Ignition-resistant construction
- 1/8" mesh openings



CODE REQUIREMENTS - Class 1

Class 1 - Site Management

Signage & Addressing

- Roads, fire protection equipment, addresses

Retaining Walls

- Noncombustible or ignition-resistant materials within 8' of a structure and for structural support or egress

Fencing

- Noncombustible or ignition-resistant materials within 8' of a structure

Structure Ignition Zone 1

- 0-5' from structure: fuel modification

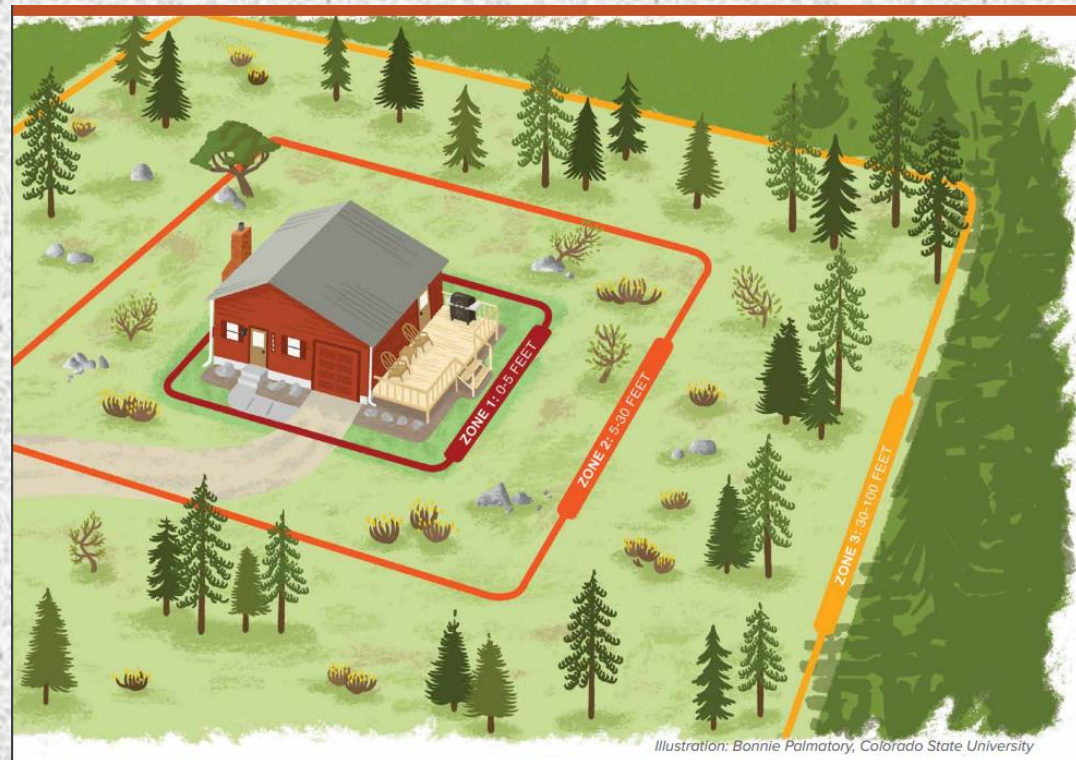


Illustration: Bonnie Palmatory, Colorado State University



CODE REQUIREMENTS - Class 2

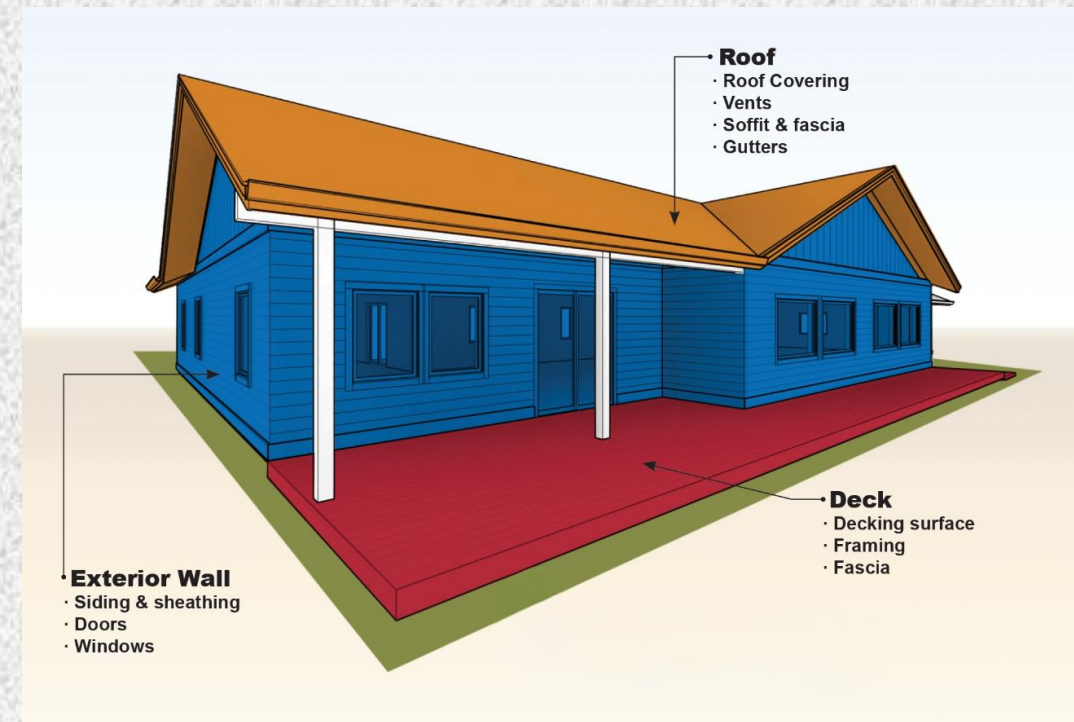
Class 2 - Structure Hardening

Consistent with Class 1:

- Roofing
- Gutters & Downspouts
- Vents

Additional Class 2 requirements:

- Eaves
- Exterior Walls
- Underfloor Enclosures
- Decking
- Appendages & Projections
- Windows & Doors
- Detached Accessory Structures



CODE REQUIREMENTS - Class 2

Class 2 - Site Management

Consistent with Class 1:

- Signage & Addressing
- Retaining walls
- Fencing
- SIZ 1

Additional Class 2 requirements:

- SIZ 2 (5-30' from a structure)
- SIZ 3 (30-100' from a structure)



8 CCR 1507-39

**THE ADOPTION OF MINIMUM CODES AND
STANDARDS FOR
HARDENING STRUCTURES AND REDUCING FIRE RISK
IN THE DEFENSIBLE
SPACE SURROUNDING STRUCTURES IN THE
WILDLAND-URBAN INTERFACE**

REGULATIONS

PURPOSE

The Wildfire Resiliency Code Board (“Board”) will promulgate these rules to accomplish the following:

1. Define the Wildland-Urban Interface and identify the areas of Colorado that are included within it.
2. Adopt minimum Codes and Standards (“Codes”) that apply to permitting and inspections for new construction of structures and the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
3. Adopt minimum Codes and Standards (“Codes”) that apply to new external additions, alterations, or repair to existing structures or the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
4. Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the wildland-urban interface to which the codes apply.
