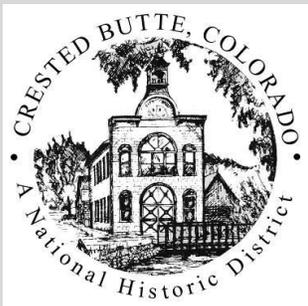


AGENDA
Town of Crested Butte
Regular Town Council Meeting
Monday, November 4, 2019
Council Chambers, Crested Butte Town Hall



Critical to our success is an engaged community and knowledgeable and experienced staff.

Town Council Values

- *Support Crested Butte's quality of life*
- *Promote resource efficiency and environmental stewardship*
- *Encourage a sustainable and healthy business climate*
- *Maintain an authentic and unique community*
- *Remain fiscally responsible*
- *Continue thoughtful management of our historic character*
- *Seek collaborative solutions to regional and local issues*

The times are approximate. The meeting may move faster or slower than expected.

6:00 WORK SESSION

Review of Climate Action Plan.

7:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

7:02 APPROVAL OF AGENDA

7:04 CONSENT AGENDA

- 1) October 21, 2019 Regular Town Council Meeting Minutes.
- 2) Resolution No. 28, Series 2019 - A Resolution of the Crested Butte Town Council Approving the Contract for Use of the Big Mine Ice Arena by Gunnison Valley Hockey Association for the 2019-2020 Winter Season.
- 3) Approval of the 2019 Arbor Day Proclamation and Tree City USA Application for Certification.

The listing under Consent Agenda is a group of items to be acted on with a single motion. The Consent Agenda is designed to expedite Council business. The Mayor will ask if any citizen or council member wishes to have any specific item discussed. You may request that an item be removed from Consent Agenda at that time, prior to the Council's vote. Items removed from the Consent Agenda will be considered under New Business.

7:06 PUBLIC COMMENT

Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record. Comments may be limited to five minutes.

7:12 STAFF UPDATES

7:22 LEGAL MATTERS

7:30 COUNCIL REPORTS AND COMMITTEE UPDATES

7:45 OTHER BUSINESS TO COME BEFORE THE COUNCIL

7:55 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, November 11, 2019 - 2:00PM to 4:00PM New Council Orientation Session
- Monday, November 18, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, December 2, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, December 16, 2019 - 5:00PM Work Session - 7:00PM Regular Council

8:00 ADJOURNMENT



Staff Report
November 4, 2019

To: Mayor Schmidt and Town Council
From: Mel Yemma, Planner I, Town of Crested Butte
Thru: Michael Yerman, Community Development Director
Subject: **Work Session: Climate Action Plan Discussion**

Overview: At the November 4, 2019 Town Council Work Session, Town Staff, Navigant Consulting, and members of the Climate Action Plan committee will present and discuss the Draft Climate Action Plan with the Town Council. The Draft Climate Action Plan is attached and the memo below provides a brief overview of the Town's Climate Action goals, the Climate Action planning process and timeline, and an overview of the strategies included in the plan. Town Staff would like to start the Work Session with a discussion with the Town Council regarding the role that they think the Town should play in acting on climate change.

Climate Action Goals: In 2017, the Town engaged Western Colorado University to develop a greenhouse gas (GHG) inventory for the Town. The Town's 2019 Climate Action Plan (CAP) is focused on policies and projects that the Town will implement and/or partner on to begin to significantly reduce our GHG emissions. While this CAP is focused on emissions reduction strategies, the Town recognizes that it must also increase its work on carbon sequestration efforts including supporting land conservation, regenerative agriculture and local food production. By adopting the plan, the Town of Crested Butte commits to reaching its short-term climate action goals while recognizing that we must do more and work towards becoming a net-zero community by 2030.

Short-Term Goals:

In 5 Years, reduce greenhouse gas (GHG) emissions by (based on 2017 levels):

- (1) 50% for Town's operations
- (2) 25% for the Community at-large

Long-Term Goals:

- (1) Power the Town with 100% renewable electricity by 2030
- (2) Reach net-zero emissions as quickly as possible, and no later than 2030

Climate Action Plan Process: The Town engaged Navigant Consulting to facilitate and develop the CAP with the Town based on their global expertise in conjunction with their local connection, as two members of their team reside in Crested Butte and are actively involved in the local community.

The development of the CAP involved Town Council members, multiple Town Staff departments, and many stakeholders representing various entities and community interests to develop implementation plans to help the Town meet our short-term climate action goals.

CAP Stakeholder Committee

- Nicole DelSasso, *Project Manager (Navigant) & Sustainable CB Representative*
- Mel Yemma, *Project Manager (Town) & Planner I*
- Jim Schmidt, *Mayor*
- Will Dujardin, *Town Council Member*
- Dara MacDonald, *Town Manager*
- Shea Earley, *Public Works Director*
- Dale Hoots, *Facilities Manager*

- Michael Yerman, *Community Development Director*
- John Cattles, *Sustainable Operations Director, Gunnison County*
- Patrick Church, *Precise Painting, Community Representative*
- Kent Cowherd, *Architect, Community Representative*
- Janet Farmer, *Mayor, Mt. Crested Butte*
- Matt Feier, *Director of Planning and Sustainability, Crested Butte Mountain Resort*
- Nola Hadley, *Student, Youth Representative*
- Betsy Kolodziej, *Teacher, Crested Butte Community School*
- Roman Kolodziej, *Council Member, Mt. Crested Butte*
- Chris Larsen, *Transit Manager, Mountain Express*
- Rob Leivo, *Vice President, Marketing, Atmos Energy*
- Jason MacMillan, *Delta Brick and Climate Company, Western MEM Candidate, Community Representative*
- Mike McBride, *Chief Executive Officer, Gunnison County Electric Association*
- Ashley UpChurch, *Executive Director, Crested Butte/ Mt. Crested Butte Chamber of Commerce*
- Todd Wasinger, *Teacher, Crested Butte Community School*

CAP Timeline

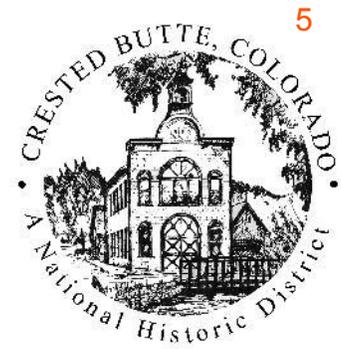
- **June:** Review of Current Town Plans and 2017 GHG inventory
- **July:** CAP Kick-Off
- **July-September:** CAP Stakeholder Meetings and Strategy Prioritization
- **September-October:** Draft CAP Development
- **October 31:** Publish Draft CAP for Community Review
- **October-November:** Presentation of Draft CAP to partnering entities
- **November 4:** Presentation of Draft CAP Town Council Work Session
- **November 22:** Draft CAP Comment Deadline
- **December 4:** Presentation of Final CAP
- **December 16:** Town Council CAP Adoption and Declaration of Climate Emergency

Key Strategies:

Green = Regional Partnership | *Italics = Policy*

<u>Building Energy Use</u> (4,000 mtCO _{2e} reduction potential)	<u>Renewable Energy</u> (8,000 mtCO _{2e} reduction potential)
<p><i>(1) Adopt consistent, county-wide above-building-code guidelines</i></p> <ul style="list-style-type: none"> -Convene county-wide working group to discuss potential of moving toward net-zero building codes <p><i>(2) Mandate building automation technology for commercial and residential buildings in the Town</i></p> <p>(3) Drive and support deep energy retrofits for existing buildings</p> <ul style="list-style-type: none"> -Retrofit Municipal Buildings utilizing Colorado's energy performance contracting program (currently underway) -Support GV-Heat to have their services utilized more in the northern Gunnison Valley -Educate the community of existing programs and rebate opportunities for energy efficiency upgrades -Develop and launch a "Green Deed" program to incentivize energy efficiency retrofits in exchange for deed-restrictions -Discuss an implement an energy benchmarking policy for commercial and for-sale residential buildings 	<p>(1) Enroll the full community in GCEA's Green Power Program</p> <p>(2) Install on-site solar on Municipal Buildings</p> <p>(3) Reduce barriers for community members to access solar energy</p> <ul style="list-style-type: none"> -Seek SolSmart designation and determine ways to reduce barriers to solar (if existing) in current building and zoning codes and guidelines -Work with GCEA to expand the community solar garden <p>(3) Partner with GCEA to construct a local, utility-scale solar array (1-1.5 MW)</p> <p>(4) Support GCEA in constructing a hydro generation plant on the Taylor Dam (200-400 kW)</p>

<p><u>Transportation (1,000 mtCO_{2e} reduction potential)</u></p> <p>(1) Increase electric vehicle (EV) adoption through education, charging stations and prioritized parking</p> <ul style="list-style-type: none"> -Convert Town fleet to electric as vehicles come up for replacement and technology evolves -Support Mountain Express in converting to zero emissions technology -Encourage other governmental fleets and the School District to convert to EV technology <p>(2) Discourage single occupancy vehicle (SOV) use through no-car zones, bike and bus infrastructure</p> <ul style="list-style-type: none"> -Require all Crested Butte lodging establishments to provide bikes and bike parking and educate visitors on how to reduce car use -Work with the School District to encourage parents to not drive to school -Continue to measure river demographics and expand bus routes and hours including new circulator routes -Develop a regional transportation plan to define policies, goals, investments and designs for multi-modal transit infrastructure including parking areas and no-car-zones. 	<p><u>Waste Reduction (100 mtCO_{2e} reduction potential)</u></p> <p>(1) Install an industrial-scale composting facility (or anaerobic digester) and require community-wide composting</p> <ul style="list-style-type: none"> -Conduct regional waste stream analysis and facility feasibility study <p>(2) Implement Policies to reduce waste and work towards becoming a zero-waste community</p> <p>(3) Educate the community about waste reduction and recycling (Sustainable CB)</p> <p>(4) Support community initiatives that reduce waste</p> <ul style="list-style-type: none"> -Support the Crested Butte/Mt. Crested Butte Chamber of Commerce Green Business Stamp Initiative -Incentivize and then enact policy requiring zero-waste plans for all special events
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CRESTED BUTTE CLIMATE ACTION PLAN



Photo: Lydia Stern

Draft
November 2019

A COMMUNITY CALL TO ACTION FROM THE MAYOR



Photo: Lydia Stern

To Our Community,

The Crested Butte Climate Action Plan details the Town of Crested Butte's commitment to taking action on climate change, by identifying aggressive greenhouse gas emissions goals and laying out implementation plans to make these goals a reality. While the actions of the Town will not change the global tide of climate change, the Town plans to be a leader by demonstrating how our local actions can have global impacts. For example, the Town will purchase renewable energy credits for every meter in town in 2020 to demonstrate to our energy provider the community's commitment to supporting their efforts around transitioning to renewables. This is our first step of many, as we work towards installing local renewable energy generation and implementing additional policies and projects that you'll learn about in this plan.

To achieve our goals, our community will need to work together through innovation, breaking down barriers, and igniting change across the State of Colorado, across the United States, and across the world. As a local government, by implementing this plan with new projects, policies, and investments in green infrastructure, we will provide our community with the tools to effect change and inspire local action.

However, the Town cannot act alone. In the end, our success will be defined by the passion of our community. The daily actions taken by our citizens will begin to reshape the global conversation and economy around climate change. Riding our bikes, taking the bus, opting into community solar gardens, energy retrofitting our homes, rethinking our diets, reducing our consumption (not just recycling), and making simple day to day life choices will define our success and demonstrate our commitment.

We are calling on our community to take action with us. By supporting this Climate Action Plan and considering individual changes to our lifestyles, we will, together, act locally, think globally, and ignite change!



Please Join Us,

Jim Schmidt, *Mayor of Crested Butte*

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INTRODUCTION



As a mountain town dependent on snowpack and a thriving outdoor recreation and tourism-based economy, the Crested Butte community views climate change as one of the most important issues facing the Town of Crested Butte (Town) today. Guided by the value of embracing resource efficiency and environmental stewardship, the Crested Butte Town Council set a 5-year goal in 2018 to reduce greenhouse gas (GHG) emissions from the Town's operations by 50% and reduce community GHG emissions by 25%, versus 2017 levels. As its first step, the Town launched the development of a new Climate Action Plan (CAP) in May 2019 to create a roadmap for establishing goals, projects, policies, and implementation strategies to meet this aggressive goal.

The Town has a long history of environmental stewardship and climate action, including, but not limited to:

- Conserving open space in the northern Gunnison Valley
- Promoting electric vehicle (EV) use for Town operations
- Retrofitting Town buildings for energy efficiency considerations
- Updating building codes to increase energy efficiency in the built environment
- Increasing the diversion rate of the waste stream
- Promoting solar installations through multiple avenues

In 2017, the Town worked with the CS2I Lab at Western Colorado University (WCU) to develop an energy, materials, and GHG inventory, which provides a baseline for measuring the Town's progress at reducing future emissions. It also breaks out emissions by sector (e.g., transportation, buildings), revealing where it has the greatest potential for GHG reduction.

At commencement of the CAP process, the Town convened 13 stakeholders representing various local and regional entities and community representatives as part of the CAP committee to ensure comprehensive data collection, broad community support, and aligned and actionable outcomes. While this CAP is specific to the Town and community of Crested Butte, the Town recognizes that strong regional partnerships are critical for implementation. The stakeholders met monthly both as a whole and in subcommittees from July through September to identify GHG reduction strategies with the most potential and to develop implementation plans for each strategy. Stakeholders also met with community residents, businesses, and interested organizations from July through September to discuss the implementation strategies and gain feedback before finalizing the plan.



Photo: Lydia Stern

“We see global warming not as an inevitability but as an invitation to build, innovate, and effect change, a pathway that awakens creativity, compassion, and genius. This is not a liberal agenda, nor is it a conservative one. **This is the human agenda.”**

- Paul Hawken

INTRODUCTION



The Town Council set a 5-year goal in 2018 to reduce GHG emissions from the Town's operations by 50% and reduce community GHG emissions by 25%, versus 2017 levels.

Crested Butte's 5-year commitment is ambitious, but it's just the beginning. The Town is unique in its exclusive mountain location and as a vacation destination with a large second homeowner population. These characteristics also pose GHG reduction hurdles that cities across the US and even other less remote mountain towns do not face. These hurdles include the cost and availability of renewable energy solutions, extreme heating costs due to the high altitude climate, the Town's designation as a National Historic District (which can limit building efficiency), and the prevalence of single-family homes that decrease economies of scale. While the Town's 5-year goals are achievable, they require a renewed focus on the big opportunities available and an innovative eye to what can be accomplished in a very short time given the unique environment. The biggest opportunities for Crested Butte include the following:

- Increasing renewable energy use
- Increasing the efficiency in new and renovated buildings
- Decreasing single-occupancy vehicle use

While determined to not be a large GHG emissions source within the Town itself, the CAP committee additionally included strategies for waste reduction in this plan.

These opportunities are discussed in detail in this document, which includes the following:

- An overview of Crested Butte's GHG emissions opportunities, summarizing the GHG inventory and identifying priority reduction opportunities
- A description of the actions the Town will take to reduce GHG emissions
- A measurement & verification (M&V) checklist to help the Town track progress in implementing the CAP

The Town is committed to achieving results and inspiring action in Crested Butte while collaborating with partners across the region, and building a powerful coalition of people who work on climate change mitigation. While this CAP is the Town's first immediate step toward significantly reducing its GHG emissions in 5 years, the Town is committed to joining the Mountain Towns 2030 commitment by working with the community and other similar mountain towns to achieve 100% renewable electricity for the Town and net-zero carbon emissions as quickly as possible, and by no later than 2030.

Biggest Opportunities

Increasing renewable energy use



Increasing the efficiency in new and renovated buildings



Decreasing single-occupancy vehicle use



GHG EMISSIONS OPPORTUNITIES



While the report serves as a useful platform to build the Town's 2019 CAP, it also highlights opportunities for improved data collection and metric tracking. Crested Butte is unique in climate, economy, and culture, and not easily modeled with generic national or state data.

There are several areas of improvement for the Town to consider, including the following:

Building Energy Use Assessment: Conducting a Town-led study of energy use in the buildings sector will provide a better understanding of emissions based on building type and end-use. This data can then be used to inform building code updates and channel resources for deep energy retrofits toward the highest impact measures.

Transportation Study: The current GHG inventory uses national, state, and county data to predict vehicle type, total miles travelled, and fuel economy for the Town. Additionally, it does not account for non-single occupancy vehicle (SOV) use, including walking, biking, carpools, and public transportation. A commuter study of the Town, augmented by DMV data specific to Crested Butte, will serve to refine these estimates where they may not align with broader datasets. Specifically:

- Average vehicle miles travelled (VMT) per person: Crested Butte's seasonal economy sees employees commuting from outside the Town limits, and may limit the applicability of VMT data at the county level.
- Vehicle fleet characteristics: As a mountain town with snowy roads and popular outdoor recreation, residents likely require different vehicles than the average driver, affecting estimates for fuel economy. Collecting data on vehicle age will provide better insight into vehicle fleet turnover and the potential for increased EV penetration. Finally, understanding the current number of EVs in the Town will provide a critical baseline against which to benchmark strategies promoting EV adoption. These characteristics can be aggregated at the Town level through coordination with the DMV.
- Non-SOV transportation trends: In order to track the progress toward reducing SOV use and promoting alternative modes of transportation, the current commuting and transportation trends of Crested Butte residents must be understood. Examples include creating a baseline for public transportation ridership, calculating the percentage of residents that currently use alternative transportation, and understanding the motivations for those that do not.

Renewable Energy Inventory: Establishing the current rate of solar installation or other local renewable energy generation, will assist the Town in measuring its progress transitioning residents from renewable energy credits (RECs) to local renewable energy generation.

By no means an exhaustive list, this recommended data will enable the Town to develop more nuanced insights into its emissions sources and will provide a strong foundation for critical metrics to accurately track progress toward the Town's current and future climate goals.

Areas of Improvement

Building Energy Use Assessment



Transportation Study



Renewable Energy Inventory



GHG EMISSIONS OPPORTUNITIES



In Crested Butte, the biggest opportunities for GHG reduction exist in the residential/commercial buildings and transportation sectors.

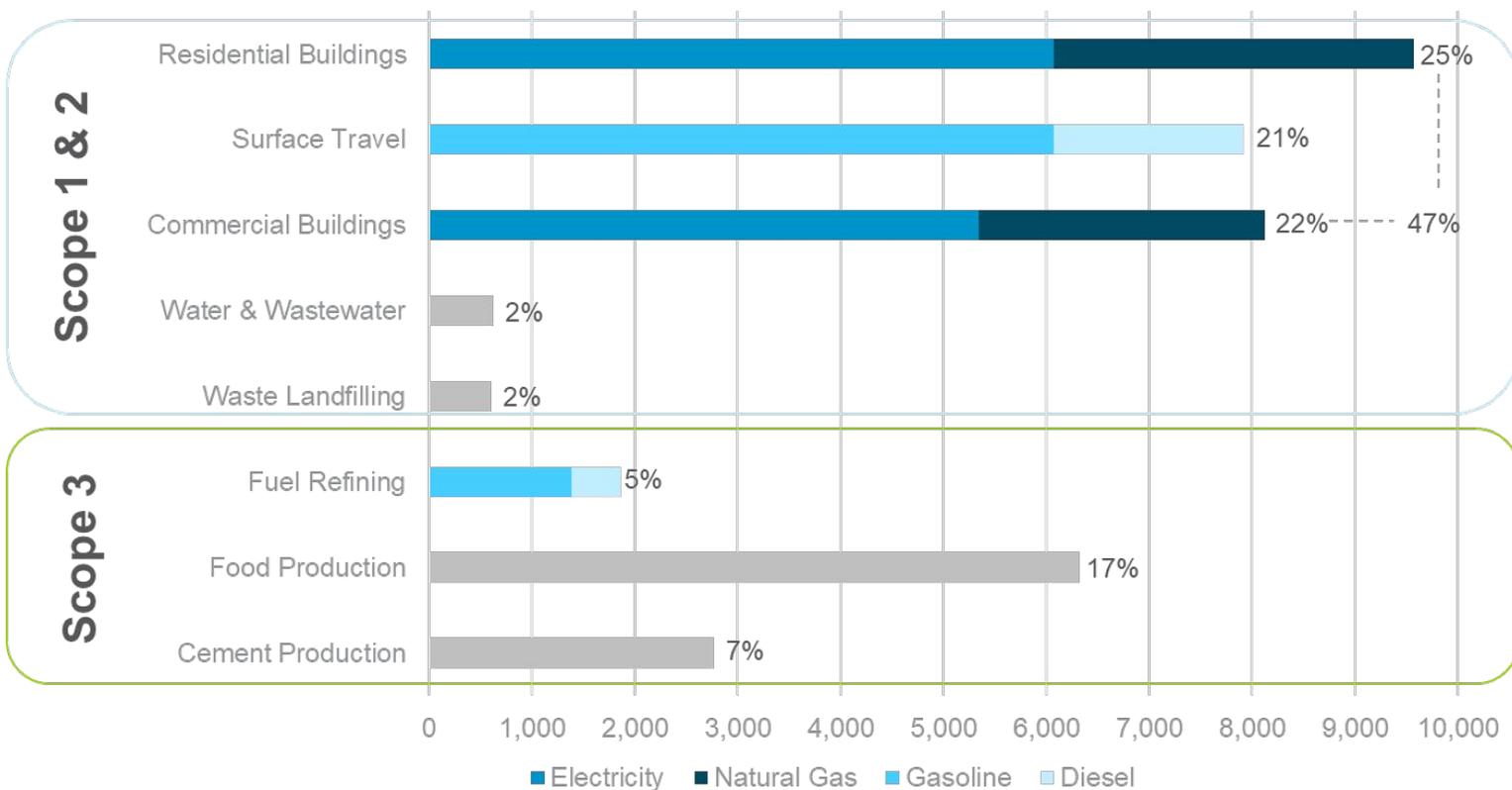
GHG EMISSIONS OPPORTUNITIES



In June 2018, in coordination with Western Colorado University, the Town completed the *Town of Crested Butte, Colorado Energy, Materials, and Greenhouse Gas Emissions Inventory: 2017 Baseline & 2030 Forecast (GHG inventory)*. This GHG inventory calculates GHG emissions for in-boundary activities (scope 1 and 2), which the report defines as the emissions from buildings, surface travel, waste landfilling, and water and wastewater electricity. The GHG inventory also identifies Crested Butte’s GHG footprint, which includes out-of-bounds emissions (scope 3) from fuel refining for transportation, cement production, and food production.

The report estimates total in-boundary emissions for Crested Butte at 26,838 mt CO_{2e} for the 2017 baseline year. These emissions, measured in CO_{2e}, capture six GHGs: CO₂, CH₄, N₂O, HFCs, PFCs, and F₆. These emissions come from five sectors, the largest of which is residential buildings, accounting for 25% of the Town’s baseline.

For the purpose of the CAP, only scope 1 and 2 emissions from the GHG inventory are considered, as the Town has the greatest control over these emissions. However, as the Town progresses in its climate action goals, scope 3 emissions will present a challenging opportunity to engage with stakeholders outside the Town’s borders to support further emissions reductions.



Source: Town of Crested Butte, Colorado Energy, Materials, and Greenhouse Gas Emissions Inventory: 2017 Baseline & 2030 Forecast, Center for Environment and Sustainability Community Solutions Incubation+Innovation (CS2I) Lab, Western Colorado University, June 2018.

During the CAP process GCEA realized it overestimated the residential and commercial GHG numbers it provided for the GHG emissions inventory. Navigant updated the numbers based on new data from GCEA. The graphic above depicts the new numbers and the estimated GHG reduction potential of each mitigation strategy in this Plan is based on the new numbers.

GHG EMISSIONS OPPORTUNITIES



The GHG inventory also projects scope 1 & 2 emissions for the Town for the year 2030. Driven by changes in population, job growth, and decreased GHG intensity for electricity, the forecast anticipates how emissions will change in a business-as-usual scenario. The majority of sectors will experience an increase in overall emissions. Emissions from commercial buildings, surface travel, and landfilling will grow in response to a rising population and larger workforce. Residential buildings, however, will experience an almost 10% decrease in emissions, driven by the expected drop in electricity emissions intensity as a result of a greener electricity supply. Wastewater emissions also decline, again as a result of reduced emissions per kilowatt-hour from the Gunnison County Electric Association (GCEA).

Sector	2017 Emissions (mt CO _{2e})	2030 Emissions (mt CO _{2e})	Percent Change
Residential Buildings	9,575	9,368	-2.2%
Commercial Buildings	8,128	8,577	5.5%
Surface Travel	7,915	9,720	22.8%
Water and Wastewater	620	531	-19%
Landfilling	600	714	14.4%
Total	26,838	28,910	7.7%

Source: Town of Crested Butte, Colorado Energy, Materials, and Greenhouse Gas Emissions Inventory: 2017 Baseline & 2030 Forecast, Center for Environment and Sustainability Community Solutions Incubation+Innovation (CS2I) Lab, Western Colorado University, June 2018.

During the CAP process GCEA realized it overestimated the residential and commercial GHG numbers it provided for the GHG emissions inventory. Navigant updated the numbers based on new data from GCEA. The table above depicts the new numbers.



Photo: Lydia Stern

IMPLEMENTATION PLANS



Reducing GHG emissions by implementing the strategies in this CAP will take collaboration with the community, as well as regional municipalities and organizations. Each strategy is described in detail in the following pages and contains activities that the Town and other organizations will lead.

BUILDING ENERGY USE



Global and statewide perspectives

Global

Buildings consume on average more energy than any other feature of city life, meaning they are among the major contributors to climate change. Buildings have an average lifespan of over 40 years. Looking ahead to the cities of 2050—with hundreds of millions more urban citizens—the decisions made today by mayors, architects, and developers all over the world will have a considerable impact on the future climate.

To deliver on the goals of the Paris Agreement on climate change and mitigate global warming requires urgent action. Going forward, new buildings will need to be net-zero carbon, operating at high levels of energy efficiency and using on and offsite clean energy to meet remaining energy needs. This dictates that most existing buildings must be retrofitted to use significantly less energy and to rely on clean energy supplies.

The strategies to reducing GHG emissions from buildings need to be applied to all buildings, both new and existing. There is not one solution to reducing building energy use. The challenges to expedient solution implementation are colossal, requiring rapid mobilization of supply chains, finance, citizen engagement, building energy use data gathering and reporting, and appropriate planning and building standards enforcement.



Photo: Lydia Stern

Colorado

At the state level, the Colorado Energy Office has enacted new building code policy and offers financial assistance for contractors, homeowners, municipalities, and schools.

House Bill 19-1260 updated the 2007 state law that established a minimum building energy code. Effective August 2, 2019, the law requires local jurisdictions in Colorado to adopt and enforce one of the three most recent versions of the **International Energy Conservation Code (IECC)** upon updating any other building code.

Colorado Commercial Property Assessed Clean Energy (C-PACE) is a financing tool that allows commercial and multifamily property owners to finance qualifying energy efficiency, water conservation, and other clean energy improvements on existing and newly constructed properties, with repayment of the financing through a voluntary assessment on their property tax bill.

The **Colorado RENU Loan** is a statewide residential loan program sponsored by the Colorado Energy Office in partnership with Elevations Credit Union. It makes home energy upgrades easy and affordable by offering low cost, long-term financing for energy efficiency and renewable energy improvements.

The **Energy Savings for Schools (ESS) program** provides technical resources for rural and low-income schools across Colorado to achieve measurable savings and create sustainable energy programs. ESS helps schools implement energy efficiency measures and leverage low to no-cost options to pay for upgrades that yield long-term benefits.

Energy Performance Contracts (EPC) allow facility owners to partner with an energy service company (ESCO) to pay for today's facility upgrades with tomorrow's energy savings—without tapping into capital budgets. Since Colorado first established its EPC program in the 1990s, over 152 public jurisdictions have worked with an ESCO to identify nearly \$35 million in annual utility savings through a technical energy audit. The Town is currently participating in this program with Johnson Controls, Inc. as the selected ESCO.

BUILDING ENERGY USE

Implementation Strategies



Photo: Lydia Stern

Adopt consistent, county-wide above-building-code guidelines.

The Town will collaborate with Gunnison County, Town of Mt. Crested Butte, and the City of Gunnison to determine county-wide, above-building-code guidelines or standards for new buildings in regards to energy efficiency and on-site renewable energy generation.

Mandate building automation technology for commercial and residential buildings.

The Town and the Crested Butte Chamber of Commerce will first incentivize short-term rentals and seasonal business owners to install building automation technology and then enact future policy to require building automation technology for all commercial and residential buildings.

Drive and support deep energy retrofits for existing buildings.

The Town will undertake several initiatives to support deep energy retrofits of existing residential and commercial buildings, including retrofitting municipal buildings, benchmarking requirements for residential and commercial buildings, and energy efficiency incentive programs.

In addition to the Town's actions, local organizations will support this effort with community education and outreach.

BUILDING ENERGY USE



Adopt consistent, county-wide, above-building-code guidelines or standards for new construction

700 mtCO₂e reduced

\$\$

Adopting net-zero building codes for residential and commercial buildings will reduce GHG by 700 mtCO₂e if 10% of Crested Butte buildings are net-zero by 2030.

Activity	Target Date	Resources	Lead Organization
Discuss potential of setting above-building-code guidelines or standards, or standardizing existing comparable programs like passive house.	Spring 2020	Meet with Mt. Crested Butte, Gunnison County, and City of Gunnison.	One Valley Leadership Council, Town of Crested Butte
Convene a working group to discuss and plan for the potential of moving toward net-zero building codes or above current-code requirements.	Winter 2021	Municipal and county community development and building departments, contractors, builders, engineers, etc.	One Valley Leadership Council, Town of Crested Butte
Set above-building-code guidelines or standards.	Spring 2022	Municipal and county community development and building departments, contractors, builders, engineers, etc.	Town of Crested Butte



Net-Zero Buildings

Net-zero buildings are utility grid connected homes that are designed and operated so efficiently that they are able to produce as much energy as they need to operate on an annual basis with clean, renewable energy. Net-zero buildings are more comfortable and healthy due to passive design strategies such as natural ventilation and daylighting, and they have lower operational and maintenance costs and reduce emissions. Although there is no one-size-fits-all approach, best practices can help Crested Butte buildings achieve net-zero.

The following steps are recommended:

1. Set Goals
2. Reduce Energy Loads
3. Select Efficient Equipment
4. Add Renewable Energy
5. Verify Ordinance Compliance



CASE STUDY

Santa Monica Zero Net Energy (ZNE) Ordinance

In December 2016, the Santa Monica City Council adopted a ZNE ordinance that requires low rise residential new construction buildings to be 15% more efficient than 2016 Title 24 and achieve an Energy Design Rating (EDR) of zero, or less (EDR ≤ 0). The ordinance applies to single family homes, including townhomes, and low rise multifamily residential projects less than or equal to three stories. The ZNE ordinance compliments Santa Monica’s previously adopted solar ordinance.

For more information, visit www.sustainablesm.org/greenbuildings.

BUILDING ENERGY USE



Mandate building automation technology for all residential and commercial buildings

400 mtCO₂e
reduced

\$

Technology such as building automation and smart thermostats save between 10% and 20% of a building's energy use. If all homes and businesses in Crested Butte are required to implement building automation technology, by 2030 the Town will save roughly 400 mtCO₂e.

Activity	Target Date	Resources	Lead Organization
Determine the most feasible building automation, sleep mode, and/or smart thermostat technologies to use in Crested Butte, including cost.	Winter 2020		Town of Crested Butte
Research best practices for policy requirements	Winter 2020	Develop a process and timeline for compliance	Town of Crested Butte
Discuss and determine rebate opportunities for building automation technologies.	Winter 2020	Town will discuss the rebate possibilities with GCEA and Atmos Energy	Town of Crested Butte, GCEA, Atmos Energy
Incentivize businesses and short-term rental properties to install building automation and smart thermostat technology.	Spring 2020	Crested Butte/Mt. Crested Butte Chamber of Commerce support.	Town of Crested Butte
Enact policy requiring all residential and commercial buildings install building automation technology.	Winter 2021		Town of Crested Butte
Initiate inspection period to ensure all buildings are in compliance.	Winter 2022		Town of Crested Butte



Building Automation Technology

Building automation technologies control when lighting or HVAC systems are switched on and off. Once installed, these technologies can create a fixed schedule or a limited interval to help optimize how and when energy is used in residences and businesses.



Utility Rebates

Installing controls and building automation may include an upfront cost, but they also provide energy savings that make up for that cost over time. Initial investments are returned within 2-3 years and offer yearly cost savings.

In addition to these savings over time, many utilities offer businesses and homeowners rebates for purchasing energy efficiency equipment such as lighting controls and smart thermostats, which can provide additional benefits including reducing electricity consumption during peak demand periods.

BUILDING ENERGY USE



Drive and support deep energy retrofits for existing buildings

2,700 mtCO₂e
reduced

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If half of all residential and commercial buildings receive a medium retrofit (~30% energy savings) by 2030, Crested Butte will reduce emissions by 2,700 mtCO₂e.

Activity	Target Date	Resources	Lead Organization
Have discussions with GV-Heat to brainstorm ways to increase the utilization of the program in the northern Gunnison Valley and about offering financial incentives to cover the cost of the energy assessment and measure installation (i.e., grants and rebates, tax incentives, green mortgages, loans).	Winter 2020	GV-Heat	Town of Crested Butte
Educate the community about existing programs and rebate opportunities for residential (including short-term rentals) and commercial buildings.	Winter 2020	GCEA, Atmos Energy, GV-Heat, marketing and outreach funding	Sustainable Crested Butte
Increase outreach and targeting of energy efficiency programs that make energy use data more available to building owners (i.e. GCEA SmartHub)	Summer 2020	Support from Town of Crested Butte	GCEA
Conduct Investment Grade Audit of Town municipal facilities and complete retrofitting through an Energy Performance Contract	Fall 2019-Summer 2022	Johnson Controls EPC; Colorado Energy Office support, state and federal grant programs	Town of Crested Butte
Convene a working group of builders and contractors to discuss programming or incentive ideas to drive deep retrofits of existing buildings in the community.	Winter 2021	Building community, Community Development Department	Town of Crested Butte
Engage building owners, managers, and occupants to help brainstorm actions to meet the Town's GHG reduction goal (i.e., green leases, green building rating and certification, competitions, strategic energy management).	Winter 2021	Building owners, managers, and occupants	Town of Crested Butte
Launch a Green InDEED program to incentivize retrofits in exchange for a permanent deed-restriction on a property.	Spring 2021	Town Council approval	Town of Crested Butte
Host a residential fair or showcase to provide examples of energy efficient homes and businesses while showcasing available grants and financing.	Summer 2021	Support from community businesses, homeowners, local organizations	Sustainable Crested Butte
Discuss and implement an energy benchmarking ordinance requiring commercial buildings report energy use annually.	2022	Work with regional jurisdictions and technical consultants to determine feasibility of enacting a consistent, regional benchmarking policy	Town of Crested Butte
Discuss and implement an ordinance mandating energy use disclosure at point of sale for residential homes.	2022	Work with regional jurisdictions and technical consultants to determine feasibility of enacting a consistent, regional energy disclosure policy.	Town of Crested Butte



CASE STUDY

Energiesprong: A Dutch Approach to Deep Energy Retrofits

In 2010, the Dutch government awarded a group called Energiesprong a €40 million (approximately \$50 million, at \$1.24/€) contract to develop deep energy retrofits for residential and commercial buildings in the Netherlands. Six years later, approximately 900 homes had been renovated, successfully demonstrating net-zero performance.

Energiesprong's net-zero retrofit revolution may have started in the Netherlands, but over the last 10 years it has ignited a global movement inspiring similar programs across Europe including the UK, France, Germany, and Italy. New York State Energy Research and Development Authority (NYSERDA) is now adapting Energiesprong thinking in the US with RetrofitNY.

In general, an Energiesprong renovation is financed by future energy cost savings plus the budget for planned maintenance and repairs over the coming 30 years. This allows residents to keep the same cost of living. In the case of housing associations, tenants pay the housing association an energy service plan, which is the equivalent of their previous energy supplier bill. The housing association can use this new income stream to partially fund the renovation.

Independent Energiesprong market development teams work with regulators to tune policy and regulation, and with banks to create financial arrangements to make a viable path to scale. By creating these market contexts while simultaneously brokering initial pilot projects and, subsequently, large volume retrofit deals and the momentum needed for stakeholders to act is created.

For more information, visit <https://energiesprong.org/> and <https://www.nyserda.ny.gov/All-Programs/Programs/RetrofitNY>.



GV-HEAT: A Home Energy Efficiency Program for the Gunnison Valley Community

The Gunnison Valley Regional Housing Authority manages the Gunnison Valley--Home Energy Advancement Team (GV-HEAT), which seeks to make Gunnison Valley homes more energy efficient, affordable, and safe. Through this program, the Housing Authority connects residents to a suite of programs aimed at making homes more energy efficient and comfortable. GV-HEAT administers both income-qualified and non-income qualified programs for the Gunnison Valley.

During CAP implementation, the Town hopes to work with GV-HEAT to increase the utilization of this existing program in the northern Gunnison Valley.

For more information, visit <http://gvrha.org/gv-heat/>.



Photo: Lydia Stern

RENEWABLE ENERGY



Global and statewide perspectives

Global

Addressing global climate change requires the rapid adoption and efficient use of renewable energy sources. A 100% renewable energy target creates an attractive framework for cities to work toward, as it represents a conscious decision to move away from fossil fuels. Several countries have already set national targets to achieve 100% renewable energy, including Costa Rica, Denmark, and Sweden, but the largest number of jurisdictions to adopt a 100% renewable target are municipalities. Cities such as Reykjavik, Iceland and Burlington, Vermont have already achieved that goal in at least one sector. Many other larger global cities have adopted a 100% renewable energy goal in one or more of the electricity, heating and cooling, or transportation sectors. Some of these cities include Vancouver, Munich, Sydney, Hamburg, San Francisco, Barcelona, San Diego, and Malmö.

Cities and towns can dramatically reduce their carbon footprint by purchasing or directly generating electricity from clean, renewable sources. The most common renewable power technologies include solar (photovoltaic, solar thermal), wind, biogas, geothermal, biomass, low impact hydroelectricity, and emerging technologies like wave and tidal power.

Municipalities can lead by example by generating energy onsite, purchasing green power, or purchasing renewable energy. Using a combination of renewable energy options can help meet local government goals, especially in some regions where availability and quality of renewable resources vary, like in Crested Butte. Options for using renewable energy include:

- **Generating renewable energy onsite** using a system or device at the location where the power is used (e.g., PV panels on a building).
- **Purchasing green power** through RECs that represent the technology and environmental attributes of electricity generated from renewable resources.
- **Purchasing renewable energy** from an electric utility through a green pricing program, where buyers pay a small premium in exchange for electricity generated locally from green power resources.

Source: <https://www.renewablecities.ca/about-renewable-cities>

Colorado

Across the US, more than 100 cities, 10 counties, and two states have already adopted 100% clean energy goals. Six cities have already hit their targets, including the City of Aspen located near Crested Butte. *By adopting this CAP, the Town of Crested Butte is setting an additional goal of achieving 100% renewable electricity by 2030.*

Colorado is a leader in renewable energy, with investments in wind, solar, biomass, small hydroelectric, and other renewable energy resources.

Renewable Energy Standard

In 2004, Colorado passed the first voter-led Renewable Energy Standard in the nation, requiring electricity utilities to obtain a percentage of their power from renewable energy sources. The legislature has increased the minimum requirements three times since 2004, spurring the development of hundreds of new renewable energy projects across the state. In 2019, Governor Jared Polis additionally unveiled a roadmap of the state's path to 100% renewable electricity by 2040.

