

**THE FEBRUARY 25, 2020 COUNCIL PACKET MAY BE VIEWED
BY GOING TO THE TOWN OF FRISCO WEBSITE.**

**RECORD OF PROCEEDINGS
WORK SESSION MEETING AGENDA OF THE
TOWN COUNCIL OF THE TOWN OF FRISCO
FEBRUARY 25, 2020
5:00 PM**

Agenda Item #1: New and Existing Revenue Streams Discussion

Agenda Item #2: Waiver of Permit Fees for Summit Fire & EMS Discussion

Agenda Item #3: Adoption of Summit Sustainable Code Amendment Discussion

**RECORD OF PROCEEDINGS
REGULAR MEETING AGENDA OF THE
TOWN COUNCIL OF THE TOWN OF FRISCO
FEBRUARY 25, 2020
7:00PM**

**STARTING TIMES INDICATED FOR AGENDA ITEMS ARE ESTIMATES ONLY AND
MAY CHANGE**

Call to Order:

Gary Wilkinson, Mayor

Roll Call:

Gary Wilkinson, Jessica Burley, Daniel Fallon, Rick Ihnken, Hunter Mortensen, Deborah Shaner, and Melissa Sherburne

Public Comments:

Citizens making comments during Public Comments or Public Hearings should state their names and addresses for the record, be topic-specific, and limit comments to no longer than three minutes.

NO COUNCIL ACTION IS TAKEN ON PUBLIC COMMENTS. COUNCIL WILL TAKE ALL COMMENTS UNDER ADVISEMENT AND IF A COUNCIL RESPONSE IS APPROPRIATE THE INDIVIDUAL MAKING THE COMMENT WILL RECEIVE A FORMAL RESPONSE FROM THE TOWN AT A LATER DATE.

Mayor and Council Comments:

Staff Updates:

Consent Agenda:

- Minutes February 11, 2020 Meeting

New Business:

Agenda Item #1: Clock Tower Demolition Discussion STAFF: JEFF GOBLE 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Old Business:

Agenda Item #2: Second Reading Ordinance 20-02, an Ordinance Amending Chapter 155 of the Code of Ordinances of the Town of Frisco, Concerning Streets and Public Ways, by Amending Article II thereof, Concerning Utility Installations, to give the Town the ability to Provide for the Construction of Communications Conduits in Connection with the Excavation of Public Ways for Utility Purposes, or the Construction of New Streets STAFF: JEFF GOBLE 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Adjourn:



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: BONNIE MOINET, FINANCE DIRECTOR
RE: DISCUSSION REGARDING NEW AND EXISTING REVENUE SOURCES
DATE: FEBRUARY 25, 2020

Summary and Background: This memorandum is intended to start the discussion to meet Council's 2019-2020 Strategic Plan high priority goal to "analyze a variety of options to produce new ongoing revenue streams". Staff has prepared a chart (Attachment A-1) depicting all of the Town's current revenue sources, which illustrates the current rate and annual revenues from each source, along with year of implementation, current usage of those funds, whether voter approval is required and any other legal restrictions. The chart is intended to assist Council in deciding which revenues might be worthy of further examination for potential increases.

Additionally, staff is including the General Fund tables presented to Council during the 2020 budget work session (Attachments A-2 through A-5). These charts indicate that the General Fund expenditures are increasing at a faster rate than General Fund revenues and that this trend could very well lead to reductions in current services, events and recreation programs and activities. These charts strengthen the importance of Council's goal and this discussion.

Managing the Government like a Business

As further background, evaluating the Town of Frisco's revenue trends as compared to expense trends are an important priority for the Town, just as any other business. While the Town is not a private business, it is the public's business and its fiscal health and sustainability are critical to maintaining the current and ongoing service levels the public needs and desires.

The Town of Frisco has unique revenue streams. Overall, the Town has four primary economic drivers: (1) the Town's iconic Main Street serving as Frisco's brand for its one-of-a-kind (*magical*) main street in the Rockies, (2) commercial services and retailers on Highway 9 and on Main Street serving as the primary source of sales tax revenue, and (3) the Marina and (4) Frisco's Adventure Park both serving as highly visited revenue centers. These four economic drivers are all dependent upon revenues from our community members and visitors. Thus, it is important to routinely evaluate these areas to either (a) increase revenues from current streams, (b) identify new services and activities generating revenue, or (c) change fiscal direction to reduce current levels of services and activities to decrease expenses.

Staff Analysis: As a refresher, listed below are recent revenue changes implemented by the Town. While the intent of some of these actions may not have been to increase revenues, but rather to change behaviors (e.g: Nicotine Tax), they do produce new sources of revenue:

<u>Revenue Source</u>	<u>Fund</u>	<u>Year of Implementation</u>
Additional SCHA 5A Tax	SCHA 5A	2016
Short Term Rental Licenses	General	2018
Water Rate Restructure	Water	2019
Main Street Parking Enforcement	General	2019
Plastic Bag Fee	General	2020
Nicotine Tax	General	2020

Since these are relatively new revenue sources, staff does not recommend discussing these items until sufficient data becomes available for analysis.

A. Increase Current Revenue Stream Proceeds

Service Fees

Town staff routinely analyze and adjust fees and charges for services. Every year and as needed, staff evaluate service fees and adjust to account for increase in cost to provide services and/or comparable charges. Examples of these fees range from high-revenue generating activities such as the tubing hill and Nordic center, recreation programs and events, to lower-revenue generating fees such as building and park rentals, concessionaire contracts, Marina rentals and storage, liquor licensing, etc.

Impact: *service fees account for approximately 23% of the Town's budget, although they have only increased modestly over the past five-ten years and small adjustments will continue to have modest impact.*

Taxes

The Town's primary source of revenue, like most government organizations, is revenues generated through taxes from property, commercial / retail sales, and lodging. An increase in taxes is more likely to be approved if dedicated to specific projects, services, or improvements supported by the community. The Town's current taxes are listed below.

1. Frisco Sales Tax – General Fund

The current sales tax rate for the Town of Frisco, **established in 1976**, is 2%. Revenues generated from this source total approximately \$4.8M. For comparison purposes, sales tax rates for surrounding areas are as follows: Summit County – 2.75%; Breckenridge and Dillon – 2.5%; Silverthorne – 2%; Blue River – 2.5%.

Impact: *A 1% increase, if approved by the voters, would generate \$2.4M of revenue.*

2. Lodging Taxes – Lodging Tax Fund

The current lodging tax rate, **established in 2004**, is 2.35% and generates approximately \$550,000 annually. Staff anticipates an increase in the collection of these taxes as more Short-term Rentals come into compliance. For comparison, lodging tax rates in surrounding communities are: Breckenridge – 3.4%; Silverthorne and Dillon – 2%; Blue River – 3.4%.

Impact: A 1% increase in lodging taxes, if approved by the voters, would generate \$230,000 of revenue.

3. Business Tax License– General Fund

The current business tax license is \$75. This fee was **established in 2011** and currently generates approximately \$135,000 in annual revenue. An increase in these fees could provide funding for a specific purpose, while ensuring costs for administration are covered. For comparison purposes, business licenses for surrounding areas are as follows: Breckenridge – \$200 plus \$10 per employee; Dillon - \$60; Silverthorne - \$75; Blue River - \$50.

B. Identify New Revenue Streams

As noted in the beginning of this report, the Town of Frisco has several unique revenue centers notably, the Marina and the Adventure Park. Moving the discussion to new sources of revenue, the ongoing and recent workshops regarding the development of the Peninsula Recreation Area seem to offer the most opportunities. The most recent workshop in January of this year illustrates expanded parking, expanded Nordic Center, a wedding pavilion, an activity center, picnic pavilions, an ice rink, a dog park and the conversion of the baseball field to a multi-purpose field. While all of these could potentially provide new sources of revenue, the wedding pavilion and activity center appear to be the most lucrative.

1. Marina

The Marina is an enterprise fund, and as such, revenues generated by the Marina remain with the Marina operations. The Marina's improvements are well underway and already increased attendance last summer after Phase 1 was completed. It is anticipated the second phase of the Marina, once complete, will continue to draw crowds, increasing demand for enhanced food and beverage services, additional rentals of current and new varieties, entertainment options, and all aspects of water activities. As the Marina's improvements come to fruition, the increase in revenues will be utilized for site improvements, debt service payments, and operations.

2. Adventure Park

Currently, the tubing hill alone generates approximately \$1.8M annually operating five days per week. Increasing operations to 7/365 would provide an increase in revenue; however, there would also be associated increases in operational costs including, but not limited to, recruiting and retaining staff, which is currently a very difficult and ongoing issue.

Summer tubing

A topic that has been mentioned is summer tubing at the PRA. Based on preliminary conversations with some of the entities that have these operations, there is no doubt this could provide a significant amount of revenue. For example, on a busy winter day, more than 1,000 people use the tubing hill generating \$30,000 in ticket sales. A rough estimate of a summer tubing hill, with an average daily attendance of 500-600 people, over 100 summer days, could generate \$1M in ticket, food and beverage sales. A summer tubing installation, if desired by the Town Council, should be desired to complement the other summer activities at the Adventure Park, which primarily promote outdoor recreation in the natural environment.

Weddings / Event Venue

As noted above, other opportunities being considered at the Adventure Park include a potential wedding venue with ceremonies offering spectacular views of Peak One. Weddings are high-revenue generating activities. Popular locations (such as Swan Mountain) are sold out months, sometimes a year, in advance (Swan Mountain averages 400 weddings a year with no reception venue). A modest estimate of revenue generated from a wedding venue alone (not reception) utilized on average 2-3 times a week all year (or 6 times a week in the summer) could generate approximately \$400,000. A reception venue utilized approximately 50% of the time, could generate another \$500k. These revenues do not account for expenses associated with staffing and infrastructure development.

Music Venue on the Tubing Hill

There has also been discussion about utilizing the tubing hill as a summer entertainment venue with the hill serving as a natural amphitheater. However, a ticketed event would be very difficult to manage without changing the character of the area significantly, although entertainment on the site could generate consumer activity for food and beverage, if available.

Alignment with Strategic Plan: This discussion opens the door to implement Council's Strategic goal to explore new revenue sources, a high Council priority. Should Council elect to designate new revenues to specific projects or uses, it is entirely possible many other strategic goals could be met.

Recommendation: This works session is for discussion purposes only; however, staff would like Council direction on the following items:

1. Does Council have any other revenue sources they would like staff to explore?
2. Does the Council want to pursue any of the proposed increases for current or new revenue streams?
3. Would the Council like staff to pursue details for additional hours of operation at the tubing hill?

Approvals: This memorandum has been reviewed and approved by the following:

Nancy Kerry, Town Manager – Approved
Diane McBride, Recreation and Culture Director/Assistant Town Manager

Attachments:

Attachment 1 – Analysis of Revenue Sources/Potential Increases in Taxes/Fees
Attachments 2-4 – Revenue/Expenditure Trends

Town of Frisco
Analysis of Revenue Sources/Potential Increases in Taxes/Fees
Date Prepared: 1/2/20

Attachment A-1

Category	Current Rate	Year of Implementation	Annual Revenue	Fund	Current Use	Vote Required	
						Yes	No
Taxes							
Frisco Sales Tax	2%	1976	\$4.8M	General	General Operations	X	
Property Taxes	.798 mills	Annual	\$160,000	General	General Operations	X	
Recreational/Medical Marijuana	5%	2014	\$370,000	General	General Operations		X
Nicotine	\$4	2020	Unknown	General	General Operations		X
Licenses							
Business License	\$75/yr	2011	\$135,000	General	General Operations		X
Short Term Rental	\$125/yr	2019	\$125,000	General	General Operations		X
Liquor License	\$0.25	2020	\$15,000	General	General Operations		X
Plastic Bag Fees			Unknown	General	General Operations		X
Permits							
Building	Value		\$275,000	General	General Operations		X
Mechanical	Value		\$25,000	General	General Operations		X
Planning	Value		\$25,000	General	General Operations		X
Excavation	\$100 + Bond	2019	\$4,000	General	General Operations		X
Fines							
Parking		2019	Unknown	General	General Operations		X
Surcharges	\$25	2017	\$4,000	General	General Operations		X
Municipal Court	Set by State		\$20,000	General	General Operations		X
Event Permitting							
BBQ-Food/Beverage/Booth			\$500,000	General	BBQ Payouts/Non-profits		X
Registration-Art on Main			\$5,000	General	General		X
Recreation Special Events			\$95,000	General	Recreation Programs		X
Nordic Events			\$5,800	General	Nordic Operations		
Recreation Programs							
Fun Club			\$120,000	General	Recreation Programs		X
Recreation Programs			\$80,000	General	Recreation Programs		X
Recreation Activities							
Nordic			\$212,000	General	Nordic Operations		X
Tubing Hill			\$1.85M	General	Adventure Park Operations		X
Building Rentals							
Mary Ruth			\$70,000	General	General Operations		X
3rd & Granite			\$5,000	General	General Operations		X
1st & Main			\$13,200	General	General Operations		X
Day Lodge			\$30,000	General	Adventure Park Operations		X
Concessionaires							
Two Below Zero			\$75,000	General	Nordic Center Operations		X
Park Rentals							
Walter Byron			\$3,500	General	General Operations		X
Marina Park			\$3,500	General	General Operations		X
Museum Gazebo			\$3,500	General	Museum Operations		X
Lot Sales			\$1,000	General	General Operations		X
SCHA 5A Tax	0.725%	2007 & 2016	\$1.350M	SCHA	Housing Projects/Programs		X
Impact Fees		2007	\$115,000	SCHA	Housing Projects/Programs		X
Rental Income-Mary Ruth		2019	\$70,000	SCHA	Housing Projects/Programs		X
Real Estate Investment Fees	1%		\$1.4M	Capital	Debt, IT, Equipment and Capital Projects	Note 1	
Lodging Tax	2.35%	2004	\$550,000	Lodging	Information Center - 45%		X
					Marketing - 20%		
					Recreation - 20%		
					O&M - 15%		
Marina Rentals/Storage							
Marina Concessionaires			\$1.3M	Marina	Marina Operations		X
Windriders			\$5,500	Marina	Marina Operations		X
Island Grill			\$45,000	Marina	Marina Operations		X
Rowing Club			\$5,000	Marina	Marina Operations		X
Water Taxi			\$400	Marina	Marina Operations		X

Note 1: Because of an amendment to the State constitution in 1992, Colorado's real estate transfer tax system is frozen in time. No changes/additions are allowed after that time.

