

AGENDA

City Council Retreat

July 1, 2019

1:00 PM, Aspen Fire Station Meeting Room



I. RETREAT INFORMATION

I.A. City Council Retreat Information



Council Retreat
July 1 – 2, 2019
Aspen Fire Station, 3rd floor Community Meeting Room

Agenda

Desired Outcomes:

- Enhanced Relationships
- Identify and agree on mutual expectations with the Council and the Staff
- Develop working agreements
- Determine Key Goal and Objectives (a roadmap on how to move forward)
- Offer policy guidance and key strategic issues

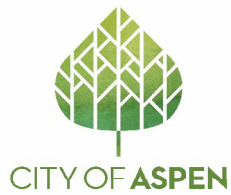
Monday, July 1
1:00 pm – 5:00 pm
Council

1. Welcome, introductions
2. Review agenda, ground rules, and desired outcomes
3. Discussion on roles
4. Expectations exercise
5. Determine Council “Rules of Engagement”
6. Council identification of goals

July 2, 9:00 am – 4:00 pm
Council and Key Staff

7. Expectations exercise with staff
8. Determine Council-Staff “Rules of Engagement”
9. Goals discussions
10. Policy Direction Next Steps
11. Next steps
12. Retreat Review
13. Adjourn

Facilitator: Kathie Novak



MEMORANDUM

TO: Mayor and City Council
FROM: Sara Ott, Interim City Manager
DATE: June 28, 2019
RE: 2019 Council Retreat Background Materials

SUMMARY: City Council is scheduled for its 2019 retreat on July 1 and 2 at the Aspen Fire Station Community Meeting Room. In preparation, various Council members have asked for background information that could assist in various agenda items.

Please find enclosed for your reference the following items:

1. Aspen City Charter
2. Aspen City Council Rules of Procedures
3. Memo providing update on the 2019 Organizational Work Program
4. Work session packet from January 15, 2019 regarding Kids First and child care demand in the upper valley
5. Work session packet from January 18, 2018 regarding the Phase II Waste Study Executive Summary
6. Affordable Housing Framework Recommendation Memo
7. Current city staffing information by department from the 2019 Budget
8. Current city staffing information by title and fund from the 2019 Budget

STAFF RECOMMENDATION: Information only.

RESOLUTION #51
(Series of 2005)

A RESOLUTION OF THE ASPEN CITY COUNCIL ADOPTING RULES AND
REGULATIONS

WHEREAS, the City Council of the City of Aspen is empowered to establish the Rules of Procedure governing meetings of the City Council of the City of Aspen; and

WHEREAS, the City Council deems it advisable to amend the Rules and Regulations adopted by Resolution #25, Series of 1985, and to adopt the attached Rules and Regulations dated June 2005,

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

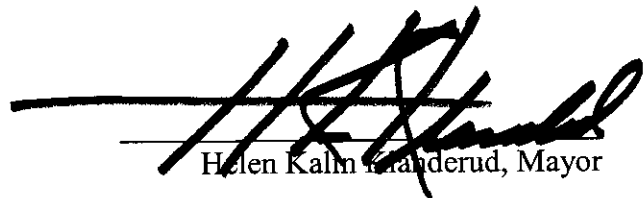
Section 1

That the City Council hereby adopts the attached City Council Rules and Rules establishing procedures for the conduct of its meetings. Said Rules and Regulations shall replace and supersede the rules governing the procedure of City Council meetings adopted by Resolution #25, Series of 1985.

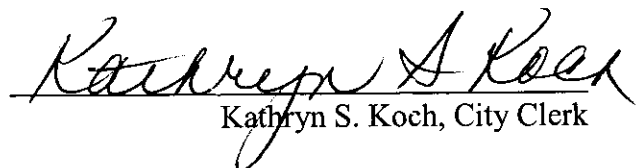
Section 2

That the City Council may, from time to time establish additional procedures as they deem necessary.

July 28, 2005
Dated


Helen Kalm, Mayor

I, Kathryn S. Koch, duly appointed and acting City Clerk do certify that the foregoing is a true and accurate copy of that resolution adopted by the City Council of the City of Aspen, Colorado, at a meeting held July 25, 2005.


Kathryn S. Koch, City Clerk

CITY COUNCIL RULES AND REGULATIONS
CITY OF ASPEN, COLORADO

June 2005

SECTION I – JOURNAL OF PROCEEDINGS.....	3
SECTION II – MEETINGS	3
SECTION III – AGENDA.....	3
SECTION IV – PRESIDING OFFICER – DUTIES:.....	4
SECTION V – CALL TO ORDER – PRESIDING OFFICER:	4
SECTION VI – ROLL CALL:	4
SECTION VII – QUORUM:	4
SECTION VIII – ORDER OF BUSINESS.....	5
SECTION IX. – PROCEDURES FOR DEBATE.....	6
SECTION X – RULES OF DEBATE	6
SECTION XI – ADDRESSING THE COUNCIL	7
SECTION XII – DECORUM	7
SECTION XIII – ENFORCEMENT OF DECORUM.....	7
SECTION XIV – VOTING.....	8
SECTION XV – PETITIONS:	9
SECTION XVI – SPECIAL COMMITTEES	9
SECTION XVII – USES OF STAFF	10
SECTION XVIII – ENFORCEMENT, SUSPENSION AND AMENDMENT OF RULES	10
SECTION XIX – RULES OF ORDER.....	10

SECTION I – JOURNAL OF PROCEEDINGS

The Council shall determine its own rules, order of business, conduct of public meetings and shall provide for keeping the official record, which shall be a public record according to C. R. S. 24-6-402 Open Meetings

SECTION II – MEETINGS

The Council shall meet regularly at least twice each month. Regular meetings will normally convene on the second and fourth Mondays of the month at 5:00 p.m. in the Council Chambers or other properly noticed location and shall adjourn promptly by or before 9:00 p.m. unless a motion is made and carried to suspend the rules and extend the meeting to a time certain. All actions taken by City Council that are otherwise proper shall not be void if taken beyond the normal time for adjournment.

Council will schedule work sessions as needed with at least 24 hours advance public notice. No formal action shall be taken during a work session.

Special meetings may be called during a regularly convened Council meeting or upon written request of the Mayor or of any two or more members of the Council on at least 24 hours written notice to each member of Council served personally or left at the Council member's usual place of residence. A special meeting, however, may be held on shorter notice if all members of Council are present or have waived notice in writing. Simultaneous notice to the media shall be required for all special meetings.

Executive sessions may be held for the purposes allowed by the Aspen Open Meeting Law, Municipal Code Section 2.04.030 Open meetings; executive sessions; notice; minutes and C.R.S. 24-6-402 et. seq. No formal action shall be taken during an executive session.

Work sessions may be scheduled by Council. No formal action shall be taken during a work session. Public comment shall be permitted by the Mayor subject to Section IV\.

Notices of meetings will include the time, place and agenda and will be sent to the media and posted in a public place at least 24 hours in advance of the meeting. In case of an emergency, notice will be as long as is reasonable under the circumstances.

All meetings shall be public, except executive sessions.

SECTION III – AGENDA

The City Manager shall confer with the Mayor each Tuesday preceding a regularly scheduled meeting to determine items to be included in the published agenda. All reports, communications, ordinances, resolutions, contract documents and other matters

to be submitted to the Council shall be delivered to the City Clerk prior to noon on the Tuesday prior to the Council meeting at which they are to be submitted. The City Manager shall list the matters according to the order of business and furnish each member of the Council and appropriate department heads with a copy of the agenda prior to the Council meeting. No item shall be submitted to the Council except through the City Manager; however, any member of the public, member of Council, or the City Manager may submit items to the Council during the Council meeting at the time provided in the order of business. Excepting emergency action necessary in furtherance of the public health, safety, or general welfare, no Council action shall be taken on any item not included on the published agenda.

SECTION IV – PRESIDING OFFICER – DUTIES:

The Mayor shall be the presiding officer of the Council. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council. The Mayor shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order. Any decision or ruling of the Mayor may be appealed to the Council as a whole by request of any member. The Mayor shall call for roll call to see if the chair shall be upheld; if the roll call loses, the Mayor is reversed.

SECTION V – CALL TO ORDER – PRESIDING OFFICER:

The Mayor, or in the Mayor's absence, the Mayor Pro tem shall call the Council to order at the scheduled meeting time. In the absence of the Mayor or Mayor Protem, the City Clerk shall call the Council to order. A temporary presiding officer then shall be elected by the members of the Council present. When the Mayor or Mayor Protem arrives, the temporary presiding officer shall relinquish the chair when the business immediately before the Council is finished.

SECTION VI – ROLL CALL:

Before proceeding with the business of the Council, the City Clerk shall call the roll of the members, and the names of those present shall be entered into the minutes.

SECTION VII – QUORUM:

A quorum shall consist of a majority of the members of Council; however, no action of the Council shall be valid or binding unless adopted by ordinance, resolution or motion. Resolution and motions shall require the affirmative vote of a majority of the members present. Ordinances shall require no less than three (3) affirmative votes for passage

unless it is an emergency ordinance in which case it shall require four (4) affirmative votes.

SECTION VIII – ORDER OF BUSINESS

- I. Call to Order
- II. Roll Call
- III. Scheduled Public Appearances
- IV. Citizens Comments & Petitions *(Time for any citizen to address Council on issues NOT on the agenda. Please limit your comments to 3 minutes)*
- V. Special Orders of the Day
 - a) Mayor's Comments
 - b) Councilmembers' Comments
 - c) City Manager's Comments
 - d) Board Reports
- VI. Consent Calendar *(These matters may be adopted together by a single motion)*
- VII. First Reading of Ordinances
- VIII. Public Hearings
- IX. Action Items
- X. Information Items
- XI. Executive Session
- XII. Adjournment

The Council may, by majority vote, consider items out of sequence from the printed agenda.

a) The consent calendar matters are routine and may be adopted by one motion. There will be no discussion of separate items, unless members of the City Council, staff, or the public requests that a specific item be discussed or removed from the consent calendar for individual consideration.

b) Procedures for public hearings are outlined in Ordinance #87, Series of 1975.

- c) Procedures for submitting petitions are discussed in section XV.
- d) If the City Council wishes to adjourn to a later time, Council must pass a motion specifying the date and time to which the regular meetings is being adjourned.

A motion to adjourn shall always be in order except during roll call. When a motion is made and seconded to adjourn, any member of the Council may state why it is improper for Council to adjourn. That statement, however, shall not be debatable and shall not take more than two minutes.

SECTION IX. – PROCEDURES FOR DEBATE

On those issues requiring debate, the presiding officer shall state the issue before Council. Unless Council by consensus determines no report is necessary, staff shall have an opportunity to report on the issue and will respond to Council questions. Council members shall be allotted time to present their positions and concerns.

A motion and a second on the issue will be allowed after all interested parties have had an initial opportunity to express their views. Discussion can continue after the motion is made; however, after a motion is on the floor, except for questions from Council, discussion shall be restricted to Council members.

SECTION X – RULES OF DEBATE

- a) Presiding Officer may debate and vote, etc. While the primary role of the presiding officer is to facilitate deliberations, the Mayor or member of Council who is presiding may move, second and debate from the chair, subject only to such limitations of debate as are imposed on all members. The presiding officer shall not be deprived of any of the rights and privileges of a Councilmember.
- b) Getting the floor – improper references to be avoided Every member desiring to speak shall address the chair and upon recognition by the presiding officer, shall confine him or herself to the question under debate, avoiding all personalities and indecorous languages.
- c) Interruptions A member, once recognized, shall not be interrupted when speaking unless it is to call the member to order. If a member, while speaking is called to order, the member shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.
- d) Personal Privilege The right of a Councilmember to address the Council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are questioned, or where the welfare of the Council is concerned. A Councilmember may interrupt another speaker if the Mayor recognizes the "privilege".

- e) Privilege of closing debate The Councilmember moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

SECTION XI – ADDRESSING THE COUNCIL

Any person wishing to address the Council shall first secure permission of the presiding officer to do so. The Council may limit the length of time that a person is permitted to address the Council.

Written communications Interested parties or their authorized representatives may address the Council by written communications in regard to matters under discussion.

Oral communications During the proper time on the agenda, citizens attending a regular meeting may address the Council on any matter concerning the City's business, or any matter over which the Council has control. Oral presentations shall not be repetitious and shall be confined to five minutes maximum duration.

After motion made – No person shall address the Council after a motion is made without first securing the permission of Council to do so.

SECTION XII – DECORUM

- a) By Councilmembers While the Council is in session, the members must preserve order and decorum. A member shall neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.
- b) By Persons Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the Council, or who interferes with the order of business before the Council, and who fails upon request of the presiding officer to cease such activity, shall be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council.

SECTION XIII – ENFORCEMENT OF DECORUM

The City Manager shall appoint a sergeant-at-arms at the Council meetings. The City Manager or the City Manager's designee(s) shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to remove any person who violates the order and decorum of the meeting.

SECTION XIV – VOTING

- a) Roll Call – All votes on ordinances shall be by roll call; all other votes shall be voice votes unless requested by a Councilmember.
- b) Precedence of Motions When a motion is before the Council, no motion shall be entertained except; (1) to limit comment, (2) to adjourn; (3) to fix the hour of adjournment, (4) to lay on the table, (5) for the previous question, (6) to continue to a certain day (7) to refer, (8) to amend, (9) to postpone indefinitely or to (10) divide the question. These motions shall have precedence in the order indicated.
- c) Amendments. No more than one amendment to an amendment is permitted. When an amendment is before the Council, the Council shall vote first on the amendment. After the amendment has passed or failed, the Council shall vote on the main motion.
- d) Motion to Table – The purpose of this motion is to temporarily bypass the subject. A motion to lay on the table is undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be “taken from the table” at any time prior to the end of the next regular meeting.
- e) Motion to Continue – The purpose of this motion is to delay consideration of a subject until a future time. A motion to continue shall include the specific date when the subject shall again be considered.
- f) Motion for Previous Question – The purpose of this motion is to close debate on the main motion. It is undebatable, and no further discussion shall be permitted until the motion is acted upon. If the motion fails, debate is reopened; if motion passes, then the Council shall vote on the main motion.
- g) Division of Question – If the question contains two or more division able propositions, the Mayor may, or upon successful motion of the Council shall divide the same.
- h) Withdrawal of Motion – When a motion is made and seconded, it shall be so stated by the Chair before debate commences.
- i) Conflict of Interest – Councilmembers shall abide by the provisions of Section 4.7 of the Aspen City Charter and by Ordinance #19, Series of 2003. When a Councilmember determines he or she has a conflict of interest, the member shall announce such conflict and refrain from discussing or voting upon the matter.
- j) Ex Parte Contacts – Councilmembers shall abide by the provisions of Ordinance #87, Series of 1975, regarding pre-hearing or ex parte contacts.

k) Councilmember Required to Vote – Councilmembers are required to vote on all issues placed before them unless excused under the provisions of (i) above. (Refer to the City Charter Section 4.7 “Voting”.)

l) Recording Vote; Tie Votes – The minutes of the Council shall record each individual Councilmember’s vote on all ordinances, resolutions and franchises. In the case of a tie vote on any motion, the motion shall be considered lost.

m) Motion to reconsider – A motion to reconsider any action taken by the Council may be made only on the day the action was taken or at the next regularly scheduled meeting following the day when the action was taken. It may be made during the same session or at an adjourned session. A motion to reconsider must be made by one of the prevailing side but may be seconded by any member. A question failing by virtue of a tie vote may be reconsidered by motion of any member of the Council. The motion may be made at any time. It shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council, except that no action shall be taken on any subject not included in the published agenda.

SECTION XV – PETITIONS:

Any citizen of the city may appear before the Council at any regular meeting and present a written petition. The petition shall be acted upon by the Council, in the regular course of business. Petitions, remonstrances, communications and comments or suggestions from citizens present, shall be heard by the Council. All remarks shall be addressed to the Council as a whole, and not to any member thereof. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. No question shall be asked of a Councilmember except through the presiding officer.

SECTION XVI – SPECIAL COMMITTEES

When the Council determines that a board, commission, task force, or citizen’s committee is needed, the following procedure shall be used:

a) The party proposing the creation of the board, commission, task force, or citizen’s committee will prepare the appropriate Council action (either an ordinance or a resolution) defining the purpose, duties and objectives of the committee and whether it is to be an ad hoc or continuing committee. If proposed as an ad hoc committee, the Council action shall specify when the committee’s work is to begin and to conclude.

Section 8.4 Municipal Charter

b) That ordinance or resolution will be submitted to the City Manager for placement on an agenda for Council discussion.

c) Council shall approve, modify or reject the ordinance or resolution.

- d) Once a board, commission, task force, or citizen's committee is approved, the City Clerk shall public notice soliciting interested and qualified volunteers to file applications for appointment.
- e) City Council shall interview all application and announce its selections and appointments at a regular meeting.
- f) Terms of appointment to any board, commission, task force, or citizen's committee shall not exceed four years and there shall be no limitation on the number of terms a member may service. City Charter requires that all permanent boards and commissions including advisory and appeal boards shall be created by ordinance which shall set forth the policies and duties delegated to such boards and commissions. Temporary, ad hoc committees may be created by resolution.

SECTION XVII – USES OF STAFF

No Councilmember shall request from the City Manager any staff project that entails over two hours of staff work without seeking approve of the full City Council. This rule pertains only to an individual research request by an individual Councilmember.

SECTION XVIII – ENFORCEMENT, SUSPENSION AND AMENDMENT OF RULES

Enforcement of these rules shall be incumbent upon the City Council. These rules may be suspended or amended by majority vote of the Councilmembers present.

SECTION XIX – RULES OF ORDER

The rules of parliamentary practice, comprised in Roberts Rules of Order, latest edition, shall govern the Council in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Charter of the City of Aspen.

HOME RULE CHARTER

for the

CITY OF ASPEN, COLORADO

June 16, 1970

Published by
COLORADO CODE PUBLISHING COMPANY
Fort Collins, Colorado

Contents

ARTICLE I	6
GENERAL PROVISIONS	6
Section 1.1. Name and boundaries.....	6
Section 1.2. Rights and liabilities.....	6
Section 1.3. Form of government.....	6
Section 1.4. Powers.....	6
ARTICLE II.....	6
ELECTIONS	6
Section 2.1. Colorado Municipal Election Laws adopted.....	6
Section 2.2. Municipal elections.....	6
Section 2.3. Election precincts.....	7
Section 2.4. Election commission.....	7
Section 2.5. Recall.....	7
Section 2.6. Non-partisan elections.....	8
Section 2.7. Run-off elections.....	8
ARTICLE III	9
COUNCIL	9
Section 3.1. The council.....	9
Section 3.2. Terms of office for members of Council.....	9
Section 3.3. Mayor.....	9
Section 3.4. Powers of council.....	9
Section 3.5. Qualifications.....	9
Section 3.6. Compensation.....	10
Section 3.7. Mayor pro-tem.....	10
Section 3.8. Vacancies.....	10
Section 3.9. Oath of office.....	11
Section 3.10. Term Limits	11
ARTICLE IV	12
COUNCIL PROCEDURE.....	12
Section 4.1. Regular meetings.....	12
Section 4.2. Special meetings.....	12
Section 4.3. Business at special meetings.....	12
Section 4.4. Quorum: Adjournment of meeting.....	12
Section 4.5. Meetings to be public.....	12
Section 4.6. Council acts.....	12
Section 4.7. Voting.....	12
Section 4.8. Action by ordinance required.....	13
Section 4.9. Form of ordinance.....	13
Section 4.10. Procedure.....	13
Section 4.11. Emergency ordinances.....	14
Section 4.12. Codification.....	14
Section 4.13. Codes.....	14
Section 4.14. Disposition of ordinances.....	14
Section 4.15. Public records.....	14
ARTICLE V	15
INITIATIVE AND REFERENDUM	15
Sec. 5.1. General authority.....	15
Section 5.2. Manner and procedure for exercising the powers of initiative and referendum.....	15
Section 5.3. Exceptions to state statutes.....	15
Section 5.4. Amendments or repeal of adopted or repealed ordinances.....	15

Section 5.5.	Submission by council.....	16
Section 5.6.	Action on petitions.	16
Section 5.7.	Submission by council.....	16
Section 5.8.	Results of election.	16
ARTICLE VI.....		17
CITY ADMINISTRATION		17
Section 6.1.	Manager.....	17
Section 6.2.	Acting manager.	17
Section 6.3.	Powers and duties.	17
Section 6.4.	Removal of manager.	18
Section 6.5.	Relationship of council to administrative service.....	18
Section 6.6.	City clerk.	18
Section 6.7.	Director of finance.....	18
Section 6.8.	Duties and powers of director of finance.....	18
Section 6.9.	Departments created.	19
Section 6.10.	Bonding of employees.....	19
Section 6.11.	Community Development Director	19
Section 6.12.	Chief of Police	19
ARTICLE VII.....		19
LEGAL AND JUDICIARY		19
Section 7.1.	City attorney.	19
Section 7.2.	Judiciary.	19
ARTICLE VIII		20
BOARDS AND COMMISSIONS.....		20
Section 8.1.	Existing boards and commissions.....	20
Section 8.2.	Composition of boards and commissions.....	20
Section 8.3.	Vacancies.	21
Section 8.4.	Right to establish.	21
ARTICLE IX.....		21
CITY FINANCES		21
Section 9.1.	Fiscal year.	21
Section 9.2.	Submission of budget and budget message.	21
Section 9.3.	Budget message.....	21
Section 9.4.	Budget content.....	21
Section 9.5.	Capital program.....	22
Section 9.6.	Budget hearing.	22
Section 9.7.	Council amendments.	23
Section 9.8.	Council adoption.	23
Section 9.9.	Property tax levy.	23
Section 9.10.	Contingencies.	23
Section 9.11.	Public records.....	23
Section 9.12.	Amendments after adoption.	23
Section 9.13.	Administration of budget.....	24
Section 9.14.	Independent audit.	24
ARTICLE X		25
MUNICIPAL BORROWING		25
Section 10.1.	Forms of borrowing.....	25
Section 10.2.	Short-term notes.	25
Section 10.3.	General obligation bonds.....	25
Section 10.4.	Limitation of indebtedness.	25
Section 10.5.	Revenue bonds.....	25
Section 10.6.	Refunding bonds.....	26
Section 10.7.	Special or local improvement district bonds.	26
Section 10.8.	Long term installment contracts, rentals and leaseholds.	27
ARTICLE XI.....		27

PUBLIC UTILITIES AND FRANCHISES	27
Section 11.1. General powers.....	27
Section 11.2. Water rights.	28
Section 11.3. Utility rates and service areas.	28
Section 11.4. Granting of franchises.	28
Section 11.5. Franchise records.....	28
Section 11.6. Existing franchises.....	28
ARTICLE XII.....	28
TAXATION.....	28
Section 12.1. Authority to levy taxes.	28
ARTICLE XIII.....	28
MISCELLANEOUS LEGAL PROVISIONS.....	28
Section 13.1. Eminent domain.....	28
Section 13.2. Reservation of power.....	28
Section 13.3. Liability of City.	29
Section 13.4. Restrictions on the sale or change in use of property.	29
Section 13.5. Co-operative contracts.....	29
Section 13.6. Grants to regional service authorities.	29
Section 13.7. Bequests, gifts and donations.	29
Section 13.8. Emergency powers.	29
Section 13.9. Severability of Charter provisions.	30
Section 13.10. Charter amendments.....	30
Section 13.11. Interpretations.	30
Section 13.12. Definitions.....	30
Section 13.13. Specially Designated Spaces.....	31
Section 13.14 – Voter authorization of certain land use approvals.....	31
ARTICLE XIV	32
TRANSITION PERIOD.....	32
Section 14.1. Effective date of Charter.....	32
Section 14.2. Prior city legislation.....	32
Section 14.3. Present elected officials to continue in office.	32
Section 14.4. Continuation of present boards and commissions.	32
Section 14.5. Continuation of appointed officers and employees.	32
Section 14.6. Saving clause.....	33
CERTIFICATE OF FINAL ADOPTION.....	33

PREFATORY SYNOPSIS

The Charter Convention of the City of Aspen, Colorado, herewith submit[s] to the voters of the City the Home Rule Charter which we have framed in conformity with Article XX of the Colorado Constitution.

Since its organizational meeting of March 26, 1970, the Convention has worked long and hard to achieve a simple and direct form of local government based on sound principles of public administration and tailored to the political needs of the electorate of the City of Aspen.

Under provisions of this Charter, a basic council-manager form of government is established. The council is composed of seven (7) members which include the mayor who is elected at large for a two-year term. The mayor also presides at council meetings and possess[es] full voting powers of a councilman. The other six (6) councilmen are elected at large for four-year over-lapping terms. A majority of the council (three (3) councilmen and the mayor) are elected every two (2) years, thereby ensuring continuity of government with maximum political responsiveness to the voters.

The council is the policy-determining body of the municipal government and vested with full legislative powers. The executive power is vested in the city manager who is appointed by and serves at the pleasure of the council.

The biennial municipal election is set on the first Tuesday after the first Monday in May with the first election under this Charter to be held on May 4, 1971. The Charter provides that all elections are to be non-partisan. An Election Commission is established to insure that fair elections are conducted in accordance with the Colorado Municipal Election Law.

Additional matters covered in this Charter for the future framework of Aspen municipal government relate to general council procedures, initiative and referendum powers of the people, city administration guidelines, legal and judiciary appointments, municipal boards and commissions, city finances, municipal borrowing procedures, public utilities, taxation powers, miscellaneous legal provisions and transition procedures.

The Charter vests the people of Aspen with every political power permitted to any home rule community under the Constitution of the State of Colorado. We believe this Charter provides a structure for quality government in Aspen which will endure for many years to come.

PREAMBLE

We, the people of the City of Aspen, Colorado, under the authority of the Constitution of the State of Colorado and in order to exercise the rights, privileges and responsibilities of self-government granted to us by the said constitution, do ordain and establish this Home Rule Charter for the City of Aspen, Colorado.

ARTICLE I GENERAL PROVISIONS

Section 1.1. Name and boundaries.

The municipal corporation heretofore existing as a city in the County of Pitkin, State of Colorado, and known as the City of Aspen, shall remain and continue as a body politic and corporate under this Charter with the same name and boundaries until changed in a manner authorized by law.

Section 1.2. Rights and liabilities.

By the name of the City of Aspen, the municipal corporation shall have perpetual succession; shall own, possess and hold all property, real and personal heretofore owned, possessed and held by said City of Aspen, and shall assume and manage and dispose of all trusts in any way connected therewith; shall succeed to all the rights and liabilities and shall acquire all benefits, and shall assume and pay all bonds, obligations and indebtedness of said City of Aspen; by the name of the City of Aspen, may sue and defend, plead and be impleaded, in all courts and places, and in all matters and proceedings; may have and use a common seal and alter the same at pleasure.

Section 1.3. Form of government.

The municipal government provided by this Charter shall be known as the "Council-Manager Government." Pursuant to its provisions and subject only to limitations imposed by the State Constitution and by this Charter, all powers of the City shall be vested in an elective mayor and council, hereafter referred to as "the council," which shall enact local legislation, adopt budgets, determine policies and appoint the city manager, who shall execute the laws and administer the City government. All powers of the City shall be exercised in the manner prescribed by this Charter, or if the manner be not so prescribed then in such manner as may be prescribed by ordinance.

Section 1.4. Powers.

The City shall have all the powers granted to municipal corporations and to cities by the constitution and general laws of this state together with all the implied powers necessary to carry into execution all the powers granted. The City may acquire property within and without its corporate limits for any City purpose, by purchase, gift, lease or condemnation, and may sell, lease, mortgage, hold, manage, and control such property as its interests may require; and, except as prohibited by the constitution of this state or restricted by this Charter, the City shall and may exercise all municipal powers, functions, rights and privileges of every nature whatsoever. The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City shall have and may exercise all powers which under the State Constitution, it would be competent for this Charter specifically to enumerate.

ARTICLE II ELECTIONS

Section 2.1. Colorado Municipal Election Laws adopted.

City elections shall be governed by the Colorado Municipal Election Laws as now existing or hereafter amended or modified except as otherwise provided by this Charter, or by ordinance hereafter enacted.

Section 2.2. Municipal elections.

A general municipal election shall be held on the first Tuesday of March in 2019, and biennially thereafter. The Mayor elected in March 2019 shall serve a term from the first regular meeting in June 2019 until the first regular meeting in April 2021. Thereafter, the term of the Mayor shall commence at the first regular meeting of April.

Council members elected in March 2019 shall serve a term from the first regular meeting in June 2019 until the first regular meeting in April 2023. Councilmembers elected in March 2021 shall serve a term from the first regular meeting in June 2021 until the first regular meeting in April 2025. Thereafter, the term of all council members shall start at the first regular meeting of April.

Any special municipal election may be called by resolution or ordinance of the council at least sixty (60) days in advance of such election. The resolution or ordinance calling a special municipal election shall set forth the purpose or purposes of such election. One or more vote centers for all municipal elections shall be open from 7:00 a.m. to 7:00 p.m. on election day. ([Election 11/6/2018](#))

Section 2.3. Election precincts.

The City shall constitute one voting precinct, provided that the council may for the convenience of voters, establish three (3) or more precincts forty-five (45) days or more prior to any election, by ordinance. The precincts so established by ordinance shall remain for subsequent elections until otherwise provided by ordinance. The council shall determine the maximum number of electors for each precinct, and each precinct shall be substantially equal in the number of electors.

Section 2.4. Election commission.

An election commission is hereby created, consisting of the city clerk and two (2) qualified and registered electors of the city, who during their term of office shall not be city officers or employees or candidates or nominees for elective city office. These two (2) members shall be appointed by the council in the first July following a regular city election for a term of two (2) years, and shall serve without compensation. The city clerk shall be chairman. The election commission shall have charge of all activities and duties required of it by statute and this Charter relating to the conduct of elections in the city. In any case where election procedure is in doubt, the election commission shall prescribe the procedure to be followed.

The commission shall provide procedures to establish proof of residency qualification where residency is in question. Upon a showing for good cause, the commission may require proof of residency by any person registered to vote or attempting to register to vote in the City of Aspen. Said person shall not be qualified to vote in any municipal election until the commission is satisfied that he has presented sufficient proof of residency as required by law or by ordinance adopted pursuant to this Charter.

The election commission shall provide for ballots and sample ballots or voting machines, for determination of the winner in the event of a tie vote, for canvass of returns, and for issuance of appropriate certificates.

Section 2.5. Recall.

Any elected officer of the City may be recalled at any time after six (6) months in office by the electors entitled to vote for a successor of such incumbent through the procedure and in the manner provided for in Article XXI of the Constitution and Part 5, Article 4 of Title 31 of Colorado Revised Code, as may be amended from time to time. Any five (5) qualified electors may commence recall proceedings by filing with the clerk an affidavit stating that they will constitute the petitioner's committee and be responsible for circulat-

ing the petition and filing it in proper form, and stating the name and address of one person to which all notices to the committee are to be sent. ([Ord. No. 42-2003, § 1](#))

Section 2.6. Non-partisan elections.

All elections shall be non-partisan. No candidate for any municipal office shall run under a party label of any kind.

Section 2.7. Run-off elections

In the event a run-off election is necessitated for the offices of mayor or member of Council, said election shall be held the first Tuesday in April following the municipal election. The run-off election shall be held in the same manner as the municipal election, except:

- (a) Certificate of candidates and publication of election notice shall be on or before the tenth (10th) day before the run-off election.
- (b) If a run-off for mayor is required, the two (2) persons with the highest number of votes for mayor in the municipal election shall appear on the ballot for mayor.
- (c) If a run-off election is required for two vacancies for City Council, then the four (4) persons with the highest number of votes for the office of member of Council in the municipal election shall appear on the ballot for members of Council. The two persons receiving the highest number of votes in the run-off election shall be elected for a four year term. In this event, each voter shall be allowed to cast two votes for the office of member of Council.
- (d) If a run-off election is required for one vacancy for the office of member of Council then the two (2) persons with the highest number of votes for that office in the municipal election shall appear on the ballot for member of Council. The person receiving the highest number of votes in the run-off election shall be elected for a four year term. In this event, each voter shall be allowed to cast one vote for the office of member of Council.
- (e) The names of candidates shall be arranged in the same order as they appeared in the municipal election.

As soon as the polls are closed after every run-off election, the judges shall determine the number of votes cast for each candidate and make return thereof to the city clerk and the candidates receiving the greatest number of votes cast at said election shall be declared elected.

([Ord. 38-2007](#); [Ord No. 39-2000, § 1](#); [Ord. No. 20-2010§1 \(part\]](#); [Election 11/6/2018](#))

ARTICLE III COUNCIL

Section 3.1. The council.

The City shall be governed by a council of four (4) councilmen and a mayor. All councilmen and mayor shall be nominated and elected at large from the entire City. ([Ord. No. 46-1980, § 1](#))

Section 3.2 Terms of office for members of Council.

The terms of office for members of Council shall be for four (4) years. Each voter shall be allowed to vote for two candidates for the office of member of Council. At all municipal elections, the two (2) candidates receiving the highest number of votes shall be elected for a four year term, provided that the candidate receives forty-five percent (45%) plus one vote, or more, of the votes cast for the office (“votes cast for the office” shall be calculated by dividing the sum of all votes cast for all city council candidates by two (2).) In the event that the number of elected candidates shall be less than the number of vacancies following the municipal election, the run-off election shall be held in accordance with Section 2.7.

([Ord. No. 46-1980, § 1](#); [Ord. No. 39-2000, § 1 \(part\)](#); [Ord. No. 38-2007](#); [Ord. No. 20-2010§2](#)))

Section 3.3 Mayor.

The mayor shall be elected at large for the entire city for a term of two (2) years. The candidate receiving the highest number of votes shall be elected mayor, provided that the candidate receives fifty percent (50%) plus one vote, or more, of the votes cast for the office of mayor. In the event that no candidate shall have received fifty percent plus one vote, or more, of the votes cast for the office of mayor, then a run-off election shall be held in accordance with Section 2.7.

The mayor shall preside at meetings of the Council and shall exercise such powers and perform such other duties as are or may be conferred and imposed upon him or her by this Charter or the ordinances of the City. He or she shall have all of the powers, rights, privileges and obligations of a member of Council. He or she shall be recognized as the head of the government for all ceremonial and legal purposes and he or she shall execute and authenticate legal instruments requiring his or her signature as such official. ([Ord. 39-2000, § 1](#); [Ord. 20-2010 §3 \(part\)](#))

Section 3.4. Powers of council.

The council shall be the legislative and governing body of the City and shall exercise, except as otherwise provided in this Charter, all powers conferred upon or possessed by the City and shall adopt such laws, ordinances and resolutions as it shall deem proper.

Section 3.5. Qualifications.

Each councilman and the mayor when nominated and elected shall be an elector of the City and a citizen of the United States for at least one (1) year and shall have resided in the City of Aspen for at least one (1) year. No councilman or the mayor shall be a salaried employee of the City during his term of office, perform

personal services for the City for which he is compensated other than as provided in Section 3.6. The council shall be the judge of election and qualifications of its own members.

Section 3.6. Compensation.

The members of the council shall receive such compensation, and the mayor such additional compensation, as the council shall prescribe by ordinance; provided, however, that the compensation of any member during his term of office shall not be increased or decreased. The mayor and councilmen may, upon order of the council, be paid their actual and necessary expenses incurred in the performance of their duties of office.

Section 3.7. Mayor pro-tem.

The mayor pro-tem shall be elected by council from its own membership. Said election shall take place at the organizational meeting following each general municipal election. The mayor pro-tem shall serve until the next organizational meeting unless sooner removed by a majority vote of the entire council. In the absence or disability of the mayor, the mayor pro-tem shall perform all duties and have all powers of the mayor. In the event of a vacancy in the office of mayor pro-tem, the council shall choose his successor.

Section 3.8. Vacancies.

An elected officer shall continue to hold his office until his successor is duly qualified or until a vacancy is created as set forth herein. An elective office shall become vacant whenever any officer is recalled, dies, becomes incapacitated, resigns, commences or continues service as an elected official for another governmental entity including any county or state elected office, ceases to be a resident of the City, or is convicted of a felony.

(b) In the event of any vacancy in an elective office created pursuant to terms of subsection (a), above, the position shall be filled as follows:

(1) In the event of any vacancy, the seat may be filled by appointment of the remaining Council members. The selection of the appropriate individual may be made through any selection procedure or method that the majority of the Council deems appropriate, including but not limited to such election methods as approval voting or cumulative voting. Such selection shall be completed within thirty (30) days of the creation of the vacancy. An individual appointed by Council shall serve until the next general municipal election. If Council by a majority vote decides not to or otherwise fails to make such appointment within thirty (30) days of the creation of the vacancy, then such vacancy shall be filled by the voters of the City of Aspen, as set forth in subsections (b) (2) and (3), below.

(2) In the event Council by a majority vote decides not to make an appointment or otherwise fails to make such appointment within thirty (30) days of the creation of the vacancy as set forth in paragraph (b) (1) of this Section, or if three (3) or more vacancies exist simultaneously, or if a vacancy occurs because of a recall of a Council member, then such vacancy or vacancies shall be filled by the voters of the City of Aspen in the next available previously scheduled state or county election, the next general municipal election or a special election set by the Council, whichever is earlier. If the vacancy is filled by election, the elected individual shall serve the remainder of the vacated term.

(3) In the event that a vacancy is filled by an election conducted as part of a coordinated state or county election, at a general municipal election or at a special election, such election shall be conducted and determined pursuant to state statute and Articles II and III of this Charter, except as provided below:

(i) If there is one vacancy for Council to be filled, the candidate receiving fifty-percent plus one of the votes shall be deemed elected.

(ii) In the event of an election to fill a vacancy, whether for Council or for Mayor, if no candidate receives the number of votes needed to be deemed elected, then a run-off of the two candidates with the highest vote totals shall be held on the Tuesday five weeks following the initial election.

(iii) The Candidate elected pursuant to this Section shall be sworn into office at the next regular council meeting following the certification of the election.