Solar

Colorado leads the nation with nearly 70 community solar projects in operation generating more than 50 MW, and many more in development.

Hydropower

Hydropower systems use the kinetic energy in flowing water to produce electricity or mechanical energy. There are over 60 operating hydropower facilities throughout Colorado with a combined installed capacity of 1,150 MW.

Coal Mine Methane

Coal mine methane is a gas released from coal during and after coal mining operations. As of 2015, one electricity producing coal mine methane project has been developed in Colorado, located over Kebler Pass from the Town of Crested Butte. Oxbow Mining LLC, Vessels Coal Gas, Gunnison Energy LLC, Aspen Skiing Company, and Holy Cross Energy partnered to develop the Elk Creek Mine near Somerset in Gunnison County. This project co-locates a 3 MW power plant and a thermal oxidizer that destroys the remaining methane emissions.

Wind

Wind is the fastest growing energy resource on the grid and is the predominant renewable resource in Colorado.

Source: <https://www.colorado.gov/pacific/energyoffice/renewable-energy-1>

RENEWABLE ENERGY

Implementation Strategies



1,000 mtCO₂e reduced | **\$\$\$**

Onsite, community solar, and power purchase agreements can account for 10% of avoided GHG emissions from electricity. If the Town implements a combination of these strategies, Crested Butte will save 1,000 mtCO₂e. **If the Town reaches its goal of 100% renewable energy, this could account for up to 8,000 mtCO₂e reduction potential.**

Purchase renewable energy certificates for the community. | \$\$ |

As a first step in working towards Crested Butte's renewable energy future, the Town will offset residential and commercial electricity use by purchasing RECs for 100% of Town residents and businesses through GCEA's [green power program](#). Of the purchase, 25% will be put toward a fund for future local renewable energy projects. After this one-time purchase in 2020, the Town will encourage residences and businesses to stay on GCEA's Green Power Program to continue offsetting their energy use. This is a short-term strategy to show the Town's commitment to renewable energy, while the Town works to install local renewable energy generation.

Install solar on Town buildings. | \$\$\$ |

The Town currently offsets 100% of its municipal energy use by purchasing RECs. By 2030, the Town will reduce its dependence on RECs and lead the community in reducing GHG emissions by transitioning the Town's municipal RECs to onsite and utility-scale renewable energy generation. The Town will install onsite renewable energy on some municipal buildings, starting first with the highest energy using buildings. The Town owns many buildings that they lease to community organizations and services (i.e., Center for the Arts, Old Rock Library, Stepping Stones Pre-School) and will lead by example to improve the efficiency of these buildings by adding onsite solar where feasible.

Reduce barriers for community members to access solar energy. | \$ |

The Town and GCEA will work together to expand the community solar garden to provide an affordable opportunity for community members to access solar.

Construct a local, utility-scale solar array. | \$\$\$ |

By 2022, GCEA will construct a 1 MW-1.5 MW solar array and the Town will subscribe to renewable attributes from the array.

Support GCEA in constructing a hydro generation plant. | \$\$\$ |

By 2023, GCEA will construct a 200 kW-400 kW hydro generating facility on the Taylor River dam. The Town will support the construction and subscribe to renewable attributes from the plant.

While these strategies represent local projects that the Town and its partners will implement, the Town recognizes the importance of advocating at the state and federal level for rapid increase in utility-scale renewable energy and will continue its participation in Colorado Communities for Climate Action (CC4CA) in order to do so.

RENEWABLE ENERGY



Purchase renewable energy certificates for the community.

GCEA provides electricity to homes and businesses in Crested Butte. GCEA's power supplier, Tri-State Generation and Transmission, provides GCEA with 32% of its energy from renewable resources including wind, solar, and hydropower. Currently, between 60-68% of Tri-State's energy comes from fossil fuels. Locally, the Town has a few options to increase the percentage of renewable power that is electrifying homes and businesses in Crested Butte: build onsite solar; expand the community solar garden, build a large, utility-scale solar array, develop local hydropower; and purchase RECs.

RECs are tradable, non-tangible energy commodities in the US that represent proof that 1 MWh of electricity was generated from an eligible renewable energy resource (renewable electricity) and was fed into the shared system of power lines, which transport energy. For example, if a business purchases 7 MWh a year from GCEA—which mostly offers a mix of electricity from renewable energy and fossil fuels—and also buys five RECs, the business purchased an amount of renewable energy equal to its electricity consumption. RECs allow for purchasers to support renewable energy generation and are an alternative option when onsite or community renewables are not available. Locally, GCEA provides REC purchase opportunities to its members through their Green Power Program. In addition to the RECs, 25% of the funds collected in the Green Power Program are contributed to local renewable energy project fund.

While RECs are not a guarantee that additional renewable energy is produced that would not have been produced otherwise, purchasing RECs is a first step to show Crested Butte's commitment to renewable energy while the Town works to install local renewable energy sources.

Activity	Target Date	Resources	Lead Organization
Enroll all consumers within Town limits in GCEA's Green Power Program.	January 31, 2020		Town of Crested Butte, GCEA
Prepare monthly reports of Green Power Participation, kilowatt-hour totals and program cost. GCEA will bill the Town.	Monthly beginning in February 2020	To be completed by GCEA.	GCEA
Launch a program for consumers to contribute directly to a local energy development fund to support local renewable energy projects.	March 2020	Marketing and outreach support from Sustainable CB and a CB Community School student organization.	GCEA
Develop a plan for retaining consumer participation in the Green Power Program after the free subscription period. Plan should include retention goals and a plan for communicating with consumers.	March 2020	Marketing and outreach support from Sustainable CB and a CB Community School student organization.	Town of Crested Butte GCEA
Receive Town Council and GCEA Board approval of the communication and transition plan.	May 2020	Town Council and GCEA Board	Town of Crested Butte GCEA
Encourage consumers to stay on the Green Power Program after 2020. The minimal way to support renewable energy is to purchase RECs through GCEA's Green Power Program. The ability to purchase RECs is additionally important for lower income individuals and renters.	December 31, 2020	Marketing and outreach support from Sustainable CB and Crested Butte Community School students. Seek interest from other entities.	GCEA

RENEWABLE ENERGY



Install solar on Town buildings.

Activity	Target Date	Resources	Lead Organization
Identify suitable municipal buildings for solar.	Fall 2019	Johnson Controls investment grade audit for Town buildings and feasibility study (in progress)	Town of Crested Butte
Seek permits and competing bids for construction of the array.	Winter 2020	Energy Performance Contract process	Town of Crested Butte
Complete permitting and construction.	2020-2023	Phased construction over several years	Town of Crested Butte



The Town is initially considering these facilities for roof-top solar installation:

The Town is currently participating in the Colorado Energy Office's Energy Performance Contracting (EPC) program. The Town selected Johnson Controls, Inc. as their energy services company (ESCO) to audit and evaluate energy efficiency and renewable energy opportunities for Town facilities and fleet. The investment grade audit is occurring during the fall and winter of 2019/2020. The Town is currently analyzing the buildings listed below for on-site solar potential:

- Fire Station
- Big Mine Ice Arena
- Nordic Cat Barn
- Stepping Stones
- Center for the Arts
- Marshals' Office
- Town Hall
- Wastewater Treatment Plant buildings
- Public Works buildings



SolSmart

The US Department of Energy Solar Energy Technologies Office funds the SolSmart national designation program recognizing local governments for spurring solar market growth. Its goal is to make it faster, easier, and more affordable to go solar. SolSmart has designated over 275 communities representing over 71 million people. The Town will consider becoming designated in this program as part of CAP implementation.



For more information, visit <https://www.solsmart.org/>.

RENEWABLE ENERGY



Reduce barriers for community members to access solar power.

Activity	Target Date	Resources	Lead Organization
Beginning in 2019, GCEA will offer customers a month to month lease option for the existing community solar option, in addition to the long-term lease already available.	Complete	The community solar garden officially sold out in October 2019.	GCEA
Prepare for the expansion of the existing community solar garden or construction of another facility.	Winter/Spring 2020	Location; County support and potentially neighboring land owners, Crested Butte Community School	GCEA, Town of Crested Butte
Construct the expansion of the community solar garden.	November 2020	Identify local contractor, secure permits. Support from Town of Crested Butte.	GCEA
Encourage consumers to subscribe to the community solar garden and achieve at least an 80% subscription rate.	January 2021	Marketing and outreach support from the Town of Crested Butte, Sustainable CB and the CB Community School, among others.	GCEA
Seek SolSmart Designation and reduce barriers to solar (if existing) in current building and zoning codes.	Spring 2020	The Town has already waived permit fees for solar installation and is currently updating its design guidelines to encourage solar. The Town will determine additional ways to reduce barriers and increase efficiencies for permitting solar.	Town of Crested Butte
Advertise available grants and tax credits to installing rooftop solar.	Fall 2020	Marketing and outreach support from Sustainable CB.	Town of Crested Butte

Renewable Energy Ordinance Framework

It is important the Town provide clear zoning regulations that allow solar energy installations on residential and commercial rooftops by right. Delaware Valley Regional Planning Commission created the Renewable Energy Ordinance Framework: Solar PVA, a resource for municipalities as they develop and update zoning ordinances to govern the siting of small-scale solar PV energy systems in their community. The Town can use this guide to identify ways to regulate solar PV in its zoning codes and other regulations and ordinances in a way that aligns with Crested Butte's local land use and community goals.

For more information, visit

https://www.dvrpc.org/EnergyClimate/ModelOrdinance/Solar/pdf/2016_DVRPC_Solar_REOF_Reformatted_Final.pdf

RENEWABLE ENERGY



Construct a local, utility-scale solar array.

Activity	Target Date	Resources	Lead Organization
Identify a suitable site for a solar array (6 acre minimum).	Winter/Spring 2020	Support from Town of Crested Butte; The Town plans to enter into a Memorandum of Understanding (MOU) to outline its commitment to GCEA in this project	GCEA
Seek permits and competing bids for construction of the array.	Summer/Fall 2020	RFP Process	GCEA
Allocate money from the local renewable development fund if needed and available.	Fall 2020		GCEA
Commit to the purchase of renewable attributes if needed to make the project financially viable.	Fall 2020	Cost and revenue figures from GCEA	Town of Crested Butte
Select a developer.	Winter/Spring 2021	RFP Process	GCEA
Complete permitting and construction.	Summer/Fall 2022		Selected Developer
Subscribe to additional renewable attributes as needed to meet GHG reduction goals.	Winter 2023	Cost and revenue figures from GCEA	Town of Crested Butte

CASE STUDY | Vancouver, Canada

Creekside Community Recreation Centre installed a 15 kW solar PV array. The rooftop solar panels mounted on boat sheds were installed in June 2017 through a joint effort between the City of Vancouver, the North Growth Foundation and Clean Energy Canada. It features 60 solar PV modules on six boat sheds and in its 30-year lifetime, the system will feed about 459,000 kWh of clean electricity back into the grid and offset a portion of the energy used at the Creekside Community Recreation Centre. By installing solar electricity systems on public buildings and in high traffic areas like Creekside, Vancouver aims to help British Columbians get a firsthand look at how solar panel technology works and demonstrate how solar power could help meet the energy needs of homes and businesses across the province.



RENEWABLE ENERGY



Support GCEA in constructing a hydropower generation plant.

Activity	Target Date	Resources	Lead Organization
Complete negotiations with the Uncompahgre Valley Water Users Association (UVWUA).	December 31, 2019	UVWUA	GCEA
Obtain a Lease of Power Privilege from the Bureau of Reclamation.	December 2020	Bureau of Reclamation	UVWUA
Seek permits and competing bids for construction of the facility at the Taylor River Dam.	Winter 2021	Expected RFP process	GCEA
Allocate money from the local renewable development fund if needed and available.	Winter 2021	Fund balance	GCEA
Commit to the purchase of renewable attributes if needed to make the project financially viable.	Winter 2021	Cost and revenue figures from GCEA	Town of Crested Butte
Select a developer.	Spring 2021	RFP	GCEA, UVWUA
Complete permitting and construction.	Summer 2021		Developer
Subscribe to additional renewable attributes as needed to meet GHG reduction goal	Summer 2021	Cost and revenue figures from GCEA	Town of Crested Butte

CASE STUDY | Boulder, Colorado

Since 1985, the City of Boulder hydroelectric program has turned water power into electricity, generated revenue, and provided sustainable, non-polluting electricity. The city owns and operates eight hydroelectric power plants, with one purchased and seven constructed over the last 20 years.

Significant pressure develops as water flows downhill from the city's mountain reservoirs to delivery systems in Boulder. Instead of mechanically reducing the excess pressure, the city converts it into energy by causing the flowing water to spin turbines that spin electrical generators to produce electricity. No fossil fuels are consumed and nothing is emitted in the energy conversion process.

For more information, visit: <https://bouldercolorado.gov/water/hydroelectricity>

WASTE REDUCTION



Global and statewide perspectives

Global

Global waste generation is increasing faster than any other environmental pollutant. Therefore, action in this sector can have a much greater impact on reducing GHG emissions than the current inventories suggest. The International Solid Waste Association estimates that when all waste management actions, including disposal, recycling, composting, and treatment, are considered, the waste sector could cut 10%-15% of GHG emissions globally. When actions to reduce waste generation are also taken into account, the sector could reduce up to 20% of the global emissions.

Food waste is a particularly critical issue. According to the United Nations Food and Agriculture Organization 1.3 billion tons of food is wasted globally each year, representing one-third of all food produced for human consumption.

When food waste decays in landfills, it produces methane, a GHG 87 times more potent than CO₂ at retaining heat in the atmosphere over a 20-year period and already causing 25% of current global warming. Yet when food scraps are separated and treated rather than sent to landfills, they can produce compost to grow new food and enhance the soil's carbon capture capacity to pull CO₂ from the atmosphere, and recover energy through anaerobic digestion and biogas utilization.

For other types of waste, reuse and recycle schemes will reduce the amount of waste sent to landfills or incinerators and can create jobs and economic opportunities for social entrepreneurs and vulnerable communities.

Colorado

In 2018, Colorado created a record 9.3 million tons of waste while its recycling rate was just 12%, which put Colorado far behind the national average of 35% recycling. On average, each Colorado resident throws away nearly 8 pounds of trash per day, or more than 1.45 tons per year. That's more than 8 million tons piling up in Colorado landfills every year.

According to Eco-Cycle, nearly 95% of Colorado's waste could be recycled or composted: the state could recycle 32%, including bottles, cans and paper; 37% could be composted, like grass clippings, food waste and clean wood; and 26% could be reused or recycled through specialized programs for textiles, electronics, construction materials, and other bulky materials.

In 2016, Colorado set its first-ever statewide recycling goals, aiming for 28% by 2021. Achieving 28% would more than double the state's current recycling rate and keep an additional 1.5 million tons of waste out of the landfill every year.



WASTE REDUCTION

Implementation Strategies



Install an industrial-scale composting facility and require community-wide composting.

The Town will look into the feasibility of building a large centralized composting facility or anaerobic digester to collect and process organic materials with a goal to construct a facility and require community-wide composting by 2025.

Educate the community about waste reduction and recycling.

The Town will support initiatives led by the Crested Butte/Mt. Crested Butte Chamber of Commerce, Sustainable Crested Butte, the Tourism Association, and others to educate residents, businesses, and tourists about becoming zero-waste. Getting to zero-waste requires changing everyday human behavior.

Implement policies to reduce waste.

The Town recognizes the importance of enacting waste reduction and recycling ordinances to strive towards becoming a zero-waste community.

Support community initiatives that reduce waste.

Green Business Stamp Initiative

The Green Business Stamp Initiative is a certification program that will be designed and implemented by the Crested Butte/Mt. Crested Butte Chamber of Commerce. The certification provides consumers with proof that community businesses are taking environmental action like reducing energy use, procuring products with less waste, or selling organic products.

Zero-Waste Events

Crested Butte hosts many events throughout the year. The Town will support Sustainable Crested Butte, which can help event organizers reduce waste generated at special events. Zero-waste events reuse various elements such as banners, do not use single serve items, have proper signage for attendees, and have trained volunteers who monitor waste, compost, and recycling bins. For the first year, the Town will incentivize zero-waste events and then will implement an ordinance requiring zero-waste for all permitted special events.

WASTE REDUCTION



Install an industrial-scale composting facility and require community-wide composting.

2,000 mtCO₂e
reduced

\$\$\$

Crested Butte will reduce GHG emissions by 2,000 mtCO₂e if all Crested Butte residents successfully divert organic or biodegradable waste from the landfill by 2030.

Activity	Target Date	Resources	Lead Organization
Conduct analysis of Gunnison County's waste-stream, including the Town of Crested Butte.	Spring/ Summer 2020	Analyze current landfill data from Gunnison County; engage technical expertise to conduct audit of the Town's wastestream	One Valley Leadership Council and/or Town of Crested Butte
Talk with other mountain communities about how they compost (Summit County, Chaffee County, Pitkin County).	Spring 2020	Support from Crested Butte Mountain Resort and Gunnison County	Town of Crested Butte
Explore options with Waste Management for increased waste diversion from landfills.	Spring 2020	Support from Mt. Crested Butte	Town of Crested Butte
Conduct feasibility analysis for constructing a composting facility or anaerobic digester.	Fall 2020/ Winter 2021	Regulatory requirements, land suitability, cost analysis	One Valley Leadership Council and/or Town of Crested Butte and Gunnison County
Engineering, design, and construction of a facility.	2023	Engineering Firm	Town of Crested Butte
Public Outreach to transition community members to composting.	2025	Crested Butte/Mt. Crested Butte Chamber of Commerce, Sustainable CB	Contracted waste firm
Implement composting ordinance requiring residents and businesses to compost.	2026	Town Council approval	Town of Crested Butte

CASE STUDY | Montrose, Colorado

3xM Grinding and Compost, LLC is planning to operate a commercial composting facility that will process material diverted from landfilling operations in five or more counties on Colorado's western slope, turning material into soil amendment for sale to both public and private entities. The business is currently securing necessary approvals from the Colorado Department of Public Health and Environment.

For more information, visit:

https://montrosecounty.granicus.com/MetaViewer.php?view_id=2&clip_id=1251&meta_id=71432

WASTE REDUCTION



Implement policies to reduce waste. | \$ |

Activity	Target Date	Resources	Lead Organization
Enact waste reduction and recycling ordinances to work toward becoming a zero-waste community.	2020-2025	Town Council approval, Waste Management support	Town of Crested Butte

Example Ordinances

San Francisco Department of the Environment, the Commission on the Environment, the Board of Supervisors, and the mayor have all helped adopt policies to promote or require zero waste practices in San Francisco. Here is a list of some of those commitments and policies:

- **Joined the C40 Zero Waste Declaration:** To date, the mayors of Paris, Milan, New York, London, and more than 23 other cities have joined San Francisco in this commitment.
- **Mandated recycling and composting and established enforcement procedures:** San Francisco passed a 2009 ordinance requiring everyone in San Francisco to separate recyclables, compostables, and landfill-bound trash.
- **Set ordinance prohibiting the sale or use of single-use food service ware** made with fluorinated chemicals and certain items made with plastic. This policy requires that food service ware accessories be provided only on request or at self-service stations, and requires reusable beverage cups at events on city property.
- **Food Service Waste Reduction Ordinance:** Prohibits the use of Styrofoam or polystyrene foam food serviceware and requires the use of food serviceware that is compostable or recyclable.
- **Resource Conservation Ordinance:** Requires city departments to prevent waste, maximize recycling, buy products with recycled content and appoint a Zero Waste Coordinator to lead these efforts.
- **Bottled Water Ordinance:** Restricts the sale or distribution on city property of drinking water in plastic bottles of 21 ounces or less, set city policy to increase the availability of drinking water in public areas, and bar the use of city funds to purchase bottled water.
- **Environmentally Preferable Purchasing Ordinance:** Requires an environmentally preferable purchasing program for commodities purchased by the city.



CASE STUDY

European Union

The European Parliament voted overwhelmingly in 2018 to ban single-use plastic items including straws, food containers, and cotton bud sticks, as a way to tackle marine litter and encourage sustainable alternatives.

The Single-Use Plastics Directive will ban products for which alternatives exist on the market, such as single-use plastic cutlery, plates, and items made of oxo-degradable plastics, by the year 2021. EU member states will also have to achieve a 90% collection target for plastic bottles by 2029. The legislation is estimated to avoid around \$25 billion-worth of environmental damages by 2030.

WASTE REDUCTION



Educate the community about waste reduction and recycling. | \$ |

Activity	Target Date	Resources	Lead Organization
Develop outreach materials that show businesses the benefits of waste reduction and recycling.	Fall 2020	Crested Butte/Mt. Crested Butte Chamber of Commerce	Sustainable Crested Butte
Help residences understand what can be re-used, recycled and the benefits of waste reduction and recycling.	Fall 2020		Sustainable Crested Butte
Help residents and businesses reduce their waste generation and bring awareness to residents of recycling and re-use services available to them.	Fall 2020	Building owners and managers, Crested Butte/Mt. Crested Butte Chamber of Commerce	Sustainable Crested Butte
Support the Crested Butte Community School in greater waste reduction and recycling efforts.	Fall 2020	Crested Butte Community School	Sustainable Crested Butte
Develop advertising concepts that move messaging from awareness of waste reduction and recycling programs to fostering behavioral change through action.	Winter 2021	Crested Butte/Mt. Crested Butte Chamber of Commerce, Tourism Association	Sustainable Crested Butte

Recycling Grants and Rebates



Colorado's Recycling Resources Economic Opportunity Program provides funding that promotes economic development through the management of materials that would otherwise be landfilled. Funds are available to support recycling, composting, anaerobic digestion, source reduction, and beneficial use/reuse. Grants and rebates are overseen by the Pollution Prevention Advisory Board and its corresponding Assistance Committee. Since its inception in 2007, the program has awarded nearly \$25 million to businesses, local governments, nonprofit organizations, and schools and universities to help develop recycling infrastructure and promote sustainable behavior change in communities across Colorado.

For more information, visit: <https://www.colorado.gov/pacific/cdphe/recycling-grants-and-rebates>

WASTE REDUCTION



Support community initiatives that reduce waste. | \$\$ |

Green Business Stamp Initiative

Activity	Target Date	Resources	Lead Organization
Distribute a survey to all businesses to assess what actions businesses have already taken, their interest in being certified as a green business, and determine additional actions businesses can take to be greener.	Winter 2020	Contact information for all businesses	Crested Butte/Mt. Crested Butte Chamber of Commerce
Determine certification levels and how to highlight the businesses that become certified.	Spring 2020	Knowledge of how other towns are implementing similar programs	Crested Butte/Mt. Crested Butte Chamber of Commerce
Create assessment forms and pilot the initiative with a few businesses.	Summer 2020		Crested Butte/Mt. Crested Butte Chamber of Commerce
Roll out the initiative to all Chamber members.	Winter 2021		Crested Butte/Mt. Crested Butte Chamber of Commerce

Zero Waste Events

Activity	Target Date	Resources	Lead Organization
Create a zero-waste event toolkit.	Winter 2020	Grant Funding	Sustainable Crested Butte
Determine incentives to encourage events to use the toolkit and be a zero-waste event (Example: Special event permit fees and use of Elk Avenue fees removed).	Winter 2020	Support from Crested Butte/Mt. Crested Butte Chamber of Commerce and Sustainable CB	Town of Crested Butte
Enact policy requiring all special events to be zero-waste	Winter 2020	Support from Crested Butte/Mt. Crested Butte Chamber of Commerce and Sustainable CB	Town of Crested Butte

TRANSPORTATION



Global and statewide perspectives

Global

Transportation is the sector where GHG emissions are rising the fastest. One-third of GHG emissions come from transport, and traffic is the biggest source of air pollution, globally responsible for up to one-quarter of particulate matter in the air. As emissions from private motor vehicle use rise, encouraging greater use of public transport, walking, and cycling, as well as reducing vehicle emissions intensity are some of the most effective actions that communities can take to cut emissions.

Cities can make targeted enhancements to transit, such as introducing bus rapid transit on main arteries, and improving transit service quality, including reduced crowding, increased service frequency, renovating major stations for improved security or adding stations to increase access for underserved areas.

An ideal transit system extends beyond its stations, vehicles, and corridors and is fully integrated within the larger network, from airports and intercity rail, to public bikes and neighborhood walkways. In fast-growing cities, where multiple systems are planned and implemented at the same time, these systems will need to be coordinated to reduce redundancies and maximize the synergies between modes.

Colorado

In Colorado, the transportation sector is projected to account for approximately 33% of CO₂ emissions by 2020.

Colorado is home to approximately 5 million people and 3 million jobs. By 2040, the population is expected to increase by 47% to nearly 7.8 million, with the number of people age 65 and older representing approximately 1.4 million or 18% of the total. Because of these projections, Colorado is facing growing demand for mobility and services throughout the state. Some notable mitigation strategies include:

- **Colorado Revised Statute 42-14-101**, more commonly known as the puffer law, which allows law enforcement officers across the state to immediately ticket individuals who have left a vehicle running unattended for any period of time.

- The **RTD FasTracks Program** is a multibillion dollar comprehensive transit expansion plan to build 122 miles of new commuter rail and light rail, 18 miles of bus rapid transit, 57 new transit stations, 21,000 new parking spaces at light rail and bus stations, and bus service for convenient bus/rail connections across the eight county district. FasTracks is RTD's 2004 voter-approved plan to expand transit across the Denver metro region.
- **Bustang, the CDOT's new interregional bus service**, offers Monday through Friday express transit services to the communities of Fort Collins, Loveland, Denver, Lakewood, Monument, Colorado Springs, Frisco, Vail, Eagle, and Glenwood Springs. Bustang connects major populations, employment centers, and local transit entities while offering commuters more travel choices, alleviating congestion and consequently reducing emissions that contribute to GHG. Bustang currently connects Gunnison County to the Front Range.
- In 2019, the Colorado Air Quality Control Commission voted to adopt an **alternate Zero Emissions Vehicle (ZEV) Rule**. This rule mandates that as of January 2, 2022, automakers must make an increasing minimum percentage of ZEVs available for sale as part of their light-duty fleet.
- In support of the executive order of supporting Colorado's Clean Energy Transition, the State of Colorado released the **Colorado Electric Vehicle Plan** in 2018, which aims to build out key charging corridors to facilitate economic development and boost tourism across the state while reducing harmful air pollution. The overall goal identified in the plan is to have 940,000 electric vehicles on the road in Colorado by 2030.



Photo: Lydia Stern

Source: <https://www.c40.org/networks/mass-transit>

Source: <https://www.codot.gov/programs/environmental/Sustainability/colorado-climate-plan-2015>

TRANSPORTATION

Implementation Strategies



Photo: Xavier Fane

Increase electric vehicle (EV) adoption through education, charging stations, and prioritized parking.

The Town of Crested Butte will work toward converting its entire fleet of vehicles to zero emissions alternatives as vehicles need to be replaced. In preparation, the Town will install additional public charging stations, install priority parking for EVs, and encourage EV use through education.

Discourage single occupancy vehicle (SOV) use through no-car zones, bike and bus infrastructure.

By 2024, the Town and regional partners will develop a regional transportation plan to define policies, goals, investments, and designs for multi-modal transit infrastructure, as well as no-car zones within Town limits.

In the meantime, there are many ways the Town plans to reduce SOV use by making bikes more available to visitors, educating visitors on how to reduce car use, adding an in-town circulator bus, determining feasibility of adding a CB South circulator bus, and continuing to measure bus ridership.

TRANSPORTATION



Increase EV adoption through education, charging stations, and prioritized parking

1,500 mtCO₂e
reduced

\$\$

If 20% of registered vehicles within the Town boundary are EVs by 2030 (using a 2017 baseline), Crested Butte will reduce GHG emissions in the Town by about 1,500 mtCO₂e.

Activity	Target Date	Resources	Lead Organization
Install additional public EV charging infrastructure as EV use grows.	Summer 2020-Ongoing	Partnership with GCEA and funding from Charge Ahead Colorado	Town of Crested Butte
Install priority parking for EVs.	Winter 2022		Town of Crested Butte
Encourage EV use through education: <ul style="list-style-type: none"> Promote the GCEA loaner program and its incentive for home EV charging Create awareness of the Town's EV infrastructure Help residents learn about EV use at altitude Promote GCEA's rebates for installing home charging stations 	Winter 2022	Marketing support from GCEA and Town of Mt. Crested Butte	Town of Crested Butte
Convert Town of Crested Butte fleet to EVs, leading by example, and provide resources to support conversion of Mt. Crested Butte's fleet and the School District bus fleet.	2021-2030	Grants opportunities, Energy Performance Contract with Colorado Energy Office; Volkswagen settlement for EVs	Town of Crested Butte
Convert Mountain Express' fleet to zero emissions alternatives.	2022-2030	Support from Towns of Crested Butte and Mt. Crested Butte; Volkswagen settlement for EVs	Mountain Express

TRANSPORTATION



Discourage SOV use through no-car zones, bike and bus infrastructure

350 mtCO₂e
reduced

\$\$

The Town and supporting organizations will implement multiple strategies, including improved transit, increased walking and biking infrastructure, varied commuter options, education and marketing, and parking management to reduce Crested Butte GHG emissions by about 350 mtCO₂e.

Activity	Target Date	Resources	Lead Organization
Require all Crested Butte lodging establishments provide bikes and bike parking for visitors.	Summer 2020	Involve the Tourism Association and provide options for inexpensive bikes and bike parking; support from Town bike stores for help with annual bike maintenance	Town of Crested Butte
Evaluate the need for additional Mountain Express operating hours during the off season and whether an in-town circulator would increase ridership.	Summer 2020		Mountain Express
Seasonally, educate visitors on how to reduce car use: <ul style="list-style-type: none"> Ask visitors to park their cars while here and ride the bus, walk, or bike Create greater awareness of Mountain Express bus schedules Advertise how to reduce car use through various channels and campaigns 	Summer 2020	Marketing support from Tourism Association and Mt. Crested Butte and Crested Butte/Mt. Crested Butte Chamber of Commerce	Crested Butte/Mt. Crested Butte Chamber of Commerce, Tourism Association, Crested Butte Mountain Resort
Develop a student project to survey students and parents to understand how many students walk, bus, bike, and drive to school, address the reasons for driving to school, and encourage students to walk, bike, or bus to school.	Spring, Summer 2020	Support from the Town of Crested Butte	Crested Butte Community School
Enforce the anti-idling ordinance through education and outreach.	Winter 2021	Support and coordination from Town of Crested Butte	Sustainable Crested Butte
Implement a pilot CB South circulator, measure ridership and determine long-term feasibility.	Winter 2021	Support from Towns of Crested Butte and Mt. Crested Butte	Mountain Express
Continue to measure rider demographics and determine feasibility of adding new routes or additional trips.	Winter 2021	Marketing to support survey completions (i.e., poster on the bus)	Mountain Express and RTA
Develop a regional transportation plan to define policies, goals, investments, and designs for multi-modal transit infrastructure, including parking areas and no-car-zones.	2024	Funding and commitment from municipalities and the Colorado Department of Transportation (CDOT) to develop and implement the plan; use available grants and taxes	One Valley Leadership Council, Towns of Crested Butte and Mt. Crested Butte



CASE STUDY

Aspen, Colorado Microtransit

Parking demand in Aspen's core exceeds the parking spaces available as many visitors lodge in town and opt to drive and park in downtown. This contributes to parking occupancy issues and congestion. The City was looking for first and last mile solutions to reduce the parking demand and congestion.

The City developed Aspen Downtowner, an app-based, on-demand, door-to-door microtransit system that operates in Aspen's core and nearby neighborhoods. The vehicles are electric, heated golf carts that hold seven passengers plus the driver. The service is free of charge and operates from 11 a.m. to 11 p.m. in spring, summer, and fall. It operates from 8 a.m. to 11 p.m. in winter.

The fleet consists of seven vehicles that can carry skis but are not equipped for bicycles. Dogs are allowed on the service, and children must be 5 years or older to ride on the service with adults due to legal restraints requiring car seats. The program has been in place for approximately 2 years and started as a pilot project in 2017. The City recently signed a 5-year contract with the Downtowner vendor and anticipates the service is on its way to becoming a permanent service as a result of the positive feedback from users and 47,000 one-way person trips recorded annually. Downtowner (the vendor) owns and maintains the vehicles, and hires and trains the drivers as well.

The Downtowner is paid for through Aspen's Transportation Fund, which is made up of funds from a lodging tax and a portion of the sales tax. Parking revenues generated also contribute to the City's Transportation Fund. The program cost \$540,000 for 2018-2019, which includes vehicles, drivers, and insurance.

For more information on Aspen's Downtowner program, visit: <https://www.cityofaspen.com/270/Downtowner>

For more information about successful multimodal transportation advancements in resort communities, visit <https://coloradotransit.com/multi-modal-best-practices-study/>

Highlights

Demand exceeds parking space



Positive feedback and use may lead to permanent service

47,000
one-way trips annually

Paid through Aspen's Transportation Fund



MEASUREMENT & VERIFICATION CHECKLIST



M&V are critical steps to the implementation of any Climate Action Plan. Once steps are taken to implement emissions reduction opportunities, M&V allows for an ongoing assessment of the effectiveness of the implemented actions.

MEASUREMENT & VERIFICATION CHECKLIST



Part of developing a successful M&V protocol is identifying the metrics to determine success. When dealing with GHG emissions, identifying these metrics can be particularly challenging because GHG emissions are not directly measurable in most cases, for example, the Town will not be able to directly measure the GHG emissions released out of each individual car's tailpipe.

The metrics on the following page should be collected by the Town annually to evaluate success of the GHG emissions reduction strategies. Reviewing trends will allow the Town to evaluate success and redistribute resources as needed. All M&V metrics may not be reported in full confidence from the start, but efforts should be made in the annual cycle to update and refine estimates as better information becomes available.

Tracking these metrics is the first priority for evaluating progress on the CAP. Beyond these metrics, the Town will also complete a full GHG emissions inventory on a regular basis. Completing an inventory every 2-3 years is an appropriate time frame. At every update, the goal should be set to use internationally recognized methodologies and tools and to update statewide, or nationwide metrics to the extent possible. Using internationally recognized methodologies and tools will allow the Town to benchmark GHG emissions and the overall inventory against other municipalities with similar goals. Updating metrics to local metrics, whenever possible, will allow the Town to develop a more exact inventory to better understand the full footprint of local residents and continue to make positive reductions to GHG emissions.



Photo: Lydia Stern

MEASUREMENT & VERIFICATION CHECKLIST



	Metric	Responsible Party
Building Energy Use	GCEA energy mix, including renewable percentage and carbon intensity	GCEA
	Total energy use for Town of Crested Butte (will need to be normalized for heating degree days and cooling degree days)	GCEA, Atmos Energy
	Percentage of buildings opting to meet above-code guidelines (commercial/residential)	Town of Crested Butte
	Number of buildings receiving a deep energy retrofit	Town of Crested Butte
	Number of buildings installing building automation technology	Town of Crested Butte
Transportation	Number of registered EVs in the Town of Crested Butte	Gunnison County DMV
	Number of EV charging stations installed and energy use at those charging stations	GCEA
	Percentage of rides completed using public transportation (will require a transportation study)	Mountain Express, RTA, and the Crested Butte Community School
	Vehicle miles traveled, personal vehicles (will require a transportation study specific to the Town or County)	Town of Crested Butte
Waste	Percentage of waste that is diverted to composting	Waste Contractor
	Percentage of Town events certified as zero waste	Town of Crested Butte
	Number of businesses that enact zero waste policies or reach highest levels of waste reduction certification	Town of Crested Butte
Renewable Energy	Megawatt-hours of Green Power purchased by Crested Butte residents	GCEA
	Total megawatt-hours of electricity produced through onsite renewable energy in the Town (municipal/commercial/residential)	GCEA
	Total megawatt-hours of renewable electricity produced locally on the grid or in GCEA's power mix.	GCEA
	Percentage of renewable energy produced in low income properties	GCEA

REVIEW OF CRESTED BUTTE EXISTING PLANS



The Town currently adheres to a series of plans with different implications for the future CAP. While none of these plans pose quantifiable limitations to this CAP and the Town of Crested Butte achieving its emission reduction goals, understanding the current strategic landscape of the region will allow for smoother implementation and greater success.

REVIEW OF CRESTED BUTTE EXISTING PLANS



At the County level, the Gunnison County Strategic Plan and Gunnison Valley Housing Needs Assessment should be considered to ensure the CAP's strategies align with the priorities and goals of the County. This alignment will make for more robust and scalable solutions and greater buy-in from Crested Butte's neighboring localities. Locally, the Transportation Plan, Affordable Housing Plan, and Waste Management documents can serve to help identify CAP strategies that produces co-benefits to the region in addition to reaching the Town's emission reduction goals. Finally, past and current Crested Butte sustainability activities must be scrutinized for their successes and challenges and built upon or updated and incorporated into the CAP as appropriate.

Gunnison County Strategic Plan

This county-wide 2018 Plan seeks to provide focused direction and mechanisms for measuring progress in County activities and goals. The strategic results laid out in the Plan align with the One Valley Prosperity Project strategy and require cooperation with other local jurisdictions, agencies and individuals.

Gunnison Valley Housing Needs Assessment

These documents reveal the current housing conditions and future housing needs in the Gunnison Valley, of which Crested Butte is a part of the North Valley region. Published in 2016, it looks ahead to 2020 and quantifies housing market conditions, accounting for job growth, economic conditions, and demographics, to estimate the number of additional units needed.

Town of Crested Butte Sustainability Projects

A snapshot of Crested Butte's online communication around past and current sustainability projects.

Town of Crested Butte 5-Year Affordable Housing Plan

The Town of Crested Butte updates its affordable housing plan every year to plan out projects and goals for the next five years. Moving forward, Town affordable housing projects will incorporate the Town's climate action goals.

Town of Crested Butte Municipal Code, Deconstruction and Recycling Plan

This code requires that all demolition of existing structures in excess of 1,000 square feet submit a deconstruction and recycle plan for approval by the Building Official. There is potential to update the Plan to account for GHG emissions as well as waste, such as those from equipment and transportation associated with demolition activities.

Town of Crested Butte Transportation Plan and Town Vehicle List

Crested Butte's preliminary 2014 Transportation Plan addresses the goals, policies, funding, and issues affecting mobility in Crested Butte. It also provides a 2035 traffic volume forecast and reports the effect of this increased traffic on mobility services. The Town Vehicle List lists the characteristics of the Town's vehicle fleet.

Refuse and Recycling Agreement and Monthly Recycling Reports

These documents outline the current waste management codes and contracts for the Town of Crested Butte. Monthly reports provide the Town's recent recycling rate and resulting GHG emissions savings.

The Navigant team organized the results of their research by GHG reduction area and described their findings to Town Staff. These findings were shared with the CAP committee and were then utilized to guide selection of GHG reduction strategies and development of the implementation plans.

