JUNE 26, 2018 REGULAR SESSION 5:30 P.M.

I. Presiding Officer Call Regular Session to Order: (silent roll call by City Clerk):

II. Citizen Input: (estimated time 3 minutes)

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

III. Council Items:

A. Approval of the June 12, 2018 Regular Session meeting minutes
   Background: per City Charter, the city clerk produces minutes of the Council actions for all regular and special session meetings. Minutes are approved or amended at the following regular session meeting and become a permanent city record. If a city councilor was not present at the meeting, they must abstain in the vote and action on approval of the minutes.
   Staff contact: City Clerk Erica Boucher
   Action Requested of Council: To approve the June 12, 2018 Regular Session meeting minutes.
   Estimated time: 0 minutes

B. Interview and Appointment for Zoning Board of Adjustments and Appeals
   Background: Section 3.18 of the Gunnison Home Rule Charter creates a Zoning Board of Adjustments and Appeals, composed of five, at-large members who are appointed by Council. Terms are for three years. There is currently one vacancy on the Zoning Board of Adjustments and Appeals.
   One letter of interest was received. The letter was from Marla Larson.
   Staff contact: City Clerk Erica Boucher
   Action Requested of Council: Consider approval of candidate to the Zoning Board of Adjustments and Appeals
   Estimated time: 5 minutes

C. Presentation from Altitude Land Consultants on Ohio Avenue
   Background: Presentation by Altitude Land Consultants to show a design of Ohio Avenue walking corridor. Design of the walking corridor and streetscape was based on public input that was garnered from multiple public meetings, walking audits, and design charettes.
   Staff contact: Public Works Director David Gardner
   Action Requested of Council: Staff requests Council to provide direction on the proposed design and proposed next steps.
   Estimated time: 30 minutes
D. Resolution No. 4, Series 2018; Re: A Resolution of the City Council of the City of Gunnison, Colorado, Consenting to the Calling of an Election by the Gunnison Valley Regional Housing Authority on November 6, 2018.

Background: On June 13, 2018, the Gunnison Valley Regional Housing Authority approved a resolution to put a 1.5 mil levy tax increase on the November 6 ballot. The next step is for all four jurisdictions, (Gunnison County, the City of Gunnison, Crested Butte, and Mt. Crested Butte) to individually approve a similar resolution bring this tax increase ballot question to the voters.

Staff contact: City Manager Russ Forrest

Action Requested of Council: Approval of Resolution No. 4, Series 2018; Re: A Resolution of the City Council of the City of Gunnison, Colorado, Consenting to the Calling of an Election by the Gunnison Valley Regional Housing Authority on November 6, 2018

Estimated time: 10 minutes

E. Ordinance No. 8, Series 2018: An Ordinance of the City of the City Council of the City of Gunnison, Colorado, Amending Sections: 2.4, Principal Use Table; 2.6, Base Zone District Dimensional Standards; 3.3 Residential Use Standards; 3.7 (B), Retail Sales Establishment Standards; and, 4.4 Off-Street Parking and Loading, of the City of Gunnison Land Development Code

Background: Amendment to the Land Development Code, Sections: 2.4 Principal Use Table; 2.6 Base Zone District Dimensional Standards; 3.3 Residential Use Standards; 3.7 Retail Sales Establishment Standards and 4.4 Off-Street Parking and Loading.

Staff contact: Interim Community Development Director Andie Ruggera

Action Requested of Council: Introduce, read by title only, motion, second, and vote to pass and order to publish Ordinance No. 8, Series 2018 on first reading.

Estimated time: 5 minutes

F. Award Bid for Street and Pavement Marking

Background: Public Works Director summarized the need for the City to make progress on the City’s streets this summer during the May 8, 2018, Regular Session meeting, which includes work to apply pavement striping for streets and selected parking lots. These jobs were duly advertised and bids were scheduled to be received by Thursday, June 21, 2018.

Staff contact: Public Works Director David Gardner

Action Requested of Council: Award bid to the lowest and best bid received by the City per review and recommendation of Public Works Director.

Estimated time: 15 minutes

G. Award Bid for Concrete Improvements Project

Background: Public Works Director summarized the need for the City to make progress on the City’s streets this summer during the May 8, 2018, Regular Session meeting, which includes work to remove and replace selected sections of Concrete curb and gutter, concrete curb and aprons, concrete valley pans, and three (3) intersection approaches. Bids scheduled to be received by Thursday, June 21, 2018.

Staff contact: Public Works Director David Gardner

Action Requested of Council: Award bid to the lowest and best bid received by the City per review and recommendation of Public Works Director.

Estimated time: 15 minutes
H. **Purchasing Policy Amendment Discussion-Bond Requirements**  
Background: The City Code needs to be amended to include performance and payment bonds for City projects exceeding $50,000 to be in compliance with state requirements. Staff is seeking direction from the Council and the public for the percentages of the required bonds and whether any other amendments to the various surety clauses for the Purchasing Policy should be included in a future ordinance.  
Staff contact: Finance Director Ben Cowan  
**Action Requested of Council:** Staff requests direction from Council and the public for the percentages of the required bonds and whether any other amendments to the various surety clauses for the Purchasing Policy should be included in a future ordinance.  
Estimated time: 10 minutes

I. **Bicycle Dismount Zones**  
Background: Council and Staff have previously discussed creating a dismount zone in the downtown area to address bicycle usage of sidewalks and crosswalks. Item for further discussion and recommendation.  
Staff contact: Police Chief Keith Robinson  
**Action Requested of Council:** Staff requests Council to provide direction and recommendation.  
Estimated time: 20 minutes

J. **Coordinating City of Gunnison Elections with Gunnison County**  
Background: Elections are evolving in the United States. Due to the reality that the cost of elections continues to rise, increased personnel commitments are needed, and tighter security measures are required, it is an appropriate time for Council to consider amending the election date stated in the City of Gunnison Municipal Home Rule Charter and examine coordinating elections with Gunnison County.  
Staff contact: City Manager Russ Forrest and City Clerk Erica Boucher  
**Action Requested of Council:** Staff is requesting direction from Council whether or not to proceed with a Charter amendment and hold a special election in November and how to handle Council terms.  
Estimated time: 30 minutes

K. **Community Survey**  
Background: The 2017 City of Gunnison Strategic Plan included specific ideas for ways that the City can enhance its two-way communication with our residents. One specific idea is for the City to implement a community survey to receive public feedback on the direction of the City and its Services. On May 8, 2018, Council directed Staff to issue a community survey RFP and to recommend a firm to conduct the scope of work.  
Staff Contact: City Clerk Erica Boucher  
**Action Requested of Council:** A motion to approve RRC Associates to conduct a community survey for the City of Gunnison in an amount not to exceed $18,000.  
Estimated time: 15 minutes
V. Council Work/Discussion Items:
   A. City Clerk Report
      Staff contact: City Clerk Erica Boucher

   B. Finance Report
      Staff contact: Finance Director Ben Cowan

VI. Reports:
    City Attorney Report
    City Manager Strategic Projects Update and Report
    City Councilors with City-related meeting reports; discussion items for future Council meetings

VII. Meeting Adjournment
The City Council Meeting agenda is subject to change. The City Manager and City Attorney reports may include administrative items not listed. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website at www.gunnisonco.gov. Discussion Sessions are recorded; however, minutes are not produced. For further information, contact the City Clerk’s office at 970-641-8140. TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL NEEDS ARE REQUESTED TO CONTACT THE CITY CLERK 24 HOURS BEFORE ALL MEETINGS AT 970-641-8140.
The City Council Regular Session meeting was called to order at 5:30 P.M., by Mayor James Gelwicks with Councilors Mallory Logan, Jim Miles, Bob Drexel and Leia Morrison present along with City Manager Russ Forrest, City Attorney Kathy Fogo, Finance Director Ben Cowan, Deputy City Clerk Tara Kindall, Interim Community Development Director Andie Ruggera, Public Works Director David Gardner, Wastewater Plant Superintendent Mike Rogers, City Engineer Cody Tusing, several interested citizens, and the press. A Council quorum was present.

PUBLIC HEARING 5:30 P.M.
To receive input on the Application for a Retail Marijuana Products Manufacturing Establishment License from Cosmic Foods Holdings LLC, dba Cosmic Kitchen located at 419 South 10th Street in Gunnison, Colorado.

Mayor Gelwicks called the public hearing to order at 5:30 p.m., Tuesday, June 12, 2018, in the Council Chambers of City Hall, 201 West Virginia Avenue in Gunnison, Colorado. Present at the hearing are Councilors Logan, Miles, Drexel, Morrison, Gelwicks, City Manager Forrest, City Attorney Fogo, Finance Director Cowan, and Deputy Clerk Kindall. Also present are Public Works Director David Gardner and Wastewater Superintendent Mike Rogers.

Mayor Gelwicks asked for proof of publication for this hearing from the deputy clerk who stated that a copy was included in the packet and the original is in the City’s official file. He then asked for staff comments on the application. Deputy Clerk Kindall stated that the applicants have completed all necessary applications, forms, and paid all fees to the City and the State. The required members of City Staff have completed their review of the application and have signed off giving their approval. The site application is complete and the conditions are as follows: the licensed marijuana establishment shall comply with all provisions, standards and regulations of the LDC and all relevant building, mechanical and fire codes; a mechanical source capture and exhaust system shall be installed and subject to inspection and approval by the Building Official; the specialized equipment and appurtenances used in the extraction process shall be subject to periodic inspections for the Fire Marshal and/or Building Official to verify their integrity and safety; the licensed marijuana establishment premises shall be equipped with fire extinguishers and carbon dioxide alarms as required; a minimum of eight exterior off street parking spaces with one of those being a handicap accessible space shall be dedicated to this licensed marijuana establishment; building occupancy for the licensed marijuana establishment shall be subject to a final inspection and approval by the Building Official, Fire Marshal and Director of Community Development. City Staff recommends approval of the license with the stated conditions.

Mayor Gelwicks noted that Police Chief Keith Robinson joined the meeting at 5:35 p.m. He then invited the applicants to come forward, give testimony and asked them to sign, state their name and residency. Spencer Hestwood, 714 Maroon in Crested Butte and Darin Biggers, 56 Buena Vista Drive in Gunnison addressed council. Mr. Biggers thanked Council for the opportunity to be here and feels this will be a great business that will employment opportunities for people in the valley. Mr. Hestwood then explained the operation and the products they will be producing in more detail. City Manager Forrest asked if there is anything flammable or explosive in their business. Mr. Hestwood then reviewed the flammable aspects of the process, but stated that there is nothing explosive involved. Councilor Logan asked how many people were they looking at employing? Mr. Hestwood explained that at the beginning stages there would be about four but as they progress to stage two of their business plan they would be adding about 10-20 more employees. Mayor Gelwicks asked them if they were aware of the laws of the State and had they reviewed the regulations they would need to follow to operate in a responsible manner? Mr. Hestwood explained that Mr. Biggers is their compliance officer and their attorney wrote part of Amendment 64, so they are well aware of the regulations for their business and what is expected of them by the State and the City. Mayor Gelwicks noted for the record that Building Inspector Eric Jansen joined the meeting at 5:42 p.m. He then asked if anyone had any more questions for the applicants. Finance Director Cowan asked if they were familiar with the excise tax on manufacturing in the City? He then explained that there is a 5% on any products that would be sold to out of town vendors and the finance department would be available if they had any questions on that. Mayor Gelwicks asked if there was anyone in the audience who was interested in this public hearing since there were four public hearing tonight and noted there were two hands raised. He asked if we had
received any other correspondence from the public to enter into the record. The Deputy City Clerk stated that we had not. He then called for any final comments and hearing none closed the Public Hearing at 5:45 p.m.

PUBLIC HEARING 5:45 P.M.
To receive input on the Application for a transfer of ownership for a Retail Marijuana Products Manufacturing License and a Retail Marijuana Cultivation Establishment License from Cosmic Culture LLC located at 555 South 10th Street in Gunnison, Colorado.

Mayor Gelwicks called the public hearing to order at 5:45 p.m., Tuesday, June 12, 2018, in the Council Chamber of City Hall, 201 West Virginia Avenue in Gunnison, Colorado. Present are Councilors Logan, Miles, Drexel, Morrison, himself, City Attorney Fogo, City Manager Forrest, Finance Director Cowan, and Deputy Clerk Kindall.

Mayor Gelwicks asked for proof of publication from the deputy clerk and she stated a copy of the affidavit is included in their packet and the original copy is in the official file. He then asked for staff comments and recommendations. Deputy Clerk Kindall testified that the applicant has filled out all necessary forms and paid all required fees to both the City and the State. All City departments have given their approval for both license transfers, include the Public Works Director who didn’t have a chance to sign off on the form until this morning. The Site Development application was completed by the Community Development office and the following conditions apply: the licensed marijuana establishment shall comply with all provisions, standards and regulations of the Land Development Code and all relevant building, mechanical and fire codes adopted by the City; a required mechanical source capture and exhaust system design shall be submitted and the actual installation inspected and approved by the Building Official prior to commencing operations; the license marijuana establishment premises shall be equipped with fire extinguishers as required; a minimum of five exterior off street parking spaces with one of those being a handicap accessible space, shall be dedicated to this license marijuana establishment; building occupancy for the licensed marijuana establishment shall be subject to a final inspection and approval by the Building Official, Fire Marshal and Director of Community Development; stairs at the back of the building must be attached. She also stated that they have not received any additional letters or emails concerning this application. Based upon review and investigation of these applications for transfer staff recommends approval of these licenses with the stated conditions. Mayor Gelwicks then asked the applicants to please come forward sign in and state their names. Steve Allen and David Schmigle of 502 Curecanti Drive #16 in Gunnison, Colorado came forward and addressed Council. Mr. Allen thanked Council and introduced his stepdad and master grower David Schmigle. Mr. Schmigle briefly reviewed his background. Mr. Allen explained the operations of the business and the products they are planning at producing. Councilor Logan asked if the Cosmic name was a coincidence and Mr. Allen explained that it’s not a coincidence and they will be changing their dba at a later date when they’re up and running. He also noted that all the conditions have been met except for the stairs being attached and they are scheduled to do so in the very near future. Finance Director Cowan spoke to them about the excise tax concerning any marijuana products they would be producing and shipping out of the City for sale elsewhere in the state. Mayor Gelwicks then reiterated that as a license holder they have a responsibility to make themselves aware of all laws and regulations imposed by the State. Mr. Allen stated that not only is he aware of this aspect, but one of his employees is learning about these as well. Mayor Gelwicks then asked if there was anyone in the audience who wished to make any comments on the record. There were none. He then polled the audience as to the interest in this specific public hearing; no hands were raised. Hearing no more comments from the public or Council the mayor then closed the public hearing at 5:56 p.m.

PUBLIC HEARING 5:57 P.M.
To present the findings and recommendations of the Project Needs Assessment on the Wastewater Treatment Plant facility and to update council on the general status of the Wastewater Treatment Plant (Infrastructure Result #4).

Mayor Gelwicks called the public hearing to order at 5:57 p.m., Tuesday, June 12, 2018, in the Council Chamber of City Hall, 201 West Virginia Avenue in Gunnison, Colorado. Present at this hearing are Councilors Logan, Miles, Drexel, Morrison, himself, Jim Gelwicks, City Attorney Fogo, City Manager Forrest, Finance Director Cowan, Deputy Clerk Kindall, Public Works Director David Gardner, Wastewater Treatment Plant Supervisor Mike Rogers, Interim
Community Development Director Andie Ruggera, City Engineer Cody Tusing, Police Chief Keith Robinson, and Building Official Eric Jansen.

Public Works Director Gardner and WWTP Supervisor Rogers came forward and addressed Council. WWTP Supervisor Rogers began with an update on the general status of the WWTP concerning infrastructure result number four. Items included in Supervisor Rogers review were laboratory equipment, generator, the main distribution panel, communications upgrade, and future regulatory requirements. He also mentioned that they hired two new staff members: Krystal Brown, Laboratory Technician, and Donald Getz, Wastewater and Backflow Operator. Briefly mentioned were funding sources for the needs assessment, as well as some savings on the needs assessment included doing some processes in-house. Public Works Director Gardner asked Council if they had any questions before turning it over to Mark Maxwell of Tetra Tech, the project engineer for the needs assessment. Mayor Gelwicks asked if, during their monitoring of the treated water, there was a comparison of the water before it is released back into the river? Supervisor Rogers stated that they do, both upstream and downstream.

Mr. Maxwell then came forward, signed in, and addressed council. He explained that the project needs assessment report is a state requirement for certain types of funding. He then reviewed, in detail, the Power Point presentation included in the packet material. He spoke about the different mechanisms that have been in use for the past thirty years. Some of these mechanisms are still performing well. Any mechanisms that need updated or replaced were reviewed. Flow and leakage were explained. Councilor Drexel asked if had incorporated the needs list that was generated by Black and Veatch. Mr. Maxwell explained that they had. Councilor Drexel asked if they agreed with the list. Mr. Maxwell stated that they did for the most part, but in some cases they felt a different approach would be best and they’ve identified those as well. Mayor Gelwicks asked if there would come a point where they would have to build a new building. Mr. Maxwell stated that he doesn’t believe that a new building would be required at this time. He felt that they should be able to modify the existing structures sufficiently to meet the new mechanisms. He does recommend another compost pad be installed. He discussed the different funding sources and how this public hearing helps qualify for loan funding. Reduction in energy use will also aid in this. Zero interest and low interest loan sources are available. Staff feels that a 20-year term as opposed to a 30-year term would suffice. Pictures of some of the mechanisms currently in place were shown and the recommendations on what should be replaced, renovated, or upgraded were reviewed. Mr. Maxwell then went over regulatory requirements. Mayor Gelwicks asked if there were standards on heavy metals. Mr. Maxwell stated that there are but we are in compliance and doesn’t foresee that compliance will become issue later. City Manager Forrest asked what the City needs to do to bring back a good understanding of cost and revenue opportunities. Public Works Director Gardner said that the next step would be to get the project needs assessment approved by the state and in the meantime they will be having some discussions on the different funding such as different loans, DOLA grants compared to USDA, etc. They are working with the Finance Director to develop scenarios that would be the most beneficial to the City and at that time they would be able to present that to Council so they can move forward. The goal is to begin construction in April of next year. Mr. Maxwell explained that the total cost on this project, prior to any owner contingency that gets added, is about 12 million dollars and most of that is the plant itself. Some funds have been allocated to a detailed evaluation survey that would include the County. He feels the County needs to join in in order to make this process truly effective. This is so any future capacity is addressed. The system needs to be evaluated on what the flows may become so that it is able to process and treat with demands that need to be met in the future. Councilor Logan feels that as they are developing their comprehensive plan and sustainability plan it will be great to include the wastewater treatment plant and the green energy reserve as part of the energy savings there. Councilor Drexel asked for more clarification about the bridge loan. Mr. Maxwell stated it is somewhat like a construction loan and Finance Director clarified that at the end it is then rolled into the total and used the example of when a construction loan then becomes part of the mortgage. Mayor Gelwicks noted for the record that throughout the hearing there has been an audience of approximately 20 with some people coming in and other going out. He then called for any public comment. City of Gunnison Building Official Eric Jansen asked how the plant maintains operations while parts are being replaced? Mr. Maxwell answered that there are redundancies in place so that when one thing is being changed out the backups are performing during that period. Calling for any further comments and hearing none Mayor Gelwicks closed the public hearing at 6:49 p.m.
PUBLIC HEARING

6:50 P.M.

To receive input on City’s Text Amendment application ZA 18-1, proposing to amend Sections: 2.4 Principal Use Table, 2.6 Base Zone District Dimensional Standards, 3.3 Residential Use Standards, 3.7 (B) Retail Sales Establishment Standards and 4.4 Off-Street Parking and Loading with the Land Development Code.

Mayor Gelwicks opened the public hearing at 6:50 p.m., Tuesday, June 12, 2018, in the Council Chamber of City Hall, 201 West Virginia Avenue in Gunnison, Colorado. Present at this public hearing are Councilors Logan, Miles, Drexel, Morrison, and himself, Gelwicks, Finance Director Cowan, Deputy Clerk Kindall and Interim Community Development Director Ruggera.

The mayor then asked the deputy clerk for proof of publication. She stated there is a copy of the affidavit of publication in the packets and the original is in the City’s official file. Mayor Gelwicks then noted that Alex Joyce from Cascadia Partners is also present and City Manager Forrest is back in the room. He then asked for Staff comments and recommendations. Interim Community Development Director Ruggera addressed Council. She stated that this text amendment is driven by the Gunnison Vibrancy Initiative and the recommendations that came out of that. In the implementation section there are two phases of these text amendments and this phase one. These amendments are mostly in the central business district and are items that don’t take additional studies or consultation to implement. They were intended to allow flexibility within the B1 Zone District as well as promote some growth and also make it easier to construct accessory building units. Mayor Gelwicks noted for the record that City Attorney Fogo has rejoined the hearing. Interim Director Ruggera reviewed the amendments in detail explaining what is currently allowed and the effect these changes would have. She also explained what the reasoning was for planning and zoning commission’s decisions on certain aspects of the amendments. Councilor Logan asked why they crossed out making the patio seating available for physically disabled customers in one section, but then had it included below? Interim Director Ruggera explained that is was a duplicate and was stated twice so that’s why one was crossed out. She finished her review and then asked if they had any further questions. A member of the audience asked if there was any consideration of rooftop patios? Interim Director Ruggera stated that those are allowed now. Councilor Logan asked about the timeline on phase two. Interim Director Ruggera stated that they were looking at the end of the year and that Mr. Joyce was working on them now. Mr. Joyce stated that he will go before the Planning and Zoning Commission tomorrow night with the preliminary recommendation for phase two. He explained that phase two encompasses looking at the current code standards and recommending dimensional code standard changes that would add more tools to work with. City Manager Forrest explained that these two phases of amendments addresses their strategic goals by adding meaningful incentives that can be implemented right away and removing barriers that help achieve their affordable housing goals. Mayor Gelwicks noted for the audience that they will be conducting a parking study of the Central Business District and adjoining areas later this summer. Mayor Gelwicks called for any other comments and hearing none closed the public hearing at 7:04 p.m.

Mayor Gelwicks then recessed the meeting for a short break at 7:04 p.m. Council returned to Regular Session after the break at 7:11 p.m.

Citizen Input:

Mayor Gelwicks called for any citizen input on any items not already being considered on the agenda. No citizens came forward.

Council Action Items:

Action on Retail Marijuana Products Manufacturer License Application from Cosmic Foods Holdings, LLC. Councilor Logan moved and Councilor Morrison seconded a motion to approve the retail marijuana products manufacturer license application from Cosmic Foods Holdings, LLC dba Cosmic Kitchen, 419 South 10th Street, Gunnison, Colorado 81230. Mayor Gelwicks clarified that the conditions stated in the Decisions and Findings are part of this motion.

Roll call vote, yes: Logan, Miles, Gelwicks, and Morrison. Motion carried.

Roll call vote, no: Drexel.

Action on Retail Marijuana Products Manufacture and Retail Marijuana Cultivation Establishment License Transfer Application from Cosmic Culture, LLC. Councilor Morrison moved and Councilor Logan seconded a motion to approve a transfer of owner for a retail
marijuana products manufacturer license application and a transfer of ownership retail marijuana cultivation establishment license application form Cosmic Foods to Cosmic Culture LLC. Mayor Gelwicks again noted that the conditions stated in the Decisions and Findings are part of this motion as well.

Roll call vote, yes: Miles, Gelwicks, Morrison, and Logan. Motion carried.

Roll call vote, no: Drexel.

Approval of May 22, 2018 Regular Session meeting minutes. Councillor Drexel moved and Councilor seconded the minutes from the May 22, 2018 Regular Session as presented.

Roll call vote, yes: Gelwicks, Drexel, Morrison, and Logan. Motion carried.

Roll call vote, no: None.

Roll call vote, abstain: Miles.

Excuse Councilor Miles from the May 22, 2018 Regular Session meeting. Councilor Morrison moved and Councilor Drexel seconded a motion to excuse Councilor Miles from the May 22, 2018 Regular Session meeting.

Roll call vote, yes: Drexel, Morrison, Logan, and Gelwicks. Motion carried.

Roll call vote, no: None.

Roll call vote, abstain: Miles.

Multi-day Event Application for Gunnison Farmers Market. Barbara Frase, president of the Gunnison Farmers Market, came forward and addressed Council. She mentioned that last year was the first year that they held the Farmers Market on Wednesday evenings and it grossed over $3,000.00 so they plan on doing it again this year. The street is not closed for the Wednesday evening market. She stated that there are no big changes planned for this year’s market and would be happy to answer any questions that Council has. Councilor Logan moved and Councilor Morrison seconded a motion to approve the multi-day event applications for the Gunnison Farmers Market to be held on Saturdays from June 16 through October 6, 2018 and on Wednesdays from July 11 through September 12, 2018 and authorize the Mayor to sign the applications. Mayor Drexel asked how the additional trash pick-ups worked last year? Ms. Frase stated that she was not aware of any problems with the trash.

Roll call vote, yes: Morrison, Logan, Miles, Gelwicks, and Drexel. So carried.

Roll call vote, no: None.

Elections Discussion with Gunnison County Clerk. At this time Kathy Simillion, Gunnison County Clerk and Recorder, came forward to present to Council information on their election process and the advantages of the City coordinating their elections with the County. Ms. Simillion described the various aspects of elections such as security, ADA compliance, personnel, equipment, process, responsibility and accountability, the necessary intergovernmental agreement, costs, different entities that coordinate their elections with the County currently, transparency, and probability of increased voter turn-out. She invited any Councilor to come over to their office, speak with her and her staff, tour their facility, and ask any questions that they may have. She feels that with the signature verification process that is now required by the State, coordinating the City elections with them would be advantageous for us. City Manager Forrest asked about any deadlines for us to get anything on the ballot this November. Ms. Simillion stated that the deadline for an IGA to do that would be July. City Manager Forrest asked how the necessary security affects the cost of elections. Ms. Simillion then went into detail about the security process that is required by the State both before and after the election. Mayor Gelwicks asked about the drop ballot box that they have. Mr. Simillion explained that the box is covered by camera during elections and closed when not in use. He then asked about the changes in absentee voters. She then explained the new time requirements for overseas voters and the processes the County has in place to accommodate these voters. The mayor asked what would be the estimated cost of putting something on this November’s ballot? Ms. Simillion stated it would probably be about $10,000.00, but there is cap on what they are able to charge. Discussion ensued. Mayor Gelwicks asked Council if they would like Staff to follow up with this issue; they indicated that they would. Council thanked Ms. Simillion for all the information and her time tonight.

Text Amendment Application ZA 18-1 discussion. Interim Community Development Director Ruggera and City Manager Forrest indicated that they wanted to give Council another opportunity after the public hearing to ask any questions they may have concerning this text amendment. Councilor Logan asked Director Ruggera if they have had any public comment about this
amendment. She indicated that they haven’t. A brief discussion ensued. Council indicated they are ready for the ordinance to be brought forward concerning these amendments.

Main and Tomichi Discussion. As Police Chief Robinson, Public Works Director Gardner and City Engineer Tusing came forward to address Council, City Manager Forrest stated because of this last accident Staff has been brainstorming some different ideas about things that the City can do without going through a significant process with CDOT. Chief Robinson went through some statistics concerning the accidents that have occurred at this intersection. According to a 2012 CDOT safety study, the average accident rate on major traffic arterials, such as Highway 50, for the State is 2.52, for the City it’s 0.42. On minor arterials, such as Highway 135, for the State is 1.42, for the City it’s 0.37. Which means that the State findings put this intersection on the lower end of the spectrum in regards to accidents. He did discover that nationally pedestrian accidents are up; this is according to a preliminary 2016 national report. Specific to Colorado pedestrian fatalities in 2015 was 59 in 2017 was 75, so pedestrian safety in Colorado as well as the country is becoming a concern. Locally, from our system, 2013 through current shows pedestrian accidents to be 14; five were on private property, four were at Main and Tomichi, the rest were spread throughout the rest of the City. He explained in more detail about this last accident. He stated that they are trying get more of an educational message out for people to do what is safe. City Manager Forrest stated that CDOT has changed the signals at that intersection. Public Works Director Gardner said that they went out to the intersection and studied what was going on there and to see if there were some specific patterns that are being repeated. City Engineer Tusing went through some things that they’ve identified that they can implement right away. He reviewed that there seems to be quite of bit of clutter such as a sign, trash can, light pole, flower pots, and trees that they can look at moving to improve the visibility on the corners. They also thought that a visual cue for drivers by delineated the lanes with flexible markers would help them stay more in the lanes of travel as well as some white chevron painting that would be another visual cue. They would look at removing two parking spaces to accomplish this. Discussion ensued. City Manager Forrest asked Council if they were comfortable with these suggestions then the next step would be to do some community outreach via the Vibrancy team and go downtown to discuss these improvements with the businesses as part one; while part two would be continuing discussions with CDOT to make some of the more significant improvements in an effort to mitigate the life/safety issues at this intersection. Council is comfortable these immediate improvements. Councilor Morrison received a letter late today from three business women who work above the Corner Cupboard and have witnessed many close calls as well as the last accident and have invited anyone from Council or the City to come up to their offices to view the traffic situation from there. She forwarded this letter to Deputy Clerk Kindall who will in turn forward it to the rest of Council.

Ordinance No. 7, Series 2018: An ordinance of the City Council of the City of Gunnison amending Title 5 General Offenses, Chapter 5.20 Traffic, Section 5.20.020. of the Gunnison Municipal Code, additions or modifications. Councilor Drexel introduced Ordinance No. 7, Series 2018 and asked that it be read by title only by the City Attorney. Councilor Drexel moved and Councilor Logan seconded a motion to approve Ordinance No. 7, Series 2018 on first reading. Police Chief Robinson explained that this ordinance is a follow up to the discussion on May 22nd. The attached map shows the downtown area are affected and essentially this would include bikes and wheeled devices to stop, dismount, and walk across crosswalks in this area of downtown. It removes the requirement of signage. Enforcement would begin with an educational piece and warnings in this zone. A lengthy discussion ensued. It was then decided to table this item until the next meeting. Councilor Drexel moved and Councilor Morrison seconded to table this ordinance and discussion until the next Regular Session.

Roll call vote, yes: Miles, Gelwicks, Drexel, Morrison, and Logan. So carried.

Roll call vote, no: None.

Adjourn Regular Session Meeting and move into Discussion/Work Session.
With no further business for the Regular Session Mayor Gelwicks adjourned the Regular Session Meeting and Council went into the discussion/work session at 8:48 P.M.
To: City Councilors  
CC: City Manager Russell Forrest  
From: City Clerk Erica Boucher  
Date: June 26, 2018

RE: Zoning Board of Adjustments and Appeals Vacancy

Councillors:

Section 3.18 of the Gunnison Home Rule Charter creates a Zoning Board of Adjustments and Appeals, composed of five, at-large members who are appointed by Council. Terms are for three years. To be eligible to sit on the board, a person shall have been a resident of the City for at least one year immediately preceding the time of their appointment and shall hold no other office or position in the City administration. The Zoning Board of Adjustments and Appeals shall have power to hear and determine appeals from refusal of building permits in violation of the zoning ordinance; to make exceptions to the terms of the zoning regulations in harmony with their general purpose and intent; and to authorize variances from the strict application of the zoning regulations in such situations, and subject to such limitations as may be set by ordinance. The findings and decisions of the board shall be final, subject only to judicial review.

The is one board vacancy. The vacancy exists because the term expired. The in-coming board member will be appointed to serve one term, which expires June of 2021. The vacancy was advertised in the Gunnison County Times and was open for two weeks. Applicants had until Friday, June 22, 2018 at 5:00 P.M. to submit a letter of interest. One letter of interest was received. The interested applicant is Marla Larson.

Please let me know if you have any questions.
To: The City of Gunnison  
RE: Board of Zoning Adjustment and Appeals  

Please know that I am willing to serve another term on the Board of Zoning Adjustment and Appeals.

Thank you  
Marla Larson
Memorandum

To: City Council
From: David Gardner
Date: 6/22/2018
Re: Ohio Avenue – Western State Colorado University Enhancement & Streetscape

Goals and Background:

The City hired Altitude Land Consultant, Inc. (ALC) to provide a detailed conceptual plan to convert Ohio Avenue as a new gateway to safely engage students and visitors of Western State Colorado University with downtown Gunnison. Our goal was to engage the community to develop ideas with a new streetscape that would be user friendly to pedestrians, cyclists, motorists, as well as enhance and blend in with the aesthetic beauty of the neighborhood. In addition, the street would be converted as one of the main connectors from downtown to the university, bringing new vitality to the 3rd and 4th blocks of Main Street and much needed exposure to the university.

ALC began a series of community engagement activities centered on generating ideas and understanding the public’s desires. Staff and students of Western State Colorado University, Gunnison Schools, community stakeholders, business owners, neighbors, city staff, and the general public participated in an interactive public engagement process that proved to be extremely successful at gathering feedback, creating a sense of project ownership, and reaching members of the public who might not attend a more formal public meeting. Part of the process involved several walking audits along Ohio Avenue and informal design charrettes that converted ideas into visible alternatives. These alternatives were presented in the form of scaled cross sections with character sketches and material examples. As a result, a preferred plan has evolved.

Presently:

ALC will present their findings to council with the intent to gather additional comments and ideas. Eventually, these final comments will be culminated into the final plan that will consist of a detailed, scaled plan with enlargement of key nodes, intersections and design features, dimensioned cross sections, a site furnishing kit of parts, a preliminary list of plant material and conceptual landscape layout and a project design narrative. ALC will provide a preliminary estimate of probable costs and a timeline estimate for project implementation.
**Next Step:**

We believe there is grant funding opportunities to help offset costs. ALC will assist the City to develop strategies to help secure additional funding for the project, if available.

In order to get to the construction phase, the following next steps are necessary:

- **Task 1 – Construction Documents and Specifications:** Fixed Fee $28,750
- **Task 2 – Bid Documents:** Time & Materials – Not to Exceed Fee $9,000
- **Task 3 – Construction Observation:** Time & Materials – Not to Exceed Fee $5,000
- **Task 4 – Assist in Securing Necessary Easements:** If Applicable T&M
- **Additional Project Meeting / Coordination:** If Applicable T&M
- **Reimbursable Expenses**
  - Cost + 20%
- **Mileage:** $0.75 / mile

**Scope of Services Fees:** $42,750

**Action Requested:**

In order to stay on schedule to complete the project, Staff requests Council to provide direction on the proposed designed and proposed next steps. Construction season would be 2019.
Introduction
In 2017, the GVRHA Board adopted a strategic plan that identified the need for a Regional funding source to support the development of work force and affordable housing. The yearly funding need was established at $1.6 million based upon the housing shortfall identified in the Gunnison Valley Housing Needs Assessment, prepared by Rees Consulting, Inc., November 2016. The strategic plan also identified the role of the GVRHA to primarily establish private/public partnerships for the development of housing in the Gunnison Valley and to administer Housing programs and deed restrictions created by the Authority.

In 2017, polling was conducted to gauge public sentiment on a lodging or property tax. Unfortunately, after polling had commenced, it was discovered pursuant to Colorado Revised Statues that a lodging tax was not a taxing option available to the Authority. However, it was determined a property or sales tax could be levied by the Authority.

The Board discussed the two taxing options available and elected a sales tax was not a viable option because additional sales tax would push sales tax levels in the municipalities above 10%. Additionally, a sales tax increase can hurt local businesses as higher sales taxes cause people to shop out of valley and online, thereby negatively impacting our local community. Property taxes are a more reliable and steady source of income, as sales (and therefore sales taxes) can vary wildly from month-to-month and year-to-year, dependent on events (economy, price of gas, hurricanes, etc.) that the Gunnison Valley community has direct connection with but no control over.

Therefore, on April 18, 2018 the Board voted to pursue a 1.5 mill increase property tax to raise approximately $880,000 a year. The Board voted to sunset 1 mill after 10 years of the execution of the tax by the voters of Gunnison County and continue up to .5 mills in perpetuity.

The taxing authority for GVRHA is derived from Section 29-1-204.5(2)(f.2), C.R.S. which provides that the Authority, subject to an election, may levy an ad valorem property tax not exceeding five mills on each dollar of valuation for assessment of the taxable property within the Authority.

Rationale behind the Property Tax Question being placed on the 2018 Ballot
Affordable Housing has been established Valley-wide as the number 1 issue facing the community over the next 5 years. A housing shortfall of over 900 units was identified in the Need Assessment and the lack of housing has affected the work force from entry level positions to top managers of some of the largest organizations within the Valley. This has impacted individuals and families and has created a stifling effect on our economic growth potential. As the public outcry for attainable housing options for our work force has grown, the Housing Authority Board decided that it was time for citizens to vote on the creation of a regional funding source.
With only two taxing options available for a regional housing funding source, the Board elected to seek voter approval for a property tax. At this time a 1.5 mill property tax will cost residential property owners an additional $10.80 per assessed $100,000. Commercial property will be taxed an additional $43.50 per assessed $100,000, due to the Gallagher Amendment.

The proposed tax will fall short of the projected budget need of $1.6 million over the next ten years, however, the funds generated by this tax could be leveraged by other housing funding generated in each municipality and by state and federal housing funding grants and programs. While there will be no magic fix to the Valley’s growing housing needs gap; a methodical, strategic, and well planned affordable housing development plan over the next 10 years will go a long way to relieve some of the pressures faced in the current housing market, keep hard working people in the community, and provide a more stable employment base for our local businesses. This dedicated funding sources creates opportunities for engaging private/public partnerships for the development of housing, which will allow the tax dollars to be recycled back into the local work force and the Gunnison Valley economy.

**How will the Tax be used?**

There are several immediate needs that will assist in the creation and sustainability of housing for the local workforce. These can be characterized in five categories including:

1. the installation of horizontal infrastructure (earthwork, water and sewer service, roads),
2. vertical construction (labor, materials, design, permitting required to build housing),
3. rehabilitation and energy efficiency of existing housing,
4. continued land-banking,
5. and the administration of housing programs.

Each municipality and the County have land assets that can be leveraged to assist in the creation of new housing units. This land is publicly controlled and the potential of affordable and workforce housing projects on many these sites has been discussed publicly. These land assets are identified below.

Regarding (1) - Currently the biggest hurdle to the development of these lands for the local workforce are the infrastructure and other horizontal costs to allowing development to occur. Horizontal costs are defined as “the costs to make raw land available to builders to begin horizontal construction including the costs for utility extensions, entitlements, roads, intersections improvements, site stabilization, and other services needed for residential development.”

Regarding (2) - The average cost to make a block of housing available to begin vertical construction within a housing project has surpassed $600,000 for a city block. These costs are exacerbated in areas with higher tap fees, for sites with topography, or other geographical limitations. Using proceeds of the ballot initiative to cover these costs would make more homes at lower price points feasible. Any housing produced with support from this tax will have long-term affordability maintained through deed restrictions and voluntary rent limit agreements.
Unfortunately there are significant costs of preparing any of the publicly controlled land to go vertical. This equates to high housing costs which makes housing unattainable for our workforce. However, if the tax is used to assist with subsiding the horizontal costs of construction it will benefit both existing residents and utility user rate payers as well as assist with the development of attainable housing. By lowering or even eliminating horizontal costs, this will allow the Authority to then engage the private sector to produce housing that only includes the vertical costs for construction. This should produce both rental and home ownership housing opportunities for individuals and families.

The subsidization of vertical costs can be used to reduce building costs and thus lower the price point per unit for housing projects. It could be a particularly valuable tool to help assist with multi-family rental projects as they break ground. This can help the private sector reduce costs and guarantee lower rental rates. It should be noted, that using tax funding to assist with vertical construction is the most highly visible way to show results and ensure the long-term success of a regional funding source.

Regarding (3) - Existing housing programs and new programs that assist both home owners and renters rehabilitate their units will allow existing housing to function for a longer time, reduce the cost of living, and make households more comfortable and safe in their homes. Much of the existing housing inventory in our valley is in poor condition or is highly energy in-efficient. Some funds for these programs are provided at state and federal levels, but they are not sufficient to meet our local needs. Using the tax to leverage funding for these programs will allow them to serve more people in more phases of life and continues to support our work force once they are successful in securing housing.

Regarding (4) – The opportunities to create public/private partnerships are greatly enhanced by the ability of the public sector to provide land and infrastructure to a project. As the current parcels of land owned by the jurisdictions get built out, it will be prudent to continue to be proactive in acquiring suitable parcels for development in the long-term.

Regarding (5) - The Board recognizes the administration of the housing program is often the most controversial expenditure of the proposed tax. However, it is vital to ensuring that projects move quickly and efficiently as well as ensuring our residents continue to be in successful housing situations well after the project is finished. Home ownership is a major life step in the progression of any of our residents’ lifetimes. Having a dedicated staff at the helm to assist buyers in with obtaining good home loans, being ready for the responsibilities of homeownership, or even working through a tough economic period is imperative. Finally, a well-administered housing program ensures fairness and equal opportunities to all of our residents to access the region.

**Opportunities for Housing Solutions**

Each of the following projects have been identified by each municipality and the County as potential sites for housing. The projected costs are in 2018 dollars and will continue to increase.
It is important to note that the projected costs well exceed the potential $9,000,000 that will be generated over the next 10 years by the proposed property tax. However, it will be up to the Board to ensure these projects are prioritized to make the largest positive impact of each community. External funding and participation by the hosting municipality must be leveraged to ensure each of the proposed projects are successful. Finally, no one project will solve every affordable housing problem. Projects must maintain their individual mission to make a dent in the overall housing issue and ensure the future residents success. These opportunities are in the attached spreadsheet.
<table>
<thead>
<tr>
<th></th>
<th>JURISDICTION</th>
<th>PARCEL IDENTIFICATION</th>
<th>PARCEL SIZE</th>
<th>TARGET POPULATION</th>
<th>HNA MAX RECOMMEND *</th>
<th>DENSITY DESIRED</th>
<th>UNIT TYPE(S)</th>
<th>INFRASTRUCTURE</th>
<th>VERTICAL COSTS</th>
<th>FUNDING SOURCE(S)</th>
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<tbody>
<tr>
<td>2</td>
<td>Crested Butte</td>
<td>Lots 77 -80</td>
<td>14 duplex-sized lots</td>
<td>2-4 person HH</td>
<td>Own ≤ 200% $443,715 Rent ≤ 80% $1,246</td>
<td>28 units ~ 10 units/acre</td>
<td>SFA 2bd/2 ba</td>
<td></td>
<td></td>
<td>Loan/Town/GVHF</td>
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<td>3</td>
<td>Gunnison County</td>
<td>Lot EM2 and EM3, Larkspur</td>
<td>0.4 acres (platted as Triplex lots)</td>
<td>2-4 person HH</td>
<td>Own ≤ 200% $278,514 Rent ≤ 100% $1,558</td>
<td>6 units /7 units/acre</td>
<td>Triplex (bedroom tbd)</td>
<td>Unknown</td>
<td>Unknown</td>
<td>TBD</td>
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<tr>
<td>4</td>
<td>Gunnison County</td>
<td>Stallion Park, Buckhorn Ranch</td>
<td>2.13 acres (platted for 32 units)</td>
<td>2-4 person HH</td>
<td>Own ≤ 200% $278,514 Rent ≤ 100% $1,558</td>
<td>8 new units /15 units/acre</td>
<td>2 4-plex bldgs 3 bd / 2 ba with garage</td>
<td>Unknown</td>
<td>Unknown</td>
<td>TBD</td>
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<tr>
<td>5</td>
<td>City of Gunnison (owned by Gunnison County)</td>
<td>Lot 22, Rock Creek</td>
<td>~5 acres</td>
<td>1-4 person HH</td>
<td>Own ≤ 80% $164,285 Rent ≤ 80% $1,246</td>
<td>~ 75 units /15 units/acre</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
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<td>6</td>
<td>City of Gunnison</td>
<td>West Gunnison</td>
<td>24 acres</td>
<td>1-4 person HH</td>
<td>Own ≤ 80% $164,285 Rent ≤ 80% $1,246</td>
<td>TBD</td>
<td>SFD/Townhome</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
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<tr>
<td>7</td>
<td>City of Gunnison</td>
<td>Gunnison Rising</td>
<td>600 acres</td>
<td>1-4 person HH</td>
<td>Own ≤ 80% $164,285 Rent ≤ 80% $1,246</td>
<td>TBD</td>
<td>Rental/Ownership All types to include MF</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
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Back to Top
<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
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<tr>
<td>JURISDICTION</td>
<td>PARCEL IDENTIFICATION</td>
<td>PARCEL SIZE</td>
<td>TARGET POPULATION</td>
<td>HNA MAX RECOMMEND *</td>
<td>DENSITY DESIRED</td>
<td>UNIT TYPE(S)</td>
<td>INFRASTRUCTURE</td>
<td>VERTICAL COSTS</td>
<td>FUNDING SOURCE(S)</td>
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<td>City of Gunnison</td>
<td>Lazy K</td>
<td>6.6 acres</td>
<td>3-6 person HH</td>
<td>Own ≤ 80% $164,285 Rent ≤ 80% $1,246</td>
<td>66 units 10 units/acre</td>
<td>SFD/Townhome/Condo</td>
<td>TBD</td>
<td>TBD</td>
<td>Loan/Town/GVHF</td>
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<td>Mt. Crested Butte</td>
<td>North Village parcel</td>
<td>17 acres</td>
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<td>Own ≤ 200% $443,715 Rent ≤ 80% $1,246</td>
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<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Mt Crested Butte/CBMR</td>
<td>Homestead</td>
<td>unknown</td>
<td>2-4 person HH</td>
<td>Own ≤ 200% $443,715 Rent ≤ 80% $1,246</td>
<td>22 units platted</td>
<td>Townhome</td>
<td>TBD</td>
<td>TBD</td>
<td>Developer / CBMR / Mt CB</td>
</tr>
<tr>
<td>Mt Crested Butte/RMBL/CBMR</td>
<td>RMBL Mt CB Campus Expansion</td>
<td>5.34 single - 2 persons</td>
<td>17 bedrooms</td>
<td>Seasonal/Transitional</td>
<td>TBD</td>
<td>TBD</td>
<td>RMBL + ?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Gunnison</td>
<td>Residential Zone District</td>
<td>n/a</td>
<td>1-2 person HH</td>
<td>Rent ≤ 80% $1,246</td>
<td>1 per lot</td>
<td>ADU</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Private Sector Development in Gunnison</td>
<td>Van Tuyl Neighborhood</td>
<td>3 bed / 3 bath</td>
<td>Own $306k - $325k</td>
<td>85 units total</td>
<td>ADU proposed</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>Private Sector Financing</td>
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</tbody>
</table>

* Shading = Private Sector
* Assumptions = 2 bedroom unit, 3 person HH
RESOLUTION NO. 4
SERIES 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, CONSENTING TO THE CALLING OF AN ELECTION BY THE GUNNISON VALLEY REGIONAL HOUSING AUTHORITY ON NOVEMBER 6, 2018.

WHEREAS, Gunnison County, Colorado (the “County”) is a duly created and organized county existing under the Constitution and the laws of the State of Colorado (the “State”); and

WHEREAS, the City of Gunnison, Colorado (“Gunnison”) is a municipal corporation duly organized and existing under the Town’s Charter adopted pursuant to Article XX of the Constitution of the State; and

WHEREAS, the City Council of Gunnison (the “City Council”) is the governing body of Gunnison; and

WHEREAS, the Town of Crested Butte, Colorado (“Crested Butte”) is a municipal corporation duly organized and existing under the Town’s Charter adopted pursuant to Article XX of the Constitution of the State; and

WHEREAS, the Town of Mt. Crested Butte, Colorado (“Mt. Crested Butte” and, together with the County, Gunnison, and Crested Butte, the “Contracting Members”) is a municipal corporation duly organized and existing under the Town’s Charter adopted pursuant to Article XX of the Constitution of the State; and

WHEREAS, pursuant to Section 18 of Article XIV of the Colorado Constitution and Section 29-1-204.5, Colorado Revised Statutes (the “Act”), the Contracting Members, created the Gunnison Valley Regional Housing Authority (the “Authority”), which Authority operates pursuant to the Act and an intergovernmental agreement establishing the Authority, as amended (the “Contract”); and

WHEREAS, the governing bodies of each of the Contracting Members (the “Governing Bodies”) have heretofore approved the Contract for the Authority; and

WHEREAS, the Board of Directors of the Authority has determined that public interest and necessity require an increase in ad valorem property taxes within the Authority to effect the planning, financing, acquisition, construction, reconstruction or repair, maintenance, management and operation of housing projects or programs pursuant to a multi-jurisdictional plan (the “Projects”);

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any tax increase; and

WHEREAS, pursuant to Sections 29-1-204.5 (7.5), C.R.S., no tax increase shall take effect unless first approved by the registered electors of the Authority; and
WHEREAS, Section 29-1-204.5(2)(f.2), C.R.S. provides that the Authority, subject to an election, may levy an ad valorem property tax not exceeding five mills on each dollar of valuation for assessment of the taxable property within the Authority; and

WHEREAS, TABOR requires elections on ballot issues (as defined in TABOR) to be held on limited election days; and

WHEREAS, November 6, 2018 is one of the election dates at which ballot issues may be submitted pursuant to TABOR; and

WHEREAS, pursuant to Section 4.2 of the Contract, the Authority shall not submit a tax increase question to the voters unless it has obtained the prior written consent of the Contracting Members; and

WHEREAS, the Board has requested that each of the Contracting Members consent to the Authority submitting a ballot issue to the voters of the Authority at the November 6, 2018 election; and

WHEREAS, it is necessary for the governing bodies of the Contracting Members to consent to the calling of the election by the Authority.

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

Section 1. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the City Council and the officers thereof, directed toward the election and the objects and purposes herein stated are hereby ratified, approved and confirmed.

Section 2. The City Council hereby consents to the participation of the Authority in an election to be held on November 6, 2018, in the manner prescribed by resolution of the Authority attached hereto as Exhibit A.

Section 3. If any section, subsection, 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, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.
INTRODUCED, READ AND ADOPTED at a regular meeting of the City Council of the City of Gunnison, Colorado on the 26th day of June, 2018.

CITY OF GUNNISON,
COLORADO

___________________________
Jim Gelwicks, Mayor
(SEAL)

ATTEST:

___________________________
Erica Boucher, City Clerk
EXHIBIT A

FORM OF AUTHORITY RESOLUTION
GUNNISON VALLEY REGIONAL HOUSING AUTHORITY

A RESOLUTION SUBMITTING TO THE QUALIFIED ELECTORS OF THE GUNNISON VALLEY REGIONAL AUTHORITY, AT THE ELECTION TO BE HELD NOVEMBER 6, 2018, A BALLOT QUESTION AUTHORIZING A TAX INCREASE.

WHEREAS, the Gunnison Valley Regional Housing Authority (the “Authority”), is a multi-jurisdictional housing authority formed pursuant to an agreement authorized by Section 29-1-204.5 (the “Act”) between Gunnison County, the City of Gunnison, and the Towns of Crested Butte and Mt. Crested Butte, Colorado (the “Contracting Members”); and

WHEREAS, the members of the Board of Directors of the Authority (the “Board”) have been duly appointed and qualified; and

WHEREAS, the Contracting Members have previously approved an establishing contract setting forth certain powers and functions of the Authority (the “Contract”); and

WHEREAS, the Board has determined that public interest and necessity require an increase in ad valorem property taxes within the Authority to effect the planning, financing, acquisition, construction, reconstruction or repair, maintenance, management and operation of housing projects or programs pursuant to a multi-jurisdictional plan (the “Projects”); and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any tax increase; and

WHEREAS, pursuant to Section 29-1-204.5 (7.5), C.R.S., no tax increase shall take effect unless first approved by the registered electors of the Authority; and

WHEREAS, Section 29-1-204.5(2)(f.2), C.R.S. provides that the Authority, subject to an election, may levy an ad valorem property tax not exceeding five mills on each dollar of valuation for assessment of the taxable property within the Authority; and

WHEREAS, as required by Section 29-1-204.5(2)(e)(I), C.R.S., the levying of such taxes or fees will fairly distribute the costs of the Authority’s activities among the persons and businesses benefitted thereby and will not impose an undue burden on any particular group of persons and businesses; and

WHEREAS, November 6, 2018 is one of the election dates at which ballot issues may be submitted pursuant to TABOR; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election; and
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GUNNISON VALLEY REGIONAL HOUSING AUTHORITY:

Section 1. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the Authority and the officers thereof, directed towards the election and the objects and purposes herein stated are hereby ratified, approved and confirmed. All terms used herein and not otherwise defined shall have the meanings set forth in Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto.

Section 2. Pursuant to TABOR, the Uniform Election Code and the Act, the Board hereby determines to call an election to be conducted on November 6, 2018, as a coordinated mail ballot election (the “Election”). The Board hereby determines that at the Election, there shall be submitted to the qualified electors of the Authority the question set forth in Section 3 hereof. Because the election will be held as part of the coordinated election, the Board hereby determines that the County Clerk and Recorder for Gunnison County (the “County Clerk”) shall conduct the election on behalf of the Authority. The officers of the Authority are hereby authorized to enter into one or more intergovernmental agreements with the County Clerk pursuant to Section 1-7-116, C.R.S. Any such intergovernmental agreement heretofore entered into in connection with the election is hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes and directs the designated election official to certify to the County Clerk on or before September 7, 2018, a ballot question in substantially the following form. Such question shall be submitted to the eligible electors of the Authority at the Election:

SHALL THE GUNNISON VALLEY REGIONAL HOUSING AUTHORITY TAXES BE INCREASED $900,000 IN TAX COLLECTION YEAR 2019, AND BY SUCH AMOUNT AS MAY BE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN AD VALOREM PROPERTY TAX OF NOT MORE THAN 1.50 MILLS ON TAXABLE REAL AND PERSONAL PROPERTY WITHIN THE BOUNDARIES OF THE AUTHORITY, COMMENCING JANUARY 1, 2019, THROUGH AND INCLUDING DECEMBER 1, 2028, AND CONTINUING AT A LEVY OF NOT MORE THAN .5 MILLS FROM JANUARY 1, 2029 AND THEREAFTER, FOR THE PURPOSES OF PLANNING, FINANCING, ACQUIRING, CONSTRUCTING, RECONSTRUCTING, REPAIRING, MAINTAINING, MANAGING AND OPERATING HOUSING PROJECTS OR PROGRAMS IN GUNNISON COUNTY, INCLUDING THE INCORPORATED JURISDICTIONS, TO PROVIDE THE FOLLOWING:

(1) DWELLING ACCOMMODATIONS AT RENTAL PRICES OR PURCHASE PRICES WITHIN THE MEANS OF FAMILIES OF LOW- OR MODERATE-INCOME;

(2) AFFORDABLE HOUSING PROJECTS OR PROGRAMS FOR EMPLOYEES OF EMPLOYERS LOCATED WITHIN THE JURISDICTION OF THE AUTHORITY;
(3) SENIOR HOUSING FACILITIES;
(4) ADMINISTRATION OF HOUSING VOUCHER PROGRAMS
FUNDED THROUGH THE U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT OR OTHER SIMILAR
PROGRAMS; AND
(5) MIXED INCOME OR MIXED USE PROPERTIES THAT
FACILITATE EITHER OF THE PURPOSES SET FORTH IN
BULLETS (1) AND (2) ABOVE;

AND SHALL THE AUTHORITY BE AUTHORIZED TO COLLECT,
RETAIN AND SPEND THE REVENUES COLLECTED FROM SUCH
TOTAL PROPERTY TAX RATE, INVESTMENT INCOME THEREON
AND ANY OTHER LAWFUL SOURCE AS A VOTER-APPROVED
REVENUE CHANGE AND EXCEPTION TO THE LIMITS WHICH
WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF
THE COLORADO CONSTITUTION (TABOR), OR ANY OTHER LAW,
AND AS A PERMANENT WAIVER OF THE 5.5% LIMITATION UNDER
SECTION 29-1-301, C.R.S.?

Section 4. Jennifer Kermode is hereby appointed as the designated
election official of the Authority for purposes of performing acts required or permitted by
law in connection with the Election. Further, all officers of the Authority shall be, and
they hereby are, authorized and directed to take all action necessary or appropriate to
effectuate the provisions of this Resolution.

Section 5. If a majority of the votes cast on the question of increasing
Authority taxes for the purposes specified in the Contract submitted at the Election shall
be in favor of same, the Authority shall be authorized to proceed with the necessary
action to comply with such questions.

Section 6. Any authority to increase taxes, if conferred by the results of the
Election, shall be deemed and considered a continuing authority to increase taxes, and
neither the partial exercise of the authority so conferred, nor any lapse of time, shall be
considered as exhausting or limiting the full authority so conferred.

Section 7. The Board hereby determines that the levy of such ad valorem
property tax will fairly distribute the costs of the Authority’s activities among the persons
and businesses benefitted thereby and will not impose an undue burden on any particular
group of persons or businesses.

Section 8. If any section, subsection, 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, subsection, paragraph, clause, or provision shall in no
manner affect any remaining provisions of this resolution, the intent being that the same
are severable.

Section 9. All orders, resolutions, bylaws, ordinances or regulations of the
Authority, or parts thereof, inconsistent with this resolution are hereby repealed to the
extent only of such inconsistency.
UPON a motion duly made, seconded and carried, the foregoing Resolution was adopted this 13th day of June, 2018.

GUNNISON VALLEY REGIONAL HOUSING AUTHORITY

[Signature]
Chairperson

ATTEST:

[Signature]
Secretary
TO: City Council
FROM: Andie Ruggera
DATE: June 22, 2018
RE: Text Amendment to the LDC

A Text Amendment has been initiated by the Community Development Director to amend Sections: 2.4 Principal Use Table, 2.6 Base Zone District Dimensional Standards, 3.3 Residential Use Standards, 3.7 (B) Retail Sales Establishment Standards and 4.4 Off-Street Parking and Loading within the Land Development Code.

The proposed text amendment is driven by the Gunnison Vibrancy Initiative and the report that was created and adopted by City Council in March, 2018 as part of their Strategic Plan. The report identifies multiple recommendations for amendments to the City’s Land Development Code. The proposed changes are primarily within the CBD (Central Business District) and B1 (Professional Business) zone districts, amendments to the Dimensional Standards for all residential zones and off-street parking requirements for upper-story residential and accessory dwelling units.

Text Amendment requests must comply with established criteria to address the compatibility with the City’s Master Plan; the purposes of the LDC; and to preserve the health, safety and orderly development of the community.

The Planning and Zoning Commission held a public hearing on May 9, 2018 regarding this request and unanimously voted to recommend approval of this Text Amendment.

The Council packet contains the draft ordinance with amendments to the LDC as Attachment A and the Planning and Zoning Commission recommendation within the staff report.

**Action requested by Council:** Introduce, read by title only by the City Attorney, motion, second and vote to pass and order to publish Ordinance No. 8, Series 2018 on first reading.
ORDINANCE NO. 8
SERIES 2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AMENDING SECTIONS: 2.4, PRINCIPAL USE TABLE; 2.6, BASE ZONE DISTRICT DIMENSIONAL STANDARDS; 3.3, RESIDENTIAL USE STANDARDS; 3.7 (B), RETAIL SALES ESTABLISHMENT STANDARDS; AND, 4.4, OFF-STREET PARKING AND LOADING, OF THE CITY OF GUNNISON LAND DEVELOPMENT CODE

WHEREAS, through the Gunnison Vibrancy Initiative a report was created and adopted by City Council in March 2018 as part of their Strategic Plan, that included an implementation section and Action Plan of items to be pursued within the next five years; and

WHEREAS, the Gunnison Valley Initiative Report identifies multiple recommendations for amendments to the Land Development Code; and

WHEREAS, the Community Development Director of the City of Gunnison has filed an application with the City of Gunnison, Colorado, seeking approval of a text amendment to Sections: 2.4 Principal Use Table, 2.6 Base Zone District Dimensional Standards, 3.3 Residential Use Standards, 3.7 (B) Retail Sales Establishment Standards and 4.4 Off-Street Parking and Loading within the Land Development Code; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to notice published in accordance with the Land Development Code of the City of Gunnison, Colorado, on May 9, 2018; and

WHEREAS, Section 10.5 of the City of Gunnison Land Development Code states that approval of a text amendment to the Land Development Code may only occur if the application meets all the Review Standards for Text Amendment; and

WHEREAS, the Planning and Zoning Commission considered the amendments to the Land Development Code following a public hearing held on May 9, 2018, and recommends approval of the same. Therefore, staff requests Council approve the amendments in the form attached hereto as Attachment A and incorporated herein; and

WHEREAS, the City Council of the City of Gunnison, Colorado, held a public hearing on the Text Amendment application to the Land Development Code on June 12, 2018;

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

Section 1. City of Gunnison Land Development Code, Sections: 2.4 Principal Use Table, 2.6 Base Zone District Dimensional Standards, 3.3 Residential Use Standards, 3.7 (B) Retail Sales Establishment Standards and 4.4 Off-Street Parking and Loading, is hereby adopted in the form attached hereto as Attachment A and incorporated herein.
Section 2. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 26th day of June, 2018, on first reading, and introduced, read, passed and adopted on second and final reading this 10th day of July, 2018.

_____________________________________________
Jim Gelwicks, Mayor

ATTEST:

_____________________________________________
Erica Boucher, City Clerk

Published by Title in the Gunnison Country Times Newspaper on July 5, 2018.
## Section 2. Zoning Districts

### §2.4 Principal Use Table

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>Specific Uses</th>
<th>Residential Zoning Districts</th>
<th>Non-Residential Zoning Districts</th>
<th>Use Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Use Categories (§3.2)</strong></td>
<td></td>
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<tr>
<td>Household Living</td>
<td>Accessory Dwelling</td>
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<td>Duplex dwellings&lt;sup&gt;6&lt;/sup&gt;</td>
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<td></td>
<td>§3.3C</td>
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<td>Manufactured homes</td>
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<td>§3.3B</td>
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<td>Mobile home parks</td>
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<td>C C C C C C</td>
<td>§3.3I</td>
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<td>§3.3D</td>
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<td>§3.3 C</td>
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<td></td>
<td>Townhouses</td>
<td>P P P P P C</td>
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<td>§3.3F</td>
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<td></td>
<td>Upper story residential</td>
<td>P P P P</td>
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<td>§3.3G</td>
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<td></td>
<td>Zero lot line dwellings</td>
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<td>Congregate Living</td>
<td>Assisted Living homes</td>
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<td>C C C C</td>
<td>§3.3J</td>
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<td>Nursing home</td>
<td>C C C C</td>
<td>C C C C</td>
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<tr>
<td></td>
<td>Rooming and boarding houses, dormitories, fraternities or sororities</td>
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<td>C C C C</td>
<td>§3.3K</td>
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<td>Home Occupation and Home Business</td>
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<td>§3.3L</td>
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<td>Marijuana</td>
<td>Personal Use of Marijuana</td>
<td>P P P P P P P P</td>
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<td>§3.3M</td>
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<td><strong>Public, Civic and Institutional Use Categories (§3.4)</strong></td>
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<td>Community Service</td>
<td>Detention Center</td>
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<td>P</td>
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<td></td>
<td>Mausoleum, columbarium</td>
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<td></td>
<td>C C</td>
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<tr>
<td></td>
<td>Neighborhood or community centers</td>
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<td>Public garage or shop</td>
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<td>Educational Facilities</td>
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<td></td>
<td>School, trade or business</td>
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<td>Day Care</td>
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<td>Daycare Home</td>
<td>C C</td>
<td>P P P P</td>
<td>P P P</td>
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<td>C C</td>
<td>C C</td>
<td>C C</td>
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<td>Marijuana-Related Business</td>
<td>Marijuana Club or Vapor Lounge</td>
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<td>Medical</td>
<td>Hospitals</td>
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<td>Parks and Open Space</td>
<td>Parks and recreational facilities</td>
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<td>Religious Institutions</td>
<td>Churches or places of worship</td>
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<td>C C</td>
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<td>Utilities</td>
<td>Major utilities (private only)</td>
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<td>Minor utilities</td>
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1 Conditional Use is limited to not more than eight developmentally disabled or eight mentally ill persons pursuant to CRS §31-23-304(4).
<table>
<thead>
<tr>
<th>Use Categories</th>
<th>Specific Uses</th>
<th>RESIDENTIAL ZONING DISTRICTS</th>
<th>NON-RESIDENTIAL ZONING DISTRICTS</th>
<th>Use Standards</th>
</tr>
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<td>R-1</td>
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<td>Entertainment Event, Major</td>
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<td>Office</td>
<td>Banks and financial institutions</td>
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<td>Government offices</td>
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<td>Medical clinic or dental office</td>
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<td>Professional offices</td>
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<td></td>
<td>Radio and television studios</td>
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<td>Parking, Commercial</td>
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<td>Automotive Supplies</td>
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<td>Book stores</td>
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<tr>
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<td>Convenience Stores, without gas pumps</td>
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<tr>
<td></td>
<td>Drive-in&lt;sup&gt;6&lt;/sup&gt;</td>
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<td>P</td>
<td>P</td>
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<td>Furniture and Appliance Stores</td>
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<td>Greenehouse or nursery</td>
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<td>Lumber and building material sales</td>
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<td>Outside Sales or Display</td>
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<td>Retail Grocery Store&lt;sup&gt;6&lt;/sup&gt;</td>
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<td>Retail Sales and Service, Personal Service-Oriented</td>
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<td>Athletic or Health Clubs</td>
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<td>Barber and beauty shops</td>
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<td>P</td>
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<td>Dry cleaning drop-off/pick-up</td>
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<td>Funeral homes and mortuaries</td>
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<td>Kennels</td>
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<td>Laundromats</td>
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<td>Photography studios</td>
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<td>Hostels</td>
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<td>Hotels and motels</td>
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<td>RV Parks</td>
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<td>Retail Sales and Service, Eating and Drinking-Oriented</td>
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<td>Bars and taverns&lt;sup&gt;6&lt;/sup&gt;</td>
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<td>Coffee shop/bakery&lt;sup&gt;6&lt;/sup&gt;</td>
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<sup>2</sup> Ordinance 5, 2015  
<sup>3</sup> Ordinance 3, 2015
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<th>Use Categories</th>
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<td>Private lodges and clubs</td>
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<td>Recreation, indoor</td>
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<td>Chemicals or explosives manufacture</td>
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<td>Salvage or wrecking yards, or junkyards</td>
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<td>Sale, rental, leasing of heavy equipment</td>
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<td>Truck Stop</td>
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<td>P</td>
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<tr>
<td>Catering Services&lt;sup&gt;6&lt;/sup&gt;</td>
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<td>Concrete or redi-mix plant</td>
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<td>Firewood Production&lt;sup&gt;4&lt;/sup&gt;</td>
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<td>Greenhouse/nursery</td>
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<td>Industrial Hemp Production</td>
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<td>Manufacture or assembly of machinery, equipment, instruments</td>
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<td>Meat Processing</td>
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<sup>4</sup> Ordinance 4, 2014
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<th>Use Categories</th>
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<th>RESIDENTIAL ZONING DISTRICTS</th>
<th>NON-RESIDENTIAL ZONING DISTRICTS</th>
<th>Use Standards</th>
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<td></td>
<td></td>
<td>R-1</td>
<td>R-IM</td>
<td>R-2</td>
</tr>
<tr>
<td><strong>Printing, publishing and lithography</strong></td>
<td></td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td><strong>Woodworking and cabinet shops</strong></td>
<td></td>
<td>C</td>
<td>P</td>
<td>--</td>
</tr>
<tr>
<td><strong>Marijuana manufacturing</strong></td>
<td></td>
<td>P</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Medical marijuana-infused products manufacturing</strong></td>
<td></td>
<td>P</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Marijuana cultivation</strong></td>
<td></td>
<td>P</td>
<td>--</td>
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</tr>
<tr>
<td><strong>Medical marijuana optional premises cultivation operation</strong></td>
<td></td>
<td>P</td>
<td>--</td>
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</tr>
<tr>
<td><strong>Marijuana testing facility</strong></td>
<td></td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td><strong>Self-storage Warehouse</strong></td>
<td></td>
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</tr>
<tr>
<td><strong>Vehicle Repair</strong></td>
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<tr>
<td><strong>Auto body shops</strong></td>
<td></td>
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<td></td>
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<tr>
<td><strong>Auto, truck and boat repair</strong></td>
<td></td>
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<tr>
<td><strong>Quick lube service</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Warehouse and Freight Movement</strong></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Air cargo terminal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Outdoor storage, general</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Post Office</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Recreational vehicle storage</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Utility service yards or garages</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Warehouses and truck terminals</strong></td>
<td></td>
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<tr>
<td><strong>Waste-Related</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Transfer stations</strong></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Recycling centers</strong></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Wholesale Sales</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Mail order houses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Wholesalers of food, clothing, and parts</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Other Uses Categories §3.10**

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>Specific Uses</th>
<th>RESIDENTIAL ZONING DISTRICTS</th>
<th>NON-RESIDENTIAL ZONING DISTRICTS</th>
<th>Use Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>R-1</td>
<td>R-IM</td>
<td>R-2</td>
</tr>
<tr>
<td><strong>Adult entertainment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Alternative Energy</strong></td>
<td>Solar Voltaic and Wind Turbines</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td><strong>Aviation and Surface Transportation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Mining</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Asphalt Batch Plant</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Telecommunications Facilities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Temporary Commercial Activity</strong></td>
<td>General retail sales or other commercial use operated outside of a building on a seasonal basis.6</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

---

5 Ordinance 5, 2015
6 Ordinance 8, 2018
§2.6 **BASE ZONE DISTRICT DIMENSIONAL STANDARDS**

**A. Intent.** The base zone district dimensional standards establish maximum density and intensity, lot sizes, height standards, and lot coverage criteria for all development applications. These standards allow for variety in housing types while maintaining the overall character of neighborhoods and commercial areas of the city. Separate standards are established to regulate development in each base zone district. This approach to zone district development standards promotes development intensities that match existing and proposed infrastructure investments.

**B. Dimensional Standards - Residential Zone Districts**

1. **Development Standards.** Development applications shall comply with all applicable development standards as set forth in this *LDC* and other applicable laws.

2. **Dimensional Standards.** Development applications shall comply with the following dimensional and all other provisions in this *LDC* and other applicable laws.

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th>R-1</th>
<th>R-1M</th>
<th>R-2</th>
<th>RMU</th>
<th>R-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum density (units/acre)(^1)</td>
<td>3.5</td>
<td>6</td>
<td>14</td>
<td>16</td>
<td>30</td>
</tr>
<tr>
<td>Minimum lot size (sq. ft.)(^2)</td>
<td>8,000</td>
<td>6,250</td>
<td>6,250</td>
<td>6,250</td>
<td>6,250</td>
</tr>
<tr>
<td>Maximum lot coverage structures</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>45%</td>
<td>45%</td>
</tr>
<tr>
<td>Maximum lot coverage parking/access</td>
<td>10%</td>
<td>10%</td>
<td>15%</td>
<td>20%</td>
<td>40%</td>
</tr>
<tr>
<td>Minimum lot coverage landscape area</td>
<td>50%</td>
<td>50%</td>
<td>45%</td>
<td>35%</td>
<td>15%</td>
</tr>
<tr>
<td>Minimum lot frontage(^3)(6)</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
<td>50'</td>
</tr>
<tr>
<td>Minimum setback front(^2)</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>Minimum setback side</td>
<td>10'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Provided that one additional foot of setback shall be required for each two and one-half feet (a 1:2.5 ratio) of building height over 22.5 feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum setback rear lot line: principal building</td>
<td>10'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Provided that one additional foot of setback shall be required for each two and one-half feet (a 1:2.5 ratio) of building height over 22.5 feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum setback rear lot line: accessory building</td>
<td>10'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>35'</td>
<td>35'</td>
<td>35'</td>
<td>35'</td>
<td>35'</td>
</tr>
<tr>
<td>Maximum building height for detached accessory structure</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
</tr>
<tr>
<td>Minimum building width(^4)</td>
<td>24'</td>
<td>24'</td>
<td>16'</td>
<td>16'</td>
<td>16'</td>
</tr>
<tr>
<td>Minimum floor area Principal Dwelling (sq. ft.)</td>
<td>480</td>
<td>480</td>
<td>480</td>
<td>300 efficiency</td>
<td>300 efficiency</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>480 multi-family</td>
<td>480 multi-family</td>
<td></td>
</tr>
<tr>
<td>Floor Area Thresholds Accessory Dwelling (sq. ft.)</td>
<td></td>
<td></td>
<td></td>
<td>720</td>
<td></td>
</tr>
<tr>
<td>Minimum storage area (sq.ft.)</td>
<td>32</td>
<td>32</td>
<td>32</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Snow storage (% of parking and access coverage)</td>
<td>15%</td>
<td>15%</td>
<td>15%</td>
<td>15%</td>
<td>15%</td>
</tr>
</tbody>
</table>

\(^1\) Density calculations for residential development may be subject to Slope Protection Standards (§5.2) and Section 13.

\(^2\) Covered porches and the landings and steps of a covered porch may encroach into the front yard pursuant to §1.7.L.3.d

\(^3\) Ordinance #3, Series 2016

\(^4\) Ordinance #8, Series 2018
C. Dimensional Standards - Nonresidential Zone Districts

1. Development Standards. Development applications shall meet all applicable development standards as set forth in this LDC and all other applicable laws.

2. Nonresidential Dimensional Standards. Permitted nonresidential uses shall meet the following dimensional standards. Development applications for non-residential uses shall comply with all other provisions of this LDC and all other applicable laws.

3. Upper-Story Residential Dwellings. Upper-story residential units are permitted on the upper floors of nonresidential buildings, but shall conform to all lot, yard and bulk requirements of the principal building.

| TABLE 2-3 NONRESIDENTIAL ZONE DISTRICT DIMENSIONAL STANDARDS |
|---------------------------------|------|------|------|
| STANDARD                      | B-1  | C    | CBD  | I    |
| DENSITY                      |      |      |      |
| Max. density (units/acre)    | 7    | 14   | NA   | 7    |
| LOT                          |      |      |      |
| Minimum lot size (sq. ft.)   | 6,250| 8,000| --   | 6,250|
| Minimum lot frontage (ft.)   | 50   | 50   | --   | 50   |
| Maximum lot coverage: (%)    | 40   | 50   | 100  | 60   |
| Maximum lot coverage: (%) Parking Access | 15 | 40 | N/A | 30 |
| Minimum landscape area (%)   | 45   | 10   | --   | 10   |
| BUILDING                     |      |      |      |
| Maximum building height (ft.) | 35   | 35   | 50   | 35   |
| Minimum building width (ft.) | 24   | --   | --   | --   |
| Minimum floor area:          |      |      |      |
| Multi-family (sq. ft.)       | 480  | 300 efficiency | 480 multi-family | -- | -- |
| Minimum floor area:          |      |      |      |
| Second story residence (sq. ft.) | 300 | 300 | 300 | 300 min 700 max |
| Minimum storage area (sq. ft.) | 32 | 32 | 32 | -- |
| BUILDING SETBACKS            |      |      |      |
| Minimum from side lot line (ft.) | 5  | 5\(^2\) | no req. | 5\(^1\) |
| Minimum from rear lot line (ft.) principal building | 5 | 5\(^2\) | no req. | 5\(^1\) |
| Minimum from rear lot line (ft.) accessory building | 5 | 5\(^2\) | N/A | N/A |
| Minimum from front lot line (ft.) | 15\(^3\) | 15\(^3\) | no req. | 0\(^3\) |
| Other Standards              |      |      |      |
| Snow Storage Area (% of parking and access coverage) | 15 | 15 | N/A | 15 |

\(^1\)Storage is required for multi-family dwellings) (§3.3D)
\(^2\) Uses adjacent to residential zone districts shall comply with Zone District Buffer Standards (§4.6F.3)
\(^3\) Parking not allowed within front setback area in B-1 Zone District
Section 3. Specific Use Regulations

§3.3 Residential Use Standards

C. Single-Family Residential and Duplex Features

1. Foundation. All homes at the time of construction shall be permanently affixed to a foundation in a manner which complies with the current Building Code for residential structures.

2. Dimensions

   a. Width. Each home shall comply with the following minimum width requirements on at least two non-opposing (not parallel) walls.

<table>
<thead>
<tr>
<th>Zone District</th>
<th>R-1</th>
<th>R-1M</th>
<th>R-2</th>
<th>RMU</th>
<th>R-3</th>
<th>B-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Building Width</td>
<td>24 ft.</td>
<td>24 ft.</td>
<td>16 ft.</td>
<td>16 ft.</td>
<td>16 ft.</td>
<td>24 ft.</td>
</tr>
</tbody>
</table>

   b. Size. The home shall comply with the minimum floor area standard of the zone district in which it is located, as specified in §2.6.

3. Multiple Detached Single-Family Units. No more than one single-family dwelling shall be permitted on any platted lot of record in the R-2 zone district unless one of the dwelling units is an Accessory Dwelling Unit. No more than one single-family dwelling shall be permitted on any platted lot of record in the RMU and R-3 zone districts unless the dwelling units are part of a Common Interest Community and the development plan is found to be in compliance with the dimensional standards in §2.4 (Principal Use Table) of this LDC.

4. Exterior Materials. The side and roof covering materials shall be materials customarily used on conventional dwellings within the city. Reflective finishes shall not be permitted, but metals designed to oxidize quickly (patina) and create a non-metallic luster are permitted. Siding materials shall extend below the foundation mud-sill, or pursuant to Building Code requirements.

5. Porches. By relaxing setback criteria, residential dwellings are encouraged to have covered front porches and site-built steps, constructed with exterior materials matching the structure.

D. Multi-Family Dwellings

1. Site Access. Access for multi-family developments with 25 or more dwelling units is governed by the provisions of §4.3 and the International Fire Code.

2. Interior Accessways. Pedestrian access shall be constructed to link residential buildings with other on-site destinations such as parking, adjoining public sidewalks and streets, mailboxes, and trash dumpsters (see §4.5).

3. Building Separation. The minimum building separation in a complex shall be 10 feet, provided that one additional foot of setback shall be required for every two and one-half feet.
of the average building height over 22.5 feet on the basis of the average height of the two buildings.

4. **Minimum Floor Area.** Minimum floor area shall be 300 square feet for efficiency units and 480 square feet for all other multi-family dwellings.

5. **Storage.** Each dwelling shall have a minimum of 32 square feet of functional, enclosed area for the storage of residents’ personal belongings. The storage area may be contained within the principal building or an accessory building, but must be easily accessible from outdoors; the storage space shall have a minimum height of eight feet.

6. **Trash Receptacles.** Trash receptacles shall not be located in the front yard (see §4.6).

G. **Upper-Story Residential**
   1. Such uses shall adhere to all dimensional standards of the nonresidential zone district.
   2. Minimum floor area shall be 300 square feet.
   3. Dwelling units shall be built in a pattern and of materials, complementary to the principal structure.
   4. One off-street parking space shall be provided pursuant to Table 4-7 Off-Street Parking Requirements, in all zone districts except the CBD and B-1. (Ordinance #8, Series 2018)
   5. Upper-story residential dwelling units shall not be condominiumized or sold separately and shall not be rented to guests for periods of less than 30 days.

H. **Accessory Dwelling Units.** Accessory dwelling units may be allowed in any zone district except the R-1 and the R-1M zone district. Accessory dwelling units are subject to compliance with the standards of this section.
   1. An accessory dwelling unit may be allowed as an accessory use to an otherwise allowed single-family dwelling unit that is the principal use on a lot or parcel of at least 6,250 square feet.
   2. Accessory dwelling units may be attached-to or detached-from the principal dwelling, provided:
      a. if attached to the principal dwelling, no new entrance or other exterior modifications shall be visible from the street to suggest the presence of the accessory dwelling unit.
      b. if detached from the principal dwelling, the accessory dwelling shall be located in the rear yard and comply with all setback requirements of the principal dwelling unit.
   3. Detached accessory dwelling units not located over a garage shall be separated from the principal dwelling by up to 12 feet.
   4. Minimum size shall be 300 square feet and maximum size shall be 720 square feet.
   5. Maximum height of detached accessory dwellings shall be 30 feet.
   6. Accessory dwellings shall be built in a pattern and of materials complementary to the principal
structure.

7. Off-street parking is exempt for an accessory dwelling unit provided required parking for the primary use is met. (Ordinance #8, Series 2018)

8. Accessory dwelling units shall not be condominiumized or sold separately and shall not be rented to guests for periods of less than 30 days.

9. Accessory dwelling units will be allowed in the CBD and Commercial zone districts if not on the street frontage.

10. Must be an accessory use to commercial or industrial uses in the Commercial and Industrial zone districts.

§3.7 ACCOMMODATIONS, RETAIL, SERVICE - COMMERCIAL USE STANDARDS
The standards of this Section shall apply to all permitted Conditional Uses, as set forth in the Principal Use Table (§2.4).

B. Retail Sales Establishment. Goods may be produced on a small scale within a retail sales establishment and be sold in the local area; provided that: a) production shall be limited to no more than 80 percent of the area of the retail establishment, and b) production shall not pose any safety or environmental hazards to the public in the retail production area. A retail sales establishment shall be on a street frontage and must be activated towards customers. (Ordinance #8, Series 2018)

1. Convenience Stores
   a. If fuel is sold as part of the convenience store operation, the conditions for service stations related to fuel pump location and bulk fuel storage shall apply.
   b. Parking areas for retail sales and fuel service shall be separated from each other, and circulation within the property to each parking area shall be separate and clearly marked.

§3.12 NON-RESIDENTIAL ACCESSORY USES AND STRUCTURES

A. General. Principal uses allowed by §2.4 shall be deemed to include accessory uses and structures that are customarily associated with and appropriate, incidental and subordinate to otherwise allowed principal uses and structures. Accessory uses and structures shall be subject to the same regulations as principal use and structures unless otherwise stated.

B. Outdoor Dining and Patio Seating. The following provisions apply to the accessory use of outdoor dining and patio seating associated with restaurant, bars and taverns uses.

1. Eligible Uses and Site Configurations
   a. Outdoor dining areas of less than 1,000 sq. ft. are not required to provide additional parking.

   b. Outdoor dining areas are not allowed within public easements or rights-of-way unless a Revocable Permit for use of the Public Right-of-Way, as specified in Chapter 9.40 of the City of Gunnison Municipal Code, is granted by the City for such use.
c. The outdoor seating area cannot obstruct any fire exit, fire escape, or other required ingress or egress.

d. The outdoor patio seating area must be accessible to the disabled, and the licensee must at all times comply with all applicable federal, state and municipal laws, ordinances and regulations concerning accessibility and non-discrimination in the providing of services.

2. Design Standards  
   a. The maximum height of an opaque barrier shall be three feet six inches (3'6") from the sidewalk level including the height of any landscaping. Transparent or semi-transparent barriers may be up to six feet in height.

   b. Table lamps using liquid fuel or candles will require an annual Fire Department permit and must comply with ICC Fire Code design standards. An applicant must obtain an electrical permit for the installation of electrical lighting and appliances outdoors.

   c. Umbrellas may be used to shade tables, provided there is at least seven feet of clearance under the umbrella.

   d. Tables, chairs and umbrellas must be removable.

3. Building Standards  
   a. Outdoor dining areas shall be designed to maintain clear existing legal exits from the building to the public way.

   b. Heating units shall have a UL or AGA listing. Heating units shall not be installed over or near exits from the building. Units shall maintain the required clearances from combustible materials and comply with adopted International Code Council standards.

4. Operational Standards  
   a. **Noise limitations.** Outdoor dining in the B-1 shall comply with Residential District Sound Level restrictions as established by Chapter 5.30.020.10 (Nuisances Prohibited) of the City of Gunnison Municipal Code. In addition to the noise limits established by the City of Gunnison Nuisance Code standards, sound system speakers must be directed in a manner to minimize interference with the use of adjacent land and buildings.

   b. At the end of the business day establishments are required to clean (sweep and mop) the area in and around the outdoor dining area.

   c. The hours of the outdoor dining area operation shall not extend beyond the normal operating hours of the principal establishment.

   d. The outdoor seating area shall be kept sanitary, neat, and clean at all times, and free from accumulation of leftover food and beverages, used eating and drinking utensils, and litter. The Operator of the outdoor seating shall be responsible for cleaning up any trash or litter on the adjacent sidewalk area emanating from the outdoor seating.

(Ordinance #8, Series 2018)

C. Drive-In Facility. Drive-in facilities are allowed in the CBD and C zone district, and may be
allowed by Conditional Use Permit approved pursuant to the requirements of Section 7 in the B-1 and I zone districts. Drive-in facilities are an accessory use to otherwise allowed uses as specified in Table 2-3, and shall comply with the standards of this section. (Ordinance #8, Series 2018)

1. **Circulation.** Drive-through lanes shall be separated from circulation lanes required to enter or exit the property. Drive-through lanes shall be marked by striping, pavement markings, or barriers.

2. **Screening.** Drive-through lanes shall be screened in accordance with the requirements of §4.6.

D. **Outside Sales and Display.** Outdoor display of goods and merchandise shall comply with the standards of §4.7 Outdoor Display and Storage.

E. **Manufacturing and Production, Small Scale.** Goods may be produced on a small scale within a retail sales establishment and be sold in the local area, provided that:

   1. **Area Limited.** Production shall be limited to no more than 80 percent of the area of the retail establishment. (Ordinance #8, Series 2018)

   2. **Safety and Environmental Hazards Prohibited.** Production shall not pose any safety or environmental hazards to the public in the retail or production area.

F. **Satellite and Electronic Reception Devices and Support Structures.** Satellite or electronic reception devices and support structures shall comply with the standards of this Section.

   1. **Maximum Size.** Satellite reception devices shall not exceed a diameter of four feet.

   2. **Dimensional Standards.** The placement of the device shall comply with all dimensional standards such as height, setback, etc. of the underlying zone district.

**Section 4. General Development Standards**

§4.4 **Off-Street Parking and Loading**

D. **Minimum Off-Street Parking.** The following minimum schedule establishes the minimum number of off-street parking spaces to be provided for the use categories described in this LDC.
<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Specific Use</th>
<th>Minimum Number of Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Use Categories (§3.2)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household Living</td>
<td>Single-Family Dwellings, Townhouses, Two-family Dwellings, Manufactured Home and Mobile Home</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Multi-Family Dwellings²</td>
<td>1st Unit</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td>Each additional unit</td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td>Accessory Dwelling Unit</td>
<td>Exempt in all zone districts</td>
<td></td>
</tr>
<tr>
<td>Upper Floor Residential</td>
<td>1.0 per Unit (exempt in CBD and B-1)</td>
<td></td>
</tr>
<tr>
<td>Congregate Living</td>
<td>Rooming and boarding houses, dormitories, fraternities or sororities</td>
<td>1.0 per bed</td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>1.0 per employee, plus 1 visitor space per 2 beds</td>
<td></td>
</tr>
<tr>
<td>Assisted Living</td>
<td>1.0 per employee, plus 1 visitor space per 4 beds</td>
<td></td>
</tr>
<tr>
<td><strong>Accommodations</strong></td>
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<tr>
<td>Hotels and Motels</td>
<td>1.0 per guest room +1 space per 3 employees and 75% of parking required for other associated or accessory uses (restaurants, offices, meeting spaces)</td>
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<tr>
<td>Hostels⁶</td>
<td>1.0 per 2 beds</td>
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<td>Bed and Breakfasts</td>
<td>1.0 space per guest room, plus 2 spaces for the owner/manager’s unit</td>
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<td><strong>Public, Civic and Institutional Use Categories (§3.4)</strong></td>
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<td>Community Service Service</td>
<td>Neighborhood or Community Centers</td>
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<td>Educational Facilities</td>
<td>Elementary and Middle Schools</td>
<td>1.0 per classroom + 1.0 per 300 sq.ft. of office area + 1.0 per 5 seats in any auditorium assembly</td>
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<td>All Other Schools</td>
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<td>Day Care</td>
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<td>Parks and recreational facilities</td>
<td>To be determined by Director (§4.4D 2.a)</td>
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<td>Religious Institutions</td>
<td>Churches or Places of Worship</td>
<td>1 space per every 4 seats in the main sanctuary, plus 1 space for the parish home</td>
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<td>Minor utilities</td>
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⁶ Ordinance 3, 2015
² Ordinance #3, Series 2016
E. Location

1. Principal Use. Except as otherwise expressly provided in this Section, required off-street parking stalls and aisles shall be located on the same lot or parcel as the principal use.

2. Setbacks in Non-Residential Zone Districts. In all non-residential zone districts except the Industrial zone district, off-street parking shall not be located within the required yard setback area. Off-street parking in the CBD shall not be located between the lot line and the building line parallel to an arterial or collector street (see also §4.3, General Site Access).

3. Setbacks from Rivers, Streams and Wetlands. See §5.4 E.1.b. for required parking area setbacks from delineated river/stream corridors and wetlands.

4. Parking in Driveways. Parking of single-family and two-family dwellings may be located in residential driveway areas that meet parking stall dimensions (excluding RVs and boats).

5. Street Buffer. Off-street parking areas shall be separated from the street edge by a street buffer area (see §4.6 3.4).

F. Off-Street Parking. Off-street parking areas are subject to the following driveway access standards (Ordinance #3, Series 2016):

1. Dimensions
   a. Grade. The maximum grade permitted for any required parking shall not exceed six percent.

   b. Nonconforming Standards. Parking spaces using geometric standards other than those specified above may be approved if developed and sealed by a licensed engineer registered by the State of Colorado with expertise in parking facility design, subject to a determination by the Director, that the proposed facility will satisfy off-street parking aisle width requirements as adequately as would a facility using those specified above.

2. Surfacing. Where off-street facilities are provided for parking or any other vehicular use area, they shall be surfaced with asphalt bituminous, concrete or other dustless material (brick pavers, etc.) approved by the Director and shall be maintained in a smooth, well-graded condition; gravel or road base surfaces are prohibited. Single-family and duplex units are exempt from this requirement.

3. Curbs and Wheel Stops
   a. Wheel Stops. All landscaping in, or adjacent to, a vehicular use area shall be protected from vehicular damage by a raised concrete curb six inches in height or equivalent barrier, however, the barrier need not be continuous. Curbs and wheel stops shall be placed a minimum of two feet from any designated landscape area or buffer.

   b. Landscape Height. Landscaped areas adjacent to parking areas shall be landscaped so that no plant material greater than 12 inches in height will be located within two feet of the curb or other protective barrier.
4. **Separation from Walkways and Streets.** In the event any parking area abuts an accessway, sidewalk, or street, the parking area shall be separated by curbing or other protective device with a minimum distance of three and one-half feet between the protective device and the edge of the walkway.

5. **Landscaping and Buffers.** Parking lots are subject to Parking Lot Landscaping Standards (§4.6 G.).

6. **Drainage.** See §5.1.

7. **Backing Prohibited.** All multi-family and nonresidential off-street parking spaces shall be accessible without backing into or otherwise reentering a public right-of-way, unless it is an alley right-of-way adjacent to the property. Vehicles exiting from a parking space for a single-family or duplex dwelling unit may back onto a road designated by the City as a local street.

8. **Tandem Parking.** Tandem parking (one vehicle parking directly behind another) is permitted and may be credited toward meeting any off-street parking requirement for this Article provided the tandem spaces are assigned to the same dwelling unit or the unit is under one ownership. (Ordinance #8, Series 2018)

9. **Snow Storage.** Snow is to be stored on-site according to the following standards:

   a. **Area.** A minimum area of 15 percent of the total required off-street parking or loading area, inclusive of access drives and aisles, shall be provided as the snow storage area.

   b. **Storage in Parking Spaces Prohibited.** Snow shall not be stored within required parking spaces, except on an emergency basis, for a period not to exceed 48 hours.

   c. **Storage in Yards and Open Space Permitted.** Snow may be stored in required yards and open space, including landscaped areas properly designed for snow storage. Stored snow shall not restrict access and circulation or create a visual obstruction for motorists.

   d. **Drainage.** Adequate drainage shall be provided for the snow storage area to accommodate snow melt. Snow melt shall not be permitted to drain on to adjacent property.

10. **Bicycle Racks.** For premises requiring twenty (20) or more vehicular parking spaces, bicycle racks facilitating locking shall be provided to accommodate one bicycle per twenty parking spaces or required fraction thereof.
### §9.8 Decision-Making for Waivers

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<th>Code Section</th>
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<td>§4.4 E. Location</td>
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<td>§4.4 E.1. Off-street parking on same parcel as principal use</td>
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TO: Planning and Zoning Commission  
FROM: Community Development Staff  
DATE: May 9, 2018  
RE: ZA 18-1 – Text Amendment to the Land Development Code

CODE PROVISIONS
The Land Development Code (LDC), Section 10.3 specifies that a text amendment to the LDC be reviewed by the City of Gunnison Planning and Zoning Commission (Commission) at a public hearing after 15 days’ public notice. The Commission establishes a recommendation to City Council to approve, approve with conditions, deny or remand the application back to the applicant with instructions for modification. City Council shall consider the recommendation of the Commission at a public hearing and shall, by ordinance, approve, deny or remand the application back to the applicant with instructions for modification or additional information.

A Text Amendment may be initiated by City Council, the Planning and Zoning Commission, the Community Development Director, a resident of the city, an owner of a business within the city, or any person who holds a recognized interest in real property within the city.

APPLICATION
The applicant for this Text Amendment is the City of Gunnison Community Development Director. The application proposes to amend Sections: 2.4 Principal Use Table, 2.6 Base Zone District Dimensional Standards, 3.3 Residential Use Standards, 3.7 (B) Retail Sales Establishment Standards and 4.4 Off-Street Parking and Loading of the Land Development Code. The proposed text amendment is being driven by the following:

In 2016, the One Valley Prosperity Project (OVPP), created a valley-wide economic strategy plan that included the revitalization of downtown Gunnison as a regional priority. In March of 2017 a project was started in partnership with Community Builders for the downtown that became the Gunnison Vibrancy Initiative (GVI). A Downtown Leadership Committee (DLC) was formed that included local leaders from downtown businesses, non-profits, schools and government agencies.

Several engagement opportunities were offered to gather input on identifying strengths, opportunities, challenges and hopes for the downtown. From the input gathered, four goal statements were created to define a successful downtown in the future along with a set of strategies and recommendations for each goal. A Gunnison Vibrancy Initiative Report was created and adopted by City Council in March 2018 as part of their Strategic Plan. Included in the report under the implementation section is an Action Plan of items to be pursued within the next five years.

The Report identifies and recommends multiple amendments to the City’s Land Development Code. The proposed changes are primarily within the CBD (Central Business District), B1 (Professional Business) R2 (Duplex Residential) and R3 (Multi-family Residential) zone districts. Proposed amendments have been separated into two phases with this proposed text amendment as Phase 1 that primarily includes changes to the CBD and B1 zone districts and the
dimensional standards tables. Phase 2 recommendations are items that have further studies or community involvement and are predominantly related to housing and off-street parking.

**PROPOSED AMENDMENT**

Proposed amendments are found in Attachment A.

**DEPARTMENTAL COMMENTS**

- **Building Official:** No issue.
- **Fire Marshal:** No issue.
- **Parks and Recreation Department:** No issue.
- **Police Department:** No issue.
- **Public Works Director:** No issue.
- **City Engineer:** No issue.
- **Water and Sewer Superintendent:** No issue.
- **Electric Superintendent:** No issue.
- **City Attorney, Kathy Fogo:** No issue.

**STAFF OBSERVATIONS**

1. The proposed Text Amendment proposes amendments to Sections: 2.4 Principal Use Table, 2.6 Base Zone District Dimensional Standards, 3.3 Residential Use Standards, 3.7 (B) Retail Sales Establishment Standards and 4.4 Off-Street Parking and Loading within the Land Development Code.
2. The amendment is based off recommendations within the Gunnison Vibrancy Initiative.
3. The amendment promotes the economy and goals identified in the Gunnison Vibrancy Initiative Report.
4. The proposed amendments protect the health, safety and welfare of the community.

**REVIEW STANDARDS FOR TEXT AMENDMENTS**

*LDC* Section 6.8 C., states that “...an application that fails to comply with any applicable review standard shall be denied.” The *LDC* Section 10.5 states that “...an application for an amendment to the text of this Land Development Code shall comply with the following four standards:”

A. **Consistent with Purposes.** The proposed amendment shall be consistent with the purposes of this *Land Development Code*.

   **No Conflict.** Purposes of the LDC are cited in Section 1.3 and include the following headings: **Development Standards.** Establish the standards for the review of all proposed development of land within the City of Gunnison.

   1. **Quality of Life.** Protect and enhance the quality of life in the city and its environs so as to promote the general health, safety and welfare of the present and future inhabitants of the city and to protect the environment.

   2. **Review Processes.** Establish clear, consistent, predictable and efficient land development review processes.

   3. **Orderly Development.** Provide for the efficient, well-ordered and safe development of the City of Gunnison and to accommodate a variety of desirable residential, commercial, industrial and public land uses in an appropriate, efficient and attractive development
4. **Adequate Public Facilities.** Ensure that all utilities, public facilities, and services needed to support development are in place and adequately designed and constructed to protect the community’s health, safety and welfare.

5. **Property Values.** Conserve the value of properties and to respect the rights of property owners and the interests of the citizens of the City.

The proposed amendment fulfills the purpose of the *LDC*. The amendment addresses modifications within the *LDC* that promote the economy and goals identified by the community within the *Gunnison Vibrancy Initiative Report*.

**B. No Conflict with Other Provisions.** The proposed amendment shall not conflict with any other applicable provisions of this *Land Development Code*, or shall repeal or amend provisions of this *Land Development Code* which are inconsistent, unreasonable or out-of-date.

No Conflict: The proposed text amendment does not conflict with any sections of the *LDC*.

**C. Consistent with Master Plan.** The proposed amendment shall be consistent with the *Master Plan*, or shall implement a new portion of the *Master Plan*, or shall implement portions of the *Master Plan* which have proven difficult to achieve under the existing provisions of this *Land Development Code*.

No Conflict: The proposed text amendment is consistent with the *City of Gunnison Master Plan*.

**D. Public Health, Safety and Welfare.** The proposed amendment shall preserve the public health, safety, general welfare and environment and contribute to the orderly development of the City.

No Conflict: The proposed amendment is intended to preserve the public health, safety and general welfare of the community.

**RECOMMENDATION**

During the Planning and Zoning Commission meeting held on May 9, 2018, Commissioner Tocke moved, Commissioner Beda seconded, and the Planning and Zoning Commission voted to recommend APPROVAL, to City Council of Zoning Amendment application ZA 18-1, for a Text Amendment to modify Sections 2, 3 and 4, within the *Land Development Code*, based on the following findings of fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* (LDC) and the *City of Gunnison Master Plan*.

2. The Planning and Zoning Commission finds that the amendment is based off recommendations that resulted from community input through the Gunnison Vibrancy Initiative.

3. The Planning and Zoning Commission finds that the proposed amendments attempt to promote the economy and support goals identified in the *Gunnison Vibrancy Initiative Report*. 
4. The Planning and Zoning Commission finds that this Text Amendment application complies with the review standards for Text Amendments (LDC, Section 10.5).

5. The Planning and Zoning Commission finds that based on the record of the application proceedings, approval of this Text Amendment protects the community’s health, safety and welfare.
June 22, 2018

Memorandum

To: City Council
From: David Gardner
Date: 6/22/2018
Re: Award Bids for Multi-Jurisdictional 2018 Street and Pavement Marking

**Purpose & Background:**

As part of the annual street maintenance, items receiving work in and around the city include the application of street and pavement markings. Work will require the furnishing and installing acrylic and/or epoxy paint markings per 2017 CDOT Standard Specifications for Road and Bridge Construction, Section 627 – Pavement Markings. The City of Gunnison and Gunnison County pavement marking projects were combined in order to garner a better bulk price. Gunnison County and the City of Gunnison will contract separately with one mutually selected contractor and the location of the work will be within the City of Gunnison and Gunnison County. The project will be completed no later than October 1, 2018. As part of the contract specifications, the contractor will provide traffic control, construction schedule, and public notifications to residents for this project. In addition to other required specifications, traffic control and signage shall meet the requirements of the Manual on Uniform Traffic Control Devices (MUTCD).

Bids will include a Base Bid and Base Bid Alternative 1. Gunnison County and the City of Gunnison both have interest in using epoxy and/or acrylic paint. Both interested parties reserve the right to change paint types from the base bid with those listed in the base bid alternative paint types at the bidder’s unit price and cost. Should the unit price and costs be preferable to either of the interested parties, notification of final paint type selection will be announced with the bid award.

Solicitations for bids for contractor to perform this work were advertised in the local paper on June 7th, 2018 and on bidnet.com. Bids will be received and opened by the Public Works Department at 2:00, June 21, 2018.

**Next Step:**

Due to the bids being received after the deadline of submission of this memo, a bid tabulation has not been prepared. Bid tabulation will be completed prior to Council meeting and possible award. Assuming the unit prices received are in line with establish local prices, an award to the lowest and best bid will be recommended.

**Action Requested:**

Recommend an award be made to the lowest and best bid received per the recommendations of the Director of Public Works.
Memorandum

To: City Council
From: David Gardner
Date: 6/22/2018
Re: Award Bids for Concrete Improvement Project

Purpose & Background:
As part of the annual street maintenance, items receiving work in and around the city include the demolition, repair and replacement of concrete structures such as concrete curb & gutter, concrete curb & aprons, concrete valley pans, and three (3) intersection approaches. Solicitations for bids for contractor to perform this work were advertised in the local paper on June 7th, 2018 and on bidnet.com. Bids will be received and opened by the Public Works Department at 2:00, June 21, 2018.

Next Step:
Due to the bids being received after the deadline of this memo, a bid tabulation has not been prepared. Bid tabulation will be completed prior to Council meeting and possible award. Assuming the unit prices received are in line with establish local prices, an award to the lowest and best bid will be recommended.

Action Requested:
Recommend an award be made to the lowest and best bid received per the recommendations of the Director of Public Works.
To: City Council  
From: Ben Cowan, Finance Director  
Date: 6/21/2018  
Re: Purchasing Policy Amendment

Purpose:

The City has encountered occasional issues with contractors not completing aspects of contracted work, not paying their subcontractors, or generally performing the agreed upon scope of work poorly.

As a result, staff researched whether any appropriate changes to the City Code need to be made. The Colorado Revised Statutes require certain levels of protections, which will, at a minimum, need to be incorporated into the City’s Purchasing Policy.

Background:

The City Code currently requires in § 2.20.150 B. the following:

A) 5% bid bond for construction contracts greater than $100,000 but less than $500,000  
B) 10% bid bond for construction contracts greater than $500,000

A bid bond protects the City until the time the contract is signed and allows the City to make a claim on the bond due to the failure of the bidder to abide by the bid they submitted. It protects the City in the event that the bidder refuses to enter into a contract after the contract is awarded or the bidder withdraws his bid before the award. However, once the contract has been fully executed, the bid bond is no longer valid and the City has no further protections.

Following are some common contractual protections (provisions that are required according to the Statutes are italicized):

1) Performance Bond – This type of bond covers a percentage of the contract amount (typically 100%). A claim on a performance bond can be used to perform unfinished work or defective work on a project.

C.R.S. 38-26-106 requires a performance bond for contracts for more than $50,000 @ 50% of the contract amount.
2) **Payment Bond** – This type of bond is designed to provide security to subcontractors and materials suppliers to ensure payment for their work, labor and/or materials on the project.

*C.R.S. 38-26-105 currently requires a payment bond for contracts for more than $50,000 and grants the City discretion to require them for contracts less than $50,000. This language needs to be added to the Purchasing Policy.*

3) **Contract Retainage** - Retainage is a portion of the agreed upon contract price deliberately withheld until the work is substantially complete to assure that contractor or subcontractor will satisfy its obligations and complete a construction project. A typical percentage held out of each payment made is 5% or 10%, and once work is deemed satisfactory, the retainage is released.

*C.R.S. 24-91 allows the municipality to retain 5% of the value of completed work for contracts exceeding $150,000. We can determine if we want to retain for projects less than $150,000, and in what percentages.*

4) **Liquidated Damages** - This is a contractual clause where the City can collect as compensation upon a specific breach (e.g., late performance). An example is where the City incurs lost revenue due to the contractor not completing the work according to the agreed upon time schedule.

Now that we are posting solicitations on a regional basis, there is a greater likelihood that out-of-state vendors may bid on projects. Barring the local preference clause, this has the potential to reduce the City's cost of projects. An ordinance may include the provisions of *C.R.S. 8-17-101, which requires Colorado labor to be employed to perform at least 80% of the work for a project exceeding $50,000, unless waived by the City pursuant to statute.*

Additionally, there has also been discussion regarding to which projects the policies apply, especially with the applicability of the term “public work”. “Public Works Contract” means a contract of the city for the construction, alteration, repair, or maintenance of any building, structure, highway, bridge, viaduct, pipeline, public works, real property as defined in section 24-30-1301(15) (state-owned facility), or any other work dealing with construction, which includes, but need not be limited to, moving, demolition or excavation performed in conjunction with such work.”

**Staff Recommendation:**

City Staff is requesting that the minimum requirements be incorporated into the Purchasing Policy. These minimums include the following for projects greater than $50,000:

1) Add a requirement for at least a 50% performance bond
2) Add a requirement for a payment bond

And language relating to the

3) Colorado labor requirement or waiver

We will also need to decide how in depth we want the code language to be, or merely make reference to the statutory requirements for public works contracts and note any differences, kind of like we do with the model traffic code. This is a scenario where we want to balance the need to be clear while avoiding the need to come back and amend the Code in the future if the State thresholds change.
Other provisions related to the specific percentages of bonding, retainage, liquidated damages that are above the minimums could be incorporated into contract guidelines that can be administered internally and applied on a case-by-case basis. We believe that variables specific to each project make it difficult to create a broad policy that may not be appropriate depending on the type of project.

One example is based on the number of subcontractors to be used on the project. If there will be a multiple vendors or subcontractors involved, there is a greater need for a large payment bond versus a project that has a single contractor where a bond lower than $50,000 doesn’t need a payment bond and one larger than $50,000 may only need a very small payment bond.

Another example is the applicability of retainage. Withholding retainage on progress billings often makes sense whereas retainage on a single final payment may not.

**Action Requested:**

No action is requested at this time. City staff is seeking direction from the Council and the public regarding suggested changes with an ordinance to be considered at a later meeting.

Please let me know if you have any questions or require additional information.
Memorandum

To: City Council
From: Keith Robinson
Date: June 21, 2018
Subject: Dismount Zone

On June 19th at the community meeting on IOOF Park the question of bicycles in the downtown area was discussed. The consensus of the group was that bikes should be restricted on some sidewalks in the downtown area. Restricting access on sidewalks was a concern for pedestrian/bicycle conflict. Bicycles using crosswalks remained confusing and the discussion did not appear that further restrictions would clarify the issue.

Staff would like to further discuss options with council concerning restrictions of bicycles on sidewalks.
To: City Council  
From: City Manager Russ Forrest and City Clerk Erica Boucher  
Date: June 26, 2018  
Re: Elections: Charter Amendment

**Purpose:**

Staff will discuss with Council their interest in amending the City of Gunnison Municipal Home Rule Charter to change Gunnison’s election date from “…the second Tuesday in May of each odd numbered year” to November of odd numbered years in order to participate in coordinated elections with Gunnison County. In addition to a Charter amendment discussion, Staff would also like to discuss with Council how the City could facilitate a transition of Council terms if they choose to proceed with making a Charter amending through a special election in November 2018.

**Background:**

The Gunnison Charter Convention was elected March 20, 1962, under the authority and method set out in Article XX of the Constitution of Colorado. The 21 members of the original Convention believed that five Councilmen, including four Councilmen and a Mayor, could appropriately govern the City of Gunnison and the first election under the Provisions of this Charter occurred on May 14, 1963, the second Tuesday of the month of May. Forty-five years later, the City of Gunnison continues to run its elections the second Tuesday of the month of May in odd numbered years. However, elections have evolved over the last 45 years and are becoming increasingly complex in regards to security, cost, management, and oversight of them. Therefore, it is an appropriate time for Council to consider amending the City of Gunnison Municipal Home Rule Charter in order to participate in coordinated elections with the County.

**Discussion:**

The City of Gunnison acknowledges that it has successfully executed City elections for decades. The City is proud of its long tradition of conscientious management, oversight, and organization of City elections. However, we are now at a time, when elections will only get more complex, require more monetary and personnel resources, demand maximum security, and require election experts to pull them off efficiently and accurately. The City of Gunnison could continue to run successful elections in the future, but would encourage Council to consider the following points for amending the Charter and coordinating with Gunnison County for elections.
**Personnel:** Gunnison County has a full-time dedicated elections specialist in Diane Folowell. She works on elections year-around and is consistently engaged in election trainings, gathering legislative updates, researching election trends, and streamlining process. Folowell, along with County Clerk and Recorder Kathy Simillion, are Certified Elections officials. They possess years of experience and knowledge in running elections and support the City coordinating with the County for elections.

Whenever the City participates in a coordinated election, the City would act in accordance with the Uniform Election Code of 1992 (Articles 1-13 of Title 1, C.R.S., “Election Code”), rather than follow C.R.S. §31-10-101 to 1540. The County adheres to the Uniform Election Code; therefore, in a coordinated election so would the City. Folowell and Simillion are experts in the “Election Code” and could easily incorporate the City into their established practices. They already do for multiple jurisdictions. Overall, it would be beneficial for the City to utilize the experience and knowledge of the County’s election officials. The Clerk’s Office could successfully continue to manage elections, but it would require many hours of training and education in the next year to do so. It would become the main priority for the City Clerk for the first part of 2019.

**Security and equipment:** As you learned from Kathy Simillion’s presentation to Council on June 12, 2018, elections are requiring more and more security and oversight than ever before. The County currently possesses the security equipment and training to run a secure election. For example, the County’s outdoor ballot box is under 24-hour camera surveillance. During a City election, voters bring their ballots into City Hall under no camera surveillance. Furthermore, the County has purchased the newly required signature verification equipment and is thoroughly trained on it as well as has trained individuals to be elections judges. The County has uses keycard access only rooms for ballot counting and has all accountability measures already in practice and mastered. The County is also in ADA compliance. Due to all of the security measures already in place and in practice by the County, the City’s election could be much more secure if we were to coordinate with the County at less of an expensive to the City.

**Cost:** It will be increasingly cost effective for the City to participate in coordinated elections with the County since they already possess the security equipment, have completed the most up-to-date training on elections, and have a lot of experience and know-how of running elections. It would minimize personnel costs for the City by coordinating with the County. The City Clerk’s Office would be engaged throughout the coordinated election process and act in assistance to the County, but would not have to be fully consumed in the process and could continue to make progress on strategic priorities. In the past, the City has budgeted $10,000-$15,000 for direct election costs for elections, with the average cost to be around $10,000. However, this amount doesn’t include personnel resources. In November 2015, when the City signed an IGA with the County to run a coordinated election, the cost was $2.83 per registered voter, for an approximate cost of $10,943.61, which is in line with what the City has budgeted for election direct costs in the past. At this time, the exact per voter cost is yet to be determined by the...
County as it depends on the number of jurisdictions that proceed with ballot measures and/or elections, but it is estimated that the City could pay $2.75 to $3.00/per voter for a total amount of $10,000-$15,000. As we look forward in time and at new requirements for security (i.e. signature verification) the cost of equipment and personnel will only increase.

**Voter Turn-out:** When the City ran May elections in 2013, 2015, and 2017, voter turn-out ranged from 29.77% to 30.78%. With a coordinated election, there is the likelihood that the City would experience higher voter turn-out. A November election would include Western State Colorado University students and adjunct faculty. There could be resistance to including Western in a City election, because many of the students may not be full-time residents, but throughout a majority of the year they are an important part of our University town. It is important to engage and encourage young voters to get involved in their civic duty, to learn about the issues in the community they are living, working, and attending school in. Furthermore, by having election in November gives the City and the University another way to partner. The opportunity to vote should be as inclusive of our population as possible, including overseas voters. The City has been inclusive of overseas voters through mail ballots; however, if the City was to coordinate with the County they would be able to give those voters the option to vote electronically through their system which could lead to greater participation.

**Voter Service:** Another point to consider when thinking about coordinating elections with the County is customer service to the constituents. Having a county-wide election each November and then having a City-wide election every other year (most of the time) in May may be confusing to voters. Voters would be better served if they have one central place to go to register to vote, change their address, and to vote year after year. Informing voters of election issues in an election year would be easier because those topics and issues would already by on their mind as other ballot issues are being presented to them that November.

An additional point for Council to consider if they decide to proceed with holding a special election in November to amend the Charter would be Council terms and whether or not the ballot language should include a question to extend this Council’s terms by six months. This second issue could be addressed in one of two ways.

**Option 1:** Council would link the Charter amendment question with a term question extension question by “AND.” By linking these two questions together, there is the potential that the Charter amendment could be rejected by the City, if voters do not support a six-month extension for Council.

**Option 2:** The City could ask the voters the Charter amendment question and then ask them to vote separately on a question regarding term extension. This option would allow for the Charter amendment to pass separately from a term extension, but could result in the City conducting an election in May to replace expired and term limited Council members’ seats, if the term extension question is rejected. The City would then need to hold a May election and then...
another election in November in order to get the Councilors on a November term election cycle. This process would have to be repeated in May 2021.

The City would have to hold a special election in May 2021 where the Mayor and Mayor Pro Tem would run for a six-month extension. In November 2021 the terms would expire. Then in November 2021, an election would be held for Council to establish two and four-year terms and the City would be on a November election term cycle.

**Timing and Potential Next Steps:**

**Election Schedule:** Below is an election schedule for Council to review to understand City and County deadlines to hold a special election in November.

**Tuesday, June 26, Council Meeting**

Memo to Council to discuss if they want to pursue a Charter amendment to the Elections sections of the Charter and how to handle Council terms. If Council determines that they would like to proceed with holding a special election in November, coordinating with the County, then Council would direct Staff to write a Resolution to amend the Charter and direct Staff to work with the County on an IGA.

**Tuesday, July 10, Council Meeting**

Make a motion to pass a resolution to hold a special election in November for the purpose of asking the voters to amend the City Charter elections sections and all that pertain to change City election day from the second Tuesday in May to November and possibly to ask voters to extend this Council’s terms for 6 months in order to set a November term election cycle.

**By Monday, July 30**

City must notify the County Clerk in writing that it has taken formal action to participate in the General Election.

**Between August 1 and August 10**

County drafts IGA.

**Tuesday, August 14, Council Meeting**

Council discusses and directs City Staff to sign an IGA with the County to run a coordinated election. IGA must be signed by August 28.

**August 15-August 22**

City drafts ballot language.

**Tuesday, August 28, Council Meeting**

Council reviews and discusses ballot language. Once the language is approved, the City submits ballot language to the County. While a public hearing is not required by law, the City recommends gathering public input on the ballot language.

**Friday, September 7th**

Last day for the City to certify ballot language to County Clerk.
Tuesday, September 25th
City must deliver to the County Clerk the full text of any required ballot issues.

Tuesday, November 6
Election

**Action Requested of Council:** Staff is requesting direction from Council whether or not to proceed with a Charter amendment and hold a special election in November and how to handle Council terms.

Attachment A: Letter from Ellen Harriman
June 21, 2018

Dear City Council:

As a former city council person, I would like to make two observations about the possible charter change relating to municipal elections. Holding and managing elections is exacting and increasingly regulated. It may be a good time to look at how the City of Gunnison moves forward.

The City Clerk’s office has a tradition of efficient election management. It does a good job of helping candidates for city council with all the information needed to file petitions, when reporting needs to be done and even training on what the job entails. The City of Gunnison can be very proud of the way that staff has added the personal touch to encourage prospective council members. Whether the elections timing changes, that job will continue. The issues around security, verifying signatures and physically handling ballots could add to the expense and logistics of municipal elections.

Gunnison County has had to invest significant funds into computer software and hardware, security cameras, a secure drop off location and frequent staff training. Staying current with changing regulations and equipment is a challenge for the county and will be a greater challenge for an organization that has one election every two years. Coordinated elections in November, run by the county staff, may save the City money, storage space, training and staff time in the long run.

It seems like a small issue but November is the month when people expect elections to be held. There is nothing wrong with a May election but it seems to take voters a little by surprise, especially newcomers to our community. A November election may be an opportunity for greater voter participation.

Thank you for your time.

Ellen Harriman
To:       City Council  
From:  City Manager Russ Forrest and City Clerk Erica Boucher  
Date:    June 26, 2018  
Re:      Community Survey-Award Community Survey Proposal

Purpose:  
The purpose of this agenda item is to provide a recommendation to City Council to achieve community engagement goals as stated in the 2017 Strategic Plan.

Strategy: To complete a community survey in summer 2018 that will provide Council and the City with a feedback from a cross section of the community on the City of Gunnison’s strategic priorities and direction, City Services, to gather data to benchmark City Services against other communities, gain a higher level of understanding of the socio-economic characteristics of the residents of Gunnison, and receive feedback on the best way to communicate with the public.

Result: Issuing and completing a community survey is a necessary and important exercise for the City to complete to further develop effective two-way communication with 80% of the residents and businesses in Gunnison by December 31, 2020.

On May 8, 2018, the City Council, after reviewing a RFP, directed staff to issue the RFP. Five community engagement consulting firms submitted proposals that responded to the Request of Proposals (RFP) issued by the City (Attachment A). Staff created a shortlist based on qualifications, their approach and ability to develop a survey that will allow the City to ask customized and benchmarking questions, and projected cost. Staff is recommending that the City Council direct the City Manager to negotiate and execute a contact with RRC Associates to completed the scope of work in an amount not to exceed $18,000.

Background:  
The 2017 City of Gunnison Strategic Plan identifies four board strategic priorities, one of them being Community Engagement. Section B. 1.b) of the Strategic Plan specifically stated that the City should implement a community survey every two years. The intent of this first survey is to gather feedback and input from the community on the direction of the City’s Strategic Plan as well as to establish benchmark comparisons of City Services. The information that we gather during this initial survey will set the stage for many future surveys. On May 8, 2018, Council gave direction to Staff to issue the RFP and to receive community survey proposals to achieve the above mentioned goals.
Selection Approach:

Attached are the three proposals (Attachment B) from the firms that were shortlisted:

- Corona Insights
- National Research Center
- RRC Associates

Staff interviewed these three firms and then conducted reference checks on our top selections. The City Manager and the City Clerk participated in the interviews. Again criteria for selection focused on:

  a) experience and competency to successfully develop and execute the scope of services
  b) project approach and recommended actions
  c) cost
  d) record of success, and
  e) references

Based on the above mentioned criteria, Staff recommends awarding a contract to RRC Associates and directing the City Manager to negotiate and execute a contract with RRC Associates to complete the scope of work in an amount not to exceed $18,000. Staff recommends proceeding with RRC Associates because their firm was the most poised to provide the City with a strong combination of customized questions to gather feedback on the strategic priorities and the direction of the City as well as develop baseline questions for the City to evaluate our services which can be measured every few years and compared against similar communities. The other two firms did not the express as much capability to provide the City with an effective combination of customized and benchmark questions within our budget. RRC Associates noted that they specialize in working with mountain communities. Another highlight of RRC Associates that was identified was that RRC Associates has previously worked with the City’s Parks and Recreation department and Gunnison County; therefore, RRC Associates has familiarity with Gunnison and already possess some base line information about our community. City staff who worked with RRC Associates on that survey felt that they were prompt, on time, and did a good job. RRC Associates also discussed multiple ways that they would offer the community survey to reach as many residents as possible. Methods included direct email, mailing a paper survey to every household in Gunnison, providing the community with an open link to complete the survey, and specifically targeting Western State Colorado University if the timing was right. Their methods for distributing the survey casted the broadest net. After speaking with RRC Associates it is clear that they have an authentic understanding of mountain communities, would be collaborative throughout the development process, and possesses the right experience and personnel to help the City meet our goals through this survey.

It should be noted that the first year of a community survey is creates baseline and significant value comes to play when multiple community surveys are evaluated over time. Also surveys invite input on what is going well and also criticism. However, by understanding the perceptions of the community, the City Council and administration can adjust to best meet the needs of the community.
Attachments:

A. Request for Proposal
B. Proposals from:
   Corona Insights
   National Research Center
   RRC Associates
REQUEST FOR PROPOSAL
COMMUNITY SURVEY

I. Introduction

The City of Gunnison (hereinafter “City”) is inviting interested and qualified consultants and firms (hereinafter “Responder”) with professional capability to submit a proposal to develop, conduct and interpret the results of a municipal survey. This survey will be directed to the residents of the City. The selected Responder will develop an appropriate survey process and methodology to gauge citizen input on various topics. The Responder will be responsible for the creation and application of the survey to the appropriate residents, as well as, tabulating the results and presenting a final product to Gunnison officials in both a written report and formal presentation.

Questions regarding the RFP can be directed to Erica Boucher (eboucher@gunnisonco.gov) or 970.641.8140.

II. Background

The City of Gunnison is located in the west-central Rocky Mountains and is approximately 180 miles west of Denver. Gunnison is the county seat and has been known as the “unspoiled heart of Colorado.” Incorporated on February 28, 1880, Gunnison continues to be a traditionally rural, ranching community; however, over the last 100 years, its population has diversified because of the undergraduate and graduate students attending Western State Colorado University and the constant arrival of a wide variety of permanent and seasonal recreationalists. Today, Gunnison’s existing boundary of approximately four and three-quarter square miles is inhabited by about 6,200 residents. Overall, Gunnison’s population is a mix of traditional ranchers, professionals with and without families, academics, recreationalists, artists, and entrepreneurs.

Externally, Gunnison is surrounded by public lands and outdoor activities occur throughout the year. Winter activities include skiing at Crested Butte Mountain Resort or Monarch Ski Area, snowmobiling, cross country skiing, ice fishing Blue Mesa, and hunting. In the summer, residents and visitors alike spend time fishing on local rivers, hiking, cycling, mountain biking, and rock climbing. Hartman Rocks, managed by the Bureau of Land Management, located just two miles west of town, provides 8,300 acres of recreational opportunities.

Within City limits, the City offers 110 acres of park land and trails. The Parks and Recreation Department operates a 45,000 square foot Community Center and an indoor and outdoor ice rink facility. The City operates basic utilities including: Electricity, Water, Sewer, and Solid Waste. Furthermore, City services include police, fire, finance, city clerk/municipal court, building and planning. The City dispatch center provides communication services for all critical services in Gunnison and Hinsdale counties. Please refer to the City’s website for a full description of City services (http://www.gunnisonco.gov/).
III. **Goals of Project**

In October 2017, the City Council adopted its *Strategic Plan* and identified four primary priorities: infrastructure and safety, economic prosperity, livable and affordable housing, and community engagement. In order to enhance community engagement and to best understand the community’s communication needs, the City desires to hire a survey firm to poll our residents about the City’s services. The City is striving to have better two-way communication, be as responsive to the community’s needs as possible, understand the strengths and weaknesses of our City’s services, and to inform and engage with as many residents as possible to keep them up-to-date on emerging projects. The City’s 2017 Strategic Plan can be viewed at [http://www.cityofgunnison-co.gov/government/city_council/index.php](http://www.cityofgunnison-co.gov/government/city_council/index.php)

The main goals of this project are to provide a survey methodology, tool, and process which will provide the City with feedback from a representative cross spectrum of the population. At the end of the survey, the City will:

- Receive feedback from a cross section of the community on strategic priorities and direction.
- Receive feedback on City Services and ideally benchmark us against other communities. (This is possible depending on the company/group that is selected for conducting the survey)
- Gain higher level of understanding of the socio-economic characteristics of the residents of Gunnison.
- Receive feedback on the best way to communicate with the community and how effective we are currently communicating with the public.

IV. **Scope of Work**

The selected Responder shall use and reference Gunnison’s *Strategic Plan* to complete the Scope of Work in creative and innovative ways. The selected Responder shall:

1. Work with City Staff to determine the most cost effective, innovative, accurate, and productive survey methodology to employ for gaining input from residents. This includes the quantity of survey, length of survey, suggested content and duration of survey collection to achieve a statistically significant survey that represents all major components of the Gunnison population. The survey and questions must be designed to ensure statistical validity and unambiguous quantifiable results.

2. The Responder will also work with City Staff to identify other stakeholder partners to identify other potential survey needs strategic partners may have in the community. For example, the Library, Housing Authority, and potentially Western State Colorado University may also desire to ask strategic questions of the community. The goal of task 2 is to reduce the likelihood that our residents will be responding to multiple surveys in the same basic time frame.

3. Work with City Staff to develop objective questions designed to gauge community sentiment about:

   a) City Services including: City/Court Clerk, City Manager, Community Development, Public Works, Parks and Recreation, Finance, Fire, and Police. Specific areas of inquiry could include:

      i. Overall experience - rating, staff courteousness, staff’s knowledge, ease of reaching
staff, the speed and timeliness of service, staff’s helpfulness, staff’s ability to resolve an issue or explain the options if they could not resolve the issue.

ii. Provide a framework for benchmarking the City of Gunnison’s services with other similar communities.

b) Develop a framework with City leaders to receive feedback on critical strategic issues for the City which responds to the above mentioned goals.

4. Work with City Staff to develop a marketing/communication program to promote and encourage participation in the City Survey.

5. After the process, content and scope of questions are developed and approved by the City and Council, the Responder shall then proceed with administration and distribution of the survey within an agreed upon schedule. The Responder will provide a statistically valid and unambiguous quantifiable results.

6. The Responder will then write up the results of the survey in draft and discuss desired cross tabulations that should occur in write up of the survey.

7. After responding to comments from Staff and Council on the draft survey the Responder will finalize the survey report and make a presentation to City Council.

V. Deliverables

The selected Responder will provide the following:

1) 1 bound copy and an electronic copy in (Word/Excel and PDF) of the final report including, but not limited to the following:
   - Executive summary
   - Survey Background
   - Copy of Survey Instrument
   - Profile of Gunnison
   - Profile of Respondents
   - Overview of the Survey
   - Content description and summaries of each survey topic
   - Statistical analysis of survey results including graphs, raw data and any other information believed to be beneficial to the report.
   - Provide cross tabulation of results and key demographic components of the community.

2) The Responder will also present the survey results in formal presentation(s) to Staff and/or City Council.

3) The Responder will provide appropriate data sets so that the City will be able query the survey data and conduct further cross tabulations in the future. The City will own the data that is received by the Responder while maintaining the privacy of the respondents.

VI. Proposal Format
Please submit one digital PDF with submittal. Submissions should be limited to 12 pages, not including the cover page and resumes. Specific submittal details containing the following will be considered.

1. Cover letter with RFP title heading; submittal date, name of issuing entity; telephone; email, and company website link, and explanation of provider’s interest in the project.
2. Provide a detailed description of the proposed approach with specific recommended actions. Include other recommended services which support the project goals with specific costs that the Responder may recommend.
3. Qualifications of key personnel including summaries of all staff members that will be involved in completing the scope of services.
4. Project Cost. The Responder shall provide the following information related to the proposed costs:
   a. Provide a not-to-exceed total cost to complete the described scope of work elements.
   b. Show a basis for calculating this fee, including anticipated staff time, by hours per week, devoted to this project, broken out by individual.
   c. Show all associated reimbursement costs for providing these services (e.g. office space, travel, reproduction, etc.)
   d. Provide itemized list and your proposed cost (either lump sum or hourly rate) for optional services that may be of benefit to the City, but are not identified in the Scope of Work of this RFP.
   e. Provide the hourly rate schedule for individuals proposed in this project to be used if the City wished to increase the scope or frequency of services.
5. At least three (3) municipal references of similar size and scope. Include the name of the organization, summary of work performed, and contact information.
6. At least three examples of similar surveys the Responder has completed in the past three years; Business references from these projects, including client’s name, email address, and phone number.

VII. City Responsibilities

City Responsibilities include:

- City will provide final approval of the survey questions.
- City will provide mailing information for registered voters in the City of Gunnison.
- City will work with the responder to promote and market the community survey.
- Organize stakeholder groups or meetings as needed.
- Proposals should describe any additional services that will be expected from the City to complete the scope of work.

VIII. Selection Process

The City of Gunnison reserves the right to accept or reject any or all RFP submittals. All submittals become the property of the City upon receipt. While cost is important, this is not necessarily a low bid award. All proposals will be subject to review by City Staff. In addition, proposals may be subject to review by City Council, various City boards, and the public in general. The City will evaluate each RFP submittal according to the following factors and 100-point scale.

1. Experience and Competency. RFP responses should reflect the qualifications and experience
necessary to successfully develop and execute the scope of services. Specifically, the Responder’s team capabilities, survey abilities; and public engagement experience. The proposed project team and leader’s qualifications and experience in similar projects should be demonstrated in the submittal. (30 points)

2. **Project Approach and Proposed Recommended Actions.** The applicant will provide a proposed approach and recommended actions to achieve the goals of this RFP. (20 points)

3. **Cost.** The proposed cost to complete all elements of the identified scope of work must be reasonable and favor the City’s desire to complete this project. (20 points)

4. **Record of Success.** The RFP response shall demonstrate a consistent level of successful project outcomes of similar projects during the past three years. (10 points)

5. **References.** (20 points)

After reviewing all proposals and determining a finalist, City Staff will make a recommendation to City Council for implementation.

IX. **Project Schedule - Subject to Change**

- May 8, 2018: Discussion and feedback from City Council on RFP
- May 14, 2018: RFP revisions complete
- May 17, 2018: RFP posting and publication
- June 4, 2018: 5:00 p.m. is the submittal deadline.
- June 6, 2018: Holding date for interviews with potential Responders
- June 8, 2018: City completes review of RFPs and scores the submittals
- June 12, 2018: Council approves recommended Responder

X. **General Information**

A. **CONTRACT DEVELOPMENT**

The City of Gunnison will enter into a contract for professional consulting services based on a “not to exceed” contract amount. Incremental payments to the consultant will be made at the specified duration established by the contract. The contract terms shall specify a “not to exceed” amount. By acceptance of the award, the consultant shall enter into a services contract – an example of a typical services contract can be viewed at the following link.

http://www.gunnisonco.gov/docs/Finance/Employee%20Forms/ServicesContract.docx

The City of Gunnison is not liable for any costs incurred by a consultant in responding to this RFP or for any costs associated with discussions required for clarification of the RPF contents.

To receive consideration, proposals must be received prior to the specified time as designated above.

B. **NO LATE PROPOSALS WILL BE ACCEPTED.**

C. **PREPARATION OF PROPOSAL**

a. Responders are expected to examine specifications and all instructions.

b. Each Responder shall furnish all information required.

D. **SUBMISSION OF PROPOSALS**

a. All proposals shall be submitted to the City Clerk by 5:00 pm on Monday, June 4, 2018 via email to eboucher@gunnisonco.gov
b. Responders are responsible for submitting proposals before stated closing time. Technical delays on the Responder’s side will not be considered. Any proposal received after the stated deadline will be rejected.

c. Any proposal may be withdrawn by giving written notice to the Clerk’s Office before stated closing time. After stated closing time, no proposal may be withdrawn or canceled for a period of sixty (60) days after said closing time.

d. The proposal shall specify a unit price for each item listed and total of all items listed. Unit price will prevail on all items.

**E. CONSIDERATION OF PROPOSALS**

a. The City of Gunnison reserves the right, when it is deemed to be in the best interest of the City, to award the Proposal in its entirety, in part, or not at all.

**F. TERMS**

a. All proposals must be tax exempt.

**G. COMPLIANCE WITH LAWS**

The selected Responder agrees to and is bound by all applicable federal, state and local laws, regulations and directives as they may pertain to the performance of the contact.

No proposal will be accepted from any person, firm or corporation who is in arrears upon any obligation to the City or who otherwise may be deemed irresponsible or unreliable by the City.

Any deviation from the scope of work must be noted in the proposal.

Any proposal submitted which requires a down payment or prepayment of any kind prior to work completion and full acceptance will not be considered for award.

All costs incurred in the preparation and presentation of this proposal, in any way whatsoever, shall be wholly absorbed by the prospective firm. All supporting documentation shall become the property of the City of Gunnison unless requested otherwise at the time of submission. The confidentiality or disclosure of any information submitted is governed by the Colorado CORA. The City cannot promise, warrant or guarantee confidentiality nor, that the information presented will be exempt from disclosure under the CORA. The City may honor requests for confidentiality only to the extent that CORA permits.

The City reserves the right to waive any informality in the proposal received, and to accept any proposal or part thereof, which it shall deem to be most favorable to the interests of the City of Gunnison.

**H. QUESTIONS**

Questions related to this RFP will be answered until May 30, 2018 4:00 p.m. (Mountain time zone).

Direct questions to:

**Erica Boucher, City Clerk**

201 W. Virginia Avenue  
PO Box 239  
Gunnison, CO 81230  
Phone: 970.641.8140  
Email: eboucher@gunnisonco.gov

The above “Request for Proposals Community Survey” published May 17, 2018. It is requested that Proof of Publication be sent to the City Clerk, 201 W. Virginia Ave., Gunnison, CO 81230.
June 4, 2018

Erica Boucher, City Clerk  
City of Gunnison  
201 W. Virginia Avenue  
PO Box 239  
Gunnison, CO 81230

RE: Request for Proposals Community Survey

Dear Erica,

Corona Insights is pleased to present this proposal for our firm to assist the City of Gunnison in conducting a survey of residents in the City. Our firm has a long history of conducting research with residents of communities, and we have a particular niche in conducting research with communities in Colorado. We love getting to know the various communities that make our state a fantastic place to live, work, and play, and we are confident that our team will bring the needed expertise to this study in order to ensure that the results of this study will provide the answers you need, in a timely fashion, within your budget.

Our initial recommendation for this study is to conduct mail-based survey of City households in a way that will maximize the representation of results from all households. Our experience and expertise in conducting community surveys will help you better understand the needs, interests, opinions, and behaviors of City residents.

We view this proposal as a starting point for discussion and look forward to refining our approach with you further through additional conversations. Thank you for the opportunity to submit this proposal. If there is anything that we can do to provide additional information or better tailor this proposal to your needs, please don’t hesitate to contact me at 303-894-8246 or at MHerndon@CoronaInsights.com.

Sincerely,

Matt Herndon  
Principal
Community Survey
A Proposal to the City of Gunnison, Colorado
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OUR PROPOSED APPROACH

The following outlines our proposed method of survey implementation.

STEP 1: PROJECT KICKOFF

Although easily overlooked, the most important step in a research project is to establish clear goals and desired outcomes. At our project kickoff meeting, we will begin with the end in mind by eliciting your desired project outcomes. We will then work with you to draft achievable research goals, and we will discuss the project’s schedule, potential challenges, and your preferred report and data format. Before proceeding to step 2, we will ask you to review and approve the research goals and outcomes. We anticipate conducting this meeting in-person in Gunnison.

STEP 2: SAMPLING

Also easily overlooked, good sampling is the foundation of a reliable survey that accurately represents the community. Our initial research suggests that there are roughly 5,000 residential addresses in Gunnison. While it is possible to invite all residents to participate, the costs to print and mail surveys make up a significant portion of our budget. Therefore, our initial recommendation is to select roughly half of these addresses (2,500) to receive an invitation to the survey.

While we understand that a registered voter list is available from the City, we find that these lists often omit key segments of the population. Therefore, it is our initial recommendation that a broader address list be used for this study. However, we will discuss in our kickoff meeting the key segments for this survey (e.g., only registered voters, including on-campus students, etc.); our costs will not change as long as the number of surveys mailed remains at 2,500.

STEP 3: SURVEY DESIGN

Based on the request for proposals, it is our understanding that the City will be our primary partner on this research, but there may be other entities in the area with whom we will coordinate in order to ensure that we do not overlap other efforts to gather community feedback. In this step, we will, therefore, conduct a small number of meetings via phone with these other entities to understand 1) what other research efforts have been conducted recently (or what efforts may be conducted in the near future) and 2) if there is a need for a small number of questions on the survey for these various entities.

We will write a first draft of the survey instrument based on the project kickoff and other conversations and send it to you for review. After addressing first-round feedback, we will write a second draft and send it to you for final approval. Typically, two rounds of revisions are sufficient to achieve a survey instrument with which everyone is satisfied. We have currently budgeted for an eight-page (8.5”x11”) black-and-white survey, with the first page as the cover letter.

STEP 4: IMPLEMENTATION

While online surveys or telephone surveys are theoretically possible for a study like this, both of these approaches have significant challenges. Online surveys can be very cost effective, but it is very difficult to collect
such responses in a way that is representative of the entire resident population. Similarly, telephone surveys can allow for more complex types of questions than mail surveys, but so many residents use cell phones these days, it is very difficult to reach a reliable sample of residents.

Instead, we propose conducting a mail survey, and we will be responsible for all steps of implementation, including survey printing, mailing, data collection, and data storage. We plan on a phased implementation where we will first mail 2,500 full-color survey invitation letters that encourage sampled residents to access and complete the survey through a secured online website. A few weeks later, we will then mail a black-and-white hardcopy survey packet to all households that have not yet responded online. This last step is vital, because it allows residents without internet access, or who do not want to complete it online, to still participate in the survey. The advantage of this phased process is saving on printing, mailing, and data entry costs; the disadvantage is it somewhat lengthens the amount of time the survey is in the field.

With two touch-points (i.e., initial letter and follow-up survey packet), we anticipate a final response rate of about 15-20 percent, and perhaps higher if the City can promote the survey through other communications (e.g., social media pages, newsletters, etc.). This would yield roughly 500 total surveys collected, which would produce a maximum margin of error around ±4.5 percent at a 95 percent confidence interval, before accounting for survey design or weighting effects. Note that while we will use industry best practices, we cannot guarantee a minimum response rate to a mail survey. Response rates vary due to many factors, and our estimate is based on our experience and results from previous surveys in similar communities.

**STEP 5: ANALYSIS AND REPORTING**

Our analysis will involve much more than a simple tally of raw data by segment. First, we will review, clean, and standardize the data. Then we will compare the demographic and geographic profiles of respondents to the broader population in Gunnison, and we will create and apply corrective weights to ensure the final results accurately reflect the broader population. We will also use best practices in statistical analysis, such as looking for questions that were frequently skipped or missed and controlling for potential bias.

We will prepare and deliver a reader-friendly final report that will include an executive summary outlining key findings, a main body with detailed findings and observations, and a detailed description of the methodology. Additionally, we will provide an easy-to-use workbook of analysis tables, including top-level results and five cross-tabulations of all survey questions, plus all open-ended responses. As a last step, we will meet with you to review the results and discuss interpretations and potential recommendations.

**ADDITIONAL THOUGHTS ON OUR APPROACH**

**ONGOING PROJECT MANAGEMENT AND DATA QUALITY**

We recognize that a successful project requires a good process in addition to good deliverables, which is why we provide exceptional customer service. Our process includes sending weekly updates about progress and responsibilities, responding promptly to questions and requests, and communicating professionally with stakeholders and the public as needed — essentially becoming an extension of your team.

We take several steps to ensure data quality, foremost being our internal teamwork. We value rigor and confidentiality, which is why we employ vetted protocols for survey mailing, data collection, data entry, and data storage and disposal. Before being delivered, reports and datasets are reviewed by multiple team members for technical accuracy and interpretation. We will strive to ensure you are completely satisfied with all deliverables by the project conclusion.
CITY OF GUNNISON RESPONSIBILITIES

Below we highlight the key responsibilities of the City. Overall, we look forward to a collaborative partnership with you throughout our work together.

➔ **Project Kickoff.** Meet with Corona (in-person or teleconference) for a kickoff meeting to discuss research goals and content, timeline, list composition, and any other logistics. Provide any necessary background information or materials, including previous survey instruments and data files.

➔ **Research instrument design input.** The includes reviewing the draft survey instrument and final approval of any edits.

➔ **Sample list.** Though our initial recommendation is to use an external list of residents for this study, which would include all residents (not only registered voters), we will discuss this approach with the City prior to beginning work. If the desire is, instead, to only survey registered voters, we will rely on the City to provide this list.

➔ **Report feedback and input.** This includes providing input on reporting needs and feedback on the final report.

Corona will be responsible for drafting and finalizing the survey instrument, conducting the surveys, and delivering reporting. Corona’s team is easily reached any time you need to get in touch, and Corona will provide weekly status updates during the project.

CUSTOMER SERVICE

As a final note, Corona understands that when a client hires us, we become an extension of their organization and brand. We take this seriously and will treat residents as if they were our own customers. If someone contacts us about the survey, we respond quickly and professionally. We are firm believers that the market research process shouldn’t lower satisfaction or create negative impressions.
QUALIFICATIONS OF KEY PERSONNEL

Our project team will consist of Matt Herndon, David Kennedy, and Matt Bruce. Our firm has very high employee retention, and it is unlikely we will need to change the project team. All personnel at Corona are highly qualified and have extensive experience with similar projects.

**Matt Herndon** is a Principal at Corona and will serve as the primary contact for this work should we have the opportunity to work with the City. Matt is especially skilled at uncovering insights in data that might not be obvious at first glance and helping customers to pull off complex projects quickly and efficiently. He has a passion for helping customers make data-driven decisions and loves seeing customers tackle difficult issues with confidence based on the insights gained through research.

Matt has led recent projects to survey residents of a wide variety of communities, including work with Summit County, the City and County of Denver, the City of Wichita, Kansas, and many more. He will bring all of his experience to our work with Gunnison in order to ensure our approach is efficient and effective.

Matt holds a Master of Business Administration and a Bachelor of Science in business (emphasis in marketing), both from Emporia State University. In addition, Matt regularly attends conferences and webinars to keep up with the latest trends in market research and technology.

**David Kennedy** is a Principal at Corona. He has been a member of the Corona Insights team for over eleven years. Customers come to David for his ability to simplify messy questions and then systematically answer them. David has conducted numerous needs assessments in his time at Corona, in topics such as health and the outdoors. Furthermore, he has extensive experience with survey design for community surveys and mail survey implementation. Among other projects, David is currently working on a community survey on behalf of Denver Water; community research to inform a social marketing campaign involving water quality; and he is working with Matt Bruce on behalf of Boulder Open Space and Mountain Parks.

David holds a Bachelor of Business Administration in Marketing from the University of Missouri. David also holds a certificate in market research from the University of Georgia and Professional Research Certification (PRC) from the Insights Association (formerly the Marketing Research Association). Beyond professional involvement, David has volunteered his time with Volunteers for Outdoor Colorado, Colorado Fourteener Initiative, and the American Hiking Society.

**Matt Bruce** is a Director at Corona. He specializes in quantitative research methods and analysis. Matt is well suited to lead this project because he has a great mix of expertise in outdoor recreation and extensive experience conducting surveys for needs assessments. Specifically, Matt was the lead analyst for several similar projects, including a needs assessment for the City of Billings Parks and Recreation Department, a needs assessment for City of Longmont Community Services, a survey of older adults in Boulder County, and extensive research and planning tasks for the New Mexico Statewide Comprehensive Outdoor Recreation Plan (SCORP), among many other projects.

Before joining Corona, Matt worked for Boulder County Parks and Open Space; the City of Longmont Parks, Open Space, and Trails; the City of Colorado Springs Parks and Recreation; and various other environmental organizations in Colorado and Idaho. Matt earned a Bachelor of Arts in Environmental Studies with a certificate in Leadership Studies from the University of Colorado, Boulder, and a Master’s of Science in Natural Resources (Social Science emphasis) from the University of Idaho, Moscow. Matt has presented at the Colorado Open Space Alliance conference and at the Restoration Institute, and his research has been published in the journal *Restoration Ecology*.
PROJECT COST

We provide our budget for the scope of work described previously above. This scope of work can be considered fixed as long as the scope of work does not change substantially (e.g., larger number of surveys mailed, longer survey, etc.).

<table>
<thead>
<tr>
<th>Tasks</th>
<th>Principal Hours</th>
<th>Principal Cost</th>
<th>Director Hours</th>
<th>Director Cost</th>
<th>Project Assistant Hours</th>
<th>Project Assistant Cost</th>
<th>Corona’s Fees</th>
<th>Direct Expenses</th>
<th>Cost by Task</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project kickoff and community meetings</td>
<td>4</td>
<td>$900</td>
<td>4</td>
<td>$700</td>
<td></td>
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<td>$1,600</td>
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<td>$575</td>
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<td></td>
<td>$2,300</td>
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<td>$2,300</td>
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<tr>
<td><strong>Implementation</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Initial letter and online survey</td>
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<td>$450</td>
<td>4</td>
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<td>$1,150</td>
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<tr>
<td>Analysis and reporting</td>
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<tr>
<td>Final presentation</td>
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<td>2</td>
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<td></td>
<td></td>
<td>$800</td>
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<td>$913</td>
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<tr>
<td>Project Administration</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,298</td>
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<td>$1,298</td>
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<tr>
<td><strong>Not-to-Exceed Total Cost</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$28,141</td>
</tr>
</tbody>
</table>

Notes for the above budget:

➔ Our project kickoff meeting will be conducted in-person in Gunnison. (Expenses shown are for mileage to/from Gunnison from Denver.) Up to five additional meetings will be conducted with other organizations in the community (e.g., the Library, Housing Authority, Western State, etc.) via telephone.

➔ Expenses for sample procurement assume Corona will provide the list of addresses to be used for the survey. If the City can provide such a list, this cost will be removed.

➔ Expenses for implementation include all costs to print and mail surveys as described in the scope of work (including all outgoing and return postage). If the City has internal resources that could be used to print and mail the surveys, these costs can potentially be removed.

➔ Costs listed for the follow-up, hard-copy survey assume that 2,500 surveys are printed and mailed. These costs will be reduced accordingly (though not directly proportionally) for any households that respond to the online survey after the initial survey letter.

➔ This budget includes one presentation in-person to City Council. If additional presentations are desired, they can be provided at the cost listed above.

➔ Matt Herndon and David Kennedy are Principals in the firm and are billed at an hourly rate of $225 as shown above. Matt Bruce is billed at an hourly rate of $175.
The following current or previous clients can comment on the quality, customer service, value, resourcefulness, and timeliness of our previous projects similar in nature to this project. Many other references may be provided upon request.

**Name of Organization:** Denver Water  
**Summary of Work Performed:** Corona Insights conducted a survey of Coal Creek Canyon residents who would be impacted by the Gross Reservoir Expansion project undertaken by Denver Water. The research sought to understand resident perceptions of the project, their greatest concerns about the project, and what material hauling options would be preferred. The survey was conducted via mail with multiple outreach efforts. More than 500 surveys were completed. Results have helped Denver Water better plan and communicate with this community that would receive the greatest impacts as a result of the construction.  
**Contact Information:** Matt Wittern, Public Affairs, Matt.Wittern@denverwater.org or (303) 628-6304

**Name of Organization:** Summit County Youth and Family Services  
**Summary of Work Performed:** Corona was retained by Summit County Youth and Family Services to conduct a survey of County parents, young adults, and members of the public (both English- and Spanish-speaking) to better understand perceptions of drug usage (and marijuana in particular). The study was aimed at understanding ways that the County could help to reduce marijuana usage among youth (under age 20) by encouraging adults in the County to take steps to prevent underage usage.  
**Contact Information:** Laurie Blackwell, Healthy Futures Initiative Program Coordinator, Laurie.Blackwell@SummitCountyCO.gov or (970) 668-9196

**Name of Organization:** City of Billings Parks and Recreation  
**Summary of Work Performed:** The City of Billings Parks and Recreation Department was concerned that rapid population growth and ensuing demographic shifts were causing changes in residents’ needs and desires for park amenities and recreation programs. Therefore, they hired Corona Insights to survey residents to measure their needs, interests, use, and emerging trends. Our analysis and final report ranked the most desired and important amenities, activities, and programs, and we prioritized maintenance needs and park use.  
**Contact Information:** Mark Jarvis, Park Planner, jarvism@ci.billings.mt.us or (406) 657-8367
OTHER SIMILAR SURVEYS

In addition to those provided above, we provide the following examples of other similar surveys we have conducted in recent years. Many other examples may be provided upon request.

Name of Organization: Forest City Stapleton
Summary of Work Performed: Corona was retained by Forest City Stapleton to help Stapleton better understand the characteristics and opinions of residents in Stapleton. As the main real estate developer in the area, Forest City needed to understand the general profile of residents in terms of key demographics, as well as attitudes about Stapleton and activities pursued. In order to gain this understanding, Corona conducted mail surveys with both homeowners and apartment renters in Stapleton to gather their feedback. The results of this survey will be used by Forest City to plan for future development in the area.
Contact Information: Tasha Jones, Director of Marketing, TashaJones@forestcity.net or (303) 996-7759

Name of Organization: Group Health Cooperative
Summary of Work Performed: Corona Insights administered and coordinated a health behaviors survey in several different communities in California over the course of five years in order to measure the impact of a campaign aimed at improving health behaviors among residents in key neighborhoods. The project involved two mailings of the survey in each wave with a reminder card in between, followed by phone surveys to catch any lingering respondents. The data from the surveys provided information with which to assess the impact of the campaign and community health centers.
Contact Information: Alan Cheadle, Director, cheadle.a@ghc.org or (206) 287-4391

Name of Organization: Denver Public Library
Summary of Work Performed: Corona was retained by Denver Public Library in to conduct a survey of the general public in the City and County of Denver to gauge high-level usage and perceptions of the library. Corona conducted a mixed-mode survey using both telephone survey (landline and cell phone) and online survey (via research panel) methodologies in order to provide a comprehensive view of the general public in Denver. The results of the survey allowed the library to quantify some of their hypothesized misconceptions about the Library in order to help to better target marketing and branding efforts.
Contact Information: Chris Henning, Marketing Communications Manager, chenning@denverlibrary.org or (720) 865-2044
APPENDIX: ABOUT CORONA INSIGHTS

Our founder named this company Corona because the word means “a halo of light.” It’s the knowledge that surrounds and illuminates an issue—exactly what we provide.

Corona Insights serves as a resource for our customers who need to make decisions on a wide variety of topics. We help our customers uncover the right answers to the questions most important to them, then we guide them to use those answers to inform their decisions and plans. The firm’s mission is to:

Provide accurate and unbiased information and counsel to decision makers.

Corona accomplishes this mission by taking the time to understand our customers’ goals, developing a plan, and then executing and delivering actionable insights. At the core of this process is Corona’s professional team of consultants and support staff.

When you hire Corona, you hire smart and passionate people—we love what we do, stay abreast of trends in our fields, and fully engage with our customers. In essence, we’re in the business of helping our customers make smart decisions. Sounds simple, doesn’t it? The reality is that each customer’s needs are unique, so the Corona team takes our own knowledge and experience, combines them with proven approaches, and creates a custom engagement for each one.

Our areas of expertise create the perfect blend of research and consulting. Sometimes you need analytics to understand the data you have, or you might require new market research in order to answer your questions. Perhaps you have all the data and analysis you need but struggle with creating a strategy for your future direction. No matter where you’re starting from, we can help you move forward.

CORONA’S SERVICES

Corona provides a variety of services to meet the needs of diverse organizations, from large businesses and governmental departments to small nonprofits and individual entrepreneurs.

<table>
<thead>
<tr>
<th>Market Research</th>
<th>Evaluation</th>
<th>Strategic Consulting</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt; Scientific surveys (all modes)</td>
<td>&gt; Program outcomes evaluation</td>
<td>&gt; Business and marketing planning</td>
</tr>
<tr>
<td>&gt; Focus groups (in-person and online)</td>
<td>&gt; Process implementation evaluation</td>
<td>&gt; Program evaluation</td>
</tr>
<tr>
<td>&gt; In-depth interviews</td>
<td>&gt; Needs assessments</td>
<td>&gt; Data inventories and frameworks</td>
</tr>
<tr>
<td>&gt; On-site data collection</td>
<td>&gt; Cost-benefit analyses</td>
<td>&gt; Strategic planning</td>
</tr>
<tr>
<td>&gt; Observational research</td>
<td>&gt; Economic impact studies</td>
<td>&gt; Strategy development</td>
</tr>
<tr>
<td>&gt; Demographic research</td>
<td>&gt; Social and fiscal impact studies</td>
<td>&gt; Business model design for nonprofits</td>
</tr>
<tr>
<td>&gt; GIS</td>
<td>&gt; Feasibility studies</td>
<td></td>
</tr>
<tr>
<td>&gt; Statistical analysis and modeling</td>
<td></td>
<td></td>
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</tbody>
</table>
FIRM QUALITY AND REPUTATION

We started small nearly two decades ago, but we certainly didn’t stay that way. While the volume of projects we take on speaks to the demand for our work, the fact that two-thirds of our work is for repeat and referred customers says even more. We’re proud to receive praise from our customers and accolades for the work that we do.

Awards. Listed below are several awards Corona has received in the past few years.

> 2014 Colorado American Marketing Association (AMA) Gold Peak Award for market research work to inform the American College of Veterinary Internal Medicine’s member engagement and outreach.

> 2013 Colorado AMA Gold Peak Award for market research work to inform Donor Alliance’s marketing strategy.

> 2011 Colorado AMA Gold Peak Award for market research work to inform the University of Denver Sturm College of Law’s strategic plan.

> 2011 Colorado Ethics in Business Alliance’s (CEBA) Ethics in Business Award finalist.

> 2009 Small Business of the Year Award from the Denver Metro Chamber of Commerce. Corona was also a finalist in 2007 for the same award.

Staff Quality and Experience. Our breadth of experience working with diverse organizations has helped our customers see much more than they could on their own. We’re able to do this because we only hire the best. We’re lifelong learners who bring our best thinking to market research, data analysis, and strategic consulting. Our entire team not only loves the work we do, but are dedicated to providing remarkable service, high quality work, and great value to our customers.

> Surveys of Corona’s customers from the past three years showed that more than 90% would “definitely” recommend Corona Insights, with customer service being the top reason for recommending.

> We are members in good standing with the Insights Association (formerly Marketing Research Association and Council of American Survey Research Organizations) and the American Association for Public Opinion Research (AAPOR). Our proposed staffing includes team members certified by The National Institute of Health (NIH) Office of Extramural Research in Protecting Human Research Participants and who have received Professional Research Certification by the Insights Association.

> Our staff brings a breadth of experience to our work, along with rigorous and well-rounded educations. Collectively, we hold bachelor’s degrees in aerospace engineering, industrial engineering, marketing, anthropology, psychology, and environmental studies (among other fields); master’s degrees in business, marketing, consumer behavior, public affairs (demographics), psychology, and natural resources; and PhDs in cognitive and social psychology.

Professional Involvement and Affiliations. Corona is active in our profession and our community, with memberships that include:

> American Association for Public Opinion Research

> Association for Psychological Science
Colorado Chapter of the American Marketing Association (AMA)

Colorado Municipal League, Associate Member

Insights Association (formerly the Market Research Association)

Community Involvement. Our work itself often benefits our communities, as we regularly work with many nonprofits and government organizations, giving them the tools they need to improve their services and move in more positive directions. Our staff have also contributed their time and efforts to support many community boards and committees, including the Colorado Department of Public Health & Environment’s Child Fatality Review, the Denver Business Series, Social Venture Partners, College Summit, and the Rocky Mountain Research and Prevention Institute, to name a few.

SAMPLES OF CORONA’S SITE-SPECIFIC RESEARCH IN COLORADO

Corona Insights has conducted on-site research in every county in Colorado. The map below highlights just some of our experience conducting site-specific research across the state. We have also conducted many statewide research projects, and can provide many more examples of our work in Colorado and elsewhere in the United States upon request.
Gunnison, CO

Request for Proposal
2018 Community Survey

June 4, 2018
1. Cover Letter

Erica Boucher, City Clerk
201 W. Virginia Avenue
PO Box 239
Gunnison, CO 81230
970.641.8140

June 4, 2018

Dear Ms. Boucher and the evaluation committee,

We are pleased to submit the attached proposal for the City’s 2018 Community Survey.

National Research Center, Inc.’s (NRC) core business is the administration of community surveys for local governments. Over the last 23 years, we have conducted more than 1,000 such surveys in more than 400 local governments across the U.S.

Additionally, because NRC conducts and collects the most current citizen surveys from jurisdictions across the country (including over 50 communities in Colorado which includes Gunnison County), we have the largest database of current comparative resident opinion of any firm. Conducted with typically no fewer than 400 residents in each jurisdiction, opinions represent over 30 million Americans. NRC is the only strategic partner of the International City/County Management Association (ICMA) that offers survey research to local governments. We have been in partnership with ICMA for 16 years and conduct trainings across the U.S. about using citizen surveys to advance community livability.

Included in our proposal is a description of our proposed methodology, qualifications of key personnel and our history and experience. Three references for similar projects also are included in addition to three examples of similar surveys we’ve completed in the past three years; more can be provided upon request.

We look forward to the opportunity to partner with you on the survey. Please feel free to contact me with any questions you may have about this proposal. We appreciate the opportunity to serve you.

Sincerely,

Laurie Urban, Senior Research Associate
laurie@n-r-c.com
303-226-6990
2. Proposed Approach

NRC understands that the Gunnison survey will best serve the community by providing valid resident opinions that assess the quality of life, service delivery and the overall direction of the City, and serve as a baseline measurement for future surveys. Credible results about what the community values will provide the city with guidance for budget and policy decisions related to the Strategic Plan priorities. The survey results also will aid City Council, staff and the public in demonstrating transparency and accountability. Consistent measurement of the quality and importance of the dimensions of the community will help assure maximum service quality over time and build trust between government officials and residents.

We will use our survey research expertise to provide guidance, including pros, cons and recommendations to City staff to facilitate decision making. We are accustomed to making such technical information accessible and clear in discussions and in writing.

While NRC offers surveys using various data collection modes including mail, phone and online, for the Gunnison survey, NRC proposes to administer the survey primarily by mail with an online response option. The advantages of conducting a self-administered questionnaire over a telephone survey are described in greater detail on the following pages.

Methodological Approach

below compares the strengths of various survey administration modes. Often the decision about the method for collecting citizen survey data comes down to mail or phone. Sometimes staff are more familiar with telephone surveys perhaps because these are the surveys most often reported in the national news or used for political campaigns, but telephone survey research is not the only, or best, way to collect resident opinion data.

![Figure 1: Comparison of administration methods for general population surveys](image)

About 10 to 15 years ago, phone seemed to be the preferred method for collecting survey data. However, answering machines and voicemail, caller-ID, call blocking, do-not-call lists and residents' general irritation with telephone solicitors have eroded telephone’s edge in the survey industry. Phone tends to
be the preferred data collection mode for those who are in a hurry (e.g., like political pollsters who have to track changes in opinions from speech to speech) and those survey research firms that have significant investment in owning and operating their own call centers.

Given the limitations of phone surveys compared to mail (e.g., lower response rates, less coverage of eligible households, lack of geographic precision, interviewer bias, the need to include cell phones and federal regulations surrounding calling those numbers, among others), NRC proposes to administer the Gunnison survey primarily by mail with an online response option.

**Developing the Survey Instrument**

A kick-off phone or web conference meeting to discuss the survey instrument will provide an important opportunity to explore the survey’s uses and the City’s objectives for individual survey questions. It will also be an important time to involve necessary stakeholders including staff from the Library, Housing Authority, and potentially Western State Colorado University. We expect the survey to cover a broad range of topics, including but not limited to, quality of City services, confidence in government, public safety, economic development, housing, mobility and communication and outreach. NRC will work with the City survey team, listening closely to help define specific survey needs, developing and prioritizing questions, and ensuring the process will be low-burden for staff.

Survey development is an iterative process that we will lead, giving you questions and formats to which you can react. We focus on working quickly, yet thoughtfully, on our side of the responsibilities, leaving ample time for your review. For example, we seek to turn around a survey draft within a half a day or day to ensure the maximum time for stakeholder reflection.

We will provide draft question wording for any topics to ensure that questions capture the intended meaning for Gunnison. We will provide feedback regarding which questions are most commonly asked in other communities across the country to maximize the benefit of benchmark comparisons.

Our goal in working with City staff is to ensure that the final survey includes all desired questions, with optimal sequencing and wording to ensure valid and informative responses. We will also keep a design eye on the formatting, so that the survey is inviting and easy to complete. Attractive and appropriately condensed question formatting also will encourage the best response rate.

For Gunnison’s 2018 survey, our costs assume a final five-page survey and up to two open-ended questions.

**Selecting Participants**

All households within Gunnison would be eligible to receive a survey. NRC has tested list sources and knows that those from the United States Postal Service (USPS) provide the best representation of all households in a specific geographic location. The lists are updated every three months. We will geocode the location of each address to assure it is within Gunnison limits. In addition, we can stratify the sample by sub-geographies of Gunnison (i.e., geographic quadrants, neighborhood groupings, etc.) and we will work with you to determine what kind of sub-geography will be most useful.

The relationship between sample size and precision of estimates or margin of error (at the 95% confidence level) is shown in the adjacent table. NRC recommends sending mailed surveys to a random sample of 1,500 households in Gunnison. With this sample size, we would expect to receive between 300 and 450 completed surveys, providing a margin of error between 5% and 6% for the entire City. The margin of error for results between any sub-geographies in the City would be higher. NRC recommends the data collection window be five or six weeks; utilizing a multi-contact strategy will help
to maximize the number of completed surveys. Our multi-contact strategy (detailed below) typically garners response rates between 25% and 40%. We can provide options for differing contact strategies or sample sizes if requested.

To support the objective of providing scientific results, weighted to the overall population of Gunnison, we will use an unbiased procedure to select a single individual within the household. We typically use the “birthday method” for this purpose. For this, the cover letter instructs that the survey be completed by the adult household member (age 18 years old or older) who most recently had a birthday, irrespective of year of birth. Selecting households and recipients within households using unbiased methods helps ensure the attitudes expressed by our respondent sample closely approximate the attitudes of all adult residents living in Gunnison.

Public Outreach

NRC recommends that Gunnison conduct public outreach in advance of the survey to boost response among selected households, with the added benefit of boosting residents’ trust in local officials. This trust will accrue by conveying Gunnison leaders’ interest in listening to its residents. NRC will support the communications effort by giving feedback on your plan, press releases and other publicity wording, if your communication team so desires. We have samples of communications plans our clients have developed that we can share with the City.

Contact Strategy

NRC manages all aspects of survey administration including printing, mailing preparation and postage via USPS. Our contact approach maximizes the number of completed surveys through a rigorous multi-contact strategy. For Gunnison, we will contact each selected household three times:

1) A prenotification announcement, informing the household members of the upcoming community survey, will be sent to each sampled household. This announcement will arrive about a week before the survey packet.

2) One week after mailing the prenotification, each household will be sent a survey containing a cover letter (signed by Mayor Gelwicks or other City official). The packet will contain a postage-paid return envelope. This cover letter will also include a web address so that the survey can be taken online if the respondent prefers. If the City would like to offer the survey in other languages, the cover letters would include instructions to guide respondents as to how they may take the survey online in their preferred language. Our budget assumes the survey will be administered in English and we provided costs for translation in our cost proposal if this service is desired.

3) A second survey packet will be scheduled to arrive one week after the first survey packet. The cover letter will ask those who have not completed the survey to do so and those who already have done so to refrain from turning in a second survey. A postage-paid return envelope and the URL for online completion of the survey will also be included on this letter. We mail the survey twice to everyone because anonymity is promised in the cover letter to enhance honest responses. We find that about one-third of our completed surveys come from the second wave of the survey.

Mailing materials will use City logos and letterheads to add legitimacy to the effort and completed surveys will be collected over six weeks.

Mailing Preparation

Addresses will be processed for certification and verification. NRC uses CASS™/NCOA software that relies on the USPS National Directory information to verify and standardize the address elements and assign each a complete, nine-digit zip code where possible. NRC carefully reviews proofs of all survey materials as part of our quality assurance process. NRC will prepare the mailings (i.e., folding, stuffing
and addressing survey packets) and the survey packet will include NRC’s postage-paid business reply envelope.

**Online Response Option**

As described in the cover letters, the survey will be available online. Mail and web responses can be combined without statistical adjustments because mail and web surveys are both “self-administered.” Respondents would receive a simplified survey URL to enter into their browser on any Internet-capable device, including mobile phones, tablets and computers. In our experience conducting surveys by mail with an online response option, we have found that the overall response rate to the survey is neither positively nor negatively affected by whether the online response option is provided. While typically a small proportion of respondents opt to take the survey online, the convenience of being able to complete the survey online either at a home computer or mobile device will be appreciated by the more technologically savvy residents of Gunnison.

If the City wants to hear from everyone in the community – not just those chosen as part of the random, scientific sample – we can provide a web link to an identical, opt-in (open participation) survey. The City can post this link on its website and publicize it across its social media accounts to encourage maximum participation. NRC will analyze the opt-in data and determine whether combining the opt-in data with the scientific data would be beneficial toward increasing the number of respondents, or if it should be reported under separate cover. The combination of scientific and opt-in samples is a growing trend in the survey research industry and NRC is among the few firms with the expertise and knowledge to properly blend results using disparate data collection methods.

**Survey processing**

Completed surveys will be returned via postage-paid business reply envelopes to NRC. Data from the web surveys are merged with the data from the mail survey to create one complete dataset. All data are reviewed and “cleaned” as necessary. For example, respondents selecting more categories than permitted will have their choices randomly reduced to the appropriate number for entry into the dataset. We have found that very little cleaning is needed on most surveys due to our expertise in question construction and survey formatting. Returned questionnaires will be scanned electronically (and stored for later review, as needed) and entered into an electronic dataset. This dataset will be subject to a data entry protocol of “key and verify,” in which survey data are entered twice into an electronic dataset and then compared. Discrepancies are evaluated against the original survey form and corrected. Range checks as well as other forms of quality control will be performed.

Data from the completed web surveys will be collected and entered real-time. The web survey dataset will be downloaded, cleaned as necessary and merged with the mail dataset for analysis.

**Analyzing the Data**

The first step in preparing the data for analysis will be to weight the data to reflect the demographic profile of the residents of Gunnison. Weighting is a best practice in survey research to adjust for potential non-response bias and ensure that the demographic characteristics of the sample mirror the overall population. In general, residents with certain characteristics (e.g., those who are older or homeowners) are more likely to participate in surveying. Weighting allows us to adjust the contribution of each respondent to the overall, mimicking as closely as possible the demographic profile of Gunnison as described by the US Census. The weighting variables to be considered will be all those demographics included on the survey.

For quantitative analysis, we rely on IBM Statistical Package for the Social Sciences (SPSS). We believe that analysis must be replicable and leave a clear path. To this end, we keep every label and command run in SPSS in a syntax file available for audit and re-running, as necessary. We will code any open-ended responses using both an emergent approach, where themes are revealed through the analysis,
combined with a deductive approach, where a scheme or codes are predetermined and applied to the data. We use various analysis techniques, suited to the project and question.

The data and report will undergo a thorough quality assurance review. We will audit the original data files and our statistical syntax/analysis files, compare automatically generated output to the formatted output in the report and data check all numbers and text prior to submitting the report. This will ensure that the data analyses are correct and can be compared properly to prior years and that staff, the media and the public will trust the results.

**Comparisons by Geographic and Demographic Groups**

Beyond the computation of basic frequencies of responses for each question on the survey (including and excluding the “don’t know” responses), key questions in the survey can be crosstabulated by respondent sociodemographic characteristics as well as geographic location. For sociodemographic comparisons, for example, we typically recommend making comparisons by age, sex, housing unit type (attached versus detached), housing tenure (rent versus own) and race and ethnicity, though we can adjust these to suit Gunnison's needs.

Results can be reported for questions in which residents from varying subgroups hold (statistically significant and meaningfully) different opinions than the rest of the City’s residents. Chi-square or ANOVA tests of significance will be applied to the breakdowns of selected survey questions. We will guide interpretation by noting statistically significant differences among subgroups so that you are not drawn inappropriately to small differences that only may be the result of random error.

**Benchmarking**

Survey results can be compared to NRC’s entire national benchmark database or to select group of communities of the City’s choosing. Because NRC innovated a method for quantitatively integrating the results of surveys that we have conducted and those that others have conducted, we can create comparisons for more services, more jurisdictions and with less sampling error than anyone. NRC has a normative comparison for 260 services that include police services, fire and EMS, garbage collection and recycling, utilities and utilities billing, library services, street maintenance and repair, water quality, code enforcement, senior services, public transportation, city employee ratings, job opportunities, public safety, historic preservation, economic development, public trust and many others. We add virtually every new survey completed in communities across the country so that our comparison data are fresh and complete. To our knowledge, other vendors have not integrated findings from sources beyond their own survey universe. Our question integration permits more latitude in accepting a broader number of useful questions at the same time maintaining exacting standards for inclusion. Additionally, because NRC actively collects and integrates results produced by all vendors, it is very likely we already have the data that competitors can provide in our benchmark database. Wherever comparisons are available for questions asked on Gunnison’s survey, NRC will provide a benchmark comparison.

Because NRC’s benchmark database contains communities that range widely in size, location and other features, we can easily create benchmarks to make comparisons to the entire nation or a subset, such as all jurisdictions in Colorado, a population range or other factors. We will work with the City to determine the optimal set of communities for Gunnison’s custom benchmark comparison set, if desired. In fact, some of our clients “hand pick” the comparison communities from our complete list of communities available for benchmarking (currently over 700 communities across the nation).

**Open-ended Questions**

We will code any open-ended responses using both an emergent approach, where themes are revealed through the analysis, combined with a deductive approach, where a scheme or codes are predetermined and applied to the data. We use various analysis techniques, suited to the project and question. Techniques include word counts, content analysis, comparative analysis, componential analysis and
taxonomic analysis, among others. We will present the coded themes in the report in a graphical format and provide the complete list of verbatim responses and their associated code(s) as an appendix to the report.

**Reporting**

Our reports are comprehensive and include technical and detailed numbers and information, but do not require a degree in statistics to understand the survey results. All the technical details are in appendices for those who wish to read them. We will provide basic frequencies of results for all questions and also more in-depth analyses, when desired and when relevant. Some of the most common were outlined in the previous section, including geographic and demographic crosstabulations, benchmark comparisons and analysis of open-ended questions. For ease, we also include an executive summary that gives a quick overview of results, while highlighting key findings. We can easily adjust the level of reporting in our custom reports to meet the City’s needs and resources. Verbatim responses to open-ended questions can be provided in document or database form, as desired.

Reports and presentations must serve staff and council members, appointed boards and commissions as well as the lay public and must be documents that the media can understand and find robust should they wish to press their credibility. These are challenges we accept enthusiastically. Our reports are engaging with clear information; the report body tells the story of the survey results in a stylish, colorful, informative and simple manner. Examples of our reports can be found in the section titled 6. *Similar Surveys.*

**Presentation of Results**

We believe in making results interesting and straightforward in our presentations. Our Microsoft® PowerPoint presentations are attractive and visually intuitive. An example presentation can be found at the [Washington County, MN website](#). A typical PowerPoint supports a presentation of approximately 20-30 minutes in length. We recommend having 15-30 minutes following the presentation portion for questions, depending on your preferences. An in-person presentation by NRC adds a great degree of confidence in the independence and reliability of your findings. Whether presenting to staff or the City Council, the credibility of the presentation rests as much on the response to questions from the audience as on the summary of the slides. This is where the benefit of the reputation, education and experience of the NRC team will be especially helpful to providing you the credibility and trust that top level managers expect. NRC will conduct an in-person presentation of the final survey results to the City Council after the report has been finalized.

**Project Schedule**

NRC will conduct Gunnison’s survey using rigorous survey methods to ensure a statistically sound sample and valid survey results. We have created the timeline on the following page to show one approach to completing the project. While some tasks have flexible timing, others are more fixed. NRC strongly recommends the City allow at least six weeks for data collection to help to maximize the response rate. This timeline also shows proposed dates for NRC’s multi-contact mail strategy.

Should the City prefer additional time (or need less time) for survey development (which we see typically can take four to six weeks in many communities, depending on the internal involvement/feedback plan), extend data collection or shift the delivery of the final reports – or any other revisions – we will work with you to design the optimal project timeline for your needs.
<table>
<thead>
<tr>
<th>Task</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice to proceed</td>
<td>June 12, 2018</td>
</tr>
<tr>
<td>Finalize the survey instrument and mailing materials (iterative process)</td>
<td>July 20</td>
</tr>
<tr>
<td>NRC prints materials and prepares mailings</td>
<td>July 27</td>
</tr>
<tr>
<td>Survey materials are mailed</td>
<td>July 31-August 14</td>
</tr>
<tr>
<td>Prenotification postcards sent</td>
<td>July 31</td>
</tr>
<tr>
<td>1st wave of surveys sent</td>
<td>August 7</td>
</tr>
<tr>
<td>2nd wave of surveys sent</td>
<td>August 14</td>
</tr>
<tr>
<td>Data collection</td>
<td>through September 18</td>
</tr>
<tr>
<td>Survey analysis and report writing</td>
<td>through October 12</td>
</tr>
<tr>
<td>NRC emails draft report in PDF format to Gunnison</td>
<td>through October 12</td>
</tr>
<tr>
<td>Feedback from Gunnison regarding draft report due to NRC</td>
<td>October 19</td>
</tr>
<tr>
<td>NRC emails final report Gunnison</td>
<td>October 26</td>
</tr>
<tr>
<td>Presentation of results</td>
<td>TBD (after October 26)</td>
</tr>
</tbody>
</table>

3. Qualifications of Key Personnel

NRC supports an organizational and project management structure that creates clear lines of communication and a single point of contact. While we propose for NRC to take the lead in each project task, we will work collaboratively with Gunnison staff, soliciting input and feedback as necessary. We will prioritize regular, informative communication to ensure that broad and specific goals and timelines are understood by all and are met.

We pride ourselves on responsiveness. Our location has never been a hindrance to our timely and on-budget completion of our survey work. We will be available to answer questions, edit documents and provide materials to the City within minutes to just a few hours during those busy and collaborative times. Email and phone communication provide a helpful and immediate back-and-forth and allow speedy project progress. Though most of that communication will be one-on-one with the project lead; other assigned NRC staff will be kept closely up-to-date and engaged on every aspect of the project. Your lead and day-to-day contact for this project will be Laurie Urban and Morgan Adams will provide project support as needed.

Laurie A. Urban, BA, Senior Research Associate

Laurie holds a degree in Speech Communications with a focus in Public Relations from Miami University. In her 16 years with NRC, Laurie’s excellent communication skills are used daily in interactions with clients and have served NRC well in fostering positive customer satisfaction. Throughout her tenure with NRC, Laurie has conducted and supervised dozens of research projects, many with repeat clients and have served NRC well in fostering positive customer satisfaction. Throughout her tenure with NRC, Laurie has conducted and supervised dozens of research projects, many with repeat clients, creating data collection instruments and sampling plans; overseeing pre-testing and data collection for mail, telephone, web and intercept surveys; analyzing data using regression analysis, cluster analysis and frequencies, means and cross-tabulations to summarize data findings; writing reports with focus on meeting client information needs; presenting survey findings to clients; developing and conducting meetings, trainings and focus groups; and providing technical assistance to clients. Additionally, Laurie manages many of NRC’s qualitative research projects, including focus groups and key stakeholder interviews. She handles all aspects of the project including participant recruitment, script development, facilitation, analysis and report writing. Laurie also helps to design new business proposals, mentor new project managers and support co-workers in various capacities. She has managed multiple projects for The National Employee Survey (The NES)™ and has managed several business surveys for local governments. Most recently, Laurie has managed or helped manage resident survey projects for Montgomery County, MD; Steamboat Springs, CO; Wheat Ridge, CO; Aspen, CO; Edmond, OK; Fort Collins, CO; Gilbert, AZ; Rockville, MD; and Sedona, AZ.
Morgan Adams, MS, Research Associate

Morgan earned her master’s degree from Colorado State University in the area of human dimensions of natural resources. Prior to joining NRC, Morgan used her organizational skills and tenacity to forge meaningful relationships among diverse groups of stakeholders to investigate issues related to human-animal conflicts. At NRC, Morgan manages resident survey projects, which includes creating data collection instruments and sampling plans and analyzing data and summarizing the findings for a variety of audiences. She keeps all parties involved up-to-date on the project’s status through consistent and watchful communications. In her time at NRC, Morgan has assisted with or managed projects for Cartersville, GA; Dublin, CA; Battle Creek, MI; Ann Arbor, MI; Peoria, IL; Broomfield, CO; Lynchburg, VA; Alexandria, VA; and many others.

4. Project Cost

Below we have provided a not-to-exceed cost (with itemizations) for a five-page survey mailed to 1,500 randomly selected City households using the multi-contact method (postcard followed by two survey waves). This includes selecting survey recipients; printing, preparing the mailings and affixing postage; allowing selected households the option to respond online; data collection management; providing the City with an opt-in open participation URL for its distribution; analysis and reporting with benchmark comparisons and demographic and geographic comparisons and an in-person presentation of the survey results. Together, these services will provide Gunnison with insight into how best to serve its constituents.

Should this proposed budget exceed your resources or not meet your needs, NRC will work with you to develop a budget and work plan that yield a better fit.

All services outlined in the proposal are included in the not-to-exceed cost and there will be no costs be reimbursed for NRC providing the services listed in the proposal.

**TOTAL not-to-exceed cost** ...................................................................................... $28,320

Staff Costs*

- Laurie Urban ............................................................................................................................. $18,040
- Morgan Adams ............................................................................................................................ $5,125

* 113 total staff hours, billed at $205 per hour

Hard Costs

- Survey printing, mail preparation and postage................................................................. $3,755
- Data entry ......................................................................................................................... $1,100
- Travel ................................................................................................................................. $300

Optional Services

- Spanish translation (available online) ....................................................................................... $950
- Other language translation (available online) ....................................................................... $1,250
5. References

Our experience in survey research is expansive, both geographically and topically. Below we list a few of the clients for whom we have performed work that are of similar size to Gunnison and include project specifications similar in scope to that desired by the City. These projects serve not only as references for NRC as a whole, but also for some or all of the staff who will be assigned to your project. We have listed the main client contact for each project. We are happy to provide additional references, if desired.

City of Steamboat Springs, CO Community Survey (2015, 2017)
NRC conducted Steamboat Springs’ first citizen survey in 2015 followed by the second iteration in 2017. The 2015 and 2017 surveys were six-page surveys and 2,500 households were randomly selected to participate in the survey through rigorous methods to ensure all residents had a chance of being selected (those with PO Boxes only, full-time residents, second homeowners, etc.). The robust report includes over-time comparisons and multiple sets of benchmarks. An in-person presentation of the survey results was made upon completion of the final report.

Contact: Winnie DelliQuadri, Assistant to the City Manager
970-871-8257
wdelliquadri@steamboatsprings.net

City of Aspen, CO Citizen Survey (2007 to 2017)
The City’s baseline survey was conducted in 2006. Aspen first contracted with NRC to implement the survey in 2007; the 2017 survey was the twelfth iteration. A random list of 1,750 full-time residents were selected to participate in the six-page 2017 survey about use of city facilities, quality of city services and city departments. The report includes over-time comparisons and multiple sets of benchmarks.

Contact: Karen Harrington, Director of Quality City Manager’s Office
970-429-2856
karen.harrington@cityofaspen.com

Town of Estes Park, CO Citizen Survey (2011 to 2016)
The Town participates NRC’s flagship survey program, The National Citizen Survey™. The Town’s baseline survey was conducted in 2011 with three iterations following in 2011, 2014 and 2016 with the next survey scheduled to begin summer of 2018. Estes Park elects to offer their five-page mailed survey in Spanish as well as English. The report includes over-time comparisons and national benchmarks.

Contact: Kate Rusch, Public Information Officer
970-577-3701
krusch@estes.org
6. Similar Surveys

City of Rockville, MD Citizen Survey (2001 to 2018)
NRC conducted Rockville's first citizen survey in 2001. The survey is conducted on a biennial schedule with the 2018 survey beginning in July 2018. Over the course of the survey administrations, the results have served as a tool to measure resident opinion and monitor trends.

The report is organized around council goals. In 2016, a four-page mailed survey was sent to 3,000 randomly selected households. Results were broken down by three geographic areas in the city as well as a select set of demographic characteristics including, but not limited to, age, gender, race and length of residency. The report provided comparisons to previous years as well as comparisons to NRC’s national benchmark database. An in-person presentation of the survey results was made to council.

Contact: Louise Atkins, Council Support Specialist
          240-314-8106
          latkins@rockvillemd.gov
Report: 2016 City of Rockville Community Survey

Minnesota Counties Citizen Surveys (2004 to 2016)
Since 2004, NRC has worked with a consortium of counties in Minnesota developing and administering their resident surveys in a cost-effective manner. The 2016 Minnesota Counties project was a mailed survey of residents of Dakota, Olmsted, Scott, St. Louis and Washington Counties. The surveys provided residents the opportunity to rate the quality of life in their county, as well as service delivery and their satisfaction with local government.

Each county received a detailed report of results, trend analysis, benchmark comparisons, key driver analysis, crosstabulations of results by respondent demographics and District and head-to-head comparisons by county.

Contact: Jane Vanderpoel, Management Analyst
          651-438-4423
          jane.vanderpoel@co.dakota.mn.us
Reports: Dakota County, MN Resident Survey 2016
         Olmsted County, MN Resident Survey 2016
         Washington County, MN Resident Survey 2016

Edmond, OK Citizen Survey (2006 to 2016)
The City of Edmond contracted with NRC to conduct a community wide citizen survey. The 2016 Citizen Satisfaction Survey provided residents the opportunity to rate the quality of life in the city, as well as the community's amenities, service delivery and their satisfaction with local government. The survey was administered by mail to a representative sample of 3,500 residents of Edmond; 875 surveys sent to each of the city's four Wards.

The City was provided a detailed report of results, trend analysis, national and custom benchmark comparisons, crosstabulations of results by respondent demographics and Ward. Two in-person presentations were made: one to City staff and one to City Council.

Contact: Andrew Conyers, Assistant to the City Manager
          405-359-4728
          andrew.conyers@edmondok.com
Report: Citizen Satisfaction Survey Results
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Appendix: Additional Project Descriptions and Resumes
1. Cover Letter

June 4, 2018

City of Gunnison
Attn: Erica Boucher, City Clerk
Via email: eboucher@gunnisonco.gov

Dear Erica and Members of the Selection Committee:

Our team at RRC Associates appreciates the opportunity to present our qualifications to conduct the 2018 City of Gunnison Community Survey. After the success of the 2014 City of Gunnison Parks and Recreation study, we are excited about the possibility to work with the City again and are confident that we can provide information that will prove useful to you in assessing community feedback regarding many issues pertaining to Gunnison and its citizens.

We are experts in gathering data, but also, as planners and other professionals with longtime experience in community development, we never lose sight of the purpose of a survey program, which is to gather information to help make decisions and advance community objectives. The collection of information as well as the analysis of findings and presentation of results are all important.

The primary approach we are proposing includes three primary survey techniques including 1) a mailed survey, 2) online password-protected survey, 3) online, open link survey for a total cost of $16,000. Our proposed methodology has been successful in over 100 municipalities in capturing a holistic view of resident opinions. The mailed survey and online password-protected survey provides the basis for the statistically-valid sample which is then compared to open link responses from residents who still would like to participate. We will work with City Staff to develop, refine, and ensure the survey reflects Gunnison’s Strategic Plan. RRC would help conduct outreach and promotional efforts to ensure strong response rate, but also generate buy-in and enthusiasm around the survey effort.

RRC Associates tailors each citizen survey project to the specific needs of the client. We are flexible in our approach to the scope of the work, the research timeframe, and the associated budget. We look forward to the opportunity to bring to bear our strengths as a firm—extensive experience with surveys, both nationally and locally, as well as proven techniques for data collection, management, and analysis. We are confident that the results of our work with the City will prove valuable and enlightening. We look forward to hearing from you.

Sincerely,

RRC ASSOCIATES

C. Chris Cares
Managing Director
2. Methodology

RRC understands the strengths and weaknesses of the various tools for gathering information and opinions and are capable of implementing a survey for the City using any or a blend of techniques. Such techniques have proven successful in multiple Colorado communities and in cities across the United States. In addition, this methodology provided key results in the 2014 Gunnison Parks and Recreation study.

Our recommended approach is a mail/web-based survey fielded to a random sampling of City residents. We suggest that this survey would entail the following aspects:

- **A mailed survey to a random sample City of Gunnison households** (one survey per household). The mailed survey would include a cover letter explaining the research and provide an opportunity to complete the survey online, through a password-protected website. This would provide an additional user-friendly choice for completing the survey while maintaining the statistical validity of the random sample mailing. Further, in instances where surveys are submitted online, we would minimize data entry costs while also providing an opportunity for respondents to more easily elaborate on their responses to open-ended questions.

- An online “open link” version of the survey would also be created to provide an opportunity for residents and households that were not reached via random sampling to participate in the research. We often use this technique to expand input and allow for creative ideas, as well as to provide a mechanism for broad community engagement in the research (links to this survey can be posted on the City’s website, at City facilities, etc.). However, we note that we typically keep the “open link” survey responses separate from the random sample responses so that the integrity of random sampling is maintained.

This methodology offers the following benefits:

- Allows residents flexibility to participate in a way that is convenient for them, which leads to higher likelihood to participate. Offering a robust assortment of means to participate leads to higher response rate among residents.
- Comparison of resident opinions from both the mailed survey and the open link respondents allows for deeper insights from a wide variety of residents and households.
- Ensures a statistically-valid sample of responses are gathered for segmentation and comparison across the community.
3. Firm’s Experience and References

RRC Associates Experience

Firm Description. RRC Associates is a research, planning, and design firm founded in 1983 and based in Boulder, Colorado. We have 15 persons on staff, representing a variety of disciplines and advanced degrees. The group has been blended to allow us to provide competent and cost-effective information gathering services and consulting to a wide range of clients, who often include cities, counties, special districts, convention and visitor bureaus, and chambers of commerce. RRC Associates has many years of experience conducting a variety of surveys, including broad community/citizen surveys in towns and counties throughout the western United States which serve as input to community comprehensive plans and master plans, focused studies of parks, recreation, trails, and open space needs assessments, evaluations of governmental services, and studies of housing needs assessments.

Capabilities. RRC has extensive experience with all types of research analytical tools and methods, including citizen surveys of varying types and formats, such as Internet, mail, telephone, and intercept surveys; focus groups; executive interviews; panel research; hosting of public workshops; and other public input programs. RRC has full computer capabilities for fielding surveys of all types and for performing survey analysis of the nature that will be needed for the 2018 Gunnison Community Survey. RRC utilizes a variety of software tools to analyze and visually illustrate survey findings, including SPSS, Tableau, and a variety of Microsoft products.

Staff and Project Management. Several of RRC’s staff members have worked for municipalities and understand the “public sector perspective,” including Chris Cares, principal in charge for the project. We believe our combination of directly related community survey experience, skilled staff, attention to detail, and timely delivery of work product makes RRC Associates uniquely qualified to meet the research needs of Gunnison. Key personnel who would be responsible for the citizen survey include the following:

Chris Cares, Director/Principal: The principal in charge of the 2018 Gunnison Community Survey project would be Chris Cares. Chris possesses a diverse background in quantitative and qualitative research for a wide variety of clients. A founding partner of RRC Associates, he specializes in practical applications of research to problem solving for public sector, non-profit and business clients. Chris has extensive experience in the creation and analysis of tourism, recreation, snow sports, and other applied research projects, as well as more general web-based research programs. His research and recommendations have helped to shape community decision-making and the design, marketing and communications strategies of a wide variety of clients.

David Becher, Director of Research: David has diverse experience managing and conducting many types of market research and planning projects for public and private sector clients in his more than two decades at RRC. With an educational background in urban and regional planning, public administration, and business administration, David works extensively in the
areas of survey research, economic and demographic research, community planning, and affordable housing.

Jake Jorgenson, Ph.D. – Senior Research Analyst: Jake has over a decade of experience in visitor research specifically revolving around parks and public land, outdoor recreation, community perceptions and tourism. Since joining RRC, he has served as the lead analyst on park and recreation needs assessments/master plan surveys, community expectations projects, and tourism and recreation analyses. Prior to RRC, Jake worked for the Institute for Tourism and Recreation Research at the University of Montana where he led research projects for destinations across the state.

RRC typically uses a "team" approach both within its own office as well as in affiliation with other specialists, where appropriate and helpful to the client. Other staff members involved in the project will include research support staff. We believe the breadth of skills encompassed by the firm and the corresponding flexibility are important assets. We also offer a number of different categories of billing rates, ensuring that we have personnel that are appropriate to the particular work assignment.

Billing rates for those to be involved with the City of Gunnison Community Survey are:

- Chris Cares: $180/hour
- David Becher: $150/hour
- Jake Jorgenson: $90/hour

RRC Associates Project Examples and References

The following projects are examples of RRC's work in recent years on similar scales and scopes. RRC has conducted over 100 community and park/recreation studies in municipalities across the United States, with multiple in Colorado. Select references are presented below with project summaries along with a more comprehensive review of past work in the appendix.

The Grand Profile:

RRC Associates teamed with RPI Consulting to create a data-driven community profile for Grand County, Colorado. The goal of local leaders was to create a single source of information that could be used to understand and market the economic opportunities in the County. Numerous methods of primary and secondary research were used to collect meaningful information on visitors, residents, businesses, infrastructure, lodging and real estate. Specifically, RRC conducted surveys to profile visitors to the County in summer and winter, residents, employers and employees of local businesses. Together, these differing segments of the community will be important to future studies and economic opportunities including those in transportation (transit services), workforce housing and new economic development initiatives. The information serves a variety of needs at the Grand County level, but also to benefit the towns (including Winter Park, Fraser and Granby) and other stakeholders. An outcome of the project was the creation of an accessible database that can be updated regularly and readily used by the community for a variety of purposes.
Reference: Jeremy Kennell, Economic Development/Project Manager, Winter Park & Fraser Chamber, 970.283.3547, PO Box 3236, Winter Park, CO 80482  jkennell@playwinterpark.com

Boulder Valley Comprehensive Plan 2015/16:
RRC Associates conducted a statistically-valid survey and series of 6 focus groups to gather resident input, which helped to guide and inform the 2015/16 update of the Boulder Valley Comprehensive Plan. The surveys and focus groups addressed a variety of topic areas that are important focus areas for the BVCP update, including community values, livability and growth management, design, building height, developer requirements, neighborhood issues, and related topics. A written report highlighted key learnings from the study, and the results were also presented to both the City of Boulder City Council and Planning Board in separate sessions.

Reference:
Jean Gatza, Senior Planner, City of Boulder, Boulder, CO, 303.441.4907, 1777 Broadway, Boulder, CO 80302  gatzaj@bouldercolorado.gov

Additional References:
- Suzanne Silverthorn, Community Information Officer, Town of Vail, 970.479.2115, 75 S. Frontage Road, Vail, CO 81657  ssilverthorn@vailgov.com
- Joint Efforts – Breckenridge Tourism Office and City of Breckenridge
  - Lucy Kay, CEO/President, Breckenridge Tourism Office, 970.453.5054, Breckenridge, CO, 111 Ski Hill Road, lkay@gobreck.com and Shannon Haynes

Examples of Final Deliverables
In the following examples of deliverables for other projects similar in size and scope, we hope to demonstrate both our breadth of services, as well as the new and evolving techniques we employ to analyze community data.

- Boulder Valley Comprehensive Plan
  - [2016 Boulder Valley Comprehensive Plan Survey](#)
  - [Boulder Valley Comprehensive Plan 2016 Community Survey Summary Report](#)
- Town of Vail Community Survey
  - [Town of Vail Community Survey 2016 Final Report](#)
- New Tool: Open-Ended Comments Explorer
  - Designed to help communities go beyond quantitative results, and harvest “open ended” comments in meaningful ways. This dynamic tool supports the exploration of qualitative community opinions by allowing the user to filter and segment the data by key variables of interest.
4. Cost and Time Required for Services

Timing and Schedule

The timing and schedule of the research is flexible. We can start any time upon authorization to proceed. For the proposed work program, we suggest a timetable of 12 weeks, although it could be condensed somewhat if timing is of particular importance to the City. We anticipate beginning work immediately upon authorization to proceed (mostly likely by mid-June, while anticipating that the survey would be fielded while residents are likely to be in town). We remain flexible and will work with the City to implement a survey schedule that best meets its needs while obtaining the most comprehensive citizen feedback possible.

Estimated Timeline

<table>
<thead>
<tr>
<th>TASK</th>
<th>APPROX. TIME TO COMPLETE TASK</th>
<th>CUMULATIVE TIME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kick-off meeting / editing of survey instrument</td>
<td>2 weeks</td>
<td>2nd week</td>
</tr>
<tr>
<td>Outreach and promotions to generate interest of residents and generate awareness/buy-in</td>
<td>2 weeks</td>
<td>4th week</td>
</tr>
<tr>
<td>Distribute mail survey and online password-protected web survey to a random sampling of Gunnison households</td>
<td>2 weeks</td>
<td>6th week</td>
</tr>
<tr>
<td>Begin the open link survey to all interested residents who did not participate in the mail survey</td>
<td>2 weeks</td>
<td>8th week</td>
</tr>
<tr>
<td>Questionnaire returns and data entry</td>
<td>1 week</td>
<td>9th week</td>
</tr>
<tr>
<td>Analysis of data, including cross-tabulations and open-ended comment evaluation</td>
<td>2 weeks</td>
<td>11th week</td>
</tr>
<tr>
<td>Final reporting and summary presentation</td>
<td>1 week</td>
<td>12th week</td>
</tr>
<tr>
<td><strong>TOTAL TIME</strong></td>
<td></td>
<td><strong>12 weeks</strong></td>
</tr>
</tbody>
</table>
Project Cost and Staff Hours

Costs for each phase of the project and estimated hours required by RRC are provided below. Note that our budget estimates are designed to be all-inclusive for all work and expenses associated with the project to the best of our knowledge at this current time, including questionnaire design, printing, postage (both outgoing and return postage), data entry, tabulation of results, analysis, report production, summary reports of research highlights, and any miscellaneous hard costs (faxes, shipping charges, etc.).

### Project Costs and Hours

<table>
<thead>
<tr>
<th>Project Component:</th>
<th>Cost per Phase</th>
<th>Estimated Work Hours per Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Questionnaire development</td>
<td>$2,000</td>
<td>10-20</td>
</tr>
<tr>
<td>Kickoff meeting to confirm study parameters</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Editing survey instrument</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Survey deployment and data collection</td>
<td>$7,200</td>
<td>20-30</td>
</tr>
<tr>
<td>Survey preparation / survey fielding</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(including mailing paper survey, programming online survey, printing, postage, handling of paper survey)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Data entry / data management</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Data processing and analysis</td>
<td>$2,500</td>
<td>20-30</td>
</tr>
<tr>
<td>Statistical analysis / tables and graph generation</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Final reporting of results</td>
<td>$2,500</td>
<td>20-30</td>
</tr>
<tr>
<td>PowerPoint report (including methodology, executive summary, research findings, graphs, open-ended comments, and cross-tabulations of results). Deliver 1 electronic copy and 12 printed and bound copies.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Final presentation of results</td>
<td>$1,800</td>
<td>10-12</td>
</tr>
<tr>
<td>Final presentation of results (including direct travel expenses: mileage and travel time billed at 50% of the standard billing rate)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>SURVEY RESEARCH TOTAL</td>
<td>$16,000</td>
<td>80-122</td>
</tr>
</tbody>
</table>

### Optional services:

- **(Optional) Additional trip for survey design/preparation**  
  $1,800  
  10-12

- **(Optional) Reminder postcards (includes printing)**  
  $3,000  
  10-12
Community Surveys

RRC has extensive experience with community surveys for towns, cities, and counties as a tool for obtaining input to comprehensive plans and other policy/planning issues. Typically, the goal of the studies is to obtain citizen input on a variety of topics related to determining community needs and priorities for the future (and how they will be paid for), as well as evaluating current municipal services. Frequently the goal is to establish and implement a comprehensive vision of a city’s future, supported by community-wide consensus. The studies also assist in the formulation of policy statements that guide the assessment of Comprehensive Plans and Growth Management Policies.

Some of our projects have included:

- Boulder Valley Comprehensive Plan Survey
- Downtown Durango Market Assessment
- Town of Snowmass Village Community Survey
- Town of Telluride Comprehensive Plan
- Town of Pagosa Springs Community Survey
- Mountain Village Community Surveys
- Washington City, Utah Community Survey
- Town of Estes Park Economic Development Plan
- City of Steamboat Springs Community Survey
- Town of Vail Community Survey
- City of Longmont Retail Expenditure Survey
- North Lake Tahoe Community Survey
- Town of Erie Community Survey
- Town of Breckenridge Community Survey
- Park County Planning Survey
- Glenwood Springs Community Survey
- Chaffee County Planning Survey
- Grand Profile (Grand County, CO)
- Wheat Ridge Neighborhood Revitalization Strategy Study
- Town of Carbondale Retail Expenditure Survey
RRC has extensive experience with parks and recreation, open space and trails needs assessment studies for cities, counties, and recreation districts. The goal of the studies is to obtain citizen input on a variety of topics related to parks and recreation use and community priorities for future improvements, with particular emphasis on gauging support for community recreation centers and aquatic facilities. A variety of research techniques are used in the studies, including telephone, mail, Internet, user surveys, and focus groups. Current satisfaction levels with existing facilities and programs are also measured, as is the relative importance of specific new priorities, facilities, and policies most desired and needed by the communities. Results and conclusions from the research help guide the development of recreation master plans in the communities.

Some of our clients include:

- City of Louisville Parks and Recreation
- Town of Erie Parks, Recreation, Open Space, and Trails
- Town of Frederick Parks and Recreation
- Town of Windsor Parks and Recreation / Ed and Ruth Lehman YMCA
- City of Fort Collins Parks and Recreation
- Mid Valley Metro District / Crown Mountain Parks and Recreation District
- Vail Recreation District / Town of Vail Parks and Recreation
- Washington Park Master Plan Survey, Denver, CO
- Denver Recreation Centers
- Prospect Recreation and Park District
- City of Steamboat Springs Parks and Recreation
- Town of Hayden Parks and Recreation
- City of Cripple Creek Parks and Recreation
- Town of Carbondale Parks and Recreation
- Boulder Valley School District Athletic Facilities
- Black Hawk Open Space and Heritage
- City of Boulder Parks and Recreation
- City and County of Broomfield
- Larimer County Open Lands
- City of Evans Parks and Recreation
- Grand Junction Parks and Recreation
- City of Brighton Parks and Recreation
- Fraser Valley Metropolitan Recreation District
- City of Lafayette Parks and Recreation
- Pagosa Springs Parks and Recreation
- Town of Dillon Parks and Recreation
- Silverthorne Recreation and Culture Department
- Jefferson County Open Space Parks
DAVID E. BECHER

David has diverse experience managing and conducting many types of market research and planning projects for public and private sector clients in his more than two decades at RRC. With an educational background in urban and regional planning, public administration, and business administration, David works extensively in the areas of survey research, economic and demographic research, community planning, and affordable housing.

Education
Master of Business Administration: University of Colorado/Boulder, 2003
Master of Urban and Regional Planning: University of Colorado/Denver, 1997
Master of Public Administration: University of Colorado/Denver, 1997
Bachelor of Arts, Philosophy/Environmental Studies: Williams College, 1990

Professional Experience
2008 to present  DIRECTOR OF RESEARCH, RRC Associates, Boulder, CO

Representative Projects

Community Planning/Affordable Housing
- Snowmass Housing Needs Assessment, CO
- Boulder Downtown & Hill Capacity Analyses, CO
- Telluride Region Growth Study, CO
- Boulder Regional Economic Analysis, CO
- Monroe County Employment Generation Study, FL
- Aspen Employment Generation Study, CO
- Teton County Housing Nexus Study, WY
- Colorado Indicators Pilot Project, CO

Community Survey Research
- Boulder Valley Comprehensive Plan Survey, CO
- Durango Housing and Transportation Survey, CO
- North Lake Tahoe Community Survey, CA
- Erie Community Survey, CO
- Breckenridge Community Survey, CO
- Steamboat Springs Community Survey, CO
- Roaring Fork Valley Transportation Survey, CO

Skier Research
- NSAA National Demographic Study, US
- NSAA Kottke Survey, US
- Colorado Ski Country USA
- Crested Butte, CO
- Jackson Hole, WY
- Vail Resorts, CO/CA/UT
- Mt. Bachelor, OR
- Kicking Horse, BC
- Canadian Ski Council, CA

Economic & Fiscal Impact Analysis
- Snowbasin Cost/Benefit Analysis, UT
- Winter X Games Economic Impact Analysis, CO
- Economic Impact of Skiing in Colorado, CO
- Economic Impact of Skiing in Wisconsin, WI
- River Run Fiscal & Economic Impact Analysis, ID
- South Lake Tahoe Retail Market Analysis, CA
- Montrose Regional Economic Analysis, CO
- Rendezvous Fiscal Impact Analysis, CO
- Crested Butte Planning & Economic Model, CO
- Bend Concert Series Economic Impact, OR
- State of Aspen: Economy & Housing Chapters, CO
- Mammoth Lakes Budget Projections, CA
- Floyd Hill Master Plan – Market Assessment, CO

Tourism / Visitor Research
- Aspen Summer Visitor Research, CO
- Snowmass Strategic Tourism Plan, CO
- Jackson Hole Airport User Research, WY
- Sun Valley Airport User Research, ID
- North Lake Tahoe Visitor Research, CA
- Downtown Boulder Visitor Research, CO
- Vail Special Events Research, CO
- Park City Special Events Research, UT
- Central Reservations Assoc. of Destination Resorts – booking pattern, consumer, & hotel research
- DestiMetrics lodging booking pattern research
- American Hotel & Lodging Association – Unionization & Visa analyses

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Jake Jorgenson
Jake possesses extensive experience in recreation and tourism planning and visitor research. He specializes in exploring resident opinions, visitor behaviors, management solutions, and statistical modeling to address the challenges of each client. His personal philosophy is grounded in providing practical solutions through research while using both traditional and innovative research methodologies. Jake has been involved in developing models of visitor preferences for the National Park Service, future development of County parks and recreation programs, and visitor monitoring strategies for multiple tourism organizations. Throughout the Western U.S., he has first-hand knowledge of the challenges and issues faced by public land managers, tourism operators, and local communities. Jake’s expertise in survey research, statistics, and recreation and tourism has allowed him to support multiple organizations with future development plans to improve their agencies’ offerings.

Professional Experience

2017 to present  SENIOR RESEARCH ANALYST, RRC Associates, Boulder, CO
2011 to 2017  RESEARCH ASSISTANT / POST-DOCTORAL RESEARCHER, The Institute for Tourism and Recreation Research, University of Montana, Missoula, MT

Education
Master of Science, Recreation Management: University of Montana, 2013
Bachelor of Science, Recreation and Tourism Studies: University of North Dakota, 2010

Representative Projects

Parks, Recreation, and Community Needs Assessments

Yellowstone National Park
Glacier National Park
Custer National Forest
Gallatin National Forest
Shoshone National Forest
Darien, CT
Amherst, NY

Greenbelt, MD
County of San Luis Obispo, CA
Chatham County, GA
Henderson, NV
Saratoga Springs, NY
Helena, MT
Breckenridge, CO

Tourism and Ski Area Visitor Research (examples include National Ski Areas Association, Montana Office of Tourism, Breckenridge Tourism Office, Steamboat Springs, Multiple Montana CVBS, Whitefish Mountain Resort, Grand Targhee Mountain Resort)
Chris possesses a diverse background in public and private planning. A founding partner of RRC Associates, he specializes in practical applications of research using a variety of techniques including survey and qualitative research, modeling and applied analysis to solve problems in city planning, administration, and business applications. Chris and the RRC team are frequently called upon to apply survey research tools to support policy-oriented studies including housing needs assessments, parks and recreation studies, planning initiatives and other strategic analyses by communities and resort operators. Chris has overseen hundreds of community/citizen surveys in towns and counties throughout the United States. With RRC’s assistance these results have often been incorporated into master plans, policy documents or regulations.

**Professional Experience**

1983 to present  
MANAGING DIRECTOR/FOUNDING PARTNER, RRC Associates, Boulder, CO

**Representative Projects**

**Housing Needs Assessments / Strategic Plans and Surveys**
- Aurora Consolidated Plan
- Boulder, Lafayette, Longmont, Broomfield and Westminster, CO
- Carson City, NV
- Eagle County and Town of Vail, CO
- Gilpin County, CO Housing Survey
- Gunnison County, CO
- Mammoth Lakes, CA
- Oklahoma City, OK
- Pitkin/Garfield County, CO
- Pueblo, CO United Way Survey Research
- (Household/Key Informant) and City of Pueblo
- Routt County, CO
- San Miguel County/Ouray County, CO
- Santa Fe, NM
- Town of Vail Nexus Study
- City of Aspen Workforce Housing Analysis

**Parks and Recreation Surveys / Needs Assessments**
- Broomfield, CO
- Cedar Rapids, IA
- Eagle-Vail, CO
- Erie, CO
- Grand Junction, CO
- Oklahoma City, OK
- Larimer County, CO
- Jefferson County, CO
- Louisville, CO
- Palm Springs, CA
- San Diego County, CA
- State of New Mexico
- Steamboat Springs, CO
- Spokane, WA
- Superior, CO

**Tourism and Ski Area Visitor Research** (examples include National Ski Areas Association, Colorado Tourism Office, Vail Resorts, Copper Mountain, Telluride Ski and Golf Company, Crested Butte Mountain Resort, Aspen Skiing Company, Town of Breckenridge and Breckenridge Tourism Office)

**Education**

Master of City Planning: Harvard University, 1975
Bachelor of Arts, Political Science: University of Rochester, 1972
University of Michigan, 1971

**Further Work Experience**

1977-81  
PLANNER/ASSOCIATE, Gage Davis Associates—Boulder, CO

1976-77  
PLANNER, City of Boulder—Boulder, CO
I have spent the first six months 2018 being introduced into the wide world of municipal government, policies, processes, and community engagement. I am learning a great deal every day and fully acknowledge that I still have an incredible amount of information and processes to learn. It has been a challenging and engaging journey thus far.

**Staffing:**

I feel grateful for the amount of support that I have received from Court Clerk, Melissa McLeod, and Deputy Clerk Tara Kindall. Melissa has been very helpful in introducing me to the duties, processes, and responsibilities of the County Court as well as the daily operations of the Clerk’s Office. Melissa is always willing to provide me with support, answer my questions, and does her best to give me notice of things to come or steps that need to be taken to ensure compliance. She has welcomed the opportunity for us to work together on the City’s website and social media. Tara Kindall also provides me with an immense amount of support in the office and is taking the lead on records retention. She is the Department’s go to person for filing records and utilizing Laserfiche for that purpose. Tara has also been given the opportunity for a leadership role in liquor license processing, which she has embraced. Both Melissa’s and Tara’s knowledge of the City’s policies, procedures and our past initiatives and accomplishments have been critical to the office maintaining consistency and progress during this transition. They have revised their job descriptions to make them more accurate of the work they do today. We have spent a good deal of time getting to know each other to become a strong Clerk’s Office team. Overall, I have been impressed by what dedicated and thoughtful City employees Melissa and Tara are.

**Primary duties of the Clerk’s Office:**

**Posting of City e-packets, agendas, minutes, resolutions, and public hearing information on the City website for citizen access and transparency of local government.** The agenda and packet information is emailed out to a list of citizens requesting this information. The Clerk’s Office plans to make a direct effort informing citizens that the City offers e-mail notifications of minutes and agendas. This spring, the IT Department and I have been working through the steps to live stream Council meetings on YouTube.com with a strong, uninterrupted feed and good sound quality.

**Regular preparation and processing of agendas, minutes, resolutions, ordinances, proclamations, public hearing notices and other City public documents.** I have been working with Management Staff and the City Attorney to fine-tune a more efficient and streamline process for submitting agendas items and materials online through Laserfiche. Being new to the creation of Council agendas and meetings, I have been engaged in discussions with the City Manager and City Attorney on developing and improving the agendas and meetings for more efficiency.

**22 City Event Permits** have been processed by the Clerk’s Office, Parks and Rec Department, and the Management Staff Team, including two multiday events, Sundays at 6 and Farmers
Market on Wednesdays and Saturdays, with council approval. Most residents are aware that the event application is online on the City’s website. Through the use of the online event application, we have been able to gather more information in a single document which has increased customer service for applicants. The completed and approved applications are returned to the applicant via email and then posted on the City’s intranet for internal use.

**Recordation and shredding is currently taking place.** Deputy Kindall has taken the lead on past-retention City documents per the adopted State Records Retention Policy. She is making her way through the boxes of documents in the upstairs “storage” to determine where records are in their lifecycle. When appropriate, shredding of documents is occurring. On June 25, 2018, the Clerk’s Office is relocating active and permanent documents from upstairs to a protected area in the basement for storage. On July 12, 2018, Shred-It will be at City Hall to remove and destroy expired records. The Clerk’s Office is also utilizing Laserfiche for records retention and storage. All newly executed contracts are uploaded into Laserfiche with retention. Deputy Kindall has been responsible for preparing uploads of pre-2018 agreements and contracts for Laserfiche.

**Processing and providing Open Records Request Information per State Statutes.**

**Liquor Licensing:**
Liquor licensing continues on a daily basis in the department. We have two licenses that are currently undergoing transfers of ownership, these are handled administratively, along with renewals and special event liquor permits. The hotel and restaurant license for Las Palmas is being transferred to The Barnyard Bar and Grill. Western State Colorado University is also transferring the hotel and restaurant license currently held by Sodexo for the ICELab Café to Western with a new moniker: The Overlook. Timing with the State for these transfers is a bit slower at the moment with the staffing levels changing and the workload that they handle, which includes the entire state. We continue to be flexible and maintain good working relations with the hard working crew at the State. This year you might notice that at the Farmers Market a local vineyard, Buckel Family Wine, will be selling their wine. They are able to do this with a temporary sales room permit that is issued directly by the State. This is one of the many permits that are available to vendors in Colorado.

So far this year the City has issued 13 special event liquor permits to various organizations in the community. Renewals are processed throughout the year. A reminder letter is sent by us to each licensee about 45 days before their expiration. This follows the actual renewal application sent to them by the State. Each one is processed through our office and sent to the State after the approval by the local authority.

Another facet to liquor licensing is keeping up with changes in the law. CML is consistent at keeping us informed of major legislation that is happening on the State level, as does the Liquor Enforcement Division. This year State Legislature passed SB 243. This basically does away with the 3.2% beer licensing. Now it will be known as a full malt beverage license. What does that mean to us locally? All licensees who hold a 3.2% beer license, we have five, will now renew with a full malt beverage license and will be able to sell/serve full strength beer. The bill also enacts distance requirements for new licenses, however, existing licenses are grandfathered in
which is good news for us in the smaller towns. Also in this legislation tasting permits for retail stores have been expanded. The allowable days they are permitted to conduct tastings increased from 104 to 156 and the hours are now from 11:00 a.m. to 9:00 p.m. There were many more provisions enacted from that bill, but those are the major ones that will affect our licensees. To read the entire bill go to http://leg.colorado.gov/bills/sb18-243

**Marijuana Licensing:**
The Clerk’s department continues to learn and increase their knowledge with the newest licensing industry: marijuana. The complexity of this process keeps us involved in seeking out trainings and in close contact with the State Marijuana Enforcement Division. As you know we just completed a transfer of ownership on two licenses for Cosmic Culture LLC and a new license for Cosmic Food Holdings LLC. We have one new license on the horizon. The owner is gathering resources and putting together paperwork and we will be bringing that forward to Council when she is ready to move to that next step. In the meantime, we continue to process renewals, which involves each department director signing off to assure that there are no problems with the renewal.

**Communication, Outreach, and Social Media:**
This year the Clerk’s Office has worked towards improving external communication and our social media presence on our official City website and Facebook. In order to increase the online communication coming from the City, the Social Media group, consisting of representatives from the Clerk’s Office, Parks and Rec, Finance, Community Development, 911 Communications, the Police Department, Neighborhood, and Public Works has been meeting every few weeks. We have spent time refining the social media policy and developing external links guidelines. You will find both of these guidelines attached. This group has also received online communication trainings from Dr. Liz Smith, an adjunct instructor at Western. Dr. Smith has worked with the group to develop a common social media voice, storytelling when posting and handling some of the difficult comments that we may see with increased engagement. In making these changes to our usage of the City of Gunnison Facebook page, we have seen a 17.4% increase in likes to our page this year. I believe that many departments are starting to regularly incorporate online communications into their project workflows.

To date, we have been published in two monthly newspaper articles in the Gunnison Country Times. The first article addressed areas of City Council’s Strategic Plan and how we are taking those plans and putting them into action. Last week the article highlighted some of Public Work’s projects this summer. July’s article will likely focus on community engagement. Topics to be included are City Fest, our Facebook site, our City website and the community survey. Council has participated in two Conversations with Council with the next one planned for July.

**Youth City Council:**
Between January and May, Youth City Council met twice a month on Sundays at 4:00pm. Two of the six YCC members graduated in the spring; therefore, we spent some of final meeting discussing ideas for recruiting new members. This spring, Youth City Council toured the Wastewater Treatment Plant and worked with Gunnison County Substance Abuse Prevention Project (GCSAPP) to offer a free concert to teens on June 19 at the I-Bar. The remaining members of YCC enjoy the educational aspects of the group, but also asked for ways to get more
involved in the community through community service or community engagement projects. I plan to incorporate both desires into future YCC activities, including a field trip to observe Montrose’s Youth City Council in action.

**Municipal Court:**
Judge James McDonald, presiding Municipal Court Judge, presented the 2017 Annual Municipal Court Report in February. This year 214 cases have been filed with the Municipal Court to date. Those 214 cases are made up of nine alcohol, 35 animal, six conduct, 17 drug, 13 traffic and 134 parking cases. City Attorney Kathy Fogo is the City’s Prosecuting Attorney for these Court cases. The Court has collected $12,396.96 in fines, fees and restitution.

**Professional Development:**
I am very thankful that I have had the opportunity to participate in as such trainings and professional development as I have. I attended a Public Information Officer training in Del Norte at the end of April. I attended Colorado Municipal Clerks Association professional development opportunities on Marijuana, Clerk Fundamentals and Practicalities, and Records Management and Retention. I will be attending the Colorado Municipal Clerks Institute, July 9-13, 2018. Melissa McLeod will be attending as well. I have become familiar with using the Clerks Listsrv.

I want to give my thanks to City Council, to the City Attorney, the City Manager, and City Staff for their support and assistance. If you have any questions regarding this report or if you have any comments or suggestions for the City Clerk’s Department, please contact me.

Best regards,

_Erica Boucher_
City Clerk

_Tara Kindall_
Deputy City Clerk

_Melissa McLeod_
Court Clerk
Liquor 2018

40 Licenses

License Type Breakdown:
17 Hotel & Restaurant
3 Beer & Wine
1 Club ~ 1 Brew Pub ~ 1 Arts
1 Lodging & Entertainment
5 3.2% Beer ~ 6 Tavern
5 Retail Liquor Store

13 Special Event Liquor Permits | January - June

2 Art Gallery Permits

Marijuana 2018

7 Retail Stores

3 Product Manufacturing

2 Cultivation Centers
## Gunnison Municipal Court

**Receipts By Fee Report**  
All Case Types and Sub-Types  
From 01/01/2018 to 06/18/2018  
Fee Type: Criminal: All Fees  
Total Only

<table>
<thead>
<tr>
<th>Defendant</th>
<th>Charge</th>
<th>Received</th>
<th>Receipt</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee: Bench Warrant Fees</td>
<td></td>
<td></td>
<td></td>
<td>Total For Bench Warrant Fees: $120.00</td>
</tr>
<tr>
<td>Fee: Court Costs</td>
<td></td>
<td></td>
<td></td>
<td>Total For Court Costs: $400.00</td>
</tr>
<tr>
<td>Fee: Deferral Sentence Fee</td>
<td></td>
<td></td>
<td></td>
<td>Total For Deferral Sentence Fee: $100.00</td>
</tr>
<tr>
<td>Fee: Fine</td>
<td></td>
<td></td>
<td></td>
<td>Total For Fine: $9,531.59</td>
</tr>
<tr>
<td>Fee: Fine not paid or postmarked within 30 days of violation</td>
<td></td>
<td></td>
<td></td>
<td>Total For Fine not paid or postmarked within 30 days of violation: $250.00</td>
</tr>
<tr>
<td>Fee: PD Pick Up Fee</td>
<td></td>
<td></td>
<td></td>
<td>Total For PD Pick Up Fee: $10.00</td>
</tr>
<tr>
<td>Fee: SafeRide Surcharge</td>
<td></td>
<td></td>
<td></td>
<td>Total For SafeRide Surcharge: $650.00</td>
</tr>
<tr>
<td>Fee: Shelter Fee</td>
<td></td>
<td></td>
<td></td>
<td>Total For Shelter Fee: $200.00</td>
</tr>
<tr>
<td>Fee: Victim Restitution</td>
<td></td>
<td></td>
<td></td>
<td>Total For Victim Restitution: $1,135.37</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td></td>
<td></td>
<td>$12,396.96</td>
</tr>
</tbody>
</table>

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As you are aware, there has been a Supreme Court case involving Wayfair that was contesting whether physical presence is the requirement regarding establishing nexus and the obligation to collect sales tax.

The Supreme Court has ruled on it against Wayfair and in favor of the State of South Dakota. The physical standard as set by the Quill case no longer is required.

This ruling has the potential to significantly impact the City’s sales tax revenue base as it appears to indicate that most remote sellers likely have an obligation to collect and remit sales tax regardless of whether they have a physical presence. We will stay on top of the implications of the ground-breaking ruling and report as developments arise. In case you are interested in the details, I have attached the ruling for your review. Ultimately, this is a very positive development for requiring remote sellers to collect tax and should provide greater incentive for consumers to purchase locally and support our local economy.
South Dakota, like many States, taxes the retail sales of goods and services in the State. Sellers are required to collect and remit the tax to the State, but if they do not then in-state consumers are responsible for paying a use tax at the same rate. Under National Bellas Hess, Inc. v. Department of Revenue of Ill., 386 U. S. 753, and Quill Corp. v. North Dakota, 504 U. S. 298, South Dakota may not require a business that has no physical presence in the State to collect its sales tax. Consumer compliance rates are notoriously low, however, and it is estimated that Bellas Hess and Quill cause South Dakota to lose between $48 and $58 million annually. Concerned about the erosion of its sales tax base and corresponding loss of critical funding for state and local services, the South Dakota Legislature enacted a law requiring out-of-state sellers to collect and remit sales tax “as if the seller had a physical presence in the State.” The Act covers only sellers that, on an annual basis, deliver more than $100,000 of goods or services into the State or engage in 200 or more separate transactions for the delivery of goods or services into the State. Respondents, top online retailers with no employees or real estate in South Dakota, each meet the Act’s minimum sales or transactions requirement, but do not collect the State’s sales tax. South Dakota filed suit in state court, seeking a declaration that the Act’s requirements are valid and applicable to respondents and an injunction requiring respondents to register for licenses to collect and remit the sales tax. Respondents sought summary judgment, arguing that the Act is unconstitutional. The trial court granted their motion. The State Supreme Court affirmed on the ground that Quill is controlling precedent.

Held: Because the physical presence rule of Quill is unsound and incorrect, Quill Corp. v. North Dakota, 504 U. S. 298, and National Bellas

(a) An understanding of this Court's Commerce Clause principles and their application to state taxes is instructive here. Pp. 5–9.

(1) Two primary principles mark the boundaries of a State's authority to regulate interstate commerce: State regulations may not discriminate against interstate commerce; and States may not impose undue burdens on interstate commerce. These principles guide the courts in adjudicating challenges to state laws under the Commerce Clause. Pp. 5–7.

(2) They also animate Commerce Clause precedents addressing the validity of state taxes, which will be sustained so long as they (1) apply to an activity with a substantial nexus with the taxing State, (2) are fairly apportioned, (3) do not discriminate against interstate commerce, and (4) are fairly related to the services the State provides. See Complete Auto Transit, Inc. v. Brady, 430 U. S. 274, 279.

Before Complete Auto, the Court held in Bellas Hess that a “seller whose only connection with customers in the State is by common carrier or . . . mail” lacked the requisite minimum contacts with the State required by the Due Process Clause and the Commerce Clause, and that unless the retailer maintained a physical presence in the State, the State lacked the power to require that retailer to collect a local tax. 386 U. S., at 758. In Quill, the Court overruled the due process holding, but not the Commerce Clause holding, grounding the physical presence rule in Complete Auto’s requirement that a tax have a “substantial nexus” with the activity being taxed. Pp. 7–9.

(b) The physical presence rule has long been criticized as giving out-of-state sellers an advantage. Each year, it becomes further removed from economic reality and results in significant revenue losses to the States. These critiques underscore that the rule, both as first formulated and as applied today, is an incorrect interpretation of the Commerce Clause. Pp. 9–17.

(1) Quill is flawed on its own terms. First, the physical presence rule is not a necessary interpretation of Complete Auto’s nexus requirement. That requirement is “closely related,” Bellas Hess, 386 U. S. at 756, to the due process requirement that there be “some definite link, some minimum connection, between a state and the person, property or transaction it seeks to tax.” Miller Brothers Co. v. Maryland, 347 U. S. 340, 344–345. And, as Quill itself recognized, a business need not have a physical presence in a State to satisfy the demands of due process. When considering whether a State may levy a tax, Due Process and Commerce Clause standards, though not identical or coterminous, have significant parallels. The reasons given in Quill for rejecting the physical presence rule for due process purposes
apply as well to the question whether physical presence is a requisite for an out-of-state seller's liability to remit sales taxes. Other aspects of the Court's doctrine can better and more accurately address potential burdens on interstate commerce, whether or not Quill's physical presence rule is satisfied.

Second, Quill creates rather than resolves market distortions. In effect, it is a judicially created tax shelter for businesses that limit their physical presence in a State but sell their goods and services to the State's consumers, something that has become easier and more prevalent as technology has advanced. The rule also produces an incentive to avoid physical presence in multiple States, affecting development that might be efficient or desirable.

Third, Quill imposes the sort of arbitrary, formalistic distinction that the Court's modern Commerce Clause precedents disavow in favor of "a sensitive, case-by-case analysis of purposes and effects," West Lynn Creamery, Inc. v. Healy, 512 U. S. 186, 201. It treats economically identical actors differently for arbitrary reasons. For example, a business that maintains a few items of inventory in a State is required to collect and remit a tax on all of its sales in the State, while a seller with a pervasive Internet presence cannot be subject to the same tax for the sales of the same items.

When the day-to-day functions of marketing and distribution in the modern economy are considered, it becomes evident that Quill's physical presence rule is artificial, not just "at its edges," 504 U. S. at 315, but in its entirety. Modern e-commerce does not align analytically with a test that relies on the sort of physical presence defined in Quill. And the Court should not maintain a rule that ignores substantial virtual connections to the State.

(3) The physical presence rule of Bellas Hess and Quill is also an extraordinary imposition by the Judiciary on States' authority to collect taxes and perform critical public functions. Forty-one States, two Territories, and the District of Columbia have asked the Court to reject Quill's test. Helping respondents' customers evade a lawful tax unfairly shifts an increased share of the taxes to those consumers who buy from competitors with a physical presence in the State. It is essential to public confidence in the tax system that the Court avoid creating inequitable exceptions. And it is also essential to the confidence placed in the Court's Commerce Clause decisions. By giving some online retailers an arbitrary advantage over their competitors who collect state sales taxes, Quill's physical presence rule has limited States' ability to seek long-term prosperity and has prevented market participants from competing on an even playing field.
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(c) *Stare decisis* can no longer support the Court's prohibition of a valid exercise of the States' sovereign power. If it becomes apparent that the Court's Commerce Clause decisions prohibit the States from exercising their lawful sovereign powers, the Court should be vigilant in correcting the error. It is inconsistent with this Court's proper role to ask Congress to address a false constitutional premise of this Court's own creation. The Internet revolution has made *Quill*’s original error all the more egregious and harmful. The *Quill* Court did not have before it the present realities of the interstate marketplace, where the Internet’s prevalence and power have changed the dynamics of the national economy. The expansion of e-commerce has also increased the revenue shortfall faced by States seeking to collect their sales and use taxes, leading the South Dakota Legislature to declare an emergency. The argument, moreover, that the physical presence rule is clear and easy to apply is unsound, as attempts to apply the physical presence rule to online retail sales have proved unworkable.

Because the physical presence rule as defined by *Quill* is no longer a clear or easily applicable standard, arguments for reliance based on its clarity are misplaced. *Stare decisis* may accommodate "legitimate reliance interest[s]," *United States v. Ross*, 456 U. S. 798, 824, but a business "is in no position to found a constitutional right . . . on the practical opportunities for tax avoidance," *Nelson v. Sears, Roebuck & Co.*, 312 U. S. 359, 366. Startups and small businesses may benefit from the physical presence rule, but here South Dakota affords small merchants a reasonable degree of protection. Finally, other aspects of the Court's Commerce Clause doctrine can protect against any undue burden on interstate commerce, taking into consideration the small businesses, startups, or others who engage in commerce across state lines. The potential for such issues to arise in some later case cannot justify retaining an artificial, anachronistic rule that deprives States of vast revenues from major businesses. Pp. 17–22.

(d) In the absence of *Quill* and *Bellas Hess*, the first prong of the *Complete Auto* test simply asks whether the tax applies to an activity with a substantial nexus with the taxing State, 430 U. S., at 279. Here, the nexus is clearly sufficient. The Act applies only to sellers who engage in a significant quantity of business in the State, and respondents are large, national companies that undoubtedly maintain an extensive virtual presence. Any remaining claims regarding the Commerce Clause's application in the absence of *Quill* and *Bellas Hess* may be addressed in the first instance on remand. Pp. 22–23.

2017 S.D. 56, 901 N. W. 2d 754, vacated and remanded.

KENNEDY, J., delivered the opinion of the Court, in which THOMAS,
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GINSBURG, ALITO, and GORSUCH, JJ., joined. THOMAS, J., and GORSUCH, J., filed concurring opinions. ROBERTS, C. J., filed a dissenting opinion, in which BREYER, SOTOMAYOR, and KAGAN, JJ., joined.
JUSTICE KENNEDY delivered the opinion of the Court.

When a consumer purchases goods or services, the consumer’s State often imposes a sales tax. This case requires the Court to determine when an out-of-state seller can be required to collect and remit that tax. All concede that taxing the sales in question here is lawful. The question is whether the out-of-state seller can be held responsible for its payment, and this turns on a proper interpretation of the Commerce Clause, U.S. Const., Art. I, §8, cl. 3.

In two earlier cases the Court held that an out-of-state seller’s liability to collect and remit the tax to the consumer’s State depended on whether the seller had a physical presence in that State, but that mere shipment of goods into the consumer’s State, following an order from a catalog, did not satisfy the physical presence requirement. National Bellas Hess, Inc. v. Department of Revenue of Ill., 386 U. S. 753 (1967); Quill Corp. v. North Dakota, 504 U. S. 298 (1992). The Court granted certiorari here to reconsider the scope and validity of the physical presence rule mandated by those cases.
Like most States, South Dakota has a sales tax. It taxes the retail sales of goods and services in the State. S. D. Codified Laws §§10–45–2, 10–45–4 (2010 and Supp. 2017). Sellers are generally required to collect and remit this tax to the Department of Revenue. §10–45–27.3. If for some reason the sales tax is not remitted by the seller, then in-state consumers are separately responsible for paying a use tax at the same rate. See §§10–46–2, 10–46–4, 10–46–6. Many States employ this kind of complementary sales and use tax regime.

Under this Court’s decisions in Bellas Hess and Quill, South Dakota may not require a business to collect its sales tax if the business lacks a physical presence in the State. Without that physical presence, South Dakota instead must rely on its residents to pay the use tax owed on their purchases from out-of-state sellers. “[T]he impracticability of [this] collection from the multitude of individual purchasers is obvious.” National Geographic Soc. v. California Bd. of Equalization, 430 U. S. 551, 555 (1977). And consumer compliance rates are notoriously low. See, e.g., GAO, Report to Congressional Requesters: Sales Taxes, States Could Gain Revenue from Expanded Authority, but Businesses Are Likely to Experience Compliance Costs 5 (GAO–18–114, Nov. 2017) (Sales Taxes Report); California State Bd. of Equalization, Revenue Estimate: Electronic Commerce and Mail Order Sales 7 (2013) (Table 3) (estimating a 4 percent collection rate). It is estimated that Bellas Hess and Quill cause the States to lose between $8 and $33 billion every year. See Sales Taxes Report, at 11–12 (estimating $8 to $13 billion); Brief for Petitioner 34–35 (citing estimates of $23 and $33.9 billion). In South Dakota alone, the Department of Revenue estimates revenue loss at $48 to $58 million annually. App. 24. Particularly because South Dakota has no state income tax, it must put substantial reliance on its sales
and use taxes for the revenue necessary to fund essential services. Those taxes account for over 60 percent of its general fund.

In 2016, South Dakota confronted the serious inequity Quill imposes by enacting S. 106—“An Act to provide for the collection of sales taxes from certain remote sellers, to establish certain Legislative findings, and to declare an emergency.” S. 106, 2016 Leg. Assembly, 91st Sess. (S. D. 2016) (S. B. 106). The legislature found that the inability to collect sales tax from remote sellers was “seriously eroding the sales tax base” and “causing revenue losses and imminent harm . . . through the loss of critical funding for state and local services.” §8(1). The legislature also declared an emergency: “Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist.” §9. Fearing further erosion of the tax base, the legislature expressed its intention to “apply South Dakota’s sales and use tax obligations to the limit of federal and state constitutional doctrines” and noted the urgent need for this Court to reconsider its precedents. §§8(11), (8).

To that end, the Act requires out-of-state sellers to collect and remit sales tax “as if the seller had a physical presence in the state.” §1. The Act applies only to sellers that, on an annual basis, deliver more than $100,000 of goods or services into the State or engage in 200 or more separate transactions for the delivery of goods or services into the State. Ibid. The Act also forecloses the retroactive application of this requirement and provides means for the Act to be appropriately stayed until the constitutionality of the law has been clearly established. §§5, 3, 8(10).

Respondents Wayfair, Inc., Overstock.com, Inc., and Newegg, Inc., are merchants with no employees or real estate in South Dakota. Wayfair, Inc., is a leading online
retailer of home goods and furniture and had net revenues of over $4.7 billion last year. Overstock.com, Inc., is one of the top online retailers in the United States, selling a wide variety of products from home goods and furniture to clothing and jewelry; and it had net revenues of over $1.7 billion last year. Newegg, Inc., is a major online retailer of consumer electronics in the United States. Each of these three companies ships its goods directly to purchasers throughout the United States, including South Dakota. Each easily meets the minimum sales or transactions requirement of the Act, but none collects South Dakota sales tax. 2017 S. D. 56, ¶¶ 10–11, 901 N. W. 2d 754, 759–760.

Pursuant to the Act’s provisions for expeditious judicial review, South Dakota filed a declaratory judgment action against respondents in state court, seeking a declaration that the requirements of the Act are valid and applicable to respondents and an injunction requiring respondents to register for licenses to collect and remit sales tax. App. 11, 30. Respondents moved for summary judgment, arguing that the Act is unconstitutional. 901 N. W. 2d, at 759–760. South Dakota conceded that the Act cannot survive under Bellas Hess and Quill but asserted the importance, indeed the necessity, of asking this Court to review those earlier decisions in light of current economic realities. 901 N. W. 2d, at 760; see also S. B. 106, §8. The trial court granted summary judgment to respondents. App. to Pet. for Cert. 17a.

The South Dakota Supreme Court affirmed. It stated: “However persuasive the State’s arguments on the merits of revisiting the issue, Quill has not been overruled [and] remains the controlling precedent on the issue of Commerce Clause limitations on interstate collection of sales and use taxes.” 901 N. W. 2d, at 761. This Court granted certiorari. 583 U. S. ___ (2018).
II

The Constitution grants Congress the power “[t]o regulate Commerce . . . among the several States.” Art. I, §8, cl. 3. The Commerce Clause “reflect[s] a central concern of the Framers that was an immediate reason for calling the Constitutional Convention: the conviction that in order to succeed, the new Union would have to avoid the tendencies toward economic Balkanization that had plagued relations among the Colonies and later among the States under the Articles of Confederation.” Hughes v. Oklahoma, 441 U. S. 322, 325–326 (1979). Although the Commerce Clause is written as an affirmative grant of authority to Congress, this Court has long held that in some instances it imposes limitations on the States absent congressional action. Of course, when Congress exercises its power to regulate commerce by enacting legislation, the legislation controls. Southern Pacific Co. v. Arizona ex rel. Sullivan, 325 U. S. 761, 769 (1945). But this Court has observed that “in general Congress has left it to the courts to formulate the rules” to preserve “the free flow of inter-state commerce.” Id., at 770.

To understand the issue presented in this case, it is instructive first to survey the general development of this Court’s Commerce Clause principles and then to review the application of those principles to state taxes.

A

From early in its history, a central function of this Court has been to adjudicate disputes that require interpretation of the Commerce Clause in order to determine its meaning, its reach, and the extent to which it limits state regulations of commerce. Gibbons v. Ogden, 9 Wheat. 1 (1824), began setting the course by defining the meaning of commerce. Chief Justice Marshall explained that commerce included both “the interchange of commodities” and “commercial intercourse.” Id., at 189, 193. A concurring opin-
ion further stated that Congress had the exclusive power to regulate commerce. See id., at 236 (opinion of Johnson, J.). Had that latter submission prevailed and States been denied the power of concurrent regulation, history might have seen sweeping federal regulations at an early date that foreclosed the States from experimentation with laws and policies of their own, or, on the other hand, proposals to reexamine Gibbons’ broad definition of commerce to accommodate the necessity of allowing States the power to enact laws to implement the political will of their people.

Just five years after Gibbons, however, in another opinion by Chief Justice Marshall, the Court sustained what in substance was a state regulation of interstate commerce. In Willson v. Black Bird Creek Marsh Co., 2 Pet. 245 (1829), the Court allowed a State to dam and bank a stream that was part of an interstate water system, an action that likely would have been an impermissible intrusion on the national power over commerce had it been the rule that only Congress could regulate in that sphere. See id., at 252. Thus, by implication at least, the Court indicated that the power to regulate commerce in some circumstances was held by the States and Congress concurrently. And so both a broad interpretation of interstate commerce and the concurrent regulatory power of the States can be traced to Gibbons and Willson.

Over the next few decades, the Court refined the doctrine to accommodate the necessary balance between state and federal power. In Cooley v. Board of Wardens of Port of Philadelphia ex rel. Soc. for Relief of Distressed Pilots, 12 How. 299 (1852), the Court addressed local laws regulating river pilots who operated in interstate waters and guided many ships on interstate or foreign voyages. The Court held that, while Congress surely could regulate on this subject had it chosen to act, the State, too, could regulate. The Court distinguished between those subjects that by their nature “imperatively deman[d] a single
uniform rule, operating equally on the commerce of the
United States,” and those that “deman[d] th[e] diversity, which alone can meet . . . local necessities.” Id., at 319.
Though considerable uncertainties were yet to be over­
come, these precedents still laid the groundwork for the
analytical framework that now prevails for Commerce
Clause cases.

This Court’s doctrine has developed further with time.
Modern precedents rest upon two primary principles that
mark the boundaries of a State’s authority to regulate
interstate commerce. First, state regulations may not
discriminate against interstate commerce; and second,
States may not impose undue burdens on interstate com­
merce. State laws that discriminate against interstate
commerce face “a virtually per se rule of invalidity.”
quotation marks omitted). State laws that “regulat[e]
even-handedly to effectuate a legitimate local public inter­
est . . . will be upheld unless the burden imposed on such
commerce is clearly excessive in relation to the putative
local benefits.” Pike v. Bruce Church, Inc., 397 U. S. 137,
142 (1970); see also Southern Pacific, supra, at 779. Al­
though subject to exceptions and variations, see, e.g.,
Hughes v. Alexandria Scrap Corp., 426 U. S. 794 (1976);
Brown-Forman Distillers Corp. v. New York State Liquor
Authority, 476 U. S. 573 (1986), these two principles guide
the courts in adjudicating cases challenging state laws
under the Commerce Clause.

B

These principles also animate the Court’s Commerce
Clause precedents addressing the validity of state taxes.
The Court explained the now-accepted framework for state
taxation in Complete Auto Transit, Inc. v. Brady, 430 U. S.
274 (1977). The Court held that a State “may tax exclu­sively interstate commerce so long as the tax does not
create any effect forbidden by the Commerce Clause.”  Id., at 285. After all, “interstate commerce may be required to pay its fair share of state taxes.”  D. H. Holmes Co. v. McNamara, 486 U. S. 24, 31 (1988). The Court will sustain a tax so long as it (1) applies to an activity with a substantial nexus with the taxing State, (2) is fairly apportioned, (3) does not discriminate against interstate commerce, and (4) is fairly related to the services the State provides. See Complete Auto, supra, at 279.

Before Complete Auto, the Court had addressed a challenge to an Illinois tax that required out-of-state retailers to collect and remit taxes on sales made to consumers who purchased goods for use within Illinois. Bellas Hess, 386 U. S., at 754–755. The Court held that a mail-order company “whose only connection with customers in the State is by common carrier or the United States mail” lacked the requisite minimum contacts with the State required by both the Due Process Clause and the Commerce Clause.  Id., at 758. Unless the retailer maintained a physical presence such as “retail outlets, solicitors, or property within a State,” the State lacked the power to require that retailer to collect a local use tax.  Ibid. The dissent disagreed: “There should be no doubt that this large-scale, systematic, continuous solicitation and exploitation of the Illinois consumer market is a sufficient ‘nexus’ to require Bellas Hess to collect from Illinois customers and to remit the use tax.”  Id., at 761–762 (opinion of Fortas, J., joined by Black and Douglas, JJ.).

In 1992, the Court reexamined the physical presence rule in Quill. That case presented a challenge to North Dakota’s “attempt to require an out-of-state mail-order house that has neither outlets nor sales representatives in the State to collect and pay a use tax on goods purchased for use within the State.”  504 U. S., at 301. Despite the fact that Bellas Hess linked due process and the Commerce Clause together, the Court in Quill overruled the
due process holding, but not the Commerce Clause holding; and it thus reaffirmed the physical presence rule. 504 U. S., at 307–308, 317–318.

The Court in Quill recognized that intervening precedents, specifically Complete Auto, “might not dictate the same result were the issue to arise for the first time today.” 504 U. S., at 311. But, nevertheless, the Quill majority concluded that the physical presence rule was necessary to prevent undue burdens on interstate commerce. Id., at 313, and n. 6. It grounded the physical presence rule in Complete Auto’s requirement that a tax have a “‘substantial nexus’” with the activity being taxed. 504 U. S., at 311.

Three Justices based their decision to uphold the physical presence rule on stare decisis alone. Id., at 320 (Scalia, J., joined by KENNEDY and THOMAS, JJ., concurring in part and concurring in judgment). Dissenting in relevant part, Justice White argued that “there is no relationship between the physical-presence/nexus rule the Court retains and Commerce Clause considerations that allegedly justify it.” Id., at 327 (opinion concurring in part and dissenting in part).

III

The physical presence rule has “been the target of criticism over many years from many quarters.” Direct Marketing Assn. v. Brohl, 814 F. 3d 1129, 1148, 1150–1151 (CA10 2016) (Gorsuch, J., concurring). Quill, it has been said, was “premised on assumptions that are unfounded” and “riddled with internal inconsistencies.” Rothfeld, Quill: Confusing the Commerce Clause, 56 Tax Notes 487, 488 (1992). Quill created an inefficient “online sales tax loophole” that gives out-of-state businesses an advantage. A. Laffer & D. Arduin, Pro-Growth Tax Reform and E-Fairness 1, 4 (July 2013). And “while nexus rules are clearly necessary,” the Court “should focus on rules that
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are appropriate to the twenty-first century, not the nine­
teenth.” Hellerstein, Deconstructing the Debate Over State Taxation of Electronic Commerce, 13 Harv. J. L. & Tech. 549, 553 (2000). Each year, the physical presence rule becomes further removed from economic reality and results in significant revenue losses to the States. These critiques underscore that the physical presence rule, both as first formulated and as applied today, is an incorrect interpretation of the Commerce Clause.

A

Quill is flawed on its own terms. First, the physical presence rule is not a necessary interpretation of the requirement that a state tax must be “applied to an activity with a substantial nexus with the taxing State.” Complete Auto, 430 U. S., at 279. Second, Quill creates rather than resolves market distortions. And third, Quill imposes the sort of arbitrary, formalistic distinction that the Court’s modern Commerce Clause precedents disavow.

1

All agree that South Dakota has the authority to tax these transactions. S. B. 106 applies to sales of “tangible personal property, products transferred electronically, or services for delivery into South Dakota.” §1 (emphasis added). “It has long been settled” that the sale of goods or services “has a sufficient nexus to the State in which the sale is consummated to be treated as a local transaction taxable by that State.” Oklahoma Tax Comm’n v. Jefferson Lines, Inc., 514 U. S. 175, 184 (1995); see also 2 C. Trost & P. Hartman, Federal Limitations on State and Local Taxation 2d §11:1, p. 471 (2003) (“Generally speaking, a sale is attributable to its destination”).

The central dispute is whether South Dakota may require remote sellers to collect and remit the tax without some additional connection to the State. The Court has
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This nexus requirement is “closely related,” Bellas Hess, 386 U. S., at 756, to the due process requirement that there be “some definite link, some minimum connection, between a state and the person, property or transaction it seeks to tax,” Miller Brothers Co. v. Maryland, 347 U. S. 340, 344–345 (1954). It is settled law that a business need not have a physical presence in a State to satisfy the demands of due process. Burger King Corp. v. Rudzewicz, 471 U. S. 462, 476 (1985). Although physical presence “frequently will enhance” a business’ connection with a State, “it is an inescapable fact of modern commercial life that a substantial amount of business is transacted . . . [with no] need for physical presence within a State in which business is conducted.” Quill, 504 U. S., at 308. Quill itself recognized that “[t]he requirements of due process are met irrespective of a corporation’s lack of physical presence in the taxing State.” Ibid.

When considering whether a State may levy a tax, Due Process and Commerce Clause standards may not be identical or coterminous, but there are significant parallels. The reasons given in Quill for rejecting the physical presence rule for due process purposes apply as well to the question whether physical presence is a requisite for an out-of-state seller’s liability to remit sales taxes. Physical presence is not necessary to create a substantial nexus.

The Quill majority expressed concern that without the physical presence rule “a state tax might unduly burden interstate commerce” by subjecting retailers to tax-
collection obligations in thousands of different taxing jurisdictions. *Id.*, at 313, n. 6. But the administrative costs of compliance, especially in the modern economy with its Internet technology, are largely unrelated to whether a company happens to have a physical presence in a State. For example, a business with one salesperson in each State must collect sales taxes in every jurisdiction in which goods are delivered; but a business with 500 salespersons in one central location and a website accessible in every State need not collect sales taxes on otherwise identical nationwide sales. In other words, under *Quill*, a small company with diverse physical presence might be equally or more burdened by compliance costs than a large remote seller. The physical presence rule is a poor proxy for the compliance costs faced by companies that do business in multiple States. Other aspects of the Court’s doctrine can better and more accurately address any potential burdens on interstate commerce, whether or not *Quill*’s physical presence rule is satisfied.

2

The Court has consistently explained that the Commerce Clause was designed to prevent States from engaging in economic discrimination so they would not divide into isolated, separable units. See *Philadelphia v. New Jersey*, 437 U. S. 617, 623 (1978). But it is “not the purpose of the [C]ommerce [C]lause to relieve those engaged in interstate commerce from their just share of state tax burden.” *Complete Auto*, *supra*, at 288 (internal quotation marks omitted). And it is certainly not the purpose of the Commerce Clause to permit the Judiciary to create market distortions. “If the Commerce Clause was intended to put businesses on an even playing field, the [physical presence] rule is hardly a way to achieve that goal.” *Quill*, *supra*, at 329 (opinion of White, J.).

*Quill* puts both local businesses and many interstate
businesses with physical presence at a competitive disadvantage relative to remote sellers. Remote sellers can avoid the regulatory burdens of tax collection and can offer *de facto* lower prices caused by the widespread failure of consumers to pay the tax on their own. This “guarantees a competitive benefit to certain firms simply because of the organizational form they choose” while the rest of the Court’s jurisprudence “is all about preventing discrimination between firms.” *Direct Marketing*, 814 F. 3d, at 1150–1151 (Gorsuch, J., concurring). In effect, *Quill* has come to serve as a judicially created tax shelter for businesses that decide to limit their physical presence and still sell their goods and services to a State’s consumers—something that has become easier and more prevalent as technology has advanced.

Worse still, the rule produces an incentive to avoid physical presence in multiple States. Distortions caused by the desire of businesses to avoid tax collection mean that the market may currently lack storefronts, distribution points, and employment centers that otherwise would be efficient or desirable. The Commerce Clause must not prefer interstate commerce only to the point where a merchant physically crosses state borders. Rejecting the physical presence rule is necessary to ensure that artificial competitive advantages are not created by this Court’s precedents. This Court should not prevent States from collecting lawful taxes through a physical presence rule that can be satisfied only if there is an employee or a building in the State.

3

The Court’s Commerce Clause jurisprudence has “eschewed formalism for a sensitive, case-by-case analysis of purposes and effects.” *West Lynn Creamery, Inc. v. Healy*, 512 U. S. 186, 201 (1994). *Quill*, in contrast, treats economically identical actors differently, and for arbitrary
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reasons.

Consider, for example, two businesses that sell furniture online. The first stocks a few items of inventory in a small warehouse in North Sioux City, South Dakota. The second uses a major warehouse just across the border in South Sioux City, Nebraska, and maintains a sophisticated website with a virtual showroom accessible in every State, including South Dakota. By reason of its physical presence, the first business must collect and remit a tax on all of its sales to customers from South Dakota, even those sales that have nothing to do with the warehouse. See *National Geographic*, 430 U. S., at 561; *Scripto, Inc.*, 362 U. S., at 211–212. But, under *Quill*, the second, hypothetical seller cannot be subject to the same tax for the sales of the same items made through a pervasive Internet presence. This distinction simply makes no sense. So long as a state law avoids “any effect forbidden by the Commerce Clause,” *Complete Auto*, 430 U. S., at 285, courts should not rely on anachronistic formalisms to invalidate it. The basic principles of the Court’s Commerce Clause jurisprudence are grounded in functional, marketplace dynamics; and States can and should consider those realities in enacting and enforcing their tax laws.

B

The *Quill* Court itself acknowledged that the physical presence rule is “artificial at its edges.” 504 U. S., at 315. That was an understatement when *Quill* was decided; and when the day-to-day functions of marketing and distribution in the modern economy are considered, it is all the more evident that the physical presence rule is artificial in its entirety.

Modern e-commerce does not align analytically with a test that relies on the sort of physical presence defined in *Quill*. In a footnote, *Quill* rejected the argument that “title to ‘a few floppy diskettes’ present in a State” was
sufficient to constitute a “substantial nexus,” id., at 315, n. 8. But it is not clear why a single employee or a single warehouse should create a substantial nexus while “physical” aspects of pervasive modern technology should not. For example, a company with a website accessible in South Dakota may be said to have a physical presence in the State via the customers’ computers. A website may leave cookies saved to the customers’ hard drives, or customers may download the company’s app onto their phones. Or a company may lease data storage that is permanently, or even occasionally, located in South Dakota. Cf. United States v. Microsoft Corp., 584 U. S. ___ (2018) (per curiam). What may have seemed like a “clear,” “bright-line tes[t]” when Quill was written now threatens to compound the arbitrary consequences that should have been apparent from the outset. 504 U. S., at 315.

The “dramatic technological and social changes” of our “increasingly interconnected economy” mean that buyers are “closer to most major retailers” than ever before—“regardless of how close or far the nearest storefront.” Direct Marketing Assn. v. Brohl, 575 U. S. ___, ___, ___ (2015) (KENNEDY, J., concurring) (slip op., at 2, 3). Between targeted advertising and instant access to most consumers via any internet-enabled device, “a business may be present in a State in a meaningful way without” that presence “being physical in the traditional sense of the term.” Id., at ___ (slip op., at 3). A virtual showroom can show far more inventory, in far more detail, and with greater opportunities for consumer and seller interaction than might be possible for local stores. Yet the continuous and pervasive virtual presence of retailers today is, under Quill, simply irrelevant. This Court should not maintain a rule that ignores these substantial virtual connections to the State.
The physical presence rule as defined and enforced in *Bellas Hess* and *Quill* is not just a technical legal problem—it is an extraordinary imposition by the Judiciary on States’ authority to collect taxes and perform critical public functions. Forty-one States, two Territories, and the District of Columbia now ask this Court to reject the test formulated in *Quill*. See Brief for Colorado et al. as Amici Curiae. *Quill*’s physical presence rule intrudes on States’ reasonable choices in enacting their tax systems. And that it allows remote sellers to escape an obligation to remit a lawful state tax is unfair and unjust. It is unfair and unjust to those competitors, both local and out of State, who must remit the tax; to the consumers who pay the tax; and to the States that seek fair enforcement of the sales tax, a tax many States for many years have considered an indispensable source for raising revenue.

In essence, respondents ask this Court to retain a rule that allows their customers to escape payment of sales taxes—taxes that are essential to create and secure the active market they supply with goods and services. An example may suffice. Wayfair offers to sell a vast selection of furnishings. Its advertising seeks to create an image of beautiful, peaceful homes, but it also says that “[o]ne of the best things about buying through Wayfair is that we do not have to charge sales tax.” Brief for Petitioner 55. What Wayfair ignores in its subtle offer to assist in tax evasion is that creating a dream home assumes solvent state and local governments. State taxes fund the police and fire departments that protect the homes containing their customers’ furniture and ensure goods are safely delivered; maintain the public roads and municipal services that allow communication with and access to customers; support the “sound local banking institutions to support credit transactions [and] courts to ensure collection of the purchase price,” *Quill*, 504 U. S., at 328 (opin-
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ion of White, J.); and help create the “climate of consumer confidence” that facilitates sales, see *ibid.* According to respondents, it is unfair to stymie their tax-free solicitation of customers. But there is nothing unfair about requiring companies that avail themselves of the States’ benefits to bear an equal share of the burden of tax collection. Fairness dictates quite the opposite result. Helping respondents’ customers evade a lawful tax unfairly shifts to those consumers who buy from their competitors with a physical presence that satisfies *Quill*—even one warehouse or one salesperson—an increased share of the taxes. It is essential to public confidence in the tax system that the Court avoid creating inequitable exceptions. This is also essential to the confidence placed in this Court’s Commerce Clause decisions. Yet the physical presence rule undermines that necessary confidence by giving some online retailers an arbitrary advantage over their competitors who collect state sales taxes.

In the name of federalism and free markets, *Quill* does harm to both. The physical presence rule it defines has limited States’ ability to seek long-term prosperity and has prevented market participants from competing on an even playing field.

IV

“Although we approach the reconsideration of our decisions with the utmost caution, *stare decisis* is not an inexorable command.” *Pearson v. Callahan*, 555 U. S. 223, 233 (2009) (quoting *State Oil Co. v. Khan*, 522 U. S. 3, 20 (1997); alterations and internal quotation marks omitted). Here, *stare decisis* can no longer support the Court’s prohibition of a valid exercise of the States’ sovereign power.

If it becomes apparent that the Court’s Commerce Clause decisions prohibit the States from exercising their lawful sovereign powers in our federal system, the Court should be vigilant in correcting the error. While it can be
conceded that Congress has the authority to change the physical presence rule, Congress cannot change the constitutional default rule. It is inconsistent with the Court’s proper role to ask Congress to address a false constitutional premise of this Court’s own creation. Courts have acted as the front line of review in this limited sphere; and hence it is important that their principles be accurate and logical, whether or not Congress can or will act in response. It is currently the Court, and not Congress, that is limiting the lawful prerogatives of the States.

Further, the real world implementation of Commerce Clause doctrines now makes it manifest that the physical presence rule as defined by Quill must give way to the “far-reaching systemic and structural changes in the economy” and “many other societal dimensions” caused by the Cyber Age. Direct Marketing, 575 U. S., at ___ (KENNEDY, J., concurring) (slip op., at 3). Though Quill was wrong on its own terms when it was decided in 1992, since then the Internet revolution has made its earlier error all the more egregious and harmful.

The Quill Court did not have before it the present realities of the interstate marketplace. In 1992, less than 2 percent of Americans had Internet access. See Brief for Retail Litigation Center, Inc., et al. as Amici Curiae 11, and n. 10. Today that number is about 89 percent. Ibid., and n. 11. When it decided Quill, the Court could not have envisioned a world in which the world’s largest retailer would be a remote seller, S. Li, Amazon Overtakes Wal-Mart as Biggest Retailer, L. A. Times, July 24, 2015, http://www.latimes.com/business/la-fi-amazon-walmart-20150724-story.html (all Internet materials as last visited June 18, 2018).

The Internet’s prevalence and power have changed the dynamics of the national economy. In 1992, mail-order sales in the United States totaled $180 billion. 504 U. S., at 329 (opinion of White, J.). Last year, e-commerce retail
sales alone were estimated at $453.5 billion. Dept. of Commerce, U. S. Census Bureau News, Quarterly Retail E-Commerce Sales: 4th Quarter 2017 (CB18-21, Feb. 16, 2018). Combined with traditional remote sellers, the total exceeds half a trillion dollars. Sales Taxes Report, at 9. Since the Department of Commerce first began tracking e-commerce sales, those sales have increased tenfold from 0.8 percent to 8.9 percent of total retail sales in the United States. Compare Dept. of Commerce, U. S. Census Bureau, Retail E-Commerce Sales in Fourth Quarter 2000 (CB01-28, Feb. 16, 2001), https://www.census.gov/mrts/www/data/pdf/00Q4.pdf, with U. S. Census Bureau News, Quarterly Retail E-Commerce Sales: 4th Quarter 2017. And it is likely that this percentage will increase. Last year, e-commerce grew at four times the rate of traditional retail, and it shows no sign of any slower pace. See ibid.

This expansion has also increased the revenue shortfall faced by States seeking to collect their sales and use taxes. In 1992, it was estimated that the States were losing between $694 million and $3 billion per year in sales tax revenues as a result of the physical presence rule. Brief for Law Professors et al. as Amici Curiae 11, n. 7. Now estimates range from $8 to $33 billion. Sales Taxes Report, at 11–12; Brief for Petitioner 34–35. The South Dakota Legislature has declared an emergency, S. B. 106, §9, which again demonstrates urgency of overturning the physical presence rule.

The argument, moreover, that the physical presence rule is clear and easy to apply is unsound. Attempts to apply the physical presence rule to online retail sales are proving unworkable. States are already confronting the complexities of defining physical presence in the Cyber Age. For example, Massachusetts proposed a regulation that would have defined physical presence to include making apps available to be downloaded by in-state residents and placing cookies on in-state residents’ web
browsers. See 830 Code Mass. Regs. 64H.1.7 (2017). Ohio recently adopted a similar standard. See Ohio Rev. Code Ann. §5741.01(D)(2)(i) (Lexis Supp. 2018). Some States have enacted so-called “click through” nexus statutes, which define nexus to include out-of-state sellers that contract with in-state residents who refer customers for compensation. See e.g., N.Y. Tax Law Ann. §1101(b)(8)(vi) (West 2017); Brief for Tax Foundation as Amicus Curiae 20–22 (listing 21 States with similar statutes). Others still, like Colorado, have imposed notice and reporting requirements on out-of-state retailers that fall just short of actually collecting and remitting the tax. See Direct Marketing, 814 F. 3d, at 1133 (discussing Colo. Rev. Stat. §39–21–112(3.5)); Brief for Tax Foundation 24–26 (listing nine States with similar statutes). Statutes of this sort are likely to embroil courts in technical and arbitrary disputes about what counts as physical presence.

Reliance interests are a legitimate consideration when the Court weighs adherence to an earlier but flawed precedent. See Kimble v. Marvel Entertainment, LLC, 576 U. S. ___, ___–___ (2015) (slip op., at 9–10). But even on its own terms, the physical presence rule as defined by Quill is no longer a clear or easily applicable standard, so arguments for reliance based on its clarity are misplaced. And, importantly, stare decisis accommodates only “legitimate reliance interest[s].” United States v. Ross, 456 U. S. 798, 824 (1982). Here, the tax distortion created by Quill exists in large part because consumers regularly fail to comply with lawful use taxes. Some remote retailers go so far as to advertise sales as tax free. See S. B. 106, §8(3); see also Brief for Petitioner 55. A business “is in no position to found a constitutional right on the practical opportunities for tax avoidance.” Nelson v. Sears, Roebuck & Co., 312 U. S. 359, 366 (1941).

Respondents argue that “the physical presence rule has permitted start-ups and small businesses to use the Inter-
net as a means to grow their companies and access a national market, without exposing them to the daunting complexity and business-development obstacles of nationwide sales tax collection.” Brief for Respondents 29. These burdens may pose legitimate concerns in some instances, particularly for small businesses that make a small volume of sales to customers in many States. State taxes differ, not only in the rate imposed but also in the categories of goods that are taxed and, sometimes, the relevant date of purchase. Eventually, software that is available at a reasonable cost may make it easier for small businesses to cope with these problems. Indeed, as the physical presence rule no longer controls, those systems may well become available in a short period of time, either from private providers or from state taxing agencies themselves. And in all events, Congress may legislate to address these problems if it deems it necessary and fit to do so.

In this case, however, South Dakota affords small merchants a reasonable degree of protection. The law at issue requires a merchant to collect the tax only if it does a considerable amount of business in the State; the law is not retroactive; and South Dakota is a party to the Streamlined Sales and Use Tax Agreement, see infra at 23.

Finally, other aspects of the Court’s Commerce Clause doctrine can protect against any undue burden on interstate commerce, taking into consideration the small businesses, startups, or others who engage in commerce across state lines. For example, the United States argues that tax-collection requirements should be analyzed under the balancing framework of *Pike v. Bruce Church, Inc.*, 397 U. S. 137. Others have argued that retroactive liability risks a double tax burden in violation of the Court’s apportionment jurisprudence because it would make both the buyer and the seller legally liable for collecting and remit-
Opinion of the Court

ting the tax on a transaction intended to be taxed only once. See Brief for Law Professors et al. as Amici Curiae 7, n. 5. Complex state tax systems could have the effect of discriminating against interstate commerce. Concerns that complex state tax systems could be a burden on small business are answered in part by noting that, as discussed below, there are various plans already in place to simplify collection; and since in-state businesses pay the taxes as well, the risk of discrimination against out-of-state sellers is avoided. And, if some small businesses with only de minimis contacts seek relief from collection systems thought to be a burden, those entities may still do so under other theories. These issues are not before the Court in the instant case; but their potential to arise in some later case cannot justify retaining this artificial, anachronistic rule that deprives States of vast revenues from major businesses.

For these reasons, the Court concludes that the physical presence rule of Quill is unsound and incorrect. The Court's decisions in Quill Corp. v. North Dakota, 504 U. S. 298 (1992), and National Bellas Hess, Inc. v. Department of Revenue of Ill., 386 U. S. 753 (1967), should be, and now are, overruled.

V

In the absence of Quill and Bellas Hess, the first prong of the Complete Auto test simply asks whether the tax applies to an activity with a substantial nexus with the taxing State. 430 U. S., at 279. “[S]uch a nexus is established when the taxpayer [or collector] ‘avails itself of the substantial privilege of carrying on business’ in that jurisdiction.” Polar Tankers, Inc. v. City of Valdez, 557 U. S. 1, 11 (2009).

Here, the nexus is clearly sufficient based on both the economic and virtual contacts respondents have with the State. The Act applies only to sellers that deliver more
than $100,000 of goods or services into South Dakota or engage in 200 or more separate transactions for the delivery of goods and services into the State on an annual basis. S. B. 106, §1. This quantity of business could not have occurred unless the seller availed itself of the substantial privilege of carrying on business in South Dakota. And respondents are large, national companies that undoubtedly maintain an extensive virtual presence. Thus, the substantial nexus requirement of Complete Auto is satisfied in this case.

The question remains whether some other principle in the Court’s Commerce Clause doctrine might invalidate the Act. Because the Quill physical presence rule was an obvious barrier to the Act’s validity, these issues have not yet been litigated or briefed, and so the Court need not resolve them here. That said, South Dakota’s tax system includes several features that appear designed to prevent discrimination against or undue burdens upon interstate commerce. First, the Act applies a safe harbor to those who transact only limited business in South Dakota. Second, the Act ensures that no obligation to remit the sales tax may be applied retroactively. S. B. 106, §5. Third, South Dakota is one of more than 20 States that have adopted the Streamlined Sales and Use Tax Agreement. This system standardizes taxes to reduce administrative and compliance costs: It requires a single, state level tax administration, uniform definitions of products and services, simplified tax rate structures, and other uniform rules. It also provides sellers access to sales tax administration software paid for by the State. Sellers who choose to use such software are immune from audit liability. See App. 26–27. Any remaining claims regarding the application of the Commerce Clause in the absence of Quill and Bellas Hess may be addressed in the first instance on remand.

The judgment of the Supreme Court of South Dakota is
Opinion of the Court

vacated, and the case is remanded for further proceedings not inconsistent with this opinion.

*It is so ordered.*
THOMAS, J., concurring

SUPREME COURT OF THE UNITED STATES

No. 17–494

SOUTH DAKOTA, PETITIONER v. WAYFAIR, INC., ET AL.

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF SOUTH DAKOTA

[June 21, 2018]

JUSTICE THOMAS, concurring.

Justice Byron White joined the majority opinion in National Bellas Hess, Inc. v. Department of Revenue of Ill., 386 U. S. 753 (1967). Twenty-five years later, we had the opportunity to overrule Bellas Hess in Quill Corp. v. North Dakota, 504 U. S. 298 (1992). Only Justice White voted to do so. See id., at 322 (opinion concurring in part and dissenting in part). I should have joined his opinion. Today, I am slightly further removed from Quill than Justice White was from Bellas Hess. And like Justice White, a quarter century of experience has convinced me that Bellas Hess and Quill “can no longer be rationally justified.” 504 U. S., at 333. The same is true for this Court’s entire negative Commerce Clause jurisprudence. See Comptroller of Treasury of Md. v. Wynne, 575 U. S. ___ (2015) (THOMAS, J., dissenting) (slip op., at 1). Although I adhered to that jurisprudence in Quill, it is never too late to “surrender[r] former views to a better considered position.” McGrath v. Kristensen, 340 U. S. 162, 178 (1950) (Jackson, J., concurring). I therefore join the Court’s opinion.
GORSUCH, J., concurring

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ON WRIT OF CERTIORARI TO THE SUPREME COURT OF SOUTH DAKOTA

[June 21, 2018]

JUSTICE GORSUCH, concurring.

Our dormant commerce cases usually prevent States from discriminating between in-state and out-of-state firms. National Bellas Hess, Inc. v. Department of Revenue of Ill., 386 U. S. 753 (1967), and Quill Corp. v. North Dakota, 504 U. S. 298 (1992), do just the opposite. For years they have enforced a judicially created tax break for out-of-state Internet and mail-order firms at the expense of in-state brick-and-mortar rivals. See ante, at 12–13; Direct Marketing Assn. v. Brohl, 814 F. 3d, 1129, 1150 (CA10 2016) (Gorsuch, J. concurring). As Justice White recognized 26 years ago, judges have no authority to construct a discriminatory “tax shelter” like this. Quill, supra, at 329 (opinion concurring in part and dissenting in part). The Court is right to correct the mistake and I am pleased to join its opinion.

My agreement with the Court’s discussion of the history of our dormant commerce clause jurisprudence, however, should not be mistaken for agreement with all aspects of the doctrine. The Commerce Clause is found in Article I and authorizes Congress to regulate interstate commerce. Meanwhile our dormant commerce cases suggest Article III courts may invalidate state laws that offend no congressional statute. Whether and how much of this can be squared with the text of the Commerce Clause, justified by
GORSUCH, J., concurring

stare decisis, or defended as misbranded products of federalism or antidiscrimination imperatives flowing from Article IV’s Privileges and Immunities Clause are questions for another day. See Energy & Environment Legal Inst. v. Epel, 793 F. 3d 1169, 1171 (CA10 2015); Comptroller of Treasury of Md. v. Wynne, 575 U. S. ___–___ (2015) (Scalia, J., dissenting) (slip op., at 1–3); Camps Newfound/Owatonna, Inc. v. Town of Harrison, 520 U. S. 564, 610–620 (1997) (THOMAS, J., dissenting). Today we put Bellas Hess and Quill to rest and rightly end the paradox of condemning interstate discrimination in the national economy while promoting it ourselves.
CHIEF JUSTICE ROBERTS, with whom JUSTICE BREYER, JUSTICE SOTOMAYOR, and JUSTICE KAGAN join, dissenting.

In National Bellas Hess, Inc. v. Department of Revenue of Ill., 386 U. S. 753 (1967), this Court held that, under the dormant Commerce Clause, a State could not require retailers without a physical presence in that State to collect taxes on the sale of goods to its residents. A quarter century later, in Quill Corp. v. North Dakota, 504 U. S. 298 (1992), this Court was invited to overrule Bellas Hess but declined to do so. Another quarter century has passed, and another State now asks us to abandon the physical-presence rule. I would decline that invitation as well.

I agree that Bellas Hess was wrongly decided, for many of the reasons given by the Court. The Court argues in favor of overturning that decision because the “Internet’s prevalence and power have changed the dynamics of the national economy.” Ante, at 18. But that is the very reason I oppose discarding the physical-presence rule. E-commerce has grown into a significant and vibrant part of our national economy against the backdrop of established rules, including the physical-presence rule. Any alteration to those rules with the potential to disrupt the development of such a critical segment of the economy should be undertaken by Congress. The Court should not act on this important question of current economic policy, solely to
expiate a mistake it made over 50 years ago.

I

This Court “does not overturn its precedents lightly.” *Michigan v. Bay Mills Indian Community*, 572 U. S. ___ , ___ (2014) (slip op., at 15). Departing from the doctrine of *stare decisis* is an “exceptional action” demanding “special justification.” *Arizona v. Rumsey*, 467 U. S. 203, 212 (1984). The bar is even higher in fields in which Congress “exercises primary authority” and can, if it wishes, over-ride this Court’s decisions with contrary legislation. *Bay Mills*, 572 U. S., at ___ (slip op., at 16) (tribal sovereign immunity); see, *e.g.*, *Kimble v. Marvel Entertainment, LLC*, 576 U. S. ___, ___ (2015) (slip op., at 8) (statutory interpretation); *Halliburton Co. v. Erica P. John Fund, Inc.*, 573 U. S. ___, ___ (2014) (slip op., at 12) (judicially created doctrine implementing a judicially created cause of action). In such cases, we have said that “the burden borne by the party advocating the abandonment of an established precedent” is “greater” than usual. *Patterson v. McLean Credit Union*, 491 U. S. 164, 172 (1989). That is so “even where the error is a matter of serious concern, provided correction can be had by legislation.” *Square D Co. v. Niagara Frontier Tariff Bureau, Inc.*, 476 U. S. 409, 424 (1986) (quoting *Burnet v. Coronado Oil & Gas Co.*, 285 U. S. 393, 406 (1932) (Brandeis, J., dissenting)).

We have applied this heightened form of *stare decisis* in the dormant Commerce Clause context. Under our dormant Commerce Clause precedents, when Congress has not yet legislated on a matter of interstate commerce, it is the province of “the courts to formulate the rules.” *Southern Pacific Co. v. Arizona ex rel. Sullivan*, 325 U. S. 761, 770 (1945). But because Congress “has plenary power to regulate commerce among the States,” *Quill*, 504 U. S., at 305, it may at any time replace such judicial rules with legislation of its own, see *Prudential Ins. Co. v. Ben-
ROBERTS, C. J., dissenting

In Quill, this Court emphasized that the decision to hew to the physical-presence rule on stare decisis grounds was “made easier by the fact that the underlying issue is not only one that Congress may be better qualified to resolve, but also one that Congress has the ultimate power to resolve.” 504 U. S., at 318 (footnote omitted). Even assuming we had gone astray in Bellas Hess, the “very fact” of Congress’s superior authority in this realm “g[a]ve us pause and counsel[ed] withholding our hand.” Quill, 504 U. S., at 318 (alterations omitted). We postulated that “the better part of both wisdom and valor [may be] to respect the judgment of the other branches of the Government.” Id., at 319; see id., at 320 (Scalia, J., concurring in part and concurring in judgment) (recognizing that stare decisis has “special force” in the dormant Commerce Clause context due to Congress’s “final say over regulation of interstate commerce”). The Court thus left it to Congress “to decide whether, when, and to what extent the States may burden interstate mail-order concerns with a duty to collect use taxes.” Id., at 318 (majority opinion).

II

This is neither the first, nor the second, but the third time this Court has been asked whether a State may obligate sellers with no physical presence within its borders to collect tax on sales to residents. Whatever salience the adage “third time’s a charm” has in daily life, it is a poor guide to Supreme Court decisionmaking. If stare decisis applied with special force in Quill, it should be an even greater impediment to overruling precedent now, particularly since this Court in Quill “tossed [the ball] into Congress’s court, for acceptance or not as that branch elects.” Kimble, 576 U. S., at ___ (slip op., at 8); see Quill, 504 U. S., at 318 (“Congress is now free to decide” the circumstances in which “the States may burden interstate
CONCERNS WITH A DUTY TO COLLECT USE TAXES”).

Congress has in fact been considering whether to alter the rule established in *Bellas Hess* for some time. See Addendum to Brief for Four United States Senators as *Amici Curiae* 1–4 (compiling efforts by Congress between 2001 and 2017 to pass legislation respecting interstate sales tax collection); Brief for Rep. Bob Goodlatte et al. as *Amici Curiae* 20–23 (Goodlatte Brief) (same). Three bills addressing the issue are currently pending. See Marketplace Fairness Act of 2017, S. 976, 115th Cong., 1st Sess. (2017); Remote Transactions Parity Act of 2017, H. R. 2193, 115th Cong., 1st Sess. (2017); No Regulation Without Representation Act, H. R. 2887, 115th Cong., 1st Sess. (2017). Nothing in today’s decision precludes Congress from continuing to seek a legislative solution. But by suddenly changing the ground rules, the Court may have waylaid Congress’s consideration of the issue. Armed with today’s decision, state officials can be expected to redirect their attention from working with Congress on a national solution, to securing new tax revenue from remote retailers. See, e.g., Brief for Sen. Ted Cruz et al. as *Amici Curiae* 10–11 (“Overturning *Quill* would undo much of Congress’ work to find a workable national compromise under the Commerce Clause.”).

The Court proceeds with an inexplicable sense of urgency. It asserts that the passage of time is only increasing the need to take the extraordinary step of overruling *Bellas Hess* and *Quill*: “Each year, the physical presence rule becomes further removed from economic reality and results in significant revenue losses to the States.” *Ante*, at 10. The factual predicates for that assertion include a Government Accountability Office (GAO) estimate that, under the physical-presence rule, States lose billions of dollars annually in sales tax revenue. See *ante*, at 2, 19 (citing GAO, Report to Congressional Requesters: Sales Taxes, States Could Gain Revenue from Expanded A-
thority, but Businesses Are Likely to Experience Compliance Costs 5 (GAO–18–114, Nov. 2017) (Sales Taxes Report)). But evidence in the same GAO report indicates that the pendulum is swinging in the opposite direction, and has been for some time. States and local governments are already able to collect approximately 80 percent of the tax revenue that would be available if there were no physical-presence rule. See Sales Taxes Report 8. Among the top 100 Internet retailers that rate is between 87 and 96 percent. See id., at 41. Some companies, including the online behemoth Amazon,* now voluntarily collect and remit sales tax in every State that assesses one—even those in which they have no physical presence. See id., at 10. To the extent the physical-presence rule is harming States, the harm is apparently receding with time.

The Court rests its decision to overrule Bellas Hess on the “present realities of the interstate marketplace.” Ante, at 18. As the Court puts it, allowing remote sellers to escape remitting a lawful tax is “unfair and unjust.” Ante, at 16. “[U]nfair and unjust to . . . competitors . . . who must remit the tax; to the consumers who pay the tax; and to the States that seek fair enforcement of the sales tax.” Ante, at 16. But “the present realities of the interstate marketplace” include the possibility that the marketplace itself could be affected by abandoning the physical-presence rule. The Court’s focus on unfairness and injustice does not appear to embrace consideration of that current public policy concern.

The Court, for example, breezily disregards the costs that its decision will impose on retailers. Correctly calculating and remitting sales taxes on all e-commerce sales

will likely prove baffling for many retailers. Over 10,000 jurisdictions levy sales taxes, each with “different tax rates, different rules governing tax-exempt goods and services, different product category definitions, and different standards for determining whether an out-of-state seller has a substantial presence” in the jurisdiction. Sales Taxes Report 3. A few examples: New Jersey knitters pay sales tax on yarn purchased for art projects, but not on yarn earmarked for sweaters. See Brief for eBay, Inc., et al. as Amici Curiae 8, n. 3 (eBay Brief). Texas taxes sales of plain deodorant at 6.25 percent but imposes no tax on deodorant with antiperspirant. See id., at 7. Illinois categorizes Twix and Snickers bars—chocolate-and-caramel confections usually displayed side-by-side in the candy aisle—as food and candy, respectively (Twix have flour; Snickers don’t), and taxes them differently. See id., at 8; Brief for Etsy, Inc., as Amicus Curiae 14–17 (Etsy Brief) (providing additional illustrations).

The burden will fall disproportionately on small businesses. One vitalizing effect of the Internet has been connecting small, even “micro” businesses to potential buyers across the Nation. People starting a business selling their embroidered pillowcases or carved decoys can offer their wares throughout the country—but probably not if they have to figure out the tax due on every sale. See Sales Taxes Report 22 (indicating that “costs will likely increase the most for businesses that do not have established legal teams, software systems, or outside counsel to assist with compliance related questions”). And the software said to facilitate compliance is still in its infancy, and its capabilities and expense are subject to debate. See Etsy Brief 17–19 (describing the inadequacies of such software); eBay Brief 8–12 (same); Sales Taxes Report 16–20 (concluding that businesses will incur “high” compliance costs). The Court’s decision today will surely have the effect of dampening opportunities for commerce
A good reason to leave these matters to Congress is that legislators may more directly consider the competing interests at stake. Unlike this Court, Congress has the flexibility to address these questions in a wide variety of ways. As we have said in other dormant Commerce Clause cases, Congress “has the capacity to investigate and analyze facts beyond anything the Judiciary could match.” General Motors Corp. v. Tracy, 519 U. S. 278, 309 (1997); see Department of Revenue of Ky. v. Davis, 553 U. S. 328, 356 (2008).

Here, after investigation, Congress could reasonably decide that current trends might sufficiently expand tax revenues, obviating the need for an abrupt policy shift with potentially adverse consequences for e-commerce. Or Congress might decide that the benefits of allowing States to secure additional tax revenue outweigh any foreseeable harm to e-commerce. Or Congress might elect to accommodate these competing interests, by, for example, allowing States to tax Internet sales by remote retailers only if revenue from such sales exceeds some set amount per year. See Goodlatte Brief 12–14 (providing varied examples of how Congress could address sales tax collection). In any event, Congress can focus directly on current policy concerns rather than past legal mistakes. Congress can also provide a nuanced answer to the troubling question whether any change will have retroactive effect.

An erroneous decision from this Court may well have been an unintended factor contributing to the growth of e-commerce. See, e.g., W. Taylor, Who’s Writing the Book on Web Business? Fast Company (Oct. 31, 1996), https://www.fastcompany.com/27309/whos-writing-book-web-business. The Court is of course correct that the Nation’s economy has changed dramatically since the time that Bellas Hess and Quill roamed the earth. I fear the Court today is compounding its past error by trying to fix
it in a totally different era. The Constitution gives Con-
gress the power “[t]o regulate Commerce . . . among the
several States.” Art. I, §8. I would let Congress decide
whether to depart from the physical-presence rule that
has governed this area for half a century.
I respectfully dissent.
City Manager Update
June 26, 2018

A. Schedule for Upcoming City Projects

June 26 – 5:30 pm  Ohio Ave –Presentation to Council  City Hall
June 28 – 5:30 pm  IOOF Park Public Workshop  IOOF Park
July 24 – 5:30 pm  Lazy K Joint Meeting  City Hall
July 24 – 5:30 pm  IOOF Joint Meeting  City Hall

August 8  Lazy K Planning Commission  City Hall Meeting
August 14  Lazy K Presentation to Council  City Hall

B. Other

The City Manager may also have other updates to provide since the packet was completed and transmitted to the City Council.
Results/Project Update

The following tables are an update summary of the progress to implement the 2017 Council Strategic Plan. This table update will also be used to update Council on other projects and follow-up directed by Council. The 2017 Strategic Plan can be found at: [http://www.gunnisonco.gov/City%20Council/Strategic.Plan_adopted_10.10.2017.pdf](http://www.gunnisonco.gov/City%20Council/Strategic.Plan_adopted_10.10.2017.pdf). It should be noted that the strategic results are summarized below and that there are specific strategies for each result in body of the Strategic Plan. Recent changes are in red.

<table>
<thead>
<tr>
<th>Priority Area &amp; Safety</th>
<th>Result #1 Capital Maintenance and Replacement Plan</th>
<th>Point of Contact</th>
<th>Update/Next Step</th>
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<tbody>
<tr>
<td></td>
<td>By December 31, 2018, our residents and businesses will see demonstrable progress towards creating high quality, cost effective infrastructure by inventorying and assessing all major (utility infrastructure, roads, sidewalks, trails, buildings, rolling stock) City assets and implementing a schedule for capital maintenance and replacement.</td>
<td>Public Works Director</td>
<td>The City has worked with MEAN, Black and Veach, SGM, Tetra Tech to evaluate the utility infrastructure and buildings owned by City to determine a long term capital replacement program. With respect to utilities staff and Council have met on several occasions in the last year to determine proposed changes to rates to enable the City to be responsible stewards or our utilities in the future. A building assessment will be presented to Council on November 28th. A public hearing is set for proposed Electrical rates on April 10, 2018. Also staff has prepared a Q and A fact sheet on rate changes. The Facility Plan for the WWTP will be completed by the end of April and presented to Council with recommendations on next steps by June 12, 2018. The final significant area of infrastructure is our roads and sidewalks. Public Works has purchased a software system called iWorks to help inventory road infrastructure and plan for future maintenance and repair. Public Works Staff have also met with Gunnison Rising representative and discussed utility capacity issues. Staff continues to discover potential bottlenecks in infrastructure (recently with sewer distribution) to serving development sites currently in the City boundary.</td>
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<thead>
<tr>
<th>Priority Area &amp; Safety</th>
<th>Result #2: Safe Roads on Main and Tomichi</th>
<th>Point of Contact</th>
<th>Update/Next Step</th>
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<tr>
<td></td>
<td>By December 31, 2020, 90% of community survey respondents report that they perceive that the downtown is safe and aesthetically pleasing to walk, bike, and drive through Main and Tomichi Avenues.</td>
<td>Chief of Police</td>
<td>See memo on Strategic Projects dated April 24th. Staff requested and additional $47,000 in the 2018 amended budget to provide project management and material testing for this project. In addition, the Police Department will be increasing traffic patrols starting in December of 2017 to improve safety. Also we have installed rapid flashing lights for pedestrian crossings on 11th which if successful, could be applied to other intersections. The City also received a Safe Routes to School grant to enhance the safety of children getting to and from school. Staff has had an initial meeting with CDOT to begin to plan this project.</td>
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<td>Result #1: Two Way Communication</td>
<td>City Manager</td>
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<tr>
<td>By December 31, 2020, 80% of our residents and businesses experience effective two-way communication with the City as measured in a community survey.</td>
<td>A key next step in the strategies for this Result include reviewing several communications plans with the City Council. Staff presented a variety of examples on community branding and communication plans on March 13th. A follow-up discussion occurred with the City Clerk on March 27th. The City Clerk is moving forward with a monthly column in the paper, various locations for informal meeting with the City Council and the community, and a working group for social media. A modest budget for communications ($8,000) was approved at the April 24 meeting related to communications. Responses to the Community Survey RFP will be reviewed by Council on June 26th. The 2nd monthly column from the City appeared in the paper on June 21st. Next coffee with Council will be in July.</td>
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<th>Result #3: Emergency Preparedness</th>
<th>Chief of Police</th>
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<tr>
<td>By December 2019, our residents will experience well organized and effective responses to emergency events by updating the City of Gunnison’s emergency response plan in cooperation with regional partners and conducting annual training for personnel to effectively implement the plan.</td>
<td>Emergency Service staff have begun meeting to review and update emergency planning documents. The Fire and Police Departments are also meeting with other regional partners to monitor fire danger in the valley.</td>
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<tr>
<th>Result #4: Comprehensive Plan &amp; Environmental Sustainability</th>
<th>Community Development Director</th>
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<tr>
<td>By December 31, 2019, the City will have completed a Comprehensive Plan that provides a community vision and specific implementable strategies so that our community will experience a resilient healthy economy, affordable housing, improved environmental sustainability, high quality development, and public infrastructure which supports our high quality of life.</td>
<td>A joint meeting between the City Council and the Planning Commission was held on January 24, 2018. Staff prepared an RFQ that was published in April 2018. RFQ responses are due on June 22nd. This will be a multiyear project. Responses will be due for the RFQ by June 26th.</td>
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<tr>
<td>Livable and Affordable Housing</td>
<td>Result #1: Improve livability of existing housing and create new affordable housing</td>
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<td>By June 1, 2018, the City working with regional partners in the public and private sector will develop a specific plan to provide 60 new or refurbished units under $100,000 per unit (or equivalent rent) and develop an economically viable way to provide public incentives (e.g. infrastructure, taxes, regulatory costs, tax credits, processing speed for permits) to facilitate the creation of 150 new housing units, which will help address the needs identified in the 2016 Gunnison County Needs Assessment. The baseline for this measurement will be 2017.</td>
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<th>Result #2: Review Incentives and Barriers to Creating Affordable Housing</th>
<th>Community Development Director</th>
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<td>By June 30, 2018, the City working with regional partners in the public and private sector will identify specific improvements to City regulations to remove unreasonable barriers and create incentives to creating affordable housing in the City while not exceeding the City’s man made or natural carrying capacity.</td>
<td>Staff and the Planning Commission have begun brainstorming ideas to begin implementation on this action. Staff received direction from the City Council on March 13th to enter into a contract with Cascadia Partners to complete this scope of work. Alex Joyce of Cascadia completed four focus groups the week of April 9th as an initial starting point on this project. From these focus groups Cascadia will develop draft recommendations. Mr. Joyce is scheduled to meet with city staff on May 23rd. On June 13th he will meet with the Planning and Zoning Commission and discuss conclusion of his diagnosis.</td>
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<th>Result #3: Energy and Weatherization Program</th>
<th>Public Works Director and Electrical Superintended</th>
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<tr>
<td>By February 28, 2018, the City will create an energy rebate and weatherization program to reduce energy costs and materially lower the living costs in existing affordable housing units in Gunnison.</td>
<td>Council has authorized funding in 2017 to support an energy and weatherization program with the Housing Authority. Funds in the Electrical Department are also included in the 2018 budget. The Heat program has been initiated in the community. The City invited the immigrant community to a dinner on June 14th to discuss the Heat program.</td>
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<tr>
<td>Economic Prosperity</td>
<td>Result #1: Gunnison Vibrancy Project Implementation</td>
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<td>By December 31, 2017, working in partnership with the business community and community stakeholders, the City will create and begin implementation of a timely and strategic set of recommendations to enhance the vitality and prosperity of Gunnison's Downtown.</td>
<td>The following is a list of proposed next steps for the Gunnison Vibrancy Project</td>
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<tr>
<td><strong>March 27, 2018</strong>: Council approved the Vibrancy Initiative report.</td>
<td><strong>July, 2018</strong>: Convene a discussion with the Downtown Leadership Committee and Council to discuss financial options for funding implementation of the Vibrancy Project.</td>
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<td><strong>The IOOF Park and Ohio Street projects are in progress.</strong></td>
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<tr>
<th>Economic Prosperity</th>
<th>Result #2: Initiate Economic Development Campaign Gunnison a great place to work &amp; live</th>
<th>City Manager</th>
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<tr>
<td>By December 31, 2019, Develop and implement an economic development, community branding, and marketing program to promote Gunnison and the valley as an incredible place to work and live so as to generate new entrepreneurs and businesses in the community which will provide jobs that pay a living wage and make our local economy more resilient to change. This will be measured by seeing the gap between median household income in Gunnison and the State be reduced by 20% compared to 2017 levels.</td>
<td>Council received a presentation on March 27 regarding the initiation of an economic development program led by the ICELab at Western. A follow-up meeting occurred on May 8th and the City Council supported a funding request for this project of $34,000. We have received notice that a DOLA grant has also been approved to support this initiative at the ICELab.</td>
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<th>Economic Prosperity</th>
<th>Result #3: Abundant and Redundant Broadband</th>
<th>IT Director</th>
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<tr>
<td>By December 31, 2019, Gunnison businesses and residents will experience</td>
<td>An update on this project occurred on January 9th with both Region 10 and IC Connex. Staff is currently looking at connectivity to REA and the WWTP.</td>
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<td>Result #4: Collaboration with Western to Support Student Recruitment and Retention</td>
<td>City Manager and Western Representative</td>
<td>The Vibrancy Project directly engaged Western Administration and students in achieving this result. Furthermore, Western has invited the City to participate in their own strategic Planning process. The Mayor and City Manager will provide updates on progress related to the Community Relations Committee for the WSCU Strategic Plan at future Council meetings under “updates.” A celebration occurred at the DIVE to thank the committee for work to date.</td>
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<td><strong>Result #5: Gunnison recognized as the home for Western and Western is synonymous with Gunnison.</strong> By December 31, 2020, 80% of residents will identify the University as a critical partner to the City in which Western is identifiable as Gunnison and Gunnison as Western.</td>
<td>City Manager and Western Representative</td>
<td>See information from Result # 4 above.</td>
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<tr>
<td><strong>Result #6: Improve Hotel Occupancy and Economic Impact of Special Events</strong> By December 31, 2018, improve hotel occupancy to enhance the economic sustainability and vibrancy of our downtown by working with the Tourism Association, event partners, Monarch and CBMR ski areas, and the business community to produce and market special events and winter destination promotions to measurably improve hotel occupancy by 10% in the City of Gunnison (with a special emphasis to improve winter occupancy).</td>
<td>City Manager</td>
<td>The City Manager has hosted two meetings with our hotel community to determine how to best improve occupancy. Winter is a critical time to improve visitation to the City. The Gunnison Get Away could be an effective tool to improve occupancy but it requires a positive level of cooperation between CBMR, TA, and our hotels. Improving the working relationship between these entities is the first step. Also the Manager has been attempting to bring the Chamber and a fledgling hotel committee together to collaborate on special events. A meeting was facilitated between representatives of the hotel community and CBMR (including Scott Clarkson who is on the TA board) on Jan 4th to discuss how to improve the working relationship between CBMR and the Gunnison Hotel community to both improve hotel occupancy and ski pass sales. A number of constructive next steps came from the meeting including making it easier for Gunnison hotels to package very inexpensive lift passes with hotel stays.</td>
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