(c) Notwithstanding any provision to the contrary set forth in this section 3.8, the city council may, by ordinance, adopt special procedures for the election of the successor to a recalled councilmember or the mayor, such election to be held simultaneously with the recall election.

[\(Ord. No. 48-1974; Ord. No. 18-1979; Ord. No. 24-2014\)](#)

Section 3.9. Oath of office.

Before entering upon the duties of his office, every councilman, the mayor and other city officers shall take, subscribe before, and file with the city clerk, an oath or affirmation that he will support the Constitution of the United States, the Constitution of the State of Colorado, this Charter and the ordinances of the City and will faithfully perform the duties of the office.

Section 3.10. Term Limits

(a) No person shall serve more than 3 consecutive terms in the office of Mayor.

(b) No person shall serve more than 2 consecutive terms in the office of City Council.

(c) For the purposes of this section, the office of Mayor and the office of City Council are considered separate and distinct offices.

(d) No person shall serve more than a total of fourteen (14) consecutive years in the offices of Mayor and City Council.

(e) For the purposes of this section, terms and years are considered consecutive unless they are at least four years apart.

(f) A person is deemed to have completed a full term of office (four full years for Council and two full years for Mayor), if such person resigns prior to expiration of the term or is appointed or elected to fill a vacancy.

[\(Ord. No. 25-2014\)](#)

ARTICLE IV

COUNCIL PROCEDURE

Section 4.1. Regular meetings.

The council shall meet regularly at least twice each month at a day and hour to be fixed by the rules of council. The council shall determine the rules of procedure governing meetings. The first regular meeting in the month of April following each general municipal election shall be known as the organizational meeting of the council. ([Election 11/6/2018](#))

Section 4.2. Special meetings.

Special meetings shall be called by the city clerk on the written request of the mayor or of any two (2) members of the council, on at least twenty-four (24) hours written notice to each member of the council, served personally or left at his usual place of residence; a special meeting, however, may be held on shorter notice if all members of the council are present or have waived notice thereof in writing.

Section 4.3. Business at special meetings.

No business shall be transacted at any special meeting of the council unless it has been stated in the notice of such meeting. Any business which may lawfully come before a regular meeting may be transacted at a special meeting if all the members of the council present consent and all the members absent file their written consent.

Section 4.4. Quorum: Adjournment of meeting.

A majority of the members of the council in office at the time shall be a quorum for the transaction of business at all council meetings, but in the absence of a quorum a lesser number may adjourn any meeting to a later time or date, and in the absence of all members the city clerk may adjourn any meeting for not longer than one week.

Section 4.5. Meetings to be public.

All regular and special meetings of the council shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules and regulations as the council may prescribe.

Section 4.6. Council acts.

The council shall act only by ordinance, resolution or motion. All legislative enactments shall be in the form of ordinances; all other actions, except as herein provided, may be in the form of resolutions or motions. A true copy of every resolution as hereafter adopted shall be numbered and recorded in the official records of the city.

Section 4.7. Voting.

The vote by "Yes" and "No" shall be taken upon the pass age of all ordinances and resolutions, and entered upon the minutes of the council proceedings. Every ordinance shall require the affirmative vote of a majority of the entire council for final passage. Resolution and motions shall require the affirmative vote of a majority of the members present. No member of the council shall vote on any question in which he has a substantial personal or financial interest, other than the common public interest, or on any question concern-

ing his own conduct, and in said instances the member shall disclose this interest to the council. On all other questions each member who is present shall vote when his name is called. Any member refusing to vote except when not so required by this paragraph shall be guilty of misconduct in office.

Section 4.8. Action by ordinance required.

In addition to such acts of the council as are required by other provisions of this Charter to be by ordinance, every act making an appropriation, creating an indebtedness, authorizing borrowing of money, levying a tax, establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance; provided, however, that this section shall not apply to the budget adoption in Section 9.8. Ordinances making appropriations shall be confined to the subject of appropriation.

Section 4.9. Form of ordinance.

Every ordinance shall be introduced in written or printed form. The enacting clause of all ordinances shall be BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO. Except as otherwise provided in this article, all ordinances shall take effect thirty days after final passage or a later date as specified in the ordinance. ([Ord. No. 42-2003, § 2](#))

Section 4.10. Procedure.

Except for emergency ordinances, ordinances making general codification of existing ordinances, and ordinances adopting standard codes, the following procedure for enactment of ordinances shall be followed:

- (a) The ordinance shall be introduced at any regular meeting of the council by any member thereof.
- (b) The ordinance shall be read in full or, in cases where copies of the ordinance are available to the council and to those persons in attendance at said council meeting, said ordinance may be read by title only.
- (c) After the first reading of the ordinance, the same shall be approved or rejected by a vote of the council.
- (d) If the ordinance is approved on first reading, it shall be published in full unless otherwise provided herein. The council shall set a day, hour, and place at which council shall hold a public hearing on the ordinance and notice of said day, hour and place shall be included in the first publication.
- (e) The ordinance shall be introduced at council a second time, at a meeting not earlier than seven (7) days after first publication, for final approval, rejection, or other action as may be taken by vote of the council. This meeting may be the same meeting at which the public hearing on the ordinance is held. The ordinance may be amended before final approval by vote of the council.
- (f) Except as otherwise provided herein, an ordinance, if amended, shall be published in full after final passage, but if not amended, it shall be published either by title or in full as the council may determine.
- (g) Whenever an ordinance shall be published by reference or by title, the publication shall contain a summary of the subject matter of said ordinance and shall contain a notice to the public that copies of the proposed ordinance are available at the office of the city clerk. The publication of any ordi-

nance by reference or by title as provided herein must set forth in full any penalty clause contained in said ordinance.

(h) Whenever an ordinance is required to be published in full or by title pursuant to this Article IV of the Aspen Home Rule Charter, it may be made by posting the same on the City's internet website, www.aspenpitkin.com, or successor website. Said publication shall be made available for viewing by the public for a minimum of 30 days.

([Ord. 19, 2010](#))

Section 4.11. Emergency ordinances.

Emergency ordinances for the preservation of public property, health, peace, or safety shall be approved only by the unanimous vote of council members present or a vote of four (4) council members, whichever is less. The facts, showing such urgency and need shall be specifically stated in the measure itself. No ordinance making a grant of any special privilege, levying taxes, or fixing rates charged by any city-owned utility shall ever be passed as an emergency measure. An emergency ordinance shall require passage at two (2) meetings of the council. However, neither a public hearing nor a first publication as provided in Section 4.10 shall be required. An emergency ordinance shall take effect upon final passage. Publication shall be within ten (10) days after final passage, or as soon thereafter as possible. (Ref. of 5-5-87)

Section 4.12. Codification.

The council shall cause the ordinances to be codified and thereafter maintained in current form. Revisions to the codes may be accomplished by reference as provided in Section 4.13.

Section 4.13. Codes.

Standard codes, promulgated by the Federal Government, the State of Colorado, or by any agency of either of them, or by any municipality within the state of Colorado, or by recognized trade or professional organizations, or amendments or revisions thereof, may be adopted by reference; provided the publication of the ordinance adopting any said code shall advise that copies are available for inspection at the office of the city clerk, and provided that any penalty clause may be adopted only if set forth in full and published in the adopting ordinance.

Section 4.14. Disposition of ordinances.

A true copy of every ordinance, as adopted by council shall be numbered and recorded in the official records of the City. Its adoption and publication shall be authenticated by the signature of the mayor, or mayor pro-tem, and the city clerk, and by the certificate of publication. A true copy of every ordinance, as adopted by the vote of the electors of the City, shall be separately numbered and recorded commencing with Peoples' Ordinance No. 1.

Section 4.15. Public records.

All public records of the City of Aspen shall be open for inspection by any person at reasonable times in accordance with state statutes existing at the present time or hereafter enacted.

ARTICLE V

INITIATIVE AND REFERENDUM

Sec. 5.1. General authority.

(a) Initiative. The registered electors of the City may initiate a proposed ordinance, pursuant to the initiative power reserved by Article V, Section 1(9) of the State Constitution, as to any legislative matter which is subject to said legislative power.

(b) Referendum. The registered electors of the City may require an adopted ordinance to be referred to them at an election, pursuant to the referendum power reserved by Article V, Section 1(9) of the State Constitution, to the extent the ordinance constitutes a legislative matter that is subject to said referendum power. ([Ord. No. 42-2003, § 3](#))

Section 5.2. Manner and procedure for exercising the powers of initiative and referendum.

The manner and procedure for exercising the powers of initiative and referendum shall be as set forth in Article 11 of Title 31 of the Colorado Revised Statutes, as may be amended from time to time by the state legislature; except as otherwise provide in this Charter. ([Ord No. 42-2003, § 3](#))

Section 5.3. Exceptions to state statutes.

Notwithstanding any language to the contrary contained in Article 11 of Title 31 of the Colorado Revised Statutes, as amended, the following manner and procedure shall apply for exercising the powers of initiative and referendum in the City:

(a) Number of signatures. Initiative petitions must be signed by electors of the City in number to at least fifteen (15) percent of the total number of electors registered to vote at the last general municipal election. Referendum petitions must be signed by electors of the City equal in number to at least ten (10) percent of the total number of electors registered to vote at the last general municipal election.

(b) Supplementing petitions. An original petition certified insufficient for lack of the required number of valid signatures may be amended once if all persons designated in the original petition as representing the signers on matters affecting the petition file a notice of intent to amend it with the city clerk within two (2) days after receiving the copy of the certificate and file a supplementary petition upon additional forms within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of state statutes for the form of the original petitions, and five (5) days after it is filed, the city clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to all persons designated in the petition as representing the signers on matters affecting the petition as in the case of an original petition. Upon the filing of a notice of intent to amend, the ordinance shall be suspended from taking effect as provided by state statute upon the filing of an original petition. ([Ord. No. 42-2003, § 3](#))

Section 5.4. Amendments or repeal of adopted or repealed ordinances.

An ordinance adopted by the electorate may not be amended or repealed for a period of six (6) months after the date of the election at which it was adopted, and an ordinance repealed by the electorate may not be re-enacted for a period of six (6) months after the date of the election at which it was repealed; provided, however, that any ordinance may be adopted, amended or repealed at any time by appropriate referendum or

initiatory procedure in accordance with the foregoing provisions of this article, or if submitted to the electorate by the council on its own motion. ([Ord. No. 42-2003, § 3](#))

Section 5.5. Submission by council.

The council on its own motion, shall have the power to submit at a general or special election any proposed ordinance or question to a vote of the people in a manner as in this article provided. ([Ord. No. 42-2003, § 3](#))

Section 5.6. Action on petitions.

(a) Action by council. When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative ordinance in the manner provided in Article IV or reconsider the referred ordinance by voting its repeal; provided, however, that the council shall have power to change the detailed language of any proposed initiative ordinance so long as the general character of the measure will not be substantially altered; and provided further, that repeal of any referred ordinance may be effected only by a three-fourths majority vote of the entire council.

(b) Submission to voters. The vote of the City on a proposed or referred ordinance shall be held not less than thirty (30) days and not later than ninety (90) days from the date of the final council vote thereon. If no regular city election is to be held within the period prescribed in this subsection, the council shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election, except that the council may in its discretion provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred ordinance shall be made available to the public within a reasonable time before the election and also at the polls at the time of the election.

(c) Withdrawal of petitions. An initiative or referendum petition may be withdrawn at any time prior to the fifteenth day preceding the day scheduled for a vote of the City by filing with the city clerk a request for withdrawal signed by at least three (3) members of the petitioners' committee. Upon the filing of such request the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Section 5.7. Submission by council.

The council on its own motion, shall have the power to submit at a general or special election any proposed ordinance or question to a vote of the people in a manner as in this article provided.

Section 5.8. Results of election.

(a) Initiative. If a majority of the electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(b) Referendum. If a majority of the electors voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results.

(c) An ordinance adopted by the electorate may not be amended or repealed for a period of six (6) months after the date of the election at which it was adopted, and an ordinance repealed by the electorate may not be re-enacted for a period of six (6) months after the date of the election at which it was repealed; provided, however, that any ordinance may be adopted, amended or repealed at any time by appropriate referendum

or initiatory procedure in accordance with the foregoing provisions of this article, or if submitted to the electorate by the council on its own motion.

ARTICLE VI

CITY ADMINISTRATION

Section 6.1. Manager.

The city manager shall be the chief administrative officer of the City. The council, by a majority vote, shall appoint a city manager within a reasonable time whenever a vacancy exists in such position. Such appointment shall be without definite term and shall be at a salary to be fixed by council. The manager shall be appointed without regard to any consideration other than his fitness, competency, training and experience as a manager. At the time of his appointment, he need not be a resident of the City or State, but during tenure of office he shall reside within the City except at the discretion of the council. No member of the council shall be appointed manager during the term for which he shall have been elected, nor within one year after the expiration of his term.

Section 6.2. Acting manager.

The council may appoint an acting city manager during the period of vacancy in the office, or during the absence or disability of the city manager. Such acting city manager shall, while he is in such office, have all the responsibilities, duties, functions and authority of the city manager.

Section 6.3. Powers and duties.

The manager shall be responsible to the council for the proper administration of all affairs of the City placed in his charge, and to that end he shall have the power and duty and be required to:

- (a) Be responsible for the enforcement of the laws and ordinances of the City;
- (b) Hire, suspend, transfer and remove city employees;
- (c) Make appointments on the basis of executive and administrative ability and of the training and experience of such appointees in the work which they are to perform;
- (d) Cause a proposed budget to be prepared annually and submit it to the council and be responsible for the administration of the budget after its adoption;
- (e) Prepare and submit to the council as of the end of the fiscal year a complete report on finances and administrative activities of the City for the preceding year, and upon request of the council make written or verbal reports at any time concerning the affairs of the City under his supervision;
- (f) Keep the council advised of the financial condition and future needs of the City and make such recommendations to the council for adoption as he may deem necessary or expedient;
- (g) Exercise supervision and control over all executive and administrative departments, and recommend to the council any proposal he thinks advisable to establish, consolidate or abolish administrative departments;

(h) Be responsible for the enforcement of all terms and conditions imposed in favor of the City in any contract or public utility franchise, and upon knowledge of any violation thereof, report the same to the council for such action and proceedings as may be necessary to enforce the same;

(i) Attend council meetings and participate in discussions with the council in an advisory capacity;

(j) Establish a system of accounting and auditing for the City which shall reflect, in accordance with generally accepted accounting principles, the financial condition and financial operation of the City;

(k) Provide for engineering, architectural, maintenance and construction services required by the City; and

(l) Perform such other duties as may be prescribed by this Charter, or by ordinance, or required of him by council which are not inconsistent with this Charter.

Section 6.4. Removal of manager.

The council at a regular or special meeting may, upon the vote of the majority of the entire council, remove the city manager from office. Upon such termination the council may in its discretion provide termination pay.

Section 6.5. Relationship of council to administrative service.

Neither the council, its members, the mayor, nor any council committee shall dictate the appointment of any person to office by the city manager except as otherwise provided in this Charter or in any way interfere with the city manager or other city officer to prevent him from exercising his judgment in the appointment or employment of officers and employees in the administrative service. Except for the purpose of inquiry, the council, its members, the mayor, and any council committee shall deal with the administrative service solely through the city manager and neither the council, its members, the mayor, nor any council committee thereof shall give orders to any of the subordinates of the city manager.

Section 6.6. City clerk.

The manager with the approval of council shall appoint a city clerk, who shall be custodian of the city seal and who shall keep a journal of council proceedings and record in full all ordinances, motions and resolutions. He shall have power to administer oaths and take acknowledgments under seal of the City, and shall perform such other duties as required by this Charter, the council, or the manager.

Section 6.7. Director of finance.

There shall be a director of finance who shall be appointed by the city manager with approval of council, to serve at the pleasure of the city manager. The city manager may also appoint a deputy or deputies to serve under the supervision of the director of finance who shall have authority to act in the absence of the director of finance.

Section 6.8. Duties and powers of director of finance.

The director of finance shall also be the city treasurer. He shall keep and supervise all accounts; receive and have custody of all monies of the City; collect special city taxes, electric and water fees and

charges; issue licenses and collect fees therefor; make and keep public records of the City not specifically entrusted to any other department by this Charter or by ordinance; and perform such other duties pertaining to the department of finance as required by this Charter, the council or the manager.

Section 6.9. Departments created.

The administrative functions of the City shall be performed by the departments existing at the time this Charter is adopted and such other departments as may be hereafter established by ordinance. Upon recommendation of the city manager, the council may, by ordinance, consolidate or merge any of the said departments, whether set forth in this Charter or created by ordinance.

Section 6.10. Bonding of employees.

All city officials and employees dealing directly with municipal funds shall post bond in an amount and under such conditions as required by council.

Section 6.11. Community Development Director

The city manager with the approval of council shall appoint a Community Development Director, who shall serve at the pleasure of the city manager. The Community Development Director shall have such responsibilities and duties as set forth in the Aspen Land Use Code, as amended from time to time, or policies adopted by the City Manager. ([Ord 21-2016](#), adopted at November 8, 2016 election)

Section 6.12. Chief of Police

The city manager with approval of council shall appoint a Chief of Police, who shall serve at the pleasure of the city manager. The Chief of Police shall have such responsibilities and duties as set forth in the Municipal Code of the City of Aspen, as amended from time to time, or policies adopted by the City Manager. ([Ord 21-2016](#), adopted at November 8, 2016 election)

ARTICLE VII

LEGAL AND JUDICIARY

Section 7.1. City attorney.

The council shall appoint a city attorney to serve at the pleasure of council. He shall be an attorney-at-law admitted to practice in Colorado. The city attorney shall be the legal representative of the City and he shall advise the council and city officials in matters relating to their official powers and duties and perform such other duties as council may prescribe by ordinance or resolution. The council may provide the city attorney such assistants as council may deem necessary, and may on its own motion or upon request of the city attorney in special cases employ special counsel to serve under the direction of the city attorney. Council shall establish compensation for the city attorney, his assistants and special counsel.

Section 7.2. Judiciary.

(a) Municipal judge. There shall be a municipal court vested with exclusive original jurisdiction of all criminal and traffic causes arising under the ordinances of the city and as may be conferred by law. The

municipal court shall be presided over and its functions exercised by a judge appointed by the council for a specified term of no less than two (2) years. The council may re-appoint the municipal judge for a subsequent term or terms, except that the initial appointment may be for a term of office, which expires on the date of the organizational meeting of the council after the next general election. Any vacancy in the office of the municipal judge shall be filled by appointment by the council for the remainder of the unexpired term. The municipal judge shall be an attorney-at-law admitted to practice in the State of Colorado.

(b) Deputy judges. Council may appoint one or more deputy judges as it deems necessary. The deputy municipal judges shall all have the powers of the municipal judge when called upon to act by the municipal judge or the council. In the event that more than one municipal judge is appointed, the council shall designate a presiding municipal judge, who shall serve in his capacity during the terms for which he was appointed. The deputy municipal judges shall be attorneys admitted to practice in the State of Colorado and serve at the pleasure of the council.

(c) Compensation. The municipal judge shall receive a fixed salary or compensation set by the council which salary or compensation shall not be dependent upon the outcome of the matters to be decided by the municipal judge. The deputy municipal judge may receive such compensation for services rendered as council may determine.

(d) Removal. Any municipal judge may be removed during his term of office only for cause. A judge may be removed for cause if:

- (1) He is found guilty of a felony or any other crime involving moral turpitude;
- (2) He has a disability which interferes with the performance of his duties, and which is, or is likely to become, of a permanent character;
- (3) He has willfully or persistently failed to perform his duties; or
- (4) He is habitually intemperate. ([Ord No. 14-2005](#))

ARTICLE VIII

BOARDS AND COMMISSIONS

Section 8.1. Existing boards and commissions.

All existing boards and commissions, including the city planning commission, board of zoning adjustment and board of examiners and appeals, shall continue as established by ordinance, except as otherwise provided by ordinance or this Charter.

Section 8.2. Composition of boards and commissions.

No member of the city council, the mayor, any city employee, nor any appointed city official shall serve on any permanent board or commission heretofore established or hereafter established by council during his or her tenure as councilman, mayor, city employee or appointed official. Every member of a permanent board or commission established by this Charter and appointed by council shall be a resident of the City of Aspen for at least one (1) year and shall be a qualified elector, with the exception of the board of appeals and examiners which shall be composed of members who are either residents of the City of Aspen or of the Pitkin County for at least two (2) years. Terms of appointment to such boards and commissions shall not exceed

four (4) years. There shall be no limitation on the number of terms a member may serve on any permanent board or commission. ([Ord. No. 49-1980, § 1](#); [Ord. No. 35-2001, § 1](#))

Section 8.3. Vacancies.

Whenever a vacancy occurs on any board or commission, the council shall cause public notice of such vacancy to be made and encourage volunteers to seek appointment to such board or commission.

Section 8.4. Right to establish.

In addition to those boards and commissions heretofore created by ordinance, council shall have the power and authority to create boards and commissions including advisory and appeal boards. All permanent boards and commissions including advisory and appeal boards shall be created by ordinance, which shall set forth the powers and duties delegated to such boards and commissions. Initial appointments by the council to any board or commission shall specify the terms of office of each individual in order to achieve over-lapping tenure. All members, however, shall be subject to removal by the council. The council shall also make appointments to fill vacancies for the unexpired terms. Each board and commission shall elect its own chairman and vice-chairman from among its members. Each board and commission shall operate in accordance with its own rules of procedure except as otherwise directed by the council. All meetings of any board or commission shall be open to the public. Any board or commission created under this article which is not required by statute or this Charter may be abolished by the council.

ARTICLE IX

CITY FINANCES

Section 9.1. Fiscal year.

The fiscal year of the City shall begin on the first day of January and end on the last day of December.

Section 9.2. Submission of budget and budget message.

The city manager, prior to the beginning of each fiscal year, shall submit to the council the budget for said ensuing fiscal year and an accompanying message.

Section 9.3. Budget message.

The manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues, together with the reasons for such changes, summarize the City's debt position, and include such other material as the manager deems desirable or which the council may require.

Section 9.4. Budget content.

The budget shall provide a complete financial plan of all municipal funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the manager deems desirable or the council may require. In organizing the budget, the manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents and shall be so arranged as to show comparative figures for

actual and estimated income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (a) Anticipated revenues classified as cash surplus, miscellaneous revenues, and amount to be received from property tax; cash surplus being defined for purposes of this article as the amount by which cash is expected to exceed current liabilities and encumbrances at the beginning of the ensuing fiscal year;
- (b) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs, and the method of financing such expenditures;
- (c) A reasonable provision for contingencies;
- (d) A capital depreciation fund;
- (e) Required expenditures for debt service, judgments, cash deficient recovery and statutory expenditures;
- (f) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each such capital expenditure;
- (g) Anticipated net surplus or deficit for the ensuing fiscal year for each utility owned or operated by the City and the proposed method of its disposition; subsidiary budgets for each such utility giving detailed income and expenditure information shall be attached as appendices to the budget;
- (h) The total of proposed expenditures and provision for contingencies shall not exceed the total of estimated revenue.

Section 9.5. Capital program.

- (a) Submission. The manager, with such assistance as the council may direct, shall prepare and submit to the council a long-range capital program, simultaneously with his recommended budget.
- (b) Contents. The capital program shall include:
 - (1) A clear general summary of its contents;
 - (2) A list of all capital improvements which are proposed to be undertaken during the following fiscal years, with appropriate supporting information as to the necessity for the improvement;
 - (3) Cost estimates, method of financing and recommended schedules for each such improvement; and
 - (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

This information may be revised or extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Section 9.6. Budget hearing.

A public hearing on the proposed budget and proposed capital program shall be held by the council on any date at least fifteen (15) days prior to the final day established by law for the certification of the ensuing

year's tax levy to the county. Notice of the time and place of such hearing shall be published one time at least seven (7) days prior to the hearing.

Section 9.7. Council amendments.

After the public hearing, the council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit.

Section 9.8. Council adoption.

The council shall adopt the budget by resolution on or before the final day established by law for the certification of the ensuing year's tax levy to the county. If it fails to adopt the budget by this date, the amounts appropriated for the current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it pro-rated accordingly, until such time as the council adopts the budget for the ensuing fiscal year.

Section 9.9. Property tax levy.

Adoption of the budget by council shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed. Council shall cause the same to be certified to the county as required by law.

Section 9.10. Contingencies.

The budget may include an item for contingencies. Except in those cases where there is no logical account to which an expenditure can be charged, expenditures shall not be charged directly to contingencies; but instead, the necessary part of the appropriation for contingencies shall be transferred to the logical account, and the expenditure charged to such account. No such transfer shall be made without the express approval of the council, and then only for expenditures which could not readily be foreseen at the time the budget was adopted.

Section 9.11. Public records.

Copies of the budget and the capital program as adopted shall be public records and shall be made available to the public in the municipal building.

Section 9.12. Amendments after adoption.

(a) Supplemental appropriations. If during the fiscal year the manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

(b) Emergency appropriations. To meet a public emergency affecting life, health, property or the public peace, the council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with provisions of Section 4.11. To the extent that there are no available unappropriated revenues to meet such appropriations, the council may by emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

(c) Reduction of appropriations. If at any time during the fiscal year it appears probable to the manager that the revenues available will be insufficient to meet the amount appropriated, he shall report to the council without delay, indicating the estimated amount of the deficit, any remedial action taken by him and his recommendation as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may by ordinance reduce one or more appropriations.

(d) Transfer of appropriations. Any time during the fiscal year the manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the manager, the council may by resolution transfer part or all of any unencumbered appropriation balance from one department, office, agency, or object to another.

(e) Limitation. Effective date. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriation and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Section 9.13. Administration of budget.

(a) Work programs and allotments. The manager may require each department, office or agency to submit work programs for the ensuing fiscal year showing the requested allotment of its appropriation by periods within the year. The manager shall review and authorize such allotments with or without revision as early as possible in the fiscal year. He may revise such allotments during the year if he deems it desirable and shall revise them to accord with any supplemental, emergency, reduced or transferred appropriation made pursuant to Section 9.12.

(b) Payments and obligations prohibited. No payments shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the manager first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation, and he shall also be liable to the city for any amount so paid. However, except where prohibited by law, nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided that such act was made or approved by ordinance.

(c) Monthly budget report. The city manager shall submit to the council a list of budget accounts, bank reconciliations, the status of each budget account, and such other budgetary information as may be required by council in the form of a monthly budget report.

Section 9.14. Independent audit.

An independent audit shall be made of all city accounts at least annually, and more frequently if deemed necessary by the council. Such audit shall be made by certified or registered public accountants, experienced in municipal accounting, selected by the council. Copies of such audit shall be made available for public inspection at the municipal building.

ARTICLE X

MUNICIPAL BORROWING

Section 10.1. Forms of borrowing.

The City may borrow money and issue the following securities to evidence such borrowing:

- (a) Short-term notes,
- (b) General obligation bonds and other like securities,
- (c) Revenue bonds and other like securities,
- (d) Local improvement bonds and other like securities.

Section 10.2. Short-term notes.

The municipal government, upon the affirmative vote of the majority of the entire council, may borrow money without an election in anticipation of the collection of taxes or other revenues and to issue short-term notes to evidence the amount so borrowed. Any such short-term notes shall mature before the close of the fiscal year in which the money is borrowed.

Section 10.3. General obligation bonds.

No bonds or other evidence of indebtedness payable in whole or in part from the proceeds of general property taxes or to which the full faith and credit of the City are pledged, shall be issued, except in pursuance of an ordinance, nor until the question of their issuance shall, at a special or general election, be submitted to a vote of the electors and approved by a majority of those voting on the question; qualified electors of the City shall mean those duly qualified to vote at a general or special election in the City of Aspen unless the city council for sufficient reason shall by ordinance calling the election, restrict or limit such classification of electors to taxpaying electors as may be defined by ordinance adopted by the city council, provided, however, that such securities issued for acquiring utilities and rights thereto, or acquiring improving or extending any municipal utility system, or any combination of such purposes, may be so issued without an election.

Section 10.4. Limitation of indebtedness.

The City shall not become indebted for any purpose or in any manner in an amount which, including existing indebtedness, shall exceed twenty (20) percent of the assessed valuation of the taxable property within the City, as shown by the last preceding assessment for City purposes; provided, however, that in determining the limitation of the City's power to incur indebtedness there shall not be included bonds issued for the acquisition or extension of a water system or public utilities; or bonds or other obligations issued for the acquisition or extension of enterprises, works or ways from which the City will derive a revenue in accordance with Section 10.5 of this article.

Section 10.5. Revenue bonds.

The City may borrow money, issue bonds, or otherwise extend its credit for purchasing, constructing, condemning, otherwise acquiring, extending, or improving a water, electric, gas or sewer system, or other public utility or income-producing project provided that the bonds or other obligations shall be made payable from the net revenues derived from the operation of such system, utility or project, and providing further that any two (2) or more of such systems, utilities, and projects may be combined, operated, and maintained as

joint municipal systems, utilities, or projects in which case such bonds or other obligations shall be made payable out of the net revenue derived from the operation of such joint systems, utilities or projects. Such bonds shall not be considered a debt or general obligation of the City for the purposes of determining any debt limitation thereof.

The City shall, in addition, have the authority to issue revenue bonds payable from the revenue or income of the system, utility or project to be constructed or installed with the proceeds of the bond issue, or payable in whole or in part from the proceeds received by the City from the imposition of a sales or use tax by the State of Colorado, or any agency thereof.

Such bonds shall not be considered a debt or general obligation of the City, and shall not be included as part of the indebtedness of the City for the purposes of determining any debt limitation thereof. The City shall further have the opportunity to issue revenue bonds for such purpose or purposes as may be more particularly set forth by an ordinance or ordinances of the City, the bonds to be payable in whole or in part from the proceeds of the Real Estate Transfer Tax imposed by the City. Such bonds shall not be considered a debt or a general obligation of the City, and shall not be included as part of the indebtedness of the City for purposes of determining any debt limitation thereof. Such Real Estate Transfer Tax shall not be considered a sales or use tax within the meaning of any provisions of this Charter relating to sales and use tax revenue bonds.

No revenue bonds shall be issued until the question of their issuance shall have been approved by a majority of the electors voting on the question at a regular or special election; provided, however, that revenue bonds payable solely from the proceeds of the Real Estate Transfer Tax may be issued without an election; and provided further, however, that industrial development revenue bonds may be issued pursuant to the provisions of the County and Municipal Development Revenue Bond Act and without an election. (Referendum of 4-6-71; [Ord. No. 48-1980](#))

Section 10.6. Refunding bonds.

The council may authorize, by ordinance, without an election, issuance of refunding bonds or other like securities for the purpose of refunding and providing for the payment of the outstanding bonds or other like securities of the City of the same nature, or in advance of maturity by means of an escrow or otherwise.

Section 10.7. Special or local improvement district bonds.

The City shall have the power to create local improvement districts and to assess the cost of the construction or installation of special or local improvements of every character against benefited property within designated districts in the City by:

(a) Order of council, subject, however, to protest by the owners of a majority of all property benefited and constituting the basis of assessment as the council may determine.

(b) On a petition by the owners of more than fifty (50) percent of the area of the proposed district, provided that such majority shall include not less than fifty (50) percent of the landowners residing in the territory.

In either event, a public hearing shall be held at which all interested parties may appear and be heard. Right to protest and notice of public hearing shall be given as provided by council by ordinance. Such improvements shall confer special benefits to the real property within said district and general benefits to the City at large. The council shall have the power by ordinance without an election to prescribe the method of making such improvements, of assessing the cost thereof, and of issuing bonds for cost of constructing or installing such improvements including the costs incidental thereto.

Where all outstanding bonds of a special or local improvement district have been paid and any monies remain to the credit of the district, they shall be transferred to a special surplus and deficiency fund and whenever there is a deficiency in any special or local improvement district fund to meet the payments of outstanding bonds and interest due thereon, the deficiency shall be paid out of said surplus and deficiency fund. Whenever a special or local improvement district has paid and cancelled three-fourths of its bonds issued, and for any reason the remaining assessments are not paid in time to take up the remaining bonds of the district and the interest due thereon, and there is not sufficient monies in the special surplus and deficiency fund, then the City shall pay said bonds when due and the interest due thereon, and reimburse itself by collecting the unpaid assessments due said district.

In consideration of general benefits conferred on the City at large from the construction or installation of improvements in improvement districts, the Council may levy annual taxes on all taxable property within the City at a rate not exceeding four (4) mills in any one year, to be disbursed as determined by the Council for the purpose of paying for such benefits, for the payment of any assessment levied against the City itself in connection with bonds issued for improvement districts, or for the purpose of advancing monies to maintain current payments of interest and equal annual payments of the principal amount of bonds issued for any improvement district hereinafter created. The proceeds of such taxes shall be placed in a special fund and shall be disbursed only for the purposes specified herein, provided that in lieu of such tax levies, the Council may annually transfer to such special fund any available monies of the City, but in no event shall the amount transferred in any one year exceed the amount which would result from a tax levied in such year as herein limited.

Section 10.8. Long term installment contracts, rentals and leaseholds.

In order to provide necessary land, buildings, equipment and other property for governmental or proprietary purposes, the City is hereby authorized to enter into long term installment purchase contracts and rental or leasehold agreements. Such agreements may include an option or options to purchase and acquire title to such property within a period not exceeding the useful life of such property, and in no case exceeding forty (40) years. Each such agreement and the terms thereof shall be approved by an ordinance duly enacted by the City. The city council is authorized and empowered to provide for the payment of said payments or rentals from a general levy imposed upon both personal and real property included within the boundaries of the City, or by imposing rates, tolls and service charges for the use of such property or any part thereof by others, or from any other available municipal income, or from any one or more of the above sources. Provided, that nothing herein shall be construed to eliminate the necessity of voter approval of a tax or levy if otherwise required by this Charter. The obligation to make any payments or pay any rentals shall constitute an indebtedness of the City within the meaning of the Charter limitation on indebtedness. Property acquired or occupied pursuant to this Charter shall be exempt from taxation so long as used for authorized governmental or proprietary functions of the City. ([Ord. No. 12-1975](#))

ARTICLE XI

PUBLIC UTILITIES AND FRANCHISES

Section 11.1. General powers.

The City shall have and exercise with regard to all utilities and franchises, all municipal powers, including without limitation, all powers now existing and which may be hereafter provided by the constitution and statutes. The right of the City to construct, purchase, or condemn any public utility, work or way, is expressly reserved. Except as otherwise provided by constitution, or this Charter, all powers concerning the granting, amending, revoking, or otherwise dealing in franchises shall be exercised by the council.

Section 11.2. Water rights.

The City shall have the power to buy, exchange, lease, own and control water rights.

Section 11.3. Utility rates and service areas.

The council shall by ordinance establish rates for services provided by municipality-owned utilities. All newly-annexed territory shall be served by municipal utilities within a reasonable period of time after annexation. If the council desires to extend the municipal water utility transmission lines beyond city boundaries, it shall do so by ordinance.

Section 11.4. Granting of franchises.

No franchise shall be granted except upon approval by a majority of the electors voting thereon.

Section 11.5. Franchise records.

The council shall cause to be kept in the office of the city clerk an indexed franchise record in which shall be transcribed copies of all franchises heretofore and hereafter granted. The index shall give the name of the grantee and any assignees. The record, a complete history of all such franchises, shall include a comprehensive and convenient reference to all actions at law affecting the same, and copies of all annual reports and such other matters of information and public interest as the council may from time to time require.

Section 11.6. Existing franchises.

All franchise ordinances of the City in effect at the time that this Charter is adopted shall remain in full force and effect according to their provisions and terms until the expiration date provided in such ordinance or until modified by another franchise as provided in Section 11.4.

ARTICLE XII

TAXATION

Section 12.1. Authority to levy taxes.

The council may levy and collect taxes for municipal purposes including, without limitation general ad valorem property taxes, and it may levy and collect special assessments for local improvements as provided in this Charter; provided, however, that no income tax, sales tax or excise tax shall be levied after the adoption of this Charter until such tax shall have been approved by majority of the electors voting at a regular or special election.

ARTICLE XIII

MISCELLANEOUS LEGAL PROVISIONS

Section 13.1. Eminent domain.

The City shall have the right to eminent domain as provided by the constitution and the statutes.

Section 13.2. Reservation of power.

The power to supersede any law of this state now or hereafter in force, insofar as it applies to local or municipal affairs shall be reserved to the City, acting by ordinance, subject only to restrictions of Article XX of the state constitution.

Section 13.3. Liability of City.

All claims and actions for the recovery of compensation for personal injury, death, or property damage against the City on account of its negligence shall be governed by the Colorado Governmental Immunity Act as now existing or as hereafter modified or amended. (Ord. 46-1992 §3, Election August 11, 1992)

Section 13.4. Restrictions on the sale or change in use of property.

Council shall not sell, exchange or dispose of public building, utilities or real property in use for public purposes, including real property acquired for open space purposes, without first obtaining the approval of a majority of the electors voting thereon. Additionally, the city council shall not cause or permit the change in use of the real property acquired for open space purposes, other than for recreational, agricultural or underground easement purposes, without first obtaining the approval of a majority of the electors voting thereon. No real property acquired for open space purposes shall be sold, exchanged, disposed of, or converted to other uses other than for recreational, agricultural or underground easement purposes, unless such open space is replaced with other open space property of equivalent or greater value as of the date of sale or conversion as determined by the City Council by resolution following a public hearing taking into consideration monetary, environmental, and aesthetic values. ([Ord. No. 14-1982](#); election 11/2/1999)

Section 13.5. Co-operative contracts.

The council may by resolution enter into contracts or agreements with other governmental units, special districts, or persons for the joint use of buildings, equipment, or facilities, or for furnishing or receiving commodities or services.

Section 13.6. Grants to regional service authorities.

In the interest of governmental services provided on a regional or area-wide basis and the benefits realized by the City of Aspen from said service, the council may by ordinance provide grants of municipal funds and services to regional service authorities existing at the time this Charter becomes effective or thereafter created.

Section 13.7. Bequests, gifts and donations.

Council, on behalf of the City, may receive or refuse bequests, gifts, and donations of all kinds of property in fee simple or in trust for public, charitable, or other purposes, and do all things and acts necessary to carry out the purpose of such gifts, bequests, and donations with power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust.

Section 13.8. Emergency powers.

In case of riot, insurrection or extra-ordinary emergency, the mayor, or in his absence, the manager, shall assume general control of the city government and all branches and be responsible for the suppression of disorders and the restoration of normal conditions. At any time of threatened or actual civil insurrection, the mayor shall:

- (a) Proclaim the existence and termination of a threatened or actual civil insurrection;
- (b) Request the governor's proclamation at his discretion if he believes that the resources and ability of the community are inadequate to cope with the peril;
- (c) Convene the council within two (2) days if it appears that the state of civil insurrection will continue for more than two (2) days;
- (d) Execute all his normal powers and all his special powers lawfully conferred upon him including, but not limited to, establishing written rules and regulations governing conduct and activities reasonably related to the protection of life and property and to the suppression of the civil insurrection.

Section 13.9. Severability of Charter provisions.

If any provision, section, article or clause of this Charter or the application thereof to any person or circumstance shall be found to be invalid by a court, such invalidity shall not affect any remaining portion or application of the Charter which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable, and to this end this charter is declared to be severable.

Section 13.10. Charter amendments.

This Charter may be amended at any time in the manner provided by the constitution. Nothing herein contained shall be construed as preventing the submission to the people of more than one Charter amendment at any one election. If provisions of two (2) or more proposed amendments adopted or approved at the same election conflict, the amendment receiving the highest affirmative vote shall become effective.

Section 13.11. Interpretations.

Except as otherwise specifically provided or indicated by the context hereof, all words used in this Charter indicating the present tense shall not be limited to the time of the adoption of this Charter but shall extend to and include the time of the happening of any event or requirement for which provision is made herein. The singular number shall include the plural, the plural shall include the singular and the masculine gender shall extend to and include the feminine gender and neuter, and the word "person" may extend and be applied to bodies politic and corporate and to partnerships as well as to individuals.

Section 13.12. Definitions.

As used in this Charter the following words and phrases shall have the following meanings:

- (a) *Appropriation.* The authorized amount of monies set aside for expenditures during a specified time for a specific purpose.
- (b) *City.* City of Aspen, Colorado, a municipal corporation.
- (c) *Council.* The city council of the City of Aspen, including the mayor, unless provided otherwise.
- (d) *Manager.* The city manager of the City of Aspen appointed pursuant to Section 6.1.
- (e) *Franchise.* An irrevocable privilege granted by the City permitting a specified use of public property for a specified length of time.

(f) *Employee.* A person employed by the City of Aspen.

(g) *General municipal election.* A municipal election held every two (2) years at which candidates for elective offices of the City are voted upon in accordance with this Charter.

(h) *Public utility.* Any person, firm, or corporation operating heat, power, or light systems, communication systems, water, sewer or scheduled transportation systems, and serving or supplying the public under a franchise granted by the City.

(i) *Officer.* Any person elected to office or appointed by council, including appointees to boards and commissions.

(j) *Constitution.* The Constitution of the State of Colorado.

(k) *Statutes.* The applicable laws of the State of Colorado as they now exist or as they may be amended, changed, repealed or otherwise modified by legislative procedure.

(l) *Elector.* A person qualified to vote under the Constitution and Statutes of the State of Colorado.

(m) *Permanent board or commission.* A board or commission intended by council to be a part of the permanent governmental structure of the City of Aspen as established by ordinance.

Section 13.13 Specially Designated Spaces.

(a) Specially Designated Spaces. The following City-owned properties are hereby identified as Specially Designated Spaces:

(1) The Ute Cemetery.

(2) The John Denver Sanctuary at the Rio Grande Park.

(b) Uses of Specially Designated Spaces. Notwithstanding any portion of the Municipal Code to the contrary, changes in the authorized uses of Specially Designated Spaces shall be by resolution approved by the unanimous vote of all council members. ([Ord. No. 34-2001, § 1](#))

Section 13.14 – Voter authorization of certain land use approvals.

(a) Any land use approval granted by the City of Aspen, or an amendment to a previous land use approval, including those granted as a result of litigation, on land within the zone districts listed in paragraph (b), that exceeds the zoning limitations for allowable floor area or maximum height (including height restricted by view planes), or which reduces the requirements for the amount of off-street parking spaces or affordable housing, shall not be effective unless subsequently approved by a majority of all City electors voting thereon.

(b) Except as set forth herein below, the provisions of paragraph (a) shall apply to all properties east of Castle Creek within the following zone districts on January 1, 2015: Commercial Core (CC) zone district, Commercial (C-1) zone district, Service/Commercial/Industrial (S/C/I) zone district, Neighborhood Commercial (NC) zone district, Mixed Use (MU) zone district, Lodge (L) zone district, Commercial Lodge (CL) zone district, Lodge Overlay (LO) zone district, Lodge Preservation Overlay (LP) zone district.

(c) Although within the zone districts set forth in paragraph (b), the following shall be exempt from the provisions of paragraph (a): single-family and duplex homes, replacement of non-conforming structures, and variations necessary to meet the requirements of the Americans with Disabilities Act (ADA), the Federal

Fair Housing Act (FHA), the Federal Telecommunications Act (FTA), to implement energy efficiency measures, to meet applicable building and fire codes, or an amendment to a previous land use approval that reduces height or floor area or increases the amount of parking or affordable housing.

(d) The approval of the electorate required by this Section shall take place at the next available previously scheduled state or county election, the next general municipal election or a special election set by the Council, whichever is earlier.

(e) The City of Aspen shall amend the Land Use Regulations to be consistent with this Home Rule Charter Amendment. (election 5/5/2015)

ARTICLE XIV

TRANSITION PERIOD

Section 14.1. Effective date of Charter.

This Charter shall become effective immediately upon voter approval except that those provisions of Article IX relating to the preparation and submission of the budget and capital program shall become effective for the 1971 annual budget, and those provisions in Article III relating to the election of mayor and councilmen shall become effective at the first general election scheduled under this Charter to be held on May 4, 1971.

Section 14.2. Prior city legislation.

All bylaws, ordinances, resolutions, rules and regulations of the City which are not inconsistent with this Charter and which are in force and effect at the effective date of this Charter shall continue in full force and effect until repealed or amended. Those provisions of any effective bylaw, ordinance, resolution, rule or regulation which are inconsistent with this Charter are hereby repealed.

Section 14.3. Present elected officials to continue in office.

The present city council and mayor in office at the time of the adoption of this Charter shall continue at their present salaries, to serve and carry out the functions, powers and duties of their offices until their successors assume the duties of their offices.

The present city clerk and city treasurer in office at the time of the adoption of this Charter, shall continue at their present salaries to serve and carry out the functions, powers, and duties of their offices until the next general municipal election.

Section 14.4. Continuation of present boards and commissions.

All boards and commissions in office at the time of adoption of this Charter shall continue to function with their present powers and duties as provided in the respective ordinances.

Section 14.5. Continuation of appointed officers and employees.

Except as otherwise provided herein, after the effective date of this Charter, all appointive officers and all employees of the City shall continue in that city office or employment, which corresponds to the city

office or employment which they held prior to the effective date of this Charter, as though they had been appointed or employed in the manner provided in this Charter; and they shall in all respects be subject to the provisions of this Charter, except that any officer or employee who holds a position which this Charter provides be held at the pleasure of the appointing officer or body, shall hold such position only at such pleasure regardless of the term for which originally appointed.

Section 14.6. Saving clause.

This Charter shall not affect any suit pending in any court or any document heretofore executed in connection therewith. Nothing in this Charter shall invalidate any existing contracts between the City of Aspen and individuals, corporations or public agencies.

CERTIFICATE OF FINAL ADOPTION

We, the undersigned, present members of the Aspen Charter Convention, duly elected by the people of Aspen, Colorado at a special election held on March 24, 1970, or duly appointed according to law, under authorization of Article XX, Constitution of the State of Colorado, to frame a Home Rule Charter for the City of Aspen, do hereby certify that the foregoing is the Proposed Charter as finally approved and adopted by the members of the Convention on the 14th day of May, 1970, for submission to the people of Aspen at a special election to be held on June 16, 1970.

Executed in triplicate at Aspen, Colorado, this 14th day of May, 1970.

Dr. William Comcowich, President

Ramona Markalunas, Secretary

James Adams

Curtis Baar

Neil Beck

Fritz Benedict

Albert Bishop

Alfred Braun

Michael Garrish

Victor Goodhard

Charles B. Howe, Attorney at Law
Charter Convention Advisor

Eve Homeyer, Vice President

Wayne Habermann

Francise Kalmes

Werner Kuster

Ralph Melville

Robin Molny

William McEachern

Bernard Popish

William Shaw

Jack Walls

Francis Whitaker

STATE OF COLORADO)
) ss.
COUNTY OF PITKIN)

Subscribed and sworn to before me this 14th day of May, 1970.

My Commission expires 12-20-73.

Lorraine E. Graves

/s/ _____
Notary Public

I hereby certify that the above and foregoing document is the Charter adopted at the Special Election for the City of Aspen, Colorado, held Tuesday, June 16, 1970, and duly filed by me with the Secretary of State of the State of Colorado.

Lorraine E. Graves

/s/ _____
City Clerk

SEAL

Published in the Aspen Times:

First Publication, May 28, 1970
Second Publication, June 4, 1970
Third Publication, June 11, 1970
Fourth Publication, June 18, 1970

Updated 1/8/2019



MEMORANDUM

TO: Mayor and City Council
FROM: Sara Ott, Interim City Manager
CC: Aspen Department Directors
DATE: June 28, 2019
RE: 2019 Organizational Workplan Update

SUMMARY: Please find attached an update of the 2019 organizational workplan. This document is a very high level, quick read of the status of the workplan. Staff is available to discuss any portion of the workplan in more detail, as desired by Council.

BACKGROUND:

At the January 14, 2019 City Council meeting, members of Council requested a list of current projects that are beyond day-to-day operations. This memorandum provides this list in a matrix format, with italic text indicating updates.

The basis for the attached work plan and the updates drew from many sources of information including:

- Input from department directors
- Adopted 2019 Operating and Capital Budgets
- City Council's priority setting discussion on January 14, 2019 indicating priorities of
 - City Manager Recruitment
 - Small Cellular and 5G services
 - APCHA governance
 - 2019 capital improvement projects
 - High quality day-to-day services
- Input and management experience of senior leadership staff
- Goal champions for Council's top 2017-2019 nine goals

DISCUSSION: The matrix identifies five categories describing the work a municipal government performs. These five categories are intended to be broad, yet descriptive, of the strategic areas staff should be spending time and resources in implementing the community and Council's priorities. While these categories have not been through a vetting process in Aspen, they are used in several municipalities and are consistent among high performing local governments. The categories are:

- Smart, Customer-Focused Government
- Economic Vitality

- Fiscal Health
- Safe and Livable Community of Choice
- Community Engagement

If a project does not fit one of these categories, then there should be a strong argument about why the local government should be involved. In the case of this workplan, all projects fit these five categories.

Secondly, the projects are prioritized into levels of importance using the common language of:

- **Must Do** – projects with high priority due to urgency, Council's direction, regulatory environment, or financial risk
- **Should Do** – important work that has benefits from focused attention in 2019
- **Could Do** – if there is capacity in specific departments, these projects can advance
- **Complete for 2019 as of Feb. 1, 2019** – staff views the projects or top 9 goal as completed and are not intending to spend more time beyond what has rolled into the day-to-day operations
- **Pause until 2020** - project that staff recognizes need completing, but are large enough in scale to require additional resources and planning. These should come forward in the 2020 budget development process for Council's direction.

Lastly, all projects are color coded. Those projects in blue indicate a top nine goal. Those projects in yellow indicate a matter that will require policy work by the City Council through regular meetings and work sessions. The projects in white will advance within the guidance provided previously by Council. Council may see these projects on future 2019 agendas only for approvals, if necessary.

In addition to these projects, staff will advance a few internal organizational development activities that are already funded and as capacity allows.

FINANCIAL/BUDGET IMPACTS: Most of these projects are already funded through the adopted 2019 Operating and Capital Budget.

STAFF RECOMMENDATION: Information only. The attached work plan represents where staff's time and City resources will be focused for the remainder of the year. If Council members have any questions or wish for a work session to review the plan, please don't hesitate to contact me.

Attachments: 2019 Organizational Workplan, date 6/27/2019

2019 Organizational Work Plan
City of Aspen, Co - Update June 27, 2019

	Smart, Customer-Focused Government		Economic Vitality		Fiscal Health		Safe & Livable Community of Choice			Community Engagement	
Must Do	Housing Information System - vendor selection underway, close to issuing intent to proceed	E-Permit System Deployment (Building) - scheduled to go live July 2019	Aspen Housing Partnership Construction - started April 2019	Carpool Kiosk Relocation to Intercept Lot - relocation to be complete July 2019	C.O.P. issuance for City Offices - completed June 2019	Lift One Funding - completed in May 2019	Construction Management Policy Revisions - 2nd Reading July 8	Finish the ARC Basement Remodel - Phase I completed in May; Phase II of lower level locker room and lobby upgrades by end of 2019	Castle Creek Trail Construction - in value engineering phase; will be future Council discussion this summer	Communications Director hire - completed June 2019	2020 Census - planning efforts underway in partnership with County
	Sales Force System Design (Housing and Com Dev) - scheduled to go live July 2019	Construction of City Offices @ Rio Grande - site prep and road work near completion; excavation to begin in July 2019	APCHA Governance - New IGA goes into effect August 1	MAA Marolt Contract - completed May 2019	Truscott II Partnership under City only - scheduled for Council presentation in 4th quarter	Aspen School District Facility memorandum of understanding - completed June 2019	2019 Critical Pedestrian Connections - 2019 construction this summer on King, Bleeker, and Hallam ped/bikeway	Garmisch St. Bus & Ped Improvements- design consultant contract scheduled for Council's consideration in summer 2019	Chief Building Officer Hire - completed March 2019	BYY/Strategic Planning - Council's retreat is scheduled for July 2019	Communications Strategic Plan - foundational research within organization underway; Phase II with external stakeholders to occur in 4th quarter
	City Manager Recruitment - recruitment underway	Wireless/Small Cell - Interim design guidelines implemented; issued RFP for design guidelines; advancing neutral hosting; work session scheduled for August 2019					Galena/Rio Grande Plaza Design - ongoing; Council update occurred June 26	Emergency Mgmt. MOU & elected official training - TBD, 4th quarter	Conditional Water Storage Rights - Maroon and Castle creeks diligence decrees awarded in June 2019; next step is to move storage rights to other locations	Internal Communications Plan & Execution - Plan complete, in implementation phase	

2019 Organizational Work Plan
City of Aspen, Co - Update June 27, 2019

	Smart, Customer-Focused Government		Economic Vitality	Fiscal Health	Safe & Livable Community of Choice			Community Engagement
Must Do	Granicus Agenda Management Software - complete June 2019	Advanced Metering Infrastructure in Utilities -Contract signed in March 2019; phase I implementation moving forward and will continue in phases through 2020			2019 Asphalt Program - program paused for 2019. will be delayed until 2020	Battery & Electric Buses & Associated Infrastructure - buses to be delivered in fall, in service by end of year	River Mgmt. Plan - staff is adding an additional chapter on water quality and quantity; will be presented to community in late 2019 or early 2020	
	Future of Rio Grande Recycling Center - policy direction given 6/18, out to RFP				Tobacco Tax Dollars - staff is meeting with stakeholders, plan to be presented in fall 2019	Woody Creek Reservoir Planning - geological investigation underway; staff in discussions with adjacent gravel pit owner on operations and possible acquisition.	Reclaimed Water System - conceptual agreement reached in June 2019; drafting memorandum of understanding with sanitation district	

2019 Organizational Work Plan
City of Aspen, Co - Update June 27, 2019

Should Do	Smart, Customer-Focused Government		Economic Vitality		Fiscal Health		Safe & Livable Community of Choice			Community Engagement	
	City Offices & Armory Design - core and shell of offices at 90% completion. Armory building to be scheduled next	Request/Complaint Management System - completed. Went live in June 2019	Pedestrian Mall Master Plan - design contract scheduled for Council consideration in August 2019	Uphill Economic Recreation Plan - scheduled for presentation to Council in August 2019	Housing/Capital Asset Reserves Policy - Requires Council Direction	Stormwater Funding for the long term and 2020 budget prep - staff prepared to present in 3rd quarter	CMAQ Grants - negotiating additional equipment purchase for We-Cycle; contract to Council in fall 2019.	Wheeler Building & Elevator - design and owner's rep contract scheduled for Council in July 2019	Park Circle & Lone Pine Parking - new parking zone created. Implementation in July 2019. Lone Pine requires additional outreach and Council updates after the outreach	Boards & Commissions - Initial goal completed.	Social Media Strategy Plan - discovery report and strategy developed. Moving into implementation over summer 2019.
	Non-Profit, Arts, HHS Grants Process Improvements - improvements implemented for non-profit and arts grants for 2020 budget; HHS grant improvements scheduled for 2021	Dockless Bike & Scooter Ordinance in process based upon June 2019 direction from Council	Affordable Housing Future Projects - Council direction provided in Feb. 2019 and affirmed again in June 2019 to advance Lumberyard and Burlingame III	Cash in Lieu Housing Fee Update - issued RFP, no bids received. Staff is getting vendor input to find new scope and selection in fall 2019			Short Range Transit Plan Next Steps - staff planning happening now; Council will be presented in 2020 Budget development	Energy Efficiency Ordinance - CORE, utility providers and staff meeting monthly; planning update and stakeholder engagement plan to be presented in August 2019	Engineering Standards Revisions - before City Council in July 2019	E-Newsletter enhancements - newsletter topics expanded to include more options; next build out is for road closure and road construction notifications	Marketing Programming, Tenant Relations, Arts - Red Brick - established quarterly tenant meetings; updated branding work with patron and visitor input; new youth and adult programming implemented

2019 Organizational Work Plan
City of Aspen, Co - Update June 27, 2019

Should Do	Smart, Customer-Focused Government		Economic Vitality		Fiscal Health	Safe & Livable Community of Choice			Community Engagement
	Historic Preservation Contractor License Update - ongoing work, to be completed by end of 2019	Historic Building Inventory Update - RFP issued, anticipate phase I to be completed by end of 2019	Vacation Home Rental Registration & Audit - preliminary data on extent of units occurring with ACRA; hiring audit personnel underway	Housing Credits Amendments - on pause, requires Council direction		Climate Action Plan Policy Advocacy @ state house - staff working with CC4CA to develop 2020 legislative agenda	Fire/Wildfire Mitigation - East of Aspen/Red Mountain - Meadowlands Open Space (Aspen Meadows to River) scheduled for mitigation this summer; east of Aspen postponed to 2020 due to staff availability	Health Valley Alliance - VHA Broker - Care coordinator Program evaluation continues with partners. Council update in 4th quarter	

2019 Organizational Work Plan
City of Aspen, Co - Update June 27, 2019

	Smart, Customer-Focused Government	Economic Vitality		Fiscal Health		Safe & Livable Community of Choice			Community Engagement	
Could Do			Cultural Arts. Phase 1 Study - led by ACRA - ARCA to provide update by end of 2019	Historic Preservation Benefits - completed. program revisions were implemented in May 2019	Fee Study Kick Off - on hold TBD	Local Business Vital Use Mix - requires Council direction	Air Quality Ordinance Update - recommendations and outreach campaign in development; Council presentation scheduled for 4th quarter	Cultural Arts Space & Needs Assessment - study underway now; scheduled for Council presentation in Sept. 2019	Transportation Facility Maintenance Planning - Will be presented as part of 2020 Budget discussion	Elected Official Networking - requires Council direction; was paused during election season
							Cozy Point Ranch - Grading & Drainage - Housing Master Plan - Education Center design contract scope under negotiation and will be awarded in July 2019	Maroon Creek & Castle Creek Roundabout Evaluation - staff is scoping the project to be focused on Maroon Creek and Castle Creek traffic flows	Affordable Housing Energy Efficiency Improvements Plan - plan is drafted, cost estimates being developed;	
							Community Broadband - Project THOR, through NWCCOG, is advancing a regional network;			

2019 Organizational Work Plan
City of Aspen, Co - Update June 27, 2019

	Smart, Customer- Focused Government		Economic Vitality		Fiscal Health	Safe & Livable Community of Choice			Community Engagement	
Completed Goals as of 2/1/19						Support utility providers in increasing availabilty of renewables and reducing dependency on fossil fuels at city facilities			Community Conversations, Spaces, Livability	
	Smart, Customer-Focused Government		Economic Vitality		Fiscal Health	Safe & Livable Community of Choice			Community Engagement	
Pause until 2020	Com Dev - Calculations & Measures Update		ACRA - Destination Marketing Reporting Metrics - Reporting on sales			SHIFT - as a three month experiment	Long-term Rec Capital Needs Analysis	Red Brick Rec Master Facilities Plan		
	Misc. Code Amendments					Childcare Capacity Expansion	Infant Childcare Cost Study			



CITY COUNCIL WORK SESSION

**January 15, 2019
4:00 PM, City Council Chambers**

MEETING AGENDA

I. Council Meeting with Kids First Advisory Board



MEMORANDUM

TO: Mayor and City Council

FROM: Shirley Ritter, Director Kids First

THROUGH: Sara Ott, Assistant City Manager

MEETING DATE: January 15, 2019

RE: Kids First Advisory Board work session with City Council

REQUEST OF COUNCIL: This memo is to provide information about Kids First Advisory Board purpose and function; and seek direction from council for next steps in addressing the community need for high quality childcare.

SUMMARY: Kids First Advisory Board (KFAB) will provide updates on the current state of programming, funding, community needs, and future planning.

KFAB is appointed by Aspen City Council and may have no fewer than 3 and no more than 12 members. Actions require a concurring vote of a simple majority of members present. Members are recommended by the Kids First Advisory Board and submitted to City Council for formal approval. Members serve a 3-year term, with the option to serve additional terms or rotate off. Kids First Advisory Board members are:

Beth Cashdan, Linda Consuegra, Margaret Clement, Rebecca Paschal, Chad Schmit, Kristin Tullar, Matt Zubrod; and Sue Way & Stefan Reveal are Co-Chairs.

Kids First Advisory Board has guidelines that define their role and responsibility:

- To be an advocate of Kids First and its' programs.
- To develop annual and long-term goals which further the mission of Kids First.
- To develop and implement projects, programs, and funding to further the mission of Kids First.
- To attend monthly scheduled meetings and assist in the collaborative efforts of these meetings which promote the goals of Kids First.
- To assist in the process of obtaining new board members.

Kids First Mission: Promote the availability of quality, affordable early childhood care & education; Provide access to early childhood information and resources.

Kids First Community Goals:

1. Increase the quality of early childhood education and care.
2. Maintain affordability of programs and provide information regarding the true cost of childcare.

3. Increase and maintain the availability of childcare programs.
4. Increase public education and awareness about the importance of early childhood education.
5. Increase knowledge of early childhood development and parenting for families with young children.

BACKGROUND: Kids First was originally established in 1990 as a result of Ordinance 81 series of 1989, imposing a sales tax of .45% for affordable housing and childcare for 10 years. The sales tax was renewed in 1998 for 10 more years, and again in 2008 for 30 years. Aspen City Council, and voters understood the direct connection between the need for workforce housing and the need for childcare in our community.

Early childhood concerns and intentional solutions tend to be grouped in 3 overall buckets – Capacity, Quality, and Affordability. Kids First budget and programming reflect this, with public awareness and parent education goals included to broaden our ability to engage a broader base of the community in these 3 areas. Our community continues to grow and change; we are fortunate to have dedicated funding that can be used to address current issues and anticipate future needs.

Over 60% of the Kids First expenditures annually are direct contributions in the form of grants and incentives; direct services - nurse consulting, resource teacher, quality improvement coaching; and financial aid on behalf of qualifying families.

The Yellow Brick Building accounts for 9% of Revenue and about 11% of expenditures for the Kids First fund.

Affordability is addressed primarily by our childcare financial aid program. The cost of childcare for one child provided year-round averages about \$68 a day or \$17,000 a year; many families have two children in care at one time, so that cost can be as high as \$34,000.

Kids First works closely with other funding sources like Colorado Childcare Assistance Program (CCCAP) administered through Pitkin County, and Colorado Preschool Program (CPP) administered through the Aspen School District. Kids First financial aid bridges the gap between the maximum income for families to qualify for CCCAP and the income that is self-sufficient. This is a standard set by the Colorado Center on law and Policy, as well as the Economic Policy Institute. Kids First uses a calculator that considers household income, number in the family, number of children in care, number of days children are cared for, and the cost of that care. Much like the FAFSA form used to determine need for college financial aid, we identify the amount a family can afford to pay and the amount that is needed. This allows families to choose childcare based on their needs and program quality, not only based on cost. This also supports childcare programs by allowing them to charge tuition closer to the amount that allows them to pay early childhood staff a livable wage. Kids First Advisory Board works with staff annually to make any needed adjustments to guidelines and to stay within budget. We typically serve 40 to 50 families, and 55 to 65 children, at any time.

I.

Kids First financial aid is based on family need and paid to the childcare program, to be used as a credit against their tuition cost. Awards are reviewed and paid quarterly; new families may apply every quarter and all families must re-apply annually with new financial and tax information. Applications are reviewed by a community based, Kids First financial aid committee.

Financial aid for childcare is budgeted for \$379,750 to be awarded in scholarships in 2019. This is one part of the budget that is considered direct contributions.

Outcomes: *Kids First Financial aid for childcare serves an average of 50 families and over 60 children, at any given time; and has since 2001. By working closely with CPP and CCCAP, Kids First has ensured that working families can access high quality childcare. This supports the current workforce as well as preparing nearly 100% of children in our community for success in school.*

Quality is a goal that we address in a variety of ways. There is a wealth of research, most notably from the Heckman Equation, and other long-term studies, that shows high quality childcare produces long-lasting social, economic, education and health outcomes for children. Our approach has been to use funding to incentivize specific, positive outcomes. All our quality improvement funding has eligibility requirements and is voluntary.

- ⇒ Quality improvement grants to childcare programs that participate in Colorado Shines, the state quality rating and improvement system (QRIS). Our funding aligns with the areas linked to increased quality: the classroom environment, staff-child interaction, staff qualifications, family engagement, management and leadership, and child health for example.
- ⇒ Staff incentives for increasing their skills by taking on-going college level education. We have aligned our individual incentives with the state's professional development and information system (PDIS). This provides a credential level and shows a clear path to improve educational understanding of early childhood.
- ⇒ Kids First also offers an incentive to childcare staff for successfully completing quality improvement goals in their classroom. They choose goals, receive coaching and training, and annually can earn an individual incentive, much like the city's goals and outcomes, for improving quality in specific ways.
- ⇒ Assessment and coaching is provided to childcare programs using valid and reliable assessment tools including Environmental Rating Scales, Program Administration Scales, Pyramid Plus Model, the Classroom Assessment Scoring System (CLASS), and the Devereaux Early Learning Assessment (DECA). Kids First two quality improvement coaches are certified in these tools, so they can provide continuous support for classrooms making improvements. Coaches outline how they will work with each program and classroom by using an agreement that meets the program's needs and quantitatively improves quality.
- ⇒ Professional development funding is available through a grants process for childcare staff to gain early childhood teacher and director qualifications, access early childhood conferences, or work toward a college degree. Additionally, Kids First provides an annual in-service training to all 100+ Pitkin County early

childhood staff and offers many early childhood trainings to increase knowledge and skills for teachers, directors and board members.

- ⇒ The Kids First resource teacher is available as a highly qualified substitute teacher for the childcare centers. This assures correct ratios are maintained and offers an opportunity to model best practice in the classroom. Childcare programs pay a subsidized rate for this person; and she is nearly always booked well in advance.
- ⇒ Nurse Consulting is offered to childcare programs to help them meet the state rules concerning child health. The Kids First nurse offers training in 1st Aid, CPR, Standard Precautions, and Medication Administration. She also provides regular consulting to meet state requirements for childcare centers, and delivers hearing, vision, and dental screenings to all the children in the programs. This is a community collaboration with the Lion's Club, the Dental Alliance, and the Aspen School District. Kids First nurse maintains records to track immunizations as required by the state and offers trainings to staff and families on many health-related topics. Engaging families and incorporating health in early childhood is recognized as an important element that produces quality outcomes for children.
- ⇒ Kids First contracts with a licensed mental health counselor to provide consulting and training to childcare staff and to families to support social and emotional development in young children. Intervention by a mental health specialist increases teacher's skills and reduces the likelihood that inappropriate behavior would result in a child being expelled from childcare. In the US, it's 3 times more likely that you will be expelled from school at age 4 than at any other age.

Outcomes: *With Kids First support over 60% of childcare programs in Pitkin County participate in [Colorado Shines](#); the state's voluntary quality improvement system. Programs receive outside evaluation every 3 years and are rated in 5 areas: workforce qualifications, family partnerships, leadership and administration, learning environment, and child health. Programs receive Kids First coaching, training, and support in these areas to reinforce the continuous quality improvement.*

Kids First staff offers over 150 training opportunities each year for childcare staff; as well as providing scholarships and incentives to over 40 early childhood educators.

Capacity and Availability is our third primary community goal. Availability of childcare for our workforce has always played an important role. In recent years, with Kids First support, we have seen programs add classrooms, move into new and bigger spaces, and change their use of space to accommodate changing community needs. We are however, still seeing more need than current programs can accommodate.

- ⇒ Kids First has provided funding to equip new classrooms; staff provides technical assistance to programs and their governing boards to plan for expansion, as well as planning for ensuring their current capacity is not reduced.
- ⇒ Infant toddler operational funding directly addresses the need for care of these ages, in classrooms that are extremely costly to provide. Required ratios in these rooms is about half of what is allowed in preschool rooms, for example 4 babies for each teacher, compared to 8 4-year-olds for each teacher. This and the increased qualifications required for infant/toddler rooms, makes it much costlier

I.

to provide this much needed care. This is the second largest single cost in the Kids First contribution budget.

- ⇒ Kids First convened a community group to begin to work on the solution to the larger capacity need. As housing is developed and businesses grow, more families need childcare to be a productive part of our community. This groups includes representation from the City, County, AVH, ASC, ASD, ACRA, CMC and the Kids First Advisory Board. We plan to find partnerships that benefit children, families and the larger community.

Outcomes: *In 2017 Kids First and others, supported 3 new classrooms (including 2 infant rooms) at Growing Years, the re-opening of Woody Creek Kids at the Community School location, and a new classroom at the Aspen School District.*

Kids First funding supports 3 programs that offer infant care and 7 programs that offer toddler care. This helps provide care for over 110 babies every day!

Challenges to increasing capacity to meet the current and anticipated need include:

- ⇒ *The financial limitations of the Kids First fund to provide operational support at the current levels to an additional 8 or so classrooms. The Kids First Advisory Board is developing a plan to accommodate these changes to avoid a structural deficit in out years in the fund.*
- ⇒ *Limited available space or land to use for childcare. The Kids First Advisory Board will return later in 2019 with a recommendation to city council about possible use of city-owned land.*
- ⇒ *The need for partnerships and capital funding. The Kids First fund is not able to provide capital funding and maintain operational supports to childcare programs and to families, so additional funding would be required.*

DISCUSSION:

Regionally, Kids First staff have played an active role in the Rocky Mountain Early Childhood Council, attacking state and federal funding to support childcare quality improvement efforts. This has also been an effective avenue to communicate with state elected officials about the various needs in early childhood. Kids First staff also participates in the Basalt Early Childhood Coalition. This group was awarded \$90,000 from the Town of Basalt, and about \$220,000 from Eagle County for early childhood work in the mid-valley area. As part of this partnership, the Town of Basalt has conceptual plans for additional childcare space in the Willets Town Center. Development in this area, and data from childcare providers and businesses, show an even greater need for childcare spaces in this area.

Snowmass Village and Little Red Schoolhouse also have conceptual plans to increase capacity for childcare in Snowmass Village.

Kids First Advisory Board discussion points for City Council to consider:

- ⇒ Determining the correct level of capacity needed for the working families in Aspen. We plan to get updated survey information from employees and

community members about the current and expected need for childcare; we also plan to hold community meetings with stakeholders.

- ⇒ Kids First will continue to work with the finance department and the manager's office to plan for fiscal feasibility.
- ⇒ Kids First will continue to work with the asset department and the manager's office to begin to analyze building sites and costs.
- ⇒ Kids First will re-convene the business/employer capacity committee to explore capital funding opportunities and public-private partnerships.
- ⇒ Kids First Advisory Board will return in 2019 with recommendations to Aspen City Council to address childcare capacity.

FINANCIAL/BUDGET IMPACTS: Any expansion of childcare capacity would impact the Kids First fund. Kids First Advisory Board has begun to consider what changes could be made in several areas, balancing funding that is effective at reaching our goals with ways to include additional classrooms and families. The first programs to be looked at are the financial aid and infant/toddler operational support expenditures, since they account for the largest sums of funding. Kids First has reviewed data trends and will hold stakeholder meetings to generate ways to use existing funding and still achieve intended results. Kids First will also do a detailed analysis of the cost to run a quality infant classroom to determine appropriate levels of funding, and to see if efficiencies may exist in the current system.

This information will be included in our report back to council later in 2019.

ENVIRONMENTAL IMPACTS: We recognize that any future increase in capacity carries an impact, and this has been a part of the conversation with the larger community group as they have considered locations that are in Aspen, or out of town (but in the urban growth boundary); whether there is access to public transportation, even conceptually about building planning to minimize environmental impacts. This will continue to be an integral part of the discussion.

STAFF RECOMMENDATION: Direction for the Kids First Advisory Board to use existing data, gather additional data, and work collaboratively to plan for expansion of childcare spaces, especially for infant care, to meet current and anticipated community need.

ALTERNATIVES: Kids First staff is already working across the region because we know it is a bigger issue and cannot be solved by City of Aspen alone. Kids First Advisory Board could do nothing to expand capacity; this would have an enormous negative impact on our community, employers, and families. Kids First Advisory Board could consider other options for additional childcare space

CITY MANAGER COMMENTS: _____

ATTACHMENTS:

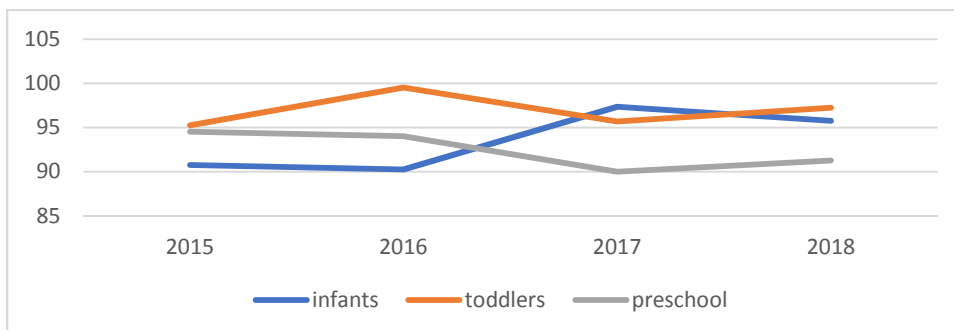
- A. Current capacity and birthrate data

I.

B. Summary of Colorado Childcare licensing space requirements

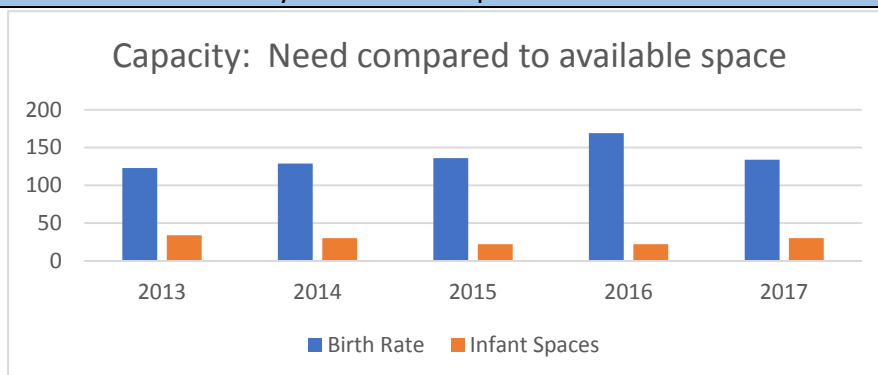
Attachment A: Current Capacity and Birthrate Data

For the last 4 years licensed childcare programs have reported enrollment rates for infants averaging 94%, toddler averaging 97%, and preschoolers averaging 92%. Programs budget typically for 80% and consider anything over 90% to be filled. Spaces are often one-off days that cannot be booked, or the gap between when one child leaves and another starts. Childcare programs are not really allowed to “overbook”.



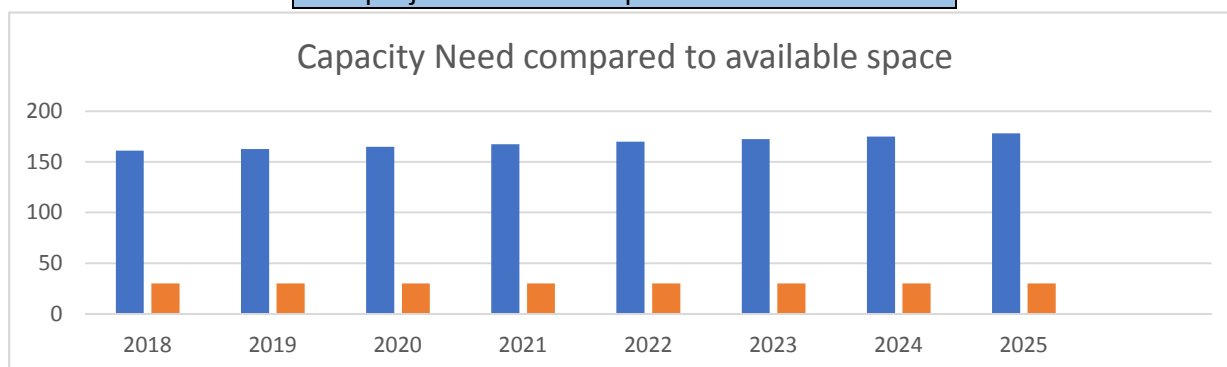
Childcare Capacity Average Rates of Enrollment

Number of Births in Pitkin County *Colorado Department of Public Health and Environment



	2013	2014	2015	2016	2017
Birth Rate	123	129	136	169	134
Infant Spaces	34	30	22	22	30

Birth projections from Department of Local Affairs:



2018	2019	2020	2021	2022	2023	2024	2025	Birth Rate
161	163	165	168	170	172	175	178	
30	30	30	30	30	30	30	30	Infant Spaces

I.

What we know about the gap – These are births to people who live in Pitkin County. 2017 as an example, we know that 134 babies were born. Using state data, we can assume that at least 62% of those babies have all parents working, that would give us 83 babies needing care. We currently have 30 licensed spaces per day for infants; that leaves 53 babies not in licensed care, every year. Parents may work part-time, they may find friends or neighbors to use for childcare, or they may leave their jobs, possibly even leaving the community. These figures lead us to believe that the need is for 7 to 8 additional classrooms.

*This does not account for families that work in Aspen and use childcare in Aspen, but the children are not born to Pitkin residents. Currently, we estimate about 18-20% of children served are part of a family that lives outside Pitkin County.

**There are external factors that could change this – new facilities could be built in neighboring communities, existing programs could reduce spaces or change the use of their space, an economic downturn could impact the need for workers and childcare.

12 CCR 2509-8

- E. In the toddler room, a crib, sleeping cot, or two (2) inch mat must be provided for each child, and there must be a minimum of two (2) feet between each crib or cot. Aisles between cots or cribs must be kept free of all obstructions while cribs are occupied. No child less than the age of two (2) years should use a cot for sleeping without written permission of the parent or guardian.
1. Individual cribs must provide each toddler with sufficient space for the toddler's length, size, and movement, and must meet federal Consumer Product Safety Commission standards. Each crib must be fitted with a firm, comfortable mattress and heavy plastic sheeting or other type of waterproof material. If individual cribs are used, they must be separated by a sturdy divider from the area used for activities.
 2. Sleeping cots and mats must be of firm construction and in good repair.
- F. In the toddler room, a sheet and a blanket or suitable covering must be provided for each child to be used only by that child.

7.702.7 BUILDINGS AND FACILITIES [Rev. eff. 2/1/16]**7.702.71 Building Site [Rev. eff. 2/1/16]****A. General**

1. Centers can be located in a private residence only when that portion of the residence to which children have access is used exclusively for the care of children during the hours the center is in operation or is separate from the living quarters of the family.
2. No other business can operate in the rooms used by the center during the hours of child care.
3. Rooms licensed for specific ages of children cannot be used for other ages of children without the prior written approval of the licensing authority.

B. Infant Programs

1. The infant program must be located on the grade level.
2. If the infant program is in the same building as a facility caring for children of other ages, the infant program must be physically separated in different rooms.

C. Toddler Program

1. The toddler program must be located on grade level.
2. If the toddler program is combined with a large child care center or an infant program, toddler facilities, both indoor and outdoor, must be completely separate from facilities for other age groups, except as allowed by Section 7.702.73, B, 8 and 10. If the facility wishes to provide opportunities for a toddler to have occasional contact with siblings, plans must be approved by the Department licensing representative.
3. A toddler program located in a drop-in child care center licensed for five (5) or fewer toddlers may be separated from the rest of the center by a five (5) foot wall.

7.702.72 Building Plans and Construction [Rev. eff. 2/1/16]

I.

12 CCR 2509-8

- A. The center must comply with applicable state and local building code and zoning regulations.
- B. Prior to construction, architectural plans for new buildings or for extensive remodeling of existing buildings must be submitted for review and approval by the Department, the local fire department, and the local building department as to appropriateness, adequacy, and suitability for child care functions.

7.702.73 Space Requirements [Rev. eff. 2/1/16]

A. Indoor Area Requirements

- 1. There must be open, indoor play space of at least thirty (30) square feet of floor space per child, including space for movable furniture and equipment. Indoor space must be exclusive of kitchen, toilet rooms, office, staff rooms, hallways and stairways, closets, laundry, furnace rooms, and space occupied by permanent built-in cabinets and permanent storage shelves inaccessible to children.

Child care centers in operation prior to January 1, 1966, and which continue operation under the same governing body, must provide open indoor play space of at least twenty-five (25) square feet of floor space per child, including space for readily movable furniture and equipment, and with the exclusions noted in the preceding paragraph.

- 2. Adequate storage space must be provided for indoor and outdoor equipment and supplies. Space for reserve supplies must be in addition to the designated space allotment for children's play activities.
- 3. Diaper change areas must be located and arranged so as to provide privacy for older children in need of diaper changing. See also Section 7.702.53, B.
- 4. Number of Children Allowed in One Room

AGE OF CHILDREN	MAXIMUM NUMBER OF CHILDREN IN A ROOM
6 weeks to 18 months	10 infants
12 months to 18 months	10 infants
12 months to 36 months	20 toddlers
18 months to 24 months	20 toddlers
24 months to 36 months	28 toddlers
30 months to 36 months	28 toddlers

Toddler centers licensed prior to July 1, 1989 are exempt from the room size requirement.

- 5. **Square Footage Requirement per Child**

2

12 CCR 2509-8

AGE OF CHILD	SEPARATE FREE PLAY AREA	SEPARATE SLEEP AREA	COMBINED SLEEP AND PLAY AREA
6 weeks to 18 months (infants)	35 square feet	adequate space to accommodate size of cribs and needs of infants and staff	50 square feet
12 months to 36 months (toddlers)	30 square feet	30 square feet	45 square feet
2-1/2 years to 5 years (preschool)	-	-	30 square feet
5 years and over (school-age)	-	-	30 square feet

6. In the infant program, the minimum indoor space per infant for sleep and activities is fifty (50) square feet. This space is exclusive of kitchen, toilet rooms, office, staff rooms, hallways and stairways, closets, laundry, furnace rooms, and space occupied by permanent built-in cabinets and storage shelves.
 - a. If a separate sleep room is provided, it must have enough square footage that all babies and cribs are easily accessible to staff members. The activity room must contain at least thirty-five (35) square feet per child.
 - b. If a combination sleep/activity room is used, the sleep area must be separated by a sturdy divider from the area used for activities, and cribs must be arranged so that all babies and cribs are easily accessible to staff members.

B. Outdoor Area Requirements

1. The center must provide an outdoor play area that is adjacent to or safely accessible to the indoor facilities. When the area is not adjacent, staff members must accompany children to and from the play area. Drop-in child care centers are not required to provide an outdoor play area.
2. The outdoor play area must provide a minimum of seventy-five (75) square feet of space per child for a group of children using the total play area at any one time. The total play area must accommodate at least thirty-three percent (33%) of the licensed capacity of the center or a minimum of 1500 square feet, whichever is greater.
3. The play area must be fenced or have natural barriers, such as hedges or stationary walls at least four (4) feet high, to restrict children from unsafe areas.
4. The play area must be designed so that all parts are visible and easily supervised.
5. The playground area must have at least two (2) different types of surfaces. Each type of surface must cover at least ten percent (10%) of the playground area.

12 CCR 2509-8

6. A shaded area in the fenced play area of at least one hundred fifty (150) square feet must be provided by means of trees or other cover to guard children against the hazards of excessive sun and heat.
7. In the infant program, the outdoor play area must be a minimum of four hundred (400) square feet.
8. In the infant program, the outdoor area can be used by other age groups at the center, but it must not be used by any other group of children while infants are using it.
9. The total outdoor play area for toddler age groups must be a minimum of seven hundred fifty (750) square feet if licensed for ten (10) toddlers and one thousand fifty (1,050) square feet if licensed for fourteen (14) or more toddlers, or seventy-five (75) square feet per child for the largest group size for which the program is licensed.
10. In the toddler program, the outdoor play area can be shared by infants, but infants and toddlers must not be allowed to use the play area at the same time.

7.702.74 Food Preparation Area [Rev. eff. 2/1/16]

- A. See the "Rules and Regulations Governing the Sanitation of Child Care Centers in the State of Colorado."
- B. Infant and Toddler Programs
 1. A table, counter, or shelf, separate from the diaper changing area, must be available for preparing infants' and toddlers' food.
 2. The program must prepare formula or food in the center's kitchen, or must have a second sink or a covered commercial container with a spigot for preparation of formula and food.

7.702.75 Toilet Facilities [Rev. eff. 2/1/16]

- A. Toilet facilities for the staff and other adults must be in separate compartments or separated by a partition from children's facilities, except in centers licensed for thirty (30) or fewer children and in centers with programs of four (4) hours or less.
- B. Toilet rooms for children must be separate from rooms used for other purposes and must be located on the same floor as the inside play area.
- C. A minimum of one (1) lavatory and one (1) flush toilet must be provided for each 15 or fewer children. Drop-in child care centers must provide a minimum of one 1 lavatory and one 1 flush toilet for each 20 or fewer children.
- D. The same toilet facilities must not be used simultaneously by school-age children of both sexes, and toilets for school-age children must be separated by partitions to provide privacy.
- E. Toilet facilities are not required for children less than two (2) years of age.
- F. Toilet facilities must be provided for children two (2) years of age and older.
- G. Toilet rooms for children must be located within the toddler program. Drop-in child care centers need not provide a toilet in the toddler classroom if the facility is licensed for ten (10) or fewer

12 CCR 2509-8

toddlers. A diaper change table and hand washing sink is required in every toddler classroom meeting requirements at Section 7.702.53, B.

- H. Each infant classroom must have one diaper changing station and hand washing sink meeting requirements at Section 7.702.53, B.
- I. One designated diaper change area is required for every twenty-four (24) preschool age children.

7.702.76 Office Facilities [Rev. eff. 2/1/16]

- A. Office space separate from areas used by children, other than for isolation purposes, must be provided for staff to perform administrative duties.
- B. The office must have sufficient space for maintenance and safe storage of children's and staff records and the center's business records.

7.702.8 FIRE AND OTHER SAFETY REQUIREMENTS [Rev. eff. 2/1/16]

7.702.81 General Requirements [Rev. eff. 2/1/16]

- A. Buildings must be kept in good repair and maintained in a safe condition.
- B. Major cleaning is prohibited in rooms occupied by children.
- C. Volatile substances such as gasoline, kerosene, fuel oil, and oil- based paints, firearms, explosives, and other hazardous items must not be stored in any area of the building used for child care. Plastic bags and sharp tools and instruments must be stored in areas inaccessible to children.
- D. Combustibles such as cleaning rags, mops, and cleaning compounds must be stored in well-ventilated areas, separated from flammable materials, and stored in areas inaccessible to children.
- E. All heating units, gas or electric, must be installed and maintained with safety devices to prevent fire, explosions, and other hazards. No open-flame gas or oil stoves, unscreened fireplaces, hot plates, or unvented heaters can be used for heating purposes. All heating elements, including hot water pipes, must be insulated or installed in such a way that children cannot come in contact with them.
- F. Nothing flammable or combustible can be stored within three (3) feet of a furnace or hot water heater.
- G. In rooms used by children, all electrical outlets that are accessible to children must have protective covers, or safety outlets must be installed.
- H. Except in part-day preschools, permanently located battery-powered lights must be provided in locations readily accessible to staff in the event of electric power failure. Batteries must be checked regularly.
- I. Closets, attics, basements, cellars, furnace rooms, and exit routes must be kept free from accumulation of extraneous materials such as discarded furniture, furnishings, newspapers, and magazines.

12 CCR 2509-8

- J. Children less than two (2) years of age must be excluded from the kitchen. When children age two (2) and older prepare food at the center, they may use only equipment and appliances that do not present a safety hazard. Staff-child ratios must be maintained.
- K. First Aid supplies must be maintained and made accessible to staff throughout the center and stored in areas inaccessible to children.
- L. All outdoor areas available to children's activities must be maintained in a safe condition by removal of debris, dilapidated structures, and broken or worn play equipment. The center must identify hazardous, high-risk areas. These areas must be made inaccessible to children.
- M. Playground surfaces must be checked on a daily basis for the presence of dangerous or other foreign materials. Playground equipment must be checked for safety on a monthly basis.
- N. Window blind cords must be secured out of children's reach to prevent strangulation.
- O. Items labeled "keep out of reach of children" must be inaccessible to children.
- P. Staples must be inaccessible to children less than three (3) years of age.
- Q. Thumb tacks must not be used in areas accessible to children less than three (3) years of age.

7.702.82 Fire Safety [Rev. eff. 2/1/16]

- A. Every building and structure must have sufficient exits to permit the prompt escape of occupants in case of fire or other emergency. Additional safeguards must be provided for life safety in case any single safeguard is ineffective due to some human or mechanical failure.
- B. Every building or structure must be constructed, arranged, equipped, maintained, and operated as to avoid undue danger to the lives and safety of its occupants from fire, smoke, fumes, or resulting panic during the period of time reasonably necessary for escape from the building or structure in case of fire or other emergency.
- C. In every building or structure, exits must be arranged and maintained so as to provide free and unobstructed egress from all parts of the building or structure at all times when it is occupied. No lock or fastening to prevent free escape from the inside of any building can be installed. Only panic hardware or single-action hardware is permitted on a door or on a pair of doors. All door hardware must be within the reach of children.
- D. No child of less than first grade school level can be cared for in areas above or below the main floor of exit unless allowed by the Uniform Building Code and approved by the local fire department.
- E. One exit from each room must be directly to the exterior of the building or to a common hallway leading to the exterior. The exit path must not go through another classroom to get to the hallway.
- F. Each center must have at least two (2) approved, alternate means of egress from each floor of the building or to a common hallway leading to the exterior. They must be at different locations.
- G. All stairways, interior and exterior, that are used by children must be provided with handrails within reach of the children.

12 CCR 2509-8

- H. If the center has a security lock on outside exit doors, the center must obtain written permission from the local fire department; and there must be a written sign attached to the door instructing center staff that the security lock is not to be utilized when children are present at the center.
- I. Every exit must be clearly visible, or the route to reach it must be conspicuously indicated. Each path of escape must be clearly marked.
- J. Every building and structure must have an automatic or department- approved manually operated fire alarm system to warn occupants of the existence of fire or to facilitate the orderly conduct of fire exit drills.

7.702.90 RECORDS AND REPORTS [Rev. eff. 2/1/16]

7.702.91 Children's Records [Rev. eff. 2/1/16]

The center must maintain and update annually a record on each child that includes:

- A. The child's full name, birth date, current address, and date of enrollment.
- B. Names and home and employment addresses and telephone numbers of parents or guardians.
- C. Any special instructions as to how the parents or guardians can be reached during the hours the child is at the center.
- D. Names, addresses, and telephone numbers of persons authorized to take the child from the center.
- E. Names, addresses, and telephone numbers of persons who can assume responsibility for the child in the event of an emergency if parents or guardians cannot be reached immediately.
- F. Name, address, and telephone number of the child's physician, dentist, and hospital of choice.
- G. Health information, including medical report, chronic medical problems, and immunization history.
- H. A dated written authorization for emergency medical care signed and updated annually by the parent or guardian. The authorization must be notarized if required by the local hospital, clinic, or emergency health care facility.
- I. Written authorization from a parent or guardian for the child to participate in field trips or excursions, whether walking or riding.
- J. Injury and illness record.
- K. Reports of serious injuries and accidents occurring during care that result in the hospitalization or death of a child.
- L. Significant observations of the child's development.
- M. A record of parent conferences, including dates of conferences and names of center staff and parents or guardians involved.

7.702.92 Staff Records [Rev. eff. 2/1/16]

- A. The center office must maintain a record for each staff member that includes the following:

I.

MEMORANDUM

TO: Mayor and City Council

FROM: Liz Chapman, Environmental Health and Sustainability

THRU: CJ Oliver, Environmental Health and Sustainability Director

DATE OF MEMO: January 12, 2018

MEETING DATE: January 16, 2018

RE: Phase 2 of the Solid Waste Assessment Report

REQUEST OF COUNCIL: Staff is requesting City Council direction to pursue certain recommendations of the Waste Diversion Study - Phase 2. Specifically, staff requests direction to move forward with amending the Solid Waste chapter of the Municipal Code and to propose options for increasing the diversion of organic material at future Council meetings.

PREVIOUS COUNCIL ACTION: Aspen City Council approved partnering with Pitkin County to conduct both Phase 1 and Phase 2 of the Waste Diversion Plan. The City of Aspen contributed \$44,500 as part of the 2015 fall supplemental budget and has committed to paying half of the costs for the second phase (approximately \$37,000). Waste reduction efforts were first incorporated into the Solid Waste portion of the Municipal Code in 2005 which required haulers to include recycling fees in the base rate for trash service. The 2015 Construction Mitigation Plan approved by Council included reporting requirements for construction and demolition waste, but required no specific actions to divert material. In 2008, Council evaluated and rejected instituting a Solid Waste Fee to be collected with building permitting fees. Council amended the code to include waste diversion through composting in 2011.

BACKGROUND: The Pitkin County Solid Waste Center (landfill) is intended to be the primary location for disposing of waste from the City of Aspen. The landfill is estimated to have less than 8 years left at the current rate of deposition and diversion. The waste composition analysis done as part of Phase 1 revealed that over 50% of the Municipal Solid Waste (MSW) could be diverted through recycling or composting. Although 80% of the material arriving at the Pitkin County Solid Waste Center (landfill) is attributed to construction and demolition (C&D) activities, 47% of that material was diverted from burial in 2015. This resulted in a ratio of 41% MSW and 59% C&D material buried at the landfill in 2016. In 2016, the reported diversion rate for MSW hauled out of Aspen was 16%, with 1% of that being compost diversion. This is a reduction from the highest diversion rate of 30% in 2012.

DISCUSSION: Phase 2 of Waste Diversion Plan (Attachment A) examined the results of Phase 1, challenges and opportunities of our local waste infrastructure, and successful waste diversion programs in other communities. The primary recommendations of the plan are to evaluate the policies and infrastructure needed to divert more of the construction and demolition (C&D) waste from being buried, to create programs and/or policies to increase food waste going to the landfill compost operations, and to revise the waste ordinances in Aspen and Pitkin County to be in alignment and encourage diversion activities. These recommendations also factored in feasibility, costs, and greenhouse gas (ghg) savings. The Climate Action Plan (Attachment B) released by the City of Aspen includes many of the same recommendations.

The current waste ordinances in Pitkin County and the City of Aspen differ in ways that creates confusion for both waste haulers and their customers. The Aspen ordinance requires curbside trash and recycling services to be bundled as a single price, bi-annual reporting from waste haulers of waste quantities, and bans yard waste from disposal into the landfill, while the Pitkin County ordinance does not contain these elements. In following the recommendations of Phase 2, not only will the two ordinances be more closely aligned, but there is an opportunity to improve compliance, diversion, and measuring progress in these areas. Aspen has seen the recycling diversion rate decline in the past 5 years and changes to the Solid Waste chapter of the Municipal Code have the potential to reverse that trend. Aligning waste ordinances and increasing compliance with diversion goals are two of the actions listed in the Climate Action Plan to reduce ghg emissions from waste disposal.

Although food and paper waste (organics) diversion has steadily increased over the past 5 years, it remains far below the 36% potential diversion Phase 1 identified (less than 1% of organics were diverted in 2012 to over 2% diverted in 2016). New residential and business customers are being added each week, but these additions are not keeping pace with the organic material being buried in the landfill. Creating a mandatory policy or providing incentives to capture the food waste being discarded by the large generators in town would have a significant impact on the diversion rate while also implementing one of the objectives of the Climate Action Plan.

The Climate Action Plan and the Waste Diversion Plan both emphasize the need to reduce the amount of C&D waste. The Pitkin County landfill has established diversion programs for rock, soil, concrete, metal, and asphalt, but almost half of the remaining C&D waste is buried. Visual audits of these mixed waste loads were conducted in 2016 (during the building moratorium in Aspen) and indicated a substantial amount of material could have been diverted with existing programs. City and County staff, along with the consultants, solicited feedback from various stakeholders in the development community to determine what the barriers were to increased diversion. The responses pointed to limiting factors of time, space, and markets. The City of Aspen has been encouraging diversion as part of the Construction Mitigation Plan, but this voluntary program has not resulted in a notable increase in diversion during construction or demolition. The County has increased the cost for disposing of trash and C&D loads by \$20/ton in 2018 as part of their effort to encourage diversion. Further audits of the composition of mixed C&D loads, reaction to increased fees, and more work with the development community in Aspen are needed to determine the most effective and feasible process for the City of Aspen to stimulate more diversion of C&D waste. Both the Waste Diversion Plan and the Climate Action Plan recommend moving material to market, so it will take cooperation with the business community to realize these actions.

I.

FINANCIAL/BUDGET IMPACTS: None at this time. Depending on the policies Council chooses to implement, there may be financial costs associated with increased staff or facilities.

ENVIRONMENTAL IMPACTS:

If Council pursues any of the recommendations of the Phase 2 report (and Climate Action Plan - Waste section), there will be positive impacts on the environment.

Sustainability initiative	Yes
Outcome area affected:	Air, Waste
Key metric affected:	Air- Levels of particulate matter; Waste – Waste diversion rate; Amount of landfill space available; Number of miles waste travels for processing

By reducing the amount of material sent to be buried in the landfill and finding ways to reuse, resources are conserved. It also extends the life of the raw materials sources. Composting organic materials is the most cost-effective method for reducing the material going into the landfill, developing a saleable product produced in our area, and reducing the greenhouse gas emissions associated with landfills. The embodied energy and carbon emissions of manufacturing construction materials from virgin resources would be reduced if materials are reused and recycled.

RECOMMENDED ACTION: Staff requests Council act on some of the recommendations of the Waste Diversion Plan – Phase 2 by directing staff to return with revisions to the Solid Waste chapter of the Municipal Code. Additionally, Council is asked to direct staff to develop programs and policies to increase diverting organics to compost for Council consideration.

ALTERNATIVES: If Council does not approve pursuing some of these recommendations, then it is expected that diversion will not increase and may possibly decrease from present levels. Further, without these actions, significant components of the Climate Action Plan will not have the support of the City of Aspen.

CITY MANAGER COMMENTS: _____



January 10, 2018

Via electronic delivery

Cathleen Hall
Pitkin County
76 Service Center Road
Aspen, CO 81611

Liz Chapman
City of Aspen
130 S. Galena Street
Aspen, CO 81611

Re: Waste Diversion Plan – Phase II
Pitkin County Solid Waste Center
Project No. 2796-495-11-10-06

Dear Cathy and Liz,

Please find the attached Waste Diversion Plan – Phase II that sets out details of the waste diversion study of the Roaring Fork Valley area, performed by Weaver Consultants Group and LBA Associates, Inc. Also included are recommendations to increase waste diversion in the area.

If you should have any questions, please do not hesitate to contact us.

Sincerely,

Weaver Consultants Group

A handwritten signature in blue ink, appearing to read 'Ryan Ellis'.

Ryan Ellis, P.E.
Project Manager

A handwritten signature in blue ink, appearing to read 'John C. Briest'.

John Briest, P.E.
Principal

Attachment

I.

PITKIN COUNTY SOLID WASTE CENTER

WASTE DIVERSION PLAN PHASE II

PREPARED FOR
CITY OF ASPEN AND PITKIN COUNTY

January 10, 2018

PREPARED BY



LBA ASSOCIATES

TABLE OF CONTENTS

1	INTRODUCTION.....	1
2	BACKGROUND INFORMATION.....	2
2.1	Plan Objectives.....	2
2.2	Plan History	2
2.3	Existing Solid Waste System & Diversion Success Rate	3
2.4	Waste Diversion Challenges.....	4
2.5	Stakeholder Commitment.....	5
3	MSW HAULER POLICY	6
3.1	Hauler Policy Objectives	6
3.2	Collection System.....	7
3.2.1	Existing System	7
3.2.2	Existing Diversion Policy.....	9
3.3	Hauler Policy Successes in Other Communities.....	11
3.4	Hauler Input	11
3.5	Recommended Hauler Policy Changes	12
3.5.1	Recommended Policy Components.....	13
3.5.2	Estimated Diversion Benefits and Cost Impacts	14
3.6	Implementation Considerations	17
3.6.1	Enforcement	17
3.6.2	Public Education and Outreach	18
3.7	MSW Hauler Policy Summary Points	19
4	ORGANIC WASTE DIVERSION	20
4.1	Commercial Food Waste Diversion Objectives.....	20
4.2	EPA Hierarchy.....	21
4.3	Existing System	22
4.3.1	Commercial Food Waste Generators	23
4.3.2	Existing Diversion Challenges.....	24
4.4	Food Waste Policy Successes in Other Communities	25
4.4.1	Colorado Examples Similar to the RFV.....	25
4.4.2	Example Food Waste Diversion Programs.....	25
4.5	Commercial Food Waste Generator Input	26
4.6	Recommended Commercial Food Waste Policy.....	28
4.6.1	Policy Components	28
4.6.2	Other Recommendations.....	30
4.6.3	Estimated Benefits and Cost Impacts	31
4.7	Implementation Considerations	32
4.8	Commercial Food Waste Policy Summary Points.....	32

I.

TABLE OF CONTENTS (cont.)

5	C&D DEBRIS DIVERSION.....	33
5.1	C&D Diversion Objectives	33
5.2	C&D Debris Composition	34
5.3	Current Handling of C&D or Existing System	35
5.3.1	C&D Debris Management	35
5.3.2	Obstacles for C&D Diversion	36
5.3.3	Opportunities for Additional C&D Diversion	37
5.4	C&D Diversion Successes in Other Communities	38
5.4.1	Example Regulatory Programs in Colorado and U.S.	38
5.5	Stakeholder Feedback.....	38
5.6	Recommended C&D Management Changes	39
5.6.1	C&D Waste Regulations	39
5.6.2	Used Building Material Handling	40
5.6.3	Increase Tipping Fees.....	40
5.7	City and County Roles in C&D Waste Diversion.....	41
5.7.1	ComDev to Require a Waste Diversion Plan.....	41
5.7.2	Waste Tracking by Project at PCSWC.....	42
5.7.3	Develop an Outlet for Reusable Materials	44
5.7.4	Material Donation Tax Deductions	45
5.8	Diversion Potential.....	45
5.8.1	Goal Setting.....	46
5.9	C&D Waste Management Summary Points.....	46
6	CONCLUSIONS.....	47
7	LIMITATIONS.....	48

TABLES

Table 3-2	Existing Aspen and Pitkin County Hauler Regulation	10
Table 3-3	Comparative Benchmark Results.....	12
Table 3-5	Potential MSW Diversion Increase – Recycling Only	15
Table 3-6	Annual Implementation Costs for Local Governments	16
Table 4-1	2016 Food Waste Stakeholder Survey Results	27
Table 4-2	Potential MSW Diversion Increase – Food Waste Recovery Only	31
Table 5-6	Potential C&D Diversion Increase – Building-Related Waste Stream Only .	45

TABLE OF CONTENTS (cont.)

FIGURES

Figure 3-1	MSW Hauler Ordinance Flow Chart.....	14
Figure 4-1	U.S. EPA Food Recovery Hierarchy	22
Figure 4-2	Food Waste Regulation Applicability	30
Figure 5-1	Composition of Building Construction Debris Landfilled at PCSWC.....	34
Figure 5-2	Conception Plan for Increasing C&D Waste Diversion	43

APPENDICES

Appendix A	Potential Hauler Policy Mechanisms – Pros & Cons
Appendix B	Other Hauler Policy Considerations
Appendix C	Waste Diversion Potential
Appendix D	Hauler-Based Waste Diversion Policy Cost Estimate

I.

1 INTRODUCTION

The City of Aspen (City) and Pitkin County (County) Public Officials are aware that Pitkin County Solid Waste Center (PCSWC) has a limited disposal life and that the recent increases in waste generation rates could make the remaining life shorter without an expansion. The PCSWC currently operates several waste diversion programs in an effort to reuse materials, as well as conserve landfill airspace. The City also participates in waste diversion through generator and collection programs.

The Roaring Fork Valley (RFV) is unique in many ways and some of these programs make solid waste management difficult. Some of these challenges include seasonal population changes due to tourism, the distance to larger population centers, the local climate and wildlife populations, and the high real estate values. Through the process of developing this Phase II Waste Diversion Plan (Phase II Plan), Weaver Consultants Group (WCG), working with LBA Associates, Inc. (LBA), has worked to understand these challenges and have provided recommendations to increase waste diversion within the RFV. This Phase II Plan specifically addresses potential hauler ordinance changes, the potential introduction of a food waste ordinance, and the potential introduction of a variable rate tipping fee structure for large construction and demolition (C&D) debris generators.

Through the implementation of the recommendations included in this Phase II Plan, the waste diversion rates should increase. The benefits of the increased waste diversion rates will include conservation of resources, including landfill airspace and natural resources, and the increased usage of reusable materials.

2 BACKGROUND INFORMATION

The Phase I Roaring Fork Valley Comprehensive Waste Diversion Plan (Phase I Plan) was undertaken by the County and the City to evaluate opportunities for the environmentally and economically sustainable reuse, recycling, and composting over a 10-year planning horizon that extends from 2017 through 2027. The RFV planning area extends from Aspen through the Town of Carbondale and includes parts of both Eagle and Garfield Counties.

WCG and LBA assisted these agencies and other parts of the RFV with this Phase II Plan. It is intended that the objectives of this Phase II Plan will be realized through two separate phases. Phase I was completed in 2016. This document sets out the Phase II findings.

2.1 Plan Objectives

The Phase II Plan objectives were developed by representatives of both the County and the City. Both operating entities are interested in making collaborative waste diversion improvements in the RFV. The primary objectives of the Phase II Plan include the following:

- Maximize solid waste diversion
 - Diversion is defined as sustainable reuse, recycling, and composting
 - Diversion will consider municipal solid waste (MSW), including food waste
 - Diversion will also consider non-MSW such as C&D debris;
- Leverage the value of public awareness and participation;
- Incorporate appropriate incentives and enforcement; and
- Develop an implementation strategy and goals for both the mid-point of the planning period (2022) and the end-point (2027).

2.2 Plan History

Phase I was conducted from mid-2015 to early-2016 and developed the three diversion priorities to be analyzed in Phase II. These included diversion efforts for diverting commercial food waste and C&D debris, plus an evaluation of the hauler collection policies currently in place in Pitkin County and Aspen to expand their effectiveness and consistency. Phase II was conducted from late in 2016 through late 2017 and included a detailed assessment of these three focus areas. This report summarizes recommendations for the development of new and revised policies (Sections 3.0 through 5.0) and overall plan recommendations for implementation (Section 6.0).

I.

2.3 Existing Solid Waste System & Diversion Success Rate

The cornerstone of solid waste management in the RFV is the PCSWC. The PCSWC consists of the following features:

- a landfill for the disposal of solid waste and lead contaminated soils
- Class I composting facility
- single-stream recyclables transfer site
- drop and swap reuse operation
- household hazardous waste collection
- mattresses, books, and textiles collection for reuse or recycling
- electronic waste collection
- aggregate recycling
- waste tire collection and use
- scrap metal collection

Other attributes of the RFV-wide waste management system include the following (see the Phase I Plan for a more detailed summary):

- Largely privatized collection network for MSW and C&D – the Town of Snowmass Village is the exception, with public trash and recyclables hauling service.
- Recyclables drop sites throughout the RFV – the Rio Grande site in Aspen is the largest and accepts seasonal yard waste.
- Pitkin County, Aspen and Basalt require private trash haulers to offer and incentivize recycling services – Aspen also has a yard waste disposal ban, and both Aspen and Carbondale have plastic bag use bans at grocers.
- The County and the City operate a food waste recovery program (SCRAPS) – and both agencies have active public outreach programs¹.

In 2015, the RFV's waste stream was evaluated to identify material-specific opportunities. The roughly 192,000 tons of solid waste managed consisted of approximately 20% MSW by weight and 80% non-MSW (primarily C&D). This ratio can be deceiving, however, and depends heavily on the quantity and type of construction projects in the RFV each year². Data is typically available for MSW and the RFV is no exception. Figure 2-1 includes an evaluation of the composition of landfilled MSW in 2015. An analysis of the make-up of the landfilled C&D stream is described in Section 5.

¹ In 2017, Pitkin County's "Talkin' Trash" campaign won both a Telly Award and a Communications, Education & Marketing Excellence Award (gold level) from the Solid Waste Association of North America.

² For example, in 2016, the City of Aspen imposed a moratorium on commercial building and the C&D quantities dropped by roughly one-third. The ratio of MSW to non-MSW that year was 41% to 59%.

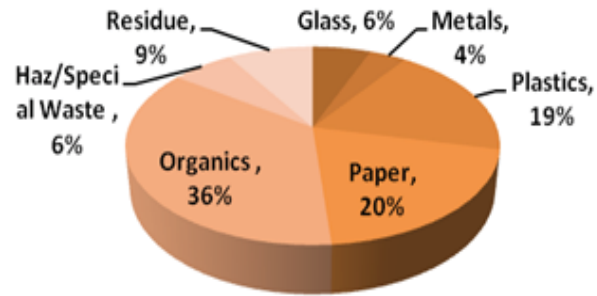


Figure 2-1. MSW Fractions by Weight

The overall PCSWC diversion rate in 2016 was 58% (including 42% diversion of MSW). Unlike most county/municipal diversion dynamics, this value is a reflection of Pitkin County's success, as Aspen's MSW diversion rate was about 20%³⁴. Despite this success, the County estimates that nearly 22,000 tons of recyclables and organics could have been diverted through existing programs in 2016, while additional tons of C&D may be divertible with new policies and infrastructure.

2.4 Waste Diversion Challenges

The Phase I Plan confirmed several challenges to implementing new or improved policies, programming, and infrastructure in the RFV. Some of the most significant challenges include the following:

- A small population that is heavily impacted by strong summer and winter visitor base – that is hard to influence on a short-term basis.
- Landfilled tons have increased significantly in recent years (primarily due to high C&D quantities⁵) – the PCSWC is expected to close in 2025, if an expansion is not approved. The PCSWC is actively pursuing a landfill expansion that will allow for waste disposal beyond the 10-year planning horizon. Presently, there are no other permitted landfills in the RFV. An additional impact to this was the Highway 82 bridge reconstruction during 2017, which impacted C&D quantities in the RFV disposed at the PCSWC.

³ Despite its more aggressive hauler diversion policies and material bans, Aspen is especially challenged with many visitors, second homeowners and seasonal employees who may not understand the importance of diversion opportunities in the RFV.

⁴ The diversion rates listed are based on material quantities managed at the PCSWC and Rio Grande Recycling Center. Waste and recyclables quantities managed at other landfills or directly by the haulers is not included.

⁵ Eighty-three percent of Pitkin County is Federal land and many new residential and commercial construction projects require an initial demolition of existing structures.

I.

- Despite comprehensive programs, diverted tons are low, which exacerbates the ability to control costs through an economy of scale.
- The RFV is located 160 miles from Denver and has limited highway access (especially in the winter), making recyclables transport to Front Range facilities for processing expensive.

2.5 Stakeholder Commitment

The County, the City, and other RFV governments are committed to addressing the RFV's waste diversion challenges and understanding the real opportunities for effective improvements. Private, non-profit, and citizen stakeholders have proven equally committed. Numerous stakeholder meetings have been held during the plan development. Stakeholders consisted of business owners in the food service areas, hospitality industry, retail establishments, citizens, and solid waste haulers in the RFV. Participants helped define issues in the Phase I study and to craft priorities for the Phase II study. Most recently, meetings with haulers, restaurants, and contractors have allowed a practical evaluation of Phase II policies that reflect stakeholder barriers and needs. It is expected that as the policies are considered for ultimate promulgation, these stakeholder groups will continue to be tapped for their expertise and collaboration.

3 MSW HAULER POLICY

The large quantity of recyclables and organics still being landfilled in the RFV were described in Section 2.3. They underscore the need to more effectively encourage waste generator participation in diversion programs. This is a challenge faced by recycling managers across the country, but is exacerbated in the RFV by the large number of visitor, second-homeowners and seasonal employees who may not understand the importance of recycling in the region.

Many communities have addressed this challenge for MSW generation by creating waste diversion incentives to “recycle more” and “trash less” with a mandatory recycling ordinance. These ordinances require MSW generators to subscribe to—and use—curbside recycling collection. In Colorado, the more common practice is to put the responsibility on haulers with a service mandate for curbside recycling that creates the same general incentives but stops short of mandating that waste generators separate out divertible materials. As shown by the City, however, these policies are not a guarantee of high diversion rates when some components are incomplete.

Both Aspen and Pitkin County have existing code that includes hauler requirements intended to drive waste diversion; however, they lack the full complement of implementation and/or enforcement mechanisms needed to maximize success. This section evaluates the feasibility of modifying existing regulation through new ordinance/code language to improve the impact of current incentives, accomplish more consistent implementation, and encourage more generator participation.

3.1 Hauler Policy Objectives

Section 1 described the overall Phase I Plan goals. In support of those goals, the objectives for improved hauler-based diversion policy implemented in Aspen and Pitkin County include:

- Increase diversion, to divert more of the recyclable materials that are currently being collected for landfill disposal.
- Establish consistency between Aspen and Pitkin County collection services and hauler operating requirements. At best, the differences between the two codes cause confusion for haulers and their customers. At worst, the lack of a curbside recycling mandate in Pitkin County leads to lower recycling rates and places an additional burden on local recycling drop sites. Improved policies would:
 - Provide consistency between services, incentives, and fees in Aspen and Pitkin County, and

I.

- Foster consistency RFV-wide for materials collected, level of commingling, and service/fee structure if the new policy is adopted by other governments (most haulers provide collection in other municipalities in the region).
- Obtain data to verify compliance and measure diversion progress. Currently, data is not reported for trash, recyclable, or organics materials collected outside of Aspen, even though this information is needed to accurately track waste generation and diversion in Pitkin County.

3.2 Collection System

To evaluate the feasibility of making changes to how trash and recyclables are collected in Aspen and Pitkin County, an understanding of the current system is required.

3.2.1 Existing System

Collection in the RFV is largely privatized. The primary private haulers that provide a mix of trash, recyclables, and organics collection services include:

- Alpine Trash
- Evergreen Zero Waste (organics only)
- Mountain Waste & Recycling
- Valley Garage Solutions
- VIP Trash
- Waste Inc.
- Waste Management of Colorado

These haulers are required to provide a broad range of services due to a wide variety of customer densities, recycling subscription levels, collection distances from Highway 82, and roadway and wildlife conditions. Curbside collection services can generally be characterized as follows:

- Residential trash and recyclables collection is varied;
 - Collection occurs with a mix of containers (bags, bins, cans, and carts)
 - Containers are provided by customers and/or haulers
 - Size options range from 18 to 96 gallons⁶
 - Collection is weekly, every other week, monthly, or on demand

⁶ These standard container sizes are used throughout this report for simplicity; it is noted that some customers and haulers may use slightly different sizes (e.g., “small” containers may be 30-39 gallons, “medium” containers 60-69 gallons and “large” containers 90-99 gallons; recycling containers may also be as small as 18 gallons).

- Commercial trash collection services range from 1-cubic yard Dumpsters to roll-offs and compactor units greater than 30 cubic yards
- Commercial recyclables collection may also be collected in carts or dumpsters
- Most curbside recyclables collection is single-stream, although VIP Trash provides some dual-stream service
- Curbside recycling is augmented by multiple public and private drop sites that serve residential and commercial generators
- Two of the haulers also collect curbside organics and the Rio Grande drop site accepts yard waste

The Town of Snowmass Village is the sole municipal hauler, providing a mix of service options to MSW customers including base drop site collection for trash and single-stream recycling, plus subscription curbside for both streams.

A large portion of the trash, recyclables, and organics collected in the RFV are landfilled, transferred, or composted, respectively, at PCSWC (which also includes a recycling drop site). There are two private trash transfer stations for moving trash and some recyclables out of the RFV to Eagle County and Denver. Other haulers may also take landfill materials to the South Canyon Landfill in Garfield County. Exportation is more common for materials collected in the northern areas of Pitkin County.

Level of Recyclables Collection

Although definitive participation data is not available, it is probable that close to 100% of MSW generators in Aspen have recycling service, but the actual participation level is likely lower. Haulers have anecdotally estimated that between 0% and 90% of trash customers outside of Aspen voluntarily subscribe to curbside recycling and participate at some level, with 70% being a generally agreed-upon average. This value is expected to more closely represent participation, as recycling is a separate subscription option, and additional cost, from most haulers.

Collection Costs

The cost of trash and recycling services also varies widely. The mandatory provision of recycling to all trash customers in Aspen drives both subscription levels and costs, and these differ from those throughout the RFV. While customer fees were not available from every hauler, Table 3-1 provides the general range of current residential pricing (commercial fees are more complicated and depend on number, type, and size of containers, as well as a wide range of collection schedules). These will be higher if multiple containers, container replacement/delivery, concierge services, or other features are added. In general, non-Aspen fees decrease as the customer location moves down-RFV, although remote and hard-to-reach customers require higher-fee service and limited service options.

I.

Table 3-1
Per Household Monthly Collection Fees (weekly collection)

Area	Trash Only	Recycling Only	Trash + Recycling
Aspen	Not an option	Not an option	\$65 to \$105 ⁷
Snowmass Village	\$40 base rate for drop site collection with optional \$12 curbside collection service		
Non-Aspen Area	\$22 to \$70	\$7 to \$15	\$29 to \$77

3.2.2 Existing Diversion Policy

Both the City's and the County's existing code requires regular, commercial trash haulers⁸ to offer or provide recycling to their customers, offer or provide pricing incentives, and report material and/or account data. Table 3-2 (below) lists the code components for each government.

Aspen

Aspen's municipal code was last revised in 2013 (Chapter 12.06) and does not apply to recyclables-only or organics-only haulers, although these companies typically comply with the reporting requirements. That said, City staff have observed that compliance with the pricing and reporting components of the code by regulated haulers has been incomplete some years, and that city enforcement has been mostly non-existent. Also of note, the City's code includes a yard waste disposal ban that is similarly not enforced.

Pitkin County

The County code was promulgated in 1991 (Chapter 6.16). Unlike the City's code, the County's does not mandate curbside recycling for all customers, specify pay-as-you-throw, or require customer notification. There is limited enforcement capability; the County has one code enforcement office in the Community Development Department, with minimal resources to investigate hauler compliance. The County has not collected hauler-specific data reports, although annual reporting is required.

⁷ These fees typically include 96-gallon trash carts and recycling containers that range from 18-gallon bins to 96-gallon carts, collected weekly. The fee can be reduced slightly for 64-gallon trash cart service where available.

⁸ Commercial haulers as those who provide services for a fee. Regular haulers provide ongoing, scheduled service.

**Table 3-2
Existing Aspen and Pitkin County Hauler Regulation**

Requirement	Aspen	Pitkin County
Business License	Annual Occupation tax based on number of employees	Annual \$200/company plus \$50/vehicle, vehicles may be inspected, liability/auto insurance, penalties up to \$1,000/violation
Mandatory Curbside Recycling for All Trash Customers	Yes, haulers must provide Trash and recycling cost must be bundled together as one fee on customer invoices	No Haulers must only offer, and customers may decline
Pricing	Residential fee must include bundled trash/recycling based on variable trash quantity (32 gallons = base unit)	Quantity-based pricing that considers discounts available from PCSWC (base or increase is not specified)
Collection Requirements	Residential trash and recycling on same day, at same frequency Multi-family and commercial as often as needed to prevent overflow	Trash and recycling at same frequency, with equal priority
Recycling Requirements	Minimum materials determined by the City (differs for residential/commercial), must divert all recyclables unless 15% contamination	Must divert all recyclables unless 25% contamination (not in code – imposed at PCSWC)
Customer Notification	Reasonable notice of services and pricing to new and existing customers	N/A
Reporting	Bi-annual Trash, recyclables, organics weight	Annual Services, routes, facilities, and pricing (no quantities)
Records and Auditing	Maintain for 3 years, the City may audit, penalties up to \$2,650/violation	N/A
Other	Comply with yard waste disposal ban, issue audit cards for violations	Deliver all materials collected in Pitkin County to PCSWC (flow control is not enforced)

Other Regulations in the RFV

The Town of Snowmass Village code requires payment for drop site trash and recycling service by single-family and duplex residences. Flat fees are charged for both drop site and curbside service (the latter is a voluntary subscription). The town's code was promulgated in 1999 and the town is currently considering revision.

I.

The Town of Basalt passed a new ordinance in 2016 that generally mimics the City's code, except that it applies to residential service only, does not specify parameters for variable trash pricing, does not address recyclables contamination, and includes annual reporting (license renewal).

3.3 Hauler Policy Successes in Other Communities

In preparation for the Phases I and II policy evaluation, a survey of Colorado hauler regulations in other communities was conducted (see Table 3-3 on the following page). These findings provide guidance for new policy in the RFV, as well as an indication of what has/has not worked elsewhere⁹.

Table 3-3 also includes recent diversion rate measurements for the example communities; three of four municipalities exceed the City by 50% or more (Vail's policy is too new to track against). The differences between the benchmarked programs and the city's program include a trash overflow prohibition to support variable trash pricing incentive and a requirement to provide between 64 gallons/week and unlimited recycling at no extra cost.

3.4 Hauler Input

The Phase I Plan included public meetings, which haulers were encouraged to attend, and face-to-face and teleconference meetings with individual hauling companies to help identify potential policy components. In Phase II, a hauler-specific meeting and online survey were conducted¹⁰ to utilize local haulers' expertise in creating a policy that is practical and well supported.

This survey was also used to solicit hauler feedback about the feasibility of a cardboard disposal ban in the RFV. Such a ban, which has not been considered as part of the hauler-based waste diversion policy, had only minimal hauler support due to customer space and hauler equipment and enforcement limitations, as well as a recyclables cap at PCSWC that would hinder haulers ability to manage the material.

⁹ Table 3-3 includes updates from the original benchmark summary provided in the Phase I Plan.

¹⁰ In October 2016 and February 2017, respectively.

**Table 3-3
Comparative Benchmark Results**

Potential New Requirements	Boulder	Boulder County	Fort Collins	Golden	Larimer County	Vail
MSW Diversion Rate (Goals)	41% (85% diversion by 2025)	N/A (zero waste by 2025)	68% MFU/commercial components not effective until 2017 (zero waste by 2030)	30% residential only (reduce disposal 25% by 2025)	N/A	~25% ordinance not effective until 2015 (N/A)
Mandatory Recycling for all Trash Customers	✓ includes residential organics	N/A	✓ includes residential yard waste (effective 2017)	✓	N/A	✓
Bundles Trash and Recycling Fee in Customer Bill	✓ applies to SFU/MFU	✓	✓ applies to SFU/MFU/commercial	✓ applies to MFU/HOA/commercial (SFU is contract)	N/A	✓ Applies to SFU/MFU/commercial
Residential Bundled Fee Based on Variable Trash Volume	✓ 32-gal unit, no trash overflows, every other week unlimited recycling	✓ 32-gal base, unlimited recycling	✓ 32-gal unit, no trash overflows, recycling frequency varies by container size	✓ 32-gal unit, no trash overflows, weekly recycling	pricing to incentivize diversion (no specifics)	✓ 32-gal unit, minimum 64-gal recycle cart with same frequency as trash collection
Reporting	✓ annual	✓ annual	✓ quarterly	✓ annual	✓ annual	✓ bi-annual
Cardboard Ban	N/A	N/A	✓ separate policy	N/A	N/A	N/A
Other	tax for homes and businesses, default flow control	county MRF	hauler recycling plan requirement, limitations on surcharges	vehicle registration and signage	vehicle signage, county landfill and recyclables transfer	MFU/commercial must provide customer recycling, 25% maximum contamination

Notes: MFU = Multiple Family Unit
SFU = Single Family Unit
HOA = Home Owners Association

3.5 Recommended Hauler Policy Changes

There is a long list of policy mechanisms that successfully support incentives to “recycle more” and “trash less” in community regulations around the country (Appendix A includes more information of the pros and cons of several). In considering which mechanisms will best address the County’s and the City’s policy needs, it is assumed that 1) regulatory applicability will generally be for haulers providing regular, scheduled collection of MSW, 2) implementation will be more fully described in a collections operations plan developed by each organization, and 3) appropriate enforcement and public outreach will accomplish each code and/or operations plan.

I.

3.5.1 Recommended Policy Components

The core components of a hauler policy for further consideration include:

1. Mandatory Curbside Recycling Service for All Residential & Commercial Trash Customers:
 - Single-stream collection of those recyclables established by city/county
 - Residential recyclables collected for no fee in addition to trash service
 - Residential recyclables collected on same day/same frequency as trash
 - Prohibition on disposing of any recyclables
2. Establish Variable Fees for Residential Service:
 - Fees that include the cost of both trash and recycling service, but are tied to the level of trash service
 - Fees based on 32-gallon (or “small” container) service with a 100% fee increase for each increase of the same size (i.e., “x” for “small” container service, “2x” for “medium” container service, and “3x” for “large” container service)
 - Multiple trash service levels (within the small, medium, and large options)
 - Prohibition on trash overflows (haulers may refuse to collect or charge appropriate volume-based fee for any trash that is outside of the trash container and/or keeps the container lid from closing completely)
3. Annual Licensing/License Renewal:
 - Trash and recyclables quantity reporting¹¹ for the past year (or partial year in the case of the first year after the policy becomes effective)
 - Customer account, services, and pricing summary reporting
 - License fees (if applicable)

Figure 3-1 (next page) includes a compliance analysis tool for determining hauler compliance with improved policy. Additionally, Appendix B includes suggestions for flexible implementation of the policy, additional enforcement, and public outreach considerations and suggested actions for the second half of the planning period to augment hauler policy and further diversion in the RFV.

¹¹ Including organics where applicable.

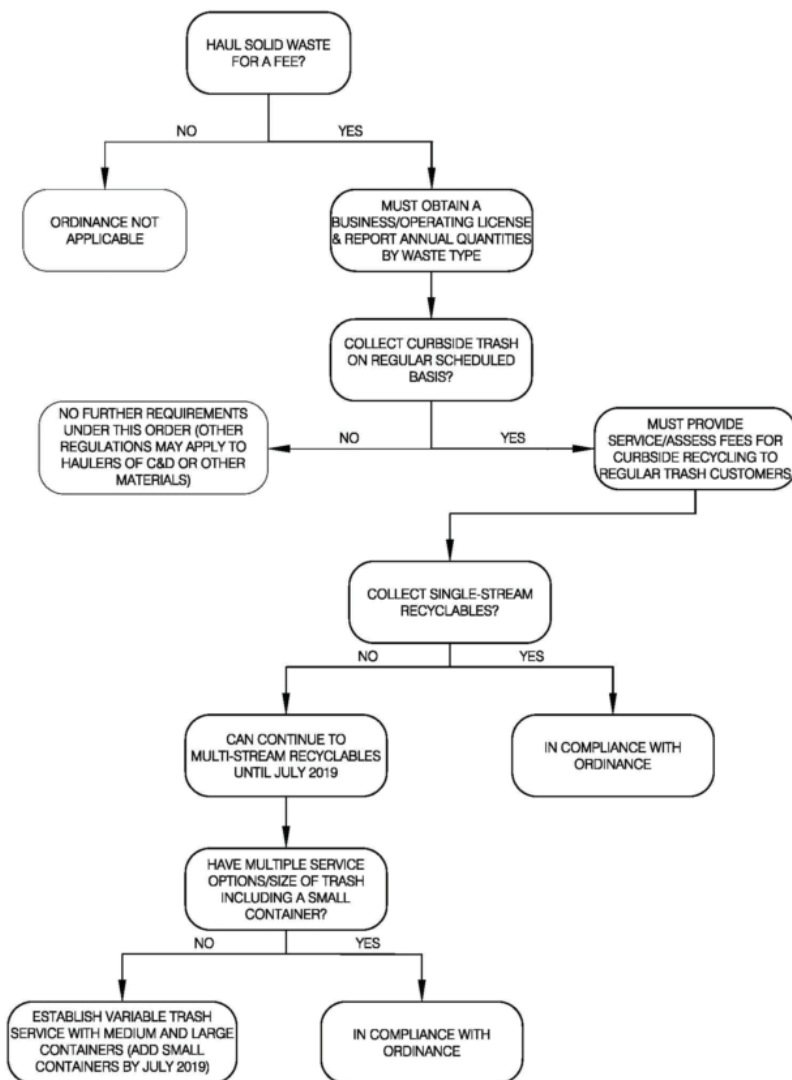


Figure 3-1. MSW Hauler Ordinance Flow Chart

3.5.2 Estimated Diversion Benefits and Cost Impacts

When developing a hauler ordinance, benefits and negative impacts need to be considered. The benefits include increased diversion and, a major impact would be increased costs for MSW management.

3.5.2.1 Estimated Diversion Increase

Estimating future diversion increases resulting from improved hauler-based policies is difficult given available data and the overlap with other programs. Based on successes in other Colorado communities and knowledge of Pitkin County's current trash composition, however, a conservative projection based on the ability to divert 40% to 60% of the traditional recyclables currently in the waste stream can be made. This

I.

assumption relies on the ability to improve policy comprehensiveness, enforcement, and public outreach.

Table 3-5 provides a range of potential diversion increases and extended landfill life based on findings in the 2015 waste composition study¹². Additional information about diversion potential is included in Appendix C.

Table 3-5
Potential MSW Diversion Increase – Recycling Only

	2022 (Projected)	2027 (Projected)
If 40% Landfilled Recyclables Diverted		
Additional Tons	2,600	2,900
New Diversion Rate	23%	23%
Landfill Life Added	8 days/year	9 days/year
If 60% Landfilled Recyclables Diverted		
Additional Tons	3,900	4,300
New Diversion Rate	26%	26%
Landfill Life Added	11 days/year	13 days/year

Note: For reference, the 2015 recycling levels added 19 days of landfill every year; the potential new diversion described above represents an extension of landfill life, in addition to current levels.

3.5.2.2 Other Diversion Benefits

While the impact on landfill longevity described in Table 3-5 may not be large, the ability to divert hundreds of additional tons each year will also:

- Reduce greenhouse gas (GHG) emissions – The diversion potential described in Table 3.5 is estimated to represent a reduction of up to 17,000 metric tons of carbon dioxide equivalent¹³ (these values will help both the County and City achieve their GHG reductions goals over the planning period). Increased traffic will generate increased emissions (based on research in other parts of the country, the net GHG reductions are still expected to be significant).
- Foster a cultural shift for residents, multi-family units, businesses and institutions by raising awareness about the importance and ability to “trash less” and conserve resources – This may occur slowly over the planning period but will

¹² The study found that approximately 25% by weight of samples measured included recyclables that could have been diverted by existing curbside and drop site programs.

¹³ Based on the EPA Waste Reduction Model (v. 2015) using long-distance recyclables hauler for processing.

have growing importance as the landfill closes and is replaced by transfer or alternative operations in the future.

- As curbside recycling participation increases under this policy, there will likely be less recyclables managed at local drop sites (especially the Rio Grande and PCSWC sites). This will reduce public sector costs for drop site operations and potentially free up resources for public outreach and enforcement.

3.5.2.3 Estimated Cost of Implementation

The cost of implementing improved hauler policies is a critical factor in determining its feasibility. Table 3-6 describes anticipated costs for the City and the County during the initial year of implementation and annually for subsequent years (see Appendix D for additional details). Costs are slightly more moderate for the City, whose existing policy will require less modification than the County's, and who will be able to rely on the county for some implementation. Both governments' costs in this table consider only minor enforcement actions (e.g., warnings in the first year).

Table 3-6
Annual Implementation Costs for Local Governments

Government	Labor (full-time equivalents)	Costs	Revenues	Net Costs
City of Aspen				
First Year	0.4 FTE	\$31,000	\$0	\$31,000
Subsequent Years	0.2 FTE	\$20,000	\$8,000	\$12,000
Pitkin County				
First Year	0.5 FTE	\$39,000	\$0	\$39,000
Subsequent Years	0.2 FTE	\$19,000	\$5,000	\$14,000

Note: Estimates are based on 2017 dollars

These conservative estimates are for the hauler-based policy implementation only. They are presented in 2017 dollars using current salaries and benefits for labor costs. The costs are subject to change once policy components are confirmed, enforcement and penalty levels are established, and implementation begins. The estimates provide an indication of potential future costs only.

To put these costs in perspective, the annual County costs are less than 20% (first year) and less than 7% (subsequent years), respectively, of what the County currently pays for

I.

managing recyclables collected at the Rio Grande recycling drop site¹⁴. The City's costs are similarly a small portion of current operational costs.

Of note are the compliance personnel costs, which represent much of the labor shown in Table 3-6 totals for the first year and 50% in subsequent years. This is the only new position expected and will require additional compliance activities from other departments if this is to be a full-time position.

Finally, haulers expect an increase in customer fees in the range of 15% to 30% to provide recycling to all trash accounts in non-Aspen locations. This increase is consistent with charges to the current residents who subscribe to trash and recycling (see Table 3-1). This number does not specifically cover the cost of managing trash overflows, customer notifications, or increased reporting, and fees can be expected to increase slightly beyond this estimate to achieve full compliance.

3.6 Implementation Considerations

Two key resource areas that should be provided by local governments to facilitate the success of hauler operations include code enforcement and expanded public outreach (Appendix B includes additional suggestions in these areas).

3.6.1 Enforcement

It is easy to minimize compliance efforts when participation is high and the ability of the regulating government to cover inspection and enforcement costs are low. Many argue, however, that passing new solid waste policy without appropriate enforcement action will result in no real change and may even undermine the credibility of the local government's policy efforts. Currently, neither the City nor the County has effective enforcement capacity for current policy, and it is expected that new (part-time) staff will be needed.

Enforcement actions could include:

- Review of license renewal submittals for compliance by the City's Finance Department and the County Manager's office (not expected to exceed current staff requirements).
- Review of service, pricing, and reporting compliance by the City's environmental health and County solid waste staff.
- Verification of variable container service, prohibitions on trash overflows, and disposing of recyclables by City and County enforcement staff.

¹⁴ Nearly \$203,000 in 2016 (excludes costs associated with PCSWC and Redstone drop site recyclables).

- Tracking and management of illegal dumping by City and County staff.
- Audits of hauler self-reporting and pricing by City and County financial staff (expected to occur periodically).
- Issuance of warnings and citations by enforcement staff as appropriate for violations.
- Combining enforcement actions with appropriate financial and license suspension/revocation penalties, enacted by City and County legal staff (probably minimal to non-existent, especially after the first year).

3.6.2 Public Education and Outreach

Pairing effective public education and outreach with any government policy and service change is part of transitioning smoothly, maintaining customer support, and ensuring success. The need for educational materials was also identified by haulers during the 2017 survey.

Helping the Public Understand the New Policy

Expected public outreach activities are needed prior to and early in the implementation phase to explain the what, why, who, how, and when of the policy modifications. This initial campaign will address customer concerns about changing services and higher rates. It will also pave the way for better recycling participation. Outreach activities may include the following:

- Hold an open house and participate in elected official caucuses.
- Produce a new joint City/County video.
- Provide radio and newspaper ads.
- Develop an update of the Waste Free Roaring Fork Valley Recycling Guide and the <http://wastefreeroaringfork.org> website (previously developed by the Colorado Office for Resource Efficiency and the Carbondale Environmental Board).

Ongoing Public Engagement

Additional, ongoing information will also be important and may be a critical factor to increasing participation by residents and businesses. Examples of methods to provide information include:

- Offer comprehensive guidance on preparing recyclables for collection (especially around food containers and plastics).
- Promote waste diversion success in a user-friendly sustainability report.

I.

- Provide an ongoing reminder that customers are paying for recyclables collection and should use the service.
- Generate public discussion that engages the public on the hard issues such as the myth that recycling is a “money-maker”, why variable trash rates help recycling, and why some hard-to-recycle materials are not yet collected for recycling in the RFV.

3.7 MSW Hauler Policy Summary Points

The key takeaways for improved hauler policies in Pitkin County and Aspen include:

- There is a need to improve MSW diversion incentives and participation through hauler regulation. Ideally, improvements in Aspen and Pitkin County will be leveraged through similar programs throughout the RFV.
- Policy improvements should include mandatory curbside recycling service for all regular trash customers with pricing based on trash volume and annual reporting. Enforcement and public outreach are critical supporting aspects of these improvements.
- Policy improvement benefits include a modest extension of landfill life, GHG reductions, fostering of a waste management culture shift, and reduced use of recycling drop sites. Costs are estimated at only a fraction of existing drop site operations.
- Hauler policy successes in other Colorado communities and input from local MSW haulers have helped frame the recommendations in this section. Additional coordination with County and City staff, officials, haulers, and the public is needed to ensure effective implementation.

4 ORGANIC WASTE DIVERSION

In most MSW streams, organics are the largest material category. There are haulers in the RFV that collect segregated organics for composting, and both the County and the City operate programs and infrastructure that encourage composting, instead of landfilling, these materials. However, more than one-third of waste landfilled at the PCSWC was observed to be organic materials (Figure 2-2 showed this to be 36% by weight of all trash materials).

Within the organic fraction, food waste makes up most of the waste stream; it is estimated that in 2015, nearly 4,000 tons of food waste were disposed at the PCSWC, including food and food-contaminated paper¹⁵. In Colorado, food waste is primarily diverted by donating excess food to those in need, by using as an animal feedstock and by composting. Aside from addressing the contaminated food waste, there is limited demand for donated food or animal feedstock in the RFV; the PCSWC does operate a compost facility that accepts most organics materials, including food waste.

Figure 4-1 illustrates the types of organics in the MSW. During the 2015 waste audit, it was observed that 27% of all commercial samples, including restaurant, grocery and cafeteria waste, was food debris; food content well over 50% was seen in some restaurant samples¹⁶. This finding was significantly greater than the residential samples and supported the typical prevalence of food waste in most commercial waste streams around the country. In other words, commercial food waste diversion remains the largest potential opportunity in MSW diversion. This section evaluates the feasibility of new diversion policy for this sector.

4.1 Commercial Food Waste Diversion Objectives

In support of the overall RFV waste diversion goals, the objective of a new commercial food waste diversion policy is to increase the diversion of food waste that is currently being landfilled through the existing compost system and to aid in a cultural shift towards resource conservation. The ability to increase food waste composting will have several benefits, as follows:

- Increased waste diversion and reduced GHG emissions – Not only is commercial food waste the biggest target within the MSW stream, it is a tangible way to address waste generated by visitors and second homeowners through

¹⁵ Based on 2015 waste audit findings of 17% food waste and PCSWC-reported 22,800 MSW trash tons.

¹⁶ Had special event samples been included in the waste audit, it is likely that these percentages would be even higher.

I.

businesses they patronize. GHG emission reduction over the landfilling alternative would occur as these materials degrade aerobically (in the compost system) instead of anaerobically (in the landfill). The natural decomposition process of breaking down the food waste aerobically generates carbon dioxide (CO₂) where as if the decomposition occurs absent of oxygen, anaerobically, methane (CH₄) is produced. However, additional composting will increase volatile organic compounds emissions.

- Production of beneficial products – Compost products used as soil amendments have the benefit of increased soil health, reduced soil loss, increased water retention and reduced use of fertilizers and pesticides.
- Extension of landfill life – Without an expansion, the PCSWC landfill is expected to close in 7 years, unless changes in waste management are made. Both the cost and environmental footprint of managing trash is expected to increase significantly after the landfill closes. Any success in diverting materials that would otherwise be managed as trash will be a significant benefit to Pitkin County and users of its facilities, now and in the future.

4.2 EPA Hierarchy

In reviewing the U.S. Environmental Protection Agency's (EPA) Food Recovery Hierarchy (Hierarchy), the Hierarchy shows that reducing the volume of surplus food generated has the largest impact on the generation of food waste, as shown in Figure 4-1. By the time the food waste gets to the PCSWC, the preferred options for managing the food waste have been missed. The RFV has food banks and a limited amount of agriculture areas to accept the food waste, but the existing programs do not keep up with the volume of food waste that is being generated locally. Currently, a significant portion of the food waste generated in the RFV ends up being landfilled, which is the least preferred option. The intent of policy changes discussed in this section is to provide mechanisms to force food waste generated in the RFV to be managed in the upper levels of the pyramid Hierarchy.

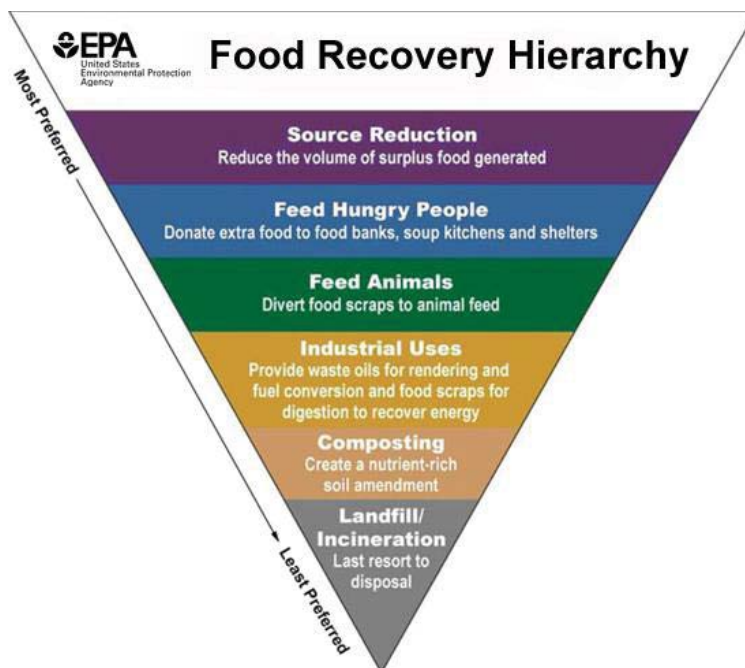


Figure 4-1. U.S. EPA Food Recovery Hierarchy

As noted on Figure 4-1, composting of food is on the fifth tier of the Hierarchy. Composting of food and organics is beneficial, as it will improve soil quality.

4.3 Existing System

The current means for managing food waste within the RFV includes a mix of policy and infrastructure, as follows:

- Both Evergreen Zero Waste and Mountain Waste & Recycling collect curbside organics throughout the RFV. Commercial collection costs vary widely as a function of the number, type and size of containers as well as collection frequency.
- Both the City (chapter 12.08) and the County (chapter 6.44) have wildlife protection rules associated with solid waste. These require organics stored for collection to be in bear-proof metal containers located in secure enclosures OR moved out to the curb only on collection days.
- The County and the City jointly operate the SCRAPS program. SCRAPS accepts food waste, food-contaminated paper and plant debris. Steady increase in participation in the SCRAPS program has been achieved through subscribing to curbside collection service or dropping waste at the PCSWC at no cost. A limited number of bear-proof, metal containers are available to businesses for outdoor food waste storage.

I.

- The PCSWC compost facility accepts food waste and green waste (including yard waste, plants, flowers, sticks, branches, grass and leaves). The facility produces finished compost and potting soil, although product demand has exceeded supply for the last several years.

The City also has a yard waste disposal ban (code chapter 12.06) and the South Canyon Landfill in Glenwood Springs accepts some green waste for composting. While neither of these programs target food waste, they help to raise awareness around organics recovery in the RFV.

4.3.1 Commercial Food Waste Generators

There are numerous businesses, institutions, and special events in the RFV that generate both pre- and post-consumer food waste. It is expected that new diversion policy will be phased in over the planning period and apply only to “large” generators initially, with more moderately sized generators included in subsequent phases. The intent of only regulating large generators is to have the largest increase in food waste diversion while impacting the least amount of generators. Large generators will be categorized by easily measurable fixed quantities (e.g., tons of waste generated per week, building floor area for grocery store, maximum occupancy for restaurants). The threshold for being categorized as a large generator could be adjusted by the City or County managers to address food waste diversion in the best manner as conditions change. Potentially regulated generators located in Aspen or the unincorporated Pitkin County include¹⁷ the following:

- Grocers – Two national stores (Safeway and City Market) operate in Aspen¹⁸. Other local grocers include Clark’s Market and Roxy’s Market¹⁶.
- Restaurants – These can be broken into two categories
 - Aspen Ski Company restaurants – Ajax Tavern, Element 47¹⁸, Limelight Hotel⁸, Sundeck¹⁸, Chair 19, Bumps¹⁹, Cliffhouse¹⁸, Merry Go Round, Cloud 9, Sam’s Smokehouse, Ullrhof, Two Creeks¹⁸, Elk Camp and Lynn Britt Cabin.
 - Other restaurants – Plato’s, Hotel Jerome, Hops Culture, Matsuhisha, Burnelleschi’s, Mezzaluna, Su Casa and The Grey Lady.
- Schools – These include the Aspen School District No. 1 (elementary, middle and high schools) and the Aspen County Day School.

¹⁷ Additional large generators located in other municipalities or in southern Garfield County/Carbondale include Whole Foods and two other City Market stores,

¹⁸ While neither national grocer is currently diverting food waste currently, both donate food to local food banks. Additionally, many other City Market stores (which are a supermarket brand of Kroger in the Rocky Mountain region) operate extensive reduction, recycling and organics recovery programs,

¹⁹ Currently a SCRAPS member.

- Hospitals – The primary facility in the southern end of the RFV is the Aspen Valley Hospital.
- Special events – These include the Food & Wine Classic, X Games, Aspen Music Festival and the Jazz Aspen Snowmass festivals.

Many of the generators listed above conduct some level of waste diversion already, although most do not compost food waste. Many other, smaller Aspen restaurants also participate in SCRAPS or have expressed interest in food waste composting. It is likely that some of these would voluntarily comply with new commercial policy even if they are not regulated.

4.3.2 Existing Diversion Challenges

There are many challenges associated with collecting, storing, hauling and composting food waste, as follows:

- Space limitations - Many commercial operations lack space for extra waste containers in their kitchens and at the curb.
- Staff training for pre-consumer collection – Many businesses and special events have a high level of staff turnover (or even volunteer staff) who need timely training and oversight (often in multiple languages).
- Post-consumer collection – Due to the inability to control recyclables and organics contamination in “front of the house” materials diverted by the public, many programs do not include post-consumer materials.
- Nuisances and wildlife attraction – If not containerized properly, food waste can generate noxious odors, leaks, and insects, and attract wildlife. The City and the County have strict requirements for containers and enclosures (which can require additional space).
- Cost of containers and hauling – The expense of additional material storage and requirements for wildlife-resistant containers or enclosures add costs whether commercial generators provide their own storage or obtain through their hauler. Hauling costs will also increase for adding a new organics collection service; this may be offset, in part, by reducing the size and/or frequency of trash collection service.
- Cost of composting – Compost facilities require site investigations, engineered infrastructure and comprehensive permitting. Ongoing operational, monitoring and reporting requirements are similarly extensive. Most facilities rely on tip

I.

fees, selling finished products, or both, to offset capital and operating costs²⁰. Composting at altitude has additional challenges related to prolonged low temperatures during winter months.

4.4 Food Waste Policy Successes in Other Communities

In preparation for the Phases I and II policy evaluation, a review of organics recovery programs in Colorado was conducted.

4.4.1 Colorado Examples Similar to the RFV

The Colorado mountain communities reviewed include Summit County and Steamboat Springs. Both of these areas have significant summer and winter tourism influx that impact food waste management. Both Summit County and Steamboats Springs have food waste collection services and operate high altitude compost operations. Both of these areas do not have any mandatory food waste diversion for any of their generators.

4.4.2 Example Food Waste Diversion Programs

Since the similar areas in Colorado did not operate mandatory food waste diversion programs, additional areas were reviewed for possible policy components. In the larger metropolitan areas, the quantity of organic waste is large enough to justify private composting operations in addition to the composting that is conducted at landfills. A few of the larger metropolitan areas are discussed below.

- Boulder, CO - The City of Boulder passed a new ordinance that required all businesses to divert recyclables and organics (Boulder also requires recycling and food waste recovery as part of its special event permitting process) beginning in 2016. Boulder's commercial regulation applies to both pre- and post-consumer materials. Generators must provide adequate access to collection, new employee and annual staff training, and multi-lingual signage. Exemptions may be issued for up to one year in cases of less than 32 gallons of trash per month (or less than the "small" container service discussed in Section 3 or about 0.15 cubic yards/month), severe space constraints or economic hardship, and innovative reuse/repurposes options²¹. Penalties for non-compliance can result in fines up to \$2,000 per violation.

²⁰ In 2017, PCSWC's tip fees for source-separated food waste is \$15/ton (\$45/ton for other compostables) versus \$66/ton for MSW and other waste. SCRAPs program participants can tip food waste for free. PCSWC compost and potting soil are sold for \$34 and \$35/ton, respectively.

²¹ Boulder's City Manager Rules detail these exemptions and other implementation details in a separate code-specific operations plan.

- San Francisco, CA – The San Francisco Department of the Environment requires all food generators (including special events) to divert recyclables and organics (green waste, food-contaminated paper, and food waste, excluding fats, oils and grease)²². Generators must provide adequate containers, signage, access and training for customers, staff, janitors, and any contractors for effective material recovery. Waivers may be considered after container-sharing and drop-site collection options have been exhausted. Enforcement is based on inspections paid for by generators. Like Pitkin County, San Francisco’s generators rely on private haulers, although there is one primary service provider for residential and commercial collection.
- Seattle, WA – Since 2010, Seattle has required food waste generators to divert organics (food waste and food-contaminated paper) and replace all single-use food service products (e.g., cups, clamshells) with recyclable or compostable alternatives. Exceptions have been allowed in instances of extreme space constraints: where shared containers are not feasible and trash containers that receive public waste. After two warnings, violators are fined \$50 for every trash collection that includes banned materials. The city’s commercial generators are primarily served by two private haulers and Seattle Public Utilities has confirmed that commercial organics collection costs 32% less than trash collection.
- State of Vermont²³ – In 2012, Vermont passed a state-wide universal recycling and composting law that required food waste donation or composting by any generator with more than 2 tons/week (roughly 4 cubic yards/week) of food waste and a compost facility within 20 miles. This mandate was expanded each year since and currently requires diversion for any generators with more than 0.35 tons/week (about 1 cubic yard/week). By 2018, any trash hauler must also provide green and food waste collection service to its curbside customers. By 2020, food residuals will be banned from landfill disposal in the state, effectively regulating households, as well as commercial generators²⁴.

4.5 Commercial Food Waste Generator Input

Stakeholder group meetings and web-based surveys were used to collect input on food waste recovery options in the RFV. Among others, stakeholders included hotels, restaurants, and grocery stores. Stakeholder meetings were held in October 2016 and the surveys were conducted in October 2016 and February 2017. Most stakeholders

²² San Francisco was more aggressive than required by the State of California’s AB1826 which mandated commercial organic recovery programs to start with generators of 8 cubic yards of organics/week in 2016 and expand to include smaller generators until the goal of 50% commercial organics is achieved.

²³ The States of Connecticut, Massachusetts and Rhode Island have similar laws.

²⁴ This law also mandates recyclables diversion, recyclables collection at all solid waste transfer stations, a clean wood disposal ban, municipal PAYT

I.

were in favor of an organics diversion program and were optimistic about opportunities. The survey results, however, indicated a number of challenges (see Tables 4-1 and 4-2 below for survey results).

Survey responses on this topic were low, as a total of only 5 and 4 responses were received for the first and second surveys, respectively. The results, however, supported input obtained during stakeholder meetings: Costs of an organics program, as well as space constraints and staff training, are the primary obstacles.

Table 4-1
2016 Food Waste Stakeholder Survey Results

Potential New Requirements	Service Info Provided	Stakeholder Comments
Donated food waste	No (5)	
Food waste used as animal feed	No (5)	
Separate food waste out for compost collection	<ul style="list-style-type: none"> • Yes (2) • No (3) 	
Importance of diverting food waste instead of landfilling it	<ul style="list-style-type: none"> • Yes (4) • Unsure (1) 	<ul style="list-style-type: none"> • Diverting food waste slows down the filling of landfills • Takes material out of waste stream and makes it available for agriculture
Incentivizing or regulating food waste composting in the Raring Fork Valley	<ul style="list-style-type: none"> • Yes (3) • Unsure (2) 	<ul style="list-style-type: none"> • A hard sell in an industry with traditionally low margins\$5000/year to compost • Collection costs could be offset by selling compost
Customers asking for food waste diversion	<ul style="list-style-type: none"> • No (3) • Sometimes (2) 	
Distance willing to take food waste to a designated centrally located collection facility to avoid landfilling	<ul style="list-style-type: none"> • 0 miles (4) • 5 miles (1) 	
Space for onsite collection (e.g., prep areas, public areas, alleys)	<ul style="list-style-type: none"> • Not a challenge (1) • Challenge that can be overcome (2) • Challenge that might not be overcome (1) • Challenge that cannot be overcome (1) 	

Table 4-1 cont'd.

Potential New Requirements	Service Info Provided	Stakeholder Comments
Cost of collection	<ul style="list-style-type: none"> Challenge that can be overcome (1) Challenge that might not be overcome (3) Challenge that cannot be overcome (1) 	<ul style="list-style-type: none"> This will be the biggest challenge
Staff training and ability to limit contamination in food waste	<ul style="list-style-type: none"> Not a challenge (1) Challenge that can be overcome (3) Challenge that might be overcome (1) Challenge that cannot be overcome 	
Money for additional food waste collection services	<ul style="list-style-type: none"> Reduced Bill (1) Stays the Same (3) 10% (1) 	
Making food waste separation easier	<ul style="list-style-type: none"> Staff training programs (1) Daily food waste collection subsidized by local agencies (3) Requirements so all food establishments are doing the same thing (2) Subsidized cart costs (2) 	
Programs to improve feasibility and effectiveness of recovering more food waste in the Roaring Fork Valley	<ul style="list-style-type: none"> Free bags/percentage of the compost revenues/free collection Daily pickup 	

Note: Numbers in parentheses indicate number of respondents

4.6 Recommended Commercial Food Waste Policy

Through the stakeholder process and a working knowledge of the solid waste industry, recommendations for a food waste policy have been developed. Considerations included in the policy include what entities would be regulated and what exemptions may be appropriate.

4.6.1 Policy Components

- Applicable to large commercial entities, including; groceries, restaurants, schools, special events, or other businesses or institutions that generate food waste as part of normal operations (but does not apply to any residential properties). The threshold to determine large commercial entity to be determined and or modified by the City and the County managers.

I.

- Require any large commercial generator to divert pre-consumer food waste generated part of food preparation intended for public, student, patient, or other consumer (including food-contaminated paper and approved compostable packaging). A flow chart depicting the target of the food waste regulation is shown on Figure 4-2 on the following page.
- The initial thresholds for the different types of large food waste generators are planned to target the approximate largest 25% for each category. These thresholds should be adjusted, as needed, as diversion success data is gathered.
 - Restaurant (maximum occupancy greater than 100 people)
 - Grocers (building square footage greater than 2,500 square feet)
 - Schools (total enrollment greater than 25 students)
 - Hospitals (inpatient capacity greater than 10 patients)
 - Special events (event participants greater than 500 people)
- Diversion may include food donation, use as animal feed, or collection for composting at the PCSWC
- Appropriate sized and labelled containers shall be provided in all food preparation areas for each regulated entity.
- The County and/or the City should provide initial assistance in verifying generation levels, identifying donation and feedstock options (if any), obtaining hauler services, including right-sizing trash containers where both organics and trash collection are utilized, providing training materials and train-the-trainer assistance for educating staff on diversion practices, and program reporting.

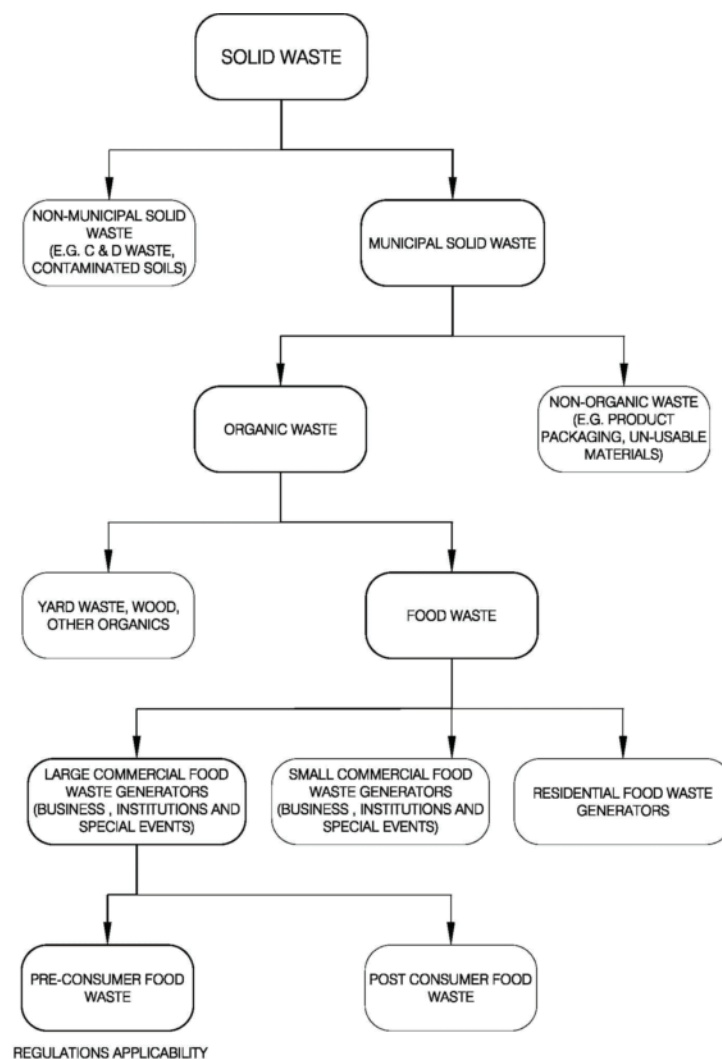


Figure 4-2. Food Waste Regulation Applicability

4.6.2 Other Recommendations

- Conduct food waste diversion in City and County operated buildings. If the City and the County officials have determined that food waste diversion is necessary for the public, then they should lead by example.
- Expand public education operations. The main consideration for not recommending post-consumer food waste diversion is that the level of contamination in the food waste prevents it from being accepted into the compost operation. If the public can be educated into the compostable materials and reduce contamination, additional, future food waste diversion could be achieved.

I.

4.6.3 Estimated Benefits and Cost Impacts

The estimated benefits of implementing mandatory food waste diversion for large commercial generators include:

- Increased feed stock for the compost operation, which increases the amount of topsoil and compost available for sale. This increase in food waste volumes allows for more yard waste to be incorporated into the compost operation.
- Decreased food waste in the landfill, which reduces nuisance conditions, reduced attraction of animals, reduced landfill gas generation, and reduced landfill airspace consumed each year.

Table 4-2 provides an estimate of the potential diversion impacts associated with recovering food waste and food-contaminated, compostable paper through a commercial food waste recovery program. These quantities represent a potential GHG reduction of up to 6,000 metric tons of carbon dioxide equivalent.¹¹

Table 4-2
Potential MSW Diversion Increase – Food Waste Recovery Only

	2022 (Projected)	2027 (Projected)
If 40% Landfilled Recyclables Diverted		
Additional Tons	2,100	2,300
New Diversion Rate	27%	27%
Landfill Life Added	6 days/year	7 days/year
If 60% Landfilled Recyclables Diverted		
Additional Tons	3,100	3,500
New Diversion Rate	30%	30%
Landfill Life Added	9 days/year	20 days/year

Note: For reference, the 2015 organics diversion levels added 25 days of landfill every year; the potential new diversion described above represents an extension of landfill life, in addition to current levels.

The estimated cost to be incurred by the City or County would be limited. Potential costs would include the purchase of additional food waste bins to be located at the newly regulated food waste generators. The PCSWC currently operates the compost operation at a profit through the tipping fees and compost sales. The cost of any new bins could be offset by the additional food waste revenue and operational efficiencies of higher volumes. This cost could also be supported by the City or County in a similar method that is used for the SCRAPs program, which has purchased various sized bear-resistant food waste containers.

There will be additional fees for the collection of the food waste, in addition to the current trash and recycling services. The extent of the increase in waste collection fees is not known and will vary (e.g., generator location, volume generated). As more food waste generators participate in diversion, additional collection efficiencies will be available, as well as haulers offering food waste collection.

4.7 Implementation Considerations

The implementation of the requirement for large commercial food waste generators to divert food waste will require a detailed review of the site-specific challenges of food waste. One of the challenging areas may be in the downtown Aspen area, with multiple businesses sharing waste service. This area may require an exemption due to conditions that are outside of the food waste generator's control, including nuisance conditions to the public and other businesses, physical space for an additional waste container, and wildlife concerns. Continued stakeholder engagement will help to determine which areas should be granted exemptions from the food waste diversion requirement, if any.

4.8 Commercial Food Waste Policy Summary Points

Food waste was identified as a significant portion of the MSW being landfilled at the PCSWC. There is an existing system to divert food waste to the compost operation at the PCSWC and other food donation avenues. Food waste diversion within the RFV is challenging due to the significant influx of non-permeant residents, weather, space, and wildlife. The recommendation is to require pre-consumer food waste diversion for large commercial generators. The two benefits of expanding food waste diversion are 1) increased compost production at the PCSWC, and 2) reduced impacts from the PCSWC that include reduced landfill gas generation and air emissions. These benefits will likely not have a significant impact on landfill life.

5 C&D DEBRIS DIVERSION

In 2015, Pitkin County estimated that 80% of the total solid waste managed at the PCSWC was non-MSW and that most of this portion (about 153,500 tons) was C&D waste. The C&D stream includes both building and road construction waste. Nationally, asphalt pavement and bulk aggregates from road and bridge construction contribute more than three-quarters of the C&D stream, while the mixed C&D from building construction contributes the remainder²⁵.

The County has observed that C&D debris sources align with national metrics: In 2015, PCSWC diverted about 73% of its C&D stream, which was primarily concrete and asphalt from road construction projects, and used an alternate daily cover for the landfill's operation. However, the remaining C&D (about 41,000 tons) was not diverted, and was mostly building-related debris. Compared with landfilled MSW tons, this quantity represented more than two-thirds of all solid waste landfilled that year.

Building C&D can be further broken down into construction sources. Although PCSWC doesn't track this information, national metrics indicate that about 48% of building debris is generated by deconstruction of existing buildings, 44% from renovations and upgrades, and the remaining 8% from new construction²⁶.

As Aspen and other areas of Pitkin County approach buildout, the level of deconstruction is expected to increase. As a result, mixed C&D debris generated from building deconstruction is a critical focus for the City's and the County's waste diversion efforts.

5.1 C&D Diversion Objectives

Since the C&D waste generated within Aspen and Pitkin County makes up such a large portion of the total waste managed, evaluating ways to divert a portion of the C&D waste is a primary topic of this Phase II Plan. The C&D diversion objectives include:

- Establish a system to track the volume of waste generated from C&D projects.
- Encourage large generators of C&D waste to divert from the PCSWC.
- Limit the consumption of the remaining airspace at the PCSWC.

²⁵ Based on findings by the Construction & Demolition Recycling Association, 2015.

²⁶ Duffy, MSW Management Magazine, 2017.

5.2 C&D Debris Composition

In the fall of 2016, PCSWC conducted waste audits of mixed building-related C&D debris loads delivered to the landfill for disposal²⁷ (as noted previously, the building-related debris may be only one-quarter of the C&D stream, but represents mixed materials that are cost-prohibitive to recycle and, therefore, are typically landfilled). The City and the County wanted to gather additional information on this waste stream to help determine what was possible to divert from the C&D waste. Figure 5-1 includes a summary of audit findings. The primary findings of the C&D waste audit are as follows:

- Non-reusable and non-recyclable materials comprised nearly 78% of the loads observed. These included treated/engineered wood, drywall, and roofing materials.

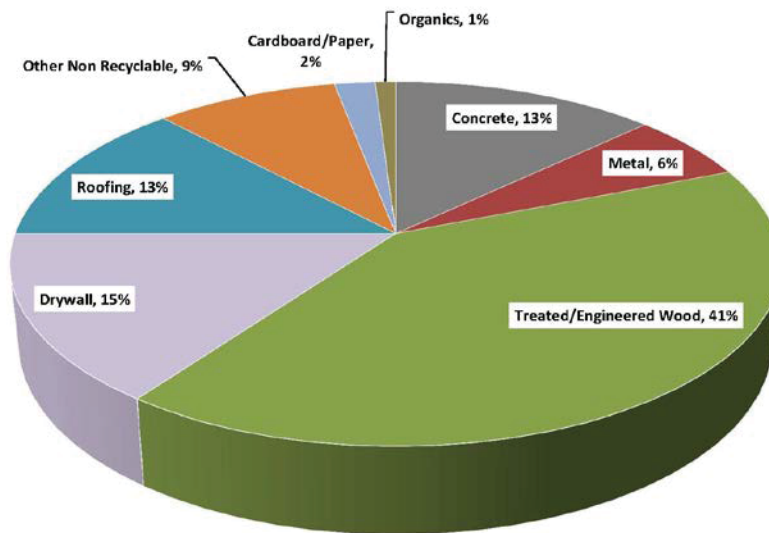


Figure 5-1. Composition of Building Construction Debris Landfilled at PCSWC

- If sorted for recycling, about 22% of the building-related debris, most notably, metals, concrete (including both clean and reinforced material), cardboard, and organics, and organics could potentially be diverted through existing programs.
- Limited amounts of clean wood (e.g., dimensional lumber), wooden pallets, or scrap metal were observed in these loads. However, these are common components of most C&D debris streams.

²⁷ This was a visual audit conducted by staff. It included a snapshot observation of 28 building debris loads (25 from new construction, renovation, and deconstruction residential projects and 3 from commercial projects). The audit targeted about 90 tons of C&D debris. Because of the brevity of the audit and lack of commercial samples (the audit occurred during a moratorium on commercial development in the City of Aspen), the composition data should be verified with additional audits in the future.

I.

- Due to high variability in annual materials types and quantities (such as that seen between 2015 and 2016) and the limited characterization data, no projected escalation in building-related C&D debris generation rates were made over the planning period.

5.3 Current Handling of C&D or Existing System

The PCSWC currently accepts and C&D and has specific tip fees based on the content, as discussed below.

5.3.1 C&D Debris Management

Waste generated during the replacement of small roads, patios, sidewalks, and other outdoor hardscapes generates concrete and asphalt waste. When this concrete and asphalt waste is brought to the PCSWC, the waste is generally clean (i.e., contains only concrete or only asphalt) and is produced in large quantities (i.e., greater than one dump truck load). This material is currently processed and reused at PCSWC or sold to other users. The concrete and asphalt waste generated from large road construction projects generally is reused on that particular project or is hauled back to the producer of the concrete and asphalt for recycling. As noted, the County attributes its 73% C&D diversion rate largely to the reuse and recycling of concrete, asphalt and other aggregates from construction projects.

Waste generated during the new construction, renovation, and demolition of buildings has been observed to be a smaller part of the C&D stream, but is expected to represent the bulk of mixed C&D waste. This mixed C&D waste is difficult to divert because of the requirement for processing and high percentage of low-value materials. C&D from building C&D typically arrives at PCSWC mixed in the container available at the construction site. While these C&D loads may contain some locally reusable or recyclable materials (e.g., metals, clean wood and pallets, cardboard, plastics, and some aggregates), they are typically mixed with materials that cannot be effectively separated and/or for which there is no local demand (e.g., treated wood, drywall, insulation, and roofing materials). The county has observed that these mixed C&D loads account for most of the landfilled C&D (and solid waste overall) in 2015.

5.3.1.1 Existing Regulations in the RFV

The City and the County have a joint, points-based Efficient Building Program for residential construction that is not well enforced by either entity. Requirements include submittal of a deconstruction plan, and a waste reduction/ diversion and environmental conservation checklist, as part of the building permit application. There are also construction debris recycling and demolition debris reduction requirements for new buildings and remodels/demolitions, respectively.

The City requires the submittal of deconstruction plans but no follow through on actual implementation of any diversion activities. The County's Community Development Department is currently working on a building code update that replaces the Efficient Building Program and includes a more practical approach to waste diversion. The City may consider similar changes in the near future.

Additionally, both the Town of Snowmass Village and Carbondale have adopted the International Green Construction Code, which requires 50% diversion levels for some building projects. Actual implementation may include a waiver; however, the lack of C&D processing capacity in the RFV and the availability of end-use markets make the 50% diversion level impractical.

5.3.2 Obstacles for C&D Diversion

Some of the C&D diversion obstacles are discussed below.

Time

Building C&D is a time- and space-sensitive activity, especially within Aspen. Contractors are frequently rewarded by clients to accomplish their project as fast as possible. The construction restrictions imposed by the City during busy tourist holidays and the climate of the area further reduce the working days available to complete projects. The time constraint reduces contractors' willingness to conduct selected deconstruction of their projects or to segregate waste materials.

Space

Space is very limited on construction sites in Aspen, which limits contractors' ability to store and segregate materials. Often, construction sites can only afford the space for one roll-off, which results in all waste materials being mixed and hauled to PCSWC. Along with limited space at the construction sites, there are limited avenues for connecting prospective users of used building materials with construction projects that need to remove building materials.

Local Market Demand for Durable Goods and Used Building Materials for Reuse

There is limited demand within Pitkin County for the utilization of used building materials. Existing deconstruction contractors and used building material recyclers typically haul the materials collected within Aspen to facilities outside of Pitkin County. This is not unique to the RFV. ReSource's non-profit used building facility in Boulder observed that the majority of the used building materials are generated within the City of Boulder, and the majority of the customers purchasing the used building materials are from smaller towns outside of the city limits. This scenario could reflect the relative incomes of property owners in these areas, as well as the constraints described above.

I.

Local Market Demand for Used Building Materials for Recycle

Many of the materials used in the construction of buildings are difficult to recycle. These difficulties can be attributed to the fact that building materials are a composite of several raw materials. Below is a list of common building materials that have significant local obstacles to being recycled.

- Drywall has very limited development of local end uses such as use in soil amendment, biomass feedstock, or recycled back into dry wall at the local drywall plant..
- Carpet, if not reused, can be feedstock in cement furnaces.
- Lack of local markets for materials like ceiling tiles, vinyl composite tiles.
- Other materials with significant market development challenges are insulation, cement fiberboard, roofing membranes, and treated wood

Economies of Scale

C&D processing for recycling and direct reuse is more common in larger metropolitan areas than it is in smaller mountain resort communities. Several factors drive these trends. Large communities generate more waste and processors have more material to justify the cost of operating a waste processing facility. Colorado, in general, has little of both C&D processing capacity and market demand for processed materials.

5.3.3 Opportunities for Additional C&D Diversion

Depending on the type of project, C&D loads can be predominantly one type of waste, e.g., when a hardwood floor is replaced or when a project is only in the framing stage of construction. When these are good-quality materials that are in demand by other users, they can be managed as a source-separated load and hauled to one of the facilities described below. Creating awareness, incentives, and practicality around diverting these materials early in the deconstruction and renovation process can facilitate reuse and recycling of this waste stream.

- There are currently companies operating in Pitkin County that provide deconstruction services and accept used building materials for resale. One of these companies, Habitat for Humanity (headquartered in Carbondale with warehouses in Pitkin and Garfield Counties), is a global, non-profit organization that finances affordable home building through ReStore operations. The Carbondale ReStore network has diverted over 500 tons of reused and repurposed furnishings and used building materials since 2011.
- PCSWC – In addition to diverting aggregates, PCSWC includes a compost operation that accepts land-clearing debris. The facility has the potential for diverting more wood through shredding of dimensional lumber in the future. The PCSWC currently has diversion operations for concrete, metal, and cardboard.

5.4 C&D Diversion Successes in Other Communities

C&D Diversion is not a new initiative in the solid waste industry and is practiced throughout Colorado. The primary materials that are diverted from the C&D waste stream are concrete, metal, clean wood, and cardboard. The City of Fort Collins has established regulations requiring a waste diversion plan for C&D projects and has specified the materials that need to be diverted. The Fort Collins requirements vary, based on the project size, building use, and whether demolition is needed. The program has allowed the City of Fort Collins to generate road base for internal use and offers payment for clean loads of cardboard instead of charging for it.

5.4.1 Example Regulatory Programs in Colorado and U.S.

Other Colorado municipalities, such as Boulder, Fort Collins, Eagle County, and Summit County, operate green building programs with varying applicability to building projects and a range of diversion requirements. Boulder's residential program is one of the more rigorous with 50% to 65% diversion for new construction and deconstruction, respectively. Most of these programs are only partially enforced, however, because of the time and space challenges described above, lack of enforcement staff, and limited processing and end-use opportunities in the state.

Communities throughout the U.S. have successfully developed more aggressive C&D diversion policies. The use of minimum diversion levels, refundable deposits submitted with building permits, and end-of-project diversion mechanisms tied to certificates of occupancy were researched during the Phase I study. While those examples provided some interesting approaches, the successes in Chicago, Plano, and San Jose were tied to strong regulatory climates, large quantities of C&D generation, long construction seasons, and the availability of one or more C&D processing facilities in close proximity – none of which exist in Pitkin County. Most notably, the County's 2016 observations indicated that a minimum of 25% of the building waste currently being landfilled at the PCSWC can be diverted through existing end users and markets.

Although some of the incentives, reporting, and partnership aspects of these programs support recommendations for C&D diversion in the RFV, it was clear that a new, hybrid approach was needed.

5.5 Stakeholder Feedback

Through the development of this Phase II Plan, the opinions of various stakeholders were sought. Public meetings were held, online surveys were posted, and information was placed in the local newspaper. Stakeholders included contractors, architects, reuse facilities, haulers, municipalities, and citizens expressed the following key concerns associated with increasing C&D diversion in the RFV:

I.

- Building should be limited and construction debris controlled to preserve the resources of Pitkin County and the PCSWC landfill.
- Any changes that cause a delay in issuance of building permits, putting recycling containers in Aspen right-of-way, or new regulations could be a hardship for some stakeholders.
- Materials generated at demolition sites are harder to conserve because they are a mixture of low-value materials.
- Increased C&D tipping fees at PCSWC will increase traffic on Highway 82, as the waste materials will likely be hauled to the South Canyon Landfill.
- Deconstruction and salvage operations could be incentivized by:
 - Providing faster turnaround on demolition and building permits – possibly including faster permits for deconstruction and salvage projects
 - More resources to help contractors, including deconstruction training and education on tax benefit opportunities
 - Expanded drop/swap at PCSWC
 - Acceptance of more source-separated materials (e.g., clean wood) at PCSWC
 - Increased commercial recyclables cap at PCSWC (especially for cardboard)
 - Increased landfill tip fees
- Need for consistent diversion requirements for Pitkin County and municipalities in the RFV.

Based on in-person stakeholder meeting comments, online surveys were developed with the intent of reaching additional stakeholders that may not have been able to attend the in-person meetings.

5.6 Recommended C&D Management Changes

Through the Phase II study, WCG/LBA has developed recommendations to help facilitate the diversion of C&D waste from the PCSWC. These recommendations are also intended to prevent the C&D waste from bypassing PCSWC and hauling to the next landfill.

Increasing C&D diversion can be accomplished through implementing new regulations, developing building material reuse programs, and by increasing the costs to dispose of C&D waste. WCG/LBA reviewed how other municipalities handled and encouraged diversion of C&D Waste.

5.6.1 C&D Waste Regulations

Implementing new regulations pertaining to how waste is handled on construction sites, provides a method to track waste generation rates by project and to track how waste and recyclable materials are managed. When waste diversion regulations are tied to obtaining a building permit, there is a tangible mechanism to require C&D waste

diversion. Additional details of a requirement for a waste diversion plan are included in Section 5.7.1.

5.6.2 Used Building Material Handling

Developing a location where used building materials can be taken for donation could promote waste diversion from the waste generator aspect. Through participation in online surveys, many of the citizens of Pitkin County have said that they would take their used materials to a facility to be donated, instead of seeing that material be placed in the landfill. A used building material handling facility within Pitkin County could provide a diversion alternative to landfilling. The used building materials could be packaged and efficiently hauled to other locations where the materials are in demand. Materials expected to be donated, stored, and sold through a used building materials facility would include excess new building materials, cabinets, appliances, doors, windows, flooring, and other reusable finishing materials.

The used building materials can be donated upon arrival to the facility, which allows the donator to receive a tax deduction based on the value of the materials donated. There are limits to the quantity that can be deducted based on donation values, and thresholds that will trigger that the valuation of the donated materials should be evaluated by a certified public accountant.

Material that is no longer usable but is free of other waste material has opportunities for recycling, such as the following:

- Clean wood – Shredded and used for composting, mulch or biomass fuel
- Bricks – Crushed and used for drainage media
- Metal – Recycling back into raw materials
- Windows – Recycling back into raw materials

5.6.3 Increase Tipping Fees

The cost to dispose of C&D waste includes both transportation and tip fees at the PCSWC. Increasing the tipping fees will, in turn, increase the costs to the waste generator and in some cases will incentivize waste diversion to avoid a portion of the tipping fees. For other waste generators, the cost of waste disposal is insignificant to the costs of a project, and increasing the tipping fees will have little to no impact on waste generation or waste diversion from those projects. In this instance, the lack of diversion compliance may be balanced by the generation of additional revenue from higher tip fees for C&D. This additional revenue could be used for funding new staff for tracking compliance and implementing new or expanded waste diversion programs.

A likely unintended consequence of raising the tipping fee for C&D at PCSWC would be that haulers would choose to haul the waste to the next nearest landfill (South Canyon

I.

Landfill) and bypass the tipping fees at PCSWC. This is likely already happening based on the current tipping fee difference between PCSWC and the South Canyon Landfill, but is unknown since haulers are not required to report where they haul waste materials to. The consequences of this unknown includes the additional environmental impacts of hauling waste longer distances, but also less reliance on the PCSWC landfill, which could extend its life.

5.7 City and County Roles in C&D Waste Diversion

Establishing new regulations on C&D will require coordination between the Community Development (ComDev), the entity that issues building and demolition permits, and the PCSWC, the entity that accepts the waste generated from building C&D. A conceptual plan of how these two entities can work together to incentivize waste diversion has been developed and consists of three main steps; 1) require a waste diversion plan, 2) track waste generation quantities, and 3) increase the tipping fees to large waste generating projects. This Conceptual Plan has also been detailed visually on Figure 5-2, to follow.

5.7.1 ComDev to Require a Waste Diversion Plan

During the application for a building or demolition permit, ComDev would require that the applicant submit a waste diversion plan, which is already a requirement of the City's ComDev. ComDev would inform the applicant of the benefits of deconstruction prior to demolition, the available tax incentives for material donation, and the savings at the PCSWC when it comes time to dispose of waste. The waste diversion plan and project details would be forward to the PCSWC for waste tracking.

During the development of the waste diversion plan, County or City staff would be able to assist the applicant as to what materials are salvageable for donation or reuse and provide resources for obtaining the tax deductions. As more waste diversion plans are developed, the components within the plan will become routine to the applicants and example diversion materials and quantities will become available.

The details about how a waste diversion plan could work are still in progress, but would include the following concepts:

1. Include building information like construction type, age of construction, and size. This will be used for waste tracking and future waste projections.
2. What materials are planned to be diverted from the landfill during demolition or construction.
3. Where waste materials will be hauled to and will they be segregated?

The development of the waste diversion plan would initially need to be assisted by a city or county employee to help builders navigate the new process. During the development of the waste diversion plan, the building would be inspected to show what materials could be diverted, and if there is an opportunity to donate any materials for a tax deduction.

5.7.2 Waste Tracking by Project at PCSWC

WCG/LBA recommends that PCSWC work with the respective ComDev departments to obtain copies of the building permits with waste diversion plans. The waste brought to PCSWC will be tracked in relation to what was planned in the waste diversion plan. When the quantity of waste reaches a threshold level, an increased tipping fee would be charged for the remaining waste for that project. Evidence of waste diversion activities would be presented to the scale house attendant and would be used to offset a portion of the waste that is being charged at a higher rate. The waste diversion activities would also be tracked based on what was stated in the waste diversion plan.

Initially, the tracking system would be used to gather information on the waste generated by typical projects. After the information has been gathered to determine what type of projects are the large waste generators, thresholds will be adjusted as to how much waste can be generated before triggering a higher tipping fee for C&D waste from a project. The recommended initial threshold is 20 tons of C&D waste per project. A conceptual for increasing C&D waste diversion at PCSWC is provided on Figure 5-2 on the following page.

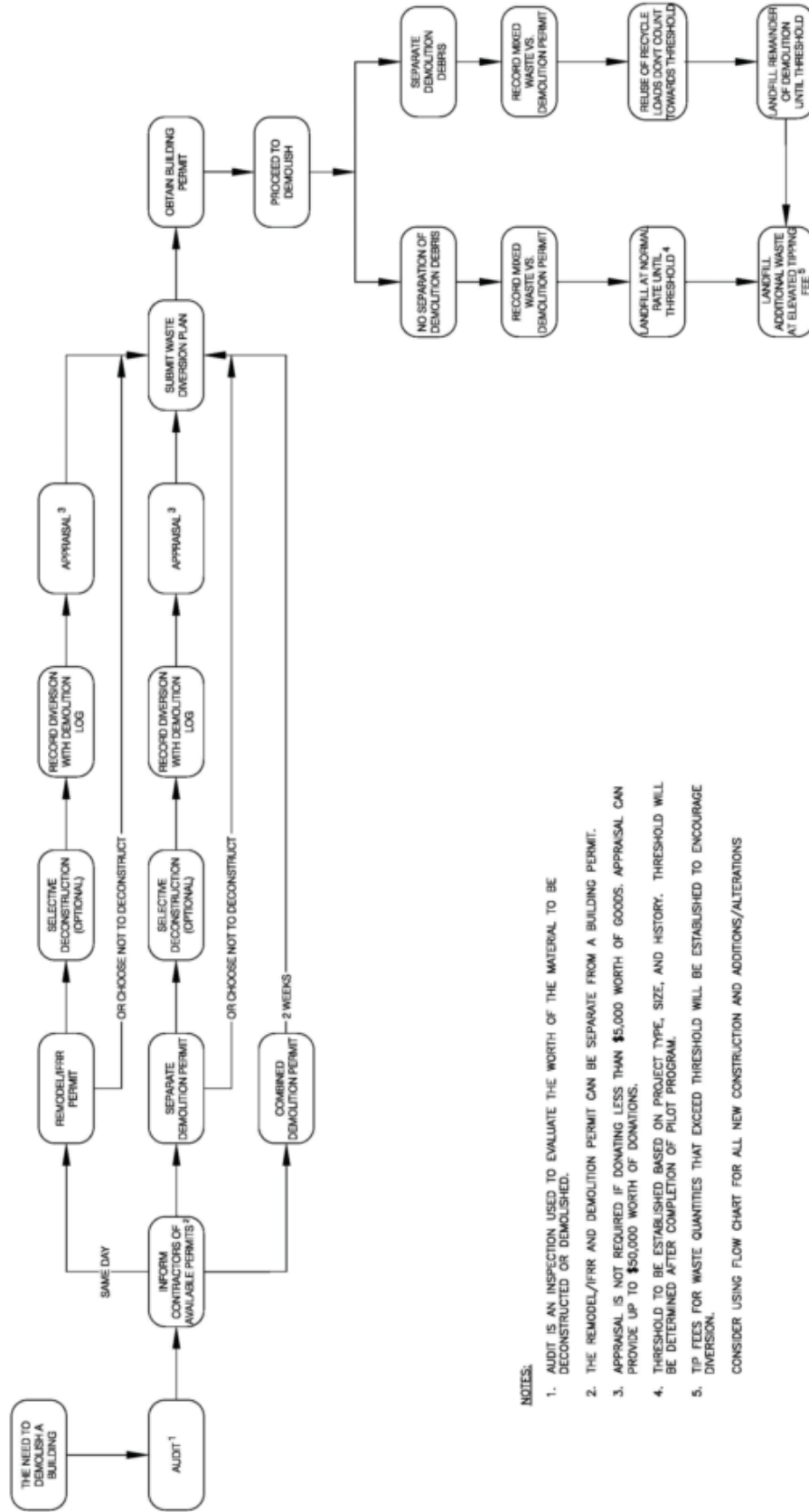


Figure 5-2. Conception Plan for Increasing C&D Waste Diversion

Enforcement

To avoid the higher tipping fees at the landfill, the large C&D waste generators are responsible for diverting and providing receipts of their diversion. The contractors who operate in the RFV will initially require City- or County-provided training on the process and the development of waste diversion plans.

While the conceptual plan for increasing C&D waste diversion puts the responsibility on the waste generator, if no significant changes to C&D management are noticed, additional motivation may be needed. Some of the potential ways to motivate C&D generators to divert more waste could include:

- Stop work orders;
- Cash deposit system attached to waste diversion plans;
- Fines; and
- Additional training.

5.7.3 Develop an Outlet for Reusable Materials

Used materials collected from within Pitkin County frequently have repurpose or reuse opportunity. Private companies operate within Pitkin County to collect and resell used building materials, ranging from interior finish items like appliances and cabinetry, to lumber and flooring materials. These private companies collect materials within Aspen and Pitkin County and then warehouse the materials for resale in areas outside of Pitkin County. Suitable commercial real estate within Pitkin County is generally not cost-effective for the storage and resale of used building materials. There is also a greater market for reusable materials in other communities in Colorado than in the RFV. This increased market demand in other communities is driven by population size and the desire to use lower cost used materials.

WCG/LBA recommends that the City and the County develop a local facility for used material collection. This would allow contractors and homeowners working within Pitkin County the ability to donate materials without transporting the materials out of the county to do so. While these materials may not be reused within Pitkin County, the materials would be diverted and not landfilled. The used material collection facility could facilitate the efficient removal of used building materials to communities that will use them and pay for them.

The County is already evaluating a long-term facility to collect and resell used materials at the PCSWC. This facility would replace the current outdoor area at the PCSWC where materials are donated and available for free collection and reuse. This facility is currently contemplated to include a warehouse and sales area, along with office and training areas. This facility would allow for the expansion of the PCSWC efforts to conduct solid waste and recycling education and community outreach.

I.

5.7.4 Material Donation Tax Deductions

WCG/LBA recommends that the local Community Development Departments inform building permit applicants of the tax deductions available for material donation. Significant tax deductions are available for individuals to donate materials (e.g., used appliances, cabinets, and used building material) to a nonprofit entity like Habitat for Humanity. Not all contractors are aware of this benefit and may be agreeable to allowing building deconstruction to gain access to these tax deductions. The applicable tax codes could be referenced in a handout to demolition permit applicants.

5.8 Diversion Potential

The waste diversion potential of implementing the recommended changes to how C&D waste is managed will primarily be determined by C&D waste generators' willingness to participate in the waste diversion programs. A review of existing reuse retail stores shows it is estimated that through the installation of an outlet for used materials, approximately 500 tons of materials could be diverted annually. Through the implementation of a waste diversion plan requirement for demolition projects, it is expected that between 10% and 30% of the easily divertible C&D waste could be diverted through existing recycling programs. These materials include metal for offsite recycling, concrete for onsite recycling, and the shredding of clean untreated wood to be included into the compost program or sold as mulch. The projected tons diverted are presented in Table 5-6.

Table 5-6
Potential C&D Diversion Increase – Building-Related Waste Stream Only

	2022 (Projected)	2027 (Projected)
If 10% Landfilled Recyclables Diverted		
Additional Tons	4,100	4,100
New Diversion Rate	76%	76%
Landfill Life Added	12 days/year	12 days/year
If 25% Landfilled Recyclables Diverted		
Additional Tons	10,300	10,300
New Diversion Rate	80%	80%
Landfill Life Added	30 days/year	30 days/year

Note: For reference, the 2015 C&D diversion levels added 330 days of landfill every year; the potential new diversion described above represents an extension of landfill life, in addition to current levels.

Other Diversion Benefits - While the impact on landfill life described in Table 5-6 may not be large, the ability to divert additional tons each year will also provide the following benefits:

- A small reduction in GHG emissions, although this estimate is difficult to make, given the mixed nature of these materials.
- Provide usable resources to lower income areas while, at the same time, adjusting the current culture.

5.8.1 Goal Setting

To have a meaningful impact of C&D waste diversion, the materials diverted and landfilled need to be tracked and realistic diversion goals must be set. As diversion data is collected, the City and the County can establish diversion targets and make changes on how to encourage participation in waste diversion to achieve those targets.

5.9 C&D Waste Management Summary Points

C&D waste is a dominant component of the waste generated within the RFV and managed at the PCSWC. Land available for building within Pitkin County and, more importantly, within Aspen, is limited. This has led to the increasing trend of needing to demolish a building prior to the construction of a new structure. The demolition activities are the primary driving force to the large volumes of C&D generated.

The PCSWC currently achieves a high diversion rate of C&D based on the aggregate recovery operation, but there is still a large amount of divertible C&D waste being landfilled. Increasing the quantity of C&D being diverted from the landfill will have the largest impact on extending the landfill life.

The key takeaways for improved C&D waste management in Pitkin County and Aspen include:

- Require a waste diversion plan when obtaining a building or demolition permit.
- Track the waste generated by project at the PCSWS and establish thresholds for when a large waste generating project will trigger a higher tier of tipping fees.
- Increase C&D tipping fees at the landfill to cover the future costs of solid waste management when the landfill closes.
- Develop an outlet for reusable materials.

I.

6 CONCLUSIONS

The RFV is generating waste at a rate that will deplete the remaining permitted airspace at the PCSWC in 7 years. While there is an opportunity for landfill expansion in the future, waste generation rates need to be reduced to slow the consumption of landfill airspace, as well as reduce the impacts of solid waste management. The waste diversion options investigated in this Phase II Plan include waste hauler ordinance changes, introduction of a food waste ordinance, and the introduction of a variable rate tipping fee structure for large C&D debris generators. While some of these waste diversion activities are already being conducted, in varied capacities, there are portions of the waste stream that could be recovered through changes in how the waste is managed. The tiered tipping fee for large C&D waste generators is expected to have the largest impact on waste diversion, followed by changes to the hauler ordinance and, lastly, the diversion requirement on commercial food waste generators.

7 LIMITATIONS

The information presented in this Phase II Plan is based on limited, publically available information and responses from stakeholders. The recommendations included are limited to the information available to WCG/LBA during the preparation of this report.

I.**APPENDIX A****POTENTIAL HAULER POLICY MECHANISMS – PROS & CONS**

APPENDIX A

POTENTIAL HAULER POLICY MECHANISMS – PROS & CONS

Component	Pros	Cons
Curbside Recycling Service Mandate <i>(trash hauler required to provide recycling service to all residential & commercial customers)</i>	<ul style="list-style-type: none"> Increased convenience for & diversion by generator Increased hauler efficiency (fees will likely be less than separately adding recycling to trash service) Increased business for haulers 	<ul style="list-style-type: none"> Implemented as mandatory fee program but no requirement for actual recycling Increased container requirements Increased fees for trash-only customers Challenging in congested commercial areas (there is inadequate space for multiple containers) Can be expensive in remote areas
Single-Stream Recycling <i>(all haulers except one currently provide to all customers)</i>	<ul style="list-style-type: none"> Minimized customer confusion between dual-/single-stream option (especially for visitors used to single-stream programs) Increased convenience & diversion 	<ul style="list-style-type: none"> New containers & messaging for customers with dual-stream Policies in most communities do not specify level of commingling
Set Minimum Quantity for Recyclables Collection <i>(to be provided for same fee/fee portion regardless of quantity)</i>	<ul style="list-style-type: none"> Increased diversion by ensuring minimum container sizing 	<ul style="list-style-type: none"> May need additional recyclable containers Makes setting recycling portion of total fee difficult if maximum size is not set
Recyclables Collection on Same Day/Frequency as Trash <i>(part of existing Aspen & Pitkin County code)</i>	<ul style="list-style-type: none"> Increased convenience & diversion Less confusion Discouragement of frequent trash collections 	<ul style="list-style-type: none"> May require re-routing by haulers Increased cost
Variable Trash Rates Based on Equivalent 32-Gallon Unit <i>(may not initially require specific containers or 32-gallon service)</i>	<ul style="list-style-type: none"> Proven incentive to increase diversion No initial requirement for haulers/ customers to change containers 	<ul style="list-style-type: none"> Eventual need for new trash container sizes & recycling containers for some customers New pricing structure from some haulers Initial confusion for customers
Bundled Trash & Recycling Fees <i>(dual service priced as one fee based on trash quantity – recycling service is mandatory)</i>	<ul style="list-style-type: none"> Some haulers already bundle Proven incentive for making recycling more attractive to generators Facilitates unlimited recycling requirements 	<ul style="list-style-type: none"> New pricing & accounting structure for some haulers Some customers don't realize they pay for recycling service Is not transparent & can create inaccurate impression that recycling is "free"
Limitation on Surcharges <i>(to increase billing consistency throughout the valley)</i>	<ul style="list-style-type: none"> Increased billing consistency Itemizing on customer bills provides transparency 	<ul style="list-style-type: none"> Some haulers feel their lack of these charges differentiates them

I.

Maximum Allowable Recyclables Contamination (allows haulers to not collect contaminated recyclables or to manage as trash)	<ul style="list-style-type: none"> • Generator/haulers are used to a contamination limit in Aspen • Contamination levels measured in 2015 were only <10% ¹ • Increased recyclable quality through generator separation • Decreased rejection/fines for recyclables delivered to Front Range processors 	<ul style="list-style-type: none"> • Consistent rate must be established - Aspen (15%) & county (25%) currently have different rates
Customer Notification (service options & diversion guidelines)	<ul style="list-style-type: none"> • Reduced generator confusion & increase awareness • Encourages participation 	<ul style="list-style-type: none"> • Additional hauler requirement (but can be supported with city/county outreach materials) • When haulers fail to comply, customer communications suffer
No Trash Overflows (needed to support variable trash pricing)	<ul style="list-style-type: none"> • Increased diversion if recyclables contamination limit is enforced • Common component in other community policies 	<ul style="list-style-type: none"> • Requires haulers to notify customers & establish penalty (skip collection, assess additional fees, etc.)
Annual Business License/Renewal (fleet & insurance data, annual reporting)	<ul style="list-style-type: none"> • Common approach throughout Colorado • Facilitates reporting as part of license renewal process 	<ul style="list-style-type: none"> • Increased reporting requirements • Renewal fee (expected to remain nominal)
Reporting, Recordkeeping & Auditing (report material quantities, services, routing & pricing)	<ul style="list-style-type: none"> • Submit as part of license renewal • User-friendly reporting form • Audits verify acceptable self-reporting procedures • Provide data for measuring diversion progress • Annual can be adequate if data collection is effective 	<ul style="list-style-type: none"> • Haulers feel data is proprietary & will be skeptical of city/county's ability to maintain confidentiality • Bi-annual creates more hauler costs

¹ This included measurements of Rio Grande drop-site and curbside recyclables delivered to the PCSWC.

APPENDIX B

OTHER HAULER POLICY CONSIDERATIONS

I.

APPENDIX B

OTHER HAULER POLICY CONSIDERATIONS

Implementation Flexibility

To facilitate effective policies that are fair to local haulers, the following exemptions, delayed effective dates of other implementation options can be considered:

- Delay the effective date for moving all customers to single-stream for one year for existing haulers.
- Allow the effective date for adding recycling to trash accounts in a formal service contract (e.g., homeowner associations) to be delayed until the current term expires (but no more than two years).
- Allow a recyclables curbside exemption in communities (especially those low-densities areas located farther from Highway 82) where cost would be excessive; consider replacing with drop site collection provided directly by haulers providing trash service (or paid for by haulers and their customers if operated by the local government).
- Allow haulers and customers to determine what type and size of containers to meet equivalent requirements including pre-paid disposable trash bags, plastic garbage cans, or automated carts.
- Allow haulers to collect recyclables every other week (regardless of trash frequency) if a 96-gallon or larger service is provided (on same day as trash collection).
- Allow haulers to reject or charge the equivalent trash fee for recyclables with more than 15% contamination.
- Delay the effective date for requiring 32-gallon equivalent service for up to three years but still require pricing based on 32-gallon base size.
- Allow fixed fees in addition to variable fees where disposable bags are used to offset routing costs and where uncontrollable factors affect costs (e.g., fuel costs, recyclables market pricing), but set fee limits.

Enforcement Considerations

It is expected that only part-time enforcement staff will be required to help enforce the new hauler policy in both the city and county. This will represent new costs, however. There are several opportunities for leveraging these enforcement resources:

- Enforcement staff could also conduct field investigations of residential and commercial containers on collection day to assist the haulers by giving customers “gentle reminders” about trash overflows and recyclables contamination.

- The city and county could potentially share code enforcement personnel to reduce costs and encourage consistency.
- Aspen could expand hauler policy enforcement to include the city's yard waste disposal ban.
- There could be overlapping with enforcement of wildlife-resistant containers and/or enclosures.
- Pitkin County may add new field inspection staff for its future C&D debris diversion program, as discussed in Section 5 of the Phase II Plan, which could also overlap with hauler policy enforcement.

Public Outreach Considerations

Providing clear messaging that the city and county could help haulers in developing that will ease haulers' customer communication efforts and increase consistency:

- Create a sample customer notification letter for new and ongoing services and prices (for haulers' ultimate distribution and ongoing communications) including a description of services, recyclables, and trash containers options and pricing, accepted recyclables, and education guidelines.
- Generate a sample bill statement reminder that recycling service is not optional (even if this service is called out separately from trash).
- Provide graphics of acceptable recyclables and separation guidelines (suitable for hauler use on websites, bills and containers).
- Design a customer violation notice (like Aspen's audit card) that haulers can use for trash overflows and contaminated recyclables.

Possible Actions for Second Half of Planning Period

The core policy components —if done with full enforcement and public outreach support—represent significant changes for haulers, their customers, and the city and county. As the planning period advances, there are several additional activities that could and should be considered to further advance the hauler policy and regional waste diversion goals:

- Re-evaluate resource allocation for local recycling drop sites, reallocating to other services (such as enforcement and public outreach) where possible.
- Work with the towns of Snowmass Village, Basalt, and Carbondale to adopt similar hauler policy such that there are universal collection practices, pricing, messaging, and incentives throughout the Roaring Fork Valley.
- Conduct waste audits every 3 years to compare recyclable diversion levels to the content of recyclables and organics still being disposed in landfill trash at PCSWC and re-align public outreach messaging to address materials with lower recovery levels.

I.

- Based on waste composition results, consider a cardboard disposal ban or other policy needed to create incentives around materials with lagging diversion successes. For example, the top three recyclables measured in the 2015 waste composition study trash were cardboard, glass and plastic film.
- Enforce the Aspen yard waste disposal ban and consider expanding throughout the valley.
- Support beyond-the-valley regional efforts for a western slope single-stream processing facility that would reduce transportation costs and improve the economics of recycling for haulers and local governments.

APPENDIX C

WASTE DIVERSION POTENTIAL

APPENDIX C

WASTE DIVERSION POTENTIAL - IMPROVED HAULER POLICY

DATE: January, 2018		BASIS: 2015 Waste Composition Study		
PROJECTION OF POTENTIAL FUTURE DIVERSION - PITKIN COUNTY (MUNICIPALITIES & UNINCORPORATED AREAS)				
TASK	ACTUAL 2015	2022	PROJECTED ¹	
Total MSW Managed at PCSWC	38,200	43,400		48,300
Trash Only (tons/year)	22,800	25,900		28,800
Curbside/DOC Recyclables Diverted (tons/year)	6,500	7,400		8,200
Diversion Rate - Recycling Only (percent by weight)	17.0%	17.1%		17.0%
Recyclables in Composition Study Trash Samples ²	5,700	6,500		7,200
If 40% of Recyclable in Trash Are Diverted				
Additional Diverted Tons (tons/year)	2,280	2,600		2,880
Resulting MSW Diversion Rate - Recycling Only (percent by weight)	23.0%	23.0%		22.9%
Cumulative Landfill Capacity Added Over 5 Yrs ³ (total days)	33	37		41
If 60% of Recyclables in Trash Are Diverted				
Additional Diverted Tons (tons/year)	3,420	3,900		4,320
Resulting MSW Diversion Rate - Recycling Only (percent by weight)	26.0%	26.0%		25.9%
Cumulative Landfill Capacity Added Over 5 Yrs ³ (total days)	50	57		64

¹ Based on population projections from CO State Demography Office, October 2015 projections (permanent population - does not consider tourism).

² Based on 2015 Waste Composition Study findings (25% of MSW samples were curbside/DOC recyclables - paper & containers).

³ Based on 1,700 lbs/cy density (as reported by PCSWC for MSW) and 146,000 cy/yr airspace consumption (average 2016-2027 projections by PCSWC) for all solid waste.

APPENDIX C

WASTE DIVERSION POTENTIAL - COMMERCIAL FOOD WASTE POLICY

DATE: January 2018		BASIS: 2015 Waste Composition Study		
PROJECTION OF POTENTIAL FUTURE DIVERSION - PITKIN COUNTY (MUNICIPALITIES & UNINCORPORATED AREAS)				
TASK	ACTUAL 2015	2022	PROJECTED ¹	
Total MSW Managed at PCSWC				
Trash Only (tons/year)	38,200	43,400		48,300
Organics Diverted (tons/year)	22,800	25,900		28,800
Diversion Rate - Recycling Only (percent by weight)	8,500	9,700		10,800
	22.3%	22.4%		22.4%
Food Waste/Non-Recyclable Compostable Paper in Composition Study Trash Samples ²	4,560	5,180		5,760
If 40% of Organics in Trash Are Diverted thru Food Waste Program				
Additional Diverted Tons (tons/year)	1,824	2,072		2,304
Resulting MSW Diversion Rate - Organics Only (percent by weight)	27.0%	27.1%		27.1%
Cumulative Landfill Capacity Added Over 5 Yrs ³ (total days)	26	30		33
If 60% of Organics in Trash Are Diverted thru Food Waste Program				
Additional Diverted Tons (tons/year)	2,736	3,108		3,456
Resulting MSW Diversion Rate - Organics Only (percent by weight)	29.4%	29.5%		29.5%
Cumulative Landfill Capacity Added Over 5 Yrs ³ (total days)	40	46		51

¹ Based on population projections from CO State Demography Office, October 2015 projections (permanent population - does not consider tourism).

² Based on 2015 Waste Composition Study findings (20% of MSW samples were food waste & non-recyclable/compostable paper).

³ Based on 1,700 lbs/cy density (as reported by PCSWC for MSW) and 146,000 cy/yr airspace consumption (average 2016-2027 projections by PCSWC) for all solid waste.

APPENDIX C

WASTE DIVERSION POTENTIAL - CONSTRUCTION/DEMOLITION DEBRIS POLICY

DATE: January 2018		BASIS: 2015 Waste Composition Study		
PROJECTION OF POTENTIAL FUTURE DIVERSION - PITKIN COUNTY (MUNICIPALITIES & UNINCORPORATED AREAS)				
TASK		ACTUAL 2015	2022	PROJECTED ¹ 2027
Total C&D Managed at PCSWC		153,500	153,500	153,500
	Landfilled C&D Only (tons/year)	41,300	41,300	41,300
	Diverted C&D (tons/year)	112,200	112,200	112,200
	Diversion Rate - Recycling Only (percent by weight)	73.1%	73.1%	73.1%
Potential C&D Diversion ²				
	<i>If 10% of Landfilled C&D is Diverted</i>			
	Additional Diverted Tons (tons/year)	4,130	4,130	4,130
	Resulting C&D Diversion Rate (percent by weight)	75.8%	75.8%	75.8%
	Cumulative Landfill Capacity Added Over 5 Yrs ³ (total days)	59	59	59
	<i>If 25% of Landfilled C&D is Diverted</i>			
	Additional Diverted Tons (tons/year)	10,325	10,325	10,325
	Resulting C&D Diversion Rate(percent by weight)	79.8%	79.8%	79.8%
	Cumulative Landfill Capacity Added Over 5 Yrs ³ (total days)	152	152	152

¹ Given high tonnages observed in 2015 & unpredictable annual vagaries, no escalation was assessed over the planning period.

² Based on 2016 C&D audit findings (25% of landfilled C&D samples included currently divertible materials).

³ Based on 1,700 lbs/cy density (as reported by PCSWC for MSW) and 146,000 cy/yr airspace consumption (average 2016-2027 projections by PCSWC) for all solid waste.

APPENDIX D

HAULER-BASED WASTE DIVERSION POLITY COST ESTIMATE

APPENDIX D

HAULER-BASED WASTE DIVERSION POLICY COST ESTIMATE

DAT	June, 2017	BASIS:				Concept Estimate, 2017\$			
2017 ESTIMATION OF IMPLEMENTATION COSTS - City of Aspen									
TASK	PERSONNEL EXPENSES				EXPENSES	TOTAL COSTS	REVENUES ²	NET COSTS	
	Salary ¹	Days	FTE	Cost					
Initial Implementation (first year only)									
Hauler Training Sessions (2)	ED ES	0 0	0.00 0.00	\$0 \$0	\$0	\$0	\$0	\$0	Assume covered by county
Develop & Test Compliance Assessment Materials	ES	5	0.02	\$1,827	\$0	\$2,356	\$0	\$2,356	Inspection guidelines, checklist & enforcement strategy
	CE	2	0.01	\$529					
	ES	7	0.03	\$2,558	\$0	\$20,552	\$0	\$20,552	Citywide inspection monthly, no enforcement actions first year
Code Enforcement	CE	68	0.26	\$17,994					
Refine Tracking System	AD	2	0.01	\$531	\$0	\$531	\$0	\$531	
Initial Public Open House & Council Caucuses (2)	ED ES	0 0	0.00 0.00	\$0 \$0	\$0	\$0	\$0	\$0	Assume covered by county
	ES	3	0.01	\$1,096	\$3,100	\$4,196	\$0	\$4,196	10,000 color copies/10 stapled pages (Aspen FedEx quote) - 40% city
Update Waste Free RVV Guide w/ CORE/Carbondale EB	ES	5	0.02	\$1,827	\$0	\$1,827	\$0	\$1,827	
Develop City/County Video	ED	1	0.00	\$442	\$0	\$442	\$0	\$442	
Develop Content for Hauler's Use in Customer Communications	ES	2	0.01	\$731	\$0	\$731	\$0	\$731	
		95	0.37	\$27,535	\$3,100	\$30,635	\$0	\$30,635	

Assume covered by county

Inspection guidelines, checklist & enforcement strategy

Citywide inspection monthly, no enforcement actions first year

Assume covered by county

10,000 color copies/10 stapled pages (Aspen FedEx quote) - 40% city

On-Going Annual Implementation (second year and beyond)

Enter Bi-Annual Report Data	AD	5	0.02	\$1,327	\$0	\$1,327	\$0	\$1,327	\$1,327
Enforcement	CE	26	0.10	\$6,880	\$0	\$6,880	\$0	\$6,880	\$6,880
	LG	5	0.02	\$3,173	\$0	\$3,173	\$7,950	-\$4,777	-\$4,777
Periodic Audits	FM	3	0.01	\$1,283	\$0	\$1,283	\$0	\$1,283	\$1,283
Guidance to Generators	ES	6	0.02	\$2,192	\$0	\$2,192	\$0	\$2,192	\$2,192
Annual Report to BOCC & Public	ES	3	0.01	\$1,096	\$0	\$1,096	\$0	\$1,096	\$1,096
On-Going Public Discussions	ED	2	0.01	\$885	\$0	\$885	\$0	\$885	\$885
	ES	5	0.02	\$1,827	\$0	\$1,827	\$0	\$1,827	\$1,827
Update Outreach Materials	ES	3	0.01	\$1,096	\$500	\$1,596	\$0	\$1,596	\$1,596
		58	0.22	\$19,759	\$500	\$20,259	\$7,950	\$12,309	\$12,309

Citywide inspection quarterly, assume equivalent of 3-day penalty each year

Audit 6 haulers every 3 years

Sustainability report

¹ Burdened salaries based on:

Env Health Director	ED	\$115,000	Admin	AD	\$69,000	Finance	FM	\$11,200
Env Health Sr. Specialist	ES	\$95,000	Code	CE	\$68,800	City	LG	\$165,000

² Based on penalties of per incident-day \$2,650

APPENDIX D

HAULER-BASED WASTE DIVERSION POLICY COST ESTIMATE

2017 ESTIMATION OF IMPLEMENTATION COSTS - Pitkin County

TASK	Salary ¹	Days	FTE	Cost	EXPENSES	TOTAL COSTS	REVENUES ²	NET COSTS	NOTES
Initial Implementation (first year only)									
Hauler Training Sessions (2)	DM	4	0.02	\$1,711	\$0	\$2,769	\$0	\$2,769	Could be assisted by consultant
	CE	4	0.02	\$1,058					
Develop & Test Compliance Assessment Materials	DM	4	0.02	\$1,711	\$0	\$2,240	\$0	\$2,240	Inspection guidelines, checklist & enforcement actions
	CE	2	0.01	\$529					
Code Enforcement	DM	7	0.03	\$2,994	\$0	\$20,988	\$0	\$20,988	Citywide inspection monthly, no enforcement actions first year
	CE	68	0.26	\$17,994					New spreadsheet system - could be assisted by consultant
Develop Tracking System for Material Reporting	OM	8	0.03	\$2,382	\$0	\$2,382	\$0	\$2,382	Using initial data set - could be assisted by consultant
Test Tracking & Reporting Mechanisms	OM	2	0.01	\$595	\$0	\$595	\$0	\$595	
Initial Public Open House & Commissioner Caucuses (2)	DM	2	0.01	\$855	\$500	\$3,211	\$0	\$3,211	Could be assisted by consultant
	OC	8	0.03	\$1,855					
Work with CORE to Update Waste Free RVV Guide	OC	3	0.01	\$696	\$4,700	\$5,396	\$0	\$5,396	10,000 color copies/10 stapled pages (Aspen FedEx quote) - 60% county
Develop City/County Video	OC	5	0.02	\$1,160	\$0	\$1,160	\$0	\$1,160	
Develop Content for Hauler's Use in Customer Communications	DM	1	0.00	\$428	\$0	\$892	\$0	\$892	
	OC	2	0.01	\$464					
		120	0.46	\$34,432	\$5,200	\$39,632	\$0	\$39,632	

On-Going Annual Implementation (second year and beyond)

Enter Bi-Annual Report Data	OM	5	0.02	\$1,488	\$0	\$1,488	\$0	\$1,488	8 reports, twice/year
Enforcement	CE	26	0.10	\$6,880	\$0	\$6,880	\$0	\$6,880	Citywide inspection quarterly, assume equivalent of 5-day penalty each year
	LG	5	0.02	\$3,365	\$0	\$3,365	\$5,000	-\$1,635	Audit 8 haulers every 3 years
Periodic Audits	FM	4	0.02	\$1,711	\$0	\$1,711	\$0	\$1,711	
Guidance for Generators	OC	6	0.02	\$1,392	\$0	\$1,392	\$0	\$1,392	
Annual Report to BOCC & Public	DM	2	0.01	\$855	\$0	\$855	\$0	\$855	
On-Going Public Discussions	DM	2	0.01	\$855	\$0	\$855	\$0	\$855	
	OC	5	0.02	\$1,160	\$0	\$1,160	\$0	\$1,160	
Update Outreach Materials	OC	3	0.01	\$696	\$500	\$1,196	\$0	\$1,196	
		58	0.22	\$18,402	\$500	\$18,902	\$5,000	\$13,902	

¹ Burdened salaries based on:

Department Manager	DM	\$111,200	Outreach	OC	\$60,300	Finance	FM	\$111,200
Office Manager	OM	\$77,400	Code	CE	\$68,800	County	LG	\$175,000

² Based on penalties of \$1,000/licensing violation (current) & assumed incident-day non-license violation

\$1,000

Costs do not include ordinance or operations plan developer or efforts to gain commission/council approval.

ASPEN'S CLIMATE ACTION PLAN

A Roadmap to Our
Sustainable Future

Letter from Aspen City Council

December 12, 2017

To the Aspen community and our visitors,

It is our pleasure to introduce Aspen's new Climate Action Plan (CAP), which sets the stage for continuing and growing Aspen's legacy of climate leadership. When Aspen released its first CAP in 2007, we became one of the first mountain communities in the United States to adopt ambitious climate goals. This commitment reflects the community's understanding that a stable climate is foundational to the Aspen that we know and love, and that climate action delivers direct quality of life benefits.

Opportunities to reduce emissions are more practical, abundant and economical than they ever have been. To accelerate our movement in the right direction, the CAP maintains Aspen's ambitious greenhouse gas (GHG) reduction targets. We are confident that Aspen and the Roaring Fork Valley community can rise to the challenge of meeting these goals, based on our past work and forward thinking, committed community, policy makers, and businesses.

One of Aspen's hopes in becoming an early leader was that other communities would take notice. Today, local governments acting on climate is a global phenomenon. In 2007, few cities had adopted formal commitments. Today, thousands of communities around the world, hundreds around the country and dozens in Colorado have committed to climate action. Collectively, these commitments embody the potential for reducing global GHG emissions at the volumes necessary to maintain a livable planet.

There has never been a better time to turn commitment into action. As history has shown, Aspen has a civic responsibility to act on behalf of its constituents, a moral imperative to take the steps necessary to meet the challenge of climate change, and the potential to be a catalyst for meaningful and effective action around the state, country and world. Implementing this CAP refocuses Aspen's commitment to its future and will usher in the next phase of local climate leadership.

We urge all to join us. Together we can make a difference that benefits our beautiful region and has an impact far beyond it.



Aspen's 2017 City Council is proud to continue and expand the community's legacy of climate leadership. From left: Bert Myrin, Ward Hauenstein, Mayor Steve Skadron, Ann Mullins, Adam Frisch

Mayor Steve Skadron and City Council members Adam Frisch, Ann Mullins, Bert Myrin and Ward Hauenstein

Table of Contents

Letter from Aspen City Council	2	Residential Energy	22
Executive Summary	4	Commercial Energy	26
Welcome to Aspen's Climate Action Plan	6	Vehicles & Transportation	30
High-Impact Sectors	8	Waste & Landfill	35
Climate Action Mitigates Risk and Creates Opportunities	9	Aviation & Airport	40
Climate Action is a Community Value	10	Considerations for Implementation	45
CAP and Toolkit: What's the Difference?	11	Organizational Capacity Recommendations	46
Aspen's GHG Emissions	12	Conclusion	47
GHG Emissions Forecast	14	Acknowledgments	48
GHG Reduction Potential	15	Appendix A: How the CAP was Developed	50
Understanding the CAP's Recommendations	16	Appendix B: A Summary of Relevant Climate Science	51
Key & Definitions	17	Appendix C: Related Documents	53
Energy Supply	18	Appendix D: Literature Cited	54

Waste generation in Aspen, estimated at 11 pounds per person per day^v, is above both the state and national average. The average for Colorado is 9 pounds, which is twice the national average of 4.5 pounds. Some of the factors driving Aspen's higher numbers include the tourist population and the active development economy. GHG emissions in the Waste and Landfill sector come from waste generated within the Aspen EIB, then transported to, and processed at the Pitkin County Landfill. Organic components within the waste stream generate methane as they decompose⁹. Organic components flowing from Aspen to the Pitkin County Landfill include food waste, yard waste, drywall and wood. The drywall and wood are a part of the construction and demolition (C & D) waste category, which equates to 80% of the total waste sent to the landfill¹⁰. Heavy duty vehicles hauling waste to the landfill and processing it on site combust liquid fuels.

Opportunities to reduce emissions in this sector include diverting or salvaging organic components of the waste stream and increasing the efficiency of hauling and processing. The co-benefits of successfully reducing Waste and Landfill sector GHGs include extending the life of local landfills and improving local environmental quality.

⁹ Organics like food scraps and wood in landfills are a major source of methane, a GHG with a global warming potential 84x more potent than carbon dioxide in the short term. Inversely, when converted into compost and applied to the land, compost sequesters carbon (Source: Institute for Local Self-Reliance, 2017).

¹⁰ Diverting C & D waste could extend the life of the landfill, lower emissions, consumption and carbon emissions, create new jobs with the reuse of construction materials and lower the cost of construction materials for projects.

WASTE & LANDFILL

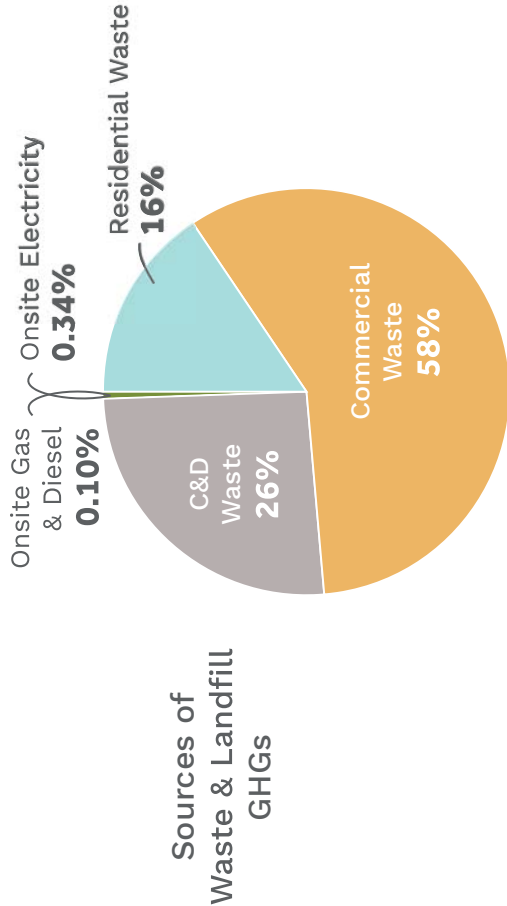




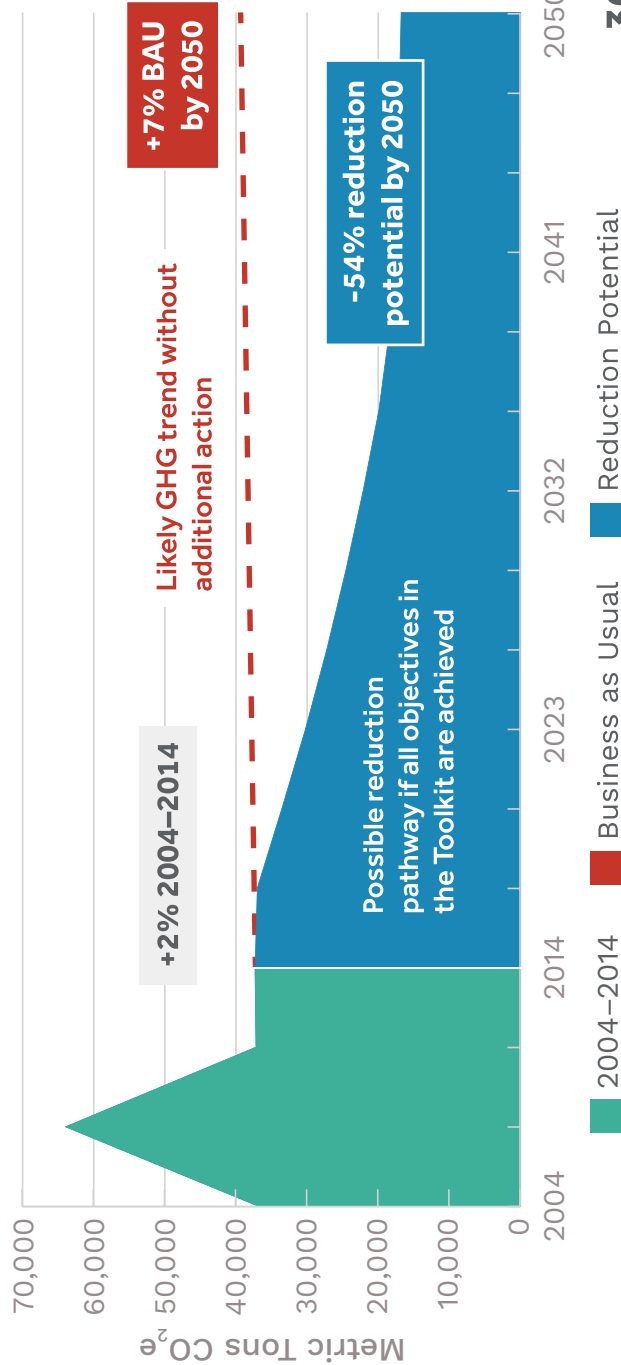
If all objectives in the Toolkit are fully and successfully implemented, Waste & Landfill GHGs could be reduced 54% below 2004 levels by 2050.

Waste & Landfill GHG Trends

Waste and Landfill emissions increased 2% between 2004 and 2014, driven predominantly by significant increases in the volume of C&D waste. Under business as usual, GHGs could increase 2% above 2004 levels by 2050 and 7% above them by 2050. If, however, all objectives in the Toolkit are fully and successfully implemented, GHGs could be reduced 54% below 2004 levels by 2050.



Waste & Landfill GHG Past and Possible Futures



Waste & Landfill: Recommended Actions

During the CAP process, the Advisory Committee initially brainstormed over 50 potential actions for reducing GHG emissions in the Waste and Landfill sector. **The CAP recommendation is to pursue implementation of the following nine actions** over the next three years. These actions align with the criteria described in the ‘Understanding the CAP Recommendations’ section of this document.

OBJECTIVE	GHG REDUCTION POTENTIAL	CO-BENEFITS
Increase rates of, and participation in, composting and recycling		Primary Co-Benefits:    
ACTIONS		   
Use codes and regulations to increase composting rates		
Maximize diversion of construction and demolition (C&D) waste		Primary Co-Benefits:    
ACTIONS		  
Create a system for moving C&D waste to markets		
Adopt and enforce a requirements for C&D waste diversion		    
Provide increased opportunities for deconstructed building materials to be salvaged and reused		    

Waste & Landfill continues on the next page.

WASTE & LANDFILL PARTNERS

Pitkin County
Pitkin County Landfill
Environmental Health and Sustainability Department
Aspen Zero Impact
Aspen Skiing Company
Aspen Chamber Resort Association

Waste & Landfill: Recommended Actions (Continued)

OBJECTIVE	GHG REDUCTION POTENTIAL	CO-BENEFITS
Increase community compliance with waste diversion ordinances	   	Primary Co-Benefits:   
ACTIONS		
Create incentives for recycling and disincentives for contaminating recycling loads	   	  
Align city, county and regional waste policies and codes	   	  
Improve existing waste hauling practices	  	Primary Co-Benefits:   
ACTIONS		
Investigate haulers' routes and look for opportunities to optimize route efficiency	   	  
Encourage the use of cleaner vehicles for local waste haulers	   	  

Waste & Landfill continues on the next page.

WASTE & LANDFILL RELATED PLANS

Roaring Fork Valley Comprehensive Waste Diversion Plan

Pitkin County Internal Climate Action Plan

Waste & Landfill: Recommended Actions (Continued)

OBJECTIVE	GHG REDUCTION POTENTIAL	CO-BENEFITS
Support relevant federal and state policies through active legislative and regulatory engagement		Primary Co-Benefits:
ACTIONS		
Through continued engagement with community members, elected officials and partner organizations, Aspen will actively engage in waste and waste-diversion policy to the benefit of the community. Given the dynamic nature of the policy landscape, Aspen will continue a formal process for prioritizing and engaging on key issues.		





MEMORANDUM

TO: Mayor and City Council
FROM: Sara Ott, Interim City Manager
DATE: June 28, 2019
RE: Affordable Housing Framework Recommendation

SUMMARY: This memorandum presents a possible framework for approaching several matters of the City Council related to affordable housing.

BACKGROUND: On June 11, 2019 City Council took an in depth look at the currently scheduled housing development projects and conducted a round table discussion regarding affordable housing viewpoints. In that conversation a wide range of housing policy, financing, and operating matters were raised, including, but not limited to:

1. Energy management mandates for new construction
2. Capital reserves
3. Home owner association relations
4. Expiration of deed restrictions
5. Cash funding v. borrowing
6. Future land use acquisition
7. Desired/demanded unit mix by category and bedroom count
8. Density
9. At-risk/special needs population housing
10. Downsizing incentives
11. Development mitigation rates
12. Development mitigation exemptions
13. Repair/replacement of aging or deteriorating city-owned and private deed restricted rental units
14. Desire for senior care facilities
15. Exploration of new partnerships
16. Unit construction methods – modular/stick/new methods
17. Housing inventory system modernization and data
18. Fee in lieu rates

City staff committed to bringing to Council a possible framework for orchestrating and prioritizing these policy matters for Council consideration.

STAFF RECOMMENDATION: At a high level, I recommend City Council consider advancing housing with a three-pronged approach.

#1: Use the City's Finance Advisory Board: The common element in each policy direction is funding. Refer an in-depth review of housing revenues, debt considerations, long range financial planning and coordination with the City's financial advisors to the City's Finance Advisory Board (FAB).

The Board has been inactive for several years, however, its members are highly skilled financial executives in our community. The FAB could be charged with working with staff and reporting to City Council with an analysis on debt financing v. cash funding, advise staff on assumptions related to revenue constraints and opportunities, and aid in developing a robust financial plan for implementation of Council's policy priorities.

#2: Continue Advancing Development of New Housing in the Pipeline: Utilize city staff and consultant teams to advance community engagement, design and entitlement processes, and construction for projects which have already begun. Also, seek site evaluations for potential new projects, and evaluation of aging rental units. Focus should continue on Truscott II, Burlingame III, Lumberyard, Water Place and the Aspen Housing Partnership sites. Staff would report regularly on the progress.

#3: Prioritize City Council's Initial Policy Time: Consider focusing on mitigation, energy management mandates and density questions that are significantly within City Council's purview. Secondly, identify topics that the Council would like to request APCHA's new board to evaluate as part of APCHA's 2020 workplan. These might include the at-risk/special needs evaluation, home owner association relationships, downsizing incentives, and housing inventory modernization. Third, identify one or two issues that could be advanced through coordination with partner(s). Once the policy areas are prioritized, Council can direct staff to prepare more detailed information and options in approaching these policy decisions and community member involvement.

Overall, this approach creates a more clearly defined roadmap for your decision making and provides the Council an alternative to reach consensus on how to approach housing priorities for the community. Your feedback is desired.

General City Information

All FTE Summary by Department/Fund

Positions / Departments / Funds	2017 Budget	2018 Budget	2019 Base	Supplementals	2019 Budget
112 - Mayor and Council	2.5	2.5	2.5	0.0	2.5
113 - Clerks Office	5.0	5.0	5.0	0.0	5.0
114 - Managers Office	7.3	8.3	7.3	3.0	10.3
115 - Human Resources	5.0	5.0	5.0	0.0	5.0
116 - Attorney	3.0	3.0	3.0	0.0	3.0
117 - Finance	13.4	14.4	14.4	0.0	14.4
119 - Asset Management	6.4	8.0	8.4	0.0	8.4
122 - Planning	13.0	14.6	14.0	0.0	14.0
123 - Building	13.6	13.4	14.0	0.3	14.3
221 - Police	36.0	37.0	37.0	0.0	37.0
321 - Streets	12.7	12.1	11.7	0.0	11.7
325 - Conservation Efficiency Renewables	0.0	0.0	4.0	0.0	4.0
327 - Engineering	10.1	9.8	11.3	1.0	12.3
431 - Environmental Health	4.8	5.3	4.8	0.0	4.8
532 - Events	4.0	4.0	4.0	0.0	4.0
542 - Aspen Rec Center	25.5	25.4	24.9	0.5	25.4
552 - Red Brick Arts	0.0	0.0	0.0	2.5	2.5
572 - Parks and Open Space	2.0	2.0	1.5	0.0	1.5
001 - General Fund	164.2	169.7	172.7	7.3	180.0
100 - Parks and Open Space Fund	31.0	31.5	32.5	1.8	34.3
120 - Wheeler Opera House Fund	12.0	13.0	13.0	0.0	13.0
141 - Transportation Fund	5.0	5.0	5.0	0.0	5.0
150 - Housing Development Fund	1.0	1.0	1.0	0.0	1.0
152 - Kids First Fund	7.6	7.6	7.6	0.0	7.6
160 - Stormwater Fund	5.8	5.8	5.8	0.0	5.8
421 - Water Utility Fund	25.3	25.6	24.0	0.0	24.0
431 - Electric Utility Fund	13.4	13.6	12.1	1.0	13.1
451 - Parking Fund	14.0	14.0	14.0	0.0	14.0
471 - Golf Course Fund	5.7	5.8	6.3	0.3	6.6
491 - Truscott I Housing Fund	1.3	1.3	1.3	0.0	1.3
492 - Marolt Housing Fund	1.2	1.2	1.2	0.0	1.2
510 - Information Technology Fund	6.0	6.0	6.0	1.0	7.0
Total - City of Aspen FTE	293.6	301.1	302.6	11.3	313.8
442 - APCA Housing	N/A	10.1	10.7	0.0	10.7
443 - Independent Housing Entities	N/A	2.2	1.6	0.0	1.6
620 - Housing Administration Fund	11.3	12.3	12.3	0.0	12.3
622 - Smuggler Housing Fund	0.2	0.2	0.2	0.0	0.2
Total - Housing / Component Unit FTE	11.5	12.5	12.5	0.0	12.5
Grand Total FTE	305.1	313.6	315.1	11.3	326.3

*2018 FTE summary is data pulled from the payroll system in June of 2018, which reflects department directed YTD changes in staffing allocations and staffing adds in the spring budget ordinance of 2018.

*2019 FTE summary is data pulled from the payroll system in June of 2018, which reflects department directed YTD changes in staffing allocations and staffing adds in the spring budget ordinance of 2018. It also reflects all updates in 2019 staffing allocation departments made in the 2019 budget development cycle.

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1051.01 Council Member	0.50	0.00	0.50
P1051.02 Council Member	0.50	0.00	0.50
P1051.03 Council Member	0.50	0.00	0.50
P1051.04 Council Member	0.50	0.00	0.50
P1186.01 Mayor	0.50	0.00	0.50
112 - Mayor and Council	2.50	0.00	2.50
P1010.01 Administrative Assistant I	0.50	0.00	0.50
P1048.01 Deputy City Clerk	1.00	0.00	1.00
P1050.01 City Clerk	1.00	0.00	1.00
P1152.01 Judge	0.50	0.00	0.50
P1261.01 Records Manager	1.00	0.00	1.00
P1286.01 Senior Municipal Court Clerk	1.00	0.00	1.00
113 - Clerks Office	5.00	0.00	5.00
P1025.01 Assistant City Manager	1.00	0.00	1.00
P1026.01 Assistant City Manager	1.00	0.00	1.00
P1035.01 Assistant to the City Manager	0.30	0.00	0.30
P1054.01 City Manager	1.00	0.00	1.00
P1066.01 Community Relations Director	1.00	0.00	1.00
P1083.01 Director of Quality	1.00	0.00	1.00
P1183.01 Management Analyst I	0.00	0.00	0.00
P1384.01 Management Analyst II	1.00	0.00	1.00
P1384.02 Management Analyst II	1.00	0.00	1.00
TERMED - Business Analyst (One-Time)	0.00	0.00	0.00
SUPP - Communications Director	0.00	1.00	1.00
SUPP - Management Intern (One-Time)	0.00	1.00	1.00
SUPP - Business Analyst I	0.00	1.00	1.00
114 - Managers Office	7.30	3.00	10.30
P1037.01 Benefits Specialist	0.00	0.00	0.00
P1132.01 HR Analyst	0.00	0.00	0.00
P1134.01 HR Generalist	1.00	0.00	1.00
P1136.01 Human Resources Director	1.00	0.00	1.00
P1285.01 Senior HR/Risk Generalist	0.00	0.00	0.00
P1398.01 Employee Relations / Risk Manager	1.00	0.00	1.00
P1399.01 Senior Human Resources Analyst	1.00	0.00	1.00
P1400.01 Human Resources Benefits Administrator	1.00	0.00	1.00
115 - Human Resources	5.00	0.00	5.00
P1024.01 Assistant City Attorney	1.00	0.00	1.00
P1049.01 City Attorney	1.00	0.00	1.00
P1287.01 Senior Paralegal	1.00	0.00	1.00
116 - Attorney	3.00	0.00	3.00
P1001.01 Accountant I	0.00	0.00	0.00
P1002.01 Accountant II	1.00	0.00	1.00
P1003.01 Accountant II	1.00	0.00	1.00

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1003.02 Accountant II	1.00	0.00	1.00
P1004.01 Accounting Manager/Controller	1.00	0.00	1.00
P1005.01 Accounting Tech	1.00	0.00	1.00
P1028.01 Assistant Finance Director	1.00	0.00	1.00
P1035.01 Assistant to the City Manager	0.70	0.00	0.70
P1040.01 Budget Officer	1.00	0.00	1.00
P1046.01 Cashier	0.60	0.00	0.60
P1101.01 Finance and Administrative Services Director	1.00	0.00	1.00
P1219.01 Payroll Specialist	1.00	0.00	1.00
P1277.01 Sales Tax Tech	1.00	0.00	1.00
P1280.01 Senior Admin Assistant	0.00	0.00	0.00
P1305.01 Tax Auditor	1.00	0.00	1.00
P1305.02 Tax Auditor	1.00	0.00	1.00
P1326.01 Utilities Billing Tech II	0.05	0.00	0.05
P1372.01 Accountant I	1.00	0.00	1.00
117 - Finance	14.35	0.00	14.35
P1045.01 Capital Asset Manager	0.00	0.00	0.00
P1176.01 Maintenance Tech II	1.00	0.00	1.00
P1182.01 Facilities Supervisor	1.00	0.00	1.00
P1251.01 Project Engineer	1.00	0.00	1.00
P1253.01 Project Manager I	0.00	0.00	0.00
P1255.01 Project Manager II	1.00	0.00	1.00
P1255.02 Project Manager II	1.00	0.00	1.00
P1259.01 Public Works Director	0.40	0.00	0.40
P1282.01 Senior Admin Assistant	1.00	0.00	1.00
P1391.01 Capital Asset Director	1.00	0.00	1.00
P1392.01 Assistant Capital Asset Director	1.00	0.00	1.00
119 - Asset Management	8.40	0.00	8.40
P1006.03 Administrative Assistant II	1.00	0.00	1.00
P1006.08 Administrative Assistant II	0.00	0.00	0.00
P1064.01 Community Development Director	0.50	0.00	0.50
P1081.01 Deputy Planning Director	1.00	0.00	1.00
P1199.01 Operations Manager	0.50	0.00	0.50
P1222.01 Planner	1.00	0.00	1.00
P1222.02 Planner	1.00	0.00	1.00
P1222.03 Planner	1.00	0.00	1.00
P1225.01 Planning Tech	1.00	0.00	1.00
P1242.01 Principal Long Range Planner	1.00	0.00	1.00
P1288.01 Senior Planner	1.00	0.00	1.00
P1288.02 Senior Planner	1.00	0.00	1.00
P1353.01 Zoning Enforcement Officer	1.00	0.00	1.00
P1353.02 Zoning Enforcement Officer	1.00	0.00	1.00
P1353.03 Zoning Enforcement Officer	1.00	0.00	1.00

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
2018 SPRING SUPP - P1381.01 Zoning Administrator	1.00	0.00	1.00
122 - Planning	14.00	0.00	14.00
P1006.02 Administrative Assistant II	1.00	0.00	1.00
P1006.08 Administrative Assistant II	1.00	0.00	1.00
P1041.01 Building Inspector	1.00	0.00	1.00
P1047.01 Chief Building Official	1.00	0.00	1.00
P1064.01 Community Development Director	0.50	0.00	0.50
P1089.01 Electrical and Comb Inspector	1.00	0.00	1.00
P1100.01 Field Inspection Manager	1.00	0.00	1.00
P1143.01 Lead Permit Coordinator	0.00	0.00	0.00
P1199.01 Operations Manager	0.50	0.00	0.50
P1220.01 Permit Coordinator	1.00	0.00	1.00
P1220.02 Permit Coordinator	1.00	0.00	1.00
P1220.03 Permit Coordinator	1.00	0.00	1.00
P1226.01 Plans Examination Manager	1.00	0.00	1.00
P1227.01 Plans Examiner	1.00	0.00	1.00
P1227.02 Plans Examiner	1.00	0.00	1.00
P1227.03 Plans Examiner	1.00	0.00	1.00
SUPP - Project Manager (One-Time)	0.00	0.25	0.25
123 - Building	14.00	0.25	14.25
P1007.01 Police Officer III - Human Services Officer	1.00	0.00	1.00
P1015.01 Assistant Police Chief - Operations	1.00	0.00	1.00
P1017.01 Admin Supervisor	1.00	0.00	1.00
P1032.01 Assistant Police Chief - Administration	1.00	0.00	1.00
P1068.01 Community Response Officer I	1.00	0.00	1.00
P1068.02 Community Response Officer I	1.00	0.00	1.00
P1069.01 Community Response Officer II	1.00	0.00	1.00
P1069.02 Community Response Officer II	1.00	0.00	1.00
P1069.03 Community Response Officer II	1.00	0.00	1.00
P1075.01 Customer Service Officer	1.00	0.00	1.00
P1075.02 Customer Service Officer	1.00	0.00	1.00
P1232.01 Police Chief	1.00	0.00	1.00
P1233.01 Police Officer I	1.00	0.00	1.00
P1233.02 Police Officer I	0.00	0.00	0.00
P1233.03 Police Officer I	0.00	0.00	0.00
P1233.04 Police Officer I	0.00	0.00	0.00
P1233.06 Police Officer I	0.00	0.00	0.00
P1234.01 Community Relations Specialist	1.00	0.00	1.00
P1235.01 Police Officer II	1.00	0.00	1.00
P1235.02 Police Officer II	1.00	0.00	1.00
P1235.03 Police Officer II	1.00	0.00	1.00
P1235.04 Police Officer II	1.00	0.00	1.00
P1235.05 Police Officer II	1.00	0.00	1.00

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1236.01 Police Officer III	1.00	0.00	1.00
P1236.02 Police Officer III	1.00	0.00	1.00
P1236.03 Police Officer III	1.00	0.00	1.00
P1236.04 Police Officer III	1.00	0.00	1.00
P1236.05 Police Officer III	1.00	0.00	1.00
P1236.06 Police Officer III	1.00	0.00	1.00
P1236.07 Police Officer III	1.00	0.00	1.00
P1237.01 Police Officer III - School Resource Officer	1.00	0.00	1.00
P1238.01 Police Officer IV - Assistant Sergeant	1.00	0.00	1.00
P1238.02 Police Officer IV - Assistant Sergeant	1.00	0.00	1.00
P1238.03 Police Officer IV - Assistant Sergeant	1.00	0.00	1.00
P1239.02 Police Officer IV - Detective	1.00	0.00	1.00
P1258.01 Public Safety Records Specialist	1.00	0.00	1.00
P1291.01 Sergeant	1.00	0.00	1.00
P1291.02 Sergeant	1.00	0.00	1.00
P1291.03 Sergeant	1.00	0.00	1.00
P1291.04 Sergeant	1.00	0.00	1.00
P1291.05 Sergeant	1.00	0.00	1.00
221 - Police	37.00	0.00	37.00
P1034.01 Assistant Streets Superintendent	0.98	0.00	0.98
P1122.02 Heavy Equipment Operator II	0.97	0.00	0.97
P1122.03 Heavy Equipment Operator II	0.97	0.00	0.97
P1122.04 Heavy Equipment Operator II	0.97	0.00	0.97
P1122.05 Heavy Equipment Operator II	0.97	0.00	0.97
P1122.06 Heavy Equipment Operator II	0.97	0.00	0.97
P1122.07 Heavy Equipment Operator II	0.97	0.00	0.97
P1122.08 Heavy Equipment Operator II	0.97	0.00	0.97
P1187.01 Mechanic I	0.97	0.00	0.97
P1187.02 Mechanic I	0.97	0.00	0.97
P1190.01 Mechanic II	0.97	0.00	0.97
P1259.01 Public Works Director	0.05	0.00	0.05
P1282.01 Senior Admin Assistant	0.00	0.00	0.00
P1300.01 Streets Superintendent	0.97	0.00	0.97
321 - Streets	11.70	0.00	11.70
P1058.01 Climate Action Manager	1.00	0.00	1.00
P1077.01 Data/Research Project Planner	1.00	0.00	1.00
P1200.01 Public Outreach Coordinator - Termed	1.00	0.00	1.00
P1389.01 Resource Efficiency Administrator	1.00	0.00	1.00
325 - Conservation Efficiency Renewables	4.00	0.00	4.00
P1006.05 Administrative Assistant II	1.00	0.00	1.00
P1052.01 City Engineer	1.00	0.00	1.00
P1055.01 Civil Engineer I	0.75	0.00	0.75
P1055.02 Civil Engineer I	0.75	0.00	0.75

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1056.01 Civil Engineer II	0.75	0.00	0.75
P1056.02 Civil Engineer II	0.00	0.00	0.00
P1073.01 Construction Mitigation Officer II	1.00	0.00	1.00
P1082.01 Development Engineer	0.25	0.00	0.25
P1113.01 GIS Coordinator	1.00	0.00	1.00
P1254.01 Project Manager I	0.50	0.00	0.50
P1254.02 Project Manager I	1.00	0.00	1.00
P1259.01 Public Works Director	0.20	0.00	0.20
P1289.01 Senior Project Manager	1.00	0.00	1.00
P1289.03 Senior Project Manager	1.00	0.00	1.00
P1297.01 Stormwater Inspector	0.60	0.00	0.60
P1407.01 Construction Mitigation Officer	0.50	0.00	0.50
SUPP - GIS Analyst	0.00	1.00	1.00
327 - Engineering	11.30	1.00	12.30
P1006.01 Administrative Assistant II	0.80	0.00	0.80
P1093.01 Environmental Health and Sustainability Director	1.00	0.00	1.00
P1095.01 Environmental Health Specialist	1.00	0.00	1.00
P1284.01 Senior Environmental Health Specialist	1.00	0.00	1.00
P1284.02 Senior Environmental Health Specialist	1.00	0.00	1.00
TERMED - Climate and Efficiency Specialist (One-Time)	0.00	0.00	0.00
431 - Environmental Health	4.80	0.00	4.80
P1276.01 Sales and Marketing Coordinator	1.00	0.00	1.00
P1292.01 Special Events and Marketing Director	1.00	0.00	1.00
P1294.01 Special Events Coordinator	1.00	0.00	1.00
P1295.01 Special Events Permit Coordinator	1.00	0.00	1.00
532 - Events	4.00	0.00	4.00
P1027.01 Assistant Facilities Manager	1.00	0.00	1.00
P1030.01 Recreation Operations Manager-Golf/Ice	0.65	0.00	0.65
P1031.01 Assistant Ice Facilities Manager	1.00	0.00	1.00
P1097.01 Facilities Maintenance Mechanic	1.00	0.00	1.00
P1098.01 Facilities Maintenance Mechanic	1.00	0.00	1.00
P1099.01 Facilities Manager	1.00	0.00	1.00
P1104.01 Financial Analyst	0.50	0.00	0.50
P1117.01 Golf Maintenance	0.50	0.00	0.50
P1121.01 Head Golf Professional	0.20	0.00	0.20
P1167.01 Maintenance Operator	0.00	0.00	0.00
P1168.01 Maintenance Tech I	0.00	0.00	0.00
P1178.01 Maintenance Tech II	1.00	0.00	1.00
P1263.01 Recreation Director	1.00	0.00	1.00
P1264.01 Recreation Operations Manager	1.00	0.00	1.00
P1265.01 Recreation Operations Manager	1.00	0.00	1.00
P1266.01 Recreation Programmer	1.00	0.00	1.00
P1268.01 Recreation Specialist I	0.50	0.00	0.50

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1269.02 Recreation Specialist I	1.00	0.00	1.00
P1270.01 Recreation Specialist I	0.00	0.00	0.00
P1270.02 Recreation Specialist I	0.00	0.00	0.00
P1270.03 Recreation Specialist I	0.50	0.00	0.50
P1271.01 Interim Recreation Specialist II	1.00	0.00	1.00
P1281.01 Senior Admin Assistant	1.00	0.00	1.00
P1301.01 Supervisor I (Recreation)	1.00	0.00	1.00
P1301.02 Supervisor I (Recreation)	1.00	0.00	1.00
P1302.01 Supervisor I (Recreation)	0.00	0.00	0.00
P1302.02 Supervisor I (Recreation)	1.00	0.00	1.00
P1304.01 Systems Analyst	0.50	0.00	0.50
P1358.01 Camp Counselor II	0.50	0.00	0.50
P1386.01 Maintenance Tech II	1.00	0.00	1.00
P1387.01 Maintenance Tech II	1.00	0.00	1.00
P1390.01 Camp Coordinator	1.00	0.00	1.00
P1396.01 Recreation Coordinator (Athletics)	1.00	0.00	1.00
P1397.01 Recreation Coordinator (ICE)	1.00	0.00	1.00
SUPP - IT Application Support Specialist	0.00	0.50	0.50
542 - Aspen Rec Center	24.85	0.50	25.35
SUPP - Administrative Assistant II	0.00	0.50	0.50
SUPP - Maintenance Tech	0.00	1.00	1.00
SUPP - Director	0.00	1.00	1.00
552 -Red Brick	0.00	2.50	2.50
P1165.02 Maintenance Operator	0.25	0.00	0.25
P1213.01 Parks Maintenance Operator	0.00	0.00	0.00
P1213.02 Parks Maintenance Operator	0.25	0.00	0.25
P1213.05 Parks Maintenance Operator	0.25	0.00	0.25
P1376.01 Crew Supervisor (Parks)	0.25	0.00	0.25
P1376.02 Crew Supervisor (Parks)	0.25	0.00	0.25
P1376.03 Crew Supervisor (Parks)	0.25	0.00	0.25
SUPP - Downtown Services, Field Supervisor	0.00	0.00	0.00
572 - Parks and Open Space	1.50	0.00	1.50
001 - General Fund Total	172.70	7.25	179.95
P1006.06 Administrative Assistant II	1.00	0.00	1.00
P1053.01 City Forester	1.00	0.00	1.00
P1071.01 Construction Field Superintendent	1.00	0.00	1.00
P1071.02 Construction Field Superintendent	1.00	0.00	1.00
P1084.01 Downtown Coordinator	1.00	0.00	1.00
P1104.01 Financial Analyst	0.25	0.00	0.25
P1123.01 Heavy Equipment Operator III	1.00	0.00	1.00
P1157.01 Landscape Architect and Construction Manager	1.00	0.00	1.00
P1158.01 Landscape Architect	1.00	0.00	1.00
P1158.01 Landscape Designer	0.00	0.00	0.00

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1165.01 Maintenance Operator	1.00	0.00	1.00
P1165.02 Maintenance Operator	0.75	0.00	0.75
P1165.03 Maintenance Operator	1.00	0.00	1.00
P1165.05 Maintenance Operator	0.00	0.00	0.00
P1165.06 Maintenance Operator	0.50	0.00	0.50
P1188.01 Mechanic II	1.00	0.00	1.00
P1191.01 Nordic Maintenance Operator	1.00	0.00	1.00
P1194.01 Office Manager	1.00	0.00	1.00
P1197.01 Open Space and Natural Resource Manager	1.00	0.00	1.00
P1198.01 Open Space and Trails Ranger	0.00	0.00	0.00
P1208.01 Parks and Open Space Project Tech	1.00	0.00	1.00
P1209.01 Parks and Open Space Director	1.00	0.00	1.00
P1210.01 Parks Field Supervisor	1.00	0.00	1.00
P1210.02 Parks Field Supervisor	1.00	0.00	1.00
P1210.03 Parks Field Supervisor	1.00	0.00	1.00
P1210.04 Parks Field Supervisor	1.00	0.00	1.00
P1210.05 Parks Field Supervisor (Nordic)	1.00	0.00	1.00
P1213.01 Parks Maintenance Operator	0.00	0.00	0.00
P1213.02 Parks Maintenance Operator	0.75	0.00	0.75
P1213.03 Parks Maintenance Operator	0.00	0.00	0.00
P1213.04 Parks Maintenance Operator	0.00	0.00	0.00
P1213.05 Parks Maintenance Operator	0.75	0.00	0.75
P1214.01 Parks Operations Manager	1.00	0.00	1.00
P1216.01 Parks/Recreation Manager	1.00	0.00	1.00
P1304.01 Systems Analyst	0.25	0.00	0.25
P1315.01 Trails Crew Supervisor	0.50	0.00	0.50
P1315.02 Trails Crew Supervisor	0.50	0.00	0.50
P1324.01 Turf Specialist	1.00	0.00	1.00
P1337.01 Water Resource/Hydroelectric Supervisor	0.00	0.00	0.00
P1376.01 Crew Supervisor (Parks)	0.25	0.00	0.25
P1376.02 Crew Supervisor (Parks)	0.75	0.00	0.75
P1376.03 Crew Supervisor (Parks)	0.75	0.00	0.75
P1376.04 Crew Supervisor (Parks)	1.00	0.00	1.00
P1385.01 Ranch Manager	1.00	0.00	1.00
P1407.01 Construction Mitigation Officer	0.50	0.00	0.50
2018 SPRING SUPP - Plans Review Technician	0.00	0.00	0.00
SUPP - IT Application Support Specialist	0.00	0.25	0.25
SUPP - Downtown Services, Field Supervisor	0.00	0.50	0.50
SUPP - Irrigation Specialist	0.00	1.00	1.00
100 - Parks and Open Space Fund Total	32.50	1.75	34.25
P1001.02 Accountant I	1.00	0.00	1.00
P1111.01 Front of House Supervisor	1.00	0.00	1.00
P1169.01 Maintenance Tech I	1.00	0.00	1.00

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1246.01 Programs Administrator	1.00	0.00	1.00
P1344.01 Wheeler Co-Production Manager	0.00	0.00	0.00
P1345.01 Wheeler Executive Director	1.00	0.00	1.00
P1346.01 Wheeler General Manager	0.00	0.00	0.00
P1347.01 Wheeler Production Manager	1.00	0.00	1.00
P1348.01 Wheeler Ticket Coordinator	1.00	0.00	1.00
P1349.01 Wheeler Ticket Coordinator II	0.00	0.00	0.00
P1350.01 Wheeler Ticketing Supervisor	1.00	0.00	1.00
P1359.01 Wheeler Building Supervisor	1.00	0.00	1.00
P1373.01 Assistant Production Manager	1.00	0.00	1.00
P1374.01 Wheeler Operations Assistant	1.00	0.00	1.00
P1380.01 Wheeler Audience Services Manager	1.00	0.00	1.00
P1382.01 Wheeler Events Manager	1.00	0.00	1.00
120 - Wheeler Opera House Fund Total	13.00	0.00	13.00
P1043.01 Transportation Technician	1.00	0.00	1.00
P1319.01 Transportation Coordinator/Programs	1.00	0.00	1.00
P1320.01 Transportation Director	1.00	0.00	1.00
P1321.01 Transportation Coordinator (Operations)	1.00	0.00	1.00
P1321.01 Transportation Operations Specialist	0.00	0.00	0.00
P1322.01 Transportation Program Manager	1.00	0.00	1.00
141 - Transportation Fund Total	5.00	0.00	5.00
P1022.01 Affordable Housing Project Manager	1.00	0.00	1.00
150 - Housing Development Fund Total	1.00	0.00	1.00
P1085.01 Early Childhood Teacher	1.00	0.00	1.00
P1153.01 Kids First Director	1.00	0.00	1.00
P1154.01 Kids First Financial Aid Coordinator	0.80	0.00	0.80
P1155.01 Kids First QI Site Coach	1.00	0.00	1.00
P1156.01 Kids First QI Site Coach	0.00	0.00	0.00
P1177.01 Maintenance Tech II	1.00	0.00	1.00
P1192.01 Nurse Consultant	0.80	0.00	0.80
P1195.01 Office Manager	1.00	0.00	1.00
P1377.01 Sr. Quality Improvement Coach	1.00	0.00	1.00
152 - Kids First Fund Total	7.60	0.00	7.60
P1034.01 Assistant Streets Superintendent	0.02	0.00	0.02
P1082.01 Development Engineer	0.50	0.00	0.50
P1122.01 Heavy Equipment Operator II	1.00	0.00	1.00
P1122.02 Heavy Equipment Operator II	0.03	0.00	0.03
P1122.03 Heavy Equipment Operator II	0.03	0.00	0.03
P1122.04 Heavy Equipment Operator II	0.03	0.00	0.03
P1122.05 Heavy Equipment Operator II	0.03	0.00	0.03
P1122.06 Heavy Equipment Operator II	0.03	0.00	0.03
P1122.07 Heavy Equipment Operator II	0.03	0.00	0.03
P1122.08 Heavy Equipment Operator II	0.03	0.00	0.03

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1165.04 Maintenance Operator	1.00	0.00	1.00
P1187.01 Mechanic I	0.03	0.00	0.03
P1187.02 Mechanic I	0.03	0.00	0.03
P1190.01 Mechanic II	0.03	0.00	0.03
P1213.06 Parks Maintenance Operator	1.00	0.00	1.00
P1254.01 Project Manager I	0.50	0.00	0.50
P1259.01 Public Works Director	0.05	0.00	0.05
P1282.01 Senior Admin Assistant	0.00	0.00	0.00
P1297.01 Stormwater Inspector	0.40	0.00	0.40
P1299.01 Stormwater Manager	1.00	0.00	1.00
P1300.01 Streets Superintendent	0.03	0.00	0.03
160 - Stormwater Fund Total	5.80	0.00	5.80
P1006.04 Administrative Assistant II	0.70	0.00	0.70
P1046.01 Cashier	0.20	0.00	0.20
P1055.01 Civil Engineer I	0.25	0.00	0.25
P1055.02 Civil Engineer I	0.25	0.00	0.25
P1056.01 Civil Engineer II	0.25	0.00	0.25
P1058.01 Climate Action Manager	0.00	0.00	0.00
P1077.01 Data/Research Project Planner	0.00	0.00	0.00
P1079.01 Deputy Director of Utilities	0.65	0.00	0.65
P1082.01 Development Engineer	0.25	0.00	0.25
P1086.01 Efficiency Specialist	0.00	0.00	0.00
P1088.01 Electric Superintendent	0.05	0.00	0.05
P1102.01 Finance/Administrative Manager	0.60	0.00	0.60
P1112.01 GIS Analyst	0.50	0.00	0.50
P1137.01 Hydroelectric Operation Specialist	0.40	0.00	0.40
P1170.01 Maintenance Tech I	0.20	0.00	0.20
P1170.02 Maintenance Tech I	0.20	0.00	0.20
P1180.01 Maintenance Tech II	0.60	0.00	0.60
P1200.01 Outreach and Marketing Coordinator	0.00	0.00	0.00
P1229.01 Plans Review Technician	1.00	0.00	1.00
P1229.01 Plans Review/Efficiency Coordinator	0.00	0.00	0.00
P1248.01 Programs Manager (Utilities)	0.60	0.00	0.60
P1257.01 Project Manager II	0.50	0.00	0.50
P1259.01 Public Works Director	0.20	0.00	0.20
P1260.01 Pump Station Operations Specialist	1.00	0.00	1.00
P1283.01 Senior Admin Assistant	0.60	0.00	0.60
P1289.02 Senior Project Manager	0.70	0.00	0.70
P1325.01 Utilities and Environmental Initiatives Director	0.60	0.00	0.60
P1326.01 Utilities Billing Tech II	0.48	0.00	0.48
P1327.01 Utilities Billing Tech III	0.50	0.00	0.50
P1330.01 Utilities Meter Tech I	0.70	0.00	0.70
P1330.02 Utilities Meter Tech I	0.70	0.00	0.70

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1331.01 Utilities Portfolio Manager	0.50	0.00	0.50
P1332.01 Water Distribution Operator I	1.00	0.00	1.00
P1332.02 Water Distribution Operator I	1.00	0.00	1.00
P1333.01 Water Distribution Operator II	0.00	0.00	0.00
P1334.01 Water Distribution Operator IV	0.00	0.00	0.00
P1335.01 Water Distribution Supervisor	1.00	0.00	1.00
P1337.01 Water Resource/Hydroelectric Supervisor	0.50	0.00	0.50
P1338.01 Water Treatment Plant Operator A	1.00	0.00	1.00
P1338.02 Water Treatment Plant Operator A	1.00	0.00	1.00
P1338.03 Water Treatment Plant Operator A	1.00	0.00	1.00
P1339.01 Water Treatment Plant Operator B	0.00	0.00	0.00
P1340.01 Water Treatment Plant Operator C	1.00	0.00	1.00
P1341.01 Water Treatment Supervisor	1.00	0.00	1.00
P1354.02 Administrative Assistant II	0.35	0.00	0.35
P1405.01 Instrumentation Control Tech	1.00	0.00	1.00
TERMED - Climate and Efficiency Specialist (One-Time)	0.00	0.00	0.00
2018 SPRING SUPP - P1229.02 Plans Review Technician	1.00	0.00	1.00
421 - Water Utility Fund Total	24.03	0.00	24.03
P1006.04 Administrative Assistant II	0.30	0.00	0.30
P1023.01 Apprentice Line Tech	1.00	0.00	1.00
P1046.01 Cashier	0.20	0.00	0.20
P1058.01 Climate Action Manager	0.00	0.00	0.00
P1077.01 Data/Research Project Planner	0.00	0.00	0.00
P1079.01 Deputy Director of Utilities	0.35	0.00	0.35
P1086.01 Efficiency Specialist	0.00	0.00	0.00
P1087.01 Electric Line Tech	0.90	0.00	0.90
P1087.01 Electric Line Tech	0.10	0.00	0.10
P1088.01 Electric Superintendent	0.95	0.00	0.95
P1102.01 Finance/Administrative Manager	0.40	0.00	0.40
P1112.01 GIS Analyst	0.50	0.00	0.50
P1137.01 Hydroelectric Operation Specialist	0.60	0.00	0.60
P1160.01 Lead Line Tech	1.00	0.00	1.00
P1170.01 Maintenance Tech I	0.30	0.00	0.30
P1170.02 Maintenance Tech I	0.30	0.00	0.30
P1180.01 Maintenance Tech II	0.40	0.00	0.40
P1200.01 Outreach and Marketing Coordinator	0.00	0.00	0.00
P1248.01 Programs Manager (Utilities)	0.40	0.00	0.40
P1257.01 Project Manager II	0.50	0.00	0.50
P1259.01 Public Works Director	0.10	0.00	0.10
P1283.01 Senior Admin Assistant	0.40	0.00	0.40
P1289.02 Senior Project Manager	0.30	0.00	0.30
P1325.01 Utilities and Environmental Initiatives Director	0.40	0.00	0.40
P1326.01 Utilities Billing Tech II	0.48	0.00	0.48

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1327.01 Utilities Billing Tech III	0.50	0.00	0.50
P1330.01 Utilities Meter Tech I	0.30	0.00	0.30
P1330.02 Utilities Meter Tech I	0.30	0.00	0.30
P1331.01 Utilities Portfolio Manager	0.50	0.00	0.50
P1337.01 Water Resource/Hydroelectric Supervisor	0.50	0.00	0.50
P1354.02 Administrative Assistant II	0.15	0.00	0.15
TERMED - Climate and Efficiency Specialist (One-Time)	0.00	0.00	0.00
SUPP - Apprentice Lineman	0.00	1.00	1.00
431 - Electric Utility Fund Total	12.13	1.00	13.13
P1074.01 Customer Service Officer	1.00	0.00	1.00
P1074.02 Customer Service Officer	1.00	0.00	1.00
P1161.01 Lead Parking Garage Attendant	1.00	0.00	1.00
P1162.01 Lead Parking Services Officer	1.00	0.00	1.00
P1202.01 Parking Director	1.00	0.00	1.00
P1203.01 Parking Garage Attendant	1.00	0.00	1.00
P1204.01 Parking Info Booth Attendant	1.00	0.00	1.00
P1205.01 Parking Operations Manager	1.00	0.00	1.00
P1206.01 Parking Services Officer	1.00	0.00	1.00
P1206.02 Parking Services Officer	1.00	0.00	1.00
P1206.03 Parking Services Officer	1.00	0.00	1.00
P1206.04 Parking Services Officer	1.00	0.00	1.00
P1206.05 Parking Services Officer	1.00	0.00	1.00
P1247.01 Programs Manager (Parking)	1.00	0.00	1.00
451 - Parking Fund Total	14.00	0.00	14.00
P1030.01 Recreation Operations Manager-Golf/Ice	0.35	0.00	0.35
P1104.01 Financial Analyst	0.25	0.00	0.25
P1114.01 Golf Director	1.00	0.00	1.00
P1117.01 Golf Maintenance	0.50	0.00	0.50
P1121.01 Head Golf Professional	0.80	0.00	0.80
P1146.01 Irrigation Coordinator	0.33	0.00	0.33
P1166.01 Maintenance Operator	0.33	0.00	0.33
P1166.02 Maintenance Operator	0.33	0.00	0.33
P1166.03 Maintenance Operator	0.33	0.00	0.33
P1189.01 Mechanic II	1.00	0.00	1.00
P1215.01 Parks/Golf Crew Supervisor	0.33	0.00	0.33
P1268.01 Recreation Specialist I	0.50	0.00	0.50
P1304.01 Systems Analyst	0.25	0.00	0.25
SUPP - IT Application Support Specialist	0.00	0.25	0.25
471 - Golf Course Fund Total	6.30	0.25	6.55
P1033.01 Assistant Property Manager	0.05	0.00	0.05
P1128.01 Housing Maintenance Supervisor	0.31	0.00	0.31
P1171.01 Maintenance Tech I	0.31	0.00	0.31
P1181.01 Maintenance Tech II	0.31	0.00	0.31

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1181.02 Maintenance Tech II	0.31	0.00	0.31
P1290.01 Senior Property Manager	0.01	0.00	0.01
491 - Truscott I Housing Fund Total	1.30	0.00	1.30
P1033.01 Assistant Property Manager	0.04	0.00	0.04
P1128.01 Housing Maintenance Supervisor	0.29	0.00	0.29
P1171.01 Maintenance Tech I	0.29	0.00	0.29
P1181.01 Maintenance Tech II	0.29	0.00	0.29
P1181.02 Maintenance Tech II	0.29	0.00	0.29
P1290.01 Senior Property Manager	0.01	0.00	0.01
492 - Marolt Housing Fund Total	1.21	0.00	1.21
P1140.01 Information Technology Director	1.00	0.00	1.00
P1148.01 IT Network Applications Specialist I	1.00	0.00	1.00
P1149.01 IT Network Applications Specialist II	1.00	0.00	1.00
P1150.01 IT Network Coordinator	1.00	0.00	1.00
P1151.01 IT Support Coordinator	1.00	0.00	1.00
P1361.02 IT Support Technician	1.00	0.00	1.00
SUPP - IT Network Application Specialist	0.00	1.00	1.00
510 - Information Technology Fund Total	6.00	1.00	7.00
Total - City of Aspen FTE	302.56	11.25	313.81
P1006.07 Administrative Assistant II	1.00	0.00	1.00
P1033.01 Assistant Property Manager	0.79	0.00	0.79
P1078.01 Deputy Director	1.00	0.00	1.00
P1127.01 Housing Director	1.00	0.00	1.00
P1129.01 Housing Qualifications Specialist	1.00	0.00	1.00
P1130.01 Housing Sales Manager	1.00	0.00	1.00
P1142.01 Administrative Assistant II	1.00	0.00	1.00
P1184.01 Management Analyst I	1.00	0.00	1.00
P1290.01 Senior Property Manager	0.95	0.00	0.95
P1306.01 Tax Credit Qualifications Specialist	1.00	0.00	1.00
P1411.01 Compliance Manager	1.00	0.00	1.00
442 - APCA Housing Total	10.74	0.00	10.74
P1033.01 Assistant Property Manager	0.08	0.00	0.08
P1078.01 Deputy Director	0.00	0.00	0.00
P1128.01 Housing Maintenance Supervisor	0.37	0.00	0.37
P1129.01 Housing Qualifications Specialist	0.00	0.00	0.00
P1171.01 Maintenance Tech I	0.37	0.00	0.37
P1181.01 Maintenance Tech II	0.37	0.00	0.37
P1181.02 Maintenance Tech II	0.37	0.00	0.37
P1290.01 Senior Property Manager	0.02	0.00	0.02
443 - Independent Housing Entities Total	1.58	0.00	1.58
620 - Housing Administration Fund Total	12.32	0.00	12.32

General City Information

Position Level Detail By Department

Positions / Departments / Funds	2019 Base	Supp	2019 Req
P1033.01 Assistant Property Manager	0.04	0.00	0.04
P1128.01 Housing Maintenance Supervisor	0.03	0.00	0.03
P1171.01 Maintenance Tech I	0.03	0.00	0.03
P1181.01 Maintenance Tech II	0.03	0.00	0.03
P1181.02 Maintenance Tech II	0.03	0.00	0.03
P1290.01 Senior Property Manager	0.01	0.00	0.01
622 - Smuggler Housing Fund Total	0.17	0.00	0.17
 Total - Housing / Component Unit FTE	 12.49	 0.00	 12.49
 Grand Total FTE	 315.05	 11.25	 326.30