GENERAL FUND

+8%

ATTACHMENT A-2

	2017 <u>Actual</u>	2018 <u>Actual</u>	2019 <u>Budget</u>	2019 <u>Projected</u>	2020 <u>Budget</u>
Revenues					
Taxes	\$9,874,864	\$10,498,855	\$10,251,000	\$10,660,018	10,679,968
Licenses & Permits	445,918	630,120	640,800	490,800	638,800
Intergovernmental	266,401	246,775	202,000	275,000	245,000
Charges for Services	3,464,249	3,482,066	3,275,350	3,463,425	3,546,100
Investment Income	59,365	126,495	65,000	200,000	150,000
Other Revenues	104,007	120,420	94,500	54,578	52,500
Total Revenues	14,214,894	15,104,731	14,528,650	15,143,821	15,312,368
Expenditures					
General Government	3,121,797	3,715,707	4,201,152	4,206,290	4,242,146
Public Safety	1,473,245	1,404,537	1,712,888	1,582,987	1,826,597
Community Development	1,328,378	1,522,306	1,301,375	1,274,138	1,482,946
Public Works	1,832,232	1,891,301	2,177,902	2,133,665	2,304,289
Culture and Recreation	2,714,222	2,749,410	3,713,256	3,352,881	3,824,134
Total Expenditures	10,469,874	11,283,261	13,106,573	12,549,961	13,680,112
Other Sources (Uses)					
Transfers Out-Capital Improvement Fund	3,350,000	2,191,510	651,071	3,304,674	893,347
Net Change in Fund Balance	395,020	1,629,960	771,006	-710,814	738,909
Fund Balance - January 1	5,267,736	5,662,756	6,107,427	7,292,716	6,581,902
Fund Balance - December 31	\$5,662,756	\$7,292,716	\$6,878,433	\$6,581,902	\$7,320,811

GENERAL FUND

ATTACHMENT A-3

+ 31%

	2017 <u>Actual</u>	2018 <u>Actual</u>	2019 <u>Budget</u>	2019 <u>Projected</u>	2020 <u>Budget</u>
Revenues					
Taxes	\$9,874,864	\$10,498,855	\$10,251,000	\$10,660,018	10,679,968
Licenses & Permits	445,918	630,120	640,800	490,800	638,800
Intergovernmental	266,401	246,775	202,000	275,000	245,000
Charges for Services	3,464,249	3,482,066	3,275,360	3,463,425	3,546,100
Investment Income	59,365	126,495	65,000	200,000	150,000
Other Revenues	104,097	120,420	94,500	54,578	52,500
Total Revenues	14,214,894	15,104,731	14,528,650	15,143,821	15,312,368
Expenditures					
General Government	3,121,797	3,715,707	4,201,152	4,206,290	4,242,146
Public Safety	1,473,245	1,404,537	1,712,888	1,582,987	1,826,597
Community Development	1,328,378	1,522,306	1,301,375	1,274,138	1,482,946
Public Works	1,832,232	1,891,301	2,177,902	2,133,665	2,304,289
Culture and Recreation	2,714,222	2,749,410	3,713,256	3,352,881	3,824,134
Total Expenditures	10,469,874	11,283,261	13,106,573	12,549,961	13,680,112
Other Sources (Uses)					
Transfers Out-Capital Improvement Fund	3,350,000	2,191,510	651,071	3,304,674	893,347
Net Change in Fund Balance	395,020	1,629,960	771,006	-710,814	738,909
Fund Balance - January 1	5,267,736	5,662,756	6,107,427	7,292,716	6,581,902
Fund Balance - December 31	\$5,662,756	\$7,292,716	\$6,878,433	\$6,581,902	\$7,320,811

GENERAL FUND

ATTACHMENT A-4

	2017 <u>Actual</u>	2018 <u>Actual</u>	2019 <u>Budget</u>	2019 <u>Projected</u>	2020 <u>Budget</u>
<u>Revenues</u>					
Taxes	\$9,874,864	\$10,498,855	\$10,251,000	\$10,660,018	10,679,968
Licenses & Permits	445,918	630,120	640,800	490,800	638,800
Intergovernmental	266,401	246,775	202,000	275,000	245,000
Charges for Services	3,464,249	3,482,066	3,275,350	3,463,425	3,546,100
Investment Income	59,365	126,495	65,000	200,000	150,000
Other Revenues	104,007	120,420	94,500	54,578	52,500
Total Revenues	14,214,894	15,104,731	14,528,650	15,143,821	15,312,368
<u>Expenditures</u>					
General Government	2,111,707	3,715,707	4,201,152	4,206,290	4,203,440
Public Safety	1,111,707	1,404,537	1,712,888	1,582,987	1,582,987
Community Development	1,832,232	1,522,306	1,301,375	1,274,138	1,274,138
Public Works	2,714,222	1,891,301	2,177,902	2,133,665	2,304,289
Culture and Recreation	1,832,232	2,749,410	3,713,256	3,352,881	3,824,134
Total Expenditures	10,469,874	11,283,261	13,106,573	12,549,961	13,680,112
<u>Other Sources (Uses)</u>					
Transfers Out-Capital Improvement Fund	3,350,000	2,191,510	651,071	3,304,674	893,347
Net Change in Fund Balance	395,020	1,629,960	771,006	-710,814	738,909
Fund Balance - January 1	5,267,736	5,662,756	6,107,427	7,292,716	6,581,902
Fund Balance - December 31	\$5,662,756	\$7,292,716	\$6,878,433	\$6,581,902	\$7,320,811

↑
26%

↑
11%

GENERAL FUND

ATTACHMENT A-5

+ 2%

	2017 <u>Actual</u>	2018 <u>Actual</u>	2019 <u>Budget</u>	2019 <u>Projected</u>	2020 <u>Budget</u>
<u>Revenues</u>					
Taxes	\$9,874,864	\$10,498,855	\$10,251,000	\$10,660,018	10,679,968
Licenses & Permits	445,918	630,120	640,800	490,800	638,800
Intergovernmental	266,401	246,775	202,000	275,000	245,000
Charges for Services	3,464,249	3,482,066	3,275,350	3,463,425	3,546,100
Investment Income	59,365	126,495	65,000	200,000	150,000
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Total Revenues	14,214,894	15,104,731	14,528,650	15,143,821	15,312,368
<u>Expenditures</u>					
General Government	3,121,797	3,715,707	4,201,152	4,206,290	4,242,146
Public Safety	1,473,245	1,404,537	1,712,888	1,582,987	1,826,597
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Culture and Recreation	2,714,222	2,749,410	3,713,256	3,352,881	3,824,134
Total Expenditures	10,469,874	11,283,261	13,106,573	12,549,961	13,680,112
<u>Other Sources (Uses)</u>					
Transfers Out-Capital Improvement Fund	3,350,000	2,191,510	651,071	3,304,674	893,347
Net Change in Fund Balance	395,020	1,629,960	771,006	-710,814	738,909
Fund Balance - January 1	5,267,736	5,662,756	6,107,427	7,292,716	6,581,902
Fund Balance - December 31	\$5,662,756	\$7,292,716	\$6,878,433	\$6,581,902	\$7,320,811



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: BILL GIBSON, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR
RE: WORK SESSION TO DISCUSS THE WAIVER OF PERMIT FEES FOR SUMMIT FIRE & EMS
DATE: FEBRUARY 25, 2020

Summary and Background: Summit Fire & EMS is requesting a waiver of building and planning permit fees for a recent remodel of the fire station located at 301 South 8th Avenue. This remodel involved a building permit fee of \$257.81, a plumbing permit fee of \$41.25, and a sign permit fee of \$50.00 for a total value of \$349.06.

As this is a work session, Staff is seeking input from the Town Council on the waiver of these permit fees. The waiver of such fees will require the adoption of an ordinance.

Staff is also seeking broader policy direction from the Town Council on whether or not future permit fees should be waived. Council could choose to assess all future permit fees, waive all future permit fees, or provide a limited waiver of future permit fees (examples: only assess or waive fees for certain permit types such as site plan review, building permit, plumbing permit, mechanical permit, etc.; limit the waiver of fees to smaller projects up to a specified construction valuation; or waive fees up to a specified dollar amount).

Analysis: The Community Development Department Staff is not aware of any previously adopted policies or formal agreements specifying whether or not the Town of Frisco charges or waives permit fees for Summit Fire & EMS. In researching our archives, the Town has issued approximately 21 permits at the fire station dating back to the 1989. Our archives do not include any records associated with the original construction of this building in the late 1970's. While the Town has been inconsistent in charging and waiving permit fees for construction projects at the fire station, it appears that fees were waived for most permits in the past.

Similar to how the Town of Frisco issues building permits and conducts inspection to ensure construction projects comply with the adopted building codes, Summit Fire & EMS requires permits and inspections for certain construction projects to ensure compliance with the adopted fire codes. It is unclear how often the Town of Frisco obtained fire department construction permits in past years and how often the associated fees were paid or waived. However, in 2018, Summit Fire & EMS waived the construction permit fee for the Town of Frisco Public Works Shop expansion project. The value of that waived fee was \$1,710.

Summit Fire & EMS permits and inspects tents and stages associated with certain Town sponsored community events. Summit Fire & EMS has historically waived the \$200 fee for permits and those inspections conducted during their normal business hours. In 2019, these fees were waived eight (8) times for the Town of Frisco with an associated value of \$1,600. However,

in 2019 the Town of Frisco did pay a total of \$1,200 for the Nordic Center seasonal tent permit and seven (7) after hours inspections associated with community events.

Financial Impact: Waiver of permit fees for this specific project have a budget cost of \$349.06 in uncollected revenue. The financial impact of waiving future permit fees will be dependent upon the scope and scale of any future construction activities at the fire station and cannot be determined at this time.

Alignment with Strategic Plan: The 2019-2020 Town of Frisco Strategic Plan includes a strategic priority of Quality Core Services. An identified action/goal of this strategic priority includes:

Town Council High Priority Goal: Identify New Revenue Streams

- Analyze a variety of options to produce new on-going revenue stream(s) (e.g. Summer tubing, ice rink, additional recreational rentals/uses)
- Conduct a thorough cost-of-service study to collect appropriate fees for the provision of services
- Present options and recommendations to Town Council for consideration

Environmental Sustainability: There are no direct environmental sustainability impacts applicable to this request.

Staff Recommendation: Staff requests direction from the Town Council on whether or not to prepare an ordinance authorizing the waiver of permit fees for Summit Fire & EMS for further evaluation at a future public hearing.

Reviews and Approvals: This report has been reviewed and approved by:

Bonnie Moinet, Finance Director-Approved
Nancy Kerry, Town Manager



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: RICK WEINMAN, BUILDING OFFICIAL
RE: WORK SESSION CONSIDERING ADOPTION OF THE SUMMIT SUSTAINABLE BUILDING CODE (SSBC)
DATE: FEBRUARY 25, 2020

Summary and Background: Over the past year, the towns and County have been working collaboratively to prepare for adoption and enforcement of an updated version of the SSBC to serve as a new above-building code standard, requiring increased energy savings in new construction that exceeds the 2018 IECC code requirements. High Country Conservation Center (HC3) has been facilitating a collaborative inter-jurisdictional SSBC committee, with representation from the county, towns and building community, to tackle this effort. The committee recently concluded work to develop the proposed building code content in December 2019.

Analysis: The first edition of the SSBC was adopted in 2008 as part of the 2006 International Code Council (ICC) code series adoption. It was developed by a collaborative group of building code officials, builders and designers, with facilitation from HC3, and was applicable to single family homes. Commercial projects were required to be designed to LEED, or an alternate green building program, deemed to be equivalent by the Building Official. The 2008 SSBC provided a point-based system with a large menu of sustainable building options to choose from and to improve energy efficiency and resource conservation in construction, heating/cooling, recycling and water usage.

Over time, the energy codes have evolved to require increased building energy efficiency. Many of the original SSBC measures have been codified through the IECC and have become standard construction practices. In 2014, during the 2012 ICC code adoption, the SSBC was therefore revised and condensed into a 2-page checklist. This current version of the SSBC mandates high efficiency boilers, furnaces and water heaters, high efficacy lights and dissemination of recycling information at permit issuance. The code then requires a certain number of points based on the proposed square footage of heated and air conditioned space and outdoor usage of energy in heated outdoor surfaces, fireplaces/fire pits and hot tubs. To obtain a building permit, the accrued points must be fully offset from the list of secondary options. The secondary options include items such as added insulation, use of engineered lumber, higher efficiency appliances and added building controls.

Over the past year, the SSBC committee has held a total of 14 working group meetings to develop the proposed content of the updated SSBC. Representation on the committee includes town and county building officials, planners, builders, designers, engineers, and energy

professionals. Technical assistance to inform the code development process has also been provided by contracted building energy consultants Jeff Dickinson and Matt Wright, the CO Energy Office, Southwest Energy Efficiency Project (SWEEP), and the Department of Energy's Zero Energy Ready Home Program.

The committee recently concluded work to develop the proposed content of the updated SSBC in December 2019. Attachment 1 outlines each of the SSBC committee recommendations, for both residential and commercial buildings. The following public events were scheduled to present the final draft of the proposed SSBC content to the building community, answer questions and solicit additional input.

- Open House: Thursday, January 29, 2020, 3:30 – 5pm, Summit Community & Senior Center
- Presentation at Summit County Builders Association Meeting: February 12, 2020
- The committee will be offering a series of educational trainings from April – June 2020, to help educate and train local builders and designers on the new code requirements and compliance pathways.

Town Council adopted the 2018 International Codes in November 2019, and the SSBC is proposed to be adopted through a series of further amendments to the 2018 International Energy Conservation Code. These amendments are currently targeted for review and adoption by the Towns of Frisco, Breckenridge and Summit County by March 2020. Following their adoptions, the SSBC committee plans to initiate discussions with the Towns of Dillon and Silverthorne regarding the updated SSBC and next steps for review by their respective Town Councils.

Financial Impact: The costs associated with a new SSBC adoption involve staff training to learn and administer the new codes. These costs have been included in the proposed 2020 budget.

Alignment with Strategic Plan: This ordinance aligns with Town Council's 2019-2020 Quality Core Services and Sustainable Environment Strategic Priorities.

Environmental Sustainability: Town Council adopted the Summit Community Climate Action Plan (CAP) in April 2019, which sets goals to reduce greenhouse gas (GHG) emissions in Summit County 50% by 2030 and 80% by 2050 (relative to a 2005 baseline). The Town is actively working to develop and implement strategies to achieve these goals, in partnership with High Country Conservation Center, other jurisdictions, ski areas, utilities, and other Collaborative partners.

The County GHG emissions inventory, completed in 2018, shows that two-thirds of Summit County's emissions come from energy use in buildings – roughly one-third from residential buildings and one-third from commercial buildings. In order to reach the emissions reduction goals set forth in the CAP, we must pursue strategies to reduce building energy use and emissions from the Buildings sector. The overarching strategy outlined in the CAP is to transition to net zero energy buildings over the next decade (by 2030), to achieve highly efficient buildings powered by renewable energy and move away from natural gas. Relevant Building Energy Strategies set forth in the CAP include:

- Adopt and enforce the most updated version of the International Energy Conservation Code (IECC).
- Develop an above-building code standard for new construction.

The SSBC committee recommendations address each of these strategies.

Staff Recommendation: This work session is intended to be an overview of the SSBC committee's recommendations for the next version of the Summit Sustainable Building Code for residential and commercial buildings. Staff requests Council feedback on the proposed code and direction for next steps.

Reviews and Approvals:

Bonnie Moinet, Finance Director-Approved
Nancy Kerry, Town Manager

Attachments:

Attachment 1: SSBC Committee Recommendations
Attachment 2: Ordinance 20-X Summit Sustainable Building Code - Draft

ATTACHMENT 1

OVERVIEW OF SSBC COMMITTEE RECOMMENDATIONS: Attachment 1 outlines proposed 2018 IECC amendments to accomplish each of the SSBC committee recommendations outlined in this memo.

Residential: The SSBC committee is recommending that all new residential construction (meeting the definition of residential buildings up to 5 stories) be required to comply with the 2018 International Energy Conservation Code (IECC) and to obtain a certification of compliance with the Department of Energy's Zero Energy Ready Home National Program. Homes certified through this program as Zero Energy Ready demonstrate increased energy efficiency and are designed to easily accommodate future installation of renewable energy systems that could then make the home fully net zero energy. Certification is verified by qualified third-party raters.

Certification through the Zero Energy Ready Home Program requires meeting the standards of two federal building programs – ENERGY STAR for Homes and EPA Indoor airPLUS. In addition, homes are required to have ENERGY STAR appliances, WaterSense fixtures (or an efficient hot water distribution system), and solar PV ready design.

Builders can meet the requirements of the Zero Energy Ready Home program using either the Prescriptive Path or the Performance Path. The Prescriptive Path requires compliance with a specific set of measures listed in Attachment 3 and requires no energy modeling. The Performance Path allows builders to choose from a number of measures, provided an energy model is submitted showing the home has achieved a pre-determined target Home Energy Rating System (HERS) score.

The HERS Index is a nationally recognized system for calculating a home's energy performance. The index is based on a scale of 0 – 150, with 0 being a net-zero energy home. Each point is equivalent to a one percent increase/decrease in energy efficiency. Within the Zero Energy Ready Homes program, the target HERS score for each home is calculated based on application of a preferred set of energy measures to the respective home size. Larger homes require lower HERS scores (i.e., larger homes require more energy-efficient design), which was viewed positively by the SSBC committee.

The newly adopted 2018 IECC requires residential homes to earn a HERS score of 58. Comparatively, most Zero Energy Ready Homes built in our climate zone (Climate Zone 7) will require HERS scores in the mid-40s to low-50s.

Following the Performance Path, an architect or designer works with an energy professional before construction begins to model the proposed home and ensure that energy efficiency is considered during the design process. When construction is complete, a qualified HERS Rater verifies the final HERS score. As long as the home is built according to the design, the home should meet the target score. A menu of design options are available when following the Performance Path, thus providing flexibility for the designer and builder to customize the energy efficiency measures included in construction.

While two compliance pathways are available (Prescriptive or Performance), it should be noted that homes over the 'benchmark home sizes' listed below are required to follow the Performance Path.