REVIEW OF CRESTED BUTTE EXISTING PLANS



Building Energy Use

Document	Finding	Climate Action Plan Considerations
Town of Crested Butte Sustainability Projects (from website)	The Town upgraded select municipal buildings with new lighting, boilers, and insulation, and installed smart meters at the water and wastewater plants to gain a better understanding of facility energy use, as well as participated in programs from the Governor's Office for Energy Management and Conservation.	Determine which of the Governor's Office programs are in alignment with CAP strategy and how they can be incorporated into the Plan.
Gunnison County Strategic Plan	By December 31, 2020, the County courthouse and the Health and Human Services building will receive third-party certification and recognition from ENERGY STAR, LEED, or other independent organization.	Should we build on this momentum in county green building certification by selecting a standard (e.g., LEED Gold) for all municipal buildings to adhere to by 2022?
	By December 31, 2030, Gunnison County will work to reduce energy use impacts and lower GHG emissions by 20% from 2005 levels for residential and commercial new and existing buildings by reducing the energy use intensity of buildings.	Learning opportunities from Gunnison County regarding what they have already implemented to work towards their GHG reduction goal.
Gunnison Valley Housing Needs Assessment and Supporting Documents	Up to 330 homes in the North Valley (Crested Butte and Mt. Crested Butte) were identified as being in Fair/Poor condition. Among respondents, energy efficiency improvements such as insulation and windows are the most common needed.	Consider this housing stock as the most likely target for emissions reductions.
	Aging rental inventory was identified as a critical barrier for the Valley, with the inability of lower income homeowners to make necessary repairs and upgrades.	There could be alignment between the need to update rental stock and the CAP desire to reduce energy. Also consider strategies to increase energy efficiency improvement projects amongst lower income homeowners by assisting in the upfront cost of projects.
	Weatherization and Home Improvement Loan programs are available for households below 80% area median income. This program has been used only occasionally.	Promote this program to boost participation, since the survey data shows homes in fair and poor condition are most often in need of energy efficiency upgrades.
	Energy efficiency was indicated as being moderately desired compared to other housing amenities. A garage, storage, pets allowed, in-unit laundry, and yard space all ranked Highly Preferred.	Retrofitting existing buildings to be more energy efficient has the co-benefit of making them more attractive to tenants. However, this is not a tenant's top concern when looking for a new housing. Consider education to make it more relevant to those looking to rent or buy a home.
	Parking, minimum unit size, setback, and open space requirements limit the feasibility of high density housing.	High density housing is often more energy efficient and affordable. Could we update these requirements to align with the need for housing and emissions reductions?
	Up to 960 new units are predicted to be needed by 2020 in the combined Valley and about 45% of those are predicted to need additional support outside of the traditional market to aid development such as updated policies, funding, and collaborative strategies.	If there are green building codes homes will be more expensive; because of that, the 45% may increase, meaning more houses will require support by government incentives. However, this does provide an opportunity for housing to be built to high sustainability standards.
	Of houses in the Valley, 52% are heated by non-electric means.	About half of all homes represent potential emissions savings from switching to electric heat.

REVIEW OF CRESTED BUTTE EXISTING PLANS



Transportation

Document	Finding	Climate Action Plan Considerations
Transportation Plan and Supporting Documents	<p>Goal: Maintaining a safe pedestrian and bike-oriented community where use of a car is optional.</p>	<p>Potential area of alignment between CAP stakeholder priority to reduce SOV use and Transportation Plan goals.</p>
	<p>Goal: Free parking that allows visitors and residents to walk, bike, or take transit to destinations around town.</p>	<p>New or updated parking infrastructure represents opportunity for construction of public EVSE to support greater EV penetration in the Town, and the potential to decrease SOV use if properly sited.</p>
	<p>Traffic analysis projects 27% total growth in volume entering Crested Butte on SR135 by 2035, increased congestion on Elk Avenue, and several intersection failures.</p>	<p>Growth in traffic into and within Crested Butte represents increased GHG emissions from transportation. We need to account for this increase when understanding how transportation GHG emissions will trend. They may go up despite efforts if the number of new cars on the road outpaces the savings from the CAP strategies.</p>
	<p>GCEA efforts include an EV loaner program and promotion and installation of charging stations.</p>	<p>Work with GCEA to align CAP strategies with current efforts and resources.</p>
	<p>Identified funding mechanisms for transportation projects are a highway use tax fund, a 1% transportation sales tax, a mill levy property tax, CDOT funding, and other grants. Voter-approved bonds can fund one-off projects.</p>	<p>Established funding mechanisms should be reviewed for alignment, limitations, and opportunities to support CAP transportation goals and strategies.</p>
	<p>Planned projects with possible CAP alignment:</p> <ul style="list-style-type: none"> • Parking structure • New sidewalks • Completion of Perimeter Trail • Expand bus service: CB South service, late night service to Gunnison, continue to Gothic, special event service, regional bus to connect to Denver • New bike lanes 	<p>Revisit Transportation Plan to be in alignment with Town Climate Action goals.</p>
	<p>Planned policies with possible CAP alignment:</p> <ul style="list-style-type: none"> • Update development codes • Evaluation parking fee • Update codes for bike parking 	<p>New or updated policies present opportunity to incorporate language to further CAP goals. What planned policies are in the works, or what should we suggest as part of the CAP?</p>
	<p>The current Town vehicle fleet consists of gasoline vehicles (45%), diesel vehicles (45%), and EVs (10%).</p>	<p>The current fleet represents opportunity for greater electrification and Town operations' GHG reduction. The LCA of replacing a new ICE vehicle with an EV needs to be weighed.</p>
	<p>Vehicles with readily available EV replacements: ~50%</p> <p>Filtered for older vehicles (>5 years): ~28%</p>	<p>Only half of the Town's vehicles represent makes and models that are easily replaceable with current EV vehicles. Under one-third of the Town's vehicles are older than 5 years. These age and replacement availability considerations will limit the potential for fleet electrification as a component of the CAP.</p>

REVIEW OF CRESTED BUTTE EXISTING PLANS



Transportation

Document	Finding	Climate Action Plan Considerations
Gunnison Valley Housing Needs Assessment and Supporting Documents	About 63% of residents drive their own car to work as their primary means of transportation. Another 27% bike/walk. Only 10% of employees either carpool/vanpool or take a bus as their primary means of travel.	This finding represents opportunity to reduce emissions through more effective non-SOV transportation infrastructure. Inter-valley transportation solutions must be considered as 79% of mid-valley residents commute to the north valley (Crested Butte) for work.
Town of Crested Butte Sustainability Projects (from website)	Two charging stations and three EVs for staff use. All vehicle purchases must be evaluated for fuel efficiency.	There is an opportunity to build on the successes of these actions and learn how they can be improved for future strategies.
Gunnison County Strategic Plan	By December 31, 2020, 26 municipal fleet vehicles will have been replaced by natural gas vehicles from the 2016 baseline.	Do county vehicles contribute to Crested Butte's GHG baseline?
	By December 31, 2020, Gunnison County will have an additional funding stream for road and bridge infrastructure, construction and maintenance, so that residents and visitors can safely travel on County roads, conduct business, and pursue recreational interests.	Could the Town partner with the County on some of these projects so as to reach CAP goals?



Photo: Lydia Stern

REVIEW OF CRESTED BUTTE EXISTING PLANS



Waste

Document	Finding	Climate Action Plan Considerations
Town of Crested Butte Sustainability Projects (from website)	Operating a biosolids composting program to decrease the number of loads that must go to landfill, installation of seven solar trash compactors to reduce trash pickups.	Assess the GHG emissions reductions associated with these activities and determine how they can support CAP strategies.
Waste Management and Supporting Documents	GHG savings of 28.6 tons of emissions and 27,989 kWh of electricity as a result of April 2019 recycling activities and 37.5 tons of emissions and 36,191 kWh of electricity as a result of May 2019 recycling activities.	Assess current recycling rate to determine potential for greater GHG savings from increased recycling.
Waste Management and Supporting Documents	The recycling goal (30%) was not met for the majority of months in 2019.	Opportunity to increase GHG savings by understanding barriers to reaching the 30% goal. Additionally, review the 30% goal to assess viability of a higher diversion rate and associated GHG savings.
Waste Management and Supporting Documents	Non-recyclables and Excluded Materials listed in the Crested Butte Refuse and Recycling Collection and Disposal Agreement	The effect of recycling activities is limited by the materials included in the contract as recyclable. Assessing this list to determine if additional materials can be categorized as recyclable offers potential for increased GHG reductions.
Waste Management and Supporting Documents	“WMI shall collect, process, and dispose of, at least once each calendar week, all trash, rubbish...”	The ability to reduce waste-related emissions is limited by the current pickup requirements. Assess the need for weekly pickups and viability for a biweekly pickup schedule to reduce emissions resulting from trash collection vehicles.
Waste Management and Supporting Documents	“WMI agrees in principal to assist the Town with developing a future Town-Wide Green Waste Program.”	Calculate the potential GHG reduction from such a Green Waste Program and consider for inclusion in CAP.
Waste Management and Supporting Documents	“At least 60 days prior to the expiration of each Term or Renewal Term, the Town may renegotiate the list of recyclables to include any additional materials desired by the Town.”	A broadened definition of recyclable material has the potential to create a higher waste diversion rate and for greater GHG savings. However, this solution will be bound to the timeline (60 days before end of contract) that is laid out.

REVIEW OF CRESTED BUTTE EXISTING PLANS



Renewable Energy

Document	Finding	Climate Action Plan Considerations
Gunnison County Strategic Plan	By December 31, 2021, Gunnison County will support the development and implementation of a coal mine methane capture, mitigation, and/or utilization strategy to decrease the GHG impacts of coal mine methane being emitted from the North Fork valley by 85%.	Represents potential for local baseload electricity generation from coal mine methane capture activities or local REC generation.
Gunnison County Strategic Plan	By December 31, 2030, Gunnison County will provide leadership to convene stakeholders and facilitate the development of local alternative energy sources and increased efficiency in utilities resulting in declining annual emissions measured by $mCO_2e/mBtu$.	Gunnison County could develop a regional CAP based on Crested Butte's to make it a more holistic plan - in terms of renewable energy this may be important.
Gunnison Valley Housing Needs Assessment and Supporting Documents	About 43% of employers in the valley add to their employment in the summer and 21% add to their employment in the winter.	When procuring or building renewable energy the effect of seasonality on peak demand must be factored in. Another consideration is that offsetting via RECs could provide a flexible way to make up for additional energy use that is not supplied by renewables during peak seasons.
Town of Crested Butte Sustainability Projects (from website)	<p>On December 17, 2018, the Town Council adopted a new solar policy to help streamline the process for building owners pursuing solar for their building. The Town also:</p> <ul style="list-style-type: none"> • Installed solar arrays on the Clarifier building with potential for more panels • Planned solar array for new transit facility • Ordinance requiring mitigation of outdoor heated areas with fee or solar • Facilitated design guideline amendments <p>Took part in the Sunshot program, and received technical assistance, resources, customized best practices, etc.; access to training and meetings; and potentially even a stipend to cover staff time.</p>	Use these initiatives as an opportunity to build on the successes of these actions and learn how they can be improved for future strategies. If still available, leverage the resources from the Sunshot program when developing solar strategies for the CAP.

REVIEW OF BEST PRACTICES IN NEIGHBORING TOWNS



The following towns represent peers similar in size, economy, and climate to the Town of Crested Butte. They also have publicly stated GHG emission reduction goals with sufficient supporting detail to extract insights and best practices relevant to the Crested Butte CAP.



For comparison, the statistics for Crested Butte are as follows:

Population: 1,681 (2017)

Households: 725 (2010)

Total Housing Units: 1,098

Vail	
Population: 5,425 (2017)	Households: 2,604 (2010)
	Total Housing Units: 7,210
GHG Mitigation Goal	
Reduce municipal and community energy use by 20% from 2006 levels by 2020 (no GHG specific goal found)	
Renewable Energy Goals	
<ul style="list-style-type: none"> • Utility relationship: Cooperative, Holy Cross Energy. • Holy Cross Seventy70Thirty: increase renewable energy share to 70% renewable by 2030, and decrease the GHG emissions associated with the power supply by 70%. 	
Building Energy Efficiency Goals	
<ul style="list-style-type: none"> • Goal: Implement a sustainable building code program that requires new construction and major renovations (municipal and community) to achieve designated resource and energy efficiency targets. Action items include: <ul style="list-style-type: none"> • Require all Town-funded remodel projects to exceed the IECC by at least 15% on retrofits. • Require ENERGY STAR or better products when available for all new equipment. • Use strategic tree planting to reduce cooling loads of buildings. • Educate the public on the adopted green building program and provide information and services at the Department of Community Development. 	
Clean Transportation Goals	
<ul style="list-style-type: none"> • Goal: Reduce the environmental impact of transportation by supporting efforts within the Eagle Valley to decrease total VMT by commuters and guests by 20% by 2020. • Operates eight hybrid busses on its in-town routes as well as several hybrid municipal fleet vehicles. 	

Aspen	
Population: 7,097 (2017)	Households: 3,516 (2010)
	Total Housing Units: 6,219
GHG Mitigation Goal	
Reduce community emissions 30% by 2020 and 80% by 2050 below 2004 levels	
Renewable Energy Goals	
<ul style="list-style-type: none"> • Utility relationship: Purchase 30% from Aspen Electric (Municipal, 100% renewable in 2015) and 70% from Holy Cross Energy (Cooperative, 30% renewable in 2015). Natural gas is supplied by Black Hills Energy. • Decarbonize Aspen's energy supply. • Enable and maximize the regional production and consumption of more renewable energy. • Support relevant state and federal policies through active legislative and regulatory engagement. 	
Building Energy Efficiency Goals	
<ul style="list-style-type: none"> • Apply all objectives in the Toolkit to achieve an 86% reduction by 2050 in residential GHG emissions through energy efficiency measures for new and existing residential buildings. • Apply all objectives in the Toolkit to achieve an 86% reduction by 2050 in commercial GHG emissions by promoting benchmarking and reporting, enhancing energy efficiency in new developments, bringing existing buildings up to current building codes, retrofitting government buildings as a model, and optimizing utility rates. 	
Clean Transportation Goals	
<ul style="list-style-type: none"> • Apply all objectives in the Toolkit to achieve an 80% reduction by 2050 in transportation-related GHG emissions by promoting alternatives to SOVs, enhancing first and last mile connectivity to transit, supporting the adoption of alternative fuel vehicles, redesigning urban form and population density, promoting new mobility technologies, increasing the cost of driving, and supporting federal and state policies. 	



For comparison, the statistics for Crested Butte are as follows:

Population: 1,681 (2017)

Households: 725 (2010)

Total Housing Units: 1,098

Dillon	
Population: 1,062	Households: 455
	Total Housing Units: 1,290
GHG Mitigation Goal	
May 2019: Adopted the Summit County CAP to support a countywide emissions reduction of 50% by 2030 and 80% by 2050 from 2017 levels	
Renewable Energy Goals	
<ul style="list-style-type: none"> • Utility relationship: IUO, Xcel Energy • Reduce emissions from electricity use 100% by 2035 by adopting the IECC, participating in NREL's SolSmart program, and considering Xcel Energy's renewable electricity programs. 	
Building Energy Efficiency Goals	
<ul style="list-style-type: none"> • Support reducing building emissions 21% by 2030 and 36% by 2050 countywide from residential and commercial buildings by adhering to the Summit Sustainable Building code, tracking municipal energy use, and identifying buildings from energy efficiency improvements, hosting LED bulb giveaways. 	
Clean Transportation Goals	
<ul style="list-style-type: none"> • Support reducing transportation emissions 25% by 2030 and 91% by 2050 countywide by developing and implementing a communitywide EV Readiness Plan and provide incentives to use public transportation. 	



Photo: Lydia Stern

ACKNOWLEDGEMENTS





The following individuals and organizations have directly contributed to the development of this plan. Their commitment and thoughtful contributions of time and expertise have assisted in developing a strong and implementable approach to climate action and adaptation.

Mayor and Council

Jim Schmidt, *Mayor*
Paul Merck, *Mayor Pro Tem*
Will Dujardin, *Town Council*
Laura Mitchell, *Town Council*
Chris Haver, *Town Council*
Candice Bradley, *Town Council*
Mallika Magner, *Town Council*

Town Staff

Shea Earley, *Public Works Director*
Dale Hoots, *Facilities Maintenance Lead*
Dara MacDonald, *Town Manager*
Mel Yemma, *Planner I*
Michael Yerman, *Community Development Director*
Rob Zillioux, *Finance Director*

Stakeholder Committee

John Cattles, *Sustainable Operations Director, Gunnison County*
Patrick Church, *Precise Painting, Community Representative*
Kent Cowherd, *Architect, Community Representative*
Janet Farmer, *Mayor, Mt. Crested Butte*
Matt Feier, *Director of Planning and Sustainability, Crested Butte Mountain Resort*
Nola Hadley, *Student, Youth Representative*
Betsy Kolodziej, *Teacher, Crested Butte Community School*
Roman Kolodziej, *Council Member, Mt. Crested Butte*
Chris Larsen, *Transit Manager, Mountain Express*
Rob Leivo, *Vice President, Marketing, Atmos Energy*
Jason MacMillan, *Delta Brick and Climate Company, Western MEM Candidate, Community Representative*
Mike McBride, *Chief Executive Officer, Gunnison County Electric Association*
Ashley UpChurch, *Executive Director, Crested Butte/ Mt. Crested Butte Chamber of Commerce*
Todd Wasinger, *Teacher, Crested Butte Community School*

Special Thank You

Loren Ahonen, *GV-HEAT, Gunnison Valley Regional Housing Authority*
Nicole DeSasso, *Project Manager, Stakeholder Engagement Lead, and Sustainable Crested Butte Representative, Navigant*
Shay Bannister, *Sustainable Crested Butte*
Victoria Greenen, *Best Practice and Engineering Lead, Navigant*
Joy Henning, *Waste Management*
Rowena Patawaran, *Account Executive and Energy Performance Contract Project Manager, Johnson Controls*
Frank Stern, *Managing Director in Charge and Quality Control, Navigant*
Danielle Vitoff, *GHG Strategy and Prioritization Lead, Navigant*

Project Team

NAVIGANT
A Guidehouse Company



Photo Credit

Lydia Stern
Xavier Fane

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, October 21, 2019
Council Chambers, Crested Butte Town Hall

Mayor Schmidt called the meeting to order at 7:05PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, Mallika Magner, Laura Mitchell, and Paul Merck

Staff Present: Town Manager Dara MacDonald

Town Attorney John Sullivan, Town Clerk Lynelle Stanford, Finance Director Rob Zillioux, Parks and Recreation Director Janna Hansen, Community Development Director Michael Yerman, and Town Planner I Mel Yemma (for part of the meeting)

Schmidt mentioned the presentations made during the work session.

APPROVAL OF AGENDA

Mitchell moved and Merck seconded a motion to approve the agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

CONSENT AGENDA

1) October 7, 2019 Regular Town Council Meeting Minutes.

2) Memorandum of Understanding Between the Town of Crested Butte and Students Achieving Outstanding Results for 2019/2020 Student Led Employee Rental Build.

Merck moved and Dujardin seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

PUBLIC COMMENT

John Wirsing - 115 9th Street

- He noticed from the meeting minutes that the Council was entertaining an agreement with Verizon.
- He encouraged the Council to ban cell towers within the Town and within ½ mile of Town limits due to the dangers.
- There was no escaping the bombardment of the radiation.

STAFF UPDATES

- Schmidt referred to the staff report from MacDonald included in the packet.
- MacDonald reminded the Council of the intergovernmental dinner on Wednesday evening. Schmidt confirmed the managers and candidates were invited.
- Dujardin requested elaboration on the OVLC report. MacDonald listed members of the OVLC Climate Action Subcommittee. The subcommittee discussed holding a climate conference. She explained the scope of the event. The larger OVLC committee would discuss at their meeting on October 31st. The subcommittee was working on a budget, and the Town could be asked to contribute up to \$2,000.
- Schmidt asked about the energy audit and Paradise Park, and Yerman updated on both. Bradley questioned if people had issues with financing in Paradise Park due to a change in the timing.

PUBLIC HEARING

1) Resolution No. 24, Series 2019 - A Resolution of the Crested Butte Town Council Adopting the Budget and Appropriating Sums of Money for the Town of Crested Butte, Colorado for the Fiscal Year Beginning the First Day of January 2020, and Ending the Last Day of December 2020, Estimating the Amount of Money Necessary to be Derived From Revenue Sources, and Setting Forth the Total Estimated Expenditures for Each Fund.

Schmidt read the title of the resolution. He acknowledged there had been quite a few meetings on the budget. Zillioux pointed out two minor changes since the last work session: 1) revenue projections were refined, amounting to an increase of \$4,000 and 2) park expenses were moved to General Capital. He thought the budget was ready to go. Four of six funds were in surplus positions, and two funds were in deficit positions. Overall, Town was in a surplus position next year. Magner was glad they backed off on increasing the mill levy. Dujardin seconded praises voiced by Magner.

Schmidt confirmed proper public notice was given, and he opened the public hearing. There were no comments from the public. The public hearing was closed. There was no further Council discussion.

Merck moved and Bradley seconded a motion to approve Resolution No. 24, Series 2019. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

2) Ordinance No. 37, Series 2019 - An Ordinance of the Crested Butte Town Council Amending Section 13-1-120 of the Code to Increase the Minimum Monthly Service Charge Per Meter for Water Used at a “Base Rate” to \$29.00 Per Month Per EQR; Amending Section 13-1-150 of the Crested Butte Municipal Code to Increase the Monthly Service Charge for Sewer Service to \$38.50 Per Month Per EQR.

Schmidt read the title of the ordinance. He confirmed proper public notice had been given, and he opened the public hearing. No one from the public chose to comment. The public hearing was closed. There was no further discussion amongst the Council.

Merck moved and Haver seconded a motion to approve Ordinance 2019-37. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

3) Ordinance No. 38, Series 2019 - An Ordinance of the Crested Butte Town Council Authorizing the Rezone of Block 80, Lot 1, Paradise Park Subdivision, Town of Crested Butte, Colorado from Residential/Multi-Family “R-2A” to Public “P”.

Yerman reminded the Council of the project. He reviewed background on SOAR. The design included a public restroom, cat garage space, and a Town rental unit on the front. They were looking at Block 80, Lot 1 because it was in the floodplain, and the site had been problematic. Yerman outlined work that had been done by the students, including a community charrette. The reason the lot would be rezoned to P was because of the Nordic uses. BOZAR directed the students to investigate ways to provide additional parking and signage around the adjacent neighborhood to mitigate impacts.

Bridget Kearney, Avery Bernholtz, Dalton Huckins, Kye Matlock, Myles Cress, and Vernon Walker were students present at the meeting. The students took turns presenting. They reviewed standards for rezoning. They met with concerned neighbors regarding increased use. Their main concerns were parking and recreational use. The greatest impacts were seen in the summer. The students were trying to address the neighborhood concerns. They mentioned the site program for developing a recreational control point. They showed a slide reflecting the proposed neighborhood-level organization.

Bradley wondered if there were concerns with the restrooms from the neighborhood. Yerman stated they talked about ways to mitigate sound and to direct people to the bathroom. A key was to spread out use. They were trying to create additional Nordic access points. They talked about signage directing people to park on the opposite side of the street from the homes.

Schmidt confirmed proper public notice had been given, and he opened the public hearing.

John Wirsing - 115 9th Street

- The kids were sent to inform the neighbors.
- He opposed rezoning the lot to public use.
- He suggested the Town plan a riverfront park.
- The project would make the area more inviting but with less parking.
- It would exasperate not solve the problem.

No one else commented, and the public hearing was closed.

Schmidt questioned access and amenities related to the annexation. Yerman reported the public works yard did not have any more space. He thought they needed to plan recreation and disperse it. The density was maxed out in the R-2A zone. Magner recognized whatever they could do with parking and signage would be helpful.

MacDonald stated there was an opportunity to change user behavior. Block 80 would start to transition this upcoming summer.

Merck thought they needed to address something larger in the summer. The summer use was one of their biggest problems. Schmidt mentioned the idea of a pump in the building. He pointed out it should be put in the ground or somewhere and insulated. Haver asked what made a Nordic access point, an access point. Yerman said they would groom in spots to make it inviting to start. Christie Hicks, Executive Director of Crested Butte Nordic, elaborated. Mitchell suggested they rethink; she did not feel comfortable. Yerman identified that the micro lot was the back-up location; however, Town would lose the partnership with Nordic. Haver saw the parking as the separate and ongoing problem. He pointed out neighborhood permitted parking as part of the parking plan. Magner asked if they could revisit the parking this summer. Yerman recognized the importance of a human presence. Schmidt stated it seemed obvious they needed to discuss parking.

Dujardin moved and Mitchell seconded a motion to pass Ordinance No. 38, Series 2019. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

OLD BUSINESS

1) Discussion on The Corner at Brush Creek.

Schmidt mentioned the options posed in MacDonald’s staff report. He acknowledged people present at the meeting including Mt. Crested Butte Mayor Janet Farmer and Jeff Moffett. MacDonald said the last communication from Gatesco was the letter submitted on October 1st. Moffett confirmed he was not bringing changes to Gatesco’s proposal.

Schmidt asked for comments from the public.

Jeff Moffett

- Thanked those that supported the project.
- The Gatesco team did not see how they could gain approval and satisfy the conditions.
- They questioned the feasibility of the project at this time.
- He commented on the RFP and the RFQ.
- If they were willing to allow the project to go forward, the proposal from October 1st remained.

Mayor Farmer affirmed that Mt. Crested Butte voted 4-3 to stay with the three conditions. Mitchell thought the Council should stay with the three conditions. She would be willing to take #4 from the staff report, which was to take no action (and assume that Gatesco will have failed to obtain the formal consent of at least three of the four parties in the MOU). Merck agreed with Mitchell on item #4. Schmidt said there was an opportunity to involve the community from the front end. He was happy with either #4 or #5 (vote to specifically assert that Gatesco failed to obtain the consent of the Town). Dujardin

recognized they were turning down a private subsidy and would be starting a new thing. He agreed they did not need to vote. The Council did not vote. Therefore, Gatesco failed to obtain the formal consent of at least three of the four parties to the MOU between Gunnison County, the Town of Crested Butte, the Town of Mt. Crested Butte, and Crested Butte Mountain Resort.

NEW BUSINESS

1) Nordic Cat Barn Expansion Request.

Yerman explained the request was for a Town-owned piece of property, so the Council needed to authorize the expansion plans to go through the BOZAR process. The expansion was proposed for the west side of the existing cat barn.

Hicks said the addition would meet programmatic space needs. The intention was for the downstairs to be a team room, and upstairs would house the administrative offices. They hoped they could raise funds within a year or two. She reviewed the hoped for timeline. Magnier asked about impacts on the neighborhood. Hicks stated there was one residence that would be affected, and she expected minimal impact.

Hansen thought it was a good, simple, and clean solution. Hicks said they had been working with Staff since the Town would own the building. Mitchell questioned the estimated cost, which Hicks identified as \$500,000 to \$1M. Merck liked the proposal.

Merck moved and Mitchell seconded a motion to authorize the Nordic Center to submit expansion plans to BOZAR and authorize the Town Manager to sign an application for the permit. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Update on Region 10 Broadband Project and Partnership with GCEA.

Michelle Haynes and Virgil Turner were present at the meeting. Haynes reviewed the inception and implementation of the project. The backbone of the project had been established. The concept was to establish access points in the communities. The Region 10 project was a middle mile project. There were carrier neutral locations in ten communities. The challenge in the private market was that it was expensive to build-out. The ultimate goal was to make sure communities were served well with broadband.

The broadband build-out mirrored the build-out of the electrical system. GCEA was a great partner for them. The State set aside money for broadband build-out in rural areas. They were looking at moving forward with an engineering study. MacDonald said it had been a tricky puzzle to figure out how to get redundant service. GCEA committed to moving ahead. MacDonald did not know if there was another long-term viable solution. If Town could leverage for the build-out, there were other opportunities for tapping into different funds. It was worth spending \$20,000 to understand the viability going forward.

Haynes reported on the usage of the lines, responding to Schmidt's question on using GCEA's lines or using their rights of way. MacDonald elaborated. Turner said costs would go down for ISPs with options in the middle mile. MacDonald told the Council that the spending was included in the budget. Schmidt asked how it would make his life better. Haynes said it would improve broadband and Internet access for schools, governments, clinics, and businesses. It would improve safety in the community by keeping up the 911 system.

3) Resolution No. 25, Series 2019 - A Resolution of the Crested Butte Town Council Endorsing the Declaration of a Climate Emergency and Reaffirming Crested Butte's Commitment to Climate Action.

Yemma told the Council that attendees came home from Mountain Towns 2030 in Park City with a deep urgency and excitement around what was possible in a town like Crested Butte. She recommended that approval of the resolution coincide with adoption of the Climate Action Plan. She asked for thoughts from the Council. Dujardin stated that Yemma hit it out of the park. The Council agreed.

Yemma reported that the resolution sent a strong message and affirmed the Council's commitment. Dujardin noted Town committed to 100% renewables by 2030. He wondered if they should clarify the last whereas, making it broader. The Council agreed with his suggested change. Yemma hoped the surrounding jurisdictions would be on board. Haver agreed with the suggested timeline. Yerman pointed out the timeline was extended because of public outreach on the Climate Action Plan.

4) Resolution No. 26, Series 2019 - A Resolution of the Crested Butte Town Council Adopting Certain Fees and Charges for the Fiscal Year 2020.

Schmidt read the title of the resolution. He questioned the details of the gravel pit fee. Zillioux explained the fee was to offset public works' efforts for events.

Dujardin moved and Haver seconded a motion to approve Resolution No. 26, Series 2019. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

5) Resolution No. 27, Series 2019 - A Resolution of the Crested Butte Town Council Adopting the Mill Levy for the Town of Crested Butte, Colorado for the Fiscal Year 2020, Beginning the First Day of January 2020 and Ending the Last Day of December 2020.

Zillioux stated there were two mill levies. The mill levy in the General Fund must follow TABOR. They were reducing the mill levy. On streets, Town had the ability to go up to 16 mills but was staying at 8 mills. MacDonald confirmed the General Fund mill levy had not been debruced.

Mitchell moved and Merck seconded a motion to approve Resolution No. 27, Series 2019. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

LEGAL MATTERS

Sullivan reported they were looking into a vacancy tax and had been trading emails with Dee Wisor.

COUNCIL REPORTS AND COMMITTEE UPDATES

Laura Mitchell

- She would head over to Redstone Castle for the West Elk Scenic Byways meeting.

Mallika Magner

- The Chamber was doing really well. They had a lot of energy and enthusiasm. The healthcare plan was great.

Candice Bradley

- She went to the Creative District meeting. There were some appointments. There would be two vacancies on the Public Art Commission. They had four submissions for the art for the comprehensive plan. There would be an unveiling in January.

Will Dujardin

- The Growing Water Smart group met last week. He listed members of the group. They qualified for a grant from the Sonoran Institute. He said they would split it for two purposes, which he outlined.
- Mountain Express had a meeting. The fox bus was out. Four busses were painted this summer. YTD ridership was up. Summer was flat or slower than last year. Mountain Express and RTA would have a joint board meeting. They would apply for a planning grant with CDOT.
- Went to QQ meeting in Frisco. He specified two presentations that were good. Torie (Jarvis) approached him regarding a study to deeper dive, looking into temperature and precipitation values. He estimated the cost to Town would be in the \$2,000 to \$3,000 range for a comprehensive climate report on the County. It would be a report, rather than a long-term study.
- Mentioned a fundraiser at The Center for the Arts.

Chris Haver

- At the Housing Authority meeting they were looking at updating the housing needs assessment.
- Schmidt and he went to a nicotine and vaping discussion with the high school kids and GCSAPP. The hope was to coordinate efforts and look for collaboration opportunities.

Laura Mitchell

- She would be attending the school focus group tomorrow night. Haver questioned what it was. MacDonald said it had to do with how the school was perceived in the community.
- The Center was going for their final inspections.

Jim Schmidt

- He described the vaping meeting as frightening.
- He attended the housing meeting. Rees said the more specific questions they could ask, the better (related to the updated housing needs assessment).
- He went to the cemetery meeting. The big concern was the fence around the cemetery. There was less money for the cemetery in the budget. He said they needed to talk to the Slate River Annexation about putting up a fence. Yerman said that Town crews cut through the cemetery. Schmidt still thought it would be good for them to put up a fence.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

None

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Wednesday, October 23, 2019 - Intergovernmental Dinner - 6:00PM at the Wooden Nickel
- Monday, November 4, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, November 18, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, December 2, 2019 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt reminded the Council of the intergovernmental dinner on Wednesday.

EXECUTIVE SESSION

Schmidt read the reason for the first Executive Session:

1) For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding Block 80, Lot 2.

Mitchell moved and Bradley seconded a motion to go into Executive Session. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 9:42PM. The Council returned to open meeting at 9:55PM. Mayor Schmidt made the required announcement upon returning to open meeting.

Schmidt read the reason for the second Executive Session:

2) For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees for the review of the Town Manager.

Mitchell moved and Dujardin seconded a motion to go into Executive Session. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 9:57PM. The Council returned to open meeting at 10:43PM. Mayor Schmidt made the required announcement upon returning to open meeting.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 10:44PM.

James A. Schmidt, Mayor

Lynelle Stanford, Town Clerk (SEAL)



Staff Report

November 4, 2019

To: Mayor Schmidt and Town Council

Thru: Dara MacDonald, Town Manager

From: Janna Hansen, Parks and Recreation Director

Subject: Resolution No. 28, Series 2019 – A Resolution of the Crested Butte Town Council Approving the Contract for Use of the Big Mine Ice Arena by Gunnison Valley Hockey Association for the 2019-2020 Winter Season

Background:

Gunnison Valley Hockey Association, dba West Elk Hockey Association (WEHA) has used Big Mine Ice Arena to provide community hockey programs since 2014. The contract between the Town and WEHA outlines the obligations, fees and other requirements for WEHA's use of Big Mine Ice Arena for the 2019-2020 ice hockey season. The Department supports WEHA and recognizes the importance of a successful hockey program in the valley. As such, the low rate of \$60/hour for ice time has been offered to WEHA for the 2019-2020 season. This rate has increased roughly 10% from the 2018-2019 rate. WEHA understands that rates will incrementally increase each year in order to better offset the costs of operating the Ice Arena. The Parks and Recreation Department fully supports WEHA and their mission to continue to provide hockey to the West Elk region.

Recommendation:

Staff recommends approving Resolution No. 28, Series 2019.

RESOLUTION NO. 28**SERIES 2019****A RESOLUTION OF THE CRESTED BUTTE TOWN COUNCIL APPROVING THE CONTRACT FOR USE OF THE BIG MINE ICE ARENA BY GUNNISON VALLEY HOCKEY ASSOCIATION FOR THE 2019-2020 WINTER SEASON**

WHEREAS, the Town of Crested Butte, Colorado (the "**Town**") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, pursuant to Section 31-15-713 (c), C.R.S., the Town Council may lease and grant use rights to any real property, together with any facilities thereon, owned by the Town when deemed by the Town Council to be in the best interest of the Town;

WHEREAS, pursuant to Section 713(c), when the term of such lease or use rights is one year or less, the Town Council may approve such lease or use rights by resolutions of the Town Council; and

WHEREAS, the Town Council finds hereby that approving a contract for a right of use of Big Mine Hockey Arena for use by the Gunnison Valley Hockey Association in its business is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT:

1. **Findings**. The Town Council hereby finds that granting a right of use of Big Mine Hockey Arena for use by Gunnison Valley Hockey Association in its business is in the best interest of the Town and the general public.

2. **Authorization of the Town Manager**. Based on the foregoing, the Town Council hereby authorizes the Town Manager to execute the contract with Gunnison valley Hockey Association in substantially the same form as attached hereto as **Exhibit "A."** Any changes thereto that do not increase the obligations of the Town thereunder may be made only following written approval by the Town Attorney.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL
THIS ____ DAY OF _____, 2019.

TOWN OF CRESTED BUTTE

By: _____
James A. Schmidt, Mayor

ATTEST

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"

Contract for Use of the Big Mine Ice Arena

[attach form contract here]

**CONTRACT BETWEEN THE TOWN OF CRESTED BUTTE AND
GUNNISON VALLEY HOCKEY ASSOCIATION FOR
USE OF THE BIG MINE ICE ARENA FOR THE 2019-2020 SEASON**

This CONTRACT is made and entered into this _____ day of _____, 2019, by and between the TOWN OF CRESTED BUTTE, COLORADO, a Colorado home rule municipality located and doing business at 507 Maroon Avenue, P.O. Box 39, Crested Butte, CO 81224 (the "TOWN"), and the GUNNISON VALLEY HOCKEY ASSOCIATION, a Colorado non-profit corporation, dba West Elk Hockey Association ("WEHA") located and doing business at 515 W. Tomichi Avenue, P.O. Box 1697 Gunnison, CO 81230.

In consideration of the mutual obligations contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Recitals

- 1.1 The parties recognize the mutual benefits of WEHA operating a hockey program (the "PROGRAM") on TOWN property. It is the parties' intention that this CONTRACT define the duties, obligations, terms and conditions with respect to the use of the Big Mine Ice Arena and associated facilities and equipment (the "FACILITY").
- 1.2 Execution of this CONTRACT shall constitute issuance of a permit to WEHA to use the FACILITY for the conduct of PROGRAM. This CONTRACT grants the right, and imposes the duty on WEHA, to use property owned by TOWN as described herein for the purpose of operating the PROGRAM from on or about November 20, 2018 through on or about March 15, 2019.

2. Facility

Location: Big Mine Ice Arena, Crested Butte, CO
 Dates: On or about November 20, 2018 through on or about March 15, 2019 (the "TERM").
 Fee: \$60.00 per hour of use. WEHA will receive monthly invoices from the TOWN before the 15th of the calendar month following use. WEHA agrees to pay to Town as rent for the FACILITY during the TERM, payable by the last day of the calendar month after use. WEHA shall pay a \$25.00 late fee and interest at a rate of one and one-half percent (1 ½%) per month (18% per year) on rental or other payments which are not paid when due.

3. WEHA'S Obligations

- 3.1 WEHA designates Jeff Moffett as the primary contact for communicating with the TOWN regarding the PROGRAM. In the event Jeff Moffett is not available, Wendy Buckhanan shall be the alternative designated contact. The primary phone

number for Jeff Moffett is 970-275-1906 and the primary phone number for Wendy Buckhanan is 970-596-7098.

- 3.2 WEHA shall obtain written approval from the TOWN prior to using the FACILITY for dates and times not specified in the parties' agreed upon written schedule. Such usage shall be at the TOWN's sole and absolute discretion. WEHA acknowledges that the FACILITY is a public facility and may be used by other persons, the public and the TOWN as the TOWN sees fit from time to time in its sole and absolute discretion.
- 3.3 WEHA understands the FACILITY may need maintenance and/or repairs and agrees to cancel any dates as required by the Parks and Recreation Director or its designee to accommodate these needs.
- 3.4 WEHA shall provide trained supervision during scheduled practices and games to ensure the TOWN and USA Hockey policies are being followed.
- 3.5 WEHA shall operate the PROGRAM in accordance with all USA Hockey, Colorado Amateur Hockey Association (CAHA) and league rules, regulations, policies and guidelines.
- 3.6 WEHA shall schedule practice slots and game slots for all PROGRAM activities within the allocated blocks of time as designated by the TOWN.
- 3.7 WEHA shall put all existing FACILITY equipment back in its original location after use.
- 3.8 PROGRAM participants shall pick up their trash and leave the FACILITY in good clean condition.
- 3.9 WEHA shall be responsible for communicating scheduling changes with all affected parties and shall be responsible for ensuring that the TOWN is kept up to date with the most current schedule.
- 3.10 Subject to Section 3.3 above, WEHA will be granted ten (10) schedule changes per month with no additional fees. Changes must be received more than seven (7) days prior to activity date. More than ten (10) schedule changes a month or schedule changes received within seven (7) days of activity date will be charged a \$5.00 per change administrative fee. Cancellations received less than seven (7) days prior to the activity date shall not be refunded. WEHA shall not be charged by the TOWN for cancellations made pursuant to the terms contained in this CONTRACT, and if payments were previously made by WEHA, the TOWN shall provide a refund or a credit to WEHA for such unused ice slots that were properly cancelled pursuant to the terms in this CONTRACT.

