City Council

Agenda

Tuesday, August 18, 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 # 818 7926 1710.***
2) ***You can log in via your computer. Please visit the City's website here to link to the meeting:*** www.louisvilleco.gov/citycouncil

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: August 4, 2020
C. Award Bid for 2020 CIPP Sewer Lining Project
D. Approval of Resolution No. 60, Series 2020 – A Resolution Approving an Intergovernmental Contract with the State of Colorado for Storm Water Quality Master Plan and Capital Improvement Plan Improvements
E. Approval of Resolution No. 61, Series 2020 – A Resolution of the City of Louisville, Colorado Authorizing the Assignment of the City's Private Activity

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.

Bonds Allocation for 2020 to the Housing Authority of the County of Boulder, Colorado; Providing Other Details in Connection Therewith; and Providing an Effective Date

F. Approval of Resolution No. 62. Series 2020 – A Resolution Approving a Memorandum of Understanding Regarding the Colorado SARS-COV-2 Wastewater Surveillance Collaborative

G. Approval of Louisville Revitalization Commission Policy Revision for Cost Sharing for Required Third-Party Review

H. Approval of Resolution No. 63, Series 2020 – A Resolution Approving a 2020-2021 Grant Application for the Colorado Department of Local Affairs' Peace Officer Mental Health Support Grant Program

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. 1798, SERIES 2020 – AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE CONOCOPHILLIPS CAMPUS GENERAL DEVELOPMENT PLAN (REDTAIL RIDGE MASTER PLAN) – 2nd READING, PUBLIC HEARING (advertised *Daily Camera* 7/19/20) *continued from 8/4/20*

REDTAIL RIDGE COMPREHENSIVE PLAN AMENDMENT PROPOSAL – REQUEST FOR A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE PHILLIPS 66 SPECIAL USE DISTRICT DESIGNATION FROM RURAL TO SUBURBAN, CHANGE THE LAND USE MIX POLICIES TO INCLUDE MULTI-FAMILY RESIDENTIAL, HEALTHCARE AND LODGING, AND INCREASE ALLOWANCES FOR THE FLOOR AREA RATIO AND BUILDING HEIGHT POLICIES

- Mayor Reopens Public Hearing and Asks for Disclosures
- Applicant Response to Public Comment (15-minute limit)
- Council Questions & Comments
- Additional Public Comments (Please limit to three minutes each)
- Applicant Response to Additional Public Comments and Council Questions & Comments
- Mayor Closes Public Hearing
- Council Deliberation
- Action

B. ORDINANCE NO. 1799, SERIES 2020, AN EMERGENCY ORDINANCE AMENDING AND RESTATING THE REQUIREMENT TO WEAR A FACE COVERING WITHIN THE CITY OF LOUISVILLE – 1ST AND FINAL READING – PUBLIC HEARING – Adoption as an Emergency Ordinance

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

C. 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 – 2nd READING, PUBLIC HEARING (advertised *Daily Camera* 8/2/20) – *request to continue to 9/1/20*

- Action

8. CITY ATTORNEY'S REPORT

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

10. ADJOURN

CASH ACCOUNT: 001000 101001 WARRANT: 073020 07/30/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14164	ALPINE BANK	#5300177601 SOLAR PANEL L	5,429.18
14164	ALPINE BANK	#5300089001 SOLAR PANEL L	3,729.33
5255	FAMILY SUPPORT REGISTRY	Payroll Run 1 - Warrant 0	312.49
9750	LEGALSHIELD	#22554 JULY 2020 EMPLOYEE	373.80
7735	LINCOLN FINANCIAL GROUP	000010008469 AUG 2020 LTD	3,737.65
7735	LINCOLN FINANCIAL GROUP	000010008469 AUG 2020 LIF	7,251.89
99999	GINGER CROSS	REFUND RETURNED HSA ACH P	236.50
99999	DANH TRAN	RETURNED HSA ACH PP15 202	239.30
10951	PINNACOL ASSURANCE	WORKERS COMP PREMIUM 7 OF	19,215.00
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES	376.75
10884	WORD OF MOUTH CATERING INC	SR MEAL PROGRAM 7/23-29	4,059.16
3875	XCEL ENERGY	JULY 20 GROUP ENERGY	61,780.64
3875	XCEL ENERGY	NEW WATER VALVE 4215 ELDO	2.24

13 INVOICES WARRANT TOTAL 106,743.93

CASH ACCOUNT: 001000 101001 WARRANT: 080620 08/06/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14154	ALLSTREAM	JULY 20 PHONE CIRCUITS	861.73
14847	AMANDA GEIS	COMPUTER LOAN GEIS	2,400.00
15038	ARTWARD BOUND, LLC	ARTIRONDACK CHAIR PROGRAM	300.00
15039	BLAKE WELCH	ARTIRONDACK CHAIR PROGRAM	600.00
14850	BRIDGEPAY NETWORK SOLUTIONS LL	JULY 20 BRIDGEPAY CREDIT	24.70
14801	CHRISTOPHER MELENDEZ	REIMBURSEMENT FOR GOLF IN	654.50
1280	COLORADO STATE TREASURER	132653-00-6-202 UNEMPLOYM	60,734.22
1505	DPC INDUSTRIES INC	CAUSTIC SODA SWTP	8,883.00
14576	GREEN LANDSCAPE SOLUTIONS LLC	2019 CONCRETE REPLACEMENT	200.00
15040	LIONNEL Z BUMBAKINI	ARTIRONDACK CHAIR PROGRAM	300.00
14768	MOJOS CLEANING SERVICES INC	JULY 20 JANITORIAL SERVIC	3,300.00
14276	SWEET SPOT CAFE LLC	EMPLOYEE APPRECIATION	1,483.50
10884	WORD OF MOUTH CATERING INC	SR MEAL PROGRAM 7/30-8/5	3,840.28
3876	XCEL ENERGY	Street Light Installation	8,464.52
	14 INVOICES	WARRANT TOTAL	92,046.45

CASH ACCOUNT: 001000 101001 WARRANT: 081820 08/18/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14870	70 SERVICES LLC	BIOHAZARD CLEANING CEO TR	450.00
8042	A-1 CHIPSEAL CO	2020 Chip Seal Project	212,304.40
14935	ABCX2 LLC	Airport Noise Consultant	2,200.00
14391	ADAM M GOLLIN	LICENSING AUTHORITY SHOW	692.90
12890	ADAMSON POLICE PRODUCTS	RIFLE AND ATTACHMENTS	1,676.91
12890	ADAMSON POLICE PRODUCTS	UNIFORM EQUIP REIMBURSED	84.95
12890	ADAMSON POLICE PRODUCTS	UNFORMS EQUIP REIMBURSED	102.93
12890	ADAMSON POLICE PRODUCTS	EMBROIDERED NAME STRIP	7.50
12890	ADAMSON POLICE PRODUCTS	SAFETY VESTS	50.00
12890	ADAMSON POLICE PRODUCTS	SILVER NAME STRIP	6.95
12890	ADAMSON POLICE PRODUCTS	GOLD NAME STRIP	6.95
12890	ADAMSON POLICE PRODUCTS	UNIFORM REIMBURSED WATHIE	42.95
12890	ADAMSON POLICE PRODUCTS	UNIFORM REIMBURED WATHIER	352.33
14828	ADVANCED FIBER RESPONSE INC	MIddle Mile Analysis Phas	6,999.00
14521	AJ'S BACKFLOW TESTING LLC	NWTP BACKFLOW TESTING	1,530.00
14713	AQUATIC RESOURCES LLC	Chlorine Tablets for Aqua	3,469.28
640	BOULDER COUNTY	JUNE 2020 RSSL GATE FEE	5,405.72
9838	BRIGHTVIEW LANDSCAPE SERVICES	Downtown Floral Display S	900.00
9838	BRIGHTVIEW LANDSCAPE SERVICES	Landscape Maintenance Ser	31,974.81
9838	BRIGHTVIEW LANDSCAPE SERVICES	Repairs @ Elephant Park (	2,500.00
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE PC	280.04
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE LI	523.99
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE RC	308.09
10773	CENTRIC ELEVATOR CORP	ELEVATOR MAINTENANCE CH	306.18
2220	CHEMTRADE CHEMICALS US LLC	Alum Sulfate for Water Tr	4,786.42
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
10813	COLO ASSOC OF CHIEFS OF POLICE	2020 MEMBERSHIP RENEWAL	600.00
1120	COLORADO ANALYTICAL LABORATORI	PROFESSIONAL LAB SERVICES	793.00
1120	COLORADO ANALYTICAL LABORATORI	PROFESSIONAL LAB SERVICES	116.50
1120	COLORADO ANALYTICAL LABORATORI	PROFESSIONAL LAB SERVICES	260.00
1120	COLORADO ANALYTICAL LABORATORI	PROFESSIONAL LAB SERVICES	940.80
1120	COLORADO ANALYTICAL LABORATORI	PROFESSIONAL LAB SERVICES	116.50
1120	COLORADO ANALYTICAL LABORATORI	PROFESSIONAL LAB SERVICES	116.50

CASH ACCOUNT: 001000 101001 WARRANT: 081820 08/18/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
1120	COLORADO ANALYTICAL LABORATORI	PROFESSIONAL LAB SERVICES	116.50
14894	COMMUNITY REACH CENTER INC	JUNE 2020 SERVICES	8,281.88
9973	CPS DISTRIBUTORS INC	Irrigation Clock Replacem	3,607.50
15036	DAVID J. THROWER	JULY 20 MUNICIPAL JUDGE S	2,800.00
14691	EEG ENTERPRISES INC	CHANNEL 8 CLOSE CAPTIONIN	299.00
14574	EUROFINS EATON ANALYTICAL LLC	UCMR SAMPLES LAB	750.00
1970	FEDEX	DAVE LEE MAILING TO COBAL	103.83
14893	FLATIRONS STUMP REMOVAL	STUMP REMOVAL	490.00
10271	FOOTHILLS VEGETATION MANAGEMEN	WEED SPRAYING GOLF COURSE	2,490.84
14070	FORENSIC TRUTH VERIFICATION GR	PRE EMPLOYMENT POLYGRAPH	150.00
7113	GALLS LLC	BELT HOLESHA 1001752120	30.99
7113	GALLS LLC	TROUSERS GARCIA 2 NAMEPLA	99.73
7113	GALLS LLC	UNIFORM REIMBURSED TRAN	57.75
1175	GEORGE T SANDERS COMPANY	PLUMBING MUSEUM ART CENTE	678.96
1175	GEORGE T SANDERS COMPANY	PLUMBING PARTS COMMUNITY	83.11
1175	GEORGE T SANDERS COMPANY	PLUMBING BACKFLOW ART CEN	51.10
13069	GLACIER CONSTRUCTION CO INC	VALVE INSTALL SWTP	2,004.00
14936	GOLDEN AUTOMATION LLC	MIOX TROUBLESHOOTING AND	1,645.00
2310	GRAINGER	PVC CEMENT	24.20
2310	GRAINGER	CALCULATORS	90.00
2310	GRAINGER	BATTERIES	6.03
2310	GRAINGER	NO TRESPASS SIGNS FOR ELD	84.92
2310	GRAINGER	MUSEUM SMOKE DETECTOR	92.14
2310	GRAINGER	GOLF CLUBHOUSE FIRE EXTIN	85.46
2310	GRAINGER	FIRE EXTINGUISHERS	399.74
2310	GRAINGER	TRIMMER LINE	45.68
2310	GRAINGER	LAB GLOVES	162.56
2310	GRAINGER	RESPIRATOR WIPES	33.22
2310	GRAINGER	FANS	66.40
246	GREEN MILL SPORTSMAN CLUB	SHOOTING RANGE JUNE 20	650.00
2405	HACH COMPANY	REAGENTS LAB	1,084.53
2405	HACH COMPANY	TNT'S LAB	477.52
2405	HACH COMPANY	LDO PROBE LAB	854.16
2405	HACH COMPANY	PIPETTE TIPS LAB	388.22

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VENDOR	VENDOR NAME	PURPOSE	AMOUNT
2415	HARCROS CHEMICALS INC	Salt for Water Treatment	931.00
2475	HILL PETROLEUM	Fuel/Coal Creek Golf Cour	695.96
2475	HILL PETROLEUM	Fuel/Coal Creek Golf Cour	733.26
645	HUMANE SOCIETY OF BOULDER VALL	1ST QTR 2020 SERVICES	2,741.25
9710	INDUSTRIAL CHEMICALS CORP	Hydrochloric Acid for Wat	278.50
9710	INDUSTRIAL CHEMICALS CORP	Hydrochloric Acid for Wat	278.50
13280	INSIGHT PUBLIC SECTOR INC	Microsoft Office 365 Subs	62.12
13778	INVISION GIS LLC	GIS & AM Implementation S	6,287.50
2700	J & S CONTRACTORS SUPPLY	WHITE MARKING PAINT SUPPL	168.00
14239	JC GOLF ACCESSORIES	2020 Resale Merchandise -	231.89
14239	JC GOLF ACCESSORIES	2020 Resale Merchandise -	186.33
11289	JVA INC	TWP CT CALCULATIONS	1,034.00
11289	JVA INC	WTP CT CALCULATIONS	520.00
2780	KAISER LOCK & KEY SERVICE INC	SERVICE ENTRY DOOR LI	48.75
14106	KEITH L KELLER	PRESERVATION GRANT 833 JE	2,200.38
14106	KEITH L KELLER	PRESERVATION GRANT 833 JE	1,536.83
2360	KELLY PC	JULY 20 LEGAL SERVICES	39,157.50
8002	KINSCO LLC	TACTICAL PANTS	99.98
14097	L.A.W.S.	REPAIR FRAYING WIRE TO RO	234.00
14097	L.A.W.S.	ONSITE RT FEE	65.00
11075	LEFT HAND TREE & LANDSCAPE LLC	MEDIAN CLEARANCE VIA APPI	816.00
3005	LEWAN & ASSOCIATES INC	APRIL 20 COPIER CONTRACT	77.17
3005	LEWAN & ASSOCIATES INC	JULY 20 COPIER CONTRACT	77.17
13782	LEXISNEXIS RISK DATA MANAGEMEN	July information searches	315.00
13782	LEXISNEXIS RISK DATA MANAGEMEN	MAY 20 INFORMATION SEARCH	338.75
13782	LEXISNEXIS RISK DATA MANAGEMEN	JUNE 20 INFORMATION SEARC	299.75
5432	LOUISVILLE FIRE PROTECTION DIS	TRANSPORT CR#20-1179	250.00
5432	LOUISVILLE FIRE PROTECTION DIS	TRANSPORT CR#20-1178	250.00
5432	LOUISVILLE FIRE PROTECTION DIS	BLOOD DRAW 20-1033 1105	70.00
15044	MCDONALD DEVELOPMENT LLC	HISTORIC STRUCTURE ASSESS	4,000.00

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VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14905	MICHAEL TALBOT WILT	LANDMARK INCENTIVE 908 RE	5,000.00
14918	MIZUNO USA INC - NDC	2020 Resale Merchandise -	1,005.36
13295	MOUSER ELECTRONICS	LIFT STATION ETHERNET/FIB	1,822.29
13597	NORTH LINE GIS LLC	BUSINESS MAP LOCATIONS ME	720.00
14673	NORTHWEST ROOFING	ROOF REPAIRS CS	500.00
14648	OCCUPATIONAL HEALTH CENTERS OF	INJURY CARE	63.00
15035	OFFICER INVOLVED TRAINING, LTD	OFFICER INVOLVED TRAINING	5,000.00
99999	REITZ ROOFING	DUPLICATE LICENSE	75.00
99999	SUNRUN	HOMEOWNER NO LONGER DOING	250.00
99999	BROOKLYN MESWARD	APPLIED FOR WRONG PERMIT	75.00
99999	BLACK ROOFING	DUP LICENSE WEB	75.00
99999	3SI SECURITY SYSTEMS, INC	GPS TRACKER	818.00
99999	CRAIG HOSPITAL	SEPT DEPOSIT REFUND COVID	440.00
99999	MARY K SMITH	STEINBAUGH REFUND COVID	235.00
99999	COLORS OF THE EARTH	MOIX ROOM PAINTING	1,970.00
99999	DANIELLE BAILEY	PASS REFUND COVID	96.00
99999	MARY KEMP	REC CENTER REFUND COVID	66.00
99999	LEAH MOHLING	REC CENTER REFUND COVID	331.00
99999	HENRY ROSSELL	SPORTS CAMP CANCELLED REF	215.00
99999	TROY GUINNIP	MEMBERSHIP CANCELLED COVI	60.00
13649	OVERDRIVE INC	ADULT EAUDIO BOOKS	349.47
14144	PING INC	2020 Resale Merchandise -	114.84
14144	PING INC	2020 Resale Merchandise -	897.10
14144	PING INC	2020 Resale Merchandise -	666.25
14614	PLAY-WELL TEKNOLOGIES	CAMP CONTRACTOR 22173	1,080.00
11329	POLYDYNE INC	CLARIFLOC NORTH PLANT	624.15
700	PRAIRIE MOUNTAIN MEDIA	DISPOSAL OF PROPERTY AD	20.00
13095	PSYCHOLOGICAL DIMENSIONS PC	PRE EMPLOYMENT PSYCH	225.00
13095	PSYCHOLOGICAL DIMENSIONS PC	PRE EMPLOYMENT PSYCH	225.00
14375	PUBLIC SAFETY ASSISTANCE FOUND	PSAF SERVICE	130.00
14200	RAMAKER & ASSOCIATES INC	1 YR ECIMS HOSTING IMAGIN	1,700.00
14041	RAMEY ENVIRONMENTAL COMPLIANCE	2020 Pump and Volute Repl	17,658.18
14844	REPUBLIC SERVICES INC #535	WW WASTE PROFILE	105.25

CASH ACCOUNT: 001000 101001 WARRANT: 081820 08/18/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14844	REPUBLIC SERVICES INC #535	JULY 20 CITY TRASH SERVIC	2,624.36
14617	RILEY EQUIPMENT COMPANY INC	TUB SCRUBBER ODOR CONTROL	1,752.00
10525	RYAN HERCO PRODUCTS CORP	TANK FITTING	180.97
4230	SEACREST GROUP	QUARTERLY CHRONIC EFFLUEN	2,079.00
14942	SILVA CONSTRUCTION INC	Concrete Replacement Proj	243,254.15
14593	SMARTFORCE TECHNOLOGIES, INC	BULLETIN WIZARD ANNUAL SO	479.40
14633	SPRINGSHARE LLC	SOFTWARE LIB CAL	1,065.00
14792	SUEZ TREATMENT SOLUTIONS INC	UV LAMP REPLCEMENTS	1,222.60
7404	SUN BADGE COMPANY	REMAINING BADGES FROM ORD	324.50
4100	TERMINIX	PEST CONTROL WTP	128.00
1047	THE DAVEY TREE EXPERT COMPANY	BUSH REMOVAL TREE PRUNING	1,850.00
14663	THE JUMP ROPE GROUP LLC	JUMP ROPE CLUB 20040.1	172.90
14754	THEODORE W BARBER	LANDMARK INCENTIVE 1200 J	5,000.00
14911	THOMAS JOSEPH VAN HORN	LANDMARK INCENTIVE 1016 G	5,000.00
12787	TRANE US INC	Replace two HVAC refriger	5,118.54
14353	TRANSPARENT INFORMATION SERVIC	BACKGROUND CHECKS	40.40
6609	TRAVELERS	14T62961-ZLP 3667M0083 IN	1,600.00
14532	UNITED REFRIGERATION INC	HVAC NWT LI	899.08
14532	UNITED REFRIGERATION INC	HVAC NWT	29.43
14532	UNITED REFRIGERATION INC	HVAC COMPRESSOR REPAIRS L	1,211.35
14532	UNITED REFRIGERATION INC	HVAC REPAIRS NWTP	200.59
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	1,967.02
1191	WEED WRANGLERS	2020 Noxious Weed Control	479.12
14373	WEIFIELD GROUP CONTRACTING INC	FILTER PANELREPAIR NWTP	2,274.47
14373	WEIFIELD GROUP CONTRACTING INC	INFLUENT LIFT STATION EME	424.00
14373	WEIFIELD GROUP CONTRACTING INC	ALLEN BRADLEY OVERLOAD RE	723.00
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES ALL D	45.99
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES CH	344.54
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES RSC	798.16

CASH ACCOUNT: 001000 101001 WARRANT: 081820 08/18/2020

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES CS	359.89
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES AC	280.29
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES PC	477.07
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES LI	301.71
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES WT	76.85
5115	WL CONTRACTORS INC	2020 Traffic Signal Maint	4,411.50
13790	ZAYO GROUP LLC	AUGUST 20 MONTHLY INTERNE	783.00

169 INVOICES WARRANT TOTAL 703,720.37

CITY OF LOUISVILLE					
PURCHASE CARD SUMMARY					
STATEMENT PERIOD 05/21/20- 06/19/20					
SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
0770 CED	BOULDER	THOMAS CZAJKA	OPERATIONS	07/13/2020	306.75
2COCOM*123FORMBUILDER.	8882471614	ANDY SQUIRES	IT	07/13/2020	25.90
ABC-NV	913-8954600	ZACH STEINBAUGH	WASTEWATER	07/02/2020	100.00
ABC-NV	913-8954600	GREG VENETTE	WATER	06/23/2020	100.00
ACCUPRODUCT	7344299571	CONNOR POWERS	GOLF COURSE	07/14/2020	178.97
AIRGAS USA, LLC	866-935-3370	ROSS DAVIS	OPERATIONS	07/14/2020	466.41
AIS INDUSTRIAL SUPPLY	DENVER	JACK MANIAN	OPERATIONS	06/23/2020	78.72
ALARM PROCESSING CENTE	AURORA	JIM GILBERT	PARKS	07/01/2020	290.55
ALLDATA CORP #8601	ELK GROVE	MASON THOMPSON	OPERATIONS	07/02/2020	125.00
AMAZON.COM*MJ4394H90 A	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	07/09/2020	17.68
AMAZON.COM*MJ7UB27G1 A	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	07/09/2020	54.99
AMAZON.COM*MS89J3MF0 A	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	06/22/2020	119.65
AMAZON.COM*MV2SW7N22 A	AMZN.COM/BILL	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/20/2020	50.00
AMAZON.COM*MV36490D1 A	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	07/16/2020	128.26
AMAZON.COM*MV5KA1P71 A	AMZN.COM/BILL	EMILY HOGAN	CITY MANAGER	07/17/2020	120.71
AMER ASSOC NOTARIES	713-644-2299	CHRISSY REASON	CITY CLERK	07/18/2020	26.90
AMERICAN RED CROSS	800-733-2767	DANIEL BIDLEMEN	REC CENTER	06/30/2020	60.00
AMERICAN RED CROSS	800-733-2767	DEANNA WEBSTER	REC CENTER	06/27/2020	30.00
AMZN MKTP US AMZN.COM/	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/19/2020	-29.95
AMZN MKTP US*MJ7O056H2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	07/13/2020	46.39
AMZN MKTP US*MV4658FG2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	07/18/2020	29.99
AMZN MKTP US	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	07/08/2020	-39.09
AMZN MKTP US*MJ1M651D0	AMZN.COM/BILL	EMILY HOGAN	CITY MANAGER	07/06/2020	279.07
AMZN MKTP US*MJ29T4K20	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	07/12/2020	54.87
AMZN MKTP US*MJ2K64DQ0	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	07/11/2020	63.99
AMZN MKTP US*MJ49G28E2	AMZN.COM/BILL	ELIZABETH SCHETTLER	PLANNING	07/12/2020	71.98
AMZN MKTP US*MJ57W1Y91	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	07/12/2020	61.98
AMZN MKTP US*MJ5HP4XZ2	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	07/09/2020	88.00
AMZN MKTP US*MJ5XG8F72	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	07/02/2020	51.75

AMZN MKTP US*MJ5YL00A0	AMZN.COM/BILL	BRIAN GARDUNO	OPERATIONS	07/06/2020	679.96
AMZN MKTP US*MJ65E5A20	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	07/05/2020	61.98
AMZN MKTP US*MJ7859HV1	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	07/06/2020	146.05
AMZN MKTP US*MJ7RY6R41	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	07/11/2020	887.12
AMZN MKTP US*MJ85Q12Y1	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	07/08/2020	104.25
AMZN MKTP US*MJ8GP4HF1	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	07/06/2020	83.74
AMZN MKTP US*MS0NG7PO2	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	06/22/2020	139.94
AMZN MKTP US*MS1NN9RR2	AMZN.COM/BILL	REMY RODRIGUES	IT	06/30/2020	317.45
AMZN MKTP US*MS2RH1DW2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	06/27/2020	27.42
AMZN MKTP US*MS3JE3SM0	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	06/26/2020	100.16
AMZN MKTP US*MS4ER9WS0	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	06/30/2020	70.90
AMZN MKTP US*MS4YP2KD0	AMZN.COM/BILL	REMY RODRIGUES	IT	06/27/2020	17.98
AMZN MKTP US*MS51P3VP0	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	06/22/2020	245.00
AMZN MKTP US*MS5CY6TQ2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	06/20/2020	33.89
AMZN MKTP US*MS5ON77T1	AMZN.COM/BILL	EMILY HOGAN	CITY MANAGER	06/24/2020	895.00
AMZN MKTP US*MS5V07QX1	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	06/22/2020	42.80
AMZN MKTP US*MS85C8D70	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	06/25/2020	39.09
AMZN MKTP US*MS8EV2WJ0	AMZN.COM/BILL	REMY RODRIGUES	IT	06/30/2020	139.98
AMZN MKTP US*MS8V80MH2	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	06/24/2020	48.99
AMZN MKTP US*MS9AQ4TI2	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	06/20/2020	84.95
AMZN MKTP US*MV2151JX1	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	07/15/2020	44.21
AMZN MKTP US*MV36B9CR0	AMZN.COM/BILL	DAVID SZABADOS	FACILITIES	07/15/2020	89.90
AMZN MKTP US*MV5KC2FW0	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	07/16/2020	79.25
AMZN MKTP US*MV7LV34Y2	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	07/19/2020	23.88
AMZN MKTP US*MV7P953F2	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	07/20/2020	129.99
AMZN MKTP US*MV7TI0ZM2	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	07/20/2020	21.99
ASCAP LICENSE FEE	800-505-4052	KATHERINE ZOSS	CITY MANAGER	06/23/2020	366.26
ATD	7036838100	DIANE M KREAGER	FINANCE	06/25/2020	-1495.00
ATT*TECH SUPPORT 360	877-88TS360	DANIEL WOOLDRIDGE	IT	07/11/2020	10.00
ADOBE INC	8008336687	KURT KOWAR	PUBLIC WORKS	07/17/2020	119.88
AMAZON PRIME*MV6EM74M1	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	07/13/2020	119.00
AMAZON.COM*MJ2B63451	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	06/29/2020	34.54
AMAZON.COM*MJ4450C11	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/28/2020	78.40
AMAZON.COM*MJ5CB4H02	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	07/11/2020	62.81

AMAZON.COM*MJ76Y7H40	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	07/09/2020	299.00
AMAZON.COM*MV0BS03V2	AMZN.COM/BILL	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/20/2020	350.00
AMAZON.COM*MV1G56480	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	07/16/2020	11.88
AMAZON.COM*MV2ZE6AA0	AMZN.COM/BILL	JUSTIN ELKINS	WASTEWATER	07/20/2020	164.54
AMAZON.COM*MV43V2TF1	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	07/15/2020	19.49
AMAZON.COM*MV7T89BZ1	AMZN.COM/BILL	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/20/2020	700.00
AMAZON.COM*MV9M52TO1	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	07/15/2020	46.93
B&H PHOTO 800-606-6969	800-2215743	EMILY HOGAN	CITY MANAGER	07/08/2020	-19.05
B&H PHOTO 800-606-6969	800-2215743	EMILY HOGAN	CITY MANAGER	07/02/2020	268.05
B&H PHOTO 800-606-6969	800-2215743	DIANE M KREAGER	FINANCE	07/02/2020	-1098.00
BIOBOT ANALYTICS	SOMERVILLE	JUSTIN ELKINS	WASTEWATER	06/22/2020	480.00
BIZWEST-DIGITAL	FORT COLLINS	ROBERT ZUCCARO	PLANNING	07/12/2020	7.00
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	07/02/2020	545.00
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	07/01/2020	40.00
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	07/01/2020	561.00
BRON TAPES INC	3033542002	ERICA BERZINS	POLICE	06/19/2020	260.70
CANVA* 02742-6254035	8778877815	GLORIA HANDYSIDE	CITY MANAGER	07/05/2020	12.95
CAPTIVE AIRE ONLINE	9198822410	DAVID SZABADOS	FACILITIES	06/23/2020	1426.90
CCCMA	GOLDEN	MEGAN PIERCE	CITY MANAGER	07/14/2020	75.00
CDW GOVT #ZFG5181	800-808-4239	DANIEL WOOLDRIDGE	IT	06/22/2020	263.45
CDW GOVT #ZFP7704	800-808-4239	DANIEL WOOLDRIDGE	IT	06/24/2020	239.37
CENTENNIAL PRINTING CO	303-6650388	GLORIA HANDYSIDE	CITY MANAGER	07/20/2020	700.00
CENTENNIAL PRINTING CO	303-6650388	GLORIA HANDYSIDE	CITY MANAGER	07/17/2020	780.00
CENTENNIAL PRINTING CO	303-6650388	GLORIA HANDYSIDE	CITY MANAGER	07/16/2020	780.00
CENTENNIAL PRINTING CO	303-6650388	JIM GILBERT	PARKS	07/07/2020	189.14
CENTENNIAL PRINTING CO	303-6650388	GINGER CROSS	GOLF COURSE	07/02/2020	245.00
CENTENNIAL PRINTING CO	303-6650388	PENNEY BOLTE	SALES TAX	06/30/2020	55.00
CENTURYLINK/SPEEDPAY	800-244-1111	BOBBIEJO TREGAY	FINANCE	06/28/2020	2102.28
CGRS INC	FORT COLLINS	JUSTIN ELKINS	WASTEWATER	06/29/2020	285.00
CO MOTOR VEHICLE SERVI	3035343468	CALVIN MCCARTY	OPERATIONS	07/01/2020	1.89
CO MOTOR VEHICLE SERVI	3035343468	MASON THOMPSON	OPERATIONS	06/19/2020	30.58
COAL CREEK COLLISION	LOUISVILLE	MASON THOMPSON	OPERATIONS	07/07/2020	1000.00
COAL CREEK COLLISION	LOUISVILLE	CALVIN MCCARTY	OPERATIONS	06/22/2020	829.95
COAL CREEK GOLF COURSE	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/08/2020	5.00

COAL CREEK GOLF COURSE	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/08/2020	-5.00
COLORADO ANALYTICAL	BRIGHTON	ZACH STEINBAUGH	WASTEWATER	07/02/2020	910.80
COLORADO BARRICADE COM	DENVER	JACK MANIAN	OPERATIONS	06/23/2020	114.00
COLORADO CWP	719-545-6748	THOMAS CZAJKA	OPERATIONS	07/20/2020	50.00
COLORADO CWP	719-545-6748	GREG VENETTE	WATER	06/22/2020	50.00
COLORADO CWP	719-545-6748	BENJAMIN FRANCISCO	OPERATIONS	06/19/2020	50.00
COLORADO GOLF AND TURF	LITTLETON	SAM WHITE	GOLF COURSE	06/26/2020	-174.01
COLORADO GOLF ASSN	303-3664653	SAM WHITE	GOLF COURSE	07/17/2020	920.00
COLORADO GOLF ASSN	303-3664653	SAM WHITE	GOLF COURSE	07/16/2020	420.00
COLORADO GOLF ASSN	303-3664653	SAM WHITE	GOLF COURSE	06/30/2020	90.00
COLORADO MUNICIPAL CLE	720-339-5845	CHRISSY REASON	CITY CLERK	07/14/2020	20.00
COLORADO MUNICIPAL CLE	720-339-5845	CHRISSY REASON	CITY CLERK	07/14/2020	20.00
COLORADO MUNICIPAL LEA	303-8316411	DAWN BURGESS	CITY MANAGER	07/20/2020	99.00
COLORADO MUNICIPAL LEA	303-8316411	DAWN BURGESS	CITY MANAGER	07/20/2020	99.00
COLORADO MUNICIPAL LEA	303-8316411	DAWN BURGESS	CITY MANAGER	07/20/2020	99.00
COMCAST CABLE COMM	800-COMCAST	KATHERINE ZOSS	CITY MANAGER	07/13/2020	109.95
COMCAST CABLE COMM	800-COMCAST	JIM GILBERT	PARKS	06/28/2020	504.80
COMCAST DENVER	800-266-2278	JILL SIEWERT	LIBRARY	07/14/2020	298.13
CONOCO - COPPER MTN CO	FRISCO	MICHAEL CLEVELAND	OPERATIONS	07/09/2020	39.00
COURSRA6SNTCKXLY44HOQ	6502657649	GREG VENETTE	WATER	07/16/2020	50.96
CPS DISTRIBUTORS	BOULDER	BRADLEY AUSTIN	PARKS	07/09/2020	90.49
CPS DISTRIBUTORS	BOULDER	BRADLEY AUSTIN	PARKS	07/07/2020	497.57
CPS DISTRIBUTORS	BOULDER	DAVID ALDERS	PARKS	06/23/2020	28.12
CRAIGSLIST.ORG	415-399-5200	PAULA KNAPEK	HUMAN RESOURCES	06/24/2020	25.00
CRAIGSLIST.ORG	415-399-5200	PAULA KNAPEK	HUMAN RESOURCES	06/24/2020	25.00
CRAIGSLIST.ORG	415-399-5200	PAULA KNAPEK	HUMAN RESOURCES	06/24/2020	25.00
CRAIGSLIST.ORG	415-399-5200	PAULA KNAPEK	HUMAN RESOURCES	06/24/2020	25.00
CRAIGSLIST.ORG	415-399-5200	PAULA KNAPEK	HUMAN RESOURCES	06/24/2020	25.00
CRAIGSLIST.ORG	415-399-5200	PAULA KNAPEK	HUMAN RESOURCES	06/24/2020	25.00
CRAIGSLIST.ORG	415-399-5200	PAULA KNAPEK	HUMAN RESOURCES	06/24/2020	25.00
CUSTOMBUTTONS.COM	888-3528721	EMILY HOGAN	CITY MANAGER	06/29/2020	121.36
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	07/10/2020	653.71
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	07/07/2020	176.68
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	07/01/2020	27.46

DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	06/24/2020	188.94
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	06/22/2020	535.84
DEMCO INC	800-9624463	JILL SIEWERT	LIBRARY	07/02/2020	584.73
DENVER BOTANIC GARDENS	DENVER	KATIE TOFTE	REC CENTER	06/25/2020	-25.20
DNH*GODADDY.COM	480-5058855	CHRISTOPHER NEVES	IT	07/17/2020	179.70
DROPBOX*1X2GQDY4N785	DROPBOX.COM	EMILY HOGAN	CITY MANAGER	07/18/2020	11.99
DTV*DIRECTV SERVICE	800-347-3288	SAM WHITE	GOLF COURSE	07/11/2020	48.37
DX SERVICE	281-457-4825	ZACH STEINBAUGH	WASTEWATER	06/27/2020	591.20
E 470 EXPRESS TOLLS	303-5373470	BOBBIEJO TREGAY	FINANCE	07/08/2020	4.65
ENGINEER SUPPLY LLC	8005918907	KERRY HOLLE	PUBLIC WORKS	07/07/2020	49.24
EZGO FINANCE PAYMTS	800-448-7476	SAM WHITE	GOLF COURSE	06/26/2020	91.01
EVERNOTE	MOUNTAIN VIEW	JUSTIN ELKINS	WASTEWATER	07/06/2020	69.99
FALCON ENVIRONMENTAL	3038339998	ZACH STEINBAUGH	WASTEWATER	07/06/2020	329.45
FASTSIGNS OF BROOMFIEL	BROOMFIELD	DAWN BURGESS	CITY MANAGER	07/09/2020	167.10
FASTSIGNS OF BROOMFIEL	BROOMFIELD	GLORIA HANDYSIDE	CITY MANAGER	07/02/2020	118.56
FASTSIGNS OF BROOMFIEL	BROOMFIELD	MEGAN PIERCE	CITY MANAGER	06/29/2020	198.90
FASTSIGNS OF BROOMFIEL	BROOMFIELD	KATHERINE ZOSS	CITY MANAGER	06/19/2020	207.00
FASTSIGNS OF BROOMFIEL	BROOMFIELD	KATHERINE ZOSS	CITY MANAGER	06/19/2020	497.25
FBI NATIONAL ACADEMY A	703-6321990	MICHAEL MCINTOSH	POLICE	06/22/2020	105.00
FEDEX 518116308	MEMPHIS	DAVID BARIL	GOLF COURSE	06/20/2020	4.33
FEDEX 519037993	MEMPHIS	DAVID BARIL	GOLF COURSE	06/30/2020	19.57
FEDEX 940492719484	MEMPHIS	DAVID BARIL	GOLF COURSE	07/07/2020	13.57
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	07/15/2020	29.00
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	07/15/2020	79.85
FLEX SEAL PRODUCTS	954-282-5400	GREG VENETTE	WATER	07/21/2020	29.99
FLEX SEAL PRODUCTS	954-282-5400	GREG VENETTE	WATER	06/30/2020	40.97
GO-FER FOODS OF SILT	SILT	MICHAEL CLEVELAND	OPERATIONS	07/09/2020	55.32
GOOGLE *DOMAINS	G.CO/HELPPAY#	MEAGAN BROWN	HUMAN RESOURCES	06/21/2020	12.00
GOOGLE *DOMAINS	G.CO/HELPPAY#	MEAGAN BROWN	HUMAN RESOURCES	06/21/2020	12.00
GOVERNMENT FINANCE OFF	CHICAGO	DIANE M KREAGER	FINANCE	07/14/2020	120.00
GRAINGER	877-2022594	ZACH STEINBAUGH	WASTEWATER	07/14/2020	239.04
HACH COMPANY	LOVELAND	ZACH STEINBAUGH	WASTEWATER	06/19/2020	242.56
HILLYARD INC DENVER	3033211227	SAM WHITE	GOLF COURSE	07/10/2020	249.10
HILLYARD INC DENVER	3033211227	SAM WHITE	GOLF COURSE	07/09/2020	44.39

HOMEDEPOT.COM	800-430-3376	CONNOR POWERS	GOLF COURSE	06/26/2020	249.00
HYDRO INTERNATIONAL	2077566200	DEVIN MADIGAN	WASTEWATER	07/15/2020	50.40
ID ENHANCEMENTS, INC.	8433329720	REMY RODRIGUES	IT	07/09/2020	587.23
IN *1-2-1 MARKETING	407-3954701	SAM WHITE	GOLF COURSE	07/02/2020	199.00
IN *MOUNTAIN PEAK CONT	303-2710376	JUSTIN ELKINS	WASTEWATER	07/09/2020	875.00
IN *ROSE SIGN LANGUAGE	720-2328370	MEREDYTH MUTH	CITY MANAGER	07/20/2020	225.00
IN *ROSE SIGN LANGUAGE	720-2328370	MEREDYTH MUTH	CITY MANAGER	07/08/2020	405.00
IN *VAN GO AUTO GLASS	BROOMFIELD	MASON THOMPSON	OPERATIONS	07/01/2020	880.00
INSTANTIMPRINTS.COM	3035072981	KATIE BAUM	CITY MANAGER	07/16/2020	120.00
JAX OUTDOOR GEAR	LAFAYETTE	JACK MANIAN	OPERATIONS	07/14/2020	53.90
JAX RANCH & HOME	LAFAYETTE	KERRY KRAMER	PARKS	07/08/2020	49.99
JAX RANCH & HOME	LAFAYETTE	NICHOLAS POTOPCHUK	PARKS	06/22/2020	6.76
JIMMY JOHNS - 2668	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	07/02/2020	29.25
JIMMY JOHNS - 2668	LOUISVILLE	THOMAS CZAJKA	OPERATIONS	06/26/2020	32.75
JIMMY JOHNS - 2668 - M	LOUISVILLE	KERRY HOLLE	PUBLIC WORKS	07/08/2020	84.06
JIMMY JOHNS - 2668 - M	LOUISVILLE	GREG VENETTE	WATER	07/01/2020	133.94
KAPWING PRO PLAN	4153906064	GINGER CROSS	GOLF COURSE	06/23/2020	20.00
KING SOOPERS #0013	LOUISVILLE	DAWN BURGESS	CITY MANAGER	07/17/2020	26.94
KING SOOPERS #0013	LOUISVILLE	CATHERINE JEPSON	PARKS	07/10/2020	25.91
KING SOOPERS #0013	LOUISVILLE	THOMAS CZAJKA	OPERATIONS	07/08/2020	34.98
KING SOOPERS #0013	LOUISVILLE	DAWN BURGESS	CITY MANAGER	07/07/2020	35.92
KING SOOPERS #0135	LAFAYETTE	JUSTIN ELKINS	WASTEWATER	07/08/2020	75.33
LALLEMAND SPECIALTIES	MILWAUKEE	MICHAEL TOWERS	PARKS	06/24/2020	817.50
LAMARS DONUTS-	LOUISVILLE	STEVE ROELS	PARKS	07/11/2020	35.63
LANCE PFEIFER SNAP ON	FIRESTONE	CONNOR POWERS	GOLF COURSE	07/06/2020	42.25
LANDS END BUS OUTFITTE	8003324700	JEN KENNEY	POLICE	06/24/2020	61.90
LES MILLS US TRADING	6308285949	LINDSEY WITTY	REC CENTER	07/07/2020	411.75
LEWAN TECHNOLOGY	CREDITCARDS@L	BOBBIEJO TREGAY	FINANCE	07/15/2020	1639.00
LEWAN TECHNOLOGY	CREDITCARDS@L	BOBBIEJO TREGAY	FINANCE	07/15/2020	2474.31
LEWAN TECHNOLOGY	CREDITCARDS@L	BOBBIEJO TREGAY	FINANCE	07/15/2020	1387.97
LITTLE VALLEY WHOLESAL	BRIGHTON	MARYANN DORNFELD	PARKS	07/13/2020	320.90
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	51.95
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	100.17
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	32.29

LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	195.19
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	59.02
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	174.82
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	252.31
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	697.27
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	446.13
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	97.54
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	109.49
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	141.90
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	27.46
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	299.38
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	6.94
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	51.68
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	52.95
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	630.29
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	07/20/2020	62.00
LL JOHNSON DIST CO	DENVER	DRUSILLA TIEBEN	PARKS	07/20/2020	432.20
LOGMEIN*GOTOMEETING	LOGMEIN.COM	JEFFREY FISHER	POLICE	07/10/2020	49.00
LONGMONT WINNELSON CO	LONGMONT	MIKE KARBGINSKY	FACILITIES	07/06/2020	353.85
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	07/17/2020	8.28
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	07/15/2020	36.27
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	07/14/2020	27.44
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/13/2020	80.52
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	07/13/2020	39.64
LOWES #00220*	LOUISVILLE	JAMES VAUGHAN	REC CENTER	07/10/2020	4.98
LOWES #00220*	LOUISVILLE	CATHERINE JEPSON	PARKS	07/09/2020	43.92
LOWES #00220*	LOUISVILLE	CRAIG DUFFIN	PUBLIC WORKS	07/09/2020	148.40
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	07/07/2020	35.92
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	07/07/2020	49.84
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/03/2020	-29.97
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	07/02/2020	28.54
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/02/2020	127.53
LOWES #00220*	LOUISVILLE	KATIE MEYER	REC CENTER	07/01/2020	15.92
LOWES #00220*	LOUISVILLE	KERRY KRAMER	PARKS	06/30/2020	43.40

LOWES #00220*	LOUISVILLE	KATIE MEYER	REC CENTER	06/29/2020	122.00
LOWES #00220*	LOUISVILLE	ANDY ELLIS	PARKS	06/29/2020	126.88
LOWES #00220*	LOUISVILLE	BRADLEY AUSTIN	PARKS	06/24/2020	19.98
LOWES #00220*	LOUISVILLE	DANIEL PEER	PARKS	06/22/2020	71.92
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	06/22/2020	98.82
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/22/2020	119.92
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/21/2020	138.40
LOWES #00220*	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	06/19/2020	48.00
MAC EQUIPMENT INC (LON	LONGMONT	MASON THOMPSON	OPERATIONS	07/15/2020	143.33
MAC EQUIPMENT INC (LON	LONGMONT	AARON GRANT	PARKS	07/10/2020	13.42
MAC EQUIPMENT INC (LON	LONGMONT	NICHOLAS POTOPCHUK	PARKS	06/24/2020	147.54
MAILCHIMP *MONTHLY	MAILCHIMP.COM	GLORIA HANDYSIDE	CITY MANAGER	07/18/2020	177.65
MCDONALD'S F14200	LOUISVILLE	DAWN BURGESS	CITY MANAGER	07/20/2020	71.48
MEAS SPECIALTIES INC	757-766-4303	GREG VENETTE	WATER	06/24/2020	610.30
METAL SUPERMARKETS WHE	WHEAT RIDGE	ROSS DAVIS	OPERATIONS	06/22/2020	114.13
MICRODAQ.COM LTD	6037465524	DAVID SZABADOS	FACILITIES	06/22/2020	239.99
MILE HIGH TURFGRASS LL	3039880969	DAVID DEAN	GOLF COURSE	07/10/2020	952.20
MILE HIGH TURFGRASS LL	3039880969	DAVID DEAN	GOLF COURSE	07/06/2020	320.00
MSFT * E0500BFYY9	MSFT AZURE	DANIEL WOOLDRIDGE	IT	07/02/2020	116.39
NAPA AUTO PART 0026903	LOUISVILLE	BOBBIEJO TREGAY	FINANCE	07/20/2020	5105.71
NAPA AUTO PART 0026903	LOUISVILLE	BOBBIEJO TREGAY	FINANCE	07/20/2020	220.70
NSC*NORTHERN SAFETY CO	800-631-1246	ANGELA NORENE	OPERATIONS	06/24/2020	189.00
O MEARA FORD	NORTHGLENN	CALVIN MCCARTY	OPERATIONS	07/14/2020	326.57
O MEARA FORD	NORTHGLENN	CALVIN MCCARTY	OPERATIONS	07/14/2020	346.00
O MEARA FORD	NORTHGLENN	MASON THOMPSON	OPERATIONS	07/08/2020	60.28
OFFICE DEPOT #1080	800-463-3768	DAVID BARIL	GOLF COURSE	07/17/2020	301.08
OFFICE DEPOT #1080	800-463-3768	ELIZABETH SCHETTLER	PLANNING	07/17/2020	83.56
OFFICE DEPOT #1080	800-463-3768	ELIZABETH SCHETTLER	PLANNING	06/19/2020	127.34
OFFICEMAX/DEPOT 6616	SUPERIOR	JEN KENNEY	POLICE	07/08/2020	9.99
ONLINE FLAGGER COM	7209628815	BENJAMIN FRANCISCO	OPERATIONS	06/24/2020	280.00
OUTDOOR CUSTOM SPORTSW	913-341-7464	DAVID DEAN	GOLF COURSE	06/30/2020	336.62
OVR*O.CO/OVERSTOCK.COM	800-8432446	KATHERINE ZOSS	CITY MANAGER	06/23/2020	948.29
OVR*O.CO/OVERSTOCK.COM	800-8432446	KATHERINE ZOSS	CITY MANAGER	06/22/2020	910.81
OLD SANTA FE MEXICAN G	LOUISVILLE	MICHAEL MCINTOSH	POLICE	07/14/2020	35.94

PAR WEST TURF SERVICES	7148931555	DAVID DEAN	GOLF COURSE	06/25/2020	-13.53
PAR WEST TURF SERVICES	7148931555	DAVID DEAN	GOLF COURSE	06/24/2020	422.93
PARKER STORE LOUISVILL	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	07/20/2020	45.03
PARKER STORE LOUISVILL	LOUISVILLE	MICHAEL TOWERS	PARKS	06/22/2020	52.83
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	07/02/2020	19.95
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	07/02/2020	59.95
PAYPAL *GMCS EBAY GMCS	4029357733	DAVID BARIL	GOLF COURSE	07/15/2020	103.92
PAYPAL *INDIGOWATER	4029357733	JUSTIN ELKINS	WASTEWATER	07/06/2020	566.00
PAYPAL *OFFICEDEPOT	4029357733	DAVID BARIL	GOLF COURSE	07/02/2020	43.03
PAYPAL *OFFICEDEPOT	4029357733	DAVID BARIL	GOLF COURSE	06/23/2020	59.98
PAYPAL *OFFICEDEPOT	4029357733	DAVID BARIL	GOLF COURSE	06/22/2020	35.98
PAYPAL *PRECENGRNG EBA	4029357733	DAVID BARIL	GOLF COURSE	06/29/2020	914.68
PAYPAL *PWGOLFLSUPP	4029357733	DAVID BARIL	GOLF COURSE	07/02/2020	-191.76
PAYPAL *TRAINERSEDG	4029357733	CHRISTOPHER HUMPHREYS	POLICE	07/20/2020	375.00
PAYPAL *URS	4029357733	CONNOR POWERS	GOLF COURSE	06/19/2020	485.00
PAYPAL *WHITNEYRACH	4029357733	AMANDA PERERA	REC CENTER	06/29/2020	71.00
PET SCOOP	DENVER	DRUSILLA TIEBEN	PARKS	07/01/2020	540.00
PLUG N PAY TECHNOLOGIE	631-8707735	JULIE SEYDEL	REC CENTER	07/08/2020	36.07
PRAIRIE MOUNTAIN MEDIA	8884549588	BOBBIEJO TREGAY	FINANCE	07/16/2020	552.20
RANGE SERVANT AMERICA	7704488055	DAVID DEAN	GOLF COURSE	07/17/2020	122.70
REI*MATTHEW BENDER &CO	800-833-9844	JILL SIEWERT	LIBRARY	06/30/2020	86.88
RME*THE GOLFWORKS	800-848-8358	DAVID BARIL	GOLF COURSE	07/09/2020	27.94
ROADSAFE 3101	401-2534600	ROSS DAVIS	OPERATIONS	07/15/2020	695.33
ROOTER TOWN LLC	3035740830	PHIL LIND	FACILITIES	07/09/2020	295.00
SAFETY AND CONSTRUCTIO	DENVER	THOMAS CZAJKA	OPERATIONS	07/13/2020	105.30
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/18/2020	20.00
SAFEWAY #2812	LOUISVILLE	SAM WHITE	GOLF COURSE	07/16/2020	18.14
SAFEWAY #2812	LOUISVILLE	SAM WHITE	GOLF COURSE	07/16/2020	-0.64
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/14/2020	29.90
SAFEWAY #2812	LOUISVILLE	DAWN BURGESS	CITY MANAGER	07/13/2020	25.94
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/12/2020	20.00
SAFEWAY #2812	LOUISVILLE	SAM WHITE	GOLF COURSE	07/10/2020	25.00
SAFEWAY #2812	LOUISVILLE	SHAIRA WHITTLE	POLICE	07/09/2020	90.59
SAFEWAY #2812	LOUISVILLE	SAM WHITE	GOLF COURSE	07/07/2020	25.00

SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/04/2020	25.91
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	07/04/2020	-0.91
SAFEWAY #2812	LOUISVILLE	GREG VENETTE	WATER	07/01/2020	18.56
SAFEWAY #2812	LOUISVILLE	SAM WHITE	GOLF COURSE	06/30/2020	25.00
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/28/2020	17.50
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/28/2020	10.00
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/27/2020	20.00
SAFEWAY #2812	LOUISVILLE	SAM WHITE	GOLF COURSE	06/26/2020	22.50
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/24/2020	25.00
SAFEWAY #2812	LOUISVILLE	PATRICIA MORGAN	REC CENTER	06/22/2020	5.49
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/20/2020	20.00
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/18/2020	15.00
SCB NORTH AMERICA	4067812216	STEVE ROELS	PARKS	07/15/2020	125.00
SCHICKPRINT	LAKEWOOD	SAM WHITE	GOLF COURSE	07/07/2020	74.00
SHRED-IT	8666474733	BOBBIEJO TREGAY	FINANCE	07/08/2020	76.26
SHRED-IT	8666474733	CHERYL KELLER	POLICE	07/06/2020	30.00
SIP.US LLC	800-566-9810	JUSTIN ELKINS	WASTEWATER	07/10/2020	29.70
SITEONE LANDSCAPE SUPP	BROOMFIELD	BOB BERNHARDT	PARKS	07/15/2020	368.78
SITEONE LANDSCAPE SUPP	BROOMFIELD	NORMAN MERLO	GOLF COURSE	07/06/2020	383.50
SITEONE LANDSCAPE SUPP	BROOMFIELD	BRADLEY AUSTIN	PARKS	06/30/2020	37.85
SITEONE LANDSCAPE SUPP	BROOMFIELD	DAVID DEAN	GOLF COURSE	06/26/2020	470.69
SITEONE LANDSCAPE SUPP	BROOMFIELD	DAVID DEAN	GOLF COURSE	06/23/2020	57.00
SITEONE LANDSCAPE SUPP	BROOMFIELD	NORMAN MERLO	GOLF COURSE	06/19/2020	156.00
SITEONE LANDSCAPE SUPP	BROOMFIELD	NORMAN MERLO	GOLF COURSE	06/19/2020	164.50
SMK*SURVEYMONKEY.COM	971-2445555	MEAGAN BROWN	HUMAN RESOURCES	07/02/2020	384.00
SMUGMUG*ONLINE PHOTOS	650-6413119	GINGER CROSS	GOLF COURSE	06/25/2020	-2.62
SOURCE OFFICE - VITAL	GOLDEN	ANGELA NORENE	OPERATIONS	06/30/2020	210.00
SOURCE OFFICE - VITAL	GOLDEN	MEREDYTH MUTH	CITY MANAGER	06/19/2020	56.17
SP * FARMERS FRIEND	9315830397	KERRY KRAMER	PARKS	07/01/2020	800.00
SPECTRAPURE	TEMPE	GREG VENETTE	WATER	07/03/2020	141.96
SQ *ADVANCED CARE CPR	GOSQ.COM	AMANDA PERERA	REC CENTER	06/25/2020	436.80
SQ *DECADENT SAINT - C	LOUISVILLE	DAVID SZABADOS	FACILITIES	07/02/2020	216.00
SQ *HARLEQUIN'S WHOLES	BOULDER	STEVE ROELS	PARKS	07/10/2020	160.00
SQ *RYBB FIRE ALARM, I	GOSQ.COM	DAVID SZABADOS	FACILITIES	07/16/2020	126.00

STAPLS7309308684000001	877-8267755	JILL SIEWERT	LIBRARY	07/03/2020	94.74
STAPLS7309541912000001	877-8267755	CHERYL KELLER	POLICE	07/07/2020	141.50
STAPLS7309748782000001	877-8267755	DIANE M KREAGER	FINANCE	07/09/2020	123.72
STK*SHUTTERSTOCK	8666633954	EMILY HOGAN	CITY MANAGER	07/15/2020	99.00
TABLEAU SOFTWARE, LLC	2066333400	KERRY HOLLE	PUBLIC WORKS	07/07/2020	840.00
TARGET 00017699	SUPERIOR	LISA RITCHIE	PLANNING	07/20/2020	44.99
TARGET 00017699	SUPERIOR	SHAIRA WHITTLE	POLICE	07/09/2020	133.94
TARGET SPECIALTY PROD	SANTA FE SPRI	DAVID DEAN	GOLF COURSE	06/24/2020	251.97
TARGET.COM *	800-591-3869	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/21/2020	25.00
TARGET.COM *	800-591-3869	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/21/2020	25.00
TARGET.COM *	800-591-3869	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/21/2020	25.00
TARGET.COM *	800-591-3869	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/21/2020	25.00
TARGET.COM *	800-591-3869	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/21/2020	25.00
TARGET.COM *	800-591-3869	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	07/21/2020	25.00
TARGET.COM *	800-591-3869	JILL SIEWERT	LIBRARY	07/03/2020	50.00
THE HOME DEPOT #1506	LOUISVILLE	ERIK SWIATEK	PARKS	07/17/2020	48.52
THE HOME DEPOT #1506	LOUISVILLE	ERIK SWIATEK	PARKS	07/17/2020	101.94
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	07/17/2020	41.86
THE HOME DEPOT #1506	LOUISVILLE	CONNOR POWERS	GOLF COURSE	07/15/2020	9.98
THE HOME DEPOT #1506	LOUISVILLE	ROSS DAVIS	OPERATIONS	07/14/2020	14.77
THE HOME DEPOT #1506	LOUISVILLE	DAVID ALDERS	PARKS	07/14/2020	21.46
THE HOME DEPOT #1506	LOUISVILLE	NICHOLAS POTOPCHUK	PARKS	07/14/2020	73.09
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	07/10/2020	7.36
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	07/10/2020	134.77
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	07/10/2020	9.44
THE HOME DEPOT #1506	LOUISVILLE	BOB BERNHARDT	PARKS	07/10/2020	74.97
THE HOME DEPOT #1506	LOUISVILLE	CATHERINE JEPSON	PARKS	07/09/2020	119.76
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	07/09/2020	190.36
THE HOME DEPOT #1506	LOUISVILLE	CRAIG DUFFIN	PUBLIC WORKS	07/09/2020	34.35
THE HOME DEPOT #1506	LOUISVILLE	KERRY KRAMER	PARKS	07/08/2020	50.97
THE HOME DEPOT #1506	LOUISVILLE	AARON GRANT	PARKS	07/08/2020	49.97
THE HOME DEPOT #1506	LOUISVILLE	CHRISTOPHER NEVES	IT	07/07/2020	47.35
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	07/07/2020	48.61
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	07/07/2020	126.87

THE HOME DEPOT #1506	LOUISVILLE	MICHAEL TOWERS	PARKS	07/07/2020	13.45
THE HOME DEPOT #1506	LOUISVILLE	VICKIE ILKO	OPERATIONS	07/06/2020	166.95
THE HOME DEPOT #1506	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	07/02/2020	40.96
THE HOME DEPOT #1506	LOUISVILLE	AARON GRANT	PARKS	07/02/2020	29.97
THE HOME DEPOT #1506	LOUISVILLE	ANDY ELLIS	PARKS	07/02/2020	15.97
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	07/02/2020	48.86
THE HOME DEPOT #1506	LOUISVILLE	MICHAEL TOWERS	PARKS	06/29/2020	21.96
THE HOME DEPOT #1506	LOUISVILLE	KERRY KRAMER	PARKS	06/24/2020	20.05
THE HOME DEPOT #1506	LOUISVILLE	DANIEL PEER	PARKS	06/23/2020	52.60
THE HOME DEPOT #1506	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	06/22/2020	57.36
THE HOME DEPOT #1506	LOUISVILLE	NICHOLAS POTOPCHUK	PARKS	06/22/2020	21.34
THE HOME DEPOT #1506	LOUISVILLE	NICHOLAS POTOPCHUK	PARKS	06/22/2020	32.92
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/22/2020	16.93
THE HOME DEPOT #1506	LOUISVILLE	GLORIA HANDYSIDE	CITY MANAGER	06/20/2020	37.30
THE HOME DEPOT #1506	LOUISVILLE	KERRY KRAMER	PARKS	06/18/2020	19.30
THE HOME DEPOT #1506	LOUISVILLE	KEN MATHEWS	OPERATIONS	06/18/2020	13.98
THE HOME DEPOT 1506	LOUISVILLE	DAVID SZABADOS	FACILITIES	06/26/2020	89.94
THE HOME DEPOT 1552	FIRESTONE	GREG VENETTE	WATER	07/11/2020	561.97
TOSHIBA BUSINESS SOLUT	LAKE FOREST	AMANDA PERERA	REC CENTER	07/17/2020	97.42
TOSHIBA BUSINESS SOLUT	LAKE FOREST	AMANDA PERERA	REC CENTER	06/25/2020	95.93
U S KIDS GOLF OUTLE	770-4413077	SAM WHITE	GOLF COURSE	07/17/2020	22.75
U S KIDS GOLF OUTLE	770-4413077	SAM WHITE	GOLF COURSE	07/10/2020	168.60
ULINE *SHIP SUPPLIES	800-295-5510	ELIZABETH SCHETTLER	PLANNING	07/10/2020	146.60
USA BLUE BOOK	8004939876	ZACH STEINBAUGH	WASTEWATER	07/15/2020	248.85
USA BLUE BOOK	8004939876	ZACH STEINBAUGH	WASTEWATER	06/25/2020	175.73
USPS PO 0756700237	SUPERIOR	LAURA LOBATO	POLICE	07/03/2020	4.15
USPS PO 0756700237	SUPERIOR	STEVE ROELS	PARKS	07/01/2020	21.25
USPS PO 0756700237	SUPERIOR	SAM WHITE	GOLF COURSE	06/26/2020	8.25
VENNGAGE.COM	TORONTO	EMILY HOGAN	CITY MANAGER	07/15/2020	19.00
VZWRLSS*MY VZ VB P	800-922-0204	BOBBIEJO TREGAY	FINANCE	07/07/2020	3165.03
VZWRLSS*PRPAY AUTOPAY	888-294-6804	CRAIG DUFFIN	PUBLIC WORKS	07/08/2020	20.00
WAL-MART #5370	LONGMONT	CHAD ROOT	BUILDING SAFETY	07/13/2020	40.11
WHITESIDES BOOTS AND C	BRIGHTON	VICKIE ILKO	OPERATIONS	07/07/2020	149.99
WHITESIDES BOOTS AND C	BRIGHTON	CALVIN MCCARTY	OPERATIONS	06/25/2020	109.99

WHITESIDES BOOTS AND C	BRIGHTON	JACK MANIAN	OPERATIONS	06/22/2020	139.99
WWW.NORTHERNSAFETY.COM	800-625-1591	ERIK SWIATEK	PARKS	07/16/2020	149.14
WWW.NORTHERNSAFETY.COM	800-625-1591	ERIK SWIATEK	PARKS	07/16/2020	84.40
ZOOM.US	8887999666	PAULA KNAPEK	HUMAN RESOURCES	07/18/2020	16.28
ZOOM.US	8887999666	ROBERT ZUCCARO	PLANNING	07/16/2020	59.73
ZOOM.US	8887999666	CHRISTOPHER NEVES	IT	07/14/2020	677.54
ZOOM.US	8887999666	KATIE BEASLEY	REC CENTER	07/02/2020	16.28
ZOOM.US	8887999666	MICHAEL MCINTOSH	POLICE	06/29/2020	16.28
ZOOM.US	8887999666	ROBIN BROOKHART	HUMAN RESOURCES	06/22/2020	130.28
ZOOM.US	8887999666	KATHLEEN HIX	HUMAN RESOURCES	06/21/2020	16.28
ZORO TOOLS INC	855-2899676	BOBBIEJO TREGAY	FINANCE	06/20/2020	376.06
ZORO TOOLS INC	855-2899676	BOBBIEJO TREGAY	FINANCE	06/19/2020	752.12
LIGHTWIDGET.COM	LESZNA GORNA	GLORIA HANDYSIDE	CITY MANAGER	07/17/2020	10.00
LIGHTWIDGET.COM	LESZNA GORNA	GLORIA HANDYSIDE	CITY MANAGER	07/17/2020	10.00
		CREDITS APPLIED & USED		7/21/2020	957.52
TOTAL					**$ 81,235.58**

CITY OF LOUISVILLE				
EXPENDITURE APPROVALS $25,000.00 - $99,999.99				
JULY 2020				
DATE	**P.O. #**	**VENDOR**	**DESCRIPTION**	**AMOUNT**
7/3/2020	2020134	CDW Government	2020 Computer Replacements	$25,647.18
			State of Colorado purchasing contract is being used for the purchase	
			of Lenovo computer equipment.	
7/9/2020	2020142	WL Contractors Inc.	Install Rectangular Rapid Flashing Beacon on Via Appia at Sagebrush	$37,642.00
			Sole source for installation of RRFB.	

City of Louisville
COLORADO • SINCE 1878

City Council

Meeting Minutes

August 4, 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 Balser, City Manager***
Kevin Watson, Finance Director
Nathan Mosely, Parks, Recreation, & Open Space Director
Kurt Kowar, Public Works Director
Rob Zuccaro, Planning & Building Safety Director
Lisa Ritchie, Senior Planner
Megan Pierce, Economic Vitality Director
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 Dickinson moved to approve the agenda, seconded by Councilmember Leh. All in favor.

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

Richard Morgan, 644 West Pine Street, thanked the City for opening up the Recreation Center again and in particular the pool.

APPROVAL OF THE CONSENT AGENDA

Mayor Stolzmann asked for changes to the consent agenda; hearing none she asked for a motion. Councilmember Fahey moved to approve the consent agenda, seconded by Councilmember Dickinson. All in favor**.**

- ***A. Approval of Bills***
- ***B. Approval of Minutes: July 23, 2020; July 28, 2020***
- ***C. Approval of Resolution No. 59, Series 2020 – A Resolution Approving an Intergovernmental Agreement By and Between the City of Louisville and the Boulder County Clerk and Recorder for the Conduct and Administration of the 2020 General Election to be Held November 3, 2020***

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

None.

CITY MANAGER'S REPORT

None.

REGULAR BUSINESS

ORDINANCE NO. 1798, SERIES 2020 – AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE CONOCOPHILLIPS CAMPUS GENERAL DEVELOPMENT PLAN (REDTAIL RIDGE MASTER PLAN) – 2nd READING, PUBLIC HEARING (advertised Daily Camera 7/19/20)

REDTAIL RIDGE COMPREHENSIVE PLAN AMENDMENT PROPOSAL – REQUEST FOR A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE PHILLIPS 66 SPECIAL USE DISTRICT DESIGNATION FROM RURAL TO SUBURBAN, CHANGE THE LAND USE MIX POLICIES TO INCLUDE MULTI-FAMILY RESIDENTIAL, HEALTHCARE AND LODGING, AND INCREASE ALLOWANCES FOR THE FLOOR AREA RATIO AND BUILDING HEIGHT POLICIES

Mayor Stolzmann introduced the item and opened the public hearing. She noted two addenda were added since publication of the packet and asked those be included in the record.

Mayor Stolzmann asked if there were any Council disclosures. Mayor Stolzmann stated she had received an email from Jack Lane which stated he attended a meeting at which he wrote "we left feeling we had your support." Mayor Stolzmann noted she has not

attended any meetings on this subject and she was unaware what he was referring to. She added she received emails in support of Erickson Living on August 1st that came in alphabetical order and arrived approximately every two minutes. When responding to note the emails had been entered into the record, many of those emails were undeliverable and one person she responded to noted they had not sent the original email. There were no other disclosures.

Mayor Stolzmann stated the plan for tonight will be to get as far as possible in the agenda, but if we are still going at 10 pm we will finish what section we are on and continue this to another evening. She noted public comments will be limited to three minutes.

Director Zuccaro stated the applicant for this project is Brue Baukol Capital Partners. There are two requests and the first request for a Comprehensive Plan (Comp Plan) Amendment impacts the second request for General Development Plan (GDP) amendment so staff is presenting them together.

He reviewed the site and location and he reviewed the history of the property noting it is the former StorageTek parcel. It was later approved to be the ConocoPhillips campus with 2.5M square feet of development with varying building heights between 2-5 stories. The campus was never built.

A Metro District has been formed on the property. City Council approved the Service Plan in February and there was an election to form the districts in May. It allows up to 60 mills in property tax; 50 mills to fund infrastructure and 10 mills for operations as well as debt issuance up to $168,750,000 with a maximum 40-year term. City Council put a condition on the service plan approval that the Comp Plan amendment and final cost estimates for the project would need to be approved with a final plat before debt could be issued.

Director Zuccaro reviewed the Comp Plan amendment request noting the Comp Plan is not a regulatory document, but the GDP and any future PUDs need to be consistent with Comp Plan policies. The proposal includes requests to change the Special District Designation from Rural to Suburban; change the density from .25 FAR to .5 FAR (meaning a maximum of 3,185,325 sq. ft. to 6,370,650 sq. ft. if applied to the Redtail Ridge plan); specifies heights up to five stories; changes the block length standard from Undefined to 1,000-2,000 ft.; and changes the land use mix to include senior living, multi-family residential, healthcare and lodging.

He reviewed the GDP amendment request noting the site is already zoned Planned Community Zone District (PCZD). The municipal codes notes that a GDP proposal is to include proposed land uses; the type and character of development; the number of dwellings; the location of parks, open spaces, recreation facilities and other public facilities; and the location, type and character of streets.

He reviewed the proposed GDP in more detail noting the various parcels and what is proposed for each one. Parcel A is proposed for a senior living development and other uses; Parcel B is a single-user corporate campus; Parcels C, D, and E are a mix of commercial and residential uses; and Parcel F is Open Space and a buffer area. He noted the development plans shown and modeled are all conceptual at this time. There would also be concurrency requirements regarding the senior residential and corporate campus development and that a certain amount of sales tax generating retail space and additional commercial be built before the non-senior residential units can be built.

Director Zuccaro reviewed the height proposal in each subarea. The tallest buildings would be in the east and shorter on the west. He noted the topography of the site affects how the buildings transition across the site. He reviewed the street proposal including an extension of Campus Drive.

He reviewed the trail plan including bike lanes on streets, multi-use paths, and regional trail connections. He noted the public land dedication requirement is approximately 42 acres and 59.6 are provided. There are approximately nine acres of public use easements proposed and the applicant is asking this dedication meet any future PUD requirements not related to waivers. The Open Space, Parks, and Recreation Boards have all reviewed these plans and support the concept as proposed.

Director Zuccaro reviewed a height and density analysis but noted this is conceptual and is only modeling what could be allowed at full built out.

He noted a market analysis was provided by the applicant. This is likely to be a 20-year project and much could change over that time. The analysis reviews market trends and potential for the proposed land uses and phasing. It projects the addition of 8,440 jobs at full buildout and projects a regional housing demand impact of 6,189 units.

He reviewed the traffic and mobility study noting where trips are anticipated. The study estimates 27,274 new daily vehicle trips and recommends short and long-term improvements that will be needed including intersection improvements. He noted the US 36 interchange at the Northwest Parkway fails in 2030 without improvements.

Director Zuccaro noted staff had a custom fiscal analysis completed. The fiscal analysis is a tool we use in the development review process to assess potential fiscal impact to the City. The analysis is a snapshot based on current budget and revenue structure for the City, and shows what the potential fiscal balance is for a development to maintain current level of service in support of the new development. Overall fiscal review is a balance between three factors: non-residential which provides the majority of city revenues; municipal services and amenities that the revenues pay for which lead to attracting residents and maintaining quality of life; and the third leg is residential development that generates spending and employment.

He compared it to the fiscal performance of other areas of town. He added that for special districts the land use mix needs to demonstrate neutral fiscal benefit and positive economic benefit. He noted the City may have other social and environmental goals it is trying to meet outside of the fiscal evaluation.

Carson Bise, the City's financial consultant from Tischler Bise, presented his analysis. The City has used a specific fiscal model for about six years but this development was complex enough for staff to ask for a detailed fiscal review. He noted the basic assumptions that this assumes existing levels of service are maintained.

Bise reviewed the fiscal results by fund and the annual net fiscal results. The proposed project generates a positive overall (combined Fund) fiscal result; the mixed-use nature of the project gives the site a better economic balance than the by-right use; and the deficits to Open Space & Parks and Recreation Funds are not surprising as both Funds are currently subsidized by the General Fund. He added the surpluses generated to the Debt Service Fund occur because the existing City debt service expenditures are not directly attributable to this development. The analysis highlights the City's reliance on sales and use taxes.

He noted the retail component on this proposal is not large, but the residential included in the proposal should support the retail offering.

Director Zuccaro reviewed the Comp Plan analysis criteria that Council will need to consider for an amendment. The four criteria are:

A. The amendment request is consistent with the goals, policies and intent of the comprehensive plan of the city;
B. The amendment request will not result in adverse impacts to existing or planned services to the citizens of the city;
C. The amendment request demonstrates a need exists for the amendment through either changed conditions or past error which support adjustments to the city's comprehensive plan;
D. The planning commission and/or city council may consider other factors in reviewing an application as they deem appropriate and may request additional information which is necessary for an adequate review and evaluation of the amendment.

Director Zuccaro noted that staff recommends Council consider how the proposal meets the Comprehensive Plan Vision Statement and Core Community Values as a way to evaluate item A.. Staff recommends that Council consider if the land use proposal is consistent with "Small Town" scale and size considering its context. The project would have significant investment in the transportation network and is consistent with many of our TMP Goals, but would add additional traffic into the system beyond current zoning allowance. Traffic mitigation is a critical aspect of the project. The proposal also provides parks, open space and trail amenities.

For item B, the cost of city services is to be offset by revenues generated by development but some funds show a fund deficit in the analysis. For item C, conditions have changed from the time of the ConocoPhillips plan approval which is why those plans were abandoned. For item D, staff recommends consideration of citizen input; any policy change should have broad community support.

For the GDP amendment staff notes it needs to be consistent with the Comp Plan Policy. The purpose of PCZD zoning is to encourage the use of contemporary land planning principles and coordinated community design. It is also to be an integrated, planned community development of sufficient size to provide various housing types, retail and service activities, and the creation of public facilities.

Director Zuccaro stated the Planning Commission reviewed the Comp Plan amendment request in June and they are recommending denial on both that and the GDP. They did not review the GDP amendment in detail but would be willing do so if the Council approved the Comp Plan amendment or remanded the entire proposal back to them.

Staff recommends the Council use the public hearing to review the amendment criteria and understand community support of the Comp Plan amendment request. If the Council supports the Comp Plan policy changes staff recommends conditional approval of the GDP. He reviewed staff's GDP conditions and concurrency requirements.

He reviewed the options for Council related to the proposal:

- Comp Plan Amendment
    - Direct Staff on Resolution of Approval
    - Direct Staff on Resolution of Denial
    - Continue Hearing
    - Remand to Planning Commission with Direction/Guidance
- General Development Plan
    - Approve Ord. 1798, Series 2020 with or without Conditions
    - Deny Ord. 1798, Series 2020
    - Continue Hearing
    - If Comp Plan Remanded, GDP Could be Remanded As Well

Geoff Baukol gave the applicant presentation. He introduced Greg Cardwell from Phillips66. Cardwell noted the reasons Phillips66 did not move forward on their project. He added Phillips66 support for this project.

Baukol reviewed the development team and previous projects they have worked on. He stated they want to provide a livable, innovative, and economically diverse community. He stated they hope the public benefit of the proposal will include: activating a dormant site, including a large public land dedication, an enhanced trail network, park land, enhanced access, and improved safety. He noted the improved circulation of Campus Drive.

He reviewed the increased property taxes this project would provide the City. Beyond tax benefits he stated the project would increase sales tax revenue, lodging tax revenue, and construction fees. He stated the development costs are all covered by the metro districts so there is no additional tax burden to residents.

Jordan Swisher reviewed the community input they have taken on the project including public meetings, webinars, and a virtual town hall. She stated after getting input they have increased the public land dedication and relocated the park space. They have reduced the density significantly but do not feel it can be decreased any further and still be financially feasible.

She reviewed the density of the proposal noting the floor area ratio at build-out is .48 which is just under the City's suburban FAR of .50 in Comp Plan. She reviewed the density compared to other local developments. She reviewed the building height proposals and the topography. She also reviewed conceptual site renderings.

John Tansey, Erikson Living, stated his company is looking to build a retirement community as a part of the proposed development on the site. He stated they would hope to cater to local community members and feel this is a great location for their product.

Swisher reviewed traffic information noting their goals to mitigate traffic impacts. They noted their commitment to traffic demand management.

Swisher reviewed the residential component of the proposal. She noted their goal is to bring a diversity of housing to the area including entry-level housing.

Jim Dreissen, Medtronic, reviewed the company's plans for a corporate campus on the site. He reviewed the company's history and their products. He noted they need approvals soon or they will need to look at other sites.

Baukol stated he feels the criteria are met for a Comp Plan amendment. For Criterion A, he feels the development helps the City meet its long-term goal of livability. For Criterion B, he stated the development is not a financial burden to the City and will be an economic benefit. For Criterion C, he stated changes are needed to do anything on the property other than a basic corporate campus which is not what current development models look for.

Baukol stated the 5.2M square foot development is low density on a site this size and it is what makes the development feasible. He noted this proposal is less office development than what is approved for the site now. The development team wants to make this site work and feels they have the way to make it work even in this market. They want to get this right for the City and includes the Medtronic campus, retirement living, entry level housing, support for schools, and a large park donation.

He stated they feel the development brings many positives to the community including new businesses, new residents, and a large economic boost. He asked what the cost of denial would be. He asked Council to consider approval.

Mayor Stolzmann asked for Council questions, seeing none she opened the public comment period.

Public Comments

Joy Brook, 1590 Garfield Avenue, stated her displeasure with this application particularly with the impacts it will have on the environment and traffic. She is opposed to the density of the proposal.

Steven Armstrong, 541 North Manorwood Lane, stated he is an employee of Medtronic, but he also supports the application as a resident. He noted this is not open space and the City needs revenues from this land for long-term financial viability in this downturn.

Brian Topping, 1550 White Violet Way, stated he originally supported this application but has since changed his mind. He does not think the retail component is large enough and it will not produce enough tax revenue to make this worthwhile.

Sherry Sommer, 910 South Palisade Court, stated the Council should deny the application. She noted many of the letters of support are not from residents and are from people who will profit from the development, not people who live here.

Kate Hope, stated this plan does not have community input and the developer should partner with residents to create something people want.

Matt Jones, 265 Dahlia Drive, stated the proposal is too big and is a blow to the small town character. He feels none of the four criteria are met and Council should deny it. This does not meet the financial or environmental needs of the City.

Maryann Jaross, 846 St. Andrews, stated the original presentation was half this size and she doesn’t understand why it has to be at this scale. She would like Medtronic to stay, but it needs to be an appropriate development.

Scott MacLaughlin, 948 St. Andrews Lane, stated he thinks the traffic analysis is completely unrealistic and it will be much greater than presented and everyone will be impacted. He thinks this development doesn’t need to be this large.

Irfan Azeem. 631 West Street, stated his opposition due to the negative impacts on traffic, the environment, and City resources. He noted most of the letters in opposition to the plan are from Louisville residents and most in support are from non-residents. He urged denial.

Miguel Cebrian, 833 West Mulberry Street, stated he doesn't understand how he would benefit as a resident. He stated he doesn't understand what the cost will be to have all these new residents in the City and it will bring more pollution and traffic.

Tamar Krantz, 691 West Street, stated the majority of the letters from residents are in opposition. She feels outsiders are pushing this on us and stated the financial plan for this development is precarious given the mill levy they will have to charge to move forward.

Katie Lacz, 874 West Mulberry Street, stated she understands the concerns of residents but also noted that affordable housing and high density housing is what will allow people not generally represented in Louisville to move here. Restricting housing options can end up hurting people of color more that the white people already here.

Janette Kotichas, 278 Juniper Street, stated residents know what is right for us and what isn't. The approved 3M square foot development is enough for that property. She does not want to be like every other City.

Katherine Marsella, 703 Goldway, Superior, stated she is a senior at Monarch High School. She feels the school students would be negatively impacted by construction and traffic if this is approved.

Erin Lindsay, 826 Trail Ridge Drive, stated she thinks this should be denied. It is clear the residents don't want it. If the finances don't work at a smaller level this is a bad business decision for the developer. The scope of the project is too big.

Chris Lindsay, 826 Trail Ridge Drive, stated his opposition. It is too big, and brings too many new people to the town, along with too much traffic. It is not the City's responsibility to approve this for the developers.

Ellen Jardine, 390 Owl Drive, stated residents don't want more density and more population. There is nothing in the proposal to address climate change and the development is not a benefit for Louisville.

Susan Morris, 939 West Maple Court, stated her opposition as presented. The existing regulation would allow for a corporate campus that Medtronic could use and the Comp Plan doesn't need to be amended to allow that.

David Finamore, 720 Grant Avenue, urged denial of the application. He stated he doesn't see why we need this. There is not enough good in it for the City. We need more sales tax and retail not what is presented.

Matt Michaelis, 1918 Quail Circle, stated most residents don't support this. He feels Medtronic could build under the current regulations and the City shouldn't subsidize a large corporation.

Charlene Bandurian, 139 Lincoln Circle, urged denial as she feels it will ruin the small town ambiance and make Louisville like any other City.

Mike Schaller, 349 Short Street, stated he supports the application and keeping Medtronic here.

Kristin Anthony, 812 Spyglass Circle, stated her opposition as it is too big and is not supported by residents. She stated the Council should wait for a better proposal with fewer impacts.

Doug Johnson, 804 Spyglass Circle, stated this is too big and the traffic will be incredible. This is not what Louisville needs.

Seth Adams, 1604 Longs Peak Drive, stated he is speaking on behalf of the Louisville Sustainability Board. He stated this development does not address the needs of the Sustainability Action Plan.

Gail Hartman, 724 Ponderosa Court, stated this is disconnected from town and people who live here will spend all their money in Broomfield as it is more convenient.

Linda Gallegos 125 Cherywood Lane, stated people just want to keep Louisville a special place and this development won't do that. Louisville is not designed for this type of traffic.

Tanya Glaser 106 Aline Street, asked for a no vote. She stated she supports Medtronic and senior housing but would like to have a better design; this is too big and too dense. It needs to be more environmental.

Arnie Mullen 235 Dahlia Drive, stated his opposition to the traffic and the housing. He feels it will stress the infrastructure too much. He worries the residents will end up paying for this in the end.

Justin Solomon, 477 Lincoln Court, stated he was hopeful this would be a good plan but the scale and environmental impacts are too much for Louisville. He would like Medtronic to build under what is already allowed.

John Leary, 116 LaFarge Avenue, stated the fiscal benefit to the City is not a positive and this is not right for Louisville.

Cyndi Bedell, 662 West Willow Street, stated that if Comp Plan changes require public input than this should be denied as the citizens of Louisville are strongly against this and the decrease in the quality of life this would bring. She asked Council to wait for a better proposal.

Janet Schofield, 363 Troon Court, stated the question is if we want a town feel or a metropolis feel. This development will just add to the urban sprawl and is just too big.

Rebekah Cavanagh, 527 Hoptree Court, stated she is a resident and Medtronic employee and she loves the Medtronic community and feels this is a great place for their campus to share the Louisville community with the world. She encouraged a yes vote.

John Cartwright, 120 West Pine Street, stated this is just too big and he has concerns about the financial conclusions. We need something that is a better fit.

Richard Morgan, 644 West Pine Street, stated he supports the project to help bring age diversity and housing options for new families. He noted we are losing retailers to neighbors. This development brings new streets, retailers, and opportunities and is a benefit for the community.

Maxine Most, 640 West Linden Street, asked the Council to disregard the emails from nonresidents. She feels many developments end up costing the residents. This will negatively impact the community.

Stephanie Rowe, 631 West Street, stated this development needs to be rethought for environmental sustainability and to be less car centric. She would like to see a larger open space dedication. She stated it is too big and too much of an impact. It should adhere to the existing Comp Plan.

John Milanski, 450 Fillmore Court, stated he is a member of the Fire District Board and the District has no official position on this. The new fire station in the proposal would be paid for by the development.

Michelle Clifford, 1116 West Enclave Circle, stated her support for the project saying it would open up this space for people to use and create more park space. We need the infrastructure and people to support retail. It would be an improvement to the town.

Denise Baek, 365 Jackson Circle, stated she is a Medtronic employee and supports the proposal. She stated the development and Medtronic employees would benefit the community and local businesses; it could also bring more diversity to the community.

Alex Commins Wilson, 1612 Jefferson Avenue, stated he does not support this proposal; it is not a good fit for the community.

Bob Muckle, 1101 Lincoln Avenue, stated there is a lot to like about this plan including Medtronic, but this proposal is too big of an impact and not a good fit. He suggests a large scale Comp Plan review and a new proposal.

Natasha Flyer, 1640 Egret Way, Superior, stated she opposes the project for the huge impact it will have on the area including the traffic. It will generate much more traffic on 88th Street and will be urban sprawl.

Michiko Christensen, 543 Adams Avenue, asked if Medtronic could find other space in Louisville that would be a better fit; repurpose other buildings. She would like to see more open space and have entry level housing for Louisville residents. She opposes the plan as presented.

David Sinkey, 2858 Shoshone Trail, Lafayette, stated he supports the project as a local business owner. He stated he appreciates there are local folks involved in this project. He feels there is a good balance in this plan between Louisville's needs and financial feasibility. He stated he doesn't think this project will hurt the character of Louisville.

Joel Hayes, 187 Harper Street, stated he would like Council to listen to the residents and not change the Comp Plan and deny the proposal.

Mayor Stolzmann moved to continue the item to August 18; Councilmember Leh seconded the motion. Mayor Stolzmann noted at the next meeting there will be a chance for additional public comments

Voice vote: All in favor.

CITY ATTORNEY'S REPORT

None.

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

Mayor Stolzmann moved to make the August 25 meeting a Special Meeting rather than a Study Session to accommodate those items moved from the August 18 meeting. Seconded by Mayor Pro Tem Maloney. All in favor.

ADJOURN

Members adjourned at 10:31 pm.

_____
Ashley Stolzmann, Mayor

_____
Meredyth Muth, City Clerk

SUBJECT: **AWARD BID FOR 2020 CIPP LINING PROJECT**

DATE: **AUGUST 18, 2020**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS**

SUMMARY:
Staff recommends Council award the 2020 CIPP Sewer Lining Project to Insituform Technologies, LLC for $198,168.60, authorize staff to execute change orders up to $19,816.86 for additional work and project contingency. On July 28, 2020 staff received the following bids from contractors for the 2020 CIPP Sewer Lining Project:

Contractor	Bid
Insituform Technologies, LLC	$ 198,168.60
C&L Water Solutions	$ 343,366.00

This year's CIPP Sewer Lining Project includes work in the following areas:

Base Bid
Lining and service cut outs of approximately 3,850' of sanitary sewer main within the Louisville North Subdivision, including:

- Centennial Drive between McKinley Street and Sunland Street
- Garfield Avenue between Matchless Street and Centennial Drive
- Vulcan Street
- Centennial Drive North of South Boulder Road
- Sunnyside Street and Centennial Drive
- Fireside Street between Garfield Avenue and Centennial Drive

Staff recommends award of the project to Insituform Technologies, LLC for the base bid. The contract work will run mid-September through December. A map of this year's CIPP Sewer Lining Project is attached. Detailed plans are available upon request.

FISCAL IMPACT:
The estimated project costs allocated for the 2020 Sewer Utility Lines is listed below:
502498-660183 Sewer Utility Lines (2020) Budget - $275,000.00

RECOMMENDATION:
Staff recommends Council award the 2020 CIPP Sewer Lining to Insituform Technologies, LLC for $198,168.60, authorize staff to execute change orders up to $19,816.86 for additional work and project contingency, and authorize the Mayor, Public Works Director, and City Clerk to sign and execute contract documents on behalf of the City.

ATTACHMENT(S):

1. Agreement
2. Map of Locations

STRATEGIC PLAN IMPACT:

☐	**Financial Stewardship & Asset Management**	☒	**Reliable Core Services**
☐	**Vibrant Economic Climate**	☐	**Quality Programs & Amenities**
☐	**Engaged Community**	☐	**Healthy Workforce**
☐	**Supportive Technology**	☐	**Collaborative Regional Partner**

AGREEMENT

THIS AGREEMENT is made and entered into this 18th day of August in the year 2020 by and between:

CITY OF LOUISVILLE, COLORADO
(hereinafter called OWNER)

and

Insituform Technologies, LLC
(hereinafter called CONTRACTOR)

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows.

ARTICLE 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

PROJECT: 2020 CIPP SEWER LINING PROJECT
PROJECT NUMBER: 502498-660183

ARTICLE 2. CONTRACT TIMES

2.1 The CONTRACTOR shall substantially complete all work by November 6, 2020 and within **25 Contract Days** after the date when the Contract Time commences to run. The Work shall be completed and ready for final payment in accordance with paragraph 14.13 of the General Conditions within **45 Contract Days** after the date when the Contract Times commence to run. The Contract Times shall commence to run on the day indicated in the Notice to Proceed.

2.2 LIQUIDATED DAMAGES. The OWNER and the CONTRACTOR agree and recognize that time is of the essence in this contract and that the OWNER will suffer financial loss if the Work is not substantially complete by the date specified in paragraph 2.1 above, plus any extensions thereof allowed in accordance with the Article 12 of the General Conditions. OWNER and CONTRACTOR also agree that such damages are uncertain in amount and difficult to measure accurately. Accordingly, the OWNER and CONTRACTOR agree that as liquidated damages, and not as a penalty, for delay in performance the CONTRACTOR shall pay the OWNER **SIX HUNDRED DOLLARS ($600)** for each and every **Contract Day** and portion thereof that expires after the time specified above for substantial completion of the Work until the same is finally complete and ready for final payment. The liquidated damages herein specified shall only apply to the CONTRACTOR's delay in performance, and shall not include litigation or attorneys' fees incurred by the OWNER, or other incidental or consequential damages suffered by the OWNER due to the CONTRACTOR's performance. If the OWNER charges liquidated damages to the CONTRACTOR, this shall not preclude the OWNER from commencing an action against the CONTRACTOR for other actual harm resulting from the CONTRACTOR's performance, which is not due to the CONTRACTOR's delay in performance.

ARTICLE 3. CONTRACT PRICE

3.1 The OWNER shall pay in current funds, and the CONTRACTOR agrees to accept in full payment for performance of the Work, subject to additions and deductions from extra and/or omitted work and determinations of actual quantities as provided in the Contract Documents, the Contract Price of one hundred ninety-eight thousand, one hundred sixty-eight and 60/100 dollars ($198,168.60) as set forth in the Bid Form of the CONTRACTOR dated July 28, 2020.

As provided in paragraph 11.9 of the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classification are to be made by ENGINEER as provided in paragraph 9.10 of the General Conditions. Unit prices have been computed as provided in paragraph 11.9 of the General Conditions.

ARTICLE 4. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by OWNER as provided in the General Conditions.

4.1 PROGRESS PAYMENTS. OWNER shall make progress payments on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER, on or about the third Wednesday of each month during construction as provided below. All progress payments will be on the basis of the progress of the Unit Price Work based on the number of units completed as provided in the General Conditions.

4.1.1.1 Prior to final completion and acceptance, progress payments will be made in the amount equal to 95 percent of the calculated value of completed Work, and/or 95 percent of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to OWNER as provided in 14.2 of the General Conditions), but in each case, less the aggregate of payments previously made and such less amounts as ENGINEER shall determine, or OWNER may withhold, in accordance with paragraph 14.7 of the General Conditions.

If OWNER finds that satisfactory progress is being made in any phase of the Work, it may, in its discretion and upon written request by the CONTRACTOR, authorize final payment from the withheld percentage to the CONTRACTOR or subcontractors who have completed their work in a manner finally acceptable to the OWNER. Before any such payment may be made, the OWNER must, in an exercise of its discretion, determine that satisfactory and substantial reasons exist for the payment and there must be provided to the OWNER written approval from any surety furnishing bonds for the Work.

Nothing contained in this provision shall preclude the OWNER and CONTRACTOR from making other arrangements consistent with C.R.S. 24-91-105 prior to contract award.

4.2 FINAL PAYMENT. Upon final completion and acceptance of the Work in accordance with paragraph 14.13 of the General Conditions, OWNER shall pay the remainder of the Contract Price as provided in said paragraph 14.13 of the General Conditions.

ARTICLE 5. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

5.1 CONTRACTOR has examined and carefully studied the Contract Documents, (including the Addenda listed in paragraph 6.10) and the other related data identified in the Bidding Documents including "technical".

5.2 CONTRACTOR has inspected the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.

5.3 CONTRACTOR is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and furnishing of the Work.

5.4 CONTRACTOR has carefully studied all reports of exploration and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions relating to surface or subsurface structures at or contiguous to the site (Except Underground facilities) which have been identified in the General Conditions as provided in paragraph 4.2.1 of the General Conditions. CONTRACTOR accepts the determination set forth in paragraph 4.2 of the General Conditions. CONTRACTOR acknowledges that such reports and drawings are not Contract Documents and may not be complete for CONTRACTOR's purposes. CONTRACTOR acknowledges that OWNER and ENGINEER do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to such reports, drawings or to Underground Facilities at or contiguous to the site. CONTRACTOR has conducted, obtained and carefully studied (or assume responsibility for having done so) all necessary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by CONTRACTOR and safety precautions and programs incident thereto. CONTRACTOR does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the performance and furnishing of the Work at the Contract Price, within the Contract Times and in accordance with the other terms and conditions of the Contract Documents.

5.5 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies or similar information or data in respect of said Underground Facilities are or will be required by CONTRACTOR in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.3 of the General Conditions.

5.6 CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the site that relates to the Work as indicated in the Contract Documents.

5.7 CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests studies and data with the Contract Documents.

5.8 CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing the Work.

ARTICLE 6. CONTRACT DOCUMENTS

The Contract Documents, which constitute the entire agreement between OWNER and CONTRACTOR concerning the Work, are all written documents, which define the Work and the obligations of the Contractor in performing the Work and the OWNER in providing compensation for the Work. The Contract Documents include the following:

6.1 Invitation to Bid.

6.2 Instruction to Bidders.

6.3 Bid Form.

6.4 This Agreement.

6.5 General Conditions.

6.6 Supplementary Conditions.

6.7 General Requirements.

6.8 Technical Specifications.

6.9 Drawings with each sheet bearing the title: **2020 CIPP SEWER LINING PROJECT**

6.10 Change Orders, Addenda and other documents which may be required or specified including:

6.10.1 Addenda No. 1 exclusive
6.10.2 Documentation submitted by CONTRACTOR prior to Notice of Award.
6.10.3 Schedule of Subcontractors
6.10.4 Anti-Collusion Affidavit
6.10.5 Certification of EEO Compliance
6.10.6 Notice of Award
6.10.7 Performance Bond
6.10.8 Labor and Material Payment Bond
6.10.9 Certificates of Insurance
6.10.10 Notice to Proceed
6.10.11 Contractor's Proposal Request
6.10.12 Contractor's Overtime Request
6.10.13 Field Order
6.10.14 Work Change Directive
6.10.15 Change Order
6.10.16 Application for Payment
6.10.17 Certificate of Substantial Completion
6.10.18 Claim Release

6.10.19 Final Inspection Report
6.10.20 Certificate of Final Completion
6.10.21 Guarantee Period Inspection Report

6.11 The following which may be delivered or issued after the Effective Date of the Agreement and are attached hereto: All Written Amendments and other documents amending, modifying, or supplementing the Contract Documents pursuant to paragraphs 3.5 and 3.6 of the General Conditions.

6.12 In the event of conflict between the above documents, the prevailing document shall be as follows:

1. Permits from other agencies as may be required.

2. Special Provisions and Detail Drawings.

3. Technical Specifications and Drawings. Drawings and Technical Specifications are intended to be complementary. Anything shown or called for in one and omitted in another is binding as if called for or shown by both.

4. Supplementary Conditions.

5. General Conditions.

6. City of Louisville Design and Construction Standards.

7. Reference Specifications.

In case of conflict between prevailing references above, the one having the more stringent requirements shall govern.

There are no Contract Documents other than those listed above in this Article 6. The Contract Documents may only be amended, modified or supplemented as provided in paragraphs 3.5 and 3.6 of the General Conditions.

ARTICLE 7. MISCELLANEOUS

7.1 Terms used in this Agreement, which are defined in Article 1 of the General Conditions, shall have the meanings indicated in the General Conditions.

7.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge that assignor from any duty or responsibility under the Contract Documents.

7.3 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

ARTICLE 8. OTHER PROVISIONS

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed, initialed or identified by OWNER and CONTRACTOR.

This Agreement will be effective on _____, 2020.

OWNER: CITY OF LOUISVILLE, COLORADO

By: _____
Ashley Stolzmann, Mayor

(CORPORATE SEAL)

Attest: _____
Meredyth Muth, City Clerk

Address for giving notices:

749 Main Street
Louisville, Colorado
80027

Attention: City Engineer

CONTRACTOR: Insituform Technologies LLC

By: _____

(CORPORATE SEAL)

Attest: _____

Address for giving notices:

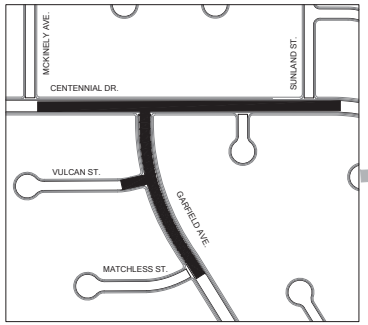
_____

_____

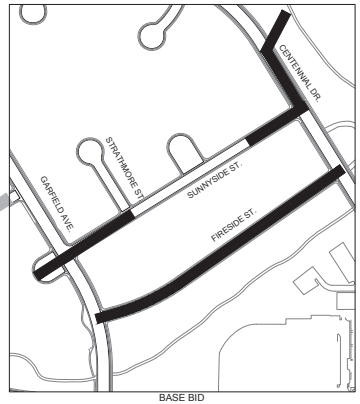
_____

2020 CIPP LINING PROJECT

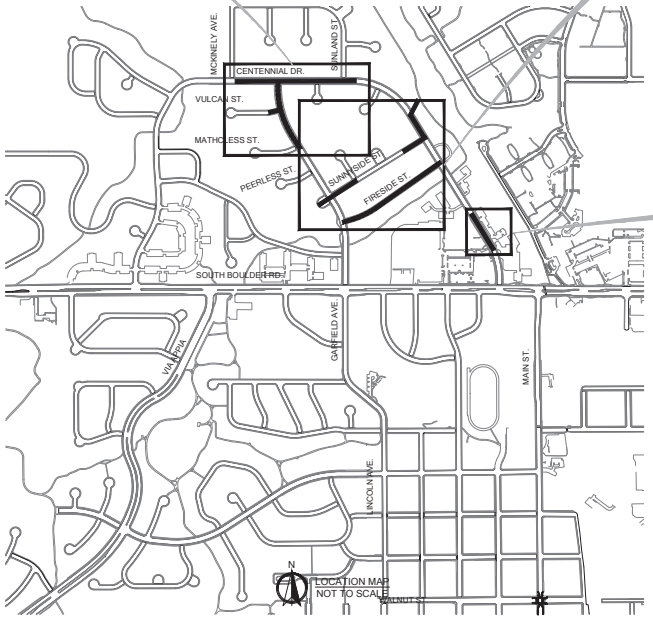
City *of* Louisville
DEPARTMENT OF PUBLIC WORKS / ENGINEERING
749 MAIN STREET
LOUISVILLE, CO 80027
P 303.335.4608 / F 303.335.4550
www.louisvilleco.gov

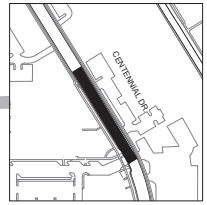


BASE BID
SEGMENTS 10054, 10056, 10057, 10045, 10047, 10048
SHEET 3



BASE BID
SEGMENTS 10038, 10033, 10026, 10027 SHEET 4,
SEGMENTS 10032, 10031, 10030 SHEET 5





BASE BID
SEGMENT 20176
SHEET 6

LEGEND

- WALK
- CURB & GUTTER
- WATER MAIN & VALVE
- FIRE HYDRANT
- SANITARY SEWER & MANHOLE
- PROPERTY LINE
- STORM SEWER, MANHOLE & INLET
- CABLE TELEVISION LINE
- FIBER OPTIC LINE
- POWER UNDERGROUND
- POWER OVERHEAD
- GAS LINE
- POWER POLE
- TRAFFIC SIGNS
- FENCE
- EXISTING CONCRETE
- ASPHALT PATCH (8")
- CONCRETE REPLACEMENT

SHEET INDEX

#	TITLE
1	COVER
2	GENERAL NOTES
3	SEGMENTS 10054, 10056, 10057, 10045, 10047, 10048
4	SEGMENTS 10038, 10033, 10026, 10027
5	SEGMENTS 10032, 10031, 10030
6	SEGMENT 20176
7	DETAILS

CALL UTLITY NOTIFICATION
CENTER OF COLORADO
1-800-922-1987
CALL 2-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE, OR EXCAVATE
FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES.

APPROVED BY: CRAIG DUFFIN, P.E.
CITY ENGINEER

City of Louisville
COLORADO - SINCE 1878

DESIGN BY: AF
DRAWN BY: AF
CHECKED BY: MW
APPROVED BY:MW
ISSUE DATE: 7/1/2020
REVISIONS:

2020 CIPP LINING PROJECT
COVER

SHEET
1
OF
7

G:\CIPS\CIPS_2020\2020 SEWER LINING PROJECT\DRAWINGS\2020 LINING PROJECT COVER.DWG

SUBJECT: **APPROVAL OF RESOLUTION NO. 60, SERIES 2020 – A RESOLUTION APPROVING AN INTERGOVERNMENTAL CONTRACT WITH THE STATE OF COLORADO FOR STORM WATER QUALITY MASTER PLAN AND CAPITAL IMPROVEMENT PLAN IMPROVEMENTS**

DATE: **AUGUST 18, 2020**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS**

SUMMARY:
Staff is completing a Stormwater Quality Master Plan in accordance with the approved 2019 budget CIP. Additionally, staff submitted for and received a grant for stormwater quality related activities from the State of Colorado. Staff is providing the following information to introduce the concepts in the final Stormwater Quality Master Plan and recommends approval to sign the Intergovernmental Agreement (IGA) with the State of Colorado Department of Public Health and Environment (State) to receive $200,000 dollars in grant funding.

The Stormwater Quality Master Plan reviewed various locations that have the largest potential to improve stormwater runoff quality within the city's water ways. Improving water quality within the city has direct positive environmental benefits for aquatic ecosystems and human health benefits.

The Grant Funding will design and construct two (2) priority stormwater capital improvement projects in an effort to pilot stormwater quality infrastructure and review community satisfaction and desire for future stormwater capital projects.

The IGA between the City and the State will reimburse costs incurred to complete the Stormwater Quality Master Plan and provide funding for the pilot projects identified in the plan. The Project improvements will focus on increasing the water quality of water within the City's drainage system. Possible projects include, but are not limited to, the updating of stormwater quality features within the drainage system, the addition of features to increase infiltration of stormwater water within impervious areas, and the construction of new water quality features within the drainage system.

The grant will provide matching funds to the City of up to $100,000 per year for two years (2020 to 2021) ($200,000 in total) to complete these stormwater quality improvements.

FISCAL IMPACT:
The project funding by year is as follows:

Current and Proposed Funds

YEAR	City Storm Sewer Fund	State Funds	Yearly Totals	Notes
2019	$100,000		$100,000	
2020	$150,000	$100,000	$250,000	Year 1 of the State Grant
2021	$150,000	$100,000	$250,000	Year 2 of the State Grant
TOTAL	**$400,000**	**$200,000**	**$600,000**	

2019 and 2020 city funds are budgeted and 2021 allocations are included in the proposed 2021-2026 CIP.

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. 60, 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:

☐	**Financial Stewardship & Asset Management**	☒	**Reliable Core Services**
☐	**Vibrant Economic Climate**	☐	**Quality Programs & Amenities**
☐	**Engaged Community**	☐	**Healthy Workforce**
☐	**Supportive Technology**	☐	**Collaborative Regional Partner**

RESOLUTION NO. 60
SERIES 2020

A RESOLUTION APPROVING AN INTERGOVERNMENTAL CONTRACT WITH THE STATE OF COLORADO FOR STORM WATER QUALITY MASTER PLAN AND CAPITAL IMPROVEMENT PLAN IMPROVEMENTS

WHEREAS, the City of Louisville ("City") and the State of Colorado Department of Public Health and Environment ("State") desire to modify the stormwater master plan and design two (2) priority stormwater capital improvement projects for the City to evaluate current stormwater infrastructure and future necessary stormwater capital projects. The stormwater master plan will be used to pursue funding for construction in problem locations determined in the plan to improve water quality for the residents of the City. Improving water quality within the State has direct positive environmental benefits for aquatic ecosystems and human health benefits; and

WHEREAS, an agreement has been proposed between the City and the State setting forth the rights and obligations of the City and State with respect to the identification, design and construction of storm water quality improvements for the City's stormwater infrastructure ("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 Intergovernmental Contract between the City of Louisville and the State of Colorado for the benefit and use of the Department of Public Health and Environment, for the identification, design, and construction of stormwater infrastructure improvements ("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 18th day of August, 2020.

_____
Ashley Stolzmann, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

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DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

CONTRACT ROUTING NO. 2020*3706

INTERGOVERNMENT CONTRACT

STATE:
State of Colorado for the use & benefit of the
Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

CONTRACTOR:
City of Louisville
749 Main Street
Louisville, Colorado 80027

CONTRACTOR DUNS: 182743120

CONTRACTOR ENTITY TYPE:
Other (Specify): Government

CONTRACT MADE DATE: 03/25/2020

BILLING STATEMENTS RECEIVED:
Monthly

TERM:
This contract shall be effective upon approval by the State Controller, or designee, or on 04/13/2020, whichever is later. The contract shall end on 06/30/2023.

STATUTORY AUTHORITY:

CLASSIFICATION: Subrecipient

CONTRACT PRICE NOT TO EXCEED: $200,000.00
FEDERAL FUNDING DOLLARS: $0.00
STATE FUNDING DOLLARS: $200,000.00
OTHER FUNDING DOLLARS: $0.00
Specify "Other":

PROCUREMENT METHOD:
RFA

BID/RFP/LIST PRICE AGREEMENT NUMBER:
14249

MAXIMUM AMOUNT AVAILABLE PER FISCAL YEAR:
FY2020-2023: $200,000.00

LAW SPECIFIED VENDOR STATUTE:

PRICE STRUCTURE: Cost Reimbursement

STATE REPRESENTATIVE:
Mark Henderson
Grants and Loans Unit Manager
4300 Cherry Creek Drive South
B-2
Denver, Colorado 80246-1530

CONTRACTOR REPRESENTATIVE:
Kurt Kowar
City of Louisville
749 Main Street
Louisville, Colorado 80027

PROJECT DESCRIPTION:
This project serves to modify the stormwater master plan and design two (2) priority stormwater capital improvement projects for the City of Louisville to evaluate current stormwater infrastructure and future necessary stormwater capital projects.

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EXHIBITS:

The following exhibits are hereby incorporated:

Exhibit A -	Additional Provisions
Exhibit B -	Statement of Work
Exhibit C -	Budget
Exhibit D -	Option Letter

COORDINATION:

The State warrants that required approval, clearance and coordination has been accomplished from and with appropriate agencies. Section 29-1-203, C.R.S., as amended, encourages governments to make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with each other to the fullest extent possible to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting entities.

APPROVAL:

In no event shall this contract be deemed valid until it shall have been approved by the State Controller or his/her designee.

PROCUREMENT:

All State of Colorado contracts with its political subdivisions and other governmental entities are exempt from the State of Colorado's personnel rules and procurement code.

PRICE PROVISIONS:

Payments pursuant to this contract shall be made as earned, in whole or in part, from available funds, encumbered for the purchase of the described services and/or deliverables. The liability of the State at any time for such payments shall be limited to the encumbered amount remaining of such funds.

Authority exists in the laws and funds have been budgeted, appropriated and otherwise made available, and a sufficient unencumbered balance thereof remains available for payment.

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

GENERAL PROVISIONS

The following clauses apply to this contract. In some instances, these general clauses have been expanded upon in other sections/exhibits of/to this contract. To the extent that other provisions of the contract provide more specificity than these general clauses, the more specific provision shall control.

1. Governmental Immunity. Notwithstanding any other provision to the contrary, no term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protection or other provisions of the Colorado Governmental Immunity Act, Section 24-10-101 et.seq., CRS, as now or hereafter amended. The parties understand and agree that liability for claims for injuries to persons or property arising out of negligence of the State of Colorado, its departments, institutions, agencies, boards, officials and employees is controlled and limited by the provisions of Section 24-10-101 et.seq. CRS and the risk management statutes, Section 24-30-1501, et.seq, CRS as now or hereafter amended.

2. Available Funds Contingency

   a. Available Funds. The State is prohibited by law from making commitments beyond the term of the State's current fiscal year; therefore, Contractor's compensation beyond the State's current Fiscal Year is contingent upon the continuing availability of State appropriations as provided in the Colorado Special Provisions. Payments pursuant to this Contract shall be made only from available funds encumbered for this Contract and the State's liability for such payments shall be limited to the available amount remaining of such encumbered funds. In the event that state funds become unavailable for this Contract, as determined by the State, the State may immediately terminate this Contract or amend it accordingly.
   b. Federal Funds Contingency. Payment pursuant to this contract, if in federal funds, whether in whole or in part, is subject to and contingent upon the continuing availability of federal funds for the purposes hereof. In the event that said funds, or any part thereof, become unavailable, as determined by the State, the State may immediately terminate this contract or amend it accordingly without liability including liability for termination costs.

3. Billing Procedures. The State shall establish billing procedures and requirements for payment due the Contractor in providing performance pursuant to this contract. The Contractor shall comply with the established billing procedures and requirements for submission of billing statements. The State shall comply with CRS 24-30-202(24) when paying vendors upon receipt of a correct notice of the amount due for goods or services provided hereunder.

4. Exhibits - Interpretation. Unless otherwise stated, all referenced exhibits are incorporated herein and made a part of this contract. Unless otherwise stated, the terms of this contract shall control over any conflicting terms in any of its exhibits. In the event of conflicts or inconsistencies between this contract and its exhibits or attachments, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority: 1) the Special Provisions of this Contract; 2) the Additional Provisions **Exhibit A** and its attachments if included; 3) the Contract (other than the Special Provisions); 4) the RFP if applicable and attached; 5) the Scope/Statement of Work **Exhibit B** and its attachments if included; 6) the Contractor's proposal if applicable and attached; 7) other exhibits/attachments in their order of appearance.

   The conditions, provisions, and terms of any RFP attached hereto, if applicable, establish the minimum standards of performance that the Contractor must meet under this Contract. If the Contractor's Proposal, if attached hereto, or any attachments or exhibits thereto, or the Scope/Statement of Work **Exhibit B**, establish or create standards of performance greater than those set forth in the RFP, then the Contractor shall also meet those standards of performance under this Contract.

5. Notice and Representatives. For the purposes of this contract, the representative for each party is as designated herein. Any notice required or permitted may be delivered in person or sent by registered or certified mail, return receipt requested, to the party at the address provided, and if sent by mail it is effective when posted in a U.S. Mail Depository with sufficient postage attached thereto. Notice of change of address or change or representative shall be treated as any other notice.

6. Contractor Representations - Qualifications/Licenses/Approvals/Insurance. The Contractor certifies that, at the time of entering into this contract, it and its agents have currently in effect all necessary licenses, certifications, approvals, insurance, etc. required to properly provide the services and/or supplies covered by this contract in the state of Colorado. Proof of such licenses, certifications, approvals, insurance, etc. shall be provided upon the State's request. Any revocation, withdrawal or non-renewal of necessary license, certification, approval, insurance, etc. required for the Contractor to properly perform this contract, shall be grounds for termination of this contract by the State.

   Contractor certifies that it is qualified to perform such services or provide such deliverables as delineated in this contract.

7. Legal Authority. The Contractor warrants that it possesses the legal authority to enter into this contract and that it has taken all actions required by its procedures, by-laws, and/or applicable law to exercise that authority, and to lawfully authorize its undersigned signatory to execute this contract and bind the Contractor to its terms. The person(s) executing this contract on behalf of the Contractor warrant(s) that such person(s) have full authorization to execute this contract.

8. Insurance – Contractor. The Contractor is a "public entity" within the meaning of the Colorado Governmental Immunity Act (CGIA), section 24-10-101, *et seq.*, C.R.S., as amended. Therefore, at all times during the initial term of this Contract, and any renewals or extensions hereof, the Contractor shall maintain such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the CGIA. If requested by the State, the Contractor shall provide the State with written proof of such insurance coverage.

9. Rights in Data, Documents and Computer Software or Other Intellectual Property. All intellectual property including without limitation, databases, software, documents, research, programs and codes, as well as all, reports, studies, data, photographs, negatives or other documents, drawings or materials prepared by the Contractor in the performance of its obligations under this contract shall be the exclusive property of the State. Unless otherwise stated, all such material shall be delivered to the State by the Contractor upon completion, termination, or cancellation of this contract. Contractor shall not use, willingly allow, or cause to have such materials used for any purpose other than the performance of the Contractor's obligations under this contract without the prior written consent of the State. All documentation, accompanying the intellectual property or otherwise, shall comply with the State requirements which include but is not limited to all documentation being in a paper, human readable format which is useable by one who is reasonably proficient in the given subject area. Software documentation shall be delivered by Contractor to the State that clearly identifies the programming language and version used, and when different programming languages are incorporated, identifies the interfaces between code programmed in different programming languages. The documentation shall contain source code which describes the program logic, relationship between any internal functions, and identifies the disk files which contain the various parts of the code. Files containing the source code shall be delivered and their significance to the program described in the documentation. The documentation shall describe error messages and the location in the source code, by page, line number, or other suitable identifier, where the error message is generated. The Contractor warrants that the delivered software will be sufficiently descriptive to enable maintenance and modification of the software. The State's ownership rights described herein shall include, but not be limited to, the right to copy, publish, display, transfer, prepare derivative works, or otherwise use the works.

   If any material is produced under this Contract and the parties hereto mutually agreed that said material could be copyrighted by Contractor or a third party, then the State, and any applicable federal funding entity, shall, without additional cost, have a paid in full, irrevocable, royalty free, and non-exclusive license to reproduce, publish, or otherwise use, and authorize others to use, the copyrightable material for any purpose authorized by the Copyright Law of the United States as now or hereafter enacted. Upon the written request of the State, the Contractor shall provide the State with three (3) copies of all such copyrightable material.

10. Confidential or Proprietary Information. Subject to the Public (Open) Records Act, section 24-72-101, *et seq.*, C.R.S., as amended, if the Contractor obtains access to any records, files, or other information of the State in connection with, or during the performance of, this Contract, then the Contractor shall keep

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all such records, files, or other information confidential and shall comply with all laws and regulations concerning the confidentiality of all such records, files, or information to the same extent as such laws and regulations apply to the State. Contractor shall protect the confidentiality of all information accessed, used, held, created or received in connection with this Contract and shall insure that any subcontractors or agents of Contractor protect the confidentiality of all information under this Contract. Contractor shall access, use and disclose confidential information only for the operation and administration of the Contract, and shall not directly or indirectly disclose confidential information after the term of the Contract. Contractor shall implement appropriate safeguards as are necessary to prevent accidental or unauthorized use or disclosure of confidential information and shall maintain a comprehensive written information privacy and security program that includes administrative, technical and physical safeguards for maintaining and transmitting electronic confidential information. Contractor shall promptly notify the State if Contractor breaches the confidentiality of any information covered by this Contract. Any breach of confidentiality by the Contractor, or third party agents of the Contractor, shall constitute good cause for the State to cancel this Contract, without liability to the State. Any State waiver of an alleged breach of confidentiality by the Contractor, or third party agents of the Contractor, does not constitute a waiver of any subsequent breach by the Contractor, or third party agents of the Contractor.

The Contractor must identify to the State the information that it considers confidential or proprietary. This is a continuing obligation. Confidential or proprietary information for the purpose of this paragraph is information relating to Contractor's research, development, trade secrets, business affairs, internal operations and management procedures and those of its customers, clients or affiliates, but does not include information lawfully obtained by third parties, information which is in the public domain, or information which is or could have been acquired/developed independently by the State or a third party. Notwithstanding the foregoing, the State shall not be in violation of its obligations under this section should it disclose confidential information if such disclosure is, in the sole opinion of the State's legal counsel, required by applicable law and/or legal process (including, but not limited to, disclosures required pursuant to the Colorado (Open) Public Records Act, sections 24-72-201, *et. seq*, C.R.S., as now or hereafter amended). The State shall endeavor to provide notice to the Contractor, as promptly as practicable under the circumstances, of any demand, request, subpoena, court order or other action requiring such disclosure, in order to afford Contractor the opportunity to take such lawful action as it deems appropriate to oppose, prevent or limit the disclosure, solely at its own instance and expense; but nothing herein shall be construed to require the State to refuse or delay compliance with any such law, order or demand.

11. Records Maintenance, Performance Monitoring & Audits. The Contractor shall maintain a complete file of all records, documents, communications, and other materials that pertain to the operation of the program/project or the delivery of services under this contract. Such files shall be sufficient to properly reflect all direct and indirect costs of labor, materials, equipment, supplies and services, and other costs of whatever nature for which a contract payment was made. These records shall be maintained according to generally accepted accounting principles and shall be easily separable from other Contractor records.

The Contractor shall protect the confidentiality of all records and other materials containing personally identifying information that are maintained in accordance with this contract. Except as provided by law, no information in possession of the Contractor about any individual constituent shall be disclosed in a form including identifying information without the prior written consent of the person in interest, a minor's parent, guardian, or the State. The Contractor shall have written policies governing access to, duplication and dissemination of, all such information and advise its agents, if any, that they are subject to these confidentiality requirements. The Contractor shall provide its agents, if any, with a copy or written explanation of these confidentiality requirements before access to confidential data is permitted.

The Contractor authorizes the State, the federal government or their designee, to perform audits and/or inspections of its records, at any reasonable time during the term of this contract and for a period of six (6) years following the termination of this contract, to assure compliance with the state or federal government's terms and/or to evaluate the Contractor's performance. Any amounts the State paid improperly shall be immediately returned to the State or may be recovered in accordance with other remedies.

All such records, documents, communications, and other materials shall be the property of the State unless otherwise specified herein and shall be maintained by the Contractor in a central location as custodian for the State on behalf of the State, for a period of six (6) years from the date of final payment or submission of

the final federal expenditure report under this contract, unless the State requests that the records be retained for a longer period, or until an audit has been completed with the following qualification. If an audit by or on behalf of the federal and/or state government has begun but is not completed at the end of the six (6) year period, or if audit findings have not been resolved after a six (6) year period, the materials shall be retained until the resolution of the audit findings.

The Contractor shall permit the State, any other governmental agency authorized by law, or an authorized designee thereof, in its sole discretion, to monitor all activities conducted by the Contractor pursuant to the terms of this contract. Monitoring may consist of internal evaluation procedures, reexamination of program data, special analyses, on-site verification, formal audit examinations, or any other procedures as deemed reasonable and relevant. All such monitoring shall be performed in a manner that will not unduly interfere with contract work.

12. Taxes. The State, as purchaser, is exempt from all federal excise taxes under Chapter 32 of the Internal Revenue Code [No. 84-730123K] and from all state and local government use taxes [C.R.S. 39- 26-114(a) and 203, as amended]. The Contractor is hereby notified that when materials are purchased for the benefit of the State, such exemptions apply except that in certain political subdivisions the vendor may be required to pay sales or use taxes even though the ultimate product or service is provided to the State. These sales or use taxes will not be reimbursed by the State.

13. Conflict of Interest. During the term of this contract, the Contractor shall not engage in any business or personal activities or practices or maintain any relationships which conflict in any way with the Contractor fully performing his/her obligations under this contract.

Additionally, the Contractor acknowledges that, in governmental contracting, even the appearance of a conflict of interest is harmful to the interests of the State. Thus, the Contractor agrees to refrain from any practices, activities or relationships which could reasonably be considered to be in conflict with the Contractor's fully performing his/her obligations to the State under the terms of this contract, without the prior written approval of the State.

In the event that the Contractor is uncertain whether the appearance of a conflict of interest may reasonably exist, the Contractor shall submit to the State a full disclosure statement setting forth the relevant details for the State's consideration and direction. Failure to promptly submit a disclosure statement or to follow the State's direction in regard to the apparent conflict shall be grounds for termination of the contract.

Further, the Contractor, and its subcontractors or subgrantees, shall maintain a written code of standards governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent of the Contractor, subcontractor, or subgrantee shall participate in the selection, or in the award or administration of a contract or subcontract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

a. The employee, officer or agent;
b. Any member of the employee's immediate family;
c. The employee's partner; or
d. An organization which employees, or is about to employ, any of the above,

has a financial or other interest in the firm selected for award. The Contractor's, subcontractor's, or subgrantee's officers, employees, or agents will neither solicit nor accept gratuities, favors, or anything of monetary value from Contractor's potential contractors, or parties to subagreements.

14. Inspection and Acceptance (Services) and Contractor Warranty. The State reserves the right to inspect services provided under this contract at all reasonable times and places during the term of the contract. "Services" as used in this clause includes services performed or tangible material produced or delivered in the performance of services. If any of the services do not conform to contract requirements, the State may require the contractor to perform the services again in conformity with contract requirements, with no additional payment. When defects in the quality or quantity of service cannot be corrected by re-performance, the State may (1) require the contractor to take necessary action to ensure that the future performance conforms to contract requirements and (2) equitably reduce the payment due the contractor to

reflect the reduced value of the services performed. These remedies in no way limit the remedies available to the State in the termination provisions of this contract, or remedies otherwise available at law.

Contractor warrants that all supplies furnished under this contract shall be free from defects in materials or workmanship, are installed properly and in accordance with manufacturer recommendations or other industry standards, and will function in a failure-free manner for a period of one (1) year from the date of delivery or installation. Contractor shall, at its option, repair or replace any supplies that fail to satisfy this warranty during the warranty period. Additionally, Contractor agrees to assign to the State all written manufacturer warranties relating to the supplies and to deliver such written warranties to the State.

15. Adjustments in Price. Adjustments to contract prices are allowable only so long as they are mutually agreeable by the parties and so long as they are included within a contract amendment made prior to the effective date of the price adjustments and made pursuant to the State of Colorado Fiscal Rules, signed by the parties, and approved by the State Controller or designee. The Contractor shall provide cost or pricing data for any price adjustment subject to the provisions of the Cost or Pricing Data Section of the Colorado State Procurement Rules. Any adjustment in contract price pursuant to the application of a clause in this contract shall be made in one or more of the following ways:

    a. By agreement on a fixed-price adjustment;
    b. By unit prices specified in the contract;
    c. In such other manner as the parties may mutually agree; or
    d. In the absence of agreement between the parties, by a unilateral determination by the procurement officer of the costs attributable to the event or situation covered by the clause, plus appropriate profit or fee.

16. Contract Modifications. This contract is subject to such modifications as may be required by changes in Federal or State law, or their implementing regulations. Any such required modification shall automatically be incorporated into and be part of this contract on the effective date of such change as if fully set forth herein. If either the State or the Contractor desires to modify the terms and conditions of this Contract, then the parties shall execute a standard written amendment to this Contract initiated by the State. The standard written amendment must be executed and approved in accordance with all applicable laws and rules by all necessary parties including the State Controller or delegate.

17. Litigation. The Contractor shall within five (5) calendar days after being served with a summons, complaint, or other pleading which has been filed in any federal or state court or administrative agency notify the State that it is a party defendant in a case which involves services provided under this contract. The Contractor shall deliver copies of such document(s) to the State's Executive Director. The term "litigation" includes an assignment for the benefit of creditors, and filings in bankruptcy, reorganization and/or foreclosure.

18. Notice of Breach and Dispute Resolution: If the State or the Contractor believes in good faith that the other party has failed to timely complete a deliverable, or has otherwise committed a material breach of this Contract, then the non-breaching party shall notify the breaching party in writing of the alleged breach within ten (10) business days of: 1) the date of the alleged breach if the non-breaching party is aware of the breach at the time it occurs; or 2) the date that the non-breaching party becomes aware of the breach.

    Upon receipt of written notice of an alleged breach of the Contract, the breaching party shall have ten (10) business days, or such additional time as may be agreed to in writing between the parties, within which to cure the alleged breach or to notify the non-breaching party in writing of the breaching party's belief that a material breach of this Contract has not occurred. Failure of the breaching party to cure or respond in writing within the above time period shall result in the non-breaching party being entitled to pursue any and all remedies available at law or in equity.

    Except as herein specifically provided otherwise, disputes concerning the performance of this contract which cannot be resolved by the designated contract representatives shall be referred in writing to a senior departmental management staff designated by the department and a senior manager designated by the Contractor. Failing resolution at that level, disputes shall be presented in writing to the Executive Director

and the Contractor's chief executive officer for resolution. This process is not intended to supersede any other process for the resolution of controversies provided by law.

The Contractor and its sureties shall be liable for any damage to the State resulting from the Contractor's breach, whether or not the Contractor's right to proceed with the work is terminated. The State reserves the right, in its sole discretion, to determine whether or not to accept substituted performance tendered by the Contractor or the Contractor's sureties and acceptance is dependent upon completion of all applicable inspection procedures.

19. Remedies: In addition to any other remedies provided for in this contract, and without limiting its remedies otherwise available at law, the State may exercise the following remedial actions if the Contractor substantially fails to satisfy or perform the duties and obligations in this contract. Substantial failure to satisfy the duties and obligations shall be defined to mean significant insufficient, incorrect or improper performance, activities, or inaction by the Contractor. Without limitation, these remedial actions include:

    a. withhold payment to Contractor until the necessary services or corrections in performance are satisfactorily completed; and/or
    b. require the vendor to take necessary action to ensure that the future performance conforms to contract requirements; and/or
    c. request the removal from work on the contract of employees or agents of Contractor whom the State justifies as being incompetent, careless, insubordinate, unsuitable, or otherwise unacceptable, or whose continued employment on the contract the State deems to be contrary to the public interest or not in the best interest of the State; and/or
    d. deny payment for those services or obligations which have not been performed and which due to circumstances caused by Contractor cannot be performed, or if performed would be of no value to the State; denial of the amount of payment must be reasonably related to the value of work or performance lost to the State; and/or
    e. suspend Contractor's performance pending necessary corrective action as specified by the State without Contractor's entitlement to adjustment in price/cost or schedule; and/or
    f. modify or recover payments (from payments under this contract or other contracts between the State and the vendor as a debt due to the State) to correct an error due to omission, error, fraud and/or defalcation; and/or
    g. terminate the contract.

    These remedies in no way limit the remedies available to the State in the termination provisions of this contract, or remedies otherwise available at law.

20. Termination.

    a. Termination for Default. The State may terminate the contract for cause. In the event this contract is terminated for cause, the State will only reimburse the Contractor for accepted work or deliverables received up to the date of termination. In the event this contract is terminated for cause, final payment to the Contractor may be withheld at the discretion of the State until completion of final audit. Notwithstanding the above, the Contractor shall not be relieved of liability to the State for any damages sustained by the State by virtue of any breach of the contract by the Contractor, and the State may withhold any payment to the Contractor for the purposes of mitigating its damages until such time as the exact amount of damages due to the State from the Contractor is determined. If it is determined that the Contractor was not in default then such termination shall be treated as a termination for convenience as described herein. In the event of termination, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports or other material prepared by the contractor under this contract shall, at the option of the State, become its property, and the Contractor shall be entitled to receive just and equitable compensation for any services and supplies delivered and accepted. The Contractor shall be obligated to return any payment advanced under the provisions of this contract.

    b. Termination for Convenience. The State shall have the right to terminate this contract at any time the State determines necessary by giving the Contractor at least twenty (20) calendar days prior written notice. If notice is so given, this contract shall terminate on the expiration of the specified

time period, and the liability of the parties hereunder for further performance of the terms of this contract shall thereupon cease, but the parties shall not be released from the duty to perform their obligations up to the date of termination. In the event of termination, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports or other material prepared by the contractor under this contract shall, at the option of the State, become its property, and the Contractor shall be entitled to receive just and equitable compensation for any satisfactory services and supplies delivered.

In the event that the State terminates this contract under the Termination for Convenience provisions, the Contractor is entitled to submit a termination claim within ten (10) days of the effective date of termination. The termination claim shall address and the State shall consider paying the following costs:

I. the contract price for performance of work, which is accepted by the State, up to the effective date of the termination;
II. reasonable and necessary costs incurred in preparing to perform the terminated portion of the contract;
III. reasonable profit on the completed but undelivered work up to the date of termination;
IV. the costs of settling claims arising out of the termination of subcontracts or orders, not to exceed 30 days pay for each subcontractor;
V. reasonable accounting, legal, clerical, and other costs arising out of the termination settlement.

In no event shall reimbursement under this clause exceed the contract amount reduced by amounts previously paid by the State to the Contractor.

c. Immediate Termination. This contract is subject to immediate termination, in whole or in part, by the State without further liability in all of the following circumstances:

I. In the event that the State determines that the health, safety, or welfare of persons receiving services may be in jeopardy;
II. Upon verifying that the Contractor has engaged in or is about to participate in fraudulent or other illegal acts; or
III. If State or federal funds are not appropriated, or otherwise become unavailable to fund this Contract.

21. Stop Work Order. Upon written approval by the State Procurement Officer or delegee, the State may, by written order to the Contractor, at any time, and without notice to any surety, require the Contractor to stop all or any part of the work called for by this contract. This order shall be for a specified period after the order is delivered to the Contractor. Any such order shall be identified specifically as a stop work order issued pursuant to this clause. Upon receipt of such an order, the Contractor shall forthwith comply with its terms and take all reasonable steps to minimize the incurring of costs allocable to the work covered by the order during the period of work stoppage. Before the stop work order expires, as legally extended, the State Procurement Officer or delegee shall either:

a. Cancel the stop work order; or
b. Terminate the work covered by such order; or
c. Terminate the contract.

If a stop work order issued under this clause is properly canceled, the Contractor shall have the right to resume work. An appropriate adjustment shall be made in the delivery schedule or contract price, or both, and the contract shall be modified accordingly in writing pursuant to the terms of this contract dealing with contract modifications, if:

a. The stop work order results in increased time required for, or in the Contractor's cost properly allocable to, the performance of any part of this contract; and
b. The Contractor asserts claim for such an adjustment within thirty (30) days after the end of the period of work stoppage.

If the work covered by such order is terminated for default or convenience, the reasonable costs resulting from the stop work order shall be allowed by adjustment or otherwise and such adjustment shall be in accordance with the Price Adjustment Clause of this contract.

22. Venue. The parties agree that exclusive venue for any action related to performance of this contract shall be in the City and County of Denver, Colorado.

23. Understanding of the Parties.

a. Complete Integration. This contract is intended as the complete integration of all understandings between the parties. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever, unless embodied herein in writing. No subsequent novation, renewal, addition, deletion, or other amendment hereto shall have any force or effect unless embodied in a written contract executed and approved pursuant to the State Fiscal Rules.

b. Severability. To the extent that this contract may be executed and performance of the obligations of the parties may be accomplished within the intent of the contract, the terms of this contract are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof.

c. Binding Agreement. Except as herein specifically provided otherwise, it is expressly understood and agreed that this contract shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. All rights of action relating to enforcement of the terms and conditions shall be strictly reserved to the State and the named Contractor. Nothing contained in this agreement shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the State and the Contractor that any such person or entity, other than the State or the Contractor, receiving services or benefits under this agreement shall be deemed an incidental beneficiary only.

d. Waiver. The waiver of any breach of a term hereof shall not be construed as a waiver of any other term, or the same term upon subsequent breach.

e. Continuing Obligations. The State and the Contractor's obligations under this contract shall survive following termination or expiration to the extent necessary to give effect to the intent and understanding of the parties.

f. Assignment and Change In Ownership, Address, Financial Status. Except as herein specifically provided otherwise, the rights, duties and obligations of the Contractor arising hereunder cannot be assigned, delegated, subgranted or subcontracted except with the express prior written consent of the State, which consent shall not be unreasonably withheld. In the case of assignment or delegation, Contractor and the State shall execute the standard State novation agreement prior to the assignment or delegation being effective against the State. The subgrants and subcontracts permitted by the State shall be subject to the requirements of this contract. The Contractor is responsible for all subcontracting arrangements, delivery of services, and performance of any subgrantor or subcontractor. The Contractor warrants and agrees that any subgrant or subcontract, resulting from its performance under the terms and conditions of this contract, shall include a provision that the said subgrantor or subcontractor shall abide by the terms and conditions hereof. Also, the Contractor warrants and agrees that all subgrants or subcontracts shall include a provision that the subgrantor or subcontractor shall indemnify and hold harmless the State. The subgrantors or subcontractors must be certified to work on any equipment for which their services are obtained.

This provision shall not be construed to prohibit assignments of the right to payment to the extent permitted by section 4-9-318, CRS, provided that written notice of assignment adequate to identify the rights assigned is received by the controller for the agency, department, or institution executing this contract. Such assignment shall not be deemed valid until receipt by such controller – as

distinguished from the State Controller – and the Contractor assumes the risk that such written notice of assignment is received by the controller for the agency, department, or institution involved.

The Contractor is required to formally notify the State prior to, or if circumstances do not allow prior notification then immediately following, any of the following:

I. change in ownership;
II. change of address;
III. the filing of bankruptcy.

g. Force Majeure. Neither the Contractor nor the State shall be liable to the other for any delay in, or failure of performance of, any covenant or promise contained in this contract, nor shall any delay or failure constitute default or give rise to any liability for damages if, and only to the extent that, such delay or failure is caused by "force majeure." As used in this contract "force majeure" means acts of God; acts of the public enemy; acts of the State and any governmental entity in its sovereign or contractual capacity; fires; floods, epidemics; quarantine restrictions, strikes or other labor disputes; freight embargoes; or unusually severe weather.

h. Changes In Law. This contract is subject to such modifications as may be required by changes in applicable federal or State law, or their implementing rules, regulations, or procedures. Any such required modification shall automatically be incorporated into and be part of this contract on the effective date of such change as if fully set forth herein. Except as provided above, no modification of this contract shall be effective unless agreed to in writing by both parties in the form of a written amendment to this Contract that has been previously executed and approved in accordance with applicable law.

i. Media or Public Announcements. Unless otherwise provided for in this Contract, the Contractor shall not make any news release, publicity statement, or other public announcement, either in written or oral form that concerns the work provided under this Contract, without the prior written approval of the State. The Contractor shall submit a written request for approval to the State no less than ten (10) business days before the proposed date of publication. The State shall not unreasonably withhold approval of the Contractor's written request to publish. Approval or denial of the Contractor's request by the State, shall be delivered to the Contractor in writing within six (6) business days from the date of the State's receipt of Contractor's request for approval.

If required by the terms and conditions of a federal or state grant, the Contractor shall obtain the prior approval of the State and all necessary third parties prior to publishing any materials produced under this Contract. If required by the terms and conditions of a federal or state grant, the Contractor shall also credit the State and all necessary third parties with assisting in the publication of any materials produced under this Contract. It shall be the obligation of the Contractor to inquire of the State as to whether these requirements exist and obtain written notification from the State as Contractor deems appropriate.

24. Intellectual Indemnity. Contractor shall defend, at its sole expense, any claim(s) or suit(s) brought against the State alleging that the use by the State of any product(s), or any part thereof, supplied by Contractor under this agreement constitutes infringement of any patent, copyright, trademark, or other proprietary rights, provided that the State gives Contractor written notice within twenty (20) days of receipt by the State of such notice of such claim or suit, provides assistance and cooperation to Contractor in connection with such action, and Contractor has sole authority to defend or settle the claim. Contractor shall consult the State regarding such defense and the State may, at its discretion and expense, participate in any defense. Should the State not choose to participate, Contractor shall keep the State advised of any settlement or defense.

Contractor shall have liability for all such claims or suits, except as expressly provided herein, and shall indemnify the State for all liability incurred by the State as a result of such infringement. Contractor shall pay all reasonable out-of-pocket costs and expenses, and damages finally awarded by a court of competent jurisdiction, awarded or agreed to by Contractor regarding such claims or suits.

If the product(s), or any part thereof, become the subject of any claim, suit or proceeding for infringement of any patent, trademark or copyright, or in the event of any adjudication that the product(s), or any part thereof, infringes any patent, trademark or copyright, or if the sub-license or use of the product(s), or any part thereof, is enjoined, Contractor, after consultation with the State, shall do one of the following at Contractor's expense:

a. produce for the State the right under such patent, trademark or copyright to use or sub-license, as appropriate, the product or such part thereof; or

b. replace the product(s), or part thereof, with other suitable products or parts conforming to the original license and State specifications; or

c. suitably modify the products, or part thereof.

Except as otherwise expressly provided herein, Contractor shall not be liable for any costs or expenses incurred without its prior written authorization.

Contractor shall have no obligation to defend against or to pay any costs, damages or attorney's fees with respect to any claim based upon:

a. the use of an altered release if Contractor had not consented to the alteration; or

b. the combination, operation or use of the product(s) with programs or data which were not furnished by Contractor, if such infringement would have been avoided if the programs or data furnished by persons or entities other than Contractor had not been combined, operated or used with the product(s); or

c. the use of product(s) on or in connection with equipment or software not permitted under this contract if such infringement would have been avoided by not using the product(s) on or in connection with such other equipment or software.

25. Conformance with Law. If this Contract involves federal funds or compliance is otherwise federally mandated, the Contractor and its agent(s) shall at all times during the term of this contract strictly adhere to all applicable federal laws, state laws, Executive Orders and implementing regulations as they currently exist and may hereafter be amended. Without limitation, these federal laws and regulations include:

a. Office of Management and Budget Circulars and The Common Rule for Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, as applicable;

b. the "Hatch Act" (5 U.S.C. 1501-1508) and Public Law 95-454, Section 4728

c. when required by Federal program legislation, the "Davis-Bacon Act", as amended (40 U.S.C. 3141-3148) as supplemented by Department of Labor Regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction");

d. when required by Federal program legislation, the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building of Public Work Financed in Whole or in Part by Loans or Grants from the United States").

e. 42 U.S.C. 6101 *et seq.*, 42 U.S.C. 2000d, 29 U.S.C. 794 (regarding discrimination);

f. the "Americans with Disabilities Act" (Public Law 101-336; 42 U.S.C. 12101, 12102, 12111 - 12117, 12131 - 12134, 12141 - 12150, 12161 - 12165, 12181 - 12189, 12201 - 12213 and 47 U.S.C. 225 and 47 U.S.C. 611);

g. if the Contractor is acquiring an interest in real property and displacing households or businesses in the performance of this Contract, then the Contractor is in compliance with the "Uniform Relocation Assistance and Real Property Acquisition Policies Act", as amended, (Public Law 91-646, as amended, and Public Law 100-17, 101 Stat. 246 - 256);

h. when applicable, the Contractor shall comply with the provisions of the "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments" (Common Rule);

i. Section 2101 of the Federal Acquisition Streamlining Act of 1994, Public Law 103-355; and

j. If the Contractor is a covered entity under the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. 1320d – 1320d-8, the Contractor shall comply with applicable HIPAA requirements. **If Contractor is a business associate under HIPAA, Contractor hereby agrees to, and has an affirmative duty to, execute the State's current HIPAA Business Associate Agreement. In this case, Contractor must contact the State's representative and request a copy of the Business Associate Agreement, complete the agreement, have it signed by an authorized representative of the Contractor, and deliver it to the State.**

k. The Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by §6062 of Public Law 110-252, including without limitation all data reporting requirements required there under. This Act is also referred to as FFATA.

l. Contractor shall comply with the provisions of Section 601 of Title VI of the Civil Rights Act of 1964, as amended.

m. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 comply with the equal opportunity clause provided under 41 CFR 60-1.3(b), in accordance with Executive Order 11246, "Equal Employment Opportunity: (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.

n. where applicable, Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708).

o. if the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into an agreement with a small business firm or nonprofit organization, comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

p. the Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended.

q. if applicable, comply with the mandatory standards and policies on energy efficiency contained within the State of Colorado's energy conservation plan issued in compliance with the Energy Policy and Conservation Act, 42 U.S.C. 6201.

26. Contractor Affirmation. If this Contract involves federal funds or compliance is otherwise federally mandated, then by signing and submitting this Contract the Contractor affirmatively avers that:

a. the Contractor is in compliance with the requirements of the "Drug-Free Workplace Act" (Public Law 100-690 Title V, Subtitle D, 41 U.S.C. 701 et seq.);

b. the Contractor and all principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency; the Contractor and all principals shall comply with all applicable regulations pursuant to Executive Order 12549 (3 CFR Part 1986 Comp., p. 189) and Executive Order 12689 (3 CFR Part 1989 Comp., p. 235), Debarment and Suspension; and,

c. the Contractor shall comply with all applicable regulations pursuant to Section 319 of Public Law 101-121, Guidance for New Restrictions on Lobbying, including, Certification and Disclosure, 29 C.F.R. 93.110(1990) and where applicable, the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352).

27. Annual Audits. If the Contractor expends federal funds from all sources (direct or from pass-through entities) in an amount of $750,000 or more during its fiscal year, then the Contractor shall have an audit of that fiscal year in accordance with Office of Management and Budget (OMB) Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations). If the Contractor expends federal funds received from the State in an amount of $750,000 or more during its fiscal year, then the Contractor shall furnish one (1) copy of the audit report(s) to the State's Internal Audit Office within thirty (30) calendar days after the Contractor's receipt of its auditor's report or nine (9) months after the end of the Contractor's audit period, whichever is earlier. If (an) instance(s) of noncompliance with federal laws and regulations occurs, then the Contractor shall take all appropriate corrective action(s) within six (6) months of the issuance of (a) report(s).

28. Holdover. In the event that the State desires to continue the services provided for in this Contract and a replacement contract has not been fully executed by the expiration date of the Contract, this Contract may be extended unilaterally by the State for a period of up to two (2) months upon written notice to the Contractor under the same terms and conditions of the original Contract including, but not limited to, prices, rates, and service delivery requirements. However, this extension terminates when the replacement contract becomes effective when signed by the State Controller or an authorized delegate.

29. Survival of Certain Contract Terms. Notwithstanding anything in this contract to the contrary, the parties understand and agree that all terms and conditions of this contract which may require continued performance, compliance, or effect beyond the termination date of the contract and shall survive such termination date and shall be enforceable by the State as provided herein in the event of failure to perform or comply by the Contractor.

30. **STATEWIDE CONTRACT MANAGEMENT SYSTEM** *[This section shall apply when the Effective Date is on or after July 1, 2009 and the maximum amount payable to Contractor hereunder is $100,000 or higher]*

By entering into this Contract, Contractor agrees to be governed, and to abide, by the provisions of CRS §24-102-205, §24-102-206, §24-103-601, §24-103.5-101 and §24-105-102 concerning the monitoring of vendor performance on state contracts and inclusion of contract performance information in a statewide contract management system.

Contractor's performance shall be evaluated in accordance with the terms and conditions of this Contract, State law, including CRS §24-103.5-101, and State Fiscal Rules, Policies and Guidance. Evaluation of Contractor's performance shall be part of the normal contract administration process and Contractor's performance will be systematically recorded in the statewide Contract Management System. Areas of review shall include, but shall not be limited to quality, cost and timeliness. Collection of information relevant to the performance of Contractor's obligations under this Contract shall be determined by the specific requirements of such obligations and shall include factors tailored to match the requirements of the Statement of Project of this Contract. Such performance information shall be entered into the statewide Contract Management System at intervals established in the Statement of Project and a final review and rating shall be rendered within 30 days of the end of the Contract term. Contractor shall be notified following each performance and shall address or correct any identified problem in a timely manner and maintain work progress.

Should the final performance evaluation determine that Contractor demonstrated a gross failure to meet the performance measures established under the Statement of Project, the Executive Director of the Colorado Department of Personnel and Administration (Executive Director), upon request by the Colorado Department of Public Health and Environment and showing of good cause, may debar Contractor and prohibit Contractor from bidding on future contracts. Contractor may contest the final evaluation and result by: (i) filing rebuttal statements, which may result in either removal or correction of the evaluation (CRS §24-105-102(6)), or (ii) under CRS §24-105-102(6), exercising the debarment protest and appeal rights provided in CRS §§24-109-106, 107, 201 or 202, which may result in the reversal of the debarment and reinstatement of Contractor, by the Executive Director, upon showing of good cause.

31. Performance Outside the State of Colorado and/or the United States

[Not applicable if Contract Funds include any federal funds]
Following the Effective Date, Contractor shall provide written notice to the State, in accordance with the Notices and Representatives provision, within 20 days of the earlier to occur of Contractor's decision to perform, or its execution of an agreement with a Subcontractor to perform, Services outside the State of Colorado and/or the United States. Such notice shall specify the type of Services to be performed outside the State of Colorado and/or the United States and the reason why it is necessary or advantageous to perform such Services at such location or locations. All notices received by the State pursuant to this provision shall be posted on the Colorado Department of Personnel & Administration's website. Knowing failure by Contractor to provide notice to the State under this provision shall constitute a material breach of this Contract.

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COLORADO SPECIAL PROVISIONS (COLORADO FISCAL RULE 3-1)

These Special Provisions apply to all contracts except where noted in *italics*.

A. CONTROLLER'S APPROVAL. §24-30-202(1), C.R.S.

This Contract shall not be valid until it has been approved by the Colorado State Controller or designee.

B. FUND AVAILABILITY. §24-30-202(5.5), C.R.S.

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

C. GOVERNMENTAL IMMUNITY.

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

D. INDEPENDENT CONTRACTOR

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

E. COMPLIANCE WITH LAW.

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

F. CHOICE OF LAW, JURISDICTION, AND VENUE.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Contract. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Contract shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

G. PROHIBITED TERMS.

Any term included in the Contract that requires the State to indemnify or hold Contractor harmless; requires the State to agree to binding arbitration; limits Contractor's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Contract shall be construed as a waiver of any provision of §24-106-109 C.R.S. Any term included in this Contract that limits Contractor's liability that is not void under this section shall apply only in excess of any insurance to be maintained under this Contract, and no insurance policy shall be interpreted as being subject to any limitations of liability of this Contract.

H. SOFTWARE PIRACY PROHIBITION.

State or other public funds payable under this Contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Contractor hereby certifies and warrants that, during the term of this Contract and any extensions, Contractor has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that

Contractor is in violation of this provision, the State may exercise any remedy available at law or in equity or under this Contract, including, without limitation, immediate termination of this Contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.

I. EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST. §§24-18-201 and 24-50-507, C.R.S.

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

J. VENDOR OFFSET AND ERRONEOUS PAYMENTS. §§24-30-202(1) and 24-30-202.4, C.R.S.

[Not applicable to intergovernmental agreements] Subject to §24-30-202.4(3.5), C.R.S., the State Controller may withhold payment under the State's vendor offset intercept system for debts owed to State agencies for: (i) unpaid child support debts or child support arrearages; (ii) unpaid balances of tax, accrued interest, or other charges specified in §§39-21-101, et seq., C.R.S.; (iii) unpaid loans due to the Student Loan Division of the Department of Higher Education; (iv) amounts required to be paid to the Unemployment Compensation Fund; and (v) other unpaid debts owing to the State as a result of final agency determination or judicial action. The State may also recover, at the State's discretion, payments made to Contractor in error for any reason, including, but not limited to, overpayments or improper payments, and unexpended or excess funds received by Contractor by deduction from subsequent payments under this Contract, deduction from any payment due under any other contracts, grants or agreements between the State and Contractor, or by any other appropriate method for collecting debts owed to the State.

K. PUBLIC CONTRACTS FOR SERVICES. §§8-17.5-101, et seq. C.R.S.

[Not applicable to agreements relating to the offer, issuance, or sale of securities, investment advisory services or fund management services, sponsored projects, intergovernmental agreements, or information technology services or products and services] Contractor certifies, warrants, and agrees that it does not knowingly employ or contract with an illegal alien who will perform work under this Contract and will confirm the employment eligibility of all employees who are newly hired for employment in the United States to perform work under this Contract, through participation in the E-Verify Program or the State verification program established pursuant to §8-17.5-102(5)(c), C.R.S., Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract or enter into a contract with a Subcontractor that fails to certify to Contractor that the Subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract. Contractor (i) shall not use E-Verify Program or the program procedures of the Colorado Department of Labor and Employment ("Department Program") to undertake pre-employment screening of job applicants while this Contract is being performed, (ii) shall notify the Subcontractor and CDPHE within 3 days if Contractor has actual knowledge that a Subcontractor is employing or contracting with an illegal alien for work under this Contract, (iii) shall terminate the subcontract if a Subcontractor does not stop employing or contracting with the illegal alien within 3 days of receiving the notice, and (iv) shall comply with reasonable requests made in the course of an investigation, undertaken pursuant to §8-17.5-102(5), C.R.S., by the Colorado Department of Labor and Employment. If Contractor participates in the Department program, Contractor shall deliver to CDPHE a written, notarized affirmation, affirming that Contractor has examined the legal work status of such employee, and shall comply with all of the other requirements of the Department program. If Contractor fails to comply with any requirement of this provision or §§8-17.5-101 et seq., C.R.S., CDPHE may terminate this Contract for breach and, if so terminated, Contractor shall be liable for damages.

L. PUBLIC CONTRACTS WITH NATURAL PERSONS. §§24-76.5-101, et seq., C.R.S.

Contractor, if a natural person 18 years of age or older, hereby swears and affirms under penalty of perjury that he or she (i) is a citizen or otherwise lawfully present in the United States pursuant to federal law, (ii) shall comply with the provisions of §§24-76.5-101 et seq., C.R.S., and (iii) has produced one form of identification required by §24-76.5-103, C.R.S. prior to the Effective Date of this Contract.

SIGNATURE PAGE
Contract Routing Number: 2020*3706

THE PARTIES HERETO HAVE EXECUTED THIS CONTRACT

Each person signing this Contract represents and warrants that he or she is duly authorized to execute this Contract and to bind the Party authorizing his or her signature.

CONTRACTOR City of Louisville	**STATE OF COLORADO** **Jared S. Polis, Governor** Colorado Department of Public Health and Environment Jill Hunsaker Ryan, MPH, Executive Director
_____ By: Signature	_____ By: Signature
_____ Name of Person Signing for Contractor	_____ Name of Executive Director Delegate
_____ Title of Person Signing for Contractor	_____ Title of Executive Director Delegate
Date: _____	Date: _____

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

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

_____
By: Signature

_____
Name of State Controller Delegate

_____
Title of State Controller Delegate

Contract Effective Date:_____

-- Signature Page End --

EXHIBIT A

ADDITIONAL PROVISIONS
To Original Contract Routing Number 2020*3706

These provisions are to be read and interpreted in conjunction with the provisions of the Contract specified above.

1. To receive compensation under the Contract, the Contractor shall submit a signed Monthly CDPHE Reimbursement Invoice Form. This form is accessible from the CDPHE internet website https://www.colorado.gov/pacific/cdphe/standardized-invoice-form-and-links and is incorporated and made part of this Contract by reference. CDPHE will provide technical assistance in accessing and completing the form. The CDPHE Reimbursement Invoice Form and Expenditure Details page must be submitted no later than **forty-five (45)** calendar days after the end of the billing period for which services were rendered. Expenditures shall be in accordance with the Statement of Work and Budget.

   The Contractor shall submit the following documentation with the completed CDPHE Reimbursement Invoice Form and Expenditure Details page; and all applicable invoices to substantiate the amount being requested.

   Mail to:

   Grant Project Manager
   Water Quality Control Division, Grants and Loans Unit
   Colorado Department of Public Health and Environment
   B-2
   4300 Cherry Creek Drive South
   Denver, Colorado 80246

   Scan the completed and signed CDPHE Reimbursement Invoice Form and supporting documentation into an electronic document. Email the scanned invoice and Expenditure Details page and supporting documentation to: cdphe.grantsandloans@state.co.us, and copy your CDPHE Project Manager.

   Final billings under the Contract must be received by the State within a reasonable time after the expiration or termination of the Contract; but in any event no later than **forty-five (45)** calendar days from the effective expiration or termination date of the Contract.

   Unless otherwise provided for in the Contract, "Local Match", if any, shall be included on all invoices as required by funding source.

   The Contractor shall not use federal funds to satisfy federal cost sharing and matching requirements unless approved in writing by the appropriate federal agency.

2. Time Limit For Acceptance Of Deliverables.

   a. Evaluation Period. The State shall have **thirty (30)** calendar days from the date a deliverable is delivered to the State by the Contractor to evaluate that deliverable, except for those deliverables that have a different time negotiated by the State and the Contractor.

   b. Notice of Defect. If the State believes in good faith that a deliverable fails to meet the design specifications for that particular deliverable, or is otherwise deficient, then the State shall notify the Contractor of the failure or deficiencies, in writing, within **thirty (30)** calendar days of: 1) the date the deliverable is delivered to the State by the Contractor if the State is aware of the failure or deficiency at the time of delivery; or 2) the date the State becomes aware of the failure or deficiency. The above time frame shall apply to all deliverables except for those deliverables that have a different time negotiated by the State and the Contractor in writing pursuant to the State's fiscal rules.

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c. Time to Correct Defect. Upon receipt of timely written notice of an objection to a completed deliverable, the Contractor shall have a reasonable period of time, not to exceed **ten (10)** calendar days, to correct the noted deficiencies.

3. Health Insurance Portability and Accountability Act (HIPAA) Business Associate Determination. The State has determined that this Contract does not constitute a Business Associate relationship under HIPAA.

4. The State, at its discretion, shall have the option to extend the term under this Contract beyond the Initial Term for a period or for successive periods, of 1 year at the same rates and under the same terms specified in the Contract. In order to exercise this option, the State shall provide written notice to Contractor in as form substantially equivalent to Exhibit D. If exercised, the provisions of the Option Letter shall become part of and be incorporated in the original contract. The total duration of this contract shall not exceed 5 years.

5. The State, at its discretion, shall have the option to increase or decrease the statewide quantity of Goods and/or Services based upon the rates established in this Contract, and modify the maximum amount payable accordingly. In order to exercise this option, the State shall provide written notice to Contractor in as form substantially equivalent to Exhibit D. Delivery of Goods and/or performance of Services shall continue at the same rates and terms as described in this Contract.

EXHIBIT B

STATEMENT OF WORK
To Original Contract Number 2020*3706

These provisions are to be read and interpreted in conjunction with the provisions of the contract specified above.

I. Entity Name: City of Louisville

II. Project Description:
This project serves to modify the stormwater master plan and design two (2) priority stormwater capital improvement projects for the City of Louisville to evaluate current stormwater infrastructure and future necessary stormwater capital projects. The stormwater master plan will be used to pursue funding for construction in problem locations determined in the plan to improve water quality for the residents of the City. Improving water quality within the State has direct positive environmental benefits for aquatic ecosystems and human health benefits.

III. Definitions:
1. CDPHE - Colorado Department of Public Health and Environment
2. Stormwater Infrastructure- Infrastructure designed to carry rainfall runoff and other drainage.
3. WQCD- Water Quality Control Division

IV. Work Plan:

Goal #1: To improve, protect, and restore public health and the environment by improving water quality across Colorado.	
Objective #1: No later than the expiration date of the contract, the Contractor shall produce a stormwater master plan to improve stormwater infrastructure in the City of Louisville.	
Primary Activity #1	The Contractor shall modify the current stormwater master plan.
Sub-Activities #1	1. The Contractor shall develop planning documents for at least two (2) stormwater capital improvement projects. 2. The Contractor shall prepare quarterly reports. 3. The Contractor shall prepare a final report.
Primary Activity #2	The Contractor shall select two (2) stormwater capital improvement projects.
Sub-Activities #2	1. The Contractor shall prepare design documents for each selected stormwater capital improvement project.
Standards and Requirements	1. The content of electronic documents located on CDPHE and non-CDPHE websites and information contained on CDPHE and non-CDPHE websites may be updated periodically during the contract term. The contractor shall monitor documents and website content for updates and comply with all updates. 2. The stormwater master plan shall contain: a. A review of the current stormwater infrastructure. b. A prioritization of two (2) stormwater capital improvement projects. 3. The Contractor shall use the CDPHE Quarterly report form and Final report form which can be found at: https://www.colorado.gov/pacific/cdphe/wq-glu-grant-forms 4. Quarterly reports shall contain progress made on the primary activities. 5. The final report shall contain a written description of the activities completed.

Expected Results of Activity(s)	Water quality will be improved by preventing adverse impacts from stormwater.	
Measurement of Expected Results	Design documents for the stormwater capital improvement project.	
		Completion Date
Deliverables	1. The Contractor shall submit the final stormwater master plan via email to the WQCD project manager.	No later than 30 days following final completion and within the term of the contract.
	2. The Contractor shall submit final engineering design documents via email to the WQCD project manager.	No later than 30 days following final completion and within the term of the contract.
	3. The Contractor shall submit a quarterly report form via the WQCD grants website: https://www.colorado.gov/cdphe/wq-glu-grant-forms.	No later than each: Jan. 20, April 20, July 20, Oct. 20 during the contract term.
	4. The Contractor shall submit a final report, via email to the WQCD grants website: https://www.colorado.gov/cdphe/wq-glu-grant-forms.	No later than 30 days following final completion and within the term of the contract

V. Monitoring:

CDPHE's monitoring of this contract for compliance with performance requirements will be conducted throughout the contract period by the Grant Project Manager. Methods used will include a review of documentation determined by CDPHE to be reflective of performance to include progress reports and other fiscal and programmatic documentation as applicable. The Contractor's performance will be evaluated at set intervals and communicated to the contractor. A Final Contractor Performance Evaluation will be conducted at the end of the life of the contract.

VI. Resolution of Non-Compliance:

The Contractor will be notified in writing within ten (10) calendar days of discovery of a compliance issue. Within 30 calendar days of discovery, the Contractor and the State will collaborate, when appropriate, to determine the action(s) necessary to rectify the compliance issue and determine when the action(s) must be completed. The action(s) and time line for completion will be documented in writing and agreed to by both parties. If extenuating circumstances arise that requires an extension to the time line, the Contractor must email a request to the Grant Project Manager and receive approval for a new due date. The State will oversee the completion/implementation of the action(s) to ensure time lines are met and the issue(s) is resolved. If the Contractor demonstrates inaction or disregard for the agreed upon compliance resolution plan, the State may exercise its rights under the provisions of this contract.

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EXHIBIT C

Budget
To Original Contract Routing Number 2020*3706

These provisions are to be read and interpreted in conjunction with the provisions of the contract specified above.

Entity Name: City of Louisville

I. Budget Table

Project Primary Activity		Required Match		Totals
Primary Activity	WQIF Funding Awarded	Source of Match	Amount	
1. The Contractor shall modify the current stormwater master plan.	$20,000	District Funds	$100,000	$120,000
2. The Contractor shall select two (2) stormwater capital improvement projects.	$180,000	District Funds	$300,000	$480,000
TOTAL	$200,000	**TOTAL**	$400,000	
			PROJECT TOTAL	**$600,000**
Colorado Department of Public Health and Environment Contract Amount				**$200,000**

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EXHIBIT D

OPTION LETTER #: Click here to enter text.

State Agency : **Colorado Department Of Public Health and Environment** **4300 Cherry Creek Dr S** **Denver, CO 80246**	Original Contract # **Click here to enter text.**
Contractor (Name and Address) **Click here to enter text.**	Option Contract Number **Click here to enter text.**
Contract Performance Beginning Date : **Click here to enter a date.**	Current Contract Expiration Date : **Click here to enter a date.**

CONTRACT MAXIMUM AMOUNT TABLE

Document Type	Contract Routing #	Federal Funding Amount*	State Funding Amount	Other Funding Amount	Term (dates)	Total
OL #1						$
Original						$
					Current Contract Maximum Amount (YTD)	$

1) **OPTIONS**
   - **A.** Option to extend for an Extension Term
   - **B.** Option to change quantity of goods under the Contract
   - **C.** Option to change quantity of services under the Contract
   - **D.** Option to change Contract rates
   - **E.** Option to initiate next phase of Contract

2) **REQUIRED PROVISIONS**:

A. In accordance with Section(s) **Click here to enter text.** of the Original Contract referenced above the State hereby exercises its option for an additional term, beginning **Click here to enter a date.** and ending on the current contract expiration date shown above, at the rates stated in the Original Contract, as amended.

B. In accordance with Section(s) Click here to enter text. of the Original Contract referenced above, the State hereby exercises its option to **Choose an item.** the quantity of **Choose an item.** at the rates stated in the Original Contract as amended for the following reason: **Click here to enter text.**.

C. In accordance with Section(s) **Click here to enter text.** of the Original Contract referenced above the State hereby exercises its option to modify the Contract rates specified in **Click here to enter text.** for the following reason: **Click here to enter text.**. The Contract rates attached to this Option Letter replace the rates in the Original Contract as of the Option Effective Date of this Option Letter.

D. In accordance with Section(s) **Click here to enter text.** of the Original Contract referenced above, the State hereby exercise its option to initiate Phase **Click here to enter text.**, which shall begin on **Click here to enter a date.** and end on **Click here to enter a date.** at the cost/price specified in Section **Click here to enter text.**.

E. The Contract Maximum Amount table is deleted and replace with the Current Contract Maximum Amount Maximum Amount table shown above.

3) **OPTION EFFECTIVE DATE:**

A. The effective date of this Option Letter is upon approval of the State Controller or **Click here to enter a date.** whichever is later.

SAMPLE

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EXHIBIT D

PROGRAM APPROVAL	STATE OF COLORADO Jared S. Polis, Governor Department of Public Health and Environment Jill Hunsaker Ryan MPH, Executive Director
By:_____ _ Date:_____	_____ _ By: Lisa McGovern, Purchasing & Contracts Section Director, CDPHE Date: _____

ALL CONTRACTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If Contractor begins performing prior thereto, the State of Colorado is not obligated to pay Contractor for such performance or for any goods and/or services provided hereunder.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By: _____

Date: _____

SAMPLE

Colorado Department of Health and Environment Water Quality Improvement Fund Grant Approval

August 4, 2020

City of Louisville
COLORADO • SINCE 1878

Purpose

- Approve the Intergovernmental Contract with the Colorado Department of Public Health and Environment for funding from the Water Quality Improvement Fund

Background

- In 2019, a Stormwater Quality Master Plan was included in the approved CIP to analyze the drainage system for water quality issues and possible upgrades to solve these issues. Tasks include:
  - Inventory of Drainage System to locate locations where water quality may be improved.
  - Prioritize the proposed Water Quality Project Areas
  - Develop CIP and Maintenance Program
- While completing the Master Plan, the City applied for a grant from the Colorado Department of Public Health and Environment Water Quality Improvement Fund

CDPHE WQIF Grant

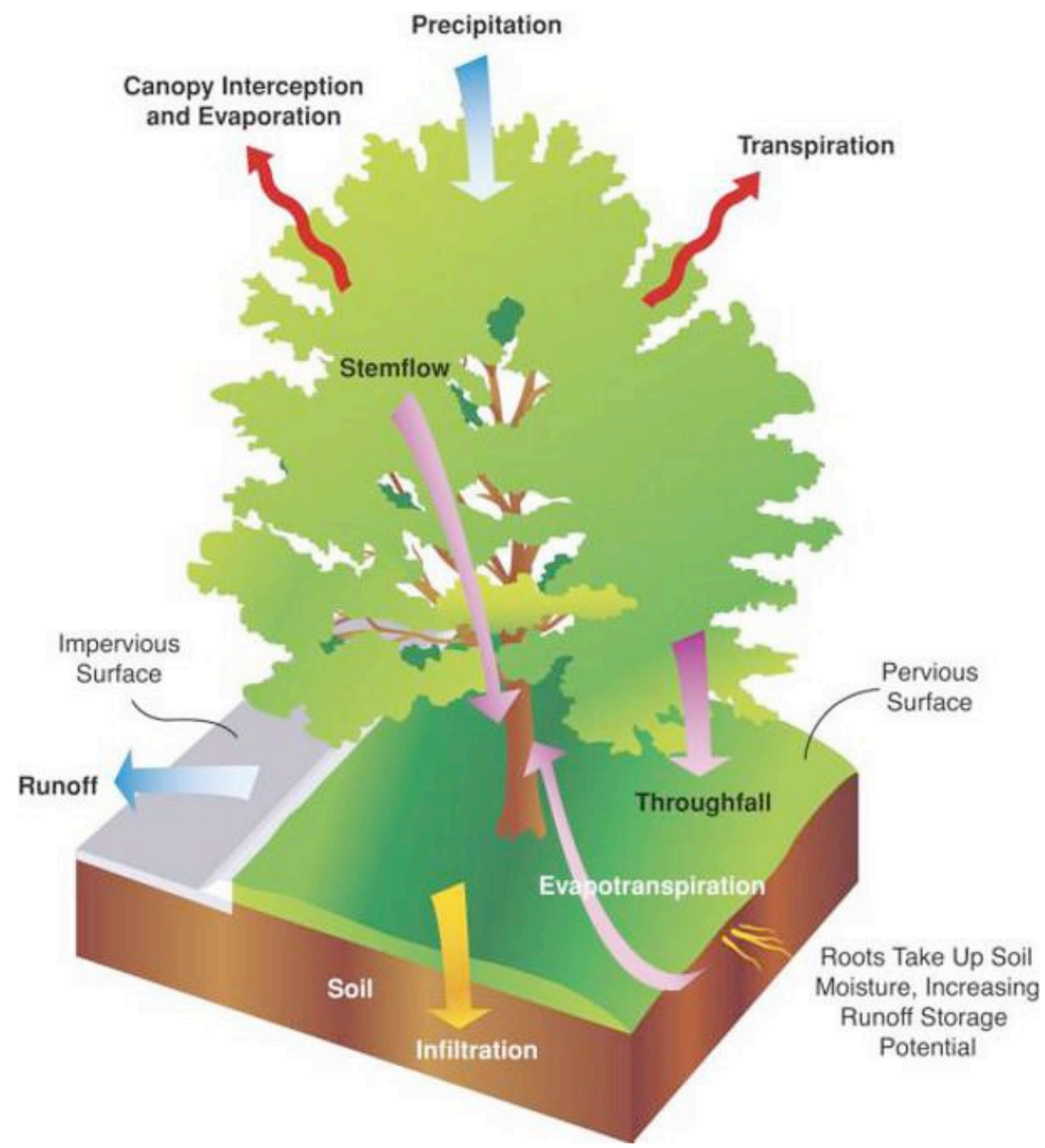
- The grant provides matching funds to the City for completing pilot projects identified in the storm water quality master plan
  - $100,000 WQIF funds for 2020 and 2021 for a total of $200,000
- The City met state requirements and was awarded the grant
- The SWQMP is in the final stages. Improvements identified in the SWQMP include:
  - Replacement of outdated structures to meet current water quality standards
  - Replacement of drainage facilities to enhance water quality
  - Reduction of contaminants prior to entering the drainage system, including reducing runoff to from urban areas

SWQMP Status

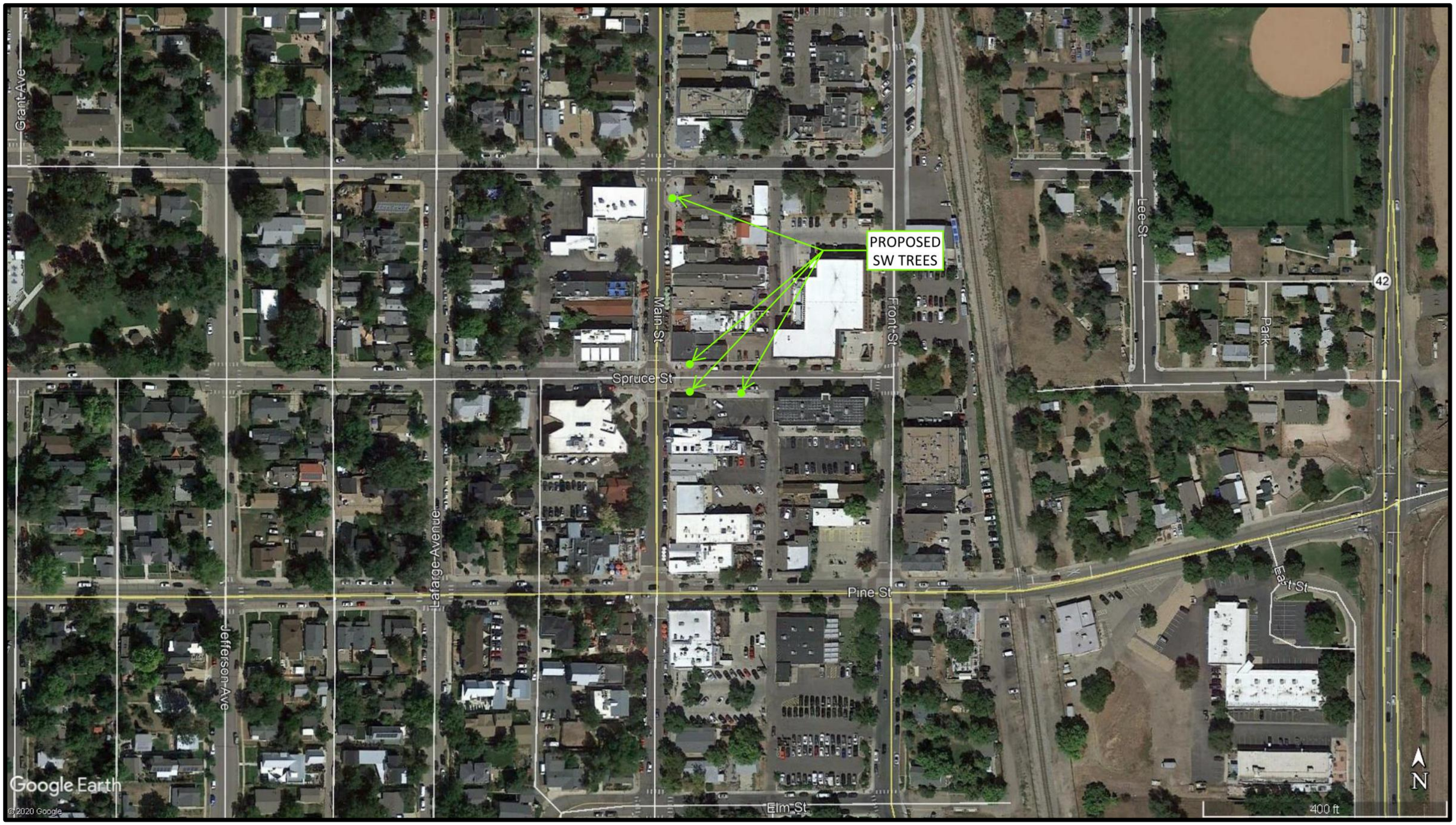
- The SWQMP is in the final stages. Improvements identified in the SWQMP include:
  - Reduction of contaminants prior to entering the drainage system, including reducing runoff to from urban areas
  - Replacement of outdated structures to meet current water quality standards
  - Enhancement or replacement of drainage facilities to enhance water quality

Example Input Reduction – Storm Water Trees

- Trees can be placed in impervious areas to decrease runoff
  - Adds pervious area for infiltration which reduces first flush and peak flows
  - Has aesthetic benefits
- Limitations:
  - Irrigation may not be available
  - Maintenance costs increase

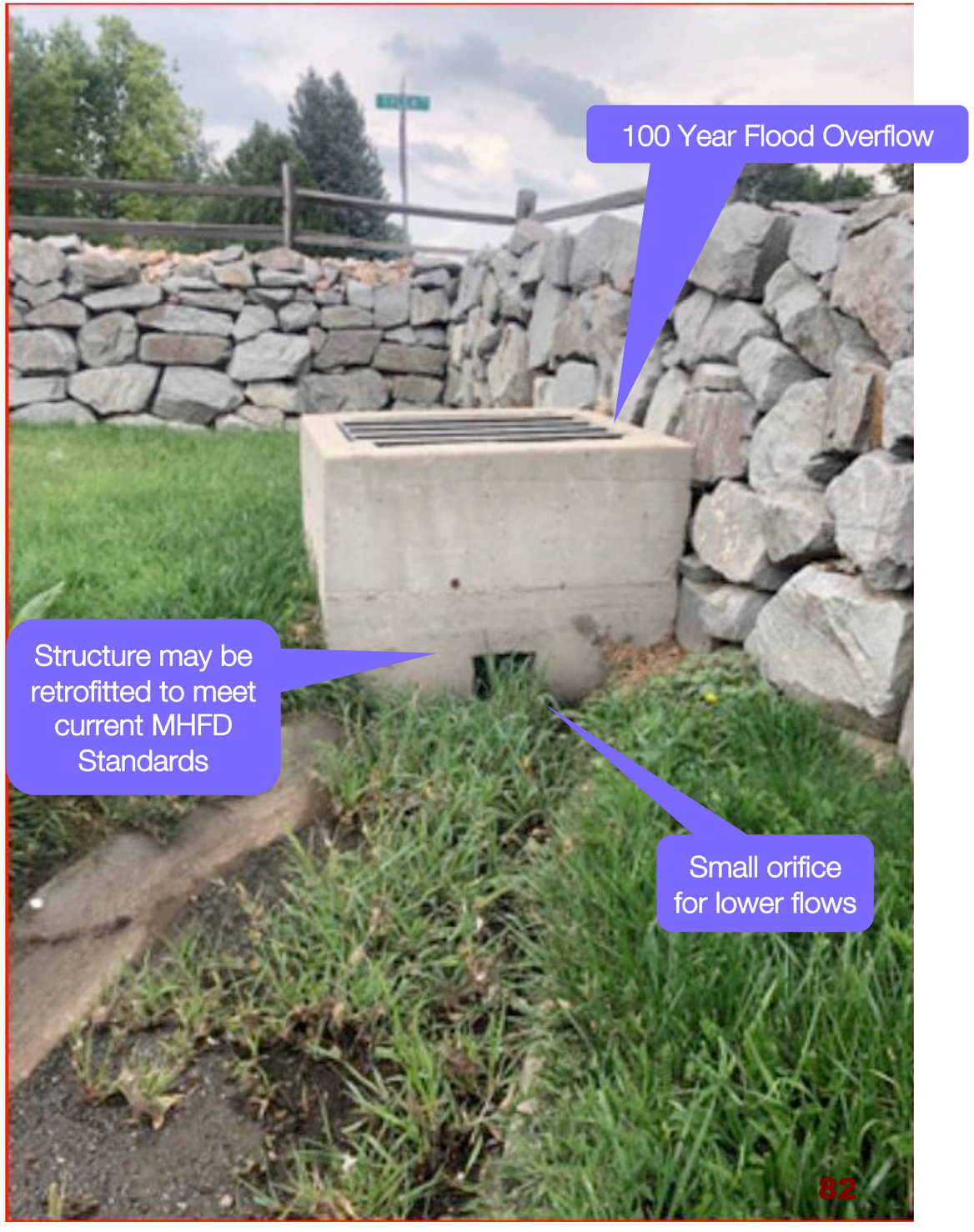


Example Potential Stormwater Tree Projects



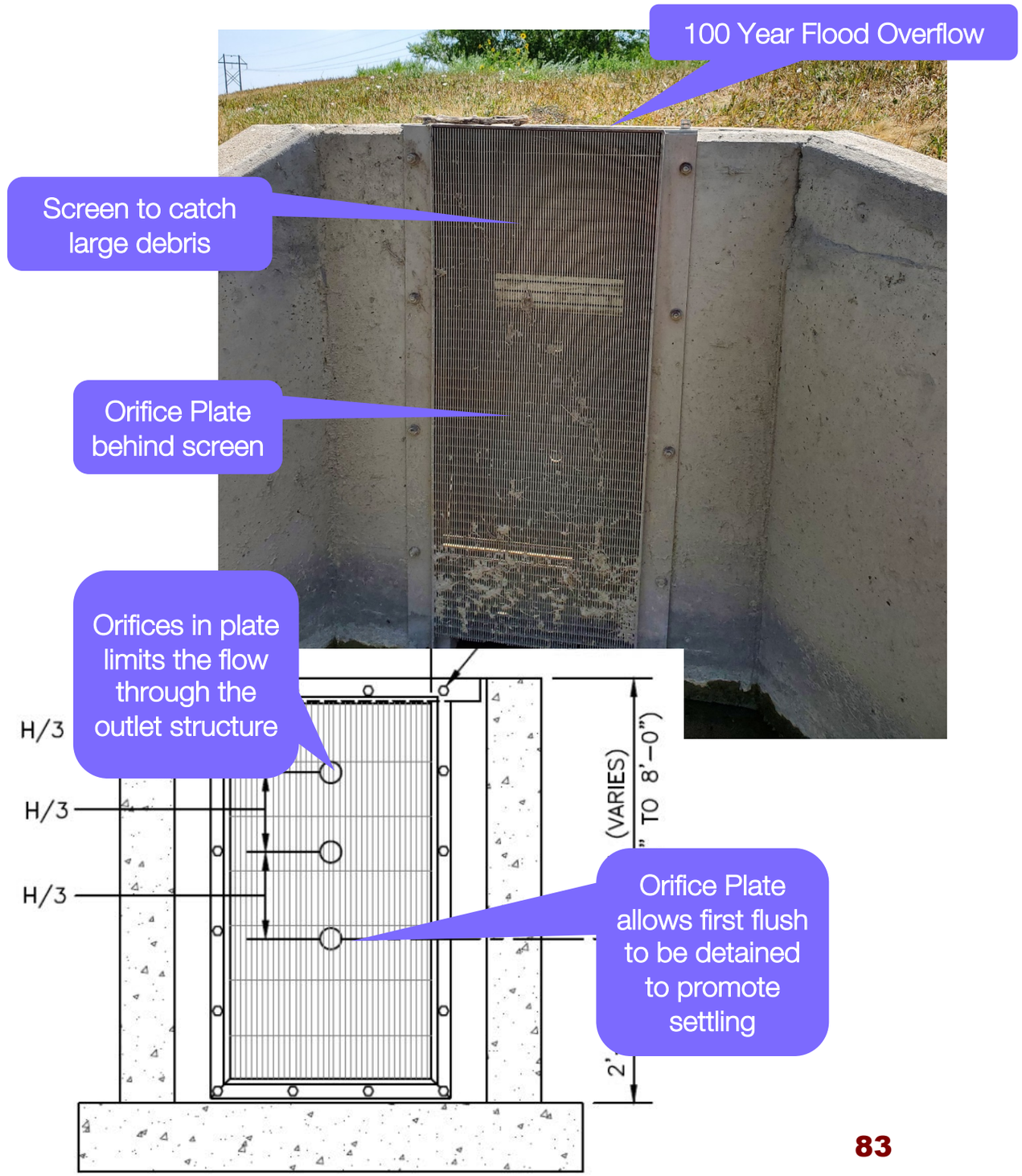
Example Improvement – WQ Control Structure

- Older detention pond outlet structures are designed to reduce the peak flows from entering the storm system.
- Ponds hold the storm water for 72 hours and reduces the rate that storm water is released from the pond.
- Standards have been upgraded in recent years to include elements which enhance Water Quality. Many City owned ponds were constructed prior to water quality features being incorporated in detention ponds.



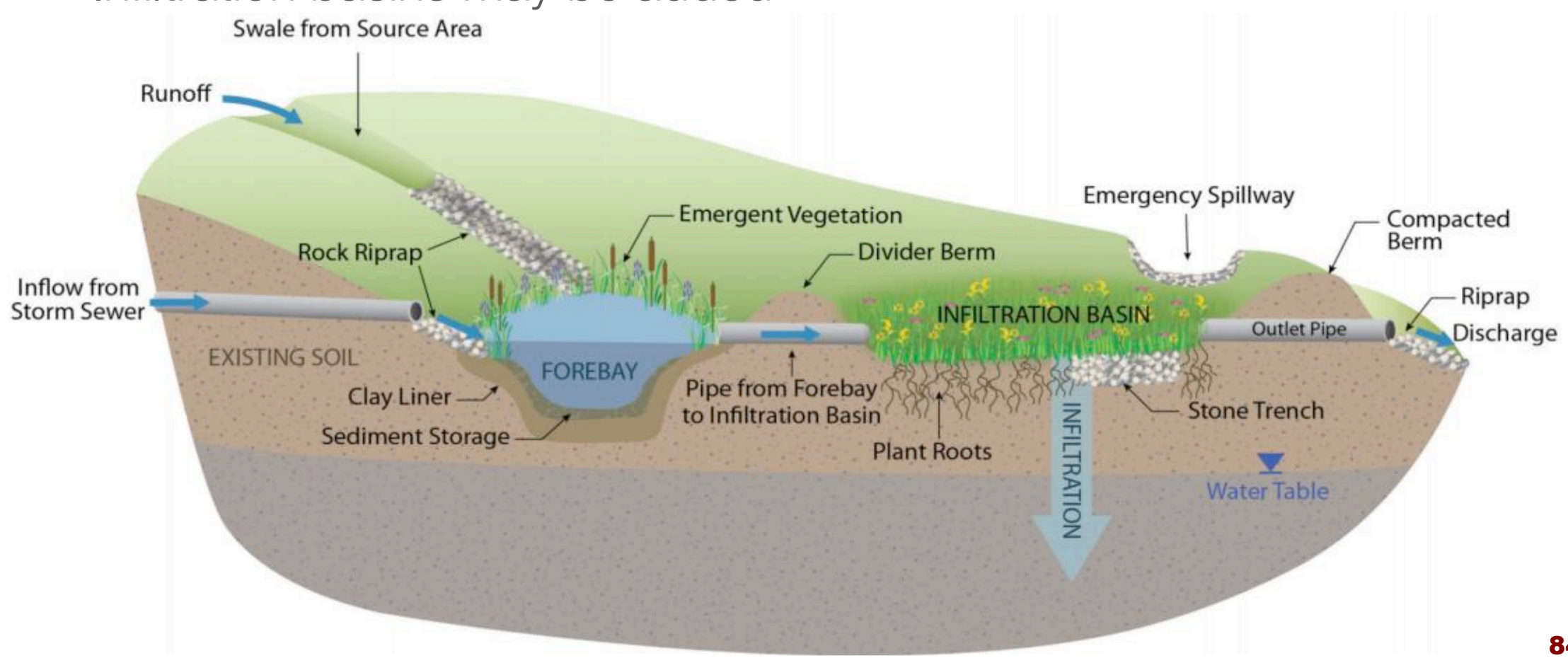
Example Improvement – WQ Control Structure

- Current standards incorporate Water Quality Control features which can be utilized to detain storm flows and settle contaminants
- Facilities can be upgraded or retrofitted to incorporate the latest standards
  - MHFD recommends three orifices to complete full spectrum detention



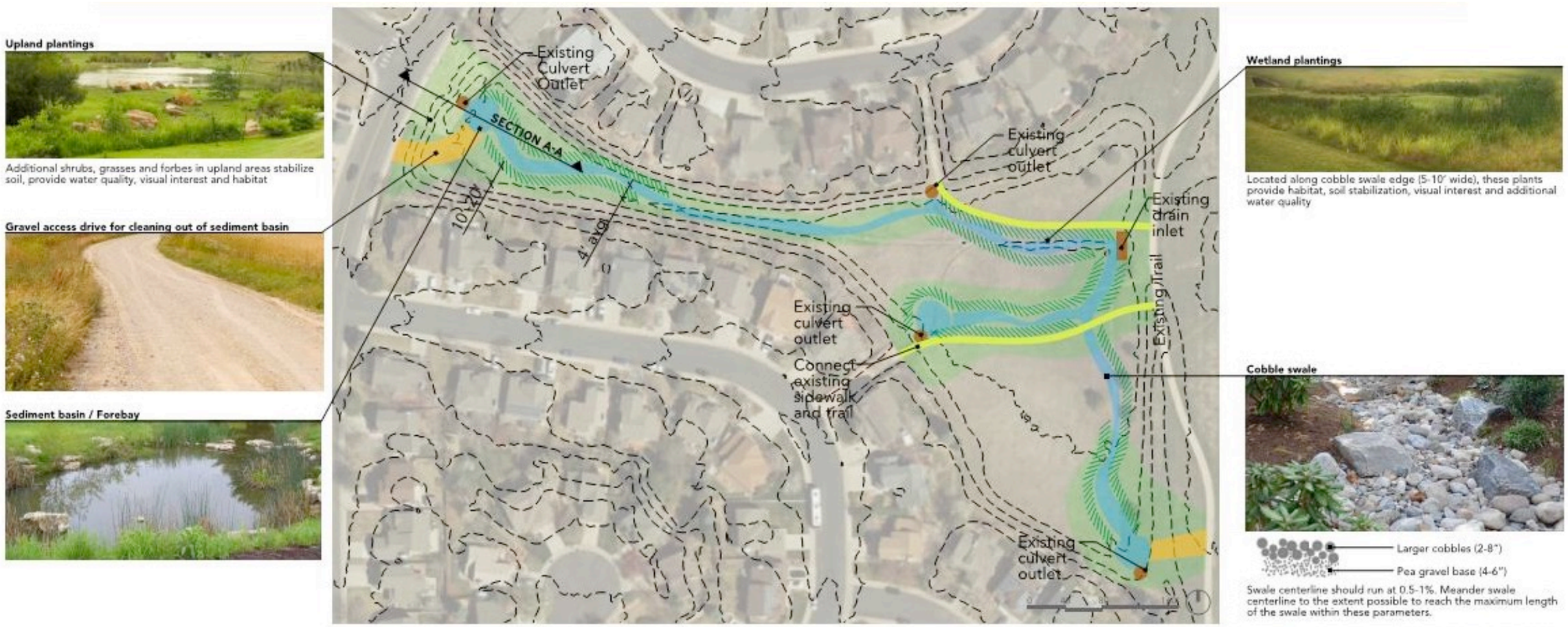
Example Improvement – Facility Enhancement

- Existing detention facilities can be enhanced or rebuilt to add Water Quality features.
  - Forebays can be added for sediment settling
  - Infiltration basins may be added

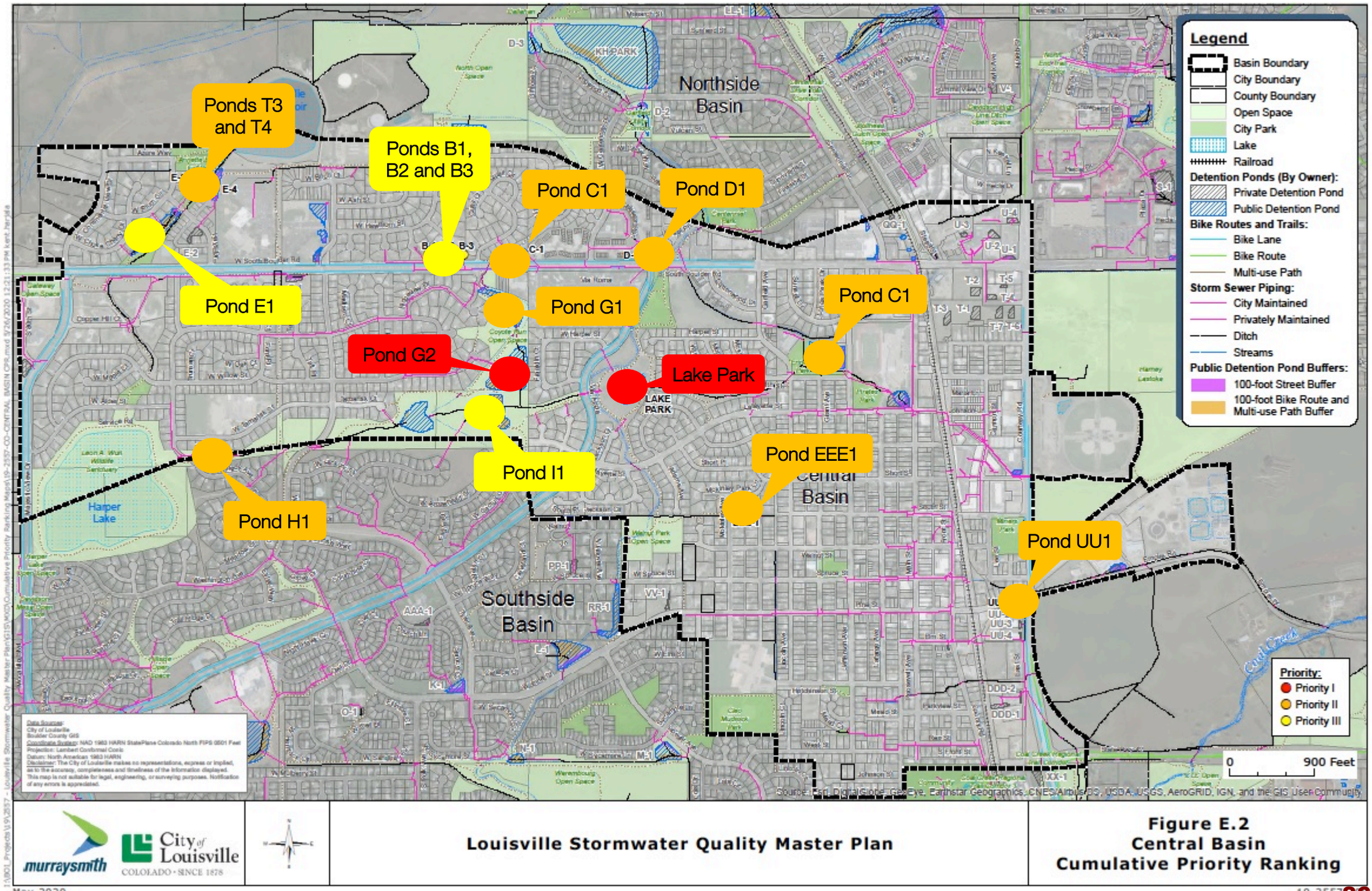


Example Improvement – Facility Enhancement

- Existing channels can be modified to reduce velocities
  - Velocity reduction locations may be added



Example of Improvement Locations

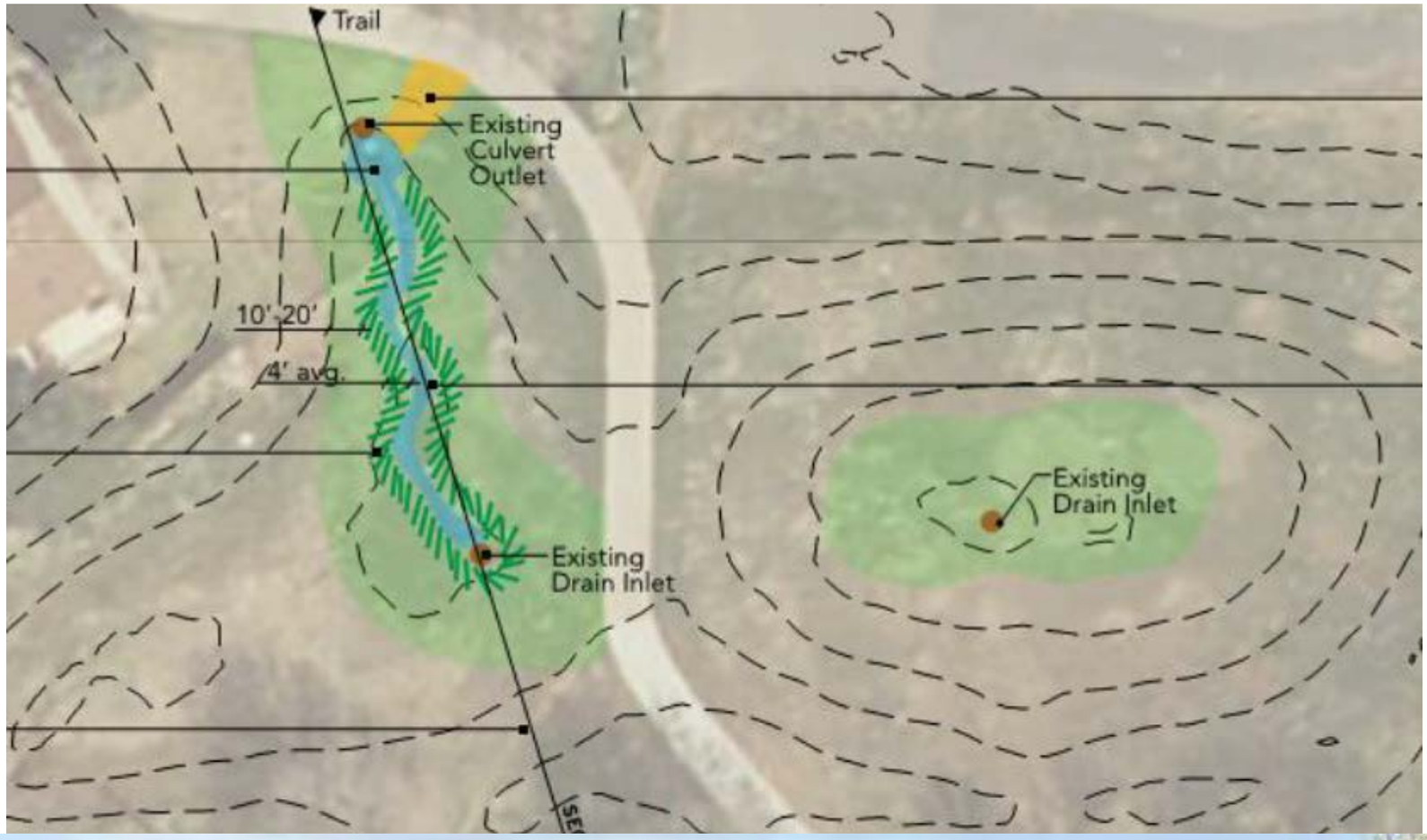


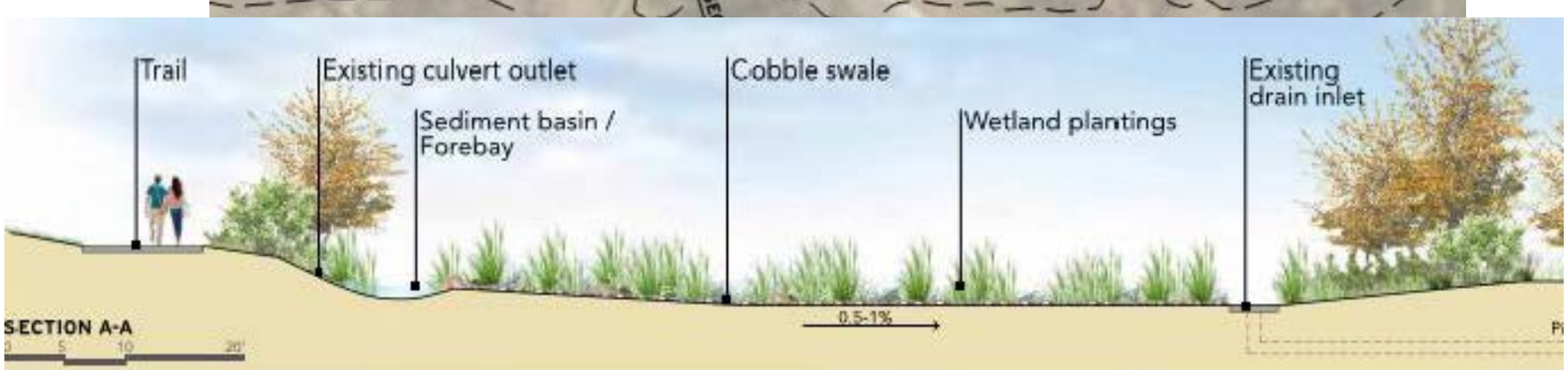
Potential Pilot Project – Area D-1

Potential Pilot Project – Area D-1

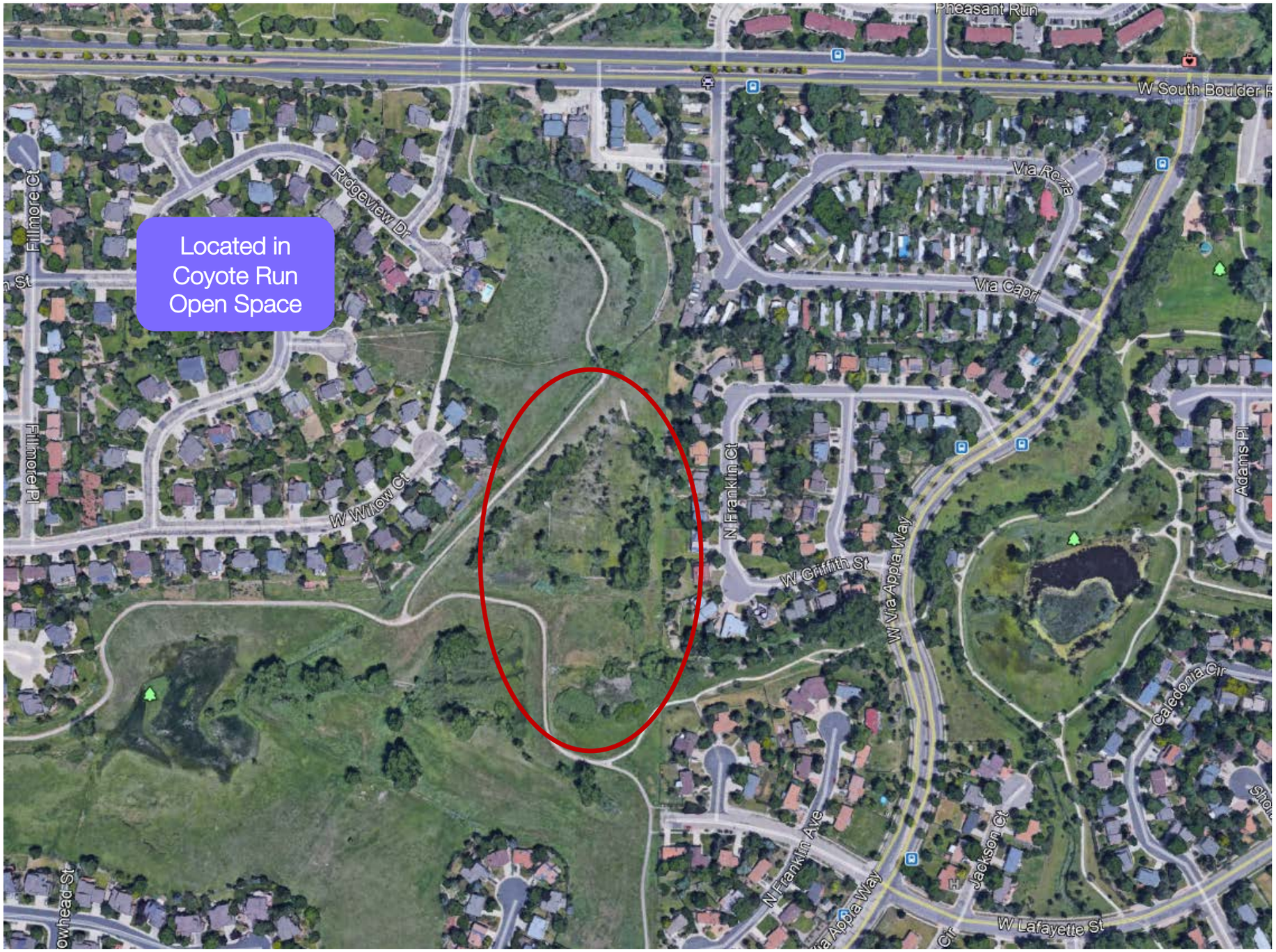
- Existing Pond which has deviated from its initial design due to walking path
- A forebay could assist in settling silt and particulates
- Facilities can be upgraded to incorporate the latest standards
    - MHFD recommends three orifices to complete full spectrum detention

Potential Pilot Project – Area D-1





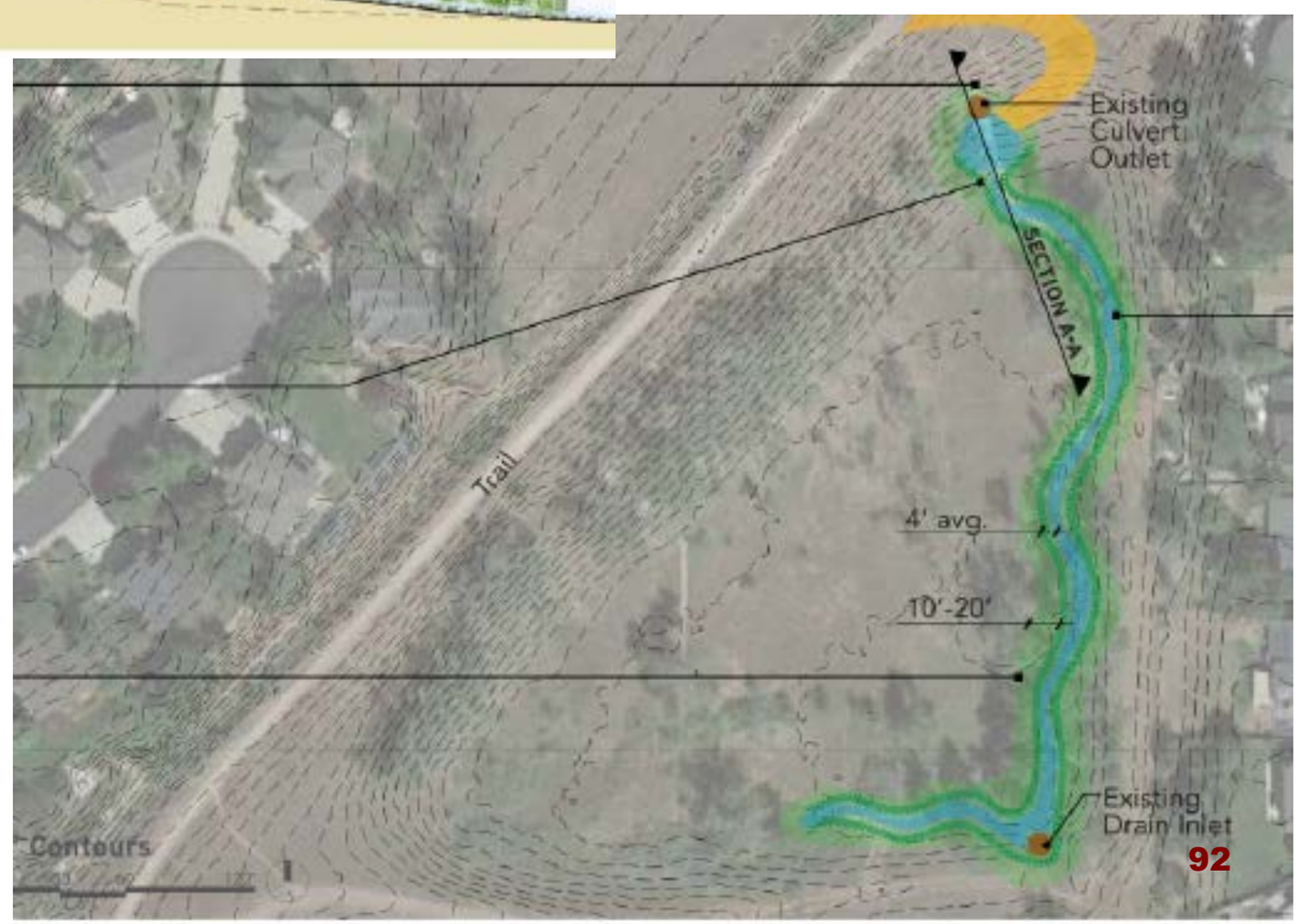
Potential Pilot Project – Area G-2



Potential Pilot Project – Area G-2

- Located in Coyote Run Open Space
- Limited visibility and access
- A forebay could assist in settling silt and particulates with dedicated access for cleaning
- Naturalize the channel and add wetland plantings
- Review Outlet Structure for possible upgrades

Potential Pilot Project – Area G-2



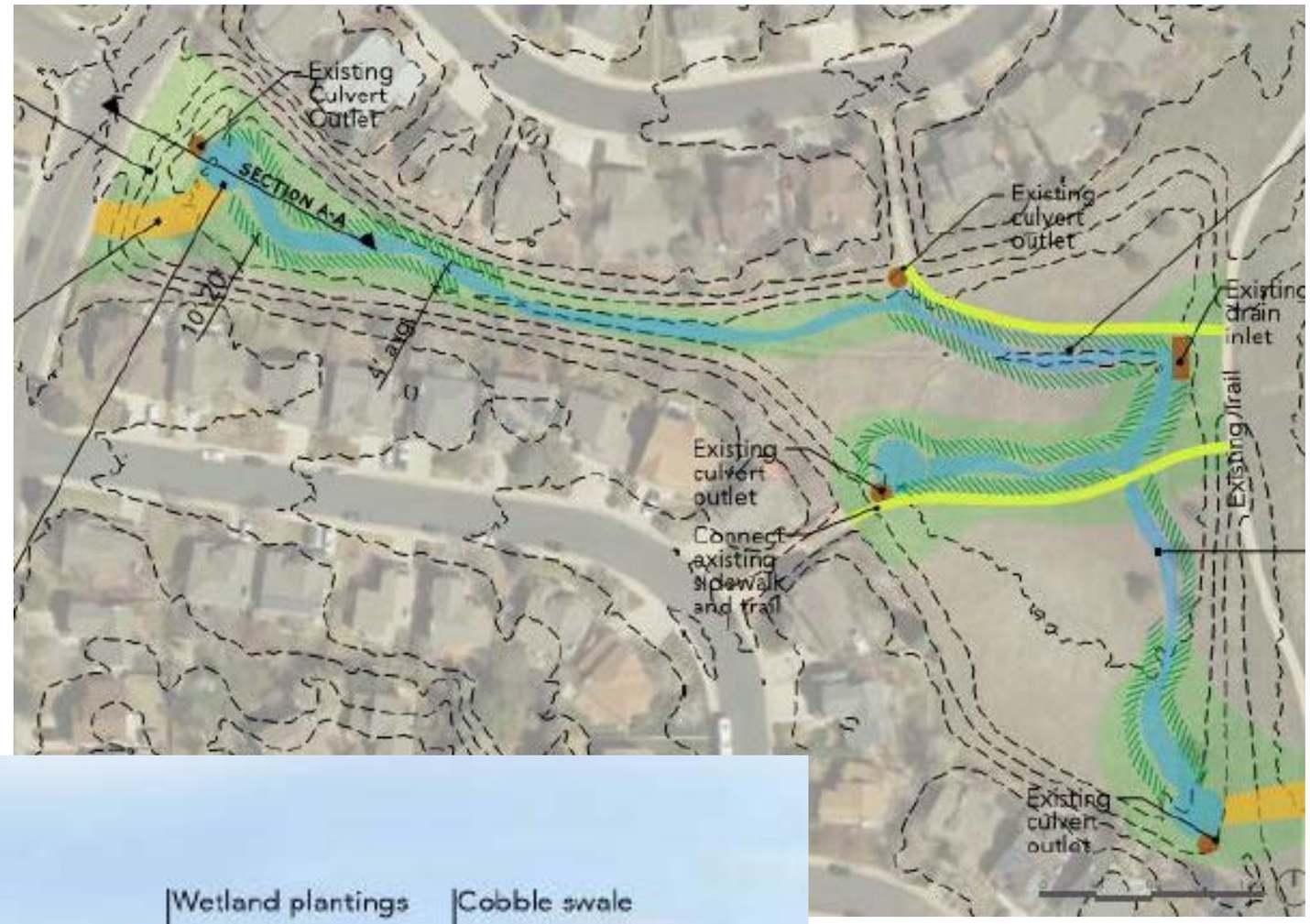
Potential Pilot Project – Area Q-1

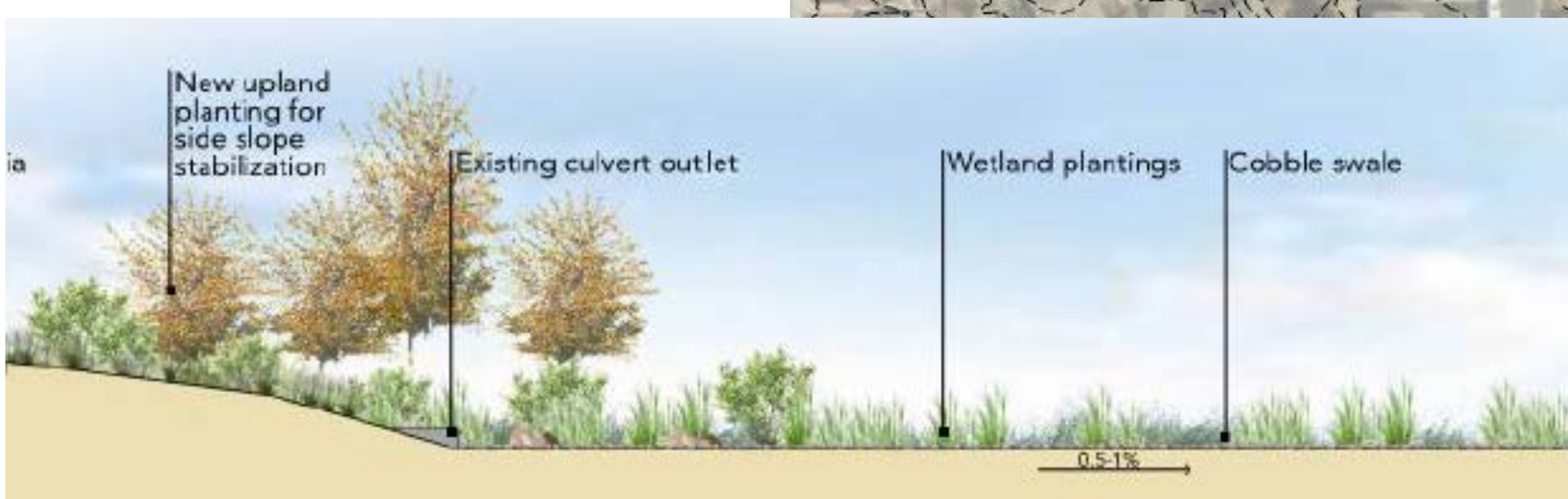
Potential Pilot Project – Area Q-1

- Remove colored RAP from outlet
- Add multiple forebays at outlets
- Naturalize channel
- Add additional walkways
- Review and update outlet structure

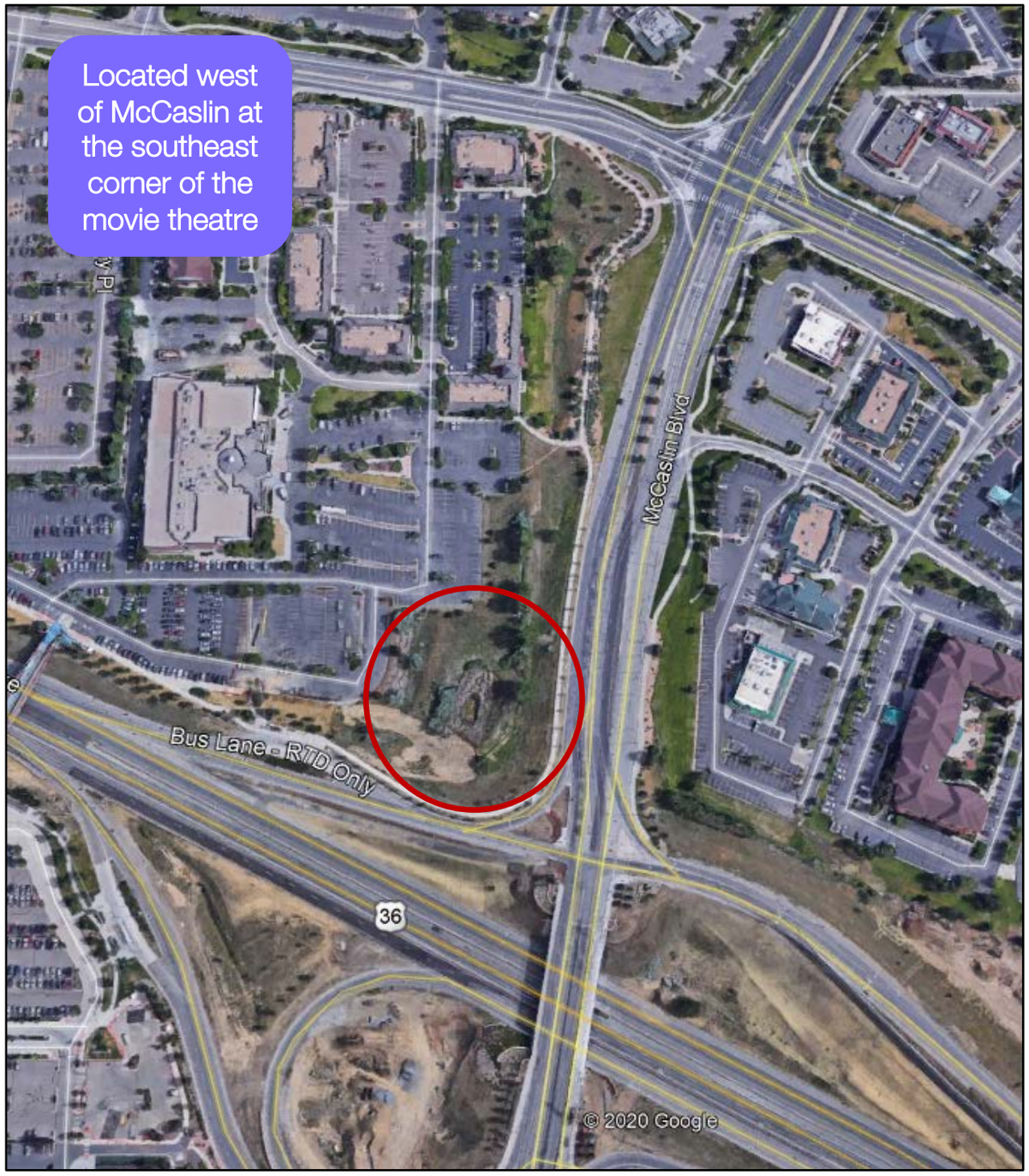
Potential Pilot Project – Area Q-1

- Add access points to new forebays at outlets
- Add wetlands plantings



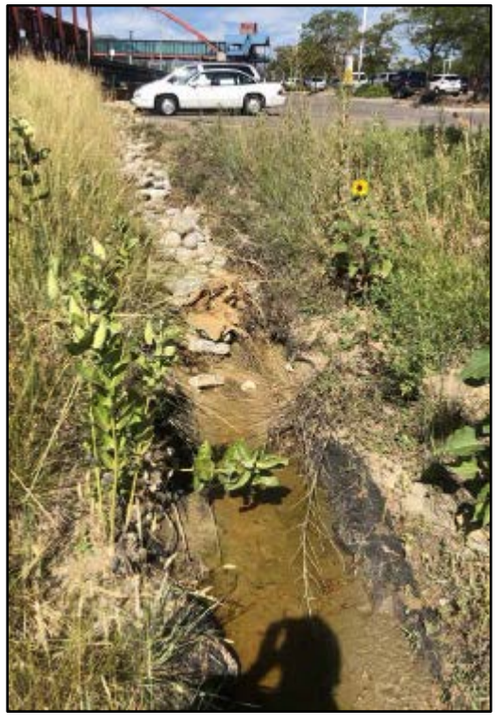


Potential Pilot Project – Area W-2

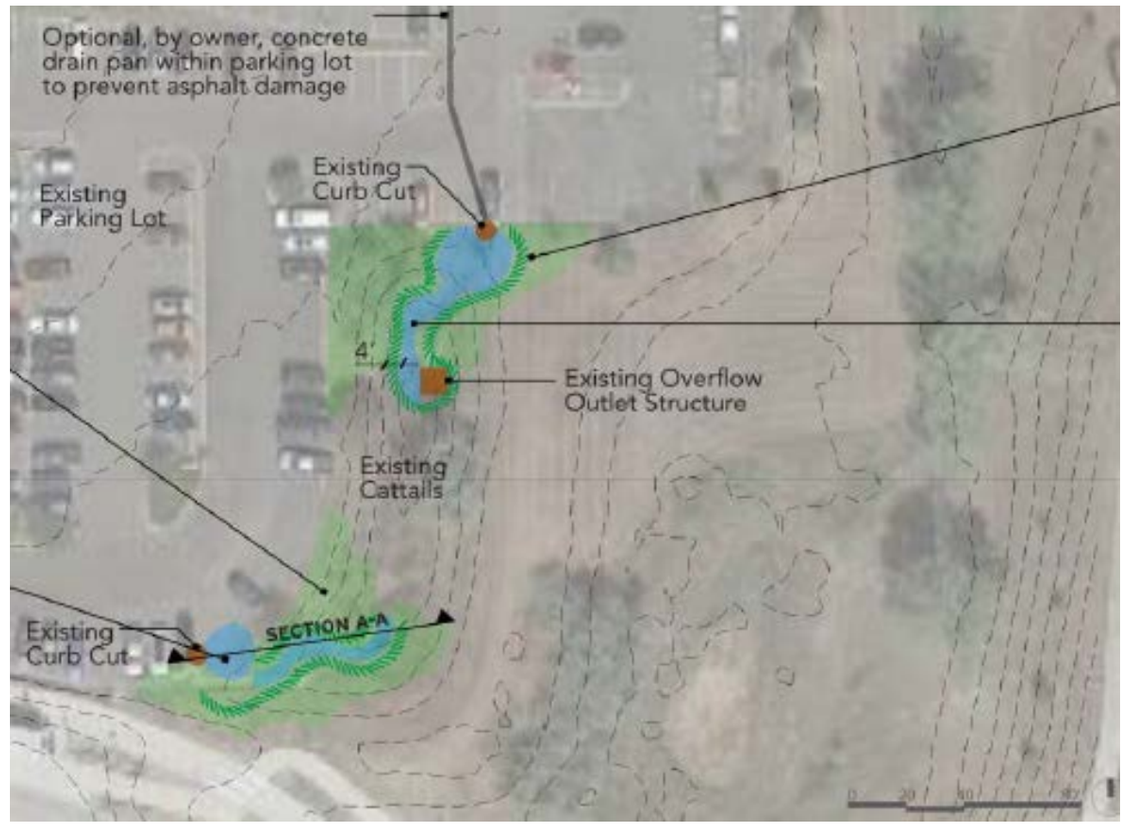


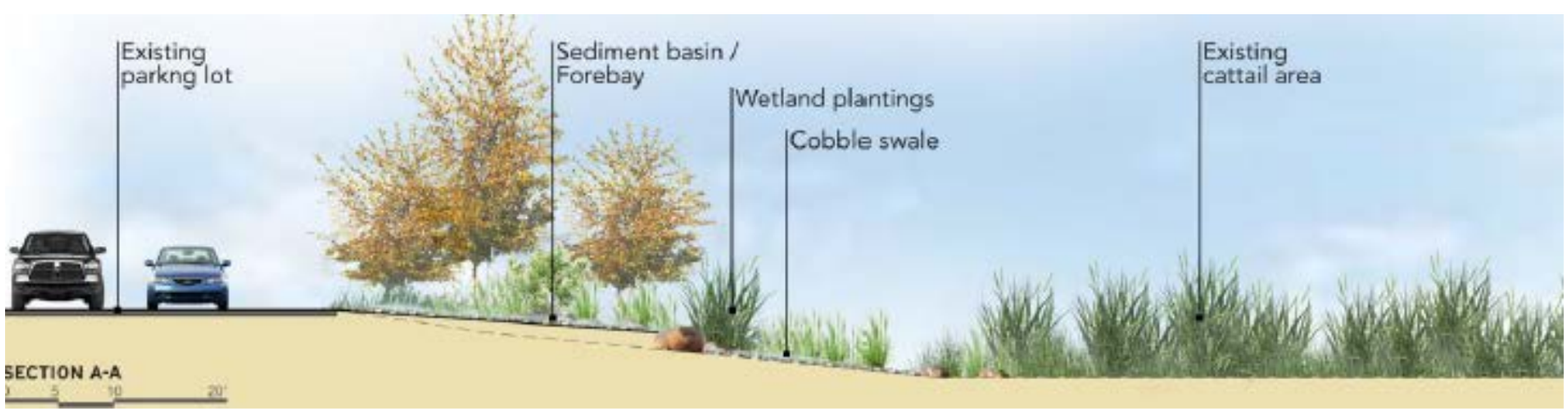
Potential Pilot Project – Area W-2

- Visible Project
- Limited access to the area
- Pond is in disrepair
- Add Forebay for Sediment Settling
- Naturalize the Channel
- Add Plantings



Potential Pilot Project – Area W-2



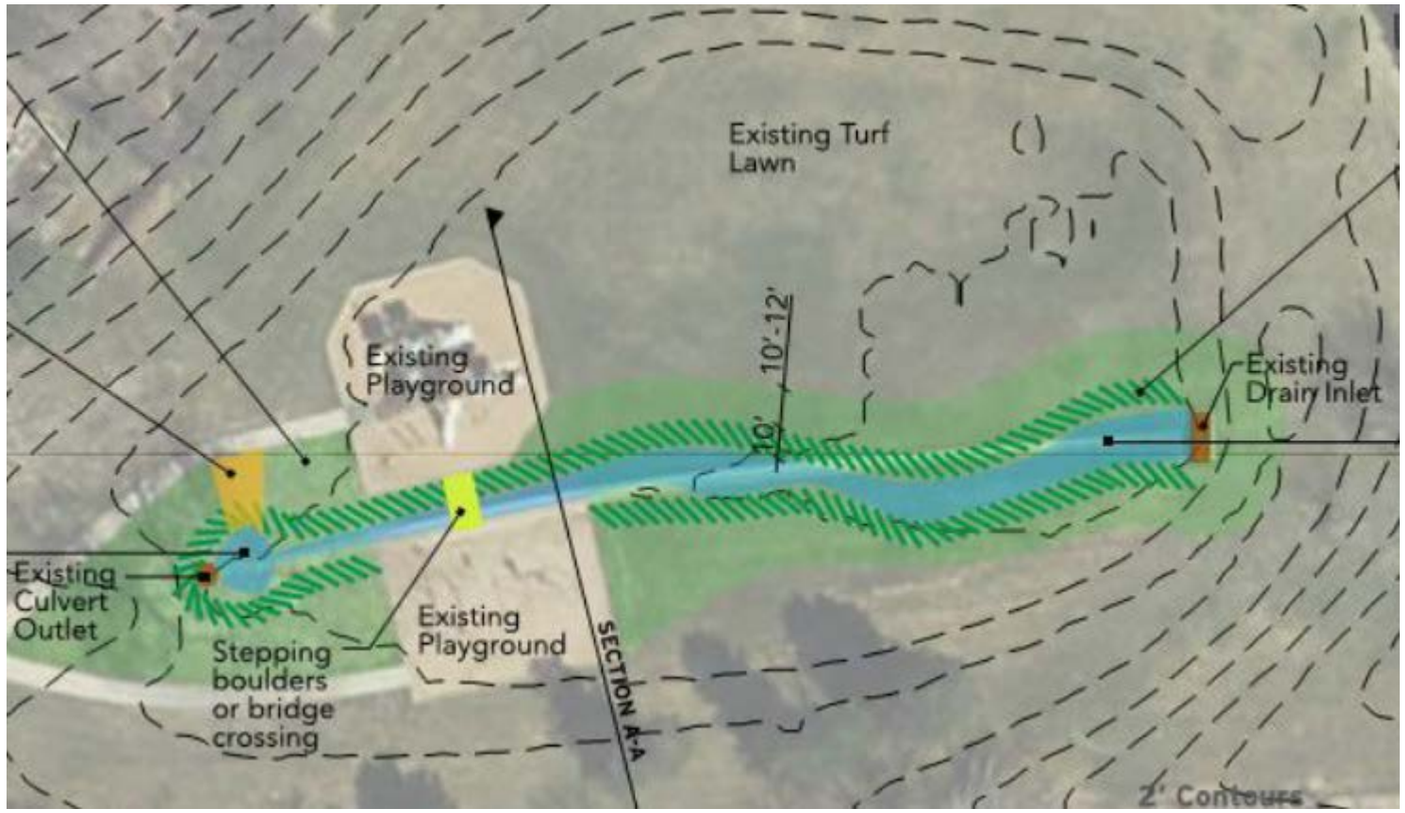


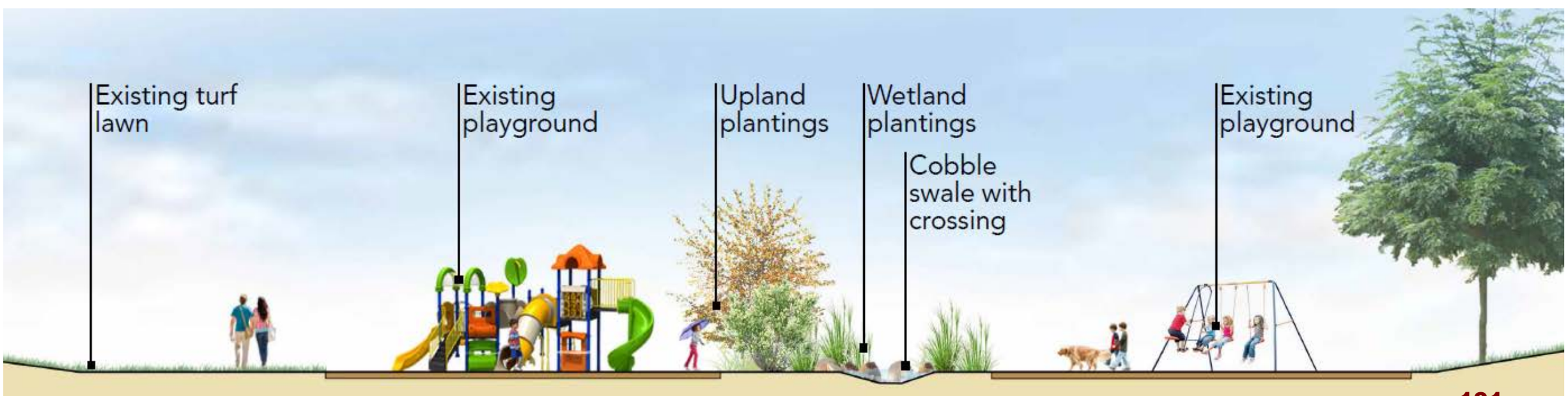
Potential Pilot Project – Area WW-1

Potential Pilot Project – Area WW-1

- Highly Visible Project
- Small in Scale
- Incorporate the existing playground into the design
- Naturalize the Channel
- Add Forebay
- Add Plantings

Potential Pilot Project – Area WW-1





Public Outreach

- Public Meeting for Pre-Design
- Public meeting after pilot project completion
- Share outcome of public meetings with Council

Schedule

- Q2 to Q3 2020 - Utilize the Storm Water Quality Master Plan to identify pilot projects
- Complete two pilot projects to meet grant requirements
  - Q3 – Q4 2020 First pilot project
  - Q2 – Q4 2021 Second pilot project

Proposed Budget

YEAR	City Storm Sewer Fund	State Funds	Yearly Totals	Notes
2020	$150,000	$100,000	$250,000	Year 1 of the State Grant
2021	$150,000	$100,000	$250,000	Year 2 of the State Grant
2022	$100,000		$100,000	Funding for program continuation upon completion of pilot program and council approval
2023	$100,000		$100,000	Funding for program continuation upon completion of pilot program and council approval
2024	$100,000		$100,000	Funding for program continuation upon completion of pilot program and council approval
2025	$100,000		$100,000	Funding for program continuation upon completion of pilot program and council approval
2026	$100,000		$100,000	Funding for program continuation upon completion of pilot program and council approval
TOTAL	$400,000	$200,000	$1,100,000	

- Results will be reviewed upon completion of the pilot program
- Water quality infrastructure improvements will then be incorporated into the general Capital Improvement Program
- Funding for program will not change the existing rate plan

SUBJECT: **APPROVAL OF RESOLUTION NO. 61, SERIES 2020 – A RESOLUTION OF THE CITY OF LOUISVILLE, COLORADO AUTHORIZING THE ASSIGNMENT OF THE CITY'S PRIVATE ACTIVITY BOND ALLOCATION FOR 2020 TO THE HOUSING AUTHORITY OF THE COUNTY OF BOULDER, COLORADO; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE**

DATE: **AUGUST 18, 2020**

PRESENTED BY: **MEGAN DAVIS, DEPUTY CITY MANAGER**

SUMMARY:
In 2020, The City of Louisville received a Private Activity Bond (PAB) allocation of $1,124,637. PAB allocations occur annually through the Colorado Department of Local Affairs, and if not utilized or reassigned to another municipality, the funds are scheduled to revert back to the State on September 15th, 2020. Boulder County Housing Authority (BCHA) would like to use the allocation to support an affordable housing development in Boulder County to advance the Regional Affordable Housing Goals. Possible projects for use of the funds are subject to further funding and approvals by the BCHA Board/Boulder County Commissioners, and could include the following:
Willoughby Corner in Lafayette, which will include family and senior housing, potential affordable housing development or renovations on existing affordable housing in Louisville, or acquisition of additional potential sites that would be appropriate for a scattered site affordable 4% Low Income Housing Tax Credit (LIHTC)/bond development.

Staff is recommending City Council approve Resolution No. 61, Series 2020 and all associated documents (Attachments 1 and 2) to assign Louisville's 2020 PAB allocation to the Boulder County Housing Authority.

BACKGROUND:
The City of Louisville first began receiving a PAB allocation in 2016. The Private Activity Bond program, overseen by the DOLA Division of Housing, supports the investment of bond funds in privately developed projects. The bonds are tax-exempt and the amount of bonds issued statewide is limited by the IRS. The state awards 50% of the total bonding authority to Colorado Housing and Finance Authority (CHFA) and the Colorado Agricultural Development Authority, and the remainder to local governments with a population over 20,000. Local governments are awarded a portion of the state's PAB authority based on population, with a per capita allocation of $50 per person. The complete list of PAB awards is contained in Attachment 3.

As financing for affordable housing projects has become increasingly challenging, there has been greater demand for the reassignment of unused PAB allocations. Last year the city developed a process to prioritize the assignment of our PAB allocation, should we not plan to utilize it, to support investments within the city or our region. It was determined that BCHA projects in the City of Louisville should be the highest priority, and if there was no project needing the allocation the city would first consider the needs of BCHA elsewhere in Boulder County, then the needs of other local housing authorities (Boulder Housing Partners and Longmont Housing Authority), and finally, if requested, the needs of our neighboring or other front range communities.

Private activity bonds work so that municipalities or housing authorities may issue the bonds, but have no obligation to pledge their credit or repay investors. Instead, an underwriter brings the bonds to market, investors purchase the bonds (resulting in bond proceeds), and the underwriter uses the bond proceeds to make a loan to a project; the project developer then pays back the loan and the investors are repaid, plus interest. For this project, the BCHA will issue the bonds, which will then be used for affordable housing development either in Lafayette at Willoughby Corner, or for another new or existing BCHA project.

While the exact project is yet to be determined, the City's allotment of PABs will expand the BCHA's bonding authority to help fund the completion of affordable housing development.

FISCAL IMPACT:
There is no fiscal impact. The private activity bonds are not local funds, rather bonding authority, and there is no cost to transfer/reassign the PABs.

PROGRAM/SUB-PROGRAM IMPACT:
There is no program or sub-program impact to this action.

RECOMMENDATION:
Staff is recommending City Council approve Resolution No. 61, Series 2020 and all associated documents (Attachments 1 and 2) to assign Louisville's 2019 PABs to the Boulder County Housing Authority.

ATTACHMENT(S):
1. Resolution No. 61, Series 2020
2. Assignment of Allocation
3. State of Colorado 2020 PAB awards

☐	Financial Stewardship & Asset Management	☐	Reliable Core Services
☐	Vibrant Economic Climate	☐	Quality Programs & Amenities
☐	Engaged Community	☐	Healthy Workforce
☐	Supportive Technology	☒	Collaborative Regional Partner

RESOLUTION 61
SERIES 2020

A RESOLUTION OF THE CITY OF LOUISVILLE, COLORADO AUTHORIZING THE ASSIGNMENT OF THE CITY'S PRIVATE ACTIVITY BOND ALLOCATION FOR 2020 TO THE HOUSING AUTHORITY OF THE COUNTY OF BOULDER, COLORADO; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to the Colorado Private Activity Bond Ceiling Allocation Act, constituting Title 24, Article 32, Part 17, Colorado Revised Statutes (the "Allocation Act"), the City of Louisville, Colorado (the "City") has received a direct allocation of the State of Colorado's Private Activity Bond Ceiling for the year 2020 (the "2020 Allocation"); and

WHEREAS, the Housing Authority of the County of Boulder, Colorado (the "Authority") has requested that the City assign all of the 2020 Allocation in an amount equal to $1,124,637 (the "Assigned Allocation") to the Authority pursuant to Section 24-32-1706 of the Allocation Act for the purpose of assisting in the financing of "projects" within the meaning of Title 29, Article 4, Part 5, Colorado Revised Statutes, as amended, in the County of Boulder, Colorado; and

WHEREAS, the City desires to assign the Assigned Allocation to the Authority; and

WHEREAS, there has been presented to the City Council of the City (the "City Council") the form of an Assignment of Allocation (the "Assignment").

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

Section 1. Authorization of Assignment. The City Council hereby authorizes the assignment of the Assigned Allocation to the Authority for the purposes described above and in the Assignment accompanying this resolution.

Section 2. Approval of Assignment of Allocation. The form, terms and provisions of the Assignment hereby are approved; provided, however, that the Mayor of the City is hereby granted authority to negotiate and approve such revisions to said Assignment as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the Assignment are not altered.

Section 3. Execution of Assignment. The Mayor of the City is hereby authorized and directed to execute and deliver the Assignment, with such changes therein as are approved by the officers of the City executing the Assignment. The execution of the Assignment shall be conclusive evidence of the approval by the City Council of such document in accordance with the terms hereof.

Section 4. Further Action. The Mayor, City Clerk, City Manager, Deputy City Manager, City Attorney and other officers and employees of the City are hereby authorized and

directed to take such other steps or actions necessary or reasonably required to carry out the terms and intent of this resolution and the Assignment.

Section 5. Ratification. All action not inconsistent with the provisions of this resolution heretofore taken by the Council and the officers of the City directed toward the assignment of the Assigned Allocation and the authorization of the Assignment hereby are ratified, approved and confirmed.

Section 6. Severability. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution, the intent being that the same are severable.

Section 7. Repealer. All orders, resolutions, bylaws, ordinances or regulations of the City, or parts thereof, inconsistent with this resolution are hereby repealed to the extent only of such inconsistency.

Section 8. Effective Date. This resolution shall be in full force and effect upon its passage and approval.

PASSED AND ADOPTED this 18th day of August, 2020.

_____
Ashley Stolzmann, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

ASSIGNMENT OF ALLOCATION

THIS ASSIGNMENT (the "Assignment"), dated _____, 2020, is between the City of Louisville, a Colorado home rule municipal corporation (the "Assignor"), and the Housing Authority of the County of Boulder, Colorado, a body corporate and politic (the "Assignee").

RECITALS

A. The Assignee intends to finance "projects" (the "Project") within the meaning of Title 29, Article 4, Part 5, Colorado Revised Statutes, as amended (the "Act").

B. The Assignee intends to provide for the issuance of its Multifamily Housing Revenue Bonds (the "Proposed Bonds"), pursuant to the provisions of the Act for the purpose of financing the Project.

C. The Assignee has requested that the Assignor assign to the Assignee all $1,124,637 of the Assignor's 2020 allocation (the "Allocation") under the bond ceiling for the State of Colorado and its issuing authorities (the "State Ceiling") computed under Section 146(d) of the Internal Revenue Code of 1986 (the "Code") as provided for the Assignor as a "designated local issuing authority" under part 17 of article 32 of title 24, Colorado Revised Statutes (the "Allocation Act"), for use in connection with the financing of the Project.

D. Subject to the terms and conditions set forth herein, the Assignor desires to assign to the Assignee, and the Assignee desires to accept, $1,124,637 of the Assignor's 2020 allocation from the State Ceiling.

ASSIGNMENT

In exchange for the agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The Assignor hereby assigns and transfers to the Assignee the Assignor's 2020 Allocation from the State Ceiling for private activity bonds in an amount equal to $1,124,637. The Assignor and the Assignee understand that such assigned allocation shall automatically be relinquished to the "Statewide Balance" as defined under the Allocation Act unless (a) the Proposed Bonds are issued by the Assignee on or before September 15, 2020, or (b) Section 24-32-1706(3)(c), Colorado Revised Statutes, pertaining to the carryforward of the assigned allocation applies.

2. The Assignor represents that it has received no monetary consideration for the assignment set forth above.

3. The Assignee hereby:

(a) accepts the assignment of $1,124,637 of the Assignor's Allocation from the State Ceiling described above;

(b) agrees to use its best efforts to issue and use the Proposed Bonds for the purpose of financing the Project; and

(c) agrees to abide by each of the terms and conditions of this Assignment in connection with the use of such Allocation.

4. The Assignor hereby consents to the election by the Assignee, if the Assignee in its discretion so decides, to treat all or any portion of the assignment set forth herein as an allocation for any project with a carryforward purpose.

5. This Assignment shall not constitute the debt or indebtedness or financial obligation of the Assignor within the meaning of the constitution or statutes of the State of Colorado, nor give rise to a pecuniary liability or charge against the general credit or taxing power of the Assignor.

[The remainder of this page is intentionally left blank]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this instrument to be executed to be effective as of the date and year first written above.

CITY OF LOUISVILLE, as Assignor

By:_____
Ashley Stolzmann, Mayor

[SEAL]

ATTEST:

_____
Meredyth Muth, City Clerk

APPROVED AS TO FORM:

_____
Kelly PC, City Attorney

HOUSING AUTHORITY OF THE COUNTY OF BOULDER, COLORADO, as Assignee

By: _____
Deb Gardner, Chair

[SEAL]

ATTEST:

By: _____
Clerk to the Board

[Signature Page to Assignment of Allocation]

Private Activity Bond Direct Allocations

2020 Colorado Private Activity Bond Direct Allocations

Statewide Population in 2019: 5,758,736

Private Activity Bond Cap available in 2020: $604,667,280

Per Capita Multiplier: $105

Table 1: Allocations to Designated Local Issuing Authorities

Local Issuer	Population	Population as % of State Population	PAB Cap
Denver	717,796	12.61%	$38,110,648
Colorado Springs	473,928	8.32%	$25,162,725
Aurora	373,334	6.56%	$19,821,789
Douglas County	220,627	3.87%	$11,713,967
El Paso County	209,852	3.69%	$11,141,883
Jefferson County	206,840	3.63%	$10,981,962
Fort Collins	167,347	2.94%	$8,885,119
Lakewood	156,493	2.75%	$8,308,837
Weld County	149,370	2.62%	$7,930,661
Thornton	141,062	2.48%	$7,489,544
Arapahoe County	136,251	2.39%	$7,234,114
Arvada	120,374	2.11%	$6,391,135
Westminster	113,537	1.99%	$6,028,132
Adams County	113,191	1.99%	$6,009,763
Pueblo	111,650	1.96%	$5,927,943
Centennial	110,833	1.95%	$5,884,566
Greeley	107,026	1.88%	$5,682,437
Boulder	106,456	1.87%	$5,652,173
Larimer County	98,460	1.73%	$5,227,637
Longmont	96,343	1.69%	$5,115,234
Mesa County	89,438	1.57%	$4,748,623
Loveland	77,226	1.36%	$4,100,236
Broomfield	69,453	1.22%	$3,687,537
Castle Rock	64,818	1.14%	$3,441,446
Grand Junction	64,191	1.13%	$3,408,156
Boulder County	61,648	1.08%	$3,273,141
Garfield County	59,812	1.05%	$3,175,661
Commerce City	58,499	1.03%	$3,105,945
Parker	55,764	0.98%	$2,960,733
Pueblo County	55,467	0.97%	$2,944,965
Eagle County	54,863	0.96%	$2,912,898
Littleton	47,929	0.84%	$2,544,742
Fremont County	47,917	0.84%	$2,544,108

Table 1: Allocations to Designated Local Issuing Authorities *(continued)*

Local Issuer	Population	Population as % of State Population	PAB Cap
Brighton	40,629	0.71%	$2,157,156
Northglenn	38,870	0.68%	$2,063,764
La Plata County	37,343	0.66%	$1,982,690
Englewood	34,612	0.61%	$1,837,689
Wheat Ridge	31,369	0.55%	$1,665,506
Summit County	30,974	0.54%	$1,644,537
Delta County	30,935	0.54%	$1,642,466
Fountain	30,618	0.54%	$1,625,632
Windsor	29,053	0.51%	$1,542,540
Lafayette	28,950	0.51%	$1,537,071
Morgan County	28,504	0.50%	$1,513,394
Elbert County	26,218	0.46%	$1,392,020
Montezuma County	26,155	0.46%	$1,388,675
Routt County	25,680	0.45%	$1,363,455
Erie	25,591	0.45%	$1,358,729
Teller County	25,057	0.44%	$1,330,378
Montrose County	22,857	0.40%	$1,213,570
Logan County	21,856	0.38%	$1,160,427
Louisville	21,182	0.37%	$1,124,637
Evans	20,972	0.37%	$1,113,487
Golden	20,586	0.36%	$1,092,993
Chaffee County	20,024	0.35%	$1,063,156
Montrose	19,406	0.34%	$1,030,342
Durango	19,059	0.33%	$1,011,919

These calculations for municipalities and counties utilize population estimates from 2018, as these are the most recent year for which these estimates are available. The population of the state in that year was 5,694,311.

Total cap available to designated local issuing authorities and the statewide balance:

$302,333,640

Table 2: Allocations to State Issuing Authorities

State Issuing Authority	PAB Cap
Colorado Housing and Finance Authority	$292,333,640
Colorado Agricultural Development Authority	$10,000,000

Total cap available to the Statewide Balance:

$15,928,947

Total cap allocated to all issuing authorities:

$604,667,280

SUBJECT: **APPROVAL OF RESOLUTION NO. 62, SERIES 2020 – A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING REGARDING THE COLORADO SARS-COV-2 WASTEWATER SURVEILLANCE COLLABORATIVE**

DATE: **AUGUST 18, 2020**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS**

SUMMARY:
Staff is recommending approval of the memorandum of understanding (MOU) with the Colorado Department of Public Health and Environment (CDPHE) in partnership with Colorado State University and Metropolitan State University for the surveillance testing of COVID-19 within the wastewater system.

The City was an earlier adopter of the BioBot program that provided testing of the City's wastewater for presence of COVID-19 that allows for early detection and trends in absence of widespread testing. The BioBot program is a nationwide program and has experienced a large increase in the desired participation. As a result, the fees to continue in this program have also increased significantly.

The State of Colorado, through the CDPHE, have sought to develop a collaborative alternative to BioBot. The resulting program is projected to include 17 wastewater systems and cover essentially the entire Front Range.

FISCAL IMPACT:
CDPHE was successful in acquiring a grant of $520,000 to perform the testing. Obligations for the City will include staff time and the nominal cost of shipping samples that can be accounted for within existing budgets.

PROGRAM/SUB-PROGRAM IMPACT:
The project supports the City program of an administration that supports informed policy making, monitors and manages service delivery to maintain effectiveness and efficiency, and promotes a healthy organizational culture.

RECOMMENDATION:
Staff recommends City Council pass Resolution No. 62, Series 2020 approving the MOU with CDPHE.

ATTACHMENT(S):
1. Resolution
2. Memorandum of Understanding

STRATEGIC PLAN IMPACT:

☐	Financial Stewardship & Asset Management	☒	Reliable Core Services
☐	Vibrant Economic Climate	☐	Quality Programs & Amenities
☐	Engaged Community	☐	Healthy Workforce
☐	Supportive Technology	☐	Collaborative Regional Partner

RESOLUTION NO. 62
SERIES 2020

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING REGARDING THE COLORADO SARS-COV-2 WASTEWATER SURVEILLANCE COLLABORATIVE

WHEREAS, The Colorado Department of Public Health and Environment (the "Department") is partnering with Colorado State University, Metropolitan State University of Denver (MSU), and 17 Wastewater Utilities to develop a statewide wastewater surveillance system of SARS-CoV-2 RNA, the etiological agent of COVID-19 (the "Collaborative"); and

WHEREAS, the purpose of the surveillance system is to provide early warning (days to a week) for state and local health authorities of significant changes in fecal shedding of SARS-CoV-2 that could be used in combination with other surveillance efforts and drive action in responding to future COVID19 outbreaks; and

WHEREAS, the testing could also confirm downward trends in COVID-19 outbreaks. With more data and analysis, it may also be useful for predicting community prevalence or to identify potential virus hot spot; and

WHEREAS, the Department has offered the City participation in the Collaborative, as outlined in the Memorandum of Understanding ("MOU") that accompanies this resolution; and

WHEREAS, the City Council has reviewed the MOU and desires by this resolution to authorize execution of the MOU and implementation by the City Manager and other City staff as designated by the City Manager.

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

Section 1. The proposed Memorandum of Understanding ("MOU") regarding the Colorado SARS-CoV-2 Wastewater Surveillance Collaborative by and among the City of Louisville, the Colorado Department of Public Health and Environment, Colorado State University, Metropolitan State University of Denver, and 16 other Wastewater Utilities, is hereby approved in essentially the same form as the copy of such MOU accompanying this Resolution.

Section 2. The City Manager is authorized to execute the MOU on behalf of the City and the City Manager is further granted the authority to negotiate and approve such revisions and amendments to the MOU as the City Manager determines are necessary or desirable in the service of the City, so long as the essential terms and conditions of the MOU are not altered.

Section 3. Appropriate City staff are hereby authorized to carry out their responsibilities under the MOU.

PASSED AND ADOPTED this 18th day of August, d2020.

_____
Ashley Stolzmann, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

Colorado SARS-CoV-2 Wastewater Surveillance Collaborative
Memorandum of Understanding
July 2020

Section 1 Background

The Colorado Department of Public Health and Environment (Department) is partnering with Colorado State University, Metropolitan State University of Denver (MSU), and 17 Wastewater Utilities to develop a statewide wastewater surveillance system of SARS-CoV-2 RNA, the etiological agent of COVID19. The purpose of the surveillance system is to provide early warning (days to a week) for state and local health authorities of significant changes in fecal shedding of SARS-CoV-2 that could be used in combination with other surveillance efforts and drive action in responding to future COVID19 outbreaks. This testing could also confirm downward trends in COVID-19 outbreaks. With more data and analysis, it may also be useful for predicting community prevalence or to identify potential virus hot spots.

Section 2 Purpose

This agreement is being entered into by the Memorandum of Understanding (MOU) parties so that roles and responsibilities of each member of the collaborative are understood. The Department has secured $520,000 in funding for this project and this MOU is focused on how those dollars will be leveraged. The effort is scalable and may be expanded through future agreements.

The financial obligations under this MOU are contingent upon appropriation, budgeting, and availability of specific funds to discharge those obligations. Nothing in this MOU constitutes a debt, a direct or indirect multiple fiscal year financial obligation or a pledge of a Wastewater Utilities' credit.

Section 3 MOU Parties

The following entities are parties to this MOU, individually referred to as Wastewater Utilities, Universities, and Regulatory Agencies.

Participating Parties	
Regulatory Agencies:	
Colorado Department of Public Health and Environment	
Universities:	
Colorado State University	
Metropolitan State University of Denver (MSU)	
Wastewater Utilities:	Participating Wastewater Facilities:
City of Aurora	Aurora Sand Creek Reuse Facility
City of Boulder	Boulder Water Resource Recovery Facility
Boxelder Sanitation District	Boxelder Sanitation District

City and County of Broomfield	City and County of Broomfield Wastewater Reclamation Facility
City and County of Denver	Sample locations to be determined in coordination with Metro Wastewater Reclamation District and Department
Colorado Springs Utilities	JD Phillips Resource Recovery Facility
	Las Vegas Street Resource Recovery Facility
Estes Park Sanitation District and Upper Thompson Sanitation District	Estes Park Sanitation District Wastewater Treatment Facility and Upper Thompson Sanitation District Wastewater Treatment Facility
City of Fort Collins	Mulberry Water Reclamation Facility
	Drake Water Reclamation Facility
City of Greeley	City of Greeley Wastewater Treatment and Reclamation Facility
City of Longmont	City of Longmont Wastewater Treatment Plant
City of Louisville	City of Louisville Wastewater Treatment Plant
Metro Wastewater Reclamation District	Robert W. Hite (Central Denver) to be listed
	Robert W. Hite (Platte River Interceptor)
City of Pueblo	James R. DiIorio Water Reclamation Facility
Cities of Littleton and Englewood	South Platte Renew
South Fort Collins Sanitation District	South Fort Collins Wastewater Treatment Plant
South Adams County Water & Sanitation District	Williams Monaco Wastewater Treatment Plant

Section 4 Responsibilities

The following is a description of the responsibilities of the MOU parties.

<u>All MOU Parties</u>

- The MOU Parties will develop a Collaborative Work Plan. The Department will lead development of the Collaborative Work Plan. The Collaborative Work Plan will provide operational details for the surveillance program and will specify how additional samples beyond the agreed upon frequency of two samples per week by each Wastewater Utility will be conducted. There will be a phase in of sample frequency with 3 weeks of sampling one time per week vs. two. In addition, the Collaborative Work Plan will detail quality assurance and control expectations.
- The Colorado SARS-CoV-2 Wastewater Surveillance Collaborative may expand to additional Wastewater Utilities and laboratories beyond the MOU Parties. The Collaborative Work Plan will

address how entities can participate in the Collaborative and explain what sampling and laboratory methods are required to ensure data consistency.

Colorado Department of Public Health and Environment

The Department will complete the following efforts:

- Utilize the data to inform ongoing response to the COVID19 pandemic.
- Provide technical assistance to Local Public Health Agencies on the data.
- Work with Colorado State University, MSU and the Wastewater Utilities to optimize data collection and display of results.
- Work with Colorado State University, MSU and the Wastewater Utilities to align wastewater collection catchment geographic information with COVID19 disease reporting information for correlation and display of results.
- On a weekly basis, provide weekly surveillance data (case counts and positivity rates) aggregated by wastewater facility boundary or sewershed. This information will be used in the dashboard.
- Will publish a link to the dashboard for Local Public Health Agencies and eventually the public.
- Coordination with Centers for Disease Control with any national efforts to use wastewater surveillance.

Colorado State University

Colorado State University will complete the following:

- Complete RNA extraction for wastewater influent samples. RNA will be extracted and concentrated via centrifugation, filtration and/or precipitation.
- Viral RNA copy number will be quantified using reverse transcription PCR – either real-time PCR (for comparison to established procedures), or digital PCR (for increased sensitivity)
- Data will be reported to the WWTP/State of Colorado as viral copies per liter. Trends in the data over time will also be reported.
- Will lead development of and host the dashboard. Coordinate with the Department and the Wastewater Utilities on required GIS layers, information needed to calculate viral loads, and surveillance data to be displayed on the dashboard. Depending on length of surveillance effort the dashboard may eventually be transferred to the Department for ongoing updates and maintenance.
- Laboratory capacity to process 38 samples/week (1,860 samples over course of 52 week period).

Metropolitan State University of Denver

MSU will complete the following:

- MSU will work with the Department to identify specific questions associated with the statewide wastewater surveillance effort, and conduct experiments designed to answer these questions. MSU and the Department will get input on these questions from other members of the collaborative. The Department will prioritize the questions to align with the budget and MSU laboratory capacity. Examples of applicable projects might include questions about RNA stability, potential extraction techniques, and optimal sample processing prior to shipping.
- Complete RNA extraction for wastewater influent samples. RNA will be extracted and concentrated via centrifugation, filtration and/or precipitation.
- Viral RNA copy number will be quantified using reverse transcription PCR – real-time PCR (for comparison to established procedures)

- Data will be reported to the WWTP/State of Colorado as viral copies per liter. Trends in the data over time will also be reported.

Participating Wastewater Facilities

The Wastewater Facilities listed in Section 3 will complete the following efforts:

- Sample their wastewater influent or potentially at upstream locations in their collection system based on direction from the Department in coordination with Local Public Health Agencies and based on the Collaboration Work Plan.
- Sample their wastewater at least two days per week (Mondays and Thursdays) per the Collaborative Work Plan. There will be a phase in of sample frequency with 3 weeks of sampling one time per week vs. two.
- Sampling will be conducted for 52 weeks.
- Samples will be shipped to the designated laboratory on the same day as the sample is complete.
- Furnish GIS layer of catchment area to CSU in support of dashboard development.

Section 5 Special Provisions

The following details special provisions of the MOU.

Nonbinding Agreement

The parties agree that this MOU is to memorialize the intent of the parties regarding the Program but does not create a legal agreement between the parties. It is agreed by the parties that nothing in this MOU will be deemed or construed as creating a joint venture, trust, partnership, or any other legal relationship among the parties. This MOU is for the benefit of the parties and does not create third party rights.

Communications

Any communications affecting the operations covered by this agreement given by the Department, Metropolitan State University of Denver, Colorado State University, or Wastewater Utilities is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

- To the Department, Metropolitan State University of Denver, or Colorado State University at the address specified in the MOU.
- To Wastewater Utilities, at Party's address shown in the MOU or such other address designated within the MOU.
- All communications with the media will be coordinated with CDPHE prior to issuance of press releases and interviews

Access to records and data flow

- Nothing in the agreement shall be deemed to waive or modify any public access or provision of the Colorado Open Records Act.
- All data related to the project will be provided to the Department including, but not limited to, sample locations, frequencies, collection methods, analysis methods, results, and any analysis statistics. Laboratory results will also be made available to the wastewater entity that generated the samples. Results will also be made available to all MOU parties.

- All data will be analyzed by the Department and provided to the MOU parties and Local Public Health Agencies concurrently. Once a public facing dashboard is developed, data will be published to the public dashboard 24 hours after being provided to the MOU Parties and Local Public Health Agencies.
- Data will be made available to outside researchers or national efforts upon request.

Effective date

This agreement shall become effective on the date of execution by the last signatory party.
It may be amended or extended upon the mutual agreement of the MOU Parties. The MOU may be terminated by any party after thirty (30) days advance written notice. The MOU will expire on September 30, 2021.

Section 6 Approvals

The following pages include the approval of this MOU by the MOU Parties.

City of Aurora

_____

Marshall Brown
General Manager of Aurora Water
City of Aurora

_____

Date

City of Boulder

_____

Jane Brautigam
City Manager
City of Boulder

_____

Date

Boxelder Sanitation District

_____

Brian Zick
District Manager
Boxelder Sanitation District

_____

Date

City and County of Broomfield

_____

David Allen
Director of Public Works
City & County of Broomfield

_____

Date

City and County of Denver

_____

Name
Title
City & County of Denver

_____

Date

Colorado Springs Utilities

_____

David Padgett
Environmental Services Officer
Colorado Springs Utilities

_____

Date

Estes Park Sanitation District

_____

Name
Title
Estes Park Sanitation District

_____

Date

City of Fort Collins

_____

Name
Title
City of Fort Collins

_____

Date

City of Greeley

_____

Sean Chambers
Water and Sewer Director
City of Greeley

_____

Date

City of Longmont

_____

Brian Bagley
Mayor
City of Longmont

_____

Date

City of Louisville

_____

Heather Balser
City Manager
City of Louisville

_____

Date

Metro Wastewater Reclamation District

_____

Jim McQuarrie
Director of Comprehensive Planning & Innovation
Metro Wastewater Reclamation District

_____

Date

City of Pueblo

_____

Nick Gradisar
Mayor
City of Pueblo

_____

Date

Cities of Littleton and Englewood

_____

Pieter Van Ry
Director
South Platte Renew

_____

Date

South Fort Collins Sanitation District

_____

Chris Matkins
General Manager
South Fort Collins Sanitation District

_____

Date

South Adams County Water & Sanitation District

_____

Jim Jones
District Manager
South Adams County Water and Sanitation District

_____

Date

Upper Thompson Sanitation District

_____

Chris Bieker
District Manager
Upper Thompson Sanitation District

_____

Date

Colorado Department of Public Health and Environment

_____

John Putnam
Director of Environmental Programs
Colorado Department of Public Health and Environment

_____

Date

Colorado State University

_____

Name
Title
Colorado State University

_____

Date

Metropolitan State University of Denver

_____

Name
Title
Metropolitan State University of Denver

_____

Date

SUBJECT: **APPROVAL OF LOUISVILLE REVITALIZATION COMMISSION POLICY REVISION FOR COST SHARING FOR REQUIRED THIRD-PARTY REVIEW**

DATE: **AUGUST 18, 2020**

PRESENTED BY: **MEGAN E. PIERCE, ECONOMIC VITALITY DIRECTOR**

SUMMARY:
In 2019, the Louisville Revitalization Commission (LRC) approved its first agreement to provide a direct tax increment financing (TIF) assistance rebate to the Terraces on Main project. As part of considering that assistance proposal, a third-party was hired to review the financial information provided in the application. The requirement for third-party review in applications for direct assistance is part of the LRC's "Property Tax Increment Financing Rebate Assistance Policy," which was implemented on July 15, 2019.

Earlier this year, the LRC directed staff to prepare a policy change to applications for TIF direct financial assistance. The Commission wishes for applicants to agree to a 50-50 cost share for hiring the third-party to conduct the required review, so that they have a financial stake in the process for a rebate. The LRC proposes that if the applicant is successful and completes the project, the 50% would be rebated to the applicant.

Attachment #1 is the adopted "Property Tax Increment Financing Rebate Assistance Policy"—including the redline changes recommended by the LRC. The redlined policy has also been updated with current staff contact information.

If this policy change is approved, staff will update the current Urban Renewal Application for Assistance (see *Attachment #2*) and ensure the information is communicated to potential applicants. As reference, also included as *Attachment #3* is the agreement between the LRC and Economic and Planning Systems for the Terraces on Main third-party review in 2019. The total cost of the work was $11,170—meaning under the proposed policy, the applicant would have been responsible for $5,585 to pursue the direct financial assistance.

For this policy change to be effective, it must be agreed-to by the City Council and then formally adopted by the LRC. If approved by City Council on August 18, it will be considered for formal adoption by the LRC on September 9, 2020.

FISCAL IMPACT:
There is no specific fiscal impact from the policy change, since there are no current applications for direct financial assistance. In the future, there would be a 50% reduction

of costs for third-party reviews at time of application, though those savings would be rebated if a project is successful.

PROGRAM/SUB-PROGRAM IMPACT:
The proposed policy change supports the Economic Prosperity Program goal to facilitate investment and produce reliable revenue to support City services.

RECOMMENDATION:
The LRC requests City Council approval of a policy revision to require cost sharing of third-party reviews for applicants seeking direct financial assistance.

ATTACHMENTS:
1. LRC Property Tax Increment Financing Rebate Assistance Policy
2. Current Urban Renewal Area Application for Assistance
3. Agreement with Economic & Planning Systems for Third-Party Review of Terraces on Main Project

STRATEGIC PLAN IMPACT:

☐	**Financial Stewardship & Asset Management**	☐	**Reliable Core Services**
☒	**Vibrant Economic Climate**	☐	**Quality Programs & Amenities**
☐	**Engaged Community**	☐	**Healthy Workforce**
☐	**Supportive Technology**	☐	**Collaborative Regional Partner**

LOUISVILLE REVITALIZATION COMMISSION Property Tax Increment Financing Rebate Assistance Policy

Implementation Date: _7/15/19

Introduction:
The Louisville Revitalization Commission ("LRC") is the Urban Renewal Authority for the City of Louisville, Colorado ("City"). The LRC's mission includes implementing the Highway 42 Revitalization Area Urban Renewal Plan (the "Plan") which was adopted by the City of Louisville in December 2006.

The purpose of the Plan is to reduce, eliminate and prevent the spread of blight within the Urban Renewal Area ("URA") and to stimulate growth and reinvestment within the Area boundaries, on surrounding blocks and throughout the Louisville downtown business district.

Policy on Use of Property Tax Increment Rebates:
It is the principal goal of the urban renewal effort to afford maximum opportunity, consistent with the sound needs of the City as a whole, to redevelop and rehabilitate the Area by private enterprise. The rehabilitation and redevelopment of properties within the Urban Renewal Area will be accomplished through the improvement of existing structures and infrastructure, attraction of new investment and reinvestment, and preventing deterioration of properties in the Area. It is the City's general intent to use urban renewal funds to support public infrastructure improvements that are needed to facilitate private investment and reinvestment in the plan area.

In unique situations, and on a case-by-case basis, in the sole and absolute discretion of the LRC and the City, certain forms of financial and other economic assistance may be awarded to a private property owner to undertake projects to redevelop or rehabilitate properties contained in the Area. Projects that are awarded support must demonstrate that they would provide exceptional and unique public benefits to qualify and would not be reasonably expected to be feasible without City financial or other economic support.

Property Tax Increment Rebates for Private Development:
It is the policy of the LRC and the City that consideration may be given to requests for financial assistance by the use of property tax increment rebates to private property owners within the LRC authority to collect incremental property taxes from taxable new construction in the Area and to provide assistance to projects meeting the goals and objectives in the Highway 42 Urban Renewal Plan and which are also deemed to be in the best interests of the City.

To be considered for assistance, proposed projects must support the overall goals of the City and the Plan which specifically include promoting an environment which allows for a range of uses and product types which can respond to market conditions over time along with furthering the goals and objectives of the Louisville Comprehensive Plan; Highway 42 Framework Plan, Historic Preservation Plan and other relevant policies, while leveraging the community's investment in public improvement projects in the Area.

In addition to eliminating and preventing blight, proposed projects must address at least three or more of the objectives outlined in the Plan. Those objectives include:

A. Improve relationship between the URA and surrounding areas
B. Provide uses supportive of and complementary to planned improvements
C. Encourage a mix of uses and/or mixed-use projects
D. Promote a variety of products to address multiple income segments
E. Provide ease of vehicular and pedestrian circulation and improve connections
F. Encourage continued presence of businesses consistent with the plan vision
G. Mitigate impacts from future transportation improvements
H. Encourage public-private partnerships to implement the plan
I. Encourage shared parking among projects in the area
J. Landscape streetscapes to unify uses and plan components.

As specifically related to the use of property tax increment financing, a proposed project must clearly demonstrate that the project will provide the clear and present potential to generate substantial increases to the property tax values directly attributable to the project which could support the sharing of the incremental property tax increments between the property owners and the LRC.

Criteria for Evaluation

After a property owner submits an application for property tax increment rebate assistance, the project will be evaluated based on how the project provides positive impacts to the community and how the project addresses the following criteria:

1. The elimination or prevention of blight in the URA
2. The ability to stimulate growth and reinvestment in the URA
3. The economic benefits to the community from the project
4. The effect of the project on surrounding property
5. The increase in property value created from the project
6. For property within downtown Louisville, the project is consistent with the City's historic preservation goals and objectives.

In addition to the criteria listed above, the LRC will give special consideration to projects that will also provide potential sales and other forms of tax revenue increases to the City and/or other significant community benefits, which might include but would not be limited to; providing outdoor and indoor public spaces, public art, affordable housing,

transportation infrastructure improvements, parking beyond the needs of the project and historic building restoration or improvements.

Potential Property Tax Increment Rebate Consideration

The LRC and the City may consider awarding a 50% property tax increment rebate for a period up to five (5) years from the direct collection of the incremental property taxes attributable to the project. However, for projects that provide extraordinary community benefits or will generate substantial sales and other taxes for the City, the LRC and the City Council may consider awarding up to a 90% property tax increment rebate for a period of up to ten (10) years. No assistance will be granted to a project beyond the 2033 LRC budget year.

Project Transfer Criteria

Transfers of a property tax increment rebate agreement may be made under at least one of the following circumstances:

- The new entity is wholly or significantly owned by the previous owners of the project
- The project is being transferred to at least one of the business/tenant (or an entity owned and controlled by the business/tenant) occupying the building
- To a non-related entity only after the project receives a Certificate of Occupancy after construction is complete, and only with the written consent of the City and LRC.

A property tax increment rebate agreement will contain an expiration date, upon which the agreement will expire if the project is not timely completed.

Applicants for tax increment property tax rebates or other financial assistance must first obtain the City's required land-use approvals for the project prior to receiving approval by the LRC and by the City for the financial assistance.

Applicants must submit all pertinent project financial information related to the project and the developer organization, including estimated development costs and a financing and operating plan. All financial information shall be referred by the City to a qualified professional for third-party review~~ at LRC expense.~~ . The cost of the third-party review will be shared between the LRC and applicant, with each party paying a 50% share. If the project is ultimately constructed, when the Certificate of Occupancy is issued, the LRC will rebate to the applicant its 50% payment.

All information submitted to the LRC or to the City is subject to public disclosure consistent with the requirements of the Colorado Open Records Act, the City of Louisville Charter, and related City, policies and ordinances.

The application for property tax increment rebate assistance may be found on the City's website at the following address:
~~http://www.louisvilleco.gov/home/showdocument?id=22682~~

Contact Information

For additional information on Louisville's Urban Renewal assistance options, please contact Economic Vitality Director, Megan Pierce at mpierce@louisvilleco.gov or 303-335-4531. ~~dburgess@louisvilleco.gov.~~

Louisville Revitalization Commission
Urban Renewal Area- Application for Assistance

The Louisville Revitalization Commission (LRC) is the Urban Renewal Authority within the City of Louisville, Colorado. The LRC's mission includes carrying out the Highway 42 Revitalization Area Urban Renewal Plan (Plan) which was adopted in December 2006.

The purpose of the Plan is to stimulate growth and reinvestment in the Urban Renewal Area (URA), on surrounding blocks and throughout downtown and reduce, eliminate and prevent the spread of blight in the URA. A map of the URA is included as Attachment A. The LRC has the authority to collect the incremental property taxes from improvements in the URA to provide assistance to projects that eliminate the blighting factors identified when the URA was formed.

It is the intent of the LRC to provide assistance to stimulate private investment in cooperation with property owners and other affected parties in order to accomplish the objectives of the Plan. Public-private partnerships and other forms of cooperative development will be critical to the LRC's strategy for stimulating growth and reinvestment, preventing the spread of blight, and eliminating the blighting conditions.

The LRC will consider assistance on projects that address the blighting conditions present in the URA, as well as provide economic growth for the community. To be considered for assistance, projects must address several of the objectives outlined in the Plan, as follows:

A. Eliminate and prevent blight
B. Improve relationship between the URA and surrounding areas
C. Increase property values
D. Provide uses supportive of and complementary to planned improvements
E. Encourage a mix of uses and/or mixed-use projects
F. Promote a variety of products to address multiple income segments
G. Provide ease of vehicular and pedestrian circulation and improve connections
H. Encourage continued presence of businesses consistent with the plan vision
I. Provide a range of financing mechanisms for private property re-investment and investment
J. Mitigate impacts from future transportation improvements
K. Encourage public-private partnerships to implement the plan
L. Adjust parking ratios to reflect future densities
M. Encourage shared parking among projects in area
N. Develop higher design standards including flexible lighting and signage standards
O. Landscape streetscapes to unify uses and plan components

Projects will be evaluated on several factors including, but not limited to:

1. The ability to stimulate growth and reinvestment in the URA
2. The elimination or prevention of blight in the URA
3. The magnitude of positive effect caused by the project
4. The need for public assistance to complete the project

5. The economic benefits to the community from the project
6. The effect of the project on surrounding property
7. The increase in property value created from the project

Assistance is generally provided to projects for public infrastructure improvements needed to facilitate the revitalization of property within the Urban Renewal Area. Typical public infrastructure investments may include but are not limited to unifying streetscape elements, improving access and circulation, improving streets and parks, providing for railroad corridor improvements and grade separation, providing for parking, and completing utilities.

In 2019, the LRC also adopted a policy for Property Tax Increment Financing Rebates. Under this policy, the LRC will consider requests for direct financial assistance to a private property owner undertaking projects to redevelop or rehabilitate properties contained in the URA. Please reference the policy details included in Attachment B.

Parties interested in assistance (for public infrastructure or direct assistance) from the LRC must complete an Application for Assistance included as Attachment C. As each project is unique, the LRC may ask the applicant for additional information after an initial review. This application is not an offer to contract and the submission of an application confers no rights, duties or entitlements to any party. The provision of assistance is at the sole discretion of the LRC, and the LRC reserves the right to reject or approve requests for assistance on a case-by-case basis. Meeting LRC objectives or policies does not assure any award of assistance, and decisions concerning one project do not set any precedent with respect to any other project.

Any offer for Assistance will be formalized in a Development Agreement between the LRC and project applicant. The Development Agreement must also be approved by the Louisville City Council.

All development in the URA must conform to the City's Comprehensive Plan, zoning code, building codes, applicable design standards and any site-specific zoning for the subject properties, all as in effect and as may be amended from time-to-time.

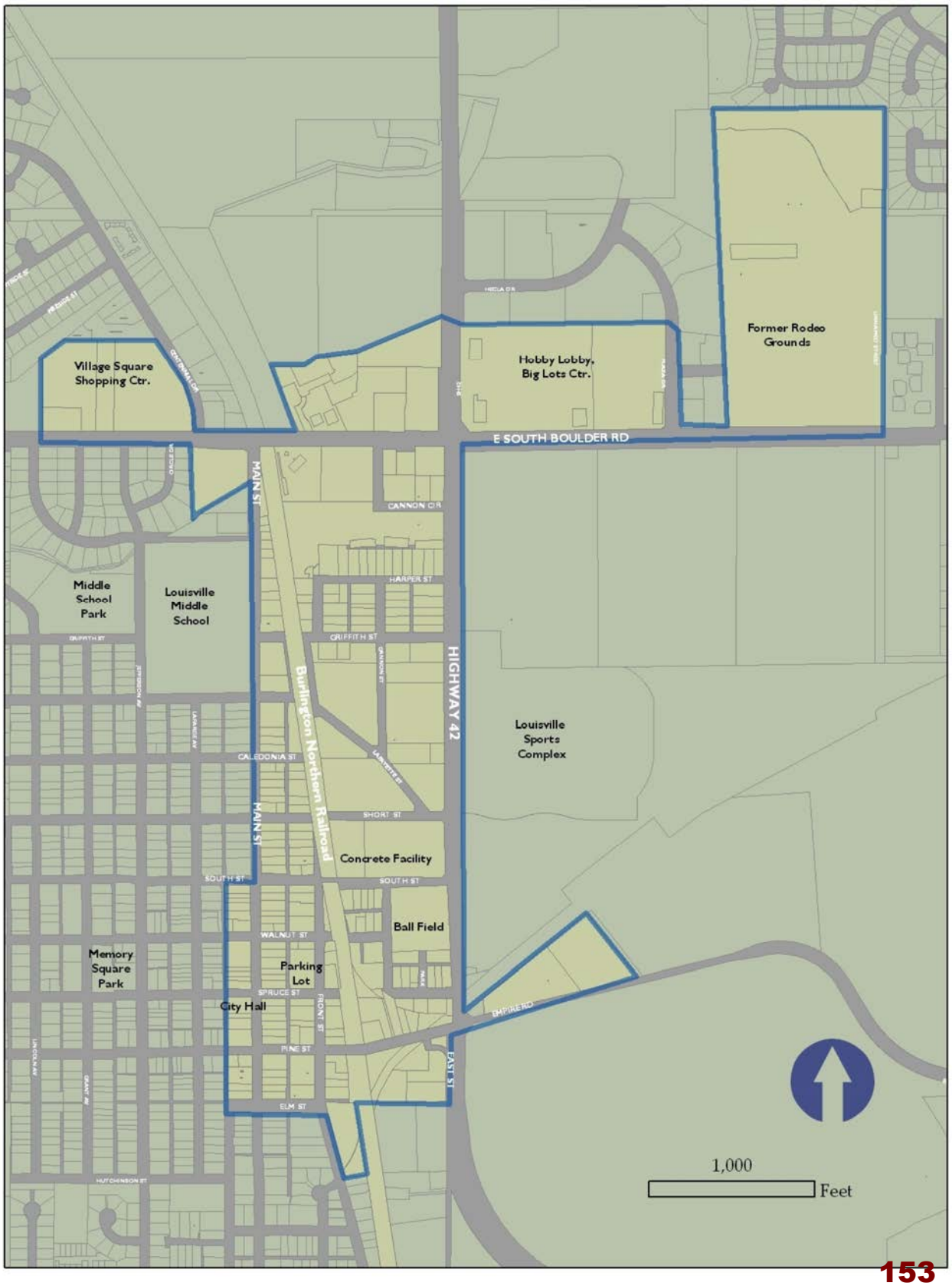
Please see the Application for Assistance (Attachment C) for additional details and requirements. For questions, please contact:

Megan E. Pierce
Economic Vitality Director
749 Main Street
Louisville, CO 80027
303-335-4531
mpierce@louisvilleco.gov

Attachment A

Map of Urban Renewal Area

City of Louisville - Highway 42 Urban Renewal Area



Attachment B

LRC Property Tax Increment Financing Rebate Assistance Policy

Louisville Revitalization Commission
Urban Renewal Area- Application for Assistance

LRC Property Tax Increment Financing Rebate Assistance Policy

Adoption: 6/11/19 by Louisville City Council; 7/15/19 by Louisville Revitalization Commission

Introduction:
The Louisville Revitalization Commission ("LRC") is the Urban Renewal Authority for the City of Louisville, Colorado ("City"). The LRC's mission includes implementing the Highway 42 Revitalization Area Urban Renewal Plan (the "Plan") which was adopted by the City of Louisville in December 2006.

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To be considered for assistance, proposed projects must support the overall goals of the City and the Plan which specifically include promoting an environment which allows for a range of uses and product types which can respond to market conditions over time along with furthering the goals and objectives of the Louisville Comprehensive Plan;

Highway 42 Framework Plan, Historic Preservation Plan and other relevant policies, while leveraging the community's investment in public improvement projects in the Area.

In addition to eliminating and preventing blight, proposed projects must address at least three or more of the objectives outlined in the Plan. Those objectives include:

A. Improve relationship between the URA and surrounding areas
B. Provide uses supportive of and complementary to planned improvements
C. Encourage a mix of uses and/or mixed-use projects
D. Promote a variety of products to address multiple income segments
E. Provide ease of vehicular and pedestrian circulation and improve connections
F. Encourage continued presence of businesses consistent with the plan vision
G. Mitigate impacts from future transportation improvements
H. Encourage public-private partnerships to implement the plan
I. Encourage shared parking among projects in the area
J. Landscape streetscapes to unify uses and plan components.

As specifically related to the use of property tax increment financing, a proposed project must clearly demonstrate that the project will provide the clear and present potential to generate substantial increases to the property tax values directly attributable to the project which could support the sharing of the incremental property tax increments between the property owners and the LRC.

Criteria for Evaluation:

After a property owner submits an application for property tax increment rebate assistance, the project will be evaluated based on how the project provides positive impacts to the community and how the project addresses the following criteria:

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3. The economic benefits to the community from the project
4. The effect of the project on surrounding property
5. The increase in property value created from the project
6. For property within downtown Louisville, the project is consistent with the City's historic preservation goals and objectives.

In addition to the criteria listed above, the LRC will give special consideration to projects that will also provide potential sales and other forms of tax revenue increases to the City and/or other significant community benefits, which might include but would not be limited to; providing outdoor and indoor public spaces, public art, affordable housing, transportation infrastructure improvements, parking beyond the needs of the project and historic building restoration or improvements.

Potential Property Tax Increment Rebate Consideration:
The LRC and the City may consider awarding a 50% property tax increment rebate for a period up to five (5) years from the direct collection of the incremental property taxes

attributable to the project. However, for projects that provide extraordinary community benefits or will generate substantial sales and other taxes for the City, the LRC and the City Council may consider awarding up to a 90% property tax increment rebate for a period of up to ten (10) years. No assistance will be granted to a project beyond the 2033 LRC budget year.

Project Transfer Criteria:
Transfers of a property tax increment rebate agreement may be made under at least one of the following circumstances:

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A property tax increment rebate agreement will contain an expiration date, upon which the agreement will expire if the project is not timely completed.

Applicants for tax increment property tax rebates or other financial assistance must first obtain the City's required land-use approvals for the project prior to receiving approval by the LRC and by the City for the financial assistance.

Applicants must submit all pertinent project financial information related to the project and the developer organization, including estimated development costs and a financing and operating plan. All financial information shall be referred by the City to a qualified professional for third-party review at LRC expense

All information submitted to the LRC or to the City is subject to public disclosure consistent with the requirements of the Colorado Open Records Act, the City of Louisville Charter, and related City, policies and ordinances.

Contact Information:
For additional information on Louisville's Urban Renewal assistance options, please contact Megan E. Pierce, Economic Vitality Director, at mpierce@louisvilleco.gov.

Attachment C

Application for Assistance

Louisville Revitalization Commission
Urban Renewal Area- Application for Assistance

Application

Check One or Both: ☐ Public Infrastructure Assistance ☐ Direct Assistance (see #6)

Project Name:_____

Applicant Name:_____

Main Contact:_____

Address:_____

Phone:_____ Email:_____

Project Location: _____

Name, Address & Phone of Property Owner of Project Location (if different than Applicant):_____

_____

Summary of Project:_____

_____

_____

_____

Estimated Total Cost of Project:_____

Summary of Request for Assistance:_____

_____

_____

_____

_____

Additional Items to be submitted with completed application:

1) Detailed description of the Project with supporting visuals (i.e. plans, designs)
2) Applicant's experience with similar projects, if applicable
3) Detailed description of the request for assistance from the Urban Renewal Authority
4) Description of the community benefits resulting from the Project, including the blight conditions the project will address (complete Attachment D with description)
5) Discussion of how the project improves the project property and neighboring properties
6) **Only for Direct Assistance Applications:** Financials for the project. Applicant must provide a 10–year proforma for the project, a Sources and Uses Budget for the entire project, and assumptions for retail sales and assessed value of the Project for residential and commercial uses by year
7) Timeframe of implementation of the Project
8) Discussion of Project risks

Applicant Signature:_____

Name:_____

Date:_____

*Submitted applications and attachments are public documents and the information provided will be provided to and used by public entities to evaluate and describe the project.

Attachment D

Blight Conditions Description

Louisville Revitalization Commission
Urban Renewal Area- Application for Assistance

Blight Conditions Description

Project Name:_____

Please provide a short description of how the project addresses the following blight conditions identified in the Urban Renewal Area.

A) Slum, deteriorated, or deteriorating structures	
B) Predominance of defective or inadequate street layout	
C) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness	
D) Unsanitary or unsafe conditions	
E) Deterioration of site or other improvements	
F) Unusual topography or inadequate public improvements or utilities	
G) Defective or unusual conditions of title rendering the title nonmarketable	
H) Existence of conditions that endanger life or property by fire and other causes	
I) Buildings that are unsafe or unhealthy for persons to live or work	
J) Environmental contamination of buildings or property	
K.5) Existence of health, safety, or welfare factors requiring high levels of services	

AN AGREEMENT BY AND BETWEEN THE LOUISVILLE REVITALIZATION COMMISSION AND ECONOMIC AND PLANNING SYSTEMS, INC. FOR CONSULTING SERVICES

1.0 PARTIES

This AGREEMENT FOR CONSULTING SERVICES (this "Agreement") is made and entered into this ____ day of _____, 20___ (the "Effective Date"), by and between the **LOUISVILLE REVITALIZATION COMMISSION**, hereinafter referred to as the "Commission", and Economic and Planning Systems, Inc., a California Corporation, hereinafter referred to as the "Consultant".

2.0 RECITALS AND PURPOSE

2.1 The Commission desires to engage the Consultant for the purpose of providing services to conduct a third-party review of financial information submitted for a tax increment financing rebate assistance application as further set forth in the Consultant's Scope of Services (which services are hereinafter referred to as the "Services").

2.2 The Consultant represents that it has the special expertise, qualifications and background necessary to complete the Services.

3.0 SCOPE OF SERVICES

The Consultant agrees to provide the Commission with the specific Services and to perform the specific tasks, duties and responsibilities set forth in Scope of Services attached hereto as Exhibit "B" and incorporated herein by reference.

4.0 COMPENSATION

4.1 The Commission shall pay the Consultant for services under this agreement a total not to exceed the amounts set forth in Exhibit "C" attached hereto and incorporated herein by this reference. The Commission shall not pay mileage and other reimbursable expenses (such as meals, parking, travel expenses, necessary memberships, etc.), unless such expenses are (1) clearly set forth in the Scope of Services, and (2) necessary for performance of the Services ("Pre-Approved Expenses"). The foregoing amounts of compensation shall be inclusive of all costs of whatsoever nature associated with the Consultant's efforts, including but not limited to salaries, benefits, overhead, administration, profits, expenses, and outside consultant fees. The Scope of Services and payment therefor shall only be changed by a properly authorized amendment to this Agreement. No Commission employee has the authority to bind the Commission with regard to any payment for any services which exceeds the amount payable under the terms of this Agreement.

4.2 The Consultant shall submit monthly an invoice to the Commission for Services rendered and a detailed expense report for Pre-Approved Expenses incurred during the previous month. The invoice shall document the Services provided during the preceding month,

identifying by work category and subcategory the work and tasks performed and such other information as may be required by the Commission. The Consultant shall provide such additional backup documentation as may be required by the Commission. The Commission shall pay the invoice within thirty (30) days of receipt unless the Services or the documentation therefor are unsatisfactory. Payments made after thirty (30) days may be assessed an interest charge of one percent (1%) per month unless the delay in payment resulted from unsatisfactory work or documentation therefor.

5.0 PROJECT REPRESENTATION

5.1 The Commission designates Stan Zemler as the responsible Commission staff to provide direction to the Consultant during the conduct of the Services. The Consultant shall comply with the directions given by Stan Zemler and such person's designees.

5.2 The Consultant designates Daniel R. Guimond as its project manager and as the principal in charge who shall be providing the Services under this Agreement. The primary services shall not be provided by persons other than Daniel Guimond, Principal, Andrew Knudtsen, Managing Principal, and Tim Morzel, Vice President. Should any of the representatives be replaced, and such replacement require the Commission or the Consultant to undertake additional reevaluations, coordination, orientations, etc., the Consultant shall be fully responsible for all such additional costs and services.

6.0 TERM

6.1 The term of this Agreement shall be from the Effective Date to December 31, 2019, unless sooner terminated pursuant to Section 13, below. The Consultant's Services under this Agreement shall commence on the Effective Date and Consultant shall proceed with diligence and promptness so that the Services are completed in a timely fashion consistent with the Commission's requirements.

6.2 Nothing in this Agreement is intended or shall be deemed or construed as creating any multiple-fiscal year direct or indirect debt or financial obligation on the part of the Commission within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision. All financial obligations of the Commission under this Agreement are subject to annual budgeting and appropriation by the Louisville City Council and the Commission, in their sole discretion. Notwithstanding anything in this Agreement to the contrary, in the event of non-appropriation, this Agreement shall terminate effective December 31 of the then-current fiscal year.

7.0 INSURANCE

7.1 The Consultant agrees to procure and maintain, at its own cost, the policies of insurance set forth in Subsections 7.1.1 through 7.1.4. The Consultant shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types. The coverages required

below shall be procured and maintained with forms and insurers acceptable to the Commission. All coverages shall be continuously maintained from the date of commencement of services hereunder. The required coverages are:

7.1.1 Workers' Compensation insurance as required by the Labor Code of the State of Colorado and Employers Liability Insurance. Evidence of qualified self-insured status may be substituted.

7.1.2 General Liability insurance with minimum combined single limits of ONE MILLION DOLLARS ($1,000,000) each occurrence and TWO MILLION DOLLARS ($2,000,000) aggregate. The policy shall include the Commission, its officers and its employees, as additional insureds, with primary coverage as respects the Commission, its officers and its employees, and shall contain a severability of interests provision.

7.1.3 Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than FOUR HUNDRED THOUSAND DOLLARS ($400,000) per person in any one occurrence and ONE MILLION DOLLARS ($1,000,000) for two or more persons in any one occurrence, and auto property damage insurance of at least FIFTY THOUSAND DOLLARS ($50,000) per occurrence, with respect to each of Consultant's owned, hired or non-owned vehicles assigned to or used in performance of the services. The policy shall contain a severability of interests provision. If the Consultant has no owned automobiles, the requirements of this paragraph shall be met by each employee of the Consultant providing services to the Commission under this Agreement.

7.1.4 Professional Liability coverage with minimum combined single limits of ONE MILLION DOLLARS ($1,000,000) each occurrence and ONE MILLION DOLLARS ($1,000,000) aggregate.

7.2 The Consultant's general liability insurance, automobile liability and physical damage insurance, and professional liability insurance shall be endorsed to include the Commission, and its elected and appointed officers and employees, as additional insureds, unless the Commission in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the Commission, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Consultant. Such policies shall contain a severability of interests provision. The Consultant shall be solely responsible for any deductible losses under each of the policies required above.

7.3 Certificates of insurance shall be provided by the Consultant as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the Commission. No required coverage shall be cancelled, terminated or materially changed until at least 30 days' prior written notice has been given to the Commission. The Commission reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

7.4 Failure on the part of the Consultant to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which the Commission may immediately terminate this Agreement, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the Commission shall be repaid by Consultant to the Commission upon demand, or the Commission may offset the cost of the premiums against any monies due to Consultant from the Commission.

7.5 The parties understand and agree that the Commission is relying on, and does not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101 et seq., C.R.S., as from time to time amended, or otherwise available to the Commission, its officers, or its employees.

8.0 INDEMNIFICATION

To the fullest extent permitted by law, the Consultant agrees to indemnify and hold harmless the Commission, and its elected and appointed officers and its employees, from and against all liability, claims, and demands, on account of any injury, loss, or damage, which arise out of or are connected with the services hereunder, if and to the extent such injury, loss, or damage is caused by the negligent act, omission, or other fault of the Consultant or any subcontractor of the Consultant, or any officer, employee, or agent of the Consultant or any subcontractor, or any other person for whom Consultant is responsible. The Consultant shall investigate, handle, respond to, and provide defense for and defend against any such liability, claims, and demands. The Consultant shall further bear all other costs and expenses incurred by the Commission or Consultant and related to any such liability, claims and demands, including but not limited to court costs, expert witness fees and attorneys' fees if the court determines that these incurred costs and expenses are related to such negligent acts, errors, and omissions or other fault of the Consultant. The Commission shall be entitled to its costs and attorneys' fees incurred in any action to enforce the provisions of this Section 8.0. The Consultant's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the act, omission, or other fault of the Commission.

9.0 QUALITY OF WORK

Consultant's professional services shall be in accordance with the prevailing standard of practice normally exercised in the performance of services of a similar nature in the Denver metropolitan area.

10.0 INDEPENDENT CONTRACTOR

It is the expressed intent of the parties that the Consultant is an independent contractor and not the agent, employee or servant of the Commission, and that:

10.1. Consultant shall satisfy all tax and other governmentally imposed responsibilities including but not limited to, payment of state, federal, and social security taxes, unemployment taxes, worker's compensation and self-employment taxes. No state, federal or local taxes of any kind shall be withheld or paid by the Commission.

10.2. **Consultant is not entitled to worker's compensation benefits except as may be provided by the Consultant nor to unemployment insurance benefits unless unemployment compensation coverage is provided by the Consultant or some entity other than the Commission.**

10.3. Consultant does not have the authority to act for the Commission, or to bind the Commission in any respect whatsoever, or to incur any debts or liabilities in the name of or on behalf of the Commission.

10.4. Consultant has and retains control of and supervision over the performance of Consultant's obligations hereunder and control over any persons employed by Consultant for performing the Services hereunder.

10.5. The Commission will not provide training or instruction to Consultant or any of its employees regarding the performance of the Services hereunder.

10.6. Neither the Consultant nor any of its officers or employees will receive benefits of any type from the Commission.

10.7. Consultant represents that it is engaged in providing similar services to other clients and/or the general public and is not required to work exclusively for the Commission.

10.8. All Services are to be performed solely at the risk of Consultant and Consultant shall take all precautions necessary for the proper and sole performance thereof.

10.9. Consultant will not combine its business operations in any way with the Commission's business operations and each party shall maintain their operations as separate and distinct.

11.0 ASSIGNMENT

Except as provided in section 22.0 hereof, Consultant shall not assign or delegate this Agreement or any portion thereof, or any monies due or to become due hereunder without the Commission's prior written consent.

12.0 DEFAULT

Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either party should fail or refuse to perform according to the terms of this Agreement, such party may be declared in default.

13.0 TERMINATION

13.1 This Agreement may be terminated by either party for material breach or default of this Agreement by the other party not caused by any action or omission of the other party by giving the other party written notice at least thirty (30) days in advance of the termination date. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

13.2 In addition to the foregoing, this Agreement may be terminated by the Commission for its convenience and without cause of any nature by giving written notice at least fifteen (15) days in advance of the termination date. In the event of such termination, the Consultant will be paid for the reasonable value of the services rendered to the date of termination, not to exceed a pro-rated daily rate, for the services rendered to the date of termination, and upon such payment, all obligations of the Commission to the Consultant under this Agreement will cease. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

14.0 INSPECTION AND AUDIT

The Commission and its duly authorized representatives shall have access to any books, documents, papers, and records of the Consultant that are related to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

15.0 DOCUMENTS

All computer input and output, analyses, plans, documents photographic images, tests, maps, surveys, electronic files and written material of any kind generated in the performance of this Agreement or developed for the Commission in performance of the Services are and shall remain the sole and exclusive property of the Commission. All such materials shall be promptly provided to the Commission upon request therefor and at the time of termination of this Agreement, without further charge or expense to the Commission. Consultant shall not provide copies of any such material to any other party without the prior written consent of the Commission.

16.0 ENFORCEMENT

16.1 In the event that suit is brought upon this Agreement to enforce its terms, the prevailing party shall be entitled to its reasonable attorneys' fees and related court costs.

16.2 This Agreement shall be deemed entered into in Boulder County, Colorado, and shall be governed by and interpreted under the laws of the State of Colorado. Any action arising out of, in connection with, or relating to this Agreement shall be filed in the District Court of Boulder County of the State of Colorado, and in no other court. Consultant hereby waives its right to challenge the personal jurisdiction of the District Court of Boulder County of the State of Colorado over it.

17.0 COMPLIANCE WITH LAWS; WORK BY ILLEGAL ALIENS PROHIBITED

17.1 Consultant shall be solely responsible for compliance with all applicable federal, state, and local laws, including the ordinances, resolutions, rules, and regulations of the Commission; for payment of all applicable taxes; and obtaining and keeping in force all applicable permits and approvals.

17.2 Exhibit A, the "Commission Public Services Contract Addendum-Prohibition Against Employing Illegal Aliens", is attached hereto and incorporated herein by reference. There is also attached hereto a copy of Consultant's Pre-Contract Certification which Consultant has executed and delivered to the Commission prior to Consultant's execution of this Agreement.

18.0 INTEGRATION AND AMENDMENT

This Agreement represents the entire Agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties.

19.0 NOTICES

All notices required or permitted under this Agreement shall be in writing and shall be given by hand delivery, by United States first class mail, postage prepaid, registered or certified, return receipt requested, by national overnight carrier, or by facsimile transmission, addressed to the party for whom it is intended at the following address:

If to the Commission:

Louisville Revitalization Commission
Attn: Economic Development Director
749 Main Street
Louisville, Colorado 80027
Telephone: (303) 335-4550
Fax: (303) 335-4550

If to the Consultant:

Economic & Planning Systems, Inc.
Attn. Daniel R. Guimond
730 17th Street Suite 630
Denver, Colorado 80202
Telephone: (303) 623-3557
Fax: (303) 623-9049

Any such notice or other communication shall be effective when received as indicated on the

delivery receipt, if by hand delivery or overnight carrier; on the United States mail return receipt, if by United States mail; or on facsimile transmission receipt. Either party may by similar notice given, change the address to which future notices or other communications shall be sent.

20.0 EQUAL OPPORTUNITY EMPLOYER

20.1 Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, age, sex, disability or national origin. Consultant will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, age, sex, disability, or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the Equal Opportunity Laws.

20.2 Consultant shall be in compliance with the applicable provisions of the American with Disabilities Act of 1990 as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of this Agreement or any renewal thereof.

21.0 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 Commission and Consultant, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than Commission or Consultant receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

22.0 SUBCONTRACTORS

Consultant may utilize subcontractors identified in its qualifications submittal to assist with non-specialized works as necessary to complete projects. Consultant will submit any proposed subcontractor and the description of its services to the Commission for approval. The Commission will not work directly with subcontractors.

23.0 AUTHORITY TO BIND

Each of the persons signing below on behalf of any party hereby represents and warrants that such person is signing with full and complete authority to bind the party on whose behalf of whom such person is signing, to each and every term of this Agreement.

In witness whereof, the parties have executed this Agreement to be effective on the date first above written.

LOUISVILLE REVITALIZATION COMMISSION:

By:_____
Steve Fisher, Chair

Attest:_____
Alex Gorseveski, Secretary

CONSULTANT:
Economic and Planning Systems, Inc.

By:_____
Daniel R. Guimond
Title: Principal

Exhibit A

Commission of Louisville Public Services Contract Addendum
Prohibition Against Employing Illegal Aliens

Prohibition Against Employing Illegal Aliens. Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. Contractor shall not enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.

Contractor will participate in either the E-verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services. Contractor is prohibited from using the E-verify program or the Department program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.

If Contractor obtains actual knowledge that a subcontractor performing work under this Agreement for services knowingly employs or contracts with an illegal alien, Contractor shall:

a. Notify the subcontractor and the Commission within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and

b. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Contractor shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. § 8-17.5-102(5).

If Contractor violates a provision of this Agreement required pursuant to C.R.S. § 8-17.5-102, Commission may terminate the Agreement for breach of contract. If the Agreement is so terminated, the Contractor shall be liable for actual and consequential damages to the Commission.

Pre-Contract Certification in Compliance with C.R.S. Section 8-17.5-102(1)

The undersigned hereby certifies as follows:

That at the time of providing this certification, the undersigned does not knowingly employ or contract with an illegal alien; and that the undersigned will participate in the E-Verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform under the public contract for services.

Proposer:
Economic & Planning Systems, Inc.

By Daniel R [illegible]

Title: Principal

August 2, 2019
Date

Exhibit B
Scope of Services

Scope of Work

Project Description

The City of Louisville has requested that Economic & Planning Systems (EPS) submit a scope of work and budget for a review of a request for tax increment financing (TIF) revenues submitted by Boulder Creek Neighborhoods (the "Developer"). The Developer is requesting TIF in order to assist with the redevelopment of 712-722 Main Street into a 2-3 story, 22,020 square foot office and retail building. The Developer has stated that the project is not financially viable without assistance from the City due to the fact that rental rates in the City of Louisville do not support current construction costs.

Task 1: Project Initiation

EPS will complete a project kick-off with City staff to discuss key objectives, issues, and deliverables and to outline a project schedule. Following this kick-off, EPS will also meet with the applicant to better understand their TIF request and to address any outstanding questions.

Task 2: "But-for" Analysis

The Developer has provided an overview of their project as well as a high level financial pro forma. In addition to this information, EPS will request more detailed financial models or documents relating to the ongoing costs and revenues of the proposed project. This analysis will provide the basis for beginning to define a project gap and a reasonable level of public investment. In other words, this analysis will answer the questions: 1) "but for" the public investment the Project is financially infeasible; and 2) what level of public investment is appropriate to provide the Developer with a reasonable rate of return given current financial conditions and the associated level of development risk.

This analysis will evaluate the performance of the project under alternative scenarios that evaluate project feasibility with and without TIF revenues. At a minimum, EPS will run two versions of the model that will include the following:

- **Baseline Scenario** – The Baseline Scenario will reflect assumptions and estimates provided by the Developer and will be used to ensure that there are not technical model inaccuracies in the Developer's request for TIF. This model will also be used to determine a baseline from which to test alternative assumptions.
- **Alternative Scenario(s)** – Based on EPS' review of the project assumptions and Developer's pro forma, along with discussions with City staff, EPS may develop one to two alternative scenarios that reflect any potential revisions to key model inputs. The results of this model will be used to estimate potential project funding gaps and determine project sensitivities to various model inputs, lease rates, vacancy rates, operating costs, and other key variables. This analysis will help the City determine if the level of TIF is appropriate or if there are excess returns generated in the project, potentially justifying a lower amount of public investment through TIF.

Task 3: Financial Model and Memo Report

The analysis outlined in this scope of work will be detailed in a comprehensive financial model and summary memo report including key project components, TIF revenue estimates, project feasibility with and without TIF revenues, and a range of sensitivity analyses.

Task 4: Presentations

If requested, EPS will make a presentation to the Louisville Revitalization Commission and a second presentation to City Council summarizing our analysis and findings. These presentations will be made by Andrew Knudtsen and will provide an overview of the methodology used to estimate the need for public financing, a summary of the initial assumptions used by the Developer, any changes that are recommended by EPS, and the final estimated public financing that the project requires in order to move forward.

Exhibit C
Budget

EPS agrees to complete the above work program on a time and charges basis up to a maximum of $11,170. Additional meetings and presentations not included in the above work program will be billed on a time and materials basis. The approximate breakdown of level of effort by task and staff level is shown in **Table 1**.

Table 1. Budget by Task

Description	Principal	Vice President	Research/ Production	Total
Billing Rate	**$240**	**$180**	**$100**	
Labor Costs				
Task 1: Project Initiation	2	4	0	$1,200
Task 2: "But-For" Analysis	4	12	2	$3,320
Task 3: Financial Model and Memo Report	4	10	2	$2,960
Task 4: Council and LRC Presentation	6	10	2	$3,440
Total Hours	**16**	**36**	**6**	**$10,920**
Dollars by Person	**$3,840**	**$6,480**	**$600**	
Direct Costs				
Travel & Miscellaneous				$250
Subtotal				**$250**
Total Project Cost				**$11,170**

Source: Economic & Planning Systems

SUBJECT: **APPROVAL OF RESOLUTION NO. 63, SERIES 2020 – A RESOLUTION APPROVING A 2020-2021 GRANT APPLICATION FOR THE COLORADO DEPARTMENT OF LOCAL AFFAIRS' PEACE OFFICERS MENTAL HEALTH SUPPORT GRANT PROGRAM**

DATE: **AUGUST 18, 2020**

PRESENTED BY: **DAVID HAYES, CHIEF OF POLICE**

SUMMARY:
The Police Department, on behalf of the City of Louisville, anticipates applying for a one-year grant from the Colorado Department of Local Affairs (DOLA) for the Peace Officers Mental Health Support Grant Program. The grant application process requires approval from the entity's governing body.

If awarded, this grant will provide funding for clinician(s), and associated costs, to assist Police Officers in providing assistance with mental health issues to individuals in the Louisville community, including a co-responder model, and aging services. In addition, this grant will also provide psychological services for Louisville police officers as well as outside training for officers regarding assisting those with mental illness. Calls regarding mental health issues continue to increase both in number as well as complexity.

The City of Louisville was the recipient of funding for a similar grant in 2019.

FISCAL IMPACT:
Staff anticipates asking for approximately $250,000 under this grant, no matching funds are required.

PROGRAM/SUB-PROGRAM IMPACT:
The goals of the public safety and justice program include maintaining safety through community engagement. This grant will assist the department by providing better trained officers to assist those with mental illness.

RECOMMENDATION:
Approve the resolution in support of grant application. .

ATTACHMENT(S):
1. Resolution No. 63, Series 2020

STRATEGIC PLAN IMPACT:

☐	Financial Stewardship & Asset Management	☒	Reliable Core Services
☐	Vibrant Economic Climate	☐	Quality Programs & Amenities
☒	Engaged Community	☒	Healthy Workforce
☐	Supportive Technology	☒	Collaborative Regional Partner

RESOLUTION NO. 63
SERIES 2020

A RESOLUTION APPROVING A 2020-2021 GRANT APPLICATION FOR THE COLORADO DEPARTMENT OF LOCAL AFFAIRS' PEACE OFFICER MENTAL HEALTH SUPPORT GRANT PROGRAM

WHEREAS, the City desires to apply for a one-year grant from the Colorado Department of Local Affairs (DOLA) for the Peace Officer Mental Health Support Grant Program to assist police officers in providing assistance to individuals in the Louisville community with mental health issues, including a co-responder model and aging services; and

WHEREAS, in addition, this grant will also provide psychological services for Louisville police officers as well as outside training for officers regarding assisting those with mental illness; and

WHEREAS, the City Council believes the City should apply to DOLA for Peace Officer Mental Health Support Grant Program funding and by this Resolution desires to express its support for the grant application.

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

Section 1. The City Council strongly supports the grant application to the State Department of Local Affairs ("DOLA") for the 2020-2021 PEACE OFFICER MENTAL HEALTH SUPPORT GRANT PROGRAM ("Grant Application").

Section 2. The Mayor, Chief of Police, City Manager, City Clerk, and City staff are hereby authorized and directed to execute all documents and do all other things necessary on behalf of the City to complete, execute, and submit the Grant Application.

Section 3. All action heretofore taken in furtherance of the purposes of the Grant Application are hereby ratified and confirmed.

Section 4. This Resolution shall be in full force and effect from and after the date of its passage and approval.

PASSED AND ADOPTED this 18th day of August, 2020.

_____
Ashley Stolzmann, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

CITY COUNCIL COMMUNICATION
AGENDA ITEM 7A

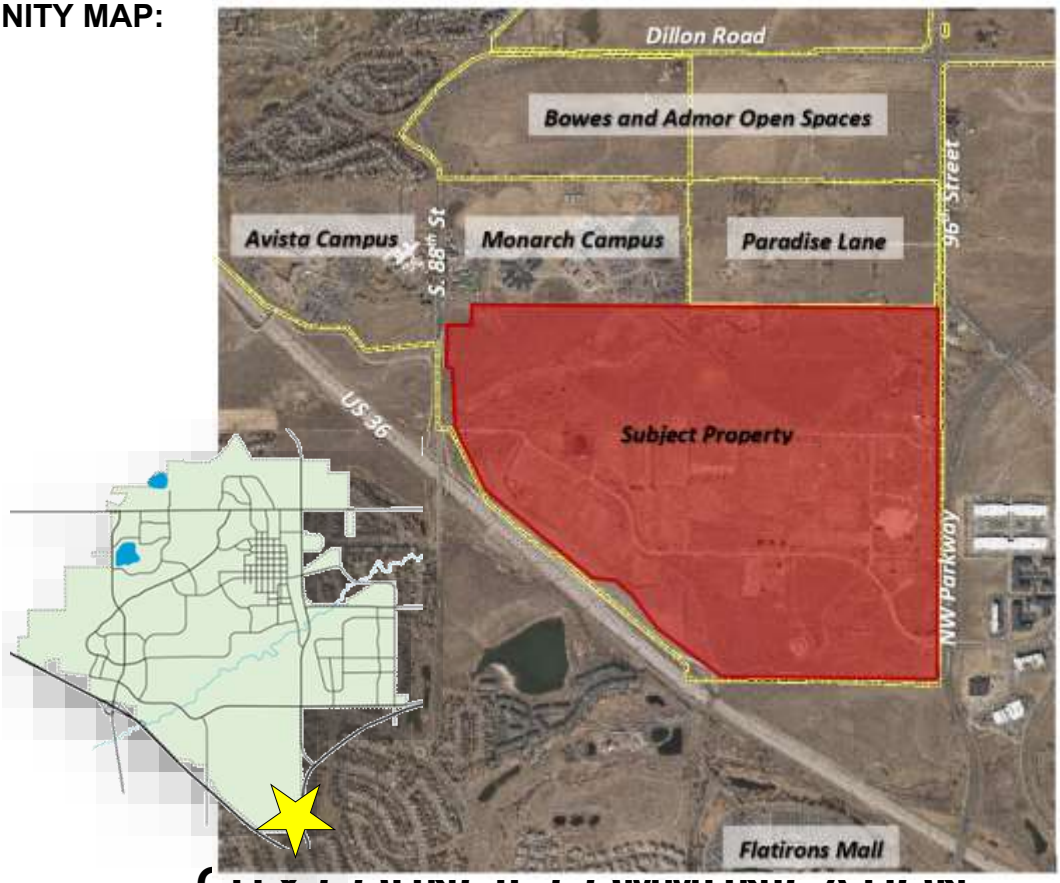
SUBJECT: **ORDINANCE NO. 1798, SERIES 2020 – AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE CONOCOPHILLIPS CAMPUS GENERAL DEVELOPMENT PLAN (REDTAIL RIDGE MASTER PLAN) – 2nd READING, PUBLIC HEARING (advertised *Daily Camera* 7/19/20) – *continued from 8/4/20***

REDTAIL RIDGE COMPREHENSIVE PLAN AMENDMENT PROPOSAL – REQUEST FOR A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE PHILLIPS 66 SPECIAL USE DISTRICT DESIGNATION FROM RURAL TO SUBURBAN, CHANGE THE LAND USE MIX POLICIES TO INCLUDE MULTI-FAMILY RESIDENTIAL, HEALTHCARE AND LODGING, AND INCREASE ALLOWANCES FOR THE FLOOR AREA RATIO AND BUILDING HEIGHT POLICIES – PUBLIC HEARING (advertised *Daily Camera* 7/19/20) *continued from 8/4/20*

DATE: **AUGUST 18, 2020**

PRESENTED BY: **ROB ZUCCARO, AICP, PLANNING AND BUILDING SAFETY DIRECTOR**

VICINITY MAP:



APPLICATION SUMMARY:
Brue Baukol Capital Partners (BBCP) requests approval of a Comprehensive Plan Amendment and General Development Plan (GDP) Amendment for the proposed Redtail Ridge development located on the 389.1-acre former StorageTek/ConocoPhillips Campus property. The Comprehensive Plan Amendment proposal would change the designation of the property from Rural to Suburban, update land use policies to allow multi-famliy residential, healthcare and lodging development, increase allowed development density and increase allowed building heights. The GDP Amendment proposal is for a mixed commercial and residential development, containing up to 5,886,000 sq. ft. of total building area, inclusive of 2,236 multi-family residential units (1,326 age-restricted senior living units and 900 non-age restricted units) and 2,520,000 sq. ft. of commercial development.

UPDATES SINCE AUGUST 4, 2020 MEETING:
Following the staff and applicant presentation and receiving public comment on August 4, 2020, City Council continued the hearings for the Redtail Ridge Comprehensive Plan Amendment and General Development Plan (GDP) Amendment to the August 18, 2020 meeting. The staff report from the August 4, 2020 meeting can be reviewed at this link:

https://www.louisvilleco.gov/Home/ShowDocument?id=27890

In addition, staff received a series of questions from a Councilmember following the August 4, 2020 meeting and has provided responses in Attachment 1 to this memo. Also attached are the staff and applicant presentation from the August 4, 2020 meeting for reference (Attachments 2 and 3). Staff has prepared additional presentation slides for this meeting to further address several of the Councilmember questions (Attachment 4).

STAFF RECOMMENDATION:
Staff's recommendations have not changed from the August 4, 2020 staff report.

Comprehensive Plan Amendment
Due to the scope and complexity of this project, staff does not have a formal recommendation on the proposed Comprehensive Plan Amendment. Staff recommends that this hearing be used to help understand community sentiment on the proposal and that the City Council review the proposal in light of the adopted criteria for Comprehensive Plan Amendments, including a determination that the scale and type of development proposed meets the Comprehensive Plan Vision and Community Values.

Options for Council action include:
- Direct staff to draft a resolution of approval for the proposed Comprehensive Plan Amendment that could be brought back at a subsequent meeting for a final vote.
- Direct staff to draft a resolution of denial for the proposed Comprehensive Plan Amendment that could be brought back at a subsequent meeting for a final vote.
- Continue the hearing to an upcoming meeting date if additional information is desired or time needed to gather information on the proposal.

- Remand to Planning Commission with direction/guidance on land use preferences, densities etc. as it relates to meeting the Comprehensive Plan Vision and Community Values and review a subsequent amendment.

General Development Plan Amendment

The Redtail Ridge GDP does not currently comply with City Comprehensive Plan Policy and is not supportable without a Comprehensive Plan Amendment. If the Council is supportive of the Comprehensive Plan Amendment as proposed, then staff recommends Council approval of the Redtail Ridge GDP and Ordinance 1798, Series 2020 with the conditions noted below. If Council is not supportive of the Comprehensive Plan Amendment, staff recommends denial of Ordinance 1798, Series 2020 based on the GDP not conforming to the policies of the Comprehensive Plan. The Council may also continue this hearing to an upcoming meeting date if additional information is desired or time needed to gather information on the proposal.

If the Council wishes to approve the Redtail Ridge GDP, staff recommends the inclusion of the following conditions in the approval ordinance:

- The applicant shall revise the GDP plans to indicate that the Xcel transmission poles south of Rockcress Drive be lowered rather than construction of retaining wall between the transmission poles and right of way.
- Prior to recording the GDP, the applicant shall revise the drainage and utility reports to address Public Works comments in the letter dated May 26, 2020.
- Prior to recording the GDP, the applicant shall provide written verification from North Metro Fire Rescue providing preliminary support of right of way acquisition for the Campus Drive and 96th Street intersection.
- A note shall be added to the GDP stating that all future developments will need to submit an updated traffic study as part of the PUD review that demonstrates acceptable roadway capacity consistent with the master Traffic Study approved with the GDP, including acceptable capacity at the NW Parkway/US 36 Interchange, Rockcress Drive and NW Parkway intersection and 96th Street and Via Varra intersection before such development can proceed.
- Prior to recording the GDP, the applicant shall provide approval of the intersection and road connections from any impacted entities, including City and County of Broomfield, CDOT, and NW Parkway Authority.
- Prior to recording the GDP, a concurrency requirement for development on Parcels A and B shall be added to the GDP limiting senior residential development on Parcel A to 600 units upon the issuance of a building permit authorizing commencement of vertical construction on the first phase of a corporate campus on Parcel B, with a minimum building area of 160,000 sq. ft., and the release of permits for the remaining residential density allowed on Parcel A upon issuance of certificates of occupancy for 500,000 sq. ft. of the corporate campus development on Parcel B.
- Prior to recording the GDP, a concurrency requirement for residential and commercial development on Parcels C, D and E shall be added to the GDP limiting

any residential development to no more than 300 units until development within the GDP planning area achieves certificates of occupancy for at least 1,500,000 sq. ft. of commercial development, inclusive of a minimum of 25,000 sq. ft. of sales tax generating retail or restaurant development.

ATTACHMENTS:

1. Staff Response to Councilmember Questions
2. August 4, 2020 Staff Presentation
3. August 4, 2020 Applicant Presentation
4. Public Comments – Received Since August 4 Meeting
5. August 18, 2020 Staff Presentation

STRATEGIC PLAN IMPACT:

☐	**Financial Stewardship & Asset Management**	☐	**Reliable Core Services**
☒	**Vibrant Economic Climate**	☒	**Quality Programs & Amenities**
☒	**Engaged Community**	☐	**Healthy Workforce**
☐	**Supportive Technology**	☐	**Collaborative Regional Partner**

Question:
The traffic study for the development is an obvious source of confusion for the community. Some of the stated conclusions and impacts are somewhat counter-intuitive given the anticipated volumes of additional traffic. Traffic studies are complex and it would be helpful for Council and the general public to be given a "lay persons" presentation on how traffic studies are performed and how the results are derived. I would suggest that at the next meeting, the traffic engineer (Bill Fox) provide an overview of the traffic analysis and to answer questions to help resolve the questions and issues associated with the study.

Also, as related to traffic loads and peaks, can the traffic engineer provide us some examples of similar traffic loads for some nearby larger developments like Interlocken or other relevant developments so we have some better experiential or visual understanding about what the traffic impacts might be?

Staff response:
Staff has requested that the applicant's traffic engineer be available to provide the requested overview at the 8.18 meeting. Staff also will have its third-party review engineer with Fellsburg Holt and Ullevig at the meeting to answer questions.

Question:
I think more time should have been spent on the surrounding development context for the site. We largely understand the property to the north and east (Monarch campus, Highway 36, etc.) However little information was provided about what surrounds the site on the east and south and also Superior. It would be helpful to provide some mapping or pictures of those adjacencies and to explain the property ownership and transportation connectivity. I am personally interested in Broomfield's development to the south (car dealerships, apartments, office, and industrial) and the overall relationship of those uses to the Northwest Parkway IGA. I am also interested to better understand what Superior's development is in terms of scale and massing. Are those parcels exempt from the IGA or were they developed in spite of the IGA requirements? What are the densities and heights of those developments. Regardless, more effort and time should be spent on the overall context of the propped development. I remember the applicant having some pretty good aerial simulations but not much time was spent presenting or explaining them.

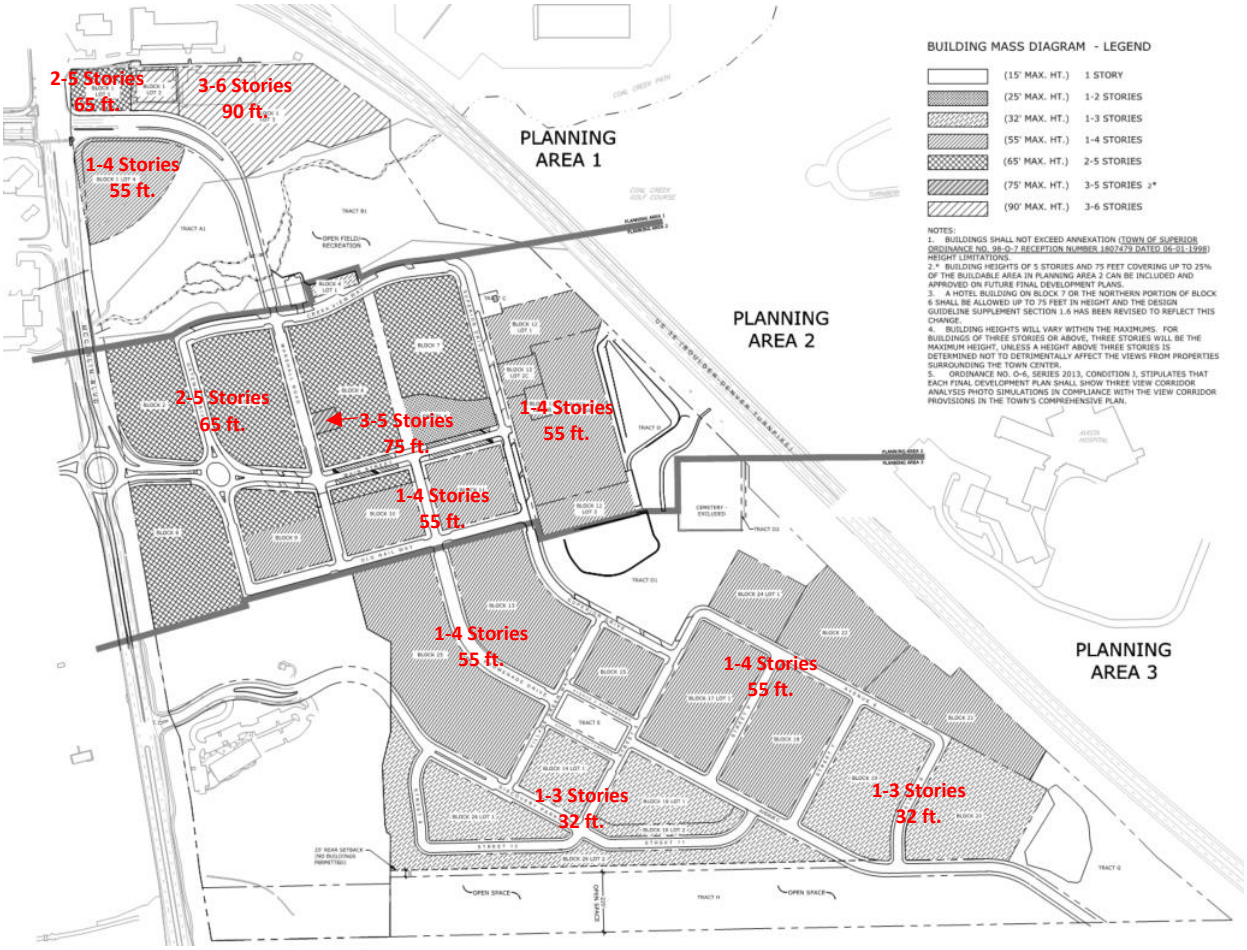
Staff response:
Staff has asked the applicant to be prepared to provide a more in depth review of the aerial simulations that they provided with their application.

If desired, staff will be prepared at the 8.18 meeting to provide an overview of adjacent development, including property ownership, transportation connectivity, and surrounding development densities, including the Superior Town Center Development and the development in Broomfield east of Northwest Parkway.

Superior Town Center is not within the boundaries of the Northwest Parkway IGA. The Broomfield developments are within the boundary of the IGA, but not subject to any restrictions.

Staff has provided some additional information on the Superior and Broomfield developments below.

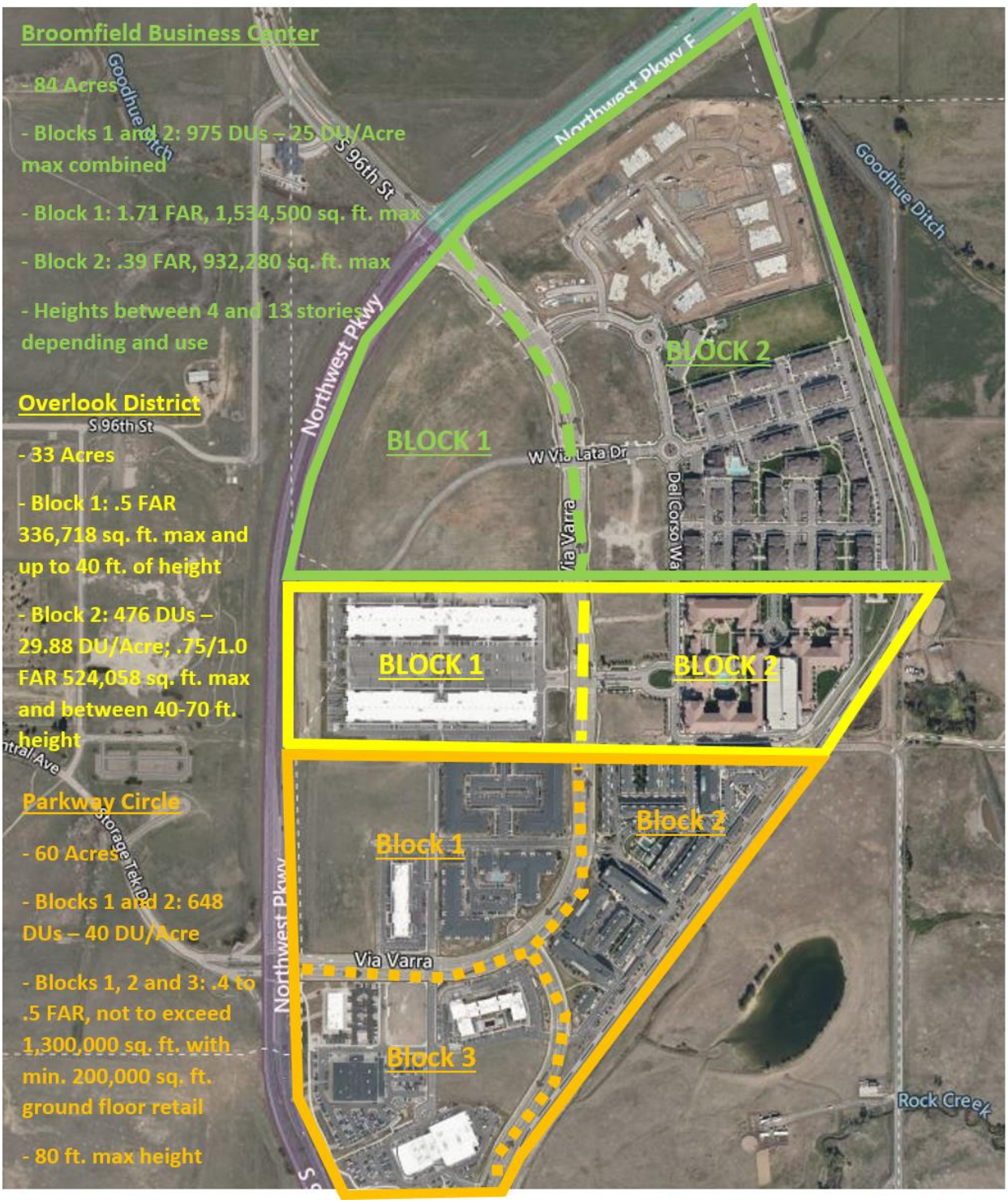
The Superior Town Center Development:
The master plan can be viewed at this link.
https://www.superiorcolorado.gov/home/showdocument?id=16871
The gross acreage of the development is 156 acres. Maximum allowed development area is set at 1,007,600 sf. ft. of commercial, 500 hotel rooms, and 1,400 residential units. Height allowance on the north side of the development, between Coal Creek and US 36, is between 2 and 6 stories and up to 90 ft. Height allowance on the south side of Coal Creek is between 1 and 5 stories and up to 65 ft. Height is limited based on subarea within the development. The master plan does not provide sq. ft. maximum areas for the hotel and residential designations, but based on assumptions of 2,000 sq. ft. per residential unit, and 730 sq. ft. of average area per hotel room, FAR could be up to 0.89 for the development if all development maximums were met.



Development Area	Acres	Percent
Right-of-way	27.38	17.51
Developed Parks	14.54	9.3
Naturalized Open Space	27.07	17.31
Town Square Plaza and Promenade	1.72	1.1
Detention Ponds	5.18	3.31
Development Blocks	80.46	51.45
Total	156.35	100

Broomfield Development East of Northwest Parkway

The area north of US 36 and east of Northwest Parkway consists of several development plans that allow a mix of commercial and residential development. The following is a summary of approved development in each area. While some areas allow significantly more height, the tallest existing development is 4 stories. Collectively, this area allows up to 2,099 dwelling units and 4,627,556 sq. ft. of development over 177 acres.

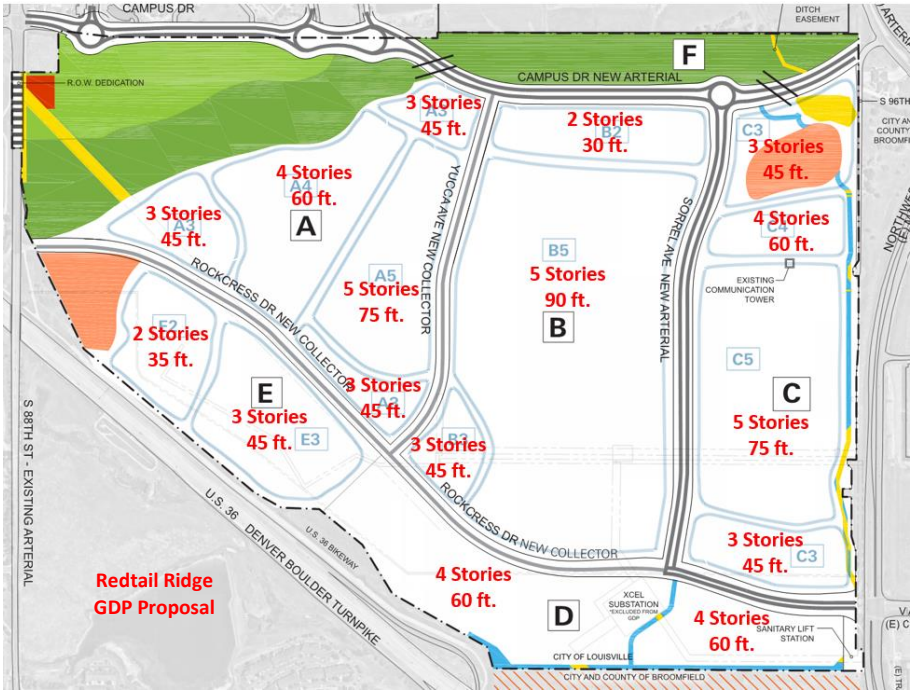


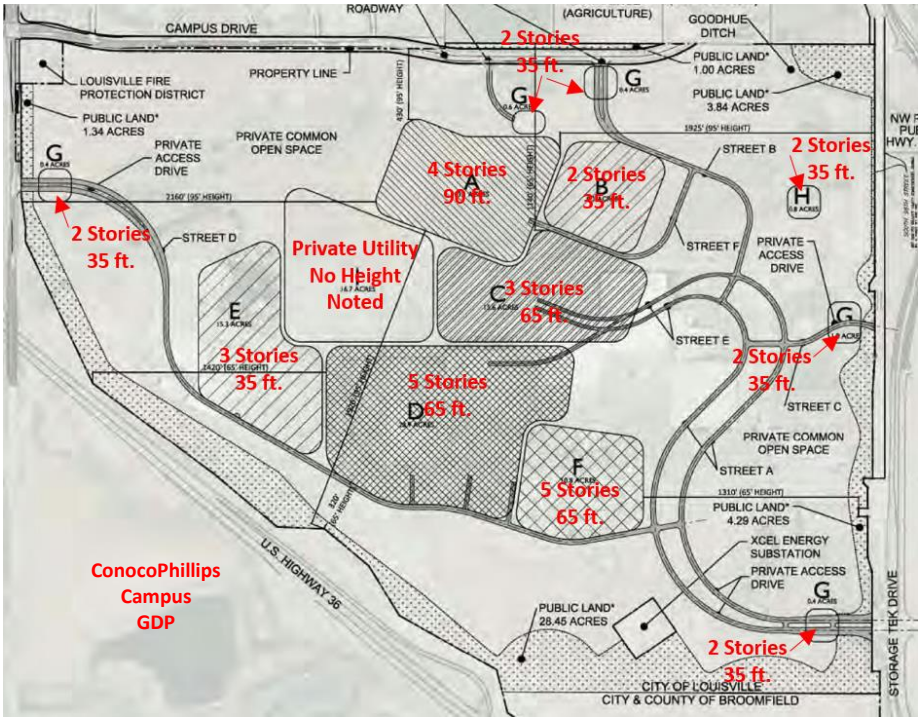
Question:

Could staff provide clarification on the permitted maximum building heights and number of stories in the existing general development plan and what is being proposed for the Redtail development. Would it be possible to indicate on a visual where the different building heights are located on the site for the comprehensive plan and the new development so we can see where and what the differences are?

Staff response:

Requested height comparison graphics for existing and proposed GDP is provided below:





Existing Comprehensive Plan notes the property as a Rural District with building height limit of 3 stories and that "Additional stories permitted if structures are clustered and located out of public view shed and buffered by surrounding topography and Open Space." The proposed Comprehensive Plan Amendment changes the property to a Suburban District with a 2-3 story limit, and notes "1-5 stories permitted within the Phillips 66 Suburban District." The Comprehensive Plan does not have a height map within the Phillips 66 Special District to provide the requested graphic comparison.

Question:
The presentation materials used by both staff and the applicant were good and concise. Could copies of those slide decks be provided to Council in the next packet? If there is going to be new slide decks used for the next meeting, any chance we could get those before the meeting or at least during the meeting so we can refer to them on our own screens?

Staff response:
Staff will provide the applicant and staff presentations from the last meeting in the 8.18 packet. Staff has requested that the applicant provide any new slide decks they plan to use at the 8.18 meeting ahead of time and will include any new slide decks received and any staff slide decks with the packet as well.

Question:
Could there be a visualization of what the tallest building would look like from Highway 36 and other points along the perimeter of the site?

Staff response:
Staff has requested that the applicant be prepared to provide this information at the 8.18 meeting.

Question:
There was little presented or discussed about what enhanced sustainability concepts the developer might be willing to build into the development plans. There are opportunities for on-site solar, geo-thermal, water re-use, enhanced building energy standards, etc. I would be interested to hearing from the development team as to whether they would be interested in implementing enhanced sustainability standards, and if so, how the City could ensure they are required in the long-term build-out of the property. I know the City has its own requirements, but as related to enhanced public benefit for a requested increase in development potential, I would like to hear what the developer might consider going above and beyond the City's normal standards.

I would also be interested in hearing from Medtronic about whether they have plans for enhanced sustainability and energy efficiency standards for their proposed development within Redtail.

Staff response:
Staff recommended consideration of many of these items to the applicant. If the applicant and City Council agree on any energy conservation or renewable energy standards staff recommends that the commitments be noted on the GDP and in the development agreement. Staff has asked the applicant to further address this item at the 8.18 meeting.

Applicant response:
The applicant provided the following written response to this question regarding the Medtronic parcel:

- *Over the 90 acre development, about 40 acres will be developed, meaning, contain buildings, parking lots and drive aisles. The remaining roughly 50 acres is undeveloped with naturalized landscaping. This minimizes disruption to much of the site and maximizes open space.*
- *Native grasses are the principal ground cover with large areas of shrub and tree beds adjacent to rights of way, the developed areas of the site around the building and parking lots. We are being very deliberate in the species we plant focusing on Native plantings to minimize water use and to align with the areas of the property that will remain undisturbed or restored to a natural state following removal of the previous development.*
- *Designed the building with a Robust use of occupancy sensors, energy management system, and natural daylighting whenever possible.*
- *Low water usage faucets and toilets/urinals*
- *LED lighting throughout the building*
- *Medtronic carpooling program and is very supportive of using alternative methods of transport such as bikes, biking.*
- *Medtronic is participating in the Energy Design Assistance program offered by Xcel Energy to minimize power consumption, and introduce energy efficient equipment whenever possible.*

Question:
As related to parking, if I read the plans correctly, there is no mention of above or below ground parking structures. Reducing parking lot coverage should be considered especially for large commercial development. Was there any mention of utilizing structured parking in the development plan and if not, what was the reasoning and could that concept be included?

Staff response:
The development on Parcel C, as conceptualized, includes parking structures but the remainder of the development concept is shown with surface parking. The proposed GDP and the City code/design standards do not require parking structures. Staff has provided comments to the applicant to consider use of parking structures due to the large amount of parking planned for the project. If the applicant and City Council agree on any parking structure requirements staff recommends that the commitments be noted on the PUD and in the development agreement. Staff has asked the applicant to further address this item at the 8.18 meeting.

Question:
The applicant was proposing 70,000 square feet of retail development. As a point of comparison and visualization, how many square feet is contained in the existing King Soopers shopping center on Highway 42? Also, as another pint of reference, how much retail was included at that site in the revised South Boulder Road sub-area plan?

Staff response:
Staff notes that the 70,000 sq. ft. of retail is an assumption provided by EPS as the amount of retail development that may be supported at full build out. This is the amount modeled in the fiscal impact analysis, but there is no guarantee this much retail is built. A GDP does not require a certain mix of uses unless specifically noted on the GDP or through an agreement. The current proposal would allow 2,000 of the proposed 2,226 residential units with no requirement for retail development (674 units on Parcel

C/D and 1,326 senior units on Parcel A once foundation for first phase of 500,000 sq. ft. Medtronic office campus complete). After the completion of 10,000 sq. ft. of retail development and an additional 500,000 sq. ft. of office/commercial development, the remaining 226 units could be built.

Requested comparison areas:

- King Soopers Shopping Center (strip center and pad sites between Plaza Drive and Hwy 42) – approx. 214,286 sq. ft.
- South Boulder Road Small Area Plan – the SBR SAP did not have a projection for the King Soopers shopping center specifically, but does have the following projection for the entire corridor, noting existing development and projected increases in development over 20 years at full build out.

Development Impact

This plan does not change allowed land uses in the corridor, but it does affect the amount of development allowed. The tables below show what development is currently in the study area and how much more development could occur under this plan at full buildout. This is a reduction from what the existing zoning allows at the time of adoption, mostly because of the decreased height allowances.

Existing Development in Study Area		
Retail	352,729	Square feet
Office	178,608	Square feet
Residential	407	Units
Employees	1,682	People
Residents	569	People

Projected 20 year Increase over Existing		
Retail	26,931	Square feet
Office	374,298	Square feet
Residential	546	Units
Employees	1,658	People
Residents	724	People

Question:
On the issues related to the height and treatment of the overhead powerlines, could the lines be buried instead of remaining on poles as long as there would be a major excavation of the area? If that is important to the City and perhaps not so much to the developer, perhaps that is something the City could help with.

Staff response:
Staff has asked for the applicant to address their willingness to bury the lines. The cost would be significant, and staff has not contacted Xcel Energy on the potential cost. Any cost sharing with the City would need to be carefully considered in the fiscal impact analysis.

Question:
I vaguely recall that for the Conoco-Phillips development, the City allowed one or several hotels to be built on that property inasmuch as Conoco-Phillips wanted places for their staff and visitors to stay while visiting the site. There were some comments during the meeting as to whether the existing comp plan allowed for that or whether that would also need to be part of the requested update to the comp plan. Please clarify whether hotels were permitted in the Conoco-Phillips general development and City comp plan plans and whether they are permitted in the current comp plan under the existing rural classification.

Staff response:
The Comprehensive Plan "Land Use Mix" policies for special districts do not specifically call out hotels. However, staff has considered the hotel use to generally fall under a retail/commercial land use type consistent with the comprehensive plan policies for the area. The ConocoPhillips Campus GDP does not list hotels, but lists "Private Short Term Lodging for ConocoPhillips Employees and Guests" as an allowed use. If Council approves the Comprehensive Plan Amendment proposal, a further amendment to add Hotels to the listed land uses could provide clarification if Council finds it necessary.

Question:
The fiscal impact study shows positive results under the 80% build-out assumption. But, it seems that the fiscal results clearly diminish as build-out assumptions are reduced. It is really important to stress test the model given the amount of continuing investment and costs the City would have to absorb over a long period of time given the scale of the proposed development. This is not a small or even large in-fill development. Could our consultants provide one more iteration of the model using an assumption of 70% build-out? Also, is there anyway for them to estimate what the break-even build-out would be to be to continue to demonstrate positive fiscal results?

Staff response:
Staff has contacted TischlerBise to address the questions and will try to have additional information and potential model runs in the staff slide deck for the 8.18 meeting.

Question:
There seems to be a bit of differing opinion about the growth of Louisville's population. What was the population in 2000, 2010, and the latest estimates for the current population? Please provide both the numerical growth and percentage growth using 2000 as the baseline.

The 2006 Comprehensive Plan update suggested that the City had a vision of a community that would include a target population growth to approximately 23,000 over a 20-year period of time. How close are we currently to that target population and what would be the impacts to population growth during the remainder of that 20-year plan as a result of the Redtail proposal?

Staff response:
City of Louisville Population Estimates

	2000	2010	2011	2012	2013	2014	2015	2016	2017	2018
Population	18,937	18,410	18,597	19,023	19,517	20,037	20,348	20,813	21,220	21,182
% Change		-2.9%	1.0%	2.2%	2.5%	2.6%	1.5%	2.2%	1.9%	-0.2%

Population estimates from US Census and Colorado Department of Local Affairs

Redtail Ridge Population Increase Estimate

	No. of Units	*Average Occupancy per Unit*	*Population at Build Out*
Senior Housing	1,326	1.3	1,724
Multi-Fam. Housing	900	1.4	1,260
Total	2,236		2,984

Average occupancy per unit determined using applicant assumption for senior housing and Louisville Census data for multi-family rental units

Estimated Total Buildout Population Using 2018 as Base Year
21,182 + 2,984 = 24,166

Question:
In a recent conversation with the Rocky Mountain Metropolitan Airport Director, he mentioned that Louisville should look at and consider overflight and noise issues emanating from the airport over the residential development of the Redtail property. He particularly mentioned that jet traffic which he expects to increase would overfly this area. Was this considered in any of the referral comments or staff analysis and did we actually get referral comments from the airport? I'm not sure I remember seeing anything from the Airport or Jefferson County.
Staff response:

Staff response:
Attached is a Nov. 21, 2019 referral comment letter from RMMA. The letter notes that the development area is outside of the RMMA "influence area." However, due to proximity to the airport, RMMA still recommends an avigation easement and disclosures be provided to future residents. At the time of this referral, only the senior housing on Parcel A was proposed. A new referral request was sent to RMMA following the revisions to the plans to include the 900 non-senior residential units but staff did not receive a response.

ROCKY MOUNTAIN
METROPOLITAN AIRPORT

November 21, 2019

City of Louisville
Attn: Lisa Ritchie, AICP

RE: Nawatny Ridge, 2nd Submittal

Ms. Ritchie,

Thank you for referring the proposed GDP amendment for Nawatny Ridge. Rocky Mountain Metropolitan Airport (RMMA) staff have reviewed the proposed development and determined that the site lies just to the north of RMMA's airport influence area. However, due to airspace procedures, a significant number of aircraft overfly the area when departing/arriving RMMA.

As such, the site will experience a significant amount of aeronautical activity in the airspace above. RMMA experienced over 170,000 operations (takeoffs or landings) in 2018, and the most recent airport master plan projects a potential growth in operations to over 265,000 operations by 2030. Our only concern relates to the proposed senior housing in area "A" and potential concerns new residents to this site may have over likely aviation activity overhead.

The following are the Airport's requirements and recommendations:

- **Recommended**: We request that the petitioner complete an avigation easement (template attached), record it with the appropriate jurisdiction, and reference the easement on the approved development plan. This disclosure helps protect the County, the Airport, and Developers from lawsuits pertaining to aircraft operations.

- **Recommended**: Provide airport disclosures to prospective buyers and/or tenants for any residential units. RMMA is willing to work with the developer to develop a disclosure specific to the site.

We appreciate the opportunity to comment on the project. If you have any questions, please contact me at 303-271-4854.

Sincerely,

Ben Miller, AICP
Airport Development Coordinator
Rocky Mountain Metropolitan Airport

AVIGATION EASEMENT AND RIGHT OF WAY

WHEREAS, (full name of property owner(s)), hereinafter called the Grantor, are the owners in fee of that certain parcel of land situated in the City of ____, County of _____, State of Colorado, more particularly described as follows:

hereinafter called "Grantor's property" and outlined in the attached map (Exhibit 1) to _____.

NOW, THEREFORE, in consideration of the sum of _____ dollars ($) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, administrators, executors, successors and assigns, do hereby grant, bargain, sell and convey unto Jefferson County, Colorado and Rocky Mountain Metropolitan Airport, hereinafter called the Grantee, its successors and assigns, for the use and benefit of the public an easement and right of way, for a right of flight for the passage of aircraft in and through the airspace above the surface of the Grantor's property, together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, and for the use of said airspace for landing on, taking off from, or operating on the Rocky Mountain Metropolitan Airport.

(1) This is a permanent and non-exclusive easement for the free and unobstructed use and passage of all types of aircraft in and through the airspace over or in the vicinity of the Grantor's property, with such use and passage to be unlimited as to frequency, type of aircraft, and proximity. Grantor furthermore waives all damages and claims for damages caused or alleged to be caused by or incidental to such activities.

(2) As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, and shall include, but is not limited to, jet aircraft, propeller-driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters and all other types of aircraft or vehicles now in existence or hereafter developed for the purpose of transporting persons or property through the air.

(3) That the Grantor expressly agrees for itself, its successors and assigns to restrict the height of structures, objects of natural growth and other obstructions on the Grantor's property if such structures or uses interfere with the area above an imaginary plane over Grantor's Property, as such plane is described by Part 77 of the Federal Aviation Regulations.

(4) The easement and right-of-way hereby grants to the Grantee the continuing right to prevent the erection or growth upon Grantor's property of any building, structure, tree, or other object that extends into the airspace above said property. The easement and right-of-way hereby grants to the Grantee a right of ingress to, egress from and passage over Grantee's property to remove the offending structure or object, and to cut the offending growth, all at the expense of the Grantor, in the event the aforesaid covenant is breached.

(5) That the Grantor expressly agrees for itself, its successors and assigns to prevent any use of Grantor's property which would interfere with landing or taking off of aircraft at the Rocky Mountain Metropolitan Airport, or otherwise constitute an airport hazard. Such hazards include uses that create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

(6) Said easement and burden, together with all things which may be alleged to be incident to or resulting from the use and enjoyment of said easement, including but not limited to the right to cause in all airspace above or in the vicinity of the surface of Grantor's property such noise, vibrations, fume, deposits of dust or other particulate matter, fuel particles (which are incidental to the normal operation of said aircraft), fear, interference with sleep and communications and any and all other effects that may be alleged to be incident to or caused by the operation of aircraft over or in the vicinity of Grantor's property or in landing at or taking off from or operating at or on said Rocky Mountain Metropolitan Airport is hereby granted.

(7) Grantors do hereby fully waive, remise, and release any right or cause of action which they may now have or which they may have in the future against Grantee, its successor and assigns, due to such noise vibrations, fumes, dust, fuel particles and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on said Rocky Mountain Metropolitan Airport.

TO HAVE AND TO HOLD said easement and right-of-way, and all rights pertaining thereto unto the Grantee, its successors, and assigns, until said Rocky Mountain Metropolitan Airport shall be abandoned and shall cease to be used for public airport purposes. It being understood and agreed that the aforesaid covenants and agreements shall run with the land and shall be forever binding upon the heirs, administrators, executors, successors and assigns of the Grantor until said Rocky Mountain Metropolitan Airport shall be abandoned and cease to be used for public airport purposes.

EXECUTED this _____ day of _____, ____.

GRANTOR:

_____

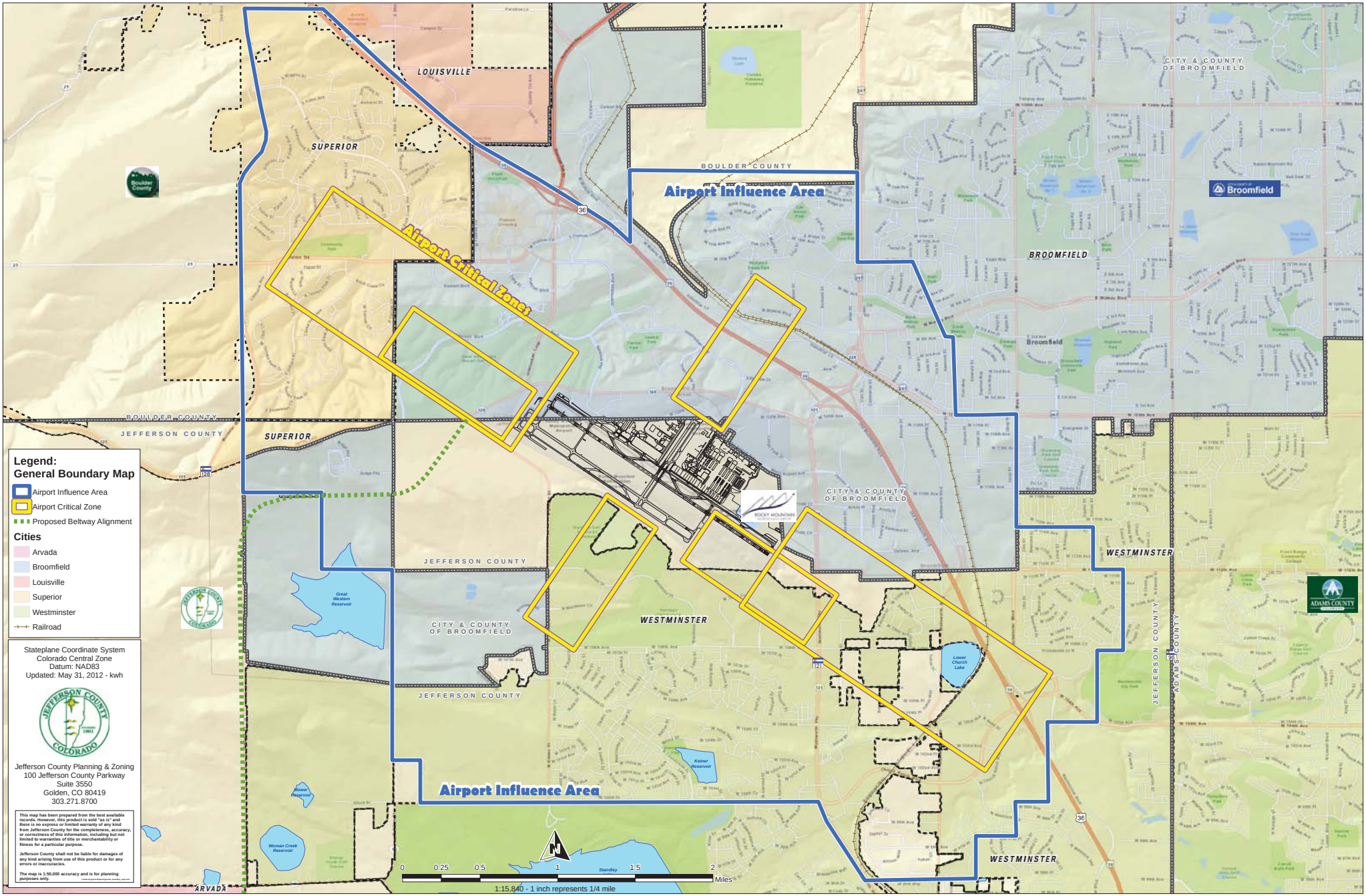
By: _____
Name:_____
_____Title:_____

STATE OF COLORADO
COUNTY OF _____

This agreement was acknowledged before me this ____ day of _____, 20__ by _____ as _____ of _____.

_____
Notary's official signature

_____
Commission expiration date


Airport Influence Area
Airport Critical Zones
Airport Influence Area
LOUISVILLE
SUPERIOR
BOULDER COUNTY
BROOMFIELD
CITY & COUNTY OF BROOMFIELD
JEFFERSON COUNTY
WESTMINSTER
ADAMS COUNTY
ARVADA
Legend:
General Boundary Map
Airport Influence Area
Airport Critical Zone
Proposed Beltway Alignment
Cities
Arvada
Broomfield
Louisville
Superior
Westminster
Railroad
Stateplane Coordinate System
Colorado Central Zone
Datum: NAD83
Updated: May 31, 2012 - kwh
Jefferson County Planning & Zoning
100 Jefferson County Parkway
Suite 3550
Golden, CO 80419
303.271.8700
This map has been prepared from the best available records. However, this product is sold "as is" and there is no express or limited warranty of any kind from Jefferson County for the completeness, accuracy, or correctness of this information, including but not limited to warranties of title or merchantability or fitness for a particular purpose.
Jefferson County shall not be liable for damages of any kind arising from use of this product or for any errors or inaccuracies.
The map is 1:50,000 accuracy and is for planning purposes only.
0 0.25 0.5 1 1.5 2 Miles
1:15,840 - 1 inch represents 1/4 mile

City Council Public Hearing

August 4, 2020

Redtail Ridge

Comprehensive Plan Amendment and
General Development Plan Amendment
(Ord. 1798, Series 2020)

Public Notice Certification:

Published in the Boulder Daily Camera – Sunday, July 19, 2020
Posted in Required Locations, Property Posted and Mailing Notice – by Friday July, 17, 2020

Redtail Ridge
Proposal Summary

Redtail Ridge Proposal Summary

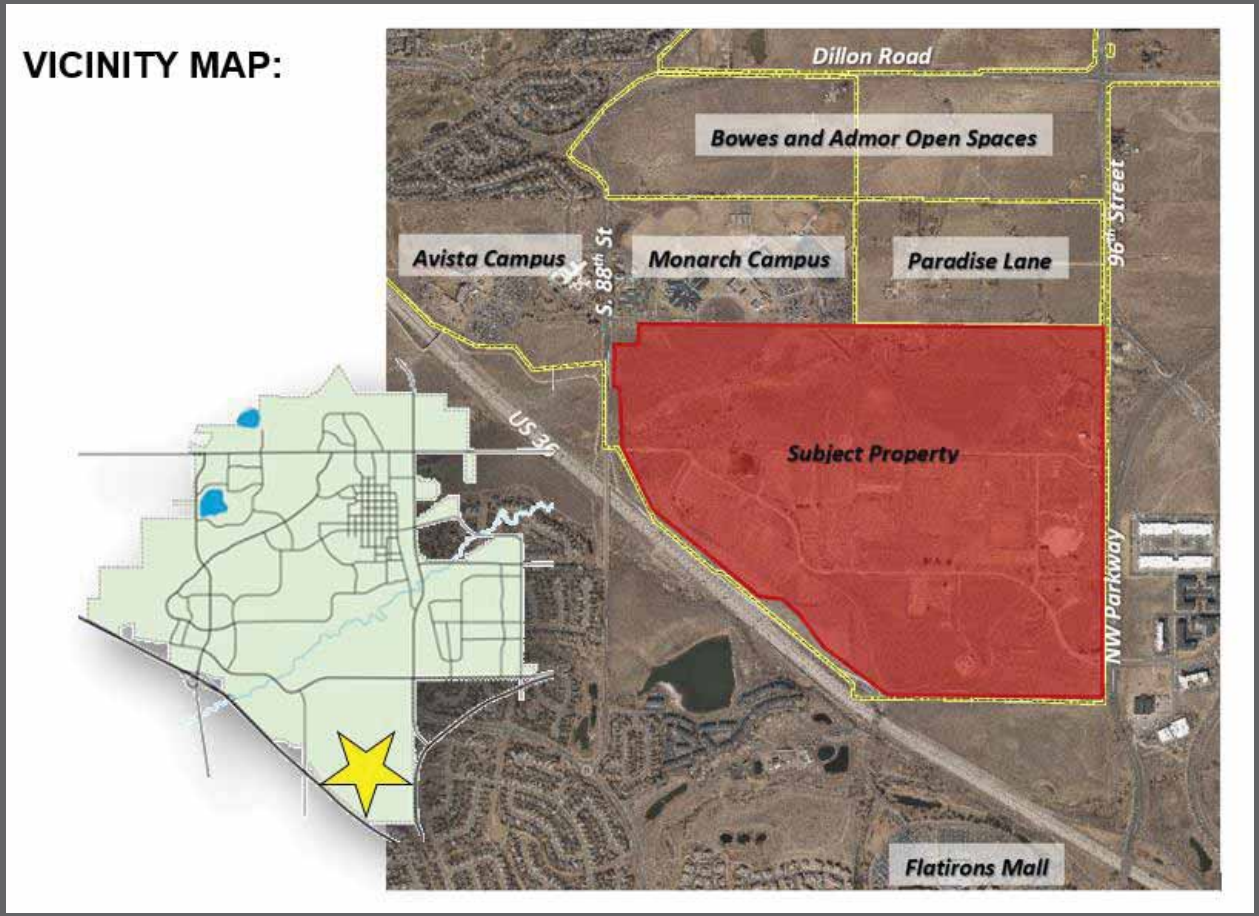
Applicant: Brue Baukol Capital Partners

Requests:

1) Comprehensive Plan Amendment
   - Rural to Suburban
   - Changes to Policies for Land Use, Density and Height

2) General Development Plan Amendment
   - Replace ConocoPhillips Campus GDP
   - Mix of Commercial and Residential Development
   - Includes Open Space, Parks and Trail Dedications and New Internal Road Network

Redtail Ridge
Vicinity Aerial



Redtail Ridge
Background

Redtail Ridge
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Redtail Ridge
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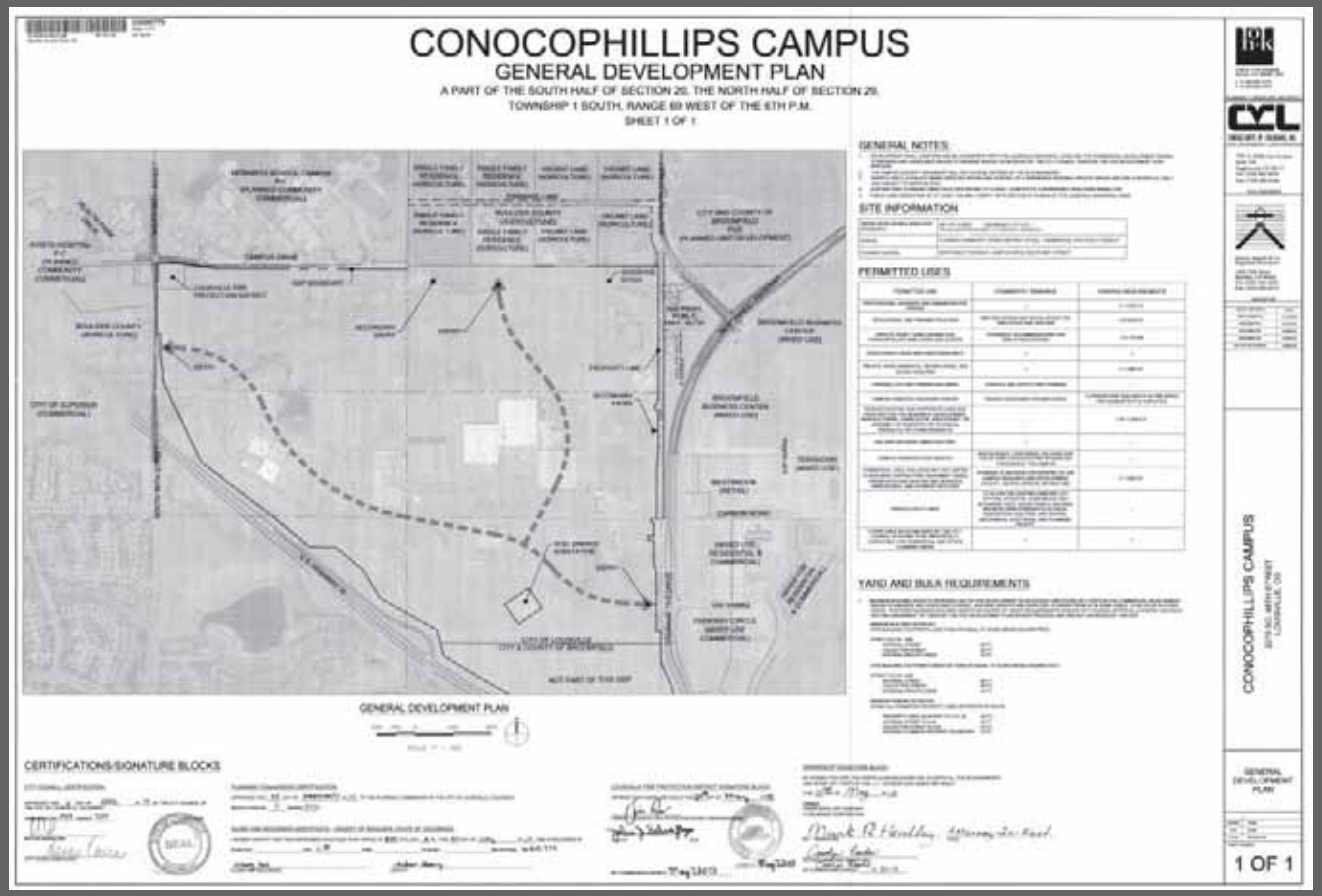
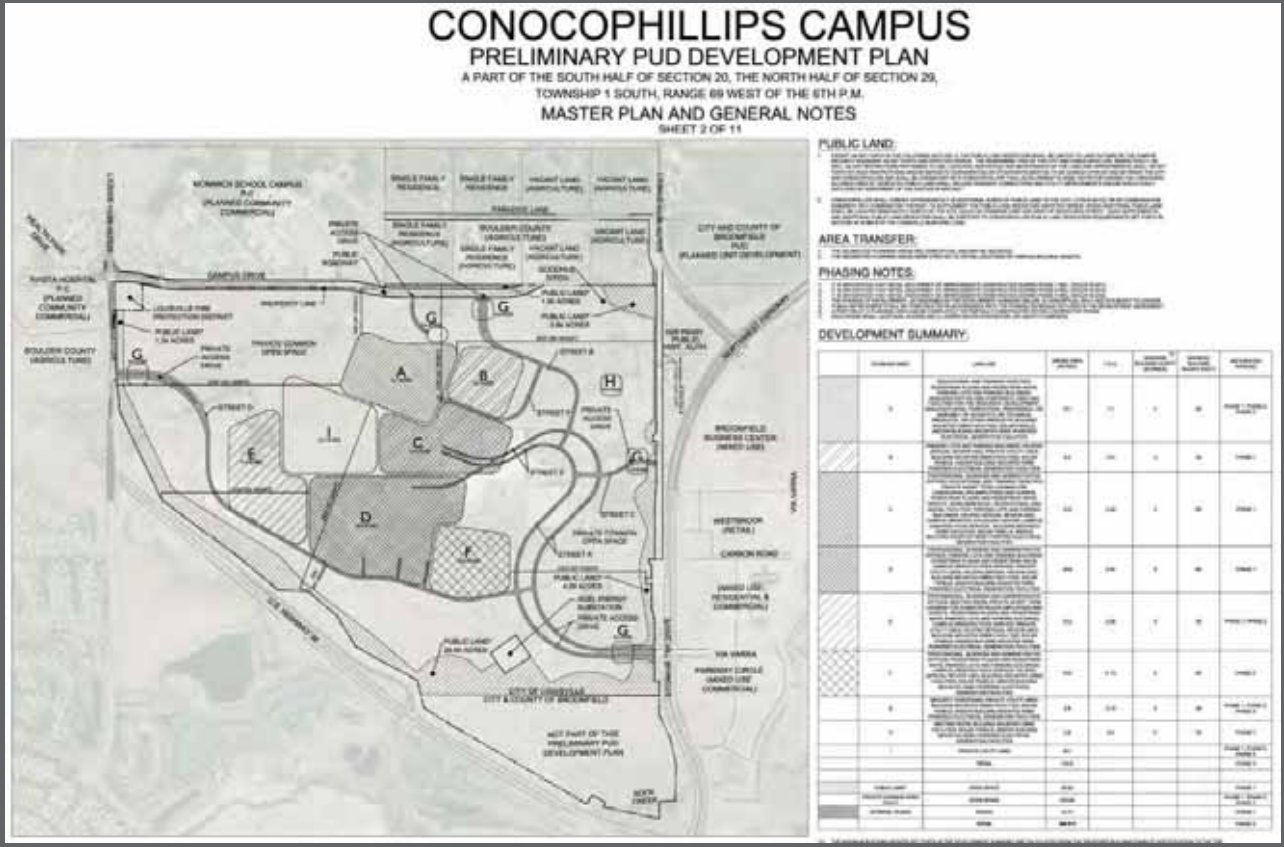


Redtail Ridge
Background



Redtail Ridge
Background

Metro District Formation

- City Council Service Plan Approval in February
- Election to Form Districts in May
- Allows up to 60 Mills in Property Tax. 50 Mills to Fund Infrastructure, and 10 Mill for Operations
- Debt Issuance Up to $168,750,000 with Maximum 40 Year Term
- Conditional City Approval – Comp Plan Amendment and Final Cost Estimates Approved with Final Plat

Redtail Ridge
Comp Plan Proposal

Comprehensive Plan Amendment

- Not Regulatory Document, but GDP and any Future PUDs Need to be Consistent with Comp Plan Polices
- Designated as Phillips 66 Special District

- Proposal
  - ✓ Change Special District Designation from Rural to Suburban
  - ✓ Density Policy Change from .25 FAR to .5 FAR (Max. of 3,185,325 sq. ft. to 6,370,650 sq. ft.)
  - ✓ Specifies Heights up to 5 Stories for Phillips 66 Special District
  - ✓ Changes Block Length Standard from Undefined to 1,000-2,000 ft.
  - ✓ Changes Land Use Mix to include Senior Living and Multi Family Residential, Healthcare and Lodging

Redtail Ridge
Comp Plan Proposal

The Framework

SPECIAL DISTRICTS

Centennial Valley and Coal Creek Business Park
Centennial Valley is an office park special district located between McCaslin Boulevard and the Davidson Mesa Open Space. The portion of the Centennial Valley Business Park located to the west of Centennial Parkway is suburban and consists of single use large office parcels. The portion of the Special District located to the east of Centennial Parkway is urban and consists of smaller office parcels that are interconnected and have direct bicycle and pedestrian access to the McCaslin Boulevard urban center and urban corridor. The Coal Creek business park is a suburban office park Special District located adjacent to Dillon Road.

Colorado Technology Center (CTC)
The Colorado Technology Center Suburban Special District is located in the southeastern corner of the City and includes a mix of industrial, office, and research and development facilities. This Special District is a key employment center for the City and will continue to be in the future. Design standards will serve to buffer land uses of differing intensities in the special district, and maintain a high quality employment center that responds to the needs of businesses.

96th and Dillon
The 96th Street and Dillon Road Rural Special District serves as the rural gateway to the City of Louisville. The area will include a mix of commercial, institutional, and industrial uses. The uses in this special district will be separated and buffered from the surroundings roads to maintain the appearance of a rural entryway to the City.

Phillips 66
The Phillips 66 Suburban Special District is located in the southern portion of the City and is currently vacant. The land in this location is a unique subarea of the City which contains vital community facilities that provide critical services to the City and also presents a unique regional development opportunity. As such, the central portion of the district is suburban balanced by parks and open space interfacing with the balance of the city via key roadway access and through pedestrian and bicycle trails.

Empire Road
The Empire Road rural special district is situated adjacent to municipal recreational fields (Louisville's baseball and Lafayette's future soccer) and the Mayhoffer agricultural lands. The district serves as a rural gateway to downtown Louisville and provides direct access for Old Town residents to Boulder County's open space and the Coal Creek Trail. The area includes the City's Wastewater Treatment Plant and the Municipal Services Building. The uses and buildings in this special district should celebrate rural entryway to Downtown Louisville and facilitate recreational connections to the Coal Creek Trail.

Land Use Mix
Each Special District's land use mix is unique and customized to each individual area. Generally the land use mix within each areas:

Residential: Allowed only within the Phillips 66 Suburban Special District to provide senior living-related facilities and multi-family residential to support the commercial uses in the Phillips 66 Suburban Special District.

Retail: Encouraged in locations where the use can capitalize on the activity in the special district, or traffic on surrounding roads.

Office: Allowed as the single use on a parcel, or as part of a mixed commercial/industrial building.

Industrial: Allowed as the single use on a parcel, or as part of a mixed commercial/industrial building.

Healthcare: Allowed as part of the senior living related facilities or the mix of land uses within the district.

Lodging: Allowed as part of the senior living related facilities or the mix of land uses within the district.

Institutional: Allowed

Parking: On-site public and private parking associated with a particular use.

Fiscal Performance: Land use mix demonstrates neutral fiscal benefits and positive economic benefits.

Density Range:
Floor Area Ratio - Urban: Up to .75 FAR
Floor Area Ratio - Suburban: Up to .5 FAR
Floor Area Ratio - Rural: Up to .25 FAR

Building Height:
Urban: 2-3 Stories
Suburban: 2-3 Stories generally, but 1-5 stories permitted within the Phillips 66 Suburban Special District
Rural: 3 stories. Additional stories permitted if structures are clustered and located out of the public view shed and buffered by surrounding topography and Open Space.

Building Form and Design
Buildings are oriented towards the property they sit on and serve the unique use requirements of the property.

Infrastructure
Streets: Varied Speeds

Block Length:
Urban: 300-600 Feet
Suburban: 1,000 – 2,000 Feet
Rural: No defined block structure
Public Spaces and Trails: Serving the periphery of the district

Policies
1. Articulate and define Special Districts' specific character expectations in customized general development plans adopted by City Council.
2. Create walkable special districts that are connected to the rest of the City through sidewalks and pedestrian and bicycle paths.
3. Encourage internal services which meet the daily needs of the people working in the district.
4. Establish new design guidelines, replacing the CDDSG and iDDSG, to address building placement, block structure, landscaping, and signage requirements City-wide consistent with proposed character zones of the City.
5. Use form-based design regulations to focus on establishing a street presence along McCaslin Boulevard with both single use commercial buildings and mixed use residential buildings.

Redtail Ridge
General Development Plan (GDP) Proposal

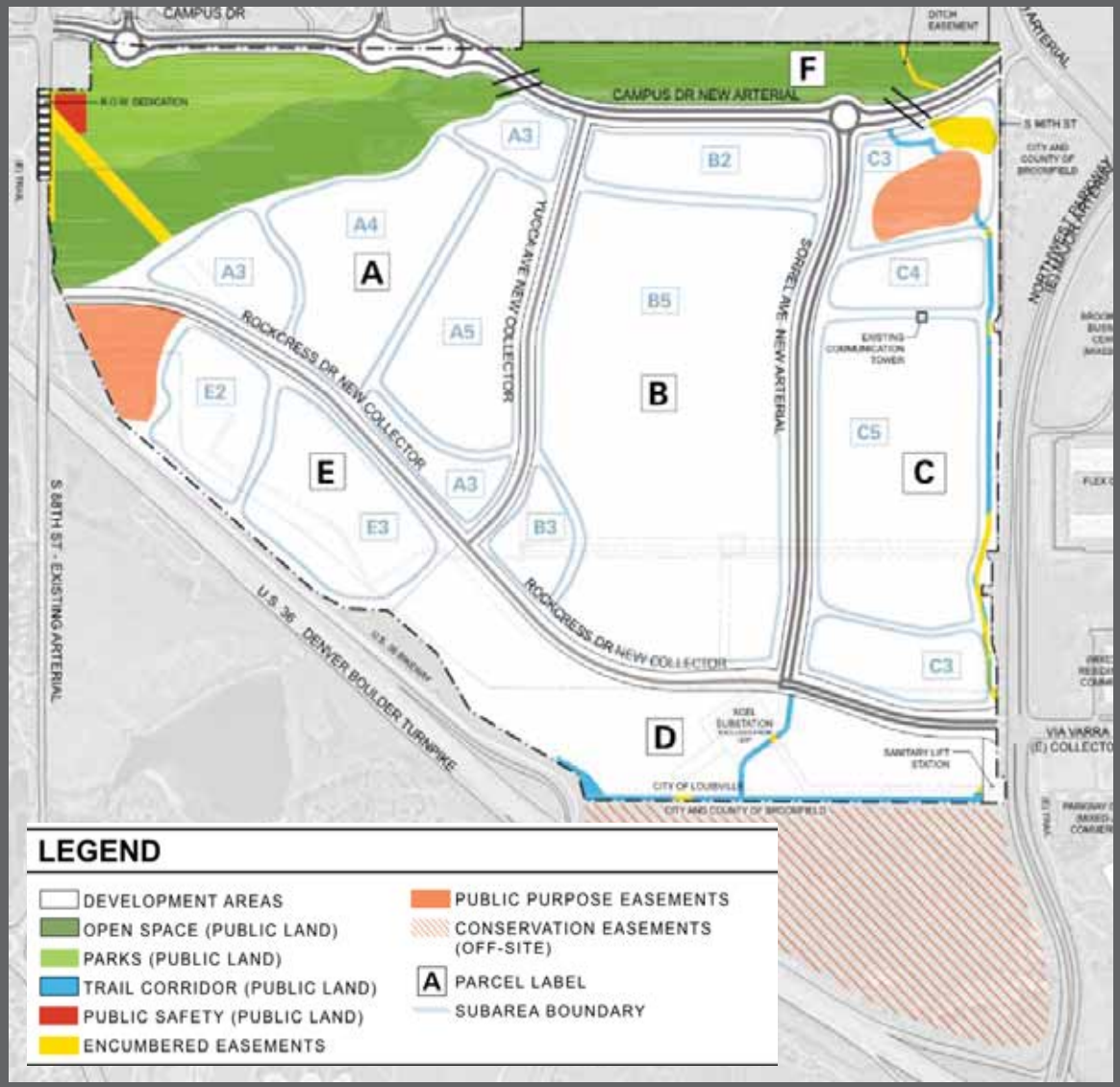
GDP Amendment

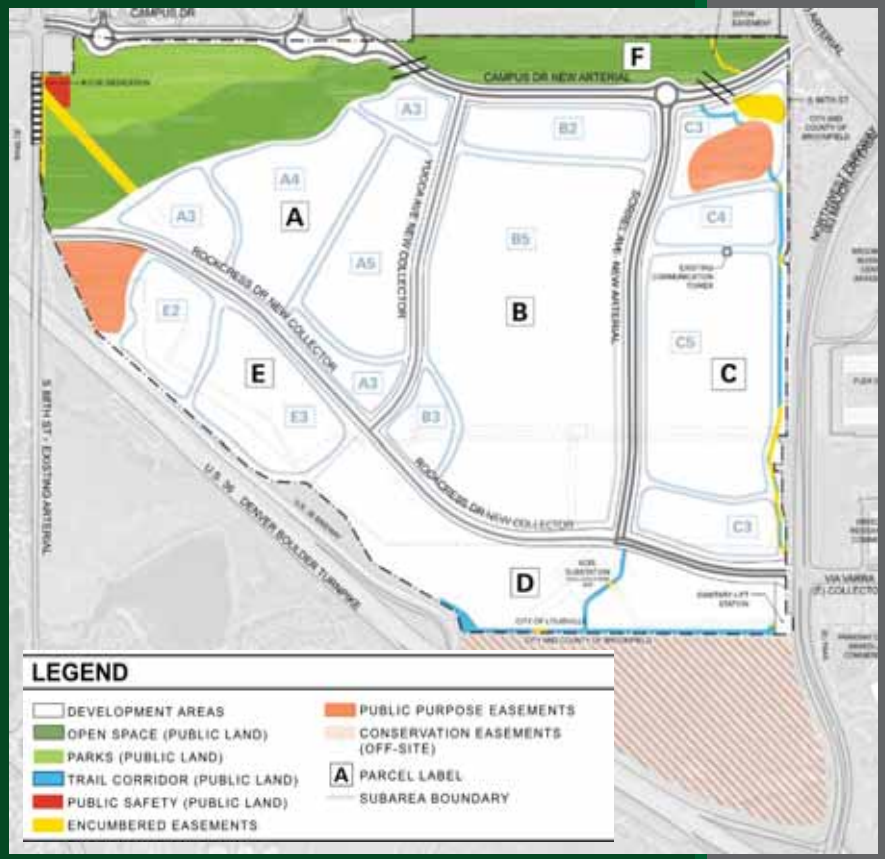
- Zoned Planned Community Zone District (PCZD)

- Requires Adoption of General Development Plan (GDP)
  - ✓ Proposed Land Uses
  - ✓ Type and Character of Development
  - ✓ Number of Dwellings
  - ✓ Location of Parks, Open Spaces, Recreation Facilities and Other Public Facilities
  - ✓ Location, Type and Character of Streets

Redtail Ridge

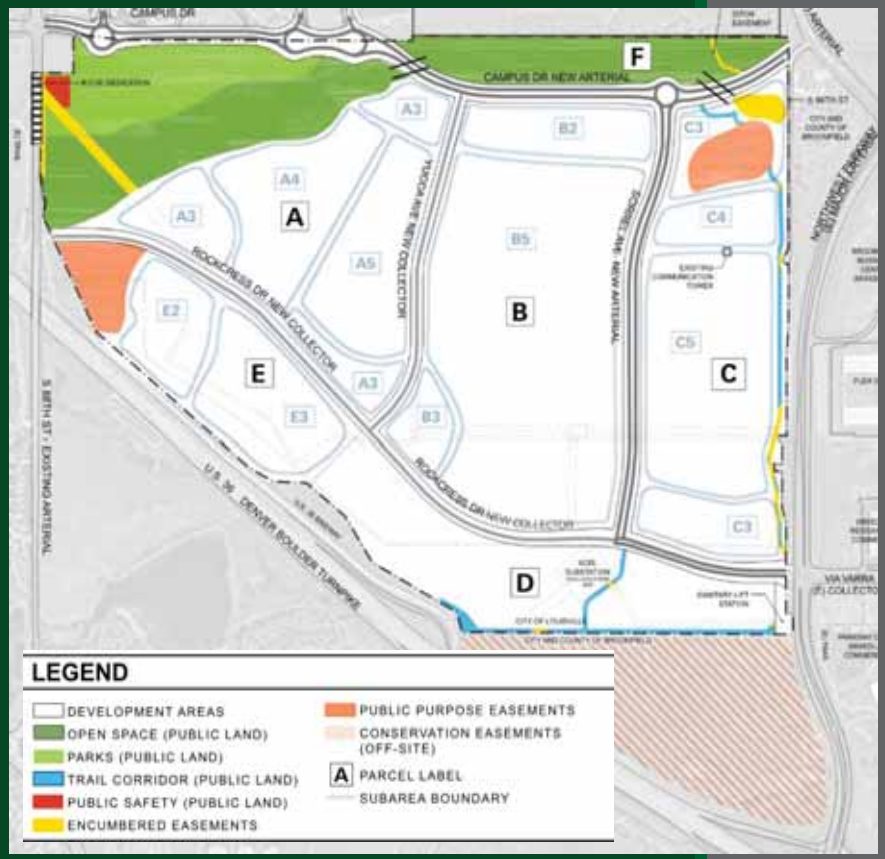
General Development Plan (GDP) Proposal





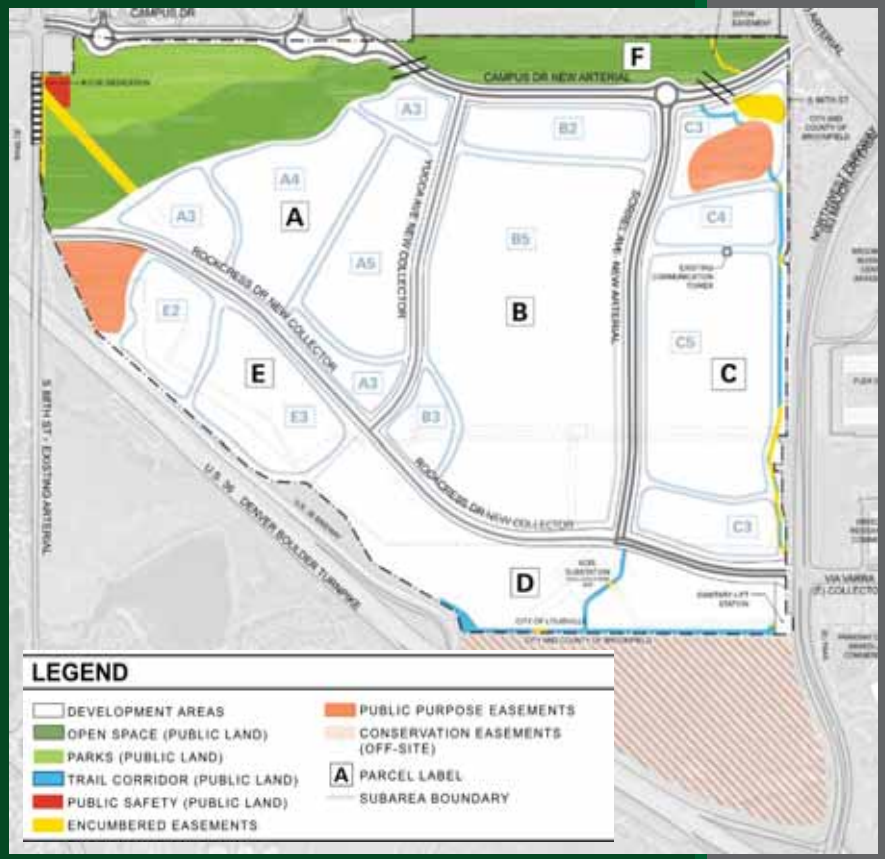
Parcel A

- Senior Living Multi-Family Development
- 1,326 Units and Supporting Accessory Uses
- 1,800,000 Sq. Ft. of Building Area
- Park and Open Space Land Dedications
- Fire Station/Police Annex Dedication



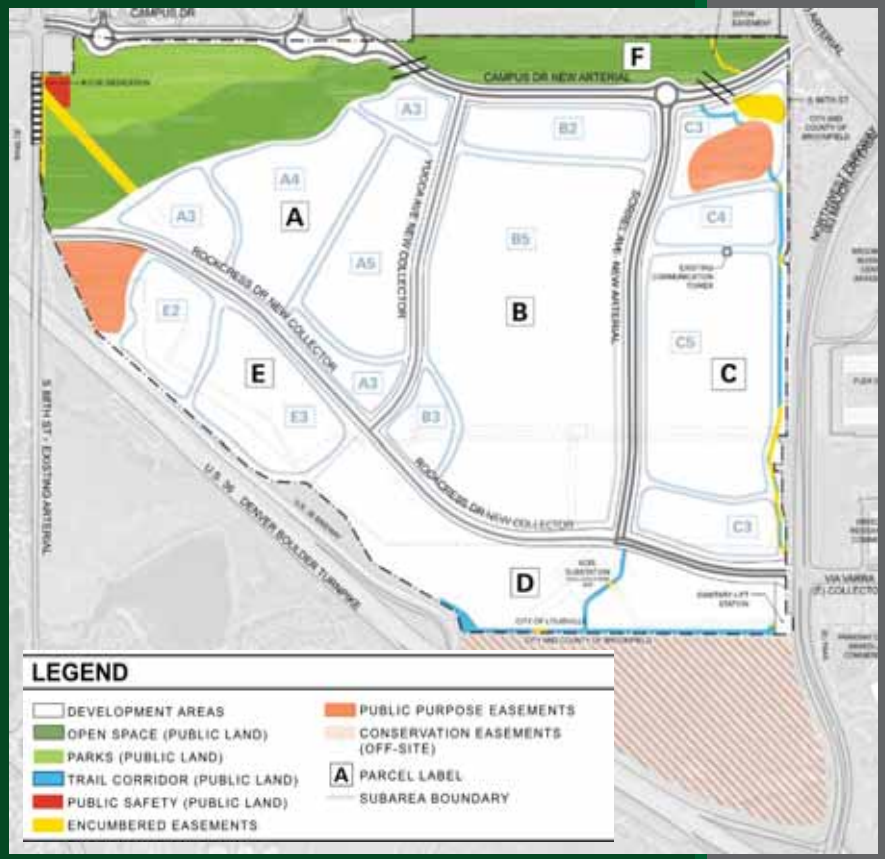
Parcel B

- Anticipated as Single-User Corporate Campus
- 530,000 sq. ft. building area.
- PUD Submitted for Review – Separate Application



Parcels C, D and E

- Mix of Commercial and Residential Uses
- 3,556,000 sq. ft. Transferable Across Parcels
- 900 Multi-Family Residential Units – Anticipated for Parcel C, but Transferable between C and D
- Parcel C Intended as Pedestrian-Oriented Mixed Use Development and Includes Design Standards and Intent for North-South Main Street, and Plaza with Minimum Area of Two Acres
- 224 of 900 Units Designated for Affordable Housing (10% of 2,236 Units Proposed)
- Concurrency Requirement between Residential and Commercial Development
- Trail Dedications

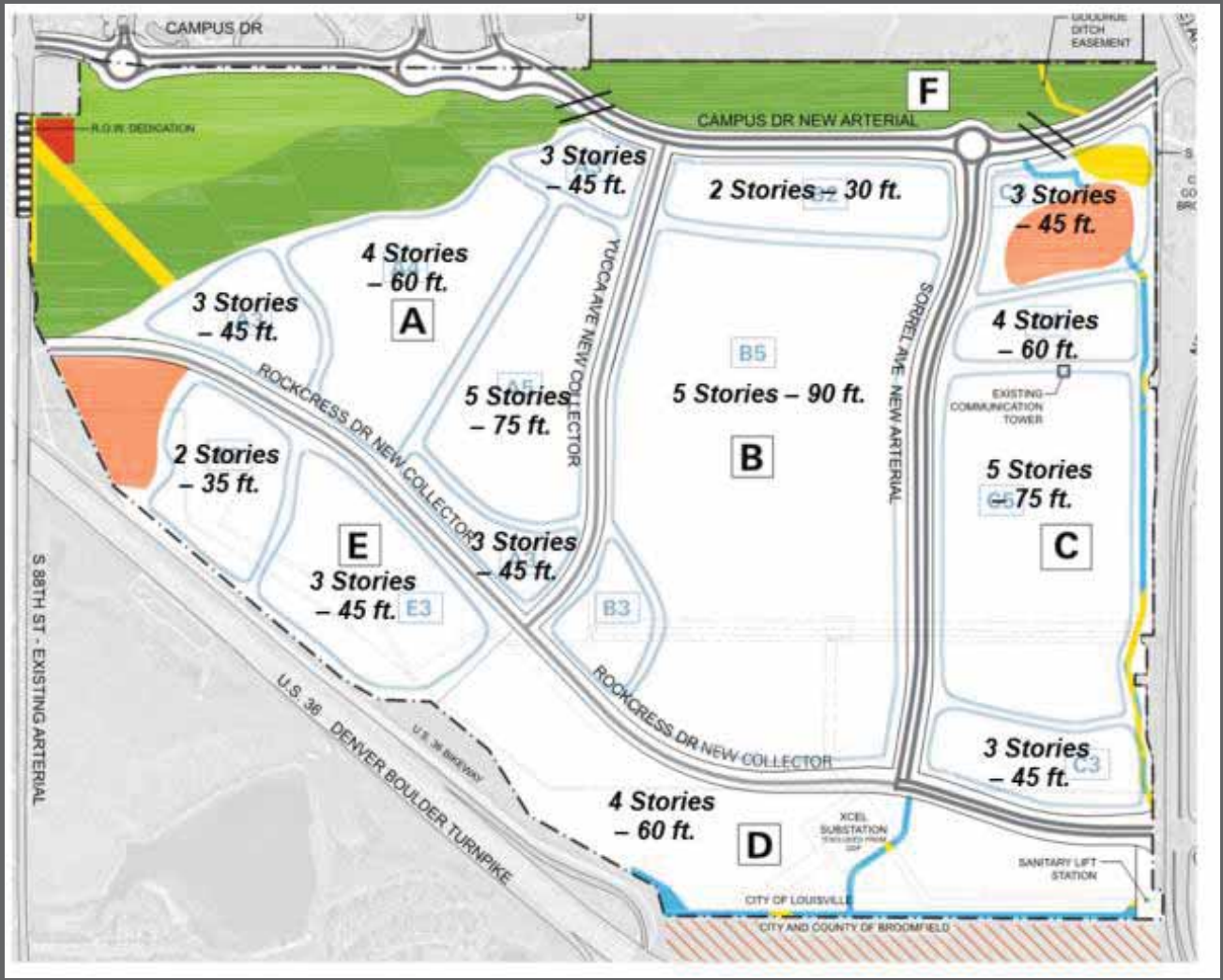


Parcels F

- Open Space and Buffer
- NW Parkway IGA Requires Buffer Area

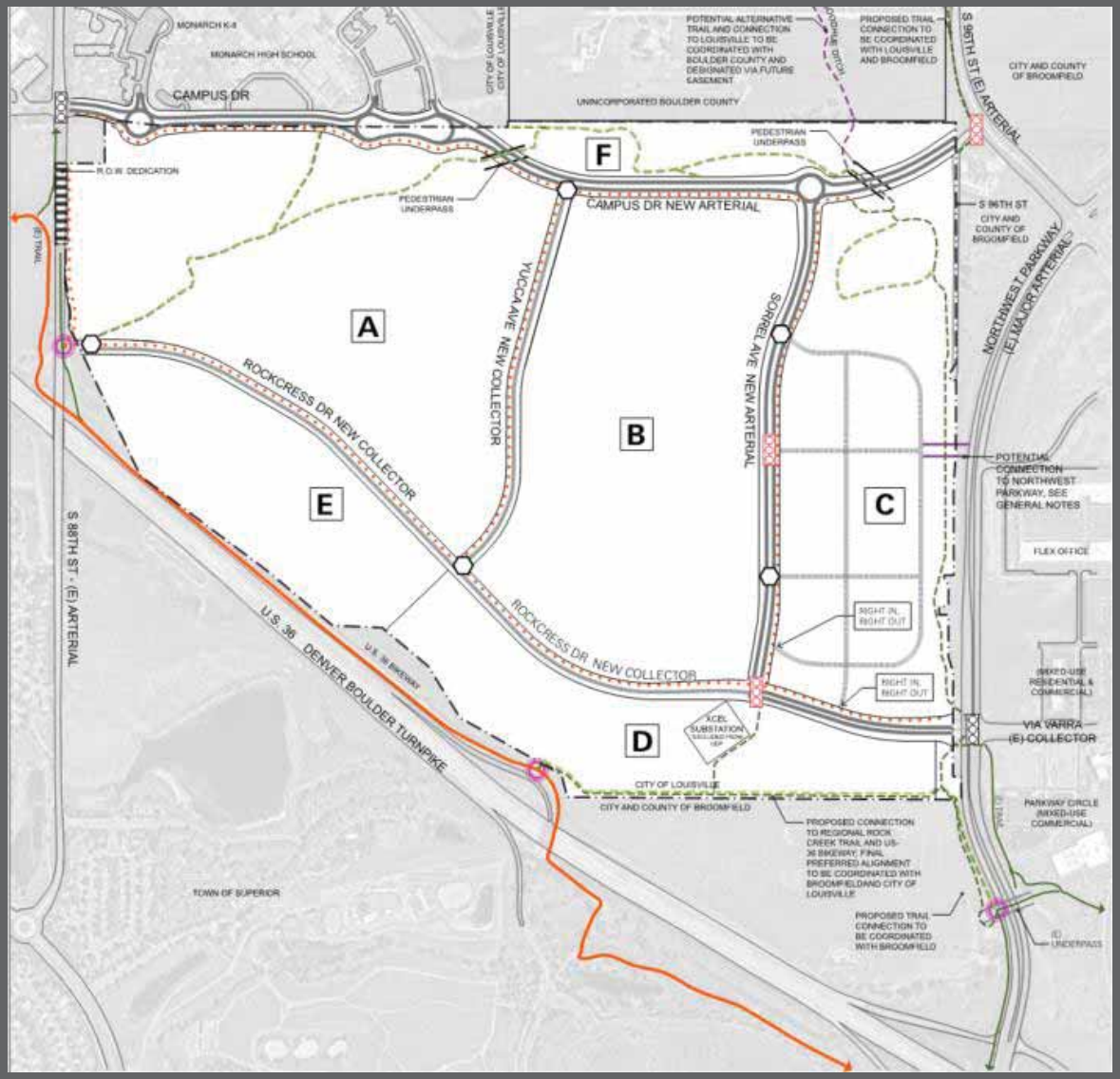
Redtail Ridge

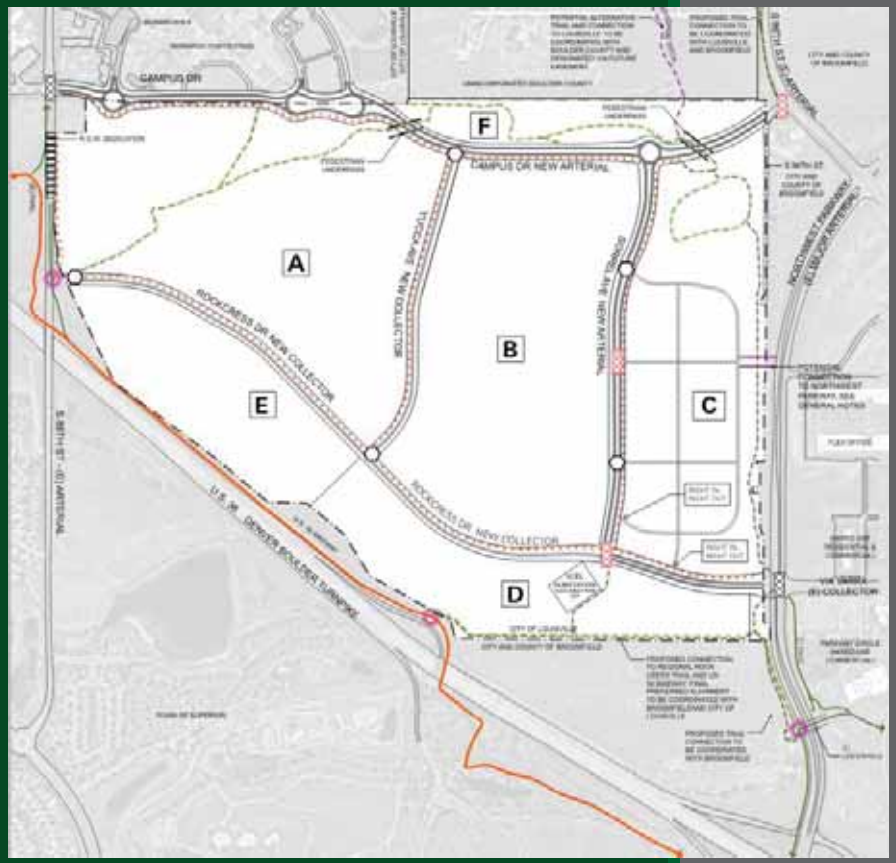
General Development Plan (GDP) Proposal



Redtail Ridge

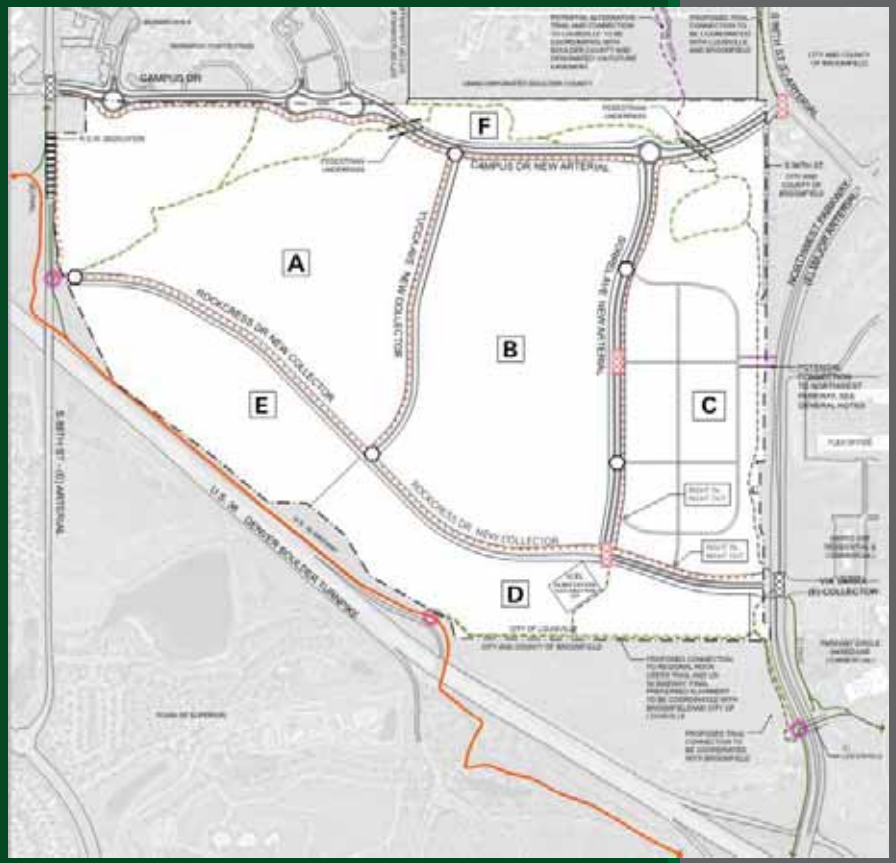
General Development Plan (GDP) Proposal





Street Plan

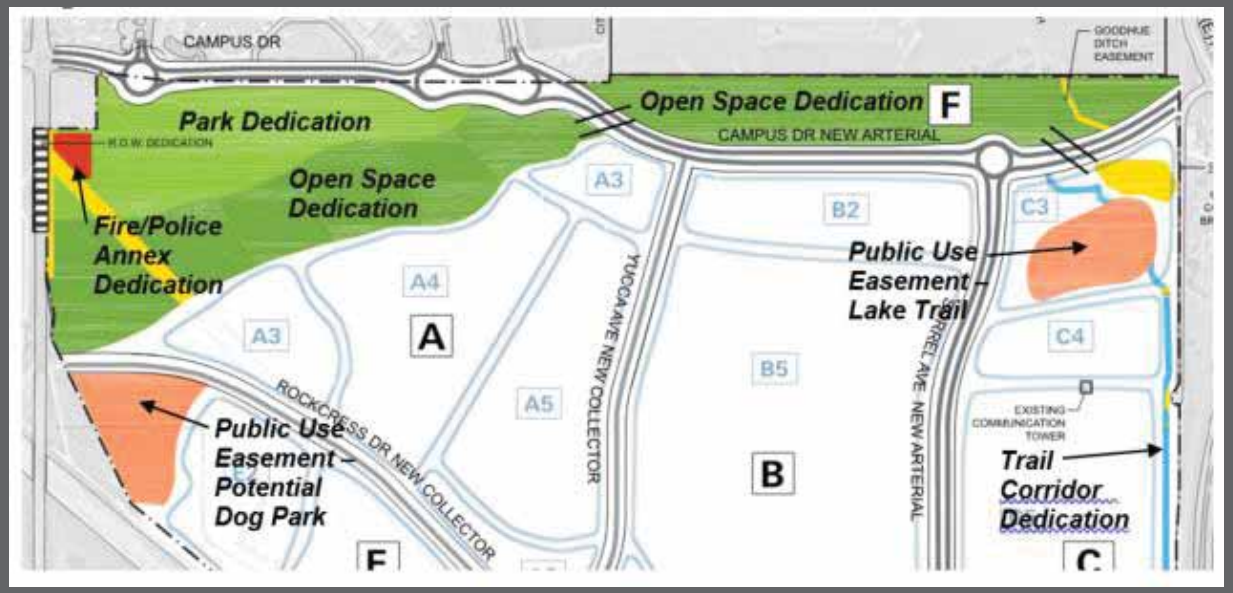
- Extend Campus and expand to 4 Lanes with Roundabout Access to Schools
- Rockcress Drive (Former Tape Drive), Combination of 4-Lane Arterial and 2-Lane Collector
- Two North-South Collectors, Yucca Avenue and Sorrel Avenue



Trail Plan

- All Streets Include Multi-Use Paths and On-Street Buffered Bike Lanes
- Soft and Hard Surface Trail Networks
- Campus Drive Underpasses
- US 36 Bikeway to Rock Creek Trail Connection
- Potential Connection Along Goodhue Ditch to Coal Creek Trail

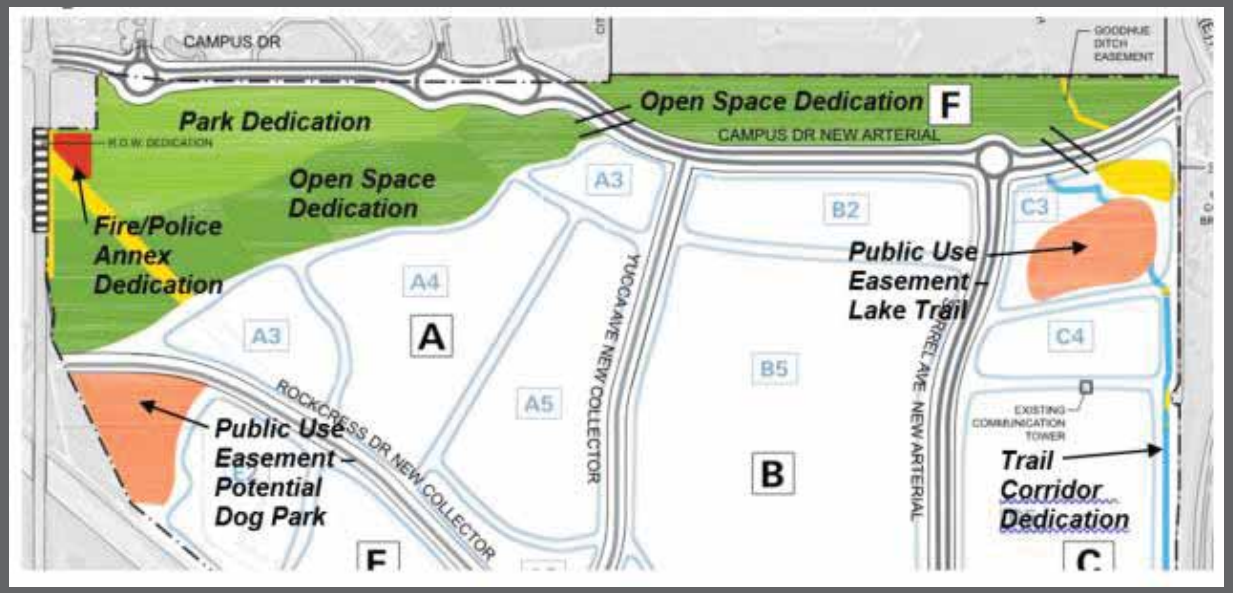
Redtail Ridge
General Development Plan (GDP) Proposal



Public Land Dedications

- 12% Commercial/15% Residential Dedication Requirement
- Minimum of 42 Acres Required and 59.6 Acres Provided
- Parks, Open Space, Trail Corridors and Fire/Police Station

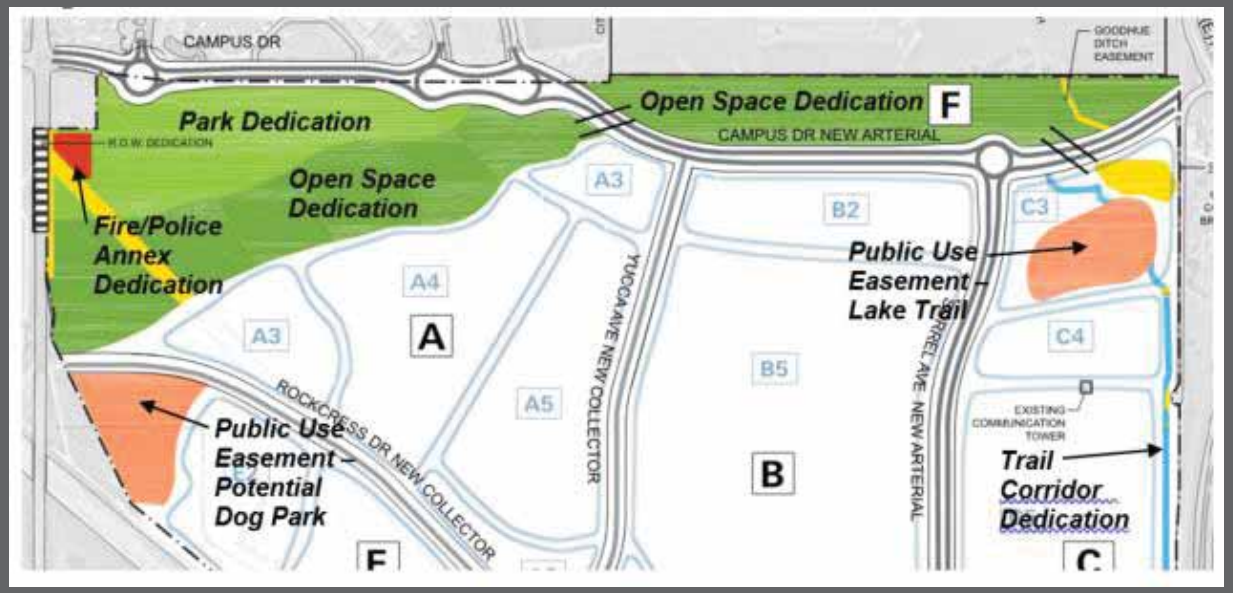
Redtail Ridge
General Development Plan (GDP) Proposal



Other Public Land Dedications

- Public Use Easements Proposed, Approx. 9 Acres (Potential Dog Park and Lake Trail)
- Applicant Requests this Satisfy Any PUD Open Space Requirements (Excluding Consideration of Waivers)
- Conservation Easement on Broomfield Parcel

Redtail Ridge
General Development Plan (GDP) Proposal



Open Space, Parks and Recreation Boards

- Open Space Advisory Board (OSAB), Parks and Public Landscaping Advisory Board (PPLAB), and Recreation Advisory Board (RAB) Have Reviewed and Support Concept as Proposed

Redtail Ridge
General Development Plan (GDP) Proposal

Height and Density Analysis

	Max. Building Area	*Primary Permitted Use Summary*
ConocoPhillips Campus GDP	2,500,000 sq. ft.	Research, office, training manufacturing
Redtail Ridge GDP	5,886,000 sq. ft.	Commercial, retail and multi-family residential, including senior living (2,226 total dwelling units)

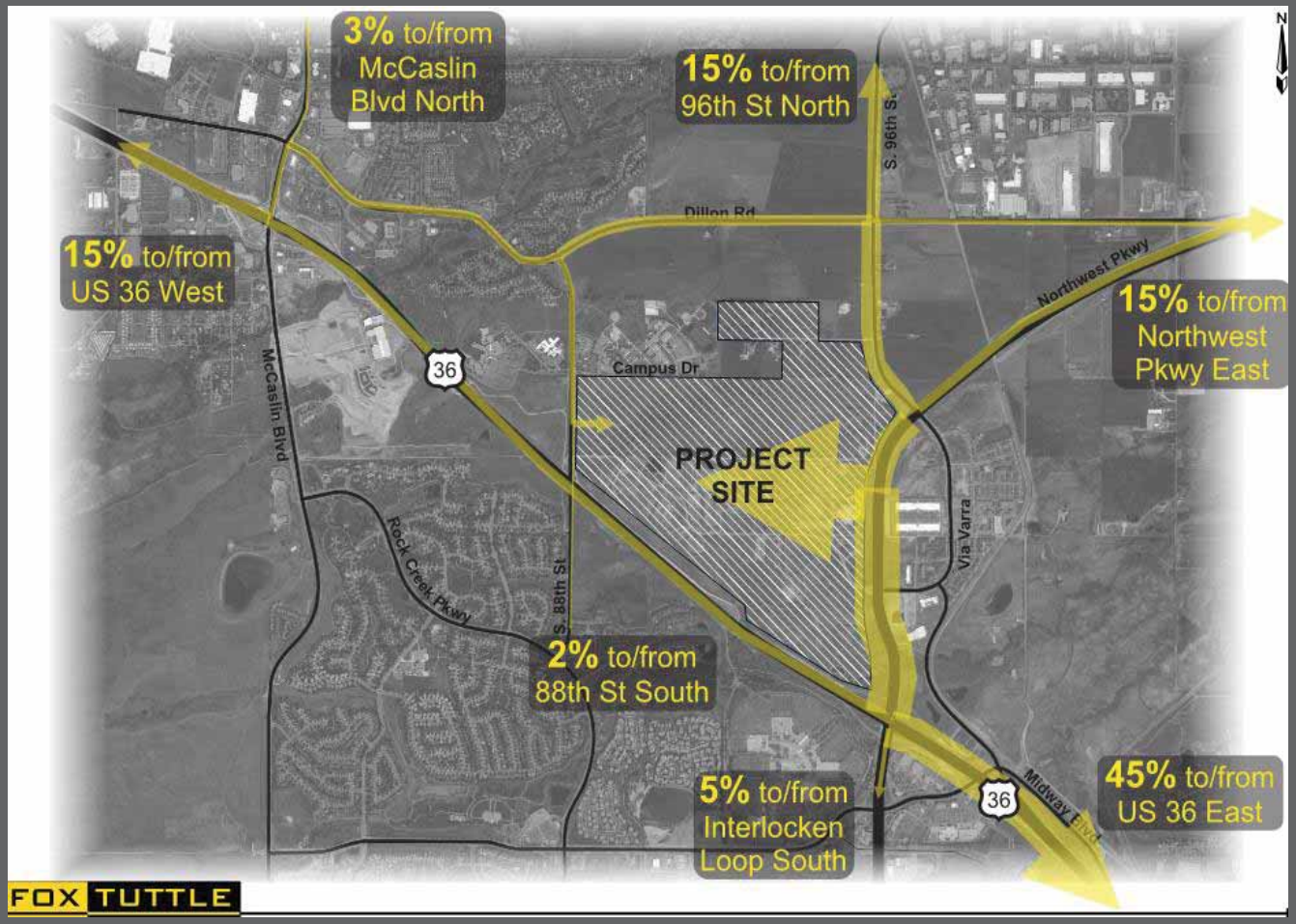
Redtail Ridge
General Development Plan (GDP) Proposal

Market Analysis

- Market Trends and Potential for Proposed Land Uses and Phasing
- Projects the Addition of 8,440 Jobs at Full Buildout (Existing Employment Base 14,510 Estimated in 2017)
- Projects Regional Housing Demand Impact of 6,189 Units

Redtail Ridge
General Development Plan (GDP) Proposal

Traffic and Mobility Study



Redtail Ridge
General Development Plan (GDP) Proposal

Traffic and Mobility Study

- Estimates 27,274 New Daily Vehicle Trips, 2,382 AM and 2,646 PM Peak Hour Weekday Trips
- Assumes Aggressive Non-SOV Adjustments Due to Transportation Demand Management and Mixed Use
- Evaluates Level Of Service at Key Intersections and Makes Recommendations on Short and Long Term Road Improvements

Redtail Ridge
General Development Plan (GDP) Proposal

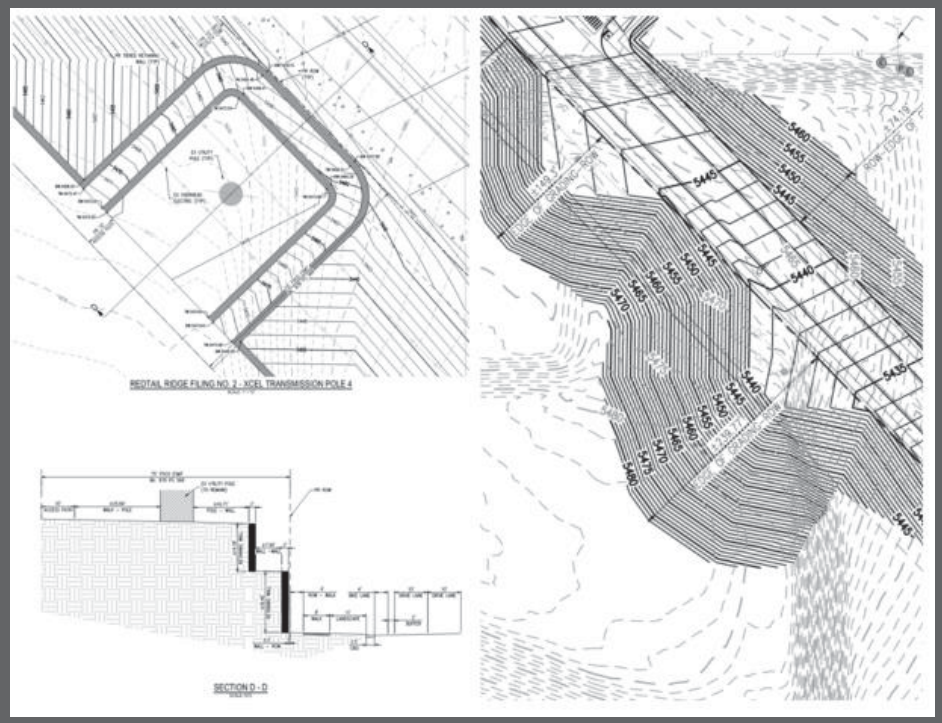
Traffic and Mobility Study

- Recommended Road Improvements
  - ✓ Expand Portions of 96th and 88th Streets to 4 Lanes
  - ✓ New Intersection at Campus Drive/NW Parkway
  - ✓ Intersection Improvements at Rockcress/88th, Rockcress/NW Parkway, 88th/Dillon, NW Parkway/96th
  - ✓ US 36 Interchange Fails Without Improvements in 2030
  - ✓ Rockcress/NW Parkway and 96th/NW Parkway Fail Without Improvements in 2040

Redtail Ridge
General Development Plan (GDP) Proposal

Site Grading

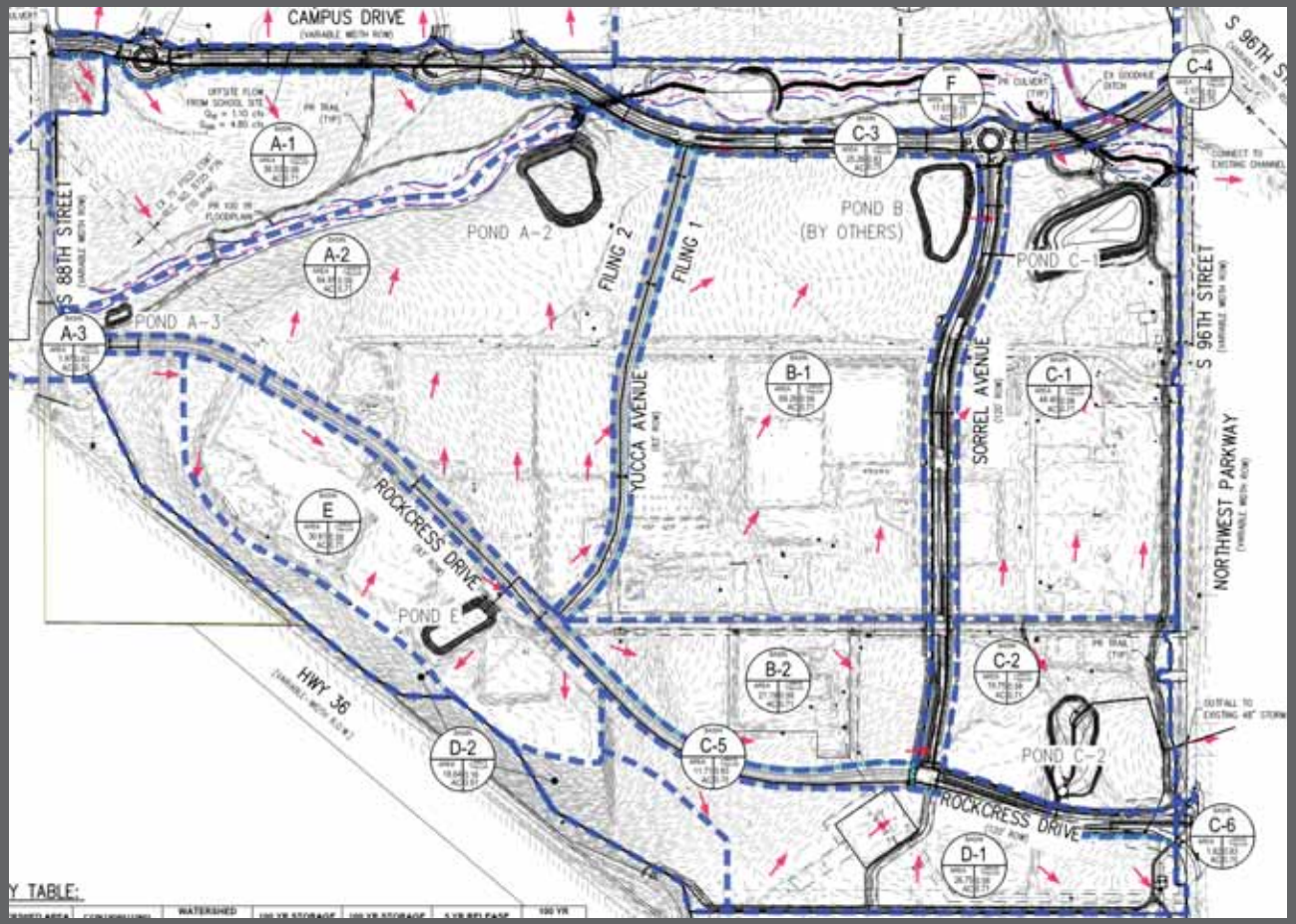
- No Over Lot Grading Planned
- Significant Grading Around Streets
- Rockcress Drive Grading Would Need to Accommodate Electric Transmission Lines



Redtail Ridge

General Development Plan (GDP) Proposal

Drainage

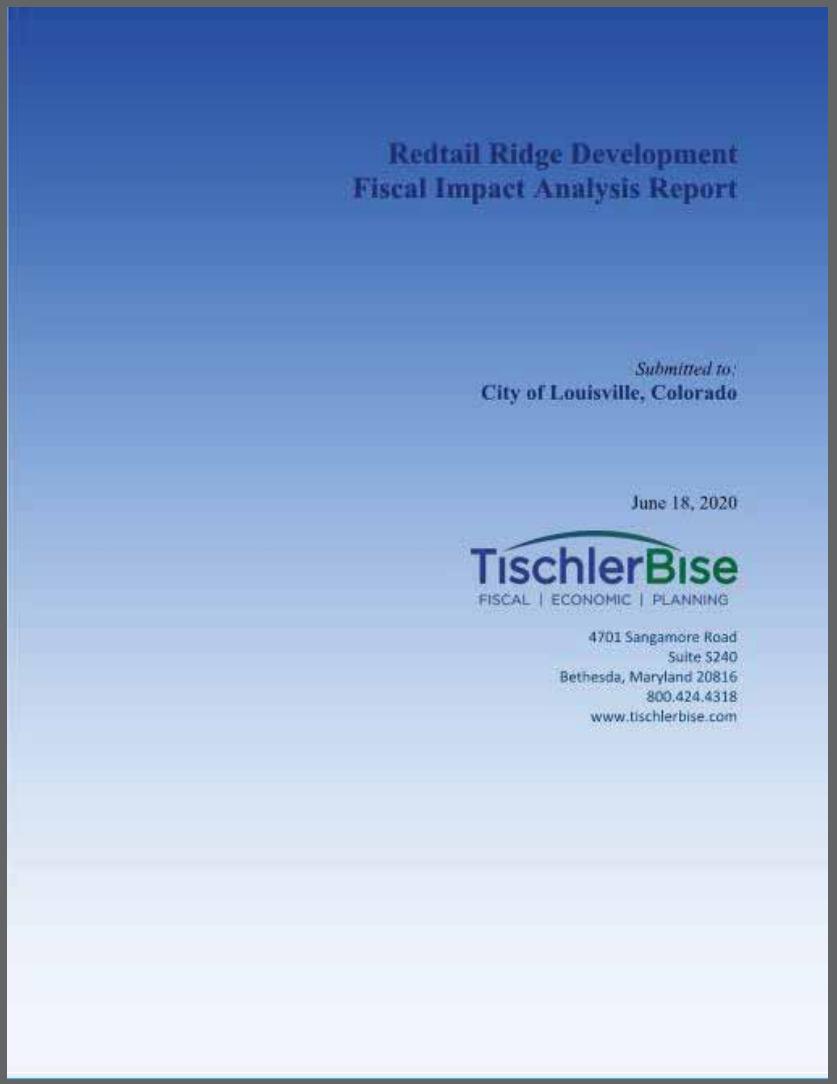


Redtail Ridge
General Development Plan (GDP) Proposal

Fiscal Analysis

- Evaluate Costs for Expanded City Services and Revenues from Development
- 20 Year Outlook
- Compared Existing GDP to Proposed
- Expanded Services for New Residents and Employees
- Ongoing City Maintenance
  - ✓ 4.5 Miles New Road/9 Miles New Multi Use Paths
  - ✓ 2.7 Miles of New Trail Corridor
  - ✓ 39.7 Acres Open Space
  - ✓ 15.6 Acres Parks
  - ✓ 9.5 Acres Public Use Easements
  - ✓ Sewer and Water Plant Expansions and Service Lines

Redtail Ridge
Fiscal Impact Analysis



Redtail Ridge Development
Fiscal Impact Analysis Report

Submitted to:
City of Louisville, Colorado

June 18, 2020

TischlerBise
FISCAL | ECONOMIC | PLANNING

4701 Sangamore Road
Suite S240
Bethesda, Maryland 20816
800.424.4318
www.tischlerbise.com

Redtail Ridge
Fiscal Impact Analysis

Comprehensive Plan. p. 55, Fiscal Health

A community's fiscal environment can be described as a "three-legged" stool, balancing nonresidential development, municipal services and amenities and residential development. The first "leg" of the stool nonresidential development - provides the vast majority of revenues to support municipal services. Municipal services and amenities, the second "leg," attract residents and maintain their quality of life. The third "leg" residential development generates the spending and employees to support nonresidential business. Fiscal sustainability of the community relies on this type of balance, which must continually be maintained, even through changing economic cycles.

Redtail Ridge
Fiscal Impact Analysis

Downtown and the Highway 42 Revitalization District
Fiscal Performance: Land use mix demonstrates positive fiscal benefits

McCaslin Boulevard (South of Cherry)
Fiscal Performance: Land use mix demonstrates strong fiscal benefits

McCaslin Boulevard Corridor (North of Cherry Street)
Fiscal Performance: Land use mix demonstrates positive fiscal benefits

Highway 42 and South Boulder Road
Fiscal Performance: Land use mix demonstrates positive fiscal benefits

South Boulder Road and Highway 42 Corridors
Fiscal Performance: Land use mix demonstrates positive fiscal benefits in the urban corridor, and may demonstrate neutral fiscal returns in the suburban corridors

Special Districts (CTC, 96th/Dillon, Phillips 66, Empire Road)
Fiscal Performance: Land use mix demonstrates neutral fiscal benefit and positive economic benefits

Redtail Ridge
Fiscal Impact Analysis

Special Districts

Fiscal Performance: Land use mix demonstrates neutral fiscal benefit and positive economic benefits

Fiscal Impact Model Review

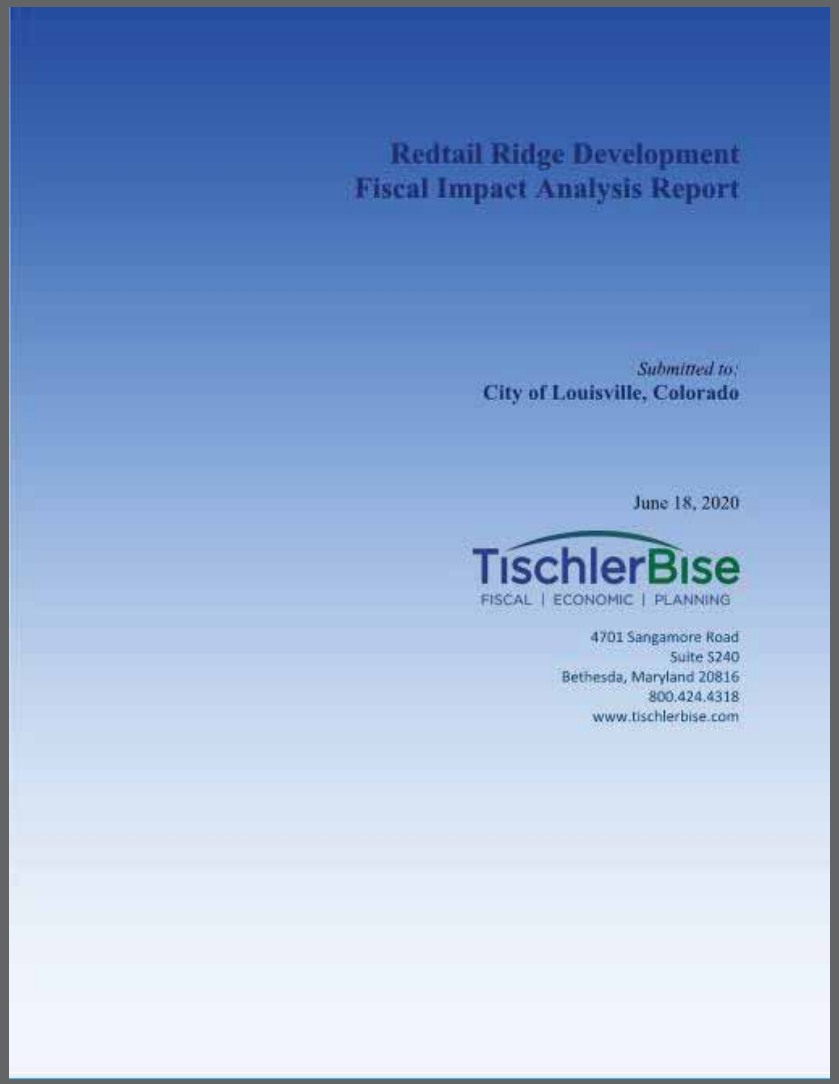
Fiscal Models Can Help:

- Ensure new developments have sustainable funding for City capital and services
- Evaluate fiscal impact of different land use scenarios and changes

Fiscal Models Do Not Evaluate:

- Character and amenities provided by development
- Social and environmental impacts
- Market probability

Redtail Ridge
Fiscal Impact Analysis



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Comprehensive Plan Analysis Criteria

Core Community Values

The following Core Community Values are the foundation upon which the City of Louisville will make decisions and achieve the Community's vision.

We Value...

A Sense of Community . . . where residents, property owners, business owners, and visitors feel a connection to Louisville and to each other, and where the City's character, physical form and accessible government contribute to a citizenry that is actively involved in the decision-making process to meet their individual and collective needs.

Our Livable Small Town Feel . . . where the City's size, scale, and land use mixture and government's high-quality customer service encourage personal and commercial interactions.

A Healthy, Vibrant, and Sustainable Economy . . . where the City understands and appreciates the trust our residents, property owners, and business owners place in it when they invest in Louisville, and where the City is committed to a strong and supportive business climate which fosters a healthy and vibrant local and regional economy for today and for the future.

A Connection to the City's Heritage . . . where the City recognizes, values, and encourages the promotion and preservation of our history and cultural heritage, particularly our mining and agricultural past.

Sustainable Practices for the Economy, Community, and the Environment . . . where we challenge our government, residents, property owners, and our business owners to be innovative with sustainable practices so the needs of today are met without compromising the needs of future generations.

Unique Commercial Areas and Distinctive Neighborhoods . . . where the City is committed to recognizing the diversity of Louisville's commercial areas and neighborhoods by establishing customized policies and tools to ensure that each maintains its individual character, economic vitality, and livable structure.

A Balanced Transportation System . . . where the City desires to make motorists, transit customers, bicyclists and pedestrians of all ages and abilities partners in mobility, and where the City intends to create and maintain a multimodal transportation system to ensure that each user can move in ways that contribute to the economic prosperity, public health, and exceptional quality of life in the City.

Families and Individuals . . . where the City accommodates the needs of all individuals in all stages of life through our parks, trails, and roadway design, our City services, and City regulations to ensure they provide an environment which accommodates individual mobility needs, quality of life goals, and housing options.

Integrated Open Space and Trail Networks . . . where the City appreciates, manages and preserves the natural environment for community benefit, including its ecological diversity, its outstanding views, clear-cut boundaries, and the interconnected, integrated trail network which makes all parts of the City accessible.

Safe Neighborhoods . . . where the City ensures our policies and actions maintain safe, thriving and livable neighborhoods so residents of all ages experience a strong sense of community and personal security.

Ecological Diversity . . . where the City, through its management of parks and open space and its development and landscape regulations, promotes biodiversity by ensuring a healthy and resilient natural environment, robust plant life and diverse habitats.

Excellence in Education and Lifelong learning . . . where the City allocates the appropriate resources to our library services and cultural assets and where the City actively participates with our regional partners to foster the region's educational excellence and create a culture of lifelong learning within the City and Boulder County.

Civic Participation and Volunteerism . . . where the City engages, empowers, and encourages its citizens to think creatively, to volunteer and to participate in community discussions and decisions through open dialogue, respectful discussions, and responsive action.

Open, Efficient and Fiscally Responsible Government . . . where the City government is approachable, transparent, and ethical, and our management of fiscal resources is accountable, trustworthy, and prudent.

Vision Statement

Established in 1878, the City of Louisville is an inclusive, family-friendly community that manages its continued growth by blending a forward-thinking outlook with a small-town atmosphere which engages its citizenry and provides a walkable community form that enables social interaction. The City strives to preserve and enhance the high quality of life it offers to those who live, work, and spend time in the community. Louisville retains connections to the City's modest mining and agricultural beginnings while continuing to transform into one of the most livable, innovative, and economically diverse communities in the United States. The structure and operation of the City will ensure an open and responsive government which integrates regional cooperation and citizen volunteerism with a broad range of high-quality and cost-effective services.

Redtail Ridge
Comp Plan Amendment Analysis

Comprehensive Plan Analysis Criteria

Sec. 17.64.070 A through D

A. The amendment request is consistent with the goals, policies and intent of the comprehensive plan of the city;

B. The amendment request will not result in adverse impacts to existing or planned services to the citizens of the city;

C. The amendment request demonstrates a need exists for the amendment through either changed conditions or past error which support adjustments to the city's comprehensive plan;

D. The planning commission and/or city council may consider other factors in reviewing an application as they deem appropriate and may request additional information which is necessary for an adequate review and evaluation of the amendment.

Redtail Ridge
General Development Plan Analysis

General Development Plan Amendment

- Needs to be Consistent with Comprehensive Plan Policy
- Purpose of PCZD Zoning
  - ✓ Encourage the Use of Contemporary Land Planning Principles and Coordinated Community Design
  - ✓ An Integrated, Planned Community Development of Sufficient Size to Provide Related Areas for Various Housing Types, Retail and Service Activities, Creation, Schools, and Public Facilities.

Redtail Ridge
Recommendations

Planning Commission Recommendations

Public Hearing Held June 11 and 25

- **Comp Plan Amendment**
  - ✓ **Recommend Denial (Commission Resolution No. 3, Series 2020)**
- **General Development Plan**
  - ✓ **Recommend Denial (Commission Resolution No. 4, Series 2020)**
  - ✓ **Request GDP Be Remanded if City Council Supports Comp Plan Amendment Proposal**

Redtail Ridge
Recommendations

Staff Recommendations

- Comp Plan Amendment
  - ✓ Use Public Hearing to Review Amendment Criteria and Understand Community Support
- General Development Plan
  - ✓ If Commission Supports Comprehensive Plan Policy Changes, Staff Recommends Conditional Approval of the GDP

Redtail Ridge
Recommendations

Staff Recommendations

- General Development Plan Conditions
  - ✓ Lower Transmission Poles Adjacent to Rockcress Drive
  - ✓ Address Outstanding Public Works Comments on Drainage and Utility Plan
  - ✓ Add Note to GDP Requiring Each PUD Application to Demonstrate Acceptable Roadway Capacity Before Development Can Proceed
  - ✓ Require Authorization on Intersection Improvements Outside of City
  - ✓ Add GDP Requirement on Concurrent Employment and Commercial Development with Residential Development

Redtail Ridge
Recommendations

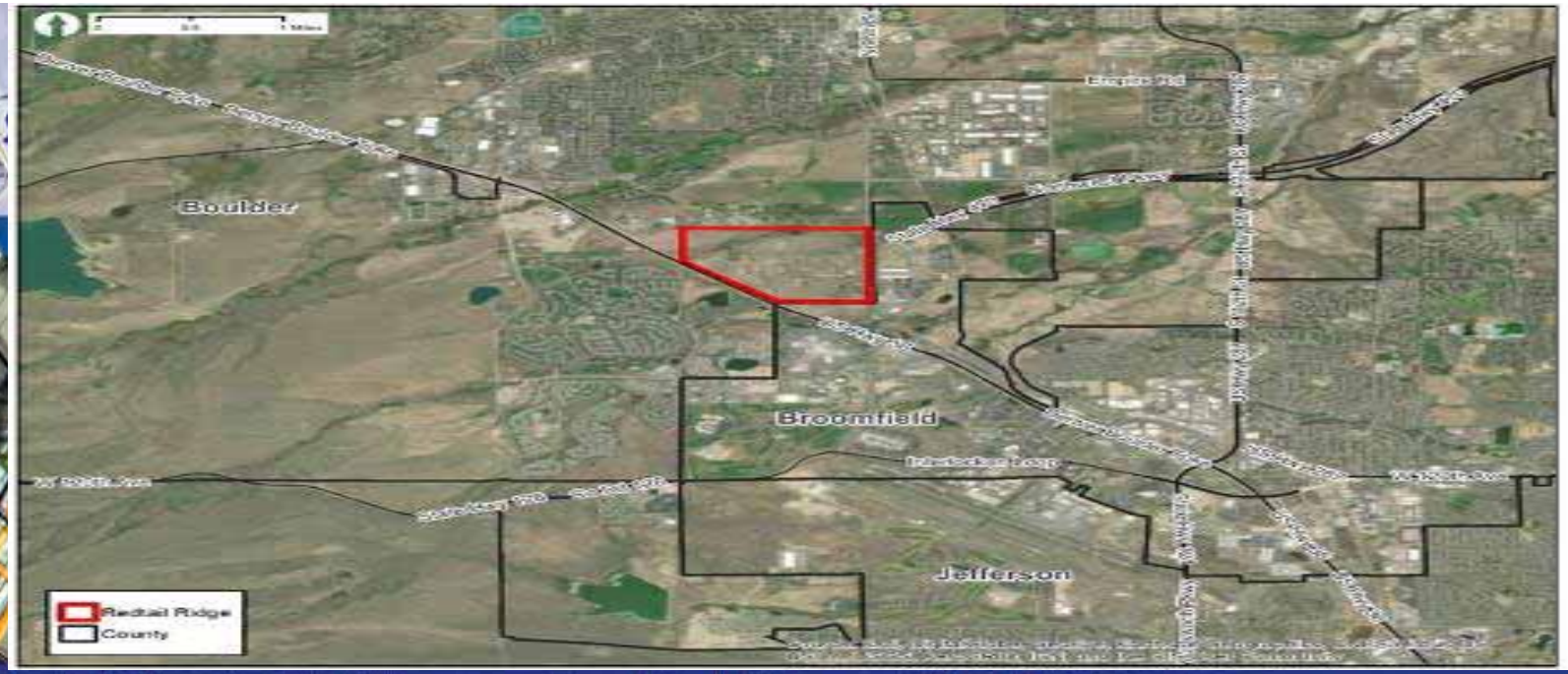
Staff Recommendations

- Concurrency Requirements
  - ✓ 600 Units of Residential Development on Parcel A Allowed with First Phase of Corporate Campus Development on Parcel B. All Phases of Residential Development Allowed on Parcel A Following Completion of All Phases of Corporate Campus Development on Parcel B
  - ✓ Limit Residential Development on Parcels C and D to 300 Units Until 1,500,000 Sq. Ft. of Commercial Development, Inclusive of 25,000 Sq. Ft. of Retail Development is Achieved in GDP Planning Area

Redtail Ridge

Options for Council Action

- Comp Plan Amendment
  - ✓ Direct Staff on Resolution of Approval
  - ✓ Direct Staff on Resolution of Denial
  - ✓ Continue Hearing
  - ✓ Remand to Planning Commission with Direction/Guidance
- General Development Plan
  - ✓ Approve Ord. 1798, Series 2020 with or without Conditions
  - ✓ Deny Ord. 1798, Series 2020
  - ✓ Continue Hearing
  - ✓ If Comp Plan Remanded, GDP Could be Remanded As Well



Fiscal Impact Analysis of Redtail Ridge Proposal

August 4, 2020 City Council Meeting

City of Louisville, Colorado

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Basic Assumptions

- 2019-2020 Biennial Budget is basis for costs and revenue factors
- Assumes existing levels-of-service are maintained
- Results are shown in 2020 dollars
- Base assumptions from the City's Project-Level Fiscal Model is used
  - » Augmented by Redtail Ridge-specific interviews with City departments

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Summary of Net Fiscal Results by Fund

Cumulative Combined Funds Results (x$1,000) - Scenario Comparisons (x$1,000)
City of Louisville
Redtail Ridge Fiscal Impact Analysis

	SCENARIO					
Revenue by Fund	**By Right**	**%**	**Proposed Redtail Ridge**	**%**	**80% Of Proposed Redtail Ridge**	**%**
General Fund	$25,230	43%	$45,137	35%	$34,516	35%
Open Spaces & Parks Fund	$2,031	3%	$5,611	4%	$3,963	4%
Recreation Fund	$812	1%	$9,609	7%	$7,477	8%
Debt Service Fund	$12,080	21%	$15,699	12%	$11,898	12%
Capital Projects Fund	$18,691	32%	$53,893	41%	$39,955	41%
TOTAL REVENUE	**$58,845**	**100%**	**$129,949**	**100%**	**$97,809**	**100%**
Expenditures by Fund						
General Fund	$19,402	68%	$42,495	50%	$38,664	52%
Open Spaces & Parks Fund	$0	0%	$9,224	11%	$8,820	12%
Recreation Fund	$0	0%	$9,649	11%	$8,037	11%
Debt Service Fund	$2,293	8%	$2,354	3%	$1,883	3%
Capital Projects Fund	$6,730	24%	$21,494	25%	$17,639	24%
TOTAL EXPENDITURE	**$28,425**	**100%**	**$85,217**	**100%**	**$75,044**	**100%**
NET FISCAL RESULT BY FUND						
General Fund	$5,828		$2,642		($4,148)	
Open Spaces & Parks Fund	$2,031		($3,613)		($4,856)	
Recreation Fund	$812		($40)		($560)	
Debt Service Fund	$9,788		$13,345		$10,015	
Capital Projects Fund	$11,961		$32,399		$22,316	
NET FISCAL IMPACT	**$30,420**		**$44,732**		**$22,766**	
AVERAGE ANNUAL NET IMPACT	**$1,521**		**$2,237**		**$1,138**	

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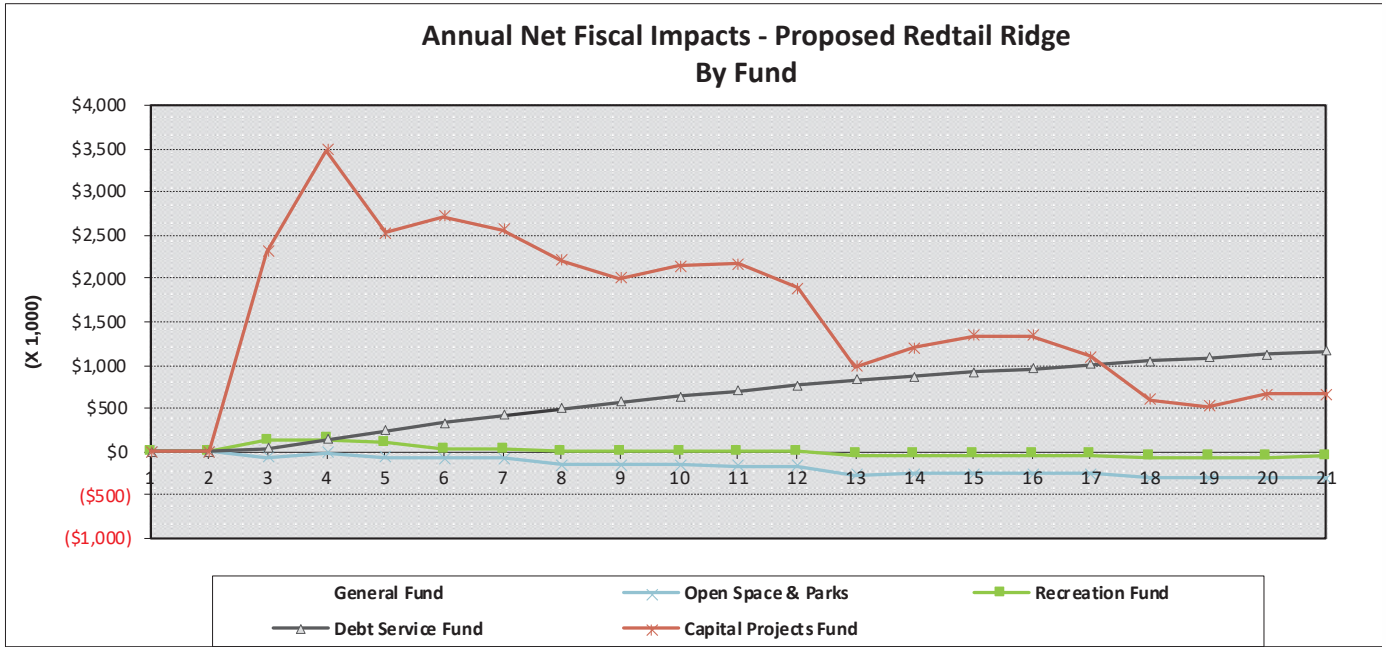
Annual Net Fiscal Results



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Analysis Highlights

- The Proposed Redtail Ridge project generates a positive overall (combined Fund) fiscal result
  - » General Fund: $133,000 annual average net surplus
  - » Open Space & Parks Fund: $181,000 average annual net deficit
  - » Recreation Fund: $2,000 average annual net deficit
  - » Debt Service Fund: $667,000 average annual net surplus
  - » Capital Projects Fund: $1.6 million average annual net surplus
- Mixed-use nature of the Proposed Redtail Ridge gives the site a better economic balance than the by-right use
  - » Generates more sales tax
  - » Housing opportunities for different market segments
  - » Opportunity to capture more sales tax revenue over time with changes to City offerings
- Deficits to Open Space & Parks and Recreation Funds are not surprising
  - » Both Funds are currently subsidized by the General Fund

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Analysis Highlights

- The surpluses generated to the Debt Service Fund occur because the existing City debt service expenditures are not directly attributable to the Proposed Redtail Ridge development
  - » These surpluses will ”free up” pressure on the General Fund
- The analysis highlights the City’s reliance on sales and use taxes
  - » There is only 70,000 square feet of retail space proposed out of 2.5 million square feet of nonresidential space
  - » The importance of residential and employment density associated with a mixed-use project is critical, as “organically” demand is generated

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Questions

TischlerBise
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Redtail Ridge-Specific Assumptions

- Factors that influence sales tax generation (Scenario Three assumes 80% of these factors)

Factor	
Annual Spending per Onsite Employee	$650
Household Income Senior Living Units	$88,000
Sales Tax Capture Rate	15%
Household Income Multifamily Units	$64,800
Sales Tax Capture Rate	25%

Source: Economic and Planning Systems Market Study

- Factors that influence property tax generation (Scenario Three assumes 80% of these factors)

Residential Units	Market Value/Unit
Senior Living	$400,000
Multifamily	$350,000

Nonresidential Space	Market Value/SF
Corporate Office	$300
Office	$300
Hotel	$108
Retail	$250

*Source: Brue Baukol; Economic & Planning Systems

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Public Works Assumptions

- Phase I
  - » 2 operations employees ($122,660)
  - » Two plows ($325,000)
  - » Construction inspection costs ($200,000 annually)
  - » Electricity ($20,000 annually)
- Phase II
  - » Electricity ($40,000 annually)
  - » Construction inspection costs ($200,000 annually)
- Phase III
  - » Electricity ($50,000 annually)
- Phase IV
  - » Electricity ($50,000 annually)

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Police Assumptions

- Phase I
  - » Half-time property and evidence person and half-time crime lab person ($64,000)
  - » Two Police Officers ($90,000 each)
- Phase II
  - » One Police Officers ($90,000 annually)
  - » One Sergeant ($146,000 annually)
  - » One Detective ($90,000)
- Phase III
  - » Two Police Officers ($90,000 annually)
  - » One Detective ($90,000)
  - » One Sergeant ($146,000 annually)
- Phase IV
  - » Two Police Officers ($90,000 annually)

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Parks and Open Space Assumptions

- Phase I
  - » Two Open Space Specialist ($54,700 annually)
  - » One Parks Specialist ($54,700 annually)
  - » 3 vehicles ($75,000)
  - » 2 Mowers ($150,000)
  - » Open space maintenance ($35,000 annually)
  - » Park maintenance ($180,000 annually)
- Phase II
  - » One Recreational/Senior Programmer ($68,200 annually)

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Other Department Assumptions

- Library Services Phase I
  - » New Adult Services Department Head ($89,600 annually)
- Finance
  - » Half-time payroll specialist ($28,000 annually)
  - » Half-time accounts payable specialist ($28,000 annually)
- City Services Facility and City Hall Space
  - » Factors a growth-share based on current level-of-service (as does the current City fiscal model)

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BRUE·BAUKOL
CAPITAL PARTNERS
TRYBA ARCHITECTS

Redtail Ridge

AGENDA

1. Welcome and Introductions
2. Site Review
3. Public & Fiscal Benefit
4. Development Costs
5. Responsiveness
6. Current Plan & Key Topics
7. Medtronic Update
8. Closing

OUR TEAM

- We are a **local**, Denver-based group committed to thoughtful development
- The majority of our team **grew up in Boulder County, graduated from CU Boulder and continue to reside in the Louisville area**
- Our portfolio includes mixed-use, senior living, office, industrial, for-sale residential, land development and multifamily projects
- We have developed or currently manage $600 million worth of assets, including:
  - The Foundry, a public-private partnership in Downtown Loveland
  - The Jones District, a 4MM SF mixed-use development at I-25 and Dry Creek
  - Denargo Market, a 13-acre development in Denver's RiNo Art District
  - The Standard at Gateway, a 138-acre development near DIA

CHAD BRUE
CHIEF EXECUTIVE OFFICER & FOUNDER

GEOFF BAUKOL
PRESIDENT & PARTNER

BRUE·BAUKOL
CAPITAL PARTNERS

JORDAN SWISHER
VICE PRESIDENT

GARRETT HONEYMAN
VICE PRESIDENT

OUR TEAM

TRYBA ARCHITECTS

Urban
Design

FOX TUTTLE

Transportation
Planning

HKS HARRIS KOCHER SMITH

Civil
Engineering

CRL

Public
Outreach

GUIDING PRINCIPLES

We are Committed to Investing in Louisville's Vision for a Liveable, Innovative, and Economically Diverse Community

Uniquely
Louisville

Multimodal
Connections

Integrated
Open Space

Balanced
Economy

SITE OVERVIEW

PUBLIC BENEFIT:

1. Dormant Site Opened to the Public
2. Publicly Dedicated Land
3. Trail Network Enhancement
4. Park Land
5. Enhanced Area Access and Circulation
6. Improved Safety

PUBLIC BENEFIT

Dormant Site Opened to the Public

Gated Entry on Tape Drive off Northwest Parkway

Existing Infrastructure On-Site

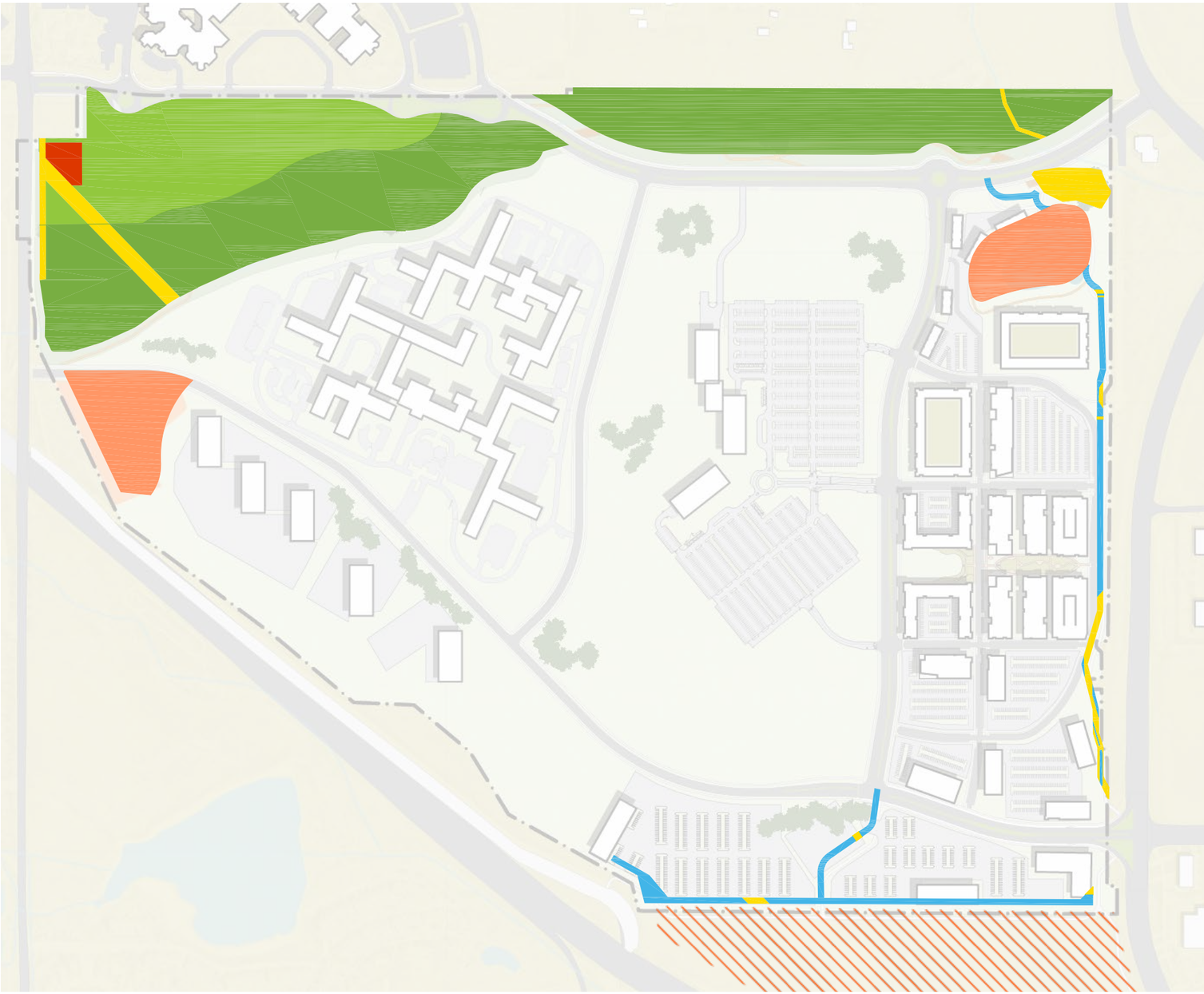
Gated Entry on Tape Drive off 88th St

The site has been vacant for

12+ years

since Storage Tek's departure

PUBLIC BENEFIT Publicly Dedicated and Protected Lands



LOUISVILLE PUBLIC LAND DEDICATION	AC
OPEN SPACE	39.7
PARK LAND	15.6
TRAIL CORRIDOR LAND	3.6
FIRE STATION	0.7
SUBTOTAL	**59.6**

LOUISVILLE CONSERVATION EASEMENTS	AC
CONSERVATION EASEMENT	9.4
SUBTOTAL	**9.4**

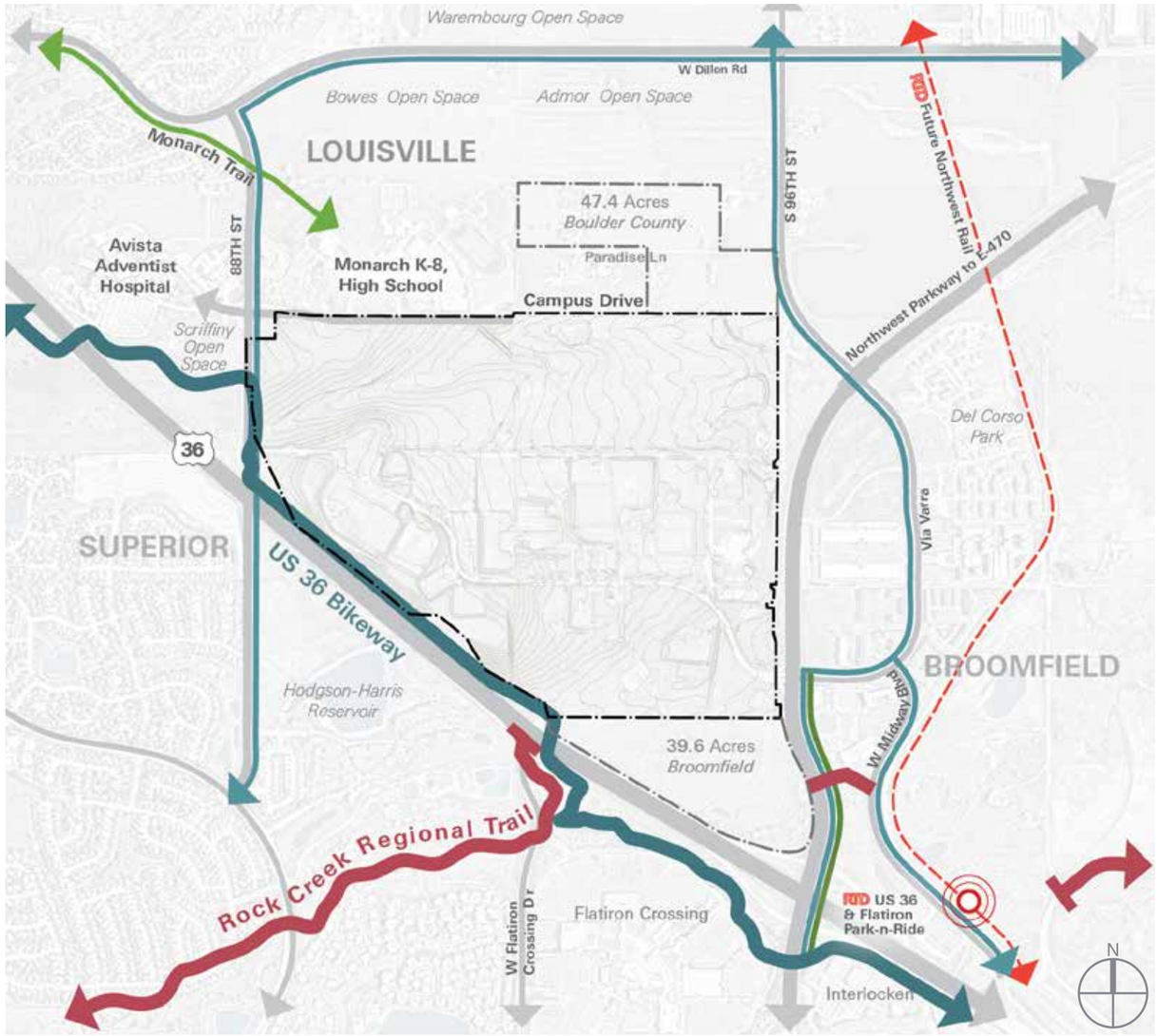
TOTAL PROTECTED LOUISVILLE LAND **69.1 AC**

Required Land Dedication *40 AC*

ADDITIONAL EASEMENTS	AC
BROOMFIELD CONSERVATION EASEMENT	40.0
ENCUMBERED EASEMENTS *(NON-DEVELOPABLE)*	2.0
TOTAL	**42.0**

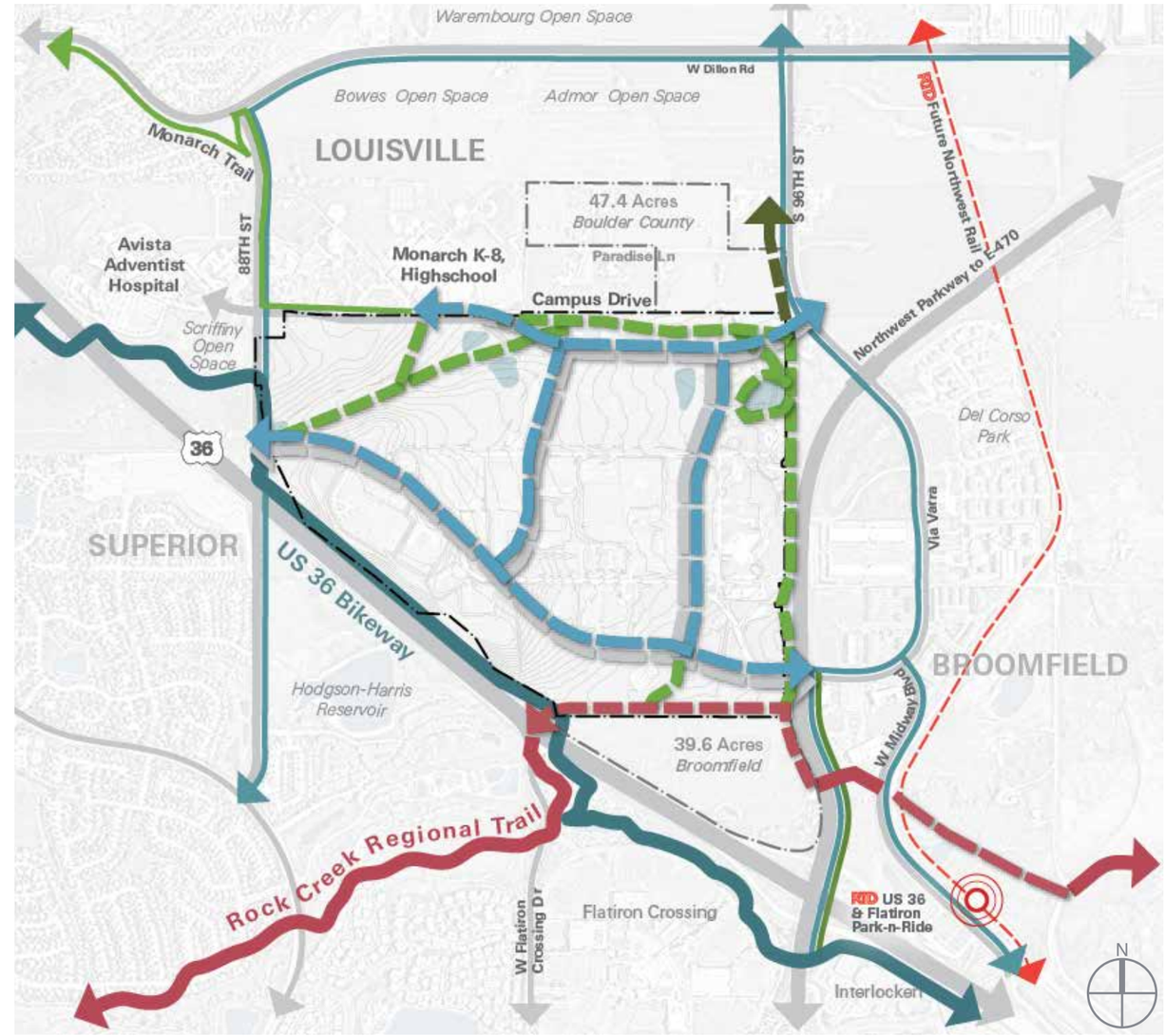
PUBLIC BENEFIT Trail Network Enhancement

Today



- Rock Creek Regional Trail
- US 36 Bikeway
- Bicycle Lanes
- Local Trail

Enhanced



- Proposed Rock Creek Regional Trail Connection
- Proposed Trail
- Proposed Downtown Louisville Trail
- Proposed Protected Bicycle Lanes

PUBLIC BENEFIT

Over 15 Miles of Pedestrian and Bicycle Facilities

	Miles
Total Softscape Trails:	1.4
Total Hardscape Trails:	1.4
Total Sidewalks:	6.4
Total Bike Lanes:	6.2
Total Pedestrian/Bicycle Facilities:	**15.4**

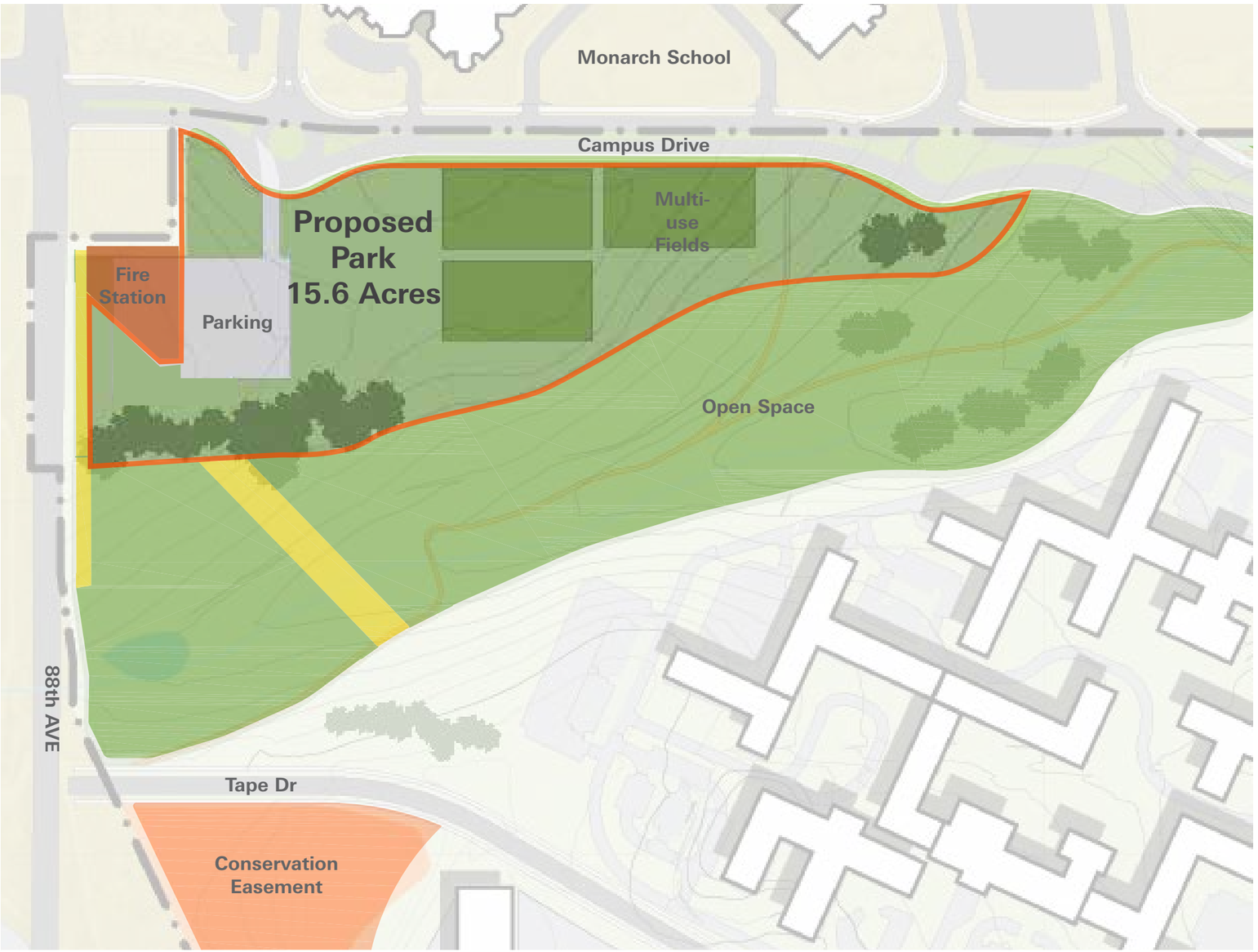
Redtail Ridge Loop
3.2 Miles

The Rockcress Loop
1.5 Miles

Park-to-Pond Trail
1.0 Mile

PUBLIC BENEFIT New Park Space

15.6-Acre Conceptual Park Plan *(Final Design by City of Louisville)*



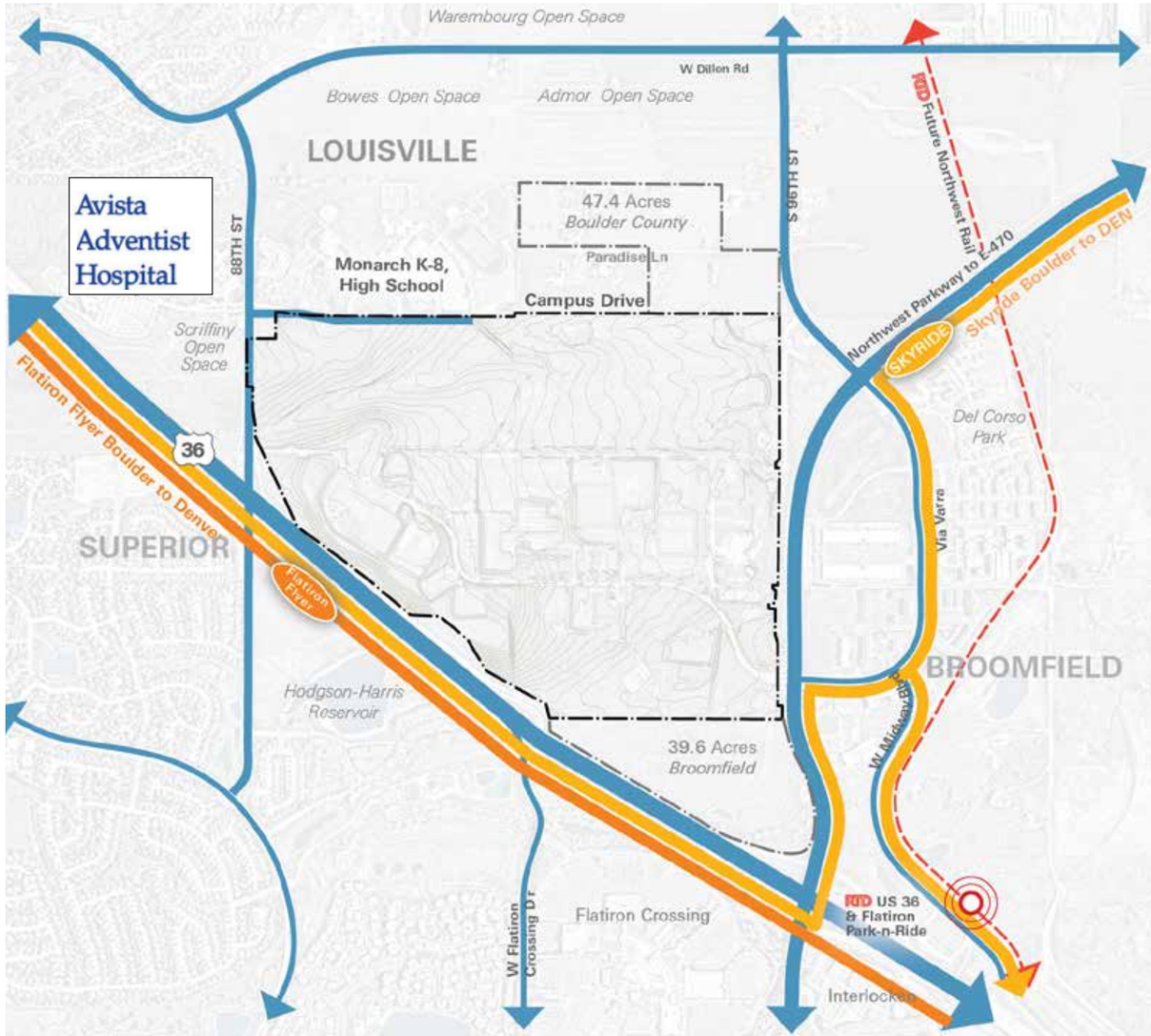
Park Scale Comparisons

Louisville Community Park
15.5 Acres

Cleo Mudrock Park
8.2 Acres

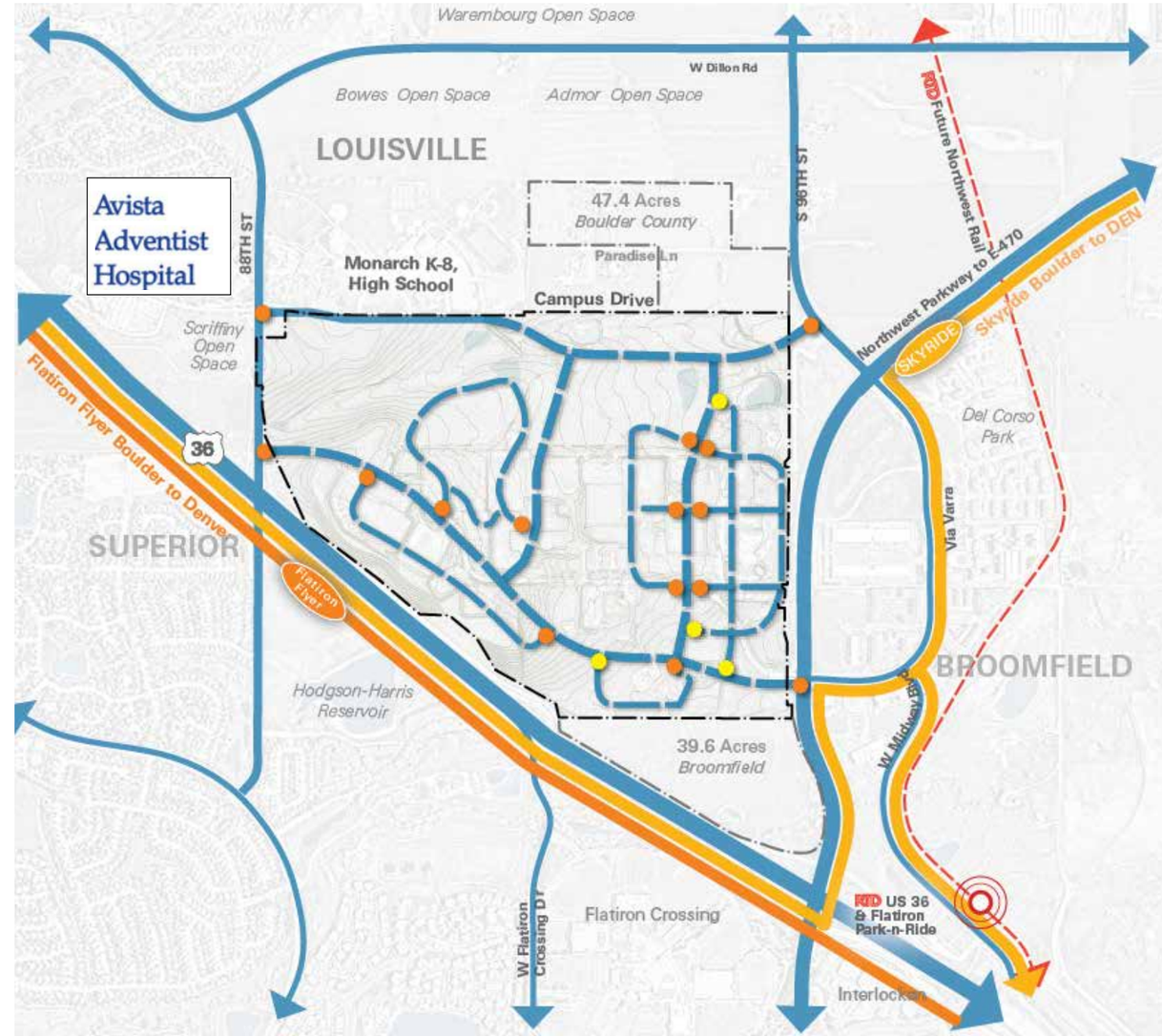
PUBLIC BENEFIT Enhanced Area Access & Circulation

Today



- Arterial Highway
- Collector Road
- Local Road
- RTD Flatiron Flyer (BRT)
- RTD Skyride
- RTD Local Louisville
- RTD Future Northwest Lightrail

Enhanced



- Arterial Highway
- Collector Road
- Local Road
- RTD Flatiron Flyer (BRT)
- RTD Skyride
- RTD Local Louisville
- Right-In/Right Out Access
- RTD Future Northwest Lightrail
- Future Collector Road
- Future Local Road
- Full Access

PUBLIC BENEFIT Improved Safety, Complete Streets

PUBLIC BENEFIT Safety and School Circulation Enhancement

Ease of Access and Circulation:

Making the connection to 96th Street with Campus Drive is projected to reroute 75% of the traffic backlog at 96th/Dillon to 88th/Dillon.

Improved Emergency Access to Schools:

Distance to reach the school campus is reduced by:

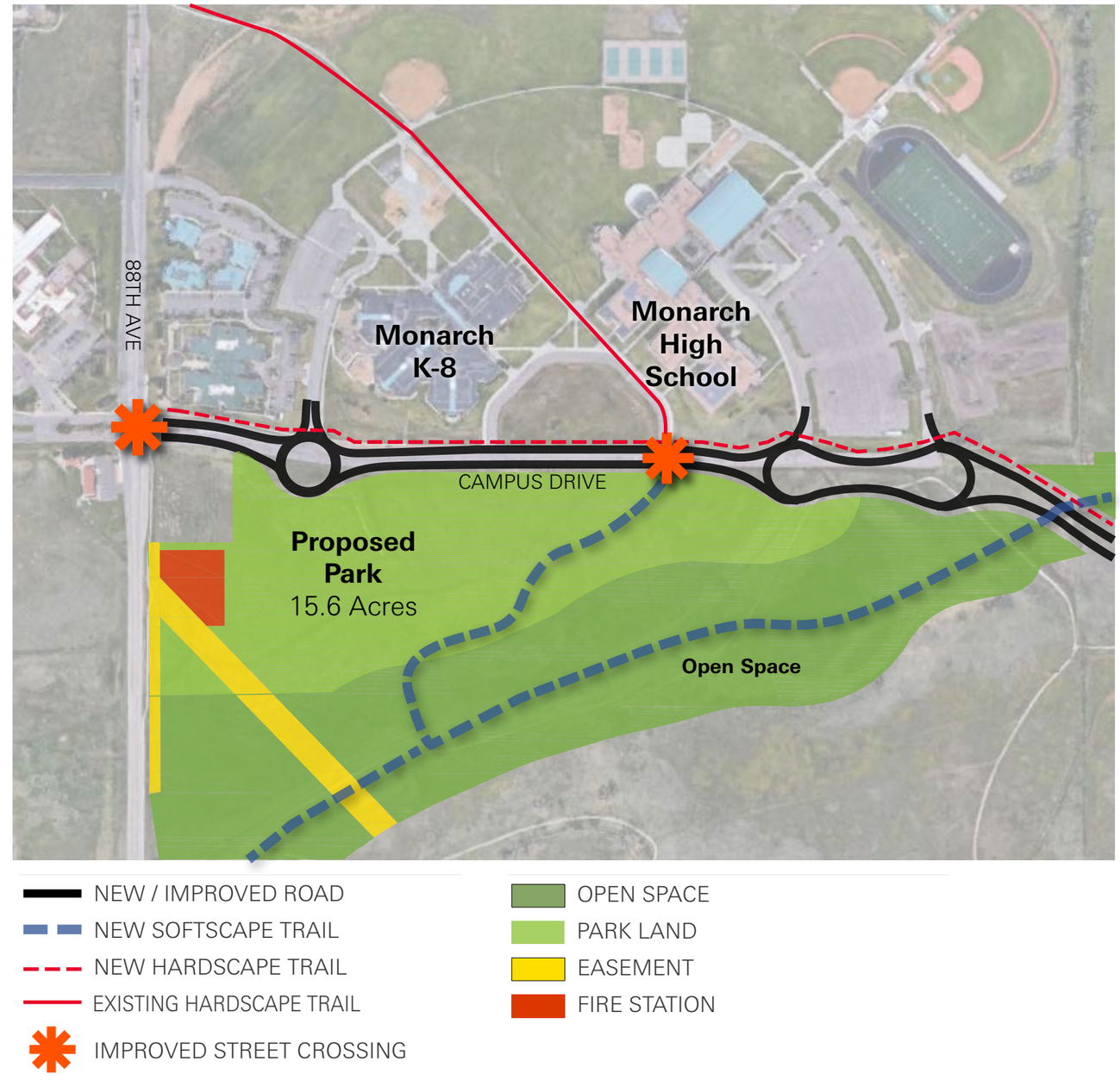
- 1 mile from the nearest Fire Station
- 2 miles from US 36

BVSD-Approved Design and Right-of-Way Dedication:

Roundabouts designed by traffic engineer and approved by BVSD for optimal school traffic operational flow during the morning and afternoon rush

Safe Crossings:

- 25 mph before entering school zone
- Raised pedestrian crosswalk to cross Campus Dr.
- Softscape trail through park lands connecting to pedestrian crossings to school
- Extension/widening of multi-use pathways
- Pedestrian underpasses for limited vehicular interactions



FISCAL BENEFIT

Gross Property Tax Benefits

Property Tax Recipient	*2018*	*2019*	*Proposed Build-out*	*Near Term Benefits*	
				Medtronic	*Erickson Ph. I*
Boulder Valley School District	508,008	5,648	12,580,000	2,100,000	550,000
Boulder County	249,257	2,741	6,110,000	1,020,000	270,000
City of Louisville	82,311	927	2,060,000	350,000	90,000
Fire Department	69,364	1,236	2,750,000	460,000	120,000
Northern Water	8,225	93	260,000	40,000	10,000
Urban Drainage & Flood Control	7,532	105	230,000	40,000	10,000
TOTAL	**$924,684**	**$10,749**	**$23,990,000**	**$4,010,000**	**$1,050,000**
		2019 Annual Taxes: $10,749		**Projected Near Term Annual Taxes: $5,060,000**	

FISCAL BENEFIT Beyond Property Tax Benefits

ADDITIONAL ONGOING REVENUE AND STIMULUS BENEFITS TO THE CITY

1. **Sales tax revenue** generated by retail, driven by office users and residential
2. High disposable income residents in Senior Living community with strong **positive impact on local businesses**
3. Substantial employee **economic impact capture**: dining, shopping, entertainment
4. **Lodging tax revenue** generated by hotels, as well as hotel occupant spending in community
5. **Construction fees**, including permit fees, building use taxes, consumer use taxes and sales taxes on durable goods, etc.

NEAR TERM CONSTRUCTION BENEFITS

Medtronic

- Construction of the **$135MM Corporate Campus** is expected to generate **$3.5 million in tax revenue**
- Net positive to the City of Louisville is $2.0 million after rebate package

Source: Louisville City Council Meeting Material, October 15, 2019

Erickson LIVING Add more Living to your Life®

- Associated construction, permit fees, and tax revenue with estimated $277MM total project cost

Source: Reading Economic Impact Report

DEVELOPMENT COSTS

No Tax Burden for Louisville Residents

$0 additional tax burden on Louisville residents

DEVELOPMENT COSTS

Metropolitan Districts

The Redtail Ridge Metropolitan Districts were **conditionally approved by Louisville City Council** on February 18, 2020. The Service Plans will be amended and resubmitted with the Subdivision late in Summer 2020 to allow for updated construction costs.

- The Redtail Ridge Metropolitan Districts impose an additional property tax ("mill levy") solely on Redtail Ridge property.
- This mill levy is applied to Debt and Operations used to pay for installation or construction of Public Improvements necessary to serve the project.
- The long-term tax-exempt financing of the Public Improvements will assure the **most efficient and cost-effective financing** for the future taxpayers in the development.
- The **City carries no financial obligation** for the Debt.

RESPONSIVENESS We Listened and Responded to Community Feedback

The Plan improved thanks to the Louisville community's input & comments.

30+ Meetings with Community Members, Neighbors, Schools, Business Associations, and Stakeholders

600+ Specific Comments Provided from the Community

100+ Residents Participated in On-Site Tours

- Avista Adventist Hospital
- BVSD
- CAC
- Colorado Technology Center Boards
- Coal Creek Ranch HOA
- Community Meetings
- Commuting Solutions
- Downtown Business Association
- Farmer's Market
- Flatiron Mall
- GM at Flatiron Mall
- Lions Club
- Louisville Chamber of Commerce
- Louisville Goddard School
- Louisville Historical Museum
- Open Space Advisory Board
- Parks and Public Landscaping Advisory Board
- Recreation Advisory Board
- Select members of Business Retention & Development Committee

Site Tour Dec 14, 2019

Community Meeting #1 Aug 19, 2019

Informative & Transparent Website with Feedback Collection

RESPONSIVENESS

Continued Public Engagement During the COVID-19 Pandemic

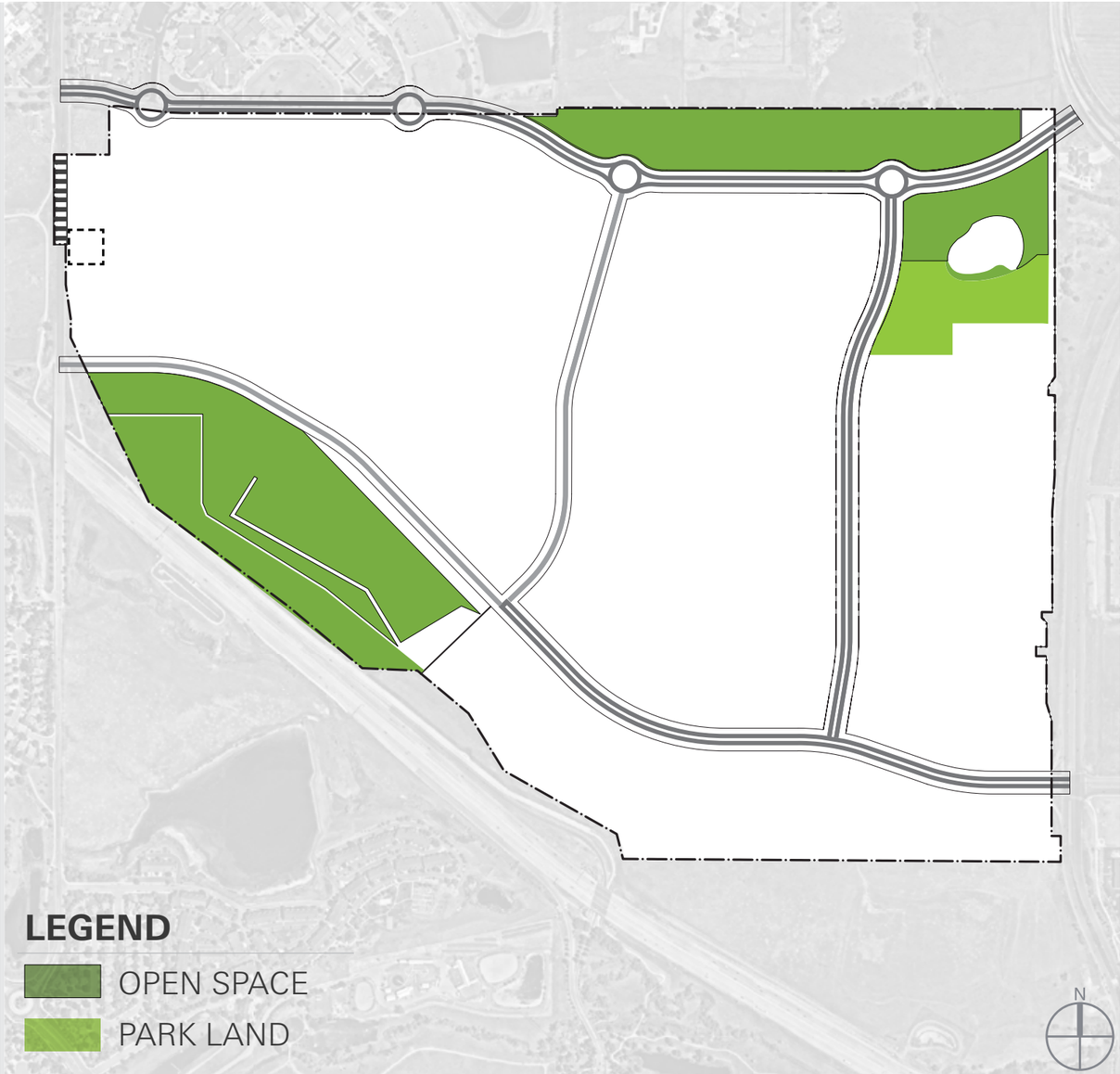
Live Public Information Webinars (May 14, 16, 18 & 26)
Virtual Telephone Town Hall (May 20th)

Virtual Site Tour Video [(https://vimeo.com/414966278)](https://vimeo.com/414966278)

RESPONSIVENESS

Increase and Relocation of Public Land Dedication

Prior GDP Submittal



Current Plan

RESPONSIVENESS Density Reduction

PRIOR GDP SUBMITTAL	AREA (SF)
OFFICE	3,050,000
SENIOR HOUSING	2,500,000
HOTEL	680,000
RETAIL	170,000
RESIDENTIAL	-
TOTAL*	**6,400,000**

CURRENT PLAN SUBMITTAL	AREA (SF)	*CHANGE*
OFFICE	2,250,000	*(800,000)*
SENIOR HOUSING	1,800,000	*(700,000)*
HOTEL	200,000	*(480,000)*
RETAIL	70,000	*(100,000)*
RESIDENTIAL	900,000	*900,000*
TOTAL*	**5,220,000**	***(1,180,000)***

*NOT INCLUDING STRUCTURED PARKING

DENSITY

Further Reduction of Scale Not Feasible

The current Metro District Service Plans generate bonds for $135 million to build public infrastructure improvements allowing the development to cover infrastructure costs and pay its own way.

The infrastructure and public benefit costs are primarily fixed, so the density of the project and the required improvements are not correlated linearly.

In order to pay for all of the improvements and accommodate a density decrease from 6.4MM SF to 5.22MM SF, the mill levy has been increased, placing it among the highest mill levies in the market.

Further **decreasing the density below 5.22MM SF creates a deficit for the project, and an inability to pay for the required infrastructure and the public benefits.**

REDTAIL RIDGE

BUILD 5.2 MM SF DEVELOPMENT Current Service Plan* - Bond Financing Scenario

	Max SF	*Est. Bonds for Public Improvements*	
Medtronic (D2)	530,000	16,420,000	12%
Erickson (D3)	1,800,000	13,290,000	10%
Mixed-Use/Commercial (D4)	2,890,000	105,290,000	78%
Total (excl. parking)	**5,220,000**	**135,000,000**	**100%**

CURRENT ZONING

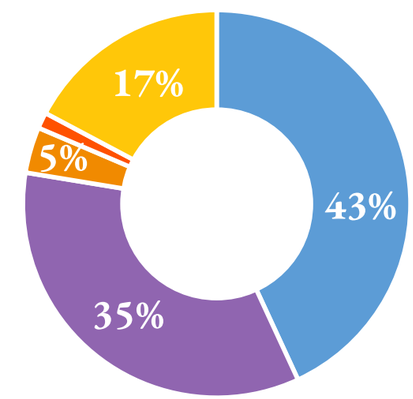
BUILD ONLY 2.5 MM SF DEVELOPMENT

	Max SF	*Est. Bonds for Public Improvements*	
Medtronic (D2)	530,000	16,420,000	12%
Erickson (D3)	1,800,000	13,290,000	10%
Mixed-Use/Commercial (D4)	170,000	6,190,000	5%
Total (excl. parking)	**2,500,000**	**35,900,000**	**27%**
		Results in a deficit of $99.1MM for public improvements compared with the Redtail Ridge proposal	

* Per Current Metro District Service Plan, Subject to Final Cost Estimates.

DENSITY DISTRIBUTION Allowable Program Density & Conceptual Land Uses

PROGRAM SUMMARY	AREA (SF)
OFFICE	2,250,000
SENIOR LIVING	1,800,000
HOTEL	200,000
RETAIL	70,000
RESIDENTIAL	900,000
TOTAL BEFORE PARKING	**5,220,000**



48% of development is located in Parcel C along NW Pkwy.

NOTE: The development plans shown are illustrative only. Individual development parcel plans will be finalized during the planned unit development (PUD) process.

KEY TOPICS

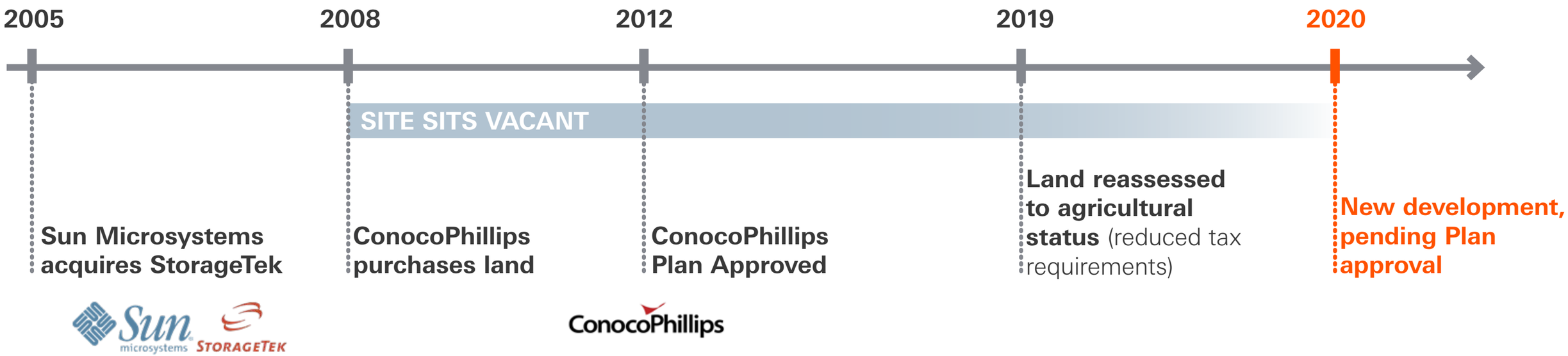
1. Density
2. Building Heights
3. Traffic
4. Residential Uses

DENSITY

Site History vs. Proposed: Area (Square Footage) and Employee Count

Former Storage Tek campus.

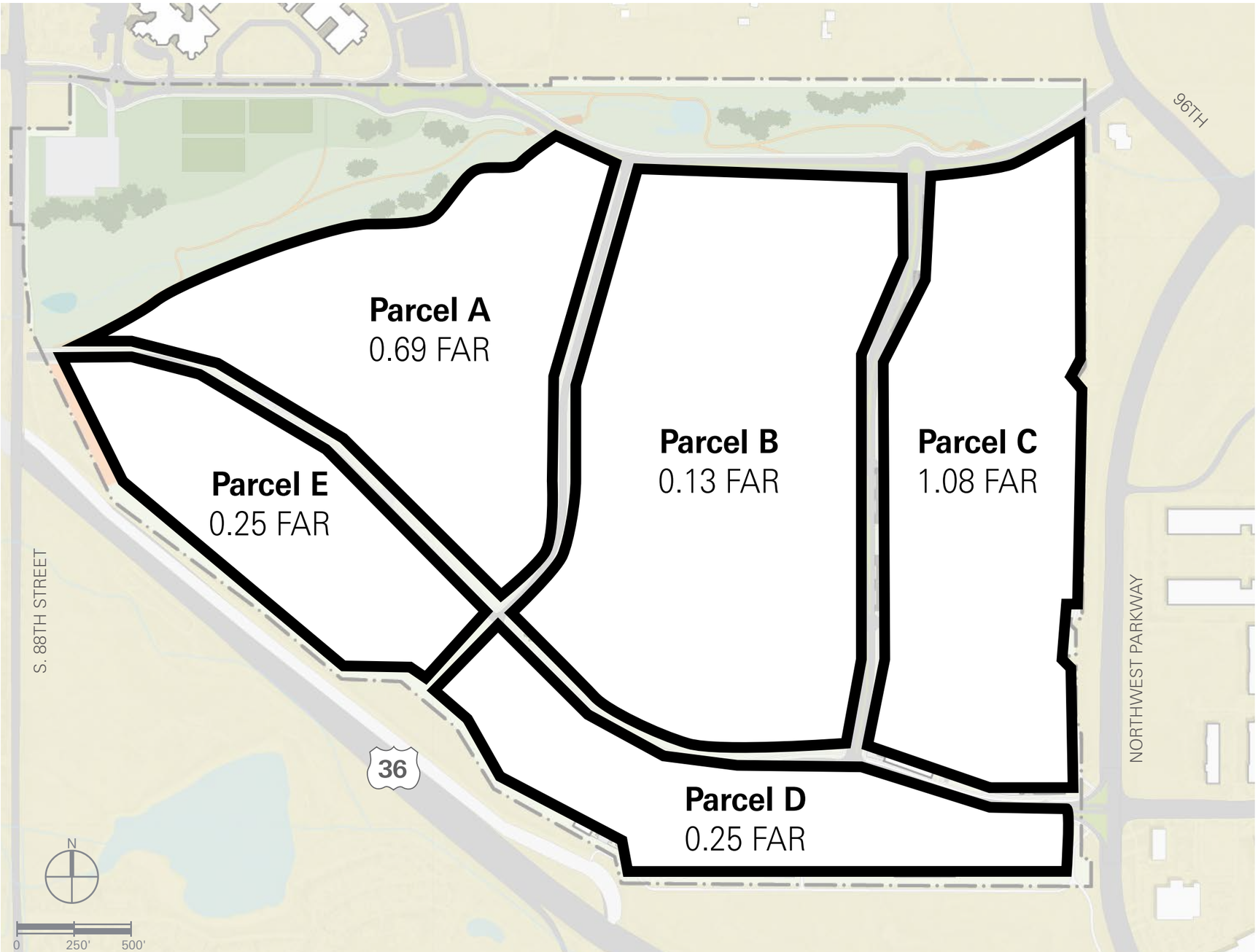
Development or Plan	Area* (SF)	Employees
StorageTek *(built)*	1.7M	4,800
ConocoPhillips *(approved)*	2.5M	7,000
Redtail Ridge *(proposed, at full build-out)*	5.2M	8,400



*Does not include structured parking

DENSITY

Suburban Density & Anticipated Implementation Schedule



0.48

Average Development FAR* at Full Site Build-Out

(below the City's Suburban FAR Classification of 0.50 as defined in the City's Comprehensive Plan)

20-years

Anticipated Site Build-Out

**FAR, or Floor Area Ratio, is the total area of allowable development divided by the total property boundary area. An FAR of 0.5 means a building's total enclosed area can only be 1/2 as big as the property on which it sits.*

DENSITY Local Development Comparisons

ARISTA DEVELOPMENT - BROOMFIELD, CO

	ARISTA (APPROVED)	REDTAIL RIDGE (PROPOSED)
TOTAL ACRES	184.6	389.1
TOTAL DEVELOPMENT AREA (SF) *(INCLUDING PARKING)*	2,583,000	5,886,000
AVERAGE DEVELOPMENT FAR	0.75	0.48
ALLOWABLE BUILDING HEIGHTS (STORIES)	1-6	1-5
RESIDENTIAL UNITS	2,250	2,226
OPEN/PARK SPACE (AC) *(EXCLUDING CONSERVATION EASEMENTS)*	24.73	59.6

DENSITY Local Development Comparisons

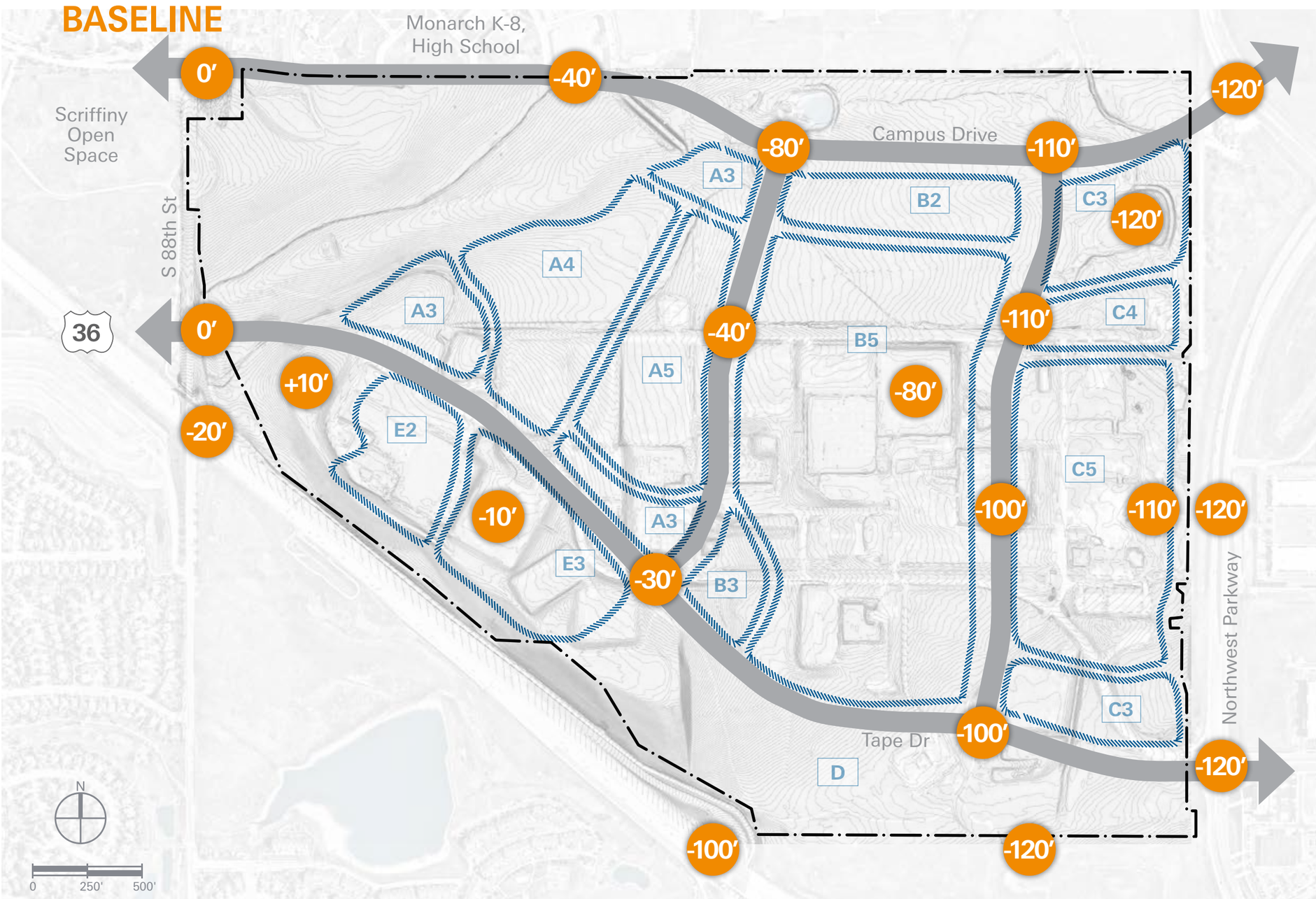
TOWN CENTER - SUPERIOR, CO

	TOWN CENTER[1] (APPROVED)	REDTAIL RIDGE (PROPOSED)
TOTAL ACRES	156.4	389.1
TOTAL DEVELOPMENT AREA (SF)[2] *INCLUDING PARKING*	4,783,000	5,886,000
AVERAGE DEVELOPMENT FAR	0.70	0.48
ALLOWABLE BUILDING HEIGHTS (STORIES)	1-6	1-5
RESIDENTIAL UNITS	1,400	2,226
OPEN/PARK SPACE (AC) *(EXCLUDING CONSERVATION EASEMENTS)*	48.5	59.6

1. Per Town of Superior Planned Development Plan Amendment 3, June 2016
2. Assumptions: 2500 GSF/residential unit and 550 GSF/hotel room assumed.

BUILDING HEIGHTS

Site Topography & Building Height Relationship



Topography on the site varies immensely.

Proposed building height subareas limit density along key roads and viewsheds.

PARCEL A

- A3 *3 STORIES*
- A4 *4 STORIES*
- A5 *5 STORIES*

PARCEL B

- B2 *2 STORIES*
- B3 *3 STORIES*
- B5 *5 STORIES*

PARCEL C

- C3 *3 STORIES*
- C4 *4 STORIES*
- C5 *5 STORIES*

PARCEL D

- D 4 STORIES

PARCEL E

- E2 *2 STORIES*
- E3 *3 STORIES*

BUILDING HEIGHTS Conceptual 3D Views

BUILDING HEIGHTS Conceptual 3D Views

BUILDING HEIGHTS Conceptual 3D Views

BUILDING HEIGHTS Conceptual 3D Views

BUILDING HEIGHTS Conceptual 3D Views

TRAFFIC Impact & Mitigation

Improving Circulation & Traffic Flow:

- Significant investment in on-site and off-site roadway improvements
- Significant regional improvements
- Efficient roadway design
- Redistribution and dissemination of peak rush hour

Encouraging Alternative Travel Modes:

- Complete Street Design
- Trail network and Mobility network Connections
- Transportation Demand Management Policies
- Shuttles for Senior Care Facility

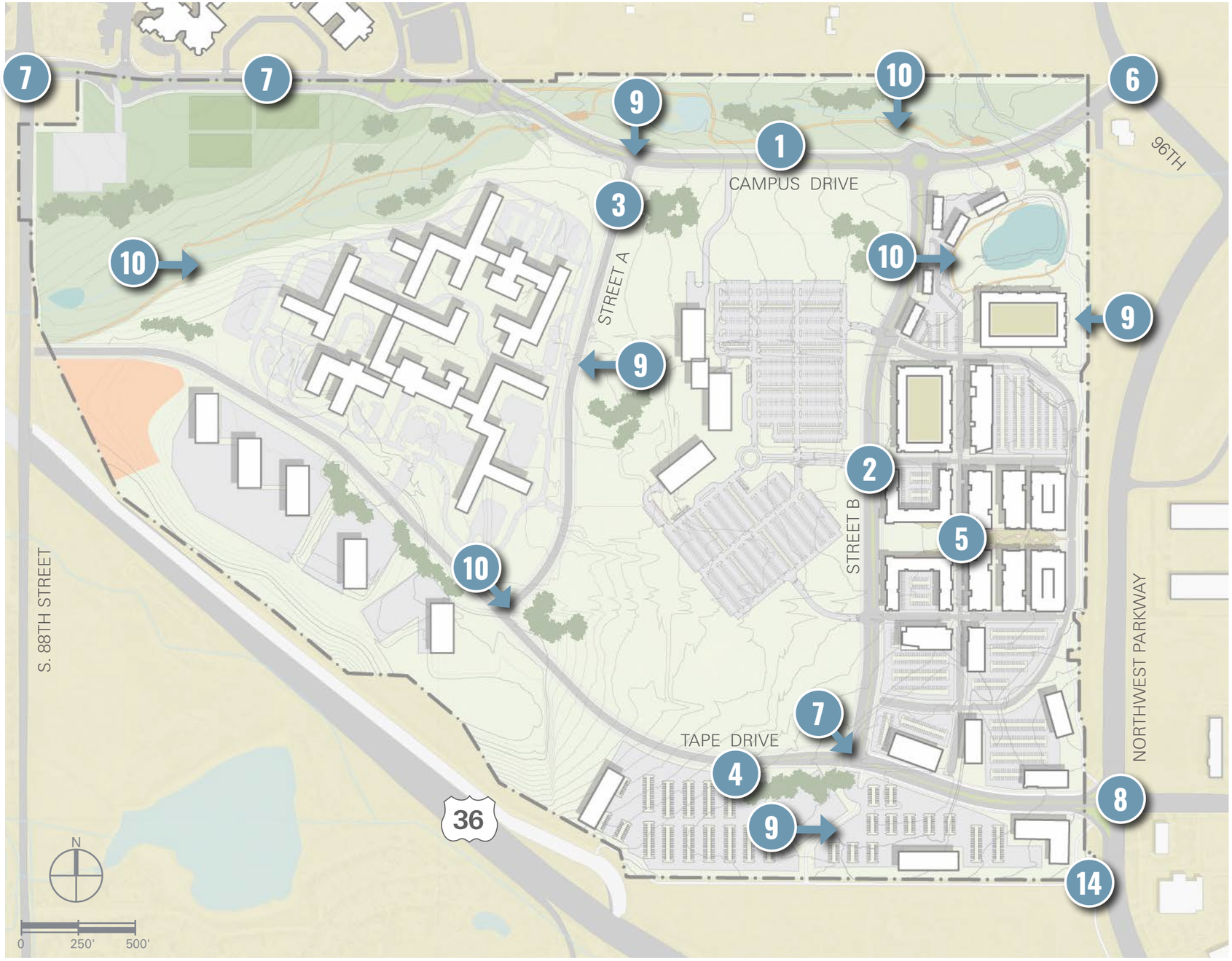
Trip Generation Estimates Comparison

Redtail Ridge does not add a significant amount of peak hour traffic when compared with the approved ConocoPhillips plan.

Development	*Trip Generation Estimates*	
	AM Peak Hr	*PM Peak Hr*
ConocoPhillips	2,660	2,455
Redtail Ridge	2,350	2,609
Redtail vs. ConocoPhillips (%)	*-12%*	*+6%*

TRAFFIC

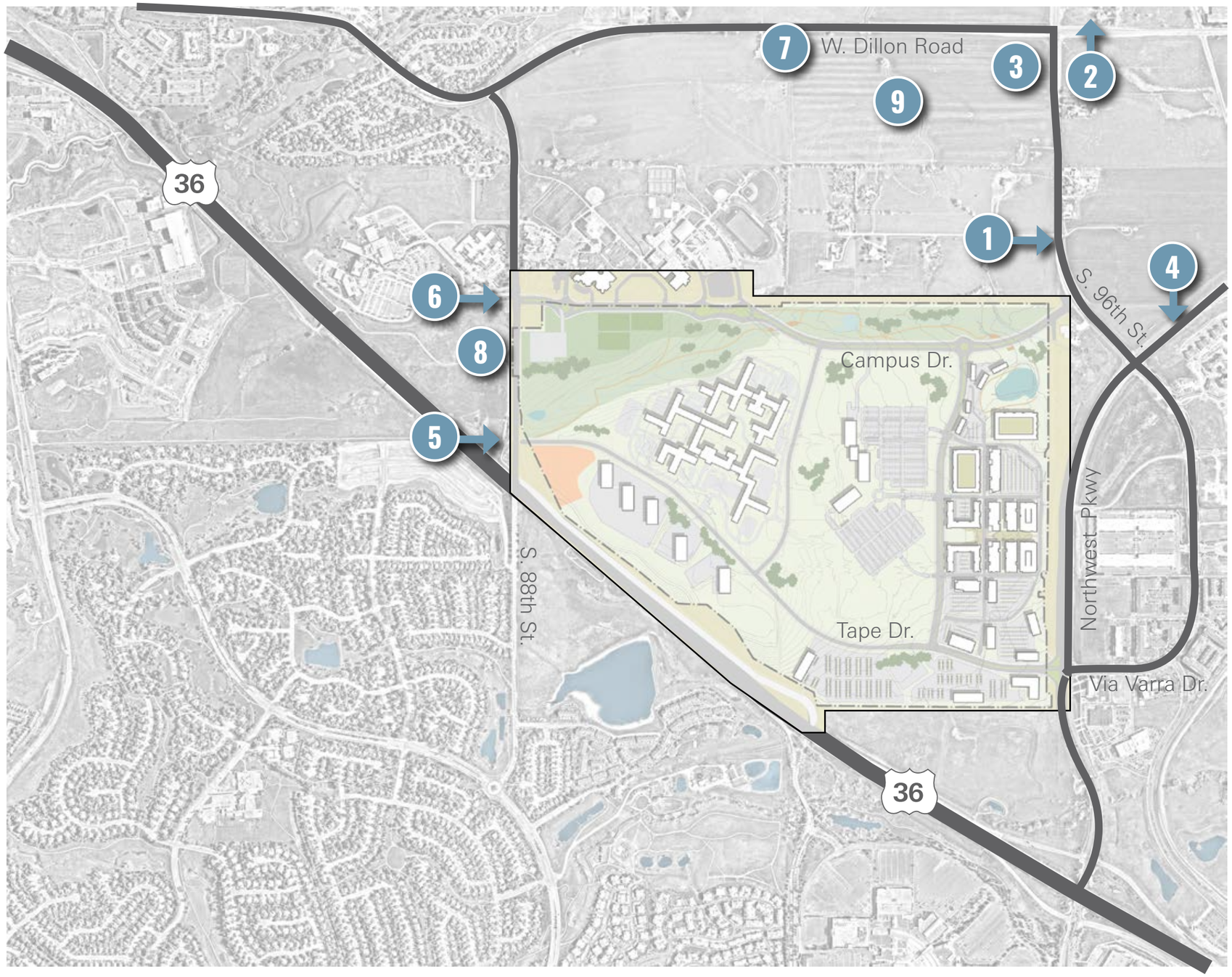
On-Site Traffic Improvements



IMPROVEMENT	EST. COST
Right-of-Way Improvements	
1 Campus Drive	
2 Street B	
3 Street A	
4 Tape Drive	
5 Local Street Grid	
6 96th & Campus Intersection Improvements	
Subtotal:	*89,400,000*
Pedestrian Elements	
7 Above-Grade Pedestrian Crossings	
8 Above-Grade Tape & Via Varra Enhancement	
9 Hardscape Trails	
10 Softscape Trails	
Subtotal:	*2,200,000*
Other	
Subtotal:	*3,400,000*
Total On-Site Improvements Paid by the Development:	**$95,000,000**

TRAFFIC

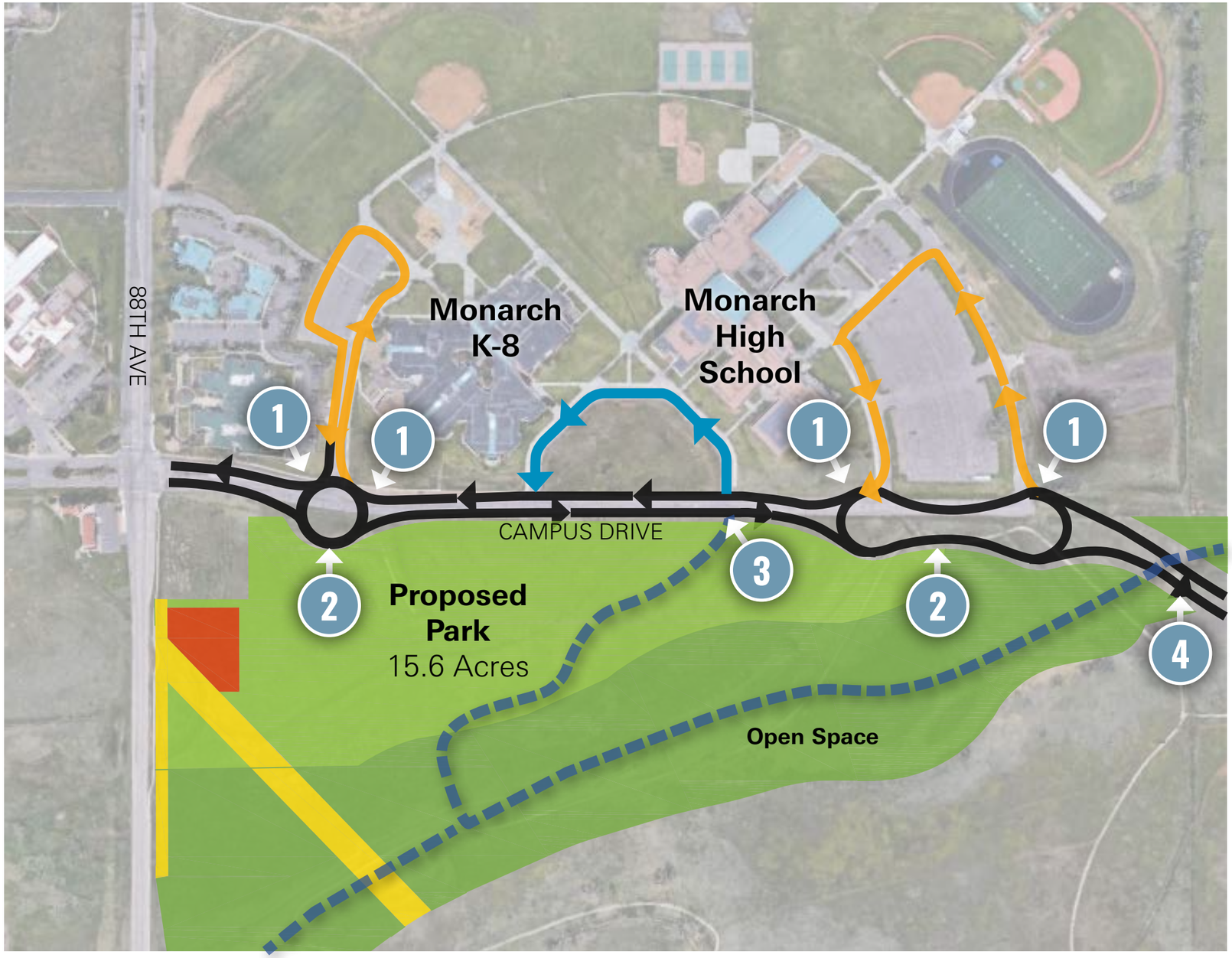
Off-Site Traffic Improvements



IMPROVEMENT		EST. COST
Right of Way		
1	Expand 96th St. 1/2 Northwest Pkwy to Dillon	
2	Expand 96th St. 1/2 Mile north of Dillon	
3	96th & Dillon-Dual Left Turn Lanes & Intersection Capacity	
4	NW Pkwy & 96th - Triple Northbound	
5	88th & Tape Turn Lanes	
6	88th & Campus Lengthen Turn Lanes	
	Subtotal:	*21,500,000*
Pedestrian		
8	Dillon Pedestrian Underpass	
8	88th Street Multi-use Path Extension	
9	Softscape Downtown Connector Trail	
	Subtotal:	*5,600,000*
	Total Off-Site Improvements Paid by the Development:	**$27,100,000**

TRAFFIC

School Access Improvements



1. The creation of right turn entry into the school campuses, eliminating left turn congestion and oncoming car conflicts.
2. The roundabouts ease traffic flow while naturally reducing speed along Campus Drive.
3. The raised pedestrian crossing offers additional safe crossing between the roundabouts.
4. Extending Campus Drive to 96th allows access (including buses) from the east.

LEGEND

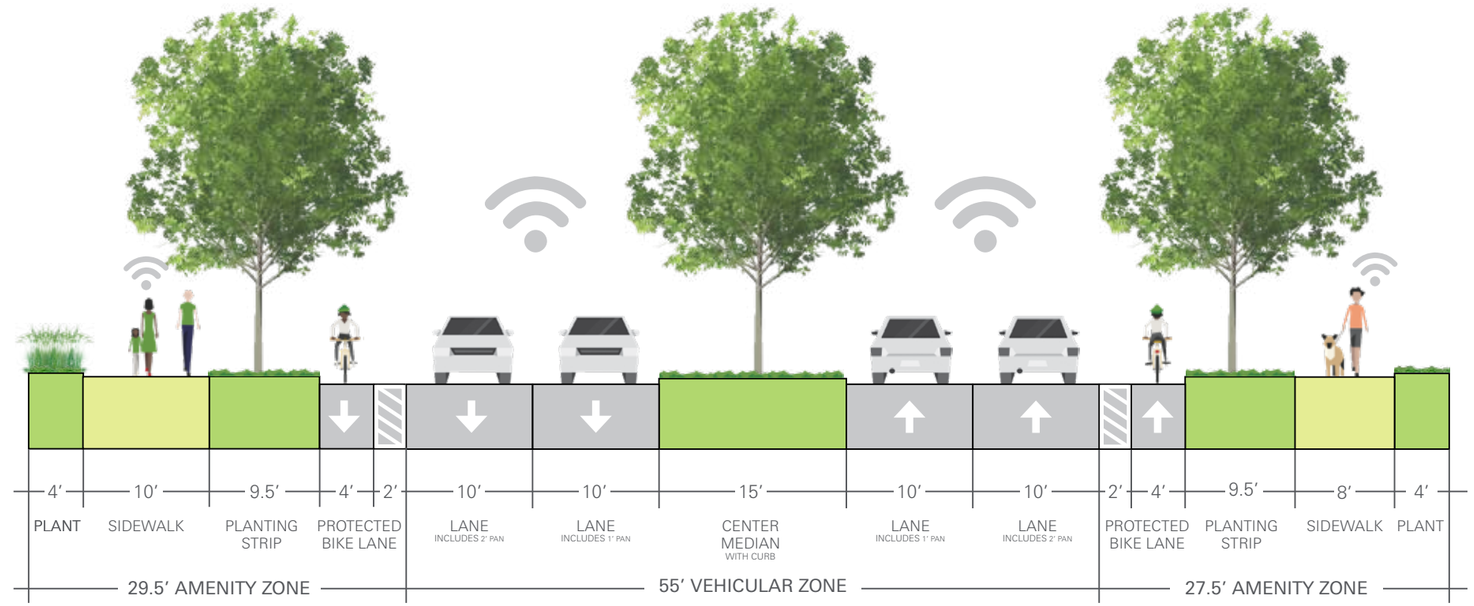
- NEW / IMPROVED ROAD
- SCHOOL BUS DROP OFF / PICKUP
- PARENT DROP OFF / PICKUP
- SOFTSCAPE TRAIL

- OPEN SPACE
- PARK LAND
- EASEMENT
- FIRE STATION

TRAFFIC Complete Streets

- Balance the needs of people who are driving, walking cycling and rolling in, to, and through the development
- Enhance safety for all users
- Encourages non-vehicular travel options

Proposed Campus Drive Street Section



Campus Drive - Bike Trail

Scenic Boulevard

Roundabout

TRAFFIC Traffic Demand Management

Traffic Demand Management (TDM) is a multi-faceted approach to mitigating traffic resulting from development.

The TDM Strategy for Redtail Ridge includes the following strategies:

- Connections to the regional trail network
- Enhance the internal trail network
- Increase mix of land uses to reduce traffic
- Member of Commuting Solutions (a Transportation Management Association in Louisville)
- Erickson on-site and off-site daily shuttle service
- Hiring a transportation coordinator for the entire project
- Ecopass discounts for employers and employees
- Vanpool and Carpool Coordination
- Bike access, parking and amenities for commuters
- Walk and Bike to Work Sponsorships

Commuting Solutions

RESIDENTIAL USES Mixture of Uses **Creates Place** & Supports Traffic Mitigation

Creating Place

Modern successful developments and creations of **vibrant places** all include residential due to its support of the retail and commercial uses and its ability to create an "18-hour" community.

Traffic Comparison

Land Uses	*Size*	*units*	*Avg Weekday Trips* *Total*
General Office Building	900	KSF	8,766
Multifamily Housing (mid-rise)	900	units	4,896
Continuing Care Retirement Community	900	units	2,160
		Subtotal	**15,822**
*Benefits of mixing **Multifamily Housing** land uses and Office on site, vs. Office land uses only*			*(3,870)* *-44%*
*Benefits of mixing **Senior Housing** land uses and Office on site, vs. Office land uses only*			*(6,606)* *-75%*

Source: Fox Tuttle Transportation Group

*Mixing office, senior housing and residential uses **reduces** the average weekday trips.*

Redtail Ridge

RESIDENTIAL USES The Need for Workforce, Entry-Level & Affordable Housing

Public comments and feedback from the community encouraged us to support the inclusion of workforce, entry-level and affordable housing on site.

Boulder County recognizes that the City of Louisville has adopted the regional housing goals articulated in the Regional Affordable Housing Strategic Plan, in addition to pursuing local affordable housing targets and specific affordable housing development projects. **The County encourages the P66 project, and all future development in communities across the county, to contribute to county-wide goals related to housing.**

The county encourages inclusion of a **range of housing sizes and types** to help achieve greater diversity in the region's housing stock. The county also encourages all residential developments to include a portion dedicated to serving **low and moderate income members of the community.**

Integrating low and moderate income housing across the community and improving the diversity of the region's housing stock will help make incremental progress toward **addressing the region's affordable housing challenges**. It also helps offer housing solutions to meet the wide ranging and evolving needs of the Boulder County community.

– Boulder County

Kestrel Housing Development

Medtronic General Company Overview

- Stable and strong, global Fortune 500 company
- Boulder County's largest private employer
- Highly educated employees and high paying jobs
- Established in the community
- Commerce anchor that will spur positive economic activity in the community

TECH CRUNCH

March 30, 2020

Medtronic is sharing its portable ventilator design specifications and code for free to all

Medtronic

New & Retained Jobs in the Community

Medtronic employees living in Louisville today

400+

500+

existing Medtronic **jobs retained** in Louisville due to Redtail Ridge development

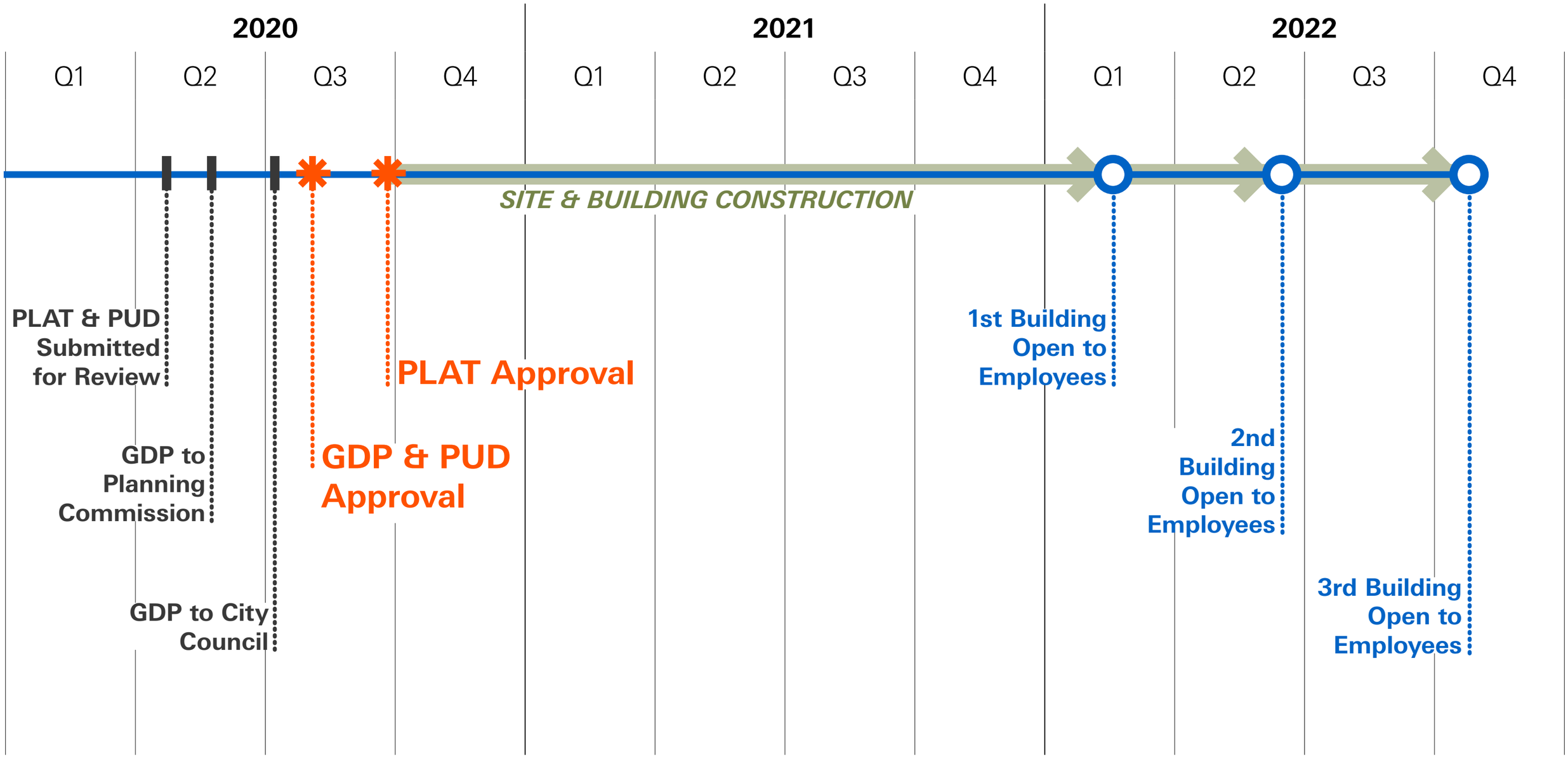
500 to 1,000

new jobs created and to be **located in Louisville** if the GDP and PUD are approved

2,000+

existing Boulder County Medtronic **jobs retained** due to Redtail Ridge development

Medtronic Schedule



IN SUMMARY

THIS PLAN IS...

1. Created by the Community
2. Benefits the Community
3. Provides long-term fiscal stability for the Community

THANK YOU!

VISIT US: **WWW.REDTAILRIDGELOUISVILLE.COM**

- Facebook Redtail Ridge Colorado
- Instagram @redtailridgeco
- Twitter @redtailridgeco
- LinkedIn Redtail Ridge Colorado

BRUE·BAUKOL
CAPITAL PARTNERS

TRYBA ARCHITECTS
303

APPENDIX

COMPREHENSIVE PLAN AMENDMENT
Developer-Led Community Engagement 2019

August

- Avista Meeting #1 — 8/9
- Chamber of Commerce Intro — 8/21
- CTC Board Presentation — 8/26
- Community Meeting #1 — 8/19
- Commuting Solutions Intro — 8/22

September

- BVSD Meeting — 9/11
- Goddard School Pop Up — 9/5
- Commuting Solutions Qrtly Meeting #1 — 9/17
- Farmer's Market #1 — 9/14
- Lunch with BRAD Member — 9/20

October

- Community Meeting #2 — 10/16
- LOU Historical Museum Brand & History Discussion — 10/18
- Farmer's Market #2 — 10/12
- Flatirons Mall Intro — 10/18

14 Stakeholder Meetings

291 Community Participants

Redtail Ridge

COMPREHENSIVE PLAN AMENDMENT

2019 Engagement Continued

November

- **CAC Meeting** 11/9
- **Downtown Business Association Intro** 11/14
- **BVSD & Monarch Campus Leaders Meeting #2** 11/14
- **Mobility Charette Louisville, Broomfield, CDOT, NW Pkwy** 11/22
- **Advisory Boards Tour** 11/16
- **BVSD Campus Dr. Meeting #4** 12/4
- **BVSD Campus Dr. Meeting #3** 11/27

December

- **Northwest Parkway Meeting #1** 12/5
- **Parks and Public Landscaping Advisory Board** 12/5
- **Open Space Advisory Board** 12/11
- **On-Site Open House #1** 12/12
- **On-Site Open House #2** 12/14
- **Recreation Advisory Board** 12/16

13 Stakeholder Meetings

253 Community Participants **306**

Redtail Ridge

COMPREHENSIVE PLAN AMENDMENT

2020 Engagement Pre-COVID 19

January

- Commuting Solutions Qtrly Meeting - Panel #2 — 1/6
- Coal Creek Ranch HOA Presentation — 1/14
- Lion's Club Presentation — 1/13
- Avista Meeting #2 — 1/15
- Community Meeting #3 — 1/16
- On-Site Open House #3 — 1/18
- On-Site Open House #4 — 1/23
- MoHi Environmental Science Class Tour — 1/23
- BVSD Campus Drive Meeting #4 — 1/24

February

- Juniper Village Meeting #1 — 1/29
- Northwest Parkway Meeting #2 — 2/5
- Chamber Business Showcase — 2/24

March

- Commuting Solutions Qtrly Meeting #3 — 3/10

13 Stakeholder Meetings

166 Community Participants

307

Redtail Ridge

COMPREHENSIVE PLAN AMENDMENT

2020 Engagement Post-COVID 19

April

- **Film Virtual Site Tour** 4/6
- **BVSD Board of Education Approves Campus Drive** 4/14

May

- **Environmental Evaluation Update Webinar** 5/13
- **Community Webinar #1** 5/14
- **Community Webinar #2** 5/16
- **Community Webinar #3** 5/18
- **Community Webinar #4** 5/26
- **Telephone Town Hall** 5/20

June

- **Vantage Pointe HOA** 6/8
- **Juniper Village Meeting #2** 6/3
- **Community Webinar #5** 6/23

11
Stakeholder Meetings

456
Community Participants
308

Redtail Ridge

2005 / 2009 UPDATED COMPREHENSIVE PLAN

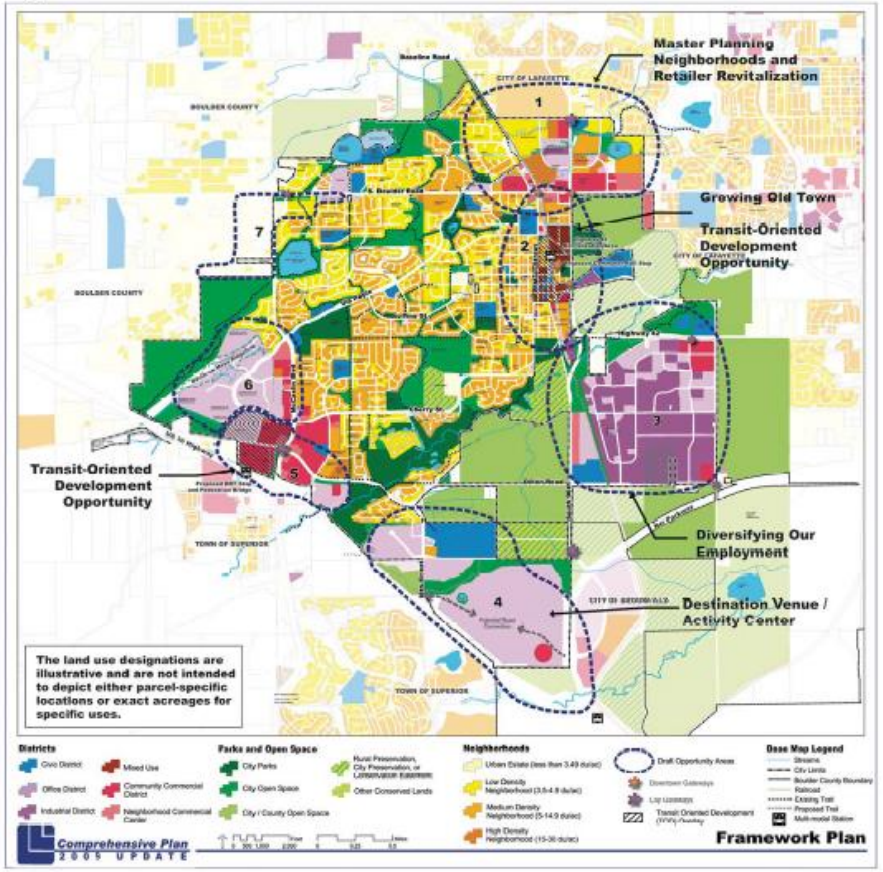
Site as Regional Draw

Prior Vision Included:

- Open Space
- Office District
- Community Commercial District
- Destination Venue / Activity Center

Figure 3.1 Framework Plan

THE FRAMEWORK PLAN

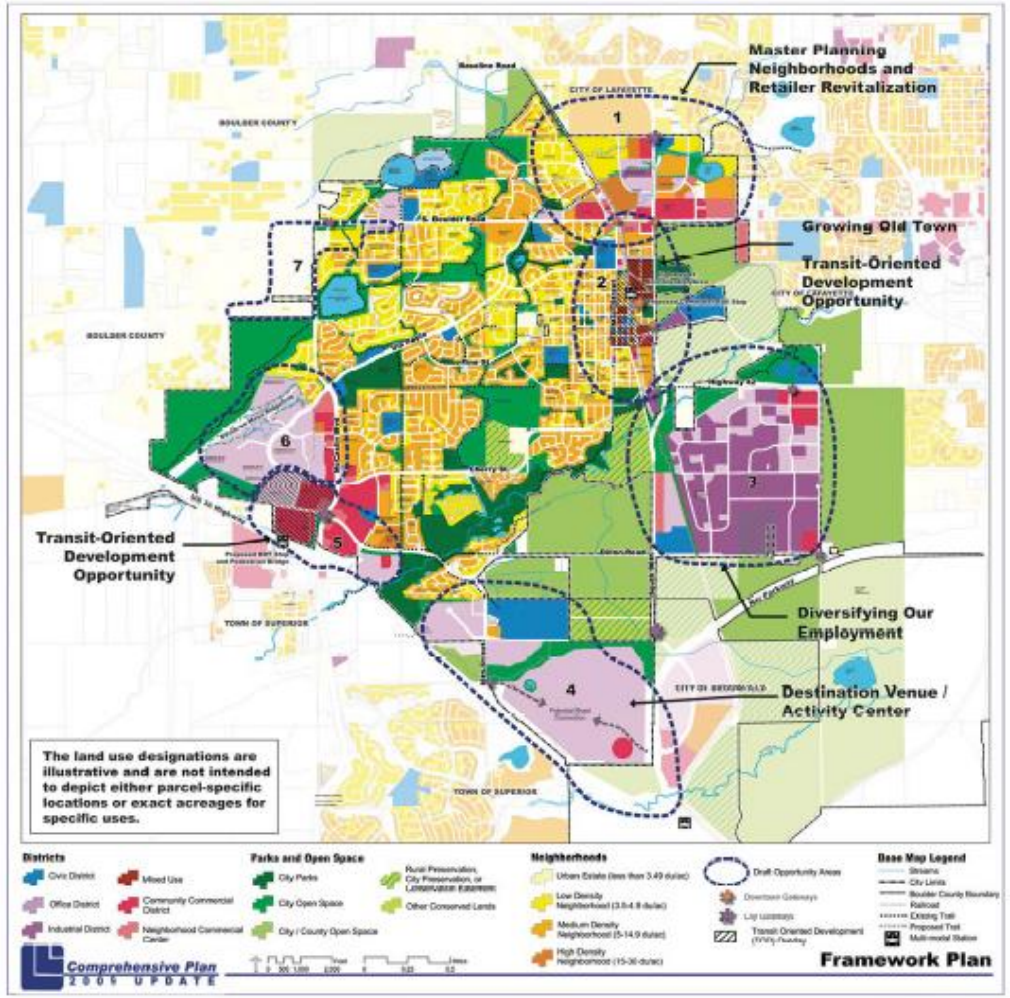


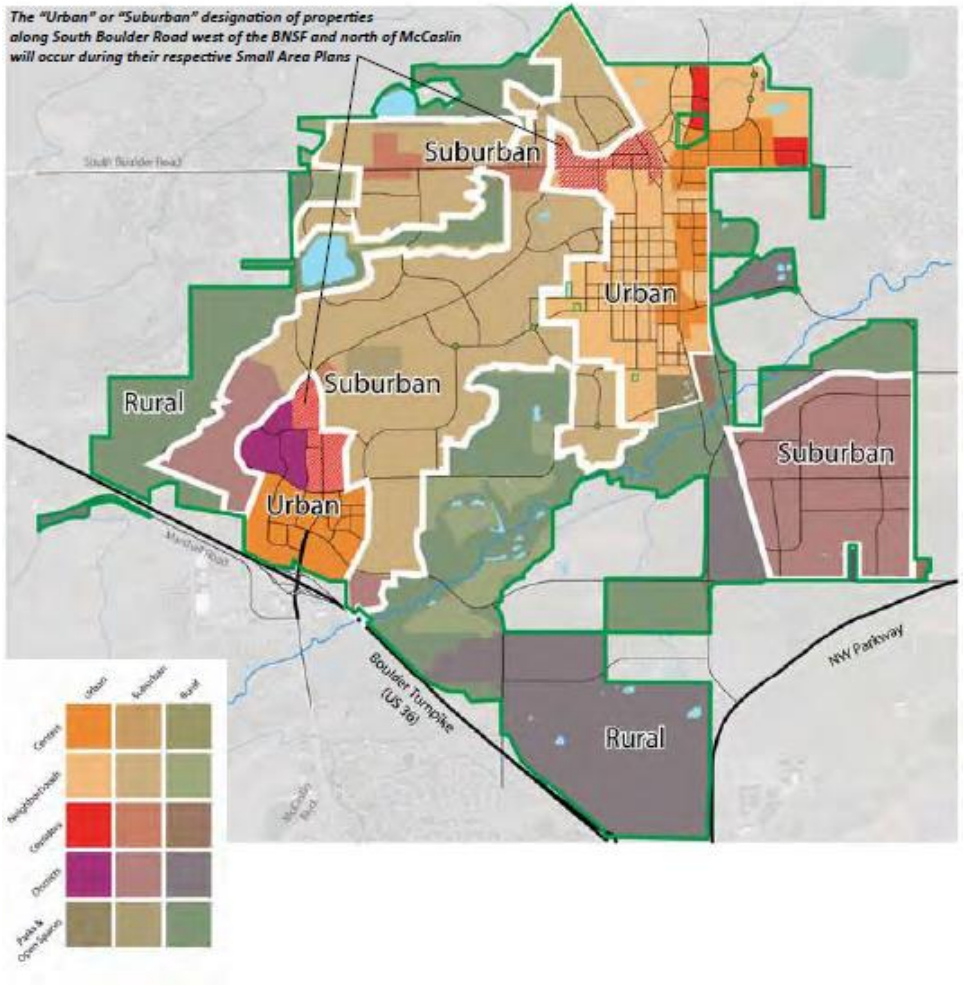
Note: Enlarged maps of each opportunity area are located in the Appendix.

Redtail Ridge

COMPREHENSIVE PLAN

Framework Comparison (2009 to 2013)





2013 COMPREHENSIVE PLAN
Vision Statement & Parallels

The Comp Plan Vision Statement provides “Louisville continues to transform into **one of the most livable, innovative, and economically diverse communities** in the US.”

Without providing additional mixed-use developments within the City, it will be extremely difficult for the City to meet this goal.

2013 COMPREHENSIVE PLAN
Core Value – Healthy Vibrant Economy

- ✓ Retain the Largest Private Employer in Boulder County
- ✓ **Retain of 500 Existing Louisville Jobs**
- ✓ **Create 1,500 new jobs in Louisville**
- ✓ Further Job Creation at the Site and for Construction
- ✓ Additional Commercial and Retail Activity
- ✓ Better Economic Balance within the City with Mixed-Use Plan

Medtronic

Erickson LIVING

2013 COMPREHENSIVE PLAN

Core Value – Accommodating Families & Individuals

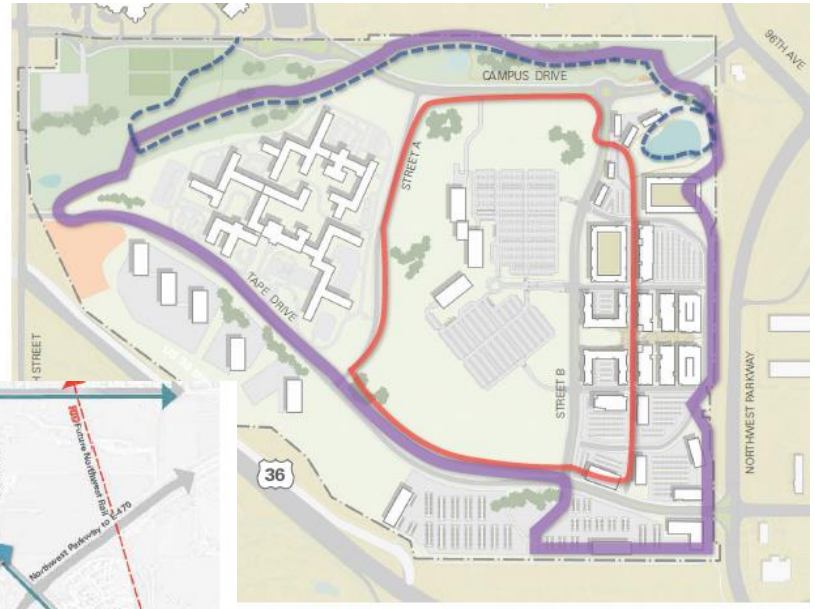
15.6-Acre Conceptual Park Plan *(Final Design by City of Louisville)*

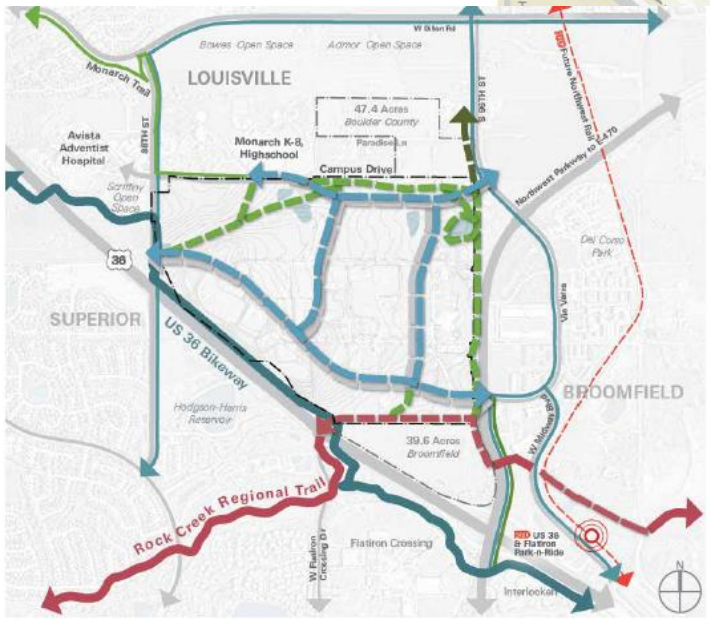
- ✓ New 15-acre Park
- ✓ Easement for Dog Park
- ✓ Softscape, Passive Recreation Trails Featuring Natural Elements
- ✓ ADA Compliant Hardscape Trails
- ✓ Additional Senior Living Housing

2013 COMPREHENSIVE PLAN

Core Value – Integrated Open Space & Trails

- ✓ Over 39 acres of New Public Open Space
- ✓ Continuous Open Space on-site and off-site, supporting habitat corridor
- ✓ Over 15 miles of new trail ways
- ✓ Long-Desired Rock Creek Regional Trail Connection





Redtail Ridge

2013 COMPREHENSIVE PLAN

Core Value – Balanced Transportation System

- ✓ Complete Streets
- ✓ Critical Roadway Connections
- ✓ Elaborate Multi-Modal Network
- ✓ Safety and Traffic Calming Features

Redtail Ridge

2013 COMPREHENSIVE PLAN
Core Value – Unique Commercial Areas

- ✓ Unique Character Areas
  - Corporate Campus
  - Senior Living
  - Mixed-Use
  - Open Space
  - Parks and Trails

- ✓ Walkable Mixed-Use District

2013 COMPREHENSIVE PLAN
Core Value – Connection to City's Heritage

- ✓ The name 'Redtail Ridge' pays homage to Louisville's historic mining tradition and scenic landscape

- ✓ Preservation of ponds, dating back to Varraville and the Site's agricultural history

Founded in 1878, Louisville's robust mineral deposits made it an important location for coal mining in Boulder Valley at the turn of the 20th Century. As mines were dug in the area, the process produced "red ash" or "tailings" – a combination of discarded rock, clay, slate and low-grade coal – that was used for the town's roads, which resulted in red dust plumes or "tails" as cars drove by.

The name also refers to the Red-tailed Hawk commonly spotted in Louisville and along the Front Range. With acres of integrated open space planned, Redtail Ridge will support the natural habitat for birds and other species that call Colorado home.

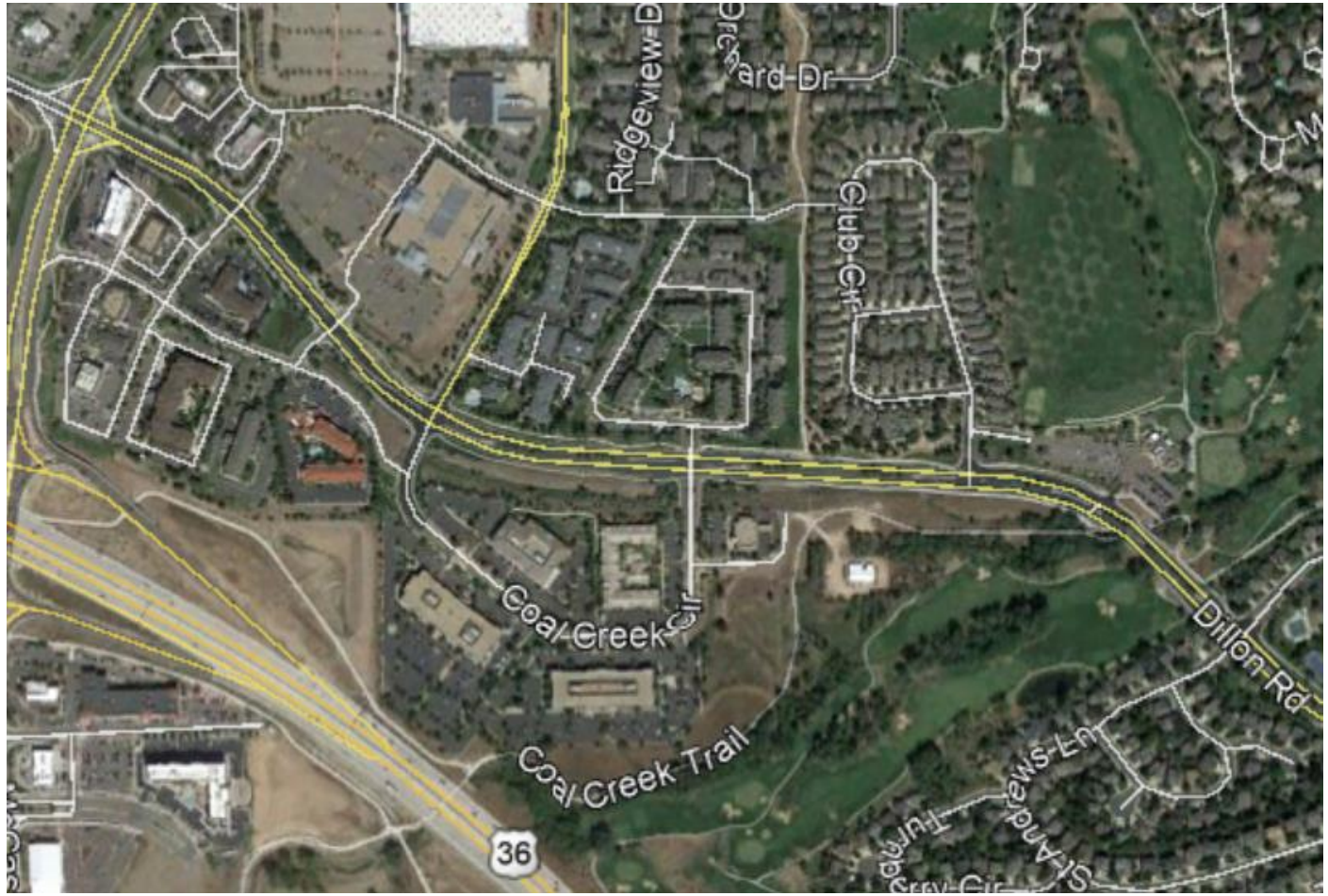
2013 COMPREHENSIVE PLAN

Suburban Districts – Centennial Valley Business Park

Redtail Ridge

2013 COMPREHENSIVE PLAN

Suburban Districts – Coal Creek Business Park



2013 COMPREHENSIVE PLAN

Suburban Districts – Colorado Technology Center

Redtail Ridge

2018 PARCEL O – ENGAGE LOUISVILLE
Recent Community Engagement & Findings

"There is a strong desire for new and unique uses that are experience based and will serve both the local community as well as draw individuals from outside Louisville."

"The community also desires an improved site layout that supports walkability between the individual lots, open and green spaces, outdoor features and play spaces, attractive public spaces, improved streetscapes that facilitate user interactions."

- EPS Parcel O Market Study

2018 PARCEL O – ENGAGE LOUISVILLE
Community Preferences Possible at Redtail Ridge

Retail/Restaurant	Residential	Health/Wellness	Community Space
Local vendors	**Apartments**	**Sports fields**	**Parks/plazas**
Upscale retail	**Middle Income**	Climbing gyms	**Green space**
Small shops	Condos	Indoor tennis	**Central gathering area**
Outdoor marketplace	**Senior Living**	**Cross fit**	**Outdoor seating**
Farmer's market	**Mixed use with residential on top**	**Complementary to rec center**	**Games**
Trader Joe's / Sprouts			**Playgrounds**
Food halls			Water features
Breweries			
Cafes/Coffee shops			
Unique and family-oriented dining			
Organic			

2019 TRANSPORTATION MASTERPLAN
Summary of Recommendations & Alignment

- ✓ Policy 1 - Great Streets
- ✓ Policy 2 - Guidelines for Walkable / Bikeable Places
- ✓ Policy 3 - Transit Oriented Development Guidelines
- ✓ Policy 4 - Coordinate Applications for Technology

SUMMARY OF RECOMMENDATIONS

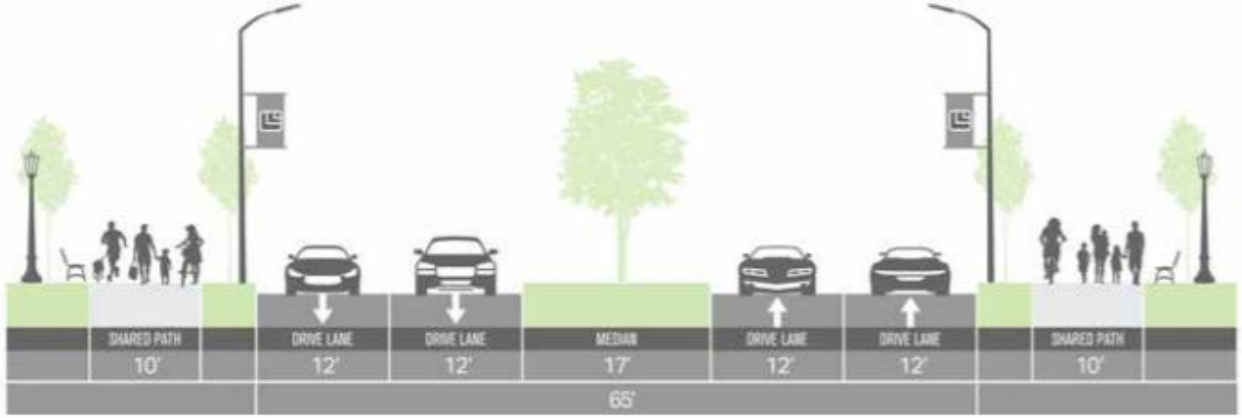
		Goals								Modes of Focus			
		1 Efficient & Safe	2 Cohesive & Layered System	3 Local & Regional Travel	4 New Technologies	5 Increase Options & Access	6 Complete Streets - Livability	7 Economic Opportunities	8 Environment & Community Health	Driving	Transit	Walking	Biking
Policy													
Policy 1	Great Streets	●	●	●		●	●	●	●	●	●	●	●
Policy 2	Guidelines for Walkable and Bikeable Places	●	●	●		●	●	●	●		●	●	●
Policy 3	Transit Oriented Development Guidelines		●	●		●	●	●	●		●	●	●
Policy 4	Coordinate Applications for Technology	●			●	●		●	●	●	●	●	●
Project													
Project 1	Corridor Improvements	●	●	●		●	●	●	●	●	●	●	●
Project 2	All Ages and Abilities Bicycle Network	●	●	●		●	●	●	●		●	●	●
Project 3	Connectivity and Safety Improvements	●	●	●	●	●	●	●	●		●	●	●
Project 4	Downtown Connector Urban Trail	●	●	●	●	●	●	●	●		●	●	●
Project 5	Transit Vision and Service Needs	●	●	●	●	●	●	●	●		●		
Programs													
Program 1	Neighborhood Traffic Management Program	●				●	●		●		●	●	●
Program 2	Travel Demand Management	●		●	●	●		●	●	●	●		
Program 3	Safe Routes Programs	●	●	●		●	●		●			●	●
Program 4	Fun Routes Programs		●			●	●		●				●
Program 5	Open Streets Program	●				●	●	●	●	●	●	●	●
Program 6	Coordinate Bike Share Network			●	●	●		●	●				●
Program 7	Safety, Maintenance & Training Program	●				●				●	●	●	●
Program 8	Coordinated Wayfinding System	●				●		●	●	●	●	●	●
Program 9	Bicycle-Friendly Recognition	●	●				●	●	●				●
Program 10	Data Collection		●		●	●	●	●	●	●	●	●	●

Redtail Ridge

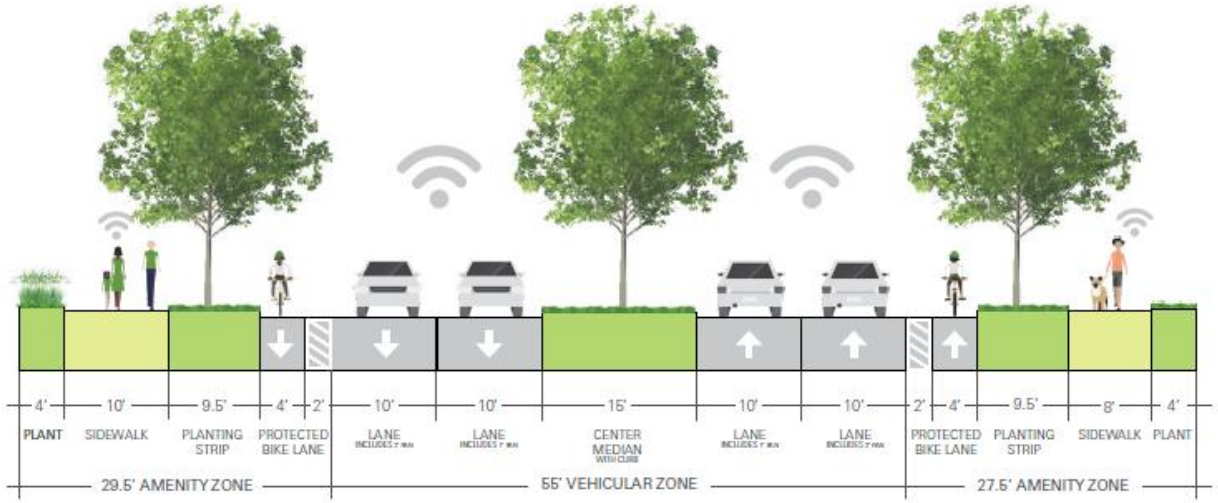
2019 TRANSPORTATION MASTERPLAN

Great Streets / Complete Streets

TMP Sample Street Section



Proposed Campus Drive Street Section



2019 TRANSPORTATION MASTERPLAN

Identified Projects – Development Paid

- ✓ Campus Drive
- ✓ Bike Downtown Connector
- ✓ Pedestrian Underpasses
- ✓ Enhanced Crossings
- ✓ Transit Network & Circulator
- ✓ Transportation Demand Management

	Walking	Biking	Transit	Driving
Optimize	Wide sidewalks/ trail, roadway buffer, enhanced amenities	Protected or buffered bike lanes, separated trail	Signal timing preference for transit, lane use priority, enhanced stop and shelter amenities	Additional lanes, enhanced signal timing, no shared ROW
Prioritize	Wider sidewalks/trail, roadway buffer	Bike lanes/trail, neighborhood bikeway treatments	Bus stop with shelter, coordinated pedestrian/ bike access	Enhanced signal timing, turn lanes
Accommodate	5' minimum sidewalks with ADA curb ramps	Bike route/shared facility	ADA accessible bus stop	Vehicle access to destinations

INFRASTRUCTURE & PUBLIC BENEFIT

Underlying Tax Base Importance

78% of the Real Property Tax Base used to generate bonds for public infrastructure is in Parcels C, D and E which subsidizes the improvements needed for Medtronic and Erickson

INFRASTRUCTURE & PUBLIC BENEFIT

Minimum Improvements to Serve Medtronic

Improvement	Note	On-Site or Off-Site?
Campus Dr. Extension	Must be 4-lanes at S. 96th for employee rush hour	On-Site
Campus Dr. / S. 96th St.	Creation of new intersection for extension	Off-Site
Sorrel Ave.	North-South main entry road to corporate campus	On-Site
Rockcress Dr. (formerly Tape Dr.)	Entrance from NW Pkwy, providing access to Sorrel Ave. and corporate campus	On-Site
Dillon Rd. / S. 96th St.	Construct dual EB and WB turn lane Construct dual NB and SB left-turn lanes	Off-Site
S. 96th St. from Dillon Rd to NW Pkwy	Widen to 4-lane roadway Recommended immediately in conjunction to Campus Dr. Extension	Off-Site
S. 88th St. / Campus Dr.	Extend the NB right-turn lane to provide a minimum of 500 ft storage	Off-Site
NW Pkwy / S. 96th St. / Via Varra	Construct triple NB left-turn lanes on NW Pkwy Capacity improvements on NW Pkwy	Off-Site
Lift Station	New sewage facility to replace and enhance the private lift station previously used for Storage Tek	On-Site
Sewer Line Connection	Link lift station to sewer mains and wastewater treatment facility	Off-Site

INFRASTRUCTURE & PUBLIC BENEFIT

Metro District - Medtronic Bonding Limits

Current Service Plan Exhibit @ 35 Mills

SOURCES & USES	$
D2 Metro District Bonds	$16.4 MM
Improvements to Serve Medtronic	($36.7 MM)
Funding Deficit	($20.3 MM)

Estimates subject to final construction pricing and bond market pricing

Current Service Plan Maximum @ 50 Mills

SOURCES & USES	$
D2 Metro District Bonds	$23.4 MM
Improvements to Serve Medtronic	($36.7 MM)
Funding Deficit	($13.3 MM)

TRANSPORTATION

Lowering Density to 2.5MM SF Does Not Solve Traffic

Current Zoning 2.5MM SF Office

Use & Trips Generated	Total Est. Volume
Medtronic	4,803
Other Office	19,210
TOTAL TRIPS	**24,013**

There would not be:

(1) internal trip capture
(2) transportation demand management funding to encourage non-single occupant vehicles
(3) robust multi-modal network

Redtail Ridge Masterplan with Mixed-Uses

Use & Trips Generated	Total Est. Volume
Medtronic	4,322
Erickson Senior Living	2,720
Other Office	13,521
Multifamily	3,745
Retail	2,141
Hotel	825
TOTAL TRIPS	**27,274**

Source: Fox Tuttle Transportation Group Traffic Matrix

TRANSPORTATION
Future Improvements Needed Without Any Development

Intersection or Roadway Segment	Recommended Improvement	Timing
Dillon Rd. / S. 88th St.	Restripe to provide dual WB left-turn lanes	2020
Dillon Rd. from S. 88th St. to S. 96th St.	Widen to 4-lane roadway	2030
Dillon Rd. / S. 96th St.	Construct dual EB and WB turn lane Construct dual NB and SB left-turn lanes	2020-2021 2035-2040
S. 96th St. from Dillon Rd to NW Pkwy	Widen to 4-lane roadway	2025
S. 96th St. from Dillon Rd to SH 42	Widen to 4-lane roadway	2030
S. 88th St. / Campus Dr.	Construct a second NB thru lane that would begin 500 ft south of Campus Dr. and extend the NB right-turn lane to provide a minimum of 500 ft storage	2020
NW Pkwy / S. 96th St. / Via Varra	Construct triple NB left-turn lanes on NW Pkwy Capacity improvements on NW Pkwy	2025 2030-2035
NW Pkwy / US 36 Interchange	New interchange needed	2040

Source: Fox Tuttle Traffic and Mobility Study May 2020, Table E.2 Page 12

TRANSPORTATION

Redtail Ridge Proposed Contribution to Improvements

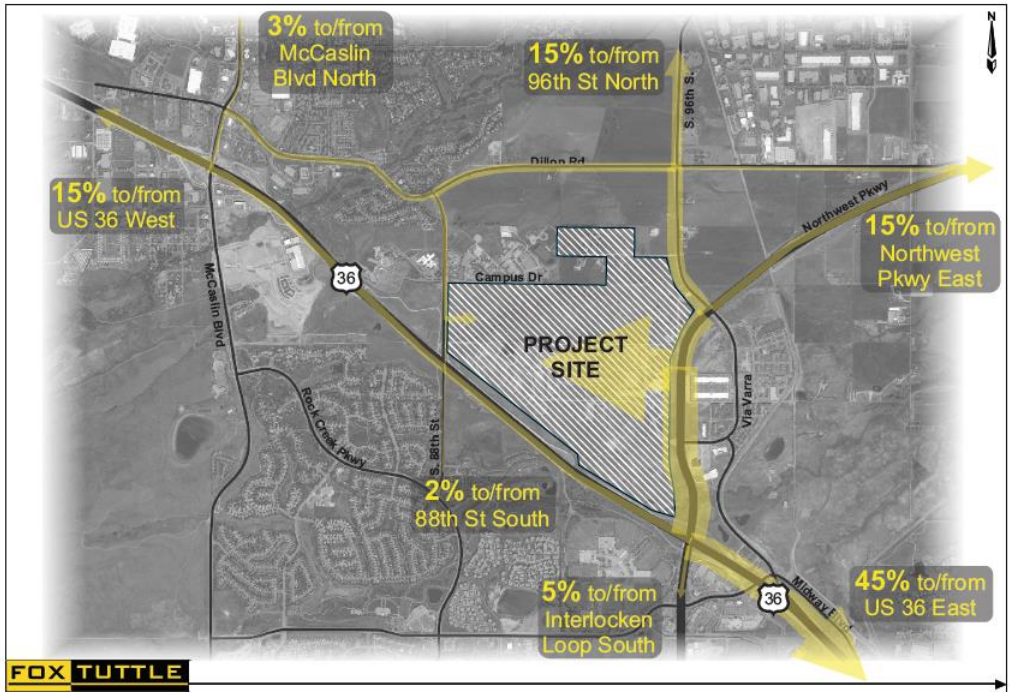
Redtail Ridge is a significant funding partner for needed roadway improvements that are required…

With or without development on the Phillips 66 Site

TRANSPORTATION
Additional Clarifications

88th St. Traffic Volumes & Performance are better than perceived

- Per the image to the right, only 2% of Redtail Ridge's traffic is anticipated to/from 88th St.
- This distribution assumption was verified by City Staff and their independent traffic consultant.



Lack of Access to This Information

- The Complete is available on the City's website and Project's website.

88th & Campus Intersection Performance

Today	2025 Without Redtail Ridge	2025 With Redtail Ridge
Wait Time: 99 Seconds	Wait Time: 113 Seconds	Wait Time: 38 Seconds

Source: Fox Tuttle Traffic and Mobility Study May 2020, Pages 41, 53 and 55

Redtail Ridge

WILDLIFE

Additional Clarifications

- 40 acres will be Protected by a Conservation Easement – safeguarding Rock Creek wetlands and a large prairie dog colony

- Recurring studies have taken place since the initial Biological Assessment
  - Including migratory birds' surveys
  - Including burrowing owl surveys
  - This is a requirement that we continually use in our construction phasing

- A detailed presentation and progress update is found on the Project's website.

SUSTAINABILITY

Additional Clarifications

- Buildings are concentrated over the previously developed Storage Tek Campus footprint
- The site will be returned to a more naturalized ecosystem with native grasses – responsibly minimizing irrigation use
- The old, abandoned asphalt on-site will be applied as new roadway base
- Existing trees and existing ponds are reutilized and incorporated

FISCAL STUDY KEY COMMENTS

Better Economic Balance & Net Positive Results

"We work with a lot of jurisdictions across the country and as you can imagine the revenue structures vary from state to state. Colorado happens to be a state that is heavily reliant on sales tax.

And we are showing surpluses or fiscally neutral results. More times than not, it would show a deficit.

So this is in the top third of what we would see nationally and that is because of the mixed-use nature of the development."

- "Overall the Proposed **Redtail Ridge generates positive net fiscal benefits to the City**."
- "The mixed-use nature of the Site gives the City **better economic balance than the existing zoning**."
- "**We have to rely on a more organic retail model. And I think this is what this project is**."
- "**The importance of associated residential and employment density with mixed-use development is critical**."
- "We assumed the City is building parks, roads, etc. **To the extent these items are mitigated by the metro districts, the fiscal results will only get better**."

- Carson Bise of TischlerBise, Fiscal Consultant to the City

City of Louisville
COLORADO • SINCE 1878

City Council
August 18, 2020
Item 7A – Redtail Comp Plan Amendment

Comments Received
August 4, 4:30 pm – August 14, 9:00 am

Meredyth Muth

From: MICHAEL PERKINS <michael.perkins1@comcast.net>
Sent: Tuesday, August 4, 2020 5:12 PM
To: City Council
Subject: Citizen input...

Apologies if you are receiving this email multiple times, but my email client keeps telling me that the mail failed to be delivered.

==========

Council;

I am writing this email on behalf of myself (Michael Perkins) and my wife (Pamela Perkins) of 229 Vulcan St., Louisville. If all the council reads is the first paragraph, then let me summarize; NO, NO, NO, NO, NO!!!

Thank you council for taking the time to review citizen feedback/input on the new development(s) in Louisville. However, I feel frustrated that I find myself, again, coming to the council to officially denounce another development plan that is WAY out of character for Louisville.

I want the Council to reject the development plans for the Old StorageTek site (now Redtail Ridge). Why this process is allowed to continue is a farce, given that the Planning Commission has already rejected the PUD (from what I understand to be unanimous 5-0).

If memory serves, the last time I heard about this proposed development was many months ago, before our current quarantine. Since then, the proposal (which, in my opinion, was already going well out of scope) has probably doubled in size. Office space has increased significantly, open space set-asides have decreased, rental units (I'm assuming luxury high rent) have been added, and height restrictions have all but disappeared.

With such a large amount of office square footage, the size of parking is overwhelmingly large, which wipes out large swaths of open space for not only our enjoyment but for wildlife.

Also, with so many rental units, even more massive asphalt slabs are needed. Again, this takes away from open space.

Another point is that, with all this residential being rental, there is absolutely NO CHANCE for residents to build equity in ownership. Even the senior living (I think has also increased in scale) has NO equity for seniors.

Many months ago, at a CAC meeting, in which the Redtail Ridge developers gave a presentation of their ideas, I thought that it was overblown and oversized. That was before the addition of some 900 apartment units and even more office square footage.

Along with all this are the fiscal issues/questions.

1. Who is paying for all the necessary infrastructure development(s)? Road expansions, possible addition of interchange at 88th for traffic capacity, water, sewer, electrical?

2. Where is the extra revenue coming from to support the additional ongoing infrastructure maintenance and services needed to support such an expansion?
3. How is the additional traffic going to be accounted for? Only the East side of the development has easy access to traffic arteries. I cannot imagine how bad traffic would be in that area of town.
4. The retail space set aside is unlikely to be developed or occupied in any realistic timeframe...just like the retail set asides at the Steele Ranch development in Northeast Louisville.
5. Not only would there be incredible competition from Broomfield for new retail that would be literally just across the road, Broomfield already has massive retail and entertainment spaces in place (in the form of Flatirons Crossing).
6. Also, Louisville has a bad record for attracting and/or retaining retail in the city. I am still stymied by Louisville allowing Kohls to leave and be relocated in Lafayette.
7. What kinds of incentives/sacrifices are going to be made by Louisville, to the developers?
8. How are additional schooling capacity needs going to be addressed?
9. Are ANY of the rental spaces going to be designated affordable housing?

Some thoughts that I offer (that might mitigate objections) would be the following;

1. Keep with the approved Conoco/Phillips limits.
2. The site should be used as originally intended, for commercial and light industrial.
3. Most, except for visitor and shipping parking, should be mandated to be under ground. This would retain so much more of the open space and wildlife land.
4. Building height should be limited to 3 stories...period.
5. If residential is approved to be included, units should be limited in number; At least 25% should be affordable housing, and all others be for purchase (i.e. Condos). Also, just like the Loftus development, the bulk of residential parking should be mandated to be underground in order to preserve open space and wildlife space.
6. Senior living opportunities, if included at all, should also be purchase or equity shares, to ensure that residence cannot be evicted or lose their anticipated retirement home. To be honest, the original idea of adding senior living was attractive, but not being able to own that space (at least the un-assisted living areas) was a deal breaker for me. Why would I spend all the equity I have built over my life, in my home, on rent?

All of the above tells me that this is NOT in the style of Louisville. This strikes me a singular money maker for the developer only, and a likely liability and money pit for the citizens of Louisville.

I strongly encourage the Council to unanimously and unequivocally reject this plan to develop the StorageTek (Conoco/Phillips) site, and wait for a development plan that is more reasonable and accounts for ALL the stake holders and not just the developers.

Thank You,
Michael and Pamela Perkins

From: Jacqueline Trowbridge
To: City Council
Subject: No on red tail ridge
Date: Tuesday, August 4, 2020 4:36:09 PM

Sent from my iPad

From: Susan Cambier
To: City Council
Subject: Red tail
Date: Tuesday, August 4, 2020 4:34:22 PM

Please vote no on this development.

Susan Cambier
Louisville resident

From: Jamie Skerski
To: City Council
Subject: Oppose Red Tail Ridge
Date: Tuesday, August 4, 2020 4:39:34 PM

I am writing in opposition of the Red Tail Ridge development as currently proposed. The increased traffic and congestion around Monarch will is only one small problem with this behemoth of a site.
Please keep Louisville small and charming - we don't want to be a sprawling suburb with congestion - the rest of the Front Range is already becoming this.
Jamie Skerski
Louisville resident

From: Andrea Dazzi
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 4, 2020 4:40:07 PM

Dear Council,

Please Vote NO on Redtail Ridge. In addition to being a Huge project resulting in thousands of cars and pollution which will impact Louisville and Boulder (already Congested), it impacts the open land, environment and wildlife habitat.

Additionally, Erickson Living is intending to come in and they are a Huge Independent and Assisted Living operation with headquarters and facilities on the east coast and a very large community in Littleton called Wind Crest. Currently there are at least 1400 Residents in that community with plans to build 200 more units. We have a lot of Independent, Assisted, Skilled Nursing and Dementia Care facilities in Louisville and Boulder. Being in the business, I feel we have plenty of space in the current continuing care facilities in this area. And no need for another huge project.

Thank you for your consideration and trusted votes.

Andrea Dazzi

Andrea Dazzi
720-403-7612

Live Heaven...

From: Lena
To: City Council
Subject: Redtail Ridge Vote Aug. 4, 2020
Date: Tuesday, August 4, 2020 4:40:40 PM

Dear Louisville City Council,

I am a Louisville resident. Please vote NO on Redtail Ridge.

Thank you.

From: pam_mosher
To: City Council
Subject: Reject Redtail Ridge
Date: Tuesday, August 4, 2020 4:42:37 PM

I have lived in Louisville since 1995 and grew up just a few miles away. It will break my heart to see our beautiful small town ruined by this proposed monstrosity. This is not right for Louisville. Please reject this development proposal.

Thank you!
Pam Mosher

From: Jill Kranitz
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 4, 2020 4:47:52 PM

Dear City Council,

I implore you to vote NO on the proposed Redtail Ridge Development. For so many reasons this is not in the best interest of Louisville, our community, or way of life. I am not opposed to development but the monstrous size of this development would have detrimental effects and permanently change Louisville.

Thank you,
Jill Kranitz

From:	Brittany Frater
To:	City Council
Cc:	Colin Frater
Subject:	No on Redtail Ridge
Date:	Tuesday, August 4, 2020 4:52:12 PM

Hello,

As a Louisville homeowner and resident, I am requesting the council deny the application and vote no on the proposed Redtail Ridge development plan.

Given that the Louisville Planning Commission has already **unanimously** rejected the developer's request for changes to the city's Comprehensive Plan and the General Development plan because Redtail Ridge it TOO BIG FOR LOUISVILLE, I think it's already been made clear how the Louisville residents feel about this.

It is an absurd behemoth for high-density growth that would way overbuild overpriced rental units and unneeded office space, add a gross amount of traffic and pollution, and destroy wildlife habitat.

Louisville is already overcrowded and overpriced. I truly do not want it to become another Boulder.

Best regards,
Brittany

--
Brittany Frater
Professional Copywriting, Content Marketing & Marketing Strategy
Boulder, Colorado
https://brittanyfrater.com/
Mobile: 415.969.0837

Connect with me:
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From: Amy Baggett
To: City Council
Subject: NO on Redtail Ridge!!
Date: Tuesday, August 4, 2020 4:54:29 PM

I am not against change but this development is too big for our area and it will have devastating impact on wildlife habitat.

Please DENY the application to amend the comprehensive plan and rREJECT the Redtail Ridge plan.

Thank you,
Amy Baggett

From: Sara Starr
To: City Council
Subject: Please vote no on Redtail Ridge
Date: Tuesday, August 4, 2020 4:54:57 PM

Dear Council Members,

I understand tonight is an important night regarding the Redtail Ridge development.

I urge you to vote no to help preserve the open space and the quality of life for all. Our local community has already expanded rapidly over the last several years. Each new development steals away from the charm that makes louisville so special.

Please vote “no” on Redtail Ridge.

Thanks,
Sara Huth

Sent from my iPhone

From: Roxanne Brickell-Reardon
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 4, 2020 4:56:41 PM

Dear Council members, I am writing to you with about my deep concerns and reservations about the potential for this MASSIVE development in Louisville being called Redtail Ridge Over five million square feet of development and all its impacts as well as buildings that are five stories high goes against all the values of a small town community. There will no longer be any habitat for red-tailed hawks so the name will only represent their destruction.

There is so much empty and vacant retail and office building space already in Louisville and even senior living space. How many more acres of buildings and paved parking lots need to sit around being unused??

The biggest issue of all, however, is that Louisville does NOT have the road infrastructure to support even some modest development in this area, let alone basically building a whole new small town.

You are not staying true to Louisville's values if you approve this plan as proposed. In the past it was important to the city council that Louisville was a highly rated and desirable place to live. It will no longer even be considered a bad place to live but rather a very **undesirable** place to live.

I am a second generation Colorado native and I believe this kind of proposed development is un-responsible and very short sighted. Please don't let the all mighty dollar blind you to the devastating and long lasting effects of such massive development.

I appreciate your consideration to think differently,

Roxanne Brickell-Reardon
1828 Lakespur Lane
Louisville, CO 80027
303-449-3624

From: Colin Frater
To: City Council
Cc: Brittany Frater
Subject: Re: No on Redtail Ridge
Date: Tuesday, August 4, 2020 4:59:41 PM

I too would like to request that the council vote NO to a special amendment of the Comprehensive Plan and the General Development plan. If we are to amend something like this for a large developer, then what value is it? It was clearly put into place with a purpose and that purpose was not to be ignored or pressured into change by developers, rather it was put into place to protect the interests of the community that created it!
These giant collections of apartments clustered around a few commercial spaces are popping up around here, at least a couple in Broomfield, and they do not create the sort of community that Louisville is known for. I lived in one briefly and it was pretty terrible.

Thanks in advance for listening to the voices of the community!
-Colin

On Tue, Aug 4, 2020 at 4:52 PM Brittany Frater <brittanyrosefrater@gmail.com> wrote:

> Hello,
>
> As a Louisville homeowner and resident, I am requesting the council deny the application and vote no on the proposed Redtail Ridge development plan.
>
> Given that the Louisville Planning Commission has already **unanimously** rejected the developer's request for changes to the city's Comprehensive Plan and the General Development plan because Redtail Ridge it TOO BIG FOR LOUISVILLE, I think it's already been made clear how the Louisville residents feel about this.
>
> It is an absurd behemoth for high-density growth that would way overbuild overpriced rental units and unneeded office space, add a gross amount of traffic and pollution, and destroy wildlife habitat.
>
> Louisville is already overcrowded and overpriced. I truly do not want it to become another Boulder.
>
> Best regards,
> Brittany
>
> --
> Brittany Frater
> Professional Copywriting, Content Marketing & Marketing Strategy
>
> Boulder, Colorado
> https://brittanyfrater.com/
> Mobile: 415.969.0837

Connect with me:
LinkedIn | Medium | Instagram | Twitter | Facebook

From: Jay Young
To: City Council
Subject: Redtail Ridge development.
Date: Tuesday, August 4, 2020 4:57:57 PM

To whom it may concern.

I have been a fairly long time resident of Louisville moving here in 1991 where our children were born and grew up.

We live right across 88th from the Monarch schools.

We love the small town atmosphere of Louisville.

In the last 5 years traffic through our town has escalated dramatically due to the building of massive apartment complexes and Broomfield and Superior.
Traffic is mostly associated with these new developments and people driving through Louisville get to Boulder and other places as traffic is so bad on 36 that they drive through our town.

Red Tail development will be very close to use and will increase traffic again dramatically as well as pretty much start moving Louisville towards being like Boulder and Broomfield in there growth aspirations which, in my opinion, decrease the quality of life if you enjoy small town living.

I would like to say that I am completely against this development as it increases population here and I'm not really interested in having a bunch of 4 lane roads through our town to allow much more traffic in our small town.

Please vote no on this expansion.

Sincerely,

Jay and Lisa Young
359 Troon Ct.
Louisville
This email and any attachments are intended for the sole use of the named recipient(s) and contain(s) confidential information that may be proprietary, privileged or copyrighted under applicable law. If you are not the intended recipient, do not read, copy, or forward this email message or any attachments. Delete this email message and any attachments immediately.

From: Judy
To: City Council
Subject: Development vote
Date: Tuesday, August 4, 2020 5:03:30 PM

To Whom it may concern:

I am opposed to the development of the size and scope that is proposed and will be voted on this evening. My main concerns include traffic, environmental impact, school overcrowding, and the need for housing that is affordable but not in the numbers proposed.
Louisville is already very crowded. Downtown parking is impossible. We have parts of Louisville (like the Kohl's site) that are sitting empty. There has been no retail development on the Sam club site that is currently housing the Ascent church.

Cordially,
Judy Givens
Louisville

Sent from my iPhone

From: finnessey
To: City Council
Subject: Red tail Ridge
Date: Tuesday, August 4, 2020 5:03:39 PM

Dear City Council Members,

I am a resident of Louisville and love this quaint city. Please reject the plans for Redtail Ridge as it will destroy the character of Louisville.

Thank you,

Michael Finnessey

From: ktjack77@yahoo.com
To: City Council
Subject: No on Redtail Ridge
Date: Tuesday, August 4, 2020 5:09:10 PM

Dear Council Members,

I'm writing to ask that you please deny the request to change the comprehensive plan for the current Redtail Ridge proposal. As someone who grew up in Boulder County and then ventured out into the world long enough to see both smart growth and poorly managed growth, it was, and is, a joy to have moved my family back into a community succeeding where so many have failed. This proposal would definitely impact that track record.

While I actually can't imagine this being approved as is, it is so egregious in size and density, it concerns me that this is as much a pie in the sky wish of the developers as it is an attempt to reframe the discussion. By presenting this massive 5M+sq ft development, they are really pushing for comprise that raises the current plan of 2.5M to something between the two and the grass roots outrage is mollified by the "win" and we are still left with a development that is too large for our current infrastructure and subsequent way of life in our small town gem.

Let's see a legitimate proposal that exists under the current comprehensive plan before we decide it needs to be changed.

Thank you for your time to this and all things Louisville!

Katie Wilkerson
303-880-6602
954 Saint Andrews Ln

From:	Diane Fitzgerald
To:	City Council
Subject:	Planning for old Storage Tech property
Date:	Tuesday, August 4, 2020 5:15:30 PM

We are not for this plan. It is too large and needs to be re-examined please. It will scar our scenic entry way. Please consider doing this expansion in steps. What is the hurry on developing it all at once.
Thanks,
Diane and Peter Fitzgerald

Sent from my i

From: Mina Jaroscak
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 4, 2020 5:21:38 PM

We do not support the huge development of Redtail Ridge. Louisville does not need more housing or retail space. Why not focus on developing the big empty buildings you already have and not destroy the character of what has made Louisville a great place to live.
Edward and MIna Jaroscak

Sent from my iPad

From: Mark Nass
To: City Council
Subject: Redtail Ridge is too massive
Date: Tuesday, August 4, 2020 5:22:56 PM

Hi,

This the first time in my life I've written something for a "Cause" - that's how important it is to us. My wife and I have been Louisville residents since 1991. We understand the need for development of this area but as it is proposed today, Redtail Ridge is just to big. The parcel is beautiful with a great location, please don't bow to pressure and put Louisville in a position we all regret in 10 years. Responsible growth is the key to trying to maintain the wonderful place that Louisville is today.

Respectfully,

Mark Nass & Jane Myers

From: Frank Harney
To: City Council; Jeff Lipton; Deb Fahey; Christopher Leh; Caleb Dickinson; Kyle Brown; Dennis Maloney
Subject: Yes to Red Tail Ridge!
Date: Tuesday, August 4, 2020 5:24:59 PM

Please vote YES on the proposed RedTail Ridge plan for the old StorageTek Campus. This once-bustling property adjacent to US36 would be a great thing for Louisville. I was moved here in 1984 because of a job at StorageTek. While the late 1980s were not kind to StorageTek - I have seen earlier photos of every parking lot and every road-side filled with parked cars - so there is no reason that a better planned campus like Medtronic could not bring back some jobs to our fine city.

Also bear in mind that the STK buildings were 1-3 stories tall - so the seemingly smaller footprint of the buildings (and the big fear of the "big space") should not be a problem. The sense of the general location near the highway should not be a worry for the 5 story campus that has been proposed - we have to let Medtronic play the same game (of prominence) that VMWare and Vail Resorts buildings play on the US36 corridor down in Broomfield. I remember hearing that the STK buildings were placed where they were because of old mine shafts/mining activities - so the cars (parking lots) may be at risk - but not the buildings...

I think a lot of the negative comments made are from people that use the present (unoccupied) areas - as trespassers. The plan seems to allow good pathways and access to areas - while allowing some site security for Medtronic.

It is a little nonsensical to me that people are objecting to apartments and high-density housing. We need more housing and more supply should bring prices down.

Let's not let another company leave Louisville for a place with a more accommodating business environment. I can't imagine they'll let big changes go - then we have possibly years of more vacancy and lower taxes ahead.

Thank you,
Frank Harney

--
Frank Harney
863 W Chestnut Cir
Louisville, CO 80027

From: Jill Tarleton
To: City Council
Subject: NO ON REDTAIL RIDGE
Date: Tuesday, August 4, 2020 5:24:56 PM

NO, NO, NO ON REDTAIL RIDGE!

From: kucharsk@mac.com
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 4, 2020 5:27:28 PM

I am writing to encourage you to approve the Redtail Ridge development.

It is smaller than past development plans for the area, keeps Medtronic in the city, and provides sorely needed additional housing without further impacting the downtown/South Boulder Road area.

Those worried about traffic need to realize that if the development is turned down, development will likely simply occur across the street in Broomfield instead, creating the same impacts but denying Louisville any tax revenues.

William Kucharski

From: Jill Tarleton
To: City Council
Subject: NO ON REDTAIL RIDGE
Date: Tuesday, August 4, 2020 5:32:26 PM

NO, NO, NO ON REDTAIL RIDGE DEVELOPMENT

FROM-
JILL TARLETON
248 VULCAN ST
LOUISVILLE CO 80027

A LONGTIME RESIDENT OF LOUISVILLE.

From: Jessie Bliss
To: City Council
Subject: SUPPORT for REDTAIL RIDGE
Date: Tuesday, August 4, 2020 5:44:43 PM

Hello,

I am emailing my support for Redtail Ridge. Please hear that there is a lot of community support for this development. Those who are opposed to this are in the minority. We desperately need additional senior housing and the extension of Tape Dr. and Campus Dr. Medtronic is a fantastic company to anchor this development. I personally am looking forward to being able to access the open space that is currently fenced off to the public. This is a fantastic way for Louisville to expand it's tax base.

I urge the city council to vote in support of Redtail Ridge.

Best,
Jessie Bliss
1100 Lincoln Ave
Louisville, CO 80027
--

JESSIE BLISS

303.885.8334 | jessiebliss@gmail.com

Website |Facebook | Global Luxury

From:	ssells1453@aol.com
To:	City Council
Subject:	"2nd city of Louisville" plan!
Date:	Tuesday, August 4, 2020 5:46:51 PM

Hello Everyone on City Council,
The "subject" is referring to the Redtail plan that is, from what we understand, way too big in it's scope and bits and pieces.
Seems like the developers are trying to cram in something for everyone without regard for the impact of traffic, increase of population or natural open buffers (ecosystem).
As 36 year residents we've seen the city grow, but could never imagine that the council may actually go ahead with allowing there be a new "2nd city of Louisville" just over the hill from us.
Yikes! what are you thinking? Retail and business revenues for the city are great but added residential comes at a price, not a benefit.
Sincerely,
Sam & Sunny Sells
Ward 3

From: Melissa Munio
To: City Council
Subject: No to Red Tail Ridge dev
Date: Tuesday, August 4, 2020 5:50:05 PM

Sincerely,
Melissa Munio

From: Steven Moss
To: City Council
Subject: Vote No on Redtail Ridge
Date: Tuesday, August 4, 2020 5:54:03 PM

As a long-time resident of Louisville I oppose this massive development which would change the character of this town and not be in the city's financial self-interest. Please vote NO. Thanks.

--
Steven P. Moss
Steven Moss Consulting
560 Jefferson Avenue
Louisville, Colorado 80027
(303) 885-9150 cell
stevenpmoss@gmail.com
www.stevenmossconsulting.com

From: Eileen Rudd
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 4, 2020 6:01:01 PM

In my humble opinion now is not the time to enter into such a large development when we don't know what the economy will look like once the affects of Covid has fully made an impact. Does Louisville really want large empty retail space that it cannot fill. Don't we already have that with Sam's and Kohl's

Please vote no on Redtail Ridge.

Eileen Rudd
2179 Charles Lane
Louisville

.

Sent from my iPad

From:	Ann Palius
To:	City Council
Subject:	VOTE NO ON REDTAIL RIDGE
Date:	Tuesday, August 4, 2020 6:44:20 PM

It is an absurd behemoth for high-density growth that would way overbuild overpriced rental units and unneeded office space, add a gross amount of traffic and pollution, and destroy wildlife habitat. In addition, it will put a huge strain on the service provided by the City. VOTE NO. LOUISVILLE DOES NOT NEED THIS.

Ann and Steve Palius

From: Matt Jones
To: City Council; ashleys@louisvilleco.go
Subject: Length of presentation
Date: Tuesday, August 4, 2020 8:24:32 PM

It is very frustrating to have the developer go on and on, while undoubtedly citizens are dropping off the zoom meeting. And then end by telling Louisville residents they don't know what they are doing. It has been 2 hours and 15 minutes and not one public comment yet. Please change your procedures and limit applicant time.

--
Thanks,
Matt Jones

From: likelyns3964@yahoo.com
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 4, 2020 9:00:45 PM

Im requesting the council to deny the application and vote no on the proposed Redtail Ridge development plan.

Thank you.

Sincerely
Lisa Panebianco

Sent from my iPhone

From: Chris Heuston
To: City Council
Subject: RedTail Ridge
Date: Tuesday, August 4, 2020 8:50:45 PM

Dear fellow council members:

I am writing to you to request you deny the Redtail ridge request overturn the comprehensive plan amendment due to the following reasons:

1. The Planning Commission has already unanimously denied this comprehensive plan amendment due to the size, cost, height of buildings, and environmental impacts.

2. This plan has a large impact on local traffic that has not been addressed. The study has failed to demonstrate in the traffic study was accurate.

3. The height extensions will interfere with the view corridor of the area.

4. The density is too much for the small town of Louisville

5. Louisville has grossly underestimated the revenue this will generate- but the retail is too small. Louisville can't even fill the open retail space it has right now.

6. I am concerned that bringing in that many seniors during a time of COVID will impact our small local hospital.

This development is exactly the reason the Comprehensive Plan was developed and it is exactly the reason you should deny it.

Thank you- Chris Heuston, 356 Troon Court, Louisville 303-618-8897

From: David Vandermeer
To: City Council
Subject: Please vote NO on the Redtail Ridge development
Date: Tuesday, August 4, 2020 9:16:06 PM

Hello there. I am emailing the council to join the voices in the Louisville community in asking you to vote no on this development deal. Though I don't live in Louisville, rather nearby in Erie, I used to work in Louisville and often come to enjoy myself there still. I've never done this before, but I feel it is important right now, because this would bring huge challenges to what is currently a charming small town, and uncertain benefits at best.

The general trend I've seen as it comes to rental properties is that when large capital investors use them as assets, investments, commodities, whatever you want to call it, the quality of the housing goes down, and the renters face more challenges. Furthermore, businesses such as the one I worked at happily for a year, Precision Pours, and those on main street, rely on foot traffic. I can't imagine anyone will feel comfortable going out of their way to stop at a little coffee shop on the side of the road if they have to fight severe traffic. Even in my short life (I'm 24) I've seen parts of Boulder become downright inhospitable from increased traffic and crowding, and it has driven small business in those areas out of business. Lastly, what's to stop the new people redtail ridge brings in from taking their business to Broomfield or elsewhere? The lengths Louisville would have to go to make the infrastructure accommodate an project this huge aren't worth it.

If my grandpa were giving me advice on a real estate deal like this, he'd say wait for a better one.

Thank you,
David VanderMeer, former baker at Precision Pours
157 Autumn Ct. Erie CO 80516

--
and in the end the love you take is equal to the love you make

From: Elizabeth Stahr
To: City Council
Subject: SE Gateway
Date: Tuesday, August 4, 2020 9:25:41 PM

City Council members, please, please do not fill in the space called the SE gateway with the horrendous development that you are planning!
Please don't let this be the view we all see when coming over the hill and entering our town!
With no distinction between Louisville and Lafayette, Louisville and Superior and now Broomfield! We need open space to separate Louisville from neighboring municipalities! Thankfully Boulder has the foresight to have open space between them and us!
It is too bad Louisville cannot retain any resemblance to what drew thousands of new residents here, and feels the need to build monstrous buildings and homes on every available piece of this once beautiful land!
Not only is this development pushing out all creatures and animals that have what little space that is left, it is changing forever the real sense of Louisville and it's beginnings, and the entrance to our once lovely town.
Please, please respect this amazing view and leave a beautiful homage to what Louisville once was. Leave a space we can all be proud of, don't fill it with unsightly buildings, don't let this horrendous plan be your legacy!

From: Scott MacLaughlin
To: City Council
Subject: No on the current Redtail Ridge proposal
Date: Tuesday, August 4, 2020 9:46:44 PM

Scott MacLaughlin, 948 St Andrews Lane

My comment in on the traffic impact study. It is completely unrealistic. An increase of 8,440 employees, but the trip generation estimates are on average 2500 in the morning and 2500 in the evening? That is less than 30% of the total employees. The math doesn't add up.

An estimated 2% traffic increase to/from 88th and 3% increase to/from McCaslin Blvd is absurd. Your analysis error band is more than that. Once you connect Campus Drive from 88th to 96th street, the traffic on 88th, McCaslin, and yes St Andrews Lane between Dillon and McCaslin will substantially and unbelievably increase. I am assuming that St Andrews was not even part of the traffic study.

Geoff Baukol talked about the fiscal benefit of Louisville by "increase in Louisville retail", "attracting neighbors", and "going out after work". That is all increased traffic that is more than 2-3%.

I live in Louisville and work in Boulder and for full disclosure I previously worked at Metronic. While in Boulder, I have breakfast/lunch/dinner, post office, errands, Dr appointments, grocery, rec center, etc. That is all increased traffic travel that is more than the 2-3% that you calculated.

From:	Corey Rae McRae
To:	City Council
Subject:	Please vote no to Redtail Ridge development plan
Date:	Tuesday, August 4, 2020 10:02:04 PM

Hello,

I am a resident of Louisville and I would like to show my disapproval of the Redtail Ridge development plan. This plan will negatively affect current residents of Louisville as well as beautiful Colorado ecosystems. I urge you to vote no to this development plan.

Dr. Corey Rae McRae
Director, Boulder Cryogenic Quantum Testbed
University of Colorado Boulder

From: Abe Gutierrez
To: City Council
Subject: Red tail
Date: Tuesday, August 4, 2020 10:37:47 PM

Question if Red tail is dis approved, will they then dis annex Louisville and request annex to Broomfield. Which I think Broomfield would welcome.

Thanks
Abe Gutierrez
829 W. Linden St

From: Lisa Ritchie
To: City Council
Subject: FW: NO CHANGES NO REDTAIL
Date: Wednesday, August 5, 2020 8:01:37 AM

Lisa Ritchie, AICP
Senior Planner
City of Louisville
303-335-4596

-----Original Message-----
From: Nancy Keer Armstrong [mailto:nancy.keer.armstrong@gmail.com]
Sent: Tuesday, August 4, 2020 6:46 PM
To: Planning Commission <PlanningCommission@louisvilleco.gov>
Subject: NO CHANGES NO REDTAIL

WE ARE NOT PREPARED FOR THIS NOR DOES THIS DEVELOPMENT ADDRESS US 36 and NW Parkway IMPROVEMENTS to traffic.

And, who are we??? Are we a town focused on SUSTAINABILITY????

IF WE ARE? This IS NOT SUSTAINABLE...

NO ON REDTAIL!!!

Sent from my iPhone

From: Lisa Ritchie
To: City Council
Subject: FW: Louisville stands at a crossroads - Boulder Daily Camera
Date: Wednesday, August 5, 2020 8:01:48 AM

Lisa Ritchie, AICP
Senior Planner
City of Louisville
303-335-4596

-----Original Message-----
From: Nancy Keer Armstrong [mailto:nancy.keer.armstrong@gmail.com]
Sent: Tuesday, August 4, 2020 7:31 PM
To: Planning Commission <PlanningCommission@louisvilleco.gov>
Subject: Louisville stands at a crossroads - Boulder Daily Camera

http://boulderdailycamera.co.newsmemory.com/?publink=29d141970

STOP THE MADNESS!!!

THE PARK IS A JOKE!!! The amount of RETAIL is a JOKE!!!

Look, I like Chad and Geoff... nice guys...

BUT THIS IS WRONG!!! It is NOT SUSTAINABLE...

Sent from my iPhone

From: Anne Gooding
To: City Council
Subject: please vote no on redtail ridge
Date: Wednesday, August 5, 2020 9:34:01 AM

Dear Council Members,

I am writing to express my concerns about the new Redtail Ridge development. I am in no way opposed to developing this property as Louisville needs for something to be happening there. I am very concerned about the size of the proposed development and the impact it will have on our small town. It seems that sticking with what was approved for the Conoco-Phillips development would be appropriate. That proposal is already 60% larger that what was there for StorageTek. Please vote no on the current development plan. Even Boulder County does not approve of the current plan. The traffc and services strain that this development would put on our small town would far outway the benefits for us. Many of the people that live there would end up shopping in Superior and Broomfield due to the location.

Please keep our small town and small town and not another cookie cutter suburb.

Sincerely,

Anne Gooding
Louisville Resident

From: Citizen Inquiries
To: City Council
Cc: Planning
Subject: FW: Feedback for City of Louisville, CO
Date: Wednesday, August 5, 2020 9:28:30 AM

City Council

Feedback from a resident for you below.

Gloria Handyside
Senior Communications Specialist
City of Louisville
Office 303-335-4814
Cell 720-590-3809
www.louisvilleco.gov | Twitter | Facebook

Join our eNotification list to customize emails with news and events that matter to you.

From: info@louisvilleco.gov <info@louisvilleco.gov>
Sent: Tuesday, August 4, 2020 1:53 PM
To: Citizen Inquiries <info@louisvilleco.gov>
Subject: Feedback for City of Louisville, CO

You have received this feedback from Thomas J Flewellong < tom.flewelling@q.com > for the following page:

https://www.louisvilleco.gov/local-government/government/city-council

Please do NOT approve the current Redtail Ridge development proposal. It is too big, too high and too dense for our community, and will likely destroy the small town character we so cherish. The proposed massive development is neither desirable nor sustainable. The Planning Commission was correct. Let's stick with our comprehensive plan and seek proposals in keeping with it.

From:	Lisa Ritchie
To:	City Council
Subject:	FW: Feedback for City of Louisville, CO
Date:	Wednesday, August 5, 2020 10:25:18 AM

Lisa Ritchie, AICP
Senior Planner
City of Louisville
303-335-4596

From: Gloria Handyside
Sent: Wednesday, August 5, 2020 9:26 AM
To: Planning <planning@Louisvilleco.gov>
Subject: FW: Feedback for City of Louisville, CO

No reply needed.

From: Citizen Inquiries
Sent: Wednesday, August 5, 2020 9:24 AM
To: 'Dorothy Kane' <Dorothy.kane70@yahoo.com>; Citizen Inquiries <info@louisvilleco.gov>
Subject: RE: Feedback for City of Louisville, CO

Dorothy

Your email has been shared with the Planning Department.

Gloria Handyside
Senior Communications Specialist
City of Louisville

From: info@louisvilleco.gov <info@louisvilleco.gov>
Sent: Tuesday, August 4, 2020 5:23 PM
To: Citizen Inquiries <info@louisvilleco.gov>
Subject: Feedback for City of Louisville, CO

You have received this feedback from Dorothy Kane < Dorothy.kane70@yahoo.com > for the following page:

https://www.louisvilleco.gov/government/staff-directory

No red tail development I'm completely against it

From: Susan Morris
To: City Council
Subject: August 4th council meeting
Date: Wednesday, August 5, 2020 11:38:10 AM

City Council
I appreciate your staying late to hear Louisville residents comments but please visualize the concerned and upset faces of the 240 people who turned out to overwhelmingly ask you to vote no on Redtail Ridge as they filled the room and spilled out into the hall and down the stairs. Now, visualize, as the developer delivers his insulting closing remarks, all the angry faces of the people who voted for you.
This is a very sad situation.
I have been in your place as a city council member and I know it can be a tough job but I certainly did not like hearing that the developer thinks we don't know what is good for our community.

Susan Morris
939 West Maple Court
Louisville

From: Kimberly Brown
To: City Council
Subject: Redtail Ridge
Date: Wednesday, August 5, 2020 1:47:45 PM

Dear City Council,

Please vote onto the current proposal for Redtail Ridge. We can do better for our town then the current proposal.

Thanks, Kim

Kimberly Brown
8z Real Estate
303-875-1596

Sent from my iPad

From:	Virginia
To:	City Council
Cc:	Roy Howland
Subject:	NO on Redtail Ridge
Date:	Wednesday, August 5, 2020 8:48:06 PM

We are 23 year residents of Louisville and are concerned about the Redtail Ridge plan. Please uphold the Planning Commission's decision and REJECT the Redtail Ridge proposal. It is too big, too dense, and we are concerned it will hurt downtown Louisville businesses while only increasing traffic and congestion in the area. Our open spaces are already limited and would be further stressed under this plan, which seems to offer more benefit to developers than residents.

Please say no and hold out for a proposal that will be better for our town.

Respectfully,

Virginia and Roy Howland
1054 Meadow Court
Louisville, CO 80027
303.604.2023

Sent from my iPad

From: Elizabeth Kaufman
To: City Council
Subject: Redtail Ridge
Date: Thursday, August 6, 2020 12:46:12 PM

Dear Louisville City Council,

I'm writing to you in favor of the Redrail Ridge proposal. I would like to see our city adapt to our changing lifestyles and future physical and financial needs as a community.

Redtail Ridge will bring many benefits to our community including new, accessible open space, a stronger tax base, a second access road to the Monarch PK-12 complex, a major employer (Medtronic), and an opportunity to deal with the critical deficits we have in our housing choices. While I am not in favor of the senior housing component, I would like to see housing for lower-income professionals such as teachers, police professionals, fire professionals, and others that are critical to the operation of our city. Currently, there are few opportunities for such individuals to find housing in Louisville. As an example, many of our teachers commute from far away preventing them from being part of our community after school hours which is difficult for them. As our state and nation become more diverse, I would like to see our city become more welcoming to diversity too. We also have few options for empty nesters who want to downsize from the house where they raised their children but want to stay in Louisville. Our adult children want to come back and start their lives and families in Louisville but can't afford to.

This development will occur over the next 5-20 years starting with the Medtronic campus. Medtronic has been good for Louisville and their employees live here and contribute to our community. With this extended timeline, the council will have many additional opportunities to approve specific developments within the GDP plan. There will be opportunities to adjust as economic circumstances change.

When I moved to Louisville in 2000, this parcel was owned and occupied by StorageTek and had around 3,700 employees and I don't recall any traffic or overcrowding problems related to this occupation of the parcel. This was not historically open space therefore the open space preservation argument is not a good one. Having the city purchase this private property and preserve it as open space is not a financially sound option for our city. I, personally, do not want to have a tax increase to buy this parcel and I feel the city would be better off with the revenue generated from this development.

The increasing population in the Denver Metro area has caused development pressure. Add changing economic circumstances, more people wanting to live close to work, work from home, the growth in online retail and the result is municipalities such as Louisville should start rethinking their land-use strategies. Look around at our neighboring cities and you will see that they are addressing these circumstances with appropriate changes in their land-use strategies. The Broomfield property where Best Buy once stood is a great example of a commercial area that is being transformed into a live/work community adjacent to a transit hub.

Voting down Redtail Ridge at this early stage would send a strong signal to everyone that Louisville is closed for business and closed to adapting to our changing economy and demographics. This signal will be so clear that when we need to bolster our retail sales tax

base in the future, it will be much harder to attract developers, businesses, and eventually residents. We can see this now in the Mccaslin area. We have large vacancies on both side of the “gateway” into our city. These empty and abandoned-looking buildings not only look awful, but bring zero revenue to our city. Big Box retail is not coming back. It’s important to remember online purchases made by the residents of Louisville bring sales taxes into our city. Redeveloping the Kohls/Sam's Club parcel, The theater/transit area, and other vacant or near-death businesses on Mccaslin will be difficult, if not impossible because of the roadblocks we are putting up for mixed-use and commercial development.

In closing, please thoughtfully consider my comments. I know you have many loud voices opposing this project and while they are sincere in their desires, I feel they are not fully considering the needs of our city moving forward. Times have changed and our city needs your leadership to help Louisville move into and thrive in the future.

Thank you for your service to our community.

Elizabeth Kaufman
783 Orchard Drive
Louisville, CO 80027
720-891-3553

From: Andrew Berkeland
To: City Council
Subject: Redtail Ridge Project
Date: Thursday, August 6, 2020 12:09:33 PM

Hello,

I am a local that lives in Westminster right off Highway 36. The Redtail Ridge development would offer a great opportunity to commute to a work site right off of great bus public transportation as well as a bike lane. This is highly ideal during these times. Overall, the development will support existing jobs in Louisville that could potentially be at risk of being retained if this does not approve, as well as key job growth in this area in healthcare and technology, with a local University campus for support.

I will be highly disappointed with Lousiville if this does not pass based on the existing location. My family currently supports small businesses within the city on an almost weekly basis. I will strongly consider changing our practices if this Redtail Ridge project does not approve for the reasons that have been presented in your public meetings. I understand I do not have a direct voice, as I am not a Louisville citizen, however, I am a neighbor off of HW 36, and would be impacted by this development as well. As such, your neighbors should have some voice in this decision as well.

Please strongly consider the benefits of this development of what it can do for the City of Louisville as well as your neighbors off of HW 36.

Thank you,
Andy Berkeland
720-467-9878

From: Charles P
To: City Council
Subject: NO on Redtail Ridge
Date: Thursday, August 6, 2020 4:55:06 PM

To Whom It May Concern,

I don't think the new Redtail Ridge development is inline with what I enjoy from Lousiville. I am specifically worried about the increased traffic and congestion to areas that are already straining.

I would appreciate it if you represented me in voting NO.

Thank you,

Charles Plucker

From: Hornberger, Julie
To: City Council
Subject: Looking forward to Redtail Ridge development!
Date: Friday, August 7, 2020 10:33:09 AM

Good day,

This email is coming from a current Medtronic employee from the Boulder campus, living in Arvada. I have friends that live in Louisville and have always loved visiting and exploring the town. I was so excited to hear Medtronic was investing in an opportunity to relocate to Louisville and make use of the space for more than just an office campus. I love the proposal including affordable housing, senior living, open space, and improving bike lanes/roads. Seeing the volume of taxes coming into the town would be such a great win for both sides, especially so that Louisville can continue to invest in preserving the space they want, enhancing existing space, and growing in other areas as may have not been available previously. I am really looking forward to the easy commute, to a beautiful location, and having the proximity to frequent so many amazing local eateries.

Please consider this development for Louisville's future and vote in support.

Thank you and good day,

Julie Hornberger
Sr. Business Process Analyst, Commercial Operations

Medtronic
Minimally Invasive Therapies Group
5920 Longbow Drive | Boulder, CO 80301 | USA
Cell: 720.512.8327
julie.hornberger@medtronic.com

LET'S TAKE HEALTHCARE
FURTHER, TOGETHER

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From: Olivia Edwards
To: City Council
Subject: Redtail Ridge support!
Date: Friday, August 7, 2020 8:33:02 AM

August 7, 2020

To the Louisville City Council:

In these days of tearing down things, I believe Louisville has an exciting opportunity to build something wonderful for its community and for the region. So much work has been put into finding the right plan for the Conoco Phillips property followed by a great deal of editing in response to the city's input and citizens' input! I am impressed by the work and by the plan.

So many developments today seem to me to be pretend, "if you built it they will come" projects. This one is not pretend. It not only solves dangerous situations such as the dead end road to Monarch (thank goodness), it also has a strong anchor in Medtronics which will keep existing employees and add others.

It includes housing for seniors. Make no mistake, there is a big wave coming — all the baby boomers who will need back up and who will appreciate staying in their hometown. 73-74 year olds are the first year of baby boomers, born in 1946. Imagine the wave coming.

The retail businesses and additional housing will be a good addition to the project area without overwhelming the area with traffic. The organization of all the elements on the property - buildings, roads, parks, trails - looks carefully planned and edited. And Louisville needs the tax revenue and the help with additional infrastructure.

Around the early 1980s, I remember Boulder's need for more retail for the city and for the region. Boulder waited and waited and passed up opportunities to add retail. That is until Flatirons Crossing broke ground. Then it was a rush around trying to catch up and gain some tax revenue with much out of reach because businesses had built their Flatirons Crossing sites.

I believe the Redtail Ridge plan is a top notch plan that accomplishes many things for Louisville and for the area. As Steve Armsstrong said, "The proposed site for Redtail Ridge in not public open space. It's fenced private land next to a highway." Those who complain often think of that land as free land for them. It isn't, but it can be enjoyed with this development and can help our town and our citizens. I hope you will vote for this project. Turning such an excellent project down may sour other developers on investing time and effort and money in the area in the future.

I think we'll be proud of Redtail Ridge.

Olivia Edwards
355 W. Spruce St.
Louisville, CO 80027
303-443-4345

From: Monique Mc Lean
To: City Council
Cc: Monique Mc Lean
Subject: Redtail Ridge Development
Date: Friday, August 7, 2020 4:02:06 PM

Hello Mayor Stolzmann,

I am writing to correct my vote on the Redtail Ridge Development. I originally voted "NO". After reflection and a more thorough review, I am PRO the development.

Many people here want it to remain the same. That is fine and great if you already own a home, are retired, work close by. However, with growth which can not be ignored, the development can blend in and offer the city so much more. The land is vacant, this would allow people to live and work in their city which adds tax dollars to the amenities so enjoyed by the residents.

Businesses bring in tourists, more people to work, eat out, go shopping and provide more affordable housing with the model presented. I approve of this development and will give a person reason why.

We are retired and I am disabled. We have been renting and love this city of Louisville. It is becoming like little Boulder with the prices so high for homes. There are not enough, especially for seniors. We would prefer to spend our money in Louisville, but we have to got out of city many times due to the items we need, there are not stores that sell the products. To have a diverse community offers so much for culture, outdoor events, opportunity for growth in a positive way that does not take away from the beauty, but enhances the quality of life for those who wish to live here, and be an active resident to care for our town of Louisville. It is our hope to buy and stay, but we shall have to see how kind Louisville is to those who do not have the ability to afford a home under 600k. To have some more affordable, which the development appears to offer would allow us to call Louisville home.

Kindest regards for reading my thoughts,
Monique McLean

From: John Leary
To: Geoff Baukol
Cc: Chad Brue; City Council; Rob Zuccaro; Stephanie Rowe
Subject: Re: Meet to discuss Redtail Ridge?
Date: Saturday, August 8, 2020 11:57:59 AM

Geoff,

Thank you for the offer to meet on Redtail Ridge issues. I took the issue up with my colleagues in No On Redtail Ridge and we concluded that it would not be appropriate to participate in such a meeting. Our decision was based on the following factors:

--[if !supportLists]--> 1) <!--[endif]-->At this time in the process, this matter is in the hands of the City Council. We do not believe it is in any way appropriate to usurp the Council's role. In this phase, we are content with using our right of freedom of speech and the corresponding right to petition our government.

--[if !supportLists]--> 2) <!--[endif]-->We can in no way claim to represent the views of the approximately 750 Louisville residents who have made their opposition to Redtail Ridge known, nor of the residents who have kept their opposition private. The opposition to the project is varied and diverse, and we are not in a position to determine whose views should be given preeminence.

Assuming you have proposals for addressing resident concerns, I recommended you present them to Rob Zuccaro, Louisville's Director of Planning and Building Safety. Rob is in the position to determine how your proposals can best be integrated into the planning process.

Again, thank you for your willingness to discuss these issues.

> On Aug 7, 2020, at 11:23 AM, Geoff Baukol <geoff.baukol@bruebaukol.com> wrote:
>
> John,

I hope you are well. Reaching out to see if you would be available early next week to meet with Chad and me? We would like to discuss some potential solutions on Redtail Ridge, hopefully ones that allow the city/region to retain Medtronic, while also addressing and satisfying the concerns that you and many of your colleagues and fellow citizens share. We would be happy to meet you in person, but totally understand if you are not comfortable with that given COVID, and we could do a Zoom meeting with you.

Would you have time Tuesday afternoon?

Thank you,

Geoff Baukol | President & Partner
Brue Baukol Capital Partners
1555 Blake Street | Suite 210 | Denver, CO 80202
T: 303.500.8978 | M: 303.725.7738
geoff.baukol@bruebaukol.com | www.bruebaukol.com

From: Geoff Baukol
To: John Leary
Cc: Chad Brue; City Council; Rob Zuccaro; Stephanie Rowe
Subject: RE: Meet to discuss Redtail Ridge?
Date: Sunday, August 9, 2020 7:17:11 AM

John,

Thank you for the thoughtful response. It makes sense, and we understand it. In the absence of meeting directly, we would like you and your colleagues to know that we are listening to the responses and the feedback, and working hard to come up with a solution that includes substantially less density – addressing the primary concern we have heard.

We know you can't represent all of the opposition voices, and won't ask you to do that. We may, however, keep you apprised of our progress over the next nine days before the next city council meeting, and if you would like to share any feedback (just from you), we would welcome it.

Thank you John,

Geoff Baukol | President & Partner
Brue Baukol Capital Partners
1555 Blake Street | Suite 210 | Denver, CO 80202
T: 303.500.8978 | M: 303.725.7738
geoff.baukol@bruebaukol.com | www.bruebaukol.com

From: John Leary <johntleary@comcast.net>
Sent: Saturday, August 8, 2020 11:57 AM
To: Geoff Baukol <geoff.baukol@bruebaukol.com>
Cc: Chad Brue <chad.brue@bruebaukol.com>; Council@LouisvilleCO.gov; Rob Zuccaro <rzuccaro@louisvilleco.gov>; Stephanie Rowe <7slr@live.com>
Subject: Re: Meet to discuss Redtail Ridge?

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On Aug 7, 2020, at 11:23 AM, Geoff Baukol <geoff.baukol@bruebaukol.com> wrote:

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Would you have time Tuesday afternoon?

Thank you,

Geoff Baukol | President & Partner
Brue Baukol Capital Partners
1555 Blake Street | Suite 210 | Denver, CO 80202
T: 303.500.8978 | M: 303.725.7738
geoff.baukol@bruebaukol.com | www.bruebaukol.com

From: Caleb Dickinson
To: Jennifer Singer-Rupp; City Council
Subject: Re: Long time / Redtail Ridge
Date: Sunday, August 9, 2020 7:11:50 AM

Hello Jenny,

Thank you so much for the email. I can not correspond about this quasi-judicial matter, but I will make sure that your comments are entered into the record.

Thank you so much for your engagement and I'll make sure to respond separately about my kiddos and my memories of Spencer. :)

Caleb

From: Jennifer Singer-Rupp <jsingerrupp@gmail.com>
Sent: Friday, July 31, 2020 9:48 AM
To: Caleb Dickinson
Subject: Long time / Redtail Ridge

Hi Caleb!

How long has it been? Years - I think since we were kids and I was taking are of ***cadet*** in our backyard! Great to see you on Louisville City Council - I hope that you have been well and congratulations - looks like the Dickinson clan has grown. :-)

Also writing to you about the Redtail Ridge proposal. I am really concerned about it. As a Louisville/Boulder resident who grew up here, you probably remember when it was STK. My dad had his first job out of Leed's Business School with an MBA here. It is such an amazing plot of land and was so great when there was a flagship corporate HQ located there. This new proposal from BB does not do this land or Louisville justice. We are talking about a re-zoning here, a HUGE development on Louisville's SE gateway that would be our postcard to everyone driving by on 36th. Boulder and Louisville have really been forward thinking and intentional and forward thinking with their open space planning and land use policies. Redtail Ridge can not pass - it was never the intended use for this land. BB has been completely unresponsive to the concerns of Louisville residents and made no changes. And I am so glad that the Planning Commission recognized this and unanimously voted against the development as is.

Many people in the community are really concerned about this development and have become very active in informing the public through flyers, emails, meetings, websites to inform Louisville citizens. We have just felt left out of the process and uninformed. August 4th A LOT of people are going to pay attention to how City Council members vote on this. I think that how everyone votes will go down in the books in all honesty. Anyone wanting longevity

on the City Council and/or local politics should consider this. It is a big ticket item that means a lot to the majority of Louisville residents. I think it is fair to say that anyone on City Council willing to speak up against the project (or really aspects of it - most Louisville residents would love to see Medtronic come up with their own plan - this wouldn't require a Comp Plan change or re-zoning of the land - no one wants to see Medtronic go) on whatever level and vote no against the comp plan change and the PUD would be a local hero (look how Ashely won as Mayor). You could probably run an entire campaign on it....

I am sure you are aware of all of this, but just wanted to reach out to you individually to speak "my truth" and share my observations.

I hope that you are very well, I will "see you" August 4th virtually and I hope to see you in person sometime soon. Nice to re-connect with you.

All the best, Caleb. Thanks for listening.

Jenny Singer Rupp

From: Maggie Varner
To: City Council
Subject: Redtail Ridge
Date: Sunday, August 9, 2020 10:08:36 AM

As a resident of Louisville for the last 38 years, I am in favor of a he Redtail Ridge project. I feel that we need to ensure growth on the edge of our community that will bring us a tax base moving forward. The location, size and variety of purposes looks great.
On another note, as a car cost I am so concerned about the concrete abuttment on Cherry Street. When cycling I have to move onto the traffic lane to get through- there is no alternative It is very dangerous and needs to be changed. I ask all councils l members to cycle through this area on Cherry Street and Coal Creek Ranch.
Thank you
Maggie and Myron Varner
713 West Street
Louisville

Sent from my iPhone

From: W. Kyle Gilbertson
To: City Council
Subject: Redtail Ridge
Date: Monday, August 10, 2020 7:24:31 AM

Greetings,

As a citizen of Louisville I have no inherent opposition to commercial development. I do, however, oppose corporate extortion. I worked at StorageTek in building 4 from 1998 to 2000. Infrequently I would ride my bike to work from my house at the time near Harper Lake. For those who can remember the days before SUN acquired and ORCL destroyed STC, it was quite a large and impressive facility. To see the buildings that once stood on that land reduced to piles of sand ought teach us all a lesson on the impermanence of any business entity, even the multi-billion dollar ones. As you collect opinions of the various stakeholders to decide the direction to take on that land, I ask only that the land not be recategorized from rural to suburban. If StorageTek was able to operate with the land categorized as rural, then it can't be too much to ask Medtronic to figure out how to do the same.

Best Regards,

W. Kyle Gilbertson
1337 Grant Ave, Louisville, CO 80027

From: TOM R
To: City Council
Subject: Redtail Ridge still no.
Date: Monday, August 10, 2020 11:41:54 AM

Hi,

What is the purpose of delaying a vote on this issue? The residents of Louisville are not going to change their minds.
I personally see no benefit in a massive development effort other than to create more traffic and congestion.
You represent the voters of Louisville; they don't want this so respect their wishes.
We have to live with the results of this upcoming decision for a long time the developers don't, they just move on to ruin another area.

Tom Rudolph
Louisville Resident.

From: Regina Macy
To: City Council
Subject: Please read (Redtail Ridge)
Date: Monday, August 10, 2020 8:12:54 AM

Dear Louisville City Council,

Thanks for your service! It must be exhausting, trying so hard to do what's right for Louisville, like deciding about the kind of development that can help or hurt the community. The current issue is Redtail Ridge, but it feels like just one battle in an endless war. I don't envy you.

Over the years developers have moved in and out of growing communities. They settle in a city they want to develop, make friends, and join churches and schools. They wine and dine and become "best friends" to many citizens (and especially people who are decision makers). They get their development approved, make money, then move on. It's part of their lifestyle. It's become so cliché that you can see it in many Hallmark movies and other "conscience media"—the dollar-driven developer against the heart and soul of a small city.

This isn't meant as ill-will toward the developer and his friends and associates. He's just doing his job, starting with becoming a member of the community then looking for opportunities. But there's often a harmful impact on the community.

That's why we have comprehensive plans like Louisville's.

Some 30 or so years ago I helped with Louisville's comprehensive plan. It's amazing how much time, thought, and effort went into the plan! Just a few years later developers (who of course had settled in Louisville and seemed to be working hard 24/7) were successful in getting an update to the Comprehensive Plan that would generate some cash for themselves.

I knew one of those developers in Louisville . He got his development passed by the city council, made a profit, and then moved to another small city in northern Colorado, to a nice home with a tennis court along the shores of a big, private lake. The family could enjoy boating and water skiing. The kids went to expensive private schools. I'm still close friends with the developer's ex-wife. She's wonderful—fully immersed in church work and spiritual growth—and her kids are flourishing. Meanwhile Louisville contends with hopscotch development and its fallout—traffic congestion, more infrastructure to take care of, getting downgraded on the list of "Best Small Cities to Live in America," and so on.

Before that I was commuting to work as a counselor at a Jeffco middle school. Jeffco was being flooded at the time with new students, and the schools didn't have the money to accommodate them. That's because the county was growing furiously, but taxes from all the development didn't come until a year after the new homes were occupied. Outside of work I co-signed a bill to try to solve that problem, to help schools get a little money whenever new development occurred. It seemed like a nice, sensible solution, but it apparently infuriated a developer (Douglas Bruce), who threatened legal action against my family, forcing me to back down. The other co-signer who'd written the bill was destroyed financially.

Also while I was working at Jeffco, one of my students from a broken marriage (when I mentioned during a chat that I lived in Louisville) said excitedly, "My daddy lives in Louisville. He's a great friend of developers. They're always going to lunch and dinner. They entertain together. Dad loves to build strip malls. It's fun!" I said nothing, though it touched a nerve.

The future of the community is once again in the hands of the council members, who can either adopt the current (well-thought-out) plan for Redtail Ridge or else give in to developers'

changes that could cause excessive growth.

Sticking to Louisville's Comprehensive Plan is a win-win. The developers get a big profit while the community grows in a thoughtful way that takes everyone's needs into account as much as possible for the long-term best interest of the area.

Whether it's in the body, in the garden, or in the community, almost everyone likes the results of healthy, well-planned growth and is upset by unbridled, detrimental overgrowth.

I believe we can do what's right for Louisville if we don't give in to fear and intimidation.

Regina Macy
1021 Willow Place
Louisville CO 80027

From: Kim Gustafson
To: City Council
Subject: Retail Ridge
Date: Monday, August 10, 2020 11:53:28 AM

I read in the Daily Camera this morning that many of the letters in support of this development were not penned by true citizens of Louisville. That sly deception is very concerning!

I oppose the excessive scale of this development and encourage you to vote no on it. Louisville already has too much vacant retail space so we certainly don't need more.

Additionally, I'm in support of more open space, trails and parks in this area to benefit all of us citizens and the wildlife that calls it home. The developer needs to respect our Comprehensive Plan.

Thank you for your careful consideration of these concerns.
Kim Gustafson
600 Dahlia Way
Louisville

From: Ashley Stolzmann
To: TOM R; City Council
Subject: Re: Redtail Ridge still no.
Date: Monday, August 10, 2020 12:27:13 PM

Hi Tom,

Your comments will be entered into the public record for our consideration on the pending application.

Every application of this nature has a public hearing that follows this approximate order:

- Open Public Hearing
- Staff Report
- Applicant Presentation
- Public Comment
- Council Deliberations
- Public Comment
- Applicant Closing Remarks
- Public Hearing Closed
- Council Motion & Vote

Each party needs to be heard & given their chance to enter evidence into the record. By 10:30pm at the last meeting we only made it through the first round of public comment. I let everyone know at the onset of the hearing we would not start a new section of the hearing after 10pm- the reason for doing that is that it can be very hard to have everyone doing their best work so late at night & if we would have started Council deliberations at 10:30, we would not have gotten to the second round of public comments until well after midnight, and people might not have stayed on to let us know what they intended to comment (which would essentially cut them out of the process). We continued the meeting to the 18th and it will pick up where we left off.

Thank you,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: TOM R <reindeer9_13@msn.com>
Sent: Monday, August 10, 2020 11:41 AM
To: City Council
Subject: Redtail Ridge still no.

Hi,

What is the purpose of delaying a vote on this issue? The residents of Louisville are not going to change their minds.
I personally see no benefit in a massive development effort other than to create more traffic

and congestion.
You represent the voters of Louisville; they don't want this so respect their wishes.
We have to live with the results of this upcoming decision for a long time the developers don't, they just move on to ruin another area.

Tom Rudolph
Louisville Resident.

From: Sandy Peer
To: City Council
Subject: Deny application to amend reject retail ridge
Date: Monday, August 10, 2020 5:21:06 PM

Please deny the application to amend the comprehensive plan and reject the red tail Ridge plan
Sandy Peer.

From: Natalie Sargent
To: City Council
Subject: RedTail Ridge Denial
Date: Monday, August 10, 2020 5:23:41 PM

Please deny the application to build RedTail ridge. As a born and raised Louisville resident I appreciate the trails surrounded by vegetation and open space that brings charm and comfort to Louisville. I'm sure any person who comes to visit Louisville will think the same

Natalie Sargent

From: Scott Perkins
To: City Council
Subject: Red Tail Ridge
Date: Monday, August 10, 2020 7:11:01 PM

NO on Redtail Ridge.. Thank you! That is all!

From: lavrisha@comcast.net
To: City Council
Subject: Redtail ridge development
Date: Monday, August 10, 2020 6:57:52 PM

I am asking all council members to DENY the application to amend the Comprehensive Plan and reject the Redtail Ridge plan. I have been , along with my family, a Louisville resident since 1988. The town has been a wonderful quiet and safe place to raise a family. I truly hope that we all can work together to maintain its beauty and community.
Sincerely,
Magdalene and Frank Lavrisha

From:	William G. Falardeau
To:	Ashley Stolzmann; City Council
Subject:	No on Redtail Ridge
Date:	Monday, August 10, 2020 9:49:59 PM

8/10/20
Dear Mayor Stolzmann and Louisville City Council,
An excellent letter appeared today in the Daily Camera that I would like to share with the City Council. I am requesting that the council vote NO on Redtail Ridge because the project is too large and the citizens of Louisville and Superior are against that amount of people, traffic congestion, and the drain on city resources. Citizens are voting no. Form letters from Medtronics and reality businesses are voting for their own self interests and not that of the town. Please read the letter below:

Respectfully,
Karen Falardeau
Superior, CO 80027

https://www.dailycamera.com/2020/08/09/letters-to-the-editor-prairie-dogs-ballot-initiative-redtail-ridge/

Stephanie Rowe: Redtail Ridge: Most residents oppose the project

The Daily Camera article on Louisville City Council's hearing last Tuesday ("No vote on Redtail Ridge") noted that the majority of comments at the hearing and letters to the council were opposed to the development.

Because letters to the City Council are a matter of public record, we were able to look through all the letters council had received by Tuesday night. What we found was that 750 of them opposed the
project and asked council to reject it, and 669 were in favor.

The 750 letters in opposition to Redtail Ridge were all originals, coming from the unique and often heartfelt points of view of Louisville residents. The 669 letters in favor were different.

Of these, 594 were form letters. A website called LouisvilleForRedtailRidge.com generated 471 of them, using automatically populated text. Employees and residents from Erickson Senior Living facilities elsewhere in Colorado sent in 104 form letters.

These letters also tended to arrive in batches, minutes apart. The senders of many of those from LouisvilleForRedtailRidge.com are associated with a Denver real estate investment and management firm, or other members of the Denver business community. Mayor Ashley Stolzmann noted at the meeting that her replies to several letters in favor of Redtail Ridge came back as undeliverable, and one person responded by saying she believed her email had been hacked.

When the form letters are excluded, the number of letters received in favor of the project is reduced to 90. (This includes letters from Medtronic employees, who used a template.) Overall, the letters show 90 percent of Louisville residents who wrote in are against the project.

The people of Louisville clearly want clean air, a smaller carbon footprint, less traffic, space for wildlife, and a healthy, 21st century economy. We want better than the offer on the table now.

Stephanie Rowe

From: David Chaladoff
To: City Council
Subject: no on retail ridge
Date: Tuesday, August 11, 2020 7:47:12 AM

Please deny the application to amend our Comprehensive Plan and to reject the Redtail Ridge plan

thanks

David Chaladoff
388 Fairfield Lane
Louisville, CO

David Chaladoff
dchaladoff@me.com
cell: 831-521-6705

From: Regina Macy
To: City Council; Regina Macy
Subject: NO on Redtail Ridge
Date: Tuesday, August 11, 2020 8:31:44 AM

Dear Council members,
Please don't be fooled! It is my understanding that
594 out of 669 letters in favor of the developer and his lobbyists were apparently from letters generated by a website called LouisvilleForRedtailRidge.com and sent by employees and residents of Erickson Senior Living facilities elsewhere in Colorado. The senders of the letters from the website seemed mainly to come from members of the Denver business community.
Please do the right thing and vote NO on Redtail Ridge and keep Louisville's Comprehensive Plan in place.
Thank you for your service to Louisville.
Best, Regina Macy (Louisville resident)

From: Kathy valentine
To: City Council
Date: Tuesday, August 11, 2020 8:33:46 AM

Good morning. I just read the closing arguments at the council meeting from the Redtail Ridge development and i hope you all know that what was said was false. I am not against Medtronic moving there or against change or against the hospital or the students or the older population. I am against a huge new part of our town being built to take away business from old Town and adding traffic and expenses to us
Be sure to really listen to the community members not people from Denver or other parts of the state . Thank you. Kathy Valentine 1101 Grant Louisville

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: Norma Anderson
To: Ashley Stolzmann; City Council
Subject: Redtail Ridge
Date: Tuesday, August 11, 2020 9:40:41 AM

Dear Mayor Stolzmann and City Council Members,

Mine was one of the 750 letter (sent by email) you'd received prior to the August 4th council meeting on Redtail Ridge.

I received an email from "No on Redtail Ridge" today, and although I didn't attend the August 4th council meeting, I was disappointed and deeply distressed to learn of the way Brue Baukol Capitol Partners handled their presentation to the council on this matter prior to your meeting. That there were 669 letters in favor of the Brue Baukol project, with 594 of the letters being form letters generated by a website or sent by employees/residents of Erickson Seior Living facilities located outside of Louisville and elsewhere in Colorado, shows the lobbying effort behind Brue Baukol's intentions.

If Brue Baukol was serious about seeking support within the Louisville community, they should have done outreach within the community. The 750 letters you've received from Louisville residents shows an overwhelming support for a "no" vote on the project proposed by Brue Baukol. These were not generated as form letters; they came from individuals like myself.

I continue to support a "no" vote, personally, because my huband and I are recent escapees from what development did to ruin Silicon Valley. My husband and I are both natives of California, having grown up in the Bay area. This is the same Bay area that's been overtaken by tech and related industries and has become Silicon Valley. We remember what the Bay area was like, and saw with our own eyes (and experienced it with our own lives) how quickly the kinds of development Brue Baukol is proposing can expand and take over an area, changing its character and turning it into something where quality of life matters less than "progress".

There are different ways of handling and welcoming development, and in Louisville, we've seen how well this community, our new home, has been handling development projects. Careful planning, and a consideration of how development will impact roads, school, public services, etc., can make development part of a positive future for Louisville. What Brue Baukol proposes is too much, too fast and too soon. If the company is unwilling or unable to scale down its proposal, the proposal should be rejected by the City Council.

Thank you for taking care to conserve the quality of life that has made Louisville such a welcoming place to live.

Sincerely yours,

Norma Anderson

1904 Steel Street
Louisville, Colorado 80027
norma22@me.com

(home) 303-954-9373
(cell) 720-537-5901

From: Bertle, Kirsten
To: City Council
Subject: Advocacy for Redtail Ridge
Date: Tuesday, August 11, 2020 9:32:57 AM

City Council Members,

I am writing this email as a someone who was born and raised in Louisville, has parents that have lived in Louisville since the 80's and still do, and who now works at Medtronic in Louisville. I deeply love our little town and have enjoyed watching it change, evolve, and grow over my life. And I love getting to go to work every day in my home town where I can get a quick breakfast with my parents before work, go for a run on our many trails, and get lunch at one of our great local restaurants or order lunch for our many team meetings at Medtronic.

I would like to show my support for the Redtail Ridge development plan which would enable Medtronic to build a corporate campus that combines the Boulder and Louisville offices. The revenue that this would drive for the city from people getting coffees, lunches, dinners, happy hours, etc. would help with the loss of Sam's Club and Kohls. Both of which have hurt our ability to generate tax revenue for things like our 4th of July celebration activities, something that I grew up attending every year and continued attending through and after college.

This is an amazing city that I wish to keep working in and hope to live in again one day and I think the Redtail Ridge development will help our community continue to grow!

Kirsten Nelson Bertle
Senior Test Engineer | Test Engineering

Medtronic
826 Coal Creek Circle | Louisville, CO, 80027 | U.S.A.
Office 1-720-890-2352
kirsten.n.bertle@medtronic.com
medtronic.com | Facebook | LinkedIn | Twitter | YouTube

LET'S TAKE HEALTHCARE FURTHER, TOGETHER

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From:	Mirza Peljto
To:	City Council
Cc:	Anna Peljto
Subject:	Opposing Redtail Ridge Development
Date:	Tuesday, August 11, 2020 9:55:01 AM

Dear Madam or Sir,

We are residents of Louisville and homeowners of 930 Saint Andrews Lane, Louisville, CO 80027.

Much like the majority of our community, we deeply oppose the proposed developments on Redtail Ridge. Boulder County objects to Redtail Ridge based on its density, its negative impacts on regional traffic and air quality, and the destruction of the site's natural features.

I understand that you are voting on this on your next City Council. Please do the right thing and DENY the application to amend the Comprehensive Plan. Please reject the Redtail Ridge Plan and DO THE RIGHT THING for our precious community.

Best wishes,
Peljto family (Mirza, Anna, and Louise)

From: Maryan
To: City Council
Subject: Redtail Ridge - Arts Center
Date: Tuesday, August 11, 2020 12:49:53 PM

Mayor Stolzmann and City Councillors:

If some form of development is allowed to proceed at Redtail Ridge, and I hope it is a much more scaled down version that the one currently proposed by Bruce Baukol, then as a former President of the Louisville Cultural Council, I urge you to consider including the Redtail Ridge Arts Center at the developers expense.

When I was on the LCC, we worked hard for a coupe of years to bring a new larger, 800-seat capacity arts center to the City that was to be built near the new RTD station, utilizing that parking garage in the evening. The structure was to include a smaller recital hall as well as studio space for musicians and artists. When RTD delayed (until 2040!) our station, the impetus ebbed, but we still need a larger Eunie than our current charming Arts Center that only seats up to 110 but that includes the performers.

This should be situated in such a way as to be accessible to the senior community and use the Medtronic parking facilities in the evening.

When I lived in CA, developers were Assessed a certain amount to support the school district and were required to donate 1% of the development costs to the local arts council. Might we do the same?

Thank you,
Maryan

Sent from my iPad

From:	tomdelorey@aol.com
To:	City Council
Cc:	tomdelorey@aol.com; nikymb@gmail.com
Subject:	Redtail Ridge plan is too big
Date:	Tuesday, August 11, 2020 12:38:47 PM

Dear Louisville City Council:

I am not opposed to ANY development on Redtail Ridge. I hope that Medtronics does build its new combined operations there, and I am not opposed to the retirement village. Who knows? I might want to live there someday.

However, the entire project as planned by Brue Baukol is way too big. The school traffic on Dillon and 88th now is intolerable at times, and this landlocked parcel simply cannot handle the extra traffic that Brue Baukol's overblown project will generate. My wife and I live in Coal Creek Ranch North, and our literally sole access point is on Dillon Road.

Get rid of the 900 non-senior housing units. How many rush hour trips will they generate outbound in the morning and inbound in the evening? Assuming 1.5 working people per unit that is 1,350 commuters twice a day.

Get rid of the retail except for maybe a gas station (which that area needs) and one or two restaurants to workers. Have you looked at the retail space on McCaslin lately? We can't fill that!

I am ambivalent about the hotels. What was the occupancy rate of the hotel cluster on Dillon near McCaslin before the pandemic? Do we need more rooms?

As to the other office space in the plan, how much empty office space do we currently have west of McCaslin? How long has it been empty? If Brue Baukol builds additional office space on spec, will the older office space ever get filled?

Tom DeLorey
587 Augusta Lane
Louisville

From: Scott MacLaughlin
To: City Council
Subject: No on Redtail Ridge - dishonest developers
Date: Tuesday, August 11, 2020 12:51:58 PM

I find it extremely deceptive and dishonest for the corporations that will financially benefit from Redtail Ridge to send letters to the council with the perception that they are Louisville residents (Baukol, Erickson, etc). This is not their community and they don't even reside in Louisville. No doubt Medtronic is doing the same thing. This dishonesty is certainly not limited to their fake form letters, but makes all their proclamations, claims and data suspect and skewed. They are not the "last best deal" for Louisville. I recommend we make them scale down or let them walk.

As an additional note, I previously worked for Medtronic and while they are a good company, they are not the "altruistic world healers" that they are made out to be. They are just another business trying to make a buck - they just happen to be in the medical device industry.

Scott MacLaughlin (actual Louisville resident)
948 Saint Andrews Lane

An updated analysis of the letters received by council before the afternoon of August 4 shows that, while city council received a total of 750 letters opposed to Redtail Ridge and 669 in favor, about 594 of the 669 were form letters generated by a website called LouisvilleForRedtailRidge.com or sent by employees and residents of Erickson Senior Living facilities elsewhere in Colorado. Senders of the letters from the website seemed mainly to come from members of the Denver business community.

Meredyth Muth

From: Citizen's Action Council <caclouisvilleco@gmail.com>
Sent: Tuesday, August 11, 2020 11:30 AM
To: City Council
Subject: CAC ALERT: City Council to Continue Consideration of the Redtail Ridge Development, Next meeting 8/18, Comments are still accepted

View this email in your browser

COMMUNITY ALERT

City Council to Continue Consideration of the Redtail Ridge Development

Comments Are Still Accepted

Your Voice Can Still Be Heard!

When: Tuesday, August 18, 6:00 pm

Where: Electronic Zoom Meeting!

Zoom Meeting Link: will be posted HERE

Email City Council: Council@LouisvilleCO.gov

Development Proposal Documents & Info: HERE

- After 4 hours of presentations and public comments, the August 4th Public Hearing on Redtail Ridge was continued to 6:00 p.m. August 18th.

- The City Council heard public comments overwhelmingly concerned about the impact of Redtail Ridge. Concerns included traffic impacts, fiscal impacts, density, loss of wildlife, sustainability, view sheds, height, and crowding of city facilities due to the addition 3,000 residents.

- City council is still accepting email input (Council@LouisvilleCO.gov), and public comment will also be allowed at the meeting.

- **Public Letters to Council -** In addition to public input at the meeting, about 750 original letters were sent to City Council opposing the project. Excluding auto-populated and form letters sent from mostly non-residents, about 85 - 90% of letters received by the City Council have been opposed to the project.

The proposed 389-acre Redtail Ridge development includes up to 5.88 million gross square feet of floor area, 5 story high buildings (exceeding the current height limit) on the former Conocophillips/StorageTek Property.

The Proposal at full buildout includes:

- 1,336 unit retirement community (rental units)
- 900 other multifamily residential rental units
- 500,000 square feet of office corporate headquarters
- 70,000 square feet of general retail space
- 240 hotel rooms
- 1,750,000 square feet of general office building space
- **TOTAL FLOOR AREA 5,886,000 gross square feet**

Join Us!

The CAC usually meets the 2nd Saturday of each month, 10am to noon in the Alfalfa's Community Meeting Room. These meetings are

suspended until further notice due to COVID-19.

CAC is a citizens' organization dedicated to keeping Louisville residents appraised of major issues being addressed by our City Council.

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You were added to the Louisville CAC Community Update Campaign by giving us your email after attending a CAC sponsored meeting and/or expressing interest in our wonderful Louisville community. We thrive to keep you up to date on Louisville issues and CAC sponsored activities.

Our mailing address is:
Citizen's Action Council
1116 Lafarge Avenue
Louisville, CO 80027

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

mailchimp

From: Gail Hartman
To: City Council
Subject: Please vote NO on Redtail Ridge
Date: Tuesday, August 11, 2020 1:56:32 PM

To the City Council,

Since the Council has to continue your Aug. 4 discussion and vote 2 weeks after you heard much public testimony and received many emails, I believe it's essential for you to hear from the public yet again so that you don't forget that an overwhelming majority of Louisville residents are urging you to deny the Redtail Ridge development proposal, as the Planning Commission did unanimously—and instead embrace a future development for the area that:

- Respects the community-created Comp Plan's rural zoning
- Is a smart, sustainable, 21st century plan that will benefit the City in perpetuity (instead of solely lining a developer's pockets in the short term)

There are developers everywhere who choose to truly partner with cities to help them realize their community vision, while also making a profit. Brue Baukol Capital Partners has proven itself to be the polar opposite of that. Mr. Baukol himself proved who he and his company is when he insulted and bullied residents aloud during the Aug. 4 meeting and threatened the city with Medtronic leaving if his development isn't approved. As adults we all know the psychology behind bullies. Why would Louisville choose to work with such a man and company?

Further, please remember that the City has seen big, empty promises before. NorthEnd and Steel Ranch are perfect examples of developments we allowed to be built by emperors wearing no clothes. I served on the Louisville Planning Commission when both of those developments were approved so I remember every empty promise made by those developers who spoke about the tons of retail they would be building to support the dense residential. To date, there has never been one piece of retail built on either site as promised. Instead, the developers went back to the City multiple times and had more expensive residential crammed in, straining pubic services even more.

The City can't afford again to be blind to the fact that these emperors are wearing no clothes. And now here comes another naked emperor: Brue Baukol.

The people of Louisville see it and are saying it loudly. The Planning Commission sees it and said it loudly (even though the City's Planning staff remains blind). But we certainly hope the City Council sees it and joins the Planning Commission and the people of Louisville by denying the Redtail Ridge proposal.

Thank you,

Gail Hartman
Louisville, CO

From: Paul Latimer
To: City Council
Subject: No on Redtail Ridge
Date: Tuesday, August 11, 2020 3:19:17 PM

Dear Louisville City Council,

I would like to request that you deny the application to amend our Comprehensive Plan and reject the Redtail Ridge plan.

I have lived in Louisville for the past 6 years (moved from Boulder), part of the reason I decided to move to Louisville is because of the smalltown charm that it has. I feel that a development of this size will take away some of that charm.

Furthermore I don't believe that the area has the infrastructure to accommodate such a large influx of people to the area. I understand that the tax implications make this a tempting opportunity, but it will come at the expense of making Louisville just like any other suburb of Denver, which it's not.

Thank you,

Paul Latimer
343 Lilac Cir, Louisville, CO 80027

From: Aaron Grider
To: City Council
Subject: I oppose RedTail Ridge
Date: Tuesday, August 11, 2020 4:31:46 PM

Dear Louisville City Council,

Please reject the current RedTail Ridge plan... it is too big.

I am concerned about a piece of information that was emailed to me today (Tuesday, August 11) by the folks who publish the "No On Redtail Ridge" flyer. They indicated the following...

"An updated analysis of the letters received by council before the afternoon of August 4 shows that, while city council received a total of 750 letters opposed to Redtail Ridge and 669 in favor, about 594 of the 669 were form letters generated by a website called LouisvilleForRedtailRidge.com or sent by employees and residents of Erickson Senior Living facilities elsewhere in Colorado. Senders of the letters from the website seemed mainly to come from members of the Denver business community."

The publishers did add... "(An updated version of the report will be posted in the coming days, once the numbers are all crunched.)

Yikes. If it is true that Denver business interests are attempting to influence the Louisville City Council's vote by galvanizing support from non-Louisville people using a form letter, then I am disgusted. Please reject Brue Baukol's current proposal.

Aaron Grider
Colorado, USA
303-552-1083

From: Ashley Stolzmann
To: Jay Kalinski
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Tuesday, August 4, 2020 11:51:03 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Jay Kalinski <jaykalinski@remax.net>
Sent: Tuesday, August 4, 2020 5:58 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

Redtail Ridge keeps Medtronic in Louisville
-Medtronic will not stay in Louisville if Redtail Ridge doesn't go forward, which means you're actively pushing 500 of our neighbors out of this community.
-Our city will lose the additional 1,500 jobs this campus will create if Redtail Ridge is not approved.
-Medtronic cannot wait indefinitely for Redtail Ridge to be approved – millions of patients around the world cannot wait either.

Redtail Ridge enhances much-needed access to our schools and hospitals
-For the first time in Louisville history; students, families, and faculty at Monarch's K-8 and high school campus will have safety improvements and much-needed access to the school as the Redtail Ridge plan includes enhancing Campus Drive from single-access to a two-way boulevard.
-Increased access also benefits patients, first responders, medical teams, and staff at Avista Adventist Hospital who will also see improved connectivity on Campus Drive.

Redtail Ridge provides open spaces, parkland, and trails for our families, and neighbors
-Redtail Ridge will add nearly 40 acres to the city's open space network.
-Redtail Ridge will be home to the city's largest park – more than 15 acres – ideal for parents, children, friends, and families.
-More than 15 miles of trails will be created, including first-time-ever access to the Rock Creek Regional Trail.
-Multi-use sports fields for soccer, baseball, lacrosse, and more.

Redtail Ridge increases our city's coffers
-Taxes from the empty land have plunged from $924,000 a year to only $10,700 a year and will remain low until ideas and plans are approved for the area.
-Tax revenue from Redtail Ridge bolsters our coffers to help ongoing funding for our schools, roads, and other civic services.

Redtail Ridge creates senior-friendly homes

-Redtail Ridge includes senior-friendly neighborhoods and homes for our parents, grandparents, and community members who have grown up in Louisville and want to stay in -Louisville near their loved ones.

Medtronic is only too aware that the Planning Commission voted against their Louisville jobs when they cast their votes on the Master Developer's Redtail Ridge proposal.

I'm asking that you vote for Redtail Ridge, which is a vote for your neighbors' careers. In addition to keeping more than 500 jobs, you're adding 1,500 additional ones to the City. By supporting Redtail Ridge, the area eliminates fenced off, useless land and gains parkland and trails for families. Grandparents can stay in town rather than find housing far from their families. And you'll be adding tax dollars to the city's bottom line, rather than adding taxes to citizens.

Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Jay Kalinski
jaykalinski@remax.net

From:	Ashley Stolzmann
To:	joy brook
Cc:	Meredyth Muth
Subject:	Re: meeting
Date:	Tuesday, August 4, 2020 11:43:46 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: joy brook <joyalbrook@hotmail.com>
Sent: Tuesday, August 4, 2020 8:36 PM
To: Ashley Stolzmann
Subject: meeting

I am shocked and in disbelief about having to listen to the developer go on and on??? He is lying. We are not saying no to what he says, we are saying no to disrespectful corporations who do not have our best interest in mind. IT is TOO big. Why is he allowed to waste our time and money with an unacceptable proposal.

There should have been a break long ago.
At least when we were at these meeting in the past we were able to be with our friends who also care about the city.

Listen to the planning commission! This development is not in our best interest! It is too big.

I can't breathe again today the air quality is bad. Our quality of life is what is important. We do not need more traffic and pollution!

Stick to our plan!!

NO on redtail.

Save the redtail hawk!

From: Ashley Stolzmann
To: James Priestley
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Tuesday, August 4, 2020 11:51:19 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: James Priestley <james.priestley4@gmail.com>
Sent: Tuesday, August 4, 2020 5:58 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
James Priestley
james.priestley4@gmail.com

From: Ashley Stolzmann
To: Jane (Betsy) Sklar
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Tuesday, August 4, 2020 11:52:28 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Jane (Betsy) Sklar <betsy_sklar@yahoo.com>
Sent: Tuesday, August 4, 2020 5:39 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Jane (Betsy) Sklar
betsy_sklar@yahoo.com

From: Ashley Stolzmann
To: Meredyth Muth
Subject: Fw: I oppose Redtail
Date: Tuesday, August 4, 2020 11:53:04 PM

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Alice Ierley <ahierley@gmail.com>
Sent: Tuesday, August 4, 2020 5:31 PM
To: Ashley Stolzmann
Subject: I oppose Redtail

The scale and density of the current proposal would be like tying a 50 pound weight to the tail of a perfectly nice dachshund- inadvisable. Let's wait for a more appropriately proportioned project. I know there is great pressure on the city right now, but this choice will have negative ramifications long after the pressures of the moment have passed.
Alice Ierley
560 Jefferson Ave
Louisville
Sent from my iPhone

From: Ashley Stolzmann
To: Susan Robertson
Cc: Meredyth Muth
Subject: Re: Redtail
Date: Tuesday, August 4, 2020 11:57:01 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Susan Robertson <docsue13@gmail.com>
Sent: Tuesday, August 4, 2020 4:59 PM
To: Ashley Stolzmann; Deb Fahey; Jeff Lipton
Subject: Redtail

I am against the current Redtail proposal. It is too dense and not a benefit to our city.

Susan Robertson
Ward 2 resident for 30 years

From: Ashley Stolzmann
To: Richard Kithil
Cc: Meredyth Muth
Subject: Re: Redtail Ridge Development, More Details
Date: Tuesday, August 4, 2020 11:57:14 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Richard Kithil <rkithil@lightningsafety.com>
Sent: Tuesday, August 4, 2020 4:57 PM
To: Ashley Stolzmann; Christopher Leh
Cc: Lynda Kithil; Chuck Ann Smith; Amy Scott Scheff; Todd Rowan; Mike Hogan; Chris Davis M D; Anita Hostetter; Woody Hipsher; kpaswaters@gmail.com; plhansley@gmail.com; shannons28@gmail.com
Subject: Re: Redtail Ridge Development, More Details

Follow Up.
Endangered species may include:
plychocheilus lucius, empidonax trailii extimus, borolia acrocnema, erigonum pelinophilum, pediocactus knowltoni, astragalus osterhoutii, and penstemon penlandii. A professional EIS by US Fish &Wildlife Service or by Colorado DNR
is suggested. Pay special attention to the three ponds, ones near Tape Drive, near S 96 St. and off Campus Drive.

Best Regards,

Richard Kithil, Founder & CEO
National Lightning Safety Institute
891 N. Hoover Ave., Louisville CO 80027
Tel.= 303-666-8817, Web = lightningsafety.com

Providing Objective Assistance Since 1995

> On Aug 4, 2020, at 9:38 AM, Richard Kithil <rkithil@lightningsafety.com> wrote:
>
> Ms. Mayor.
> We urge denial of the Redtail Ridge request at City Council meeting tonight.
>
> We have reason to believe there is an endangered specie inhabiting the property. A denial of developer's request should be followed by a city council motion to pursue an independent environmental impact study. Other valid denial reasons are in addition.
>
> Best Regards,
>
> Richard Kithil, Founder & CEO
> National Lightning Safety Institute
> 891 N. Hoover Ave., Louisville CO 80027

> Tel.= 303-666-8817, Web = lightningsafety.com
>
> Providing Objective Assistance Since 1995
>

From: Ashley Stolzmann
To: Ryan Link
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Tuesday, August 4, 2020 11:58:31 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Ryan Link <ryan.link@cbre.com>
Sent: Tuesday, August 4, 2020 4:41 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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--
Ryan Link
ryan.link@cbre.com

From: Ashley Stolzmann
To: Mark Fisher
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 12:17:25 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Mark Fisher <marksfisher01@yahoo.com>
Sent: Tuesday, August 4, 2020 4:00 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Mark Fisher
marksfisher01@yahoo.com

From:	Ashley Stolzmann
To:	Meredyth Muth
Subject:	Fw: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date:	Wednesday, August 5, 2020 12:16:13 AM
Attachments:	Re Keep Medtronic in Louisville Support Redtail Ridge.msg

---

For the record

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Microsoft Outlook
Sent: Tuesday, August 4, 2020 11:53 PM
To: Susan Krantz
Subject: Undeliverable: Re: Keep Medtronic in Louisville – Support Redtail Ridge

Delivery has failed to these recipients or groups:

Susan Krantz (krantzs1@yahoo.co)
The server has tried to deliver this message, without success, and has stopped trying. Please try sending this message again. If the problem continues, contact your helpdesk.

Diagnostic information for administrators:
Generating server: COL-EXCHANGE1.LOUISVILLECO.US
Total retry attempts: 186
krantzs1@yahoo.co
Remote Server returned '550 4.4.7 QUEUE.Expired; message expired'
Original message headers:


```
Content-Language: en-US
Content-Type: text/plain; charset="Windows-1252"
Content-Transfer-Encoding: quoted-printable
DKIM-Signature: v=1; a=rsa-sha256; d=louisvilleco.gov; s=x2016;
        c=relaxed/relaxed; t=1596434883; h=from:subject:to:date:ad-hoc;
        bh=1vUB49v/IB0JjgtFz1DGr2CmSa6Gu6Dga37IFtZN+gs=;
        b=LLd166i7okd/eP5flQiXXOXaYJFAlZI3s0xDBT8TgQXOR5O8QdsuGG0/oQGJssIcN8GOFAYvsNf
        8mfFN4gjTRFScGjVMJiQ19ExhYnDc6pO91ADmpaJwvs2TbOJs05chmWBDMya2C+G9pO9X337i7M+l
        C2NN15Ztlg6ZwRI1jP2KdHZnzOHwjzh8cmepFeBGYRnz4dBJGgxNc9sGE4z2BpmnEuHE2JArYMOt9
        AAj3j7/e4HQ71Xj3ilHljcVi2jlF/lOaCrzkC3JVP9qOvX3lgEDo+d679xno1HW7VMS27E3QCzF8h
        AkB4+rfYotSTE7rZW4O/TTAD2uShRVcEW0LQ==
Received: from COL-EXCHANGE2.LOUISVILLECO.US (10.1.1.6) by
 COL-EXCHANGE1.LOUISVILLECO.US (10.1.1.3) with Microsoft SMTP Server (TLS) id
 15.0.1263.5; Mon, 3 Aug 2020 00:08:03 -0600
DKIM-Signature: v=1; a=rsa-sha256; d=louisvilleco.gov; s=x2016;
        c=relaxed/relaxed; t=1596434883; h=from:subject:to:date:ad-hoc;
        bh=1vUB49v/IB0JjgtFz1DGr2CmSa6Gu6Dga37IFtZN+gs=;
        b=LLd166i7okd/eP5flQiXXOXaYJFAlZI3s0xDBT8TgQXOR5O8QdsuGG0/oQGJssIcN8GOFAYvsNf
        8mfFN4gjTRFScGjVMJiQ19ExhYnDc6pO91ADmpaJwvs2TbOJs05chmWBDMya2C+G9pO9X337i7M+l
        C2NN15Ztlg6ZwRI1jP2KdHZnzOHwjzh8cmepFeBGYRnz4dBJGgxNc9sGE4z2BpmnEuHE2JArYMOt9
        AAj3j7/e4HQ71Xj3ilHljcVi2jlF/lOaCrzkC3JVP9qOvX3lgEDo+d679xno1HW7VMS27E3QCzF8h
        AkB4+rfYotSTE7rZW4O/TTAD2uShRVcEW0LQ==
Received: from COL-EXCHANGE2.LOUISVILLECO.US (10.1.1.6) by
 COL-EXCHANGE2.LOUISVILLECO.US (10.1.1.6) with Microsoft SMTP Server (TLS) id
 15.0.1263.5; Mon, 3 Aug 2020 00:08:02 -0600
Received: from COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba]) by
 COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba%14]) with mapi id
 15.00.1263.000; Mon, 3 Aug 2020 00:08:02 -0600
From: Ashley Stolzmann <ashleys@louisvilleco.gov>
To: Susan Krantz <krantzs1@yahoo.co>
```

CC: Meredyth Muth <meredythm@louisvilleco.gov>
Subject: =?Windows-1252?Q?Re:_Keep_Medtronic_in_Louisville_=96_Support_Redtail_Rid?=
 =?Windows-1252?Q?ge?=
Thread-Topic: =?Windows-1252?Q?Keep_Medtronic_in_Louisville_=96_Support_Redtail_Ridge?=
Thread-Index: AQHWaTlNedUDYvJxaEOtLjsiwsVhCKkl5mqG
Date: Mon, 3 Aug 2020 06:08:02 +0000
Message-ID: <1596434885200.58021@louisvilleco.gov>
References: <b2730a65eecf2e20032c3b3a84317e04@louisvilleforredtailridge.com>
In-Reply-To: <b2730a65eecf2e20032c3b3a84317e04@louisvilleforredtailridge.com>
Accept-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
x-ms-exchange-messagesentrepresentingtype: 1
x-ms-exchange-transport-fromentityheader: Hosted
x-originating-ip: [76.25.81.106]
MIME-Version: 1.0
Return-Path: ashleys@louisvilleco.gov

From: Mark S Fisher
To: Ashley Stolzmann
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 7:51:09 AM

Thank you.

Sent from Yahoo Mail for iPhone

On Wednesday, August 5, 2020, 12:17 AM, Ashley Stolzmann <ashleys@louisvilleco.gov> wrote:

> Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
> Best,
>
> Ashley Stolzmann
> Louisville Mayor
> 303-570-9614
> AshleyS@LouisvilleCO.gov
>
> _____
> From: Mark Fisher <marksfisher01@yahoo.com>
> Sent: Tuesday, August 4, 2020 4:00 PM
> To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
> Cc: info@louisvilleforredtailridge.com
> Subject: Keep Medtronic in Louisville – Support Redtail Ridge
>
> Dear Mayor and City Council,
>
> I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …
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--
Mark Fisher
marksfisher01@yahoo.com

From: Thompson, Bill @ Denver DTC
To: Ashley Stolzmann
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville—Support Redtail Ridge
Date: Wednesday, August 5, 2020 8:23:24 AM

Was a decision made on this project yesterday ? Please advise when you get a moment. Thank you ,

Bill Thompson
Senior Vice President
CBRE, Inc
bill.thompson@cbre.com
720-528-6373

From: Ashley Stolzmann <ashleys@louisvilleco.gov>
Sent: Saturday, August 1, 2020 11:16:31 AM
To: Thompson, Bill @ Denver DTC <Bill.Thompson@cbre.com>
Cc: Meredyth Muth <meredythm@louisvilleco.gov>
Subject: Re: Keep Medtronic in Louisville—Support Redtail Ridge

External

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Thompson, Bill @ Denver DTC <Bill.Thompson@cbre.com>
Sent: Saturday, August 1, 2020 10:58 AM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; DFahey@LouisvilleCO.com; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville—Support Redtail Ridge

Dear Mayor and Louisville City Council Members,

I am writing to you today to convey my strong support for the Redtail Ridge project.
I love Boulder County, and have a long history in Colorado.
My grandparents moved to Boulder County in the 50's. My mom attended CU Boulder, as I also did, and my son is now attending CU Boulder. I have witnessed the growth in this area for decades, and I see what works, and what doesn't work related to property development. I am in the commercial real estate business here in Colorado for 30 + years. While attending Fairview High in Boulder County, many of my classmates parents worked at StorageTek. I

have fond memories of this site and area back to my childhood days, and it would be a shame to lose such a potential re -birth of this key location in Boulder County.
Redtail Ridge is the perfect project, at such a critical time , with the pandemic impacting so many people here locally, and across the country. Do we really want to lose such a key employer in Boulder County, as Medtronic ? The opportunity to retain these important , community supporting jobs, plus the long term benefit of the added jobs is so critical in these challenging times.

As we all know, so many good hard working people have lost their jobs in Boulder County and the surrounding communities, do we want to add additional job losses to this staggering count ?
I have clients who are reliant on Medtronic for the majority of their business, and the ripple effect of losing them, will impact many other jobs.
Aside from the jobs as noted, Redtail Ridge will be a huge positive impact to the community, with the additional open space , a proposed assisted living center, the addition of new housing which is in such short supply, plus the added significant tax benefits to the City and the schools. The list goes on and on. Like all developments, there is always concerns with growth, traffic etc. inevitably, over time, but when we are fortunate to live and work in such a desirable community, this comes with the territory. So, you need an experienced , conscientious partner to work hand in hand with the community, to mitigate those issues.
Brue Baukol is the right partner, at the right time, to make such a positive impact here, at such a critical time.
I have known Chad and Geoff for many years, former co-workers, I know their focus,dedication , determination and expertise will make this project a huge success and will positively impact the community for many many years to come.

I trust you all will make the right decision , to move forward, not backward at this pivotal time for the City of Louisville, Boulder County, and the State of Colorado.

Thank you for your consideration,

Bill Thompson
Senior Vice President
CBRE, Inc
bill.thompson@cbre.com
720-528-6373

From: Ashley Stolzmann
To: Thompson, Bill @ Denver DTC
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville—Support Redtail Ridge
Date: Wednesday, August 5, 2020 9:25:14 AM

The presentations and comments ran past 10pm so the meeting was continued to the 18th.

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Thompson, Bill @ Denver DTC <Bill.Thompson@cbre.com>
Sent: Wednesday, August 5, 2020 8:23 AM
To: Ashley Stolzmann
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville—Support Redtail Ridge

Was a decision made on this project yesterday ? Please advise when you get a moment. Thank you ,

Bill Thompson
Senior Vice President
CBRE, Inc
bill.thompson@cbre.com
720-528-6373

From: Ashley Stolzmann <ashleys@louisvilleco.gov>
Sent: Saturday, August 1, 2020 11:16:31 AM
To: Thompson, Bill @ Denver DTC <Bill.Thompson@cbre.com>
Cc: Meredyth Muth <meredythm@louisvilleco.gov>
Subject: Re: Keep Medtronic in Louisville—Support Redtail Ridge

External

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Thompson, Bill @ Denver DTC <Bill.Thompson@cbre.com>
Sent: Saturday, August 1, 2020 10:58 AM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; DFahey@LouisvilleCO.com; Christopher Leh; Jeff

Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville—Support Redtail Ridge

Dear Mayor and Louisville City Council Members,

I am writing to you today to convey my strong support for the Redtail Ridge project.
I love Boulder County, and have a long history in Colorado.
My grandparents moved to Boulder County in the 50's. My mom attended CU Boulder, as I also did, and my son is now attending CU Boulder. I have witnessed the growth in this area for decades, and I see what works, and what doesn't work related to property development. I am in the commercial real estate business here in Colorado for 30 + years. While attending Fairview High in Boulder County, many of my classmates parents worked at StorageTek. I have fond memories of this site and area back to my childhood days, and it would be a shame to lose such a potential re -birth of this key location in Boulder County.
Redtail Ridge is the perfect project, at such a critical time , with the pandemic impacting so many people here locally, and across the country. Do we really want to lose such a key employer in Boulder County, as Medtronic ? The opportunity to retain these important , community supporting jobs, plus the long term benefit of the added jobs is so critical in these challenging times.

As we all know, so many good hard working people have lost their jobs in Boulder County and the surrounding communities, do we want to add additional job losses to this staggering count ?
I have clients who are reliant on Medtronic for the majority of their business, and the ripple effect of losing them, will impact many other jobs.
Aside from the jobs as noted, Redtail Ridge will be a huge positive impact to the community, with the additional open space , a proposed assisted living center, the addition of new housing which is in such short supply, plus the added significant tax benefits to the City and the schools. The list goes on and on. Like all developments, there is always concerns with growth, traffic etc. inevitably, over time, but when we are fortunate to live and work in such a desirable community, this comes with the territory. So, you need an experienced , conscientious partner to work hand in hand with the community, to mitigate those issues.
Brue Baukol is the right partner, at the right time, to make such a positive impact here, at such a critical time.
I have known Chad and Geoff for many years, former co-workers, I know their focus,dedication , determination and expertise will make this project a huge success and will positively impact the community for many many years to come.

I trust you all will make the right decision , to move forward, not backward at this pivotal time for the City of Louisville, Boulder County, and the State of Colorado.

Thank you for your consideration,

Bill Thompson
Senior Vice President
CBRE, Inc
bill.thompson@cbre.com
720-528-6373

From: Ashley Stolzmann
To: Warren Merlino
Cc: cheryl com; Meredyth Muth; Rob Zuccaro
Subject: Re: The Call Last Night
Date: Wednesday, August 5, 2020 9:21:37 AM

Hi Warren,

I will enter this note in the record to show your support (and you will see in the addendum that your previous comment and Cheryl's were entered). Can you please work with the City Clerk to get to the bottom of what was keeping you from getting through? She is on vacation this week, but will be back in before the next hearing & if there is something wrong on our end, we need to get it worked out.

Thank you,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Warren Merlino <wfmerlino@aol.com>
Sent: Wednesday, August 5, 2020 8:47 AM
To: Ashley Stolzmann
Cc: cheryl com; Warren Merlino
Subject: The Call Last Night

Hello Ashley: I tried "repeatedly" to get on the call last night to express my "support" for the RedTail Ridge Project — but to no avail! Seems like many of the opponents of the project did not have this same difficulty. Oh well. Very frustrating! Finally I just gave up without my comments even being heard. That's all!

Warm Regards,

Warren
Warren Merlino
Director, Business Development
EPIC Fulfillment, Inc.
Suite F
Broomfield, CO 80021

From: Ashley Stolzmann
To: karenjjohnson88@gmail.com
Cc: Meredyth Muth
Subject: Re: I support an Erickson Living community in Louisville
Date: Wednesday, August 5, 2020 9:25:31 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: karenjjohnson88@everyactioncustom.com <karenjjohnson88@everyactioncustom.com> on behalf of Karen Johnson <karenjjohnson88@everyactioncustom.com>
Sent: Wednesday, August 5, 2020 8:18 AM
To: Ashley Stolzmann
Subject: I support an Erickson Living community in Louisville

Dear Mayor Ashley Stolzmann,

I'm writing to share my support for the proposed Erickson Living community in the City of Louisville, and strongly urge you to vote YES for the Redtail Ridge GDP. Louisville needs to provide more opportunities for seniors to age in place. Erickson Living has continuing care retirement communities across the country, including here in Colorado. They have a successful history of building communities that are accessible to middle-class seniors and provide everything seniors need to live active lifestyles, including pathways and open space. Erickson Living is exactly the type of neighbor you would want. Again, I urge you to please vote YES for the Redtail Ridge GDP, so we can have an Erickson Living community in Louisville!

Sincerely,
Karen Johnson
3520 W 126th Pl Broomfield, CO 80020-5881
karenjjohnson88@gmail.com

From: Ashley Stolzmann
To: Chris Schmidt
Cc: Board Members; John Willson; Meredyth Muth; Rob Zuccaro
Subject: Re: Redtail Ridge
Date: Wednesday, August 5, 2020 9:27:22 AM

President Schmidt,

Thank you for letting us know and for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application. Thank you for all you do for the city!

Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Chris Schmidt <CSchmidt@louisvillefire.com>
Sent: Wednesday, August 5, 2020 9:17 AM
To: Ashley Stolzmann
Cc: Board Members; John Willson
Subject: Redtail Ridge

Mayor Stolzmann:

During last night's discussion regarding the Redtail Ridge development, the developer inferred the project was supported by the Louisville Fire Protection District. Although we certainly support the extension of Campus Drive to improve emergency access to Monarch and Avista, we do not take an official stance regarding development within the District.

Our position is, and always has been, to insure any construction meets applicable fire codes and to take the necessary measures to protect our customers. We neither support nor discourage development within our boundaries.

Please contact me if I may provide any further information.

Best Regards,

Chris

Chris Schmidt

President

Board of Directors

Louisville Fire Protection District

303.666.6595, Ext. 292

720.201.0805, Mobile

cschmidt@louisvillefire.com<mailto:cschmidt@louisvillefire.com>

From: Ashley Stolzmann
To: Luke Davidson
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 11:12:17 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Luke Davidson <ldavidson@ltgc.com>
Sent: Wednesday, August 5, 2020 11:02 AM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

Redtail Ridge keeps Medtronic in Louisville
-Medtronic will not stay in Louisville if Redtail Ridge doesn't go forward, which means you're actively pushing 500 of our neighbors out of this community.
-Our city will lose the additional 1,500 jobs this campus will create if Redtail Ridge is not approved.
-Medtronic cannot wait indefinitely for Redtail Ridge to be approved – millions of patients around the world cannot wait either.

Redtail Ridge enhances much-needed access to our schools and hospitals
-For the first time in Louisville history; students, families, and faculty at Monarch's K-8 and high school campus will have safety improvements and much-needed access to the school as the Redtail Ridge plan includes enhancing Campus Drive from single-access to a two-way boulevard.
-Increased access also benefits patients, first responders, medical teams, and staff at Avista Adventist Hospital who will also see improved connectivity on Campus Drive.

Redtail Ridge provides open spaces, parkland, and trails for our families, and neighbors
-Redtail Ridge will add nearly 40 acres to the city's open space network.
-Redtail Ridge will be home to the city's largest park – more than 15 acres – ideal for parents, children, friends, and families.
-More than 15 miles of trails will be created, including first-time-ever access to the Rock Creek Regional Trail.
-Multi-use sports fields for soccer, baseball, lacrosse, and more.

Redtail Ridge increases our city's coffers
-Taxes from the empty land have plunged from $924,000 a year to only $10,700 a year and will remain low until ideas and plans are approved for the area.
-Tax revenue from Redtail Ridge bolsters our coffers to help ongoing funding for our schools, roads, and other civic services.

Redtail Ridge creates senior-friendly homes

-Redtail Ridge includes senior-friendly neighborhoods and homes for our parents, grandparents, and community members who have grown up in Louisville and want to stay in -Louisville near their loved ones.

Medtronic is only too aware that the Planning Commission voted against their Louisville jobs when they cast their votes on the Master Developer's Redtail Ridge proposal.

I'm asking that you vote for Redtail Ridge, which is a vote for your neighbors' careers. In addition to keeping more than 500 jobs, you're adding 1,500 additional ones to the City. By supporting Redtail Ridge, the area eliminates fenced off, useless land and gains parkland and trails for families. Grandparents can stay in town rather than find housing far from their families. And you'll be adding tax dollars to the city's bottom line, rather than adding taxes to citizens.

Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Luke Davidson
ldavidson@ltgc.com

From: Ashley Stolzmann
To: Jamie Bailey
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 12:56:10 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Jamie Bailey <jbailey@tritonproperties.com>
Sent: Wednesday, August 5, 2020 12:40 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; dfahey@lousivilleco.gov; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: FW: Keep Medtronic in Louisville – Support Redtail Ridge

-----Original Message-----
From: Patrick Bailey <pbailey@tritonproperties.com>
Sent: Sunday, August 2, 2020 12:31 PM
To: Jamie Bailey <jbailey@tritonproperties.com>; jonbailey67@gmail.com
Subject: FW: Keep Medtronic in Louisville – Support Redtail Ridge

Can you both send this email, copy and paste to same people. Let me know when ready and I will explain

Patrick J. Bailey
President and COO
Triton Properties
O: 303-839-3501
M: 303-913-2748
F: 303-830-7851
E: pbailey@tritonproperties.com
http://www.tritonproperties.com
7000 E. Belleview Ave., Suite 300
Greenwood Village, Colorado 80111

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Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

Redtail Ridge keeps Medtronic in Louisville -Medtronic will not stay in Louisville if Redtail Ridge doesn't go forward, which means you're actively pushing 500 of our neighbors out of this community.

-Our city will lose the additional 1,500 jobs this campus will create if Redtail Ridge is not approved.
-Medtronic cannot wait indefinitely for Redtail Ridge to be approved – millions of patients around the world cannot wait either.

Redtail Ridge enhances much-needed access to our schools and hospitals -For the first time in Louisville history; students, families, and faculty at Monarch's K-8 and high school campus will have safety improvements and much-needed access to the school as the Redtail Ridge plan includes enhancing Campus Drive from single-access to a two-way boulevard.
-Increased access also benefits patients, first responders, medical teams, and staff at Avista Adventist Hospital who will also see improved connectivity on Campus Drive.

Redtail Ridge provides open spaces, parkland, and trails for our families, and neighbors -Redtail Ridge will add nearly 40 acres to the city's open space network.
-Redtail Ridge will be home to the city's largest park – more than 15 acres – ideal for parents, children, friends, and families.
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-Multi-use sports fields for soccer, baseball, lacrosse, and more.

Redtail Ridge increases our city's coffers -Taxes from the empty land have plunged from $924,000 a year to only $10,700 a year and will remain low until ideas and plans are approved for the area.
-Tax revenue from Redtail Ridge bolsters our coffers to help ongoing funding for our schools, roads, and other civic services.

Redtail Ridge creates senior-friendly homes -Redtail Ridge includes senior-friendly neighborhoods and homes for our parents, grandparents, and community members who have grown up in Louisville and want to stay in -Louisville near their loved ones.

Medtronic is only too aware that the Planning Commission voted against their Louisville jobs when they cast their votes on the Master Developer's Redtail Ridge proposal.

I'm asking that you vote for Redtail Ridge, which is a vote for your neighbors' careers. In addition to keeping more than 500 jobs, you're adding 1,500 additional ones to the City. By supporting Redtail Ridge, the area eliminates fenced off, useless land and gains parkland and trails for families. Grandparents can stay in town rather than find housing far from their families. And you'll be adding tax dollars to the city's bottom line, rather than adding taxes to citizens.

Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Jamie Bailey
jbailey@tritonproperties.com

From: Ashley Stolzmann
To: Michelle Woelfel
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:11:18 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Michelle Woelfel <fusion355.cd@fpimgt.com>
Sent: Wednesday, August 5, 2020 1:41 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and Louisville City Council Members,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

1. Redtail Ridge keeps Medtronic in Louisville
    - Medtronic will not stay in Louisville if Redtail Ridge doesn't go forward, which means you're actively pushing 500 of our neighbors out of this community.
    - Our city will lose the additional 1,500 jobs this campus will create if Redtail Ridge is not approved.
    - Medtronic cannot wait indefinitely for Redtail Ridge to be approved – millions of patients around the world cannot wait either.
2. Redtail Ridge enhances much-needed access to our schools and hospitals
    - For the first time in Louisville history; students, families, and faculty at Monarch's K-8 and high school campus will have safety

improvements and much-needed access to the school as the Redtail Ridge plan includes enhancing Campus Drive from single-access to a two-way boulevard.
    - Increased access also benefits patients, first responders, medical teams, and staff at Avista Adventist Hospital who will also see improved connectivity on Campus Drive.
3. Redtail Ridge provides open spaces, parkland, and trails for our families, and neighbors
    - Redtail Ridge will add nearly 40 acres to the city's open space network.
    - Redtail Ridge will be home to the city's largest park – more than 15 acres – ideal for parents, children, friends, and families.
    - More than 15 miles of trails will be created, including first-time-ever access to the Rock Creek Regional Trail.
    - Multi-use sports fields for soccer, baseball, lacrosse, and more.
4. Redtail Ridge increases our city's coffers
    - Taxes from the empty land have plunged from $924,000 a year to only $10,700 a year and will remain low until ideas and plans are approved for the area.
    - Tax revenue from Redtail Ridge bolsters our coffers to help ongoing funding for our schools, roads, and other civic services.
5. Redtail Ridge creates senior-friendly homes
    - Redtail Ridge includes senior-friendly neighborhoods and homes for our parents, grandparents, and community members who have grown up in Louisville and want to stay in Louisville near their loved ones.

Medtronic is only too aware that the Planning Commission voted against their Louisville jobs when they cast their votes on the Master Developer's Redtail Ridge proposal.

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

Michelle Woelfel | Community Director l Fusion 355
www.fusion355.com |tel: (720) 242-7286 |
355 Eldorado Blvd. Broomfield, CO 80021

From: Ashley Stolzmann
To: Jenna Chapman
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:11:07 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Jenna Chapman <caliberflatirons.cd@fpimgt.com>
Sent: Wednesday, August 5, 2020 1:44 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

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Redtail Ridge creates senior-friendly homes

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Jenna Chapman
caliberflatirons.cd@fpimgt.com

From: Ashley Stolzmann
To: Michelle Woelfel
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:11:26 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Michelle Woelfel <mickey244224@gmail.com>
Sent: Wednesday, August 5, 2020 1:39 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Michelle Woelfel
mickey244224@gmail.com

From: Ashley Stolzmann
To: Fake User
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:11:36 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Fake User <thisformletter@doesntverifyemailaddresses.com>
Sent: Wednesday, August 5, 2020 1:35 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Fake User
thisformletter@doesntverifyemailaddresses.com

From: Ashley Stolzmann
To: Jordan Knott
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:11:45 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Jordan Knott <northmainsteelranch.cd@fpimgt.com>
Sent: Wednesday, August 5, 2020 1:32 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

Redtail Ridge keeps Medtronic in Louisville
-Medtronic will not stay in Louisville if Redtail Ridge doesn't go forward, which means you're actively pushing 500 of our neighbors out of this community.
-Our city will lose the additional 1,500 jobs this campus will create if Redtail Ridge is not approved.
-Medtronic cannot wait indefinitely for Redtail Ridge to be approved – millions of patients around the world cannot wait either.

Redtail Ridge enhances much-needed access to our schools and hospitals
-For the first time in Louisville history; students, families, and faculty at Monarch's K-8 and high school campus will have safety improvements and much-needed access to the school as the Redtail Ridge plan includes enhancing Campus Drive from single-access to a two-way boulevard.
-Increased access also benefits patients, first responders, medical teams, and staff at Avista Adventist Hospital who will also see improved connectivity on Campus Drive.

Redtail Ridge provides open spaces, parkland, and trails for our families, and neighbors
-Redtail Ridge will add nearly 40 acres to the city's open space network.
-Redtail Ridge will be home to the city's largest park – more than 15 acres – ideal for parents, children, friends, and families.
-More than 15 miles of trails will be created, including first-time-ever access to the Rock Creek Regional Trail.
-Multi-use sports fields for soccer, baseball, lacrosse, and more.

Redtail Ridge increases our city's coffers
-Taxes from the empty land have plunged from $924,000 a year to only $10,700 a year and will remain low until ideas and plans are approved for the area.
-Tax revenue from Redtail Ridge bolsters our coffers to help ongoing funding for our schools, roads, and other civic services.

Redtail Ridge creates senior-friendly homes

-Redtail Ridge includes senior-friendly neighborhoods and homes for our parents, grandparents, and community members who have grown up in Louisville and want to stay in -Louisville near their loved ones.

Medtronic is only too aware that the Planning Commission voted against their Louisville jobs when they cast their votes on the Master Developer's Redtail Ridge proposal.

I'm asking that you vote for Redtail Ridge, which is a vote for your neighbors' careers. In addition to keeping more than 500 jobs, you're adding 1,500 additional ones to the City. By supporting Redtail Ridge, the area eliminates fenced off, useless land and gains parkland and trails for families. Grandparents can stay in town rather than find housing far from their families. And you'll be adding tax dollars to the city's bottom line, rather than adding taxes to citizens.

Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Jordan Knott
northmainsteelranch.cd@fpimgt.com

From: Ashley Stolzmann
To: Test Louisville
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:11:53 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Test Louisville <test@test.com>
Sent: Wednesday, August 5, 2020 1:29 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Test Louisville
test@test.com

From: Ashley Stolzmann
To: Braiden Welsh
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:12:07 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Braiden Welsh <brady@cresherpa.com>
Sent: Wednesday, August 5, 2020 1:14 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Braiden Welsh
brady@cresherpa.com

From: Ashley Stolzmann
To: Kelsey Boykin
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:28:47 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Kelsey Boykin <fusion355.assist@fpimgt.com>
Sent: Wednesday, August 5, 2020 2:13 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Kelsey Boykin
fusion355.assist@fpimgt.com

From: Ashley Stolzmann
To: Alex Woodin
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 2:40:55 PM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Alex Woodin <alex.woodin@southernland.com>
Sent: Wednesday, August 5, 2020 2:38 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Alex Woodin
alex.woodin@southernland.com

From:	Ashley Stolzmann
To:	Meredyth Muth
Subject:	Fw: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date:	Wednesday, August 5, 2020 6:47:28 PM
Attachments:	Re Keep Medtronic in Louisville Support Redtail Ridge.msg

---

for the record

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Microsoft Outlook

Sent: Wednesday, August 5, 2020 6:22 PM

To: Test Louisville

Subject: Delivery delayed:Re: Keep Medtronic in Louisville – Support Redtail Ridge

Delivery is delayed to these recipients or groups:

Test Louisville (test@test.com)
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
This message hasn't been delivered yet. Delivery will continue to be attempted.
The server will keep trying to deliver this message for the next 1 days, 19 hours and 49 minutes. You'll be notified if the message can't be delivered by that time.

Diagnostic information for administrators:
Generating server: COL-EXCHANGE1.LOUISVILLECO.US
Total retry attempts: 17
test@test.com
Remote Server returned '400 4.4.7 Message delayed'
Original message headers:


```
Content-Language: en-US
Content-Type: text/plain; charset="utf-8"
Content-Transfer-Encoding: base64
DKIM-Signature: v=1; a=rsa-sha256; d=louisvilleco.gov; s=x2016;
        c=relaxed/relaxed; t=1596658313; h=from:subject:to:date:ad-hoc;
        bh=Qp5wb+FhOqwN2/jnXdLvx6j4Ll2eLCmzMZZoX1qOat4=;
        b=FQPX03fXhxwpbFXwHnCN6LNKNYCyOBG5GHpsDR+pe6Wo/QJqk13xxnCpcuVf8XSFZ0qhyJbLKFf
        buk6zJDYVNtvK1dAUIE2Da8M1pPOZ13mm9xNGi4U5b9y5LvTcFfk3l1EMTCq7XEofucgVp+USb5yl
        3TnhDl3ISS7jzZ7fTdNvETlMEU0ew9YS/GAi/BkhuFRR+haFLXCFCcVuI8gtG4fq/PzkXok6ttSx3
        hfFh+UKnXJwCZhDpqdw9TjlnaIaN95odqnSSb9rC+9tJBipu8QcDph5lJFp3HzvlYufCJe3UkNWtQ
        bdiPvGvD/pquF6MbwkTN3TT5j3n6OkwsudNw==
Received: from COL-EXCHANGE2.LOUISVILLECO.US (10.1.1.6) by
 COL-EXCHANGE1.LOUISVILLECO.US (10.1.1.3) with Microsoft SMTP Server (TLS) id
 15.0.1263.5; Wed, 5 Aug 2020 14:11:53 -0600
Received: from COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba]) by
 COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba%14]) with mapi id
 15.00.1263.000; Wed, 5 Aug 2020 14:11:53 -0600
From: Ashley Stolzmann <ashleys@louisvilleco.gov>
To: Test Louisville <test@test.com>
CC: Meredyth Muth <meredythm@louisvilleco.gov>
Subject: =?utf-8?B?UmU6IEtlZXAgTWVkdHJvbmljIGluIExvdWlzdmlsbGUg4oCTIFN1cHBvcnQg?=
 =?utf-8?Q?Redtail_Ridge?=
Thread-Topic: =?utf-8?B?S2VlcCBNZWR0cm9uaWMgaW4gTG91aXN2aWxsZSDigJMgU3VwcG9ydCBSZWR0?=
 =?utf-8?Q?ail_Ridge?=
Thread-Index: AQHWa17jAn7qZglLaEe/QfgDlGr9U6kp8o4y
Date: Wed, 5 Aug 2020 20:11:53 +0000
Message-ID: <1596658312844.6801@louisvilleco.gov>
References: <a66ea20b34dc12452b66c67e6fb60298@louisvilleforredtailridge.com>
In-Reply-To: <a66ea20b34dc12452b66c67e6fb60298@louisvilleforredtailridge.com>
Accept-Language: en-US
X-MS-Has-Attach:
```

```
X-MS-TNEF-Correlator:
x-ms-exchange-messagesentrepresentingtype: 1
x-ms-exchange-transport-fromentityheader: Hosted
x-originating-ip: [76.25.81.106]
MIME-Version: 1.0
```

From: Ashley Stolzmann
To: Meredyth Muth
Subject: Fw: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Wednesday, August 5, 2020 6:47:05 PM
Attachments: Re Keep Medtronic in Louisville Support Redtail Ridge.msg

---

for the record

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Microsoft Outlook
Sent: Wednesday, August 5, 2020 4:45 PM
To: Fake User
Subject: Undeliverable: Re: Keep Medtronic in Louisville – Support Redtail Ridge

Delivery has failed to these recipients or groups:

Fake User (thisformletter@doesntverifyemailaddresses.com)
A problem occurred while delivering this message to this email address. Try sending this message again. If the problem continues, please contact your helpdesk.

The following organization rejected your message: mx4.us-east-2a.ess.aws.cudaops.com.

Diagnostic information for administrators:
Generating server: COL-EXCHANGE1.LOUISVILLECO.US
Total retry attempts: 10
thisformletter@doesntverifyemailaddresses.com
mx4.us-east-2a.ess.aws.cudaops.com
Remote Server returned '550 No MX/host record found'
Original message headers:


```
Content-Language: en-US
Content-Type: text/plain; charset="utf-8"
Content-Transfer-Encoding: base64
DKIM-Signature: v=1; a=rsa-sha256; d=louisvilleco.gov; s=x2016;
        c=relaxed/relaxed; t=1596658296; h=from:subject:to:date:ad-hoc;
        bh=FknTpCVaT0StItiPDGsEhsuZUkHlhJ9xj8mwxiAs5ic=;
        b=aR8XLYNwMFfa95ep7UUmguFV2HQqqN6KcRw0EY9J3pdrfeWuhcNPH1RUb2zZh3mvthM82AdolSf
        CpXWKNywdVd7ZwM9ycZ4CheGqAgpibpTGwgYWeWAyH3zbipzf4jDa1eE/0ddfM3pX8r/ZosVesNI2
        wUrPk5sCCRd8EHAwPBNgNlRNN94SopMLxxi459gV5/PPJ0XGoRt3RKqE+ivWeV6Rsv6QUx9mcB0cG
        CyzZoeDDLwiRFEayJNatUtjqCTXaA9nlMFCdkeZ+R+l9sZva3kXkTt9SS1YGKKXmbPUQJECBLBYTV
        ETLlpV4YulDeSWDHPISrDn+CcP+uYRYZWtLg==
Received: from COL-EXCHANGE2.LOUISVILLECO.US (10.1.1.6) by
 COL-EXCHANGE1.LOUISVILLECO.US (10.1.1.3) with Microsoft SMTP Server (TLS) id
 15.0.1263.5; Wed, 5 Aug 2020 14:11:35 -0600
Received: from COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba]) by
 COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba%14]) with mapi id
 15.00.1263.000; Wed, 5 Aug 2020 14:11:35 -0600
From: Ashley Stolzmann <ashleys@louisvilleco.gov>
To: Fake User <thisformletter@doesntverifyemailaddresses.com>
CC: Meredyth Muth <meredythm@louisvilleco.gov>
Subject: =?utf-8?B?UmU6IEtlZXAgTWVkdHJvbmljIGluIExvdWlzdmlsbGUg4oCTIFN1cHBvcnQg?=
 =?utf-8?Q?Redtail_Ridge?=
Thread-Topic: =?utf-8?B?S2VlcCBNZWR0cm9uaWMgaW4gTG91aXN2aWxsZSDigJMgU3VwcG9ydCBSZWR0?=
 =?utf-8?Q?ail_Ridge?=
Thread-Index: AQHWa1+3au7J3EnQwkyRpnMq6DQEUakp8nU7
Date: Wed, 5 Aug 2020 20:11:34 +0000
Message-ID: <1596658294748.43166@louisvilleco.gov>
References: <22084a4d3a60015bd495533e7e110201@louisvilleforredtailridge.com>
In-Reply-To: <22084a4d3a60015bd495533e7e110201@louisvilleforredtailridge.com>
```

```
Accept-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
x-ms-exchange-messagesentrepresentingtype: 1
x-ms-exchange-transport-fromentityheader: Hosted
x-originating-ip: [76.25.81.106]
MIME-Version: 1.0
```

From: Ashley Stolzmann
To: Jeffrey Gass
Cc: Meredyth Muth
Subject: Re: Red tail Ridge
Date: Thursday, August 6, 2020 8:14:41 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Jeffrey Gass <jeffreygass19@gmail.com>
Sent: Thursday, August 6, 2020 7:10 AM
To: Ashley Stolzmann; Dennis Maloney; Caleb Dickinson; Jeff Lipton
Cc: Deb Fahey; Christopher Leh
Subject: Fwd: Red tail Ridge

100% FOR THE PROJECT.

I listened to most of the presentation and some of the public comments. The "negative" comments while some had some good points, most were comments about keeping Louisville in the past not the future. Driving along the Highway 36 corridor will highlight how Louisville has been past by in the 21st Century. One comment that really highlighted the minor issues they harped on was the fact that a supermarket should be in the plan. Maybe with this new residents, the Safeway on McCaslin will be a busier store so additional sales tax revenue will be generated and with this new residents either in the development or purchasing homes in our community Lowe's would not think about leaving. Maybe with this new development you will FINALLY get some other developer that would want to help redeveloped the MCCaslin Road corridor that would bring in both sales tax and property tax revenue
Ask all these people (about 750 is what was discussed during the meeting), if they are willing to pay more taxes to cover the $10,000,000 shortfall by the zoning change approved in 2019. They are complaining taxes are too high now.. Can a staff member illustrate what this shortfall means to Louisville residence in terms of higher city taxes and higher school district taxes or reduction of services.
That might be very helpful to see how much they are willing to pay for a "view"
This project can only help keep the downtown area vibrant also. How many empty stores do we have now and with a co-op marketing plan highlighting our beautiful downtown will more people visit,utilize and support our small shop owners in old town and along McCaslin Road.

Here we have an opportunity to create a vibrant well thought out master plan development with a company that wants to built in Louisville and has a major Fortune 500 company that wants to be here in Louisville.

Other comments below were written to Chris Leah during the meeting

Jeff Gass
784 Meadowlark Lane
Louisville, CO 80027

Begin forwarded message:

From: Jeffrey Gass <jeffreygass19@gmail.com>
Date: August 4, 2020 at 8:57:32 PM MDT
To: Christopher Leh <leh@louisvilleCO.gov>
Subject: Red tail Ridge

I am 100% behind this project
The financial benefits for the city far out way the "negatives"
This private property is so far away from the majority of Louisville residents
I have waited 4 lights In the morning to make a left turn onto 88th Street so an alternative access to Monarch High School and K-8 alleviates traffic issues
High paying jobs in the community helps with homeowners property values.
Getting this property on the tax rolls benefits with city revenues and hopefully stapilize property taxes and help the city provide additional services

Jeffrey Gass
914-656-7918
Jeffreygass19@gmail.com

Sent from my I-phone

From: Ashley Stolzmann
To: Larry Braud
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 8:57:51 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Larry Braud <lbraud@milenderwhite.com>
Sent: Friday, August 7, 2020 8:44 AM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Larry Braud
lbraud@milenderwhite.com

From: Ashley Stolzmann
To: Ken Loeber
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 8:58:50 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Ken Loeber <kenloebernc@gmail.com>
Sent: Friday, August 7, 2020 7:11 AM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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--
Ken Loeber
kenloebernc@gmail.com

From: Ashley Stolzmann
To: mjaross@comcast.net
Cc: Heather Balser; Rob Zuccaro; Emily Hogan; Gloria Handyside; Meredyth Muth
Subject: Re: Redtail Ridge Query
Date: Friday, August 7, 2020 9:12:11 AM

Hi Maryan,

E-mails that came in earlier were able to be included in the original Council packet which came out around the 31st (so e-mails after that had to be put in an addendum). You can see the packet here:
https://www.louisvilleco.gov/home/showdocument?id=27894
Your note is on page 528

We will included this additional daily camera submission that you just sent in the next addendum for Council Consideration.

Thank you,
Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Citizen Inquiries
Sent: Thursday, August 6, 2020 7:33 PM
To: Ashley Stolzmann
Cc: Heather Balser; Rob Zuccaro; Emily Hogan
Subject: FW: Redtail Ridge Query

Hi Ashley

An email for you below.

Gloria Handyside
Senior Communications Specialist
City of Louisville
Office 303-335-4814
Cell 720-590-3809
www.louisvilleco.gov | Twitter | Facebook

Join our eNotification list to customize emails with news and events that matter to you.

From: Maryan Jaross <mjaross@comcast.net>
Sent: Thursday, August 6, 2020 4:28 PM
To: Citizen Inquiries <info@louisvilleco.gov>
Subject: Redtail Ridge Query

Hi Mayor Ashley,

I am curious as to why letters to you and the City Council regarding the development proposal received before July 31st (mine was received and responded to by you July 28th) were not included in the packets attached to this week's meeting.

Here is the letter you received from us on that date (followed by my Letter to the Editor of the DC written after the public meeting:

To every member of the City Council:

We attended the entire hearing and presentations about Redtail Ridge before the Planning Commission.

While there were only 15 public comments at the end, after 10:00 p.m. (?), the issue with these zoom meetings is that you can't see the 40 or 60 people nodding in agreement so we don't bring up the same objections. Zoom does allow for polling if you're interested.

We hope there will be more inclusive management of public comment before the City Council.

We attended the early Brue Baukol presentation (when they were still calling it Nawatny Ridge) at the Rec Center and were mostly in favor of the plan as presented then. Medtronic has been a good neighbor and is a wonderful company; Ericsson Wind Crest communities seem to be very reputable and well-run so no objection to them either as a participant but the scale is four times the size of Frasier!

What we heard Brue Baukol present to the Planning Commission was double the size and scope of what was originally proposed/presented and we do object. We walked the property as much as possible and were pretty stunned. The original plans didn't call for all this additional residential development, nor a second corporate tenant, nor a hotel, etc.

Concerns are:

- That they seem to want to build a city within our city that does not contribute to the character of Louisville. It does look like Broomfield, however.
- Too many buildings that are too tall.
- Generate too much traffic: we live off of Dillon in Coal Creek Ranch.
- Where is the transportation plan and traffic study? Saying that you're talking to RTD is meaningless. Would there be transportation to downtown? to McCaslin? These businesses need our support.
- Medtronic parking lots seem excessive and pave over too much land that should be absorbing water, provide parks, green areas. Why not a garage for employees?
- No solar on rooftops specified.
- Retail too far from senior community
- Brue Baukol would subcontract to other builders for parts of this development in the future. Would they be bound by decisions you make now?

Again, we would like Medtronic to have their corporate headquarters there but do not like Ryan trying to circumvent the Comprehensive Plan nor the process.

Suggestion: Build a grocery store initially (King Sooper's?) and capture sales tax revenue from Broomfield residents. They went ahead and built up that whole section of Broomfield hoping to monetize the Conoco Phillips property for themselves. They have now built car dealerships, etc. that will contribute to their tax revenue.

We hope you will not approve this project as presented at your last meeting. We also hope that you will allow for more public comment.

Respectfully,

Maryan Jaross
Tom Lepak

846 St. Andrews Lane
Louisville, Co

And here is the letter I just sent to the Daily Camera editor:

I very much appreciate the ability to participate in Louisville City Council meetings via Zoom and the level of civic engagement and respect demonstrated in last night's session by our citizens about whether or not to approve the Redtail Ridge proposal from Brue Baukol for the former Storage Tek property.

Geoff Baukol's responses however, were very disrespectful, demeaning, and threatening and out of line with the objections being raised. While he and his team may have worked on this for two years and may be frustrated with those of us (a very large number) who object, they were not constructive and did not address our issues. I attended his early presentation to Louisville citizens last year where they were seeking input and was delighted with the process and that we might have a viable entity that fit in our City. Medtronic has been a good neighbor and is a very reputable company.

The proposal that was brought to the Planning Commission and City Council is more than twice the size and is a city-within-a-city that has nothing to do with the rest of us except for causing a great deal of traffic. Where is the sustainability? Why bring a project that reflects last century's reliance on retail and restaurants for sales taxes when that model is proving outdated? The size of the Ericson Retirement Community is almost four times the size of Frasier and would shift the demographics of our community.

The question I asked last night that has yet to be answered is why do you need this scale to make the project financially viable? Jordan Swisher just glossed over that detail in her presentation.

Maryan Jaross
Louisville, CO

I appreciate that the meeting will be continued on August 18th with further opportunity for pubic comment and hope that you will question Brue Baukol more closely on their reasons why they ***need*** this project to be done on this scale.

Thank you for your hard work on this matter — I know it's not easy when we all get involved and voice or opinions! By the same token, please give more credit to the individually written letters from residents, such as mine, and not so much to form letters from outsiders or Medtronic employees, or those associated with the proposed project.

Maryan Jaross
846 St. Andrews Lane
Coal Creek Ranch
Louisville

From: Ashley Stolzmann
To: Drew Genova
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 9:13:00 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Drew Genova <drewgenova@mac.com>
Sent: Thursday, August 6, 2020 6:07 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Drew Genova
drewgenova@mac.com

From: Ashley Stolzmann
To: Joshua Siegel
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 9:14:38 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
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Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Joshua Siegel <joshua.siegel3@gmail.com>
Sent: Thursday, August 6, 2020 4:00 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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--
Joshua Siegel
joshua.siegel3@gmail.com

From: Ashley Stolzmann
To: Robert Ferrera
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 9:14:49 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Robert Ferrera <ferrerahome@comcast.net>
Sent: Thursday, August 6, 2020 3:13 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Robert Ferrera
ferrerahome@comcast.net

From: Ashley Stolzmann
To: Garrett Hochstetter
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 9:25:44 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
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Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Garrett Hochstetter <garrett.r.h@icloud.com>
Sent: Thursday, August 6, 2020 12:40 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Garrett Hochstetter
garrett.r.h@icloud.com

From: Ashley Stolzmann
To: MAX ANDERSON
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 9:28:47 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
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Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: MAX ANDERSON <max.anderson6@gmail.com>
Sent: Thursday, August 6, 2020 11:23 AM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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--
MAX ANDERSON
max.anderson6@gmail.com

From: Ashley Stolzmann
To: Brett Chacon
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 9:46:24 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Brett Chacon <fusion355.lease1@fpimgt.com>
Sent: Thursday, August 6, 2020 9:31 AM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Brett Chacon
fusion355.lease1@fpimgt.com

From: Ashley Stolzmann
To: Avery Carlstrom
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Friday, August 7, 2020 9:46:46 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Avery Carlstrom <avery.carlstrom@colorado.edu>
Sent: Wednesday, August 5, 2020 10:03 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Avery Carlstrom
avery.carlstrom@colorado.edu

From:	Ashley Stolzmann
To:	Meredyth Muth
Subject:	Fw: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date:	Friday, August 7, 2020 2:34:26 PM
Attachments:	Re Keep Medtronic in Louisville Support Redtail Ridge.msg

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for the record:

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Microsoft Outlook
Sent: Friday, August 7, 2020 2:03 PM
To: Test Louisville
Subject: Undeliverable: Re: Keep Medtronic in Louisville – Support Redtail Ridge

Delivery has failed to these recipients or groups:

Test Louisville (test@test.com)
The server has tried to deliver this message, without success, and has stopped trying. Please try sending this message again. If the problem continues, contact your helpdesk.

Diagnostic information for administrators:
Generating server: COL-EXCHANGE1.LOUISVILLECO.US
Receiving server: d108042.o.ess.barracudanetworks.com (209.222.82.10)
Total retry attempts: 185
test@test.com
8/7/2020 8:03:23 PM - Remote Server at d108042.o.ess.barracudanetworks.com (209.222.82.10) returned '550 4.4.7 QUEUE.Expired; message expired'
8/7/2020 8:02:09 PM - Remote Server at d108042.o.ess.barracudanetworks.com (209.222.82.10) returned '451 4.4.0 Primary target IP address responded with: "421 temporary failure for one or more recipients (sales.25@silicone.com:451 Proxy timed out)." Attempted failover to alternate host, but that did not succeed. Either there are no alternate hosts, or delivery failed to all alternate hosts. The last endpoint attempted was 209.222.82.10:25'
Original message headers:


```
Content-Language: en-US
Content-Type: text/plain; charset="utf-8"
Content-Transfer-Encoding: base64
DKIM-Signature: v=1; a=rsa-sha256; d=louisvilleco.gov; s=x2016;
        c=relaxed/relaxed; t=1596658313; h=from:subject:to:date:ad-hoc;
        bh=Qp5wb+FhOqwN2/jnXdLvx6j4Ll2eLCmzMZZoX1qOat4=;
        b=FQPX03fXhxwpbFXwHnCN6LNKNYCyOBG5GHpsDR+pe6Wo/QJqk13xxnCpcuVf8XSFZ0qhyJbLKFf
        buk6zJDYVNtvK1dAUIE2Da8M1pPOZ13mm9xNGi4U5b9y5LvTcFfk3l1EMTCq7XEofucgVp+USb5yl
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        bdiPvGvD/pquF6MbwkTN3TT5j3n6OkwsudNw==
Received: from COL-EXCHANGE2.LOUISVILLECO.US (10.1.1.6) by
 COL-EXCHANGE1.LOUISVILLECO.US (10.1.1.3) with Microsoft SMTP Server (TLS) id
 15.0.1263.5; Wed, 5 Aug 2020 14:11:53 -0600
Received: from COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba]) by
 COL-EXCHANGE2.LOUISVILLECO.US ([fe80::bcd2:259c:a047:14ba%14]) with mapi id
 15.00.1263.000; Wed, 5 Aug 2020 14:11:53 -0600
From: Ashley Stolzmann <ashleys@louisvilleco.gov>
```

To: Test Louisville <test@test.com>
CC: Meredyth Muth <meredythm@louisvilleco.gov>
Subject: =?utf-8?B?UmU6IEtlZXAgTWVkdHJvbmljIGluIExvdWlzdmlsbGUg4oCTIFN1cHBvcnQg?=
 =?utf-8?Q?Redtail_Ridge?=
Thread-Topic: =?utf-8?B?S2VlcCBNZWR0cm9uaWMgaW4gTG91aXN2aWxsZSDigJMgU3VwcG9ydCBSZWR0?=
 =?utf-8?Q?ail_Ridge?=
Thread-Index: AQHWa17jAn7qZglLaEe/QfgDlGr9U6kp8o4y
Date: Wed, 5 Aug 2020 20:11:53 +0000
Message-ID: <1596658312844.6801@louisvilleco.gov>
References: <a66ea20b34dc12452b66c67e6fb60298@louisvilleforredtailridge.com>
In-Reply-To: <a66ea20b34dc12452b66c67e6fb60298@louisvilleforredtailridge.com>
Accept-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
x-ms-exchange-messagesentrepresentingtype: 1
x-ms-exchange-transport-fromentityheader: Hosted
x-originating-ip: [76.25.81.106]
MIME-Version: 1.0

From: Ashley Stolzmann
To: Meredyth Muth
Subject: Fw: Meet to discuss Redtail Ridge?
Date: Monday, August 10, 2020 7:52:30 AM

For the record:
Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Ashley Stolzmann
Sent: Monday, August 10, 2020 7:52 AM
To: Geoff Baukol
Subject: Re: Meet to discuss Redtail Ridge?

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Geoff Baukol <geoff.baukol@bruebaukol.com>
Sent: Sunday, August 9, 2020 7:17 AM
To: John Leary
Cc: Chad Brue; City Council; Rob Zuccaro; Stephanie Rowe
Subject: RE: Meet to discuss Redtail Ridge?

John,

Thank you for the thoughtful response. It makes sense, and we understand it. In the absence of meeting directly, we would like you and your colleagues to know that we are listening to the responses and the feedback, and working hard to come up with a solution that includes substantially less density – addressing the primary concern we have heard.

We know you can't represent all of the opposition voices, and won't ask you to do that. We may, however, keep you apprised of our progress over the next nine days before the next city council meeting, and if you would like to share any feedback (just from you), we would welcome it.

Thank you John,

Geoff Baukol | President & Partner
Brue Baukol Capital Partners
1555 Blake Street | Suite 210 | Denver, CO 80202

T: 303.500.8978 | M: 303.725.7738
geoff.baukol@bruebaukol.com | www.bruebaukol.com

From: John Leary <johntleary@comcast.net>
Sent: Saturday, August 8, 2020 11:57 AM
To: Geoff Baukol <geoff.baukol@bruebaukol.com>
Cc: Chad Brue <chad.brue@bruebaukol.com>; Council@LouisvilleCO.gov; Rob Zuccaro <rzuccaro@louisvilleco.gov>; Stephanie Rowe <7slr@live.com>
Subject: Re: Meet to discuss Redtail Ridge?

Geoff,

Thank you for the offer to meet on Redtail Ridge issues. I took the issue up with my colleagues in No On Redtail Ridge and we concluded that it would not be appropriate to participate in such a meeting. Our decision was based on the following factors:

1) At this time in the process, this matter is in the hands of the City Council. We do not believe it is in any way appropriate to usurp the Council's role. In this phase, we are content with using our right of freedom of speech and the corresponding right to petition our government.

2) We can in no way claim to represent the views of the approximately 750 Louisville residents who have made their opposition to Redtail Ridge known, nor of the residents who have kept their opposition private. The opposition to the project is varied and diverse, and we are not in a position to determine whose views should be given preeminence.

Assuming you have proposals for addressing resident concerns, I recommended you present them to Rob Zuccaro, Louisville's Director of Planning and Building Safety. Rob is in the position to determine how your proposals can best be integrated into the planning process.

Again, thank you for your willingness to discuss these issues.

On Aug 7, 2020, at 11:23 AM, Geoff Baukol <geoff.baukol@bruebaukol.com> wrote:

John,

I hope you are well. Reaching out to see if you would be available early next week to meet with Chad and me? We would like to discuss some potential solutions on Redtail Ridge, hopefully ones that allow the city/region to retain Medtronic, while also addressing and satisfying the concerns that you and many of your colleagues and fellow citizens share. We would be happy to meet you in person, but totally understand if you are not comfortable with that given COVID, and we could do a Zoom meeting with you.

Would you have time Tuesday afternoon?

Thank you,

Geoff Baukol | President & Partner
Brue Baukol Capital Partners
1555 Blake Street | Suite 210 | Denver, CO 80202
T: 303.500.8978 | M: 303.725.7738
geoff.baukol@bruebaukol.com | www.bruebaukol.com

From: Ashley Stolzmann
To: Jo Feder
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Monday, August 10, 2020 7:52:43 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Jo Feder <joluvs10s@gmail.com>
Sent: Saturday, August 8, 2020 11:07 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

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--
Jo Feder
joluvs10s@gmail.com

From: Ashley Stolzmann
To: Ryanne Ritchey
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Monday, August 10, 2020 7:53:06 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Ryanne Ritchey <ry.ritch357@gmail.com>
Sent: Saturday, August 8, 2020 1:04 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Ryanne Ritchey
ry.ritch357@gmail.com

From:	Christopher Leh
To:	Chris; Meredyth Muth
Cc:	Ashley Stolzmann; Caleb Dickinson; Kyle Brown; Dennis Maloney; Jeff Lipton; Deb Fahey; Heather Balser
Subject:	Re: Nature Reclaiming the Phillips 66 lands
Date:	Monday, August 10, 2020 5:16:48 PM

Thanks, Chris.

Meredyth, please add Chris's email and the article for which He provided the link. Thanks.

Chris
Chris Leh
Councilman, Ward 1
City of Louisville
303.668.3916 (c)
leh@louisvilleco.gov

Stay informed about City events and decisions by signing up for email notifications: www.louisvilleco.gov/residents/enotification.

On Aug 10, 2020, at 5:12 PM, Chris <chris@greatdividepictures.com> wrote:

Hello,

This is an article I wrote on the ecosystem of the proposed Redtail Ridge lands. I hope you take time to read. Thanks

https://sites.google.com/view/public-engagement-louisville/chris-wheeler-4

Chris Wheeler
525 La Farge
720-244-2981

OPINION – Manifest Destiny at Redtail Ridge

-by Chris Wheeler, a Louisville photojournalist and producer of more than 30 Visitor Center films for the National Park Service.

You may remember from high school history class the concept of "Manifest Destiny." This was the 19th century worldview trumpeting America's God-given duty to expand across the continent, tame the wilderness, and exploit all the natural resources of the land. In other words, "progress." During the 1800s, Manifest Destiny also meant sweeping away anyone standing in your way – including Native peoples who had inhabited those lands for hundreds, if not thousands of years.

At the site of the old StorageTek campus, Brue Baukol Capital Partners is bringing a 19th century "Manifest Destiny" worldview to a 21st century development. "Redtail Ridge" will be a massive conglomerate of office, commercial, retail and residential space. Brue Baukol's

plan is to create a 5.8 million square foot city of steel, concrete, and asphalt within the borders of the City of Louisville. The developer's plans explicitly show that almost all of the 389 acres are being exploited in order to insure maximum profits for their coalition of corporate financers and investors. The plants and animals that inhabit the former StorageTek property are disposable objects that are to be swept away in order to achieve the greatest return for investors. Hearing the executives of Brue Baukol speak, you get the feeling that Redtail Ridge is indeed their "manifest destiny."

Yes, the old StorageTek site is private land. Everyone acknowledges that along with the rights that go with land ownership. But the proposed development of Redtail Ridge will directly impact every resident of Louisville. And for that reason, citizens should have a voice. Many in our community have shared their concern through passionate letters to City Council or by eloquently speaking at last Tuesday's Council meeting.

But what about those who cannot speak, those whose voices cannot be heard? What about the plants and animals that inhabit the 389-acre parcel? The massive development will deal a fatal blow to many of the creatures living there.

Again, it is private land. But try telling that to the great horned owls and songbirds that nest in the trees. Try telling that to the native plants that are tenaciously regaining a foothold in soil that has been violently disturbed by man. Try telling that to the coyotes, foxes and snakes that depend on the water and food sources that the old StorageTek lands provide.

During the past few months, Brue Baukol has referred to it as "vacant land," and "a black hole as far as circulation goes." Nothing could be further from the truth.

Conoco Phillips, the current owner, dismantled the buildings of StorageTek in 2009. Fences were raised and gates padlocked to keep out intruders. While the barriers have kept humans away for the past decade, it has not stopped animals and plants. It was not Conoco Phillips's intent, but they have, in essence, created a 400-acre wildlife preserve that is not unlike designated opens spaces in Boulder County. What has happened at the old StorageTek land in the past decade is nothing short of remarkable. Nature is slowly and methodically reclaiming the land as its own.

Brue Baukol and Conoco-Phillips have denied our repeated requests to survey and photograph the natural resources of the land. However, much can be learned by observing the lands from its perimeter. Even more can be learned by reviewing environmental assessments commissioned by Brue Baukol.

On February 1, 2019, CTL Thompson - working on behalf of Brue Baukol - performed a biological assessment of the proposed Redtail Ridge land.
https://www.louisvilleco.gov/Home/ShowDocument?id=24666

During the one-day assessment of over 389 acres, CTL Thompson noted: "The Site consists primarily of native upland vegetation and native wetland vegetation." The biological assessment identified streams and ditches as tributaries of Coal Creek. They also observed three ponds.

Native species of plants like curlycup gumweed, golden currants, and blue Lewis flax can be easily observed on the outer perimeter of the proposed development. "One of the coolest thing about living in Boulder County is our diversity of plant species," says Tamar Krantz, a Louisville volunteer naturalist who used to review biological assessments for the Federal government. "I walked the property border by the Boulder Turnpike and counted over 20 native plant species."

The native plants fight for survival in a landscape full of invasive plant species. Before this was the home of StorageTek, these lands were used for livestock grazing. Cattle decimated the native short grass prairie, paving the way for invasive plant species. The construction of the StorageTek campus no doubt further disturbed the natural landscape.

Despite it all, the resiliency of native plants like yucca, white sage, and milkweed are on full display on the old StorageTek lands. "The native plants observed on the perimeter could easily establish themselves onsite – if they are not already established there," says Tamar. See Tamar's photos by going to: https://www.facebook.com/media/set?vanity=Ispyaflower&set=a.1728221103982568

Their displays may be colorful, but life for native plants at what may become Redtail Ridge continues to be an uphill fight. Unlike what occurs at designated open spaces in Boulder County, there is no management of the ecosystem. Today, Conoco Phillip leases the old StorageTek lands for livestock grazing, impacting native vegetation and damaging the beleaguered soil.

Animals thrive here, too. In their report, CTL Thompson notes, "The majority of the Site generally provides tree-nesting and ground-nesting migratory bird habitat."

A 1.76-acre pond surrounded by tall trees sits on the northwest side of the old StorageTek property. This summer, I observed a great blue heron flying over this pond. "It's about the same size as Louisville's Warembourg Pond," says Tamar. "It probably supports the same species of birds and reptiles." This includes mallards, snowy egrets, double crested cormorants, and others. "Imagine all of the wildlife supported by this and the other two ponds on the property," notes Tamar.

Overall in Boulder County, the number of bird species are in decline. This past Sunday, the Boulder Daily Camera published an article connecting the loss to development. ("Boulder County's Populations of Native Bird Species Decline in the Face of Development") An environmental consultant interviewed for the article warned, "We're seeing some species disappear right now due to overdevelopment and loss of habitat."

Many in our community enjoy observing a pair of bald eagles that have nested in cottonwoods of southeast Boulder County for almost a decade. This year, the eagles have been nesting just south of Stearns Lake. Is it plausible that these beloved residents of our community utilize the nearby lands of the proposed Redtail Ridge? The answer is provided by the scientists commissioned by Brue Baukol. In their report, CTL Thompson writes: "The majority of the Site presents suitable tree-nesting and ground-nesting habitat for migratory bird species, including bald eagles and golden eagles."

On the proposed development site are also 142 acres of active prairie dog colonies. That's ~~about~~ more than one-quarter of the entire Redtail Ridge property, distributed throughout the site. Their importance to the ecosystem is indisputable. Prairie Dogs are a 'keystone species,' meaning that they have a crucial impact on the ecosystem. At Redtail Ridge, predators like coyotes, foxes, and perhaps even the elusive bobcat recently spotted along Coal Creek hunt for prey in the prairie dog colonies. Reptiles, rabbits, and insects take advantage of the holes they dig. The scientists hired by Brue Baukol note that "approximately 150 other species rely on habitat that the black-tailed prairie dog creates."

There may even be an endangered species living among the prairie dogs at Redtail Ridge. From March to October, burrowing owls inhabit prairie dog towns throughout Colorado. This migratory bird is protected under federal and state laws.

Because CTL's assessment of the old StorageTek lands was conducted in February, no migratory burrowing owls were observed. However, CTL wildlife specialists recommended "a burrowing owl survey….as burrowing owl nests may be present on-Site." Burrowing owls have been observed at a nearby open space. In December 2019, a volunteer monitor spotted burrowing owls at Carolyn Holmberg Preserve. As the owl flies, this sighting is only 1.5 miles away from the eastern boundary of the proposed Redtail Ridge. Burrowing owl surveys were supposed to have been completed in May or June. Neither Brue Baukol nor the City of Louisville has responded to our inquiries about the results.

Listening to Brue Baukol's pitch to Louisville City Council last Tuesday, one could be lured into believing that the developer truly cares about the natural world. But the facts state otherwise. Of the nearly 400 acres of the proposed Redtail Ridge development, only 40 acres have been set aside as undisturbed open space suitable for wildlife habitat. What does that dramatic reduction of habitat mean for the plants and animals of the old StorageTek lands? This is one of the many unanswered questions of the Redtail Ridge debate. Other important wildlife issues have not been addressed by the developer.

<!--[if !supportLists]-->· <!--[endif]-->What is the plan for prairie dog removal? Will the animals be humanely relocated? Colorado Parks and Wildlife lists poisoning as an option for removal. What will Brue Baukol do?

<!--[if !supportLists]-->· <!--[endif]-->Will Brue Baukol leave natural buffers around the ponds on site to protect the diversity of birds that live there?

<!--[if !supportLists]-->· <!--[endif]-->Are Brue Baukol's biological assessments a genuine act to learn of environmental impact, or it is merely lip service to appease City Council before the crucial vote of August 18? More importantly, how exactly does Brue Baukol plan to use this information to protect the site's plant and animal species?

The ultimate question is this: can the ecosystem on the proposed Redtail survive with a 90% reduction in space? What impact will the massive construction project have on plants and animals? And what impact will humans ultimately have on the largely undisturbed habitats of the old StorageTek lands?

Brue Baukol's own plans provide the sobering answer. Nearly all of the 5.8 million square feet of the Redtail Ridge development is dedicated for human use: buildings and asphalt surrounded by water-intensive Kentucky bluegrass. During construction, the delicate ecosystem simply cannot compete with an assault from an armada of heavy construction vehicles. Despite what Brue Baukol says, a massive development and fragile ecosystem cannot coexist in the same space.

In May, a follow-up survey commissioned by Brue Baukol noted the presence of three red-tailed hawk nests on the property. In the cruelest of ironies, the proposed Redtail Ridge will likely steamroll over nesting sites and habitat of the red-tailed hawk.

Brue Baukol talks a good game when it comes to open space. Don't believe it.

The Denver-based developer and their corporate partners believe that the development of these lands in southeast Boulder County is their "manifest destiny."

From: Ashley Stolzmann
To: Joella Rodarte
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Tuesday, August 11, 2020 9:41:48 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Joella Rodarte <jrodarte@i2construction.com>
Sent: Monday, August 10, 2020 9:27 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

Redtail Ridge keeps Medtronic in Louisville
-Medtronic will not stay in Louisville if Redtail Ridge doesn't go forward, which means you're actively pushing 500 of our neighbors out of this community.
-Our city will lose the additional 1,500 jobs this campus will create if Redtail Ridge is not approved.
-Medtronic cannot wait indefinitely for Redtail Ridge to be approved – millions of patients around the world cannot wait either.

Redtail Ridge enhances much-needed access to our schools and hospitals
-For the first time in Louisville history; students, families, and faculty at Monarch's K-8 and high school campus will have safety improvements and much-needed access to the school as the Redtail Ridge plan includes enhancing Campus Drive from single-access to a two-way boulevard.
-Increased access also benefits patients, first responders, medical teams, and staff at Avista Adventist Hospital who will also see improved connectivity on Campus Drive.

Redtail Ridge provides open spaces, parkland, and trails for our families, and neighbors
-Redtail Ridge will add nearly 40 acres to the city's open space network.
-Redtail Ridge will be home to the city's largest park – more than 15 acres – ideal for parents, children, friends, and families.
-More than 15 miles of trails will be created, including first-time-ever access to the Rock Creek Regional Trail.
-Multi-use sports fields for soccer, baseball, lacrosse, and more.

Redtail Ridge increases our city's coffers
-Taxes from the empty land have plunged from $924,000 a year to only $10,700 a year and will remain low until ideas and plans are approved for the area.
-Tax revenue from Redtail Ridge bolsters our coffers to help ongoing funding for our schools, roads, and other civic services.

Redtail Ridge creates senior-friendly homes

-Redtail Ridge includes senior-friendly neighborhoods and homes for our parents, grandparents, and community members who have grown up in Louisville and want to stay in -Louisville near their loved ones.

Medtronic is only too aware that the Planning Commission voted against their Louisville jobs when they cast their votes on the Master Developer's Redtail Ridge proposal.

I'm asking that you vote for Redtail Ridge, which is a vote for your neighbors' careers. In addition to keeping more than 500 jobs, you're adding 1,500 additional ones to the City. By supporting Redtail Ridge, the area eliminates fenced off, useless land and gains parkland and trails for families. Grandparents can stay in town rather than find housing far from their families. And you'll be adding tax dollars to the city's bottom line, rather than adding taxes to citizens.

Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Joella Rodarte
jrodarte@i2construction.com

From: Ashley Stolzmann
To: Jecoah Byrnes
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Tuesday, August 11, 2020 9:42:41 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.
Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Jecoah Byrnes <jecoah.byrnes@nhrd.com>
Sent: Monday, August 10, 2020 3:23 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Jecoah Byrnes
jecoah.byrnes@nhrd.com

From: Ashley Stolzmann
To: Meredyth Muth
Subject: Fw: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Tuesday, August 11, 2020 12:15:51 PM

For the record:

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Jecoah Byrnes @ National Healthcare <jecoah.byrnes@nhrd.com>
Sent: Tuesday, August 11, 2020 9:42 AM
To: Ashley Stolzmann
Subject: Automatic reply: Keep Medtronic in Louisville – Support Redtail Ridge

I am currently away from the office and only checking email periodically. Please call or text me if this is an urgent matter at (949) 527-1277

From: justin deister
To: City Council
Subject: no on Redtail ridge
Date: Wednesday, August 12, 2020 10:48:20 AM

Louisville City Council,
Please hear the voices of Louisville residents when we say so to Redtail Ridge development.
We don't need nor want that much more development.
It's all about quality of life here.
We don't need development all around.
We do need more open space and buffers all around us.

And while we're on the topic of quality of life I must add that the aircraft noise here is increasing to an almost ludicrous, absurd level.
We don't want people saying, "yeah I like Louisville but the noise pollution is terrible-I hate living here".
Please put teeth into laws that made aircraft fly higher and quieter.

From: JOHN OHNMACHT
To: City Council
Subject: No on Redtail please !!!
Date: Wednesday, August 12, 2020 10:18:40 AM

Hello,
I have been a homeowner in resident of Louisville since 2004. I am born and raised in Colorado. I run a small business and have loved living in Louisville for the last 16 years. The reason I selected Louisville was because of it's proximity to Denver and Boulder but the fact that it's still maintains a small town feel. I read over the plans for the Red Tail Ridge development. **Please please please! Don't do it** ! Louisville has been voted the best place to live in the country, several times. Not because of developments like red tail Ridge. I'm sure if red tail ridge was here Louisville never would have had that distinction. Please don't ruin what we have.

Sincerely a very concerned resident Of Louisville

~ John Ohnmacht

303-304-6863
388 Lilac Cir
Louisville CO 80027

From: Caitlin Zimmer
To: City Council
Subject: Redtail Ridge Aug 18
Date: Wednesday, August 12, 2020 9:11:55 AM

Good morning,

Thank you all so much for taking such deep, careful consideration about Redtail Ridge. I wrote in a comment for the August 4 meeting, but have received the requests that we need to continue to voice our concerns for the August 18 meeting. So I wanted to quickly resend my thoughts about preserving the small town Louisville that we call home!

My young family moved to Louisville (Monarch school neighborhood) in February of last year because we loved the small town feel and beautiful nature provided by the open spaces right in our backyard. We absolutely feel this development plan would be detrimental to everything that Louisville stands for and prides itself on. People like myself who choose Louisville as the place to raise their families feel strongly about limiting development and protecting the quaint, natural oasis that is our town. Please vote no on this proposal so our kids can grow up to enjoy the Redtail Ridge as it is!

Thank you for your time and please stay safe!

Sincerely,
Caitlin Zimmer & Family
477 Muirfield Ct, 80027

From: lkhelma@comcast.net
To: City Council
Subject: Vote NO on Redtail Ridge
Date: Wednesday, August 12, 2020 9:00:17 AM

> Council Members: I have been a resident of Louisville for more than 40 years. I happily left Boulder behind due to the high density, traffic congestion, and over development occurring there. Now the Redtail Ridge proposal threatens to do the same to our beloved Louisville. As I travel around town I see many high density housing and retail developments that have sprung up over the years; the area off of South Boulder Road and 95th Street comes to mind, as well as the area near the softball fields. These were done, as I see it, with minimal impact. The Redtail Ridge development threatens to be like Godzilla as it overwhelms our small community.
>
> Louisville is so special because, so far, we have had a Council in place to protect what makes our town unique and the small town feel that goes with it. I shudder to think what our charming Main Street could be like in a few years if this proposal gets approved.
>
> Please vote NO on the developer's proposal and protect the beautiful open space that buffers us from all of the neighboring development that we cannot control.
>
> Respectfully,
> Laurie K Helma
> 752 Club Circle
> Louisville CO 80027

From:	John Ohannessian
To:	City Council
Subject:	Vote no on Redtail Ridge
Date:	Wednesday, August 12, 2020 8:51:05 AM

Dear Council,
Please vote **NO** on Redtail Ridge development plans.
As Louisville residents since 1986 my whole family is against this awful new plan.
Again, please vote **NO**.
The future of our beautiful Louisville is in your hands.
Thank you.

John Ohannessian
569 Augusta Drive
Louisville, CO 80027
303-665-0130
303-817-3535 (Cell)

From: Kevin Owocki
To: City Council
Subject: Red Tail Ridge
Date: Wednesday, August 12, 2020 8:20:00 AM

Hello,

Once again I am writing to voice my concerns about the proposed Red Tail Ridge Development.
I am a homeowner and live in Louisville, near where the proposed development would be located. After reviewing the plans submitted by the developer, I am asking that Louisville city planning reject this development proposal. I am very concerned with the size and scale of the proposed development. We have height bans, and zoning laws to protect our beautiful town from urban sprawl. Please protect them! Do not turn Louisville into Broomfield.

We already will have a lot of empty commercial space in that corner of town (the empty Kohl's shopping center, and across McCaslin when Lowe's leaves town). We should be focusing on reviving and maximizing the empty developments currently zoned for commercial and retail use before building another 2M plus square feet development there.

This development adds zero affordable housing.

The planning commission has already voted no unanimously to change the GDP, based on community feedback. It looks as though Bruce Baukol did not incorporate our feedback in any significant way with the proposal you are to vote on this week. This development is not what our community needs or wants. It's profit driven without thought for the best fit with the community of Louisville. Please continue to vote no!

Please let me know if you have any questions about my concerns. I'd also like to know how I can be kept up to date on the status of this proposal.

Cheers,
Kevin Owocki
622 Bella Vista Drive
Louisville, CO 80027

--

@owocki

gitcoin is live and has generated over $5mm for Open Source Software - see our results

From: John Reilly
To: City Council
Subject: Redtail Ridge
Date: Wednesday, August 12, 2020 8:19:37 AM

Louisville city council,
It seems to me that the proposed development called Redtail Ridge is too big.
I know something is going in there someday and I would like it to be Medtronic, and I like the new bike paths and parks but what is proposed right now is just way too much. Traffic on Dillon near where I live will be terrible.
I say deny their application.
Thx
John Reilly
643 Augusta Dr, Louisville, CO 80027

From: WILLIAM WAKELY
To: City Council; Ann Wakely
Subject: RedTail Ridge
Date: Wednesday, August 12, 2020 8:18:28 AM

To City Council of Louisville,

Please Vote NO to the Redtail Ridge project.

Based on information provided, over 80% of Louisville residents polled DO NOT WANT THIS.

When I listened to the meeting and heard hours of talk on how this is such a great project. How else would you expect them to spin it?
They are only in it for their pockets. They don't see the HUGE negative impact on our community.

I also heard that there was an outpouring of support from other Colorado communities.
Why in the world would you all vote based on recommendations from folks in Littleton, Parker and Highlands Ranch?
That is nuts. They don't live in our community and don't have to deal with traffic on Hwy 36 on a day to day basis.

This is not a good fit for Louisville. The citizens of Louisville have already agreed that this is a bad deal.
Please vote NO.

Thank you,

BJ Wakely

From: Katharine Rhodes
To: City Council
Subject: Don't Broomfield Louisville! Vote NO on Red Tail Ridge
Date: Wednesday, August 12, 2020 8:15:04 AM

Hello,

Once again I am writing to voice my concerns about the proposed Red Tail Ridge Development.
I am a homeowner and live in Louisville, near where the proposed development would be located. After reviewing the plans submitted by the developer, I am asking that Louisville city planning reject this development proposal. I am very concerned with the size and scale of the proposed development. We have height bans, and zoning laws to protect our beautiful town from urban sprawl. Please protect them! Do not turn Louisville into Broomfield.

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This development adds zero affordable housing.

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Please let me know if you have any questions about my concerns. I'd also like to know how I can be kept up to date on the status of this proposal.

Cheers,
Katharine Owocki
622 Bella Vista Drive
Louisville, CO 80027

Sent from my iPhone

From: Carol Corsell
To: City Council
Subject: NO on REDTAIL Ridge
Date: Wednesday, August 12, 2020 7:59:24 AM

Please vote against this overwhelmingly large and obnoxious project
We don't want it here

Carol Corsell
1116 Main Street
Louisville

From: Dave Judd
To: City Council
Subject: Redtail Ridge Presentation to the City Council
Date: Wednesday, August 12, 2020 7:30:41 AM

To the Louisville City Council,

Thank you for the opportunity to address the presentation given by Geoff Baukol. Mr. Baukol's summary was stunningly impolitic to the extent that it essentially invalidated the entire presentation. In regard to his most offensive assertion, the flat-out falsehood that I am "opposed" to safety at Monarch High School, it is so patently false that it reflects either a level of incompetence which undermines the presentation or an intentional desire to be provocative and is contrary to the notion of community. It is also possible that Mr. Baukol's concluding statement was meant to distract attention from the written material. If so, let me focus on the assertion that the city will benefit by $25 million dollars at no cost(!) and note that it is extremely dubious in all respects and suggests in numerical terms that the whole thing is ill-concieved. If this is the same presentation given to the planning board I support their 5-0 decision to reject the proposal and urge the city council to do so as well.

Sincerely,
David Judd
231 Sunland Street

From: SUE LENTZ
To: City Council
Subject: Redtail Ridge
Date: Tuesday, August 11, 2020 9:05:35 PM

Council members

It is my impression that the Redtail Ridge proposal is trying to do too much. My vote would be to reject this proposal as is. Thank you.

Kingsley Lentz, 28 year Louisville resident

From: Jane Massie
To: City Council; Ashley Stolzmann
Subject: Redtail ridge/ old Storage Tech site
Date: Wednesday, August 12, 2020 1:21:33 PM

Hello
Thank you so much for your time reading and listening during council meetings.
I did listen in to the Aug 4 meeting. I could follow the advocates presentation. I was disappointed when their tone changed from information to threats. How will that attitude guide such an immense and long term project?
I listened to public comments. Like many others, I do not think the public had been sufficiently included in pre-planning phase. Louisville is a small city where citizens are informed and included; this project does not.

One public comment seems useful in moving forward with any development of the site.
We are in a changing climate environment and need to reduce greenhouse gasses. Louisville and Boulder County are advocating for addressing environmental concerns. The proposed Redtail Ridge development does not include methods to reduce gasses. A "say NO" speaker suggested methods such as Solar and Leeds (?) building methods. There are alternative developers who could use modern methods.

We are in changing times, even more so with Covid.
I am empathetic with Phillips66 who no longer want to develop. The site is too big to sell.
Retail stores are disappearing. Major companies are having employees work from home for at least a year at this point. Large building sites of this size are less desirable.
Storage Tech was great while it lasted. The turnaround for the next company was shorter. Finally a company did not even begin to develop the site.
Look at the Flatirons site. How much of that development is still viable?

Why should council amend the Comprehensive Plan, when there are so many existing negatives and so many future uncertainties? This proposal does not meet the needs of our town in a rapidly changing technological and environmental world.

Please vote NO
Thank you,
Jane Massie
178 S. Buchanan Ave

From: Andy Graziano
To: City Council
Subject: Please Vote No on Redtail Ridge
Date: Wednesday, August 12, 2020 1:20:42 PM

The size of this development is inconsistent with the character and nature of Louisville and will put a strain on all resources needed to support an influx of residents and business.

Our schools will be overwhelmed, increasing what is already a challenge to get kids too and from school. A typical day in Louisville sees traffic backed up in all directions at the intersection of South Boulder Rd and 95th. Traffic backs up also on Tower Rd and 287 and it becomes nearly impossible to make a left turn their during school hours.

Please vote no on redtail ridge.

--
Andy Graziano
749 Apple Ct, Louisville, CO 80027
(303) 709-0209
graz5aj@gmail.com

From: Tammy Pelnik
To: Ashley Stolzmann; City Council
Subject: Continuing discussions on Redtail Rdige
Date: Wednesday, August 12, 2020 1:11:58 PM

Dear Mayor Stolzmann and Council Members,

As you are continuing to discuss, debate, and consider proposals and variances related to Redtail Ridge, I feel compelled to offer some additional feedback.

In my dreamy future life I envision a year living in Stockholm, Sweden - seeing seasons change and adopting the locals' lifestyle. However, I can not imagine that my imagined future gives me a rightful claim to input on Stockholm's current decision-making processes or practices regarding development, taxation, or other daily activities regulated by the local government. Even if I desire to be a part of that world someday, my opinion on Stockholm's governing decisions is not relevant as I am not a resident, nor a nearby neighbor.

Similarly, I would hope that as Louisville's City Council deliberates on the Redtail Ridge development, it focuses its consideration on feedback from the people who will be most affected by the development - Louisville's residents. I also see value in considering input from relevant external sources such as neighboring (abutting) communities, the County, CDOT, and the largest business planning to occupy the development. And yet, there must be some effort on your part to consider which opinions from all received deserve equal consideration. Understanding that you have received many letters from people far afield, without a clear connection to Louisville or a reason to have an opinion, I am concerned that mere counts of "For" and "Against" do not fairly represent our community feedback. Please, consider carefully.

I stand by my previous input: I am particularly concerned about allowing very tall buildings at our gateways from Highway 36 - five stories is simply too tall. I urge you to be particularly critical of the Redtail Ridge proposal in this regard.

Very best regards,

/s/ Tammy M. Pelnik
533 Hoptree Ct.
303.579.8963

From: Joel
To: City Council
Subject: Vote NO on Redtail Ridge Vote NO on Redtail Ridge
Date: Wednesday, August 12, 2020 12:45:05 PM
Importance: High

Hi,

Please deny the application to amend our Comp Plan. Please reject the Redtail Ridge plan in toto. Most of the citizens of Louisville LIKE Louisville the way it is. We don't need more buildings, we don't need more hotels, we don't need more commercial building space.

Please have the appropriate department WORK on leasing the existing empty commercial buildings. As I drive around town I see MANY MANY buildings for lease.
Please don't make us another AURORA.
Thank you.
Joel

From: Joel [mailto:shay25@q.com]
Sent: Sunday, July 26, 2020 3:47 PM
To: 'Council@LouisvilleCO.gov' <Council@LouisvilleCO.gov>
Subject: Vote NO on Redtail Ridge

Please deny the application to amend our Comprehensive Plan and please reject the Redtail Ridge plan.

Thanks,
Joel

From: ROBIN MACLAUGHLIN
To: City Council
Subject: Louisville resident here in OPPOSITION of Redtail Ridge
Date: Wednesday, August 12, 2020 12:04:11 PM

City Council.
We live in Louisville CO. We hear the voices of our fellow residents. The overwhelming majority of RESIDENTS oppose Redtail Ridge. Yes, Medtronic employees and the developer's friends have written in to support this monstrosity of a development. It is your job to represent the residents of Louisville. Please do the job you were elected to do. Vote NO on Redtail Ridge.
Robin MacLaughlin

From: Audrey with Commuting Solutions
To: City Council
Subject: SH 119 Newsletter - August 2020
Date: Wednesday, August 12, 2020 11:59:35 AM

August 2020

ADVOCATE

Governor, Legislators Announce Members of RTD Accountability Committee

On July 17, 2020, Governor Jared Polis, Senator Faith Winter, Chair of the Senate Transportation & Energy Committee, and Representative Matt Gray, Chair of the House Transportation & Local Government Committee today

announced appointments to the Regional Transportation District (RTD) Accountability Committee. One month ago, the Governor and legislators joined with RTD to announce the creation of this committee after it was unanimously approved by RTD.

“Each of these members brings their own unique experience and vision to help figure out what we need to do to turn around RTD and move toward the goal of a truly effective regional transportation system that works for everyone,” said Governor Jared Polis. “This is an important opportunity to fix things and continue working to meet the needs of hardworking Coloradans, small businesses, tourists, and everyone who is impacted by RTD each day.”

Boulder County Commissioner, Elise Jones, will represent the northwest metro region and local governments on the committee.

RTD Announces Three General Manager Finalists

The Regional Transportation District (RTD)'s Board of Directors, along with executive search firm Krauthamer & Associates, have narrowed down the field of candidates to three finalists in their search for the agency's chief executive officer and general manager. You can find more information on their website.

CDOT Releases Statewide Transportation Plan

After an extensive statewide public engagement process, the Colorado Department of Transportation (CDOT) has released a draft of the plan which defines the multi-modal transportation vision for the state over the next 20 years. You can learn more about the plan by visiting https://www.codot.gov/programs/planning/transportation-plans-and-studies/statewide-transportation-plan. The US 36 Mayors and Commissioners Coalition and Commuting Solutions provided a letter of support for the plan.

INNOVATE

SH 119 Public Engagement & Upcoming Town Hall Virtual Meetings

Commuting Solutions is conducting a First and Final Mile Study to improve bicycle and pedestrian safety and connectivity to the future Bus Rapid Transit (BRT) and proposed bikeway along SH 119.

A first or final mile gap is a barrier that discourages potential riders from using transit because a station cannot be easily accessed from home, work, or other destinations. The purpose of the study is to identify strategies, bicycle and pedestrian facilities, programs, and service to overcome that gap and increase access and ridership on the future SH 119 Bus Rapid Transit (BRT) and bikeway corridor.

Please participate in one of several public engagement options available in August by visiting our **webpage**. Our final town hall takes place today, August 12, 5:00-6:00 p.m. **Register here!**

EDUCATE

Please join us for several upcoming meetings and a webinar:

August 13, 2020: Free Telework Training Webinar
Join Commuting Solutions, Transportation Solutions, and West Corridor TMA

on August 13, 10:00-11:00 a.m. as we delve into the process of building, refining and maintaining a successful telework program. We will explore tactics for building management support, implementing successful telework policy, processes for tailored program evaluation, and more! Register for free today: **teleworkwebinar.com**

Workplace Commute Ambassadors US 36 Bikeway Ride - September 4, 2020

Come join us for a fun Workplace Commute Ambassadors Membership meet-up event on Friday, September 4 from 4:30 - 6:00 p.m! We will plan on meeting up at a location along the US 36 Bikeway and will ride over to a local eatery where participants can purchase a bite to eat and network!
REGISTER NOW!

Save the Date:
Quarterly Membership Meeting:
When: September 9, 9:00-10:30 a.m.
Where: Online
Our next Membership Meeting is coming up in September! Engage, Network and Learn with professionals online this fall. **REGISTER NOW!**

SH 119 Membership Meeting:
When: September 30, 9:00-10:30 a.m.
Where: Online
Do you want to get engaged in the next steps for SH 119? Join our corridor specific event where you can learn more, meet other stakeholders and get more information about this big project. **REGISTER NOW!**

RIDE

Bike to Work Day Update

After careful consideration given the COVID-19 pandemic, Way to Go has made the difficult decision to cancel all in-person events for Bike to Work Day 2020 to help protect riders, staff, and partners. There will be no in-person events taking place on Tuesday, September 22, 2020.

However, even though Bike to Work Day is canceled, we are challenging you to hop on your bike and

pledge to bike to wherever during the week of September 21! Take the pledge to Bike to Wherever, whether that be to work, the store, a park, or anywhere else over at biketowherever.org.

Commuting Solutions Encourages You to Ride RTD!

Let's get our region moving again! Join Commuting Solutions and RTD for a look at how to ride RTD safely amid C"OVID-19 through our latest video.

New Member Shout Out!

We are pleased to welcome the Town of Erie and Apex Designs as a new member of Commuting Solutions! Thanks for your support of our coalition efforts for the northwest metro region.

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Thank you for joining our mailing list!

Our mailing address is:
Commuting Solutions
287 Century Cir Ste 103
Louisville, CO 80027-1684

Add us to your address book

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You can update your preferences or unsubscribe from this list.

From: Ashley Stolzmann
To: BETTY SCHACHT
Cc: Meredyth Muth
Subject: Re: No On Redtail Ridge
Date: Thursday, August 13, 2020 9:46:32 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.

Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: BETTY SCHACHT <curlymug@msn.com>
Sent: Thursday, August 13, 2020 6:18 AM
To: City Council
Subject: Fw: No On Redtail Ridge

To Whom It May Concern:

I have recently been made aware of the proposed size of the development on the old Storage Tek site. I think the proposal is entirely too big for the site. Once you lose open space to development, it's gone forever. We don't need more sprawl, congestion and pollution in Boulder County. Superior is a perfect example of how ugly uncontrolled growth can be.

Please do not allow the proposed massive development of the Storage Tek site.

Sincerely,

Betty Schacht
2067 Eagle Avenue
Superior, CO 80027
303-241-1626

From: Ashley Stolzmann
To: Campbell Davis
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Thursday, August 13, 2020 9:49:17 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.

Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

_____
From: Campbell Davis <campbell.davis@cbre.com>
Sent: Wednesday, August 12, 2020 2:02 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

Dear Mayor and City Council,

I'm writing to ask that you share my support for the Redtail Ridge project. I believe it's a positive step forward for Louisville because …

Redtail Ridge keeps Medtronic in Louisville
-Medtronic will not stay in Louisville if Redtail Ridge doesn't go forward, which means you're actively pushing 500 of our neighbors out of this community.
-Our city will lose the additional 1,500 jobs this campus will create if Redtail Ridge is not approved.
-Medtronic cannot wait indefinitely for Redtail Ridge to be approved – millions of patients around the world cannot wait either.

Redtail Ridge enhances much-needed access to our schools and hospitals
-For the first time in Louisville history; students, families, and faculty at Monarch's K-8 and high school campus will have safety improvements and much-needed access to the school as the Redtail Ridge plan includes enhancing Campus Drive from single-access to a two-way boulevard.
-Increased access also benefits patients, first responders, medical teams, and staff at Avista Adventist Hospital who will also see improved connectivity on Campus Drive.

Redtail Ridge provides open spaces, parkland, and trails for our families, and neighbors
-Redtail Ridge will add nearly 40 acres to the city's open space network.
-Redtail Ridge will be home to the city's largest park – more than 15 acres – ideal for parents, children, friends, and families.
-More than 15 miles of trails will be created, including first-time-ever access to the Rock Creek Regional Trail.
-Multi-use sports fields for soccer, baseball, lacrosse, and more.

Redtail Ridge increases our city's coffers
-Taxes from the empty land have plunged from $924,000 a year to only $10,700 a year and will remain low until ideas and plans are approved for the area.
-Tax revenue from Redtail Ridge bolsters our coffers to help ongoing funding for our schools, roads, and other civic services.

Redtail Ridge creates senior-friendly homes
-Redtail Ridge includes senior-friendly neighborhoods and homes for our parents, grandparents, and community members who have grown up in Louisville and want to stay in -Louisville near their loved ones.

Medtronic is only too aware that the Planning Commission voted against their Louisville jobs when they cast their votes on the Master Developer's Redtail Ridge proposal.

I'm asking that you vote for Redtail Ridge, which is a vote for your neighbors' careers. In addition to keeping more than 500 jobs, you're adding 1,500 additional ones to the City. By supporting Redtail Ridge, the area eliminates fenced off, useless land and gains parkland and trails for families. Grandparents can stay in town rather than find housing far from their families. And you'll be adding tax dollars to the city's bottom line, rather than adding taxes to citizens.

Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Campbell Davis
campbell.davis@cbre.com

From: Ashley Stolzmann
To: Laurie Barr
Cc: Meredyth Muth
Subject: Re: Keep Medtronic in Louisville – Support Redtail Ridge
Date: Thursday, August 13, 2020 9:48:26 AM

Thank you for the feedback. Your comments will be entered into the public record so that City Council can consider them in the public hearing for this application.

Best,

Ashley Stolzmann
Louisville Mayor
303-570-9614
AshleyS@LouisvilleCO.gov

From: Laurie Barr <laurie.j.barr@gmail.com>
Sent: Wednesday, August 12, 2020 6:07 PM
To: Ashley Stolzmann; Kyle Brown; Caleb Dickinson; Deb Fahey; Christopher Leh; Jeff Lipton; Dennis Maloney
Cc: info@louisvilleforredtailridge.com
Subject: Keep Medtronic in Louisville – Support Redtail Ridge

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Thank you for listening and for your support for Louisville's Redtail Ridge project.

--
Laurie Barr
laurie.j.barr@gmail.com

City Council-

No on Redtail Ridge. It's too much cookie-cutter planned development. We already have too much of that. Run Louisville for Louisville, not for Denver property developers. Approve Medtronic, deny the housing.

Richard Phillips
377 Centennial Dr.
Louisville

RECEIVED
AUG 13 2020
CITY OF LOUISVILLE
CITY MANAGER

From: Linda Du
To: City Council
Subject: Please vote "NO" for Redtail Ridge development
Date: Thursday, August 13, 2020 10:12:43 AM

Hi, Council,

We, as residente of Louisville, strongly against Redtail development.

1. Our house is located on Dillon road now, the traffic on the road already has been crowded during the rush hours. The development proposal turned out to be twice as big as the proposals that were provided in the first meeting . WHY? We feel that we got cheated by the developer. If you vote YES, the traffic will be at least doubled on Dillon road, in this case we have to suffer the noise and pollution more , in particular we can not imagine how we can tolerate trucks for the development whole day long!

2. We feel the developer is so greedy, why does the city have to choose this developer?

Please vote "NO" for redtail development!!! We do not want to be cheated!

Thanks.

Linda Du
Zhong Chao Wu
696 Club Cir. Louisville.

From: andrig.t.miller@gmail.com
To: City Council
Subject: RedTail Ridge Development Proposal
Date: Thursday, August 13, 2020 8:17:59 AM

Council members,

There seems to be a movement of people in Louisville that are very much against the proposed development on the old StorageTek property. The main arguments against it seem to be:

- It's 150% larger than ConocoPhillips would have been.
  - It's a large site, and the ConocoPhillips development never happened, so I'm not sure why this is even a real issue. So, it's larger than a single tenant would have been. Any proposal that is not a single entity would have to be larger. This is not really an argument for why something shouldn't be done.
- The designation of the area has to change from rural to suburban.
  - Again, not really a reason it shouldn't be done. Change is inevitable, and in case anyone hasn't noticed, the entire area surrounding this large area is all developed in a similar manner. I have been a resident of Louisville since May of 1997, and I had been on the StorageTek campus many times, before Sun Microsystems purchased them, and eventually moved all the operations. This area has needed to be redeveloped for a very long time.
- There is the contention that the people that work and live in this new development will shop in Broomfield and Superior more than Louisville.
  - I think there is some merit to this argument, but again, they still will shop in Louisville too. People in Louisville probably all shop more in Broomfield than Louisville already, since the Flat Irons Mall is in Broomfield. What's across from this property is all car dealerships and apartments. There are no car dealerships in Louisville to begin with, so that's not a real loss. It's still very close to McCaslin and to the old downtown area, and there will definitely be increases for Louisville. It all won't go to neighboring cities.
- Increased traffic.
  - Any development will certainly bring traffic with it. That is a fact of life. I happen to drive that area quite a bit, and the traffic isn't bad there, because it's four lanes and the speed limit is 40 to 45 through there. There is a large right hand turn lane on the Southbound direction, and the same on the Northbound direction, so I don't think congestion will really be that much worse than it is now, and the area can definitely handle the increased traffic. Of course, it will bring more air pollution to the area, but it seems like I see Tesla's everywhere these days, and we have a Tesla Model S that we have had since February of 2013. The tide is turning where automobiles are concerned, so as that trend continues this issue will abate over time (at least I'm optimistic with what I witness everyday).
- Wildlife habitat.
  - This has to be the weakest argument of all. The site is completely surrounded by development. An island of undeveloped land does not make a wildlife sanctuary.
  - The site has always been planned to be developed, so this was always going to happen.

With all of this, I have to say I'm very disappointed that this development would be rejected.

The jobs that it would bring to Louisville should be welcomed. The apartments are sorely needed in Louisville, and additional retail that is within the city, instead of in our neighboring cities should be welcomed too.

The fact that this property has been unused since a little after 2005, when Sun Microsystems moved all the employees to their Broomfield campus across the highway, and that the last proposed development never materialized means Louisville has been missing a large tax base for a long time now. It would be great to get this back. Louisville used to have the lowest sales and use taxes in this area, now that is no longer the case. Probably a direct result of this land going undeveloped.

Is Redtail Ridge perfect? No, absolutely not, but will it ever be perfect? No, absolutely not. A bird in hand is worth two in the bush, as they say. From all my research the density has been lessened a lot, and it seems to meet the needs of the city quite well.

So, I for one, a long-time citizen of Louisville (now more than 23 years), think that the city council should approve this development. There may be a vocal minority, but I believe most people in Louisville would rather see this area be redeveloped than not, and this is a perfect opportunity to end 12 years of uncertainty and support employment and the city coffers.

Thanks.

Andrig T Miller

From: Michael McKee
To: City Council
Subject: No On Redtail Ridge
Date: Thursday, August 13, 2020 7:05:42 AM

To Whom It May Concern:

Our family owns a home in the Coal Creek Ranch neighborhood and we have been Louisville residents for more than 11 years now. We are truly enamoured with Louisville and intend to reside here for many years to come.

Louisville is such a lovely place to call home. There are so many reasons for this, but my wife and I believe that the two most foundational reasons are Louisville's low population density and its open space.

The Redtail Ridge development plan is anathema to Louisville's core values and way of life.

Please maintain Louisville's intended character and small town feel. Please vote NO on Redtail Ridge.

Sincerely,

Mike and Suzanne McKee
455 Muirfield Circle
Louisville

From: BETTY SCHACHT
To: City Council
Subject: Fw: No On Redtail Ridge
Date: Thursday, August 13, 2020 6:18:40 AM

To Whom It May Concern:

I have recently been made aware of the proposed size of the development on the old Storage Tek site. I think the proposal is entirely too big for the site. Once you lose open space to development, it's gone forever. We don't need more sprawl, congestion and pollution in Boulder County. Superior is a perfect example of how ugly uncontrolled growth can be.

Please do not allow the proposed massive development of the Storage Tek site.

Sincerely,

Betty Schacht
2067 Eagle Avenue
Superior, CO 80027
303-241-1626

From: JANET
To: City Council
Subject: NO on Redtail ridge please
Date: Wednesday, August 12, 2020 9:33:53 PM

Hello,
My husband and I own a home in Louisville in Coal Creek ranch, very close to the proposed development.
We feel this project is simply too big, it will permamanently affect the lovely quality of life enjoyed by so many Louisville residents. We are concerned that the massive size will create significant environmental and climate impacts, create bad traffic congestion, put more pressure on housing and schools, and will be a long-term drain on city coffers.

Please listen the authentic residents of Louisville and vote NO on Redtail ridge.

Thanks,
Janet Robinson.

From: Tracy Scholl
To: City Council
Subject: NO on the Redtail Ridge development
Date: Wednesday, August 12, 2020 5:00:47 PM

Dear Louisville City Council members,
I am asking again that you deny the Retail Ridge development application. The proposed plan is WAY too big, and doesn't align with the character of Louisville. Please follow the vote the Planning commission passed, and the Sustainability Board decline of the zoning change.

The impact of this development application will be detrimental to your community for wildlife, traffic, school safety, and overdevelopment.

Tracy Scholl

18 year Louisville resident

From: Robbie Cartwright
To: City Council
Subject: AGAIN NO on Redtail Ridge
Date: Wednesday, August 12, 2020 2:47:39 PM

Dear City Council Members,

Thank you all for your patience and consideration as you read/listen to the public comments. I understand that the Thursday meeting ran out of time, and so an extension has been made.

I reiterate that you should follow our planning commission's unanimous denial for this oversized development.
I urge you to **vote against the Redtail development as it is currently proposed.**

Effectively doubling the amount of development currently allowed in the site GDP, and extending the height limits from 2 or 3 stories to five will not benefit our community.
I am absolutely opposed to so many extraordinary changes and exemptions being requested over and above what was already approved for the previous site owners.

This proposal is too big for the site, and too much for our town.
We do not need a new non-contiguous exurb between us and Highway 36 which would be effectively "Louisville South," (or "Broomfield West"?).

We do not need 2226 more residences, or perhaps 5,000 more people.
We do not need more traffic, more of a strain on our schools, our water supply, police and fire departments, our senior center, rec center, and library. We have plenty of retail space sitting empty in our town. We do not need additional low-wage chain coffeehouses and fast-food places which seem to inevitably follow new suburbs, especially those along busy intersections. We chose to live in Louisville, not Broomfield, and not Superior, and not Erie. Sprawl currently surrounds us but has not yet consumed us.

Further, this pandemic is rapidly changing the way our businesses and senior centers will be operating in the future. The proposal's oversized corporate offices and proposed retail space could be obsolete already, and sit as empty as Kohl's by the time it is built.

If Medtronic wants to expand their Louisville operations, that is great! We welcome jobs and tax income. It'd be nice to keep those folks in the community who do already work there. (It would be even better if Medtronic would repatriate to pay its full taxes to the US.) I am not opposed to *any* future development of the property. However **any development proposal needs to fit within the current development guidelines.**

This town is doing so many things right.
Please do not diminish our town by over-extending it! Show consideration to your community over profiteering outsiders who don't have to live with the consequences of the characterless sprawl they propose.

Sincerely,

Robbie Cartwright
120 W Pine St

Louisville, CO 80027

From: P Bir
To: City Council
Subject: Redtail Ridge
Date: Wednesday, August 12, 2020 2:12:17 PM

To City Council members:

We urge you to reject the Redtail Ridge project. Simply put, it will bring in too many people, too much congestion, more stress on wildlife. It is simply too big for our town.

Thank you for considering our opinion.

Peggy and Gary Bir

Louisville, CO

From: Ruthie Werner
To: City Council
Subject: I vote NO on red tail ridge
Date: Friday, August 14, 2020 12:12:38 AM

Please do NOT let this enormous building pass! This is crazy!
- ruthie werner

Sent from my iPhone

From: Jacqueline Ann Johnson
To: City Council
Subject: Redtail Ridge
Date: Thursday, August 13, 2020 8:12:13 PM

Hello, Louisville City Council, thank you for working so hard on behalf of all of Louisville's citizens.

I know the former Storage Tech space has sat vacant for many years, and that it would be good to have some development there that contributed to City government expenses. However, I am concerned about "overbuilding" on the site. It is great that Medtronic is being considered for this land--I would be in favor of their having a presence there. I would prefer that it not be 5 stories, however.

A smaller amount of housing would be okay, also, particularly if it were affordable housing, as Louisville's homes are not financially available to people of average to below average means. I don't think we need large buildings of expensive houses or luxury rental apartments. I moved to Louisville 29 years ago because I could no longer afford to live in Boulder where I was born & where I raised my family. I love living in Louisville--please don't completely change its character. Thank you for your time. Jacqueline ("Jacque") Johnson

From: Melissa DuBois
To: City Council
Subject: Opposition to Redtail Ridge Development Plan
Date: Thursday, August 13, 2020 7:39:49 PM

Dear Louisville City Council,

I would like to express my strong opposition to the current Redtail Ridge development plan. I would like to urge you all to vote NO on a plan that is much too large for our community. Under the current comprehensive plan, the developer could already have a generous three million square feet of development, and Medtronic only needs a half-million square feet.

Please do not be swayed by the unreasonable argument that Medtronic would have to leave Louisville if this massive plan is not approved. Medtronic could absolutely stay, and could have a generously sized new campus as a part of a more reasonably sized development. Medtronic DOES NOT NEED 6 MILLION SQUARE FEET, and it is very strange that they have aligned themselves with this developer and are threatening to leave if this plan is not approved. This is a form of coercion--such a threat is highly inappropriate and should not figure into Louisville City Council's decision about what is right for the community.

The Planning Commision, as well as the Louisville Sustainability Board, both got it right when they determined that the current Redtail Ridge plan is absolutely WRONG for Louisville. The multitude of detrimental effects this development would cause for the people who actually live in Louisville should make rejecting their proposal a no-brainer for city council.

In response to the manipulative, condescending, and false comments from the developer at the August 4 meeting, I would like to set the record straight about what a "NO" vote actually means to the people who live in Louisville.

A NO on Redtail Ridge vote means NO to:

- Increased air pollution and traffic congestion. (27,000+ additional car trips to and from this proposed development would be devastating to our community.)
- The unrecoverable loss of a large amount of wildlife habitat and open space
- The loss of our unique small town character
- Increased pressure on housing, schools, the library, and Recreation Center.
- The long-term drain on the city's coffers this development would cause.
- Urban sprawl and mindless development that does not take sustainability and climate change into consideration.
- Additional vacant and unused retail space, when we already have many commercial properties sitting vacant in Louisville.
- The special interests and big corporations that are attempting to exploit and destroy our unique community for their own financial gain. They should not be allowed free reign to undermine thousands of hours of citizen involvement in the Comprehensive Plan that set a 3 million square foot limit on development at this site.

Louisville residents overwhelmingly and passionately oppose this plan, judging by the emails (from actual citizens who live here) opposing it at a rate of approximately 9 to 1. Please do the right thing for the community that you serve, and vote NO on Redtail Ridge. We, the people,

will be watching--and we will remember how you vote on this issue when the next election comes around.

Thank you for your time and consideration.

Sincerely,
Melissa DuBois
657 Owl Drive, Louisville

From: Trudy V. M. Gygi
To: City Council
Subject: "Yes, but" on Redtail Ridge
Date: Thursday, August 13, 2020 4:43:50 PM

Hello City Council members,

I wish there was a way for you to vote "Yes, but" on the Redtail Ridge proposal. I want Louisville to be developed, but this proposal does not honor the voices of our citizens yet. My answer at this point has to be "Not yet", so I ask that you vote "no" on the current proposal.

1. If they would honor the thousands of hours of citizen involvement represented in the Comprehensive Plan that set the three million square foot limit, then I would be more inclined to support the current proposal.

2. If they would also increase the proportion of open space in the current proposal, then I would be more inclined to support it.

3. If their proposal also aligned with Louisville's Sustainability Action Plan, then I would be inclined to support it.

Yes, I want Louisville to welcome development and additional housing (especially for low income singles and families), but not at this great a misalignment, and it seems misunderstanding, of Louisville's objectives.

Please vote "no" on the Redtail Ridge proposal as it currently stands.

Thank you
~Trudy

Trudy V. M. Gygi
1720 Eisenhower Drive
Louisville, CO
303-521-9927

From: Freya Henry
To: City Council
Subject: no on Redtail Ridge
Date: Thursday, August 13, 2020 4:33:35 PM

Dear Council members,

I'm re-iterating my previous comments (below). I recognize that many factors are being considered, and appreciate the care and attention you are giving to the process. I do hope that you come to agree that this is not a wise decision for our town.

As a proud citizen of Louisville since 2007, I am writing to express a request that the application for developing Redtail Ridge be denied in it's current state.
I recently read an interesting article about some of Boulder's history, including the creation of the "blue line" that limited development in the foothills, and the purchase of the Enchanted Mesa property as open space (rather than a large hotel complex that was being planned by the owner). This took place in the 1960s, and the positive results of limiting development are more than evident today. I am so grateful to the forward-thinking citizens who worked to make this happen, and I trust that Lousiville can take appropriate pause and consideration for the kind of landscape that we hope to offer to future generations. When the right development proposal comes along, it will be clear. Redtail Ridge is not in alignment with our values.
Thank you as always for your service to our city and community!

Sincerely,

Freya Henry
freya.henry@gmail.com

City Council Public Hearing

August 18, 2020

Redtail Ridge

Comprehensive Plan Amendment and General Development Plan Amendment (Ord. 1798, Series 2020)

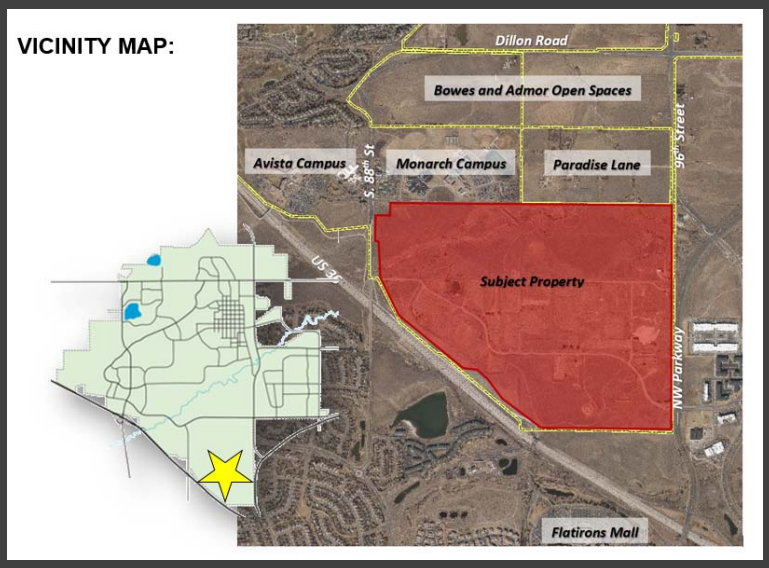
Public Hearing – Continued from August 4, 2020

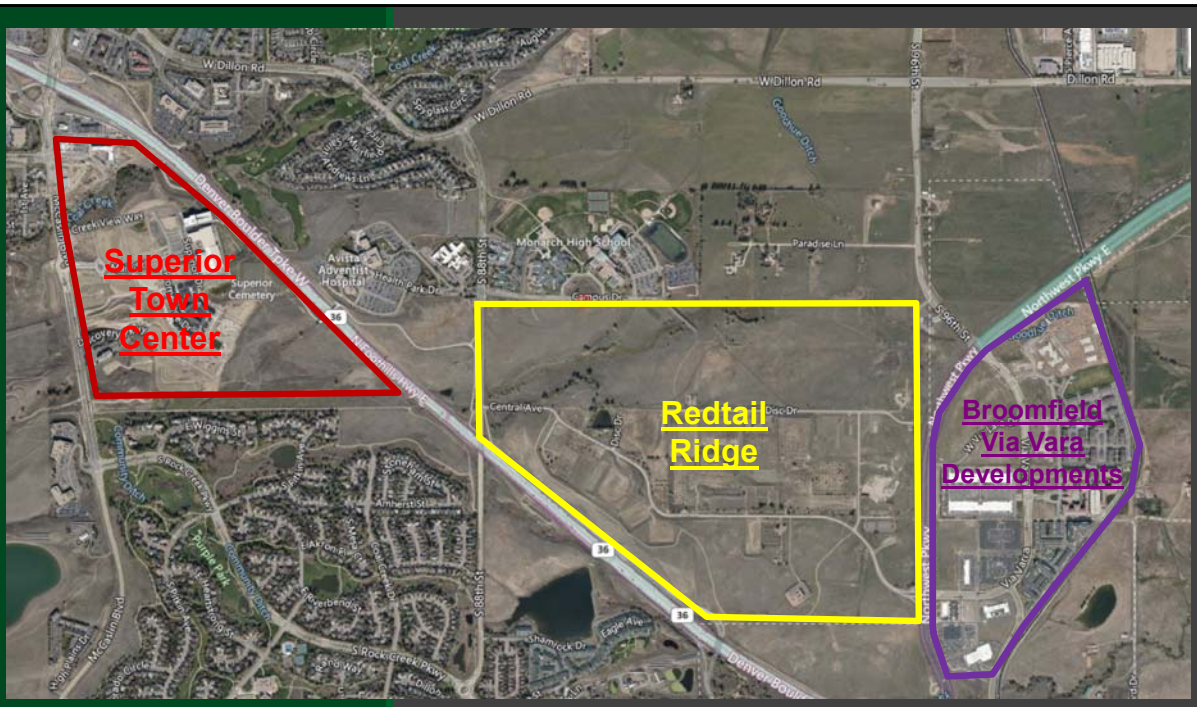
Redtail Ridge

Request for Additional Information

Redtail Ridge

Surrounding Development Context

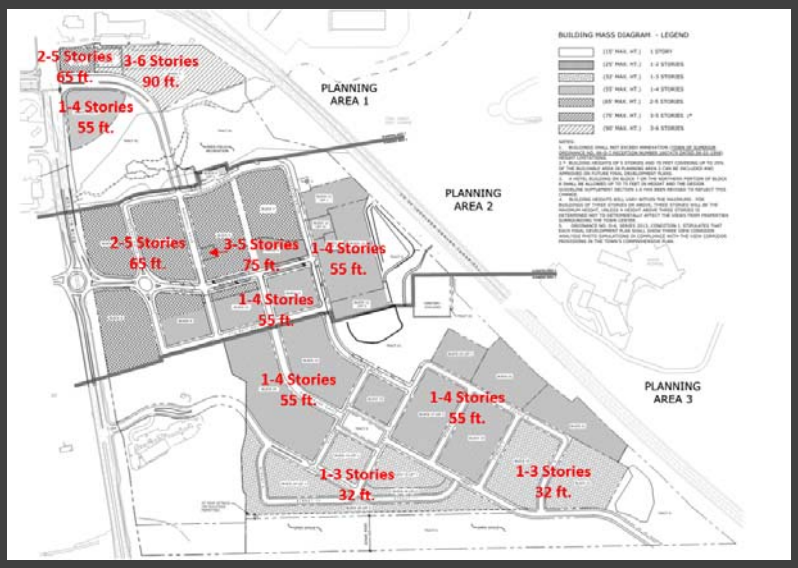




Superior Town Center

- 156 Acres
- 1,007.600 sq. ft. Commercial
- 500 Hotel Rooms
- 1,400 Residential Units
- 1-6 Stories, Up to 90 ft. Building Height

Surrounding Development Context

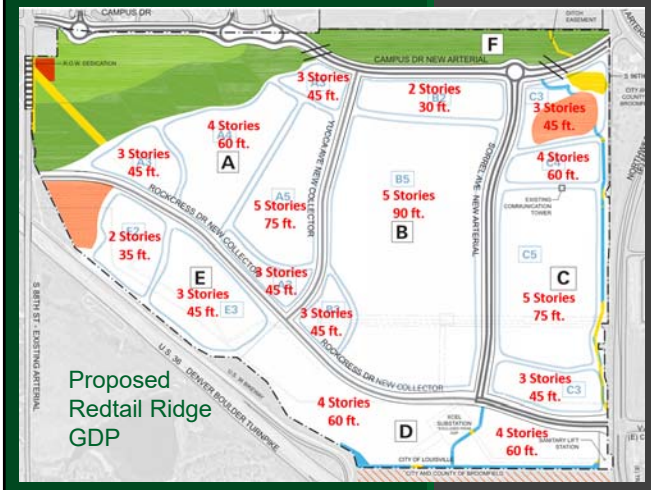


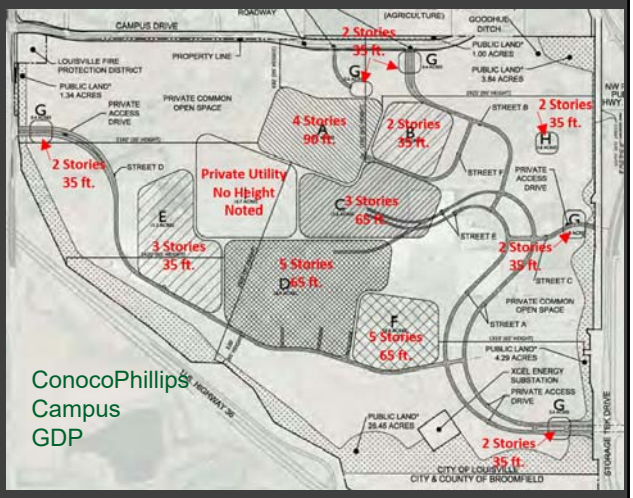
Via Vara District

- 177 Acres
- 4,627,556 sq. ft. total development area
- 2,099 Residential Units
- Up to 13 Stories for Some Uses

Surrounding Development Context

Redtail Ridge and ConocoPhillips Height Comparison

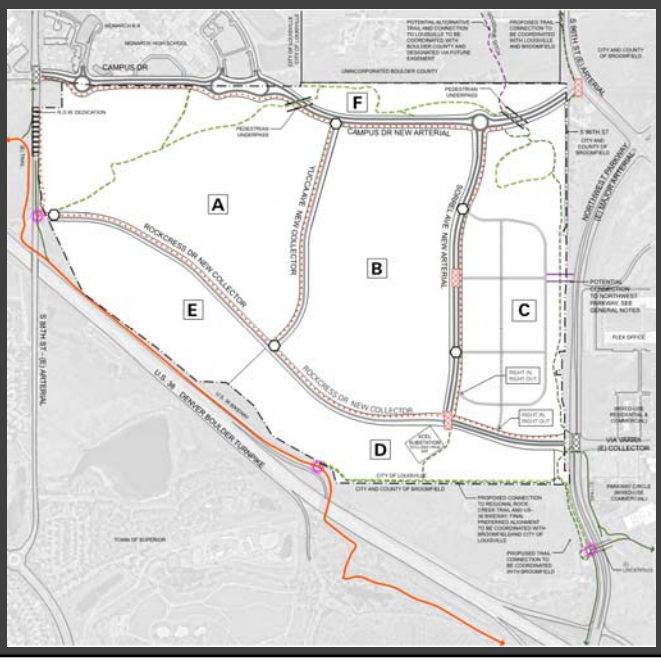




Redtail Ridge

- Extend Campus Drive and add Roundabouts
- New Signalized Access at Campus/96th St.
- New Signalized Access at Rockcress Dr./NW Parkway - Aligns with Via Varra
- Stop Sign Controlled Access at Rockcress and 88th St.
- Internal Complete Streets

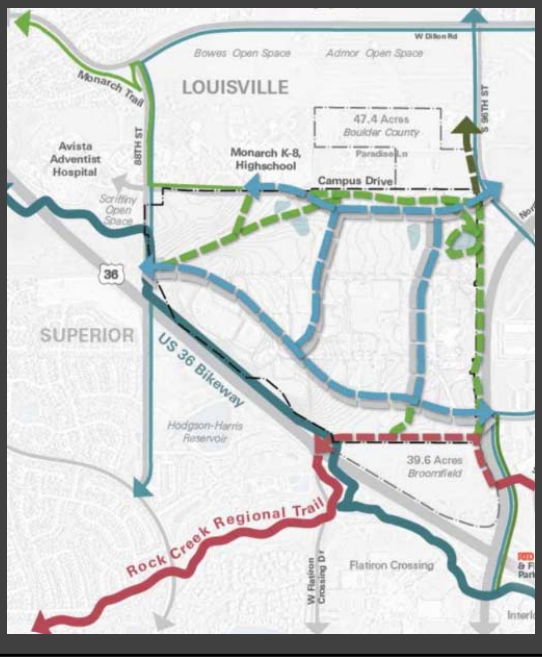
Street and Access Plan



Redtail Ridge

- All Streets Include Multi-Use Paths and On-Street Buffered Bike Lanes
- Soft and Hard Surface Trail Networks
- Campus Drive Underpasses
- US 36 Bikeway to Rock Creek Trail Connection
- Potential Connection Along Goodhue Ditch to Coal Creek Trail

Trail Plan



Redtail Ridge

Fiscal Impact Analysis

- Conducted additional 70% constrained analysis.
- 70% constrained does not adjust marginal facility and staffing expenditures in model.

Cumulative Combined Funds Results (x$1,000) - Scenario Comparisons (x$1,000)
City of Louisville
Redtail Ridge Fiscal Impact Analysis

	SCENARIO					
Revenue by Fund	By Right	%	Proposed Redtail Ridge	%	80% Of Proposed Redtail Ridge	%
General Fund	$25,230	43%	$45,137	35%	$34,516	35%
Open Spaces & Parks Fund	$2,031	3%	$5,611	4%	$3,963	4%
Recreation Fund	$812	1%	$9,609	7%	$7,477	8%
Debt Service Fund	$12,080	21%	$15,699	12%	$11,898	12%
Capital Projects Fund	$18,691	32%	$53,893	41%	$39,955	41%
TOTAL REVENUE	$58,845	100%	$129,949	100%	$97,809	100%
Expenditures by Fund						
General Fund	$19,402	68%	$42,495	50%	$38,664	52%
Open Spaces & Parks Fund	$0	0%	$9,224	11%	$8,820	12%
Recreation Fund	$0	0%	$9,649	11%	$8,037	11%
Debt Service Fund	$2,293	8%	$2,354	3%	$1,883	3%
Capital Projects Fund	$6,730	24%	$21,494	25%	$17,639	24%
TOTAL EXPENDITURE	$28,425	100%	$85,217	100%	$75,044	100%
NET FISCAL RESULT BY FUND						
General Fund	$5,828		$2,642		($4,148)	
Open Spaces & Parks Fund	$2,031		($3,613)		($4,856)	
Recreation Fund	$812		($40)		($560)	
Debt Service Fund	$9,788		$13,345		$10,015	
Capital Projects Fund	$11,961		$32,399		$22,316	
NET FISCAL IMPACT	$30,420		$44,732		$22,766	
AVERAGE ANNUAL NET IMPACT	$1,521		$2,237		$1,138	

Cumulative Combined Funds Results (x$1,000)
City of Louisville
Fiscal Impact Model

Revenue by Fund	70% Of Proposed Redtail Ridge	%
General Fund	$27,171	40%
Open Spaces & Parks Fund	$2,886	4%
Recreation Fund	$6,310	9%
Historic Preservation Fund	$962	1%
Capital Projects Fund	$30,692	45%
TOTAL REVENUE	$68,021	100%
Expenditures by Fund		
General Fund	$36,615	50%
Open Spaces & Parks Fund	$10,222	14%
Recreation Fund	$7,718	10%
Historic Preservation Fund	$0	0%
Capital Projects Fund	$19,385	26%
TOTAL OPERATING EXPENDITURES	$73,940	100%
NET FISCAL RESULT BY FUND		
General Fund	($9,444)	
Open Spaces & Parks Fund	($7,335)	
Recreation Fund	($1,408)	
Historic Preservation Fund	$962	
Capital Projects Fund	$11,307	
NET FISCAL IMPACT	($5,918)	
AVERAGE ANNUAL NET IMPACT	($296)	

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 7B

SUBJECT: **ORDINANCE NO. 1799, SERIES 2020, AN EMERGENCY ORDINANCE AMENDING AND RESTATING THE REQUIREMENT TO WEAR A FACE COVERING WITHIN THE CITY OF LOUISVILLE – 1ST AND FINAL READING – PUBLIC HEARING – Adoption as an Emergency Ordinance**

DATE: **AUGUST 18, 2020**

PRESENTED BY: **KATHLEEN KELLY, CITY ATTORNEY**

SUMMARY:
On May 5, 2020, the City Council adopted Ordinance No. 1793, Series 2020, an Emergency Ordinance Requiring the Wearing of Face Coverings within the City, which ordinance, as amended, expires August 30, 2020.

On July 16, 2020, Governor Polis issued Executive Order D-2020-138, which orders individuals in Colorado to wear a medical or non-medical face covering when in a Public Indoor Space due to the presence of COVID-19 in Colorado.

On July 24, 2020, Boulder County Public Health ("BCPH") amended its previous public health order requiring face coverings to align with the provisions of the Governor's Executive Order.

On July 30, 2020, the Colorado Department of Public Health and Environment ("CDPHE") issued its 9th Amended Public Health Order 20-29, Safer at Home and in the Vast, Great Outdoors, to implement the Governor's Executive Order.

The Governor's Executive Order and the CDPHE Order require masks only in Public Indoor Spaces. The City's Ordinance and the BCPH Order apply indoors and outdoors, when social distancing cannot or is not maintained.

At the time of writing of this Council Communication, each of the face covering orders has an expiration date as follows:

Governor's Executive Order	August 15, 2020
CDPHE Order	August 20, 2020
City's Ordinance	August 30, 2020
BCPH Order	No expiration date

The attached emergency ordinance has been drafted to continue the City's current face covering requirements until amended or repealed by ordinance of the City Council, with a few revisions intended to clarify the provisions of the original ordinance.

Section II.P of the Governor's Executive Order expressly provides that "[n]othing in this Executive Order prevents a county or municipality from adopting more protective standards than those contained in this Executive Order." As currently in effect, the City's Ordinance contains more protective standards than the Executive Order.

The following exceptions are contained in the Governor's Executive Order and the CDPHE Order. If desired by the City Council, one or more of these additional exceptions could be added to Section 3 of the draft ordinance prior to adoption.

- Individuals who are hearing impaired or otherwise disabled or who are communicating with someone who is hearing impaired or otherwise disabled and where the ability to see the mouth is essential to communication.

- Individuals who are exercising alone or with others from the individual's household and a face covering would interfere with the activity.

- Individuals who are receiving a personal service where the temporary removal of the face covering is necessary to perform the service.

- Individuals who enter a business or receive services and are asked to temporarily remove a face covering for identification purposes.

- Individuals who are officiating at a religious service, so long as the individual maintains at least twenty-five (25) feet distance from non-household members indoors and at least six (6) feet distance from non-household members outdoors.

- Individuals who are giving a speech for broadcast or an audience, so long as the individual maintains at least twenty-five (25) feet distance from non-household members indoors and at least six (6) feet distance from non-household members outdoors.

There is also an additional requirement in the Governor's Executive Order and the CDPHE Order with regard to the wearing of masks while waiting for buses and other forms of for-hire and mass transportation. If desired by the City Council, this additional requirement could be added to Section 2 of the draft ordinance prior to adoption.

- For any person to use or wait to use the services of any taxi, bus, car service, ride-sharing or similar service, or other mass transportation without wearing a face covering.

If adopted as an emergency ordinance, the face covering requirement would become effective immediately and continue until the City Council amends or repeals the requirement by ordinance. Attachment #3 provides a comparison of the City's current ordinance, the Governor's Executive Order, the CDPHE order and the BCPH order.

FISCAL IMPACT:
None.

RECOMMENDATION:
Consideration of Ordinance No. 1799

ATTACHMENT(S):

1. Ordinance No. 1799
2. Blackline of Ordinance No. 1799, showing revisions from Ordinance No. 1793
3. Comparison of City's Ordinance with Governor's Executive Order, CDPHE Order, and BCPH Order
4. Governor's Executive Order D2020-138 (Statewide Face Covering Requirement)
5. CDPHE 9th Amended Public Health Order 20-29 (Safer at Home and in the Vast, Great Outdoors)
6. BCPH Amended Public Health Order 2020-05
7. Data from BCPH regarding Statewide and Boulder County New Case Averages and Trend-Based Estimate of Virus Trajectory

STRATEGIC PLAN IMPACT:

☐	**Financial Stewardship & Asset Management**	☒	**Reliable Core Services**
☐	**Vibrant Economic Climate**	☐	**Quality Programs & Amenities**
☐	**Engaged Community**	☐	**Healthy Workforce**
☐	**Supportive Technology**	☐	**Collaborative Regional Partner**

ORDINANCE NO. 1799
SERIES 2020

AN EMERGENCY ORDINANCE AMENDING AND RESTATING THE REQUIREMENT TO WEAR A FACE COVERING WITHIN THE CITY OF LOUISVILLE

WHEREAS, the City of Louisville (the "City") is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City; and

WHEREAS, the Novel Coronavirus 2019 (COVID-19) Pandemic is causing widespread human and economic impacts to the City of Louisville; and

WHEREAS, on March 15, 2020, the Mayor of the City of Louisville, pursuant to Chapter 2.32 of the Louisville Municipal Code and C.R.S. § 24-33.5-709, executed a Declaration of Local Disaster Emergency in and for the City of Louisville (the "Mayor's Declaration"); and

WHEREAS, by Resolution No. 27 adopted on March 16, 2020, the City Council continued in effect the Mayor's Declaration until terminated by resolution of the City Council; and

WHEREAS, on March 25, 2020, Governor Jared Polis issued Executive Order D2020-017 (the "Statewide Stay-at-Home Order") ordering Coloradans to stay in place through April 11, 2020 due to the presence of COVID-19 in the state, and which Statewide Stay-at-Home Order was extended by the Governor through April 26, 2020; and

WHEREAS, on April 24, 2020, Boulder County Public Health ("BCPH") issued a Public Health Order Adopting and Extending State Stay-at-Home Orders (the "Boulder County Stay-at-Home Order"), which continued in effect the terms of the Statewide Stay-at-Home order for those persons residing in Boulder County until May 8, 2020; and

WHEREAS, in the Boulder County Stay-at-Home Order, BCPH found "the health conditions that led to the issuance of [the Statewide Stay-at-Home Order] have not abated in Boulder County"; and

WHEREAS, on April 26, 2020, Governor Polis issued Executive Order D2020-044, introducing the "Safer at Home" phase of slightly relaxed regulation, which permitted some non-critical businesses to open with certain restrictions beginning May 1, 2020, and which regulation became effective within the City of Louisville upon the expiration of the Boulder County Stay-at-Home Order; and

WHEREAS, in the Safer at Home order, Governor Polis provided that nothing in such order prevents a county or municipality from adopting more protective standards than those

contained in the order, including but not limited to stay at home orders, mask wearing requirements in public, or additional protective measures and, if such local measures are adopted, they will become effective within the county or municipality without state approval; and

WHEREAS, the Centers for Disease Control and Prevention (the "CDC") recommends the wearing of cloth face coverings in public settings where other social distancing measures are difficult to maintain, especially in areas of significant community-based transmission of COVID-19; and

WHEREAS the CDC further recommends the use of simple cloth face coverings to slow the spread of COVID-19 and help people who may have the virus and do not know it from transmitting it to others; and

WHEREAS, the CDC has issued guidelines for cloth face coverings that include tutorials for both sewn cloth face coverings and making cloth face coverings out of common household textile items without sewing; and

WHEREAS, while the City Council encourages cloth face coverings meeting the CDC guidelines, "face covering" has been defined herein to increase flexibility for what may constitute a face covering and thus aid in compliance with the requirements of this Ordinance; and

WHEREAS, on April 22, 2020, the Colorado Department of Public Health and Environment ("CDPHE") issued Public Health Order 20-26 requiring face coverings for employees of critical businesses and critical government functions; and

WHEREAS, the City of Louisville is a densely populated city within Boulder County, and the City Council finds that the wearing of face coverings by both employees and patrons of businesses and government facilities as set forth herein will best provide for the promotion of health and suppression of disease within the City; and

WHEREAS, the face coverings required by this Ordinance are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders, as recommended by current CDC guidance; and

WHEREAS, the CDC recommends face coverings not be worn by children under the age of two (2) years, the CDPHE has issued additional guidelines that face coverings not be worn by children under the age of three (3) years in childcare settings, and the American Academy of Pediatrics has issued further recommendations on the use of face coverings by children, all of which have been considered by the City Council and incorporated as set forth herein; and

WHEREAS, on May 5, 2020, the City Council adopted Ordinance No. 1793, Series 2020, an Emergency Ordinance Requiring the Wearing of Face Coverings within the City, which ordinance, as amended, expires August 30, 2020; and

WHEREAS, on July 16, 2020, Governor Polis issued Executive Order D-2020-138, which orders individuals in Colorado to wear a medical or non-medical face covering due to the presence of COVID-19 in Colorado until August 15, 2020; and

WHEREAS, on July 24, 2020, BCPH amended its Public Health Order 2020-05 Requiring Facial Coverings in Public where Social Distancing Cannot be Maintained to incorporate provisions of the Executive Order, to be in effect until further modified or repealed by BCPH; and

WHEREAS, on July 30, 2020, CDPHE issued its 9th Amended Public Health Order 20-29 Safer at Home and in the Vast, Great Outdoors, which incorporates the provisions of the Governor's Executive Orders requiring the wearing of face coverings, to be in effect until August 20, 2020; and

WHEREAS, CDPHE informs in its 9th Amended Public Health Order that, as of July 29, 2020, there are 45,796 known cases of COVID-19 in Colorado, 6,398 Coloradans have been hospitalized, and 1,688 Coloradans have died from COVID-19; and

WHEREAS, BCPH has informed that as of July 24, 2020, there have been 1,716 confirmed or probable cases in Boulder County resulting in 74 deaths; and

WHEREAS, Colorado's 3-day new case average has steadily increased since early June, approaching levels last seen at the height of the Pandemic in April 2020; and

WHEREAS, Boulder County's current 5-day average of new cases reflects the state-wide trend of increase; and

WHEREAS, forecasts by BCPH of the current estimated trajectory predict that, if the current trend in new cases continues, COVID-19 patients will exceed ICU bed capacity in early September, and if social distancing declines below present values, ICU bed capacity could be exceeded by late August; and

WHEREAS, the CDC, CDPHE, and BCPH have all recommended that members of the public, when they need to interact with others outside the home and especially in settings where many people are present, should cover their mouths and noses to prevent inadvertently spreading COVID-19. One key transmission method for the COVID-19 virus is through respiratory droplets that people expel when they breathe, cough, or sneeze. Moreover, people can be infected with the COVID-19 virus and be asymptomatic yet still be contagious. People can also be contagious 48 hours before developing symptoms. Many people with COVID-19 have mild symptoms and do not recognize that they are infected and contagious and that they can unintentionally infect others; and

WHEREAS, scientific evidence shows that limiting interactions among people slows

virus transmission and, as social distancing protections are lifted, that the wearing of facial coverings by individuals while in public areas assists in maintaining reduced virus transmission by reducing the spread of respiratory droplets; and

WHEREAS, the City Council finds the facial covering requirements set forth herein can work in concert with reduced social distancing protections currently in place pursuant to public health orders to minimize the spread of COVID-19 by reducing the exposure of individuals to the virus necessary to protect vulnerable populations and to prevent the health care system from becoming overwhelmed, and should therefore remain in effect until amended or repealed by future ordinance of the City Council; and

WHEREAS, the City Council finds and declares it has the power and authority to adopt this ordinance pursuant to C.R.S. § 31-15-103 (concerning municipal police powers), C.R.S. § 31-15-401 (concerning municipal police powers), C.R.S. § 31-15-501 (concerning municipal authority to regulate businesses), Article XX of the Colorado Constitution (concerning municipal home rule), and the City of Louisville Home Rule Charter; and

WHEREAS, the City Council finds that an emergency exists because the preservation of public property, health, safety, and welfare requires the City to take immediate action to ensure the health of all City residents, public and private employees, business patrons, and to ensure recipients of government services are protected to the greatest extent possible from transmission of COVID-19 while engaging in commercial and governmental transactions within the City during the Pandemic.

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

Section 1. Definitions. For purposes of this Ordinance, the following words and phrases shall have the following meanings:

A. *Face covering* shall mean a uniform piece of cloth or other similar material that fits snugly but comfortably against the side of the face and covers the nose and mouth and remains affixed in place without the use of one's hands.

B. *Person* shall mean and include a natural person, non-profit corporation, or a business association (however defined by the law).

C. *Place of public accommodation* means a place of business that is open to the public, including an office or other facility where government services may be accessed.

Section 2. Face Coverings Required. It shall be unlawful:

A. For any person to enter, move within, or remain within a place of public accommodation without wearing a face covering.

B. For any person who owns, or who is in responsible control of, a place of public accommodation to allow or permit to remain within such place of public accommodation any person who is not wearing a face covering.

C. For any person within Louisville, except as specifically exempted below, not to wear a face covering whenever they are outside their residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members.

Section 3. Exceptions. Nothing herein shall require the wearing of face coverings by the following:

A. Children under the age of two (2) years, except in child care environments, where children under the age of three (3) years and children of any age while napping shall not be required to wear face coverings;

B. Any child aged twelve (12) years or younger for whom the only available face covering would pose a possible choking or strangulation hazard; any child aged twelve (12) years or younger that has difficulty breathing with a face covering or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance; or any child aged twelve (12) years or younger for whom wearing a face covering would increase the risk of getting exposed to the virus because they are touching their face more often;

C. Persons who have trouble breathing; a person who is unconscious, incapacitated, or is otherwise unable to remove the face covering without assistance; or persons for whom a face covering would cause impairment due to an existing health condition;

D. Persons working in a professional office who do not have any face-to-face interactions with the public; provided, however, if such office is located within a building containing one or more other offices or places of public accommodation, face coverings shall be worn when entering and exiting such building and may only be removed once within the professional office where such person works and face coverings must be worn within the office at any time when persons are unable to maintain, or when not maintaining, social distance of at least six (6) feet; and

E. Persons in restaurants that are permitted by state and county regulations to serve food for consumption on the premises, while such person in the act of eating or drinking; provided, however, that face coverings must be worn while entering and exiting the restaurant, while ordering, paying, or otherwise interacting with employees or other customers of the restaurant, and once the food and drink have been consumed.

F. First responders, including police officers, firefighters, and emergency medical technicians, who shall wear face coverings to the extent practicable except when use of a face

covering would interfere with their ability to perform their respective duties or would prevent clear communications regarding enforcement actions or direction and when talking on the radio.

Section 4. Required Signage. All places of public accommodation shall display at each entrance a sign provided by the City advising all persons of the requirements of this Ordinance, and that it is unlawful to enter such place of public accommodation without a required face covering.

Section 5. Violations; Penalty. Any person charged with a violation of this Ordinance, upon conviction thereof, shall be subject to the General Penalty in Chapter 1.28 of the Louisville Municipal Code, which provides for incarceration for a period not to exceed three hundred sixty-four (364) days, a fine not to exceed two thousand six hundred and fifty dollars ($2,650.00), or both such fine and imprisonment. As provided in Section 1.28.010.B, each and every day during any portion of which any violation is committed, continued or permitted shall be a separate violation, and the violator shall be punished accordingly.

Section 6. Violations; License Suspension or Revocation. In addition to the penalties provided in Chapter 1.28 of the Louisville Municipal Code, a violation of this Ordinance may be cause for suspension or revocation of any license issued by the City following notice and hearing before the applicable licensing authority or summary, temporary suspension of a license when the noncompliance presents an immediate threat to health, safety, and welfare.

Section 7. Effective Date This ordinance shall become effective immediately and continue in effect until amended or repealed by ordinance of the City Council.

Section 8. More Restrictive Requirements Control. To the extent any federal, state, or county regulations, orders, or laws are enacted that are more restrictive than the requirements of this Ordinance, the more restrictive shall control.

Section 9. Provisions Severable. 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 10. 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 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.

Section 12. The City Council herewith finds, determines and declares that this ordinance is genuinely and urgently necessary for the immediate preservation of the public health, safety, and welfare because the COVID-19 Pandemic has presented an urgent need to ensure and provide for the promotion of health and the suppression of disease by preventing the spread of the virus within the City.

INTRODUCED, READ, PASSED AND ADOPTED AS AN EMERGENCY ORDINANCE BY TWO-THIRDS OF THE ENTIRE CITY COUNCIL, AND ORDERED PUBLISHED this 18th day of August, 2020.

_____
Ashley Stolzmann, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

APPROVED AS TO FORM:

_____
Kelly PC, City Attorney

ORDINANCE NO. ~~1793~~ 1799
SERIES 2020

AN EMERGENCY ORDINANCE ~~REQUIRING~~AMENDING AND RESTATING THE ~~WEARING OF~~ REQUIREMENT TO WEAR A FACE ~~COVERINGS~~COVERING WITHIN THE CITY OF LOUISVILLE.

WHEREAS, the City of Louisville (the "City") is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City; and

WHEREAS, the Novel Coronavirus 2019 (COVID-19) Pandemic is causing widespread human and economic impacts to the City of Louisville; and

WHEREAS, on March 15, 2020, the Mayor of the City of Louisville, pursuant to Chapter 2.32 of the Louisville Municipal Code and C.R.S. § 24-33.5-709, executed a Declaration of Local Disaster Emergency in and for the City of Louisville (the "Mayor's Declaration"); and

WHEREAS, by Resolution No. 27 adopted on March 16, 2020, the City Council continued in effect the Mayor's Declaration until terminated by resolution of the City Council; and

WHEREAS, on March 25, 2020, Governor Jared Polis issued Executive Order D2020-017 (the "Statewide Stay-at-Home Order") ordering Coloradans to stay in place through April 11, 2020 due to the presence of COVID-19 in the state, and which Statewide Stay-at-Home Order was extended by the Governor through April 26, 2020; and

WHEREAS, on April 24, 2020, Boulder County Public Health ("BCPH") issued a Public Health Order Adopting and Extending State Stay-at-Home Orders (the "Boulder County Stay-at-Home Order"), which continued in effect the terms of the Statewide Stay-at-Home order for those persons residing in Boulder County until May 8, 2020; and

WHEREAS, in the Boulder County Stay-at-Home Order, BCPH found "the health conditions that led to the issuance of [the Statewide Stay-at-Home Order] have not abated in Boulder County"; and

WHEREAS, on April 26, 2020, Governor Polis issued Executive Order D2020-044, introducing the "Safer at Home" phase of slightly relaxed regulation, which ~~permits~~permitted some non-critical businesses to open with certain restrictions beginning May 1, 2020, and which regulation ~~will become~~became effective within the City of Louisville upon the expiration of the Boulder County Stay-at-Home Order; and

WHEREAS, in the Safer at Home order, Governor Polis provided that nothing in such order prevents a county or municipality from adopting more protective standards than those contained in the order, including but not limited to stay at home orders, mask wearing

requirements in public, or additional protective measures and, if such local measures are adopted, they will become effective within the county or municipality without state approval; and

WHEREAS, the Centers for Disease Control and Prevention (the "CDC") recommends the wearing of cloth face coverings in public settings where other social distancing measures are difficult to maintain, especially in areas of significant community-based transmission of COVID-19; and

WHEREAS the CDC further recommends the use of simple cloth face coverings to slow the spread of COVID-19 and help people who may have the virus and do not know it from transmitting it to others; and

WHEREAS, the CDC has issued guidelines for cloth face coverings that include tutorials for both sewn cloth face coverings and making cloth face coverings out of common household textile items without sewing; and

WHEREAS, while the City Council encourages cloth face coverings meeting the CDC guidelines, "face covering" has been defined herein to increase flexibility for what may constitute a face covering and thus aid in compliance with the requirements of this Ordinance; and

WHEREAS, on April 22, 2020, the Colorado Department of Public Health and Environment ("CDPHE") issued Public Health Order 20-26 requiring face coverings for employees of critical businesses and critical government functions ~~through May 17, 2020~~; and

WHEREAS, the City of Louisville is a densely populated city within Boulder County, and the City Council finds that the wearing of face coverings by both employees and patrons of businesses and government facilities as set forth herein will best provide for the promotion of health and suppression of disease within the City; and

WHEREAS, the face coverings required by this Ordinance are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders, as recommended by current CDC guidance; and

WHEREAS, the CDC recommends face coverings not be worn by children under the age of two (2) years, the CDPHE has issued additional guidelines that face coverings not be worn by children under the age of three (3) years in childcare settings, and the American Academy of Pediatrics has issued further recommendations on the use of face coverings by children, all of which have been considered by the City Council and incorporated as set forth herein; and

WHEREAS, on May 5, 2020, the City Council adopted Ordinance No. 1793, Series 2020, an Emergency Ordinance Requiring the Wearing of Face Coverings within the City, which ordinance, as amended, expires August 30, 2020; and

WHEREAS, on July 16, 2020, Governor Polis issued Executive Order D-2020-138, which orders individuals in Colorado to wear a medical or non-medical face covering due to the presence of COVID-19 in Colorado until August 15, 2020; and

WHEREAS, on July 24, 2020, BCPH amended its Public Health Order 2020-05 Requiring Facial Coverings in Public where Social Distancing Cannot be Maintained to incorporate provisions of the Executive Order, to be in effect until further modified or repealed by BCPH; and

WHEREAS, on July 30, 2020, CDPHE issued its 9th Amended Public Health Order 20-29 Safer at Home and in the Vast, Great Outdoors, which incorporates the provisions of the Governor's Executive Orders requiring the wearing of face coverings, to be in effect until August 20, 2020; and

WHEREAS, CDPHE informs in its 9th Amended Public Health Order that, as of July 29, 2020, there are 45,796 known cases of COVID-19 in Colorado, 6,398 Coloradans have been hospitalized, and 1,688 Coloradans have died from COVID-19; and

WHEREAS, BCPH has informed that as of July 24, 2020, there have been 1,716 confirmed or probable cases in Boulder County resulting in 74 deaths; and

WHEREAS, Colorado's 3-day new case average has steadily increased since early June, approaching levels last seen at the height of the Pandemic in April 2020; and

WHEREAS, Boulder County's current 5-day average of new cases reflects the state-wide trend of increase; and

WHEREAS, forecasts by BCPH of the current estimated trajectory predict that, if the current trend in new cases continues, COVID-19 patients will exceed ICU bed capacity in early September, and if social distancing declines below present values, ICU bed capacity could be exceeded by late August; and

WHEREAS, the CDC, CDPHE, and BCPH have all recommended that members of the public, when they need to interact with others outside the home and especially in settings where many people are present, should cover their mouths and noses to prevent inadvertently spreading COVID-19. One key transmission method for the COVID-19 virus is through respiratory droplets that people expel when they breathe, cough, or sneeze. Moreover, people can be infected with the COVID-19 virus and be asymptomatic yet still be contagious. People can also be contagious 48 hours before developing symptoms. Many people with COVID-19 have mild symptoms and do not recognize that they are infected and contagious and that they can unintentionally infect others; and

WHEREAS, scientific evidence shows that limiting interactions among people slows virus transmission and, as social distancing protections are lifted, that the wearing of facial coverings by individuals while in public areas assists in maintaining reduced virus transmission by reducing the spread of respiratory droplets; and

WHEREAS, the City Council finds the facial covering requirements set forth herein can work in concert with reduced social distancing protections currently in place pursuant to public health orders to minimize the spread of COVID-19 by reducing the exposure of individuals to the virus necessary to protect vulnerable populations and to prevent the health care system from becoming overwhelmed, and should therefore remain in effect until amended or repealed by future ordinance of the City Council; and

WHEREAS, the City Council finds and declares it has the power and authority to adopt this ordinance pursuant to C.R.S. § 31-15-103 (concerning municipal police powers), C.R.S. § 31-15-401 (concerning municipal police powers), C.R.S. § 31-15-501 (concerning municipal authority to regulate businesses), Article XX of the Colorado Constitution (concerning municipal home rule), and the City of Louisville Home Rule Charter; and

WHEREAS, the City Council finds that an emergency exists because the preservation of public property, health, safety, and welfare requires the City to take immediate action to ensure the health of all City residents, public and private employees, business patrons, and to ensure recipients of government services are protected to the greatest extent possible from transmission of COVID-19 while engaging in commercial and governmental transactions within the City during the Pandemic.

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

Section 1. Definitions. For purposes of this Ordinance, the following words and phrases shall have the following meanings:

A. *Face covering* shall mean a uniform piece of cloth or other similar material that fits snugly but comfortably against the side of the face and covers the nose and mouth and remains affixed in place without the use of one's hands.

B. *Person* shall mean and include a natural person, non-profit corporation, or a business association (however defined by the law).

C. *Place of public accommodation* means a place of business that is open to the public, including an office or other facility where government services may be accessed.

Section 2. Face Coverings Required. It shall be unlawful:

A. For any person to enter, move within, or remain within a place of public accommodation without wearing a face covering.

B. For any person who owns, or who is in responsible control of, a place of public accommodation to allow or permit to remain within such place of public accommodation any person who is not wearing a face covering.

C. For any person within Louisville, except as specifically exempted below, not to wear a face covering whenever they are outside their residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members.

Section 3. Exceptions. Nothing herein shall require the wearing of face coverings by the following:

A. Children under the age of two (2) years, except in child care environments, where children under the age of three (3) years and children of any age while napping shall not be required to wear face coverings;

B. Any child aged twelve (12) years or younger for whom the only available face covering would pose a possible choking or strangulation hazard; any child aged twelve (12) years or younger that has difficulty breathing with a face covering or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance; or any child aged twelve (12) years or younger for whom wearing a face covering would increase the risk of getting exposed to the virus because they are touching their face more often;

C. Persons who have trouble breathing; a person who is unconscious, incapacitated, or is otherwise unable to remove the face covering without assistance; or persons for whom a face covering would cause impairment due to an existing health condition;

D. Persons working in a professional office who do not have any face-to-face interactions with the public; provided, however, if such office is located within a building containing one or more other offices or places of public accommodation, face coverings shall be worn when entering and exiting such building and may only be removed once within the professional office where such person works and face coverings must be worn within the office at any time when persons are unable to maintain, or when not maintaining, social distance of at least six (6) feet; and

E. Persons in restaurants that are permitted by state and county regulations to serve food for consumption on the premises, while such person in the act of eating or drinking; provided, however, that face coverings must be worn while entering and exiting the restaurant, while ordering, paying, or otherwise interacting with employees or other customers of the restaurant, and once the food and drink have been consumed.

F. First responders, including police officers, firefighters, and emergency medical technicians, who shall wear face coverings to the extent practicable except when use of a face covering would interfere with their ability to perform their respective duties or would prevent clear communications regarding enforcement actions or direction and when talking on the radio.

Section 4. Required Signage. All places of public accommodation shall display at each entrance a sign provided by the City advising all persons of the requirements of this Ordinance, and that it is unlawful to enter such place of public accommodation without a required face covering.

Section 5. Violations; Penalty. Any person charged with a violation of this Ordinance, upon conviction thereof, shall be subject to the General Penalty in Chapter 1.28 of the Louisville Municipal Code, which provides for incarceration for a period not to exceed three hundred sixty-four (364) days, a fine not to exceed two thousand six hundred and fifty dollars ($2,650.00), or both such fine and imprisonment. As provided in Section 1.28.010.B, each and every day during any portion of which any violation is committed, continued or permitted shall be a separate violation, and the violator shall be punished accordingly.

Section 6. Violations; License Suspension or Revocation. In addition to the penalties provided in Chapter 1.28 of the Louisville Municipal Code, a violation of this Ordinance may be cause for suspension or revocation of any license issued by the City following notice and hearing before the applicable licensing authority or summary, temporary suspension of a license when the noncompliance presents an immediate threat to health, safety, and welfare.

Section 7. Effective Date This ordinance shall become effective ~~at 11:59 p.m. on Thursday, May 7, 2020~~immediately and ~~shall~~ continue in effect until ~~midnight on June 5, 2020, unless earlier terminated~~amended or ~~extended.~~repealed by ordinance of the City Council.

Section 8. More Restrictive Requirements Control. To the extent any federal, state, or county regulations, orders, or laws are enacted that are more restrictive than the requirements of this Ordinance, the more restrictive shall control.

Section 9. Provisions Severable. 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 10. 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 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.

Section 12. The City Council herewith finds, determines and declares that this ordinance is genuinely and urgently necessary for the immediate preservation of the public health, safety, and welfare because the COVID-19 Pandemic has presented an urgent need to ensure and provide for the promotion of health and the suppression of disease by preventing the spread of the virus within the City.

INTRODUCED, READ, PASSED AND ADOPTED AS AN EMERGENCY ORDINANCE BY TWO-THIRDS OF THE ENTIRE CITY COUNCIL, AND ORDERED PUBLISHED this ~~5th~~18th day of ~~May~~August, 2020.

_____
Ashley Stolzmann, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

APPROVED AS TO FORM:

_____
Kelly PC, City Attorney

ORDINANCE NO. 1793 (as amended to extend to August 30, 2020)
SERIES 2020

AN EMERGENCY ORDINANCE REQUIRING THE WEARING OF FACE COVERINGS WITHIN THE CITY.

Comparison to Governor's Executive Order D 2020 138 shown in RED

Comparison to BCPH Amended Order dated July 24, 2020 shown in GREEN

Comments regarding potential changes to City ordinance shown in BLUE

WHEREAS, the City of Louisville (the "City") is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City; and

WHEREAS, the Novel Coronavirus 2019 (COVID-19) Pandemic is causing widespread human and economic impacts to the City of Louisville; and

WHEREAS, on March 15, 2020, the Mayor of the City of Louisville, pursuant to Chapter 2.32 of the Louisville Municipal Code and C.R.S. § 24-33.5-709, executed a Declaration of Local Disaster Emergency in and for the City of Louisville (the "Mayor's Declaration"); and

WHEREAS, by Resolution No. 27 adopted on March 16, 2020, the City Council continued in effect the Mayor's Declaration until terminated by resolution of the City Council; and

WHEREAS, on March 25, 2020, Governor Jared Polis issued Executive Order D2020-017 (the "Statewide Stay-at-Home Order") ordering Coloradans to stay in place through April 11, 2020 due to the presence of COVID-19 in the state, and which Statewide Stay-at-Home Order was extended by the Governor through April 26, 2020; and

WHEREAS, on April 24, 2020, Boulder County Public Health ("BCPH") issued a Public Health Order Adopting and Extending State Stay-at-Home Orders (the "Boulder County Stay-at-Home Order"), which continued in effect the terms of the Statewide Stay-at-Home order for those persons residing in Boulder County until May 8, 2020; and

WHEREAS, in the Boulder County Stay-at-Home Order, BCPH found "the health conditions that led to the issuance of [the Statewide Stay-at-Home Order] have not abated in Boulder County"; and

WHEREAS, on April 26, 2020, Governor Polis issued Executive Order D2020-044, introducing the "Safer at Home" phase of slightly relaxed regulation, which permits some non-critical businesses to open with certain restrictions beginning May 1, 2020, and which regulation will become effective within the City of Louisville upon the expiration of the Boulder County Stay-at-Home Order; and

WHEREAS, in the Safer at Home order, Governor Polis provided that nothing in such order prevents a county or municipality from adopting more protective standards than those contained in the order, including but not limited to stay at home orders, mask wearing requirements in public, or additional protective measures and, if such local measures are adopted, they will become effective within the county or municipality without state approval; and

WHEREAS, the Centers for Disease Control and Prevention (the "CDC") recommends the wearing of cloth face coverings in public settings where other social distancing measures are difficult to maintain, especially in areas of significant community-based transmission of COVID-19; and

WHEREAS the CDC further recommends the use of simple cloth face coverings to slow the spread of COVID-19 and help people who may have the virus and do not know it from transmitting it to others; and

WHEREAS, the CDC has issued guidelines for cloth face coverings that include tutorials for both sewn cloth face coverings and making cloth face coverings out of common household textile items without sewing; and

WHEREAS, while the City Council encourages cloth face coverings meeting the CDC guidelines, "face covering" has been defined herein to increase flexibility for what may constitute a face covering and thus aid in compliance with the requirements of this Ordinance; and

WHEREAS, on April 22, 2020, the Colorado Department of Public Health and Environment ("CDPHE") issued Public Health Order 20-26 requiring face coverings for employees of critical businesses and critical government functions through May 17, 2020; and

WHEREAS, the City of Louisville is a densely populated city within Boulder County, and the City Council finds that the wearing of face coverings by both employees and patrons of businesses and government facilities as set forth herein will best provide for the promotion of health and suppression of disease within the City; and

WHEREAS, the face coverings required by this Ordinance are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders, as recommended by current CDC guidance; and

WHEREAS, the CDC recommends face coverings not be worn by children under the age of two (2) years, the CDPHE has issued additional guidelines that face coverings not be worn by children under the age of three (3) years in childcare settings, and the American Academy of Pediatrics has issued further recommendations on the use of face coverings by children, all of which have been considered by the City Council and incorporated as set forth herein; and

WHEREAS, the City Council finds and declares it has the power and authority to adopt this ordinance pursuant to C.R.S. § 31-15-103 (concerning municipal police powers), C.R.S. § 31-15-401 (concerning municipal police powers), C.R.S. § 31-15-501 (concerning municipal authority to regulate businesses), Article XX of the Colorado Constitution (concerning municipal home rule), and the City of Louisville Home Rule Charter; and

WHEREAS, the City Council finds that an emergency exists because the preservation of public property, health, safety, and welfare requires the City to take immediate action to ensure the health of all City residents, public and private employees, business patrons, and to ensure recipients of government services are protected to the greatest extent possible from transmission of COVID-19 while engaging in commercial and governmental transactions within the City during the Pandemic.

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

Section 1. Definitions. For purposes of this Ordinance, the following words and phrases shall have the following meanings:

A. *Face covering* shall mean a uniform piece of cloth or other similar material that fits snugly but comfortably against the side of the face and covers the nose and mouth and remains affixed in place without the use of one's hands.

State order does not define, but specifies "medical or non-medial cloth face coverings that cover the nose and mouth."

BCPH defines "face covering" as "a covering made of cloth, fabric, or other soft or permeable materials, without holes, that covers only the nose and mouth and surrounding areas of the lower face. Mesh, netting, or similarly porous material does not meet the requirements or definition of a Face Covering. A Face Covering may be factory-made or may be handmade and improvised by using ordinary household materials. The Face Covering should fit snugly but comfortably against the side of the face; allow for breathing without restriction; and either be constructed of disposable mask materials or include multiple layers of fabric that can be laundered and machine-dried without damage or change to shape. Face Coverings must cover the nose and mouth at all times and should remain in place until taken off safely. If a worker's Face Covering moves during work, it must be replaced with one that does not need to be frequently adjusted in order to reduce touching of the face. A Face Covering should be replaced when it becomes dirty, wet, and/or difficult to breathe through.

Note that any mask that incorporates a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that is designed to facilitate easy exhaling is not a Face Covering under this Order and is not to be used to comply with this Order's requirements. Valves of that type permit droplet release from the mask and can put others nearby at risk.

A video showing how to make a face covering and additional information about how to wear and clean Face Coverings may be found on the CDC's website at [gives web address].

B. *Person* shall mean and include a natural person, non-profit corporation, or a business association (however defined by the law).

State order does not define.

C. *Place of public accommodation* means a place of business that is open to the public, including an office or other facility where government services may be accessed.

State order uses the term "Public Indoor Space," which is defined to mean "any enclosed indoor area that is publicly or privately owned, managed, or operated to which individuals have access by right or by invitation, expressed or implied, and that is accessible to the public, serves as a place of employment, or is an entity providing services. Public Indoor Space does not mean a person's residence, including a room in a motel or hotel or a residential room for students at an educational facility."

The State definitions essentially describe the same type of spaces. If the City is concerned that people may be confused by the terminology, "Public Indoor Space" could be used in the City's ordinance instead of "place of public accommodation."

BCPH uses the definition of "Residence" to define where Face Coverings are required (see below).

Section 2. Face Coverings Required. It shall be unlawful:

A. For any person to enter a place of public accommodation without wearing a face covering.

State order is similar, but also includes a prohibition on moving within the Public Indoor Space. This would prevent someone from entering, and then removing the face covering.

State order contains no language making violation of the order unlawful. According to Governor's comments, enforcement of State order will rely on claims of trespass.

To be more consistent with the State order, City Council could consider revising to read "For any person to enter or move within ..." Or revise to add "remain within" as used in Section 2.B, below.

BCPH order requires each person within Boulder County to wear a Face Covering whenever they are outside their Residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members in any setting whether indoors or outdoors. BCPH also incorporates several State orders by reference, to include entering or moving within any Public Indoor Space or while using

or waiting to use the services of any taxi, bus, light rail, train, car service, ride-sharing or similar service, or Mass Transportation Operations.

B. For any person who owns, or who is in responsible control of, a place of public accommodation to allow or permit to remain within such place of public accommodation any person who is not wearing a face covering.

Same comments as for Section 2.A, above.

This section would not need to be revised as above, since "remain within" would address the issue of someone entering a business and then removing their face covering.

BCPH provides no owner, operator or manager of a Public Indoor Space, as defined in the State order, may provide service to or allow an individual to enter unless they are wearing a Face Covering as required by the State order.

C. For any person within Louisville, except as specifically exempted below, not to wear a face covering whenever they are outside their residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members.

State order only applies indoors.

BCPH order similarly applies outdoors when six feet social distancing cannot or is not maintained.

Section 3. Exceptions. Nothing herein shall require the wearing of face coverings by the following:

A. Children under the age of two (2) years, except in child care environments, where children under the age of three (3) years and children of any age while napping shall not be required to wear face coverings;

State order applies to children over ten (10). No basis for this age threshold in the order, but some believe it may be in response to study from South Korea (reported in the NY Times on July 18, 2020) regarding transmission of the coronavirus by children.

The City Council may wish to consider input from the school district, as this provision in the City ordinance will affect schools located within the City.

BCPH order applies to children over ten (10) years and states that parents and caregivers must supervise the use of Face Coverings by children to avoid misuse. BCPH order also advises that children under age two (2) should not wear a Face Covering due to the risk of suffocation.

B. Any child aged twelve (12) years or younger for whom the only available face covering would pose a possible choking or strangulation hazard; any child aged twelve (12) years or younger that has difficulty breathing with a face covering or is unconscious,

incapacitated, or otherwise unable to remove the face covering without assistance; or any child aged twelve (12) years or younger for whom wearing a face covering would increase the risk of getting exposed to the virus because they are touching their face more often;

Same comment as for Section 3.A, above.

C. Persons who have trouble breathing; a person who is unconscious, incapacitated, or is otherwise unable to remove the face covering without assistance; or persons for whom a face covering would cause impairment due to an existing health condition;

State order contains a broad exception for "Individuals who cannot medically tolerate a face covering."

BCPH also exempts individuals who cannot medially tolerate a face covering.

There is a lot of concern about the broad exception in State and BCPH orders and its impact on enforcement. Would not recommend incorporating into the City ordinance.

D. Persons working in a professional office who do not have any face-to-face interactions with the public; provided, however, if such office is located within a building containing one or more other offices or places of public accommodation, face coverings shall be worn when entering and exiting such building and may only be removed once within the professional office where such person works; and

State order's applicability to persons seated at their desk in their offices has generated some confusion. State officials initially stated the intention is only to require face coverings in office settings when entering or moving within an office, but more recently have advised face covering are required unless a person can close a door to an office.

BCPH order also appears to apply in office settings. On a recent BCPH call, department employee stated offices are considered higher risk settings and there is therefore a high degree of concern regarding transmission within offices.

City's ordinance seems more clear with regard to offices, but City Council may consider requiring face coverings for office workers who cannot social distance within their office.

E. Persons in restaurants that are permitted by state and county regulations to serve food for consumption on the premises, while such person in the act of eating or drinking; provided, however, that face coverings must be worn while entering and exiting the restaurant, while ordering, paying, or otherwise interacting with employees or other customers of the restaurant, and once the food and drink have been consumed.

State order exempts face coverings when seated at a food service establishment, so would not require to be worn while ordering, paying, or otherwise interacting with employees or other customers, or after food and drink have been consumed.

BCPH order is the same as the State order.

F. First responders, including police officers, firefighters, and emergency medical technicians, who shall wear face coverings to the extent practicable except when use of a face covering would interfere with their ability to perform their respective duties or would prevent clear communications regarding enforcement actions or direction and when talking on the radio.

State order broadly exempts individuals who are actively engaged in a public safety role such as law enforcement, firefighters, or emergency medical personnel.

BCPH expressly requires first responders to wear face coverings, except for during unforeseen emergencies (e.g., law enforcement responding to an immediate threat).

Additional exceptions under State order:

- Individuals who are hearing impaired or otherwise disabled or who are communicating with someone who is hearing impaired or otherwise disabled and where the ability to see the mouth is essential to communication;
  Same exception in BCPH order

- Individuals who are exercising alone or with others from the individual's household and a face covering would interfere with the activity;
  Same exception in BCPH order

- Individuals who are receiving a personal service where the temporary removal of the face covering is necessary to perform the service;
  Same exception in BCPH order
  City has received an inquiry regarding facials (not practical to provide this service under City's current ordinance)

- Individuals who enter a business or receive services and are asked to temporarily remove a face covering for identification purposes;
  Same exception in BCPH order

- Individuals who are officiating at a religious service;
  Same exception in BCPH order, but officiant must maintain at least 25 feet from non-household members if indoors and at least 6 feet outdoors.

- Individuals who are giving a speech for broadcast or an audience.
  Same exception in the BCPH order, with same socaial distancing restrictions (25 feet indoors, 6 feet outdoors)

Section 4. Required Signage. All places of public accommodation shall display at each entrance a sign provided by the City advising all persons of the requirements of this Ordinance, and that it is unlawful to enter such place of public accommodation without a required face covering.

Same requirement in State order.

Same requirement in BCPH order.

Section 5. Violations; Penalty. Any person charged with a violation of this Ordinance, upon conviction thereof, shall be subject to the General Penalty in Chapter 1.28 of the Louisville Municipal Code, which provides for incarceration for a period not to exceed three hundred sixty-four (364) days, a fine not to exceed two thousand six hundred and fifty dollars ($2,650.00), or both such fine and imprisonment. As provided in Section 1.28.010.B, each and every day during any portion of which any violation is committed, continued or permitted shall be a separate violation, and the violator shall be punished accordingly.

On July 30, 2020, the CDPHE issued its 9th Amended Public Health Order 20-28 Safer at Home and in the Vast, Great Outdoors, which incorporated the requirements of the Governor's Executive Order regarding face coverings. Violations are now subject to statutory penalties for violation of a public health order.

Section 6. Violations; License Suspension or Revocation. In addition to the penalties provided in Chapter 1.28 of the Louisville Municipal Code, a violation of this Ordinance may be cause for suspension or revocation of any license issued by the City following notice and hearing before the applicable licensing authority.

State order provides that a State or local department or agency that learns a business licensee is in violation of the State order may consider whether the public health, safety or welfare requires summary, temporary suspension of the license (including a liquor license).

Business in violation may be subject to civil action, including injunctive relief, and potential suspension or revocation of business license.

So far, compliance by the City's business community has been good. But City Council could consider adding summary, temporary suspension of license in addition to suspension or revocation following notice and hearing.

Section 7. Effective Date This ordinance shall become effective at 11:59 p.m. on Thursday, May 7, 2020 and shall continue in effect until midnight on August 30, 2020, unless earlier terminated or extended.

State order is effective until August 16, 2020, unless further extended.

BCPH order is effective until further modified or repealed.

Current information regarding transmission, hospitalization rates, and ICU capacity indicates the City Council may wish to do the same.

Section 8. More Restrictive Requirements Control. To the extent any federal, state, or county regulations, orders, or laws are enacted that are more restrictive than the requirements of this Ordinance, the more restrictive shall control.

State order does not prevent more protective local orders.

BCPH order also expressly provides its order "shall not be construed to prevent a municipality from adopting more protective standards than those contained in this order.

City's order is generally more restrictive/protective than the State or BCPH order.

Section 9. Provisions Severable. 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 10. 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 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.

Section 12. The City Council herewith finds, determines and declares that this ordinance is genuinely and urgently necessary for the immediate preservation of the public health, safety, and welfare because the COVID-19 Pandemic has presented an urgent need to ensure and provide for the promotion of health and the suppression of disease by preventing the spread of the virus within the City.

INTRODUCED, READ, PASSED AND ADOPTED AS AN EMERGENCY ORDINANCE BY TWO-THIRDS OF THE ENTIRE CITY COUNCIL, AND ORDERED PUBLISHED this 5th day of May, 2020.

_____
Ashley Stolzmann, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

APPROVED AS TO FORM:

_____

Kelly PC, City Attorney

4/30/2020 9:59 AM [kmk]R:\Louisville\Ordinance\Mask Requirement (e) (final clean for Council packets).docx

JARED POLIS
GOVERNOR

136 STATE CAPITOL
DENVER, COLORADO 80203
TEL 303-866-2471
FAX 303-866-2003

D 2020 138

EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 039, D 2020 067, D 2020 092, and D 2020 110 Ordering Individuals in Colorado to Wear Non-Medical Face Coverings

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 *et seq.* (Act), I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order amending and extending Executive Orders D 2020 039, D 2020 067, D 2020 092, and D 2020 110 ordering individuals in Colorado to wear a medical or non-medical face covering due to the presence of coronavirus-2019 (COVID-19) in Colorado.

I. Background and Purpose

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. Since then, the number of confirmed cases has continued to climb, and there is community spread throughout the State. We have seen over 37,000 infections and lost over 1,700 Coloradans. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, and D 2020 125. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources. While we have seen indications that our efforts to "flatten the curve" are working, transmission of the virus continues to threaten Coloradans' way of life and livelihoods and current data shows a recent increase in COVID infections. As we take steps to return Coloradans to work, we must continue to take measures to facilitate reopening the economy while protecting public health by taking steps to incorporate best practices to protect individuals from infection.

We have learned that widespread mask use is a low cost and highly effective way to reduce the spread of COVID-19 infections by as much as 65%. Broad adoption of mask wearing in Colorado may have significant economic benefits by allowing the State to prevent re-closures of businesses and schools and, ultimately, return to our normal lives more quickly. A recent study from Goldman Sachs concluded that a federal mask mandate could save the U.S. economy

from taking a 5% hit to the Gross Domestic Product (GDP). At this time, thirty-nine Colorado counties and municipalities already have mandatory mask orders in place.

Under Executive Order D 2020 110, mask wearing is mandatory for employees, contractors, and others providing services for Mass Transportation Operations and Critical Businesses as well as for State and county employees and the individuals they serve at Government Offices and Facilities. These requirements remain intact with this Executive Order.

This Executive Order amends and extends Executive Orders D 2020 039, D 2020 067, D 2020 092, and D 2020 110 to protect Coloradans by requiring individuals in Colorado to wear a non-medical face covering over their nose and mouth, subject to several exceptions.

II. Amendments

Executive Order D 2020 110 is amended as follows:

1. Strike the words "have discretion to" in Paragraph II.D.

2. After Paragraph F, add the following new Paragraphs G through R:

G. Except as permitted by Paragraphs L, M, and N, below, all individuals over ten (10) years old must wear a face covering over their nose and mouth when entering or moving within any Public Indoor Space, as such term is defined in Paragraph R of this Executive Order, or while using or waiting to use the services of any taxi, bus, light rail, train, car service, ride-sharing or similar service, or Mass Transportation Operations.

H. Any individual who endangers the health of others by knowingly entering or remaining in a Public Indoor Space, as such term is defined in Paragraph R of this Executive Order, in violation of the terms of this Executive Order may be subject to civil or criminal penalties, including but not limited to prosecution for trespass.

I. Except as permitted by Paragraphs L, M, and N, below, to protect workers, customers, and the community, no owner, operator, or manager of a Public Indoor Space, as such term is defined in Paragraph R of this Executive Order, may provide service to individuals or allow an individual to enter or move within that Public Indoor Space, unless the individual is wearing a face covering as required by this Executive Order.

J. Owners, operators, or managers of Public Indoor Spaces, as such term is defined in Paragraph R of this Executive Order, must post signs at entrance(s) instructing individuals of their legal obligation under this Executive Order to wear a face covering when entering or moving within a Public Indoor Space.

K. A State or local department or agency that learns that a business licensee is in violation of this Executive Order will consider whether the public health, safety or welfare requires summary, temporary suspension of the business's license to operate (including but not limited to a liquor license).

L. The following individuals are exempt from the requirements of this Executive Order:

Individuals ten (10) years old and younger; or

Individuals who cannot medically tolerate a face covering.

M. Individuals performing the following activities are exempt from the requirements of this Executive Order while the activity is being performed:

1. Individuals who are hearing impaired or otherwise disabled or who are communicating with someone who is hearing impaired or otherwise disabled and where the ability to see the mouth is essential to communication;

2. Individuals who are seated at a food service establishment;

3. Individuals who are exercising alone or with others from the individual's household and a face covering would interfere with the activity;

4. Individuals who are receiving a personal service where the temporary removal of the face covering is necessary to perform the service;

5. Individuals who enter a business or receive services and are asked to temporarily remove a face covering for identification purposes;

6. Individuals who are actively engaged in a public safety role such as law enforcement, firefighters, or emergency medical personnel;

7. Individuals who are officiating at a religious service; or

8. Individuals who are giving a speech for broadcast or an audience.

N. Counties that complete certification for Protect Our Neighbors may choose to be exempt from Paragraphs G through N, and R of this Executive Order.

O. Nothing in this Executive Order should be construed to prevent individuals from wearing a surgical-grade mask or other, more protective face covering to cover the nose and mouth if that type of mask or more protective face covering is appropriate under industry standards.

P. Nothing in this Executive Order prevents a county or municipality from adopting more protective standards than those contained in this Executive Order.

Q. Except as modified by this Executive Order, all Executive Orders or Public Health Orders, including Public Health Order 20-31, issued due to COVID-19 and that are currently in effect shall remain in full force and effect as originally promulgated.

R. For the purposes of this Executive Order, Public Indoor Space means any enclosed indoor area that is publicly or privately owned, managed, or operated to which individuals have access by right or by invitation, expressed or implied, and that is accessible to the public, serves as a place of employment, or is an entity providing services. Public Indoor Space does not mean a person's residence, including a room in a motel or hotel or a residential room for students at an educational facility.

III. Duration

Executive Order D 2020 039, as extended by Executive Order D 2020 067, and as amended and extended by Executive Orders D 2020 092, D 2020 110, and this Executive Order, shall expire thirty (30) days from July 16, 2020, unless extended further by Executive Order. In all other respects, Executive Order D 2020 039, as amended and extended by Executive Orders D 2020 067, D 2020 092, and D 2020 110, shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this sixteenth day of July, 2020

Jared Polis
Governor

COLORADO
Department of Public Health & Environment

NINTH AMENDED PUBLIC HEALTH ORDER 20-28 SAFER AT HOME AND IN THE VAST, GREAT OUTDOORS

July 30, 2020

PURPOSE OF THE ORDER

I issue this Amended Public Health Order (PHO or Order) pursuant to the Governor's directive in **Executive Order D 2020 091** as amended by **Executive Order D 2020 123** and **Executive Order D 2020 142** in response to the existence of thousands of confirmed and presumptive cases of Coronavirus disease 2019 (COVID-19) and related deaths across the State of Colorado. Further, as there is substantial evidence of community spread of COVID-19 throughout the State, it is crucial to take measures now that can mitigate further spread of disease in our communities.

FINDINGS

1. Governor Polis issued **Executive Order D 2020 003** on March 11, 2020, declaring a disaster emergency in Colorado due to the presence of COVID-19. Since that time, the Governor has taken numerous steps to implement measures to mitigate the spread of disease within Colorado, and has further required that several public health orders be issued to implement his orders.

2. I have issued public health orders pertaining to the limitation of visitors and nonessential individuals in skilled nursing facilities, intermediate care facilities, and assisted living residences; closing bars and restaurants to in-person services; defining the terms of the Governor's stay at home requirements and critical business designations; requiring hospitals to report information relevant to the COVID-19 response; and requiring the wearing of face coverings in the workplace and urging their use in public. These measures all act in concert to reduce the exposure of individuals to disease, and are necessary steps to protect the health and welfare of the public. Additionally, in reducing the spread of disease, these requirements help to preserve the medical resources needed for those in our communities who fall ill and require medical treatment, thus protecting both the ill patients and the healthcare workers who courageously continue to treat patients.

3. As of July 29, 2020, there are 45,796 known cases of COVID-19 in Colorado, 6,398 Coloradans have been hospitalized and 1,688 Coloradans have died from COVID-19. Multiple sources of data show that COVID-19 transmission and the use of healthcare due to COVID-19

have leveled off in Colorado. Our work to "flatten the curve" appears to be succeeding, and the Governor has ordered some lessening of the current Safer at Home restrictions as a result.

4. **Executive Order D 2020 091 Safer at Home and in the Vast, Great Outdoors,** as amended by **Executive Order D 2020 123** and **Executive Order D 2020 142,** still strongly encourages that people at risk of severe illness from COVID-19, also known as **Vulnerable Individuals,** remain at home or in the great outdoors as much as possible, but allows limited reopening of postsecondary institutions and certain businesses. Additionally, individuals are encouraged to stay at home as much as possible and practice **Social Distancing** to reduce the likelihood of disease transmission, but certain activities, such as gathering in groups of no more than ten for activities, are permitted. As we continue to combat COVID-19 in our communities, continuing restrictions on individual travel and necessary activities remain appropriate.

INTENT

This Order sets forth the requirements for implementation of **Safer at Home and in the Vast, Great Outdoors**, as directed by Governor Polis. Individual restrictions remain in place concerning limitations on activities, travel, and public gatherings. Workplace restrictions remain necessary to implement standard **Social Distancing Requirements**, cleaning standards, and other items necessary to reduce the possibility of disease spread. Additionally, certain businesses and activities require specific guidance based on their business practices, and those are included in the appendices to this Order.

ORDER

Unless otherwise specifically noted in this Order, the requirements of this Order are effective July 30, 2020 and expire 30 days from July 21, 2020. This Order supersedes and replaces Public Health Orders 20-22 and 20-24, as amended.

I. Safer at Home and in the Vast, Great Outdoors

A. All individuals currently living within the State of Colorado are encouraged to stay at home or in the vast, great outdoors and avoid unnecessary interactions whenever possible in order to reduce the spread of disease. Individuals living in shared or outdoor spaces must at all times, to the greatest extent possible, comply with **Social Distancing Requirements**, defined in Section III below, and are encouraged to leave their residences only to perform or utilize **Necessary Activities,** defined in Section III below.

B. Individuals are urged to wear non-medical cloth face coverings that cover the nose and mouth whenever in public as required by **Executive Order D 2020 091** as amended by **Executive Order D 2020 123** and **Executive Order D 2020 142**.

Additionally, pursuant to **Executive Order D 2020 138**, all individuals must wear face coverings in public indoor spaces, as that term is defined in the **Executive Order 2020 138**, unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of the enumerated activities in Section II.M of **Executive Order 2020 138**.

C. All public and private gatherings are limited to no more than ten (10) individuals, except for the purposes expressly permitted in this PHO, which include **Necessary Activities**. Nothing in this Order prohibits the gathering of members living in the same residence.

D. People at risk of severe illness from COVID-19 are urged to stay in their residence at all times except as necessary to seek medical care. People at risk of severe illness from COVID-19 cannot be compelled to work for any business or government function, including a Critical Business or Critical Government Function, during the pendency of this pandemic emergency. People who are sick must stay in their residence at all times except as necessary to seek medical care, and must not go to work, even for a **Critical Business,** defined in Section III below.

E. Individuals who are sick or are experiencing flu-like symptoms should get tested for COVID-19, and must self-isolate until their symptoms cease or until they have a negative test result. If an individual has tested positive for COVID-19 and/or has developed symptoms of COVID-19, including early or mild symptoms (such as cough and shortness of breath), they should be in isolation (staying away from others) until they have had no fever for at least twenty-four (24) to seventy-two (72) hours without the use of medicine that reduces fevers, other symptoms have improved (such as cough or shortness of breath), and at least ten (10) days have passed since symptoms first appeared. A limited number of people with severe illness may require longer isolation. Coloradans who are sick and receive negative COVID-19 test results should continue to stay home while they are sick and should consult with their healthcare provider about the need for additional testing and the appropriate time to resume normal activities.

F. Governmental and other entities are strongly urged to make shelter available to people experiencing homlessness as soon as possible and to the maximum extent practicable, and are authorized to take all reasonable steps necessary to provide non-congregate sheltering along with necessary support services to members of the public in their jurisdiction as necessary to protect all members of the community. People experiencing homelessness are urged to protect their health and safety by complying with **Social Distancing Requirements** at all times.

G. Individuals are encouraged to limit travel to **Necessary Travel**, defined in Section III below, including but not limited to, travel by automobile or public transit. People must use public transit only for purposes of performing **Necessary Activities** or to travel to and from work to operate **Businesses** or maintain **Critical Governmental Functions** as authorized in Section II of this Order. People riding on public transit must comply with **Social Distancing Requirements** to the greatest extent feasible.

H. Activities that are done with 10 or fewer individuals, following **Social Distancing Requirements** for non-household members are authorized. Individuals may participate in local and personal recreation in outside public spaces, as an authorized **Necessary Activity**, in groups no larger than 10 and practicing social distancing maintaining 6 feet between participants. Travel should occur within an individual's local community or as necessary to access outdoor recreation areas. If travelling outside their community, Coloradans are urged to honor all restrictions in place at their destination and avoid travel to counties or municipalities that issue travel restrictions. Local authorities have the discretion to close recreation as needed.

1. Private campgrounds may open for use. Campground operators must regularly clean and disinfect all common areas, such as bathrooms, in accordance with the CDPHE Cleaning Guidance. Group facilities, pavilions, cabins, and yurts remain closed. Campsites must be a minimum of 6 feet apart, and should only be available by reservation. Campground operators must post signs to remind guests of physical distancing requirements, and limit visitors in campground offices to maintain such distancing.

2. Effective June 4, 2020, the following personal recreation activities are permitted:

a. Playgrounds and outdoor sports facilities, such as tennis and pickleball courts, may be open for use for no more than 25 people at a time. High touch areas should be cleaned and disinfected frequently.

b. Outdoor swimming pools may open at 50% capacity, limited to no more than 50 people. Frequently touched surfaces, shared objects, and bathrooms should be cleaned and disinfected every hour.

c. Organized recreational youth or adult league sports may resume activities with no more than 25 players outdoors. Parents may attend youth sports activities but must remain 6 feet apart from non-household members. Spectators are strongly discouraged for

adult sports. The sports league must retain records of who played in case later disease outbreak investigations become necessary.

d. Gyms, recreation centers and indoor pools may open at 25% capacity, not to exceed 50 patrons, whichever is less, per room, maintaining 6 feet distancing. Sharing of equipment is discouraged, and equipment must be cleaned and disinfected between uses.

e. Competitive events such as races and endurance events are permitted as long as 6 foot distancing and limitations on group size can be maintained. This includes implementing, including implementation of staggered start times and making efforts to prevent gatherings at starts and finishings, so that no more than 10 people are gathered at a time.

3. Effective June 4, 2020, the following outdoor recreation activities are permitted if authorized within the local jurisdiction and conducted in accordance with the jurisdiction's policies, the requirements below, and the requirements in **Appendix K** of this Order:

a. Non-guided recreation in groups no larger than 10;

b. Non-guided equipment rentals, subject to compliance with the retail requirements in **Appendix A** of this Order;

c. Guide services for fishing, hunting, biking, horseback riding, canoeing, kayaking, stand up paddle boarding, ATV tours, and climbing are permitted in groups no larger than 10, not including staff;

d. River outfitters, rafting, or Jeep Tours in groups of up to 2 households in a boat or jeep only in groups of no more than 10, not including staff;

e. Developed hot springs may operate in accordance with the outdoor pools requirements in Section I.H.2.b of this Order;

f. Outdoor recreation activities at ski resorts (mountain biking, hiking, climbing walls, mountain coasters, ropes courses, adventure parks, zip lines, etc) if the local public health agency has reviewed and approved the resort's plans;

g. Zip lines, ropes courses, outdoor artificial climbing walls, or outdoor sports adventure centers not affiliated with ski resorts if the local public health agency has reviewed and approved the operator's plans;

h. Scenic trains if every local public health agency in each jurisdiction through which the train operates has approved the train's plans; and

i. Trail and conservation crews no larger than 10.

4. Effective June 18, 2020, indoor and outdoor events such as receptions, events, non-critical auctions, theaters, trade shows, markets, indoor malls, rodeos, fairs, festivals and parades or other indoor or outdoor events not otherwise covered by this Order may operate in accordance with the following requirements:

a. Outdoor venues may allow up to 175 people within their usable space calculated using the Social Distancing Space Calculator, excluding staff, per designated activity or area with a minimum of 6 feet of distance between individuals or non-household contacts.

b. Indoor venues may allow up to 100 people within their usable space calculated using the Social Distancing Space Calculator, excluding staff, per room with a minimum of 6 feet of distance between individuals or non-household contacts.

c. Venue size is determined based on usable space per room or designated activity. An indoor event or outdoor designated activity that includes spectators may include both the activity space and the spectator space, or these spaces may be separated and the venue must apply the appropriate capacity limits to the size of each designated space. If participants in the designated activity may also at times move into the spectator space, those participants will count for purposes of the capacity limit for the spectator space if that space is separately defined from the designated activity space.

d. Designated activities or areas must be separated by a minimum of 50 feet from each other, maintain separate entrances and exits, and must minimize the use of shared facilities like restrooms

e. Performers are not included in capacity limits as long as they do not join the spectator or patron areas at any time and, for performers whose performance includes forced exhalation that increases the potential to aerosolize respiratory droplets, such as speaking or shouting, singing, playing some instruments, or physical exertion, the performers must remain at least 25 feet from attendees. If performers join the patron spaces, they must be included in the capacity limit numbers. Performers should also use a separate entrance and exit from spectators or patrons.

f. Operators, employees and attendees must wear face coverings unless doing so would inhibit the individual's health, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties. Individuals in public indoor settings must follow the face covering requirements in **Executive Order D 2020 138**.

g. Operators, organizers or employers must implement employee screening protocols for all employees as described in Section II.I.1.g of this Order, and exclude ill or symptomatic individuals.

h. Operators and organizers must manage the event or activity to comply with the capacity limits per activity at all times, and further manage traffic flow between designated activities to minimize or eliminate mixing of groups including the use of single direction traffic flow in and out of the venue and seating area.

i. Food sold in these settings must follow the Restaurant requirements.

j. Ventilation in an indoor venue must meet OSHA guidance.

k. Indoor market and mall operators must follow the indoor event requirements and guidance, outdoor market operators must follow the outdoor event requirements and guidance. Individual vendors in these settings must follow the Retail requirements and guidelines.

l. Drive-in events such as theaters or fireworks displays are authorized to operate above the 10 person gathering limit so long as participants remain in their vehicles unless seeking minimal services, the vehicles remain a minimum of 6 feet apart, and only minimal common services are available such as concessions and restrooms.

5. Effective June 30, 2020, professional sports may resume pre-season practices, training and league play after they submit a reopening plan that details their disease prevention and mitigation strategies to the Colorado Department of Public Health and Environment and receive approval. Many professional leagues have created their own reopening requirements and guidance, and professional teams are expected at a minimum to incorporate those requirements into their reopening plans. Colorado sporting events that include both a professional event and a recreational event must have their professional opening plan reviewed and approved by the Colorado Department of Public Health and Environment. Any recreational sporting events must follow the personal recreation requirements contained in Section I.H.2 and any guidance found here.

J. Due to ongoing concerns regarding disease transmission in larger groups settings that could result in disease outbreaks, the following activities are not authorized to occur:

1. Gatherings or events of more than 10 people that are not otherwise authorized in this Order; and
2. Sporting events except for recreational sports leagues as authorized in Section I.H.2.c of this Order.

K. Life rites, such as wedding ceremonies, graduation ceremonies and funerals, and other religious rites are authorized at 50% capacity not to exceed 50 people indoors, with strict compliance with **Social Distancing Requirements** for employees and any attendees of services. Effective June 18, 2020, extra large venues hosting life rites may operate up to 100 people indoors within their usable space calculated using the Social Distancing Space Calculator. For outdoor rites, individuals must maintain 6 feet distance between non-household members and work with the appropriate local authority to obtain approval for the maximum number of individuals who may attend in the designated outdoor space. Only the ceremony or rite itself is included in this authorization, receptions or parties associated with life rites are not included in this authorization. Life rites should follow the guidance for houses of worship found here.

II. Business Requirements

Any business or activity not addressed in **Executive Order D 2020 091** as amended by **Executive Order 2020 123,** this Order or corresponding interpretive guidance found here may operate with 10 or fewer individuals per room in accordance with the requirements in Section II.I of this Order.

A. The following places of public accommodation remain closed to ingress, egress, use, and occupancy by members of the public:

1. Establishments primarily based on smoking, such as cigar bars, hookah bars, and cannabis social use licensees; and
2. Casinos, amusement parks, arcades, and the use of bounce houses and ball pits in any public or commercial venue.

B. All **Critical Businesses** and **Critical Government Functions**, as defined in Section III below, may continue to operate. **Critical Businesses** must comply with **Social Distancing Requirements** at all times, adopt work from home or tele-work policies for any operations that can be done remotely, and implement other strategies, such as staggered schedules or re-designing workplaces, to create more distance between workers unless doing so would make it impossible to carry out critical functions. **Critical Businesses** that serve the public such as grocery stores and other **Critical Retail** shall comply with **Social Distancing**

Requirements at all times including, but not limited to, when any customers are standing in line. **Critical Business** and **Critical Government Functions** shall continue to promote telecommuting to the greatest extent possible.

C. All places of public accommodation subject to Public Health Order 20-22, as amended, that offer food and beverages may continue to offer food and beverage using delivery service, window service, walk-up service, drive-through service, drive-up service, curbside delivery or any manner set forth in that PHO and in accordance with mandatory **Social Distancing Requirements**, except as prohibited or limited by **Executive Orders D 2020 091** as amended by **Executive Order 2020 123** or this Order. These entities include restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage for on-premises consumption as or from a licensed retail food establishment, referred to in this Order as **Restaurants**; and bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation serving alcoholic beverages and, if serving food, only snacks and not kitchen-prepared meals, referred to in this Order as **Bars**.

1. Effective May 27, 2020, Restaurants may open to in-person dining at 50% of the indoor posted occupancy code limit, not to exceed 50 patrons, whichever is less. Effective June 18, 2020, extra large Restaurants may expand to no more than 100 patrons indoors, per room, within their usable space calculated using the Social Distancing Space Calculator. Tables or groups must be limited to no more than 8 people and be spaced so that patrons are a minimum of 6 feet apart. Restaurants may also use any existing, licensed outdoor space for in-person dining with the same group limit of 8 and minimum spacing of 6 feet apart. Restaurants must have or obtain approval from their local government's permitting, building and fire code oversight agency for any new outdoor dining space prior to use. Additional requirements for Restaurants are contained in **Appendix I.**

2. Effective June 18, 2020, bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption, referred to as **Bars**, may operate with the lesser of 25% of the posted occupancy limit or 50 patrons, whichever is less, per room. If the establishment also ensures access to food from a licensed retail food establishment for on-premise consumption, it may operate at the lesser of 50% of the posted occupancy limit or no more than 50 patrons indoors, per room, within their usable space calculated using the Social Distancing Space Calculator. Extra large establishments may expand to no more than 100 patrons indoors, per room, within their usable space calculated using the Social Distancing Space Calculator. All establishments shall follow the Restaurant requirements contained in Appendix I.

3. Effective July 1, 2020, paragraph 2 in this Section II.C is rescinded, and only **Bars** that offer food from a licensed retail food establishment for on-premise consumption

and follow the **Restaurant** requirements in Appendix I of this Order, including seating all patrons at tables a minimum of 6 feet apart, may operate up to 50% of the posted occupancy limit or 50 patrons indoors, whichever is less, per room. Extra large establishments may expand to no more than 100 patrons indoors within their usable space calculated using the Social Distancing Space Calculator. All other **Bars** are closed to ingress, egress, use, and occupancy by members of the public, but may offer alcoholic beverages with food service offered through delivery service, window service, walk-up service, drive-through service, drive-up service, curbside delivery or any manner set forth in that PHO and in accordance with mandatory **Social Distancing Requirements.**

4. Effective July 23, 2020, pursuant to **Executive Order D 2020 142**, all licensees contained in Articles 3,4, and 5 of Title 44 of the Colorado Revised Statutes must cease alcohol beverage sales to end consumers at 10:00 P.M. MDT each day.

D. All **Non-Critical Retail,** as defined in Section III below**,** may operate and offer goods through delivery service, window service, walk-up service, drive-through service, drive-up service, curbside delivery, or any other manner allowing for strict compliance with mandatory social distancing requirements, similar to the requirements for **Critical Retail.** Additional requirements for **Critical** and **Non-Critical Retail** are contained in **Appendix A** of this Order.

E. All **Field Services**, including real estate, may resume operations, in accordance with the requirements of this Order including **Appendix B**. Real estate includes in-person real estate showings and marketing services which must adhere to **Social Distancing Requirements** with cleaning and disinfection between each showing. Open houses must follow the Indoor Event requirements in Section I.H.4 of this Order.

F. Other health care services not covered by **Executive Order 20 045 Voluntary or Elective Surgeries Or Procedures** and extended by **Executive Orders D 2020 080**, **D 2020 114** and **D 2020 145,** in certain limited healthcare settings may resume if done in accordance with the requirements of **Appendix E**.

G. Effective May 1, 2020, **Non-Critical Retail** and limited **Personal Services** may resume in-person services if they meet the requirements in Section II.I below and the additional requirements outlined for these services in **Appendices A** and **D** of this Order.

H. Effective May 4, 2020, the following businesses may reopen in accordance with the requirements of this Order:

1. **Non-Critical Office-Based Businesses** operating in an office and not a production environment, as defined in Section III below, may allow up to fifty (50) percent of their employees to conduct in-person work that takes place outside a private

residence in accordance with the requirements in Section II.I below and the additional requirements outlined in **Appendix C**.

2. **Non-Critical Manufacturing** operating in a production environment with no more than ten (10) employees that comply with the requirements in Section II.I below and the additional requirements in **Appendix H**. Effective June 18, 2020, **Non-Critical Manufacturing** may operate at 50% capacity not to exceed 50 employees per room.

I. All Business and Government Functions. All Businesses and Government Functions shall all follow the protocols below:

1. Employers and sole proprietors shall take all of the following measures within the workplace to minimize disease transmission, in accord with the CDPHE Guidance:

a. deputize a workplace coordinator(s) charged with addressing COVID-19 issues;

b. maintain 6 foot separation between employees and discourage shared spaces;

c. clean and disinfect all high touch areas;

d. post signage for employees and customers on good hygiene;

e. ensure proper ventilation;

f. avoid gatherings (meetings, waiting rooms, etc) of more than 10 people or provide sufficient spaces where appropriate distancing can be maintained if larger gatherings are required by law, such as for some government functions like trials;

g. implement symptom monitoring protocols, conduct daily temperature checks and monitor symptoms in employees at the worksite to the greatest extent possible, or if not practicable, through employee self-assessment at home prior to coming to the worksite. A sample form can be found here. If an employee reports any symptoms, refer symptomatic employees to the CDPHE Symptom Tracker and take all of the following steps:

1. send employee home immediately;

2. increase cleaning in your facility and require social distancing of staff at least 6 feet apart from one another;

3. exclude employee until they are released from isolation by public health. In most cases, someone is released from isolation when they are fever-free, without medication, for 24 hours, other symptoms have improved and 10 days have passed since their first symptom. A limited number of people with severe illness may require longer isolation; and

4. if two or more employees have these symptoms, consult CDPHE's outbreak guidance, contact your local health department and cooperate in any disease outbreak investigations; and

h. eliminate or regularly clean and disinfect any items in common spaces, such as break rooms, that are shared between individuals, such as condiments, coffee makers, vending machines.

2. Employers shall take all of the following measures regarding employees to minimize disease transmission:

a. require employees to stay home when showing any symptoms or signs of sickness, which include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, and diarrhea and connect employees to company or state benefits providers;

b. provide work accommodations for people who are at risk of severe illness from COVID-19 who remain subject to **Stay at Home** advisement, prioritizing telecommuting, as people who are at risk for severe illness from COVID-19 shall not be compelled to go to work during the pendency of this pandemic emergency;

c. provide to the greatest extent possible flexible or remote scheduling for employees who may have child or elder care obligations, or who live with a person who still needs to observe **Stay at Home** due to underlying condition, age, or other factor;

d. encourage and enable remote work whenever possible;

e. encourage breaks to wash hands or use hand sanitizer;

f. phase shift and breaks to reduce density; and

g. provide appropriate protective gear like gloves, masks, and face coverings as defined by OSHA industry standards and require face coverings for all employees in public indoor spaces pursuant to **Executive Order D 2020 138**.

3. Employers and sole proprietors shall implement the following measures regarding customers to minimize disease transmission:

a. create whenever possible special hours for people who are at risk of severe illness from COVID-19 only;

b. encourage 6 foot distancing inside of the business for all patrons;

c. encourage customer use of protection like gloves and face coverings and require face coverings for all customers in public indoor

spaces pursuant to **Executive Order D 2020 138**;

d. provide hand sanitizer at the entrances to the greatest extent possible; and

e. use contactless payment solutions, no touch trash cans, etc. whenever possible.

4. Employers with over fifty (50) employees in any one location shall, in addition to the above requirements, implement the following protocols:

a. implement employee screening systems that follow the requirements of Section II.I.1.g above in one of the following ways:

i. Set up stations at the worksite for symptom screening and temperature checks; or

ii. Create a business policy that requires at-home employee self-screening each work day and reporting of the results to the employer prior to entering the worksite;

b. close common areas to disallow gatherings of employees;

c. implement mandatory cleaning and disinfection protocols; and

d. require mandatory adherence to **Social Distancing Requirements**.

J. Work Accommodations. Employers must provide reasonable work accommodations for people who are at risk of severe illness from COVID-19 who are still under the **Stay at Home** advisement, such as telecommuting. Employers are encouraged to provide reasonable work accommodations for individuals who reside with or are caring for people who are at risk of severe illness from COVID-19, or facing child care needs while schools remain closed.

K. Children's Day Camps, Residential Camps and Youth Sports Camps.

1. Effective June 1, 2020, children's day camps, youth sports camps and exempt single skill-building youth camps may open in accordance with the requirements in **Appendix J** of this Order.

2. Effective June 18, 2020, residential camps may operate with groups of 10 indoors and 25 outdoors, and must follow the requirements of **Appendix J** of this Order.

L. Specific Industry Requirements. Additional requirements for specific industries are included in the following Appendices to this Order:

1. **Appendix A:** Critical and Non-Critical Retail Requirements
2. **Appendix B:** Field Services
3. **Appendix C:** Non-Critical Office-Based Businesses
4. **Appendix D:** Personal Services

5. **Appendix E:** Limited Healthcare Settings
6. **Appendix H:** Non-Critical Manufacturing
7. **Appendix I:** Restaurants
8. **Appendix J:** Children's Day Camps, Residential Camps, Youth Sports Day Camps and Exempt Single Skill-Building Youth Camps
9. **Appendix K:** Outdoor Recreation

M. Houses of Worship. Houses of worship are encouraged to implement electronic platforms to conduct services whenever possible or to conduct more frequent services of 10 people or less to allow for compliance with **Social Distancing Requirements**. Effective June 4, 2020, houses of worship may open to 50% of the posted occupancy limit indoors not to exceed 50 people, whichever is less, per room, while meeting the 6 feet distancing requirements in every direction between non-household members. Effective June 18, 2020, extra large houses of worship may operate up to 100 people indoors, per room, within their usable space calculated using the Social Distancing Space Calculator. For outdoor worship services, a house of worship must maintain 6 feet distance between non-household members and work with the appropriate local authority to obtain approval for the maximum number of individuals who may attend in the designated outdoor space. In addition to meeting the requirements of Section II.I of this Order, houses of worship shall also meet the following requirements:

1. Face coverings are required pursuant to **Executive Order D 2020 138** for all individuals in public indoor settings, including houses of worship, and are encouraged for all individuals participating in outdoor worship services, unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is participating in one of the activities described in Section II.M of **Executive Order D 2020 138**.
2. Houses of worship should follow the Colorado Department of Health and Environment Cleaning Guidance, as well as the CDC guidelines for Cleaning and Disinfecting Your Facility in preparing their buildings prior to, during, and following any gathering. Restrooms and the worship space, particularly any metal or plastic on chairs, and all high touch surfaces or shared objects must be cleaned and disinfected between services.

III. Definitions

A. Necessary Activities. For purposes of this PHO, individuals are encouraged to only leave their Residence to perform any of the following **Necessary Activities**, provided they comply at all times and to the greatest extent possible with **Social Distancing Requirements** below. People at risk of severe illness from COVID-19 are urged not to leave their residence except as necessary to receive medical care. People who are sick must not leave their residence except as necessary to receive medical care, and must not go to work, even for a **Critical Business**. **Necessary Activities** include:

1. Engaging in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members, including, but not limited to, pets and livestock, such as, by way of example only and without limitation, obtaining medical supplies, walking your dog, feeding barnyard animals, obtaining durable medical equipment, obtaining medication, visiting a healthcare professional, or obtaining supplies they need to work from home.
2. Obtaining necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, food, pet supply, other household consumer products, and products or equipment necessary to maintain the safety, sanitation, and essential operation of a Residence.
3. Engaging in outdoor activity, such as, by way of example and without limitation, walking, hiking, nordic skiing, snowshoeing, biking or running. For purposes of outdoor activity, State parks will remain open to the public who live in the vicinity to engage in walking, hiking, biking, running, camping and similar outdoor activities, basketball and tennis courts may be open for use. For other parks, check with the local jurisdiction and follow any requirements for that jurisdiction. For ski resorts, the local public health agency must approve the ski resort's plan prior to opening. Additionally, the permitted outdoor activities in this PHO do not include activities that would violate the **Social Distancing Requirement**s defined in Section III, below.
4. Performing work providing for businesses, government entities, and industries authorized Section II of this Order, or to otherwise carry out activities permitted in this Order.
5. Caring for a family member, a vulnerable person, or pet in another household, or to care for livestock kept at a location other than an individual's home.

B. Necessary Travel. For purposes of this Order, travel is Necessary for any of the following purposes: (1) providing or accessing **Necessary Activities**, **Minimum Basic Operations**, **Critical Government Functions**, and **Critical Businesses,** and other businesses or industries authorized in Section II of this Order; (2) receiving materials for distance learning, for receiving meals, and any other related services from educational institutions; (3) returning to a place of residence from outside the jurisdiction; (4) travel required by law enforcement or court order; (5) travel to transport children between separate households pursuant to a parenting plan or other agreement governing parental responsibilities; (6) non-residents returning to their place of residence**;** (7) moving to a new residence**,** including individuals whose Residence is unsafe due to domestic violence concerns.

C. Critical Business. Any business, including any for profit or non-profit, regardless of its corporate structure, engaged primarily in any of the commercial, manufacturing, or service activities listed in **Appendix F**, must continue to comply with the guidance and directives for maintaining a clean and safe work environment issued by the Colorado Department of Public Health and Environment (CDPHE) and any applicable local health department. **Critical Businesses** must comply with **Social Distancing Requirements** and all PHOs currently in effect to the greatest extent possible and will be held accountable for doing so. A list of Critical Businesses is contained in **Appendix F** to this Order.

D. Critical Government Functions. The provision, operation and support of the following state and local government functions shall continue:

1. Public safety (police stations, fire and rescue stations, correctional institutions, emergency vehicle and equipment storage, and, emergency operation centers)
2. Emergency response
3. Judicial branch operations including state and municipal courts, including attorneys, experts, witnesses, parties, and any personnel necessary for trials, court appearances, or other court business. The Judicial branch is encouraged to make remote participation available to the greatest extent possible.
4. The Colorado General Assembly, legislative bodies of municipal governments, and executive branch functions
5. Emergency medical (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctors offices, and non-urgent care medical structures that do not provide these functions)
6. Designated emergency shelters
7. Communications (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems, but excluding towers, poles, lines, cables, and conduits)
8. Public utility plant facilities for generation and distribution (drinking water and wastewater infrastructure, hubs, treatment plants, substations and pumping stations for power and gas, but not including towers, poles, power lines, and oil and gas buried pipelines)
9. Transportation. All public and private airports, airlines, taxis, transportation network companies (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for **Necessary Activities**

10. Transportation infrastructure (aviation control towers, air traffic control centers, and emergency equipment aircraft hangars), critical road construction and maintenance

11. Hazardous material safety

12. Services to at-risk populations and people who are at risk of severe illness from COVID-19

13. Activities related to federal, state, and local elections, including any required acts of a political party, provided **Social Distancing Requirements** are observed to the greatest extent possible

14. Any government service, state or local, required for the public health and safety, government functionality, or vital to restoring normal services

15. Election operations, including but not limited to election judges, signature gatherers/circulators, campaign workers and volunteers

E. **Field Services** means a service that is being provided out in the field as opposed to a company property, including third party private properties, such as a third party household.

F. **Gym** means a building or room used for indoor sports or exercise, such as fitness, dance, exercise or group classes, exercise studios and centers, recreation centers, bowling alleys, pools, and other indoor athletic facilities.

G. **Horse track** means a licensed race track, which is any premises licensed pursuant to this Article 32 of Title 44 of the Colorado Revised Statutes for the conduct of racing. Sections 44-32-102(2)(a), (2)(b), (3), (8) & (24), C.R.S.

H. **Minimum Basic Operations**. The minimum necessary activities to (1) maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions; or (2) facilitate employees of the business being able to continue to work remotely from their residences are allowable pursuant to this Order; continue filling online product orders and to process customer orders remotely. Any business supporting **Minimum Basic Operations** must comply at all times with **Social Distancing Requirements**.

I. **Non-Critical Office-Based Business** means any commercial business that is conducted in an office and not a production environment and is not included in the list of **Critical Businesses** in **Appendix F**.

J. **Non-Critical Retail** means any retail service that is not included in the list of critical retail services in **Appendix F**. Examples of **Non-Critical Retail** include retailers of clothing, home goods, cell phone stores, mattresses, appliances, thrift shops, apothecaries, vape

and tobacco shops, craft, hobby and fabric stores, fishing tackle retailers, sporting goods, boutiques, etc.

K. Limited Healthcare Settings means those locations where certain healthcare services are provided, including acupuncture (not related to personal services), athletic training (not related to personal services), audiology services, services by hearing aid providers, chiropractic care, massage therapy (not related to personal services), naturopathic care, occupational therapy services, physical therapy, and speech language pathology services. These individual services may only be performed with 50 or fewer people in a common business space at a maximum of 50% occupancy for the location, whichever is less, including both employees and patients, e.g. 5 chiropractors providing services to 5 customers, with **Social Distancing Requirements** in place of 6 feet distancing between customers receiving services. Employees must wear medical grade masks at all times, and patients must wear at least a cloth face covering at all times, unless the individual cannot medically tolerate a face covering, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties, or if the service provided requires removal of the customer's face covering. Services provided in **Limited Healthcare Settings** that are ordered by a medical, dental or veterinary practitioner, are subject to the requirements of Reference PHO 20-29; otherwise, the services are subject to the requirements of PHO 20-28.

L. Personal Services means services and products that are not necessary to maintain an individual's health or safety, or the sanitation or essential operation of a business or residence. **Personal Services** include, but are not limited to, pastoral services except as specified in **Appendix F**, personal training, dog grooming, or body art and also applies to noncritical professionals regulated by the Division of Professions and Occupations, within the Department of Regulatory Agencies (DORA) including but not limited to services provided by personal beauty professionals such as hairstylists, barbers, cosmetologists, estheticians, nail technicians, as well as massage therapists, whose work requires these professionals to be less than six feet from the person for whom the services are being provided. Massage therapy services ordered by a healthcare professional should consult **Executive Order D 2020 027.** These individual services may only be performed with 10 or fewer people in a common business space at a maximum of 50% occupancy for the location, whichever is less, including both employees and customers, e.g. 5 hairstylists providing services to 5 customers, with **Social Distancing Requirements** of at least 6 feet distancing between different customers receiving services. Both employees and customers must wear at least a cloth face covering or a medical grade mask at all times, unless the individual cannot medically tolerate a face covering, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties, or if the service provided requires removal of the customer's face covering.

1. Effective June 4, 2020, individual personal services may be performed at 50% of the posted occupancy limit not to exceed 50 people in a common business space.

M. "Safer at Home" means individuals stay in your place of residence as much as possible, and avoid unnecessary social interactions.

N. Social Distancing Requirements. To reduce the risk of disease transmission, individuals shall maintain at least a six-foot distance from other individuals, wash hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, cover coughs or sneezes (into the sleeve or elbow, not hands), regularly clean high-touch surfaces, and not shake hands.

O. Stay at Home means to stay in your place of residence, which includes hotels, motels, and shared rental facilities, and not leave unless necessary to provide, support, perform, or operate **Necessary Activities, Minimum Basic Operations, Critical Government Functions, and Critical Businesses**.

P. "**Vulnerable Individual**", also known as an individual at risk of severe illness from COVID-19, means:

1. Individuals who are 65 years and older;
2. Individuals with chronic lung disease or moderate to severe asthma;
3. Individuals who have serious heart conditions;
4. Individuals who are immunocompromised;
5. Pregnant women; and
6. Individuals determined to be high risk by a licensed healthcare provider.

IV. Postsecondary Institutions. Programs and courses at postsecondary institutions may resume in-person classes at 50% of the occupancy limit not to exceed 50 people per room. If the room is extra large, the institution may allow up to 100 people indoors, per room, within their usable space calculated using the Social Distancing Space Calculator. Institutions that wish to resume providing in-person instruction must inform the Colorado Department of Higher Education, ensure that **Social Distancing Requirements** are strictly followed, and consult the Colorado Department of Higher Education's guidelines for further information. Institutions must follow the requirements for indoor events listed in Section I.H.4 of this Order.

V. Variance Requests. Any Colorado county may request a variance from the Colorado Department of Public Health and Environment authorizing implementation of an alternative COVID-19 suppression plan that differs from part or all the requirements of **Executive Order D 2020 091** as amended by **Executive Order D 2020 123** and **Executive Order D 2020 142** or this Order. The variance request must include an alternative COVID-19 suppression plan endorsed by the local public health agency and adopted by the county commissioners or other county-level governing body, in addition to verification from local hospitals that they have the capacity to serve all people needing their care. Further guidance on variance requests is contained in **Appendix G**.

VI. Enforcement

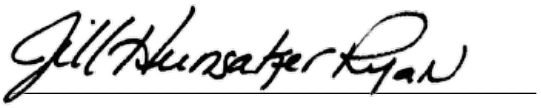
This Order will be enforced by all appropriate legal means. Local authorities are encouraged to determine the best course of action to encourage maximum compliance. Failure to comply with this order could result in penalties, including jail time, and fines, and may also be subject to discipline on a professional license based upon the applicable practice act.

VII. Severability

If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the reminder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

VIII. Duration

This Order shall become effective on Tuesday July 30, 2020 and will expire 30 days from July 21, 2020, unless extended, rescinded, superseded, or amended in writing.



Jill Hunsaker Ryan, MPH
Executive Director

July 30, 2020
Date

Appendix A. Critical and Non-Critical Retail Requirements
Appendix B. Field Services
Appendix C: Non-Critical Office-Based Businesses
Appendix D: Personal Services

Appendix E: Limited Healthcare Settings
Appendix F: Critical Businesses List
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Appendix H: Non-Critical Manufacturing
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Appendix J: Children's Day Camps, Residential Camps, Youth Sports Day Camps And Exempt Single Skill-Building Youth Camps
Appendix K: Outdoor Recreation

APPENDIX A. CRITICAL AND NON-CRITICAL RETAIL REQUIREMENTS

I. Effective April 27, 2020, in addition to meeting the requirements of this Order, and specifically Section II.I, **Non-Critical Retail** may operate and offer goods through delivery service, window service, walk-up service, drive-through service, drive-up service, curbside delivery, or any other manner allowing for strict compliance with mandatory **Social Distancing Requirements**, except as prohibited or limited by this Order. Restricting interactions to curbside pick-up or delivery minimizes touch. **Non-Critical Retailers** are encouraged to continue curbside pick-up or delivery for longer term service wherever possible. **Critical** and **Non-Critical Retailers** must implement the requirements in Section II.I, in addition to the specific requirements in this Appendix. Indoor malls are addressed separately in Section III of this **Appendix**.

A. **Critical** and **Non-Critical Retail** must implement the following measures within the workplace to minimize disease transmission:

1. Elevate and increase frequency of cleaning practices, including cleaning and disinfection of high touch areas.
2. Restrict return policy to only items that can be properly sanitized prior to re-selling.
3. Post signage for employees and customers on good hygiene and other sanitation practices.

B. **Critical** and **Non-Critical Retail** must implement the following measures regarding employees to minimize disease transmission:

1. Provide guidance and encouragement on maintaining 6 foot distancing between both employees and employees and customers.
2. Provide appropriate face coverings and gloves to all employees whenever possible, and also allow employees who can to provide their own appropriate face coverings and gloves for work activities. Pursuant to **Executive Order D 2020 138**, face coverings are required in public indoor spaces unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of activities listed in Section II.M of **Executive Order D 2020 138**.
3. Encourage frequent breaks to allow employees to wash or sanitize their hands.

4. Require employees to stay home when showing any symptoms or signs of sickness.
5. Provide personal protective equipment (PPE) for employees who are managing deliveries, returns, etc.

C. Employers must implement the following measures regarding customers to minimize disease transmission:

1. Require 6 foot distancing measures wherever possible, such as marked space in pick up lines, and
2. Require face coverings for all customers in public indoor spaces unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of activities listed in Section II.M of **Executive Order D 2020 138.**

II. Effective May 1, 2020, **Non-Critical Retail** may open at fifty percent (50%) capacity for in-person services if the business can demonstrate compliance with all of the following requirements:

A. **Critical** and **Non-Critical Retail** must continue implementing the measures within the workplace listed in Section I.A of this **Appendix A**, and in addition:

1. maintain 6 foot distancing between patrons and employees;
2. effectively symptom monitor employees as listed in Section II.I;
3. provide face coverings, and gloves as necessary and appropriate, to employees;
4. ensure ability to adequately clean and disinfect both back-room and retail spaces; and
5. provide dedicated, in-store hours for vulnerable or at-risk individuals.

B. **Critical** and **Non-Critical Retail** must implement the measures regarding employees listed in Section I.B of this **Appendix A**.

C. **Critical** and **Non-Critical Retail** must implement the measures to minimize disease transmission for customers listed in Section I.C of this **Appendix A** in addition to the following measures:

1. limit the number of customers on the premises as needed to make 6 foot distancing between customers attainable;
2. provide decals and demarcation for waiting area in lines that meet social distancing criteria;

3. create signage encouraging vulnerable and at-risk individuals to refrain from shopping outside of dedicated hours set aside for those who are more vulnerable or at-risk;
4. create signage to encourage the use of masks and gloves by customers while on the premises; and
5. provide hand sanitizer and wipes at entrances and other high-traffic locations to the greatest extent possible.

III. Retail Markets and Malls. Indoor and outdoor market operators and indoor mall operators shall follow the indoor or outdoor event guidance, as appropriate. Individual vendors operating within these venues must follow the **Retail** requirements.

APPENDIX B: FIELD SERVICES

I. Effective April 27, 2020, **Field Services** may resume if the business can demonstrate compliance with the requirements in Section II.I of this Order, in addition to the following requirements specific to **Field Services**:

A. Employers must implement the following measures regarding employees to minimize disease transmission:

1. adhere to all general rules or guidance on social gathering limitations when working out of the office;
2. implement procedures for field-based employees to monitor for symptoms and report-in to management daily on health status.
3. comply with the **Social Distancing Requirements** and maintain a 6 foot distance between employees and from their customers;
4. provide gloves and masks for any customer interactions or work being done in third-party home, office spaces, or other public indoor spaces;
5. When scheduling or conducting field services, either the employer or an employee must inquire whether third-party homes have individuals symptomatic for COVID-19 or have been in contact with known positive cases, and exercise caution when inside the home and interacting with anyone in the home if they do;
6. maintain a detailed log of customer interactions to enable contact tracing if it becomes necessary. The log should include name, date, and location of contact, as well as the contact's phone number and/or email address;
7. require that all tools or equipment be sanitized after each customer visit;.
8. prioritize work accommodations for individuals at risk of severe illness from COVID-19, prioritizing telecommuting;
9. provide guidance and encouragement on personal sanitation, including frequently washing hands. This guidance should include all of the following:
    a. frequently and thoroughly wash your hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer with at least 60% alcohol;
    b. cover coughs and sneezes with a tissue, then throw the tissue in the trash, or use your inner elbow or sleeve;
    c. avoid touching your eyes, nose, and mouth with unwashed hands;
    d. stay home if you're sick, and keep your children home if they are sick; and

e. clean high touch surfaces in your home, and personal items such as cell phones, using regular household products; and

10. real estate open houses must follow the indoor events requirements in Section I.H.4 of this Order.

B. Employers must implement the following measures regarding customers to minimize disease transmission:

1. provide estimates, invoices, receipts, and other documentation electronically to negate the need for paper;
2. provide contactless payment options in the field whenever possible;
3. encourage customers to maintain 6 foot distancing from field service employees; and
4. encourage customers to use facial coverings when field services are being conducted and pursuant to **Executive Order D 2020 138** require face coverings if the services are provided in a public indoor space unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of activities listed in Section II.M of **Executive Order D 2020 138**.

APPENDIX C: NON-CRITICAL OFFICE-BASED BUSINESSES

I. Effective May 4, 2020, **Non-Critical Office-based Businesses** may resume at fifty percent (50%) of their in-office occupancy if the business can demonstrate compliance with the requirements of this Order, including Section II.I, and all of the following:

A. Employers must implement the following measures within the workplace to minimize disease transmission:

1. ensure a minimum of 6 feet of space between all desks and workspaces;
2. modify the flow of people traffic to minimize contacts, such as identifying doors for entry or exit only;
3. conduct standard office cleaning with increased frequency and supplement with sanitization of high touch areas, in accord with CDPHE guidelines;
4. provide employees with cleaning and disinfecting products and guidance on daily workspace cleaning routines; and
5. post signage for employees and customers on good hygiene and new office practices.

B. Employers must implement the following measures regarding employees to minimize disease transmission:

1. maintain in-office occupancy at no more than 50% of total by maximizing use of telecommuting and developing in-office rotation schedules;
2. minimize the number of in-person meetings and maintain 6 foot distancing in those meetings;
3. provide guidance and encouragement on maintaining 6 foot distancing and taking breaks to wash hands;
4. pursuant to **Executive Order D 2020 138**, require face coverings for all employees, volunteers, and vendors in public indoor spaces unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of activities listed in Section II.M of **Executive Order D 2020 138**;
5. require gloves and masks for any customer interactions; and
6. allow telecommuting to the greatest extent possible.

C. Employers must implement the following measures regarding customers to minimize disease transmission:

1. require 6 foot distancing measures wherever possible, such as marked space in check-out lines;

2. pursuant to **Executive Order D 2020 138**, require face coverings for all customers in public indoor spaces unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of activities listed in Section II.M of **Executive Order D 2020 138**;
3. provide hand sanitizer at entrances and other high-traffic locations; and
4. implement hours where service is only provided to individuals at risk of severe illness from COVID-19 if possible.

APPENDIX D: PERSONAL SERVICES

I. Effective May 1, 2020, **Personal Services** may resume if the business can demonstrate compliance with the requirements of this Order, including Section II.I, and all of the following:

A. Employers and sole proprietors must implement the following measures within the workplace to minimize disease transmission:

1. Employ strict hygiene guidelines and cleaning and disinfection procedures for all contact surfaces and tools, in accordance with CDPHE Worker and Customer Protection Guidelines for Non-Healthcare Industries;
2. Ensure a minimum of 6 feet of separation between clients and customers, including services for pets, when not directly performing service;
3. Post signage for employees and customers on good hygiene and safety measures being taken;
4. Minimize in-home and in-facility services with remote alternatives whenever possible, such as drive-by services or virtual meetings; and
5. Through June 3, 2020, limit individuals, including employees and customers, to no more than 10 people in a common business space at a maximum of 50% occupancy. Effective June 4, 2020, limit individuals including employees and customers, to no more than 50 people in a common business space at a maximum of 50% occupancy. All businesses offering services through employees or lessees in individual rooms must comply with the requirements of this Order for each room.

B. Employers must implement the following measures regarding employees to minimize disease transmission:

1. Services with close personal contact, such as beauty professionals, massage, etc., must implement the following:
   a. wear a face covering and gloves at all times, or, if wearing gloves is not feasible or appropriate, meticulous hand washing;
   c. change gloves and wash hands between every individual or pet served;
   d. clean and disinfect all shared equipment and tools between every individual or pet served; and
   e. maintain a detailed log of customer interactions to enable contact tracing if it becomes necessary. The log should include name, date, details

of services performed, and location of contact, as well as the contact's phone number and/or email address.

f. As of June 18, 2020, for services where the client cannot wear a mask (facials, beard trims, etc.), the employee or practitioner is strongly encouraged to wear a medical-grade mask whenever possible, and must wear a face shield in addition to their mask.

2. Personal services with low personal contact, such as movers or repair services, must implement the following:

a. maintain a minimum of 6 feet of separation between customers and adhere to social gathering limits of no more than 10 people;

b. require face coverings and, if feasible, gloves for any customer interactions; and

c. provide guidance on strict hygiene precautions to employees.

C. Personal Services must implement the following measures regarding customers to minimize disease transmission:

1. provide customer services by appointment only, do not allow walk-ins or waiting for an appointment, and limit all group classes of any kind for individuals or for pets, pet training classes, or other activities associated with picking up pets to no more than 10 customers at a time and all following **Social Distancing Requirements**;

2. require customers to wear face coverings, except

a. for personal training in a pool,

b. if the service being performed requires the removal of a mask (e.g. a facial, lip waxing or beard trim), or

c. where the individual cannot medically tolerate a face covering, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties; and

d. if a customer does not have a mask, a "disposable mask" could be provided;

3. conduct symptoms check for all customers of services with close personal contact and decline to provide services to anyone who has symptoms. A sample form can be found here; and

4. provide contactless payment options whenever possible.

APPENDIX E: LIMITED HEALTHCARE SETTINGS

I. Effective April 27, 2020, **Limited Healthcare Settings** may resume if the healthcare entity can demonstrate compliance with the requirements of this Order, including Section II.I and may restart voluntary and elective surgeries and procedures in limited healthcare facilities and offices with required personal protective equipment (PPE) in accord with the priorities, requirements, and specific criteria below.

A. Employers and sole proprietors of **Limited Healthcare Settings** must implement the following measures within the overall workplace, including administrative and front office operations, to minimize disease transmission:
    1. The practice must have access to adequate PPE in order to sustain recommended PPE use for its workforce for two weeks without the need for emergency PPE-conserving measures. If a practice proposes to extend the use of or reuse PPE, it must follow CDC guidance.[1]
    2. The practice must implement strict infection control policies as recommended by the CDC.[2]
    3. The practice must ensure a minimum of 6 feet of separation between clients and patients, when not directly performing service, with no more than fifty (50) people in a common business space at a maximum of 50% occupancy, and all settings offering services in individuals rooms must comply with the requirements of this Order for each room.
    4. The practice must post signage for employees and patients on good hygiene and safety measures being taken.
    5. The practice must minimize in-home and in-facility services with remote alternatives whenever possible, such as drive-by services or virtual meetings.
    6. Practices must maintain a plan to reduce or stop voluntary and elective surgeries and procedures should a surge/resurgence of COVID-19 cases occur in their region.

B. Employers of **Limited Healthcare Settings** must implement the following measures regarding employees to minimize disease transmission:
    1. Services with close, direct personal contact must implement the following:
        a. wear medical grade mask and gloves at all times; however, acupuncturists may substitute good hand hygiene by thoroughly washing hands before

[1] https://www.cdc.gov/coronavirus/2019-ncov/hcp/ppe-strategy/index.html
[2] https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html

and after seeing each patient for the gloves if their licensing requirements and standards so allow;

b. change gloves and wash hands between every patient;
c. clean and disinfect all shared equipment and tools between every patient; and
d. maintain a detailed log of patient interactions to enable contact tracing if it becomes necessary. The log should include name, date, details of services performed, and location of contact, as well as the contact's phone number
e. As of June 18, 2020, for services where the client cannot wear a mask, the employee or practitioner must wear a face shield in addition to their mask.

2. Services with low personal contact must implement the following:
   a. maintain a minimum of six 6 feet of separation between customers and limit to no more than ten (10) people in a common business space at a maximum of 50% occupancy.
   b. require face coverings and, if feasible, gloves for any customer interactions; and
   c. provide guidance on strict hygiene precautions to employees.
3. The practice must require all administrative personnel to wear a facemask, that can be cloth if necessary, except where doing so would inhibit that individual's health, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties. In order to ensure staff can take off their masks for meals and breaks, scheduling and location for meals and breaks should ensure that at least a 6-foot distance can be maintained between staff when staff needs to remove their mask. It is important for healthcare settings to emphasize that hand hygiene is essential to maintaining employee safety, even if staff are wearing masks. If the facemask is touched, adjusted or removed, hand hygiene should be performed.

C. **Limited Healthcare Settings** must implement the following measures regarding customers to minimize disease transmission:
   1. The practice must provide services by appointment only, do not allow walk-ins or waiting for an appointment;
   2. The practice must require patients to wear face coverings; if a patient does not have a mask, a "disposable medical mask" could be provided;
   3. The practice must conduct symptom checks for all patients, decline to provide services to anyone who has symptoms, and refer them to their primary care physician. A sample form can be found here; and
   4. The practice must provide contactless payment options whenever possible;

5. The practice must follow social distancing protocols of maintaining at least a 6-foot distance between individuals wherever possible such as in waiting rooms and other small spaces, and should use physical barriers within patient care areas when possible.
6. The practice must appropriately schedule patients, so that providers have sufficient time to change PPE and ensure rooms and equipment can be cleaned and disinfected between each patient.
7. The practice should continue to maximize the use of telehealth and virtual office or clinic visits.
8. The practice should use virtual waiting rooms when possible, with patients who are able to wait in their cars not entering the office until they can be moved immediately to an exam room.
9. The practice should implement source control for everyone entering the office or clinic, including requiring all patients and visitors to wear a cloth mask when entering any healthcare building, and if they arrive without a mask, one should be provided.

D. As best practice, it is recommended that once voluntary and elective surgeries and procedures resume, **Limited Healthcare Settings** reassess their operations every two weeks, in order to ensure:

1. All of the above approaches and criteria are being met;
2. Procedures are prioritized based on whether their continued delay will have an adverse health outcome.
    a. Voluntary and elective surgeries and procedures should be prioritized based on indication and urgency[3];
3. Strong consideration is given to the balance of risks versus benefits for patients in higher-risk groups such as those over age 65 and those with compromised immune systems or lung and heart function;
4. All patients are pre-screened for COVID-19 risk factors and symptoms prior to delivering care, via telehealth when applicable; and
5. Compliance with the guidance and directives for maintaining a clean and safe work environment issued by the CDPHE and any applicable local health department for critical businesses is maintained, including compliance with **Social Distancing Requirements** and all PHOs currently in effect to the greatest extent possible.

[3] Urgent and emergent care should continue in accordance with OHA and CMS guidance.

APPENDIX F: CRITICAL BUSINESSES

Critical Business. Any business, including any for profit or non-profit, regardless of its corporate structure, engaged primarily in any of the commercial, manufacturing, or service activities listed below, may continue to operate as normal. **Critical Businesses** must comply with the guidance and directives for maintaining a clean and safe work environment issued by the Colorado Department of Public Health and Environment (CDPHE) and any applicable local health department. **Critical Businesses** must comply with **Social Distancing Requirements** and all PHOs currently in effect to the greatest extent possible and will be held accountable for doing so. **Critical Businesses** do NOT include health clubs as defined in C.R.S. § 6-1-102(4.6), fitness and exercise gyms, and similar facilities, or any of the other businesses required to close by PHO 20-22.

"**Critical Business**" means:

1. Healthcare Operations, Including:

- Hospitals, clinics, and walk-in health facilities
- Medical and dental care, including ambulatory providers
- Research and laboratory services
- Medical wholesale and distribution
- Home health care companies, workers and aides
- Pharmacies
- Pharmaceutical and biotechnology companies
- Behavioral health care providers
- Veterinary care and livestock services
- Nursing homes, residential health care, or congregate care facilities
- Medical supplies and equipment manufacturers and providers, including durable medical equipment technicians and suppliers
- Blood banks

2. Critical Infrastructure, Including:

- Utilities and electricity, including generation, transmission, distribution and fuel supply
- Road and railways

- Oil and gas extraction, production, refining, storage, transport and distribution
- Public water and wastewater
- Telecommunications and data centers
- Transportation and infrastructure necessary to support critical businesses
- Hotels, and other places of accommodation
- Businesses and organizations that provide food, shelter, social services, and other necessities of life for economically disadvantaged, persons with access and functional needs, or otherwise needy individuals
- Food and plant cultivation, including farming crops, livestock, food processing and manufacturing, animal feed and feed products, rendering, commodity sales, and any other work critical to the operation of any component of the food supply chain
- Any business that produces products critical or incidental to the construction or operation of the categories of products included in this subsection
- Flight schools

3. Critical Manufacturing, Including:

- Food processing, manufacturing agents, including all foods and beverages
- Chemicals
- Computers and computer components
- Medical equipment, components used in any medical device, supplies or instruments
- Pharmaceuticals
- Sanitary products
- Telecommunications
- Microelectronics/semiconductor
- Agriculture/farms
- Household paper products
- Any business that produces products critical or incidental to the processing, functioning, development, manufacture, packaging, or delivery of any of the categories of products included in this subsection
- Any manufacturing necessary to support a **Critical Business**

4. Critical Retail, Including:

- Grocery stores including all food and beverage stores

- Farm and produce stands
- Gas stations and convenience stores
- Restaurants and bars as authorized in **Appendix I** of this Order
- Marijuana dispensary (only for the sale of medical marijuana or curbside delivery pursuant to **Executive Order D 2020 011**)
- Liquor stores
- Firearms stores
- Hardware, farm supply, and building material stores
- Establishments engaged in the retail sale of food and any other household consumer products (such as cleaning and personal care products), excluding retailers of only health and nutrition-related products (vitamins, minerals, supplements, herbs, sports nutrition, diet and energy products)
- Establishments engaged in the sale of products that support working from home (this exclusion does not include businesses that primarily sell hobby craft supplies)

5. Critical Services, Including:

- Trash, compost, and recycling collection, processing and disposal
- Mail and shipping services, and locations that offer P.O. boxes
- Self-serve laundromats and garment and linen cleaning services for critical businesses
- Building cleaning and maintenance
- Child care services
- Automobile rental, automobile online sales with no touch delivery service, auto supply and repair (including retail dealerships that include repair and maintenance, but not in person retail sales)
- Warehouse/distribution and fulfillment, including freight distributors
- Funeral homes, crematoriums, and cemeteries may operate at 50% of the posted occupancy limit not to exceed 50 people, with strict compliance with **Social Distancing Requirements** for employees and any attendees of services
- In-person pastoral services for individuals who are in crisis or in need of end of life services provided social distancing is observed to the greatest extent possible.
- Houses of worship may operate as authorized in Section II.M of this Order
- Storage for **Critical Businesses**
- Animal shelters, animal boarding services, animal rescues, zoological facilities, animal sanctuaries, and other related facilities

- Moving services
- In person group counseling or recovery meetings for substance abuse or behavioral health following social distancing of 6 feet and no more than 10 participants

6. News Media

- Newspapers
- Television
- Radio
- Other media services

7. Financial and Professional Institutions, Including:

- Banks and credit unions
- Insurance and payroll
- Services related to financial markets
- Professional services, such as legal, title companies, or accounting services, real estate appraisals and transactions

8. Providers of Basic Necessities to Economically Disadvantaged Populations, Including:

- Homeless shelters and congregate care facilities
- Food banks
- Human services providers whose function includes the direct care of patients in State-licensed or funded voluntary programs; the care, protection, custody and oversight of individuals both in the community and in State-licensed residential facilities; those operating community shelters and other critical human services agencies providing direct care or support

9. Construction, Including but not Limited To:

- Housing and housing for low-income and vulnerable people
- Skilled trades such as electricians, plumbers
- Other related firms and professionals who provide services necessary to maintain the safety, sanitation, and critical operation of residences and other **Critical Businesses** or **Critical Government Functions**, and other essential services

10. Defense

- Defense, security, and intelligence-related operations supporting the State of Colorado, local government, the U.S. Government or a contractor for any of the foregoing
- Aerospace operations
- Military operations and personnel
- Defense suppliers

11. Critical Services Necessary to Maintain the Safety, Sanitation and Critical Operations of Residences or Other Critical Businesses, Including:

- Law enforcement
- Fire prevention and response
- Building code enforcement
- Security
- Emergency management and response
- Building cleaners or janitors
- General maintenance whether employed by the entity directly or a vendor (including maintenance and repair of ordinary household and business appliances but not in-person retail sales of such products)
- Automotive and bicycle repair
- Disinfection
- Snow removal
- Bail bonds agents
- Pest control

12. Vendors that Provide Critical Services or Products, Including Logistics and Technology Support, Child Care and Services:

- Logistics
- Technology support for online and telephone services
- Child care programs and services
- Government owned or leased buildings
- **Critical Government Functions**

13. Educational Institutions that Provide Critical Services to Students and the General Public:

- P-12 public school and private schools for the purpose of providing meals, housing, facilitating or providing materials for distance learning, and providing other essential services to students, provided that **Social Distancing Requirements** are observed.
- Postsecondary institutions, including private and public colleges and universities, for the purpose of facilitating distance learning, providing in person classroom or laboratory education for less than 10 students per classroom or lab in medical training fields only, or performing essential functions, provided that **Social Distancing Requirements** are observed, such as security, medical and mental health services, housing, food services, and critical research.

APPENDIX G: COUNTY VARIANCE REQUESTS

Governor Jared Polis issued **Executive Order D 2020 044 Safer at Home** effective April 27, 2020, updated with **Executive Order D 2020 079**, and now replaced with **Executive Order D 2020 091 Safer at Home in the Vast, Great Outdoors** as amended by **Executive Order D 2020 123**. The key elements of the Order are that most people still stay at home as much as possible and avoid unnecessary social interactions; vulnerable populations continue to stay at home except to support or perform necessary activities or participate in critical government functions or critical businesses; there is limited reopening of postsecondary institutions, and certain business operations are permitted; people are still encouraged to stay within their county of residence or employment as much as possible; public and private gatherings of more than ten (10) persons are prohibited; and Coloradans are advised to wear non-medical cloth face coverings that cover the nose and mouth whenever in public, except where doing so would inhibit that individual's health, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties.

Any county that desires to apply for a variance from part or all of the executive order may do so after meeting the following criteria and submitting an alternative COVID-19 suppression plan to be approved or denied by the Colorado Department of Public Health and the Environment (CDPHE). The application must be submitted directly to CDPHE through the online application process, found here.

Criteria for variance consideration:

1) The local public health agency endorses the alternative plan;
2) Local hospitals can verify that they have the capacity to serve all people needing their care;
3) The county commissioners or, in the case of the City and County of Denver, the mayor of Denver, or, in the case of the City and County of Broomfield, the city council, vote affirmatively to adopt the alternative plan in place of the state Safer-At-Home order; and
4) Counties with sovereign tribal nations (Ute Mountain Ute and Southern Ute Indian tribes) must obtain a letter of support from tribes and include it with their variance application.

The local variance process allows communities that are not experiencing a high rate of transmission to tailor social distancing policies to local conditions, in order to promote community wellness and economic stability. To protect other communities and hospital systems statewide, it is paramount that the local variance process only be used when transmission is at a low enough level to be suppressed through testing and containment efforts to detect positive cases, ensure successful isolation and quarantine close contacts. Examples of local conditions that should be considered in seeking a variance include: a low number of new cases per day, cases declining for the past 14 days, incidence below the state average, declining positive tests as

a percent of total tests for the past 14 days, low and stable case growth rate or equivalent, and having an early warning system to detect an increase in community spread or outbreaks, with triggers for tightening restrictions to prevent a breach of local hospital system capacity. Considerations and triggers should be documented in the plan submitted to CDPHE.

Variance requests will be evaluated based on local epidemiological data to assess whether the county requesting the variance has a disease prevalence that is low, medium, or higher than the statewide average. If higher, other metrics may be considered such as two-week case trend, percent positivity of tests and, whether outbreaks exist and are contained. The variance will be commensurate with the local virus transmission and disease burden.

CDPHE is available to provide technical assistance to any county considering a variance. The department will consider applications for variances based on the submitted plan's rationale for a step down and the presence of an early warning system with triggers for tightening back up. CDPHE reserves the right to approve or deny applications. All variances granted pursuant to this Order remain in effect until the Order expires without further extension or is terminated, unless automatically rescinded pursuant to the terms of the variance approval by CDPHE, rescinded for other reasons by CDPHE, or rescinded by the county.

Approved local variances may be rescinded at the discretion of the local public health agency based on changes to State executive or public health orders. If a variance request is rescinded at the local level, the state orders will remain in effect. Local public health agencies may also choose to maintain approved variance requests in the event that a State order becomes less restrictive than the approved variance. At no point may an approved variance request be altered to be less restrictive in any aspect than state orders without updated approval from the Colorado Department of Public Health and Environment.

Counties that choose to not comply with this executive order or an approved variance will be subject to the loss of emergency preparedness funds.

APPENDIX H: NON-CRITICAL MANUFACTURING

I. Effective May 4, 2020, **Non-Critical Manufacturing** may resume if the business can demonstrate compliance with the requirements of this Order, including Section II.I, and all of the following:

A. Employers must implement the following measures within the workplace to minimize disease transmission:

1. Create and implement policies or procedures for all of the following:
   i. Limiting group interactions to keep any group less than ten (10) people by
      a. staggering of shift changes, breaks, lunches, etc., and
      b. eliminating all-staff in-person meetings or lunches;
   ii. Modifying the flow of people traffic to minimize contacts, such as arranging one-way flow of work and people;
   iii. Implementing 6 foot distancing and impermeable barriers between employees whenever possible;
   iv. Limiting the sharing of tools, equipment, or other resources to the greatest extent possible, and if not feasible, implement cleaning and disinfection protocols as often as possible for any such shared tool, equipment and resources; and
   v. Requiring hand washing upon arrival and before departure, establishing set hand washing time frames throughout shifts, and providing additional hand washing stations if possible.
2. Conduct cleaning protocols as follows:
   i. Daily deep cleaning and disinfecting and full cleaning in-between shifts in accordance with CDPHE guidance; and
   ii. Establish protocols to increase the frequency of sanitization in work and common spaces, following OSHA requirements and CDPHE guidance, found here;
3. Provide contactless options, such as entry to the worksite, payments, etc., whenever applicable and possible;
4. Use paperless, electronic options whenever possible to reduce the use of sharing paperwork;
5. Ensure ventilation of work and break areas is in line with OSHA guidance;
6. Support transportation arrangements that discourage carpooling; and
7. Develop a Preparedness and Response document in accordance with OSHA guidance.

B. Employers must implement the following measures for employees to minimize disease transmission:

1. Provide guidance about how to comply with 6 foot distancing;
2. Designate workers to monitor and facilitate distancing on processing floor lines;
3. Require employees to use masks or face coverings, except where doing so would inhibit that individual's health, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties;
4. Require employees to wash their hands upon arrival to and before departure from the facility, as we well as frequently during workshifts, in accordance with the policy required in Section I.A.1.vi of this **Appendix**;
5. Disinfect work stations between shifts and/or at the end of the workday;
6. Group employees into teams or shifts that remain together;
7. Stagger employee lunch and break times;
8. Encourage all employees not critical to in-person operations to continue working from home or working remotely; and
9. Encourage the wearing of masks or other face coverings while carpooling, and individuals are required pursuant to Executive Order D 2020 138 to wear a face covering while taking public transportation, unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of activities listed in Section II.M of **Executive Order D 2020 138**, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties.

C. Employers must implement the following measures regarding customers to minimize disease transmission:

1. Prohibit entry to the worksite of all non-essential external visitors;
2. Conduct symptom checks for any essential visitors who will interact with employees;
3. Require essential visitors to wear masks or face coverings, unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is performing one of activities listed in Section II.M of **Executive Order D 2020 138**, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties; and
4. Encourage 6 foot distancing and implement procedures to limit person-to-person interaction in inbound/outbound shipping areas.

APPENDIX I: RESTAURANTS AND BARS

I. Effective May 27, 2020, while **Restaurants** remain encouraged to continue curbside pick up and delivery, including alcohol pick up and delivery, **Restaurants** may resume in-person dining and effective July 1, 2020 **Bars** that serve food from a retail food licensee with tables spaced at least 6 feet apart and set seating for on-premise consumption may resume in-person service if the business can demonstrate compliance with the requirements of this Order, including Section II.I, and all of the following:

A. Employers must implement the following measures within the workplace to minimize disease transmission:

1. Indoor and outdoor in-person services

   a. Post signage notifying patrons and employees of hygiene and sanitation expectations, including not entering if they are experiencing any symptoms.

   b. Patrons in different parties must be a minimum of 6 feet apart. The spacing of tables should be a minimum of 6 feet to ensure proper distancing.

   c. Limit party size to 8 people or less.

   d. All employees must wear facial coverings that cover the nose and mouth, unless the individual cannot medically tolerate a face covering, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties.

   e. Employees may utilize disposable gloves as normally required by their governing regulations. Employees that are directly involved with disinfecting equipment and surfaces within critical business and/or have direct contact with customers shall wear gloves when involved in these activities.

   f. Cleaning and disinfection of all shared surfaces must be done between seatings.

2. Additional indoor dine-in service requirements include:

   a. Limit service to no more than 50% of the indoor posted occupancy limit for Restaurants and Bars that serve food from a retail food licensee with tables at least 6 feet apart and set seating for on-premise consumption, with no more than 50 patrons total, whichever is less, per room.

   b. Extra large establishments that wish to exceed 50 people may use the Social Distancing Space Calculator for indoor events to determine how many additional patrons they can accommodate up to 100 patrons per room.

   c. Ensure proper ventilation per OSHA guidance.

3. **Restaurants,** and **Bars** that serve food from a retail food licensee with

tables at least 6 feet apart and set seating for on-premise consumption, must make every effort to maintain physical distancing at all times, both inside and outside the establishment, including:

a. Using a reservation system, exclusively if possible;

b. Disallowing close proximity to others outside the patron's group by:

i. eliminating communal and seat yourself options

ii. providing a hostess seating option or staffing the dining area to ensure cleaning and disinfection between prior to the next seating

iii. allowing bar seating options only if the bar is not being used for bar service or if there is a clearly designated and separated section of the bar that is not being used for bar service;

c. Eliminating customer service buffets; and

d. Provide appropriate signs or markings within the **Restaurant** or **Bar** to space lines, indicate which tables are unavailable, prohibit games and dance floors that encourage gatherings, and direct foot traffic.

e. Performers in a restaurant or bar whose performance includes forced exhalation that increases the potential to aerosolize respiratory droplets, such as speaking or shouting, singing, playing some instruments, or physical exertion, must maintain a minimum of 25 feet of distance from the patrons.

4. **Restaurants,** and **Bars** that serve food from a retail food licensee with tables spaced at least 6 feet apart and set seating for on-premise consumption, must implement measures to maintain the cleanliness and sanitation of the restaurant, including:

a. Minimize or eliminate high touch surfaces and multi-use objects, such as games, table cloths if used for multiple seatings, permanent menus, and condiments, and clean and disinfect any shared objects between uses;

b. Increase cleaning and disinfection protocols and track with publicly posted cleaning logs including:

i. Clean and disinfect restrooms and high touch areas every hour, and

ii. Block off stalls and urinals with proper signage to adhere to 6 feet distance between patrons; and

c. Use disposable items wherever possible, such as single-use menus and condiments.

d. Eliminate multi-use utensils (such as hot dog roller tongs, bulk food bins and coffee urns) at self-service stations that have and implement touchless self-service wherever practicable.

B. Employers must implement the following measures for employees to minimize disease transmission:

1. Establish a minimum of 6 foot physical distancing standards and train employees on maintaining distancing between employees to the greatest extent

possible

a. Consider implementing workflow requirements, dividers at pay counters and hostess areas, and modifying the menu to free up kitchen space.

b. Limit group interactions including staggering of shift changes, breaks, no consumption of family or shift meals onsite, etc.

c. Conduct virtual staff meetings whenever possible, any all staff meetings must meet 6 foot distancing requirements.

2. Face coverings and gloves

a. Require employees to wear face coverings at all times, unless the individual cannot medically tolerate a face covering, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties, and encourage the use of gloves when in contact with customers or goods.

b. Require face coverings and encourage gloves for vendors, suppliers, and contract workers entering the licensed establishment, except where doing so would inhibit that individual's health, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties.

3. Employee sanitary requirements

a. Encourage frequent breaks to wash hands (at least every 30 minutes) including upon arrival and departure.

b. Strict adherence to the hygienic practices listed in the *Colorado Retail Food Regulations* regarding hand washing and glove use.

C. Employers should implement as many of the following measures as feasible regarding customers to minimize disease transmission and assist in any necessary outbreak investigations:

1. To facilitate notifying customers if a disease exposure occurs, consider

a. providing an option for customers to "sign in", and

b. utilizing a reservation system;

2. Implement as feasible the following low or no touch options:

a. Provide contactless payment options, and

b. Continue curbside pick up/delivery options and recommend for vulnerable individuals or those unable to adhere to hygienic and distancing requirements;

3. Ensure 6 foot distancing at all times by implementing the following:

a. Block of lobbies or waiting areas completely, or establish customer waiting areas that maintain proper social distancing from other guests, and

b. Restrict standing or congregating in public spaces such as the bar area, entrance or exit; and

4. Pursuant to **Executive Order D 2020 138**, require facial coverings be worn by customers when not seated for dining, and consider refusing service to customers who refuse to adhere to hygiene and social distancing requirements.

APPENDIX J: CHILDREN'S DAY CAMPS, RESIDENTIAL CAMPS, YOUTH SPORTS DAY CAMPS AND EXEMPT SINGLE SKILL-BUILDING YOUTH CAMPS

I. Effective June 1, 2020, summer camps and sports camps may open for business if the camp operator can demonstrate compliance with the requirements in this Appendix. Effective June 18, residential camps may open for business if the camp operator can demonstrate compliance with the requirements of this Appendix.

A. Prior to hosting a camp, the camp operators must create a plan that implements all of the following:

1. All activities, including recreation, transportation, and food service must comply with the following restrictions:

a. Groups of campers are limited to 25 or fewer outdoors, and 10 or fewer indoors per room, and shall not mix with other groups.

b. Six feet physical distancing is required at all times, which may limit further the size of the group due to the size of the space. If the space is large enough to accommodate multiple groups and maintain 6 feet physical distancing, multiple groups are permitted.

c. Require face coverings during transportation in camp vehicles to and from the camp, unless the individual is 10 years of age or younger or cannot medically tolerate a face covering, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties.

2. For staff and camper health and safety:

a. Provide adequate personal protective equipment (PPE) for staff who supervise and care for ill campers, staff, and volunteers, and require face coverings for all individuals in public indoor spaces unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is participating in an activity listed in Section II.M of **Executive Order D 2020 138**.

b. Determine the staffing needs, including the availability of substitute staff if staff or volunteers become ill or are exposed.

c. Ensure space is available to isolate ill staff and campers (cots, bedding, restrooms, and supervision).

d. Ensure the on-call availability of a nurse or health care professional.

e. Establish protocols for responding and reporting cases to health care staff, local public health authorities, and CDPHE.

f. Prepare procedures for closures following a case or outbreak of COVID-19.

g. Provide access to or sufficient supplies of all of the following:

i. public restrooms, drinkable water sources, and picnic or other eating areas during activities at outdoor locations;

ii. handwashing/hand sanitizing locations; and

iii. adequate cleaning and disinfecting supplies

h. Train camp staff and volunteers on the requirements of this Order, as well as prevention, transmission, and care of COVID-19 illness.

B. Camp operators must meet all of the following requirements while camps are in session:

1. Staff, volunteer and camper health.

a. Screen staff, volunteers and campers for symptoms and close-contact exposures upon arrival. Exclude ill individuals from the camp, and encourage them to use the CDPHE Symptom Tracker

b. Staff or volunteers sent home must adhere to isolation and exclusion requirements.

c. Establish protocols for staff, volunteers and campers to alert health care staff of symptoms in themselves or campers.

d. Determine if any staff or volunteers are at a higher risk for COVID-19 and consider whether job duties that don't involve interaction with others are advisable.

2. Require staff, volunteers and campers to do all of the following:

a. Remain with the same group of campers and maintain physical distancing of at least 6 feet whenever possible, including during meals and recreation;

b. Wash hands upon arrival, before eating, and at regular intervals throughout the day;

c. Stagger activities as much as possible to avoid any mixing of groups, and

d. Wear masks or face coverings in public indoor spaces and encourage the use outdoors, unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is participating in an activity listed in Section II.M of **Executive Order D 2020 138**, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties.

3. Post signs or mark spaces to ensure 6 foot minimum distancing, and limit any activities that are not conducive to maintaining this distance.

4. Educate campers as needed on COVID-19 prevention, including respiratory etiquette and good hygiene, in accordance with public health guidance.

5. Ensure sufficient cleaning and disinfecting of commonly touched surfaces, equipment, and vehicles throughout the camp.

6. Provide frequent communication with all families of enrolled campers related to the occurrences of COVID-19 at the camp, the camp's responses, and all issues in the public health order.

7. Prohibit family and buffet style food services, self service and counter food service, and other configurations that require campers to share utensils. Clean and disinfect dining areas and high touch surfaces between groups.

8. For residential camps, disallow non-essential visitors to the camp and prohibit external community organizations from sharing the camp space during the camp session.

APPENDIX K: OUTDOOR RECREATION

I. Effective June 4, 2020, outdoor recreation services or activities, including non-guided and guided recreation, equipment rentals, river outfitters, rafting, Jeep tours, developed hot springs, zip lines, ropes courses, and outdoor artificial climbing walls, may operate if authorized by the local jurisdiction. Operators of recreational services and activities must meet any local policies in effect as well as all of the following requirements:

A. Distancing and Capacity Requirements

1. Maintain a distance of 6 feet from patrons and fellow employees, except in cases where it is unsafe to maintain that distance.

2. Limit the number of people inside a facility to no more than 10 at one time, at a maximum of 50% occupancy, or follow **Retail** or **Restaurant** guidelines where applicable.

3. For vehicles used to transport patrons, the following requirements apply:

a. No closed-air vehicles or tours are allowed, as windows must remain open during the transport or tour.

b. Limit smaller vehicles or crafts to two household units not including guides, up to 10 people. Where a distance of 6 feet can be ensured between household units, more than two households per vehicle/craft are permitted.

c. Limit passenger buses and vans to no more than 50% capacity, or less if distancing requirements cannot be met between groups, and prohibit use of the seat behind the driver.

6. Conduct staging operations such as customer check-ins and end-of-trip operations outdoors with parties from different households spaced 6 feet apart.

7. Maintain and promote physical distance during a tour or trip. Rafts or vehicles should not be full, and ensure distance between guide and patrons.

B. Hygiene, Cleaning and Disinfection Requirements

1. Post signs for employees and customers outlining good hand/respiratory hygiene and safety measures being taken. Signs should be in languages customers will understand. (CDC examples)

2. Encourage hand hygiene by directing customers to where they can wash their hands with soap and water or use hand sanitizer.

3. Vehicles used to transport patrons must be cleaned and disinfected after each use.

4. Disinfect all equipment used by patrons as well as surfaces or items in common contact with patrons between each use.

C. Operators and Employees

1. Wear face coverings at all times in public indoor spaces pursuant to **Executive Order D 2020 138** and also during staging and disembarking operations, unless the individual is 10 years of age or younger, cannot medically tolerate a face covering, or is participating in one of the activities listed in Section II.M of **Executive Order D 2020 138**, in which case reasonable accommodations should be pursued to maintain the safety and health of all parties. Where safe, wear face coverings during trip operations.

2. Operators must conduct symptom and temperature checks for employees and refer symptomatic employees to the CDPHE Symptom Tracker (Additional Guidance). Employees who exhibit COVID-19 symptoms should not come to work. Employees who develop COVID-19 symptoms while at work should immediately notify their supervisor and be separated from others, sent home, and referred to state or company support services.

PUBLIC HEALTH ORDER 2020-05
AMENDMENT OF BOULDER COUNTY PUBLIC HEALTH ORDER REQUIRING FACIAL COVERINGS IN PUBLIC WHERE SOCIAL DISTANCING CANNOT BE MAINTAINED

Pursuant to Colorado Revised Statutes ("C.R.S.") §§ 25-1-506, 508, 509, and 516, Boulder County Public Health hereby issues this amendment of the May 2, 2020, Public Health Order (No. 2020-02) and the June 29, 2020, Public Health Order Extension and Amendment (No. 2020-03) requiring facial coverings to be worn in public where social distancing cannot be maintained throughout Boulder County, Colorado, so as to control and slow the spread of the SARS-CoV-2 virus ("coronavirus") and to mitigate the effects of the disease resulting therefrom (the coronavirus and the disease resulting therefrom shall be referred to herein as "COVID-19"). The goal of this Order shall be to control and reduce the spread of COVID-19, so as to maintain consistent health care capacity in Boulder County to adequately treat patients suffering from the disease, and the goal of this Amendment is to align Boulder County's Local Public Health Order with the State of Colorado Executive Order D2020-138 Ordering Individuals in Colorado to Wear Non-Medical Face Coverings issued July 16, 2020.

FINDINGS

Whereas, Boulder County Public Health ("BCPH") has public health jurisdiction over Boulder County, including all cities and towns therein. In furtherance of its jurisdiction, BCPH has the power and duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting the public health within Boulder County, as well as the power and duty to close schools and public places and to prohibit gatherings of people when necessary to protect public health, and to establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, to exercise physical control over property and over persons within Boulder County as BCPH may find necessary for the protection of public health; and

Whereas, COVID-19 is a respiratory illness transmitted like other respiratory illnesses through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic anywhere from two (2) to fourteen (14) days after exposure. Symptoms include fever, cough, shortness of breath, or difficulty breathing. Individuals with serious chronic health conditions and older adults are most at risk for becoming very ill with this disease; and

Whereas, COVID-19 was first detected in Wuhan, China, in late 2019, and since then has spread to over 180 countries and territories, including the United States. As of July 24, 2020, there have been 42,314 confirmed or probable positive cases of COVID-19 statewide in Colorado and 1,716 confirmed or probable positive cases in Boulder County, Colorado, as well as 1,645 deaths related to COVID-19 cases statewide and 74 deaths in Boulder County; and

Whereas, on March 10, 2020, the Governor of Colorado ("Governor"), Jared Polis, declared a State of Emergency related to the presence of COVID-19 in the State of Colorado; and

Whereas, on March 14, 2020, the Chair of the Board of County Commissioners for Boulder County declared a local disaster emergency, which, on March 19, 2020, was extended by the Board of County Commissioners for Boulder County; and

Whereas, on April 17, 2020, the Governor of the State of Colorado issued Executive Order D2020-039, requiring workers in critical businesses and critical government functions to wear a non-medical mask covering their nose and mouth while at work and while serving the public, and directing the Executive Director of the Colorado Department of Public Health and Environment ("CDPHE") to issue a Public Health Order consistent with the directives in the Executive Order; and

Whereas, on April 22, 2020, the Executive Director of CDPHE, pursuant to Colorado Revised Statutes §§ 25-1.5-101(1)(a) and 25-1.5-102(1)(a)(I), issued an Order requiring employees who work in close proximity to other employees or with the public to wear a non-medical or medical face covering unless doing so would inhibit the individual's health, and recommending that these employees should wear gloves if gloves are provided by their employer; and

Whereas, on April 24, 2020, the Executive Director of Boulder County Public Health issued Boulder County Public Health Order Adopting and Extending State Stay-At-Home Orders ("Boulder County Stay-At-Home Order"), extending the closure of non-critical businesses and requiring individuals within Boulder County to stay at home except for necessary travel; and

Whereas, on April 26, 2020 the Governor of the State of Colorado issued Executive Order D2020-044 for Safer at Home through May 27, 2020; and

Whereas, Boulder County's movement from Stay-At-Home to Safer-At-Home resulted in the easing of social distancing protections in Boulder County; and

Whereas, on May 2, 2020, the Executive Director of Boulder County Public Health issued Public Health Order 2020-02 Notice of Boulder County Public Health Order Requiring Facial Coverings in Public Where Social Distancing Cannot be Maintained, requiring individuals in Boulder County to wear a Face Covering whenever they are outside their residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members through May 26, 2020; and

Whereas, the Boulder County Stay-At-Home Order expired on May 8, 2020; and

Whereas, on May 16, 2020, the Governor of the State of Colorado issued Executive Order D2020-067 Extending Executive Order D2020-039 Ordering Workers in Critical Businesses and Critical Government Functions to Wear Non-Medical Face Coverings through June 15, 2020; and

Whereas, on May 18, 2020, the Executive Director of CDPHE issued Amended Public Health Order 20-26 Face Coverings for Critical Businesses in effect through June 14, 2020; and

Whereas, on May 21, 2020, the Executive Director of Boulder County Public Health issued Public Health Order 2020-03 Notice of Extension of Boulder County Public Health Order Requiring Facial Coverings in Public Where Social Distancing Cannot be Maintained, extending the requirement for individuals in Boulder County to wear a Face Covering whenever they are outside their residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members through June 30, 2020; and

Whereas, on May 21, 2020, the Governor issued Guidance to Employers and Places of Public Accommodation regarding equal opportunity employment and reasonable accommodations due to the presence of COVID-19, available at https://drive.google.com/file/d/1DSJuV-9finS1_NBnQ8i_02PHQDDIWXRn/view; and

Whereas, on June 1, 2020, the Governor of the State of Colorado issued Executive Order D2020-091 for Safer at Home and in the Vast, Great Outdoors; and

Whereas, on June 4, 2020, the Governor of the State of Colorado issued Executive Order D2020-092 Amending Executive Orders D2020-039 and D2020-067 Ordering Workers in Critical Businesses and Critical Government Functions to Wear Non-Medical Face Coverings, which amended and extended face covering requirements through July 4, 2020; and

Whereas, on June 18, 2020, the Executive Director of CDPHE issued Seventh Amended Public Health Order 20-28 Safer at Home and in the Vast, Great Outdoors which, among other things, establishes face covering requirements and removal allowances for providers and customers of designated services, in effect through July 1, 2020; and

Whereas, on June 20, 2020, the Governor of the State of Colorado issued Executive Order D2020-110 Amending, Restating, and Extending Executive Orders D2020-039, D2020-067, and D2020-092 Ordering Certain Workers to Wear Non-Medical Face Coverings through July 20, 2020; and

Whereas, on June 29, 2020, the Executive Director of Boulder County Public Health issued Public Health Order 2020-04 Notice of Extension and Amendment of Boulder County Public Health Order Requiring Facial Coverings in Public Where Social Distancing Cannot be Maintained, amending and extending, until further modified or repealed, the requirement for individuals in Boulder County to wear a Face Covering whenever they are outside their residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members; and

Whereas, on June 30, 2020, the Executive Director of CDPHE issued Eighth Amended Public Health Order 20-28 Safer at Home and in the Vast, Great Outdoors which, among other things, maintains face covering requirements and removal allowances for providers and customers of designated services, in effect through July 30, 2020; and

Whereas, on July 16, 2020, the Governor of the State of Colorado issued Executive Order D2020-138 Amending and Extending Executive Orders D2020-039, D2020-067, D2020-092, and D2020-110 Ordering Individuals in Colorado to Wear Non-Medical Face Coverings; and

Whereas, the United States Centers for Disease Control and Prevention ("CDC"), Colorado Department of Public Health and Environment ("CDPHE"), and Boulder County Public Health ("BCPH") have recommended that members of the public, when they need to interact with others outside the home and especially in settings where many people are present, should cover their mouths and noses to prevent inadvertently spreading COVID-19. One key transmission method for the COVID-19 virus is through respiratory droplets that people expel when they breathe, cough, or sneeze. Moreover, people can be infected with the COVID-19 virus and be asymptomatic yet still be contagious. People can also be contagious 48 hours before developing symptoms. Many people with COVID-19 have mild symptoms and do not recognize that they are infected and contagious and that they can unintentionally infect others; and

Whereas, scientific evidence shows that limiting interactions among people slows virus transmission and, as social distancing protections are lifted, that the wearing of facial coverings by individuals while in public areas assists in maintaining reduced virus transmission by reducing the spread of respiratory droplets; and

Whereas, a facial covering mandate can work in concert with reduced social distancing protections under Safer at Home and in the Vast, Great Outdoors to minimize the spread of COVID-19 by reducing the exposure of individuals to the virus necessary to protect vulnerable populations and to prevent the health care system from becoming overwhelmed.

ORDER

Pursuant to statutory authority granted to the Executive Director of BCPH, and consistent with the Governor's Executive Orders and the CDC's Guidance, the following is ordered:

1. Each person within Boulder County, except as specifically exempted below by Paragraph 4 or 5, must wear a Face Covering whenever they are outside their Residence and unable to maintain, or when not maintaining, social distance of at least six (6) feet from any non-household members in any setting whether indoors or outdoors. In addition, each person in Boulder County must wear a Face Covering, as required by Governor Polis' Executive Order D2020-138, that is, when entering or moving within any Public Indoor Space or while using or waiting to use the services of any taxi, bus, light rail, train, car service, ride-sharing or similar service, or Mass Transportation Operations. These requirements supplement and are in addition to all social distancing and other requirements contained in any state or local Public Health Order.

2. "Face Covering," as used in this Order, means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. Mesh, netting, or similarly porous material does not meet the requirements or definition of a Face Covering. A Face Covering may be factory-made or may

be handmade and improvised by using ordinary household materials. The Face Covering should fit snugly but comfortably against the side of the face; allow for breathing without restriction; and either be constructed of disposable mask materials or include multiple layers of fabric that can be laundered and machine-dried without damage or change to shape. Face Coverings must cover the nose and mouth at all times and should remain in place until taken off safely. If a worker's Face Covering moves during work, it must be replaced with one that does not need to be frequently adjusted in order to reduce touching of the face. A Face Covering should be replaced when it becomes dirty, wet, and/or difficult to breathe through.

Note that any mask that incorporates a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that is designed to facilitate easy exhaling is not a Face Covering under this Order and is not to be used to comply with this Order's requirements. Valves of that type permit droplet release from the mask and can put others nearby at risk.

A video showing how to make a face covering and additional information about how to wear and clean Face Coverings may be found on the CDC's website at https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html.

3. "Residence," as used in this Order, means the real property upon which an individual resides with other members of their household, including a room in a motel or hotel or a residential room for students at an education facility. Residence also includes a motor vehicle when being used for personal use by an individual or their same household. Residence does not include any common areas that may be used by multiple households.

4. The following individuals are exempt from the requirements of this Order:
    a. Individuals ten (10) years old and younger; and
    b. Individuals who cannot medically tolerate a face covering.

5. Individuals performing the following activities are exempt from the requirements of this Order while the activity is being performed:
    a. Individuals who are hearing impaired or otherwise disabled or who are communicating with someone who is hearing impaired or otherwise disabled and where the ability to see the mouth is essential to communication;
    b. Individuals who are seated at a food service establishment;
    c. Individuals who are exercising alone or with others from the individual's household and a Face Covering would interfere with the activity;
    d. Individuals who enter a business or receive service and are asked to temporarily remove a face covering for identification purposes;
    e. With exception of an unforeseen emergency (e.g. law enforcement officers responding to an immediate threat), first responders are required to wear a Face Covering under this Order;

f. Individuals who are officiating at a religious service, so long as the individual maintains at least twenty-five (25) feet distance from non-household members indoors and at least six (6) feet distance from non-household members outdoors;
g. Individuals who are giving a speech for broadcast or an audience, so long as the individual maintains at least twenty-five (25) feet distance from non-household members indoors and at least six (6) feet distance from non-household members outdoors; or
h. Individuals who are receiving a personal service where the temporary removal of a Face Covering is necessary to perform the service.

6. This Order does not require any child aged ten (10) years and younger to wear a Face Covering. Parents and caregivers must supervise the use of Face Coverings by children to avoid misuse. In addition, this Order advises that children **under age two (2) years should not** wear a Face Covering due to the risk of suffocation.

7. This Order adopts and is intended to provide additional public health protections by supplementing the requirements of other State of Colorado Face Covering Orders, including but not limited to Executive Order D2020-138, Executive Order D2020-39, Executive Order D2020-067, Executive Order D2020-092, and Executive Order D2020-110, as well as the Face Covering orders contained in all CDPHE orders, including but not limited to Public Health Order 20-28. At all times, the most protective, applicable protective Order shall control.
   a. Nothing in this Order should be construed to preempt any State of Colorado regulations (including CDPHE Orders) concerning medical Face Coverings.
   b. Nothing in this Order should be construed to preempt any State of Colorado regulations (including CDPHE Orders and Executive Orders) that impose Face Covering requirements beyond those contained in this Order.
   c. Nothing in this Order should be construed to preempt any local Public Health Orders.
   d. Nothing in this Order shall be construed to prevent a municipality from adopting more protective standards than those contained in this Order.

8. No owner, operator, or manager of a Public Indoor Space, as the term is defined in Paragraph R of Executive Order D2020-138, may provide service to such individuals or allow an individual to enter or move within that Public Indoor Space, unless the individual is wearing a Face Covering, as required by Executive Order 2020-138. This Paragraph 8 shall be construed to incorporate, in full, Paragraph II.I of the Governor's Executive Order 2020-138.

9. All businesses must post signs at entrance(s) instructing individuals of their legal obligation under this Order and the Governor's Executive Order 2020-138. Posting of a sign pursuant to Paragraph II.J of Executive Order 2020-138 shall be considered sufficient for purposes of this Paragraph 9. A sign is available at https://covid19.colorado.gov/mask-guidance.

10. Any business that is in violation of this Face Covering Order, or of the Governor's Executive Order 2020-138, may be subject to a civil action, including but not limited to injunctive relief pursuant to C.R.S. § 25-1-514 and reimbursement of expenses pursuant to C.R.S. § 25-1-516(3),

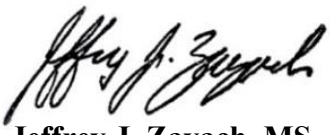
and reporting to the appropriate licensing agency for suspension or revocation of its license pursuant to Paragraph II.K of the Governor's Executive Order 2020-138.

Along with CDPHE, BCPH is tasked with protecting the health and welfare of the citizens of Boulder County by investigating and controlling cases of epidemic and communicable disease. This Order is necessary to control the transmission of disease to others. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare.

If you have questions regarding this Order, please contact the BCPH Call Center at 720-776-0822 or view the COVID-19 information on BCPH's website at BoCo.org/COVID-19.

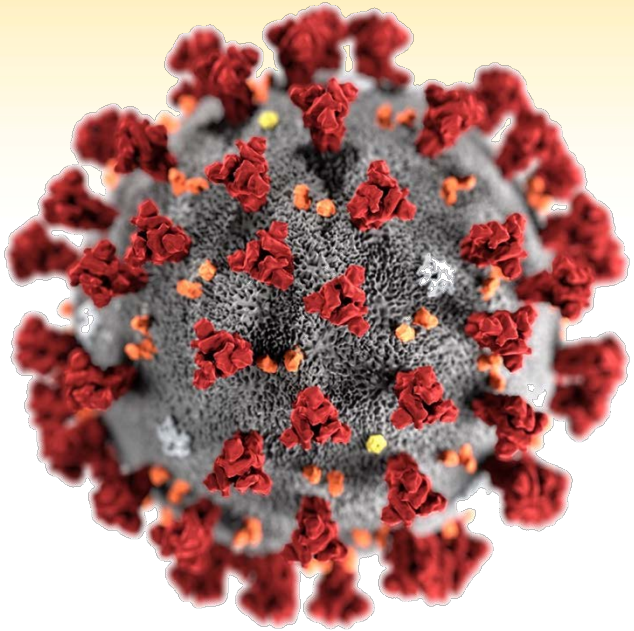
This BCPH Public Health Order shall go into effect immediately, as of July 24, 2020, and shall continue until further modified or repealed.

FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO PENALTIES CONTAINED IN C.R.S. §§ 25-1-114 and 25-1-516, INCLUDING A FINE OF UP TO FIVE THOUSAND DOLLARS ($5,000.00) AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO ONE (1) YEAR.



Jeffrey J. Zayach, MS
Executive Director
Boulder County Public Health

July 24, 2020
Date



Boulder County Public Health COVID-19 Enforcement Updates

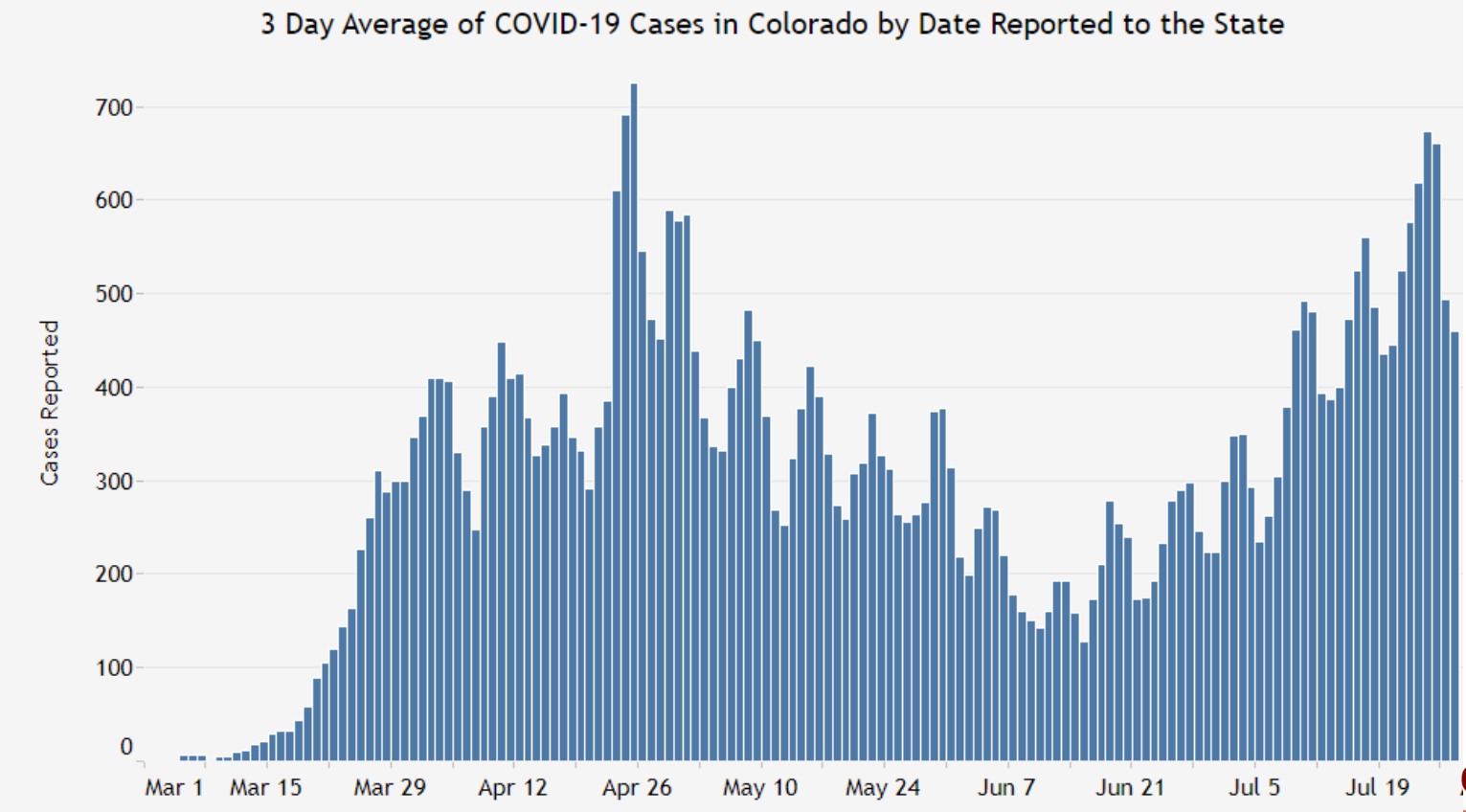
7.30.20

BOULDER COUNTY PUBLIC HEALTH
Opportunity for a healthy life.

Agenda and Purpose

1. Pandemic Update
2. Public Health and Face Covering Approach
3. Enforcement Questions
4. Q&A

Colorado 3-Day Average



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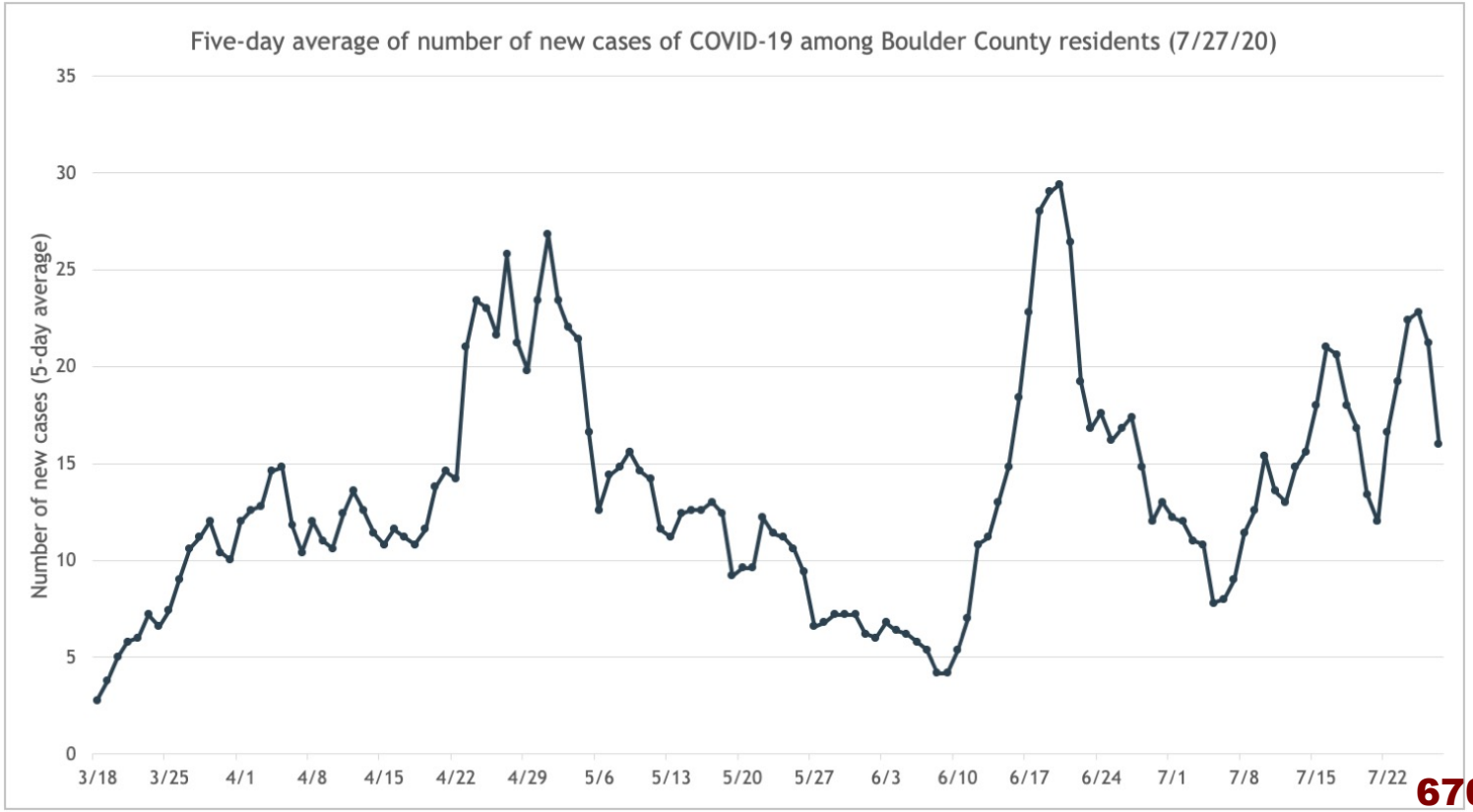
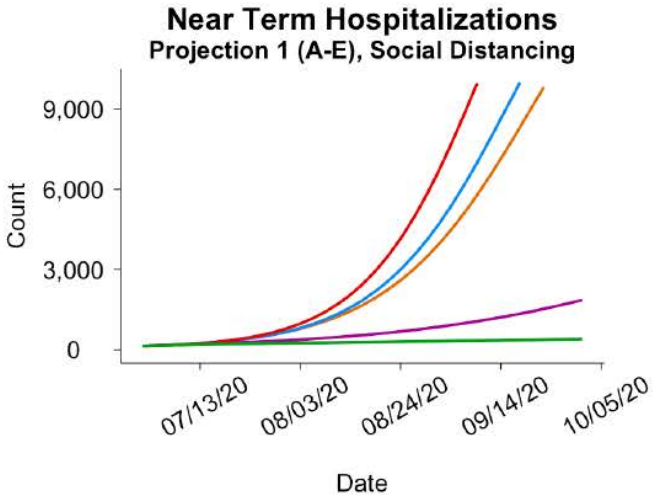
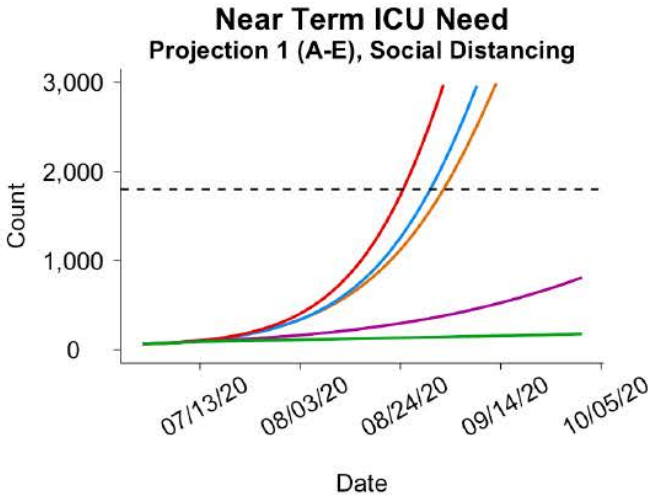
Boulder County 5 Day Case Trend



Near term projections at different social distancing scenarios. At current trajectory (orange line), we could exceed ICU capacity in the next two months





41% SD (Current) 35% SD 30% SD 55% SD 65% SD

This scenario assumes mask wearing and case isolation remains at current levels. Based on CDC recommendations, the 65%, 55%, 35% and 30% scenarios assume half of older adults practice high levels of social distancing.

Public Health and Face Covering Orders

- Our team continues to provide education and outreach:
  - Addressing public complaints
  - Pursuing outbreaks/sick employee questions
  - Webinars/Meetings with the business community
  - Collaboration with Communications and Attorneys

State and County Order

- We have updated the County Face Covering Order to align with the State Order.
- It still requires wearing masks outdoors when physical distance cannot be maintained.
- Age limit is now 10
- Does not have an expiration date

State and County Orders

- “No owner, operator, or manager of a Public Indoor Space… may provide service to… or allow an individual to enter… unless the individual is wearing a face covering”
- Must post signs about face coverings
- Can lose business license for failure to comply

Inform your customers

- Provide alternatives for those who can't/won't wear masks.
- Businesses can deny service to those who can't/won't wear masks
- [State Mask Guidance]

Enforcement Issues

- Our Attorney team is working with the state to clarify the mask orders
- And clarify enforcement options
- Business are asking frontline staff to enforce…This is an on-going issue

Business Guidance Sessions

NEW SCHEDULE

- Wednesday 3 p.m. – General Updates and Guidance
- Wednesday 4 p.m. – Special Session (TBD)
- Spanish Language Session in collaboration with the Latino Chamber Released on Thursdays

https://bit.ly/bcphindustrysupport

Your Questions

jrounds@bouldercounty.org

zswank@bouldercounty.org

COVIDbiz@bouldercounty.org

CITY COUNCIL COMMUNICATION
AGENDA ITEM 7C

SUBJECT: **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 COMMERCIAL BUSINESS ZONE DISTRICT TO COMMERCIAL COMMUNITY, MIXED USE ZONE DISTRICT PURSUANT TO LOUISVILLE MUNICIPAL CODE CHAPTER 17.14 – MIXED USE ZONE DISTRICTS – 2nd READING, PUBLIC HEARING (advertised Daily Camera 8/2/20) –** ***request to continue to 9/1/20***

DATE: **AUGUST 18, 2020**

PRESENTED BY: **LISA RITCHIE, AICP, SENIOR PLANNER**

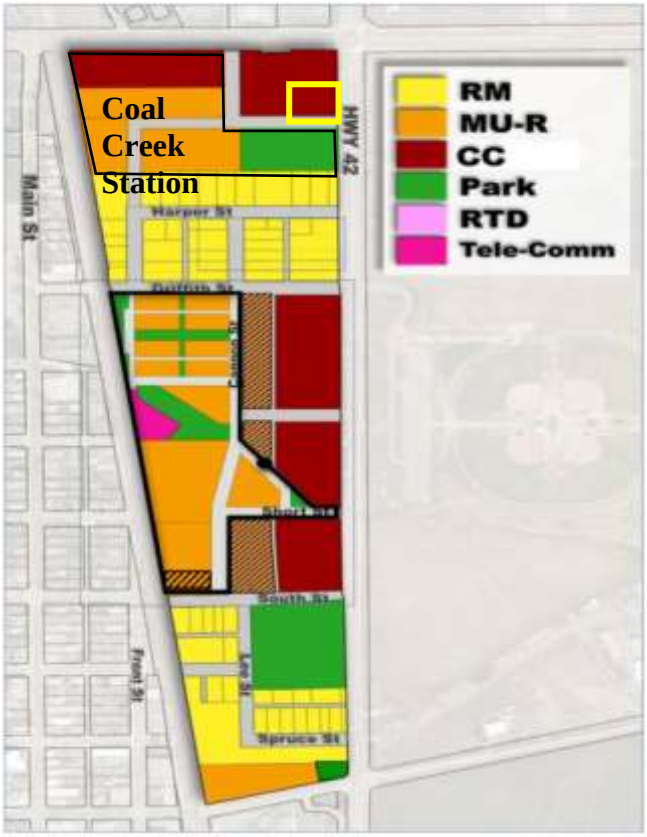
VICINITY MAP:

CONTINUANCE REQUEST:
Staff recommends continuance of this hearing to the September 1, 2020 meeting due to the length of the agenda for the current meeting date. The applicant has been informed of the recommendation for continuance and does not object.

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.

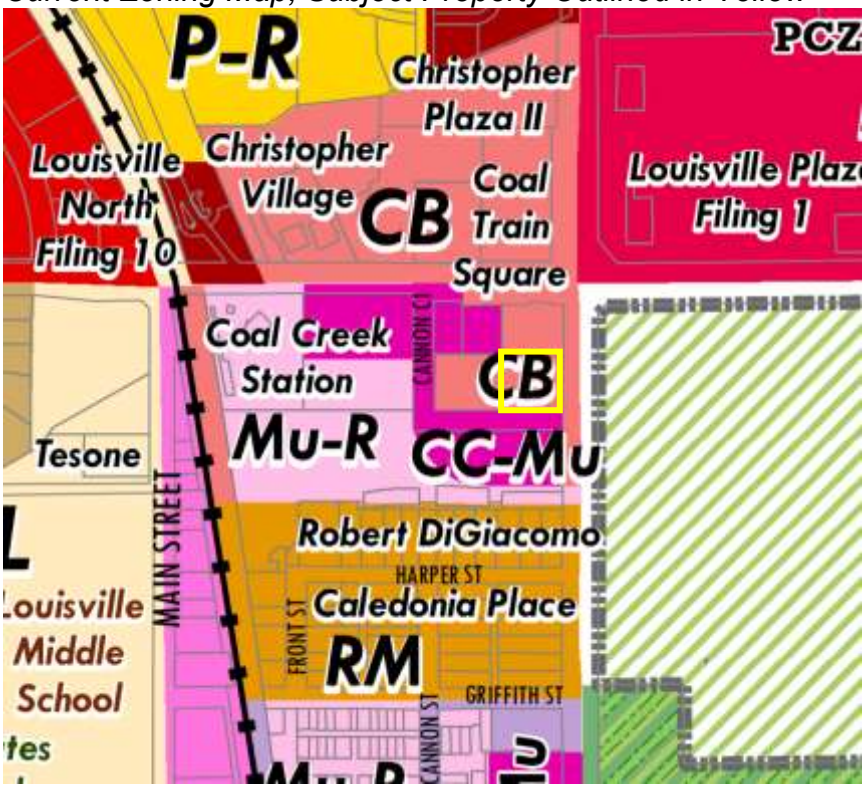
> *Commercial Community (– Mixed Use) zone district is intended to provide zoning which would encourage the development of a limited range of highway oriented commercial uses adjacent to Highway 42. The commercial community zoning is intended to address the market demand for highway-oriented commercial 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:
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. Thus, staff concludes the rezoning will not have a fiscal impact and did not run the City's fiscal model.

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 are included as an attachment.

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.

ATTACHMENTS:
1. Ordinance 1796, Series 2020
2. Current Zone District Map
3. Application Materials
4. Planning Commission minutes, July 16, 2020

STRATEGIC PLAN IMPACT:

☐	**Financial Stewardship & Asset Management**	☐	**Reliable Core Services**
☒	**Vibrant Economic Climate**	☐	**Quality Programs & Amenities**
☐	**Engaged Community**	☐	**Healthy Workforce**
☐	**Supportive Technology**	☐	**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

City of Louisville
COLORADO • SINCE 1878

Department of Planning and Building Safety

749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleco.gov

ELECTRONIC LAND USE HEARING REQUEST

CASE NO. _____

APPLICANT INFORMATION

Firm: Little Lemon LLC
Contact: Chelsea Duckhan
Address: 1638 Emerson St.
Denver CO 80218
Mailing Address: same
Telephone: 408-348-3995
Fax:
Email: Chelsea.Duckhan@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 Duckhan
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 Duckhan
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

2852444
Page: 1 of 1
05/01/2007 09:09A
Boulder County Clerk, CO COVENANT R 6.00 D 0.00

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.

NANCY VARRA NOTARY PUBLIC STATE OF COLORADO My Commission Expires MAY 6, 2010

Signatures Must Be Notarized

Owner's Name: GORDON FORDYCE
(Please type or print)
Signature of Owner: _____
Two Officers Signatures Required for Corporations:
_____
ALICIA GARCIA
Name of Corporation: FORDYCE AUTO INC
Dated this 3 day of APRI, 2007.

GENERAL ACKNOWLEDGMENT

STATE OF COLORADO)
) SS.
COUNTY OF BOULDER)

On this the 3RD day of April, ~~Fordyce~~ Gordon 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.
_____
(Notary's Signature)
My Commission expires: May 6, 2010

NANCY VARRA NOTARY PUBLIC STATE OF COLORADO 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: _____

COL 749

City of Louisville
COLORADO • SINCE 1878

Planning Commission
Meeting Minutes
July 16, 2020
Electronic Meeting
6:30 PM

Call to Order – Vice Chair **Rice** calls the meeting to order at 6:30 PM.

Roll Call is taken and the following members are present:

Commission Members Present:	Steve Brauneis, Chair Tom Rice, Vice Chair Jeff Moline Keaton Howe Dietrich Hoefner Debra Williams
Commission Members Absent:	Ben Diehl
Staff Members Present:	Rob Zuccaro, Dir. of Planning & Building Lisa Ritchie, Senior Planner Elizabeth Schettler, Sen. Admin Assistant

APPROVAL OF AGENDA

Howe moves and **Williams** seconds a motion to approve the July 16, 2020 agenda. Motion passes unanimously by a roll call vote.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None is heard.

NEW PUBLIC ITEMS

Agenda Item A: Lots 1 & 2 Crystal Estates Replat A Rezoning

A request to rezone Lots 1 & 2, Crystal Estates Replat A located at 1655 Courtesy Rd and 1655 Cannon Cir from the Commercial-Business zone district to the Commercial Community – Mixed Use zone district. (Resolution 7, Series 2020)

- Applicant: Little Lemon, LLC
- Case Manager: Lisa Ritchie, Senior Planner

Staff Presentation:

Before staff begins their presentation, Ritchie verifies that this application's public notice requirements have been met. They were mailed to the surrounding property owners on June 26, 2020, published in the Boulder Daily Camera on June 28, 2020, and the property was posted on June 26, 2020.

Ritchie discusses the property's location and background history. She then reviews each criteria and staff's analysis of the criteria.

- Criteria 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's Analysis:
        - There is no evidence that the land was zoned in error. However, the land as presently zoned is inconsistent with the policies and goals of the Framework Plan for the Highway 42 Revitalization Area, which serves as the guide for mixed-use redevelopment in the area and to phase out the existing industrial uses. The city's comprehensive plan does not allow industrial uses within the area, and policies support a mix of uses and redevelopment consistent with the Framework Plan.
- Criteria 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's Analysis:
        - 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.
- Criteria 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.
    - Staff's Analysis:
        - Staff finds that the rezoning is not necessary to provide for a community related use.
- Criteria 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.
    - Staff's Analysis:
        - Staff finds that the property was previously annexed and is within the corporate city limits of Louisville.

Staff Recommendations:
Staff recommends approval of Resolution 7, Series 2020, and recommending approval of an Ordinance to rezone the property from Commercial Business to Commercial Community – Mixed Use.

Commissioner Questions of Staff:

Moline says that regarding the retail marijuana map shown by staff, the three most southwestern sites do not meet the overlapping of the 1500 ft buffer because they were in existence prior to the institution of this recent regulation, correct?

Ritchie says that is correct.

Brauneis mentions that there is no façade changes currently proposed. It would seem to me that the intent of pushing this to mixed-use is to get rid of the light industrial usage. He says that he understands that it is grandfathered in as it currently exists but does not understand that they are not really getting a motion towards the mixed-use that the city wants if this were to be approved.

Ritchie says that the code does not require re-development upon change of use. It just requires the re-zone to this. It does not require re-development consistent with the mixed-use standards. That being said, once the property is rezoned, any new development or re-development would have to be in alignment.

Brauneis asks why staff's memo focuses on that there will be no changes to the facade.

Ritchie says she wanted planning commission to understand that staff is not talking about re-development at this time.

Brauneis asks for confirmation that moving this rezoning will help the alignment better with whatever may happen to the future of the property.

Ritchie says that is correct. Altering the auto body repair use will further the goals of the mixed use zone district.

Howe asks that in regards to the retail marijuana map shown by staff, how far do the marijuana retail shops have to stay between one other.

Ritchie says that have to be 1500 ft from one other.

Howe states that the map shows a red zone from the Louisville middle school. How far out of that red zone are we?

Ritchie says probably from the adjacent property.

Howe asks how many marijuana based developments or applications are in the process.

Ritchie says that this is the final one that planning commission would be considering. The three along Dillon Rd and McCaslin Blvd are all operating and did not require PUDs. There is also one at Delo Plaza. This is it as long as these six operators remain in good standing with their licenses.

Williams states that the maximum is six that are allowed to be in the city.

Ritchie says that is correct.

Rice asks that under the revitalization step plan, if somebody wants to change the use of that area, are they required to rezone?

Ritchie says that is correct.

Rice asks that if that requirement were not in place, would this use fit into the current zoning.

Ritchie says that is correct.

Rice mentions that looking at the four criteria, the commissioners only need to have one criteria fit and staff has eliminated the third and fourth criteria. He says his problem with the first criteria is word "and." It is stated in the conjunctive. It says, "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." He is having a hard time understanding how criteria one applies.

Zuccaro confirms that it does say "and."

Rice mentions that criteria two does apply though.

Ritchie mentions that the commissioners could lean on criteria two for their approval.

Applicant Presentation:
Mike Swisher, general contractor and property manager for the building owner

Swisher says he has no presentation to present to the commissioners and has no further comment.

Commissioner Questions of Applicant:
None is heard.

Public Comment:
None is heard.

Closing Statement by Staff:
Ritchie reminds the commissioners that staff is recommending approval for this proposal.

Closing Statement by Applicant:
None is heard.

Discussion by Commissioners:
Howe mentions that he knows that there will be six retail marijuana shops in the city but he is concerned about their proximity to schools. He asks the commissioners how they feel about this location and its proximity to the schools.

Moline says that it is close to schools but it meets the buffer requirement. Since it meets that buffer and has been issued the appropriate license, the necessary boxes have been checked.

Williams points out that it is interesting that they are discussing revitalization as part of the criteria. We are now putting three marijuana retail shops in close proximity to each other. This area is already dilapidated. She thinks it would be better to spread it out and not have it all in the same location.

Hoefner mentions that this use would go there regardless if they changed the zoning. The zoning change would allow less industrial types of business should this business not work out in the future. He suggests that during the commissioner comments portion of the hearing, the commissioners could ask staff about having more of a buffer.

Moline mentions that they should possibly consider how the applicant has made a good faith effort to follow the city's regulations and have determined that this is a space that meets the rules and regulations. We need to make sure we are treating the businesses fairly when they are using our land use code when choosing a location for their business.

Williams says that based on the fact the zoning that it currently is can be a marijuana shop, it has nothing to do with us rezoning from CB to CC. She mentions that the way it is being brought forth to them is a bit misleading. She asks why they are discussing marijuana shops when they should just be discussing re-zoning.

Moline says that he was trying to address Commissioner Howe's question. He agrees that this is a matter of rezoning not marijuana.

Williams says she agrees that Commissioner Howe has a great question and thought of that question herself. She feels that the way staff presented this was misleading though. We are discussing two different issues that have nothing to do with each other.

Rice mentions that he is personally not a fan of these types of businesses but says that that is not for him to decide. City council has already made these policy decisions to have marijuana in the city. He thinks this is far too close to schools but this is meeting city code and has the appropriate buffer. As far as how this was presented to the commissioners, it is already zoned to handle this. It is only being brought to the commissioners because of the revitalization document, which says that if the use is changed, the zoning has to be updated to mixed-use. It really is just a technical exercise and is not asking the commissioners to weigh in on the policy aspect.

Williams makes it clear that she disagrees with this policy but says that it is not what they are weighing in on tonight.

Brauneis agrees that it is not their responsibility to weigh in on the policy. It was passed with eyes wide open that these locations were going to be possible locations for these types of business.

Howe says it is confusing though because if you read the first sentence of the proposal, it says that the applicant requests to rezone from the CB zone district to the CC mixed-use zone district to accommodate retail marijuana sales. The proposal is saying that it is not just for rezoning. We are changing from auto body repair use to a retail marijuana use. He thinks they have to consider the retail marijuana or else it would not be in the proposal.

Brauneis points out that this commission is not for land use planning though.

Rice says that this is a change of use only though. If the applicant was changing the use for a toy store, they would still have to review it. He asks staff to confirm if that is correct.

Ritchie says yes, that is correct. Staff was not trying to be misleading but be transparent to the commissioners. While the zone change is up for debate tonight, it is the transparency of what could occur. If the commissioners are not inclined to approve this proposal, she suggests that they would tie the denial back to the criteria.

Howe says that that is a good idea to go back to the criteria. He reads criteria two and mentions that he did not see any public comment requesting a change. He asks staff if there was any public comment for this.

Ritchie says that staff did not receive any public comment in either support or in opposition for this proposal. It is her understanding that the applicant had no public comment for their licensing hearing as well. Staff is leaning on all the adopted policies that support a change in development characteristics through the 2003 framework plan and chapter 17.14 from the code zone change to the mixed use. She agrees with Vice Chair Rice that this is more of a technicality zone change to comply with the city's own code. The alternative is that you have a vacant property. This property cannot be used other than for an auto body repair use unless there is a zone change. The community desires change and transition in this area. That was staff's perspective.

Hoefner says that he thinks it is worth having a look at the Highway 42 framework plan to look at what uses would be desirable there versus what uses are there or were there in the early 2000s. He thinks the desirability of the change of use there has existed for a while.

Rice says that the key to revitalization for this area is the coal creek station project. If that project were to ever move forward, it would change that area's whole character. He suspects that the adjacent properties would want to come along with that.

Moline says that they need to think about approving a rezoning that will better benefit the town. We need to look at the long term zoning.

Howe mentions that it has previously been discussed that this is change is crucial for the revitalization. McCaslin was another area in the city that we have tried to revitalize and had a similar approach as this one. He asks staff if that worked and if staff believes that this change and this retail will revitalize this area?

Ritchie says that staff believes that this zone change is an incremental step in order to vitalize this area. As far as the McCaslin small area plan, it recommended many changes. Has that been effective yet? No not yet. We would need to see larger operations at work between the property owners and consolidation.

Moline moves and **Howe** seconds to approve Resolution 7, Series 2020.

Motion passes 5-1 by a roll call vote.

Name	Vote
Chair Steve Brauneis	Yes
Vice Chair Tom Rice	Yes
Dietrich Hoefner	Yes
Keaton Howe	No
Jeff Moline	Yes
Debra Williams	Yes
Motion passed/failed:	Passed

Agenda Item B: 931 Main Street Planned Unit Development Amendment

A request for a Planned Unit Development Amendment to allow a single-story addition to the rear of the existing structure and associated site improvements. (Resolution 8, Series 2020)

- Applicant: Peter Stewart, Stewart Architecture
- Case Manager: Lisa Ritchie, Senior Planner

Howe discloses that a member of the applicant's team is a client of his but he has no interest or financial gain in this project. He says that in no way will this affect his judgment for this proposal.

Staff Presentation:

Before staff begins their presentation, Ritchie verifies that this application's public notice requirements have been met. They were mailed to the surrounding property owners on June 26, 2020, published in the Boulder Daily Camera on June 28, 2020, and the property was posted on June 26, 2020.

Ritchie discusses the property's location and background history.

Ritchie then reviews staff's analysis of this proposal in regards to the design handbook for downtown Louisville, the Louisville Municipal Code section 17.20.025 parking criteria and section 17.28.120 PUD criteria.

Staff Recommendations:

Staff recommends approval of Resolution 8, Series 2020 to allow a single-story addition to the rear of the existing structure.

Commissioner Questions of Staff:

None is heard.

Applicant Presentation:

7:18pm-7:19pm