Benchmark Home Size

# of Bedrooms in Home to be Built	0 / Studio	1	2	3	4	5	6	7
Conditioned Floor Area (for Benchmark Home)	1,000	1,000	1,600	2,200	2,800	3,400	4,000	4,600

Electric Vehicle (EV) Charging Infrastructure:

In addition to Zero Energy Ready Home Program certification, the proposed SSBC requirements for residential also include a requirement for electric vehicle (EV) charging infrastructure to be roughed into newly constructed homes and garages meeting the scope of the IRC. This includes an electrical box, conduit to run wire and a blank in the service panel. This would be an approximately \$100 improvement, which would allow for the installation of an EV charging station to be added to the residence in the future without tearing into the wall.

For one to two-family dwellings, the proposed SSBC requires at least one EV ready space per dwelling unit. EV ready spaces have installed electrical panel capacity and a raceway with conduit that terminates in a junction box or 240-volt charging outlet (typical clothing dryer outlet).

For multifamily dwellings (three or more units), the proposed SSBC includes the following requirements for a minimum number of electric vehicle supply equipment (EVSE) installed spaces and EV capable spaces to be provided, based upon the total number of parking spaces.

EVSE Installed and EV Capable Space Requirements

Total Number of Parking Spaces	Minimum Number of EVSE Installed Spaces	Minimum Number of EV Capable Spaces
1-10	1	-
11-15	2	3
16-19	2	4
20-25	2	5
26+	2	20% of total parking spaces

Notes:

- EVSE Installed spaces provide a minimum number of installed Level 2 EV charging stations.
- EV Capable spaces have electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot (but no outlet).

Program Requirements:

There are two requirements for designers, architects, and builders to participate in the Zero Energy Ready Homes program: 1) Free registration as a program partner; and 2) Completion of a free 45-minute orientation webinar. Because Zero Energy Ready Home is a federal program, extensive no-cost resources are available for builders and designers online.

Other Residential Programs Considered:

Other residential sustainable code options considered by the committee included updating the existing SSBC to create a new customized local code for Summit County or requiring LEED for New Homes. The committee determined the Zero Energy Ready Home program to be the preferred options for the following key reasons:

- Zero Energy Ready Home is a national program administered by the DOE. Because it's a federal program, extensive free resources are available for builders and designers.
- The focus on energy and water efficiency addresses our local goals.
- The program is scaled for home size (i.e., larger homes require greater efficiency).
- Certification is free and instantaneous (unlike LEED), and less paperwork is required of builders.
- Program requirements are easily enforceable by building departments.

Commercial: Since adoption of the first SSBC in 2008, the SSBC has applied only to residential construction. Given that the 2020 code adoption will create the first sustainable code standards for commercial buildings in Summit County, the SSBC committee is recommending that above-code energy efficiency requirements for commercial buildings be provided within the structure of the 2018 IECC.

The SSBC committee hired a code consultant, Carbondale-based architect Jeff Dickinson of BioSpaces, to facilitate development of the recommended commercial sustainable code requirements. Mr. Dickinson suggested an energy modeling exercise to determine whether it would be feasible to require commercial new construction to achieve an additional 10 percent energy savings compared to the 2018 IECC. The engineering firm, Energetics, completed this modeling project, which demonstrated that 10 percent energy savings can be achieved following a number of different pathways.

Based on the work performed, the SSBC committee is recommending that Summit County jurisdictions require new commercial buildings to demonstrate 10 percent energy savings above the 2018 IECC, by following either the Prescriptive or Performance Pathway. Prescriptively, buildings will have to either install onsite solar PV to offset 10 percent of building energy use or install three energy efficiency packages as outlined in the 2018 IECC. If complying via the Performance Path, energy modeling must show that the proposed design will achieve 10 percent energy savings compared to the 2018 IECC code-defined baseline buildings.

EV Charging Infrastructure Requirements:

For commercial buildings, the proposed SSBC includes the following requirements for a minimum number of electric vehicle supply equipment (EVSE) installed spaces and EV capable spaces to be provided, based upon the total number of parking spaces.

EVSE Installed and EV Capable Space Requirements

Total Number of Parking Spaces	Minimum Number of EVSE Installed Spaces	Minimum Number of EV Capable Spaces
1-10	1	-
11-15	2	3
16-19	2	4
20-25	2	5
26+	2	20% of total parking spaces

Notes:

- EVSE Installed spaces provide a minimum number of installed Level 2 EV charging stations.
- EV Capable spaces have electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot (but no outlet).

Building Water Use Reduction:

Lastly, the proposed SSBC for commercial buildings includes added water reduction requirements for commercial occupancies, to achieve water efficient plumbing fixtures and fittings, and efficient water-using appliances such as clothes washers and dishwashers.

Other Commercial Programs Considered:

Other commercial sustainable code options considered by the SSBC committee included creating a customized SSBC checklist, requiring LEED certification, or adopting the International Green Construction Code (IgCC). The committee’s final recommendation is to work within the framework of the recently adopted 2018 commercial IECC for the following key reasons:

- Summit County’s jurisdictions have never had a commercial sustainable code. The committee preferred an option that would be familiar to builders and easy to enforce.
- Creating a local checklist was considered too complex and burdensome.
- LEED certification is costly and cumbersome, and fees leave the local economy.
- The energy sections of the IgCC were not considered significantly different from the 2018 IECC.

Proposed Implementation Timeframe: The SSBC committee is recommending the following timeframe for implementing the updated SSBC requirements for residential and commercial construction.

Residential:

- **July 1 – December 31, 2020:** 6-month grace period / training period for SSBC and Zero Energy Ready Home Program compliance.
 - Applicants will be required to submit all required application materials and go through the full review process, but failure to obtain a final certification of compliance with the Zero Energy Ready Home Program will not be cause for withholding County building permit approvals during the initial training period. This is a practice period for builders and designers to learn the new code requirements and practice taking homes through the new program to achieve compliance. The grace period will also provide an opportunity to work

out any kinks with the Zero Energy Ready Home Program with the DOE before full compliance is required for all homes.

- **January 1, 2021:** Effective date for full implementation of the Residential SSBC with Zero Energy Ready Home Program compliance required for all building permit approvals.

Commercial:

- **July 1, 2020:** Effective date for full implementation and required compliance with the Commercial SSBC requirements.
 - The SSBC committee has indicated that a shorter grace period (from code adoption in March – July 1, 2020) is a sufficient timeline for fully implementing the new commercial code requirements and requiring code compliance. Building officials have already been communicating the proposed changes to commercial building designers and answering questions, and do not anticipate significant issues given the level of competency and professionalism among commercial building designers.

Incentivizing Energy Efficiency Upgrades in Remodels & Additions: Based on direction received from the BOCC and town councils, the SSBC committee was tasked with developing recommended strategies to help incentive energy efficiency upgrades during remodels and additions to existing structures. The committee has developed the following recommendations.

Residential:

The SSBC committee's recommendation is to require a home energy assessment to obtain a building permit for residential additions and remodels valued at \$50,000 or more. This is intended to provide the applicant (i.e., homeowner, designer and/or builder) with information on key opportunities to integrate recommended energy efficiency upgrades into the renovation project. Applicants will receive information on the recommended energy efficiency upgrades, the projected energy cost savings and payback period for each improvement, and information on available Xcel Energy and local rebates available to offset the out-of-pocket costs of the respective improvements. The goal of this approach is to encourage informed decision-making and catalyze energy efficiency upgrades through rebates and education on projected cost savings and return on investment. At this time, the SSBC committee does not recommend requiring the energy audit recommendations to be incorporated into the scope of work for the building permit.

Commercial:

The SSBC committee is recommending that, during pre-application discussions for commercial remodels and additions, town and county building departments should provide applicants with information on the various options available for commercial building energy audits, as well as available rebates and CPACE financing options to fund energy efficiency, renewable energy and water conserving building improvements. The committee did not recommend mandating an energy audit for commercial buildings, but offered a suggestion that an energy audit could be incentivized by requiring proof of an energy audit as a condition of receiving local rebate money for commercial energy efficiency upgrades.

2018 IECC Adoption and Relationship to SSBC: The Town adopted the 2018 IECC in November 2019, along with adoption of the comprehensive 2018 International Code Series. Since this code adoption process, amendments to the 2018 IECC have been further analyzed and are discussed below. It is important to note that, if new residential structures are now required to comply with Zero

Energy Ready Home National Program requirements, these amendments could no longer be utilized in new construction and would only be available to additions and remodels.

The building officials for the County and towns of Breckenridge and Frisco have discussed these amendments extensively, and recommend the following two amendments be retained for use only in small additions and alterations to existing homes, based on an analysis of the impacts to project affordability and constructability that would be incurred for a negligible effect on energy efficiency.

WINDOWS: For residential construction, the 2018 IECC requires that fenestrations, windows and doors meet a 0.30 U Factor. Staff is proposing to amend this to a 0.32 U factor. As noted above, the only projects that will be able to utilize this amendment are additions and remodels where the replacement fenestrations or new fenestrations installed are equal to 60% or less of the existing fenestrations. Due to Summit County's elevation, a 0.30 U factor requirement would mandate a premier grade window package with added glazing options, which can add significant cost for a minimal effect on overall energy efficiency in these types of smaller, less expensive construction projects.

R-23 B.I.B insulation option: Staff is also proposing to maintain the proposed amendment to the 2018 IECC residential that was included in the 2012 IECC adoption, allowing an alternative option to the continuous exterior foam on a house. This amendment allows R-23 B.I.B. insulation to be installed in homes in lieu of the continuous R-5 exterior wall insulation with a R20 cavity insulation. In addition to the higher cavity insulation R value in the walls, the blown in application of bib insulation is significantly better than batt insulation. The amendment does not allow for the reduction of the roof/ ceiling insulation assemblies from R49 to R38 if fully uncompressed over the wall top plate. This is an amendment that will only be able to be utilized in alterations or remodels of 1,500 sq. ft. or less. Allowing this alternative option will provide flexibility for these smaller projects without reducing the overall energy efficiency of the home.

Future IECC Adoption Cycle:

Historically, the standard practice in Summit County has been to adopt updated building codes every six years, rather than every three years, given the time and effort involved in code adoption and training/education on new code requirements. While this is still viewed as appropriate for most building codes, staff recommends that moving forward, the Town should review and adopt the IECC every three years. As energy-related building practices and technologies are quickly evolving, staff feels it is important to remain current with the latest best practices for building energy use by continually using the most up-to-date IECC standards, as recommended in the Summit Community Climate Action Plan.

Other Related Projects – Development Code Amendments and External Energy Use Policy:

Development Code Amendments:

A subcommittee of town and county planners is working to develop recommended content for sustainable development standards that should be incorporated into each jurisdiction's land use and development code, as determined to be appropriate. Examples of sustainability-related development code items to be considered include:

- Multi-modal transportation access & connectivity
- Electric vehicle charging
- Solar-ready development & renewable energy
- Waste diversion
- Water efficiency

External Energy Use:

The SSBC committee is also working on a separate effort to explore the potential viability of a program that would help to minimize and offset external energy use in new construction (i.e., exterior snowmelt systems, outdoor gas fireplaces, and heated pools and spas). Programs of this kind, such as Aspen/Pitkin County's Renewable Energy Mitigation Program (REMP), and Eagle County's Eco-Build, require external energy use to be offset through the installation of onsite renewable energy systems and/or a payment-in-lieu fee. The funds collected from such a program would then be used to fund energy efficiency and renewable energy projects elsewhere in the community, to offset the impact of these exterior energy uses on the County's overall carbon emissions. This project is currently in the preliminary discussion phase, with more details to come at a discussion planned for a future Mayors, Managers and Commissioners meeting.

ATTACHMENT 2

2018 INTERNATIONAL ENERGY CONSERVATION CODE

Section C101.1 is amended by adding the name, “Summit County”.

Section C101 Is amended by adding section C101.6:

Section C101.6 Summit Sustainable Building Code. (SSBC) In addition to the requirements of Section C101.5, new buildings shall comply with the Summit Sustainable Building Code, in accordance with Sections C101.6.1 and C101.6.2.

C101.6.1 Residential SSBC. All new structure residential groups R-2, R-3 and R-4 occupancies above 3 stories and not more than 5 stories shall be in compliance with the Department of Energy Zero Energy Ready Home National Program.

Exception: All new residential structures defined per section C101.6.1 shall register and submit to be reviewed and inspected through the Department of Energy’s Zero Energy Ready Home National Program as a training exercise per the Summit County Building Department. The training program will be effective July 1st, 2020 through December 31st, 2020. Full compliance with the Department of Energy’s Zero Energy Ready Home National Program shall be effective January 1, 2021.

C101.6.2 Commercial SSBC. All new structures defined as a *Commercial Building* in Chapter 2 except structures defined under C101.6.1 of this code shall comply with amended sections C401.2, C404.11 and C405.10.

Section C202 Definitions is amended by adding the following definitions within the alphabetical order of the existing definitions:

ELECTRIC VEHICLE (EV). A vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). The electrical conductors and associated equipment external to the *electric vehicle* that provide a connection between the premises wiring and the *electric vehicle* to provide *electric vehicle* charging.

ELECTRIC VECHILE SUPPLY EQUIPMENT (EVSE) INSTALLED SPACE. A parking space with *electric vehicle supply equipment* capable of supplying a 40-ampere dedicated branch circuit rated at 208/240 volt from a building electrical panel board.

EV CAPABLE SPACE. A designated parking space which is provided with a listed raceway capable of accommodating a 40-ampere minimum 208/240-volt dedicated branch circuit for each future *EV Ready* or *EVSE Installed* parking space. Raceways shall not be less than trade size 1 (nominal 1-inch inside diameter). Raceways shall originate at the main service or subpanel and shall terminate into a listed cabinet, box, or enclosure in close proximity to the proposed location of the *EV Capable* parking spaces. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum 208/240-volt dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overprotection device.

Section C401.2 #1, 2 & 3 is amended to read as follows:

C401.2 Application. Commercial buildings shall comply with one of the following:

1. The requirements of ANSI/ASHRAE/IESNA 90.1. The building’s annual energy cost shall achieve savings 25 percent or greater than the baseline building energy model developed using ASHRAE 90.1 Energy Cost Budget protocol.
2. The requirements of Sections C402 through C405 and C408. In addition, commercial buildings shall comply with amended Section C406 and tenant spaces shall comply with Section C406.1.1.

3. The requirements of Sections C402.5, C403.2, C403.3 through C403.3.2, C403.4 through C403.4.2.3, C403.10.1 through C403.10.3, C403.11, C403.12, C404, C405, C407, and C408. The building energy cost shall be equal to or less than 75 percent of the standard reference design building.

Section C404 Service Water Heating is amended by adding section C404.11:

Exception: All structures complying with the Department of Energy’s Zero Energy Ready Home National Program shall not have to comply to section C404.11

TABLE C404.11.1
PLUMBING FIXTURES AND FITTINGS REQUIREMENTS

PLUMBING FIXTURE	MAXIMUM
Water Closets (toilets) – flushometer single-flush valve type	Single-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) – flushometer dual-flush valve type	Full-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) – single-flush tank-type	Single-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) – dual-flush tank-type	Full-flush volume of 1.28 gal (4.8 L)
Urinals	Flush volume 0.5 gal (1.9 L)
Public lavatory faucets	Flow rate – 0.5 gpm (1.9 L/min)
Public metering self-closing faucet	0.25 gal (1.0 L) per metering cycle
Residential bathroom lavatory sink faucets	Flow rate – 1.5 gpm (5.7 L/min)
Residential kitchen faucets	Flow rate – 1.8 gpm (6.8 L/min) ^a
Residential showerheads	Flow rate – 2.0 gpm (7.6 L/min)
Residential shower compartment (stall) in <i>dwelling units</i> and guest rooms	Flow rate from all shower outlets total of 2.0 gpm (7.6 L/min) 211 elk

a. With provision for a temporary override to 2.2 gpm (8.3 L/min) as specified in Section C404.11.1(g)

C404.11. Building Water Use Reduction.

C404.11.1 Plumbing Fixtures and Fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following requirements, as shown in Table 404.11.1:

a. Water closets (toilets) – flushometer valve type. For single-flush, maximum flush volume shall be determined in accordance with ASME A112.19.2/CSA B45.1 and shall not exceed 1.28 gal (4.8 L). For dual-flush, the full-flush volume shall not exceed 1.28 gal (4.8L) per flush. Dual-flush fixtures shall also comply with the provisions of ASME A112.19.14.

b. Water closets (toilets) – tank-type. Tank-type water closets shall be certified to the performance criteria of the USEPA WaterSense Tank-Type High-Efficiency Toilet Specification and shall have a maximum full-flush volume of 1.28 gal (4.8 L). Dual-flush fixtures shall also comply with the provisions of ASME A112.19.14.

c. Urinals. Maximum flush volume, when determined in accordance with ASME A112.19.2/CSA B45.1, shall not exceed 0.5 gal (1.9 L). Flushing urinals shall comply with the performance criteria of the USEPA WaterSense Specification for Flushing Urinals. Nonwater urinals shall comply with ASME A112.19.19 (vitreous china) or IAPMO Z124.9 (plastic) as appropriate.

d. Public lavatory faucets. Maximum flow rate shall not exceed 0.5 gpm (1.9 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1.

e. Public metering self-closing faucet. Maximum water use shall not exceed 0.25 gal (1.0 L) per metering cycle when tested in accordance with ASME A112.18.1/CSA B125.1.

f. Residential bathroom lavatory sink faucets. Maximum flow rate shall not exceed 1.5 gpm (5.7 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1. *Residential*

bathroom lavatory sink faucets shall comply with the performance criteria of the USEPA WaterSense High-Efficiency Lavatory Faucet Specification.

g. Residential kitchen faucets. Maximum flow rate shall not exceed 1.8 gpm (6.8 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1. Kitchen faucets shall be permitted to temporarily increase the flow greater than 1.8 gpm (6.8 L/min) but shall not exceed 2.2 gpm (8.3 L/min) and must automatically revert to the established maximum flow rate of 1.8 gpm (6.8 L/min) upon physical release of the activation mechanism or closure of the faucet valve.

h. Residential showerheads. Maximum flow rate shall not exceed 2.0 gpm (7.6 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1. *Residential* showerheads shall comply with the performance requirements of the USEPA WaterSense Specification for Showerheads.

i. Residential shower compartment (stall) in dwelling units and guest rooms. The allowable flow rate from all shower outlets (including rain systems, waterfalls, bodysprays, and jets) that can operate simultaneously shall be limited to a total of 2.0 gpm (7.6 L/min). Exception: Where the area of a shower compartment exceeds 2600 in.² (1.7m²), an additional flow of 2.0 gpm (7.6 L/min) shall be permitted for each multiple of 2600 in.² (1.7m²) of floor area or fraction thereof.

j. Water-bottle filling stations. *Water-bottle filling stations* shall be an integral part of, or shall be installed adjacent to, not less than 50% of all drinking fountains installed indoors on the premises.

C404.11.2 Appliances.

a. *Clothes washers* and *dishwashers* installed within *dwelling units* shall comply with the ENERGY STAR® Program Requirements for Clothes Washers and ENERGY STAR Program Requirements for Dishwashers. Maximum water use shall be as follows:

1. *Clothes washers* – Maximum *water factor (WF)* of 5.4 gal/ft³ of drum capacity (0.72 L/L of drum capacity).
2. Dishwashers – Standard-size dishwashers shall have a maximum *WF* of 3.8 gal/full operating cycle (14.3 L/full operating cycle). Compact sizes shall have a maximum *WF* of 3.5 gal/full operating cycle (13.2 L/full operating cycle). Standard and compact size shall be defined by ENERGY STAR criteria.

b. Clothes washers installed in publicly accessible *spaces* (*Informative Note*: e.g., multifamily and hotel common areas), and coin- and card-operated clothes washers of any size used in laundromats, shall have a maximum *WF* of 4.0 gal/ft³ of drum capacity normal cycle (.053 L/L of drum capacity normal cycle).

c. Commercial dishwashers in commercial food-service facilities shall meet all ENERGY STAR requirements as listed in the ENERGY STAR Program Requirements for Commercial Dishwashers, Version 2.0.

C404.11.3 Commercial Food Service Operations. Commercial food service operations (*Informative Note*: e.g., restaurants, cafeterias, food preparation kitchens, caterers, etc.):

- a. Shall use high-efficiency prerinse spray valves (i.e., valves that function at 1.3 gpm [4.9 L/min] or less and comply with a 26 second performance requirement when tested in accordance with ASTM F2324),
- b. Shall use dishwashers that comply with the requirements of the ENERGY STAR Program for Commercial Dishwashers,
- c. Shall use boilerless/connectionless food steamers that consume no more than 2.0 gal/h (7.5 L/h) in the full operational mode,
- d. Shall use combination ovens that consume not more than 10 gal/h (38 L/h) in the full operational mode,

- e. Shall use air-cooled ice machines that comply with the requirements of the ENERGY STAR Program for Commercial Ice Machines, and
- f. Shall be equipped with hands-free faucet controllers (foot controllers, sensor activated, or other) for all faucet fittings within the food preparation area of the kitchen and the dish room, including pot sinks and washing sinks.

C404.11.4 Medical and Laboratory Facilities. Medical and laboratory facilities, including clinics, hospitals, medical centers, physician and dental offices, and medical and nonmedical laboratories of all types shall:

- a. Use only water-efficient steam sterilizers equipped with (1) water-tempering devices that allow water to flow only when the discharge of condensate or hot water from the sterilizer exceeds 140°F (60°C) and (2) mechanical vacuum equipment in place of venturi-type vacuum systems for vacuum sterilizers.
- b. Use film processor water-recycling units where large-frame x-ray films of more than 6 in. (150 mm) in either length or width are processed. Small dental x-ray equipment is exempt from this requirement.
- c. Use digital imaging and radiography systems where the digital networks are installed.
- d. Use a dry-hood scrubber system or, if the applicant determines that a wet-hood scrubber system is required, the scrubber shall be equipped with a water recirculation system. For perchlorate hoods and other applications where a hood wash-down system is required, the hood shall be equipped with self-closing valves on those wash-down systems.
- e. Use only dry vacuum pumps unless fire and safety codes (*Informative Note: e.g., International Fire Code*) for explosive, corrosive, or oxidative gases require a liquid ring pump.
- f. Use only efficient water treatment systems that comply with the following criteria:
 - 1. For all filtration processes, pressure gages shall determine and display when to backwash or change cartridges.
 - 2. For all ion exchange and softening processes, recharge cycles shall be set by volume of water treated or based on conductivity or hardness.
 - 3. For reverse osmosis and nanofiltration equipment with capacity greater than 27 gal/h (100 L/h), reject water shall not exceed 60% of the feed water and shall be used as scrubber feed water or for other beneficial uses on the project site.
 - 4. Simple distillation is not acceptable as a means of water purification.
- g. With regard to food service operations within medical facilities, comply with Section 404.11.3.

Section C405 Electrical Power and Lighting Systems is amended by adding section C405.10:

C405.10. EV charging for new construction. The building shall be provided with electric vehicle charging in accordance with this section and the National Electrical Code (NFPA 70). When parking spaces are added or modified without an increase in building size, only the new parking spaces are subject to this requirement.

C405.10.1. Group A, B, E, I, M, R, and S-2 occupancies. Group A, B, E, I, M, R occupancies with three or more dwelling units and/or sleeping units, and open or enclosed parking garages under S-2 occupancy shall be provided with *electric vehicle* charging in accordance with Table C405.10.1. Calculations for the number of spaces shall be rounded up to the nearest whole number. All *EVSE Installed* and *EV Capable Spaces* are to be included in the calculation for the number of minimum vehicle spaces required.

TABLE C405.10.1
EVSE Installed and EV Capable Space Requirements

Total Number of Parking Spaces	Minimum Number of EVSE Installed Spaces	Minimum Number of EV Capable Spaces
1-10	1	-
11-15	2	3
16-19	2	4
20-25	2	5
26+	2	20% of total parking spaces

C405.10.2 Identification. Construction documents shall designate all *electric vehicle capable and electric vehicle supply equipment installed spaces* and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the *electric vehicle capable spaces* and *electric vehicle supply equipment installed spaces* shall be clearly identified in the panel board.

C405.10.3 Accessible Parking. Where new *EVSE Installed Spaces* and/or new *EV Capable Spaces* and new accessible parking are both provided, parking facilities shall be designed so that at least one accessible parking space shall be *EV Capable* or *EVSE Installed*.

Section C406.1 Requirements. Is amended to read as follows:

C406.1 Requirements. Buildings shall comply with the following:

1. On-site supply of renewable energy in accordance with Section C406.5.
2. Provision of a dedicated outdoor air system for certain HVAC equipment in accordance with Section C406.6.
3. One additional package selected from the following:
 - a. More efficient HVAC performance in accordance with Section C406.2.
 - b. Reduced lighting power in accordance with Section C406.3.
 - c. Enhanced lighting controls in accordance with Section C406.4.
 - d. High-efficiency service water heating in accordance with Section C406.7.
 - e. Enhanced envelope performance in accordance with Section C406.8.
 - f. Reduced air infiltration in accordance with Section C406.9.

Exception: If the total on-site renewable energy installed per Section C406.5 is at least 10 percent of the energy used within the building for mechanical and service water heating equipment and lighting regulated in Chapter 4, then buildings shall not be required to comply with provisions 2 and 3 of Section C406.1.

Section C406.5 On-site renewable energy. Is amended to read as follows:

C406.5 On-site renewable energy. The total minimum ratings of on-site renewable energy systems shall be not less than 3 percent of the energy used within the building for building mechanical and service water heating equipment and lighting regulated in Chapter 4.

Section C406.6 Dedicated outdoor air system. Is amended by adding section C406.6.1:

C406.6.1 Energy Recovery system. Where the supply airflow rate of a fan system exceeds 30 cfm of outside air, the system shall include an energy recovery system. The energy recovery system shall be configured to provide a change in the enthalpy of the outdoor air supply of not less than 50 percent of the difference between the outdoor air and return air enthalpies, at design conditions. Where an air economizer is required, the energy recovery system shall include a bypass or controls that permit operation of the economizer as required by Section C403.5.

Section R101.1 is amended by adding the name, "Summit County".

Section R101.5 Compliance. is amended by adding section R101.5.2. and R101.5.3

Section R101.5.2 Sustainable Building Code. All new structures defined as *Residential Buildings* under chapter 2 of this code shall be designed and comply with the Department of Energy Zero Energy Ready Home National Program.

Exception: All residential new structures defined per section R101.5.2 shall register and submit to be reviewed and inspected through the Department of Energy Zero Energy Ready Home National Program as a training exercise per the Summit County Building Department. The training exercise program will be effective July 1st,

2020 through December 31st, 2020. Full compliance with the Department of Energy Zero Net Energy Ready Home National Program shall be effective January 1, 2021.

Section R101.5.3. All new structures defined as a *Residential Building* under chapter 2 of this code shall be designed and comply to amended section R404.2

Section R202Definitions is amended by adding the following definitions within the alphabetical order of the existing definitions:

ELECTRIC VEHICLE (EV). A vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). The electrical conductors and associated equipment external to the *electric vehicle* that provide a connection between the premises wiring and the *electric vehicle* to provide *electric vehicle* charging.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) INSTALLED SPACE. A parking space with *electric vehicle supply equipment* capable of supplying a 40-ampere dedicated branch circuit rated at 208/240 volt from a building electrical panel board.

EV CAPABLE SPACE. A designated parking space which is provided with a listed raceway capable of accommodating a 40-ampere minimum 208/240-volt dedicated branch circuit for each future *EV Ready* or *EVSE Installed* parking space. Raceways shall not be less than trade size 1 (nominal 1-inch inside diameter). Raceways shall originate at the main service or subpanel and shall terminate into a listed cabinet, box, or enclosure in close proximity to the proposed location of the *EV Capable* parking spaces. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum 208/240-volt dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overprotection device.

EV READY SPACE. A designated parking space which is provided with one minimum 40-ampere, 208/240-volt dedicated branch circuit for *EVSE* servicing Electric Vehicles. The circuit shall terminate in a suitable termination point such as a receptacle, junction box, or an *EVSE*, and be located in close proximity to the proposed location of the *EV Ready* parking spaces.

Table R402.1.2Insulation and Fenestration Requirements by Component. is amended to add the following footnote:

Table R402.1.2 footnote j. R23 Blown in bibs are permitted to be installed in walls in lieu of the R20+5. If utilizing the R23, the roof/ceiling insulation reductions detailed in R402.2.1 and R402.2.2 are not allowed.

Exception: applicable for only alterations or remodels 1500sf or less.

Table R402.1.2Insulation and Fenestration Requirements by Component. Fenestration U-Factor column is amended to read 0.32 for Climate Zone 7 and 8:

Exception: applicable for replacement fenestrations or new fenestrations being installed is 60% or less of the existing fenestrations in additions, alterations or repairs.

R402.2.10is amended to read as follows:

R402.2.10Slab-on-grade floors. Slab-on-grade floors with a floor surface less than 40 inches below grade shall be insulated in accordance with Table N1102.1.1. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below grade shall be extended the distance provided in Table N1102.2.2 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches of soil. The top edge of the insulation installed between the exterior wall and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79) angle away from the exterior wall.

Section R404is amended by adding section R404.2:

R404.2 Electric Vehicle (EV) charging for new construction. New construction shall facilitate future installation and use of *Electric Vehicle Supply Equipment (EVSE)* in accordance with the *National Electrical Code (NFPA 70)*.

R404.2.1 One- to two-family dwellings and townhouses. For each dwelling unit, provide at least one *EV Ready Space*. The branch circuit shall be identified as “EV Ready” in the service panel or subpanel directory, and the termination shall be marked as “EV Ready.”

Exception: 1. *EV Ready Spaces* are not required where no parking spaces are provided.
 2. This section does not apply to parking spaces used exclusively for trucks for delivery vehicles.

R404.2.2 Multifamily dwellings (three or more units). *EVSE Installed* and *EV Capable Spaces* shall be provided in accordance with Table R404.2.2. Where the calculation of percent served results in a fractional parking space, it shall round up to the next whole number. The service panel or subpanel circuit directory shall identify the spaces reserved to support EV charging, as “EVSE Installed” or “EV Capable.” The raceway location shall be permanently and visibly marked as “EV Capable.”

TABLE R404.2.2 (IRC N1104.2.2)
EVSE Installed and EV Capable Space Requirements

Total Number of Parking Spaces	Minimum Number of EVSE Installed Spaces	Minimum Number of EV Capable Spaces
1-10	1	-
11-15	2	3
16-19	2	4
20-25	2	5
26+	2	20% of total parking spaces

R404.2.3 Identification. Construction documents shall designate all *electric vehicle capable spaces, electric vehicle ready spaces, and electric vehicle supply equipment installed spaces* and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the *electric vehicle capable spaces, electric vehicle ready spaces, and electric vehicle supply equipment installed spaces* shall be clearly identified in the panel board. The conduit for *electric vehicle capable spaces* shall be clearly identified at both the panel board and the termination point at the parking space.

R404.2.4 Accessible Parking Where new *EVSE Installed Spaces* and/or new *EV Ready Spaces* and new accessible parking are both provided, parking facilities shall be designed so that at least one accessible parking space shall be *EV Ready* or *EVSE Installed*.

R501.1 Scope. is amended by adding section R501.1.2

R501.1.2 Additions and alterations. Additions and interior alterations to an existing building where the total valuation is \$50,000. & over an energy audit shall be provided for the existing structure prior to permit issuance. The energy audit recommendations and/or conclusions may but shall not affect the scope of the work submitted for permit.

Exception: re-roofs, exterior siding and deck additions or deck alterations or deck repairs.

2018 INTERNATIONAL RESIDENTIAL CODE.

Section N1101.4. Above Code Programs. is amended by adding section N1101.4.1 (IECC)

Section N1101.4.1. Summit Sustainable Building Code. (SSBC) All new structures defined as a *Residential Building* under Section N1101.6 of this chapter shall be designed and comply with the Department of Energy Zero Energy Ready Home National Program.

Exception: All new residential structures defined per section N1101.4.1 (IECC R102.1.1.1) shall register and submit to be reviewed and inspected through the Department of Energy Zero Energy Ready Home National

Program as a training exercise per the Summit County Building Department. The training exercise program will be effective July 1st, 2020 through December 31st, 2020. Full compliance with the Department of Energy Zero Energy Ready Home National Program shall be effective January 1, 2021.

Section N1101.4.2. All new structures defined as a *Residential Building* under Section N1101.6 of this chapter shall be designed and comply to amended section N1104.2

Table N1102.1.2 (IECC R402.1.2) Insulation and Fenestration Requirements by Component

Fenestration U-Factor column is amended to read 0.32 for Climate Zone 7 and 8.

Exception: applicable for replacement fenestrations or new fenestrations being installed is 60% or less of the existing fenestrations in additions, alterations or repairs.

Table N1102.1.2 (IECC R402.1.2) Insulation and Fenestration Requirements by Component is amended to add the following footnote:

Table N1102.1.2 footnote j R23 Blown in bibles are permitted to be installed in walls in lieu of the R20+5. If utilizing the R23, the roof/ceiling insulation reductions detailed in N1102.2.1 and N1102.2.2 are not allowed.

Exception: applicable for only alterations or remodels 1500sf or less.

Section N1102.2.10 (IECC R402.2.10) Slab-on-Grade Floors is amended to read as follows:

N1102.2.2.10 (IECC R402.2.10) Slab-on-grade floors. Slab-on-grade floors with a floor surface less than 40 inches below grade shall be insulated in accordance with Table N1102.1.2. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below grade shall be extended the distance provided in Table N1102.2.2 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches of soil. The top edge of the insulation installed between the exterior wall and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79) angle away from the exterior wall.

Section N1104 is amended by adding section N1104.2:

N1104.2 Electric Vehicle (EV) charging for new construction. New construction shall facilitate future installation and use of *Electric Vehicle Supply Equipment (EVSE)* in accordance with the *National Electrical Code (NFPA 70)*.

N1104.2.1 One- to two-family dwellings and townhouses. For each dwelling unit, provide at least one *EV Ready Space*. The branch circuit or raceway shall be identified as “EV Ready” in the service panel or subpanel directory, and the termination shall be marked as “EV Ready.” The rough and final inspection shall include a blanked electrical box, and a raceway terminating in the electrical panel.

N1107.1 (R501.1) Scope. is amended by adding section R501.1.2

N1107.1.1 (R501.1.2) Additions and alterations. Additions and interior alterations to an existing building where the total valuation is \$50,000. & over an energy audit shall be provided for the existing structure prior to permit issuance. The energy audit recommendations and/or conclusions may but shall not affect the scope of the work submitted for permit.

Exception: re-roofs, exterior siding and deck additions or deck alterations or deck repairs.



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: DON REIMER, DIRECTOR
RE: COMMUNITY DEVELOPMENT DEPARTMENT REPORT
DATE: FEBRUARY 25, 2020

Department Updates: Since I joined the team as Community Development Director at the end of January, I have been furthering my understanding of day to day operations and activities, and Council's strategic plan priorities and goals. As much of what we do is related to the strategic plan, we've added a section to this monthly department report to provide a regular update on progress towards these goals.

Staff will be conducting interviews for the Housing Coordinator position during the week of February 24, 2020.

If Council has any questions on any of these items, or would like other information to be included in these monthly reports, please feel free to contact me.

Progress on Strategic Plan Priority Goals: Community Development continued work on several of the Council's strategic plan goals, including:

- Inclusive Community
 - Granite Street redesign – RFP issued February 12; proposals due March 11.
- Thriving Economy
 - Main Street Master Plan - RFP issued February 12; proposals due March 11.
 - Short-term Rental Regulations – working with Finance on permitting, enforcement, and evaluating regulations. Minor ordinance amendment proposed to streamline renewal process proposed for March.
- Sustainable Environment
 - Climate Action Plan – continued work on Sustainable Building Code; work session February 25, potential adoption in March.
 - Excelsior House – continuing to evaluate options for permanent location.
- Vibrant Recreation
 - Neighborhood Parks – worked with public works for contract for restrooms and playground at Walter Byron Park, approved by resolution February 11, 2020. Construction to begin after July 4.
- Quality Core Services
 - Enhance Department core services – continued implementation of Community Core permitting software, and digital archiving of historic files.

Planning Division Summary: Administrative review applications approved in January: 8

Applicant / Address	Application Type	Description
Nuevo Vallarta 740 North Summit Boulevard	Sign Permit	New sign permit for new business
Rodney Hotz II 396 Belford Street	Housing Restrictive Covenant	Replace existing covenant with new covenant
Arch 11 645 McKee's Way	Administrative Site Plan	Interior / Exterior Remodel & Lighting
Basecamp Center 226 Lusher Court	Master Sign Plan	Amending existing Master Sign Plan
Rocky Mountain Hot Tub 190 Galena Street, Unit 3	Administrative Site Plan	New hot tub on existing deck
Wilderness Exclusives 720 East Main Street, Unit 102A	Sign Permit	New sign permit for new business
Pioneer Sports 842 North Summit Blvd, Unit 1	Banner Permit	Temporary banner for 9 weeks
Kaupas Water 86B Creekside Drive	Administrative Site Plan	Replace hot tub on existing slab

Planning Commission: The Planning Commission did not hold meetings on January 2 or January 16.

Planning Commission meeting on February 6, 2020:

1. Adoption of the Planning Commission Resolution 20-01: A Resolution Naming the Public Place for Posting Notices of Planning Commission Meetings for the Town of Frisco, Colorado in Compliance with the Colorado Sunshine Act of 1972

The Planning Commission approved this item by a vote of 5-0.

2. Planning File No. 260-19-VAR: A public hearing of a Variance Application requesting relief from Section 180-6.7, Water Quality Protection, Frisco Unified Development Code, to allow for a reduction of the 25-foot waterside setback, located at Lots 23-24, Block D, Frisco Townsite. Applicant: Jacob and Rori Miller

The Planning Commission continued this item to its February 20, 2020 meeting.

Planning Commission meeting on February 20, 2020:

1. Planning File No. 260-19-VAR: A public hearing of a Variance Application requesting relief from Section 180-6.7, Water Quality Protection, Frisco Unified Development Code, to allow for a reduction of the 25-foot waterside setback, located at Lots 23-24, Block D, Frisco Townsite. Applicant: Jacob and Rori Miller

The Planning Commission approved this item by a vote of 5-0.

Building Division Summary for the month of January:

- Permits issued included:
 - Building Permits: 9
 - Plumbing & Mechanical Permits: 10
 - Electrical Permits (issued by Summit County): 14
 - Solar Permits: 0
- Valuation of permits issued: \$340,681
- Inspections performed: 156
- Rapid Review applications: 17
- Certificates of Completion / Certificates of Occupancy issued: 3

Front Desk Activities for the month of January:

Phone calls and walk-in customers served: 494



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: VANESSA AGEE, MARKETING AND COMMUNICATIONS DIRECTOR
RE: MARKETING AND EVENTS DEPARTMENT STAFF REPORT
DATE: FEBRUARY 25, 2020

Destination PR/Media Coverage Highlights:

- 5280 included Eat, Ski & Be Merry event in their February foodie roundup. 5280.com receives approximately 244,000 unique monthly visitors.
- Channel 7 included Spontaneous Combustion in their morning news show along with photographs supplied by the Town.
- Spontaneous Combustion was included in 9NEWS.com's roundup of "9Things to do in Colorado this weekend: February 7-9." 9NEWS.com receives 432,000 unique monthly visitors.
- Colorado Parent featured the Frisco Nordic Center in their story "The Nordic Way". Colorado Parent has a circulation of 45,821.
- Fox31 featured Snowshoe for the Cure.
- As a result of Frisco hosting journalist Stacey Mckenna last summer, she included Frisco in "10 Colorado adventures that aren't in Rocky Mountain National Park" in a story on 10Best from USA Today. She highlights fat tire biking and mentions the Frisco Freeze Fat Bike Race. 10Best is an online magazine providing visitor guides for tourist destinations around the world. The site sees 585,843 unique monthly visitors.
- "10 Colorado adventures that aren't in Rocky Mountain National Park" was also shared on MSN.com. MSN.com receives 884,857 unique monthly visitors.

Special Events: Spontaneous Combustion February 8, 2020- Spontaneous Combustion was scheduled to coincide with the 50th anniversary of the Frisco Gold Rush. The event was preceded by a large snow storm lasting for three days. Public Works did exceptional work to clean up the lot and “fluff” the trees to remove excess snow. Summit Nordic Ski Club was onsite selling chili and beer from Outer Range and Broken Compass out of three tents. Summit Nordic fundraised about the same amount as they did in 2019. A DJ spun some fun tunes and the evening was capped off with the remaining third of the fireworks from the cancelled shows in 2018.



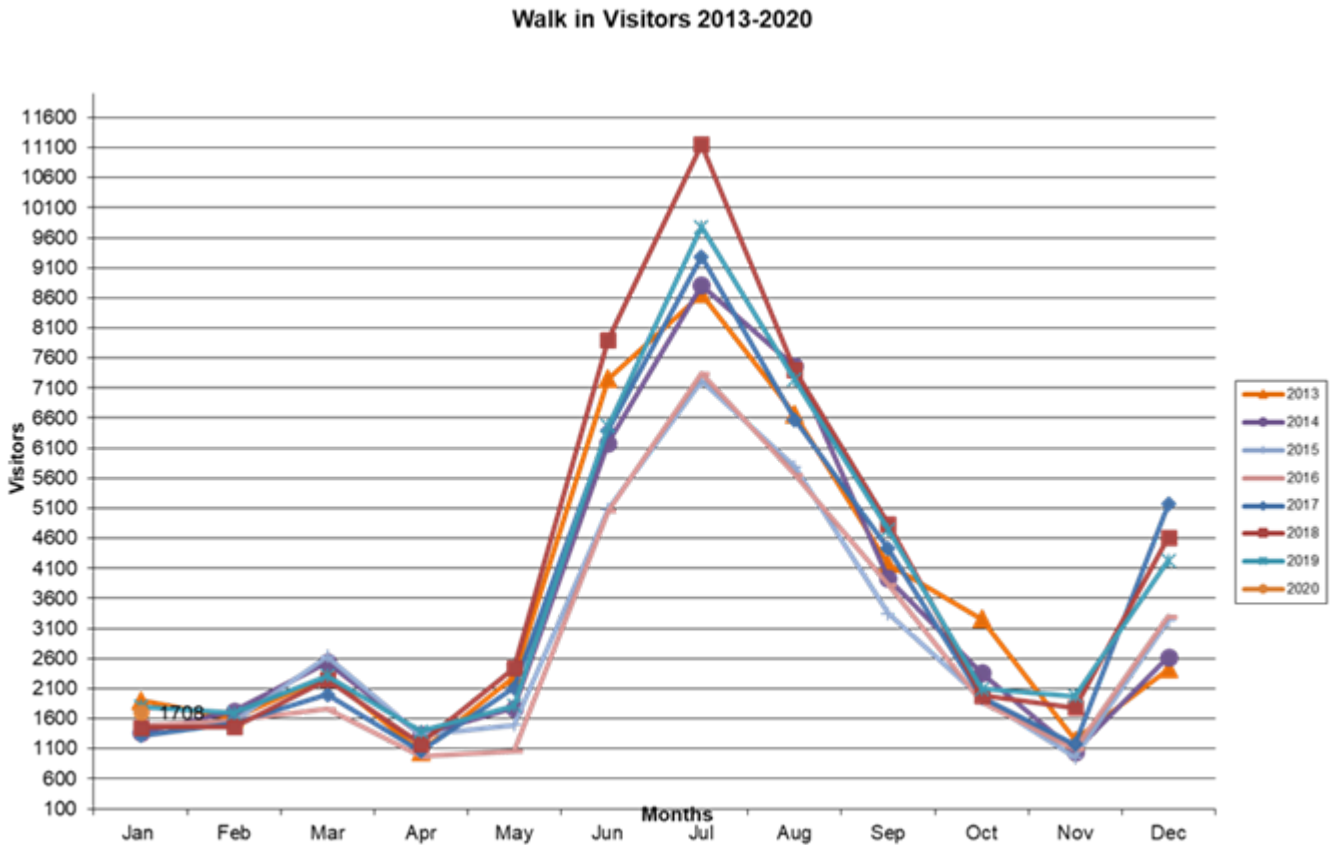
Photo Credits: Todd Powell

Frisco/Copper Visitor Information Center:

- The Information Center saw 1,708 visitors in January 2020 (1,795 in January 2019).
- The Information Center answered 307 phone calls in January 2020 (301 in January 2019).
- Public computer use- 17 in January 2020 (38 in January 2020)
- Restroom usage
 - Men’s restroom usage
 - January 1-31, 2020: 1,925
 - Women’s restroom usage
 - January 1-31, 2020: 1,857
- Water bottle pledge and giveaway January 2020: 93 bottles
- Guest comment highlights: “Helpful when pass is closed” – Senator Rankin
- “Best of the best!” “Tasha was very friendly and helpful” “Very helpful and informative” “Very kind”
- In January, the Visitor Information Center had a surprise visit from State Senator, Bob Rankin. Snowy road conditions had closed Vail Pass, which precipitated Senator Rankin’s and his wife’s stop into the Visitor Information Center. After introducing himself, he talked

about how he had helped to pass the new traction law and the tandem snowplow law. Staff showed him the information cards from the Colorado Department of Transportation that the Center provides to visitors and residents, and he was very excited to see them, as he didn't know they existed prior to this. He took a couple of the cards for himself and even signed one for the Visitor Information Center.

- Visitor Information Center staff hosted the 2019 4th Quarter Lodging Meeting. Margaret Bowes, Director of the I-70 Coalition, presented ways to educate guests about I-70, and Town of Frisco staff also presented a variety of 2019 round-ups including events, sales/lodging tax, media coverage and Visitor Information Center usage.
- Tasha Wilson attended the Colorado Tourism Office January board meeting, as a Town of Frisco representative.



ACTIVITY REPORT - JANUARY, 2020

POLICE

MUNICIPAL COURT

	2020	2019		2020	2019
Property Stolen	\$13,000	\$6,536	Total number of citations issued for this court date	19	16
Property Recovered	\$0	\$0	Total number of violators due in court	9	7
Animal Control			Total number of violators in court	5	4
Citations	1	0			
Warning	8	2	Deferred to trial	2	0
Bar Checks	10	9	Received Deferred Sentences	0	0
Business Checks	98	236	Dismissed	0	1
Assists	8	5	Guilty Pleas	0	0
Parking Citations	25	0	Guilty to Amended Charges	1	2
Parking Warnings	53		Guilty from Trial	1	0
Traffic Citations	14	30	Continued to following month	0	1
Traffic Warnings	88	77	Dismissed Prior to Court	0	0
Traffic Accidents (Total)	11	15	Handled by Mail		
Public Streets	9	11	W/in 20 days for Point Reduction	2	7
Private Property	2	4	Outside of 20 days	8	6
Injury	2	3	No Shows		
Open Buildings	3	0	Warrants Issued	0	0
Alarms	5	5	Hold placed on Drivers License	0	1
Calls for Service	599	556	Filed Unpaid	0	0
<u>Felony Arrests</u>	0	3			
		1			
		1			
		1			
<u>Misdemeanor Arrests</u>	6	9			
DUI	4				
Domestic Violence	2				
Warrant	0				

* Emily Solverson started the Red Rocks Police Academy on January 13, 2020.

* Ryan Smith is in Week 8 of his PTO training with Officer Johnson.

* Derek Runge is in Week 3 of his PTO training with Sgt. Robinson.



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: TOWN COUNCIL
FROM: DIANE MCBRIDE, ASSISTANT TOWN MANAGER / RECREATION & CULTURE DIRECTOR
CC: KATIE BARTON, GENERAL MANAGER – ADVENTURE PARK
ROSE GORRELL MUSEUM MANAGER
TOM HOGEMAN, GENERAL MANAGER - MARINA
LINSEY JOYCE, PROGRAMS MANAGER
RE: RECREATION & CULTURE DEPARTMENT REPORT – JANUARY 2020
DATE: FEBRUARY 25, 2020

Overview: Happy New Year! This Department report highlights operations, programs and events for the month of January.

January started with a few positions reclassifications in the department:

- Linsey Joyce is currently the Programs Manager. She added the title and responsibility of Assistant Recreation and Culture Director.
- Sara Skinner was reclassified from a Programs Coordinator to a Programs Coordinator II position.
- Jessica Holley was reclassified from a Guest Services Lead to a Guest Service Coordinator position.

The holiday season continued through the first week in January. As a result, the tubing hill, Nordic Center, ski and ride hill, and the museum all experienced a significant number of guests visiting all of the Town's great facilities and amenities.

- Tubing hill participation numbers were comparable to January 2019 numbers.
- Nordic Center day pass sales were significantly higher than January 2019 figures, indicating more guests visiting the Center and trying the sport.
- The ski and ride hill was open nine (9) days earlier than in season's past and as a result, participation numbers and revenues were higher compared to previous seasons.

- The Schoolhouse Museum saw approximately 400 guests during the first weekend of the month, which then dropped significantly to about 30-40 guests/day as the weather changed and holiday travel ended.

Planning efforts continue at this time for the Marina Phase 2 site improvements. Stais Architecture & Interiors presented Phase 2 site improvements to Council at the January 14th work session. Council was supportive of the improvements and directed staff to collect additional costs on all Phase 2 site improvements and phasing options, and to bring this information back to Council at a future work session. Council also gave direction to revisit the repurposing of the Food & Beverage/Lund House/restrooms to ensure the project is meeting the needs of the community and accurately accounting for all costs. Staff is currently working on these costs and phasing options with Stais Architecture & Interiors.

Work also continues at this time with Lose Design on the Peninsula Recreation Area's Comprehensive Vision and Project Implementation Plan. Staff and Lose Design presented preliminary site plans to Council on February 11th. The presentation showed the preliminary site concept maps of the PRA that highlighted a new recreation village, event/wedding venue, pavilions, overlooks, and new pathways that will effectively connect the PRA to other areas of Frisco. The next step with this plan is a Community Conversation scheduled for March 11th at the Day Lodge to help us and the community "*Find Your Next Adventure.*"

The report below details each of the different divisions (Adventure Park, Marina, Historic Park and Museum, Recreation Programs and Events) within the Department. Attendance numbers (as appropriate) and financials are all presented for January.

Adventure Park: For the purpose of this report, the Adventure Park consists of all aspects of the Peninsula Recreation Area (PRA) including the tubing hill, ski and ride hill, field and facility reservations, concessionaire operations, the bike park, the skatepark, disc golf, trails and the Nordic Center. Finances are broken down into 1160 accounts (tubing hill, ski and ride hill, Day Lodge) and 1170 accounts (Nordic and Trails).

January highlights for the **Adventure Park (1160)** included the following:

- January continued to be a busy month at the Adventure Park. Tubing hours were extended, 9am-6pm, through Saturday 1/4/20, then back to normal operating hours, 10am-6pm, Thursday-Monday starting Sunday 1/5/20.
- The Ski and Ride Hill open Thursday-Monday through the month of January, which is about 9 days earlier than in years past.
- The Day Lodge was reserved for three (3) private events in January:
 - Remax/Barr Holiday Party 1/11/20
 - Girl Scout Tubing and Cookie Rally 1/26/20
 - Summit County Adventure Group Party 1/31/20
- The café switched to selling boxed wine. The carbon footprint of a box of wine is substantially less than bottles, and the profit margin is significant.

- The Toolcat was cleaned and in the process of being sold by Public Works.
- The boarder cross start gate was set up for training on the ski and ride hill.
- January was a strong month for tubing, finishing the month at 23% of the budgeted revenue for the year. The tubing hill business accounts for 90% of the Adventure Park's (1160) total revenue for the year.

Expenses are tracking well at this time at 11.7% of the budget through January. Nearly 60% of the total expenses are direct staffing expenses to operate and manage the park.

Table 1: Frisco Adventure Park Figures (1160)

	January 2020	January 2019	January 2018
Tubing Hill Participation	16,207	16,083	17,667
Ski & Ride Hill Participation	420	238	0
Copper Lessons	30	53	0

	January 2020	January 2019	January 2018
Revenue – 1160	\$473,903	\$414,230	\$458,478
Expenses – 1160	\$166,487	\$122,267	\$152,853

	YTD Actual 2020	Budget 2020	YTD Actual 2019	YTD Actual 2018
Revenue – 1160	\$473,903	\$2,062,000	\$414,230	\$458,478
Expenses – 1160	\$166,487	\$1,424,721	\$122,267	\$152,853

January highlights for **Nordic and trails (1170)** included the following:

- All trails remain open, with good snow coverage. Tracy Bowers and Dom Muth (10-month Nordic/Trails staff) continue to trim back trees and farm snow for better trail coverage.
- The snowmobile was down for a few days due to a parking brake issue. Kevin Maxie (FT/YR Service Tech) has repaired all issues and the sled is running great.
- Haruko Smith (Guest Service Lead) returned from Japan where she was with her family for a family emergency. It has been great having her back.
- The Nordic staff and the Rec Programs and Events staff joined efforts to host two (2) **Up & At 'Em** Nordic ski races in January. Both mornings brought single digit temperatures at the start. A total of 43 participants raced in both events despite the frigid temperatures.
- Two skijoring clinics ran in January with a total of seven (7) participants enrolled in the programs.
- January was a very busy month for the Nordic Center. Revenue is tracking well at 25% of the budget at this time; expenses are also tracking well at 7.8% of the budget. Staffing accounted for the majority of the expenses in January at nearly 80% of the expenditures.

Table 2: Frisco Nordic Center and Trails Figures (1170)

	January 2020	January 2019
Day Pass Visits	1,600	711
Season Pass Holder Visits	920	771

	January 2020	January 2019	January 2018
Revenue – 1170	\$106,068	\$95,870	\$48,805
Expenses – 1170	\$41,763	\$33,229	\$33,739

	YTD Actual 2020	Budget 2020	YTD Actual 2019	YTD Actual 2018
Revenue – 1170	\$106,068	\$424,300	\$95,870	\$48,805
Expenses – 1170	\$41,763	\$536,314	\$33,229	\$33,739

Marina: January highlights for the Marina included the following:

- Planning work continues on the fuel system design. The final draft is complete. Staff anticipates the release of an RFP in February for an installation contractor.
- Coordination on the standpipe build is ongoing between JCI, the designers and the fire marshal before construction will begin this spring.
- All invoices for 2020 storage have been sent out with a deadline of February 15th.

Table 3: Frisco Marina Figures (9000)

	January 2020	January 2019	January 2018
Revenue – 9000	\$138,327	\$102,767	\$68,591
Expenses – 9000	\$29,226	\$18,417	\$34,118

	YTD Actual 2020	Budget 2020	YTD Actual 2019	YTD Actual 2018
Revenue – 9000	\$138,327	\$1,580,200	\$102,767	\$68,591
Expenses – 9000	\$29,226	\$2,966,802	\$18,417	\$34,118

Historic Park and Museum: January highlights for the Historic Park and Museum included the following:

- Visitor attendance totaled 1,547 (compared to 2,381 in 2019). The beginning of the month started off with strong attendance thanks to the lingering holiday visitors. In the first weekend of the month, 400 guests came to the Schoolhouse Museum. As the month progressed with the variety of weather conditions, there was significantly less foot traffic. Cold, snowy weekdays all tend to have similar attendance – typically between 30 and 40 guests.
- Museum programs and projects included the following:
 - Staff developed and installed a mini pop up exhibit for the 50th Anniversary of the Gold Rush Nordic Race in the Nordic Center and in the Schoolhouse Museum. The exhibit showcased different pins, flyers, and posters along with several trophies from the race.

- Staff have begun a full inventory of the museum collection - verifying location and condition of each object. Per the *Collection Management Policy*, full inventories are to be conducted every two years. The last documented inventory was in 2015.
- Planning has begun for the 2020 Founder’s Day event, summer lecture series, and historic tours. Founder’s Day will be held July 5th with music, entertainment, and educational programming for all ages. The summer lecture series will be held at the 1st and Main building or the Historic Park Gazebo from June through August. The historic tours will begin in May and run through September- weather permitting.
- The Museum will begin charging a nominal fee (\$5-\$15/person) for the 2020 historic tours. These fees were developed through an analysis of cost for production and execution of the historic tours and a comparison of rates, attendance, and frequency of tours for Summit County Historical Society and Breckenridge Heritage Alliance historic tours. Charging a small fee and increasing the number of tours is a source of revenue that will help support the Museum’s free community programs, such as the summer lecture series.
- The first building sponsorship cleaning day took place on February 8th. Building sponsors were invited to join Museum staff in cleaning their sponsored cabin/building and learning the basics of collection care and handling.
- Revenues are tracking well at 5.5% of the budget through January and comparable to previous years. Expenses are also tracking well at 5.3% of the total budget at this time.

Table 4: Frisco Historic Park and Museum Figures (1125)

	January 2020	January 2019	January 2018
Attendance	1,547	2,381	1,940

	January 2020	January 2019	January 2018
Revenue – 1125	\$1,049	\$2,077	\$1,873
Expenses – 1125	\$15,703	\$18,782	\$15,723

	YTD Actual 2020	Budget 2020	YTD Actual 2019	YTD Actual 2018
Revenue – 1125	\$1,049	\$19,000	\$2,077	\$1,873
Expenses – 1125	\$15,703	\$298,099	\$18,782	\$15,723

Recreation Programs and Special Events: January highlights for Recreation Programs and Special Events included the following:

- **Winter Fun Club** ran for three (3) days in January (1/2, 1/3, 1/6) and averaged 26 kids/day in the program.
- Registration opened on January 8th for the 2020 summer recreation events. The Frisco Triathlon (7/11/2020) sold out with 300 racers on January 29th, two months earlier than it sold out in 2019!!

- The **Little Vikings** after school Nordic ski program continues to be a huge success. The collaboration between the Town of Frisco and the Summit Nordic Ski Club has brought 30 kids (26 from Frisco Elementary) to the Frisco Nordic Center on Mondays and Wednesdays to learn the fundamentals of Nordic skiing!
- **Kids Night Out** continues to be a success with tubing, pizza and a movie at the Frisco Day Lodge! The program benefits Frisco Elementary School and teachers and parents from the school help supervise kids while the program runs.
- Revenues are tracking well at this time at nearly 9% of budget; expenses are also tracking well at 6% of budget at this time.

Table 5: Programs and Events Figures (1150)

	January 2020	January 2019	January 2018
Winter Fun Club	78	98	118
Kids Night Out	43	40	35
Little Vikings (Nordic)	180	168	170

	January 2020	January 2019	January 2018
Revenue – 1150	\$26,901	\$16,429	\$7,050
Expenses – 1150	\$29,772	\$21,423	\$16,606

	YTD Actual 2020	Budget 2020	YTD Actual 2019	YTD Actual 2018
Revenue – 1150	\$26,901	\$303,000	\$16,429	\$7,050
Expenses – 1150	\$29,772	\$489,230	\$21,423	\$16,606

Upcoming Programs, Events and Specials: Upcoming programs, events and specials within the Frisco Recreation and Culture Department include the following:

Series

- Up and At ‘Em Nordic Race Series - February 5, 19 – 7am, Frisco Nordic Center
- Winter Lecture Series – February 5-March 25, 3pm – Frisco Historic Park
- Bubble Gum Races – February 17-March 23 – 5pm – Frisco Day Lodge

February

- February 1: Eat, Ski and Be Merry (SNSC)
- February 8: 50th Anniversary of the Frisco Gold Rush
- February 22: Frisco Freeze Fat Bike Race
- February 24-28: Winter Fun Club – no school days – Summit School District winter break

March

- March 7: Snowshoe for the Cure – Frisco Nordic Center
- March 14: Brewski
- March 21: Women of Bill’s Ranch Tour

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF FRISCO
FEBRUARY 11, 2020**

Mayor Wilkinson called the meeting to order at 7:00 p.m. Town Clerk Deborah Wohlmuth called the roll.

Present: Jessica Burley
Dan Fallon
Hunter Mortensen
Deborah Shaner
Melissa Sherburne
Gary Wilkinson

Absent: Rick Ihnken

Public Comment:

There was no public comment.

Council Comment:

Mayor Wilkinson thanked public works for their hard work at Gold Rush, Spontaneous Combustion and snow plowing.

Mayor Pro-Tem thanked Council member Sherburne for the Frisco Arts Committee's participation at Eat Ski Be Merry.

Presentation:

Mayor Wilkinson presented the Frisco's Finest Award to Sandy Mortensen.

Consent Agenda:

- Minutes February 11, 2020 Meeting
- Warrant List
- Purchasing Cards
- Town Manager Contract Approval
- Resolution 20-09, Clean Energy Collective, Community Solar Contract

MOTION: COUNCIL MEMBER MORTENSEN MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECOND, COUNCIL MEMBER BURLEY. VOTE:

BURLEY	YEA	SHANER	YEA
FALLON	YEA	SHERBURNE	YEA
IHNKEN	ABSENT	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

New Business:

Agenda Item #1: First Reading Ordinance 20-02, an Ordinance Amending Chapter 155 of the Code of Ordinances of the Town of Frisco, Concerning Streets and Public Ways, by Amending Article II thereof, Concerning Utility Installations, to give the Town the ability to Provide for the Construction of Communications Conduits in Connection with the Excavation of Public Ways for Utility Purposes, or the Construction of New Streets STAFF: JEFF GOBLE 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Public Works Director Jeff Goble stated that ordinance gives the Town the ability to provide for the construction of communications conduits in connection with the excavation of public ways for utility purposes, or construction of new streets. Breckenridge, Silverthorne, Dillon and Summit County have adopted similar ordinances to provide for the efficient and cost effective installation of high speed broadband communications facilities while limiting the disruption to the public that utility installations can create. The goal of this ordinance is to limit utility disturbance in the Town's Rights of Way for underground utility work. Broadband conduit will be installed during all Town projects if deemed beneficial by the Town Manager. Broadband conduit will be installed when utility companies are performing work in the Right of Way. The Town would pay the cost to co-locate Broadband conduit in this case, if determined to be beneficial by the Town Manager. Broadband conduit will be installed during new development or new street projects. The total cost of the installation would be paid by the developer and dedicated to the Town. Mayor Wilkinson opened the public hearing at 7:14 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:15 p.m.

MOTION: COUNCIL MEMBER BURLEY MOVED TO APPROVE ON FIRST READING ORDINANCE 20-02, AN ORDINANCE AMENDING CHAPTER 155 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING STREETS AND PUBLIC WAYS, BY AMENDING ARTICLE II THEREOF, CONCERNING UTILITY INSTALLATIONS, TO GIVE THE TOWN THE ABILITY TO PROVIDE FOR THE CONSTRUCTION OF COMMUNICATIONS CONDUITS IN CONNECTION WITH THE EXCAVATION OF PUBLIC WAYS FOR UTILITY PURPOSES, OR THE CONSTRUCTION OF NEW STREETS. SECOND, COUNCIL MEMBER SHERBURNE. VOTE:

BURLEY	YEA	SHANER	YEA
FALLON	YEA	SHERBURNE	YEA
IHNKEN	ABSENT	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

Agenda Item #2: Resolution 20-08, Authorizing the Contract Award for the Walter Byron Restroom and Playground Project STAFF: SUSAN LEE 1) MAYOR OPENS PUBLIC HEARING 2) STAFF REPORT 3) PUBLIC COMMENTS 4) MAYOR CLOSSES PUBLIC HEARING 5) COUNCIL DISCUSSION 6) MOTION MADE 7) MOTION SECONDED 8) DISCUSSION ON MOTION 9) QUESTION CALLED

Community Planner Susan Lee stated that this resolution authorizes a contract award for the Walter Byron Restroom and Playground Project. Staff is recommending the Town enter into a contract with Farrington Construction Management for the following reasons: their understanding of the project scope and existing relationships with architectural, structural,

mechanical, and civil engineering services results in significant cost savings; their proposed project management structure will support consistent communication; and their relevant project experience including, but not limited to parks, community centers, and municipal projects. Staff feels that Farrington Construction Management will be able to deliver the desired finished project on-time and within our budget. The contract includes a lump sum amount for the preconstruction and design services in an amount not to exceed \$54,965. Based on Farrington's proposal estimate and conversations regarding the scope and budget, staff and the contractor feel comfortable that the construction can be completed within the allocated budget. Once more detailed design drawings have been developed, and a more accurate construction bid can be obtained, staff will revise the contract by change order to include the exact amount of the construction costs. At this time the contract includes an amount not to exceed \$520,035 for construction services. Mayor Wilkinson opened the public hearing at 7:22 p.m. There being no public comment, Mayor Wilkinson closed the public hearing at 7:23 p.m.

MOTION: COUNCIL MEMBER SHERBURNE MOVED TO APPROVE RESOLUTION 20-08, A RESOLUTION AUTHORIZING THE MAYOR AND TOWN CLERK TO EXECUTE THAT CERTAIN AGREEMENT FOR THE WALTER BYRON RESTROOM AND PLAYGROUND PROJECT DESIGN-BUILD SERVICES WITH FARRINGTON CONSTRUCTION MANAGEMENT. SECOND, COUNCIL MEMBER FALLON. VOTE:

BURLEY	YEA	SHANER	YEA
FALLON	YEA	SHERBURNE	YEA
IHNKEN	ABSENT	WILKINSON	YEA
MORTENSEN	YEA	MOTION CARRIED.	

Adjourn:

There being no further business, the meeting adjourned at 7:23 p.m.

Respectfully Submitted,

Deborah Wohlmuth, CMC
Town Clerk



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: JEFF GOBLE, PUBLIC WORKS DIRECTOR
RE: CLOCK TOWER DEMOLITION DISCUSSION
DATE: FEBRUARY 25, 2020

Summary and Background: In early January, Town Council instructed staff to look into the demolition of the clock tower structure on the south west corner of the Town Hall lot. After receiving this direction, staff created an RFP and met with prospective bidders at the site on January 22. Eight prospective bidders attended this on-site meeting. Proposals were due on February 6th and we received two bids by the deadline. Those bids and the RFP are attached to this memo. In addition, the Town had the structure tested for asbestos as required by state law. Testing found no presence of asbestos so no special abatement procedures will need to be conducted.

Analysis: We received two bids by the deadline and they were both proper and complete. They are listed below:

Tasman Geosciences, Colorado Springs, CO = \$39,922.95 – approx. 9 days to complete.
Solar Valley, LLC, Red Cliff, CO = \$36,000.50 – approx. 3 weeks to complete.

Both teams appear to have the same demolition techniques in mind which is to dismantle and deconstruct the tower rather than demolish it. Both teams will work diligently to salvage the clock mechanism and clock hands for possible re-use by the Town.

Financial Impact: If the Town Council elects to take action on this item, the costs associated for the project were not included in the 2020 Budget and therefore, the Council will need to provide direction as to the account from which to fund the action and/or make an amendment to the budget.

Alignment with Strategic Plan: This project does not align with any specific goals of the Council as outlined in the 2019-2020 Strategic Plan.

Staff Recommendation: Should the Council decide to continue with this project, staff recommends that Council direct staff to enter into a contract with Tasman Geosciences for an amount not to exceed \$39,922.95. Staff is recommending the higher bid due to the much shorter timeframe for demolition which will create less of an inconvenience and hazard to employees and the public. Tasman also appears to have a more in-depth safety plan which is critical in this congested and high traffic area.

Reviews and Approvals: This report has been reviewed and approved by:

Jeff Goble, Public Works Director - APPROVED

Bonnie Moinet, Finance Director – Approved pending Council direction for funding for this out-of-cycle budget request.

Nancy Kerry, Town Manager

TOWN OF FRISCO
REQUEST FOR PROPOSALS
FOR DEMOLITION OF CLOCK TOWER STRUCTURE

The Town of Frisco is accepting proposals from licensed, insured and qualified contractors for the demolition and disposal of the Clock Tower structure located at Frisco Town Hall.

All proposals are due no later than 2:00 PM Thursday, February 6, 2020.

All proposals shall be sealed and delivered to the attention of, Jeff Goble, Director of Public Works, Town of Frisco, PO Box 4100, 102 School Road Frisco, CO 80443.

A mandatory site visit by interested bidders shall be conducted at 11:00AM on Wednesday, January 22, 2020 at Frisco Town Hall (1 Main Street Frisco, CO).

"As-built" plans for the structure will be made available to bidding contractors at the mandatory site visit.

A proposed schedule, method of demolition and demolition management / safety plan will be required before work begins and must be included in proposals. All proposals shall be in a lump sum, cost not to exceed format.

Questions regarding this RFP should be directed to Jeff Goble, Director of Public Works at jeffg@townoffrisco.com or 970-668-9151.

Bidders shall submit two (2) hard copies of their bid, which must be received by 2:00 PM February 6, 2020 in order to be considered for this project.

Nothing herein shall require the Town of Frisco to accept any proposal, and the Town of Frisco reserves the right to reject any or all proposals. The proposal shall remain open and not withdrawn for a period of 45 (forty-five) days from the date designated for its due date.



Tasman Geosciences, Demolition Division 3029 N. El Paso. Colorado Springs, Co. 80907 719-482-0082

Project: Frisco Clock Tower Dismantle Colorado Springs, CO 2/5/2020

Thank you for the opportunity to provide this proposal for selective demolition for a structure in Frisco, CO. Proposal based on SOW, RFP and site visit, and one addendum
Scope includes all hauling and disposal. Note: Asbestos inspection required for all demolition projects on Colorado.

Scope: Remove clock tower

- Remove all brick and steel to top of concrete foundation
- Leave all concrete
- Protect concrete sidewalks and stairs (May be some minor damage)
- Grass area will be impacted; No restoration is included – to be performed by others, if needed
- Utilities will be disconnected by others
- Salvage clock hands and mechanism to the owner, if possible.

Demolition Cost \$ 39,922.95

Exclusions and Stipulations:

- Restoration of Grass area
- All items not specifically included above
- All work will be performed in compliance with OSHA safety requirements.
- Standard labor rates are included. Normal hours assumed.
- All items to be saved to the owner must be handled before Tasman Demolition proceeds. Any items left will not be guaranteed against damage. All salvage becomes the property of Tasman Demolition, unless specifically noted above.
- All hazardous or regulated material including asbestos and refrigerants; Payment is to be made at time of completion. Verification of funds may be required prior to the mobilization of equipment. This proposal is valid for thirty days. Alterations or deviations must be approved by both parties and may result in a change order. If a scope adjustment is such that a change order is required, the change order must be fully executed prior to associated work being performed.

Schedule: Start approximately March 15th, 2020

Remove salvage items; remove brick facing	3 days
Remove steel, other interior construction	3 days
Restore site; contingency	3 days

Means and methods:

The project is being approached as a “dismantle / deconstruct” the clock tower, rather than gross demolition with track hoe. This is to save on damage to parking and sidewalks.; Utilize hand labor in boom lifts to remove brick to the ground. Ground labor to place in roll-offs; Boom lift and small crane to torch steel structure, and lower to ground, Cut to size for hauling; Brick is to be recycled as fill, or sent to landfill; Other materials to landfill; Steel recycled to Colorado Springs via truck. Brick will be made available to locals, if they express interest.

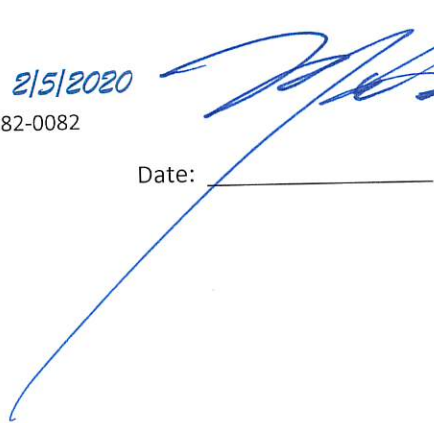
Safety and Management: Prepare hazard analysis for in-house approval; All employees to know and acknowledge JAHA. Supervisor to be on site full time; Project manager on site daily, or as required. Follow all OSHA requirements for employee safety. Assumes no traffic control; Orange fencing for parking area isolation. Crane to have all required certifications. (Breckenridge Crane Company)

Tasman Representative: Michael Dyer Date: 2/5/2020
Michael Dyer, Project Manager 719-482-0082



Acceptance of Proposal: _____

Date: _____



Solar Valley LLC.

~~980 E. Hampden Ave.~~
~~Englewood, CO 80113 US~~
ar@svepro.com
www.svepro.com

127 water st
Red Cliff CO
Sol 970-904-0173



Estimate

ADDRESS

Town of Frisco
120 W Main St
Frisco, CO 80443
United States

ESTIMATE # 1012

DATE 02/04/2020

EXPIRATION DATE 04/30/2020

ACTIVITY	QTY	RATE	AMOUNT
Demolition Demolition of clock tower at 1 Main St, Frisco Co. Removal and disposal of clock tower structure in its entirety. Will save clock mechanism for the town.	1	36,000.50	36,000.50
Method of demolition We plan to have a crew of 3 highly skilled laborers and one Forman. Plywood protection will be put down wherever we are probing materials. We will have a man lift on site. Two men will carefully peel away the brick from the man lift. The other two guys will watch for pedestrians and help load the brick every half hour while the men in the lift take a break. We will have a dumpster on site to load out the brick. We own our own roll offs and truck so down time will be to a minimum. After the brick is all removed and disposed of, we will begin to torch down the steel skeleton in small pieces. Both phases of the demo will start from the top slowly and safely working our way to the bottom. We have safely completed similar jobs to this. Last summer we took down the clock tower at the Dillion Valley high school.	1	0.00	0.00
Safety Plan We will have a supervisor who has been with our company for our 15 years on the job keeping things safe. We will put safety tape around the work area and have one man watching for pedestrians. The men in the man lift will be harnessed off. We will have multiple fire extinguishers and fire blankets during the torching demo. This job should take us no more than 3 weeks.	1	0.00	0.00

TOTAL

\$36,000.50

Accepted By

Accepted Date



5801 Logan St. Suite 200
Denver, CO 80216
(303) 297-1645 Phone
(303) 297-1646 Fax
www.srenvironmentalconsulting.com

February 3, 2020

Keith Bilisoly
City of Frisco
102 School Rd.
Frisco CO, 80443

**RE: *Limited Bulk Sampling for Asbestos
1 Main St.
Frisco, CO 80443
S & R Project Number: 020022***

Dear Mr. Bilisoly,

S&R Environmental Consulting, Inc. (S&R) is pleased to provide the results of the bulk samples collected from suspect asbestos-containing materials (ACM) identified at 1 Main St. in Frisco, Colorado. The collection of representative bulk samples and delivery of the samples to an independent analytical laboratory were conducted on January 24, 2020. The work was performed by S&R Asbestos Building Inspector, Alex Green, who is certified by the Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment (CDPHE).

INTRODUCTION

S&R understands that the City of Frisco was seeking a professional environmental consulting company to collect representative bulk samples of suspect asbestos-containing materials that may be impacted during the demolition of the clock tower at the above listed address. Samples were submitted to an independent analytical laboratory for asbestos content analysis. S&R understands that a report of findings would be prepared based on the results of the analysis. S&R understands that only the clock tower will be demolished and no other building associated with the address will be impacted.

SCOPE OF WORK

Four (4) representative bulk samples were collected from suspect asbestos-containing materials identified in the building's interior areas. Samples were submitted for asbestos content analysis. The following is a list of the suspect building materials identified in the affected areas for the demolition project of the space that were tested:

- Roof Flashing
- Mortar

ANALYTICAL PROCEDURES

The bulk samples collected from suspect asbestos-containing materials were delivered to DCM Sciences Inc., a National Voluntary Laboratory Accreditation Program (NVLAP) asbestos laboratory located in Wheat Ridge, Colorado for a five-day turnaround time. All bulk samples are archived for six months unless otherwise stipulated by the client.

According to the analytical laboratory, the bulk samples were analyzed in accordance with EPA Method 600/R-93/116. Small portions of the sample were placed in Series: E High Dispersion Refractive Index Liquid on a microscope slide. The prepared samples were observed at 100X (power) under polarized light using a McCrone Dispersion Staining Objective. The characteristics of the fibers were compared to the known properties of asbestos fibers for dispersion, color, polarity, distinction and general morphology. Sample content (given by percentage) was made by visual estimates by comparison of asbestos fibers to total materials.

RESULTS

The US Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the State of Colorado Air Quality Control Commission consider a material as asbestos containing if the reported amount of asbestos is **greater** than one percent (1%). Based on the analytical report, all of the samples were reported as none detected (ND) for the presence of asbestos. A list of all tested materials, locations and results follows.

Sample Number	Material	Location	Result	Quantity (ft ²)	Type	Condition/HA
1-FL-01	Grey Roof Flashing	Tower Roof	ND	10	C	N/A / 1
1-FL-02	Grey Roof Flashing	Tower Roof	ND	10	C	N/A / 1
1-MRT-03	Grey Brick Mortar	Tower Base- West Exterior	ND	250	C	N/A / 2
1-MRT-04	Grey Brick Mortar	Tower Base- West Exterior	ND	250	C	N/A / 2

HA = Homogeneous Area
 ND= None Detected

Type
A=Surfacing
B=Thermal System Insulation (TSI)
C=Miscellaneous Material

Condition
1. Damaged or significantly damaged TSI ACBM
2. Damaged friable surfacing ACBM
3. Significantly damaged friable surfacing ACBM
4. Damaged or significantly damaged friable misc. ACBM
5. ACBM with potential for damage
6. ACBM with potential for significant damage
7. Any remaining friable ACBM or friable suspected ACBM

RECOMMENDATIONS AND SUMMARY

None of the tested materials of the project contain any amounts of asbestos. The materials may be demolished or impacted using conventional methods. No other materials in the structure were tested. S&R can assist with filling out a demolition permit if needed.

Suspect materials are sometimes located behind walls, above ceilings, and were considered inaccessible during the survey. Therefore, all materials that contain asbestos may not have been observed or sampled. If additional suspect asbestos-containing materials are identified during restoration, all activities should stop until these materials are sampled. Work should not resume until the results are reported and removal completed, if required.

LIABILITY LIMITATION

S&R reserves the right to amend or alter this protocol as conditions change and materials not initially visible are revealed. All quantities are onsite estimates and reflect the amounts observed at the time of sampling. Actual material quantities should be field verified when developing a scope of work. S&R assumes no liability greater than the sum of the invoice for its services.

CLOSING COMMENTS

S&R appreciates the opportunity to assist with your asbestos sampling needs. If you have any questions regarding this report, please do not hesitate to call us at (303) 297-1645.

CONFIDENTIALITY

This communication including all contents and attachments are confidential and may be subject to privilege.

Sincerely,

S&R ENVIRONMENTAL CONSULTING, INC.

Alex Green
Operations Manager
CDPHE Building Inspector #15745



Attachments:

- Site Photos
- Laboratory Results & Chain of Custody



Clock Tower



Roof Flashing



Interior Structure



12421 W. 49TH AVENUE, UNIT #6
 WHEAT RIDGE, CO 80033 (303) 463-8270

BULK ASBESTOS TEST REPORT
 PAGE 1 OF 2

CLIENT:
 S&R ENVIRONMENTAL CONSULTING
 5801 LOGAN STREET, SUITE 200
 DENVER, CO 80216

ANALYSIS DATE: 1-28-20
 REPORTING DATE: 1-29-20
 RECEIPT DATE: 1-24-20
 CLIENT JOB NO.: TBD
 PROJECT TITLE: FRISCO TOWN HALL
 DCMSL PROJECT: SREC1373

PERCENTAGE COMPOSITION BY VISUAL ESTIMATE

DCMSL SAMPLE NUMBER	CLIENT SAMPLE NUMBER	SAMPLE DATE	DESCRIPTION	PERCENT OF SAMPLE	ASBESTOS TYPE	RANGE	%	TOTAL ASBESTOS IN SAMPLE	OTHER FIBROUS CONSTITUENTS	NON-FIBROUS CONSTITUENTS	TOTAL PERCENTAGE IDENTIFIED MATERIALS
-1	1-FL-01	1-23-20	A. WHITE PAINT B. BROWN TAR	2.0% 98.0%			ND ND	ND _____	0.0 15.0	100.0 85.0	100.0 100.0
								ND			
-2	1-FL-02	1-23-20	A. WHITE/GREY PAINT B. BLACK TAR	14.0% 86.0%			ND ND	ND _____	0.0 12.0	100.0 88.0	100.0 100.0
								ND			
-3	1-MRT-03	1-23-20	A. WHITE CONCRETE PLASTER	100.0%			ND	ND _____	0.0	100.0	100.0
								ND			
-4	1-MRT-04	1-23-20	A. WHITE CONCRETE PLASTER	100.0%			ND	ND _____	0.0	100.0	100.0
								ND			

FOR CALCULATION PURPOSES, TRACE (TR) IS ASSUMED TO BE 0.5%.

(I) INSEPARABLE LAYERS ND - NONE DETECTED

THE SAMPLES WERE RECEIVED IN ACCEPTABLE CONDITION. THIS TEST REPORT RELATES ONLY TO THE ITEMS TESTED. THIS REPORT MAY NOT BE REPRODUCED EXCEPT IN FULL, WITHOUT THE WRITTEN APPROVAL OF THE LABORATORY.



12421 W. 49th Avenue, Unit #6
Wheat Ridge, CO 80033

DCM Project No.: SREC 1373

Bulk Sample Analysis

Page 2 of 2

BULK SAMPLE ANALYSIS PROCEDURES:

DCM Science Laboratory, Inc. analyzes bulk asbestos samples following procedures developed by the McCrone Research Institute and in compliance with guidelines established by the Environmental Protection Agency (EPA-600/M4-82-020, 1982 and EPA-600/R-93/116, July, 1993).

Bulk samples are prepared for analysis using a 10X-80X stereo microscope in a hepa filter hood which provides a contamination-free environment. The sample is then analyzed by polarized light microscopy (PLM) at 100X. When the sample consists of more than one layer, each layer is prepared and analyzed separately. Fiber and matrix materials are identified by the characterization of optical properties including color and pleochroism, form, cleavage, relief, birefringence, extinction, orientation, twinning, interference figure and other distinguishing features. Dispersion staining is also used to further aid in mineral identification. All percentages of asbestos, other fibers and non-fibrous constituents are calculated from the values obtained from analyses using the stereo and PLM microscopes. In-house and NIST standards as well as a chart prepared by R.D. Terry and G.V. Chilinger for "The Journal of Sedimentary Petrology", (Volume 24, pp. 229-234, 1955) provide a guide for estimating percentages. All samples are archived for six months unless other arrangements are made by the client.

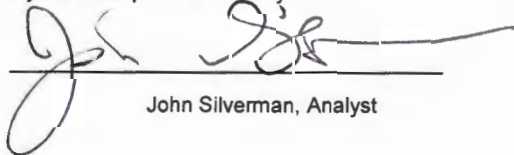
ACCREDITATION:

DCMSL is accredited by NVLAP (since April 1, 1989). Our NVLAP Lab Code is 101258-0. DCMSL complies with NVLAP requirements unless otherwise noted.

ENDORSEMENT:

The results of this analysis must not be used by the client to claim endorsement by NVLAP or any agency of the U.S. Government.

The analysis was performed by :



John Silverman, Analyst

Ron Schott, Analyst

Jason Barnes, Analyst

Alex Sketers, Analyst



NVLAP Lab Code 101258-0

1-28-2020

Date
Ron Schott
Laboratory Director



12421 W. 49th Avenue, Unit #6
Wheat Ridge, CO 80033

(303) 463-8270/(800) 852-7340
(303) 463-8267 - fax

Date/Time Received _____ DCMSL Group No. 0242 DCMSL Log No. SREC 1373

Field Data Sheet/Chain of Custody

Samples Submitted By: S&R Enviro
Company: _____
Address: _____

Job/P.O. # TBD

Project Title Frisco Town Hall

Contact: Alex Green
Phone: _____
Cell: 303-548-1175
Email: to Alex

Archive: Asbestos samples are archived for 6 months unless other arrangements are made. All other samples are archived for 3 months.

Turnaround Time Requested:

- Standard (3 to 5 Business Days)
- 24 Hour Rush
- 2 Hour Rush (Asbestos Only)
- Other _____

Procedure Requested:

ASBESTOS

- Bulk Standard EPA
- Progressive
- Point Count
- Other
- Air NIOSH 7400
- OSHA ID-160
- Other

DUST & SILICA

- Silica - Air NIOSH 7500
- Silica - Bulk
- Silica - Bulk Respirable
- Dust - NIOSH 0500/0600

OTHER SERVICES

- Optical Microscopy
- X-ray Diffraction - Scan/Search
- X-ray Diffraction - Clay/Bulk
- SEM

Other Analysis: _____

Client Sample No.:	Sample Date	Air Volume	Other Information
1 - FL 01	1/23/20		
2 - FL 02	↓		
3 - MRT 03	↓		
4 - MRT 04	↓		
5			
6			
7			
8			
9			
10			

Relinquished By: [Signature] Date/Time 1/23/20

Received By: W Hawney Date/Time 1/24/20 2:39



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: JEFF GOBLE, PUBLIC WORKS DIRECTOR
RE: ORDINANCE 20-02 – DIG ONCE ORDINANCE
DATE: FEBRUARY 25, 2020

Summary and Background: This subject was first brought up a couple of years ago during the Project THOR discussions. Since then Breckenridge, Silverthorne, Dillon and Summit County have adopted similar ordinances to provide for the efficient and cost effective installation of high speed broadband communications facilities while limiting the disruption to the public that utility installations can create. The goal of this ordinance is to limit utility disturbance in the Town's Rights of Way for underground utility work.

During the Council work session on January 28th, Council directed staff to bring this back for first reading during the February 11th Council Meeting. Council did not direct any changes to be made to the first reading of the ordinance that was presented.

Analysis: This ordinance as currently drafted will ensure the following:

1. Broadband conduit will be installed during all Town projects if deemed beneficial by the Town Manager.
2. Broadband conduit will be installed when utility companies are performing work in the Right of Way. The Town would pay the cost to co-locate Broadband conduit in this case, if determined to be beneficial by the Town Manager.
3. Broadband conduit will be installed during new development or new street projects. The total cost of the installation would be paid by the developer and dedicated to the Town.

Financial Impact: Adoption of the proposed ordinance will have no known immediate impact on the 2020 budget. There may be future costs associated with this ordinance when and if projects come forward that would be effected by this ordinance. If that's the case these costs would be accounted for in the project budget.

Alignment with Strategic Plan: Adoption of this ordinance aligns with the Quality Core Services, Thriving Economy and Inclusive Community sections of the Councils 2019-2020 Strategic Plan by ensuring high speed broadband communications system can be installed in the Town over time.

Environmental Sustainability: Adoption of this ordinance will result in less negative impacts on the environment by reducing the amount of excavating and not duplicating work already done. Digging once is far less impactful than digging two or more times.

Staff Recommendation: Staff recommends council approve Ordinance 20-02 on second reading.

Reviews and Approvals: This report has been reviewed and approved by:

Thad Renaud, Town Attorney
Bonnie Moinet, Finance Director-Approved
Nancy Kerry, Town Manager

Attachments:

Attachment 1: Ordinance 20-02

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 20-02**

AN ORDINANCE AMENDING CHAPTER 155 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING STREETS AND PUBLIC WAYS, BY AMENDING ARTICLE II THEREOF, CONCERNING UTILITY INSTALLATIONS, TO GIVE THE TOWN THE ABILITY TO PROVIDE FOR THE CONSTRUCTION OF COMMUNICATIONS CONDUITS IN CONNECTION WITH THE EXCAVATION OF PUBLIC WAYS FOR UTILITY PURPOSES, OR THE CONSTRUCTION OF NEW STREETS.

WHEREAS, the Town of Frisco, Colorado (“Town”) is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, the purpose of Article II of Chapter 155 of the Code of Ordinances of the Town of Frisco is to provide principles and procedures for the permitting and coordination of construction excavation within public ways within the Town, and to protect the integrity of the Town’s public ways and street system, while accommodating the need for public utilities and other similar uses of public ways; and

WHEREAS, the Town Council desires to promote cooperation among the Town and applicants to the Town for the excavation and occupation of the public ways, and work therein, in order to: (i) eliminate duplication that is wasteful, unnecessary or unsightly; (ii) lower the Town’s costs of providing services to the public, and (iii) minimize the number of excavations that occur in the Town’s public ways.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. Article II of Chapter 155 of the Frisco Town Code, concerning utility installations, is hereby amended to read as follows:

**ARTICLE II
UTILITY INSTALLATIONS**

§155-11. Purpose.

The purpose of this article is to provide a means for the Town to grant consent to the use of its public ways for the installation of utilities and other improvements along, through, in, upon, under or over the public ways within the incorporated limits of the Town, and to allow the Town to provide for communications conduits in connection with the installation and maintenance of utilities in public ways by third parties, and to require the installation of communications conduits in connection with the paving of new or existing public ways.

§ 155-12. Exemption.

Except as otherwise expressly set forth in this article. Utility installations by the Town of Frisco and the Frisco Sanitation District shall be exempt from the provisions of this article.

§ 155-13. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

CONDUIT means a single enclosed raceway, pipe or canal for cables, fiber optics or other wires.

COUNCIL or TOWN COUNCIL means the Town Council of the Town of Frisco, Colorado.

DIRECT COST means all necessary and usual costs associated with the placement of conduits as determined and approved by the Town Manager.

PERSON means any individual, firm, company, corporation, district, private or governmental entity of any kind, whether or not a public utility.

PUBLIC WAY means any street, roadway, way, place, alley, sidewalk, pathway, bridge, viaduct, easement, park, square, plaza, and any Town owned right-of-way or other public property owned or controlled by the Town and dedicated to public use or reserved for future use by the public, within the Town of Frisco, in which utility installations may be made, or that may be paved for vehicular travel.

TOWN MANAGER means the Town Manager of the Town of Frisco, or his or her authorized representative.

UTILITY INSTALLATION or UTILITY means any and all facilities, including without limitation, plants, works, systems, lines, equipment, pipes, wires, antennas, satellite or other dishes, transmitters or receptors, mains, and meters, belonging to any person, other than the Town of Frisco, which are used or designed to provide telephone, telegraph, telecommunications, electric, gas, cable television, water, sewer, or any other similar service to any person, whether or not considered a "public utility" as that term may be defined by Colorado statute, and which are located or proposed to be located in any public way within the Town of Frisco. Notwithstanding the foregoing, "utility installation" or "utility" shall not include any utility service line connected to a transmitter or main, and designed to serve an individual structure.

§ 155-14. Review and Approval of Design and Construction Required; Requirements Related to Conduits.

A. Unless otherwise provided by franchise agreement or contract with the Town, no person shall locate, relocate or replace any utility installation in any public way, until three (3) copies of the plans and specifications for such installations have been submitted to and approved by the Town. Such plans and specifications, prepared and signed by an engineer registered in the State of Colorado, shall disclose the nature, extent, location, depth or height, and materials to be used for the proposed utility installation within the public way, shall indicate the timing and duration of the planned construction activity, and shall contain such additional information as the Town Manager may reasonably require. The Town Manager may, in the exercise of his discretion, waive the requirement that the plans be signed by a registered engineer, where the proposed utility installation is simple in nature and does not require engineering design.

B. All utility installations in public ways shall be designed so as not to interfere with the Town's water mains, street or path improvements and paving, drainage structures, or other municipal or utility uses within the public way, or to the extent such interference is unavoidable, the plans and specifications submitted shall include provisions for minimizing such interference and for restoring any disturbance to public or private property caused by the installation, at the expense of the person proposing the installation. ~~The Town Manager may require that proposed utility installations be coordinated with Town street improvement programs or other public improvements or utility installations planned by the Town or other persons providing utility service within the Town.~~

C. The Town Manager may require that proposed utility installations be coordinated with Town street improvement programs or other public improvements or utility installations planned by the Town or other persons providing utility service within the Town. The Town Manager may require that conduit be installed in the same or an adjacent location that the permittee proposes for excavation and, if so required, the permittee shall coordinate with the Town and facilitate the installation of the Town's conduit. The direct cost of installing the Town's conduit will be paid by the Town. No permittee shall be required to serve as a financial pass-through from the Town to a contractor installing the Town's conduit.

D. The intent of this subsection is to provide for the construction of infrastructure sufficient to allow broadband communications entities desiring to deploy facilities in the future to do so by pulling the same through the conduit and appurtenances installed pursuant to this subsection and without excavating within the public ways. This subsection is not intended to require owners of broadband facilities or other conduit to install additional ducts or conduit in existing public ways; rather, it is intended to require those constructing public streets, including the Town and developers, to provide and install such conduit and appurtenances as may be necessary to accommodate future broadband needs within the public ways without further excavation.

1. Whenever any new public street is constructed, whether by the Town as a public works project or by a developer or other private party in conjunction with development, the following shall be required:
 - i. For all new collector streets or major arterial streets, as defined in the Town's Minimum Street Design and Access Criteria, as amended, a minimum of two 4" conduits shall be installed by and at the sole cost of the party constructing the street; provided however that at the discretion of the Town Manager, the number and size of the conduit and spacing of pull boxes may be modified to address the reasonably known plans and/or demand for broadband capacity in these locations. If determined that additional conduits are required, the Town shall determine and pay the direct costs resulting from such additional conduits.
 - ii. For all other new streets, a minimum of two 2" conduits shall be installed by and at the sole cost of the party constructing the street; provided however that at the discretion of the Town Manager, the number and size of the conduit and spacing of pull boxes may be modified to address the reasonably known plans and/or demand for broadband capacity in these locations. If determined that additional conduits are required, the Town shall determine and pay the direct costs resulting from such additional conduits.
 - iii. In addition to installing conduit, the party constructing the street will be required to install such vaults and other appurtenances as may be necessary to accommodate installation and connection of broadband facilities within the conduit.
 - iv. All construction and installation shall be accomplished according to construction standards adopted by the Town. The construction standards shall be adopted with due consideration given to existing and anticipated technologies and consistent with industry standards.

- v. All facilities installed by developers or other private parties pursuant to this section shall be conveyed and dedicated to the Town with the dedication and conveyance of the public street and/or way.

The Town reserves the right to charge reasonable fees for the use of conduit installed pursuant to this subsection, to the extent consistent with and as limited by federal and state laws.

GE. The Town Manager shall review said plans and specifications for compliance with the requirements of this article and any other applicable regulations or requirements of the Town. The Town Manager may approve the plans as submitted, approve the plans with modifications, or deny the plans for any utility installation if such installation does not comply with such requirements or where necessary to protect the public health, safety or welfare of the citizens of the Town. In approving any plans for a utility installation, the Town Manager may impose any reasonable conditions to ensure that the utility installation complies with the applicable requirements of the Town or where necessary to protect the public health, safety or welfare of the citizens of the Town. The Town Manager shall provide written notice of the approval, conditional approval or denial of any proposed utility installation, to the person seeking such approval.

DE. Any person aggrieved by the decision of an authorized representative of the Town Manager may appeal the same to the Town Manager, by filing such an appeal, in writing, with the Town Manager or such authorized representative not later than ten (10) calendar days from the date of the decision. The Town Manager may reverse or affirm, wholly or partly, or may modify or condition the authorized representative's decision, after consideration of the requirements of this article and all other applicable regulations and requirements of the Town.

EG. All utility installations shall be underground, unless specifically exempted by the Town Council, which shall grant such exemption only in cases of extraordinary or exceptional physical conditions making the placement of such utility installations underground economically infeasible.

FH. All utility installations in public ways shall conform to the approved plans and specifications therefor and any conditions imposed by the Town. Upon completion of construction, the person installing such utility shall provide to the Town three (3) copies of as built plans, showing final location and construction details. Any material changes to the approved plans and specifications, as determined by the Town Manager, may be made only after obtaining the Town's approval in the manner provided in this article.

§ 155-15. Fees.

A. Application fees. All applications for review of proposed utility installations pursuant to this article shall be accompanied by payment of an application fee payable to the Town, which fee is intended to help defray the expense of the Town in administering the provisions of this article. The Town Manager shall from time to time determine the cost of performing the administrative services required by this article and, on the basis of such historic costs and estimations, shall promulgate a schedule of fees for the performance of administrative services. Any schedule of fees promulgated by the Town Manager shall be effective immediately upon filing with the Town Clerk and shall be available for public inspection in the office of the Town Clerk and the office of the Town Manager.

B. Other fees. Any person seeking to place a utility installation in a public way shall be required to pay to the Town certain Town costs associated with said utility installation, including without limitation, legal and engineering fees for review and consultation incurred by the Town. The

procedure for payment of such fees shall be the same as that provided in § 180-31, subparagraph D4, of the Code.

C. Occupation fees. Unless otherwise preempted by state or federal law, the Town Council is hereby authorized to provide, by resolution, for the levy of a fee for the occupation by utility installations of the public ways, provided that any such occupation fee be uniformly applied to all utility installations occupying the public ways, and provided that said occupation fee be reasonably related either to the cost to the Town of such occupation, or to the value of such occupation.

§ 155-16. Relocation of Facilities.

A. When required by the Town Manager due to the construction, installation, relocation, repair or improvement of streets, pedestrian or bicycle paths or ways, street lighting, drainage structures, water mains, or other utilities or public improvements, or for other reasons of public health, safety or welfare, the owner of a utility installation in any public way shall, at such owner's expense, protect, support, temporarily disconnect, or relocate within or outside such public way the said owner's utility installation or portions thereof as directed by the Town. Such required action shall be taken promptly upon notification from the Town Manager and shall be completed within a reasonable time, as determined by the Town Manager.

Section 2. Effective Date. This ordinance shall become effective in accordance with the home-rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THIS 11TH DAY OF FEBRUARY, 2020.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS 25TH DAY OF FEBRUARY, 2020.

TOWN OF FRISCO, COLORADO:

Gary Wilkinson, Mayor

ATTEST:

Deborah Wohlmuth, CMC,
Town Clerk