- 3.11 WEHA shall make no alterations, repairs, or improvements to the FACILITY without the prior written permission of the TOWN. WEHA shall leave the FACILITY in good condition and repair at the expiration or earlier termination of this CONTRACT.
- 3.12 WEHA shall not condone any smoking, alcohol consumption or use of controlled substances within the FACILITY when in use by WEHA. Animals are not allowed within the FACILITY. WEHA shall not construct temporary or permanent structures on the inside or outside of the FACILITY for recreational or other purposes. WEHA shall not use the FACILITY to further any discrimination based on race, sex, creed, sexual orientation or national origin.
- 3.13 WEHA property shall at all times be secured so as to avoid any undesired use of such personal property; all usage of personal property at the FACILITY shall be in the presence and at the direction of WEHA personnel; and, all personal property shall be disassembled, broken down, locked down and neatly stored away when not in use at the FACILITY. The location of such storage shall be as agreed to with the TOWN.
- 3.14 WEHA shall communicate primarily with TOWN's Parks and Recreation Director or her designee relative to all matters contemplated in this CONTRACT.
- 3.15 WEHA agrees to pay to the TOWN any and all increased costs and expenses attributable to WEHA's occupation of the FACILITY.

4. TOWN's Obligations

- 4.1 TOWN shall be responsible for all operations and maintenance of the FACILITY.
- 4.2 TOWN shall create and provide the following schedules for the FACILITY that shall be the basis upon which WEHA's use of the FACILITY shall be coordinated:
- ❖ Season availability schedule
 - ❖ Game availability schedule
 - ❖ Daily schedule for a 7 day period Monday to Sunday during ice season
- 4.3 TOWN shall update rink schedules in accordance with TOWN approved schedule and WEHA updates as per the above conditions.

5. Licenses, Permits, and Fees

WEHA shall adhere to all local and state requirements regarding the conduct of its business as a sanctioned hockey organization, business licenses, taxes, vending, and special event permits and policies.

6. Security Deposit

Security Deposit Amount \$1,000.00 Due 11/15/19 (**18/19 deposit retained for 19/20 year**). WEHA shall pay the TOWN the above sum to be used as security for WEHA's faithful performance of the terms and obligations of this CONTRACT. Said amount shall be paid at the time of WEHA's execution of this CONTRACT. This deposit shall be held by the TOWN during the TERM. Within thirty (30) days following the expiration of the TERM or earlier termination of this CONTRACT, the TOWN shall either return the security deposit or, provide WEHA with a written statement setting forth the reason for the retention of any portion thereof together with the payment of the difference, if any, between the amount of the security deposit and the damages claimed by the TOWN.

9. Cancellation of Program

The TOWN Manager or his /her designee may cancel the PROGRAM and WEHA's use of the FACILITY, if the terms of this CONTRACT are not substantially fulfilled in a timely manner, or in the event of an unforeseen catastrophic event. In the event of such cancellation, TOWN shall remit to WEHA all damage deposits minus any expenditure incurred by TOWN. Upon expiration or earlier termination of this CONTRACT, WEHA shall quit and surrender the FACILITY in its original condition and promptly remove all personal property therefrom. TOWN shall not be liable to WEHA for, and WEHA hereby waives, any lost revenues or consequential damages in the event of such cancellation.

10. Additional Requirements

- 10.1 Except as otherwise provided for herein, the Town Manager and Parks and Recreation Director or his/her designee shall be the sole representatives of TOWN responsible for administering the provisions of this CONTRACT.
- 10.2 WEHA agrees that it will abide by any additional requirements as may be found necessary to insure the health and safety of PROGRAM participants and the public. WEHA shall pay for all damages to public or private property, connected to the PROGRAM.
- 10.3 In consideration for the TOWN allowing the use of the FACILITY and the grant of permit thereto under this CONTRACT, WEHA, its members, managers, officers and directors (collectively, "Releasor/Idemnitor") hereby acknowledge and agree to the following: (a) Releasor/Idemnitor hereby assumes all risk of claims, liabilities, injuries, losses, demands or damages, whether related to bodily injury, personal injury, sickness, disease, death, property loss or damage

(including attorneys' fees, costs and expenses) (collectively, "Claims") arising out of, directly or indirectly, the use of the FACILITY by WEHA; (b) Releasor/Indemnitor hereby waives any claims, and hereby releases, the TOWN, its elected officials, officers, employees, agents, insurers, insurance pools, attorneys, representatives, contractors and subcontractors (collectively, "Releasee/Indemnitee") against and from any and all Claims arising out of, directly or indirectly, the use of the FACILITY by WEHA; and (c) WEHA shall indemnify, defend and hold harmless Releasee/Indemnitee from and against any and all Claims of any third party arising out of WEHA's use of the FACILITY.

- 10.4 WEHA understands and agrees that the TOWN is relying on, and does not waive or intend to waive by any provision of this CONTRACT, the monetary limitations (currently \$350,000 per person and \$990,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as from time to time amended, or otherwise available to the TOWN, its elected officials or its employees.
- 10.5 WEHA shall cause all participants, staff and volunteers participating in the PROGRAM to execute a liability waiver assuming the risk in connection with the PROGRAM activities and waiving any and all claims against the TOWN as the property owner in connection therewith.
- 10.6 At its sole cost and expense, WEHA shall obtain and keep in force during and through the TERM "all-risk" property coverage naming the TOWN and WEHA as their interests may appear.

At its sole expense, WEHA shall obtain and keep in force during and through the TERM commercial general liability insurance with a combined single limit of not less than \$2,000,000.00 for injury to or death of any one person, for injury to or death of any number of persons in one occurrence, and for damage to property, insuring the TOWN and WEHA, including, without limitation, coverage for contractual liability, broad form property damage and non-owned automobile liability, with respect to the FACILITY. The insurance shall be noncontributing with any insurance that may be carried by TOWN and shall contain a provision that TOWN, although named as an insured, shall nevertheless be entitled to recover under the policy for any loss, injury, cost or damage to TOWN, or the property of the same.

All insurance required herein and all renewals thereof shall be issued by companies authorized to transact business in the State of Colorado and rated at least A+ Class X by Best's Insurance Reports (property liability) or otherwise approved by TOWN in writing. All insurance policies shall be subject to approval by TOWN as to form and substance, shall expressly provide that the policies shall not be canceled without 30 days' prior written notice to TOWN and shall provide that no act or omission of TOWN that would otherwise result in forfeiture or reduction of the insurance shall affect or limit the obligation of the

insurance company to pay the amount of any loss sustained. Lessee may satisfy its obligation under this Section by appropriate endorsements of its blanket insurance policies.

All policies of liability insurance that WEHA is obligated to maintain according to this CONTRACT (other than any policy of workmen's compensation insurance) shall name TOWN as an additional insured. Originals or copies of original policies (together with copies of the endorsements naming TOWN as an additional insured) and evidence of the payment of all premiums of such policies shall be made available to TOWN on the date first written above. All public liability, property damage liability and casualty policies maintained by TOWN shall be written as primary policies, not contributing with and not in excess of coverage that TOWN may carry.

The parties waive all rights to recover against each other, or against the elected and appointed officials, employees, contractors, agents, advisors, attorneys, insurers, insurance pools, shareholders, directors, members, managers, officers, suppliers, agents or servants of each other, for any loss or damage arising from any cause covered by any insurance required to be carried by each of them pursuant to this Section or any other insurance actually carried by each of them. WEHA shall cause its insurer to issue an appropriate waiver of subrogation rights endorsements to all policies of insurance carried in connection with WEHA's operations and TOWN's operations and property failure of the TOWN to insist in any one or more instances upon strict compliance of any of the obligations, covenants, and agreements herein contained, or the failure of the TOWN in any one or more instances to exercise any option, privilege, or right herein contained shall in no way be construed as constituting a waiver of such default or option by the TOWN.

- 10.7 It is agreed that if the enforcement, interpretation or construction of this CONTRACT becomes necessary or advisable, the prevailing party in such effort shall be entitled to reasonable attorneys' fees, as well as all related costs and expenses.
- 10.8 If any provision, covenant, clause or agreement contained in this CONTRACT or the application hereof shall be found to be invalid, such invalidity shall not affect the validity of the remaining provisions, covenants, clauses, agreements, or the validity of the this CONTRCAT as a whole

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE(S) TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this CONTRACT effective as of the date first set forth above.

TOWN:

TOWN OF CRESTED BUTTE,
COLORADO,
a Colorado home rule municipality

By: _____
Dara MacDonald, Town Manager

ATTEST:

By: _____
Lynelle Stanford, Town Clerk

(SEAL)

WEHA:

GUNNISON VALLEY HOCKEY
ASSOCIATION

By: _____
Name: _____
Title: _____



Staff Report November 4, 2019

To: Mayor and Town Council
Thru: Dara MacDonald, Town Manager
From: Janna Hansen, Parks and Recreation Director
Subject: Approval of the 2019 Arbor Day Proclamation and Tree City USA Application for Certification

Background:

The Town of Crested Butte has been awarded the certification of Tree City USA for 18 years through the Arbor Day Foundation. The standards for a community to be officially certified as a Tree City USA include:

1. A Tree Board or Department
2. A Community Tree Ordinance
3. A Community Forestry Program with an Annual Budget of at Least \$2 Per Capita
4. An Arbor Day Observance and Proclamation

The Town of Crested Butte has achieved these standards and recognizes the environmental and economic value of trees in our community. The following people serve on the Town's Tree board:

- Janna Hansen (Chair), Director of Parks and Recreation
- Sam Pankratz, CO State Forester
- Astrid Matison, Building Inspector
- Eric Treadwell, Residential/Vacation Rental Inspector
- Pete Curvin, Parks Supervisor
- Jack Morgan, Arborist and Park Crew

The Tree Ordinance can be found in Town code sec. 16-15-10 et seq. In 2019 the Town of Crested Butte spent \$2.54 per capita on trees and planted 56 trees on Town property including 52 trees in Town Park. Arbor Day was observed on September 25th with the planting of 4 trees at the Bike Park by the Crested Butte Community School ("CBCS") 4th Graders. Rocky Mountain Trees and Landscaping is our annual Arbor Day partner and gave us a 15% discount on installation and a 10% discount on trees and planting materials. This is the 8th year that the Town has partnered with CBCS 4th Graders and Rocky Mountain Trees and Landscaping in the celebration of Arbor Day.

Recommendation:

Town Staff recommends the approval of the 2019 Arbor Day Proclamation and the signing of the 2019 Tree City USA application by the Mayor.



2019 Tree City USA

Application for Certification

The Tree City USA award is in recognition of work completed by the community during the 2019 calendar year.

Primary Contact

Contact Name Janna Hansen
Email Address: jhansen@crestedbutte-co.gov
Phone Number: (970) 349-5338
Address: PO Box 39, 507 Maroon Ave.
 Crested Butte, CO 81224

Crested Butte, Colorado Community Information

Select Which Best Describes Your Community: Community has a Tree Board Only

Ordinance Date:

Ordinance Uploaded

Per Capita Expenditure: 2.54

Arbor Day Date: Sep 25, 2019

Proclamation Uploaded

As Mayor or Equivalent of the Community of Crested Butte

Mayor or Equivalent Signature

Title

Date

Application Certification

To Be Completed By The State Forester:

Crested Butte

The above named community has made formal application to this office. I am pleased to advise you that we reviewed the application and have concluded that, based on the information contained herein, said community is eligible to be certified as a Tree City USA community, for the 2019 calendar year, having in my opinion met the four standards required for recognition.

State Forester Signature

Title

Date



2019 Arbor Day Proclamation

Whereas, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day 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 reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide 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, James A. Schmidt, Mayor of the Town of Crested Butte, do hereby proclaim September 25th ARBOR DAY 2019 in The Town of Crested Butte, 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.

James A. Schmidt, Mayor

ATTEST:

Lynelle Stanford, Town Clerk



Memorandum

To: Town Council
From: Dara MacDonald, Town Manager
Subject: Manager's Report
Date: November 4, 2019

Town Manager

- 1) Mt Emmons – Barbara, Ashley Bembenek, David Baumgarten and I met with several representatives from Mt. Emmons Mining Company and the State of Colorado Natural Resources and Public Health and the Environment on October 22nd in Denver. It was the first meeting with all of these folks since the spring. The major outcome was that we have formed a subcommittee that will focus on the permanent solution and withdrawal of the unpatented claims while remediation work continues and plans are developed for a new water treatment plant.
- 2) CAST meeting – Attached are my notes from the recent CAST meeting in Aspen. Lots of focus on climate action and stewardship of public lands.
- 3) CAST STR rental survey – At the CAST meeting Sen. Rankin and Rep. McCluskie wanted to get feedback on whether or not they should introduce legislation to somehow tax short-term rentals as commercial properties. Attached is a survey that CAST members have been asked to participate in to provide them with feedback. The Council may want to discuss their feedback under Other Business.
- 4) OVLC – Attached are my notes from the most recent meeting of the OVLC subcommittee on climate action. Plans are proceeding for a conference to be held on Friday, January 17, 2020 at Western. The conference will be open to the public and we hope many will choose to participate. In addition, the OVLC has also decided to focus on waste management including possible composting facilities, anaerobic digester and recycling. There was also a presentation from Region 10 about economic development efforts. The handout from that presentation is attached.
- 5) QQ meeting update – QQ has provided an update from their most recent meeting. See attached.
- 6) Broadband update – The Gunnison County team working with Region 10 on broadband met on the 30th. It was determined that we will proceed ASAP with engineering of the extension from GCEA headquarters to their substation outside of Crested Butte. Region 10 will also proceed with a DOLA grant application for December 1st to fund the construction next year which would get the fiber to Crested Butte and a carrier neutral location (CNL) in or near the Marshals office. No additional match is being requested from the Town at this time as GCEA has committee funding for the match. We will also be pursuing additional grant funding available to the hospital that would reduce GCEA's match and get the fiber up to Mt. Crested Butte.

Public Works

- 1) Old Town Hall elevator project - we are mud and tapping inside the shaft and texturing and painting outside the shaft. Dale has the elevator company scheduled for the week of the 11th of November to install the lift so we are on schedule and maybe a little ahead of schedule. As far as the budget we are still under our budget so all in all I am very pleased with how everything is going.
- 2) Kapusion project update – The contractor has completed the installation of the underground stormwater and sanitary sewer infrastructure. Pressure testing of the sanitary sewer line has been completed. Manhole leak testing is scheduled to occur the week of the 4th of November. Contractor will not be paving 5th Street or Teocalli Ave this year.
- 3) Slate River project update – The contractor has completed the installation of the wall panels on the east side of the public works yard, adjacent to the Mt Express Bus Parking. Installation of the electrical outlets and lights on the wall will be completed by the end of the week of October 28th. Installation of the Lift Station is proceeding with completion of the wet well. Installation of the associated forced main, as well as, the electrical pump control enclosure will be occurring over the next two weeks. Anticipated start up is mid-November.
- 4) Pedestrian Bridge update – Town staff will remove the existing bridge and install the superstructure starting of the new bridge November 4th. Installation of the new decking will occur once the superstructure is installed. Complete installation is anticipated to take 2-3 weeks.

Marshals

- 1) On October 23 Ryan hosted a tour of the Marshal's Office for the Paradise Preschool.
- 2) On October 25 the Marshal's Office hosted a drug take back where people could bring used medications for proper disposal.

Parks & Rec

- 1) The Town Park Playground punch list was completed on 10/25. Multiple outstanding items cannot be addressed until the spring. Final Acceptance and payment will be withheld until punch list items have been completed.
- 2) A GOCO grant application was submitted for the Henderson Park Renovation Project and notice of award will be in March.

Community Development

- 1) Investment Grade Audit: Johnson Controls completed an on-site lighting and building envelope audit in mid-October. They are currently analyzing solar potential for about 10 Town facilities and will be walking the sites with sub-contractors next week to get price estimates on energy efficiency improvement measures. Johnson Controls will hold a workshop with Town Staff in early December to discuss their recommended facility improvement measures and on-site solar to determine a scope of work (and potential phases) for an energy performance contract.
- 2) Slate River Working Group: The Slate River Working Group re-convened this past week to debrief the 2019 floating season. Cheryl Cwelich, from the Crested Butte Land Trust, presented her findings on her 2019 river use study (involving surveys and a river use counter) and Pat Magee's team from WCU presented their preliminary data from the Great Blue Heron study. The Working Group will meet again in early spring to discuss the upcoming season and release an update to the management plan. The Working Group is planning to work on securing funding to double Cheryl's human presence position (to have an increased presence at the Rec Path bridge), and add additional signage

throughout the Great Blue Heron Rookery and at the Rec Path Bridge (regarding parking restrictions).

- 3) Kapushion Phase 1 Teocalli Avenue from 5th to 6th Street has been completed with the exception of paving. Due to temperatures and weather conditions it was determined it was best to allow the road base to have the winter to settle prior to paving. This section will be closed for the winter except for access to alleys where it was previously provided. The Kapushions have been approved to market and sell lots in Phase 1. However, prior to any building permits being issued, the remaining paving must be completed.
- 4) At this time, there are 209 unlimited vacation rental licenses with 4 pending applications. There is only one party on the waiting list. There are 19 primary residence licenses. To date inspections have been conducted on all but 6 properties for the bi-annual safety inspection. Arrangements have been made to have the initial inspection completed prior to the end of the year with all of these owners.

Town Clerk

- 1) There will be one more FCPA report for contributions and expenditures covering October 28, 2019 through November 30, 2019 that is due no later than Thursday, December 5.
- 2) On December 16, the work session will start at 5PM for a presentation from Sam Light from CIRSA. There will be a meal before the regular meeting.
- 3) The County will provide unofficial election results on Wednesday, November 6. Candidates will be notified of the results via email on Wednesday.

Finance

- 1) Late Night Taxi update - Telluride Express has agreed with maintaining the \$5 per person fee, versus their initial proposal to increase to \$10. There is no change to the increased subsidy request. CB / Mt CB Bartenders Association is verifying commitments from the various contributing organizations to confirm their support.

Late Night Taxi

Financials (as proposed)

	Bartenders'	
Subsidies:	Current	Request
CB	\$7,700	\$12,000
Mt CB	\$7,700	\$12,000
Gunnison County	\$5,000	\$10,000
Mountain Express	\$0	\$6,000
RTA		\$6,000
CB South	\$0	\$2,000
Bartenders Assoc	\$0	\$2,000
Total Subsidy	\$20,400	\$50,000
Riders	6,800	6,800
Ride Fee:	\$5	\$5
Total Ride Fees	\$34,000	\$34,000
Total to Telluride Express	\$54,400	\$84,000
Total Cost per Ride	\$8	\$12

- 2) Town sales tax for September was down 5% versus 2018. Our largest three categories were all down or flat. On-line retail, as opposed to local retail, has been growing. As has been the recent trend,

construction, grocery and service are growing significantly. Ostensibly, this is driven by the significant amount of building and construction activity in the North Valley.

Business Type	September '19	September '18	\$ Diff	% Diff
BARS/REST	\$127,844	\$131,849	(\$4,005)	-3%
RETAIL	\$117,250	\$130,141	(\$12,891)	-10%
LODGING	\$72,700	\$72,986	(\$285)	0%
GROCERY	\$50,372	\$45,343	\$5,029	11%
CONST/HRDWR/AUTO	\$50,040	\$42,326	\$7,714	18%
SERVICE	\$41,762	\$23,940	\$17,822	74%
OTHER	\$19,176	\$61,143	(\$41,967)	-69%
RETAIL:MMJ	\$10,936	\$7,569	\$3,367	44%
Grand Total	\$490,080	\$515,296	(\$25,216)	-5%

For year to date September, Town sales tax has grown 3%. Retail is flat with 2018 and retail marijuana down. Restaurants, bars and lodging are slightly up.

BUSINESS TYPE	YTD Sept '19	YTD Sept '18	\$ Diff	% Diff
BARS/REST	\$1,113,642	\$1,096,339	\$17,303	2%
RETAIL	\$884,370	\$884,637	(\$266)	0%
GROCERY	\$412,027	\$382,928	\$29,100	8%
LODGING	\$365,505	\$353,690	\$11,815	3%
CONST/HRDWR/AUTO	\$314,452	\$259,242	\$55,210	21%
OTHER	\$187,741	\$194,400	(\$6,659)	-3%
SERVICE	\$156,362	\$138,479	\$17,883	13%
RETAIL:MMJ	\$95,741	\$108,457	(\$12,717)	-12%
Grand Total	\$3,530,348	\$3,418,172	\$112,176	3%

Intergovernmental

The next meeting will be hosted by Mt. Crested Butte this winter.

Upcoming Meetings or Events

Tuesday, Nov 12th, 5:30 – 7:30, Chamber Winter Economic Forecast, Mallardi Theater

Wednesday, Dec 4th, 6:00 – 8:00, public meeting for Climate Action Plan

* As always, please let me know if you have any questions or concerns. You may also directly contact department directors with questions as well.

Meeting notes:

- I. **Colorado's Fiscal Policy: Presentation & Interactive Discussion** – *Reeves Brown, Building a Better Colorado*
See handouts regarding Gallagher, TABOR and Amendment 23. Reeves reviewed each of these measures and shared polling data on public responses to possible ways to amend or change each measure.

- II. **Polystyrene Regulation & Legislative Effort** – Sarah Smith Hymes, Mayor, Avon
Wanted to ban EPS from takeout food containers. Preemption by State from local control over any kind of plastics. Asking communities to support the repeal of this statute. Thinking of tying the local ban on EPS to the repeal of the statute. Being threatened by DAR Industry, Restaurant Association of America, and one more who are watching Avon's actions.

- III. **Welcome to Aspen** - *Mayor Torre*
Affordable Housing
 1662 – deed restricted ownership
 1371 – deed restricted rental (includes some seasonal units <400)
 3034 – total inventory of deed restricted units (approx. 30% of workforce)
 7,400 – City population

Transportation
 Bike rentals (first 30 minutes free)
 Downtowner – subsidized electric shuttle service in downtown/core area. On demand
 Car to Go
 Electrifying bus system (2 running through test cycle, 6 more on order)

Environmental Health & Sustainability
 Composting – privately provided on volunteer basis (not mandated) supported through CDPHE grant funding
 Holy Cross Energy – moving portfolio from 30% - 70% renewable by 2030 (may actually happen in next year to year and a half)
 Climate Action Plan
 Building IQ – Benchmarking of City, commercial and eventually multi-family buildings.
 Will lead to efficiency improvements/retrofits

Future Work Plans
 Kids First – childcare – paid maternity/paternity leave
 Framing the Future – Affordable housing program
 Protecting water flow – avalanches impacted headgates last winter
 Water storage – have about a 1-day supply at this time. Want to grow that.

- IV. **Resort Spotlight: Aspen Skiing Company** - *Auden Schendler, Vice President of Sustainability*
 What actions approach the scale of the problem?
 How do you best reach the guest and ensure they go home and do something?

Has to change at the utility level! Discussion about transition of Holy Cross to renewables over 15-year period.

Changed resort marketing campaign to push on climate – strategy to mobilize citizens to be informed and active on climate issues. Partnered with POW (Protect Our Winters).

Weaponized the environmentalists in the outdoor industry and turn them into a political force. “Give A Flake” – empowering people on how to be citizens – info on who to contact and how to reach them, example of targeting three Republican Senators.

Create and implement aspirational vision.

V. **Hanging Lake Active Management: Rearview Mirror of Season 1** - *Lisa Langer, Director of Tourism Promotion, Visit Glenwood Springs, Max Forgensi, Mountain Sports Administrator, Eagle-Holy Cross Ranger District, USFS, Debora F., Glenwood Springs City Manager*

Objectives

- Protect natural resource
- Manage congestion
- Enhance public safety
- Improve visitor experience
- Another???

Outcome - 7-year long NEPA process

- Created Adaptive Management Plan
- Innovative Public-Private partnership
- 3rd party contractor
- Shuttle – Adaptive Partnership and Management Contract between Glenwood and USFS – Shuttle access only May 1st – October 31st – Shuttle service is financially stable, \$12 per ticket. Management will be reviewed annually between City and USFS.
- VisitGlenwood.com - Reservation system is hosted on VisitGlenwood.com, a website owned by the City of Glenwood. Can then redirect web visits to the rest of the site as well. City created branding and all promotional and informational materials. Hanging Lake reservations page now accounts for 1/3 of organic web traffic to VisitGlenwood.com.
- City entered contract with shuttle provider (use ice rink as hub for shuttle and welcome center – working to get these 615 visitors per day onto Main Street)
- Year-round reservations even off-peak, but you can park at the site Nov 1st – April 30th. 5% of every reservation goes back to management of the location by City and USFS
- Reduced daily visitation from 1,000 people per day to 615
- From 185,000 annual visitors to less than 100,000

Lessons Learned

- Collaboration
- Stakeholder/partners

- Shared vision with County, Communities and Forest
- Outside visitors like change to reservation/shuttle service. Locals were not pleased about switch from “free” recreation site. City tried to be responsive to every complaint from locals.

Video about visiting Hanging Lake: <https://www.youtube.com/watch?v=-aqQFvIDQ2M>

VI. **Stand Up Paddleboards or Great Blue Herons? Managing Conflicting Community Values** - *Mel Yemma, Planner, Town of Crested Butte, Noel Durant, Executive Director, Crested Butte Land Trust*

VII. **Climate Discussion**

Aspen's Climate Action Toolkit: Ashley Pearl, Climate Action Manager, City of Aspen
Effectively Communicating About Climate Change: Jacob Smith, Executive Director, CC4CA
Report out from Attendees of the Mountain Towns 2030-Net Zero Summit

Aspen Climate Action

Why? Aspen has 31 more frost free days since 1980. Impacts snowmaking, street maintenance, forest health, etc.

Created Climate Action Office in 2004. Updated Climate Action Plan in 2018 (includes 46 actions) and created Greenhouse Gas Reduction Toolkit (250 actions). Council has adopted Climate Action goals. Reduce CO₂ by 30% by 2020 and 80% by 2050.

Climate Action Sectors

- Energy Supply
- Residential Energy
- Commercial Energy
- Vehicles and Transportation
- Waste and Landfill
- Aviation and Airport

Next Steps for Aspen

- Higher impact needed to meet its goals
- Supply and demand efforts both necessary
- Local action + state/federal policy
- Regional and cross-sectoral collaboration for systems change

CC4CA – Jacob Smith

29 members, predominantly western slope

Focusing on strengthening policy around climate action

Public Opinion Research

1. Understanding around climate change is low but improving
 - 76% believe in climate action (August 2019)
 - 62% believe it is human-caused (August 2019)
2. Concern is growing
 - 66% “very or “somewhat” worried (April 2019)
3. The wide partisan divide

- 78% Democrats believe vs. 31% Republicans believe - human-caused (June 2019)
- 4. Strong bipartisan support for climate solutions
 - E.g. very strong support for renewables
 - E.g. strong and growing support for EVs
- 5. Concerns about cost
- 6. Latina/o voters tend to support climate action
 - 78% personally experienced climate impacts (November 2018)

Suggestions

1. Personal and localized terms (relate frost-free days to road damage due to freeze/thaw cycle, water, agriculture impacts, etc)
2. Balance threats and hope - You are more likely to engage if you feel like you will have an impact
3. Social validation – Most people are looking for someone else to do something before they will try it. Important for local government to set the example.
4. Preempt counterarguments (i.e. expense around solar – “Yes, solar used to be very expensive but costs have come down substantially...)
5. Highlight co-benefits – reach multiple audiences at the same time (i.e. good for climate and will save money)
6. Repetition – Continue to beat the drum and repeat the same points over and over to variety of audiences to build momentum to move policy

Specific Words and Ideas

1. “global warming” vs. “climate change”
2. “climate disruption” and “climate crisis”
3. “greenhouse gases” vs. “heat-trapping emissions” vs. “carbon pollution”
4. “climate mitigation” vs. “climate protection” vs. “emission reductions”
5. “falling behind”
6. Public health
7. Scientific consensus

Two Other Key Issues

1. Who is speaking
2. Who is the audience

The Elevator Pitch

If we continue polluting the way we have, our communities face increasingly severe impacts: not enough snow, not enough water, rampant wildfires, growing public health risks, escalating costs.

By reducing carbon pollution, we can protect our climate, sustain the values that make Colorado such a special place to live and grow our economy.

Report out from Attendees of the Mountain Towns 2030-Net Zero Summit

Rob Davies, Professor from Utah State – January 8th in Eagle, Roaring Fork, Summit County, Routt County, etc.

MT2030 2020 meeting, September 30, Oct 1 & 2 in Breckenridge

- VIII. Short Term Rentals: *Discussion with Sen. Rankin & Rep. McCluskie*
If convert short-term rentals to commercial, would help with maintaining residential assessment rate. Would also impact housing availability.

Hearing local solutions, so do they need to run a bill?

No answer on what, if any, impact there would be to municipal tax collections.

Statutory counties would like more tools similar to what home rule municipalities can do. (i.e. impose a new voter-approved taxes, licensing, etc.) Make the tools available to the counties to choose to adopt.

Suggestion that state could provide uniform rules around safety and welfare standards for short-term rentals.

- IX. Short Term Rentals: *Consideration of CAST/NWCOG research effort*
Determined that CAST does not want to proceed with an updated study at this time. Would prefer to wait until some of the regulations have had additional implementation time.

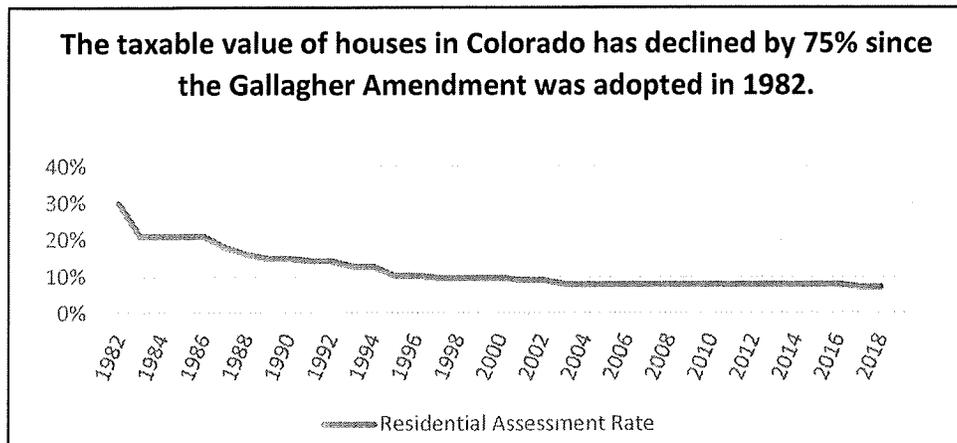
Colorado's Gallagher Amendment: What it IS, What it DOES, and Why it MATTERS

GALLAGHER Amendment: What is it?

The Gallagher Amendment to Colorado's constitution was adopted by voters in 1982 and requires that residential property in the state never constitutes more than approximately 45% of total assessed property valuation in order to limit the potential contribution of residential property to the state's total property tax pool.

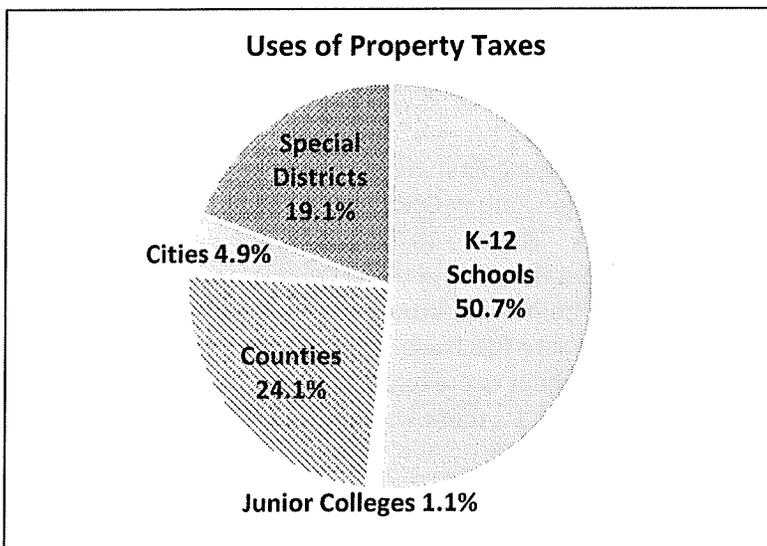
GALLAGHER Amendment: How does it affect our Colorado way of life?

The frozen 45% residential property valuation ratio is forcing down the taxable value of houses (from 30% in 1982 to 7.2% today). While this provides for lower property taxes for homeowners, it is eroding the residential property tax base on which local community services (such as fire protection and local support for schools) rely for funding, shifting the property tax burden from residential homeowners to business owners, and shifting the burden (and control) for funding K-12 education from local communities to the state.



What is property tax?

Property taxes are used to pay for local government services. In 2017, just over 50% of property tax revenues were used to fund local K-12 school districts; the remainder supports local services provided by counties, special districts, and, to a lesser degree, cities and towns (which are primarily funded by sales taxes), including fire protection, recreation, water and sewer infrastructure, libraries and county road maintenance. Property taxes in Colorado are assessed, collected and spent locally.



Colorado has not imposed a state level property tax since 1964, and therefore property tax revenues do not pay for any state services like highways, prisons, or higher education. Rather, state services are paid for through a combination of the state income tax, the state sales tax, motor fuel taxes fees and other tax revenues.

How is Colorado's property tax calculated?

Colorado's property tax revenue is calculated by the following simple formula which includes three parts:

1. "Base Property Value" = The market value of your property.
2. "Assessed Property Value" and "Assessment Rate"

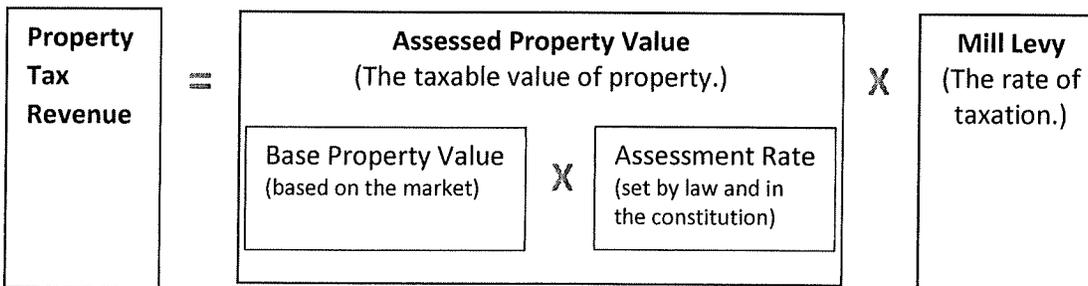
The base property value is multiplied by an "Assessment Rate" to determine how much of the market value of your property is subject to taxation. The Assessment Rates are set by law and in the state constitution for each class of property (Residential, Commercial, Agricultural, etc) in order to allow different classes of property to contribute to the total tax burden at different levels.

The "Assessed Value" is the taxable value of your property and is determined by multiplying your property's base market value by an "Assessment Rate" which has been established for your class of property.

Property Class	Assessment Rate BEFORE "Amendment 1"	Assessment Rate AFTER "Amendment 1"
Agricultural	30%	29.0
Commercial	30%	29.0
Industrial	30%	29.0
Residential	30%	Fluctuates, currently 7.2%
State Assessed	30%	29.0
Vacant Land	30%	29.0

3. "Mill Levy"

The mill levy is the rate of tax that is applied to the assessed value of a property to determine property tax revenue. One mill is one dollar per \$1,000 dollars of assessed value. For example, if your property has a taxable value of \$100,000, and the mill levy in your community is 1 mill (or an effective "tax rate" of .001), you'll pay \$100 in taxes. Tax mills are approved by voters, and the mill levy on your property will include all of the various tax mills which voters in your jurisdiction (city, county, state and any special districts) have approved over the years.



Why did Coloradans adopt the Gallagher Amendment in 1982?

"Amendment 1" – which included the Gallagher Amendment – was the culmination of a property tax revolt that began in Colorado in the late 1970's as a result of growing frustration among Colorado voters about the increasing property tax which they were paying as their property values grew. The late 1970s in Colorado were a time of extremely high inflation and high growth, especially along the Front Range, and these two factors contributed to causing property values to grow at a rate of about 1% per month from 1969 through much of the 1970s and beyond. Taxing authorities were either unwilling or unable to alleviate this frustration by lowering their mill levies enough to offset the growing property values and maintain a consistent tax revenue. Additionally, prior to the adoption of the comprehensive property tax reforms in "Amendment 1", there was no statewide oversight to ensure that each county assessed property values in a consistent manner.

How did the Gallagher Amendment affect Colorado property taxes?

The Gallagher Amendment froze the ratio of the total value of Non-Residential and Residential property. When the Gallagher Amendment was proposed in 1982, Non-residential property made up 55% of the state's total aggregate property valuation, and Residential property made up the other 45% of that total valuation. The Gallagher Amendment froze these relative ratios at the 1982 levels so that Residential property in Colorado would always constitute approximately 45% of the total property valuation.

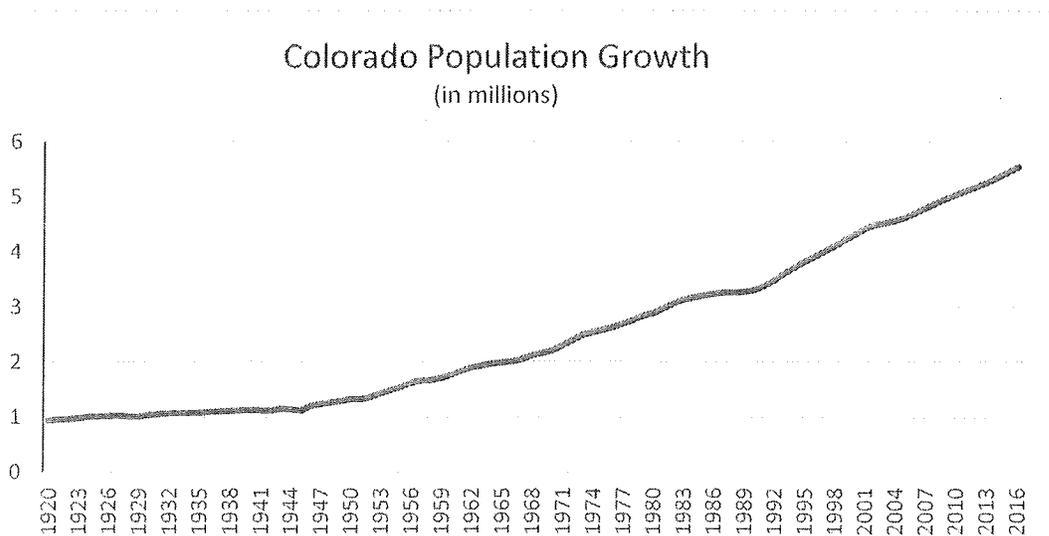
The Gallagher Amendment further required that the legislature adjust the Assessment Rate for Residential property every two years (up or down as might be necessary) to ensure that the aggregate statewide valuation for Residential property continue to represent only 45% of the state's total property valuation. However, while the legislature HAS lowered the Residential Assessment Rate as the Gallagher formula required during times when the total value of Residential property was outpacing the value of Non-Residential property, the subsequent passage of the TABOR Amendment in 1992 has been interpreted to prohibit the legislature from conversely raising the Residential Assessment Rate when the Gallagher formula would accommodate an increase; in short, Gallagher has created an unsustainable and unstoppable downward spiral of the Residential Assessment Rate.

What have been the impacts of the Gallagher Amendment?

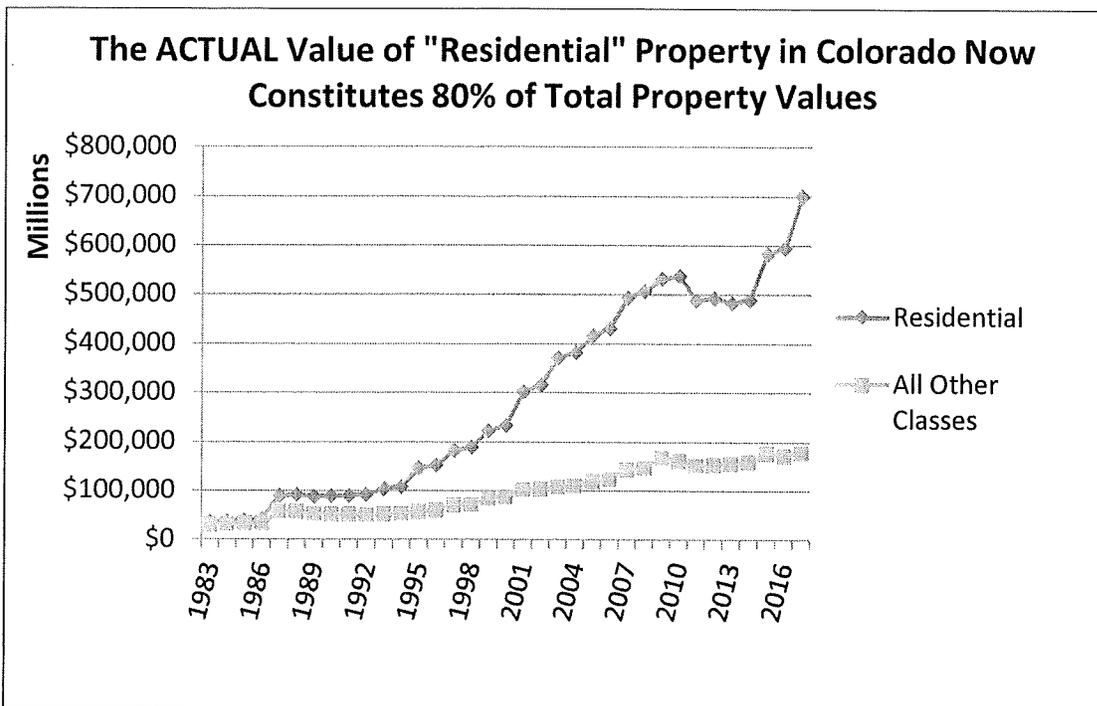
While the Gallagher Amendment was intended to address specific challenges at a specific time when it was proposed and passed in 1982, changes in real estate market conditions over time and the passage of subsequent constitutional amendments which retroactively affect the Gallagher Amendment have created unforeseen and unintended consequences that are causing significant challenges for Colorado today.

- 1) **The frozen Residential/ Non-Residential ratio is forcing down the Assessed Value of houses (from 30% in 1982 to 7.2% today) and jeopardizing community services which rely on that Residential property tax base.**

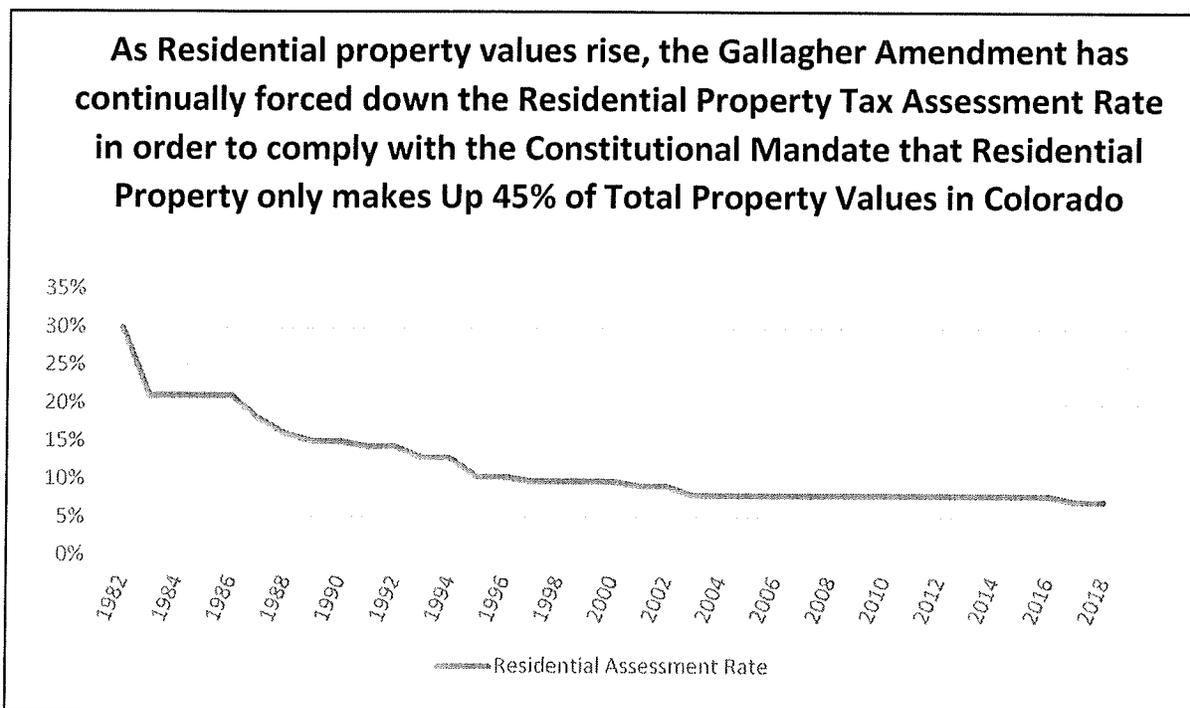
Colorado's robust population growth over the last three decades has resulted in the state's total Residential property value significantly outpacing the growth of the state's total Non-residential property value.



Today, Residential property makes up about 80% of the actual market value of all property in the state. However, because the Gallagher Amendment froze the ratio of Non-residential and Residential property values at their 1982 levels and limits the taxable value of all Residential property to never constitute more than approximately 45% of the state's total property valuation, the state has been forced to continually reduce the Assessment Rate for Residential property to maintain this frozen ratio.



As long as the growth in value of Residential property in the state outpaces the growth in the value of Non-Residential property, the Gallagher Amendment forces the Residential Assessment Rate down. When we adopted the Gallagher Amendment in 1982, this Assessment Rate for Residential property was 30%; today, it's been forced down to only 7.2% and is expected to continue to decline.



For example, the property tax collected on a \$300,000 house in a local taxing district that collects 60 mills (mill rate of 60 mills per \$1,000 = .06) would be:

	1981	2017	
Market Value of house	\$300,000	\$300,000	
X Assessment Rate	30%	7.20%	
X Mill Levy rate (60 mills)	<u>.06</u>	<u>.06</u>	
= Annual Property Tax collected	\$5,400	\$1,296	(a reduction of 76%)

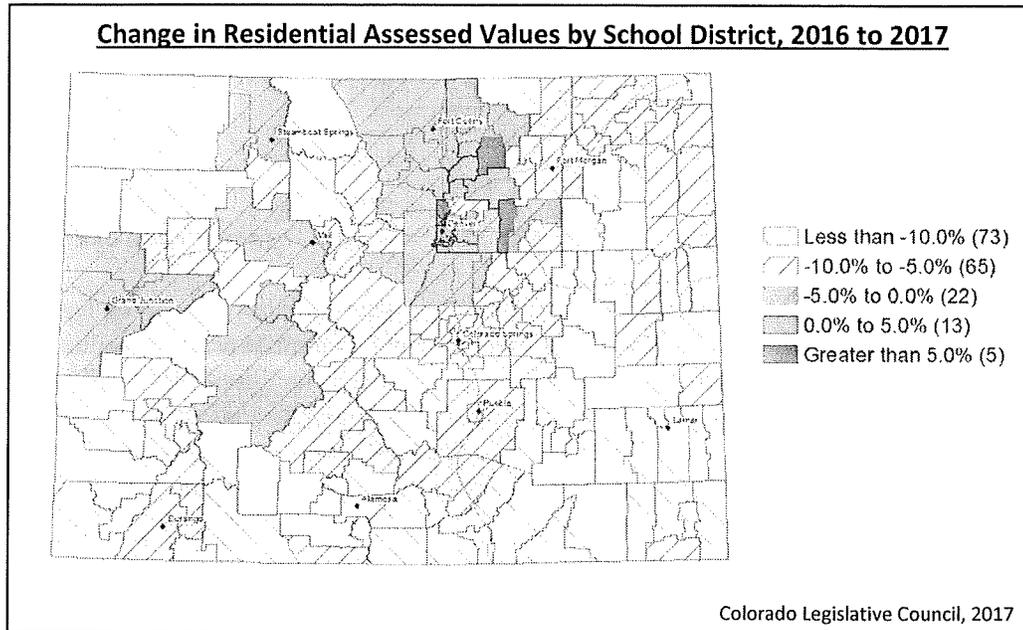
2) **The forced decline in the Residential Assessment Rate disproportionately and adversely impacts the poorest communities with the lowest rates of growth in Residential property values.**

Because the Gallagher Amendment sets the Residential Assessment Rate statewide, it requires that it be the SAME for all counties. And since the actual market value of Residential property grows at DIFFERENT rates in different counties, the impact of the declining Residential Assessment Rate affects each county tax base differently; specifically, for those counties whose Residential values are growing more slowly, the declining Residential Rate causes a larger decline in the Residential property tax base.

For example, let's assume the Gallagher Amendment requires that the Residential Assessment Rate be reduced from 7% to 6% during a particular 2-year property assessment cycle; that 1% change amounts to a 14% decrease in the Assessment Rate (1% change divided by 7% rate), and...

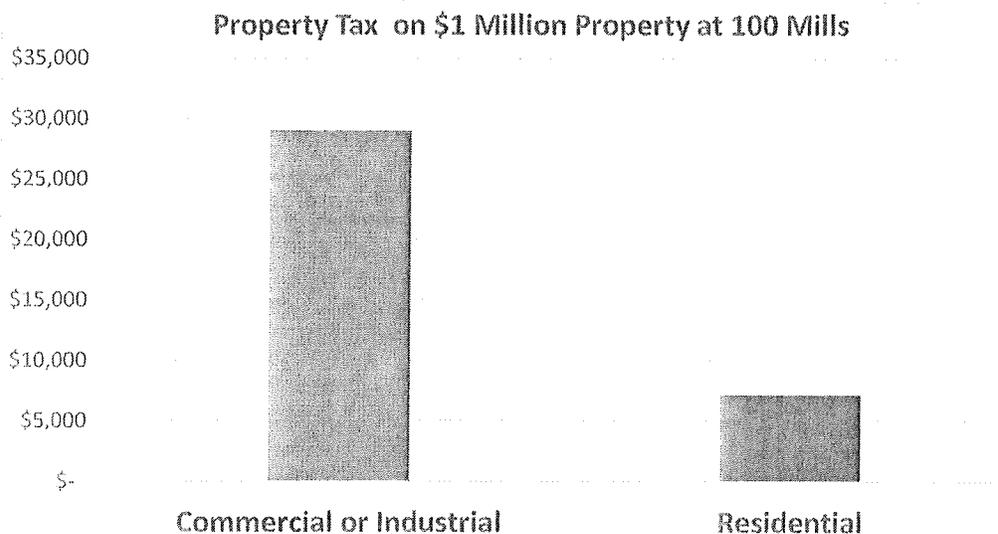
1. If the market value of the average house within one jurisdiction grows at a rate which is EQUAL to the required 14% decrease in the Assessment Rate, then the 14% reduction in the Assessment Rate will cancel the 14% growth in market value, and therefore the Assessed Value of the average house and that jurisdiction's residential tax base doesn't change.
2. However, if the market value of the average house in another jurisdiction grows at a rate which is LESS than the 14% decrease in the Assessment Rate, then the 14% reduction in the Assessment Rate results in a lower Assessed Value of the average house and a reduction in that jurisdiction's residential tax base. For example, if the market value of the average house in this jurisdiction only grew by 8%, then a 14% required reduction in the Residential Assessment Rate would result in a net 6% reduction in the Assessed Value of the average house and a corresponding reduction in that jurisdiction's overall tax base.

Typically, the state's poorest communities are located in rural areas which have the slowest growth in Residential market values, and therefore the Gallagher Amendment forces a reduction in their residential property tax base when the market value in other more prosperous communities is growing. As an example using school districts, the map below demonstrates the change in Residential Assessed Values by district from 2016 to 2017.



- 3) **The forced decline in the Residential tax base, and subsequent efforts by local taxing authorities to increase their mill levy to offset this decline, unfairly shifts the property tax burden to Commercial/Business property owners which creates an unfriendly tax environment for growing and attracting businesses.**

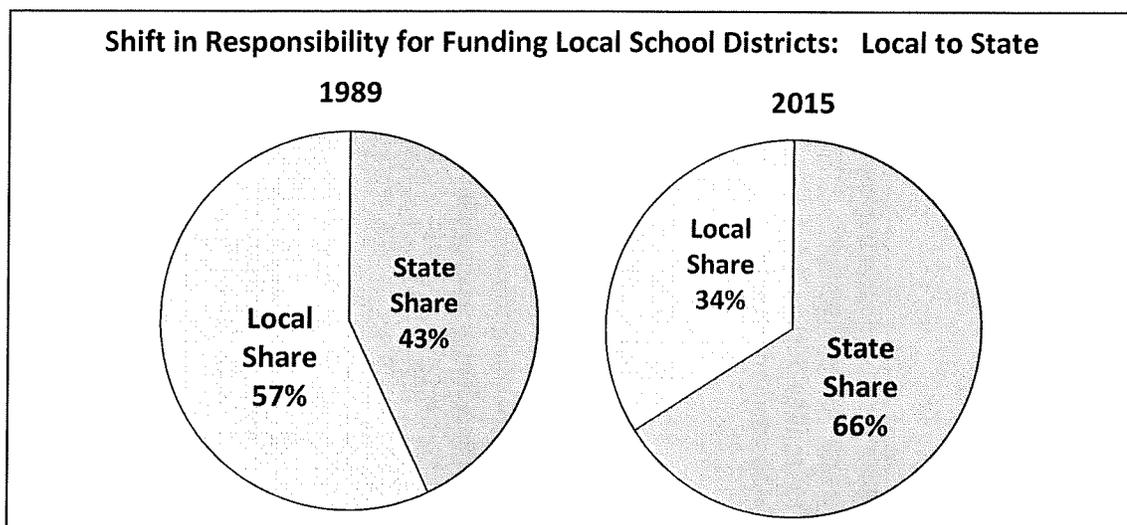
As the Gallagher Amendment forces down the Residential Assessment Rate, the corresponding Assessment Rate for Commercial property is frozen at 29%. Therefore, when taxpayers vote to increase their mill levy to offset the effect of the declining Residential property tax base, the property tax burden is shifted to business property owners who are forced to pay for a higher mill levy at the higher fixed Commercial Assessment Rate. Currently, owners of Commercial and Industrial properties bear over 4X the property tax burden of Residential property owners on property with the same market value.



- 4) **The Taxpayers Bill of Rights (TABOR), which voters adopted in 1992, further complicates the property tax challenge created by the Gallagher Amendment.**
1. While the Gallagher Amendment requires that the Residential Assessment Rate be LOWERED during times when the growth in Residential values outpaces the growth in Non-Residential values, TABOR prohibits the legislature from conversely abiding by Gallagher's requirement that the Residential Assessment Rate be RAISED during times when the formula would support such an increase. This results in an irreversible ratcheting down of the Residential Assessment Rate.
 2. Because TABOR limits the amount of tax revenue which a taxing jurisdiction can collect without voter approval, it forces the mill levy to automatically be reduced when the growth in property values exceeds TABOR's revenue limit. Conversely, while mill levies were traditionally allowed to float upward when property values decreased in order to counteract economic cycles and help protect local governments' primary revenue source, TABOR prevents the mill levies from increasing without a vote of the people. As a result, the collision between TABOR and Gallagher has in some cases led to a structural ratcheting down effect on the mill levy and the resulting funding for local governments.
- 5) **The declining ability of local school districts to adequately fund K-12 education has shifted the K-12 funding burden from local school districts to the State.**

Local property taxes used to be the primary funding source for K-12 education in Colorado, however, a combination of interacting policies has shifted this burden to the state over time:

1. First, the Gallagher Amendment has reduced local property tax revenue by consistently forcing the Residential Assessment Rate down over time as the overall value of Residential property in the state has outpaced the overall value of Non-Residential property.
2. Second, because the TABOR Amendment forces the local mill levy down during times of net growth in property tax revenues, but conversely no longer allows that levy to float back up during times of decreasing property tax revenues, this has resulted in a gradual ratcheting-down of the local mill levy.
3. Third, the School Finance Act requires that the State automatically backfill these reduced K-12 revenues. As the amount of funding which School Districts receive from local property tax revenues has declined, and as the State has subsequently had to backfill this declining local funding source, the burden of funding K-12 has gradually and consistently shifted from local governments to the State. The state now provides almost 70% of funding for K-12 schools, with local property taxes providing only 30% of funding. This increasing shift in the burden for funding local K-12 School Districts now consumes 40% of the state's General Fund, which leaves a shrinking amount of state funding to pay for other priorities like prisons and higher education.



**BBCO 2019 Community Conversation
Gallagher Amendment Policy Options**

OPTIONS	PROS	CONS
A. Do nothing.	<ol style="list-style-type: none"> 1. Easiest option. 2. Residential property taxes will most likely continue to decrease. 	<ol style="list-style-type: none"> 1. Will continue to reduce funding for local services disproportionately adversely impact poorer communities, continue shift in tax burden to business sector, and continue to grow state's share of K-12 funding.
B. Repeal Gallagher's frozen ratio between Residential and Non-Residential property to stop the decline in the Residential Assessment Rate.	<ol style="list-style-type: none"> 1. Stops erosion of funding for local services, disproportionate adverse impact on poorer communities, shift in tax burden to business sector, and growth of state's share of K-12 funding. 2. By simply REPEALING language in the constitution, it only requires simple majority to pass. 	<ol style="list-style-type: none"> 1. Stops the continued decrease in the Residential property tax rate. 2. Possibly difficult to sell to voters.
C. Reclassify "non-primary residences" and/or "vacation rentals" at a higher assessment rate to slow the growth in value of Residential Property and slow the decline in Residential Assessment Rate.	<ol style="list-style-type: none"> 1. SLOWS erosion of funding for local services, shift in tax burden to business sector, and growth of state's share of K-12 funding. 2. Would likely still allow Residential Assessment Rate to decrease. 3. Possibly easier to sell to voters. (Wouldn't even need voter approval if legislature reclassified these properties at 29% "non-residential" rate.) 	<ol style="list-style-type: none"> 1. Likely doesn't stop erosion of funding for local services, disproportionate adverse impact on poorer communities, shift in tax burden to business sector, and growth in state's share of K-12 funding.
D. Replace the STATEWIDE Residential assessment rate with a REGIONAL rate to prevent HI-growth areas from driving down the Residential assessment rate in LO-growth areas.	<ol style="list-style-type: none"> 1. Prevents growth in residential values on ONE area of the state (metro) from forcing down the Residential Assessment Rate in OTHER areas where values aren't growing as fast, thus slowing or stopping erosion of residential property tax base to fund local services. 	<ol style="list-style-type: none"> 1. Creates inequities in Residential Assessment Rates for properties which are adjacent/near established regional boundaries.
E. Amend TABOR to allow taxing authorities to automatically "float" (increase/decrease) their mill levies to sustain a constant revenue stream in response to decreases/increases in the assessment rate.	<ol style="list-style-type: none"> 1. Stops erosion of funding for local services and growth of state's share of K-12 funding. 	<ol style="list-style-type: none"> 1. Potentially accelerates the shift of property tax burden from Residential to Non-residential which disproportionately adversely impacts rural communities with less commercial value.

Colorado's TABOR Amendment: What it IS, What it DOES, and Why it MATTERS

TABOR Amendment: What is it?

TABOR (an acronym for the Taxpayer Bill of Rights) is an amendment to Colorado's constitution adopted by Colorado voters in 1992 which requires voter approval to raise state or local taxes, and places a limit on how much tax revenue may be collected by state and local governments. TABOR dictates that any revenue in excess of the allotted limits must be refunded to the taxpayers.

While most states operate with some tax or spending limits, TABOR is the most restrictive Tax Expenditure Limitation (TEL) in the country, with controls on the amount of revenue that can be collected and spent, as well as on how and which taxes can be raised.

TABOR Amendment: How does it affect our Colorado way of life?

While TABOR has limited government growth, it has also contributed to shrinking our state budget relative to the size of Colorado's economy and thus forced the state to reduce discretionary funding for some programs, such as higher education and transportation infrastructure, in order to meet mandated funding requirements for other programs.

What does TABOR do?

1) TABOR prohibits tax increases without voter approval.

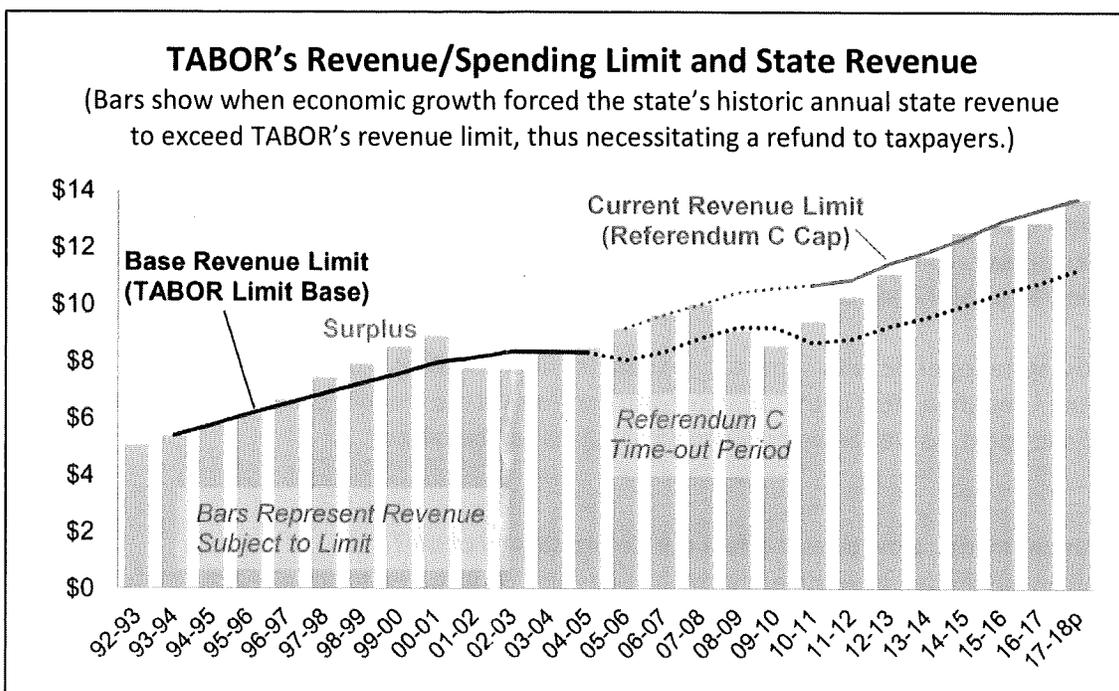
TABOR prohibits the state or a local government taxing district from increasing taxes without an affirmative vote of the people within that district. This requirement has sometimes been mistakenly described as "giving taxpayers the right to vote on taxes", however, in reality, taxpayers have ALWAYS had the right to vote on taxes – Rather, what TABOR did in this regard was prohibit the taxpayers' elected representatives in government from being able to raise taxes WITHOUT such a vote of the people.

2) TABOR limits the growth of state and local tax revenues.

TABOR limits the ability of a state or local government taxing district's revenue to grow over time, and all "surplus" tax revenue which the taxing district might collect beyond the established revenue limit must be refunded to the taxpayers of the district. TABOR defines different parameters for establishing the limit on the growth of revenue for "state government", "local governments", and local "school districts". Although TABOR's revenue growth limit is referred to as a "spending limit" in the constitution, it is, in actuality, a limit on the amount of REVENUE that state and local governments can collect because that revenue is subject to the limit regardless of whether it is spent or saved.

How is the TABOR surplus returned to taxpayers?

TABOR requires that the state rebate to taxpayers within one year any excess revenue collected over the revenue limit unless voters approve a revenue change that allows the state to keep all or part of the TABOR surplus. TABOR does not specify how money is to be rebated to taxpayers, so lawmakers have utilized over 20 different mechanisms to rebate surplus funds to taxpayers since the adoption of TABOR in 1992. Under current law, depending on the size of the TABOR surplus, surplus funds are required to be rebated to taxpayers using a property tax break for seniors and disabled veterans as a first priority, and using a sales tax break and a temporary reduction in the state income tax rate as additional mechanisms.



- 3) TABOR limits taxation options.
TABOR places limitations on the kinds of taxes that can be proposed and implemented. The amendment specifically prohibits real estate transfer taxes, local income taxes and state property taxes. It requires that any state income tax change have a single rate with no surcharges.
- 4) TABOR defines requirements and restrictions concerning tax elections.
TABOR allows statewide tax-related measures to appear on the ballot in any year, whereas non-tax measures can only appear on the ballot in EVEN-numbered years. TABOR requires that all ballot measures which propose to increase taxes must begin with the words "SHALL TAXES BE INCREASED ...?" in capital letters.
- 5) TABOR limits the ability of governments to save money in reserve.
Because TABOR's revenue growth limit applies to revenues regardless of whether those revenues are SPENT or SAVED, it limits the ability of government to grow their emergency reserves unless they reduce spending accordingly.

How has TABOR impacted Colorado?

TABOR has had a number of significant impacts on local and state government budgets, and while much of this impact is a result of the intended effect of TABOR, some of those impacts have been unintended consequences resulting from the interaction of TABOR with other fiscal restrictions which Colorado voters have also placed into our constitution over the years.

1) TABOR has helped keep taxes low.

Colorado's overall tax burden is lower than most other states.

Compared to other states, Colorado's STATE government expenditures (as a percent of the state's Gross Domestic Product) are lower while our LOCAL government expenditures are about average.

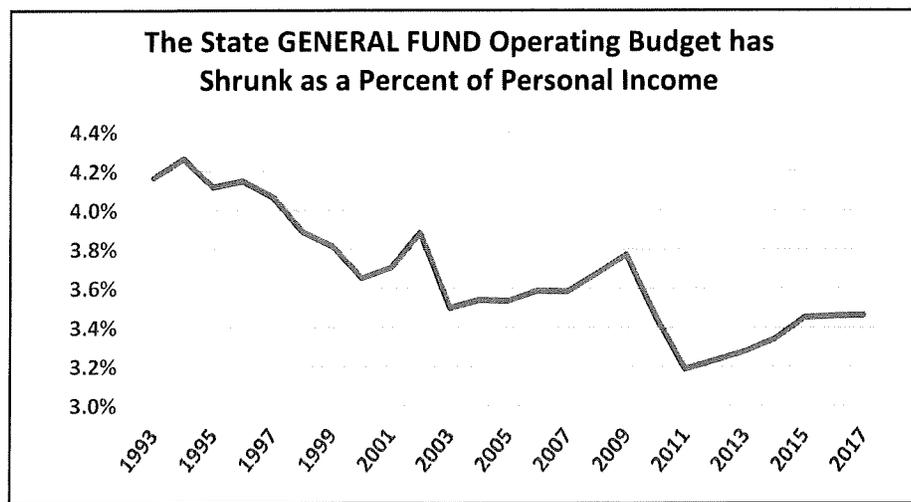
TABOR has contributed to a reduction in state tax rates.

While it's unknown if the State would have RAISED taxes in the absence of TABOR, it's likely that the State WOULDN'T have LOWERED taxes as it has done three times since the adoption of TABOR. During the late 1990's, when the internet economy was developing and state revenues were growing beyond TABOR's revenue limit, Colorado's state legislature approved reductions in both the State Income Tax and State Sales Tax.

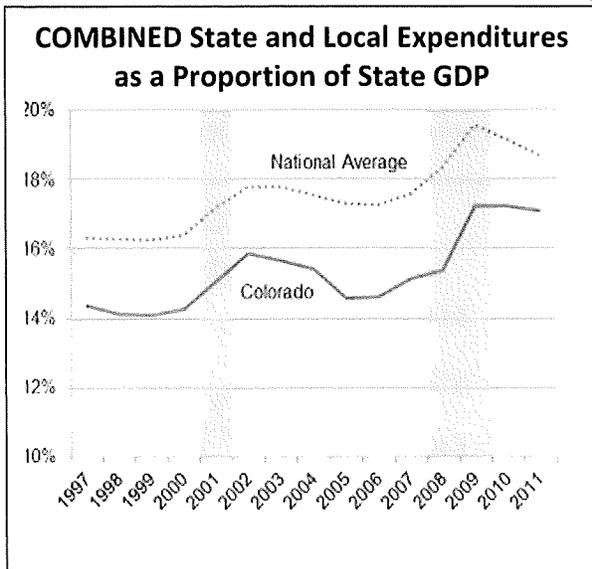
The legislature approved two reductions in the State Income Tax: from 5.0% to 4.75% in 1999, and to 4.63% in 2000. The State Income Tax represents 2/3rds of the revenue to the "General Fund" (the state's discretionary "checkbook") and these two reductions in the State Income Tax rate contributed to reduced state collections/revenues thereafter, including an anticipated reduction of over \$600 million in FY2017-18. Additionally, in 2000, the legislature reduced the State Sales Tax (which represents about 1/4th of the revenue to the General Fund) from 3.0% to 2.9%. Because TABOR requires an affirmative vote of the people to raise taxes, the State's Income Tax and Sales Tax have stayed at their reduced rates of 4.63% and 2.9%, respectively.

2) TABOR has shrunk the state's General Fund operating budget as a percent of our economy.

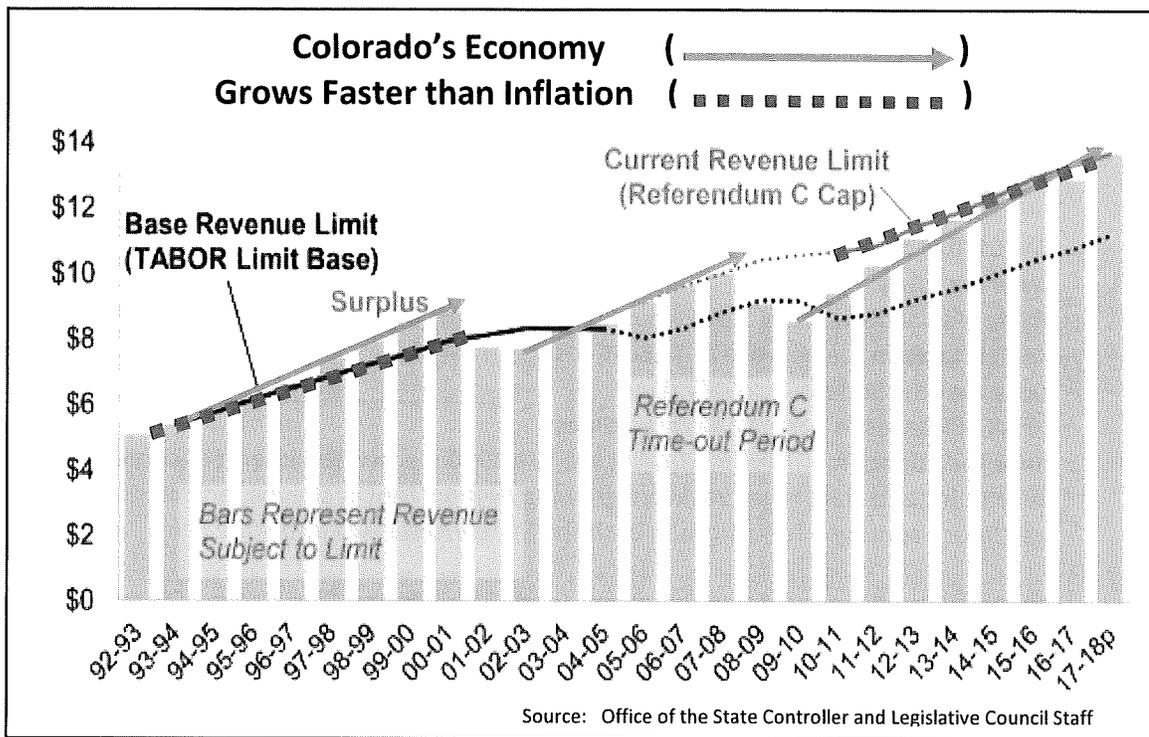
Rather than simply LIMITING THE GROWTH of state government as most voters understood to be the intention of TABOR, TABOR has actually SHRUNK the state's General Fund operating budget relative to the size of the economy (measured by "Personal Income").



The state's discretionary General Fund primarily represents the sales and income taxes which the state collects and uses to pay for essential programs like health care and K-12 education.



The reason that the General Fund has shrunk as a percent of personal income is because Personal Income (a measurement of the size of our economy) grows faster than TABOR's inflation-based revenue limit.

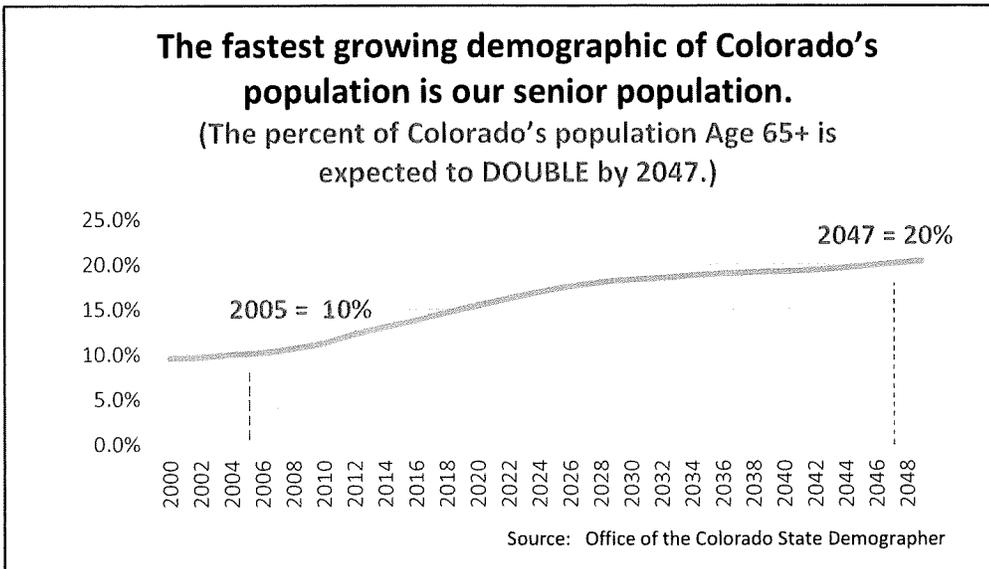


While the ACTUAL size of the state budget has certainly grown over time as an obvious result of inflation and population growth, the RELATIVE size of the budget as a percent of the state's economy has shrunk, and this has prevented the state from being able to sustain service levels for Colorado's growing population.

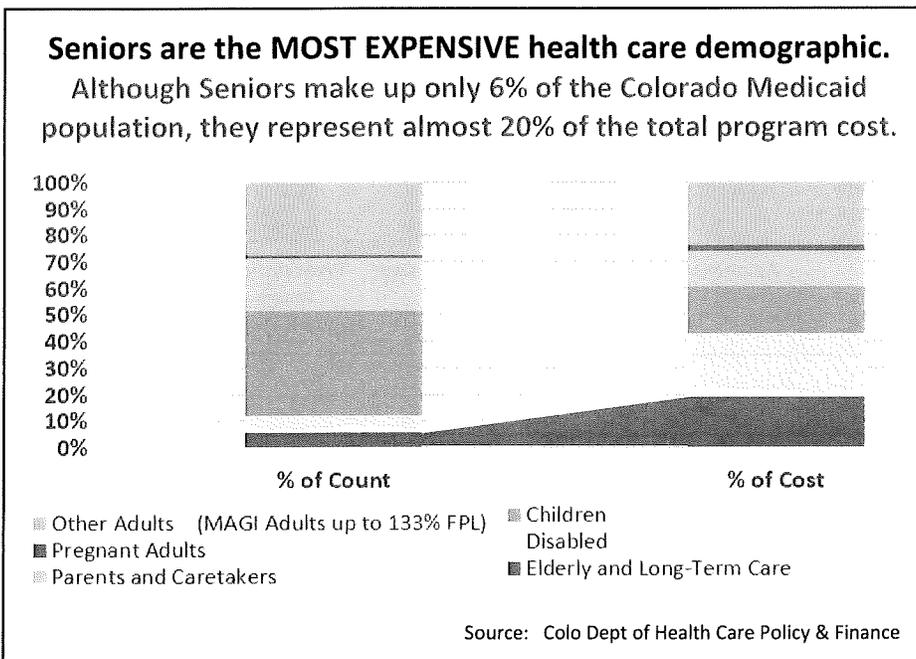
- 3) **TABOR doesn't allow state spending on programs to keep up with the growth in the cost of those programs.**
- A. **TABOR's "Population" constraint on revenue doesn't keep up with the costs associated with our population.**

The segments of the population requiring the most state services, such as senior citizens and children, often expand more rapidly than the population overall; therefore, as population grows, the state's cost per person also grows, but TABOR doesn't allow revenue to grow accordingly. For example, the fastest growing segment of Colorado's population (as a percent of total population) is our "over 65" citizens.

In prior years, Colorado has enjoyed a relatively young population compared with other states. In 2010, Colorado had the 4th lowest share of seniors (age 65+) as a percent of our total population (only 11%). Our relatively youthful population has meant that we've previously had a larger share of our population in the workforce, which means our state has enjoyed a relatively larger tax revenue and a relatively lower cost for senior health care. This is changing as our previously large share of youthful "Baby Boomers" who flocked to Colorado in the 1970's to ski (and never left) are now aging into seniors.



- Between 2010-16, Colorado's population of seniors (age 65+) grew by 34%, which was the 3rd fastest rate of growth in the US.
- Over the next 30 years, the percent of Colorado's population which is age 65+ is expected to double from 10% to 20% -- at which point 1 in 5 Coloradans will be seniors who will contribute relatively little tax revenue and consume relatively large health care costs for our state.



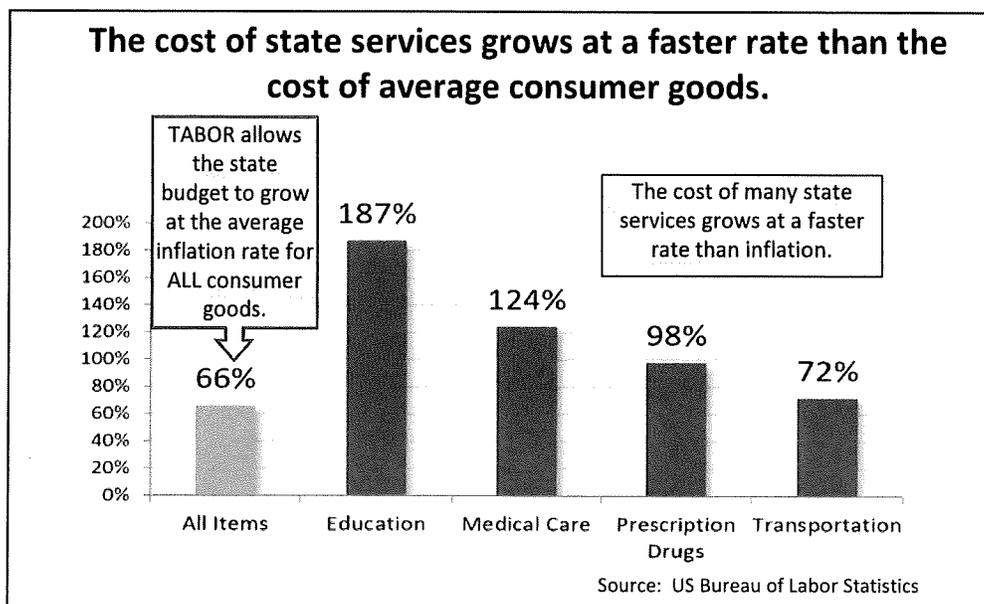
Colorado's senior population is not only the FASTEST GROWING segment of our population, it's also the MOST EXPENSIVE in terms of government services because of the cost of long-term health care. Although seniors only make up 6% of the state's Medicaid population, they consume 20% of the total cost of the Medicaid program.

Medicaid (which is a health insurance program for low-income and needy people) is often confused with Medicare (which is a separate federal program that provides health coverage if you are 65 or older or have a severe disability, no matter your income).

Because Medicare does NOT cover long-term care costs, and because Medicaid is paid for (in part) by the State, the cost of long-term care for Colorado's increasingly aging population has a growing impact on the state budget.

B. TABOR's "Inflation" constraint doesn't keep up the with cost of government services.

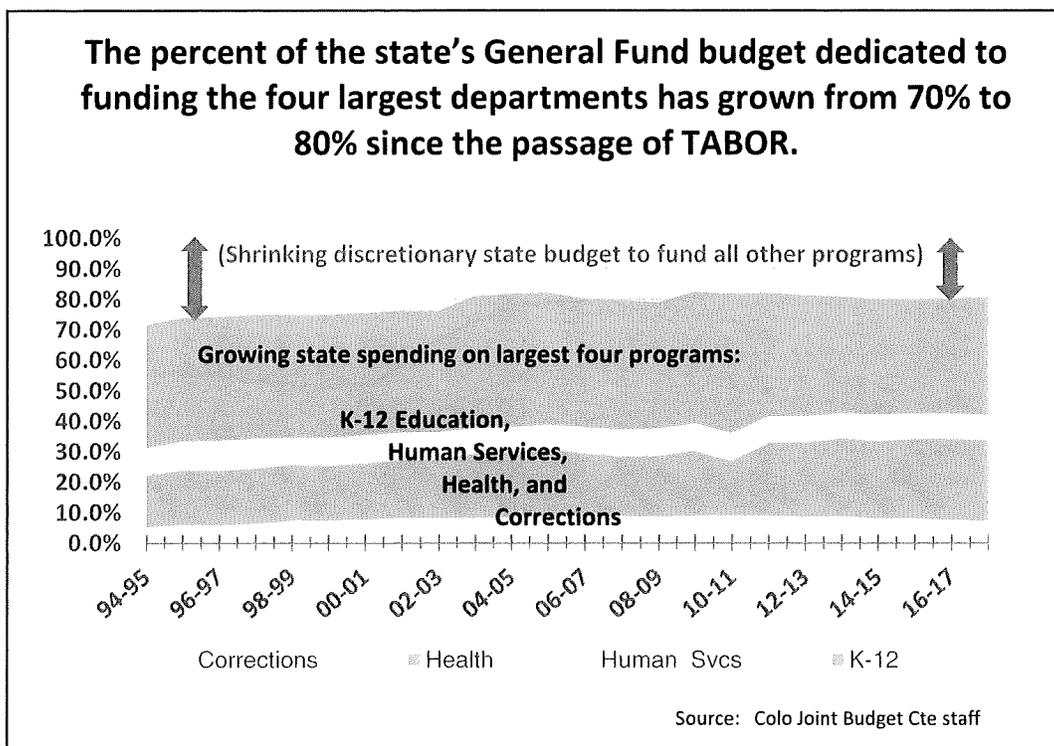
The inflation measure that TABOR uses — the Denver-Aurora-Lakewood Consumer Price Index (CPI) — measures changes in the cost of goods and services that INDIVIDUAL consumers buy, like housing, clothing, and food, rather than the cost of public services that state GOVERNMENT pays for, like construction costs, education and health care for our aging population. The cost of providing public services grows much faster than the general rate of inflation for consumer goods, in part because labor-intensive public services are less likely to reap the efficiency and productivity gains achieved by other sectors of the economy. For example, teachers can only teach so many students, and nurses can only care for so many patients.



In short, because TABOR's "Population + Inflation" revenue limit doesn't allow Colorado's state budget (the General Fund) to keep pace with the normal growth in the cost of maintaining the public services that Coloradans demand of their state government, and because our state's economy grows faster than inflation (because our economy grows at the speed of inflation PLUS other factors like increases in productivity), TABOR forces our state budget to therefore shrink relative to the size of our economy.

4) TABOR has forced cuts in primary service areas of our state budget.

Because TABOR doesn't allow the overall state budget to grow any faster than "Population + Inflation", and cost of the state's largest four departments (K-12 Education, Health, Human Services and Corrections) grows faster than inflation, the amount which the state has had to dedicate to fund these four programs since the passage of TABOR in 1992 has grown from about 70% of the total state General Fund budget to over 80%. In turn, the remainder of the state's budget available to pay for all other programs has shrunk from about 30% to less than 20%.



As a result, over the last 25 years, the legislature has been forced to significantly reduce state support for other funding priorities like Higher Education.

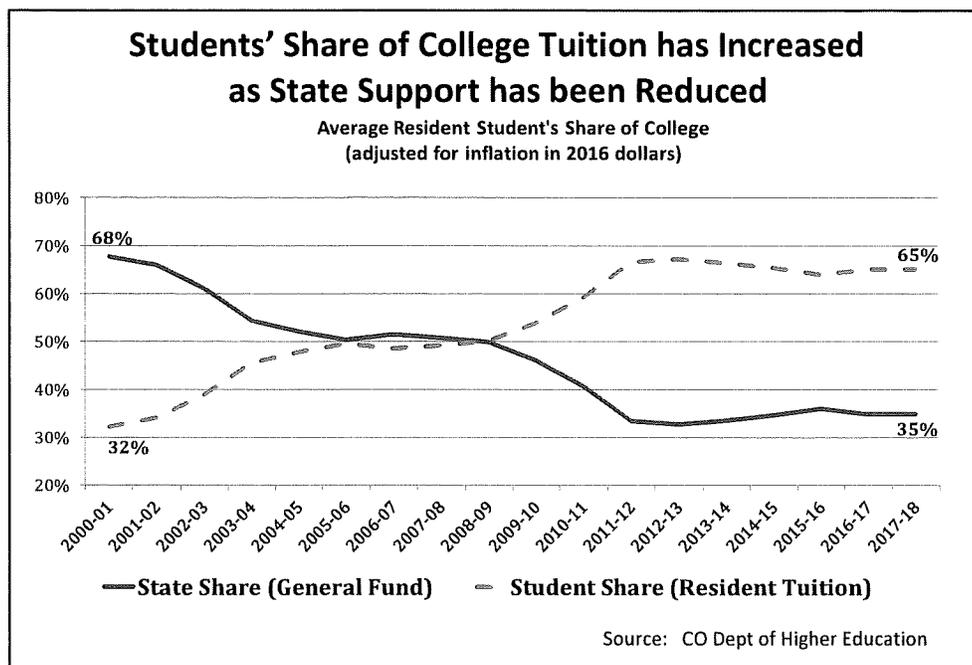
It's important to note that funding is only ONE component of achieving successful outcomes in any program area; other factors such as establishing measurable program performance metrics and linking additional investments to demonstrated improvements in performance, and ensuring an efficient division of resources between program investments and accompanying administrative costs, are also essential components of achieving successful outcomes in any program area. In short, more funding alone in any program area does not guarantee better program outcomes; funding is only effective to the extent that it is strategically invested and efficiently utilized.

What's does the impact of TABOR on our state budget mean for YOU?

The fiscal constraints which we've embedded into our constitution since the 1980's, including TABOR, have forced reductions in funding for several important state service areas that affect our everyday lives.

Budget Challenges for HIGHER EDUCATION

The state's reduction in support for Higher Education – from 15% of the state's General Fund budget in 1992 when TABOR was adopted to only 8% today -- has resulted in shifting the funding burden for Higher Education from the State to students.



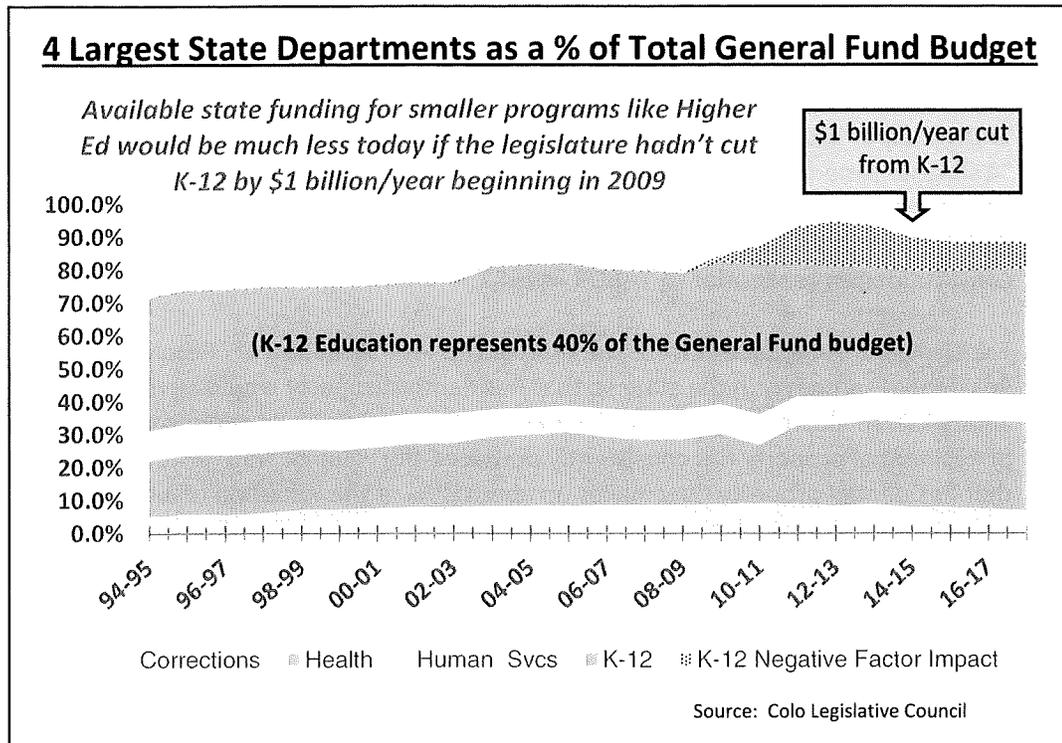
- Average state funding for Colorado resident students has been cut by almost HALF since FY 2000-01. (adjusted for inflation)
- In FY 2000-01, the state covered 68 percent of the cost of college, while students and families picked up 32 percent. Today, those numbers have reversed with students and families covering two-thirds of the costs and the state paying for one third.

Budget Challenges for K-12 Education

In 2009, in the wake of “The Great Recession” and faced with significant budget shortfalls, the Colorado legislature made the difficult decision to cut about \$1 billion/year from the state’s annual budget for K-12 education by reinterpreting the “Amendment 23” constitutional K-12 funding mandate (adopted in 2000) to ONLY apply the mandated funding increase to the “base” per-pupil funding requirement and NOT the additional “disparity factors” which allocate additional funding to address inequities between student populations. This reinterpretation has withstood a Supreme Court challenge and has contributed to Colorado’s declining performance in the following national K-12 rankings.

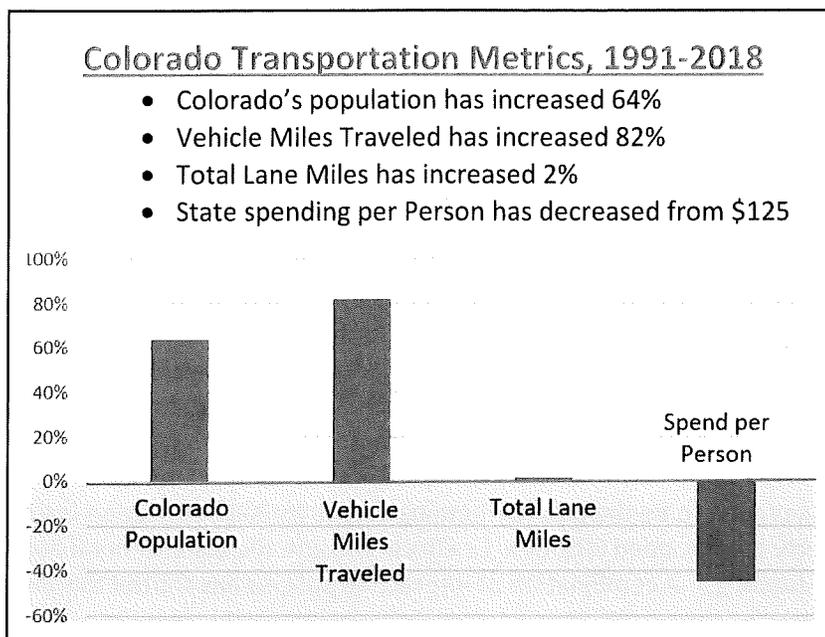
- Colorado continues to invest less per pupil than the national average and now ranks 42nd in per pupil spending. (Source: Education Week) Colorado spends \$2,800 below the national average per pupil (adjusted for regional cost differences)
- Colorado ranks 50th in teacher wage competitiveness—compares teachers to non-teachers with similar education, experience and hours worked. (Source: Rutgers Education Law Center) Colorado ranks 2nd in number of novice teachers (1st or 2nd year) in the classroom (Source: Education Week, October 2016)
- 58% of Colorado districts (104 out of 178 school districts) are on or have some schools on 4-day school weeks, primarily forced due to budget reductions. This has more than doubled since 2000.
- Colorado’s graduation rate lags the national average in EVERY student subgroup.

While the portion of the state budget to fund K-12 education would be much larger today if the legislature had NOT reinterpreted “Amendment 23” in 2009, other state priorities – like funding for higher education – would be significantly reduced or perhaps defunded entirely.



Budget Challenges for Transportation Infrastructure

Because of the constraints on our state budget, the state has not been able to keep up with much-needed investments in our statewide transportation infrastructure.



Since 1991, Colorado's population has grown by 64%, and Vehicle Miles Traveled has increased 82%, while the amount that CDOT spends per person has declined from \$125 to \$69 (adjusted for inflation) and the total lane miles on our highways to transport that growing population has only gone up by 2%.

- The largest source of funding for Colorado's transportation system is the "gas tax" which has not been adjusted for inflation since 1991. Every \$1 generated from the gas tax in 1991 is only worth 56-cents today. As a result, CDOT estimates that Colorado's roads and highways face a \$9 billion revenue shortfall over the next decade.

- 41% of Colorado’s major urban roads are in poor condition. 43% are in mediocre or fair condition and the remaining 15% are in good condition.
- 6% of Colorado’s locally and state-maintained bridges are structurally deficient.

5) TABOR has a “ratchet-down” effect on local property tax revenues by interacting with the “Gallagher Amendment” which we’ve also placed in our constitution.

TABOR’s constraints on our state’s ability to invest in public services is compounded by the way that it interacts with the “Gallagher Amendment” which Colorado voters adopted into our state constitution ten years prior to TABOR in 1982.

The Gallagher Amendment froze the ratio of the total valuation of “Residential” and “Non-Residential” property in the state so that Residential property would never constitute more than about 45% of all property value in Colorado. However, since its adoption in 1982, the valuation of Residential property has consistently outpaced the value of Non-Residential property such that Residential property now makes up about 80% of the valuation of all property in the state. Gallagher requires the legislature to reduce the rate at which Residential property is taxed in order to meet its requirement that the valuation of Residential property doesn’t constitute more than 45% of the total valuation of all property in the state.

TABOR complicates Gallagher in two ways:

1. Although not yet tested in court, while the Gallagher Amendment requires that the Residential Assessment Rate be LOWERED during times when the growth in Residential valuation outpaces the growth in Non-Residential valuation, TABOR has been interpreted to prohibit the legislature from conversely abiding by Gallagher’s requirement that the Residential Assessment Rate be RAISED during times when the formula would support such an increase. This results in an irreversible ratcheting down of the Residential Assessment Rate.
2. Because TABOR limits the amount of tax revenue which a taxing jurisdiction can collect without voter approval, it can force the mill levy to automatically be reduced, either permanently or with a temporary credit, when the growth in property values and the corresponding property tax revenues exceed TABOR’s revenue limit. Conversely, while mill levies were traditionally allowed to float upward when property values decreased in order to counteract economic cycles and help protect local governments’ primary revenue source, TABOR prevents the mill levies from increasing without a vote of the people. (NOTE: While most counties have “de-Bruced”, this still doesn’t allow them to increase mill levies without a vote of the people.) As a result of TABOR’s forced reduction in mill levies when property values grow and the inability of those mill levies to conversely float upward when property values decline, the collision between TABOR and Gallagher has in some cases led to a structural ratcheting down effect on the mill levy and the resulting funding for local governments.

Local property taxes used to be the primary funding source for K-12 education in Colorado. In 1982, local property taxes funded 60% of K-12 education, and the state General Fund provided the other 40% of funding. A combination of interacting policies has shifted this burden to the state over time:

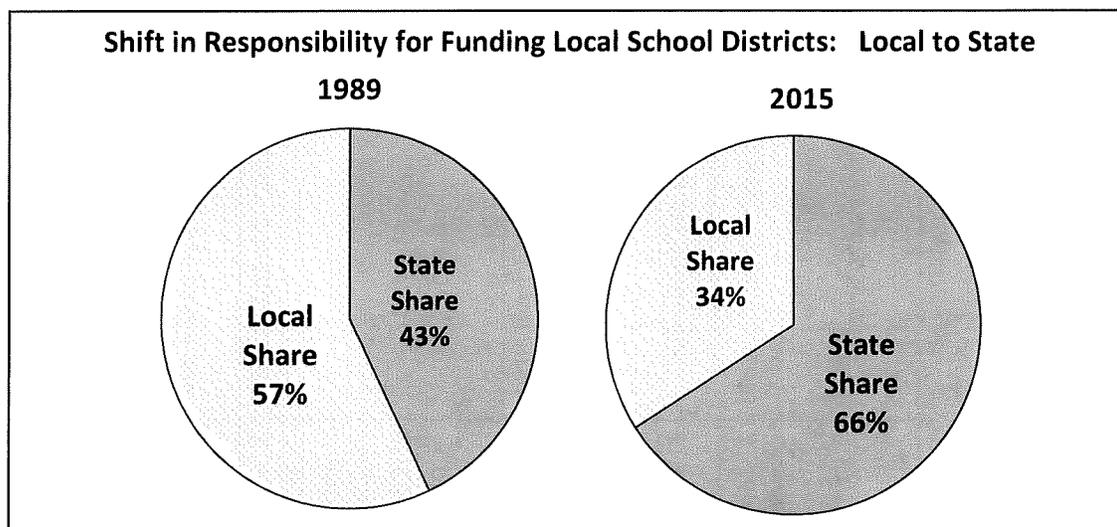
1. First, the Gallagher Amendment has reduced local property tax revenue by consistently forcing the Residential Assessment Rate down over time as the overall value of Residential property in the state has outpaced the overall value of Non-Residential property.
2. Second, because the TABOR Amendment forces the local mill levy down during times of net growth in property tax revenues, but conversely no longer allows that levy to float

back up during times of decreasing property tax revenues, this has resulted in a gradual ratcheting-down of the local mill levy.

Since 1992, the combination of both the declining Residential Assessment Rate and the declining mill levy has dramatically reduced the amount of local property tax revenue which School Districts receive.

3. Third, the School Finance Act, which is designed to ensure that every student in Colorado has the same opportunity for a quality education regardless of where the student lives and regardless of the student's unique personal and family circumstances, requires that the State automatically backfill these reduced K-12 revenues. (For example, small rural school districts receive extra funding under the formula to make up for their lack of any economies of scale due to their small size and geographic isolation, and districts which have a high percentage of at-risk students receive extra money under the formula to help pay for their more expensive education.)

As the amount of funding which School Districts receive from local property tax revenues has declined, and as the State has subsequently had to backfill this declining local funding source, the burden of funding K-12 has gradually and consistently shifted from local governments to the State. The state now provides almost 70% of funding for K-12 schools, with local property taxes providing only 30% of funding. This increasing shift in the burden for funding local K-12 School Districts now consumes 40% of the state's General Fund, which leaves a shrinking amount of state funding to pay for other priorities like prisons and higher education.



The Bottom Line

TABOR is a story of two very valid and competing values.

- On the one hand, TABOR has helped to reduce Coloradans' tax burden.
- On the other hand, in life, we generally get what we pay for, and reduced tax revenues has meant reduced investment in our public infrastructure, and therefore reduced performance in public services such as the quality of K-12 education, access to higher education, and the capacity of our transportation system.

**BBCO 2019 Community Conversation
TABOR Amendment Policy Options**

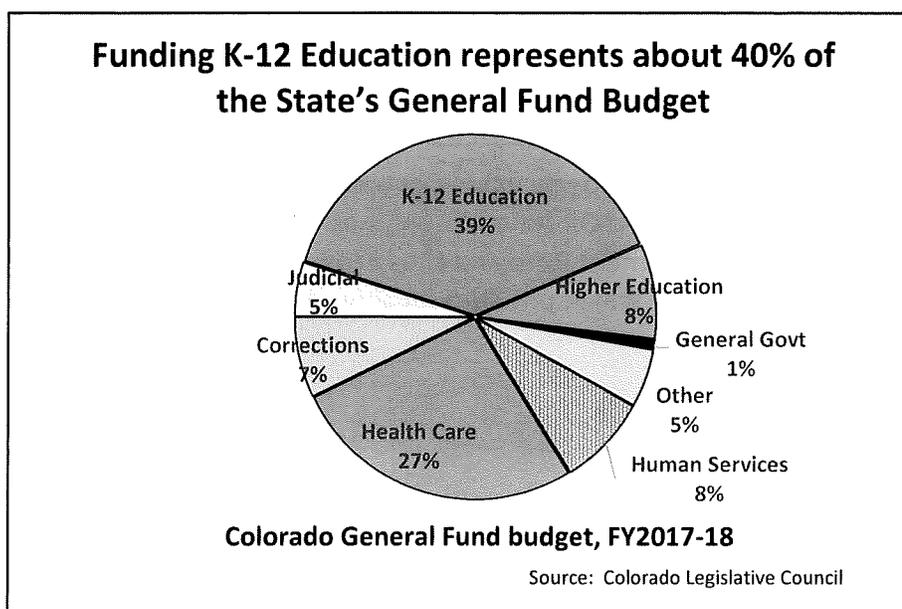
OPTIONS	PROS	CONS
A. Do nothing.	<ol style="list-style-type: none"> 1. Easiest option. 2. Residential property taxes will most likely continue to decrease. 3. Forces a smaller state government relative to the size of our economy. 	<ol style="list-style-type: none"> 1. Will continue to reduce funding for local services disproportionately adversely impact poorer communities, continue shift in tax burden to business sector, and continue to grow state's share of K-12 funding. 2. Forces a smaller state government relative to the size of our economy.
B. Allow taxing authorities to automatically "float" (increase/decrease) their mill levies to sustain a constant revenue stream in response to decreases/increases in the assessment rate.	<ol style="list-style-type: none"> 1. Stops erosion of funding for local services and growth of state's share of K-12 funding. 	<ol style="list-style-type: none"> 1. Potentially accelerates the shift of property tax burden from Residential to Non-residential which disproportionately adversely impacts rural communities with less commercial value. 2. Continues to shrink state government relative to the size of our economy and force cuts in some state programs to support others.
C. Modify revenue cap to correlate with growth in Economy rather than Inflation.	<ol style="list-style-type: none"> 1. Allows the state to retain and invest MOST funds that would otherwise have to be refunded to taxpayers, thus allowing the state budget to better keep up with growth of service demands. 	<ol style="list-style-type: none"> 1. Reduces (and potentially eliminates) TABOR rebates for the foreseeable future.
D. Eliminate revenue cap as most LOCAL governments have done, and allow the state to retain revenues during times of economic growth and invest in state services. (How should the state reinvest any additional revenues that are retained.)	<ol style="list-style-type: none"> 1. Allows the state to retain and invest ALL funds that would otherwise have to be refunded to taxpayers, thus allowing the state budget to better keep up with growth of service demands. 2. Simple repeal in constitution requires only simple-majority approval of voters. 	<ol style="list-style-type: none"> 1. Eliminates TABOR rebates. 2. May be difficult to pass because it removes one of TABOR's two primary restrictions.
E. Restore ability of legislature to increase taxes without voter approval under certain circumstances. <ul style="list-style-type: none"> • Super-majority vote of both legislative chambers? • Other parameters? 	<ol style="list-style-type: none"> 1. Restores to some degree the original authority of legislature to raise revenues to meet the state's public service demands. 2. May be easier to get voter support than entirely restoring legislature's original taxing authority. 	<ol style="list-style-type: none"> 1. Eliminates current authority of taxpayers to approve all state tax increases. 2. May be difficult to pass because it removes one of TABOR's two primary restrictions and requires 55% vote. (Would have to ENTIRELY restore legislature's taxing authority to only require simple-majority vote.)

Colorado's "Amendment 23": What it IS, What it DOES, and Why it MATTERS

Overview of K-12 Education Funding

Funding Colorado's K-12 education system is one of the primary responsibilities of our state government and is embedded into our original state constitution. As a requirement of statehood to be admitted into the Union, Colorado had to demonstrate that it provided for a system of free and public education.

Since Colorado's statehood, funding K-12 education has been a partnership effort between both state and local governments through an increasingly complex series of fiscal formulas, state laws and a constitutional spending mandate. At 40% of the state's budget, K-12 education is the largest expenditure out of Colorado's General Fund and consumes 50% of local property tax revenues.



Though funding K-12 education is a priority of the State, that funding has been challenged over the last 30 years as a result of three primary factors:

- 1) An erosion of the local property tax base caused by the interaction of the Gallagher Amendment to our constitution (adopted in 1982) and the TABOR amendment (which was adopted in 1992).
- 2) An erosion of state revenues relative to the size of the economy as a result of the Taxpayers' Bill of Rights (TABOR) Amendment (1992).
- 3) Increasing costs for funding K-12 education as a result of the addition of program requirements related to students' special needs, accountability, accreditation, assessments, school safety, and changes to and school curriculum.

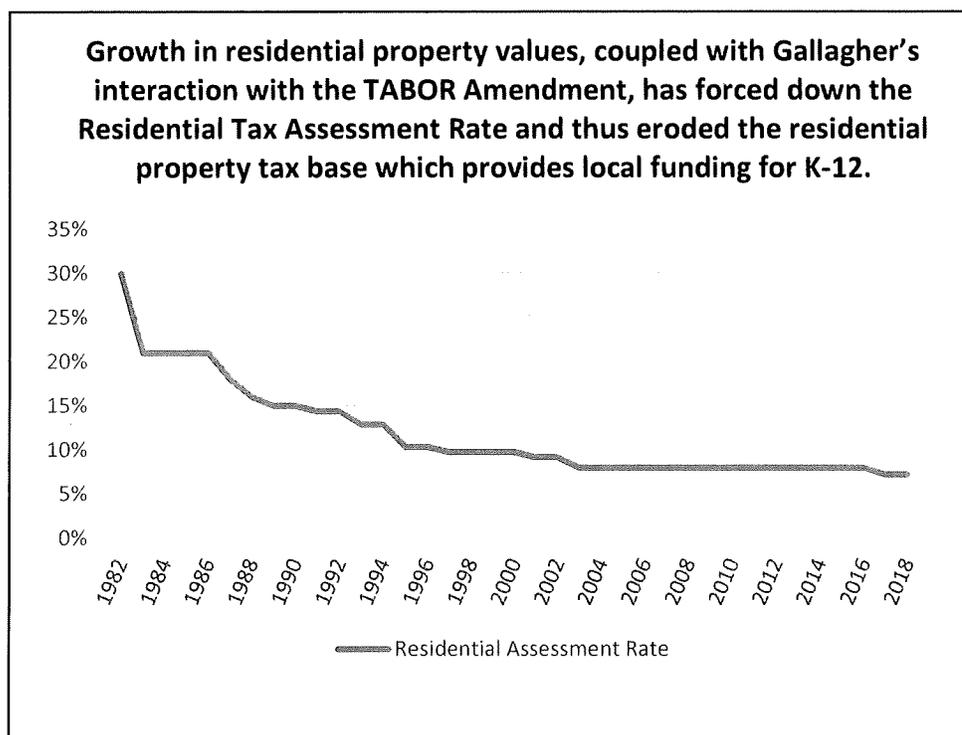
How Gallagher, TABOR and Amendment 23 have affected K-12 Funding

As their largest budget expenditure (40% of the state's General Fund budget), funding K-12 education is a partnership effort between local and state governments. While local governments have historically

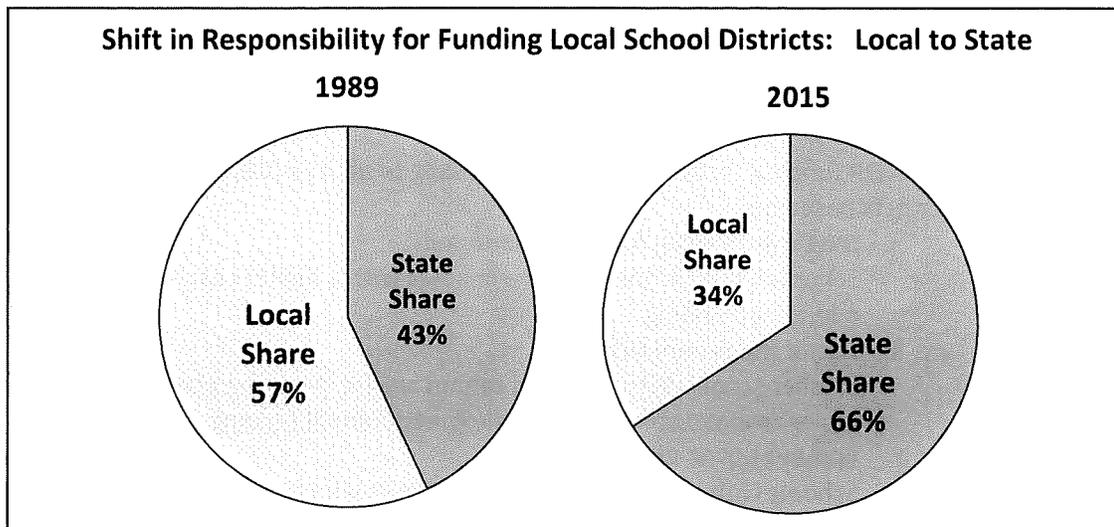
had primary responsibility for funding (and managing) K-12 education, the erosion of the local residential property tax base (caused by the Gallagher Amendment and its unintended interaction with the TABOR Amendment) has inhibited the ability of local governments to fund K-12 and has thus forced the State to assume the majority share of that funding responsibility. And, to the extent that the State has been forced to assume an increasing share of the responsibility for funding K-12 education, the State has correspondingly assumed a larger role in the oversight and management of what has traditionally been an area of primarily LOCAL control.

1982: Gallagher Amendment

Colorado voters adopt the “Gallagher” amendment to the state constitution which begins a long-term erosion of the local residential property tax base on which schools depend for local funding. Local governments try to counter this erosion of their property tax base by “floating” their local tax rate (mill levy) upward to sustain a consistent funding stream to support K-12 education. (This ability to “float” local mill levies is later prohibited by the voters’ subsequent adoption of the TABOR Amendment in 1992 which challenges K-12 funding.)



Because of the interaction between the “Gallagher Amendment” (1982) and the TABOR Amendment (1992), the local residential property tax base has been eroded over time. This erosion of the tax base has challenged the ability of local school districts to equitably fund K-12 education locally, thus forcing the burden for funding K-12 education – and the accompanying primary decision authority for administering K-12 education – to gradually shift from LOCAL governments to the STATE government. In 1989, the state was responsible for contributing 43% of total K-12 funding; the state’s share had grown to 69% by 2015.



1992: TABOR Amendment

Colorado voters adopt the “Taxpayers Bill of Rights” (TABOR) amendment to the state constitution which limits funding for state and local governments (of which K-12 is the largest component at 40% of the state budget) and prohibits state and local government from sustaining consistent funding streams to support K-12 without ongoing voter approval. The interaction between TABOR and Gallagher created new disparity in local mill levy rates – pervasively keeping mill levies high in poorer districts and forcing them lower in wealthier districts – and also began a continual shift in the K-12 funding responsibility from local governments to the state government. Additionally, TABOR was interpreted to say that districts could no longer increase their mills for program funding.

2000: Amendment 23

In response to TABOR’s erosion of the state’s revenue base and increasing K-12 costs, Colorado voters adopt “Amendment 23” to Article IX, Section 17 of the state constitution which required the state to fund K-12 at a minimum amount every year, regardless of economic conditions.

1. **Mandated INCREASED funding for K-12 for 10 years**

By increasing funding by 1% per year for ten years, Amendment 23 proposed to return funding for K-12 to the level it was in 1988 when Colorado’s per-pupil investment was roughly equal to the national average.

2. **Mandated MINIMUM FUNDING for K-12 based on Student Enrollment and Inflation**

Amendment 23, as originally interpreted, required that the state annually increase both “BASE funding” and “FACTOR funding” by the rate of inflation PLUS student population, and increase “Categorical funding” by the rate of inflation, alone.

- a. “BASE funding” represents the minimum amount of funding required to educate a student with no special needs. The “base” represents costs for such things as salaries for teachers and administrators, staff development, technology, software, and class

materials. Prior to the State’s reinterpretation of Amendment 23 in 2010, “base funding” also included additional “factor funding” to compensate for disparity between schools caused by their unique percentage of “At Risk” students, their Cost-of-Living, and their District Size.

- b. “FACTOR funding” provides additional funding to address disparities between school districts based on:
 - i. the Cost-of-Living for their community
Schools whose employees live in areas with a higher cost of living are eligible for additional funding.
 - ii. size of the School District
Smaller school districts which cannot realize the same economies of scale as larger school districts are eligible for additional funding.
 - iii. number of “At-Risk” students
Schools with a higher number of students who qualify for free lunch based on federal guidelines are eligible to receive additional funding to deal with these higher per-pupil costs.

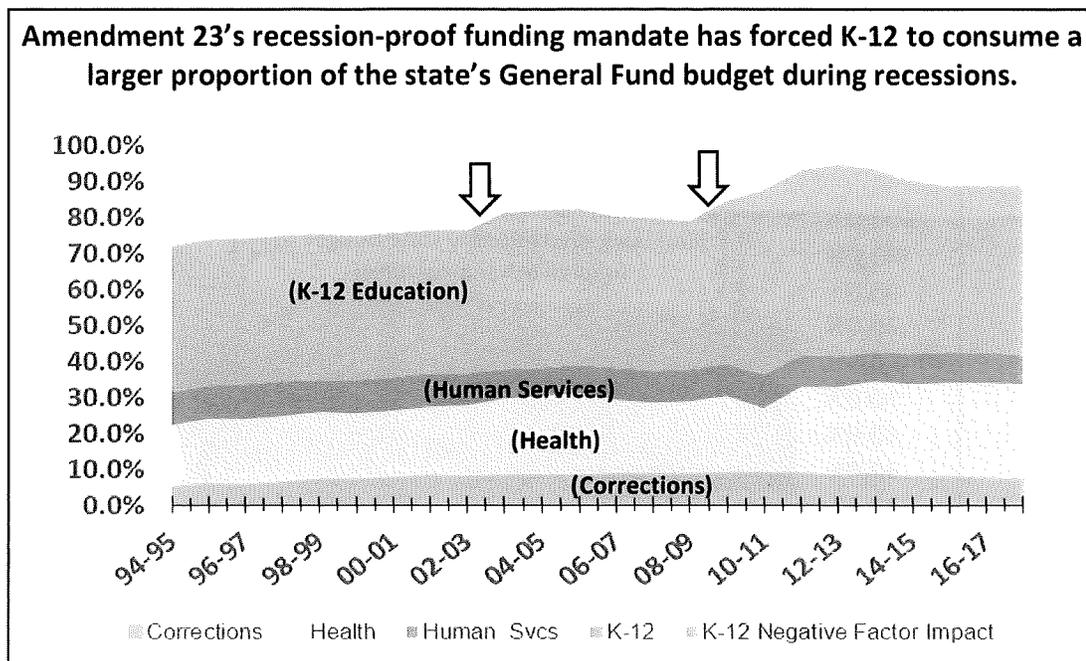
- c. “Categorical funding” is calculated outside of the state’s School Finance Act and is intended to provide additional support for unique student needs in the areas of Special Education, English Language Learners, Gifted & Talented, Career and Technical education, Transportation needs, and Small Attendance Centers. Because Amendment 23 requires that Categorical funding grow at only the annual rate of inflation and NOT student enrollment, and since this formula was put in place in 1994 and has never been updated, it doesn’t account for the cost of the additional 300,000 students which have been added to the K-12 population since then.

3. **Created the State Education Fund (SEF)**

In creating the SEF, Amendment 23 diverts an amount equal to one-third of one percent of taxable income to the fund, or about 7.2% of the total revenue which the state collects through its income tax. Money in the SEF may be used to meet the minimum K-12 funding requirements which Amendment 23 also established. In addition, the General Assembly may appropriate money from the SEF for a variety of other education-related purposes as specified in the state constitution.

While Amendment 23 provided for more state funding for K-12 education, it did nothing to address the adverse effects of TABOR and Gallagher on local tax bases, nor did it attempt to address the increasing disparity in local mill levies.

Because the Amendment 23 funding requirement for K-12 applies regardless of the state’s economic condition, K-12’s share of the state’s budget has increased during times of economic recessions in 2002 and 2008 as the state has had to reduce discretionary funding for other program areas. As a result of reduced state revenues caused by the Great Recession of 2008-10, the state reinterpreted Amendment 23 starting in 2010 so that “Factor” funding was no longer considered to be part of the Amendment 23 constitutional funding requirement.

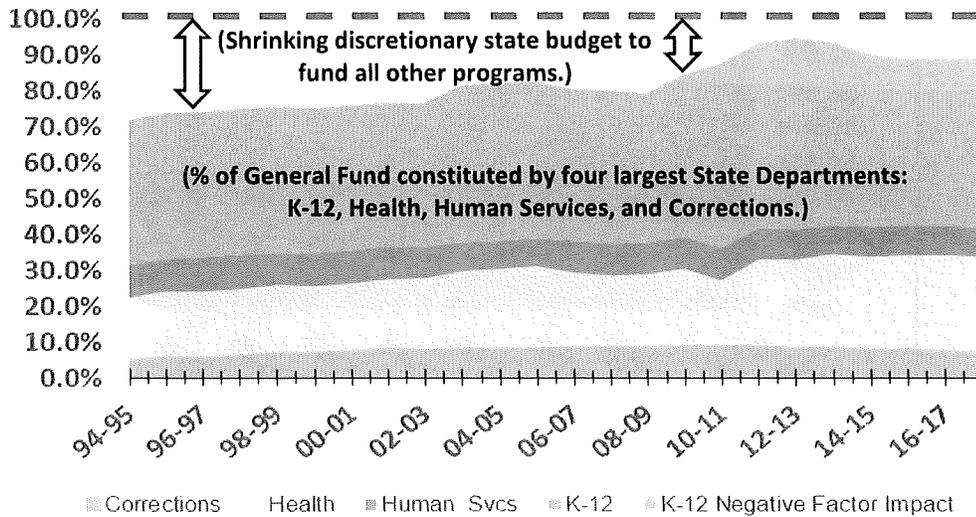


The state relies heavily on its General Fund (the state's checking account) to pay for Amendment 23's funding mandate, to the point today that K-12 education constitutes the largest expenditure out of the General Fund at about 40%. In addition to General Funds, the state utilizes funds from the State Education Fund (which receives about 7% of the state's income tax revenue as required by Amendment 23) and other revenue from federal mineral leases, state school trust lands, and 12.59% of the sales tax revenues from the sale of recreational marijuana.

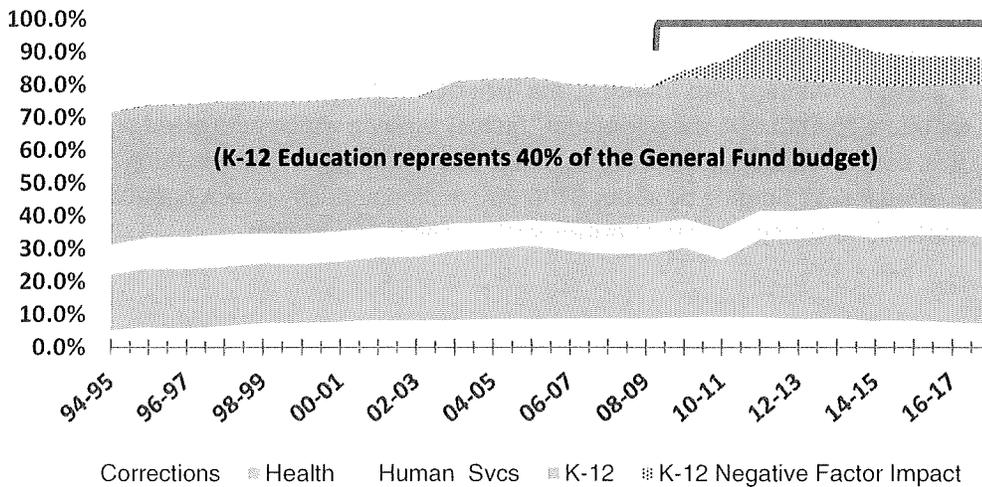
2010: Negative Factor (a.k.a. Budget Stabilization Factor)

With the drop in state revenue as a result of the "Great Recession" of 2008-2010, and Amendment 23's requirement that state funding for K-12 continue to grow at the rate of student enrollment plus inflation, the legislature chose to reinterpret Amendment 23's funding mandate to EXCLUDE the additional "factor" funding which addressed school disparity (district's size, cost of living, personnel costs and at-risk students). This has since resulted in a reduction in annual K-12 funding by about \$700-900 million annually which has allowed the state to continue to support other priorities such as Higher Education.

During the Great Recession of 2008-10, the State was faced with the prospect of drastically cutting other programs in order to comply with Amendment 23's funding mandate for K-12.



In order to free-up funding to sustain other programs, the State reinterpreted Amendment 23 in 2010 which has reduced State support for K-12 education by \$700 million to \$1 Billion annually.



By reinterpreting Amendment 23 and eliminating “Factor” funding from the K-12 constitutional funding mandate, the state essentially converted approximately \$1.5 billion in previously MANDATED K-12 funding to now be DISCRETIONARY. Since 2010, the state has opted to contribute about \$600-800 million annually in discretionary funding to K-12 to partially offset the \$1.5 billion cut in previously mandated support.

Because the state applies the Negative Factor as an across-the-board percentage cut applied equally to all school districts, the smaller rural school districts are most adversely impacted because they don’t have the economies of scale to mitigate that impact.

While the Negative Factor has effectively nullified Amendment 23’s funding mandate for the time being, and subsequently stemmed the growth of K-12’s share of the state General Fund budget, it is likely that Amendment 23’s funding mandate may be realized again at some point in the future if the state endures an economic downturn similar to 2008 and is forced to exhaust all of its remaining discretionary funding for K-12.

2012: Marijuana Tax Revenues

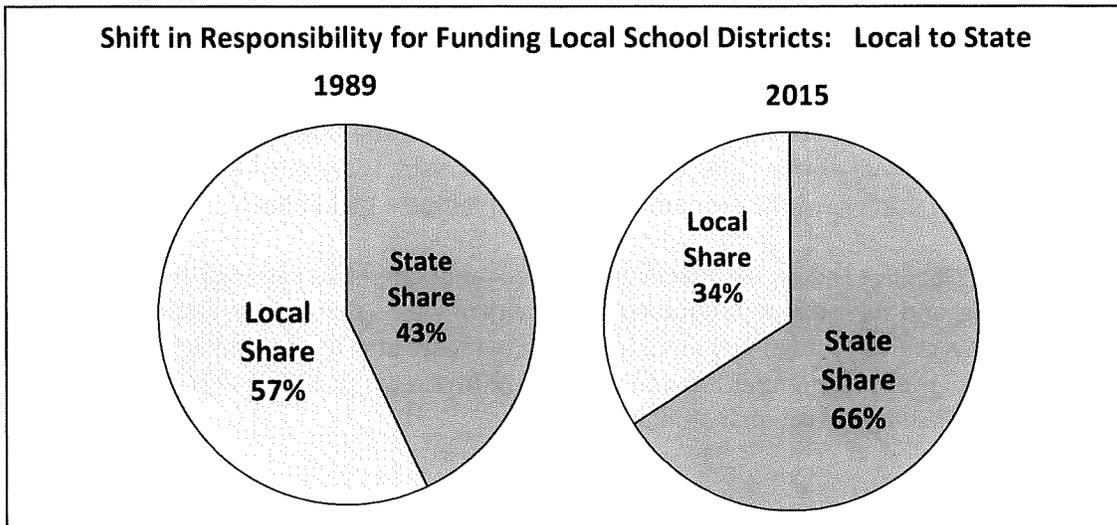
- With the voters’ adoption of the use of RECREATIONAL marijuana, K-12 education receives a portion of recreational (a.k.a. retail) marijuana tax revenues in three forms:
 - The first \$40 million of the 15% Excise Tax on recreational marijuana is dedicated to the state’s “Better Schools Today” (BEST) program to help pay for school construction costs. Although recreational marijuana sales haven’t yet generated enough revenue to fully satisfy this funding requirement, the \$40 million benefit would represent approximately 3% of the total estimated \$13.5 billion in K-12 construction needs as currently estimated by the Colorado Department of Education¹.
 - Any remaining amount of the 15% Excise Tax on recreational marijuana BEYOND the first \$40 million (which is dedicated to help pay for school construction) is dedicated to the K-12 “Public School Fund” which can support either school construction or the state’s K-12 funding obligation as defined in the School Finance Act. (As of 2019, there have not yet been enough recreational marijuana sales to trigger this threshold payment.)
 - 12.59% of the State’s 90% share of the 15% Sales Tax on recreational marijuana is dedicated to the K-12 “Public School Fund”. This amounted to about \$30 million in 2017-18.

How K-12 Education Funding has Changed Over Time

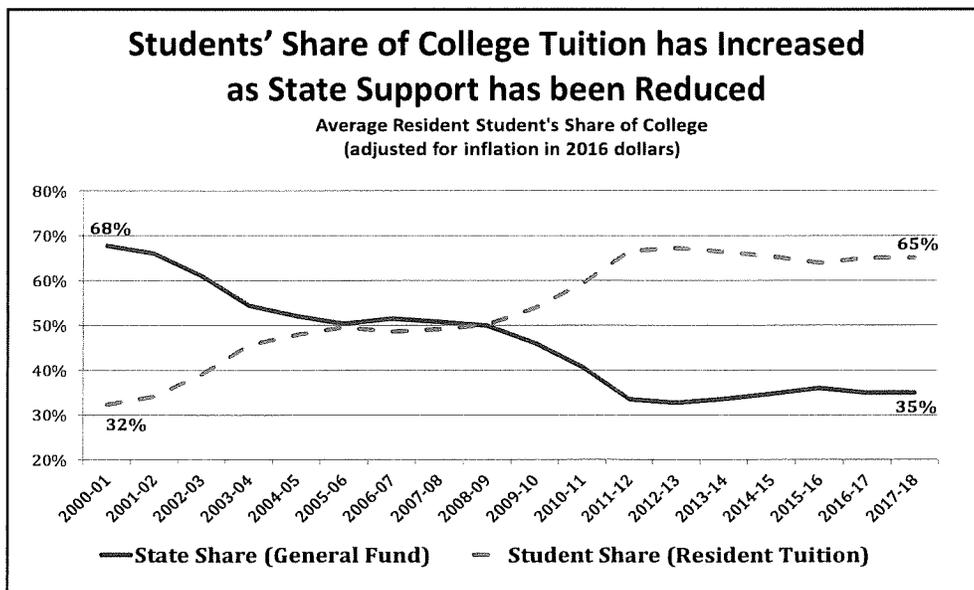
Since 1973, as the State has sought to equalize the K-12 education experience to appropriately provide an equal opportunity for all students, and as Coloradans have voted to limit the flexibility of state fiscal policy to support such efforts through the adoption of the Gallagher Amendment (1982) and TABOR Amendment (1992), while mandating funding for K-12 via Amendment 23, two concerning trends in education funding have developed:

¹ Colorado Department of Education website, <https://www.cde.state.co.us/cdefinance/capconstbest>

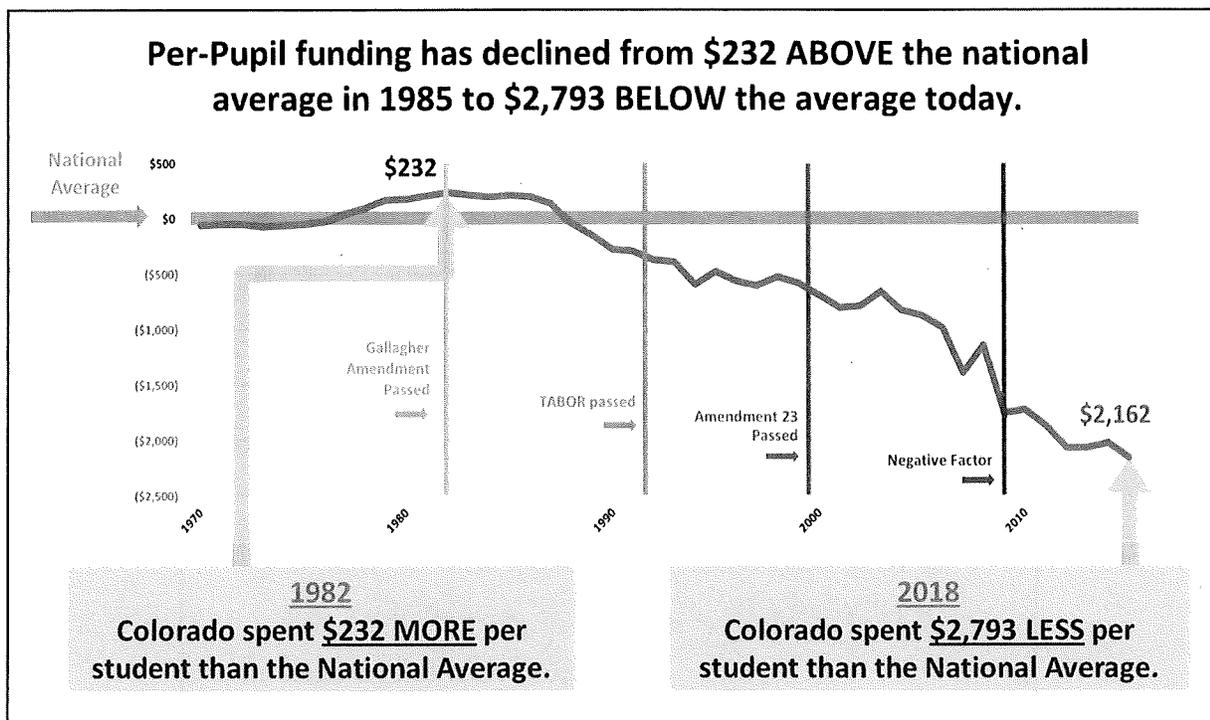
- 1) The State has had to assume a larger share of the responsibility for funding K-12 education, from 43% in 1989 to 69% in 2015.



This increased responsibility on the state has contributed to forcing the state to reduce funding for other programs such as Higher Education, in which the state has reduced its support by 50% since 2000.



- 2) Funding per pupil in Colorado has continued to drop relative to the national average, from \$232 ABOVE the national average in 1985 to almost \$2,800 BELOW the national average in 2018.



It's worth noting that, even though the adoption of Amendment 23 in 2000 helped to ensure increased funding for K-12 at the rate of student enrollment plus inflation, Colorado has still continued to fall behind the national average in per-pupil funding for two reasons:

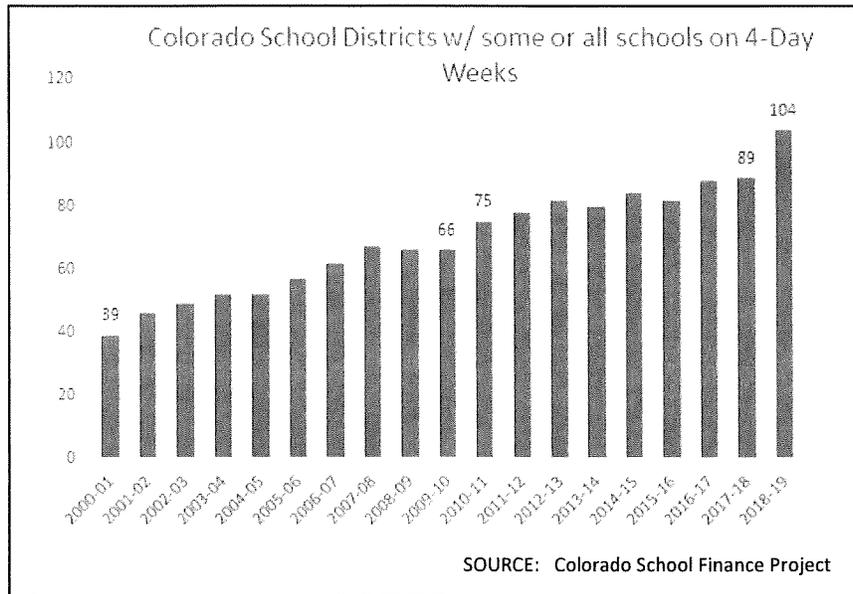
- A. The costs associated with K-12 education have grown at a rate faster than inflation because of additional costs related to such things as school security, mandated testing, and mandated programs for students with special needs, and because many of the typical costs related to K-12 education – such as health insurance for teachers, pensions and energy costs – grow at a rate faster than inflation.
- B. Most other states have continued to invest more in their K-12 programs to pay for the additional costs of K-12 education, thus leaving Colorado further behind.

Inadequate funding of K-12 education has adversely impacted performance

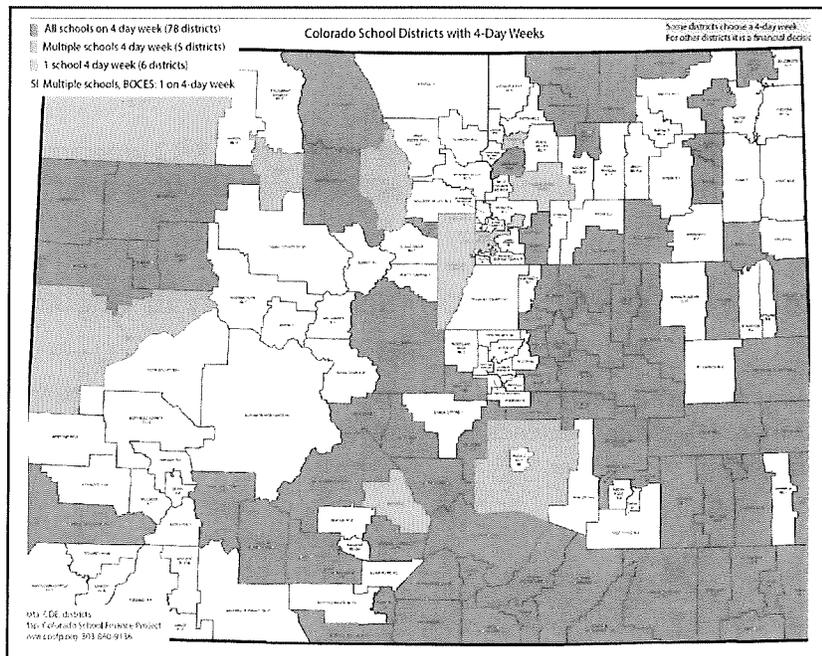
While funding is only one factor that contributes to the performance of K-12 education, it is an important factor, and there is growing evidence that inadequate funding is adversely impacting K-12 performance in several ways.

1. The growth in the number of school districts which have opted to move from a 5-day school week to a 4-day school week has almost tripled since 2000.

In 2000, 39 of Colorado’s 178 school districts had some or all of their schools on a 4-day school week; many of these were intentionally designed to utilize a 4-day week as part of their modified curriculum. By 2018, the number of school districts utilizing a 4-day school week had grown to 104, primarily as a result of their inability to fund a full 5-day week.

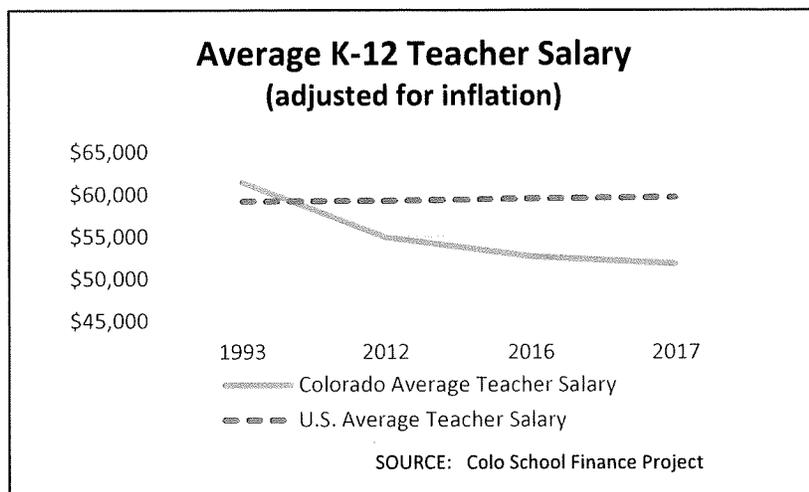


While it’s been primarily rural school districts which have been forced to use 4-day school weeks because of funding deficiencies, the Brighton school district in the Denver metro area was also forced to make this transition in 2018.

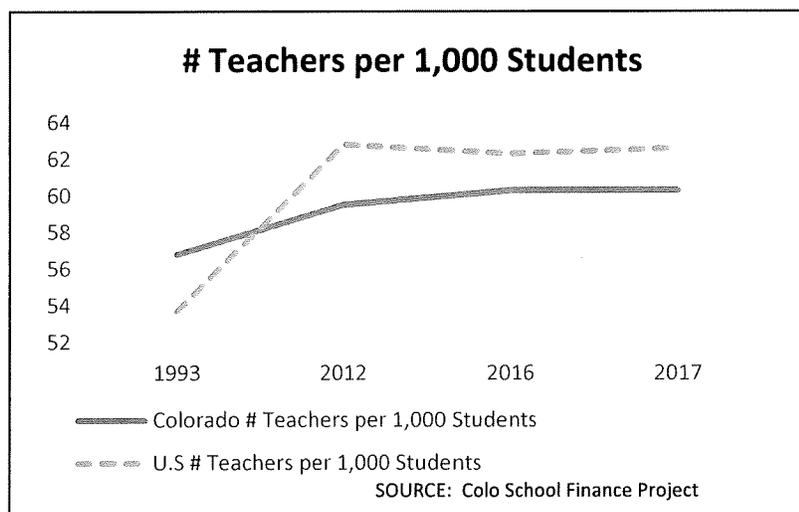


2. Colorado ranks 50th in teacher wage competitiveness.

This statistic from Rutgers Education Law Center compares teachers to non-teachers with similar education, experience and hours worked. Colorado is 2nd in number of novice teachers (1st or 2nd year) in the classroom (Source: Education Week, October 2016).



3. Colorado's teacher-to-student ratio lags the national average.



4. Colorado's graduation rate lags the national average in EVERY student subgroup.

5. Rural school districts are most adversely impacted.

Tragically, the poorest school districts in Colorado's rural areas are most adversely impacted by the state's K-12 funding challenge because:

- a. Rural areas don't have the economies of scale to mitigate the impact of the funding reduction posed by the state's Negative Factor which is applied equally to all school districts as an across-the-board percentage cut.
- b. The Gallagher Amendment's erosion of the local residential property tax base most adversely impacts those areas of the state with the slowest growth in residential property values, which is primarily in the rural areas.

**BBCO 2019 Community Conversation
Amendment 23 Policy Options**

OPTIONS	PROS	CONS
A. Do nothing.	<ol style="list-style-type: none"> 1. Easiest option. 2. Preserves current funding requirement that K-12 BASE funding must grow at the rate of "Inflation + Student Enrollment". 	<ol style="list-style-type: none"> 1. Does not address challenges of reduced K-12 performance which have arisen as a result of \$700M - \$1B reductions in funding via the "Negative Factor"
B. Restore full-funding for K-12 as Amendment 23 was originally interpreted. (Eliminate "Negative Factor".)	<ol style="list-style-type: none"> 1. Restores \$700M - \$1B in annual funding for K-12 Education. 	<ol style="list-style-type: none"> 1. Would require the state to cut OTHER programs by an equivalent \$700M - \$1B amount which could eliminate funding for Higher Ed. 2. May be difficult to pass.
C. Restore full-funding for K-12 as Amendment 23 was originally interpreted, but RECESS K-12 funding mandate during times of economic recession.	<ol style="list-style-type: none"> 1. Largely restores \$700M - \$1B in annual funding for K-12 Education. 2. Prevents K-12 portion of state budget from growing relative to other spending priorities and forcing cuts in those other areas. 3. May be easier to garner voter support than full restoration of Amendment 23's original mandate. 	<ol style="list-style-type: none"> 1. Would require the state to cut OTHER programs by an equivalent \$700M - \$1B amount when the K-12 mandate was in effect which could jeopardize funding for Higher Ed.
D. Repeal Amendment 23 funding requirement for K-12.	<ol style="list-style-type: none"> 1. Restores ability of elected legislature to make funding decisions for K-12 as they think most appropriate. 	<ol style="list-style-type: none"> 1. Eliminates minimum funding requirement for K-12 and places that funding at the risk of further reductions by the legislature.

Colorado Association of Ski Towns (CAST) Survey - Short Term Rentals (STR)

Thank you for the conversation on Short Term Rentals this past Friday at your CAST meeting. We are hoping to hear more of your thoughts/ideas on how best to approach STR policy and regulation at the state level. We welcome your thoughts and suggestions. Sincerely, Sen. Bob Rankin and Rep. Julie McCluskie

Name:

Your answer

Position/Title:

Your answer

email:

Your answer

Best phone number to reach you at:

Your answer

Municipality or County you represent:

Your answer



What are the greatest challenges facing your community when it comes to STR?

Your answer

Help us understand the value STRs bring to your community. What's working? How are STRs an asset in your community?

Your answer

Please identify any specific measures your community has put into place to address the challenges you face with STR:

Your answer

What tools can the state provide to help you address these challenges with STR?

Your answer

Share any other comments or ideas regarding statewide policy on STR.

Your answer

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Meeting Notes

To: OVLC Climate Action Subcommittee - Will Dujardin, John Cattles, Roman Kolodziej, Nicholas Kempton, Leslie Nichols, Russ Forest, Mel Yemma, Matt Feier, Corinne Truesdell (MEM student)

From: Dara MacDonald, Town Manager & subcommittee member

Subject: Notes from subcommittee meeting

Date: October 30, 2019

Attendees: Will Dujardin, John Cattles, Roman Kolodziej, Russ Forest, Mel Yemma, Matt Feier, Corinne Truesdell (MEM student)

I. Goals/Desired Outcomes

- 1) Education of the community
- 2) Creating a regional or countywide measurable goal for emissions reduction
- 3) Have several meaningful strategies already thought through to present to the group for discussion

Outcome for OVLC subcommittee – Prior to conference develop a common vernacular that we all agree on – reduce conflict among goals and create consistent messaging. Focus on greenhouse gas reduction as goal (renewables are a tactic to achieve the goal)

II. Gunnison Country Climate Conference

1) Confirm Schedule

Thursday, January 16th - At Mountaineer Square

- a) Kick-off, Evening of Jan 16th – What’s happening with our climate and why does it matter?
- b) Speaker – Mario from POW, Heidi or other scientist

Friday, January 17th - Western

- a) 8:30 – 8:45 MC (Russ) – Explain why OVLC is organizing this event
 - (i) Who is OVLC?
 - (ii) What topics will be addressed – GHG reduction, buildings and transportation are biggest emissions sources in our valley
 - (iii) What topics will not be addressed – waste, sequestration, etc.
 - (iv) Introduce opening speaker
- b) 8:45 – 9:30 Opening session - Speaker who can bring discussion to local relevance in the Gunnison Valley – How climate change is impacting us here

- (i) Speaker ideas – One of Ian’s scientist suggestions – Dara/Mel will follow-up
- c) 9:45 – 10:15 Water in the Valley –
 - (i) John McCloy – Upper Gunnison
 - (ii) Will D. can make arrangements with appropriate speakers from Upper Gunnison

10:15 – 10:40 Break – provide some food
- d) 10:45 – 11:30 Panel discussion –
 - (i) Topic: How do we frame goals we establish partnerships to meet goals? - Auden Schendler, Aspen Snowmass VP of Sustainability/Chris Menges, City of Aspen Sustainability Programs Manager, Kate Wilson, Vail Resorts Sr. Director of Sustainability/Luke Cartin, Park City Environmental Sustainability Manager (Vail Resorts) –
 - (ii) Who will follow up on arranging? –
 - Russ will contact Auden
 - Dara will contact Luke or Summit County CO rep.
 - Russ will contact Chris
 - Matt will contact Kate
- e) 11:35 – 11:50 – John Cattles, Baseline of emissions in Gunnison County (local govts, Western, ID Sculpture, CBMR)
- f) 12:00 – 1:00 Lunch
- g) 1:00 – 4:00 Outcomes – work through scenario planning about emissions reduction – what steps will give us the best bang for our buck in Gunnison County?
 - i) Electric decarbonization
 - ii) Transportation system modifications
 - iii) Built environment modifications
 - Have panel of local informed folks and Abel walks the conference through the scenarios
 - Have break-out sessions/groups and have prepared questions to get discussion going. We will need to do some prep work for facilitators in advance
 - Quick report outs on findings
 - Group will have 2 pre-work sessions with Abel – Cost \$5,000??
 - Session 1 – what are the scenarios worth modeling? (several hours)
 - Abel will create some models
 - Session 2 – review what he has modeled and trouble shoot it. (1-2 hours)
 - Abel finalizes scenarios, creates simple graphics, executive summary
- h) 4:00 – 4:20 Elected leaders panel – Mayors from three municipalities and Chair of BoCC

- 2) Conference follow-up
 - Have opportunity for participants to sign on to a pledge of some sort
 - OVLC Climate Action subcommittee – organize and email out follow-up action plan

- 3) Marketing
 - (a) Expected attendee numbers?
 - (b) RSVP required – yes, please
 - (c) Cost - \$10 in advance, \$20 day of
 - Corrine will organize an eventbrite sign-up
 - (d) Marketing in December/January
 - (i) OVPP membership
 - (ii) Chambers
 - (iii) Land Trusts
 - (iv) USFS, BLM
 - (v) Local governments
 - (vi) Sustainable CB
 - (vii) Social media
 - (viii) Chaffee County, Delta, Montrose?
 - (ix) Other outlets?
 - (e) Marketing plan? – Corrine will create draft marketing plan.

- 4) Budget:
 - (a) Need a rough start for a budget assuming 1.5 days with 1-2 outside speakers.
\$10,000 - \$12,000
 - (b) City of Gunnison will be the ‘bank’
 - (c) Who is committed to support?
 - (i) Crested Butte – up to \$2,000
 - (ii) City of Gunnison – up to \$2,000
 - (iii) Gunnison County – up to \$3,500
 - (iv) Mt. Crested Butte - up to \$2,000
 - (v) CBMR – trying to get venue in-kind
 - (vi) Western –
 - (vii) OVLC - ???
 - (viii) Others
 - (d) Corinne will continue to refine budget

- 5) Timeframe:
 - (a) Update from John Cattles on pre-work, in November - Utilizing the tool created by Abel to see what levers could be pulled to move the needle on emissions.

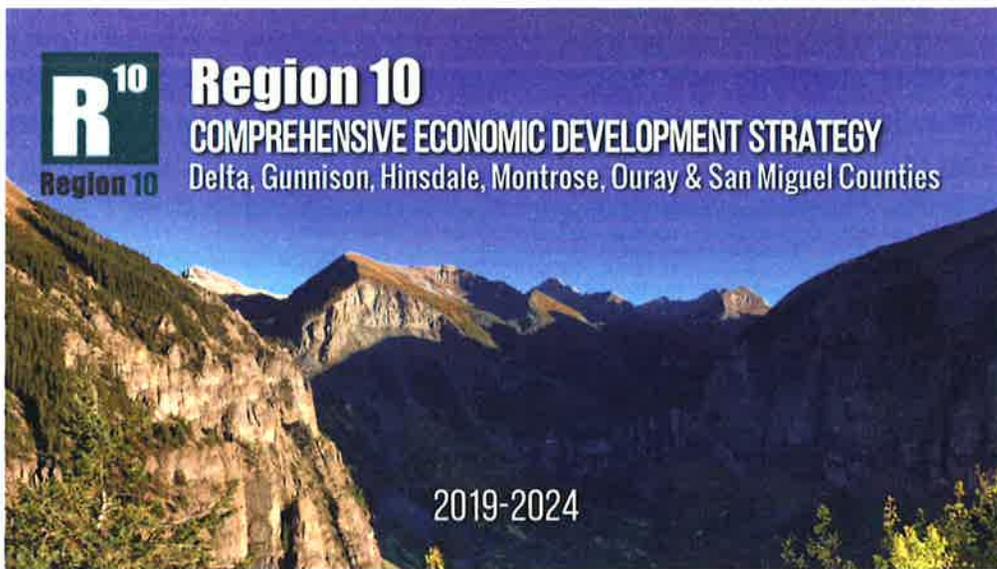
- 6) Next steps:
 - (a) Get green-light from OVLC on October 31st

III. Other updates

- 1) Ron Davies, Assoc Professor from Utah State – Dara has a call scheduled with him on Oct 31st to see about his availability to speak in Gunnison County.

- 2) Crested Butte Climate Action Plan public outreach and adoption – Public meeting scheduled for Dec 4th.
- 3) Others?

IV. Next meeting – Friday, November 22nd – block the morning

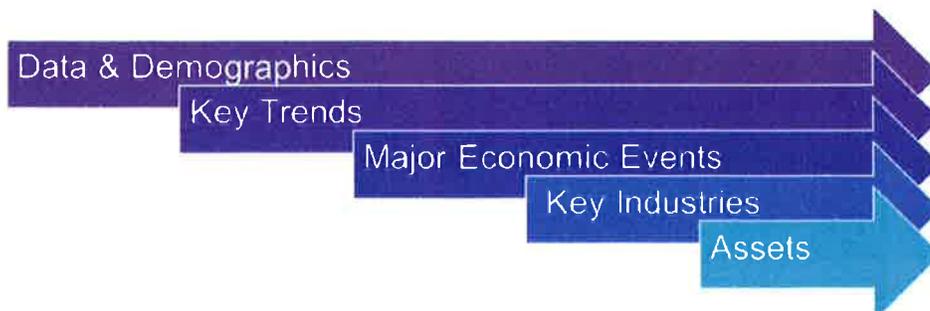


Why do a CEDS?

- more likely to **attract federal funds and technical assistance**
- **build on the strengths** of our region, as well as **identify gaps** in resources or expertise
- Tells **our story** of past, present and future
- **facilitates regional collaboration**, and grow and support new industry clusters
- **a living document** to guide our work

CEDS Process:

What we gathered and analyzed:





Goal 1: Region 10 will create a diverse and resilient economy that encourages/supports entrepreneurs, small businesses and attracts new businesses

GOAL 2: Region 10 will create vibrant and resilient communities that attract and supports residents, businesses, and visitors

GOAL 3: Region 10 will create robust and resilient infrastructure to support economic development in the region and attracts visitors, residents and businesses

GOAL 4: Develop a skilled and resilient workforce and attract a talented workforce

Goals and Strategies:

Goal 1: Region 10 will create a diverse and resilient economy that encourages/supports entrepreneurs, small businesses and attracts new businesses

REGIONAL PROJECTS:

- Establish SBDC Satellite Offices throughout Region
- Develop Community Small Business Development Toolkit & Training for Local Governments

STRATEGY 1A. Grow entrepreneurship and small business support

STRATEGY 1B. Support a robust and diversified agricultural sector

STRATEGY 1C. Create a dynamic region for diverse and sustainable tourism experiences and activities

STRATEGY 1D. Attract and support a diverse manufacturing base

GOAL 2: Region 10 will create vibrant and resilient communities that attract and supports residents, businesses, and visitors

REGIONAL PROJECTS:

- Host a Regional Resiliency Planning Workshop for Local Communities
- Create a Housing Best Practices Resource
- Host a Regional Downtown Vibrancy and Placemaking Training

STRATEGY 2A. Create vibrant downtowns that attract visitors and businesses

STRATEGY 2B. Increase availability of affordable/attainable workforce housing

STRATEGY 2C. Communities are supportive and responsive to aging up

STRATEGY 2D. Increase access to affordable and quality, early childhood education and childcare

STRATEGY 2E. Develop resilient communities

STRATEGY 2F. Develop strong community leadership

GOAL 3: Region 10 will create robust and resilient infrastructure to support economic development in the region and attracts visitors, residents and businesses

REGIONAL PROJECTS:

- Implementation of Regional Broadband Middle Mile Project
- Participate in CDOT's Ten-Year Integrative Planning Process

STRATEGY 3A. Expand utilization of regional and general aviation airports to support business travel and tourism

STRATEGY 3B. Implement high-speed, affordable and redundant broadband throughout the region

STRATEGY 3C. Promote greater connectivity and accessibility of a multi-modal and diverse transportation system

STRATEGY 3D. Improve trail systems throughout the region

STRATEGY 3E. Recognizing the importance of rail access to manufacturing support local efforts to increase utilization of rails by diverse users

Actions:

STRATEGY 3F. Increase the regions water and sewer capacity

STRATEGY 3G. Preserve quality public lands for multi-use for residents, visitors and economic activity

STRATEGY 3H. Support increase utilization of renewal energy

GOAL 4: Develop a skilled and resilient workforce and attract a talented workforce

REGIONAL PROJECT

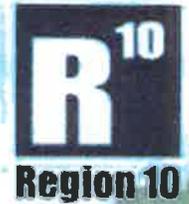
- Implementation and Utilization of Certified Work Ready Program

STRATEGY 4A. Launch workforce initiatives to align training and educational opportunities to target industries for critical, in-demand, occupations and improve efforts to prepare workers for available jobs

STRATAGEY 4B. Utilizing the actions in Goals 1 - 3, attract a younger and talented workforce

Regional Fact Sheet

Region10 is located in West Central Colorado and includes the counties of Delta, Gunnison, Hinsdale, Montrose, Ouray & San Miguel.



POPULATION & ECONOMIC DEMOGRAPHICS ^{1,2}

103,469
CURRENT POPULATION

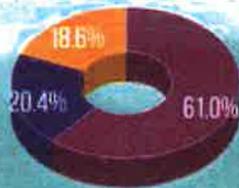
107,221
2023 PROJECTION



4.1%

REGIONAL POPULATION INCREASE AS OF 2018, THE REGION'S POPULATION INCREASED BY MORE THAN 4,000 PEOPLE & IS EXPECTED TO INCREASE BY 3.6% BY 2023.

TOTAL POPULATION %



47.8
MEDIAN AGE

18.6% Under 18
61% 18-64
20.4% 65+

\$43.2K
MEDIAN HOUSEHOLD INCOME

16.5%
% BELOW POVERTY LEVEL

\$12.6K
BELOW STATE MEDIAN HOUSEHOLD INCOME
AREA EARNINGS ARE WELL BELOW THE COLORADO STATE MEDIAN INCOME OF \$69.1K

93% Possess a High School Diploma

Possess a Bachelors Degree or Higher

10% Possess a Graduate Degree

40.1%

INDUSTRY ² 2013/2018 %Change

Government **8,609/9,450** **+10%**
2018 Earnings per Worker - \$56,115

Accommodation & Food Services **4,877/5,727** **+17%**
2018 Earnings per Worker - \$25,847

Retail Trade **4,860/5,320** **+9%**
2018 Earnings per Worker - \$33,420

Health Care & Social Assistance **3,628/4,376** **+20%**
2018 Earnings per Worker - \$40,375

Construction **3,530/4,340** **+23%**
2018 Earnings per Worker - \$46,644

Manufacturing **2,180/2,340** **+7%**
2018 Earnings per Worker - \$46,002

DATA SOURCES

1. US Census Bureau ACS PUMS 5-Year Estimate
2. Emsi Q2 2019 Data Set | www.economicmodeling.com

Gunnison County Fact Sheet ¹

County Seat: Gunnison (pop. 6,261)
 Founded 1877
 Area: 3,260 miles²

GUNNISON SPOTLIGHT ⁴: ICELab at Western Colorado University

A community organization with a keen interest in mountain town sustainability and economic diversity in rural Western Colorado, that supports new & growing businesses with co-work space, affordable office space, professional development, and a diverse network of mentors, programs, and opportunities.



ICELAB
 @WESTERN

POPULATION & ECONOMIC DEMOGRAPHICS ^{1,2}

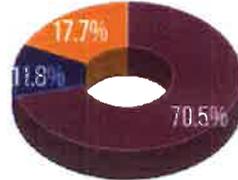
17,135
 CURRENT POPULATION

34.5
 MEDIAN AGE

18,166
 2023 PROJECTION

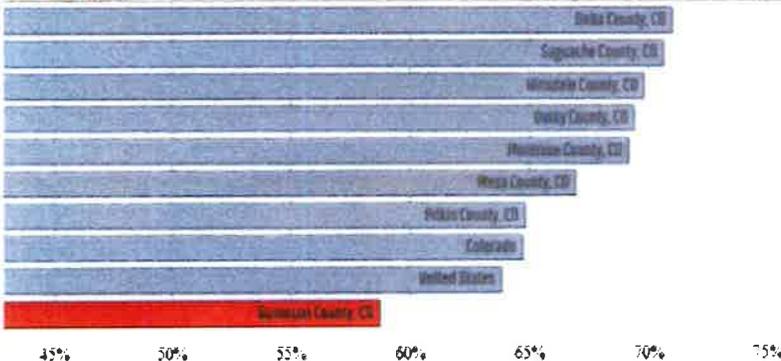
17.7% Under 18
 70.5% 18-64
 11.8% 65+

TOTAL POPULATION %



95.7% Possess a High School Diploma

HOUSING ³ Possess a Bachelor Degree or Higher **53.7%**



\$52.7K
 MEDIAN HOUSEHOLD INCOME

14.1%
 % BELOW POVERTY LEVEL

\$313,900
 MEDIAN PROPERTY VALUE

58.7%
 HOME OWNERSHIP RATE

11,917
 TOTAL HOUSING UNITS
 Occupied Units - 7,128
 Vacant Units - 4,789
 Vacancy Rate - 40.2%

INDUSTRY ² 2013/2018 xChange

Government 1,979/2,329 **+18%**
 2018 Earnings per Worker - \$51,432

Accommodation & Food Services 1,320/1,597 **+21%**
 2018 Earnings per Worker - \$22,776

Retail Trade 934/1,069 **+14%**
 2018 Earnings per Worker - \$30,445

Construction 797/987 **+24%**
 2018 Earnings per Worker - \$45,427

Arts, Entertainment & Recreation 748/909 **+22%**
 2018 Earnings per Worker - \$31,667

Professional, Scientific & Tech Services 400/504 **+26%**
 2018 Earnings per Worker - \$52,126

SOURCES

1. US Census Bureau ACS PUMS 5-Year Estimate
2. Emsi Q2 2019 Data Set | www.economicmodeling.com
3. Retrieved from <https://datausa.io/>
4. <https://icelab.co/>

This chart shows the ownership percentage in Gunnison County, CO compared to its parent and neighboring geographies.

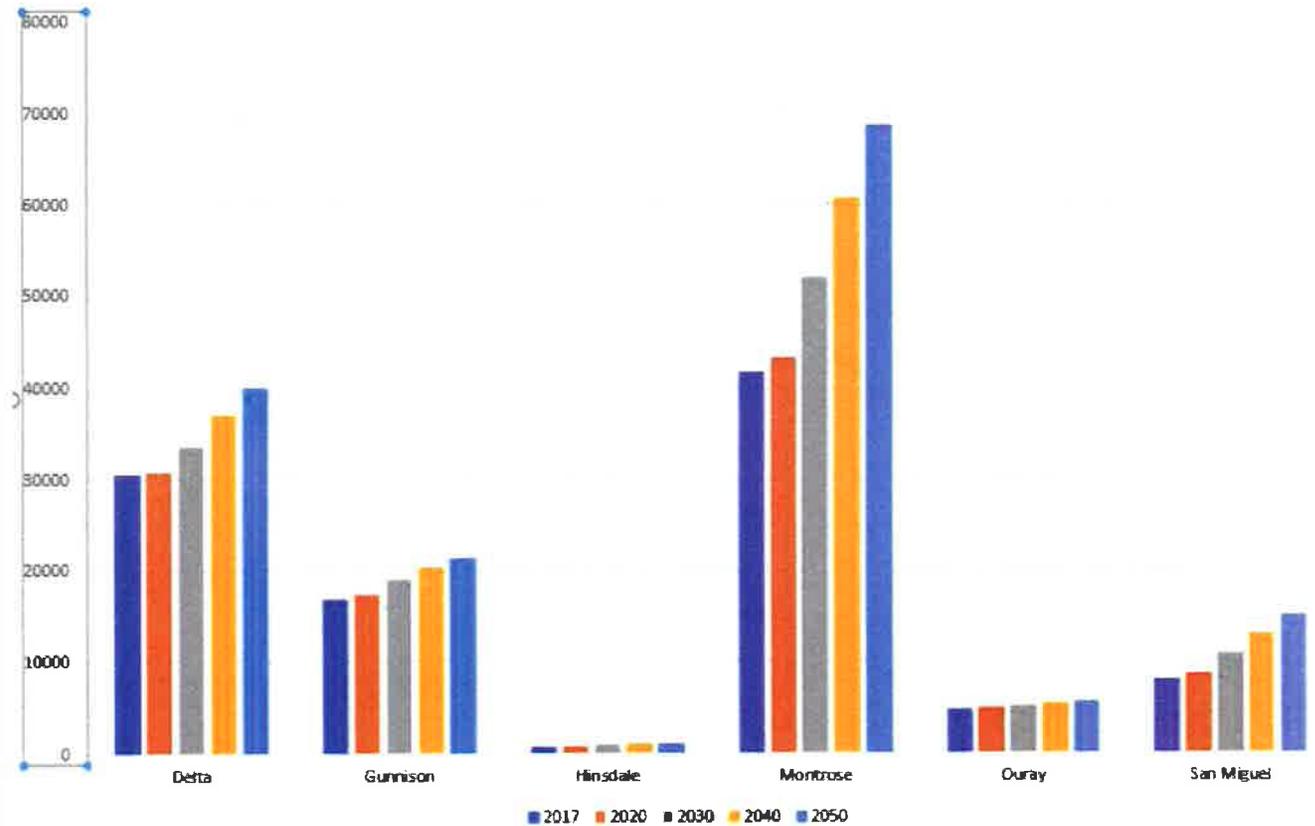
The Colorado State Demographers Office estimates growth from 2017 – 2050 in all counties, with a range of 19% (Ouray) to almost 90% (San Miguel). In the most populated counties of Delta and Montrose population is expected to increase by 31% and almost 65% respectively.

A major challenge during the next five years is the need to balance the growing number of older adults, (nearly 1/3 of the total population of Region 10 according to the American Community Survey of the US Bureau of the Census) and the demand for services in the region to meet those needs. According to the State Demographers Office Colorado will experience a growing aging population, and Region 10's aging population will increase at a higher rate than the State.

While the region remains a desirable retirement location, regional planning activities include project to attract younger and talented workforce.

Population Trends

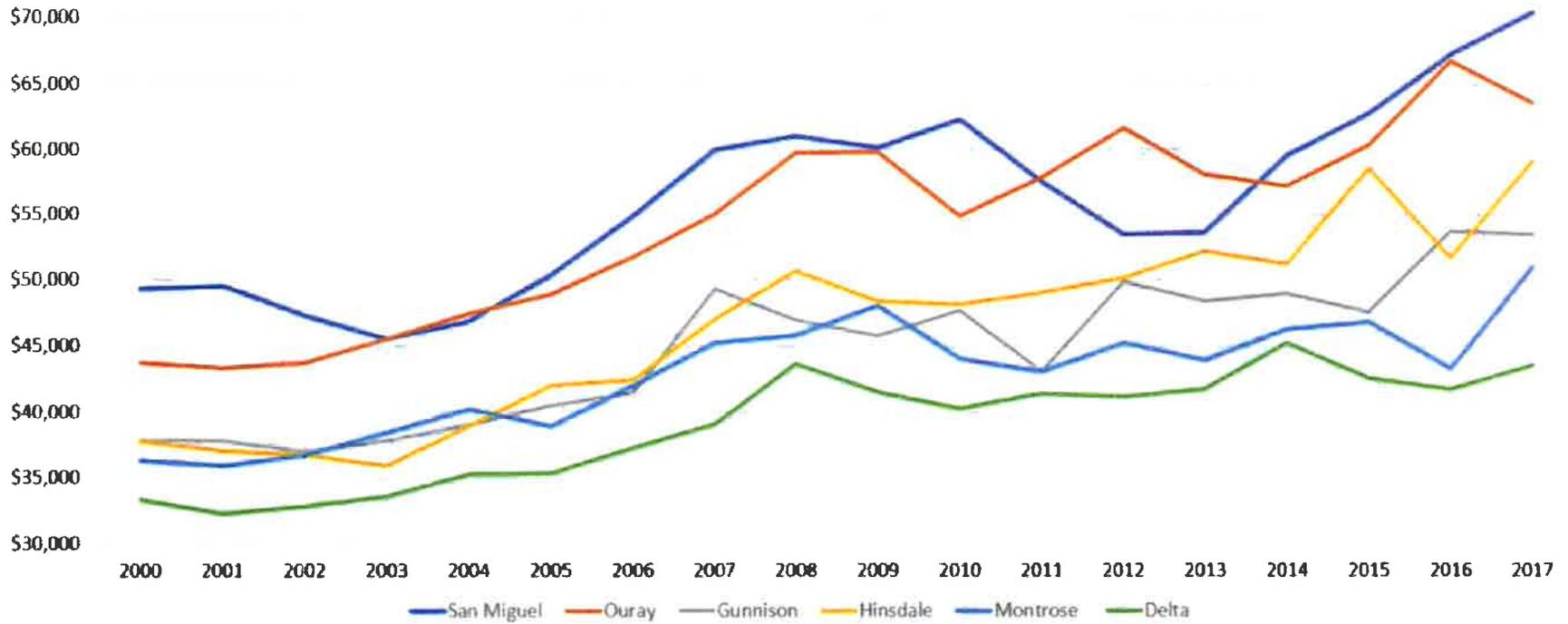
Estimated Population Growth 2017-2050



Source: State Demographers Office

Economic Trends

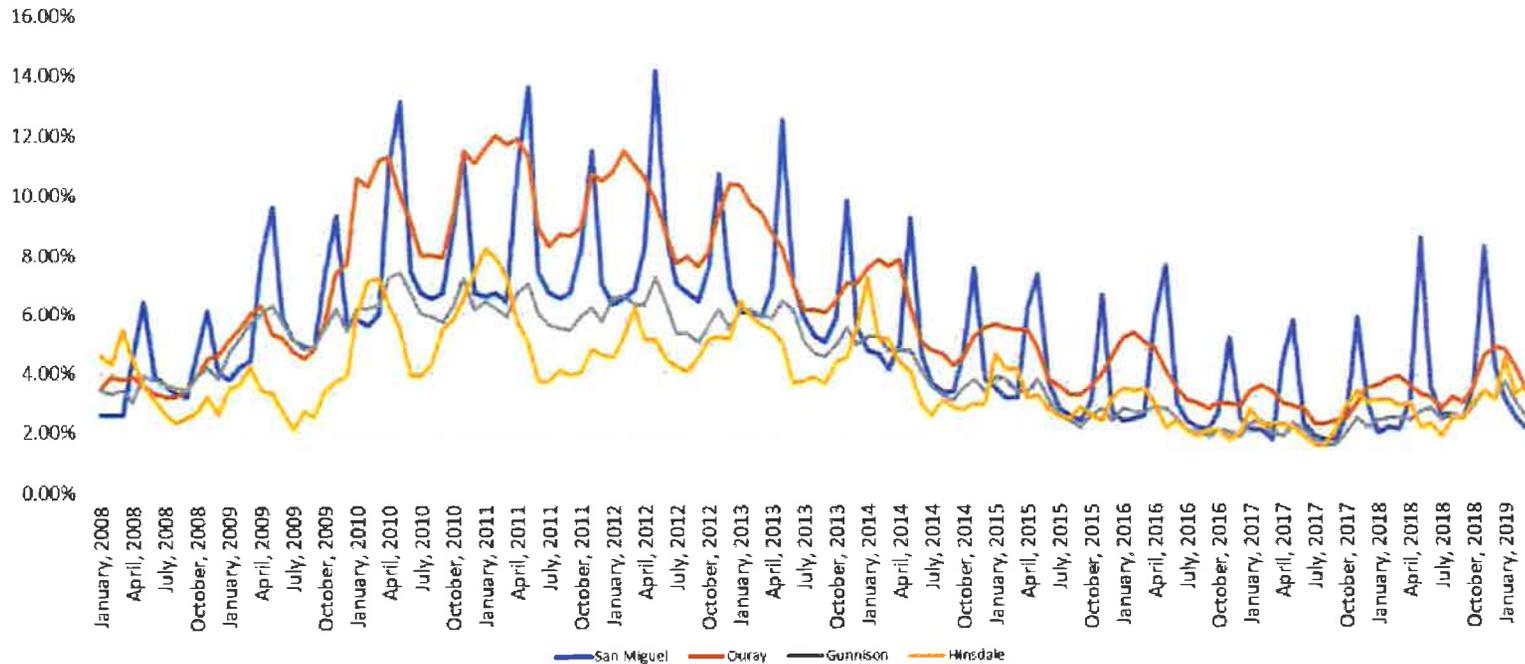
Region 10 Median Household Income



Source: State Demographers Office

Our resort/tourism-based economies see the most fluctuation in unemployment rates with San Miguel (home of Telluride) with the most extreme fluctuation in unemployment followed by Ouray and Hinsdale. Gunnison County unemployment fluctuation is not as extreme with hosting Western Colorado University. Delta and Montrose counties tend to follow each other and are not as impacted by seasonality.

San Miguel, Ouray, Gunnison and Hinsdale Unemployment Rate



source: State Demographers Office

P.O. Box 2308 • Silverthorne,
Colorado 80498



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qqwater@nwccog.org

QQ Meeting Summary

October 17, 2019 at Summit County Community and Senior Center, Frisco

Summary sent out October 29, 2019

QQ CONSIDERS ECONOMIC IMPACTS OF POTENTIAL DEMAND MANAGEMENT PROGRAM IN COLORADO

QQ delved into the complex world of demand management in the Colorado River Basin at its recent meeting, with an illuminating presentation by Jessica Harvey of Harvey Economics and John McClow of the Upper Gunnison River Water Conservancy District.

The State of Colorado, led by the Colorado Water Conservation Board (CWCB), is considering whether, and how, the State could manage a *demand management program* that would reduce the possibility of a call against the 1922 Colorado River Compact by curbing existing water uses and sending saved water downstream to meet obligations to the lower Colorado River Basin. Because most of the water used in Colorado's portion of the Colorado River is agricultural, much of the focus on demand management is reimbursing farmers and ranchers for curtailing their water use—through a yet-to-be-identified process that should be *temporary, voluntary, and compensated*, as the Colorado Water Conservation Board, the Colorado River District, and many others have emphasized. John McClow provided an overview of the program and the obligations of the Upper Colorado River Basin under the Colorado River Compact.

As John reported, the Upper Gunnison River Water Conservation District heard from its agricultural constituents a desire to understand more about the potential economic consequences of a demand



Attendees listen as John McClow (right) and Jessica Harvey (2nd from right) explain the contemplated demand management program in Colorado and a study of potential impacts to Gunnison County of such efforts. Also pictured from left, Senator Gail Schwartz, Minturn Manager Michelle Meteer, Minturn Councilperson George Brolin, Pitkin County Commissioner Kelly McNicholas Curry, and QQ Secretary April Long with Aspen.

EXCITING UPDATES FOR QQ'S CONTRACT TEAM ANNOUNCED!

QQ confirmed its 2020 contract with QQ's consultant team at its October meeting. We have some exciting additions and changes to announce!

- Alpine Environmental Consultants LLC, spearheaded by Ashley Bembenek, is part of the official 2020 contract team for QQ. Ashley has served as a water quality specialist for QQ for several years, filling in some of Lane Wyatt's roles as he moves towards retirement. We're so glad Ashley's part of the team!
- Torie Jarvis recently teamed up with a consulting firm out of Montrose, Dynamic Planning + Science, who just joined the QQ contract to allow Torie to continue representing QQ in a similar capacity as she has the past seven years. Dynamic works in long range planning and hazard mitigation planning, and brings additional planning and data visualization expertise to QQ as well as Torie's continued work.
- Barbara Green will continue as the third member of QQ's contract team with Sullivan Green Seavy, LLC, and we're thankful we'll continue to benefit from her expertise!

We are looking forward to a great 2020!



Low water in Lake Powell. Photo by Brent Gardner Smith, Aspen Journalism

management program in the Upper Gunnison River basin. Because most of the water use in the upper watershed is agricultural, a study undertaken by Harvey Economics will focus on the impacts to the agricultural community and related impacts.

QQ members tossed around questions about potential impacts in the QQ region, which encompasses the Upper

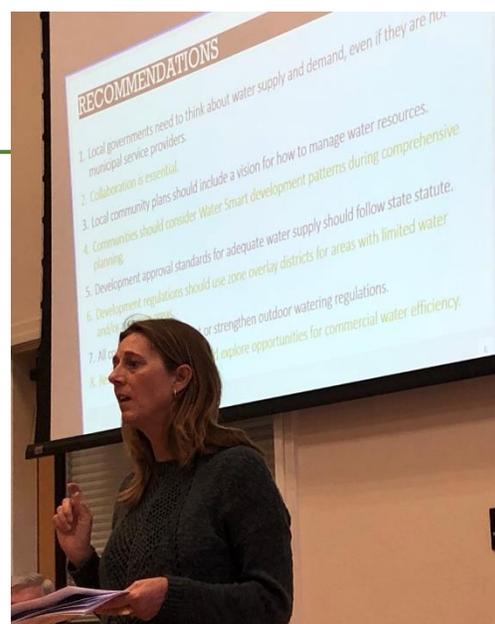
Gunnison but sees significantly less agricultural in many other parts of the region.

Demand management will continue to be a topic of discussion with QQ members, as the CWCB recently formed workgroups focused on various topical discussions around a potential demand management program. Torie Jarvis is on the environmental workgroup, while Karn Stiegelmeier and Kathy Chandler-Henry are on the local government and economy workgroup. The Colorado River District and Upper Gunnison are also participating in many other workgroups.

QQ TO UNVEIL NEW GUIDANCE DOCUMENT FOR WATER SAVINGS MEASURES IN LAND USE CODES AND POLICIES IN NOVEMBER

QQ and Del Corazon Consulting are putting the finishing touches on much-anticipated guidance for QQ members on integrating water savings measures into land use codes and policies, titled *Water Savings Guidance and Model Codes*. The guidance will pull together an assessment of QQ members' land use codes and policies, as well as best practices and model codes related to water savings and land use. Marjo Curgus, principle consultant on this project, provided an overview of the guidance document at the last QQ meeting, focusing on specific elements tailored for QQ members.

The document will focus on strengthening code sections related to water supply, outdoor watering and landscaping, indoor and



Marjo Curgus presenting to QQ.

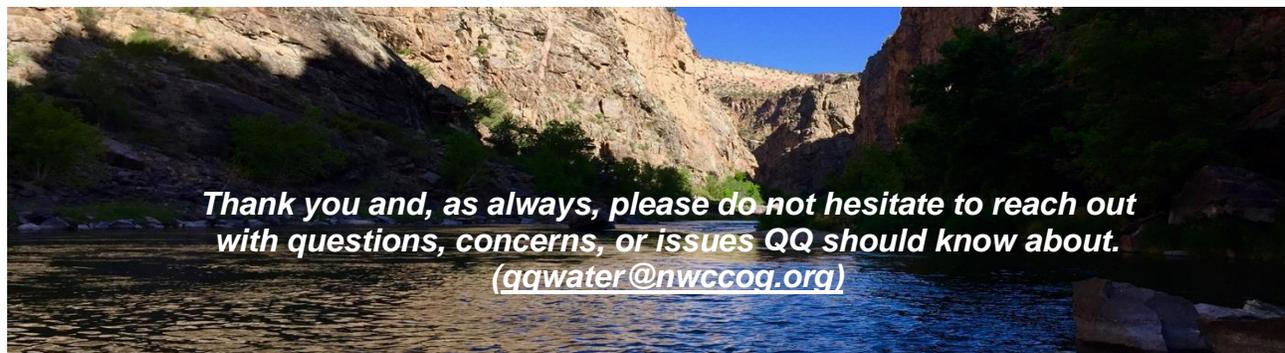
commercial water conservation, and on integrating water savings into comprehensive planning. QQ anticipates a November release of this document and looks forward to planning further outreach and education around this resource in 2020.

OTHER QQ UPDATES

- QQ supports Proposition DD—a much-needed funding source for Colorado’s Water Plan. Prop. DD proposes to legalize online sports gambling, with taxes generated going in large part to fund the Water Plan. Estimates for annual income are just under \$15 million, and some critics point out that’s not even close to the amounts identified in the Water Plan. At the QQ meeting, members emphasized that some funding is needed regardless, and this funding more than doubles the amount available for Water Plan grants currently. If this passes, QQ will continue to monitor and participate in processes to further refine what types of projects should be paid for under this new pot of money. Read more [here](#).
- The Water Quality Control Commission (WQCC) is in the midst of a rulemaking focused on revising and extending temporary modifications. Most relevant to QQ, the WQCC is considering an extension of the temporary modification for molybdenum on Ten Mile Creek from Climax’s discharge. QQ joined with a group of members and other interested parties in a prehearing response statement that asked Climax to commit to “getting to work” with studying treatment options for the molybdenum. This request stems from the State’s decision to continue to wait for a federal study update on molybdenum levels for human consumption before conducting a rulemaking hearing to consider revising the statewide molybdenum standard.
- The General Assembly’s Water Resource Review Committee (WRRC) met several times over the summer and fall, and just voted by supermajority to introduce a set of 6 bills into the 2020 Legislative Session. QQ will provide a more detailed summary of those bills in the immediate future. Until then, a list of the bills are available [here](#). Torie Jarvis gave a presentation to the WRRC in September titled *The Headwaters region, perspectives and challenges*. Slides are available [at this link](#).
- QQ and several of its members continue to participate as stakeholders in the [Upper Colorado Wild and Scenic Stakeholder Group and Alternative Management Plan](#). The stakeholder group has until June 2020 to refine the Management Plan, during what’s called the “provisional period,” after the Plan was adopted into federal agency planning documents. The group will see considerable work in the upcoming months.
- QQ plans to participate in several upcoming rulemakings before the Colorado Oil and Gas Conservation Commission (COGCC), as the agency changes its regulations to be consistent with its new mission and direction from 2019’s Senate Bill 181. Rulemaking hearings in 2020 include those to address the mission change, to develop a cumulative impacts analysis, and to develop an alternative siting process. As always, QQ’s focus will be to maintain existing local authority to regulate for environmental protection and to ensure new regulations are workable for West Slope oil and gas development as well as the intensive development on the Front Range.

Did you know QQ archives board packets, meeting summaries, and presentations from past meetings?

You can find past agendas, presentation copies, and board packets here: <http://nwccog.org/qq/archived-qq-agendas/>



Thank you and, as always, please do not hesitate to reach out with questions, concerns, or issues QQ should know about.
(qqwater@nwccog.org)

Agenda
Design Review Committee
Monday
October 21, 2019

- 4:00 Consideration of the application of **Trilby Carriker** to relocate the existing historic shed and construct a new shed to be located at 501 Sopris Avenue, Block 25, Lot 17, Lot 18 excluding the South 28' of the East 3.4', North 28' of the West 3.4' of Lot 19 (AKA Sopris Subdivision) in the R1C zone. (Kennedy)
- **Architectural approval is required.**
 - **Relocation of a historic shed < 200 sf is requested.**

The above times are only tentative. The meeting may move more quickly or slowly than scheduled

Agenda
BOARD OF ZONING and ARCHITECTURAL REVIEW
Tuesday
October 29, 2019

- 6:00 Call to Order.
- 6:02 Review and approve the minutes from the **September 24, 2019** BOZAR meeting.
- 6:04 Presentation by Sam Cohick, James Hardie Building Products, Inc.
- 6:25 Presentation by Matt Kuehlhorn, Kooler Homes on garage door finish options.
- 6:40 Continuance of the application of **Plaza at Woodcreek Unit 35, LLC** to relocate the existing outhouse structure and the addition of an unheated storage shed on the northeast corner of the existing building located at 402 Fourth Street, Unit 402, License Plate Plaza Condominiums in the B3 zone. *Continued to the November 19, 2019 BOZAR meeting.* (Cowherd/Mattes-Ritz)
- Architectural approval is required.
- Permission to relocate an existing non-historic accessory building is requested.
- A conditional waiver of a non-conforming aspect with respect to the east side yard setback is required, minimum setback is 7'6" and existing is 2'6".
- 6:42 Consideration of the application of **Trilby Carriker** to relocate the existing historic shed and construct a new shed to be located at 501 Sopris Avenue, Block 25, Lot 17, Lot 18 excluding the South 28' of the East 3.4', North 28' of the West 3.4' of Lot 19 (AKA Sopris Subdivision) in the R1C zone. (Kennedy)
- Architectural approval is required.
- Relocation of a historic shed < 200 sf is requested.
- 7:20 BREAK**
- 7:30 Consideration of the application of **Elk Avenue Partners LLC** to make changes to a previously approved plan to revise the use from restaurant to office/retail, add a small addition and change the entry on the North to the building located at 407 Fourth Street/330 Elk Avenue, Block 27, Lots 1-4 in the B1 zone. (Hartman)
- Architectural approval is required.
- Permission to demolish a portion of a non-historic commercial building is requested.
- A recommendation to the Town Council regarding a Revocable License Agreement for the parking barriers on the East elevation parking and heated sidewalk on the North`.
- A conditional waiver of a non-conforming aspect with respect to maximum lot size is required, maximum lot size is 9375 sf and existing is 12,000 sf, approved 7-25-2017.
- 8:20 Consideration of the application of **Salle A. McDaniel** rehabilitate the existing historic accessory building, construct an addition and utilize as a garage to be located at 506 ½ Fifth Street, Block 36, Lots 15-16 in the R1C zone. (Derusseau)
- Architectural approval is required.
- A conditional use permit for a heated and/or plumbed accessory building in the R1C zone is required.
- 9:30 Miscellaneous:
 - o DRC for November 4 and 11: Alvarez Marti and Seekatz (BOZAR – November 19th)
 - o DRC for December 2 and 9: Seekatz and _____ (BOZAR – December 17th)
 - o CPI Conference – Denver, CO – Late January, early February 2020
 - o Update on the GL process and next steps.
 - o Insubstantials:
 - o Windows for Phase 2 of Paradise Park project
 - o Baker (319 Sopris Avenue) Denial for removal of snow stops for accessory building northwest roof.
 - o Ace/Pauckyla (607 Sixth Street) Change roof pitch to 4:12 and fencing to red wood.
- 9:45 Adjourn

The above times are only tentative. The meeting may move more quickly or slowly than scheduled



AGENDA

Regular Town Council Meeting

5:00 PM - Wednesday, November 6, 2019

Council Chambers

1. CALL TO ORDER

2. PUBLIC HEARING - 5:00 P.M. - NORDIC INN

A public hearing to receive public input on a Planned Unit Development Major Alteration Application submitted by Pearls Management, LLC to amend the existing Planned Unit Development for the Nordic Inn. The alteration proposes a new layout for the hotel building, additional hotel units, and underground parking. The alteration only relates to changes on Lots NI-1 and NI-2. Lot ROS-1 will remain unchanged.

3. PUBLIC HEARING - 6:00 P.M. - ORDINANCE NO. 9 SERIES 2019

A public hearing to receive public input on Ordinance No. 9 Series 2019 – An Ordinance of the Town Council of the Town of Mt. Crested Butte, Colorado, Repealing and Reenacting Chapter 11 Licenses and Business Regulations, Article I. In General.

4. ROLL CALL

5. PUBLIC COMMENT

Citizens may make comments on items **NOT** scheduled on the agenda. Per Colorado Open Meetings Law, no Council discussion or action will take place until a later date, if necessary. You must sign in with the Town Clerk before speaking. Comments are limited to three minutes.

6. APPROVAL OF MINUTES

6.1. Approval of the October 15, 2019 Regular Town Council Meeting Minutes

7. REPORTS

7.1. Town Manager's Report

7.2. Town Council Reports

7.3. Other Reports

8. CORRESPONDENCE

9. OLD BUSINESS

9.1. Discussion and Possible Consideration of Ordinance 7 Series 2019 – An Ordinance of the Town Council of the Town of Mt. Crested Butte, Colorado, Amending Article II, Chapter 19, Division 2, Section 19-29 Reporting Periods – Second Reading – Karl Trujillo/ Jill Lindros

10. NEW BUSINESS

10.1. Discussion and Possible Consideration of a Donation to the Gunnison Country Food Pantry – Katie Dix and Angie Krueger

10.2. Discussion and Possible Consideration of a Planned Unit Development Major Alteration Application submitted by Pearls Management, LLC to amend the existing Planned Unit Development for the Nordic Inn. The alteration proposes

a new layout for the hotel building, additional hotel units, and underground parking. The alteration only relates to changes on Lots NI-1 and NI-2. Lot ROS-1 will remain unchanged – Carlos Velado

- 10.3. Discussion and Possible Consideration of Ordinance No. 8 Series 2019 – An Ordinance of the Town Council of the Town of Mt. Crested Butte, Colorado, Repealing and Reenacting Chapter 19 Taxation, of the Town of Mt. Crested Butte Code – First Reading – Kathy Fogo
- 10.4. Discussion and Possible Consideration of Ordinance No. 9 Series 2019 – An Ordinance of the Town Council of the Town of Mt. Crested Butte, Colorado, Repealing and Reenacting Chapter 11 Licenses and Business Regulations, Article I. In General – First Reading – Carlos Velado and Kathy Fogo
- 10.5. Discussion and Possible Consideration of the Town’s Lottery Process for Homestead at Prospect Community Housing – Carlos Velado
- 10.6. Discussion and Possible Consideration of the Updated 3 Mile Plan – Carlos Velado
- 10.7. Discussion and Possible Consideration of Paying \$5,000 to Region 10 for the Broadband Middle Mile Engineering Study – Joe Fitzpatrick

11. OTHER BUSINESS

12. ADJOURNMENT

If you require any special accommodations in order to attend this meeting, please call the Town Hall at 970-349-6632 at least 48 hours in advance of the meeting.

GUNNISON COUNCIL AGENDA
MEETING IS HELD AT CITY HALL, 201 WEST VIRGINIA AVENUE
GUNNISON, COLORADO; IN THE 2ND FLOOR
COUNCIL CHAMBERS
 Approximate meeting time: 2 hours

TUESDAY

OCTOBER 22, 2019

REGULAR SESSION

5:30 P.M.

*City of Gunnison Councilmembers gather for a light meal at 5:00 P.M. in Council Chambers.
 No City Council activity takes place.*

- I. Presiding Officer Call Regular Session to Order: (silent roll call by City Clerk):**
- II. Public Hearing - 5:30 P.M.**
Please see the e-packet for the public hearing format.

Public Hearing to receive input on the Proposed 2020 Budget.

Background: per City Charter, Council shall hold a public hearing on the proposed budget on or before November fifteenth of each year. The Public Hearing is held to consider formal public comment, if any. There is no formal requested action for Council at this time. If Council wishes to provide any direction to staff for changes to the budget, it can be done at any time prior to adoption.

Staff contact: Finance Director Ben Cowan

Action Requested of Council: To provide direction to Finance Director Cowan and City staff on changes or adjustments to the 2020 proposed budget.

Estimated time: 30 minutes

Public Hearings are the formal opportunity for the City Council to listen to the public regarding the issue at hand. Citizens giving input must identify themselves. Anonymous testimony will not be considered. In a quasi-judicial public hearing, the Council is acting in much the same capacity as a judge. The Council must limit its decision consideration to matters which are placed into evidence and are part of the public record at the hearing. Legislative and administrative public hearing include those that are a formal opportunity for Council to listen to the public regarding the issue at hand, i.e. increases in utility rates or the annual city budget.

- III. Citizen Input: (estimated time 3 minutes)**

At this agenda time, non-agenda scheduled citizens may present issues of City concern to Council on topics that are not to be considered later in the meeting. Per Colorado Open Meetings Law, no Council discussion or action will take place until a later date; unless an emergency situation is deemed to exist by the City Attorney. Each speaker has a time limit of 3 minutes to facilitate efficiency in the conduct of the meeting and to allow an equal opportunity for everyone wishing to speak.

- IV. Council Action Items**

A. Budget Work Session.

Background: To provide an opportunity for Council's direction in modification of the proposed budget.

Staff contact: Finance Director Ben Cowan

Action Requested of Council: Provide direction to staff to modify the 2020 Proposed Budget as deemed appropriate prior to budget adoption.

Estimated time: 15 minutes

- B. Approval of the October 8, 2019 Regular Session meeting minutes.**
 Background: per City Charter, the City Clerk produces minutes of the Council actions for all regular and special session meetings. Minutes are approved or amended at the following regular session meetings and become a permanent city record. If a city councilor was not present at the meeting, they must abstain in the vote and action on approval of the minutes.
 Staff contact: City Clerk Erica Boucher
Action Requested of Council: A motion, second and vote to approve the minutes of the October 8, 2019 Regular Session meeting.
- C. Resolution No. 13, Series 2019:** *A Resolution of the City Council of the City of Gunnison, Colorado supporting Proposition CC, a measure to allow the state to invest revenue collected beyond current state limits for state and local transportation projects as well as K-12 education and higher education.*
 Background: The 2019 legislative session passed HB 19-1257 and HB 19-1258. HB 1257 refers to the voters in November a single ballot question – Proposition CC – that, if passed, allows the state to permanently retain revenue in excess of the state’s TABOR limit set by Referendum C and requiring that retained revenue be distributed to public schools, higher education, and transportation/transit. HB 1258, effective only upon voter approval of Proposition CC, requires a 1/3 split to each category.
 Staff contact: City Clerk Erica Boucher
Action Requested of Council: Introduce, read by title only, motion, and vote to pass and adopt Resolution No. 13, Series 2019.
 Estimated time: 5 minutes
- D. Resolution No. 14, Series 2019:** *A Resolution of the City Council of the City of Gunnison, Colorado, supporting proposition DD on the November 5, 2019 election ballot*
 Background: The 2019 legislative session passed HB 19-1327. HB 1327 authorizes sports betting within the existing framework and regulatory scheme for limited gaming in Colorado. It authorizes sports betting with master licenses held only by those entities licensed to conduct limited gaming within the three host cities, and requires local voter approval in the three host cities. The licensees in the three host cities may contract with online sports betting entities. This regulatory mechanism mirrors past voter intent for limited gaming. HB 1327 also refers to the voters in November a single ballot question – Proposition DD – that, if passed, would tax future proceeds from sports betting and allocates the revenue to the Colorado State Water Plan and exempt the tax revenue from the state’s TABOR limit.
 Staff contact: City Clerk Erica Boucher
Action Requested of Council: Introduce, read by title only, motion, and vote to pass and adopt Resolution No. 14, Series 2019.
 Estimated time: 5 minutes
- E. Discussion on Marijuana Establishment Regulations.**
 Background: Due to the discussion that occurred at the September 10, 2019, Regular Session meeting Council directed staff to gather information and report back on a variety of topics related to the evolving industry of retail marijuana and suggest possible next steps relating to retail marijuana in the City of Gunnison.
 Staff contact: City Clerk Erica Boucher

Action Requested of Council: To provide staff with direction regarding City marijuana regulations and establishments.
Estimated time: 15 minutes

V. Reports:

Public Works Semi-Annual Report
City Attorney Report
City Clerk Schedule Update
City Manager Strategic Projects Update and Report
City Councilors with City-related meeting reports; discussion items for future Council meetings

VI. Meeting Adjournment

The City Council Meetings agenda is subject to change. The City Manager and City Attorney reports may include administrative items not listed. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website at www.gunnisonco.gov. Discussion Sessions are recorded; however, minutes are not produced. For further information, contact the City Clerk's office at 970.641.8140. **TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL NEEDS ARE REQUESTED TO CONTACT THE CITY CLERK 24 HOURS BEFORE ALL MEETINGS AT 970.641.8140.**

GUNNISON COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING, WORK SESSION & REGULAR MEETING AGENDA

144

DATE: Tuesday, October 22, 2019

Page 1 of 2

PLACE: Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING:

- 8:30
- Call to Order
 - Agenda Review
 - Minutes Approval:
 1. 9/24/19 Special Meeting
 2. 10/1/19 Regular Meeting
 - Consent Agenda: These items will not be discussed unless requested by a Commissioner or citizen. Items removed from consent agenda for discussion may be rescheduled later in this meeting, or at a future meeting.
 1. Ratification of County Manager's Signature; Authorization of Agent
 2. Intergovernmental Agreement (IGA) Amendment #2; Colorado Department of Health & Human Services
 3. Ratification of County Manager's Approval to Submit Grant Application; Cross-Sector Innovation Initiative; Community Health Coalition of the Gunnison Valley
 - Scheduling:
Set Date & Time; Public Hearing – Proposed 2020 Gunnison County Budget
- 8:35
- Plat Approval; Student Organization Achieving Results (SOAR) Townhomes
- 8:40
- Plat Approval; Double Top Condominiums
- 8:45
- Vouchers & Transfers
 - Sales Tax & Local Marketing District Reports
 - July 2019 Purchase Card Expense Report
 - Treasurer's Report
 - Adjourn

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS WORK SESSION:

- 9:00
- Valley Housing Fund Update; Jim Starr
- 9:20
- County Technical Services, Inc. (CTSI) Insurance Pool Update & Loss Analysis; Jon Wagner
 - Adjourn

GUNNISON COUNTY BOARD OF EQUALIZATION:

- 10:00
- Call to Order
 - Petitioner Hearings
 - Adjourn

*NOTE: This agenda is subject to change, including the addition of items up to 24 hours in advance or the deletion of items at any time. All times are approximate. The County Manager and Deputy County Manager's reports may include administrative items not listed. Regular Meetings, Public Hearings, and Special Meetings are recorded and **ACTION MAY BE TAKEN ON ANY ITEM**. Work Sessions are not recorded and formal action cannot be taken. For further information, contact the County Administration office at 641-0248. If special accommodations are necessary per ADA, contact 641-0248 or TTY 641-3061 prior to the meeting.*

GUNNISON COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING, WORK SESSION & REGULAR MEETING AGENDA

145

DATE: Tuesday, October 22, 2019

Page 2 of 2

PLACE: Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

Please Note: Packet materials for the above discussions will be available on the Gunnison County website at <http://www.gunnisoncounty.org/meetings> no later than 6:00 pm on the Friday prior to the meeting.

*NOTE: This agenda is subject to change, including the addition of items up to 24 hours in advance or the deletion of items at any time. All times are approximate. The County Manager and Deputy County Manager's reports may include administrative items not listed. Regular Meetings, Public Hearings, and Special Meetings are recorded and **ACTION MAY BE TAKEN ON ANY ITEM**. Work Sessions are not recorded and formal action cannot be taken. For further information, contact the County Administration office at 641-0248. If special accommodations are necessary per ADA, contact 641-0248 or TTY 641-3061 prior to the meeting.*

GUNNISON COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA

146

DATE: Tuesday, October 29, 2019

Page 1 of 1

PLACE: Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS WORK SESSION:

- 10:15 am
- Gunnison County 2020 Budget Discussion

 - Adjourn

Please Note: Packet materials for the above discussions will be available on the Gunnison County website at <http://www.gunnisoncounty.org/meetings> no later than 6:00 pm on the Friday prior to the meeting.

November 18, 2019**Work Session**

Strategic Plan - Valley Housing Fund

Annual Report by the Chair of the Weed Advisory Board on Weed Management in the Town of Crested Butte

Consent Agenda

Acceptance of Utility, Storm Water, Electric and Irrigation Infrastructure Easements Associated with the Phase 2 Kapushion Tracts Located in Block 2, Lots 17-32 and Block 11, Lots 1-16, Town of Crested Butte.

Approval of 2020 Meeting Schedule

New Business

Discussion on Sidewalk Seating and ADA Compliance.

Ordinance - Library Lease

Ordinance - The Center for the Arts Lease

Appointment to Boards and Committees

December 16, 2019**Work Session at 5PM**

Sam Light

New Business

Adoption of Climate Action Plan

Resolution No. 25, Series 2019 - Declaring Climate Emergency

Future Items

- Quarterly Financial Reports
- Funding Agreement with the Chamber - December
- Ordinance - CO Model Traffic Code 2018
- Briefing of the Legal Implications of Vested Rights