5. Establish the process by which a Governing Body may petition the Board for a modification to the Codes and establish the criteria and process for the Board to deny or grant an appeal from a decision by the Board on a petition for modification.
6. Establish criteria and parameters for expedited consideration or approval of an exemption from the Codes for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.



WHAT'S NEXT?

- **C.R.S. 24-33.5-1237** requires:
 - Local Governing Bodies in an area within the wildland-urban interface to adopt a code that meets or exceeds the 2025 Colorado Wildfire Resiliency Code by **April 1, 2026**.
 - Adopting Governing Bodies must begin enforcing said code **within three months of the date the code is adopted**.
- **SB25-142** was signed into law and allows Governing Bodies to enter into Cooperative Agreements to Enforce the Code



THANK YOU!





City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

- Agenda Item:** Planning File ARC-000130-2025, Minor Site and Architectural Plan 210 8th Street (REQUEST FOR CONTINUANCE TO APRIL 2, 2026)
- Action Requested:** Staff has received a request from the applicant to continue this item to April 2, 2026.
- Department:** Economic and Community Development
- Presented By:** Emery Ellingson
- Strategic Goals:** Generate Sustainable Economic Development
Provide Efficient and Responsive City Government
- Background Info:** Not applicable at this time.
- Issues:** Not applicable at this time.
- Fiscal Impact:** Not applicable at this time.
- Legal Review:** Not applicable at this time.
- Staff Recommendation:** Staff recommends City Council continue the item to the April 2, 2026 regular meeting as requested by the applicant.



City Council
STAFF REPORT
City of Glenwood Springs
March 19, 2026

Agenda Item: Social Event Announcement

Action Requested: Council will announce the location of their social event to take place immediately following the meeting.

Department: City Clerk

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation: