

City Council

Agenda

Tuesday, July 28, 2020
6:00 PM

Electronic Meeting

This meeting will be held electronically. Residents interested in listening to the meeting or making public comments can join in one of two ways:

- 1) You can call in to +1 408 638 0968 or 833 548 0282 (Toll Free), Webinar ID # 847 3586 5480.***
- 2) You can log in via your computer. Please visit the City's website here to link to the meeting: louisvilleco.gov/government/city-council***

The Council will accommodate public comments during the meeting. Anyone may also email comments to the Council prior to the meeting at Council@LouisvilleCO.gov.

- 1. CALL TO ORDER & ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA AND ITEMS ON THE CONSENT AGENDA**

Council requests that public comments be limited to 3 minutes. When several people wish to speak on the same position on a given item, Council requests they select a spokesperson to state that position.

4. CONSENT AGENDA

The following items on the City Council Agenda are considered routine by the City Manager and shall be approved, adopted, accepted, etc., by motion of the City Council and roll call vote unless the Mayor or a City Council person specifically requests that such item be considered under "Regular Business." In such an event the item shall be removed from the "Consent Agenda" and Council action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Council Minutes in their proper order.

- A. Approval of Bills**
- B. Approval of Minutes: June 23, 2020; July 14, 2020; July 21, 2020**
- C. Ratification of Colorado Communities for Climate Action 2020-2021 Policy Statement**
- D. Approval of Resolution No. 58, Series 2020 – A Resolution Approving an Agreement with the Urban Drainage and Flood Control D/B/A Mile High Flood District for Drainage and Flood Control Improvements for Coal Creek Drainageway A-1 at Garfield Avenue**

Citizen Information

If you wish to speak at the City Council meeting, please fill out a sign-up card and present it to the City Clerk.

Persons with disabilities planning to attend the meeting who need sign language interpretation, translation services, assisted listening systems, Braille, taped material, or special transportation, should contact the City Manager's Office at 303 335-4533. A forty-eight-hour notice is requested.

5. INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA (Council general comments are scheduled at the end of the Agenda.)

6. CITY MANAGER'S REPORT

7. REGULAR BUSINESS

- A. ORDINANCE NO. 1797, SERIES 2020 – AN ORDINANCE IMPOSING A DISPOSABLE BAG TAX OF TWENTY-FIVE CENTS PER BAG BEGINNING JANUARY 1, 2022 AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020 – 2ND READING, PUBLIC HEARING (advertised *Daily Camera* 7/19/20)**

**WITH PROPOSED SECOND READING AMENDMENTS:
AN ORDINANCE IMPOSING A DISPOSABLE BAG TAX OF ~~TWENTY-FIVE~~ TEN CENTS PER BAG BEGINNING JANUARY 1, 2022 AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020 TO AUTHORIZE IMPOSITION OF THE TAX IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE CENTS PER BAG**

- Mayor Opens Public Hearing and Asks for Disclosures
- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Additional Public Comments (Please limit to three minutes each)
- Mayor Closes Public Hearing
- Action

B. ORDINANCE NO. 1796, SERIES 2020 – AN ORDINANCE APPROVING THE REZONING OF LOTS 1 AND 2, CRYSTAL ESTATES REPLAT A LOCATED AT 1655 COURTESY ROAD AND 1655 CANNON CIRCLE FROM THE COMMERCIAL BUSINESS ZONE DISTRICT TO THE COMMERCIAL COMMUNITY, MIXED USE ZONE DISTRICT PURSUANT TO LOUISVILLE MUNICIPAL CODE CHAPTER 17.14 - MIXED USE ZONE DISTRICTS – 1ST READING, SET PUBLIC HEARING 8/18/20

- City Attorney Introduction
- Action

8. CITY ATTORNEY'S REPORT

9. COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

- ECONOMIC VITALITY COMMITTEE
- FINANCE COMMITTEE
- LEGAL REVIEW COMMITTEE
- UTILITY COMMITTEE
- COLORADO COMMUNITIES FOR CLIMATE ACTION
- COMMUTING SOLUTIONS
- CONSORTIUM OF CITIES
- DOWNTOWN BUSINESS ASSOCIATION STREET FAIRE
- DENVER REGIONAL COUNCIL OF GOVERNMENTS
- JOINT INTEREST COMMITTEES (SUPERIOR & LAFAYETTE)
- MAYORS & COMMISSIONERS COALITION
- METRO MAYORS CAUCUS
- REVITALIZATION COMMISSION
- XCEL ENERGY FUTURES
- ADVANCED AGENDA

10. ADJOURN

07/09/2020 11:55
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 1
apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 070920 07/09/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14154	ALLSTREAM	JULY 20 PHONE CIRCUITS	801.44
640	BOULDER COUNTY	JUNE 20 BOULDER COUNTY TA	15,947.99
14801	CHRISTOPHER MELENDEZ	GOLF INSTRUCTION REIMBURS	1,824.00
9524	CITY OF BOULDER	2020 SHARE FOR US36 MCC L	6,060.00
14009	COMPLETE MAILING SOLUTIONS INC	INK FOR POSTAGE MACHINE	176.14
5432	LOUISVILLE FIRE PROTECTION DIS	JUNE 20 FIRE PROTECTION D	6,860.00
10153	PCS MOBILE	ADDITIONAL NETMOTION LIC	403.00
14844	REPUBLIC SERVICES INC #535	MARCH 20 RESIDENTIAL SERV	116,702.89
14844	REPUBLIC SERVICES INC #535	JUNE 20 CITY TRASH SERVIC	3,195.74
10884	WORD OF MOUTH CATERING INC	SR MEAL PROGRAM 6/16,6/26	4,057.35
3875	XCEL ENERGY	JUNE 20 GROUP ENERGY	56,685.41
3875	XCEL ENERGY	JUNE 20 SPRINKLERS	111.13
=====			
12 INVOICES			WARRANT TOTAL 212,825.09
=====			

07/16/2020 11:46
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 1
apwarrnt

CASH ACCOUNT: 001000 101001		WARRANT: 071620	07/16/2020
VENDOR	VENDOR NAME	PURPOSE	AMOUNT
15033	ANDREW T WILLIAMS	ARTIRONDAK CHAIR PROGRAM	300.00
1115	COLONIAL LIFE INSURANCE	#9711888 JULY 2020 EMPLOY	173.68
10301	COLORADO COMMUNITY SHARES	Payroll Run 1 - Warrant 0	1,744.00
1205	COLORADO DEPT OF REVENUE	2Q 2020 SALES TAX RC, NIT	5,410.14
15032	CRYSTIN MIN	ARTIRONDAK CHAIR PROGRAM	300.00
15030	DARYL MCCOOL	ARTIRONDAK CHAIR PROGRAM	300.00
1505	DPC INDUSTRIES INC	Caustic Soda for Water Tr	7,119.21
14691	EEG ENTERPRISES INC	Annual Subscription to Su	2,999.00
5255	FAMILY SUPPORT REGISTRY	Payroll Run 1 - Warrant 0	312.49
15029	FORREST G WYSONG	ARTIRONDAK CHAIR PROGRAM	300.00
15025	GREGORY FIELDS	ARTIRONDAK CHAIR PROGRAM	300.00
15028	JANE F EVANS	ARTIRONDAK CHAIR PROGRAM	300.00
14940	MARKLEY DESIGNS LLC	Architectural Design - P	8,205.00
14940	MARKLEY DESIGNS LLC	Architectural Design - P	4,500.00
15026	MERRYL SAYLAN	ARTIRONDAK CHAIR PROGRAM	300.00
15027	MICHAEL C DERAGISCH	ARTIRONDAK CHAIR PROGRAM	300.00
99999	EWAN ALBRIGHT	REFUND RETURNED ACH - PP1	634.45
99999	JEFF CHILES	INSURANCE DEDUCTABLES	228.54
99999	GINGER CROSS	REFUND RETURNED HSA ACH-P	236.50
99999	DANH TRAN	REFUND RETURNED HSA ACH-P	50.00
99999	TRUMAN BRADLEY	UTILITY REFUND 1008 HONEY	69.64
99999	TED & SHELLEY SONTROP	UTILITY REFUND 215 W SPRU	107.79
99999	RACHEL CAREY	UTILITY REFUND 809 PINEHU	186.50
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	3,246.47
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	3,448.92
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	2,500.28
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	2,794.07
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	2,029.66
10884	WORD OF MOUTH CATERING INC	SR MEALS PROGRAM 7/9-7/15	4,104.93
15031	WYATT SCOTT	ARTIRONDAK CHAIR PROGRAM	300.00
3875	XCEL ENERGY	NEW WATER VALVE 4215 ELDO	2.24

07/16/2020 11:46
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 2
apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 071620 07/16/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
3875	XCEL ENERGY	JUNE 20 METERED LIGHTS	521.01
3875	XCEL ENERGY	JUNE 20 FLASHERS	6.21
3875	XCEL ENERGY	JUNE 20 NON-METERED LIGHT	47,151.89
=====			
	34 INVOICES	WARRANT TOTAL	100,482.62
=====			

07/22/2020 12:19
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 1
apwarrnt

CASH ACCOUNT: 001000 101001 WARRANT: 072820 07/28/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
13547	A G WASSENAAR INC	2020 Professional Geotech	11,326.50
14121	ACUSHNET COMPANY	2020 Resale Merchandise -	771.62
14121	ACUSHNET COMPANY	2020 Resale Merchandise -	405.23
14784	AM LAW LLC	CASE#19PA64936 COURT APPO	139.50
14596	AMERICAN ELEVATOR PROFESSIONAL	Elevator Inspections/Plan	2,900.00
14623	ANOTHER MILESTONE LLC	YOUTH SPORTS CONTRACTOR	2,352.00
11455	APC CONSTRUCTION CO LLC	Street Resurfacing Projec	852,458.94
11455	APC CONSTRUCTION CO LLC	2019 Street Resurfacing C	124,374.15
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	22.00
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	21.99
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	21.99
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	13.74
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	27.49
500	BAKER AND TAYLOR	{"pageNums": [1], "pageStat	21.99
14372	BANG THE TABLE USA LLC	Engagement HQ Platform	9,888.00
1083	BERG HILL GREENLEAF & RUSCITTI	TOP THAT LITIGATION	1,989.00
640	BOULDER COUNTY	MAY 2020 RESIDENTIAL SING	5,122.23
14438	BRANNAN CONSTRUCTION COMPANY	2019 Water Main Replaceme	129,673.11
7706	BRANNAN SAND & GRAVEL CO LLC	2020 Asphalt Purchases	183.15
7706	BRANNAN SAND & GRAVEL CO LLC	2020 Asphalt Purchases	385.20
7706	BRANNAN SAND & GRAVEL CO LLC	2020 Asphalt Purchases	179.55
14850	BRIDGEPAY NETWORK SOLUTIONS LL	JUNE 20 CREDIT CARD FEES	26.50
9838	BRIGHTVIEW LANDSCAPE SERVICES	Downtown Floral Display S	6,762.77
13344	BROWNS HILL ENGINEERING & CONT	ETHERNET SWITCH TROUBLESH	723.50
13344	BROWNS HILL ENGINEERING & CONT	LEVEL SENSOR TROUBLESHOOT	573.50
14403	CALLAWAY GOLF	RESALE MERCHANDISE	222.96
14403	CALLAWAY GOLF	2020 Resale Merchandise -	123.47
14403	CALLAWAY GOLF	2020 Resale Merchandise -	221.23
14403	CALLAWAY GOLF	RESALE MDSE	222.96
14403	CALLAWAY GOLF	CREDIT FROM 2019	-1,091.82
14403	CALLAWAY GOLF	RESALE MERCHANDISE	167.15
14403	CALLAWAY GOLF	2020 Resale Merchandise -	722.58
14403	CALLAWAY GOLF	2020 Resale Merchandise -	224.22
14403	CALLAWAY GOLF	2020 Resale Merchandise -	221.23
14403	CALLAWAY GOLF	2020 Resale Merchandise -	5,082.55

07/22/2020 12:19
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 2
apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 072820 07/28/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14403	CALLAWAY GOLF	PARTIAL CREDIT ON RESALE	478.75
248	CDW GOVERNMENT	1st Batch of 2020 Laptops	4,446.00
248	CDW GOVERNMENT	POWERSTRIPS USB-C CABLES	657.96
935	CENTENNIAL PRINTING CO	STOP WORK ORDER WORK BOOK	148.65
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE PC	280.04
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE LI	511.33
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE RC	308.09
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE CH	306.18
980	CENTURY CHEVROLET INC	PARKS #5349	331.79
980	CENTURY CHEVROLET INC	RETURN OF INV 45082065	-331.79
980	CENTURY CHEVROLET INC	PARKS #5349	115.10
14592	CF LESSEE LOB	JUNE 20 CEC LEASE 1133 PR	10,274.17
13964	CHANDLER ASSET MANAGEMENT	JUNE 2020 INVESTMENT FEES	2,255.93
2220	CHEMTRADE CHEMICALS US LLC	Alum Sulfate for Water Tr	4,783.75
2220	CHEMTRADE CHEMICALS US LLC	Alum Sulfate for Water Tr	4,787.31
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	238.61
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	238.61
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	238.61
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	238.61
13260	CLIFTON LARSON ALLEN LLP	JUNE 20 UTILITY SERVICES	10,581.00
14011	CLOSE ASSOCIATES LLC	Tank Structural Evaluatio	2,181.25
14118	CLUB PROPHET SYSTEMS	2020 Club Prophet Subscri	610.00
13296	COLOGRAPHIC	DECALS PARKS AND STREETS	780.00
14009	COMPLETE MAILING SOLUTIONS INC	HASLER FOLDER/INSERTER AN	2,000.00
13162	CORE & MAIN LP	DISTRO PARTS	315.00
13843	DIETZE AND DAVIS, PC	JUNE 20 MUNICIPAL JUDGE S	2,800.00
14645	ECOLOGICAL RESOURCE CONSULTANT	Howard Diversion Upgrade	1,036.00
14835	EDGE CONTRACTING INC	SH 42 Underpass Construct	484,144.57
14574	EUROFINS EATON ANALYTICAL LLC	UCMR SAMPLES LAB	750.00
6761	FARIS MACHINERY CO	UTILITIES # 3426 VAC TRUC	11.60
6761	FARIS MACHINERY CO	UTILITIES #3426	53.14

07/22/2020 12:19
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 3
apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 072820 07/28/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
13615	FELSBURG HOLT & ULLEVIG INC	Professional Services, Tr	350.19
12819	FRANCOTYP-POSTALIA INC	POSTAGE MACHINE	126.00
1175	GEORGE T SANDERS COMPANY	COMMUNITY PARK PLUMBING	532.37
13069	GLACIER CONSTRUCTION CO INC	SCWTP Onsite Chlorine Gen	23,755.70
13069	GLACIER CONSTRUCTION CO INC	SCWTP Onsite Chlorine Gen	5,521.40
13069	GLACIER CONSTRUCTION CO INC	VALVE EXCAVATE AND DEMO	2,217.00
11504	GOODLAND CONSTRUCTION INC	SH42 & Short St. Improvem	527,694.76
2310	GRAINGER	GENERATOR BLOCK HEATING P	144.42
2310	GRAINGER	TIMER FOR LIGHTING CONTRO	255.00
2310	GRAINGER	HVAC WWTP	250.20
2310	GRAINGER	HVAC WWTP	266.70
2310	GRAINGER	HYDROMETER	69.50
2310	GRAINGER	HYDROMETER	57.00
2310	GRAINGER	WASP SPRAY STOOL	110.88
2310	GRAINGER	SCREEN	121.00
2310	GRAINGER	SPRAY HEADS	26.28
2405	HACH COMPANY	CHEMKEYS LAB	359.12
2415	HARCROS CHEMICALS INC	Salt for Water Treatment	931.00
2475	HILL PETROLEUM	2020 Fuel Purchase	9,109.94
9710	INDUSTRIAL CHEMICALS CORP	POTASSIUM PERMANGANATE	559.97
9710	INDUSTRIAL CHEMICALS CORP	hydrochloric acid	278.50
9710	INDUSTRIAL CHEMICALS CORP	DRUM RETURN CREDIT	-380.00
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	77.91
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	323.43
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	101.18
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA AND	137.89
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	22.81
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	57.84
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	16.70
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	20.78
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	19.20
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	12.59
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	81.82
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	383.96
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	38.78
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	15.04
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	104.78
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	17.88
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	9.79

07/22/2020 12:19
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 4
apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 072820 07/28/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	18.35
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	102.27
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	15.59
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	68.98
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	64.67
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	30.96
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS AND MEDIA	52.19
2615	INGRAM LIBRARY SERVICES INC	{"pageNums": [2], "pageStat	45.68
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	111.54
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	14.82
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	196.72
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	50.58
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	19.43
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	47.79
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	112.12
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	71.49
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	32.39
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	19.78
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	13.66
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	25.18
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	41.21
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	227.96
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	609.33
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	77.19
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	96.96
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	261.31
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	83.17
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	14.28
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	434.50
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	215.23
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	60.74
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	158.40
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	61.95
13280	INSIGHT PUBLIC SECTOR INC	Microsoft Office 365 Subs	8,791.24
13999	INTEGRAL STEPS	22180 1&3	148.00
14239	JC GOLF ACCESSORIES	2020 Resale Merchandise -	169.40
14239	JC GOLF ACCESSORIES	2020 Resale Merchandise -	319.73
14239	JC GOLF ACCESSORIES	2020 Resale Merchandise -	133.91
11289	JVA INC	MAY 20 Design Services fo	1,056.00
14033	KDG ENGINEERING LLC	Consultant Addendum No. 1	6,500.01
14543	KUBWATER RESOURCES INC	WWTP Polymer	12,656.26
14772	M A MEYER CONSTRUCTION INC	2019 FIRE HYDRANT PAINTIN	1,336.50

07/22/2020 12:19
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 5
apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 072820 07/28/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
13968	MAD SCIENCE OF COLORADO	22135-1	825.00
14611	MCCI LLC	2020 MCCi Laserfiche Rene	10,104.15
13525	MICHAEL BAKER JR INC	CM Contract 42 and Short	35,587.68
14918	MIZUNO USA INC - NDC	2020 Resale Merchandise -	341.44
14768	MOJOS CLEANING SERVICES INC	JULY 20 JANITORIAL SERVIC	26,658.41
13565	MOTT MACDONALD LLC	MAY 20 SCWTP Disinfection	653.00
13334	MSPS	2020 Water Meter ERTs	1,800.00
13597	NORTH LINE GIS LLC	GIS Consulting Services	2,820.00
14648	OCCUPATIONAL HEALTH CENTERS OF	LEVEL I PHYSICAL	152.00
99999	JEREMY ASBURY	ACTIVITY REFUND	63.00
99999	SILVIA CAMPBELL	HOUSEHOLD REFUND COVID	512.00
99999	BARBARA NICKERSON	HOUSEHOLD REFUND COVID	681.09
99999	JON LANAU	HOUSEHOLD REFUND COVID	78.00
99999	JEFF WALTON	HOUSEHOLD REFUND COVID	88.00
99999	KURT ANDERSEN	HOUSEHOLD REFUND COVID	260.00
99999	ALEXANDRA HARPP	HOUSEHOLD REFUND COVID	1,120.00
99999	TAIYAN HAN	HOUSEHOLD REFUND COVID	111.00
99999	EMILY WARD	HOUSEHOLD REFUND COVID	471.00
99999	BLUE OX EXTERIORS	LIC PAID TWICE	100.00
99999	HOLLADAY GRACE ROOFING	CONTRACTOR NO LONGER DOIN	331.65
99999	JOHNSON CUSTOM WORKS	APPLIED FOR WRONG STATE L	75.00
99999	AMY WRIGHT	APPLIED FOR WRONG PERMIT	75.00
99999	STEPHEN FORBES	FINAL ACCEPTANCE DEVELOPE	2,392.50
99999	MARGE WEST	ACTIVITY REFUND	25.00
99999	THU LE	MEMBERSHIP REFUND COVID	472.00
99999	ALAN MCDANIEL	HOUSEHOLD REFUND COVID	156.00
13986	OPEN MEDIA FOUNDATION	JUNE 20 MEETING WEBSTREAM	500.00
13986	OPEN MEDIA FOUNDATION	JULY 2020 WEBSTREAMING	500.00
13649	OVERDRIVE INC	ADULT EAUDIO BOOKS	59.73
14381	PALEOWEST ARCHAEOLOGY	MAY 20 Louisville Archite	3,127.50
14381	PALEOWEST ARCHAEOLOGY	Louisville Architectural	2,628.75
14939	PERFORMANCE CONSTRUCTION	Heritage Park & Cleo Mudr	26,841.92
1224	PLM ASPHALT & CONCRETE INC	2019 Asphalt Reconstructi	37,968.81
14675	POINT AND PAY LLC	JUNE 20 CREDIT CARD FEES	5,290.98

07/22/2020 12:19
BobbieJoe

City of Louisville, CO
DETAIL INVOICE LIST

P 6
apwarrnt

CASH ACCOUNT: 001000 101001 WARRANT: 072820 07/28/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
700	PRAIRIE MOUNTAIN MEDIA	SUPPORT LOCAL BUSINESS AD	350.00
13464	RAINBOW BOOK COMPANY	STATE GRANT LI	2,320.18
14041	RAMEY ENVIRONMENTAL COMPLIANCE	LIFT STATION	935.18
14804	RESPEC COMPANY LLC	Environmental Compliance	13,215.45
14804	RESPEC COMPANY LLC	Collection System Evaluat	15,977.90
13419	ROADSAFE TRAFFIC SYSTEMS CORP	THERMO	780.72
13935	ROCKY MOUNTAIN MUSIC INC	BIKE TO BOOKS LIVESTREAM	600.00
8513	SAFETY & CONSTRUCTION SUPPLY I	CONES	1,400.00
8513	SAFETY & CONSTRUCTION SUPPLY I	SAFETY SHIRTS VESTS EQUIP	105.30
14942	SILVA CONSTRUCTION INC	2020 BULK WATER REFUND	2,500.00
14942	SILVA CONSTRUCTION INC	Concrete Replacement Proj	1,551,286.83
14612	SOME LIKE IT GREEN	MONTHLY PLANT CARE	80.00
13399	SUSTAINABLE TRAFFIC SOLUTIONS	92309 CONVERSION CM SERVI	852.50
10721	SYSCO DENVER A DIV OF SYSCO US	SAFETY OPERATING SUPPLIES	144.36
11125	TERRACON CONSULTANTS INC	Coyote Run Slope Mitigati	825.00
11125	TERRACON CONSULTANTS INC	Coyote Run Slope Mitigati	825.00
14707	THATCHER COMPANY INC	Aluminum Chlorohydrate fo	6,459.25
14707	THATCHER COMPANY INC	Aluminum Chlorohydrate fo	6,459.25
14729	THE PURPLE PIANO LLC	22107	96.00
14729	THE PURPLE PIANO LLC	22105-1	277.20
1111	TISCHLERBISE INC	JUNE 20 Fiscal impact ana	14,272.00
14532	UNITED REFRIGERATION INC	HVAC SUPPLIES	51.13
11087	UNITED SITE SERVICES OF COLORA	TOILET RENTAL COTTONWOOD	247.58
11087	UNITED SITE SERVICES OF COLORA	TOILET RENTAL CENTENNIAL	247.58
11087	UNITED SITE SERVICES OF COLORA	TOILET RENTAL HERITAGE PA	247.58
11087	UNITED SITE SERVICES OF COLORA	TOILET RENTAL MEMORY SQUA	247.58
14446	VECTOR DISEASE CONTROL	2020 Mosquito Control Ser	1,865.83
14102	WELLS FARGO FINANCIAL LEASING	2019 PERSONAL PROPERTY TA	3,616.88
14563	WESTERN PRECISION MANUFACTURIN	Patio Canopies	4,000.00
5115	WL CONTRACTORS INC	2020 Traffic Signal Maint	6,589.20

07/22/2020 12:19
BobbieJoe

| City of Louisville, CO
| DETAIL INVOICE LIST

| P 7
| apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 072820 07/28/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
211 INVOICES		WARRANT TOTAL	4,100,163.31

CITY OF LOUISVILLE

PURCHASE CARD SUMMARY

STATEMENT PERIOD 05/21/20- 06/19/20

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
ABC-NV	913-8954600	JACK MANIAN	OPERATIONS	06/02/2020	100.00
ABC-NV	913-8954600	THOMAS CZAJKA	OPERATIONS	06/02/2020	100.00
ABRAXIS INC	515-6985024	GREG VENETTE	WATER	06/17/2020	535.00
ACCUPRODUCT	7344299571	CONNOR POWERS	GOLF COURSE	06/03/2020	368.28
ADOBE EXPORTPDF SUB	4085366000	DAVID D HAYES	POLICE	06/15/2020	23.88
AIR CARE COLORADO BROO	BROOMFIELD	CALVIN MCCARTY	OPERATIONS	06/10/2020	25.00
AIS INDUSTRIAL SUPPL	DENVER	JACK MANIAN	OPERATIONS	06/09/2020	188.36
AKISP DIESEL EMISSIONS	DENVER	CALVIN MCCARTY	OPERATIONS	06/16/2020	75.00
AKISP DIESEL EMISSIONS	DENVER	CALVIN MCCARTY	OPERATIONS	06/11/2020	75.00
ALLDATA CORP #8601	ELK GROVE	MASON THOMPSON	OPERATIONS	06/02/2020	125.00
AMAZON.COM*M70JY6SA0 A	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/27/2020	28.64
AMAZON.COM*M71LS1PS1 A	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/21/2020	81.29
AMAZON.COM*M756R11S2 A	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/24/2020	19.66
AMAZON.COM*MY1QL1HT1 A	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	06/05/2020	16.09
AMAZON.COM*MY2HP0OR2 A	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	06/03/2020	37.24
AMZ*KATOM	866-216-1072	DAVID SZABADOS	FACILITIES	06/17/2020	721.05
AMZN MKTP US*M70RLOHZ0	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/24/2020	176.46
AMZN MKTP US*M71EM6ERO	AMZN.COM/BILL	DAVID DEAN	GOLF COURSE	05/21/2020	46.96
AMZN MKTP US*MY03P2NU0	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/02/2020	29.99
AMZN MKTP US*MY06X3711	AMZN.COM/BILL	ERICA BERZINS	POLICE	06/09/2020	33.92
AMZN MKTP US*MY1F86882	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/11/2020	29.95
AMZN MKTP US	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	05/21/2020	-90.00
AMZN MKTP US*M71S05MT0	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	05/24/2020	89.97
AMZN MKTP US*M728O9051	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	05/20/2020	542.60
AMZN MKTP US*M72NZ09G2	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	05/31/2020	25.89
AMZN MKTP US*M72O472T2	AMZN.COM/BILL	REMY RODRIGUES	IT	05/30/2020	171.53
AMZN MKTP US*M74RC5Y20	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	05/30/2020	32.93
AMZN MKTP US*M75SL9DB2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/29/2020	190.24
AMZN MKTP US*M76R86SR1	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	05/25/2020	23.98
AMZN MKTP US*M76Z03W91	AMZN.COM/BILL	CONNOR POWERS	GOLF COURSE	05/27/2020	209.98
AMZN MKTP US*M77CF6T62	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/22/2020	81.96
AMZN MKTP US*M77HO41P0	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	05/21/2020	423.98

AMZN MKTP US*M77Y79EJ2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/23/2020	19.99
AMZN MKTP US*M784V1NY2	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	05/21/2020	98.00
AMZN MKTP US*M78IR3TK2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/22/2020	12.93
AMZN MKTP US*M78WV4S40	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	05/26/2020	49.90
AMZN MKTP US*M78ZP36D1	AMZN.COM/BILL	DAVID DEAN	GOLF COURSE	05/24/2020	23.98
AMZN MKTP US*M79NX9HJ2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/27/2020	8.53
AMZN MKTP US*M79W645K1	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	05/22/2020	59.70
AMZN MKTP US*MS09B8T60	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/18/2020	49.26
AMZN MKTP US*MS5BZ2NQ1	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	06/15/2020	48.00
AMZN MKTP US*MY05E9MH2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/09/2020	58.33
AMZN MKTP US*MY0IG28L2	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	06/11/2020	179.90
AMZN MKTP US*MY0KR3A42	AMZN.COM/BILL	JESSE DEGRAW	REC CENTER	06/07/2020	109.98
AMZN MKTP US*MY0T217F1	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/09/2020	279.98
AMZN MKTP US*MY1PL4QB0	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/09/2020	31.98
AMZN MKTP US*MY1X99MB1	AMZN.COM/BILL	DAVID DEAN	GOLF COURSE	06/05/2020	56.59
AMZN MKTP US*MY27L6WO2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/16/2020	49.49
AMZN MKTP US*MY3AK4FW0	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	05/31/2020	70.00
AMZN MKTP US*MY3YT3HIO	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/08/2020	200.00
AMZN MKTP US*MY4KW5JM0	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	06/03/2020	87.99
AMZN MKTP US*MY4TK5JT0	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	06/03/2020	46.98
AMZN MKTP US*MY51Q4KT1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/09/2020	139.19
AMZN MKTP US*MY5D87ML1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/04/2020	41.74
AMZN MKTP US*MY5YF1VS0	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	06/07/2020	42.36
AMZN MKTP US*MY7R225Y2	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/10/2020	47.99
AMZN MKTP US*MY83H47H0	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/11/2020	29.90
AMZN MKTP US*MY8H87H01	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	06/05/2020	25.89
AMZN MKTP US*MY8PF0VM1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/04/2020	33.97
AMZN MKTP US*MY8T61P22	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/08/2020	83.48
AMZN MKTP US*MY9283OIO	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	05/31/2020	26.98
AMZN MKTP US*MY9577HW2	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/10/2020	63.72
AMZN MKTP US*MY9E09CR1	AMZN.COM/BILL	ERICA BERZINS	POLICE	05/29/2020	75.99
AMZN MKTP US*MY9P261G0	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	06/05/2020	235.00
AMZN MKTP US*MY9YO4NNO	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	06/02/2020	118.94
ARBICO ORGANICS	800-827-2847	DRUSILLA TIEBEN	PARKS	06/16/2020	679.88
ARIZONA MANUFACTURING	480-968-6249	SAM WHITE	GOLF COURSE	06/13/2020	277.75
ARVADA PUMP CO	3034242664	JAMES VAUGHAN	REC CENTER	06/18/2020	19.04
ATT*TECH SUPPORT 360	877-88TS360	DANIEL WOOLDRIDGE	IT	06/11/2020	10.00

AMAZON.COM*M706L62K0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	05/27/2020	32.68
AMAZON.COM*M70B63QR2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/28/2020	7.99
AMAZON.COM*M70UL30E1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/20/2020	35.92
AMAZON.COM*M72QG2WW0	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	05/30/2020	32.38
AMAZON.COM*M72SI5WL0	AMZN.COM/BILL	ERICA BERZINS	POLICE	05/30/2020	66.68
AMAZON.COM*M732S42F0	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	05/27/2020	284.73
AMAZON.COM*M74QU65L2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/27/2020	64.68
AMAZON.COM*M76H87A10	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/20/2020	62.86
AMAZON.COM*M770L2601	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	05/24/2020	16.71
B&H PHOTO 800-606-6969	800-2215743	DIANE M KREAGER	FINANCE	05/22/2020	-84.00
B&H PHOTO 800-606-6969	800-2215743	DIANE M KREAGER	FINANCE	05/19/2020	1182.00
BEST BUY 00010314	BOULDER	MEGAN DAVIS	CITY MANAGER	06/10/2020	76.18
BESTBUYCOM806019988469	888-BESTBUY	JILL SIEWERT	LIBRARY	05/29/2020	37.60
BESTBUYCOM806093331628	888-BESTBUY	JILL SIEWERT	LIBRARY	06/02/2020	22.99
BESTBUYCOM806093331628	888-BESTBUY	JILL SIEWERT	LIBRARY	06/02/2020	29.99
BETTYMILLS.COM	8002388964	DAVID SZABADOS	FACILITIES	06/01/2020	146.75
BIZWEST-DIGITAL	FORT COLLINS	ROBERT ZUCCARO	PLANNING	06/12/2020	7.00
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	05/20/2020	566.48
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	05/20/2020	52.00
BLACKJACK PIZZA - CO 0	LOUISVILLE	JACK MANIAN	OPERATIONS	06/13/2020	63.34
BLACKJACK PIZZA - CO 0	LOUISVILLE	JACK MANIAN	OPERATIONS	06/08/2020	20.06
BLACKSTRAP INDUSTRIES	BEND	ERIK SWIATEK	PARKS	05/26/2020	516.17
BUGSANDBEYOND.NET	LONGMONT	SAM WHITE	GOLF COURSE	06/16/2020	50.00
CANVA* 02712-7723910	8778877815	GLORIA HANDYSIDE	CITY MANAGER	06/05/2020	12.95
CENTENNIAL PRINTING CO	303-6650388	JACK MANIAN	OPERATIONS	06/11/2020	8.00
CENTENNIAL PRINTING CO	303-6650388	BENJAMIN FRANCISCO	OPERATIONS	06/08/2020	30.00
CENTENNIAL PRINTING CO	303-6650388	DAWN BURGESS	CITY MANAGER	06/04/2020	325.00
CENTENNIAL PRINTING CO	303-6650388	GLORIA HANDYSIDE	CITY MANAGER	05/22/2020	780.00
CENTENNIAL PRINTING CO	303-6650388	GLORIA HANDYSIDE	CITY MANAGER	05/21/2020	780.00
CENTURYLINK/SPEEDPAY	800-244-1111	DIANE M KREAGER	FINANCE	05/27/2020	2099.75
CITY OF LOUISVILLE	303-3354500	MEREDYTH MUTH	CITY MANAGER	05/29/2020	25.00
CO DEPT OF AGRICULTURE	3035343468	ERIK SWIATEK	PARKS	06/05/2020	103.02
COAL CREEK COLLISION	LOUISVILLE	CALVIN MCCARTY	OPERATIONS	06/17/2020	1000.00
COAL CREEK COLLISION	LOUISVILLE	CALVIN MCCARTY	OPERATIONS	06/17/2020	1000.00
COAL CREEK COLLISION	LOUISVILLE	CALVIN MCCARTY	OPERATIONS	06/10/2020	472.40
COAL CREEK COLLISION	LOUISVILLE	CALVIN MCCARTY	OPERATIONS	06/02/2020	1000.00
COAL CREEK COLLISION	LOUISVILLE	MASON THOMPSON	OPERATIONS	05/26/2020	1000.00

COAL CREEK COLLISION	LOUISVILLE	MASON THOMPSON	OPERATIONS	05/26/2020	1000.00
COAL CREEK COLLISION	LOUISVILLE	MASON THOMPSON	OPERATIONS	05/20/2020	1000.00
COAL CREEK GOLF COURSE	LOUISVILLE	DAVID BARIL	GOLF COURSE	05/23/2020	-49.00
COLORADO ASSOCIATION O	720-6747275	MICHAEL MCINTOSH	POLICE	06/16/2020	125.00
COLORADO CWP	719-545-6748	GREG VENETTE	WATER	06/18/2020	50.00
COLORADO GOLF AND TURF	LITTLETON	SAM WHITE	GOLF COURSE	06/15/2020	174.01
COLORADO GOLF AND TURF	LITTLETON	CONNOR POWERS	GOLF COURSE	06/11/2020	73.98
COLORADO GOLF AND TURF	LITTLETON	SAM WHITE	GOLF COURSE	06/03/2020	174.01
COLORADO MUNICIPAL LEA	303-8316411	DAWN BURGESS	CITY MANAGER	05/13/2020	-393.00
COMCAST CABLE COMM	800-COMCAST	KATHERINE ZOSS	CITY MANAGER	06/13/2020	109.95
COMCAST CABLE COMM	800-COMCAST	JIM GILBERT	PARKS	05/28/2020	504.80
COMCAST DENVER CS 1X	800-266-2278	JILL SIEWERT	LIBRARY	06/12/2020	298.13
COMCAST DENVER CS 1X	800-266-2278	BOBBIEJO TREGAY	FINANCE	06/09/2020	33.93
CONSERVE-A-WATT LIGHTI	3036290066	JAMES VAUGHAN	REC CENTER	05/21/2020	702.70
CPS DISTRIBUTORS	BOULDER	MATT LOOMIS	PARKS	06/18/2020	91.74
CPS DISTRIBUTORS	BOULDER	ANDY ELLIS	PARKS	06/11/2020	85.18
CPS DISTRIBUTORS	3033503236	DAVID ALDERS	PARKS	06/02/2020	109.10
CORE ELECTRIC INC	LOUISVILLE	DAVID ALDERS	PARKS	06/15/2020	605.00
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	06/12/2020	169.24
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	06/05/2020	36.68
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	06/03/2020	230.20
DBC IRRIGATION SUPPLY	BROOMFIELD	DANIEL PEER	PARKS	05/21/2020	44.60
DLX FOR SMALLBUSINESS	800-865-1913	DIANE M KREAGER	FINANCE	05/29/2020	-12.51
DLX FOR SMALLBUSINESS	800-865-1913	DIANE M KREAGER	FINANCE	05/23/2020	157.49
DROPBOX*GD9ZVPWYN12D	DROPBOX.COM	MEREDYTH MUTH	CITY MANAGER	06/06/2020	119.88
DROPBOX*YVGZJ11GHJH8	DROPBOX.COM	EMILY HOGAN	CITY MANAGER	06/18/2020	11.99
DYNOMAN DIESEL EMISSIO	BRIGHTON	CALVIN MCCARTY	OPERATIONS	06/11/2020	75.00
EB CORONAVIRUS 2020 P	8014137200	DIANE M KREAGER	FINANCE	06/15/2020	599.00
EB GARNISHMENT COMPLI	8014137200	DIANE M KREAGER	FINANCE	06/05/2020	219.00
FACEBK HZDFQJFN2	MENLO PARK	GINGER CROSS	GOLF COURSE	05/31/2020	13.84
FASTENAL COMPANY 01COB	507-453-8920	MASON THOMPSON	OPERATIONS	06/05/2020	112.19
FASTENAL COMPANY 01COB	507-453-8920	MASON THOMPSON	OPERATIONS	06/03/2020	13.70
FASTENAL COMPANY 01COB	507-453-8920	MASON THOMPSON	OPERATIONS	05/28/2020	181.21
FASTENAL COMPANY 01COB	507-453-8920	CONNOR POWERS	GOLF COURSE	05/28/2020	9.27
FASTENAL COMPANY 01COB	507-453-8920	MASON THOMPSON	OPERATIONS	05/22/2020	89.64
FASTSIGNS OF BROOMFIEL	BROOMFIELD	GLORIA HANDYSIDE	CITY MANAGER	06/16/2020	207.00
FASTSIGNS OF BROOMFIEL	BROOMFIELD	BENJAMIN FRANCISCO	OPERATIONS	06/09/2020	739.80

FASTSIGNS OF BROOMFIEL	BROOMFIELD	GLORIA HANDYSIDE	CITY MANAGER	06/03/2020	35.00
FASTSIGNS OF BROOMFIEL	BROOMFIELD	GLORIA HANDYSIDE	CITY MANAGER	05/29/2020	35.00
FEDEX OFFIC74200007427	LOUISVILLE	GINGER CROSS	GOLF COURSE	06/16/2020	163.31
FEDEX OFFIC74200007427	LOUISVILLE	CHERYL KELLER	POLICE	06/02/2020	145.89
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	06/17/2020	54.26
FIRST CHOICE-BOYER S C	303-9649400	SAM WHITE	GOLF COURSE	06/17/2020	60.00
FIRST CHOICE-BOYER S C	303-9649400	SAM WHITE	GOLF COURSE	06/17/2020	62.70
FIRST CHOICE-BOYER S C	303-9649400	SAM WHITE	GOLF COURSE	05/20/2020	114.99
FIRST CHOICE-BOYER S C	303-9649400	SAM WHITE	GOLF COURSE	05/20/2020	62.70
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	05/20/2020	117.42
FREE LOGO DESIGN	QUEBEC	EMILY HOGAN	CITY MANAGER	06/15/2020	39.00
FRONTIER PRECISION INC	8003593703	BENJAMIN FRANCISCO	OPERATIONS	06/06/2020	132.00
G & G EQUIPMENT	FREDERICK	MICHAEL TOWERS	PARKS	06/18/2020	774.74
G & G EQUIPMENT	FREDERICK	ZACH STEINBAUGH	WASTEWATER	06/10/2020	64.71
G & G EQUIPMENT	FREDERICK	ZACH STEINBAUGH	WASTEWATER	06/04/2020	78.12
GENERAL AIR SERVICE AD	3038927003	ZACH STEINBAUGH	WASTEWATER	06/04/2020	33.66
GOLF SPORT SOLUTIONS L	LA SALLE	DAVID DEAN	GOLF COURSE	06/09/2020	421.25
GOLF SPORT SOLUTIONS L	LA SALLE	DAVID DEAN	GOLF COURSE	06/09/2020	416.26
GOLF SPORT SOLUTIONS L	LA SALLE	DAVID DEAN	GOLF COURSE	06/09/2020	835.71
GOOGLE*DOMAINS	INTERNET	MEAGAN BROWN	HUMAN RESOURCES	05/21/2020	12.00
GOOGLE*DOMAINS	INTERNET	MEAGAN BROWN	HUMAN RESOURCES	05/20/2020	12.00
GRAINGER	877-2022594	JAMES VAUGHAN	REC CENTER	06/12/2020	98.10
GRAINGER	877-2022594	ZACH STEINBAUGH	WASTEWATER	05/27/2020	376.25
GRAINGER	877-2022594	DAVID DEAN	GOLF COURSE	05/27/2020	82.02
GRAINGER	877-2022594	DAVID DEAN	GOLF COURSE	05/27/2020	25.76
GREEN CO2 SYSTEMS	FORT COLLINS	PAUL BORTH	REC CENTER	06/08/2020	607.77
GREEN SPOT INC	LONGMONT	MICHAEL TOWERS	PARKS	05/20/2020	500.00
GUITAR CENTER #423	ENGLEWOOD	EMILY HOGAN	CITY MANAGER	06/16/2020	-17.27
GUITARCENTER.COM CALL	8776874242	EMILY HOGAN	CITY MANAGER	06/12/2020	-217.26
GUITARCENTER.COM INTER	8776874242	EMILY HOGAN	CITY MANAGER	05/18/2020	217.26
GUITARCENTER.COM INTER	8776874242	EMILY HOGAN	CITY MANAGER	05/19/2020	-17.27
HACH COMPANY	LOVELAND	ZACH STEINBAUGH	WASTEWATER	05/21/2020	283.32
HACH COMPANY	LOVELAND	ZACH STEINBAUGH	WASTEWATER	05/26/2020	84.30
HILLYARD INC DENVER	3033211227	SAM WHITE	GOLF COURSE	06/12/2020	179.69
HUBER TECHNOLOGIES	704-9491012	ZACH STEINBAUGH	WASTEWATER	06/15/2020	802.00
IN *1-2-1 MARKETING	407-3954701	SAM WHITE	GOLF COURSE	06/01/2020	199.00
IN *GRAFF'S TURF FARMS	970-8678873	ANDY ELLIS	PARKS	05/30/2020	536.00

IN *KAISER LOCK & KEY	303-4493880	KERRY KRAMER	PARKS	06/17/2020	191.76
IN *KAISER LOCK & KEY	303-4493880	VICKIE ILKO	OPERATIONS	05/28/2020	99.60
IN *MOUNTAIN MAN WELDI	303-7986822	ZACH STEINBAUGH	WASTEWATER	06/03/2020	520.00
IN *MOUNTAIN PEAK CONT	303-2710376	JUSTIN ELKINS	WASTEWATER	06/15/2020	562.50
IN *MOUNTAIN PEAK CONT	303-2710376	JUSTIN ELKINS	WASTEWATER	06/15/2020	250.00
IN *VAN GO AUTO GLASS	303-4641500	MASON THOMPSON	OPERATIONS	06/17/2020	210.00
INSTANTIMPRINTS.COM	3035072981	BRIAN GARDUNO	OPERATIONS	06/09/2020	45.00
INTERNATIONAL INSTITUT	909-9444162	MEREDYTH MUTH	CITY MANAGER	06/03/2020	210.00
INSTANT IMPRINTS LOUIS	LOUISVILLE	DIANE M KREAGER	FINANCE	05/22/2020	1229.93
JAX RANCH & HOME	LAFAYETTE	NICHOLAS POTOPCHUK	PARKS	06/11/2020	7.99
JAX RANCH & HOME	LAFAYETTE	NICHOLAS POTOPCHUK	PARKS	06/01/2020	27.99
JAX RANCH & HOME	LAFAYETTE	NICHOLAS POTOPCHUK	PARKS	05/26/2020	33.35
LAMARS DONUTS-	LOUISVILLE	JEN KENNEY	POLICE	06/09/2020	23.98
LANCE PFEIFER SNAP ON	FIRESTONE	CONNOR POWERS	GOLF COURSE	06/08/2020	3.70
LANDS END BUS OUTFITTE	8003324700	JEN KENNEY	POLICE	06/17/2020	71.90
LANDS END BUS OUTFITTE	8003324700	JEN KENNEY	POLICE	06/17/2020	77.77
LANDS END BUS OUTFITTE	8003324700	JEN KENNEY	POLICE	05/27/2020	153.09
LES MILLS US TRADING	6308285949	LINDSEY WITTY	REC CENTER	06/04/2020	411.75
LEWAN TECHNOLOGY	CREDITCARDS@L	BOBBIEJO TREGAY	FINANCE	06/12/2020	743.62
LEWAN TECHNOLOGY	CREDITCARDS@L	BOBBIEJO TREGAY	FINANCE	06/12/2020	1902.50
LEWAN TECHNOLOGY	CREDITCARDS@L	BOBBIEJO TREGAY	FINANCE	06/12/2020	961.67
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	29.75
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	255.86
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	119.18
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	538.97
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	185.00
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	77.55
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	8.83
LL JOHNSON DIST CO	DENVER	DRUSILLA TIEBEN	PARKS	06/01/2020	393.12
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/01/2020	231.16
LOGMEIN*GOTOMEETING	LOGMEIN.COM	JEFFREY FISHER	POLICE	06/10/2020	49.00
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/18/2020	63.84
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/18/2020	16.98
LOWES #00220*	LOUISVILLE	KERRY KRAMER	PARKS	06/18/2020	4.90
LOWES #00220*	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	06/17/2020	55.90
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/17/2020	12.46
LOWES #00220*	LOUISVILLE	CRAIG DUFFIN	PUBLIC WORKS	06/16/2020	16.23

LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	06/15/2020	29.46
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/12/2020	31.50
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/13/2020	54.24
LOWES #00220*	LOUISVILLE	DAVID DEAN	GOLF COURSE	06/12/2020	14.98
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	06/12/2020	68.54
LOWES #00220*	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	06/12/2020	739.25
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/11/2020	39.36
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/09/2020	23.13
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/08/2020	12.24
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/07/2020	61.52
LOWES #00220*	LOUISVILLE	JULIAN CLARK	POLICE	06/05/2020	8.04
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/02/2020	23.23
LOWES #00220*	LOUISVILLE	KERRY KRAMER	PARKS	06/02/2020	69.92
LOWES #00220*	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	06/01/2020	83.26
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	05/29/2020	86.92
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/28/2020	19.98
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	05/28/2020	70.38
LOWES #00220*	LOUISVILLE	DAVID DEAN	GOLF COURSE	05/28/2020	65.57
LOWES #00220*	LOUISVILLE	DAVID DEAN	GOLF COURSE	05/28/2020	-5.22
LOWES #00220*	LOUISVILLE	CALVIN MCCARTY	OPERATIONS	05/27/2020	3.08
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/26/2020	43.93
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/22/2020	54.76
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	05/22/2020	61.64
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	05/24/2020	25.98
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/21/2020	116.88
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	05/21/2020	24.93
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/20/2020	67.86
LOWES #00246*	NORTHGLENN	MICHAEL CLEVELAND	OPERATIONS	06/12/2020	350.88
LOWES #02432*	WESTMINSTER	MICHAEL CLEVELAND	OPERATIONS	06/12/2020	128.94
MAC EQUIPMENT INC (LON	LONGMONT	AARON GRANT	PARKS	06/17/2020	31.65
MAC EQUIPMENT INC (LON	LONGMONT	MASON THOMPSON	OPERATIONS	06/04/2020	8.12
MAC EQUIPMENT INC (LON	LONGMONT	MASON THOMPSON	OPERATIONS	05/28/2020	614.98
MAC EQUIPMENT INC (LON	LONGMONT	MASON THOMPSON	OPERATIONS	05/20/2020	35.14
MAILCHIMP *MONTHLY	MAILCHIMP.COM	GLORIA HANDYSIDE	CITY MANAGER	06/18/2020	211.65
MCDONALD'S F14200	LOUISVILLE	RYAN MORRIS	POLICE	05/30/2020	3.79
MCGUCKIN HARDWARE	BOULDER	PAUL BORTH	REC CENTER	06/17/2020	30.45
MILE HIGH TURFGRASS LL	3039880969	DAVID DEAN	GOLF COURSE	06/02/2020	987.48

MILE HIGH TURFGRASS LL	3039880969	DAVID DEAN	GOLF COURSE	05/27/2020	583.24
MONARK GOLF	9095985443	DAVID BARIL	GOLF COURSE	06/04/2020	152.25
MSFT * E0500B6FAN	MSFT AZURE	DANIEL WOOLDRIDGE	IT	06/01/2020	113.28
MUNICIPAL ONLINE PAYME	844-7244507	MEREDYTH MUTH	CITY MANAGER	05/29/2020	2.50
MESSAGE MEDIA	SAN FRANCISCO	GLORIA HANDYSIDE	CITY MANAGER	06/14/2020	100.00
NAPA AUTO PART 0026903	LOUISVILLE	GREG VENETTE	WATER	06/11/2020	26.11
NAPA AUTO PART 0026903	LOUISVILLE	ZACH STEINBAUGH	WASTEWATER	06/08/2020	149.66
NOR*NORTHERN TOOL	800-222-5381	CALVIN MCCARTY	OPERATIONS	05/28/2020	339.98
NORTHWEST PARKWAY LLC	303-9262500	BOBBIEJO TREGAY	FINANCE	06/04/2020	5.35
NSC*NORTHERN SAFETY CO	800-631-1246	ANGELA NORENE	OPERATIONS	05/30/2020	321.20
NSC*NORTHERN SAFETY CO	800-631-1246	ANGELA NORENE	OPERATIONS	05/29/2020	345.00
O MEARA FORD	NORTHGLENN	MASON THOMPSON	OPERATIONS	06/16/2020	115.61
O MEARA FORD	NORTHGLENN	CALVIN MCCARTY	OPERATIONS	05/26/2020	318.43
OFFICE DEPOT #1080	800-463-3768	ELIZABETH SCHESSLER	PLANNING	05/26/2020	83.56
OFFICEMAX/DEPOT 6616	SUPERIOR	JEN KENNEY	POLICE	06/15/2020	9.99
P & W GOLF SUPPLY LLC	8479432399	DAVID BARIL	GOLF COURSE	06/18/2020	245.98
PAR WEST TURF SERVICES	7148931555	DAVID DEAN	GOLF COURSE	06/08/2020	15.15
PAR WEST TURF SERVICES	7148931555	DAVID DEAN	GOLF COURSE	06/02/2020	-6.19
PAR WEST TURF SERVICES	7148931555	DAVID DEAN	GOLF COURSE	05/29/2020	130.42
PAR WEST TURF SERVICES	7148931555	DAVID DEAN	GOLF COURSE	05/27/2020	314.20
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	06/02/2020	59.95
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	06/02/2020	19.95
PAYPAL *OFFICEDEPOT	4029357733	DAVID BARIL	GOLF COURSE	06/09/2020	178.95
PAYPAL *OFFICEDEPOT	4029357733	DAVID BARIL	GOLF COURSE	06/09/2020	69.98
PAYPAL *PWGOLFLSUPP	4029357733	DAVID BARIL	GOLF COURSE	06/15/2020	216.54
PET SCOOP	DENVER	DRUSILLA TIEBEN	PARKS	06/01/2020	360.00
PGA MEMBER INFO SRVCS	8004742776	DAVID BARIL	GOLF COURSE	06/12/2020	556.00
PLUG N PAY TECHNOLOGIE	631-8707735	JULIE SEYDEL	REC CENTER	06/08/2020	30.00
PRAIRIE MOUNTAIN MEDIA	8884549588	BOBBIEJO TREGAY	FINANCE	06/12/2020	1582.68
PROFESSIONAL PLASTICS	FULLERTON	BRIAN GARDUNO	OPERATIONS	06/04/2020	390.00
PROFESSIONAL PLASTICS	FULLERTON	PHIL LIND	FACILITIES	05/20/2020	390.00
PUSH PEDAL PULL-CORPOR	6055752136	LINDSEY WITTY	REC CENTER	06/15/2020	738.45
REXEL 3252	8887393577	JUSTIN ELKINS	WASTEWATER	05/21/2020	-2.83
ROADSAFE 3101	401-2534600	KEN MATHEWS	OPERATIONS	06/05/2020	780.72
ROCKY MOUNTAIN PUMP AN	CRAIG@RMPUMPC	DAVID DEAN	GOLF COURSE	06/05/2020	990.00
SAFEWAY #2812	LOUISVILLE	RYAN MORRIS	POLICE	05/30/2020	37.00
SAFEWAY #2812	LOUISVILLE	PATRICIA MORGAN	REC CENTER	05/25/2020	11.99

SAI TEAM SPORTS	LOUISVILLE	DAVID DEAN	GOLF COURSE	06/15/2020	28.00
SCAN MEASURING SYSTEMS	6173026170	ZACH STEINBAUGH	WASTEWATER	06/03/2020	27.00
SHRED-IT	8666474733	CHERYL KELLER	POLICE	06/08/2020	30.00
SIMPLOT T&H DEN 1417	DENVER	DAVID DEAN	GOLF COURSE	05/28/2020	341.25
SIP.US LLC	800-566-9810	JUSTIN ELKINS	WASTEWATER	06/10/2020	28.57
SITEONE LANDSCAPE SUPP	BROOMFIELD	KERRY KRAMER	PARKS	06/10/2020	571.80
SITEONE LANDSCAPE SUPP	BROOMFIELD	DANIEL PEER	PARKS	06/01/2020	70.69
SMUGMUG*ONLINE PHOTOS	650-6413119	GINGER CROSS	GOLF COURSE	06/10/2020	74.50
SOS REGISTRATION FEE	3038606962	MEREDYTH MUTH	CITY MANAGER	06/17/2020	10.00
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	06/18/2020	64.14
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	06/12/2020	58.26
SOURCE OFFICE - VITAL	GOLDEN	DAWN BURGESS	CITY MANAGER	06/03/2020	92.50
SOURCE OFFICE - VITAL	GOLDEN	ANGELA NORENE	OPERATIONS	06/02/2020	273.99
SOURCE OFFICE - VITAL	GOLDEN	KERRY HOLLE	PUBLIC WORKS	05/22/2020	34.48
SQ *B.O.B.S. DINER	LOUISVILLE	KURT KOWAR	PUBLIC WORKS	06/16/2020	114.18
SQ *BOULDER WATER WELL	LAFAYETTE	DAVID ALDERS	PARKS	06/12/2020	909.31
SQ *KINETIC ENERGY SER	GOSQ.COM	CRAIG DUFFIN	PUBLIC WORKS	05/29/2020	190.00
SQ *MOXIE BREAD CO.	LOUISVILLE	GREG VENETTE	WATER	05/26/2020	32.20
STANDLEY SHORES ACE	WESTMINSTER	DAVID DEAN	GOLF COURSE	05/28/2020	13.99
STAPLS7307892485000001	877-8267755	CHERYL KELLER	POLICE	05/21/2020	372.81
STAPLS7308433759000001	877-8267755	CHERYL KELLER	POLICE	06/06/2020	36.22
STAPLS7308862507000001	877-8267755	DIANE M KREAGER	FINANCE	06/18/2020	93.90
STK*SHUTTERSTOCK	8666633954	EMILY HOGAN	CITY MANAGER	06/15/2020	99.00
SUEZ TREATMENT SOLUTIO	2017505739	ZACH STEINBAUGH	WASTEWATER	06/11/2020	700.13
SUNBELT RENTALS #541	BOULDER	DAVID SZABADOS	FACILITIES	06/18/2020	132.25
TARGET 00017699	SUPERIOR	LISA RITCHIE	PLANNING	06/16/2020	67.49
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	06/16/2020	34.90
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	06/16/2020	109.97
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	06/16/2020	39.10
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL TOWERS	PARKS	06/15/2020	14.22
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/15/2020	61.94
THE HOME DEPOT #1506	LOUISVILLE	BOBBIEJO TREGAY	FINANCE	06/11/2020	-258.45
THE HOME DEPOT #1506	LOUISVILLE	BOBBIEJO TREGAY	FINANCE	06/11/2020	3249.78
THE HOME DEPOT #1506	LOUISVILLE	DANIEL PEER	PARKS	06/12/2020	31.42
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	06/11/2020	565.86
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	06/12/2020	49.98
THE HOME DEPOT #1506	LOUISVILLE	DAVID ALDERS	PARKS	06/12/2020	39.97

THE HOME DEPOT #1506	LOUISVILLE	CATHERINE JEPSON	PARKS	06/10/2020	18.78
THE HOME DEPOT #1506	LOUISVILLE	KATHLEEN D LORENZO	PARKS	06/09/2020	46.19
THE HOME DEPOT #1506	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	06/09/2020	164.88
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/09/2020	65.91
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/09/2020	51.40
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/08/2020	4.37
THE HOME DEPOT #1506	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	06/08/2020	78.03
THE HOME DEPOT #1506	LOUISVILLE	KERRY KRAMER	PARKS	06/08/2020	11.94
THE HOME DEPOT #1506	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	06/04/2020	134.57
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	06/04/2020	57.67
THE HOME DEPOT #1506	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	06/05/2020	59.81
THE HOME DEPOT #1506	LOUISVILLE	DAVID ALDERS	PARKS	06/04/2020	37.37
THE HOME DEPOT #1506	LOUISVILLE	KERRY KRAMER	PARKS	06/03/2020	156.50
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	06/03/2020	79.48
THE HOME DEPOT #1506	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	06/03/2020	75.18
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	06/01/2020	15.68
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	06/02/2020	17.94
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL TOWERS	PARKS	06/01/2020	11.94
THE HOME DEPOT #1506	LOUISVILLE	DANIEL PEER	PARKS	06/01/2020	70.20
THE HOME DEPOT #1506	LOUISVILLE	CALVIN MCCARTY	OPERATIONS	06/02/2020	42.92
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	06/01/2020	32.95
THE HOME DEPOT #1506	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	05/28/2020	21.93
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	05/29/2020	26.60
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	05/28/2020	14.20
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	05/28/2020	19.94
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	05/28/2020	30.93
THE HOME DEPOT #1506	LOUISVILLE	PHIL LIND	FACILITIES	05/28/2020	17.55
THE HOME DEPOT #1506	LOUISVILLE	DAVID ALDERS	PARKS	5/27/2020	35.14
THE HOME DEPOT #1506	LOUISVILLE	STEVE ROELS	PARKS	5/26/2020	48.40
THE HOME DEPOT #1506	LOUISVILLE	STEVE ROELS	PARKS	5/26/2020	-43.14
THE HOME DEPOT #1506	LOUISVILLE	ROSS DAVIS	OPERATIONS	5/26/2020	44.32
THE HOME DEPOT #1506	LOUISVILLE	THOMAS CZAJKA	OPERATIONS	5/20/2020	29.06
THE HOME DEPOT #1506	LOUISVILLE	ROSS DAVIS	OPERATIONS	5/21/2020	9.94
THE HOME DEPOT #1506	LOUISVILLE	DAVID BARIL	GOLF COURSE	5/22/2020	5.98
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	5/21/2020	73.26
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	5/22/2020	27.59
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	5/20/2020	169.50

THE HOME DEPOT #1506	LOUISVILLE	BRADLEY AUSTIN	PARKS	5/19/2020	22.36
THE HOME DEPOT #1506	LOUISVILLE	BRADLEY AUSTIN	PARKS	5/19/2020	19.97
THE HOME DEPOT #1517	WESTMINSTER	MICHAEL CLEVELAND	OPERATIONS	6/11/2020	838.80
THE HOME DEPOT #1548	BROOMFIELD	BOBBIEJO TREGAY	FINANCE	6/11/2020	731.88
THE HOME DEPOT 1506	LOUISVILLE	ROSS DAVIS	OPERATIONS	6/17/2020	322.29
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	6/16/2020	91.10
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL TOWERS	PARKS	6/10/2020	89.91
THE HOME DEPOT 1506	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	6/4/2020	82.32
THE HOME DEPOT 1506	LOUISVILLE	NICHOLAS POTOPCHUK	PARKS	5/20/2020	245.98
THE HOME DEPOT PRO	8565333261	ERIK SWIATEK	PARKS	6/12/2020	559.14
THE HOME DEPOT PRO	8565333261	ERIK SWIATEK	PARKS	6/12/2020	195.56
THE SUMMIT THORNTON -	THORNTON	AMANDA PERERA	REC CENTER	6/15/2020	-342.00
THESTAMPMAKER	8884517300	MEREDYTH MUTH	CITY MANAGER	6/17/2020	40.40
TOWN OF SUPERIOR	3034993675	DRUSILLA TIEBEN	PARKS	6/5/2020	13.37
US AUTOFORCE	920-730-7187	CONNOR POWERS	GOLF COURSE	6/3/2020	210.85
US AUTOFORCE	920-730-7187	CONNOR POWERS	GOLF COURSE	5/27/2020	31.24
USA BLUE BOOK	8004939876	ZACH STEINBAUGH	WASTEWATER	5/29/2020	225.40
USA BLUE BOOK	8004939876	ZACH STEINBAUGH	WASTEWATER	5/21/2020	338.85
USA BLUE BOOK	8004939876	DAVID SZABADOS	FACILITIES	5/20/2020	68.94
USPS PO 0756700237	SUPERIOR	SAM WHITE	GOLF COURSE	6/1/2020	0.70
VENNGAGE.COM	TORONTO	EMILY HOGAN	CITY MANAGER	6/15/2020	19.00
VZWRSS*BILL PAY VB	800-922-0204	DIANE M KREAGER	FINANCE	5/22/2020	1290.15
VZWRSS*MY VZ VB P	800-922-0204	BOBBIEJO TREGAY	FINANCE	6/5/2020	3030.77
VZWRSS*MY VZ VB P	800-922-0204	BOBBIEJO TREGAY	FINANCE	5/22/2020	665.07
VZWRSS*PRPAY AUTOPAY	888-294-6804	CRAIG DUFFIN	PUBLIC WORKS	6/9/2020	20.00
WAGNER RENTS CORP	3034332727	ZACH STEINBAUGH	WASTEWATER	5/29/2020	128.17
WAL-MART #1045	LAFAYETTE	BENJAMIN FRANCISCO	OPERATIONS	6/11/2020	383.43
WALGREENS #7006	SUPERIOR	GLORIA HANDYSIDE	CITY MANAGER	6/3/2020	4.66
WESTECH ENGINEERING IN	SALT LAKE CIT	JUSTIN ELKINS	WASTEWATER	6/15/2020	763.52
WHITESIDES BOOTS AND C	BRIGHTON	AARON GRANT	PARKS	5/20/2020	150.00
WM SUPERCENTER #1045	LAFAYETTE	KRISTEN BODINE	LIBRARY	5/20/2020	49.80
ZOOM.US	8887999666	PAULA KNAPEK	HUMAN RESOURCES	6/18/2020	16.28
ZOOM.US	8887999666	ROBERT ZUCCARO	PLANNING	6/16/2020	59.73
ZOOM.US	8887999666	CHRISTOPHER NEVES	IT	6/14/2020	675.54
ZOOM.US	8887999666	CHRISTOPHER NEVES	IT	6/11/2020	9.68
ZOOM.US	8887999666	KATIE BEASLEY	REC CENTER	6/2/2020	16.28
ZOOM.US	8887999666	CHRISTOPHER NEVES	IT	5/27/2020	25.23

ZOOM.US	8887999666	KATHLEEN HIX	HUMAN RESOURCES	5/21/2020	16.28
ZORO TOOLS INC	855-2899676	BENJAMIN FRANCISCO	OPERATIONS	6/12/2020	869.34
ZORO TOOLS INC	855-2899676	BENJAMIN FRANCISCO	OPERATIONS	6/5/2020	869.34
ZORO TOOLS INC	855-2899676	BENJAMIN FRANCISCO	OPERATIONS	6/6/2020	579.56
		CREDITS APPLIED & USED		6/19/2020	-509.66
TOTAL					\$ 82,043.47

CITY OF LOUISVILLE

EXPENDITURE APPROVALS \$25,000.00 - \$99,999.99

JUNE 2020

DATE	P.O. #	VENDOR	DESCRIPTION	AMOUNT
6/9/2020	2020124	Via Mobility Services	2020 Senior Transportation Services	\$38,535.00
			<i>Via Mobility Services is a non-profit organization that provides a transportation option that enables older adults to live a more self-sufficient and independent life. On a daily basis, they pick up local older adults and bring them to the Recreation/Senior Center, grocery stores, doctor appts and other destinations within Boulder County. Their services are on-going with City fiscal support; \$38,535 has been allocated from the 2020 budget. Via is a sole source provider of transportation in this capacity. They have provided services in Louisville for over 20 years.</i>	
6/22/2020	2020127	Alfa Laval Inc.	Emergency Centrifuge Gearbox Repair	\$58,069.00
			<i>The centrifuge gearbox became inoperable. Given the specialized nature of the product and it being a component of a larger piece of equipment, the only available replacement parts are from the manufacturer, Alfa Laval. It was nearing the end of its useful life and was scheduled for replacement in 2022 as part of a larger solids handling upgrade.</i>	
6/22/2020	2020133	Republic Services Inc.	2020 Landfill Fees	\$54,680.00
			<i>Disposal of waste accumulated by operational activities including street sweeping, ditch cleaning, water breaks, asphalt patches, etc. An RFQ was issued using Rocky Mountain Bid Systems, and quotes were received from Front Range Landfill and Republic Services. Republic provided the lower bid.</i>	

City Council Meeting Minutes

**June 23, 2020
Electronic Meeting
6:00 PM**

Call to Order – Mayor Stolzmann called the meeting to order at 6:00 p.m. **Roll Call** was taken and the following members were present:

City Council: **Mayor Ashley Stolzmann**
 Mayor Pro Tem Dennis Maloney
 Councilmember Kyle Brown
 Councilmember J. Caleb Dickinson
 Councilmember Deborah Fahey
 Councilmember Jeff Lipton

Absent: **Councilmember Chris Leh**

Staff Present: **Heather Balsler, City Manager**
 Megan Davis, Deputy City Manager
 Kevin Watson, Finance Director
 Rob Zuccaro, Planning & Building Safety Director
 Megan Pierce, Economic Vitality Director
 **Emily Hogan, Assistant City Manager for Communications
& Special Projects**
 Meredyth Muth, City Clerk

APPROVAL OF THE CONSENT AGENDA

Mayor Stolzmann called for changes to the consent agenda. Hearing none she asked for a motion to approve the consent agenda. Councilmember Dickinson moved to approve the agenda; seconded by Mayor Pro Tem Maloney. All in favor.

- A.** Approval of Minutes: June 9, 2020
- B.** Approval of Engagement Letter with Berg Hill Greenleaf Ruscitti LLP for Contract Claim
- C.** Approval of Resolution No. 46, Series 2020 – A Resolution Authorizing the Mayor to Enter into a Collaborative Agreement Regarding Distribution of Federal CARES Act Funds to the City

SPECIAL MEETING BUSINESS

DISCUSSION – KEY PERFORMANCE INDICATOR REFINEMENT REPORT

Assistant City Manager Emily Hogan introduced Michelle Ferguson with Novak Consulting Group who presented the results of the Key Performance Indicator (KPI) Refinement Report.

This project took the metrics currently used by the City's KPI programs to help assess performance of various programs and sub programs. The goal of the process was to provide information to align projects with the City Council's goals and objectives. They assessed 547 metrics across 10 Programs and 38 sub-programs.

Ben Kittles of Novak reviewed best practices for a KPI program. The data should provide program managers and leadership timely information needed to make decisions as well as provide transparency for policymakers and stakeholders in how the City is using resources to better serve the public.

Novak recommended the KPI programs should focus on progress toward program goal and sub program objectives. There were examples of community indicators that focus on outcomes. The next step of the process will be implementation and training conducted with City staff focusing on effective use of data. This will create a robust performance measurement program to will help inform decisions regarding programing.

Public Comments

RJ Harrington, 457 East Raintree Court, commented there is a need to define who among staff is a data expert and how those staff incorporate this work into their jobs.

Council Comment and Questions

Mayor Pro Tem Maloney stated he likes the proposed program and how it ties into the Strategic Plan but noted it relies heavily on community surveys which are only done every four years.

Councilmember Dickinson liked that the KPIs were paired down from over 500 to 156, he also thinks that this will help with analyzing the data.

DISCUSSION – FISCAL IMPACT MODEL REVIEW

Planning Director Rob Zuccaro, presented the Fiscal Impact Model Review. He noted fiscal health of the community involves three sections; non-residential development, municipal services and amenities, and residential development. Fiscal models can help ensure new developments have sustainable funding for City capital and services. It can also evaluate fiscal impact of different land use scenarios and changes.

There were two fiscal models developed in 2014, the Development Impact Model which provides marginal / average cost hybrid for individual development proposals; and, the Area Planning Model which shows the marginal cost model for citywide or area land use scenarios. Director Zuccaro reviewed the 2018 policy and standard assumptions which are used for residential and commercial properties. He showed examples of a high / low assumption model and how it would be used.

Public Comments

RJ Harrington, 457 Raintree Court, thinks that the fiscal impact analysis should also show social and environmental benefits or the lack thereof. He asked if those impacts could be considered in future fiscal impact analysis.

Sherry Sommer, 910 South Palisade, asked how residential development is framed. She wants to know if the true cost of residential building is calculated correctly.

Mayor Stolzmann noted this tool does not calculate the environmental costs or benefits from development. The Comprehensive Plan does address some environmental issues, but this tool is specifically designed to analyze the impacts to the City's budget. Stolzmann also stated that this shows an estimate of the spending of residential and business people in the community.

Mayor Pro Tem Maloney stated the City has many tools to use to analyze data and they all should be used.

Councilmember Fahey asked if different demographics were taken into consideration for this analysis. Zuccaro stated different demographic spending trends were not broken out for this analysis.

ORDINANCE NO. 1795, SERIES 2020 – AN EMERGENCY ORDINANCE EXTENDING TO AUGUST 30, 2020 THE REQUIREMENT TO WEAR FACE COVERINGS WITHIN THE CITY – 1ST AND FINAL READING – PUBLIC HEARING – Adoption as Emergency Ordinance

Mayor Stolzmann introduced the item and opened the public hearing.

City Manager Balser reviewed the recommendations from the State, Boulder County, and the Department of Public Health to extend the face covering requirement to August 30, 2020.

Public Comments

RJ Harrington, 457 Raintree Court, voiced his support and stated he believes the community supports this as well.

Councilmember Lipton moved to approve the ordinance; Mayor Pro Tem Maloney seconded the motion.

Public Comments – None.

Mayor Stolzmann closed the public hearing.

Councilmember Dickinson supported the continuation of the facial covering requirement and noted that any extra precautions are good for the community.

Roll Call Vote – Motion passed by unanimous roll call vote.

ADJOURN

Members adjourned at 7:17 pm.

Ashley Stolzmann, Mayor

Meredyth Muth, City Clerk

City Council Meeting Minutes

**July 14, 2020
Electronic Meeting
6:00 PM**

Call to Order – Mayor Stolzmann called the meeting to order at 6:00 p.m. **Roll Call** was taken and the following members were present:

City Council: **Mayor Ashley Stolzmann**
 Mayor Pro Tem Dennis Maloney
 Councilmember Kyle Brown
 Councilmember J. Caleb Dickinson
 Councilmember Deborah Fahey
 Councilmember Chris Leh
 Councilmember Jeff Lipton

Staff Present: **Heather Balsler, City Manager**
 Megan Davis, Deputy City Manager
 Kevin Watson, Finance Director
 Nathan Mosely, Parks, Recreation, & Open Space Director
 Kurt Kowar, Public Works Director
 Rob Zuccaro, Planning & Building Safety Director
 Chris Neves, Information Technology Director
 Sharon Nemechek, Library Director
 Dave Hayes, Police Chief
 Megan Pierce, Economic Vitality Director
 Kathleen Hix, Human Resources Director
 **Emily Hogan, Assistant City Manager for Communications
& Special Projects**
 Meredyth Muth, City Clerk

Others Present: **Kathleen Kelly, City Attorney**

Mayor Stolzmann noted that because of the COVID-19 emergency the meeting is being held electronically. She gave information on how the meeting process will work and directions for those dialing in on how to participate when it is time for public comments.

APPROVAL OF AGENDA

Mayor Stolzmann called for changes to the agenda and hearing none asked for a motion. Councilmember Lipton moved to approve the agenda; seconded by Councilmember Fahey. All in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA AND THE CONSENT AGENDA

Marc Cathcart, 1763 Sweet Clover Lane, stated he would like the Council to follow up on his recommendations from November 2019. He would like the Council to consider changing the notification distance in the municipal code to 750 feet and that formal notification be required for legislative zoning changes.

John Willson, Chief Louisville Fire District, stated this was a quarterly check in with the Council. He gave safety tips reminding people to turn off propane to grills when not in use and to be sure barbeque charcoals are fully out before putting them in the trash.

RJ Harrington, 457 Raintree Court, commented on Consent Agenda Items D & F. He asked if the City was investing in fossil fuels or had divested from that. He noted the police car purchase and asked the City to consider electrifying the entire fleet.

APPROVAL OF THE CONSENT AGENDA

Mayor Stolzmann called for changes to the consent agenda; hearing none she asked for a motion to approve the consent agenda. Councilmember Lipton moved to approve the agenda; seconded by Mayor Pro Tem Maloney. All in favor.

- A. *Approval of Bills***
- B. *Approval of Minutes: June 16, 2020***
- C. *Approval of Resolution No. 48, Series 2020 – A Resolution Approving an Memorandum of Understanding with Xcel Energy to Implement a Strategic Energy Management Program***
- D. *Authorization to Execute a One-Year Extension to the Current Investment Management Services Contract with Chandler Asset Management***
- E. *Approval of Resolution No. 49, Series 2020 – A Resolution Approving a First Amendment to a Service Order with Markley Designs***
- F. *Approval of Purchase of Three 2020 Police Interceptor Sport Utility Vehicles***
- G. *Approval of Resolution No. 50, Series 2020 – A Resolution Calling a Special Election for November 3, 2020, to be Conducted as a Coordinated Election, for the Purpose of Submitting TABOR Ballot Issues to the Registered Electors of the City and for the Election of a Ward 3 Councilmember***

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

Mayor Stolzmann reminded those listening that ordinances listed for first reading will not have public comments until the public hearing on second reading.

CITY MANAGER'S REPORT

None.

REGULAR BUSINESS

RESOLUTION NO. 51, SERIES 2020 – A RESOLUTION AMENDING THE 2020 BUDGET BY AMENDING APPROPRIATIONS IN THE GENERAL FUND, OPEN SPACE & PARKS FUND, HISTORIC PRESERVATION FUND, RECREATION FUND, CAPITAL PROJECTS FUND, RECREATION CENTER CONSTRUCTION FUND, WATER UTILITY FUND, WASTEWATER UTILITY FUND, STORM WATER UTILITY FUND, SOLID WASTE & RECYCLING FUND, AND GOLF COURSE FUND FOR VARIOUS ADJUSTMENTS TO APPROPRIATIONS AND ADJUSTING BUDGETED REVENUE IN THE GENERAL FUND, OPEN SPACE & PARKS FUND, CONSERVATION TRUST – LOTTERY FUND, HISTORIC PRESERVATION FUND, RECREATION FUND, CAPITAL PROJECTS FUND, WATER UTILITY FUND, WASTEWATER UTILITY FUND, STORM WATER UTILITY FUND, SOLID WASTE & RECYCLING FUND, GOLF COURSE FUND, TECHNOLOGY MANAGEMENT FUND, AND FLEET MANAGEMENT FUND – PUBLIC HEARING (advertised *Daily Camera* 7/10/20)

Mayor Stolzmann introduced the item and opened the public hearing.

Director Watson stated this resolution is a significant amendment to this year's budget and will do three things: 1) reduce certain operating and capital expenditure budgets in response to revenue reductions due to the COVID-19 pandemic; 2) increase certain operating and capital expenditure budgets for items that staff did not anticipate, or were not measureable, at the time the original 2020 budget was adopted; and 3) adjust the revenue budgets to align with the latest annual revenue estimates for 2020.

He noted this information has been shared with the Finance Committee. Director Watson noted some of the larger expenditure increases in the proposal and the larger reductions that have been identified due to reduced revenue.

Director Watson stated the proposed amendment reduces the total expenditure budget by a net of \$2,461,540 and reduces the City's total revenue budget by a net of \$5,063,080. This is a significant change to the 2020 budget. If approved tonight, this is the base level

staff will start with for the 2021-22 budget. If new revenue projections are needed this year staff will bring those to Council.

Mayor Pro Tem Maloney noted these are massive changes to the budget and we don't know what our revenue will be like for the rest of this year.

Public Comments

RJ Harrington, 457 Raintree Court, noted the bump in expenditures for the utilities at the Recreation Center stating that is likely to continue.

Lettie Fickling, asked if the police budget will be considered for reductions while all departments are affected.

Councilmember Lipton moved to approve the resolution; Mayor Pro Tem Maloney seconded the motion.

City Manager Balser stated the Police Department has had cuts in supplies, forensics, and travel and training as were consistent in all departments.

Mayor Stolzmann closed the public hearing.

Roll Call Vote: Motion passed by unanimous roll call vote.

OPTIONS FOR MEETINGS FOR QUASI-JUDICIAL HEARINGS SUBJECT TO REFERENDUM

If Council wants to change the Rules of Procedure to allow for "hybrid" City Council meetings:

RESOLUTION NO. 52, SERIES 2020 – A RESOLUTION AMENDING THE CITY COUNCIL RULES OF PROCEDURE TO ALLOW FOR ELECTRONIC PARTICIPATION AT IN-PERSON MEETINGS

If Council wants to amend Resolution No. 38, Series 2020 to allow for all quasi-judicial matters to be heard by electronic participation:

RESOLUTION NO. 53, SERIES 2020 – A RESOLUTION AMENDING AND RESTATING PROCEDURES TO BE UTILIZED FOR QUASI-JUDICIAL HEARINGS AT MEETINGS CONDUCTED BY ELECTRONIC PARTICIPATION

Mayor Stolzmann noted there are two resolutions to choose from tonight depending on what the Council decides to do.

Clerk Muth stated staff continues to look into options for holding in-person meetings during the COVID-19 outbreak. While there is no legal requirement quasi-judicial hearings be held in-person, under the current City Council Rules of Procedure the Council may not

hold electronic meetings for land use applications the final decision regarding which is subject to referendum. Staff is presenting three options for Council consideration.

She noted this conversation is only for those items subject to referendum. Council has previously decided that items not subject to referendum may be heard electronically.

Clerk Muth reviewed the options. Option 1 - Council can continue with the existing rules whereby hearings on quasi-judicial matters subject to referendum must be held in-person. If Council would like to hold in-person meetings, the Rules of Procedure do not permit City Councilmembers to participate electronically, however Council could make electronic participation available to members of the public if it would like to.

As a legislative body, the City Council is allowed to meet in-person; however social distancing rules would not allow for many members of the public to attend a meeting in Council Chambers as the room is relatively small. Staff could arrange for in-person meetings at the Brooks/Crown Room at the Recreation | Senior Center to allow for more social distancing and the meeting could be broadcast on Channel 8 and web streamed.

This option would allow people to attend in-person to give comments. However, if there more than about 20 people in attendance this set up would not allow for people to attend the entire meeting in-person. People would have to be staged in a separate room and brought in to give public comments.

If Council would like, an electronic component could be made available for members of the public to attend and give comments remotely. This option would allow people at home to watch the meeting one of multiple ways including on Comcast Channel 8, via Zoom, and streaming through the City's website on YouTube.

Option 2 - Council could amend the Rules of Procedure to allow electronic participation by members of the Council at in-person meetings. Members of the public would also be able to attend electronically. Some members of Council have stated their reticence to attend in-person meetings with COVID-19 still spreading.

If Council would like to change its Rules of Procedure, the same setup and logistics for the Brooks/Crown Room would be used and the same electronic participation options would be available for the public.

The Legal Review Committee met on July 7 and recommends this option.

Option 3 – Council could amend Resolution No. 38, Series 2020 to allow the City Council to hold electronic meetings for quasi-judicial hearings for items subject to referendum.

Clerk Muth noted that Quasi-judicial items subject to referenda allow for residents to collect signatures on a petition to require the matter be referred to the ballot for public consideration. The state's Safer at Home Order explicitly permits signature

gatherers/circulators as a Critical Government Function and give specific advice on how to do this as safely as possible.

Public Comments – None

Mayor Pro Tem Maloney stated it is important that City business continue and we have sworn to do this. He noted the original plan to not hold quasi-judicial hearings was approved in March when we thought it would only be a few months before we could safely meet in-person again. That is not the case and we do not know when we will be able to do that again. For those of us in a high risk category we need an option where we don't have to meet in-person until there is a vaccine. While option two may be feasible, it does not allow for everyone to participate on the same level. He supports option three. Other cities are doing this and it is working.

Mayor Pro Tem Maloney moved to approve Resolution No. 38; seconded by Councilmember Lipton.

Councilmember Lipton supports option three to have the least amount of risk for all attending. He does not feel option two would put everyone on the same playing field. He noted the Planning Commission has shown complicated and highly attended hearings can happen electronically. He feels strongly things are going to get worse before they get better and we should be as conservative as possible while still moving projects through the process. We can reevaluate in a few months if things change with the pandemic.

Councilmember Dickinson agreed this is going to be around for a long time and we need a way to move forward. He could support either option two or three.

Councilmember Leh noted quasi-judicial hearings are very serious as is public health so we need a balance. He feels option two is workable and could be done in a way to make everyone feel comfortable. He noted there is no legal impediment from having these meetings in-person but feels option two balances the safety concerns while allowing people the option to attend in person. He supports option two.

Councilmember Brown stated he supports option two as it is important to allow people to participate in-person. He stated having an in-person option is important for our citizens. He does not think it is appropriate for the Council to say it is too dangerous to hold an in-person meeting but it is ok for people to be put at risk collecting signatures for a petition. He feels that would be unethical.

Councilmember Fahey supports option three as case numbers are rising and the latest information is the spread of the disease can happen easily in a closed space like a meeting room. As a person in a high risk category she does not want to attend in-person. She feels there are ways to collect signatures safely if people follow proper procedures. She stated until a meeting can happen safely in-person she supports option three.

Mayor Stolzmann stated this is a challenging topic. She noted option two likely would feel like people are not on the same playing field and that electronic meetings in option three are just not the same as in-person. When we have done big issues in the past the in-person attendance has been vital. The electronic meetings are not equivalent to in-person meetings; there are significant challenges in hearing everyone clearly and we cannot see and interact with everyone. She stated originally she supported option two but at this time she feels the best option is to postpone these types of quasi-judicial hearings until such time as we can all meet safely in-person.

Councilmember Dickinson stated to him an indoor meeting with a large number of people is more dangerous than collecting signatures that could be done outside where it can be done more safely. He does not feel this is a double standard.

Roll Call Vote: Motion passed 4-3; Mayor Stolzmann and Councilmembers Brown and Leh voting no.

**ORDINANCE NO. 1796, SERIES 2020 – 1ST READING, SET PUBLIC HEARING
7/28/20**

Option 1 Sales and Use Tax:

AN ORDINANCE IMPOSING AN ADDITIONAL SALES AND USE TAX NOT TO EXCEED 0.13 PERCENT BEGINNING JANUARY 1, 2021, TO BE USED TO FUND RENEWABLE ENERGY OBJECTIVES INCLUDING, BUT NOT LIMITED TO, BULK RENEWABLE ENERGY PURCHASES AND RENEWABLE ENERGY PROGRAMS, AS SUCH PROGRAMS BECOME AVAILABLE; AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020

Option B Property Tax:

AN ORDINANCE SUBMITTING A TABOR BALLOT ISSUE TO THE REGISTERED ELECTORS OF THE CITY OF LOUISVILLE AT THE SPECIAL ELECTION TO BE HELD NOVEMBER 3, 2020

Mayor Stolzmann stated this is first reading so there is no public discussion but Council may have discussion on changes or additional information they would like for second reading. Council may also choose not to move these forward at this time.

Mayor Stolzmann stated she does not feel these are ready to move forward. There was not enough time for staff to get the information needed to make a good decision on how to make this equitable for all customers. She suggested taking the time to get additional information about the renewable energy certificates and see if there is a way to make a down payment towards these in the 2021 budget. That conversation can take place during the budget discussions.

Mayor Pro Tem Maloney agreed with the Mayor. He really likes the idea of this program but we don't have enough information to put it in front of voters. Putting this in the budget discussion makes sense. He strongly supports the idea if we have a solid proposal.

Councilmember Lipton agreed this is important and we need to find a funding source to move it forward.

Councilmember Dickinson stated we should do something soon so if that means putting that in the budget we should strongly consider that. Councilmember Brown agreed.

Mayor Stolzmann asked if anyone had a motion to adopt. There was no motion to adopt.

ORDINANCE NO. 1797, SERIES 2020 – AN ORDINANCE IMPOSING A DISPOSABLE BAG TAX OF TWENTY-FIVE CENTS PER BAG BEGINNING JANUARY 1, 2022 AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020 – 1ST READING, SET PUBLIC HEARING 7/28/20

Mayor Stolzmann introduced the item.

Councilmember Fahey moved to approve the ordinance on first reading and set the public hearing for 7/25/20; Councilmember Dickinson seconded the motion.

Councilmember Lipton asked for consideration of amendments for second reading. He strongly supports a bag tax, however he does not support this as presented. He would prefer something that is more limited in the merchants required to participate; he does not want to charge for paper bags, only plastic bags; and he does not want to have the highest bag fee in the state. The goal is to get people to not use plastic bags, not to charge a huge amount as a disincentive. He would like flexibility for the fee to start at ten cents and have the option to make it higher at Council's discretion.

City Manager Balser stated staff can bring back possible amendments for second reading for Council consideration.

Mayor Pro Tem Maloney agreed the goal is to change behavior not to generate funding. That fee amount should be reconsidered.

Voice vote: All in favor.

DISCUSSION/DIRECTION/ACTION – INTEGRATED WEED MANAGEMENT PLAN

Director Mosley stated this was originally discussed in February. At that time Council gave direction to discontinue the use of herbicides containing 2,4D and glyphosate (RoundUp) on City owned and maintained properties with the exception of the Coal Creek

Golf Course. This has been incorporated into the Integrated Weed Management Plan (IWMP) presented tonight for Council's consideration.

Staff would like the Council to consider language to be added to the Plan that would allow for the use of 2,4D and glyphosate in very limited circumstances with approval from the Open Space and Parks boards if other options are not successful.

There is a fiscal impact of approximately \$100,000 with these changes as more staff time is required for control methods.

Councilmember Fahey asked for some information on the health effects of some of the new products. She also noted a local golf course had gone to organic herbicides and asked if staff could look into that. She is pleased with the ban on 2,4D and glyphosate.

Councilmember Leh asked if the authority to use 2,4D and glyphosate in limited amounts were approved, where would staff want to use it. Director Mosley stated it would be helpful for cheat grass and Russian thistle for open space as it kills both the above ground weed and the underground seeds in one treatment. Also, perhaps on the manicured sports fields. However staff is looking at many other options and would only want to use it if there were no other options. This is not in the plan as presented tonight.

Councilmember Lipton was concerned at the cost of labor and equipment to replace some chemicals. He thinks there may be some additional capital costs as well. He stated that we will need to manage the expectations of the public. If we ban these chemicals there will be more weeds and we need to be realistic about that. He would like to put in the plan the option to use the chemicals only with City Manager approval. He also wants Council to be ready to fund this if they don't want to use the chemicals.

Mayor Stolzmann stated Council has previously committed to this knowing it will mean more weeds and a need for lots of communication with the public on expectations.

Public Comments

Sherry Sommer, 910 South Palisade Court, agreed some weeds must be treated but others can be acceptable like dandelions to be safe.

RJ Harrington, 457 Raintree Court, stated he supports a full ban on these chemicals. The cost of the chemicals versus the cost to the environment is an easy answer.

Councilmember Brown moved to approve the IWMP as presented, Councilmember Lipton seconded the motion.

Roll Call Vote: motion passed by unanimous roll call vote.

ORDINANCE NO. 1798, SERIES 2020 – AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE CONOCOPHILLIPS CAMPUS GENERAL DEVELOPMENT PLAN – 1ST READING, SET PUBLIC HEARING 8/4/20
(Redtail Proposal – Request for a Comprehensive Plan Amendment to Change the Phillips 66 Special Use District)

Mayor Stolzmann introduced the item by title. Councilmember Lipton moved to approve the ordinance on first reading and set the public hearing; seconded by Mayor Pro Tem Maloney.

Voice vote: 7-0

A REQUEST TO APPROVE LANDMARK STATUS AND PRESERVATION GRANT FOR 925 JEFFERSON AVENUE – *request to continue to 7/21/20*

Councilmember Dickinson recused himself as the applicant is his mother. Mayor Pro Tem Maloney moved to continue the item; Councilmember Fahey seconded the motion.

Voice vote: members voted to continue the item.

A REQUEST TO APPROVE LANDMARK STATUS AND PRESERVATION GRANT FOR 1016 GRANT AVENUE– *request to continue to 7/21/20*

Councilmember Leh moved to continue the item; Mayor Pro Tem Maloney seconded.

Voice vote: members voted to continue the item.

A REQUEST TO APPROVE LANDMARK STATUS AND PRESERVATION GRANT FOR 1200 JEFFERSON AVENUE – *request to continue to 7/21/20*

Councilmember Leh moved to continue the item; Councilmember Fahey seconded.

Voice vote: members voted to continue the item.

CITY ATTORNEY'S REPORT

None.

COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

ECONOMIC VITALITY COMMITTEE – meeting this week

FINANCE COMMITTEE – meeting next week

LEGAL REVIEW COMMITTEE – no report

UTILITY COMMITTEE – Councilmember Lipton noted they will be discussing Windy Gap financing.

COLORADO COMMUNITIES FOR CLIMATE ACTION – Councilmember Fahey noted the CC4CA policy agenda will be on the agenda at the next Council meeting.

COMMUTING SOLUTIONS – Councilmember Leh stated they met in June and had a lot of discussion of funding needs.

CONSORTIUM OF CITIES – no report

DOWNTOWN BUSINESS ASSOCIATION STREET FAIRE – no report

DENVER REGIONAL COUNCIL OF GOVERNMENTS – Mayor Stolzmann stated they will be discussing possible changes to the TIF process.

JOINT INTEREST COMMITTEES (SUPERIOR & LAFAYETTE) – no report

MAYORS & COMMISSIONERS COALITION – Mayor Stolzmann stated they are discussing the RTD accountability committee and who from MCC to participate.

METRO MAYORS CAUCUS – Mayor Stolzmann stated they are encouraging consistent mask rules in the region.

REVITALIZATION COMMISSION – Councilmember Lipton stated they met and discussed potential participation in the recovery program for small businesses.

XCEL ENERGY FUTURES – no report

ADVANCED AGENDA – no discussion

Councilmember Leh gave an update on future community conversations around equity and diversity.

ADJOURN

Members adjourned at 8:27 pm.

Ashley Stolzmann, Mayor

Meredyth Muth, City Clerk

City Council Meeting Minutes

**July 21, 2020
Electronic Meeting
6:00 PM**

Call to Order – Mayor Stolzmann called the meeting to order at 6:00 p.m. **Roll Call** was taken and the following members were present:

City Council: ***Mayor Ashley Stolzmann
Mayor Pro Tem Dennis Maloney
Councilmember Kyle Brown
Councilmember J. Caleb Dickinson
Councilmember Deborah Fahey
Councilmember Chris Leh***

Absent: ***Councilmember Jeff Lipton***

Staff Present: ***Heather Balsler, City Manager
Megan Davis, Deputy City Manager
Felicity Selvoski, Preservation Planner
Lisa Ritchie, Senior Planner
Meredyth Muth, City Clerk***

Others Present: ***Kathleen Kelly, City Attorney***

Mayor Stolzmann noted that because of the COVID-19 emergency the meeting is being held electronically. She gave information on how the meeting process will work and directions for those dialing in on how to participate when it is time for public comments.

RESOLUTION NO. 52, SERIES 2020 – A RESOLUTION APPROVING A PRESERVATION AND RESTORATION GRANT AND NEW CONSTRUCTION GRANT FOR THE MANCINI HOUSE LOCATED AT 908 REX STREET

Mayor Stolzmann introduced the item. She asked for any Council disclosures. There were no disclosures.

Planner Selvoski stated the applicant is requesting approval of a preservation and restoration grant and a new construction grant for 908 Rex Street. The home was landmarked on June 2, 2020. Selvoski reviewed the repairs and rehabilitation work for the request. The cost estimate of the proposed work is \$151,099; the matching grant request is \$61,775.

She noted the preservation program allows for grant amounts to exceed the \$40,000 limitation when there are extraordinary circumstances relating to building size, condition, and architectural details. This also requires the applicant to have a 100% match of the grant. The applicant is requesting more than the \$40,000 due to the scope of the work related to structural issues and the cost associated with those repairs.

The applicant is also requesting a \$15,000 new construction grant. Owners of landmarked property on which additions to existing residential structures are proposed are eligible for matching grants of up to \$15,000 for new residential construction that, beyond mandatory requirements, substantially limits mass, scale, and number of stories, preserves setbacks, and protects the historic integrity of the property and its environment by differentiating new work from the old. Qualifying new construction must maintain the existing height of the historic structure over the first 1/3 of the overall structure and have a floor area ratio (FAR) 10% below what is allowed by zoning. Staff finds that the proposed design does meet the criteria for this grant.

The Historic Preservation Commission (HPC) reviewed the grant requests and recommends approval of both resolutions. Staff also recommends approval.

Public Comments - None

Councilmember Dickinson asked the applicant what warrants the extraordinary circumstances grant. Andy Johnson, DAJ Design, noted the grant is to cover higher construction costs based on the conditions found in this house.

Mayor Stolzmann stated she feels this structure is consistent with previous approvals of extraordinary circumstances grants and based on that precedent she can support the resolution. Councilmember Leh agreed.

Mayor Pro Tem Maloney noted the Council has wanted to provide more incentives for preservation projects and that is what these grants are for. He supports the resolution.

Councilmember Dickinson noted he is the owner of a historic building that has received these grants. He stated he supports the grants particularly as there is a matching requirement so the owner is showing they are truly committed to the project.

Councilmember Brown moved to approve Resolution No. 52; Councilmember Leh seconded the motion.

Roll Call Vote: Motion passed by unanimous roll call vote.

1016 GRANT AVENUE LANDMARKING & PRESERVATION GRANT

RESOLUTION NO. 54, SERIES 2020 – A RESOLUTION DESIGNATING THE BERARDI HOUSE LOCATED AT 1016 GRANT AVENUE A HISTORIC LANDMARK

RESOLUTION NO. 55, SERIES 2020 – A RESOLUTION APPROVING A PRESERVATION AND RESTORATION GRANT AND NEW CONSTRUCTION GRANT FOR WORK ON THE BERARDI HOUSE LOCATED AT 1016 GRANT AVENUE

Mayor Stolzmann introduced the item and asked for any disclosures; seeing none she opened the public hearing.

Planner Selvoski stated this is a request to landmark the property and a request for a preservation and restoration grant for the structure at 1016 Grant Avenue. She stated the property meets the age requirement as it was constructed circa 1906-1907. The property also meets both the significance and integrity criteria. She reviewed the repairs and rehabilitation work for the request. The applicant is requesting a \$40,000 grant to help with an estimated \$86,000 in restoration costs.

The applicant is also requesting a \$15,000 new construction grant. Staff finds that the proposed design does meet the criteria for this grant.

She noted the HPC has approved an Alteration Certificate for this structure and they recommend approval of both resolutions. Staff also recommends approval.

Public Comments – None.

Mayor Stolzmann stated she supports the resolutions.

Councilmember Leh stated this program is really working as it was intended to help maintain some of the community's heritage.

Mayor Stolzmann closed the public hearing.

Councilmember Dickinson moved to approve Resolution No. 54; Councilmember Leh seconded the motion.

Roll Call Vote: Motion passed by unanimous roll call vote.

Councilmember Brown moved to approve Resolution No. 55; Councilmember Dickinson seconded the motion.

Roll Call Vote: Motion passed by unanimous roll call vote.

1200 JEFFERSON AVENUE LANDMARKING & PRESERVATION GRANT

**RESOLUTION NO. 56, SERIES 2020 – A RESOLUTION DESIGNATING THE
DESANTIS HOUSE LOCATED AT 1200 JEFFERSON AVENUE A HISTORIC
LANDMARK**

**RESOLUTION NO. 57, SERIES 2020 – A RESOLUTION APPROVING A
PRESERVATION AND RESTORATION GRANT FOR WORK ON THE DESANTIS
HOUSE LOCATED AT 1200 JEFFERSON AVENUE**

Mayor Stolzmann introduced the item and asked for any disclosures; seeing none she opened the public hearing.

Planner Selvoski stated this is a request to landmark the property and for a preservation and restoration grant for the structure at 1200 Jefferson Avenue. She stated the property meets the age requirement as it was constructed circa 1900 and moved to Louisville in 1930. The property also meets both the significance and integrity criteria. She reviewed the repairs and rehabilitation work for the request. She noted a large expense for updating the foundation and crawlspace. The estimate cost of the work is \$162,200 and the matching grant request is \$61,600.

The applicant is requesting more than the \$40,000 limit due to the scope of the work and cost for the necessary foundation work.

She noted the HPC has approved an Alteration Certificate for this structure and they recommend approval of both resolutions. Staff also recommends approval.

Public Comments – None.

Councilmember Dickinson noted that if the bulk of the cost is the foundation it is the best use of the money as it maintains the house for the long run.

Mayor Stolzmann closed the public hearing.

Councilmember Leh moved to approve Resolution No. 56; Councilmember Fahey seconded the motion.

Roll Call Vote: Motion passed by unanimous roll call vote.

Councilmember Dickinson moved to approve Resolution No. 57; Councilmember Brown seconded the motion.

Roll Call Vote: Motion passed by unanimous roll call vote.

925 JEFFERSON AVENUE LANDMARKING & PRESERVATION GRANT

**RESOLUTION NO. 58, SERIES 2020 – A RESOLUTION DESIGNATING THE
HAMILTON HOUSE LOCATED AT 925 JEFFERSON AVENUE A HISTORIC
LANDMARK**

**RESOLUTION NO. 59, SERIES 2020 – A RESOLUTION APPROVING A
PRESERVATION AND RESTORATION GRANT FOR WORK ON THE HAMILTON
HOUSE LOCATED AT 925 JEFFERSON AVENUE**

Mayor Stolzmann introduced the item and asked for any disclosures. Councilmember Dickinson recused himself as the applicant is his mother.

Planner Selvoski stated the applicant has withdrawn this application at this time.

Public Comments – None.

Mayor Stolzmann closed the public hearing.

Mayor Pro Tem Maloney moved to vacate this agenda item, Councilmember Fahey seconded the motion.

Voice vote – all in favor (Councilmember Dickinson recused).

ADJOURN

Members adjourned at 6:42 pm.

Ashley Stolzmann, Mayor

Meredyth Muth, City Clerk

SUBJECT: RATIFICATION OF COLORADO COMMUNITIES FOR CLIMATE ACTION 2020-2021 POLICY STATEMENT

DATE: JULY 28, 2020

**PRESENTED BY: DEBORAH FAHEY, CITY COUNCIL MEMBER
MEGAN DAVIS, DEPUTY CITY MANAGER**

SUMMARY:

The City of Louisville became a member of Colorado Communities for Climate Action (CC4CA) in 2018. As a member, the City has had the opportunity to weigh-in on the development of the CC4CA Policy Statement, which is updated on an annual basis to adjust the policy positions of the organization. CC4CA's 2020-2021 Policy Statement update (Attachment 1) reflects unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate.

The proposed statements were developed through CC4CA committees, which solicited input from every member jurisdiction and then prepared updates to reflect that input. The City of Louisville staff (including the Sustainability Coordinator and City Council Liaison) participated and provided input in these discussions.

CC4CA held its all-member annual retreat to review and finalize the Policy Statement on June 19, 2020. The retreat, and the many months of work by CC4CA's Policy Committee and Board of Directors (on which every member jurisdiction is represented) prior to the retreat, provided the opportunity for all members to share input on each of the policy positions, and the statements were modified accordingly. CC4CA members did a significant amount of work to finalize the proposed statement based on the input of all member Councils and Boards and to gain the approval of all members present at the retreat. The draft Policy Statement was circulated to all City Council members for input prior to the retreat. At this time, all members of CC4CA are asked to formally ratify the updated Policy Statement.

Most of the updates are non-substantive, and none of the substantive updates significantly alter any positions. The updates include:

- 1) The updated Policy Statement eliminates the "explanatory text" that has been part of the format in previous years. These were the paragraphs accompanying each specific policy position that provided additional details and examples. The result is a much more concise and manageable Policy Statement.
- 2) The most significant substantive changes compared to the 2019-2020 Policy Statement are all still only minor changes:

- Position #7, which supports a public process for evaluating retail energy choice options for local jurisdictions, now supports such a process for evaluating both retail and wholesale energy choice options for local jurisdictions.
- "Resilience" is more clearly called out in the first General Policy Principle and in policy positions #5 (calling to remove barriers allowing local governments to implement resilience-oriented strategies) and #26 (encouraging post-disaster recovery efforts to improve resilience to future disasters).
- Position #24 adds "reuse" to "recycling and composting."
- There is a new position (#25), which encourages the adoption of climate-positive innovations drawing from the lessons learned during the COVID-19 pandemic.

3) All of the other proposed changes are for grammatical purposes, to improve clarity, or maintain clarity when removing the explanatory text.

FISCAL IMPACT:

The CC4CA policy statement has no fiscal impact to the City. The City’s annual membership to CC4CA is \$5,000.

PROGRAM/SUB-PROGRAM IMPACT:

The CC4CA membership and policy statement supports the City’s Sustainability sub-program goal to use environmental, economic, and human resources to meet present and future needs without compromising the ecosystems on which we depend. Actively pursue energy efficient upgrades to realize cost savings and reduce environmental impacts. In addition, it helps advance the Louisville Sustainability Action Plan by advancing state and local policy and partnerships around climate change and sustainability initiatives.

RECOMMENDATION:

Staff recommends Council ratification of the Policy Statement as presented.

ATTACHMENT(S):

1. CC4CA 2020-2021 Policy Statement – Adopted by CC4CA Board
2. CC4CA 2020-2021 Policy Statement with track changes
3. [CC4CA 2019-2020 Policy Statement](#) (Link)

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input type="checkbox"/>	 Reliable Core Services
<input checked="" type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities

SUBJECT: CC4CA POLICY STATEMENT

DATE: JULY 28, 2020

PAGE 3 OF 3

<input checked="" type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input checked="" type="checkbox"/>	 Collaborative Regional Partner



CC4CA 2020-2021 Policy Statement

Adopted by the Board of Directors on June 19, 2020 For Ratification By Each CC4CA Member Jurisdiction

Colorado Communities for Climate Action is a coalition of local governments advocating for stronger state and federal climate policy. CC4CA's policy priorities for 2020-2021 reflect unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate.

CC4CA generally focuses on legislative, regulatory, and administrative action, supporting efforts that advance the general policy principles and the detailed policy positions described below, and opposing efforts that would weaken or undermine these principles and positions.

General Policy Principles

The following general principles guide the specific policies that Colorado Communities for Climate Action supports:

Collaboration between state and federal government agencies and Colorado's local governments to advance local climate protection and resilience.

State and federal programs to reduce carbon pollution, including adequate and ongoing funding of those programs.

Analyses, financial incentives, infrastructure, and enabling policies for the development and deployment of clean energy technologies.

Locally driven and designed programs to support communities impacted by the clean energy transformation.

Prioritizing policies that put people at the center of decision-making, minimizing disparities in growing the clean economy, especially for historically marginalized communities, and enhancing equitable outcomes for all.

Policy Positions

Colorado Communities for Climate Action supports the following policy positions:

Statewide Climate Strategies

- 1. Reduce statewide carbon emissions consistent with or greater than the State of Colorado's 2019 codified goals.**
- 2. Secure accurate, frequent state greenhouse gas inventories and forecasts for Colorado which are made accessible to local governments and designed to be useful for stakeholders.**
- 3. Adopt a comprehensive market-based approach to reduce Colorado's greenhouse gas emissions that ensures the benefits accrue justly and equitably to impacted communities.**
- 4. Expand consideration of the environmental and health costs associated with the use of fossil fuels in making and implementing climate-related policy.**

Local Climate Strategies

- 5. Remove barriers and promote opportunities that allow counties and municipalities to maximize the deployment of local clean energy and climate-related strategies, including resilience-oriented strategies, while promoting affordable, accessible, and equitable delivery of reliable clean energy.**
- 6. Enable local governments to obtain the energy use and other data from utilities and state agencies that they need to effectively administer climate and clean energy programs.**
- 7. Support a comprehensive public process for evaluating retail and wholesale energy choice options for communities, informed by a broad variety of stakeholders.**
- 8. Support policies that promote the efficient use of energy in buildings.**
- 9. Provide for cost-effective and equitable policies, strategies, and practices that enable and accelerate beneficial electrification, reduce GHG emissions, improve quality of life, and make the electric grid more robust and resilient.**

Energy Generation

- 10. Accelerate retirement of existing fossil fuel generation facilities and their replacement with cost-effective and reliable clean energy supplies, through means that protect both utilities and consumers.**
- 11. Expand the ability of electric cooperatives to independently purchase local renewable electricity and take other steps to reduce carbon pollution.**
- 12. Modernize energy infrastructure to enhance community-based resilience and integrate distributed energy resources.**

Energy Efficiency

- 13. Expand demand side savings from efficiency and conservation for all energy types.**
- 14. Support ongoing and sustainable funding for weatherization and renewable energy assistance to low-income households, including those from coal-dominated economies, so that all Coloradans have access to comfortable and affordable homes.**
- 15. Support ongoing and sustainable funding for programs that assist communities in transition from coal-dominated economies.**
- 16. Provide counties and statutory cities and towns with the same authority held by home rule cities to implement local energy conservation policies and programs.**

Transportation

- 17. Ensure effective implementation of Colorado's vehicle emissions standards and other regulatory and programmatic activities designed to reduce carbon emissions from vehicles.**
- 18. Implement the 2020 Colorado Electric Vehicle Plan and other efforts to increase electrification of all motor vehicles.**
- 19. Increase funding and policy incentives for multimodal transportation and multimodal-friendly development statewide.**

20. Incentivize and select mobility alternatives, including movement of both people and goods, based on energy efficiency and environmental costs and benefits.

Fossil Fuel Extraction Activities

21. Expand monitoring and reduction of the full life cycle emissions from fossil fuel extractive industry activities.

Solid Waste Reduction

22. Grant CDPHE the authority to implement a plan for meeting Colorado’s statewide and regional solid waste diversion goals.

23. Reduce the use of disposable/single-use products and promote the reuse of materials, including construction and demolition waste.

24. Foster infrastructure, policies, incentives, and programs for reuse, recycling, and composting.

General

25. Encourage the adoption of climate-positive innovations like telecommuting, drawing from the lessons learned during the coronavirus pandemic, to substantially reduce air and carbon pollution.

26. Promote proactive programs and efforts that improve the resilience and adaptability of Colorado communities in the face of natural disasters and other major challenges associated with climate change, including ensuring that disaster stabilization and recovery efforts result in reduced carbon pollution and improved resilience to future disasters.

27. Optimize the potential for carbon sequestration through regenerative agriculture, improved soil health, and forest management.

28. Incorporate equity, accessibility, and just transition considerations into climate policies and actions.

29. Encourage investments that achieve climate-positive solutions, including policies that encourage entities investing public dollars to consider partial or full divestment as part of their investment strategies.

30. Maintain protections and authorities currently provided under environmental laws like the National Environmental Policy Act, the Clean Air Act, and the Clean Water Act.

CC4CA 2020-2021 Policy Statement

**Adopted by the Board of Directors on June 19, 2020
For Ratification By Each CC4CA Member Jurisdiction
(Substantive Changes from the 2019-2020 Policy Statement are Displayed)**

Colorado Communities for Climate Action is a coalition of local governments advocating for stronger state and federal climate policy. CC4CA's policy priorities for 2020-2021 reflect unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate.

CC4CA generally focuses on legislative, regulatory, and administrative action, supporting efforts that advance the general policy principles and the detailed policy positions described below, and opposing efforts that would weaken or undermine these principles and positions.

General Policy Principles

The following general principles guide the specific policies that Colorado Communities for Climate Action supports:

Collaboration between state and federal government agencies and Colorado's local governments to advance local climate protection and resilience.

State and federal programs to reduce carbon pollution, including adequate and ongoing funding of those programs.

Analyses, financial incentives, infrastructure, and enabling policies for the development and deployment of clean energy technologies.

Locally driven and designed programs to support communities impacted by the clean energy transformation.

Prioritizing policies that put people at the center of decision-making, minimizing disparities in growing the clean economy, especially for historically marginalized communities, and enhancing equitable outcomes for all.

Policy Positions

Colorado Communities for Climate Action supports the following policy positions:

Statewide Climate Strategies

1. Reduce statewide carbon emissions consistent with or greater than the State of Colorado's 2019 codified goals.
2. Secure accurate, frequent state greenhouse gas inventories and forecasts for Colorado which are made accessible to local governments and designed to be useful for stakeholders.
3. Adopt a comprehensive market-based approach to reduce Colorado's greenhouse gas emissions that ensures the benefits accrue justly and equitably to impacted communities.
4. Expand consideration of the environmental and health costs associated with the use of fossil fuels in making and implementing climate-related policy.

Local Climate Strategies

5. Remove barriers and promote opportunities that allow counties and municipalities to maximize the deployment of local clean energy and climate-related strategies, including resilience-oriented strategies, while promoting affordable, accessible, and equitable delivery of reliable clean energy.
6. Enable local governments to obtain the energy use and other data from utilities and state agencies that they need to effectively administer climate and clean energy programs.
7. Support a comprehensive public process for evaluating retail and wholesale energy choice options for communities, informed by a broad variety of stakeholders.
8. Support policies that promote the efficient use of energy in buildings.
9. Provide for cost-effective and equitable policies, strategies, and practices that enable and accelerate beneficial electrification, reduce GHG emissions, improve quality of life, and make the electric grid more robust and resilient.

Deleted: 7. Support a public process for evaluating retail and wholesale energy choice options for local jurisdictions that is led by the state and informed by a broad variety of stakeholders.¶

Energy Generation

10. Accelerate retirement of existing fossil fuel generation facilities and their replacement with cost-effective and reliable clean energy supplies, through means that protect both utilities and consumers.
11. Expand the ability of electric cooperatives to independently purchase local renewable electricity and take other steps to reduce carbon pollution.
12. **Modernize energy infrastructure to enhance community-based resilience and integrate distributed energy resources.**

Deleted: Expanding distributed generation, energy storage, high levels of renewable energy generation (distributed and utility-scale), and appropriate technologies through grid modernization.

Energy Efficiency

13. Expand demand side savings from efficiency and conservation for all energy types.
14. Support ongoing and sustainable funding for weatherization and renewable energy assistance to low-income households, **including those from coal-dominated economies**, so that all Coloradans have access to comfortable and affordable homes.
15. **Support ongoing and sustainable funding for programs that assist communities in transition from coal-dominated economies.**
16. Provide counties and statutory cities and towns with the same authority held by home rule cities to implement local energy conservation policies and programs.

Transportation

17. Ensure effective implementation of Colorado's vehicle emissions standards and other regulatory and programmatic activities designed to reduce carbon emissions from vehicles.
18. Implement the 2020 Colorado Electric Vehicle Plan and other efforts to increase electrification of all motor vehicles.
19. Increase funding and policy incentives for multimodal transportation and multimodal-friendly development statewide.

20. Incentivize and select mobility alternatives, including movement of both people and goods, based on energy efficiency and environmental costs and benefits.

Fossil Fuel Extraction Activities

21. Expand monitoring and reduction of the full life cycle emissions from fossil fuel extractive industry activities.

Solid Waste Reduction

22. Grant CDPHE the authority to implement a plan for meeting Colorado's statewide and regional solid waste diversion goals.

23. Reduce the use of disposable/single-use products and promote the reuse of materials, **including construction and demolition waste.**

24. Foster infrastructure, policies, incentives, and programs for **reuse**, recycling, and composting.

General

25. Encourage the widespread adoption of telecommuting options and other climate-positive innovations, drawing from the lessons learned during the coronavirus pandemic, to substantially reduce transportation-related air and carbon pollution.

26. Promote proactive programs and efforts that improve the resilience and adaptability of Colorado communities in the face of natural disasters and other major challenges associated with climate change, **including ensuring that disaster stabilization and recovery efforts result in reduced carbon pollution and improved resilience to future disasters.**

27. Optimize the potential for carbon sequestration through regenerative agriculture, improved soil health, and forest management.

28. Incorporate equity, accessibility, and just transition considerations into climate policies and actions.

Deleted: ↵



29. Encourage investments that achieve climate-positive solutions, including policies that encourage entities investing public dollars to consider partial or full divestment as part of their investment strategies.

30. Maintain protections and authorities currently provided under environmental laws like the National Environmental Policy Act, the Clean Air Act, and the Clean Water Act.

SUBJECT: RESOLUTION NO. 58, SERIES 2020 – A RESOLUTION APPROVING AN AGREEMENT WITH THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT FOR DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR COAL CREEK DRAINAGEWAY A-1 AT GARFIELD AVENUE

DATE: JULY 28, 2020

PRESENTED BY: KURT KOWAR, PUBLIC WORKS

SUMMARY:

Staff recommends approval to amend the Intergovernmental Agreement (IGA) with Urban Drainage and Flood Control District D/B/A Mile High Flood District (District) for the reallocation of funds on deposit with District for the delayed Steel Ranch BNSF Underpass/Bullhead Gulch at BNSF project (hereinafter called Bullhead Gulch Project) to the Coal Creak Drainageway A-1 at Garfield Avenue project (hereinafter called Drainageway A-1 Project).

This agreement will reallocate funding for the Bullhead Gulch Project held by the District to complete the Drainageway A-1 Project improvements currently planned in conjunction with the District. The Drainageway A-1 Project improvements will remove buildings from the floodplain at Cottonwood Drive and Garfield Avenue. The piping and channels near the intersection are undersized. The project will design and construct upsized piping and channels to remove the buildings from the floodplain. Upon completion, a Letter of Map Revision will be requested from FEMA for a floodplain map change.

On August 27, 2019, Council decided to shelve the Bullhead Gulch Project due to increased cost. Taking into consideration the previous deposits and current expenses, the account currently has \$862,807 available for use on the Drainageway A-1 project from the Bullhead Gulch Project account.

FISCAL IMPACT:

The project funding by year is as follows:

Current and Proposed Funds

YEAR	City Storm Sewer Fund	MHFD Funds	Yearly Totals	Notes
2020	\$483,258	\$379,549	\$862,807	Transfer from Bullhead Gulch Project Fund
TOTAL	\$483,258	\$379,549	\$862,807	

PROGRAM/SUB-PROGRAM IMPACT:

Maintain our storm water system to protect Coal Creek specifically and the natural and built environment generally. Proactively reduce pollutants in the water by educating the public, sweeping the streets, maintaining an efficient & effective storm water system and leveraging intergovernmental partnerships. The project improves storm drainage function and leverages intergovernmental partnerships.

RECOMMENDATION:

Staff recommends City Council pass Resolution No. 58, Series 2020 approving and authorizing the Mayor to sign the attached Agreement on behalf of the City.

ATTACHMENT(S):

- 1. Resolution
- 2. Agreement
- 3. Presentation

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input checked="" type="checkbox"/>	 Reliable Core Services
<input type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner

**RESOLUTION NO. 58
SERIES 2020**

**A RESOLUTION APPROVING AN AGREEMENT WITH THE URBAN DRAINAGE
AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT FOR
DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR COAL CREEK
DRAINAGEWAY A-1 AT GARFIELD AVENUE**

WHEREAS, the City of Louisville (" City") and Urban Drainage and Flood Control District d/b/a Mile High Flood District (" District") desire to construct improvements to Coal Creek Drainageway A-1 at Garfield Avenue; and

WHEREAS, an agreement has been proposed between the City and the District setting forth the rights and obligations of the City and District with respect to the design, right-of-way acquisition and construction of drainage and flood control improvements for Coal Creek Drainageway A-1 at Garfield Avenue ("Agreement"); and

WHEREAS, the City Council finds that the proposed Agreement is in the best interests of the City and its citizens;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF LOUISVILLE, COLORADO:**

1. The City Council hereby approves the proposed Agreement Regarding Final Design, Right-of-Way Acquisition, and Construction of Drainage and Flood Control Improvements for Coal Creek Drainageway A-1 at Garfield Avenue City of Louisville ("Agreement"), in essentially the same form as the copy of such Agreement accompanying this Resolution.

2. The Mayor is authorized to execute the Agreement on behalf of the City, except that the Mayor is hereby further granted authority to negotiate and approve such revisions to said Agreement as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the Agreement are not altered.

3. The Mayor, City Manager, Director of Public Works and City staff are hereby authorized to execute all documents and do all other things necessary on behalf of the City to perform the obligations of the City under the Agreement.

PASSED AND ADOPTED this 28th day of July, 2020.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
COAL CREEK DRAINAGEWAY A-1 AT GARFIELD AVENUE
CITY OF LOUISVILLE

Agreement No. 20-02.26
Project No. 107315

THIS AGREEMENT, by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT (hereinafter called "DISTRICT") and CITY OF LOUISVILLE (hereinafter called "CITY") and collectively known as "PARTIES";

WITNESSETH:

WHEREAS, DISTRICT, in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain regulation measures; and

WHEREAS, PARTIES participated in a joint planning study titled "City of Louisville/Boulder County Outfall Systems Plan" dated November 1982, which documents flooding conditions, and for which a major drainageway need exists for improvements on Coal Creek Drainageway A-1 at Garfield Avenue (hereinafter called "PLAN"); and

WHEREAS, PARTIES now desire to proceed with the design, right-of-way acquisition and construction of drainage and flood control improvements for Coal Creek Drainageway A-1 at Garfield Avenue (hereinafter called "PROJECT"); and

WHEREAS, DISTRICT has adopted at a public hearing, a Five-Year Capital Improvement Program (Resolution No. 65, Series of 2019) for drainage and flood control facilities in which PROJECT was included in the 2020 calendar year;

WHEREAS, DISTRICT has heretofore adopted a Special Revenue Fund Budget for calendar year 2020 subsequent to public hearing (Resolution No. 62, Series of 2019) which includes funds for PROJECT; and

WHEREAS, DISTRICT's Board of Directors has authorized DISTRICT financial participation for PROJECT (Resolution No. 39, Series of 2020); and

WHEREAS, the City Council of CITY and the Board of Directors of DISTRICT have authorized, by appropriation or resolution, all of PROJECT costs of the respective PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. SCOPE OF THIS AGREEMENT

This Agreement defines the responsibilities and financial commitments of PARTIES with respect to PROJECT.

2. SCOPE OF PROJECT

- A. Final Design. PROJECT shall include the final design of improvements in accordance with the recommendations defined in PLAN. Specifically, the final design of facilities shall extend from approximately Garfield Avenue, as shown on Exhibit A.
- B. Right-of-Way Delineation and Acquisition. Right-of-way for the improvements as set forth in the final design and an estimate of costs for acquisition shall be determined. Maps, parcel descriptions, and parcel plats shall also be prepared.
- C. Construction. PROJECT shall include construction by DISTRICT of the drainage and flood control improvements as set forth in the final design and vegetation establishment.

3. PUBLIC NECESSITY

PARTIES agree that the work performed pursuant to this Agreement is necessary for the health, safety, comfort, convenience, and welfare of all the people of the State, and is of particular benefit to the inhabitants of PARTIES and to their property therein.

4. PROJECT COSTS AND ALLOCATION OF COSTS

- A. PARTIES agree that for the purposes of this Agreement PROJECT costs shall consist of and be limited to the following:
 - 1. Final design services;
 - 2. Delineation, description and acquisition of required rights-of-way/easements;
 - 3. Construction of improvements;
 - 4. Contingencies mutually agreeable to PARTIES.
- B. It is understood that PROJECT costs as defined above are not to exceed \$862,806.55 without amendment to this Agreement.

PROJECT costs for the various elements of the effort are estimated as follows:

<u>ITEM</u>	<u>AMOUNT</u>
1. Final Design	\$ 200,000.00
2. Right-of-way	\$ 0.00
3. Construction	\$ 662,806.55
4. Contingency	\$ 0.00
Grand Total	\$ 862,806.55

This breakdown of costs is for estimating purposes only. Costs may vary between the various elements of the effort without amendment to this Agreement provided the total expenditures do not exceed the maximum contribution by all PARTIES plus accrued interest, if applicable.

- C. At the request of CITY and DISTRICT, the following funds may be transferred to PROJECT from a separate special fund held by DISTRICT:

Transfer from: (Bullhead Gulch at BNSF Railroad)

Account No. 106228 Agreement No. 16-08.10

CITY Amount: \$483,257.95

DISTRICT Amount: \$379,548.60

- D. Based on total PROJECT costs, the maximum percent and dollar contribution by each party shall be:

	<u>Percentage Share</u>	<u>Maximum Contribution</u>
DISTRICT		
Special Fund Transfer	43.99%	\$379,548.60
CITY		
Special Fund Transfer	56.01%	\$483,257.95
TOTAL	100.00%	\$862,806.55

5. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may come from its own revenue sources or from funds received from state, federal, or other sources of funding without limitation and without prior DISTRICT approval.

Payment of each party's full share (CITY - \$483,257.95 DISTRICT - \$379,548.60) shall be made to DISTRICT subsequent to execution of this Agreement and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to CITY of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share of such monies, which shares shall be computed as were the original shares; or, at CITY request, CITY share of remaining monies shall be transferred to another special fund held by DISTRICT.

6. FINAL DESIGN

The contracting officers for PARTIES, as defined under Paragraph 13 of this Agreement, shall select an engineer mutually agreeable to both PARTIES. DISTRICT shall contract with selected engineer and shall supervise and coordinate the final design including right-of-way delineation subject to approval of the contracting officer for CITY. Payment for final design services shall be made by DISTRICT as the work progresses from the PROJECT fund established as set forth above.

Final design services shall consist of, but not be limited to, the following:

- A. Preparation of a work plan schedule identifying the timing of major elements in the design;
- B. Delineation of required right-of-way/easements;
- C. Preparation of detailed construction plans and specifications;
- D. Preparation of an estimate of probable construction costs of the work covered by the plans and specifications;
- E. Preparation of an appropriate construction schedule.

DISTRICT shall provide any written work product by the engineer to CITY.

7. RIGHT-OF-WAY

CITY, with DISTRICT assistance, shall be responsible for acquiring, subject to approval of DISTRICT, such land or interests in land needed to implement construction of the drainage and flood control improvements as defined herein. The cost to be shared by PARTIES for right-of-way acquisition may include relocation costs of existing occupants. Appraisal costs and costs associated with condemnation (including outside legal costs) will also be considered a PROJECT cost. Right-of-way acquisition by negotiation and / or the exercise of eminent domain shall be in full compliance with the laws of the State of Colorado. In addition, the right-of-way acquired shall be in the name of CITY and the conveyancing document shall be promptly recorded in the records of the Clerk and Recorder of CITY. DISTRICT shall serve as the paying agency.

- A. Coordination of Right-of-Way Acquisition. Cost sharing by PARTIES will be based on supporting documentation such as formal appraisals, reasonable relocation cost settlements, legal description of the property, and other information deemed appropriate to the acquisition. Furthermore, cost sharing will be only for the properties, or portions thereof, approved by PARTIES to be needed for the drainage and flood control portions of PROJECT. Request for such approval shall include appraisals of property, legal description of the property, and other information deemed appropriate to the acquisition by PARTIES to this Agreement. CITY shall purchase the right-of-way only after receiving prior approval of DISTRICT, and such purchases shall be made with PROJECT funds.
- B. Payment for Right-of-Way Acquisition. Following purchase or receipt of executed memorandum of agreement between CITY and property owner for the needed right-of-way that commits the property owner to sell property to CITY at a price certain and on a date certain, CITY shall so advise DISTRICT and request payment as provided above. DISTRICT shall make payment within 30 days of receipt of request accompanied by the information set forth above.
- C. Ownership of Property and Limitation of Use. CITY shall own the property either in fee or non-revocable easement and shall be responsible for same. It is specifically understood that the right-of-way is being used for drainage and flood control purposes. The properties upon which PROJECT is constructed shall not be used for any purpose that will diminish or preclude its use for drainage and flood control purposes. CITY may not dispose of or change the use of the properties without approval of DISTRICT. If, in the future, CITY

disposes of any portion of or all of the properties acquired upon which PROJECT is constructed pursuant to this Agreement; changes the use of any portion or all of the properties upon which PROJECT is constructed pursuant to this Agreement; or modifies any of the improvements located on any portion of the properties upon which PROJECT is constructed pursuant to this Agreement; and CITY has not obtained the written approval of DISTRICT prior to such action, CITY shall take any and all action necessary to reverse said unauthorized activity and return the properties and improvements thereon, acquired and constructed pursuant to this Agreement, to the ownership and condition they were in immediately prior to the unauthorized activity at CITY's sole expense. In the event CITY breaches the terms and provisions of this Paragraph 7.C and does not voluntarily cure as set forth above, DISTRICT shall have the right to pursue a claim against CITY for specific performance of this portion of the Agreement.

DISTRICT may, subsequent to the recording by CITY of any document transferring title or another interest to property acquired pursuant to this Agreement to CITY, record a memorandum of this Agreement (Exhibit B), specifically a verbatim transcript of Paragraph 7.C. Ownership of Property and Limitation of Use except for this sub-paragraph which shall not be contained in the memorandum. The memorandum shall reference by legal description the property being acquired by CITY and shall be recorded in the records of the Clerk and Recorder of Boulder County immediately following the recording of the document transferring title or another interest to CITY. CITY authorizes the recording of that memorandum and acknowledges that the same is meant to encumber the property with its restrictions.

8. MANAGEMENT OF CONSTRUCTION

- A. Costs. Construction costs shall consist of those costs as incurred by the most qualified contractor(s) including detour costs, licenses and permits, utility relocations, and construction related engineering services as defined in Paragraph 4 of this Agreement.
- B. Construction Management and Payment
 - 1. DISTRICT, with the concurrence of CITY, shall administer and coordinate the construction-related work as provided herein.
 - 2. DISTRICT, with concurrence of CITY, shall select and award construction contract(s).
 - 3. DISTRICT shall require the contractor to provide adequate liability insurance that includes CITY. The contractor shall be required to indemnify CITY. Copies of the insurance coverage shall be provided to CITY.
 - 4. DISTRICT, with assistance of CITY, shall coordinate field surveying; staking; inspection; testing; acquisition of right-of-way; and engineering as required to construct PROJECT. DISTRICT, with assistance of CITY, shall assure that construction is performed in accordance with the construction contract documents

including approved plans and specifications and shall accurately record the quantities and costs relative thereto. Copies of all inspection reports shall be furnished to CITY on a weekly basis. DISTRICT shall retain an engineer to perform all or a part of these duties.

5. DISTRICT, with concurrence of CITY, shall contract with and provide the services of the design engineer for basic engineering construction services to include addendum preparation; survey control points; explanatory sketches; revisions of contract plans; shop drawing review; as-built plans; weekly inspection of work; and final inspection.
6. PARTIES shall have access to the site during construction at all times to observe the progress of work and conformance to construction contract documents including plans and specifications.
7. DISTRICT shall review and approve contractor billings. DISTRICT shall remit payment to contractor based on billings.
8. DISTRICT, with concurrence of CITY, shall prepare and issue all written change or work orders to the contract documents.
9. PARTIES shall jointly conduct a final inspection and accept or reject the completed PROJECT in accordance with the contract documents.
10. DISTRICT shall provide CITY a set of reproducible "as-built" plans.

C. Construction Change Orders. In the event that it becomes necessary and advisable to change the scope or detail of the work to be performed under the contract(s), such changes shall be rejected or approved in writing by the contracting officers. No change orders shall be approved that increase the costs beyond the funds available in the PROJECT fund, including interest earned on those funds, unless and until the additional funds needed to pay for the added costs are committed by all PARTIES.

9. MAINTENANCE

PARTIES agree that CITY shall own and be responsible for maintenance of the completed and accepted PROJECT. PARTIES further agree that DISTRICT, at CITY's request, shall assist CITY with the maintenance of all facilities constructed or modified by virtue of this Agreement to the extent possible depending on availability of DISTRICT funds. Such maintenance assistance shall be limited to drainage and flood control features of PROJECT. Maintenance assistance may include activities such as keeping flow areas free and clear of debris and silt, keeping culverts free of debris and sediment, repairing drainage and flood control structures such as drop structures and energy dissipaters, and clean-up measures after periods of heavy runoff. The specific nature of the maintenance assistance shall be set forth in a memorandum of understanding from DISTRICT to CITY, upon acceptance of DISTRICT's annual Maintenance Work Program. DISTRICT shall have right-of-access to right-of-way and storm drainage improvements at all times for observation of flood control facility conditions and for maintenance when funds are available.

10. FLOODPLAIN REGULATION

CITY agrees to regulate and control the floodplain of Coal Creek within CITY in the manner prescribed by the National Flood Insurance Program and prescribed regulations thereto as a minimum.

PARTIES understand and agree, however, that CITY cannot obligate itself by contract to exercise its police powers. If CITY fails to regulate the floodplain of Coal Creek within CITY in the manner prescribed by the National Flood Insurance Program and prescribed regulations thereto as a minimum, DISTRICT may exercise its power to do so and CITY shall cooperate fully.

11. TERM OF AGREEMENT

The term of this Agreement shall commence upon the earlier of the date of final execution by all PARTIES and shall terminate three (3) years after the final payment is made to the construction contractor and the final accounting of funds on deposit at DISTRICT is provided to all PARTIES pursuant to Paragraph 5 herein, except for Paragraph 10. FLOODPLAIN REGULATION, Paragraph 7.C. Ownership of Property and Limitation of Use, and Paragraph 9. MAINTENANCE, which shall run in perpetuity.

12. LIABILITY

Each party hereto shall be responsible for any suits, demands, costs or actions at law resulting from its own acts or omissions and may insure against such possibilities as appropriate.

13. CONTRACTING OFFICERS

- A. The contracting officer for CITY shall be the Public Works Director, 749 Main Street Louisville, Colorado 80027.
- B. The contracting officer for DISTRICT shall be the Executive Director, 2480 West 26th Avenue, Suite 156B, Denver, Colorado 80211.
- C. The contracting officers for PARTIES each agree to designate and assign a PROJECT representative to act on the behalf of said PARTIES in all matters related to PROJECT undertaken pursuant to this Agreement. Each representative shall coordinate all PROJECT-related issues between PARTIES, shall attend all progress meetings, and shall be responsible for providing all available PROJECT-related file information to the engineer upon request by DISTRICT or CITY. Said representatives shall have the authority for all approvals, authorizations, notices or concurrences required under this Agreement. However, in regard to any amendments or addenda to this Agreement, said representative shall be responsible to promptly obtain the approval of the proper authority.

14. RESPONSIBILITIES OF PARTIES

DISTRICT shall be responsible for coordinating with CITY the information developed by the various consultants hired by DISTRICT and for obtaining all concurrences from CITY needed to complete PROJECT in a timely manner. CITY agrees to review all concept plans, preliminary design plans, and final plans and specifications; and to provide comments within 21 calendar days after the drafts have been provided by DISTRICT to CITY.

15. AMENDMENTS

This Agreement contains all of the terms agreed upon by and among PARTIES. Any amendments to this Agreement shall be in writing and executed by PARTIES hereto to be valid and binding.

16. SEVERABILITY

If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable clause or provision shall not affect the validity of the Agreement as a whole and all other clauses or provisions shall be given full force and effect.

17. APPLICABLE LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Jurisdiction for any and all legal actions regarding this Agreement shall be in the State of Colorado and venue for the same shall lie in the CITY where PROJECT is located.

18. ASSIGNABILITY

No party to this Agreement shall assign or transfer any of its rights or obligations hereunder without the prior written consent of the nonassigning party or parties to this Agreement.

19. BINDING EFFECT

The provisions of this Agreement shall bind and shall inure to the benefit of PARTIES hereto and to their respective successors and permitted assigns.

20. ENFORCEABILITY

PARTIES hereto agree and acknowledge that this Agreement may be enforced in law or in equity, by decree of specific performance or damages, or such other legal or equitable relief as may be available subject to the provisions of the laws of the State of Colorado.

21. TERMINATION OF AGREEMENT

This Agreement may be terminated upon thirty (30) days' written notice by any party to this Agreement, but only if there are no contingent, outstanding contracts. If there are contingent, outstanding contracts, this Agreement may only be terminated upon the cancellation of all contingent, outstanding contracts. All costs associated with the cancellation of the contingent contracts shall be shared between PARTIES in the same ratio(s) as were their contributions.

22. PUBLIC RELATIONS

It shall be at CITY's sole discretion to initiate and to carry out any public relations program to inform the residents in PROJECT area as to the purpose of PROJECT and what impact it may have on them. Technical information shall be presented to the public by the selected engineer. In any event DISTRICT shall have no responsibility for a public relations program, but shall assist CITY as needed and appropriate.

23. NO DISCRIMINATION IN EMPLOYMENT

In connection with the performance of work under this Agreement, PARTIES agree not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified because of race, color, ancestry, creed, religion, national origin, gender,

age, military status, sexual orientation, marital status, or physical or mental disability and further agree to insert the foregoing provision in all subcontracts hereunder.

24. APPROPRIATIONS

Notwithstanding any other term, condition, or provision herein, each and every obligation of CITY and/or DISTRICT stated in this Agreement is subject to the requirement of a prior appropriation of funds therefore by the appropriate governing body of CITY and/or DISTRICT.

25. NO THIRD PARTY BENEFICIARIES

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to PARTIES, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person on such Agreement. It is the express intention of PARTIES that any person or party other than any one of PARTIES receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

26. ILLEGAL ALIENS

PARTIES agree that any public contract for services executed as a result of this intergovernmental agreement shall prohibit the employment of illegal aliens in compliance with §8-17.5-101 C.R.S. *et seq.* The following language shall be included in any contract for public services:

- A. At the time of execution of this Agreement, CONTRACTOR does not knowingly employ or contract with an illegal alien who will perform work under this Agreement.
- B. CONTRACTOR shall participate in the E-Verify Program, as defined in § 8 17.5-101(3.7), C.R.S., to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement.
- C. CONTRACTOR shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.
- D. CONTRACTOR shall not enter into a contract with a subconsultant or subcontractor that fails to certify to CONTRACTOR that it shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.
- E. CONTRACTOR shall confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement through participation in the E-Verify Program.
- F. CONTRACTOR is prohibited from using the E-Verify Program procedures to undertake pre-employment screening of job applicants while performing its obligation under this Agreement, and that otherwise requires CONTRACTOR to comply with any and all federal requirements related to use of the E-Verify Program including, by way of example, all program requirements related to employee notification and preservation of employee rights.
- G. If CONTRACTOR obtains actual knowledge that a subconsultant or subcontractor performing work under this Agreement knowingly employs or contract with an illegal alien, it will notify such subconsultant or subcontractor and PARTIES within three (3) days.

CONTRACTOR shall also then terminate such subconsultant or subcontractor if within three (3) days after such notice the subconsultant or subcontractor does not stop employing or contracting with the illegal alien, unless during such three (3) day period the subconsultant or subcontractor provides information to establish that the subconsultant or subcontractor has not knowingly employed or contracted with an illegal alien.

- H. CONTRACTOR shall comply with any reasonable request made in the course of an investigation by the Colorado Department of Labor and Employment under authority of § 8-17.5-102(5), C.R.S.
- I. CONTRACTOR shall, within twenty days after hiring an employee who is newly hired for employment to perform work under this Agreement, affirms that it has examined the legal work status of such employees, retained file copies of the documents required by 8 U.S.C. Section 1324a, and not altered or falsified the identification documents for such employees. CONTRACTOR shall provide a written, notarized copy of the affirmation to PARTIES.

27. GOVERNMENTAL IMMUNITIES

PARTIES hereto intend that nothing herein shall be deemed or construed as a waiver by any party of any rights, limitations, or protections afforded to them under the Colorado Governmental Immunity Act (§ 24-10-101, *et seq.*, C.R.S.) as now or hereafter amended or otherwise available at law or equity.

28. INTENT OF AGREEMENT

Except as otherwise stated herein, this Agreement is intended to describe the rights and responsibilities of and between PARTIES and is not intended to and shall not be deemed to confer rights upon any person or entities not named as PARTIES, nor to limit in any way the powers and responsibilities of the CITY, the DISTRICT or any other entity not a party hereto.

29. EXECUTION IN COUNTERPARTS – ELECTRONIC SIGNATURES

This Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement, may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. PARTIES approve the use of electronic signatures for execution of this Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement. Only the following two forms of electronic signatures shall be permitted to bind PARTIES to this Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement.

- A. Electronic or facsimile delivery of a fully executed copy of a signature page; or
- B. The image of the signature of an authorized signer inserted onto PDF format documents.

Documents requiring notarization may also be notarized by electronic signature, as provided above. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, CRS §§ 24-71.3-101 to -121.

WHEREFORE, PARTIES hereto have caused this instrument to be executed by properly authorized signatories as of the date and year written below.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT D/B/A
MILE HIGH FLOOD DISTRICT

By _____

Name Ken A. MacKenzie

Title Executive Director

Date _____

Checked By

CITY OF LOUISVILLE

By _____

Name _____

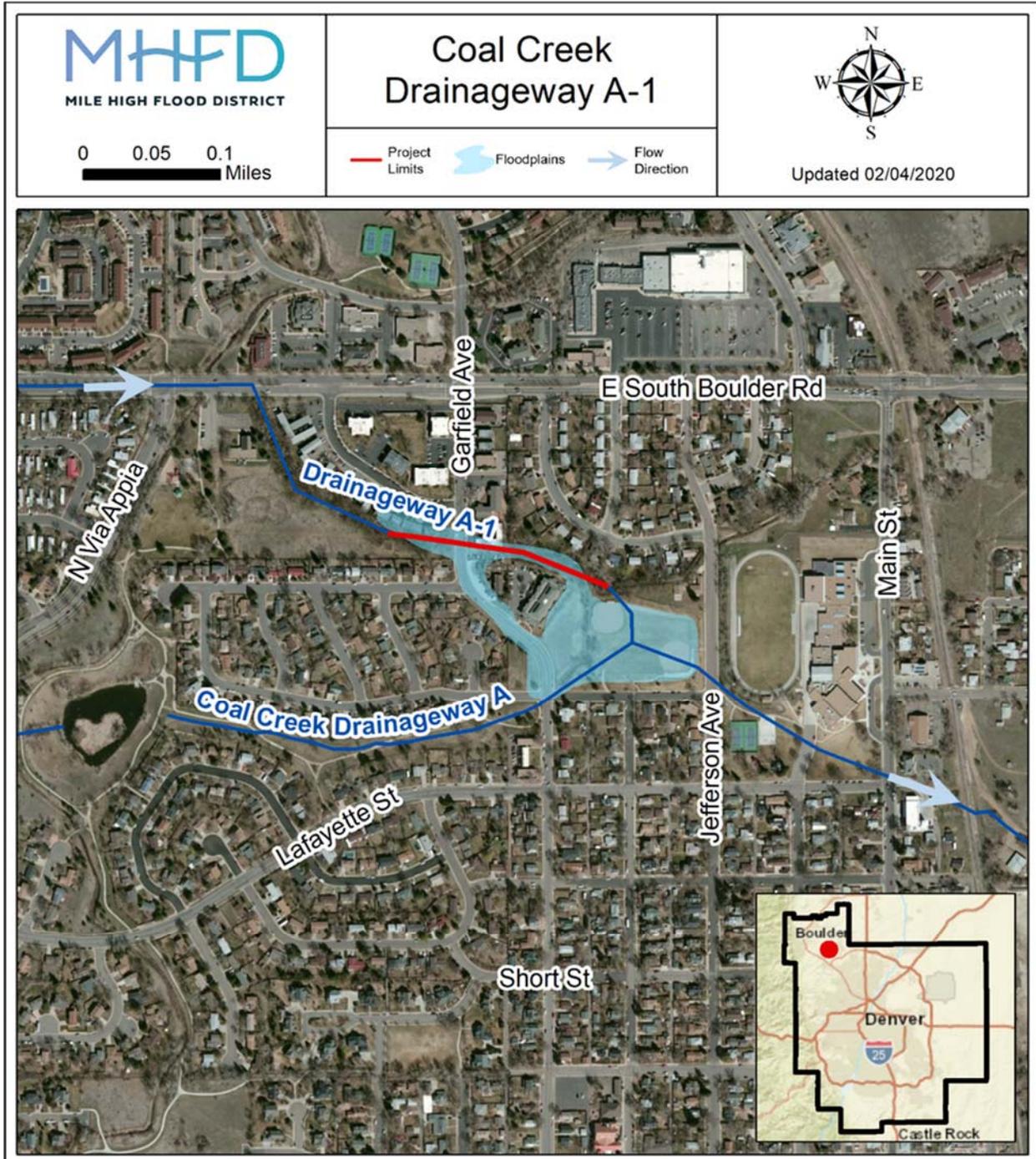
Title _____

Date _____

AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
COAL CREEK DRAINAGEWAY A-1 AT GARFIELD AVENUE
CITY OF LOUISVILLE

Agreement No. 20-02.26
Project No. 107315

Exhibit A



SAMPLE
AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
COAL CREEK DRAINAGEWAY A-1 AT GARFIELD AVENUE
CITY OF LOUISVILLE

Agreement No. 20-02.26
Project No. 107315

Exhibit B

MEMORANDUM

This MEMORANDUM is entered into this _____ day of _____, 20__ by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT DOING BUSINESS AS MILE HIGH FLOOD DISTRICT, a quasi-governmental entity, whose address is 2480 West 26th Avenue, Suite 156-B, Denver, Colorado 80211 (hereinafter called "DISTRICT") and _____, a governmental entity, whose address is _____ (hereinafter called "CITY") and collectively known as "PARTIES";

WHEREAS, PARTIES entered into "Agreement Regarding Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for _____," Agreement No. _____ on or about _____, 20__, (hereinafter called "AGREEMENT"); and

WHEREAS, AGREEMENT is unrecorded, however PARTIES have agreed in AGREEMENT to record this MEMORANDUM in the records of the Clerk and Recorder of _____, State of Colorado, in order to put all who inquire on notice of AGREEMENT and in particular Paragraph 7.C of AGREEMENT; and

WHEREAS, in AGREEMENT, PARTIES agreed to participate equally (up to a maximum of \$_____ each) in the cost of the construction of drainage and flood control improvements for _____ within CITY boundaries which include _____ (hereinafter called "PROJECT"); and

WHEREAS, construction of PROJECT may require the acquisition by CITY of real property; and

WHEREAS, AGREEMENT further provides that CITY will own all real property required to construct the improvements and that CITY ownership of that real property shall be subject to the terms and conditions of AGREEMENT and in particular Paragraph 7.C of AGREEMENT; and

WHEREAS, Paragraph 7.C of AGREEMENT provides in appropriate part as follows:

"7.C. Ownership of Property and Limitation of Use. CITY shall own the property either in fee or non-revocable easement and shall be responsible for same. It is specifically understood that

the right-of-way is being used for drainage and flood control purposes. The properties upon which PROJECT is constructed shall not be used for any purpose that will diminish or preclude its use for drainage and flood control purposes. CITY may not dispose of or change the use of the properties without approval of DISTRICT. If, in the future, CITY disposes of any portion of or all of the properties acquired upon which PROJECT is constructed pursuant to this Agreement, changes the use of any portion or all of the properties upon which PROJECT is constructed pursuant to this Agreement, or modifies any of the improvements located on any portion of the properties upon which PROJECT is constructed pursuant to this Agreement, and CITY has not obtained the written approval of DISTRICT, prior to such action, CITY shall take any and all action necessary to reverse said unauthorized activity and return the properties and improvements thereon, acquired and constructed pursuant to this Agreement, to the ownership and condition they were in immediately prior to the unauthorized activity at CITY's sole expense. In the event CITY breaches the terms and provisions of this Paragraph 7.C and does not voluntarily cure as set forth above, DISTRICT shall have the right to pursue a claim against CITY for specific performance of this portion of the Agreement."; and

WHEREAS, CITY has just acquired the real property described in Exhibit Z attached hereto and incorporated herein by reference, as if set forth verbatim herein, pursuant to the terms and conditions of AGREEMENT for the construction of PROJECT; and

WHEREAS, PARTIES intend that the terms and provisions of AGREEMENT, including but not limited to Paragraph 7.C of AGREEMENT set forth verbatim above, shall apply to and control the real property described in Exhibit Z.

IT HAS BEEN AGREED previously in AGREEMENT by and between PARTIES that the terms and provisions of AGREEMENT, including but not limited to Paragraph 7.C of AGREEMENT set forth verbatim above shall apply to and control the real property described in Exhibit Z, now owned by CITY and that this MEMORANDUM be placed of record for the purposes of encumbering the real property described in Exhibit Z with the limitations and restrictions set forth in this MEMORANDUM.

This MEMORANDUM is not a complete summary of AGREEMENT. Provisions in this MEMORANDUM shall not be used in interpreting AGREEMENT's provision. In the event of conflict between this MEMORANDUM and the unrecorded AGREEMENT, the unrecorded AGREEMENT shall control.

MILE HIGH FLOOD DISTRICT

(SEAL)

By _____

ATTEST:

Title Executive Director

Date _____

Drainageway A-1 Improvements

July 28, 2020



Location

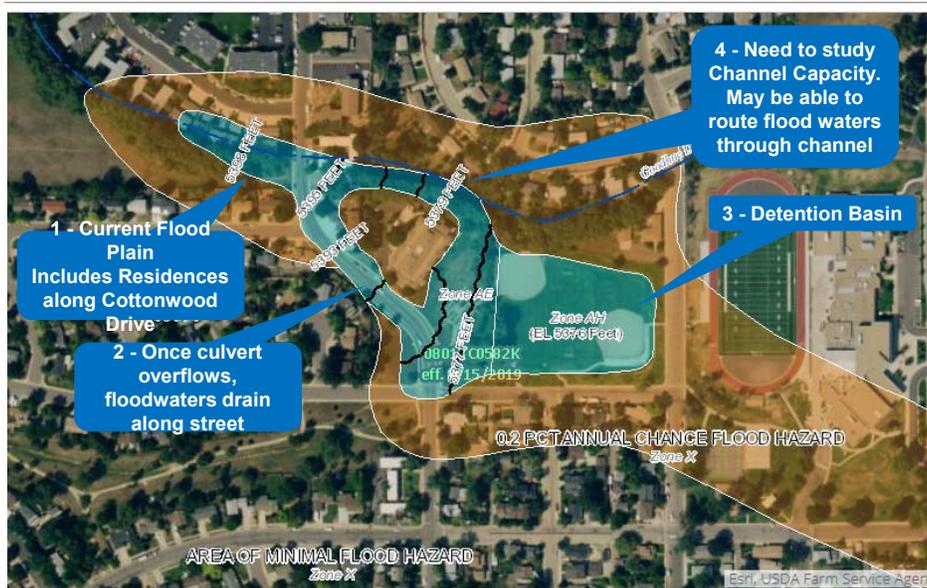
- Located south of the intersection of Cottonwood Drive and Garfield Avenue
- Existing Culvert conveys water under Garfield Avenue
- Upstream channel behind residences along Cottonwood Drive.
- Downstream channel leads to storm diversion structure to Lawrence D. Enrietto Park



History

- Channel upstream of culvert is located in a flood plain
- Culvert identified in Louisville/Lafayette Boundary System Master Plan for upsizing
- Currently sized for 10 year flood
- Residents have noticed backups upstream of the culvert

FEMA Flood Map



Project



Purpose

- Study the Existing Drainageway to more accurately estimate Flood Volume and Flowrate within the Channel
 - Residents in the area have informed the City of high water levels during and after normal rain events.
- Replace a culvert with a larger culvert to remove residents from the flood plain
 - A Letter of Map Revision will need to be submitted to the Floodplain Administrator
- Upgrade the downstream channel based on recommendations from the study

Schedule

- Q3 to Q4 2020 – Coordinate with Mile High Flood District to Study the Existing Drainageway
- Q1 to Q3 2021 – Create Design Documents to implement the Study's recommendations
- Q2 to Q3 2021 – Submit a Conditional Letter of Map Revision to the Local Flood Plain Administrator
- Q3 to Q4 2021 – Construction expected to occur in the Fall of 2021
- Q4 2021 – Upon construction acceptance, submit the Drainageway for inclusion in Mile High Flood District's maintenance program
- Q4 2021 – Submit Letter of Map Revision to the Local Flood Plain Administrator

Budget

YEAR	City Storm Sewer Fund	MHFD Funds	Yearly Totals	Notes
2020	\$483,258	\$379,549	\$862,807	Transfer from Bullhead Gulch at BNSF Fund
TOTAL	\$483,258	\$379,549	\$862,807	

- The Current Budget Utilizes the stormwater funding from the Bullhead Gulch project
- Project has been accounted for in the rate analysis and does not affect the current rates
- Class 4 (Study Range) engineering estimate is \$850,000 with a low of \$550,000 and high of \$1,280,000
- Initial Study budget \$85,000 (with contingency)

SUBJECT: **ORDINANCE NO. 1797, SERIES 2020 – AN ORDINANCE IMPOSING A DISPOSABLE BAG TAX OF TWENTY-FIVE CENTS PER BAG BEGINNING JANUARY 1, 2022 AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020 – 2nd READING, PUBLIC HEARING (advertised *Daily Camera* 7/19/20)**

**WITH PROPOSED SECOND READING AMENDMENTS:
AN ORDINANCE IMPOSING A DISPOSABLE BAG TAX OF
TWENTY-FIVE TEN CENTS PER BAG BEGINNING JANUARY 1,
2022 AND PROVIDING FOR THE SUBMISSION OF THE
ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT
THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020
TO AUTHORIZE IMPOSITION OF THE TAX IN AN AMOUNT NOT
TO EXCEED TWENTY-FIVE CENTS PER BAG**

DATE: **JULY 28, 2020**

PRESENTED BY: **EMILY HOGAN, ASSISTANT CITY MANAGER FOR
COMMUNICATIONS AND SPECIAL PROJECTS
MEGAN DAVIS, DEPUTY CITY MANAGER**

SUMMARY:

On June 16, 2020, City Council discussed several policy issues that were identified during the 2020 work planning process, and which would require voter consideration or further City Council action. For one of the issues, Council requested that staff bring draft ballot language for a single use bag tax.

This communication outlines additional information and draft ballot language for Council consideration. Ballot language must be adopted upon second reading at the July 28th Council meeting to meet the election deadline.

For any revenue generating ballot issues, staff has worked with the City Attorney and Bond Counsel on the ordinance and TABOR Notice. Measures that are adopted by Council will be placed on the ballot for voter consideration in the November 2020 election.

BACKGROUND:

During the previous discussion on ballot measures, Council directed staff to draft ballot language for a disposable bag tax. The estimated total of single-use bags distributed in Louisville is approximately 4.5 million bags or 25 tons per year. Per Council direction, the tax should be structured as follows:

- Applies to all retailers
- Includes a similar definition of single use bags and exemptions as the City of Boulder
- Restricts tax revenue to the program outreach and administration and other sustainability initiatives. The draft ordinance provides for earmarking of revenues, but also includes the authority to spend revenues on “other general purposes of the City.”
- A tax of \$0.25 per bag with \$0.10 retained by the retailer as a vendor fee and \$0.15 remitted to the City
- Start collecting January 1, 2022

Council also asked staff to provide additional information on the following:

- **Bagging requirements for marijuana products** – per Colorado marijuana rules, marijuana flowers, trim or seeds must be placed in a child-resistant exit package before the consumer exits the store. For products like edibles, the manufacturer must place the products in a child-resistant container before the products are transferred to the store. When a product is sold to a customer, the use of an exit package is optional. An exit package is defined as an opaque bag or other similar opaque covering provided at the point of sale in which the regulated product is placed. While a customer could bring a reusable, opaque bag, it would likely not be child-resistant and therefore not in compliance.
- **Potential to change scope of tax (i.e. all retailers, grocery/other retail only) over time** – see draft ballot language.
Ability to delay collection start date due to public health/safety reasons - Bond Counsel does not recommend a flexible start date for collection of the tax to be in compliance with TABOR. The City Council should pick a start date because TABOR requires the tax increase numbers for the first full fiscal year. The City does not need to impose the entire \$0.25 tax, however, and can be flexible on the amount.

Estimated Benefits/Costs:

Revenue for a tax is based on the rate of behavior change after a tax is implemented. Below is the scenario if the City were to adopt a bag tax of **\$0.25 per bag for all retailers in Louisville.**

Section 3.20.020(51) of the City’s Sales/Use Tax Code defines retailer as “any person selling, leasing, renting, or granting a license to use tangible personal property or services at retail. Retailer shall include but is not limited to, any: (1) auctioneer; (2) salesperson, representative, peddler or canvasser, who makes sales as a direct or indirect agent of, or obtains such property or services sold from a dealer, distributor, supervisor or employer; (3) charitable organization or governmental entity which makes

sales of tangible personal property to the public, notwithstanding the fact that the merchandise sold may have been acquired by gift or donation or that the proceeds are to be used for charitable or governmental purposes; (4) retailer-contractor, when acting in the capacity of a seller of building supplies, construction materials, and other tangible personal property.”

Rate of Behavior Change	65%	75%	85%
Benefits			
Reduction in waste	2.925 million bags	3.375 million bags	3.825 million bags
Bags remaining	1.575 million bags	1.125 million bags	675,000 bags
Revenue generated	\$393,750	\$281,250	\$168,750
Maximum revenue generated*	\$2 million	\$1.4 million	\$850,000
Business/City breakdown (40%/60%)	\$157,500/\$236,250	\$112,500/\$168,750	\$67,500/\$101,250
Costs			
Marketing/training	\$60,000 (year 1 only)	\$60,000 (year 1 only)	\$60,000 (year 1 only)
Education/outreach & administration**	\$30,000 (ongoing)	\$30,000 (ongoing)	\$30,000 (ongoing)
Low income resources***	\$15,000 (ongoing)	\$15,000 (ongoing)	\$15,000 (ongoing)
Total			
Net revenue for City	Year 1: \$131,250 Year 2+: \$191,250	Year 1: \$63,750 Year 2+: \$123,750	Year 1: (\$3,750) Year 2+: \$56,250

*Maximum revenue generated was estimated in the ballot language to comply with TABOR and to ensure that the revenue collected did not exceed the City’s estimate for the first year. Based on the lowest rate of behavior change (65%), there is an estimated annual revenue of \$400,000. With the potential for future land use development and additional single use bags in Louisville, staff is using an estimate of \$2,000,000 annually.

**\$25,000 was included for part-time staff and software modifications to administer the program for the City. Staff finds that administering the tax for all retailers in Louisville would be burdensome and require additional staff time to track and follow-up on for compliance. The remaining \$5,000 is for ongoing education/outreach.

***\$15,000 was included for assistance to low-income residents. Support for low-income residents could include targeted outreach with rebates and resources and/or reusable bag program.

In summary, as the rate of behavior increases and the number of single-use bags is reduced, the program's costs increase. As the rate of behavior increases, there are fewer bags to taxed and less tax revenue as a result. While the City would be successful in reducing a greater number of disposable bags, it would also be responsible for costs beyond what is generated through tax revenue.

Peer Communities:

The City of Boulder adopted a single use bag fee in 2013, which is \$0.10 per disposable plastic or paper bag used at checkout. \$0.04 of the fee is to be retained by the retailer to cover costs of ordinance compliance and \$0.06 is to be remitted to the City. Boulder defines single-use bags as disposable plastic and paper bags and the fee does not apply to restaurants, bulk or produce bags, newspaper bags or any other kind of food packaging bags.

The fee applies to all grocery stores that operate year-round and are full-line self-service markets that sell a line of staple foodstuffs, meats, produce, dairy products or other perishable items. This does not include restaurants, temporary vendors, vendors at the Farmers' Market, or businesses where food is an incidental part of the business (less than 2% of gross sales). The fee also does not apply to anyone who participates in federal or state food assistance programs.

Grocery stores are required to display signage and record the number of disposable bags provided and the total fees charged on the customer receipt. Additionally, all paper bags distributed at affected stores must be 100% recyclable and contain at least 40% post-consumer recycled content.

Retailers remit the City's portion of the fee quarterly with a return form that is mailed to each affected business. This revenue can be used for the following:

- Administrative costs associated with developing and implementing the fee
- Providing reusable bags to the community
- Educating residents, businesses and visitors about the impacts of disposable bags
- Funding programs and infrastructure that allows the community to reduce waste associated with disposal bags
- Purchasing and installing equipment to minimize bag pollution, such as recycling containers
- Funding community cleanup events
- Mitigating the effects of disposable bags on the City's drainage system and environment

Boulder staff reported a 70% decrease in single use bags immediately following adoption of the bag fee. However, that trend leveled off quickly. Several other communities in Colorado have adopted a similar fee. The charge ranges from \$0.10 to \$0.20 (see attached).

Future Ban or Elimination of Tax:

Per the City Attorney, the City could adopt ballot language that provides that the tax would no longer be in effect if single use bags are later prohibited within the City, but this would not be necessary because if there was a ban, there would be no taxable transactions. Council also has the authority to eliminate the tax if the State lifts the local preemption and Council votes to ban single-use bags.

Alternative Language:

At first reading on July 14th, Council requested that staff prepare alternative ballot language that is more similar to the City of Boulder’s single use bag program (see attached). If adopted the tax would be structured as follows:

- Applies to grocery stores only
- Includes a similar definition of single use bags and exemptions as the City of Boulder
- Restricts tax revenue to the program outreach and administration and other sustainability initiatives. The draft ordinance provides for earmarking of revenues, but also includes the authority to spend revenues on “other general purposes of the City.”
- A tax of \$0.10 per bag with \$0.04 retained by the retailer as a vendor fee and \$0.06 remitted to the City
- Start collecting January 1, 2022

Estimated Benefits/Costs:

Below is the scenario if the City were to adopt a bag tax of **\$0.10 per bag for grocery stores in Louisville.**

Rate of Behavior Change	65%	75%	85%
Benefits			
Reduction in waste	2.925 million bags	3.375 million bags	3.825 million bags
Bags remaining	1.575 million bags	1.125 million bags	675,000 bags
Revenue generated	\$157,500	\$112,500	\$67,500
Maximum revenue generated*	\$800,000	\$600,000	\$400,000

Business/City breakdown (40%/60%)	\$63,000/\$94,500	\$45,000/\$67,500	\$27,000/\$40,500
Costs			
Marketing/training	\$60,000 (year 1 only)	\$60,000 (year 1 only)	\$60,000 (year 1 only)
Education/outreach & administration**	\$10,000 (ongoing)	\$10,000 (ongoing)	\$10,000 (ongoing)
Low income resources***	\$10,000 (ongoing)	\$10,000 (ongoing)	\$10,000 (ongoing)
Total			
Net revenue for City	Year 1: \$14,500 Year 2+: \$74,500	Year 1: \$(12,500) Year 2+: \$47,500	Year 1: (\$39,500) Year 2+: \$20,500

*Maximum revenue generated was estimated in the ballot language to comply with TABOR and to ensure that the revenue collected did not exceed the City's estimate for the first year. Based on the lowest rate of behavior change (65%), there is an estimated annual revenue of \$157,500. With the potential for future land use development and additional single use bags in Louisville, staff is using an estimate of \$800,000 annually.

**\$5,000 was included for software modifications to administer the program for the City. Staff finds that administering the tax for grocery stores only would not require a significant amount of staff time to track and follow-up on compliance and the administrative burden would be minimal. The remaining \$5,000 is for ongoing education/outreach.

***\$10,000 was included for low income resources. Low-income funding could be used for targeted outreach with rebates and resources and/or reusable bag program.

As the rate of behavior increases and the number of single-use bags is reduced, the program's cost increases. However, the revenue/program costs are lower if the tax is only adopted for grocery stores.

PUBLIC COMMENT:

Staff has attached any emails received as public comment.

RECOMMENDATION:

Staff recommends that City Council approve Ordinance No. 1797, Series 2020 on second reading with any desired changes.

FISCAL IMPACT:

Council is considering one ballot measure for the 2020 election. The ballot measure has a fiscal impact on City revenue and expenditures, those details are contained within the analysis above.

The ballot measure could likely be administered within existing City staffing and resources. A single-use bag tax for all retailers and sales tax for renewable energy would have a large administrative impact. The additional workload would include:

- Set-up costs (recoding tax accounts for new taxes, creating online forms for remitting)
- Forms/remittal processing
- Auditing
- Enforcement

The administration of these taxes would require one additional staff to administer. The cost of one additional employee at this level would be \$63,000, including benefits. The revenue generated from the tax could be utilized to fund this position.

Boulder County administers elections for the City, and there is also a cost to the City to place ballot measures on the ballot. The City has budgeted funds to support election costs associated with municipal ballot measures, and the inclusion of this measure on the ballot would be within our current budget.

PROGRAM/SUB-PROGRAM IMPACT:

The ballot measure would support several of the City’s program and subprogram areas. The Governance and Administration subprogram of governance based on thorough understanding of the community’s diverse interests executed through clear and effective policy direction. Sustainability subprogram to actively reduce environmental impacts.

ATTACHMENT(S):

1. Ordinance No. 1797, Series 2020
2. Ordinance No, 1797, Series 2020 – Alternative Language
3. City of Boulder Disposable Bag Fee Ordinance
4. Summary of Communities’ Bag Fees
5. Public Comment Emails

STRATEGIC PLAN IMPACT:

<input checked="" type="checkbox"/>		Financial Stewardship & Asset Management	<input type="checkbox"/>		Reliable Core Services
<input checked="" type="checkbox"/>		Vibrant Economic Climate	<input checked="" type="checkbox"/>		Quality Programs & Amenities

SUBJECT: ORDINANCE NO. 1797, SERIES 2020

DATE: JULY 28, 2020

PAGE 8 OF 8

<input checked="" type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input checked="" type="checkbox"/>	 Collaborative Regional Partner

**ORDINANCE NO. 1797
SERIES 2020**

AN ORDINANCE IMPOSING A DISPOSABLE BAG TAX OF TWENTY-FIVE CENTS PER BAG BEGINNING JANUARY 1, 2022 AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020

WHEREAS, the City of Louisville (the “City”) is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”); and

WHEREAS, the members of the City Council of the City (the “City Council”) have been duly elected and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution, also referred to as the Taxpayer’s Bill of Rights (“TABOR”), requires voter approval for any new tax, any increase in any tax rate, the creation of any debt, and the spending of certain funds above limits established by TABOR; and

WHEREAS, pursuant to Article 12 and Section 4-8 of the City Charter, the City Council may authorize the imposition of new taxes by ordinance and upon approval of the registered electors of the City; and

WHEREAS, pursuant to Section 7-6 of the City Charter, the City Council may submit any measure to a vote of the registered electors of the City, without receipt of any petition; and

WHEREAS, the City Council has by resolution called a special election to be held on November 3, 2020 as a coordinated election pursuant to the Uniform Election Code of 1992, as amended; and

WHEREAS, TABOR requires that the City submit ballot issues, as defined in TABOR, to the City’s registered electors on specified election days before action can be taken on such ballot issues; and

WHEREAS, November 3, 2020, is one of the election dates at which TABOR ballot issues may be submitted to the registered electors of the City pursuant to TABOR; and

WHEREAS, the City’s Sustainability Action Plan identifies several strategies aimed at “achieving zero waste and managing resources responsibly and effectively,” and external strategies developed to achieve this goal include “promoting recyclable substitutes/replacements for single-use, throw-away items” such a disposable bags; and

WHEREAS, the estimated total of disposable bags distributed in the City is approximately 4.5 million bags or 25 tons per year; and

WHEREAS, the City Council finds that use of disposable bags has severe impacts on the environment on a local and global scale, including greenhouse gas emissions, litter, harm to wildlife, atmospheric acidification, water consumption, and solid waste generation; and

WHEREAS, despite recycling and voluntary solutions to control pollution from disposable bags, many disposable bags ultimately are disposed of in landfills, litter the environment, block storm drains, and endanger wildlife; and

WHEREAS, the City’s taxpayers are currently bearing the costs associated with the effects of disposable bags on the solid waste stream, drainage, litter, and wildlife; and

WHEREAS, the City Council finds that adoption of this ordinance referring to the voters at the November 3, 2020 election the TABOR ballot issue set forth herein concerning the imposition of a disposable bag tax, will protect the public health, safety, and welfare, and provide revenues necessary to implement the City’s sustainability-related initiatives and further the goals set forth in the City’s Sustainability Action Plan.

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

Section 1. A special municipal election will be held in the City of Louisville, County of Boulder, State of Colorado on Tuesday, November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m. (the “Election”).

Section 2. Pursuant to the applicable provisions of the laws of the State of Colorado and the City Charter, the City Council hereby submits to the registered electors of the City at the Election the ballot issue specified in Section 3 of this ordinance.

Section 3. The following ballot issue, certified in substantially the form set forth below, is hereby referred to the registered electors of the City and shall appear on the ballot of the Election:

BALLOT ISSUE NO. _____

DISPOSABLE BAG TAX

SHALL CITY OF LOUISVILLE TAXES BE INCREASED BY \$2,000,000 IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2022, A NEW TAX ON DISPOSABLE BAGS PROVIDED TO A CUSTOMER BY A RETAILER AT THE RATE OF UP TO TWENTY-FIVE CENTS (\$0.25) PER BAG, WITH THE TAX REVENUES BEING USED TO PAY FOR OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED FOR ADMINISTERING THE TAX OR EXPENDED BY THE CITY FOR OTHER SUSTAINABILITY-RELATED INITIATIVES AND PROGRAMS, AND FOR OTHER

GENERAL PURPOSES OF THE CITY; WITH THE AMOUNT OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE AMOUNT OF THE TAX DOES NOT EXCEED \$0.25 PER BAG, IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE; AND WITH THE CITY COUNCIL BEING AUTHORIZED TO MAKE SUCH CHANGES TO THE DISPOSABLE BAG TAX PROGRAM AS MAY BE IMPLEMENTED BY ORDINANCES HEREAFTER ADOPTED BY THE CITY COUNCIL, INCLUDING CHANGING WHICH RETAILERS MUST COLLECT THE TAX, PROVIDING FOR OR REPEALING EXEMPTIONS FROM THE TAX OR TAX CREDITS, OR CHANGING THE RATE OF THE TAX, SO LONG AS THE TAX DOES NOT EXCEED TWENTY-FIVE CENTS (\$0.25) PER BAG; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION, AND SHALL ORDINANCE NO. 1797, SERIES 2020, WHICH IMPOSES THE TAX, BE APPROVED?

YES _____

NO _____

Section 4. If a majority of the registered electors voting at the Election vote “yes” in response to the ballot issue specified in Section 3 of this ordinance, the issue shall be deemed to have passed and the Louisville Municipal Code shall be amended as set forth in Section 5 of this ordinance.

Section 5. Title 3 of the Louisville Municipal Code is hereby amended by a new Chapter 3.34 to read as follows:

TITLE 3 – REVENUE AND FINANCE

Chapter 3.34 – Disposable Bag Tax

Sec. 3.34.010. Purpose and legislative intent.

The purpose of this Chapter is to protect the public health, safety, and welfare and implement the City’s Sustainability Action Plan, as the same may be amended time to time by the City Council. The City Council finds the disposable bag tax set forth herein is reasonable and necessary to address the environmental problems associated with disposable bags and to relieve the City’s taxpayers the costs imposed upon the City associated with the use of disposable bags. The purpose of this tax is to increase the revenue base for the City to pay or reimburse the City for direct and indirect costs incurred or expended by the City for administration of the disposable bag tax and to provide revenues for other sustainability-related initiatives of the City. Revenues from the tax shall be

deposited in the general fund and shall be available to pay for the expenses as set forth in this Chapter.

Sec. 3.34.020. Definitions.

As used in this Chapter, unless the context clearly demonstrates otherwise, words and phrases shall have the meanings as defined in Section 3.20.020 of this Code. In addition, the following words and phrases shall have the following meanings:

A. *Disposable bag* means a bag that is not a reusable bag. Disposable bag does not include:

1. Bags used by consumers inside stores to:
 - (a) Package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items;
 - (b) Contain or wrap frozen foods, meat, or fish;
 - (c) Contain or wrap flowers, potted plants, or other items where dampness may be a problem;
 - (d) Contain unwrapped prepared foods or bakery goods; or
 - (e) A non-handled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recyclable paper bag or reusable bag.
2. Bags provided by pharmacists to contain prescription drugs.
3. Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags for uses such as food storage, garbage, pet waste, or yard waste bags.

B. *Disposable bag tax* means the tax imposed by this Chapter and required to be paid by each consumer making a purchase from a retailer for each disposable bag used during the purchase.

C. *Food store* means a retail establishment or business located within the City in a permanent building, operating year round, that is a full-line, self-service market and that sells a line of staple foodstuffs, meats, produce, or dairy products or other perishable items.

D. *Recycled paper bag* means a paper bag that is one hundred percent (100%) recyclable and contains at least forty percent (40%) post-consumer recycled content.

E. *Retailer* shall have the meaning set forth in Section 3.20.020 of this Code, except that, for the purposes of this Chapter, “retailer” does not include:

1. Temporary vending establishments for fruits, vegetables, packaged meats, and dairy;
2. Vendors at farmer’s markets or other temporary events;
3. Businesses at which foodstuffs are an incidental part of the business. Food sales will be considered “incidental” if such sales comprise no more than two percent (2%) of the business’s gross sales in the City as measured by the dollar value of food sales as a percentage of the dollar value of total sales at any single location.

F. *Reusable bag* means a bag that is:

1. Designed and manufactured to withstand repeated uses over a period of time;
2. Made from a material that can be cleaned and disinfected regularly;
3. At least 2.25 mil thick if made from plastic;
4. Has a minimum lifetime of seventy-five (75) uses; and
5. Has the capability of carrying a minimum of eighteen (18) pounds.

Sec. 3.34.030. Imposition and amount of tax; vendor liable for tax; vendor’s fee.

A. In addition to any other tax imposed by law, there is levied and shall be paid and collected a disposable bag tax of twenty-five cents (\$0.25) per bag.

B. Each retailer within the City shall collect, remit, and pay the tax for each disposable bag provided to a customer.

C. Retailers shall record the number of disposable bags provided and the total amount of disposable bag taxes charged on the customer transaction receipt.

D. A Retailer shall not refund to the customer any part of the disposable bag tax, nor shall a retailer advertise or state to customers that any part of the disposable bag tax will be refunded to the customer.

E. A retailer shall not exempt any customer from any part of the disposable bag tax for any reason except as set forth in Section 3.34.120, "Exceptions."

F. A retailer may retain ten cents (\$0.10) of each disposable bag tax collected as a vendor's fee, which shall not be classified as revenue for the purpose of calculating sales tax, and which may be used for the following purposes:

1. Provide educational information about the disposable bag tax to customers;
2. Provide the signage required by Section 3.34.100;
3. Train staff in the implementation and administration of the tax;
4. Improve or alter infrastructure to allow for the implementation, collection, and administration of the tax;
5. Collect, account for, and remit the tax to the City;
6. Develop and display informational signage to inform customers about the tax, encourage the use of reusable bags, or promote the recycling of plastic bags; and
7. Improve infrastructure to increase plastic bag recycling.

Sec. 3.34.040. Taxes collected are held in trust.

All sums of money paid by a person as the disposable bag tax imposed by this Chapter are public monies that are the property of the City. The person required to collect and remit the tax shall hold such monies in trust for the sole use and benefit of the City until paying them to the City.

Sec. 3.34.050. Licensing; filing of returns; recordkeeping.

A. Every person with a duty to collect the tax imposed by this Chapter shall obtain a license as set forth in Section 3.20.402 of this Code to collect the tax,

report such taxes collected on forms prescribed by the Finance Director, and remit such taxes to the City in accordance with the required reporting period for sales taxes and file such returns as provided in Section 3.20.406 of this Code. Any due date, payment date, or deadline for paying tax due, providing information, or taking other action that falls on a Saturday, Sunday, or legal holiday recognized by either the federal government or State of Colorado shall be extended to the first business day following such weekend or holiday.

B. Date of payment shall be evidenced by the postmark date if mailed or by the date the City receives confirmation that the funds have been received through ACH payment; otherwise, date of payment shall be evidenced by the date on the receipt issued by the City cashier. For good cause shown, and upon written request of the taxpayer, the Finance Director may extend the time for making returns and paying tax due. The request must be received by the Finance Director no later than two (2) days prior to the date the return is due. The Finance Director may also, upon advance written request of the taxpayer and in the Finance Director's sole discretion, authorize the filing of returns and payment of taxes at such intervals as will better accommodate the convenience of the taxpayer. The Finance Director may grant such request if it is determined, in the Finance Director's sole discretion, that the collection of the tax will not be jeopardized, that the realization of amounts owed will not be delayed, and that administrative hardship to the City will not be caused by reason of the granting of such request. Authorization for such alternate method of reporting may be revoked by the Finance Director if the taxpayer becomes delinquent or if the Finance Director otherwise determines in the Finance Director's sole discretion that such alternative method will jeopardize collection of the tax, result in delay of amounts owed, or otherwise cause administrative hardship to the City. Immediately following notice of such revocation, the taxpayer shall file returns and pay tax as otherwise required by this Chapter.

C. A taxpayer engaged in business at two or more locations within the City may file one disposable bag tax return for all such locations, when accompanied by a supplemental schedule showing the tax due for each location.

Sec. 3.34.060. Books and records to be preserved.

It is the duty of every taxpayer to keep and preserve records pertaining to the disposable bag tax imposed by this Chapter in accordance with and for the time periods set forth in Section 3.20.070 of this Code ("Duty to keep records"). If the taxpayer does not provide files in an organized format and the City's auditors must go through the taxpayer's files, folders, boxes, or other documents or records, in any form, in order to obtain records for audit, or if the taxpayer fails to provide information in a timely fashion, the City shall be entitled to charge an hourly fee for time spent organizing, gathering, or in any way assembling the taxpayer's records for audit. Such fee shall be set by the City Manager, or the Finance Director

as the Manager's designee, and shall be based on the actual labor costs incurred by the City for such time spent.

Sec. 3.34.070. Interest and penalties for failure to file tax return or pay tax.

Penalties and interest for failure of a person to collect the tax imposed by this Chapter or to make a return and remit the correct amount of tax required by this Chapter and the procedures for enforcing such penalties shall be as set forth in Section 3.20.430 of this Code ("Penalties and interest for failure to file tax return or pay tax.").

Sec. 3.34.080. Refunds.

Procedures for refunds for overpayment of taxes paid under this Chapter are as set forth in Section 3.20.420 of this Code.

Sec. 3.34.090. Assessment and enforcement of tax liability; liens; dispute resolution; hearings; appeals.

A. The procedure for assessment of taxes under this Chapter shall be as set forth in Section 3.20.425 of this Code.

B. The tax imposed by this Chapter, together with all interest and penalties pertaining thereto, is a first and prior lien on tangible personal property in which the person responsible to collect and remit the tax has an ownership interest, subject only to valid mortgages or other liens of record at the time or and prior to the recording of a notice of lien as provided in Section 3.20.460 of this Code.

C. The provisions of Sections 3.20.060 ("Statute of limitations"), 3.20.400 ("Authority of Finance Director"), 3.20.455 ("Cost of collection"), 3.20.465 ("Foreclosure by distraint"), 3.20.470 ("Jeopardy assessment"), 3.20.475 ("Recovery by action at law"), 3.20.480 (Certification of delinquent tax to County"), and 3.20.485 (Other remedies; compromise") of this Code govern the authority of the Finance Director to collect the taxes, penalties, and interest imposed by this Chapter and to impose the cost of collection of the same.

D. The provisions of 3.20.500 ("Tax disputes"), 3.20.510 ("Procedure for refund of disputed tax"), 3.20.520 ("Administrative hearings"), and 3.20.530 ("Time limitation for hearing requests") of this Code govern disputes and hearings for the same that arise under this Chapter.

E. A taxpayer aggrieved by the final decision of the Finance Director after a hearing may have the same reviewed by the District Court. The procedure of review shall be in accordance with Rule 106 of the Colorado Rules of Civil Procedure. The petition or complaint for District Court review must be filed within 30 days from the date of the final decision of the Finance Director. Any party,

including the City, may appeal the final order or decision of the Finance Director and, also, the decision of the District Court (or such other tribunal having jurisdiction), using all judicial, appellate, and extraordinary proceedings available.

Sec. 3.34.100 Required signage for retailers.

Every retailer subject to the collection of the disposable bag tax shall display a sign in a location outside or inside of the business, viewable by customers, alerting customers to the City's disposable bag fee.

Sec. 3.34.110 Requirement for disposable paper bags.

No retailer shall provide any paper bag that is not a recycled paper bag.

Sec. 3.34.120 Exemptions.

The provision of disposable bags to a customer who is a participant in a federal or state food assistance program is from the imposition of tax levied by Section 3.34.030. The burden of proving that any taxpayer is exempt from collecting or paying sales tax shall be on the taxpayer.

Sec. 3.34.130 Unlawful acts.

It shall be unlawful for any retailer, consumer or any other person subject to this Chapter:

- A. To fail to make any required return by the due date;
- B. To make any false or fraudulent return or other filing under this chapter;
- C. To make any false statements in any return or in any other filing permitted or required by this chapter;
- D. To fail to make payment to the finance director by the due date of any taxes collected or due the City, or any interest or penalty due the City;
- E. To evade the collection or payment of any taxes collected or due the city or the payment of interest or penalty due the City;
- F. To fail to pay by the due date such tax, interest, penalty;
- G. To aid or abet another in any attempt to evade payment of such tax, interest, or penalty;

H. To issue to the City a check in payment of any taxes collected or due the City or in payment of penalty or interest due the City, which check is dishonored by the drawee of the check. In any prosecution for a violation of this subsection, introduction of the check dishonored by the drawee, bearing notice of such dishonor from the drawee, shall constitute in evidence a prima facie showing that such check was issued by the drawer at a time when the drawer had on deposit with the drawee insufficient funds to allow the drawee to honor the check on presentment; or

I. To violate any other provision of this Chapter.

Sec. 3.34.140 Violation; penalty.

A. It is unlawful to violate any of the provisions of this Chapter. Any person convicted of violating any of the provisions of this Chapter shall be subject to the general penalty provisions set forth in Section 1.28.010 of this Code, unless otherwise expressly provided in this chapter.

B. Each and every 24-hour period of violation of this chapter constitutes a distinct and separate violation of this Chapter, subject to the penalties prescribed in Section 1.28.010 of this Code.

C. Prosecution of any person for violation of this Chapter shall not reduce, eliminate or suspend any person's obligation to fulfill the requirements of this chapter or make payment of any taxes, penalties, fines or interest due hereunder and shall not limit the ability of the city to proceed under this Chapter to collect taxes under a civil suit or other method of collection.

Section 6. City tax revenues are estimated to increase by up to \$2,000,000 the first full fiscal year in which the tax provided for in this ordinance is in effect. However, the revenues from said sales and use tax may be collected and spent, regardless of whether said revenues, in any year after the first full year in which said sales and use tax is in effect, exceed the estimated dollar amount stated above, and without any other limitation or condition, and without limiting the collection or spending of any other revenues or funds by the City of Louisville, under Article X, Section 20 of the Colorado Constitution or any other law.

Section 7. The provisions of this ordinance shall take effect, following passage and approval thereof as provided in Section 4, on January 1, 2022.

Section 8. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council and the registered voters of the City hereby declare that they would have passed and approved this ordinance and each part hereof irrespective of the fact that any one part be declared invalid. The tax established by this measure is intended to be authorized under any lawful means of taxation.

Section 9. The repeal or modification of any provision of the Municipal Code of the City

of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 10. Pursuant to Article XX of the Colorado Constitution and the City Charter, all state statutes that might otherwise apply in connection with the provisions of this ordinance (including, without limitation C.R.S. § 31-11-111) are hereby superseded to the extent of any inconsistencies or conflicts between the provisions of this ordinance and such statutes. Any such inconsistency or conflict is intended by the City Council and shall be deemed made pursuant to the authority of Article XX of the Colorado Constitution and the City Charter.

Section 11. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this 14th day of July, 2020.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly PC
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this 28th day of July, 2020.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

PROPOSED SECOND READING AMENDMENTS

Proposed Second Reading Amendments

Ordinance No. 1797, Series 2020 is revised to read as follows (amendments are shown in **bold underline** and ~~**bold-strikeout**~~):

ORDINANCE NO. 1797 SERIES 2020

AN ORDINANCE IMPOSING A DISPOSABLE BAG TAX OF ~~TWENTY-FIVE~~ TEN CENTS PER BAG BEGINNING JANUARY 1, 2022 AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 3, 2020 TO AUTHORIZE IMPOSITION OF THE TAX IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE CENTS PER BAG.

WHEREAS, the City of Louisville (the “City”) is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”); and

WHEREAS, the members of the City Council of the City (the “City Council”) have been duly elected and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution, also referred to as the Taxpayer’s Bill of Rights (“TABOR”), requires voter approval for any new tax, any increase in any tax rate, the creation of any debt, and the spending of certain funds above limits established by TABOR; and

WHEREAS, pursuant to Article 12 and Section 4-8 of the City Charter, the City Council may authorize the imposition of new taxes by ordinance and upon approval of the registered electors of the City; and

WHEREAS, pursuant to Section 7-6 of the City Charter, the City Council may submit any measure to a vote of the registered electors of the City, without receipt of any petition; and

WHEREAS, the City Council has by resolution called a special election to be held on November 3, 2020 as a coordinated election pursuant to the Uniform Election Code of 1992, as amended; and

WHEREAS, TABOR requires that the City submit ballot issues, as defined in TABOR, to the City’s registered electors on specified election days before action can be taken on such ballot issues; and

PROPOSED SECOND READING AMENDMENTS

WHEREAS, November 3, 2020, is one of the election dates at which TABOR ballot issues may be submitted to the registered electors of the City pursuant to TABOR; and

WHEREAS, the City's Sustainability Action Plan identifies several strategies aimed at "achieving zero waste and managing resources responsibly and effectively," and external strategies developed to achieve this goal include "promoting recyclable substitutes/replacements for single-use, throw-away items" such as disposable bags; and

WHEREAS, the estimated total of disposable bags distributed in the City is approximately 4.5 million bags or 25 tons per year; and

WHEREAS, the City Council finds that use of disposable bags has severe impacts on the environment on a local and global scale, including greenhouse gas emissions, litter, harm to wildlife, atmospheric acidification, water consumption, and solid waste generation; and

WHEREAS, despite recycling and voluntary solutions to control pollution from disposable bags, many disposable bags ultimately are disposed of in landfills, litter the environment, block storm drains, and endanger wildlife; and

WHEREAS, the City's taxpayers are currently bearing the costs associated with the effects of disposable bags on the solid waste stream, drainage, litter, and wildlife; and

WHEREAS, the City Council finds that adoption of this ordinance referring to the voters at the November 3, 2020 election the TABOR ballot issue set forth herein concerning the imposition of a disposable bag tax, will protect the public health, safety, and welfare, and provide revenues necessary to implement the City's sustainability-related initiatives and further the goals set forth in the City's Sustainability Action Plan.

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

Section 1. A special municipal election will be held in the City of Louisville, County of Boulder, State of Colorado on Tuesday, November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m. (the "Election").

Section 2. Pursuant to the applicable provisions of the laws of the State of Colorado and the City Charter, the City Council hereby submits to the registered electors of the City at the Election the ballot issue specified in Section 3 of this ordinance.

Section 3. The following ballot issue, certified in substantially the form set forth below, is hereby referred to the registered electors of the City and shall appear on the ballot of the Election:

PROPOSED SECOND READING AMENDMENTS

BALLOT ISSUE NO. _____

DISPOSABLE BAG TAX

SHALL CITY OF LOUISVILLE TAXES BE INCREASED BY ~~\$2,000,000~~ \$800,000 IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2022, A NEW TAX ON DISPOSABLE BAGS PROVIDED TO A CUSTOMER BY A **RETAILER FOOD STORE** AT THE RATE OF ~~UP TO TWENTY-FIVE CENTS (\$0.25)~~ TEN CENTS (\$0.10) PER BAG, WITH THE TAX REVENUES BEING USED TO PAY FOR OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED FOR ADMINISTERING THE TAX OR EXPENDED BY THE CITY FOR OTHER SUSTAINABILITY-RELATED INITIATIVES AND PROGRAMS, AND FOR OTHER GENERAL PURPOSES OF THE CITY; WITH THE AMOUNT OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE AMOUNT OF THE TAX DOES NOT EXCEED TWENTY-FIVE CENTS (\$0.25) PER BAG, IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE; AND WITH THE CITY COUNCIL BEING AUTHORIZED TO MAKE SUCH CHANGES TO THE DISPOSABLE BAG TAX PROGRAM AS MAY BE IMPLEMENTED BY ORDINANCES HEREAFTER ADOPTED BY THE CITY COUNCIL, INCLUDING CHANGING WHICH **RETAILERS BUSINESSES** MUST COLLECT THE TAX, PROVIDING FOR OR REPEALING EXEMPTIONS FROM THE TAX OR TAX CREDITS, OR CHANGING THE RATE OF THE TAX, SO LONG AS THE TAX DOES NOT EXCEED TWENTY-FIVE CENTS (\$0.25) PER BAG; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION, AND SHALL ORDINANCE NO. 1797, SERIES 2020, WHICH IMPOSES THE TAX, BE APPROVED?

YES _____

NO _____

Section 4. If a majority of the registered electors voting at the Election vote “yes” in response to the ballot issue specified in Section 3 of this ordinance, the issue shall be deemed to have passed and the Louisville Municipal Code shall be amended as set forth in Section 5 of this ordinance.

PROPOSED SECOND READING AMENDMENTS

Section 5. Title 3 of the Louisville Municipal Code is hereby amended by a new Chapter 3.34 to read as follows:

TITLE 3 – REVENUE AND FINANCE

Chapter 3.34 – Disposable Bag Tax

Sec. 3.34.010. Purpose and legislative intent.

The purpose of this Chapter is to protect the public health, safety, and welfare and implement the City’s Sustainability Action Plan, as the same may be amended time to time by the City Council. The City Council finds the disposable bag tax set forth herein is reasonable and necessary to address the environmental problems associated with disposable bags and to relieve the City’s taxpayers the costs imposed upon the City associated with the use of disposable bags. The purpose of this tax is to increase the revenue base for the City to pay or reimburse the City for direct and indirect costs incurred or expended by the City for administration of the disposable bag tax and to provide revenues for other sustainability-related initiatives of the City. Revenues from the tax shall be deposited in the general fund and shall be available to pay for the expenses as set forth in this Chapter.

Sec. 3.34.020. Definitions.

As used in this Chapter, unless the context clearly demonstrates otherwise, words and phrases shall have the meanings as defined in Section 3.20.020 of this Code. In addition, the following words and phrases shall have the following meanings:

A. *Disposable bag* means a bag that is not a reusable bag. Disposable bag does not include:

1. Bags used by consumers inside stores to:
 - (a) Package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items;
 - (b) Contain or wrap frozen foods, meat, or fish;
 - (c) Contain or wrap flowers, potted plants, or other items where dampness may be a problem;

PROPOSED SECOND READING AMENDMENTS

- (d) Contain unwrapped prepared foods or bakery goods;
or
 - (e) A non-handled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recyclable paper bag or reusable bag.
2. Bags provided by pharmacists to contain prescription drugs.
 3. Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags for uses such a food storage, garbage, pet waste, or yard waste bags.

B. *Disposable bag tax* means the tax imposed by this Chapter and required to be paid by each consumer making a purchase from a ~~retailer~~ **food store** for each disposable bag used during the purchase.

C. *Food store* means a retail establishment or business located within the City in a permanent building, operating year round, that is a full-line, self-service market and that sells a line of staple foodstuffs, meats, produce, or dairy products or other perishable items, **except that, for the purposes of this Chapter, “food store” does not include:**

- 1. Temporary vending establishments for fruits, vegetables, packaged meats, and dairy;**
- 2. Vendors at farmer’s markets or other temporary events;**
- 3. Businesses at which foodstuffs are an incidental part of the business. Food sales will be considered “incidental” if such sales comprise no more than two percent (2%) of the business’s gross sales in the City as measured by the dollar value of food sales as a percentage of the dollar value of total sales at any single location.**

D. *Recycled paper bag* means a paper bag that is one hundred percent (100%) recyclable and contains at least forty percent (40%) post-consumer recycled content.

PROPOSED SECOND READING AMENDMENTS

~~E. — *Retailer* shall have the meaning set forth in Section 3.20.020 of this Code, except that, for the purposes of this Chapter, “retailer” does not include:~~

- ~~1. — Temporary vending establishments for fruits, vegetables, packaged meats, and dairy;~~
- ~~2. — Vendors at farmer’s markets or other temporary events;~~
- ~~3. — Businesses at which foodstuffs are an incidental part of the business. Food sales will be considered “incidental” if such sales comprise no more than two percent (2%) of the business’s gross sales in the City as measured by the dollar value of food sales as a percentage of the dollar value of total sales at any single location.~~

~~F E.~~ *Reusable bag* means a bag that is:

1. Designed and manufactured to withstand repeated uses over a period of time;
2. Made from a material that can be cleaned and disinfected regularly;
3. At least 2.25 mil thick if made from plastic;
4. Has a minimum lifetime of seventy-five (75) uses; and
5. Has the capability of carrying a minimum of eighteen (18) pounds.

Sec. 3.34.030. Imposition and amount of tax; vendor liable for tax; vendor’s fee.

A. In addition to any other tax imposed by law, there is levied and shall be paid and collected a disposable bag tax of ~~twenty five cents (\$0.25)~~ ten cents (\$0.10) per bag.

B. Each ~~retailer~~ retailer food store within the City shall collect, remit, and pay the tax for each disposable bag provided to a customer.

PROPOSED SECOND READING AMENDMENTS

C. ~~Retailers~~ Food stores shall record the number of disposable bags provided and the total amount of disposable bag taxes charged on the customer transaction receipt.

D. A ~~Retailer~~ food store shall not refund to the customer any part of the disposable bag tax, nor shall a ~~retailer~~ food store advertise or state to customers that any part of the disposable bag tax will be refunded to the customer.

E. A ~~retailer~~ food store shall not exempt any customer from any part of the disposable bag tax for any reason except as set forth in Section 3.34.120, "Exceptions."

F. A ~~retailer~~ food store may retain ~~ten cents (\$0.10)~~ four cents (\$0.04) of each disposable bag tax collected as a vendor's fee, which shall not be classified as revenue for the purpose of calculating sales tax, and which may be used for the following purposes:

1. Provide educational information about the disposable bag tax to customers;
2. Provide the signage required by Section 3.34.100;
3. Train staff in the implementation and administration of the tax;
4. Improve or alter infrastructure to allow for the implementation, collection, and administration of the tax;
5. Collect, account for, and remit the tax to the City;
6. Develop and display informational signage to inform customers about the tax, encourage the use of reusable bags, or promote the recycling of plastic bags; and
7. Improve infrastructure to increase plastic bag recycling.

Sec. 3.34.040. Taxes collected are held in trust.

All sums of money paid by a person as the disposable bag tax imposed by this Chapter are public monies that are the property of the City. The person required to collect and remit the tax shall hold such monies in trust for the sole use and benefit of the City until paying them to the City.

PROPOSED SECOND READING AMENDMENTS

Sec. 3.34.050. Licensing; filing of returns; recordkeeping.

A. Every person with a duty to collect the tax imposed by this Chapter shall obtain a license as set forth in Section 3.20.402 of this Code to collect the tax, report such taxes collected on forms prescribed by the Finance Director, and remit such taxes to the City in accordance with the required reporting period for sales taxes and file such returns as provided in Section 3.20.406 of this Code. Any due date, payment date, or deadline for paying tax due, providing information, or taking other action that falls on a Saturday, Sunday, or legal holiday recognized by either the federal government or State of Colorado shall be extended to the first business day following such weekend or holiday.

B. Date of payment shall be evidenced by the postmark date if mailed or by the date the City receives confirmation that the funds have been received through ACH payment; otherwise, date of payment shall be evidenced by the date on the receipt issued by the City cashier. For good cause shown, and upon written request of the taxpayer, the Finance Director may extend the time for making returns and paying tax due. The request must be received by the Finance Director no later than two (2) days prior to the date the return is due. The Finance Director may also, upon advance written request of the taxpayer and in the Finance Director's sole discretion, authorize the filing of returns and payment of taxes at such intervals as will better accommodate the convenience of the taxpayer. The Finance Director may grant such request if it is determined, in the Finance Director's sole discretion, that the collection of the tax will not be jeopardized, that the realization of amounts owed will not be delayed, and that administrative hardship to the City will not be caused by reason of the granting of such request. Authorization for such alternate method of reporting may be revoked by the Finance Director if the taxpayer becomes delinquent or if the Finance Director otherwise determines in the Finance Director's sole discretion that such alternative method will jeopardize collection of the tax, result in delay of amounts owed, or otherwise cause administrative hardship to the City. Immediately following notice of such revocation, the taxpayer shall file returns and pay tax as otherwise required by this Chapter.

C. A taxpayer engaged in business at two or more locations within the City may file one disposable bag tax return for all such locations, when accompanied by a supplemental schedule showing the tax due for each location.

Sec. 3.34.060. Books and records to be preserved.

PROPOSED SECOND READING AMENDMENTS

It is the duty of every taxpayer to keep and preserve records pertaining to the disposable bag tax imposed by this Chapter in accordance with and for the time periods set forth in Section 3.20.070 of this Code (“Duty to keep records”). If the taxpayer does not provide files in an organized format and the City’s auditors must go through the taxpayer’s files, folders, boxes, or other documents or records, in any form, in order to obtain records for audit, or if the taxpayer fails to provide information in a timely fashion, the City shall be entitled to charge an hourly fee for time spent organizing, gathering, or in any way assembling the taxpayer’s records for audit. Such fee shall be set by the City Manager, or the Finance Director as the Manager’s designee, and shall be based on the actual labor costs incurred by the City for such time spent.

Sec. 3.34.070. Interest and penalties for failure to file tax return or pay tax.

Penalties and interest for failure of a person to collect the tax imposed by this Chapter or to make a return and remit the correct amount of tax required by this Chapter and the procedures for enforcing such penalties shall be as set forth in Section 3.20.430 of this Code (“Penalties and interest for failure to file tax return or pay tax.”).

Sec. 3.34.080. Refunds.

Procedures for refunds for overpayment of taxes paid under this Chapter are as set forth in Section 3.20.420 of this Code.

Sec. 3.34.090. Assessment and enforcement of tax liability; liens; dispute resolution; hearings; appeals.

A. The procedure for assessment of taxes under this Chapter shall be as set forth in Section 3.20.425 of this Code.

B. The tax imposed by this Chapter, together with all interest and penalties pertaining thereto, is a first and prior lien on tangible personal property in which the person responsible to collect and remit the tax has an ownership interest, subject only to valid mortgages or other liens of record at the time or and prior to the recording of a notice of lien as provided in Section 3.20.460 of this Code.

C. The provisions of Sections 3.20.060 (“Statute of limitations”), 3.20.400 (“Authority of Finance Director”), 3.20.455 (“Cost of collection”), 3.20.465 (“Foreclosure by distraint”), 3.20.470 (“Jeopardy assessment”), 3.20.475 (“Recovery by action at law”), 3.20.480 (Certification of delinquent tax to County”), and 3.20.485 (Other remedies; compromise”) of this Code govern the

PROPOSED SECOND READING AMENDMENTS

authority of the Finance Director to collect the taxes, penalties, and interest imposed by this Chapter and to impose the cost of collection of the same.

D. The provisions of 3.20.500 (“Tax disputes”), 3.20.510 (“Procedure for refund of disputed tax”), 3.20.520 (“Administrative hearings”), and 3.20.530 (“Time limitation for hearing requests”) of this Code govern disputes and hearings for the same that arise under this Chapter.

E. A taxpayer aggrieved by the final decision of the Finance Director after a hearing may have the same reviewed by the District Court. The procedure of review shall be in accordance with Rule 106 of the Colorado Rules of Civil Procedure. The petition or complaint for District Court review must be filed within 30 days from the date of the final decision of the Finance Director. Any party, including the City, may appeal the final order or decision of the Finance Director and, also, the decision of the District Court (or such other tribunal having jurisdiction), using all judicial, appellate, and extraordinary proceedings available.

Sec. 3.34.100 Required signage for ~~retailers~~ food stores.

Every ~~retailer~~ food store subject to the collection of the disposable bag tax shall display a sign in a location outside or inside of the business, viewable by customers, alerting customers to the City’s disposable bag fee.

Sec. 3.34.110 Requirement for disposable paper bags.

No ~~retailer~~ food store shall provide any paper bag that is not a recycled paper bag.

Sec. 3.34.120 Exemptions.

The provision of disposable bags to a customer who is a participant in a federal or state food assistance program is from the imposition of tax levied by Section 3.34.030. The burden of proving that any taxpayer is exempt from collecting or paying sales tax shall be on the taxpayer.

Sec. 3.34.130 Unlawful acts.

It shall be unlawful for any ~~retailer~~ food store, consumer or any other person subject to this Chapter:

- A. To fail to make any required return by the due date;

PROPOSED SECOND READING AMENDMENTS

B. To make any false or fraudulent return or other filing under this chapter;

C. To make any false statements in any return or in any other filing permitted or required by this chapter;

D. To fail to make payment to the finance director by the due date of any taxes collected or due the City, or any interest or penalty due the City;

E. To evade the collection or payment of any taxes collected or due the city or the payment of interest or penalty due the City;

F. To fail to pay by the due date such tax, interest, penalty;

G. To aid or abet another in any attempt to evade payment of such tax, interest, or penalty;

H. To issue to the City a check in payment of any taxes collected or due the City or in payment of penalty or interest due the City, which check is dishonored by the drawee of the check. In any prosecution for a violation of this subsection, introduction of the check dishonored by the drawee, bearing notice of such dishonor from the drawee, shall constitute in evidence a prima facie showing that such check was issued by the drawer at a time when the drawer had on deposit with the drawee insufficient funds to allow the drawee to honor the check on presentment; or

I. To violate any other provision of this Chapter.

Sec. 3.34.140 Violation; penalty.

A. It is unlawful to violate any of the provisions of this Chapter. Any person convicted of violating any of the provisions of this Chapter shall be subject to the general penalty provisions set forth in Section 1.28.010 of this Code, unless otherwise expressly provided in this chapter.

B. Each and every 24-hour period of violation of this chapter constitutes a distinct and separate violation of this Chapter, subject to the penalties prescribed in Section 1.28.010 of this Code.

C. Prosecution of any person for violation of this Chapter shall not reduce, eliminate or suspend any person's obligation to fulfill the requirements of this chapter or make payment of any taxes, penalties, fines or interest due hereunder

PROPOSED SECOND READING AMENDMENTS

and shall not limit the ability of the city to proceed under this Chapter to collect taxes under a civil suit or other method of collection.

Section 6. City tax revenues are estimated to increase by up to \$800,000 the first full fiscal year in which the tax provided for in this ordinance is in effect. However, the revenues from said sales and use tax may be collected and spent, regardless of whether said revenues, in any year after the first full year in which said sales and use tax is in effect, exceed the estimated dollar amount stated above, and without any other limitation or condition, and without limiting the collection or spending of any other revenues or funds by the City of Louisville, under Article X, Section 20 of the Colorado Constitution or any other law.

Section 7. The provisions of this ordinance shall take effect, following passage and approval thereof as provided in Section 4, on January 1, 2022.

Section 8. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council and the registered voters of the City hereby declare that they would have passed and approved this ordinance and each part hereof irrespective of the fact that any one part be declared invalid. The tax established by this measure is intended to be authorized under any lawful means of taxation.

Section 9. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 10. Pursuant to Article XX of the Colorado Constitution and the City Charter, all state statutes that might otherwise apply in connection with the provisions of this ordinance (including, without limitation C.R.S. § 31-11-111) are hereby superseded to the extent of any inconsistencies or conflicts between the provisions of this ordinance and such statutes. Any such inconsistency or conflict is intended by the City Council and shall be deemed made pursuant to the authority of Article XX of the Colorado Constitution and the City Charter.

Section 11. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this 14th day of July, 2020.

PROPOSED SECOND READING AMENDMENTS

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly PC
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this 28th day of July,
2020.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

ORDINANCE NO. 7870

AN ORDINANCE ESTABLISHING A NEW CHAPTER 6-15, "DISPOSABLE BAG FEE," B.R.C. 1981, AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. A new Chapter 6-15, "Disposable Bag Fee," B.R.C. 1981 is added as follows:

Title 6 Health, Safety and Sanitation

Chapter 6-15 Disposable Bag Fee

6-15-1

- (a) **Purpose:** It is the purpose of this chapter to protect the public health and safety and implement the city's Climate Action Plan, Zero Waste Master Plan and the Boulder Valley Comprehensive Plan.
- (b) **Findings:** The City Council finds as follows:
- (1) The city, through its policies, programs, and laws, supports efforts to reduce the amount of waste that must be land-filled and pursue "zero waste" as a long term goal by emphasizing waste prevention efforts;
 - (2) That the use of single-use disposable bags has severe impacts on the environment on a local and global scale, including greenhouse gas emissions, litter, harm to wildlife, atmospheric acidification, water consumption and solid waste generation;
 - (3) Despite recycling and voluntary solutions to control pollution from disposable carryout bags, many disposable single-use bags ultimately are disposed of in landfills, litter the environment, block storm drains and endanger wildlife;
 - (4) Boulder consumers use approximately 14.3 million disposable bags from food stores each year; and
 - (5) The city's taxpayers bear the costs associated with the effects of disposable bags on the solid waste stream, drainage, litter and wildlife.
- (c) **Intent:** The disposable bag fee is necessary to address the environmental problems associated with disposable bags and to relieve city taxpayers of the costs imposed upon the city associated with the use of disposable bags. The City Council intends that the requirements of this chapter will assist in offsetting the costs associated with using disposable bags to pay for the mitigation, educational, replacement, and administrative efforts of the city.

6-15-2 Definitions.

The following terms used in this chapter have the following meanings unless the context clearly indicates otherwise:

“Disposable Bag” means a bag that is not a Reusable Bag.

“Disposable Bag” does not include:

- (a) Bags used by consumers inside stores to:
 - (1) Package bulk items, such as fruit, vegetables, nuts, grains, candy or small hardware items;
 - (2) Contain or wrap frozen foods, meat, or fish;
 - (3) Contain or wrap flowers, potted plants, or other items where dampness may be a problem;
 - (4) Contain unwrapped prepared foods or bakery goods; or
 - (5) A non-handled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recyclable paper bag or reusable bag.
- (b) Bags provided by pharmacists to contain prescription drugs.
- (c) Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags for uses such as food storage, garbage, pet waste, or yard waste bags.

“Food Store” means a retail establishment or business located within Boulder city limits in a permanent building, operating year round, that is a full-line, self-service market and which sells a line of staple foodstuffs, meats, produce or dairy products or other perishable items.

“Food Store” does not include:

- (a) Temporary vending establishment for fruits, vegetables, packaged meats and dairy;
- (b) Vendors at farmer’s markets or other temporary events;
- (c) Businesses at which foodstuffs are an incidental part of the business. Food sales will be considered to be “incidental” if such sales comprise no more than 2 percent of the business’s gross sales in the city as measured by the dollar value of food sales as a percentage of the dollar value of total sales at any single location.

“Recycled Paper Bag” means a paper bag that is 100 percent recyclable and contains at least 40 percent post-consumer recycled content.

“Reusable Bag” means a bag that is:

- (a) Designed and manufactured to withstand repeated uses over a period of time;

- (b) Is made from a material that can be cleaned and disinfected regularly;
- (c) That is at least 2.25 mil thick if made from plastic;
- (d) Has a minimum lifetime of 75 uses; and
- (e) Has the capability of carrying a minimum of 18 pounds.

“Disposable Bag Fee” means a city fee imposed and required to be paid by each consumer making a purchase from a Food Store for each Disposable Bag used during the purchase assessed for the purpose of mitigating the impacts of Disposable Bags.

6-15-3 Disposable Bag Fee Requirements.

- (a) For each Disposable Bag provided to a customer, Food Stores shall collect from customers, and customers shall pay, at the time of purchase, a Disposable Bag Fee of \$0.10.
- (b) Food Stores shall record the number of Disposable Bags provided and the total amount of Disposable Bag Fees charged on the customer transaction receipt.
- (c) A Food Store shall not refund to the customer any part of the Disposable Bag Fee, nor shall the Food Store advertise or state to customers that any part of the Disposable Bag Fee will be refunded to the customer.
- (d) A Food Store shall not exempt any customer from any part of the Disposable Bag Fee for any reason except as stated in section 6-15-7, “Exemptions,” B.R.C. 1981.

6-15-4 Retention, Remittance, and Transfer of the Disposable Bag Fee.

- (a) A Food Store may retain 40 percent of each Disposable Bag Fee collected, which is the “Retained Percent.”
- (b) The Retained Percent may only be used by the Food Store to:
 - (1) Provide educational information about the Disposable Bag Fee to customers;
 - (2) Provide the signage required by section 6-15-5, “Required Signage for Food Stores,” B.R.C. 1981;
 - (3) Train staff in the implementation and administration of the fee;
 - (4) Improve or alter infrastructure to allow for the implementation, collection, administration of the fee;
 - (5) Collect, account for and remit the fee to the city;
 - (6) Develop and display informational signage to inform consumers about the fee, encourage the use of reusable bags or promote recycling of plastic bags; and
 - (7) Improve infrastructure to increase plastic bag recycling.

- (c) The Retained Percent shall not be classified as revenue for the purposes of calculating sales tax.
- (d) The amount of the Disposable Bag Fee collected by a Food Store in excess of the Retained Percent shall be paid to the city and shall be used only as set forth in subsection (g) to mitigate the effects of Disposable Bags in Boulder.
- (e) A Food Store shall pay and the city shall collect all Disposable Bag Fees. The city shall provide the necessary forms for Food Stores to file with the city, to demonstrate compliance with the provisions of this ordinance.
 - (1) If payment of any amount to the city is not received on or before the applicable due date, penalty and interest charges shall be added to the amount due as described in section 6-15-8, "Audits and Violations," B.R.C. 1981.
- (f) The Disposable Bag Fee shall be administered by the city manager. The city manager is authorized to adopt interpretive rules pursuant to chapter 1-4, "Rulemaking," B.R.C. 1981, to implement this chapter, prescribe forms and provide methods of payment and collection and otherwise implement requirements of this chapter.
- (g) Funds from the Disposable Bag Fee shall be used only for the expenditures that are intended to mitigate the effects of Disposable Bags, including without limitation the following:
 - (1) Administrative costs associated with developing and implementing the Disposable Bag Fee.
 - (2) Activities of the city to:
 - (A) Provide reusable carryout bags to residents and visitors;
 - (B) Educate residents, businesses, and visitors about the impact of Disposable Bags on the city's environmental health, the importance of reducing the number of single-use carryout bags entering the waste stream, and the expenses associated with mitigating the affects of single-use bags on the city's drainage system, transportation system, wildlife and environment;
 - (C) Fund programs and infrastructure that allow the Boulder community to reduce waste associated with Disposable Bags;
 - (D) Purchase and install equipment designed to minimize bag pollution, including, recycling containers, and waste receptacles associated with Disposable Bags;
 - (E) Fund community cleanup events and other activities that reduce trash associated with Disposable Bags;
 - (F) Mitigate the effects of Disposable Bags on the city's drainage system, transportation system, wildlife and environment;

- (G) Maintain a public website that educates residents on the progress of waste reduction efforts associated with Disposable Bags; and
 - (H) Fund the administration of the Disposable Bag Fee program.
- (h) No Disposable Bag Fees collected in accordance with this ordinance shall be used only for general government purposes.
- (i) Disposable Bag Fees collected in accordance with this chapter shall be continually available for the uses and purposes set forth in subsection (g) of this section without regard to fiscal year limitation. No Disposable Bag Fee funds shall be used for any purpose not authorized in this chapter.

6-15-5 Required Signage for Food Stores.

Every Food Store subject to the collection of the Disposable Bag Fee shall display a sign in a location outside or inside of the business, viewable by customers, alerting customers to the city of Boulder's Disposable Bag Fee.

6-15-6 Requirement for Disposable Paper Bags.

No Food Store shall provide any paper bag that is not a Recycled Paper Bag.

6-15-7 Exemptions.

A Food Store may provide a Disposable Bag to a customer at no charge if the customer provides evidence that he or she is a participant in a federal or state Food Assistance Program.

6-15-8 Audits and Violations.

- (a) Each Food Store licensed pursuant to the provisions of this chapter shall maintain accurate and complete records of the Disposable Bag Fees collected, the number of Disposable Bags provided to customers, the form and recipients of any notice required pursuant to this chapter, and any underlying records, including any books, accounts, invoices, or other records necessary to verify the accuracy and completeness of such records. It shall be the duty of each Food Store to keep and preserve all such documents and records, including any electronic information, for a period of three years from the end of the calendar year of such records.
- (b) If requested, each Food Store shall make its records available for audit by the city manager during regular business hours for the city to verify compliance with the provisions of this chapter. All such information shall be treated as confidential commercial documents.
- (c) If any person fails, neglects, or refuses to collect the Disposable Bag Fee, or underpays the Disposable Bag Fee, the city manager shall make an estimate of the fees due, based on available information, and shall add thereto penalties, interest, and any additions to the

fees. The manager shall serve upon the delinquent Food Store personally, by electronic mail or by first class mail directed to the last address of the Food Store on file with the city, written notice of such estimated fees, penalties, and interest, constituting a Notice of Final Determination, Assessment, and Demand for Payment, (also referred to as "Notice of Final Determination") due and payable within 20 calendar days after the date of the notice. The Food Store may request a hearing on the assessment as provided in section 6-15-9, "Hearings," B.R.C. 1981.

- (d) If payment of any amount of the Disposable Bag Fee to the city is not received on or before the applicable due date, penalty and interest charges shall be added to the amount due in the amount of:
 - (1) A penalty of ten percent of total due;
 - (2) Interest charge of one percent of total penalty per month.

6-15-9 Hearings.

- (a) A Food Store may request a hearing on any proposed fee imposed under this title after receiving a Notice of Final Determination, by filing a written request for hearing within 20 calendar days of the date of mailing of the Notice of Final Determination. The request for hearing shall set forth the reasons for and amount of changes in the Notice of Final Determination that the Food Store seeks and such other information as the manager may prescribe.
- (b) The city manager shall conduct the hearing under the procedures prescribed by chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, except that the manager shall notify the Food Store in writing of the time and place of the hearing at least ten days before it is scheduled, unless the Food Store agrees to a shorter time. The hearing shall be held within 60 days of the date of receipt of the request for a hearing, unless the Food Store agrees to a later date.

6-15-10 Criminal Sanctions.

- (a) The city attorney, acting on behalf of the people of the city, may prosecute any violation of this title in municipal court in the same manner that other municipal offenses are prosecuted.
- (b) The maximum penalty for a first or second conviction within two years, based on date of violation of this section, is a fine of \$500.00. For a third and each subsequent conviction within two years, based upon the date of the first violation, the general penalty provisions of section 5-2-4, "General Penalties," B.R.C. 1981, shall apply.

Section 3. The provisions of this ordinance relating to the collection of the Disposable Bag Fee and required store signage shall become effective July 1, 2013. All other provisions shall be effective 30 days from the date of passage. The city manager shall develop and

implement the administrative and financial processes for the collection of the fee between the effective date of this ordinance and June 30, 2013.

Section 4. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

Section 5. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 6. The City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 2nd day of October, 2012



Mayor

Attest:



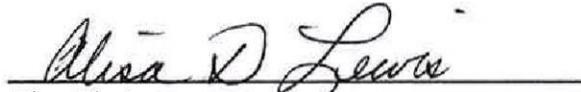
City Clerk

READ ON SECOND READING, AMENDED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this 16th day of October, 2012.



Mayor

Attest:



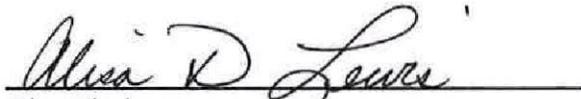
City Clerk

READ ON THIRD READING, AMENDED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this 1st day of November, 2012.



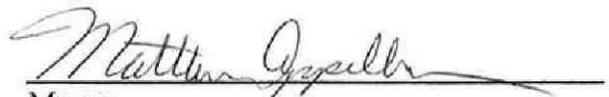
Mayor

Attest:



City Clerk

READ ON FOURTH READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this 15th day of November, 2012.



Mayor

Attest:



City Clerk

Colorado Communities with Bag Fee

City	Year	Fee per bag	Ordinance
APPROVED			
Aspen	2011	\$0.20	Title 13, Chapter 13.24
Avon	2017	\$0.10	No. 17-08
Boulder	2013	\$0.10	No. 7870
Breckenridge	2013	\$0.10	Ch. 12
Crested Butte	2018		No. 5, Series 2016
Ridgway	2018 (delayed till 6/2019)		No. 2018-07
Telluride	2010	\$0.10	No. 1340, Series of 2010
Town of Carbondale	2011	\$0.20	
Vail	2015	\$0.10	
PENDING			
Mountain Village	considering		
Steamboat Springs	considering		
REJECTED			
Basalt	2012 (failed)	\$0.20	
Durango	2013 (voters rejected)	\$0.10	No. 0-2013-11
Fort Collins	2014 (city repealed)	\$0.10	

From: [Meredyth Muth](#) on behalf of [Open Records](#)
To: [Emily Hogan](#)
Subject: FW: Single Use Bag Tax -
Date: Monday, July 20, 2020 4:15:46 PM
Attachments: [image001.jpg](#)

MEREDYTH MUTH

CITY CLERK

CITY OF LOUISVILLE

303.335.4536

303.335.4550 FAX

www.LouisvilleCO.gov

MeredythM@LouisvilleCO.gov



From: Dave Clabots [mailto:dave.clabots@gmail.com]
Sent: Wednesday, June 24, 2020 4:27 PM
To: City Council <Council@louisvilleco.gov>
Subject: Single Use Bag Tax -

Thank you all for considering a single use bag fee. Legally we may be required to call in a tax though. A couple things I hope our sustainability board can work on?

- 1: Model this proposal after the recent City of Denver's fee with the ability to suspend the fee in times of a pandemic.
- 2: City of Louisville keeps one half of it and retailers keep the other half.
- 3: 25 cents per bag seems steep although it won't affect me because I have been reusing my bags since we were all in high school. (I am not kidding)
- 4: I would suggest 20 cents as Winter Park, CO has. Fraser, CO is too little at 10 cents.
- 5: Do not use the word BAN anywhere as you will be challenged in court by the Plastic Industry. You probably already know this.
- 6: We are all in this together so if a shopper is on a government assistance program they would still need to pay the fee. Sorry, they can get free reusable bags via this program/plan.
- 7: Finally, we need to somehow get our two neighbors on board sooner than later. Lafayette and Superior. I would hate to see and hear that folks are shopping outside Louisville just to avoid the bag tax. Believe me this happens.

Lastly, In my years on City Council we worked very hard to bring curbside recycling and composting to Louisville. There was a very vocal minority whose main goal in life was to derail the whole program. I received many nasty emails and calls. I know that we as a city have grown beyond this and we are past a point of no return. I fully support a single use bag tax as it would be a huge waste reduction and we could implement new sustainability measures throughout the city.

Thank you for all your hard work. What a great place to live.

Best
Dave Clabots
Louisville, CO 80027-1612

For the record:

1101 N. Franklin Ave.

From: [Meredyth Muth](#) on behalf of [Open Records](#)
To: [Emily Hogan](#)
Subject: FW: Plastic bags
Date: Monday, July 20, 2020 4:15:11 PM
Attachments: [image001.jpg](#)

MEREDYTH MUTH

CITY CLERK

CITY OF LOUISVILLE

303.335.4536

303.335.4550 FAX

www.LouisvilleCO.gov

MeredythM@LouisvilleCO.gov



From: Linda Abrams [mailto:lindadba@msn.com]
Sent: Monday, July 20, 2020 3:29 PM
To: City Council <Council@louisvilleco.gov>
Subject: Plastic bags

Taxing plastic and paper bags is a terrible idea.

During Covid-19 it is best to use single-use bags.

Those of us that use services that “click-list” at King Soopers would not have an option to avoid the tax. The same goes for grocery delivery services.

Many people use the bags for trash and kitty litter disposal so they are used at least twice. Bags that cannot be used for trash (because of holes) can easily be recycled.

Taxing the bags is a bad idea.

Linda Abrams
415 Fairfield Lane
L-ville

Sent from [Mail](#) for Windows 10

From: [Michael Hattel](#)
To: [City Council](#)
Subject: Plastic Bag Tax
Date: Wednesday, July 22, 2020 12:54:58 PM

City Council: I urge the council stop the discussion and possible ballot measure for a plastic bag tax. I am confused on why the council is considering the measure when municipalities across the nation have stopped allowing reusable bags due to health concerns. Reusable bags are often unsanitary and now may be a concern with COVID. Please use your time on subjects that are pertinent. Please try to use common sense.

Sent from iPad - Michael Hattel

SUBJECT: ORDINANCE 1796, SERIES 2020 – AN ORDINANCE APPROVING THE REZONING OF LOTS 1 AND 2, CRYSTAL ESTATES REPLAT A LOCATED AT 1655 COURTESY ROAD AND 1655 CANNON CIRCLE FROM THE COMMERCIAL BUSINESS ZONE DISTRICT TO THE COMMERCIAL COMMUNITY, MIXED USE ZONE DISTRICT PURSUANT TO LOUISVILLE MUNICIPAL CODE CHAPTER 17.14 - MIXED USE ZONE DISTRICTS – 1ST READING, SET PUBLIC HEARING 8/18/20

DATE: JULY 28, 2020

PRESENTED BY: LISA RITCHIE, AICP, SENIOR PLANNER

VICINITY MAP:



SUMMARY:

The applicant requests approval of a zone change from Commercial-Business (CB) to Commercial Community – Mixed Use (CC-MU). Lots 1 & 2, Crystal Estates Replat A, located at 1655 Courtesy Rd and 1655 Cannon Cir, are located within the Highway 42

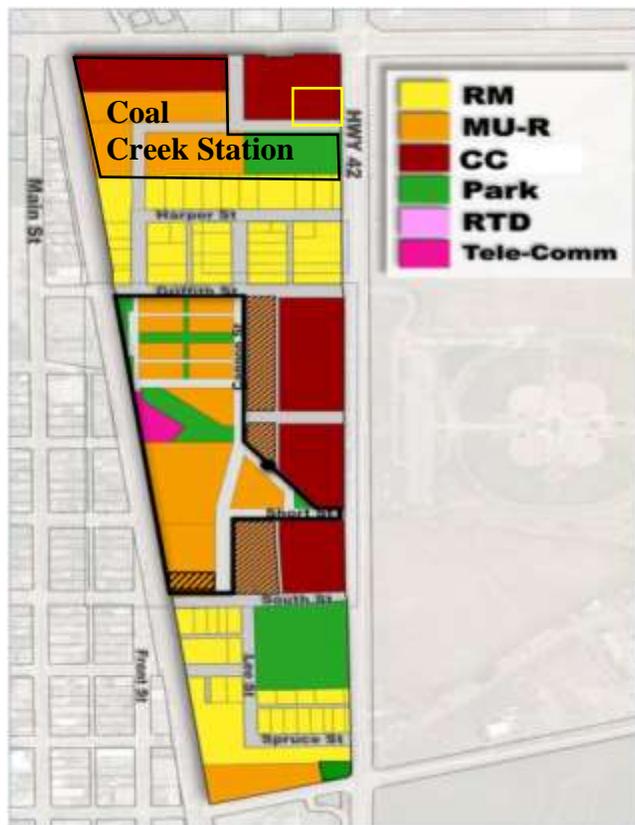
Revitalization Area, which requires rezoning to a mixed use zone district upon a change of use. The applicant recently was approved for a retail marijuana sales license, which is a change of use from the existing auto body repair operation. The zone change is required before operation of the retail marijuana sales use can commence.

BACKGROUND:

Beginning in 2000, the City initiated the Highway 42 Revitalization Study, which resulted in the adoption of the [Highway 42 Framework Plan in 2003](#). The focus of the Framework Plan was to construct a “Preferred Land Use Plan” to act as a guide to subsequent redevelopment in the study area. Given the existing multiple ownership structure of the area, a coordinated planning effort was needed to insure the incorporation of the infrastructure and mixed use site design associated with the anticipated RTD commuter rail stop. The Framework Plan also provides for preservation of the existing residential neighborhoods within the Area.

In 2007, the City established Chapter 17.14 of the Louisville Municipal Code (LMC) creating mixed use zone districts to implement the policies adopted in the Framework Plan. Following these actions, the City rezoned portions of the area to a mixed use zone district and approved redevelopment plans, including DELO and Coal Creek Station. Over time, the City has amended the Framework Plan from the 2007 configuration to the current Land Use Plan shown to the right, adopted pursuant to Ordinance 1637, Series 2013.

The subject properties are generally located within the yellow box on the Land Use Plan, and as such are required to rezone to the Commercial Community – Mixed Use zone district. Staff notes that the LMC includes two zone districts titled Commercial Community. One in Chapter 17.12 District Regulations and another in Chapter 17.14 Mixed Use Zone Districts. These zone districts allow different uses and are subject to different development standards. Staff adds the “- Mixed Use” (MU) following Commercial Community when referencing the zone district regulated under Chapter 17.14 for clarity. The LMC sets forth the following for the CC-MU zone district.

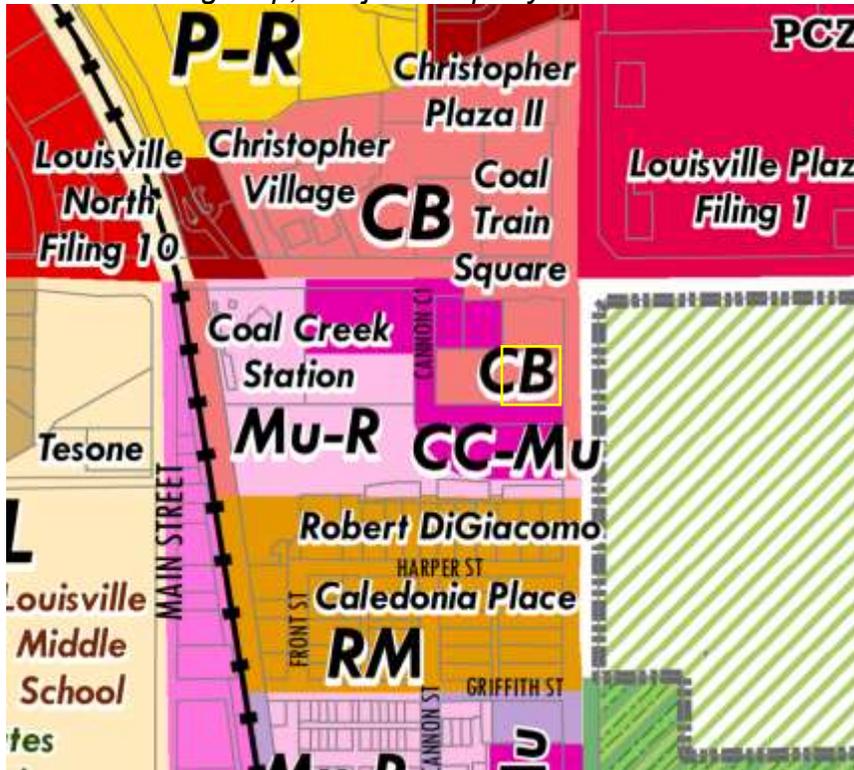


Commercial Community (– Mixed Use) zone district is intended to provide zoning which would encourage the development of a limited range of highway oriented commercial uses adjacent to Highway 42. The commercial community zoning is intended to address the market demand for highway-oriented commercial development in a form that would protect the existing residential neighborhoods as well as interface effectively with the future mixed use development of the neighborhood.

The subject property is currently zoned CB and was approved for development of an auto body repair shop through a Planned Unit Development and Special Review Use in 2005. The property is comprised of two lots, but developed as a single property with improvements spanning the property line separating the two lots. In 2007, the property owner executed a covenant and agreement to hold the two lots as a single parcel.

In 2019, the City of Louisville amended the LMC related to marijuana sales, which reduced and removed certain buffers and increased the number of available locations within the City. The applicant was recently approved for a license for retail marijuana sales at this location. The property was sold from The Gordon Fordyce Charitable Remainder Trust to the current owner, Mackey Holdings, LLC earlier this year.

Current Zoning Map, Subject Property Outlined in Yellow



PROPOSAL:

The applicant requests approval of a rezone from CB to CC-MU to accommodate a change in use from auto body repair to retail marijuana sales. At this time, the applicant anticipates changes to the interior of some of the buildings but does not contemplate any changes to the exterior of the building. The interior configuration is reviewed through the marijuana license and a building permit. The site design can accommodate this use and meets parking requirements. These improvements will be reviewed under a building permit application. Under the provisions of Chapter 17.14, the auto body repair use must cease upon commencement of the retail marijuana sales use. Should the property owner desire additional redevelopment on the lot, the uses and site design shall comply with this chapter and may require approval of a PUD Amendment if exterior changes are proposed.

ANALYSIS:

Compliance with LMC Sec. 17.44.050 – Rezoning

The rezoning proposal is subject to Section 17.44.050 of the Louisville Municipal Code, the Declaration of Policy for Rezoning. One or more of the following criteria must be met to approve a rezoning:

1. *The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the city's comprehensive plan.*

Staff finds there is no evidence that the land was zoned in error. **Staff finds this criterion is not applicable.**

2. *The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area.*

Staff finds that the area is included within the Highway 42 Revitalization Area, which serves as a guide to accommodate desired change within the area. The area has begun to transition to the desired mixed use development and mixed use rezoning, including DELO and Coal Creek Station. While the property will not undergo physical redevelopment as a result of the zone change at this time, the property is adjacent to Coal Creek Station, and the zone change will facilitate redevelopment over time consistent with the goals and policies of the Framework Plan and Chapter 17.14 of the LMC. **Staff finds the request meets this criterion.**

3. *The proposed rezoning is necessary to provide land for a community-related use which was not anticipated at the time of the adoption of the city's comprehensive plan, and such rezoning will be consistent with the policies and goals of the comprehensive plan.*

The rezoning is not necessary to provide land for a community-related use. **Staff finds this criterion is not applicable.**

- 4. *The rezoning would only permit development which, if evaluated as a proposed annexation under the annexation standards and procedures codified in Title 16, would qualify for annexation.*

The properties are already annexed and within the corporate limits of the City of Louisville.
Staff finds this criterion is not applicable

PUBLIC COMMENTS:

To date, no public comments have been received.

FISCAL ANALYSIS:

While this application meets the policy for conducting a fiscal analysis on the property, the allowed uses within CB zone district and the CC-MU zone district do not differ substantially and generally allow commercial retail and office uses.

PLANNING COMMISSION RECOMMENDATIONS:

The Planning Commission held a public hearing on the request on July 16, 2020 and voted 5-1 to recommend approval of the request. The minutes from this meeting will be provided in the packet for the public hearing.

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 1796, Series 2020 approving a request for a zone change from Commercial Business to Commercial Community – Mixed Use for Lots 1 & 2, Crystal Estates Replat A located at 1655 Courtesy Rd and 1655 Cannon Circle on first reading and to set the public hearing for August 18, 2020.

ATTACHMENTS:

- 1. Ordinance 1796, Series 2020
- 2. [Link to Current Zone District Map](#)
- 3. Application Materials

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input type="checkbox"/>	 Reliable Core Services
<input checked="" type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner

**ORDINANCE NO. 1796
SERIES 2020**

AN ORDINANCE APPROVING THE REZONING OF LOTS 1 AND 2, CRYSTAL ESTATES REPLAT A LOCATED AT 1655 COURTESY ROAD AND 1655 CANNON CIRCLE FROM THE COMMERCIAL BUSINESS ZONE DISTRICT TO THE COMMERCIAL COMMUNITY, MIXED USE ZONE DISTRICT PURSUANT TO LOUISVILLE MUNICIPAL CODE CHAPTER 17.14 - MIXED USE ZONE DISTRICTS

WHEREAS, the City of Louisville has zoned certain parcels of real property to the Commercial Business Zone District and which parcels are legally described as Lots 1 and 2, Crystal Estates Replat A (the “Properties”), and

WHEREAS, the City of Louisville adopted the Highway 42 Revitalization Area Framework Plan in 2003 and Louisville Municipal Code Chapter 17.14 - Mixed Used Zone Districts in 2007; and

WHEREAS, the City Council has determined that is necessary and desirable to rezone the Properties to the Commercial Community, Mixed Use Zone District to further the goals and polices set forth in the Highway 42 Revitalization Area Framework Plan and to comply with Louisville Municipal Code Chapter 17.14 - Mixed Use Zone Districts, which requires rezoning prior to a change in use; and

WHEREAS, the Louisville Planning Commission, during a duly noticed public hearing, has recommended the City Council approve the rezoning of the Properties to the Commercial Community, Mixed Use Zone District pursuant to Louisville Municipal Code Chapter 17.14 - Mixed Use Zone Districts; and

WHEREAS, the City Council finds and determines that the proposed rezoning of the Properties to the Commercial Community, Mixed Use Zone District meets the goals and policies in the City’s Comprehensive Plan and Highway 42 Revitalization Area Framework Plan; and

WHEREAS, the City Council, after proper notice as required by law, has held a public hearing on this ordinance providing for the rezoning of the Properties to the Commercial Community, Mixed Use Zone District; and

WHEREAS, no protests were received by the City pursuant to C.R.S. §31-23-305;

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

Section 1. Pursuant to the zoning ordinance of the City, those certain parcels legally described as Lots 1 and 2, Crystal Estates are hereby rezoned Commercial Community, Mixed Use Zone District pursuant to Louisville Municipal Code Chapter 17.14 - Mixed Use Zone Districts and the City zoning map shall be amended accordingly.

Section 2. If any portion of this ordinance is held to be invalid for any reason, such

decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 3. All other ordinances or portions thereof inconsistent or in conflict with this ordinance or any portion hereof are repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this ____ day of _____, 2020.

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly, P.C.
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this ____ day of _____, 2020

Ashley Stolzmann, Mayor

ATTEST:

Meredyth Muth, City Clerk

ELECTRONIC LAND USE HEARING REQUEST CASE NO. _____

APPLICANT INFORMATION

Firm: Little Lemon LLC
 Contact: Chelsea Duckham
 Address: 1638 Emerson St.
Denver CO ~~80218~~ 80218
 Mailing Address: same
 Telephone: 408-348-3495
 Fax: _____
 Email: Chelsea.Duckham@gmail.com

OWNER INFORMATION

Firm: Mackey Holdings LLC
 Contact: Craig Clark
 Address: 1655 Courtesy Rd.
Louisville CO 80027
 Mailing Address: _____
 Telephone: 720-840-7634
 Fax: _____
 Email: _____

REPRESENTATIVE INFORMATION

Firm: Little Lemon LLC
 Contact: Chelsea Duckham
 Address: see applicant info
 Mailing Address: _____
 Telephone: _____
 Fax: _____
 Email: _____

PROPERTY INFORMATION

Common Address: 1655 Courtesy Rd.
 Legal Description: Lot _____ Blk _____
 Subdivision _____
 Area: _____ Sq. Ft.

TYPE (S) OF APPLICATION

- Annexation
- Zoning CB → CC-MU
- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor Subdivision Plat
- Preliminary Planned Unit Development (PUD)
- Final PUD
- Amended PUD
- Administrative PUD Amendment
- Special Review Use (SRU)
- SRU Amendment
- SRU Administrative Review
- Temporary Use Permit: _____
- CMRS Facility: _____
- Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit)

I hereby request the public hearing(s) on this application be scheduled to be conducted by Electronic Participation in accordance with the attached Resolution No. 30, Series 2020, as adopted by the City Council on April 7, 2020, if such hearing(s) can be scheduled during a time period when in-person meetings are not being held due to a health epidemic or pandemic. I acknowledge that holding a quasi-judicial hearing by Electronic Participation may present certain legal risks and involves an area of legal uncertainty, and that having this application heard at a meeting held by Electronic Participation is optional and undertaken at my own risk. I also understand that in-person meetings are preferred for quasi-judicial hearings, and that even if electronic hearing(s) are scheduled, this application will be heard at an in-person meeting if in-person meetings have resumed by the scheduled hearing date(s). I further agree to defend and indemnify the City of Louisville in any action that may arise out of, or in connection with, conducting the hearing by Electronic Participation.

SIGNATURES & DATE

Applicant: [Signature] 4-22-20
 Print: Chelsea Duckham
 Owner: _____
 Print: _____
 Representative: [Signature] 4-22-20
 Print: _____

CITY STAFF USE ONLY

- Electronic Hearing Approved: _____
- Date(s) of Hearing(s): _____

Chelsea Duckham
Little Lemon LLC
Rezone Applicant
Re: Use of property

Little Lemon LLC is requesting the rezoning of Lots 1 and 2, Crystal Estates Replat A. After rezoning Little Lemon LLC intends to use 1655 Courtesy Rd as a retail marijuana dispensary. 1655 Courtesy Rd has already been conditionally licensed to be a retail marijuana dispensary by the City of Louisville and State of Colorado. Rezoning and the issuance of a certificate of occupancy are required prior to opening of the dispensary.

Thank you for your time and consideration of this rezoning application.

Chelsea Duckham
Owner
Little Lemon LLC



COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned hereby certifies that we are the owners of real property located in the CITY OF LOUISVILLE, STATE OF COLORADO (City), that is legally described as follows:

LOT 1 AND 2, CRYSTAL ESTATES REPLAT A COUNTY OF BOULDER STATE OF COLORADO
(legal description)

as recorded in Book _____, Page _____ Records of BOULDER COUNTY. This property is located in the City and is known by the following address:

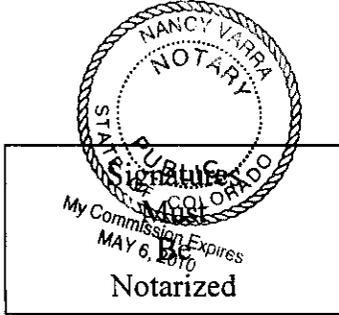
RECEPTION # 01063973 F1643
(common address)

We hereby agree and covenant with the City the above legally described real property shall be held as one parcel and no portion shall be sold separately. This covenant and agreement

is executed for the purpose of HOLDING TWO PARCELS AS ONE PARCEL

as regulated by the City of Louisville Municipal Code.

This covenant and agreement shall run with all of the above described land and shall be binding upon ourselves, and future owners, encumbrances, their successors, heirs or assignees and shall continue in effect until released by the authority of the Planning Director or the Chief Building Official of the City, upon submittal of request, applicable fees and evidence that this covenant and agreement is no longer required by law.



Owner's Name: GORDON FORDYCE
(Please type or print)

Signature of Owner: [Signature]

Two Officers Signatures Required for Corporations:

[Signature]
Alicia Garcia

Name of Corporation: Fordyce Auto Inc

Dated this 3 day of APRIL, 2007.

GENERAL ACKNOWLEDGMENT

STATE OF COLORADO)
) SS.
COUNTY OF BOULDER)

On this the 3RD day of April, Gordon Fordyce personally appeared before me NANCY VARRA

- whom I know personally
- whose identity I verified on the basis of CDL
- whose identity I verified on the oath or affirmation of _____, a credible witness,

to be the signer of the above and he/she acknowledged that he/she signed it.

WITNESS my hand and official seal.

[Signature]
(Notary's Signature)

My Commission expires: May 6, 2010



MUST BE APPROVED BY:
Planning Director or
Chief Building Official Prior to Recording

Approved by: _____
(Name)

(Title)

Date: _____

FOR DEPARTMENT USE ONLY

Branch Office: _____

District Map: _____

Affidavit Number: _____